
Planning and Development Committee

Date: November 15, 2021
Time: 6:00 PM
Location: Council Chambers, Civic Centre, 2nd Floor
300 City Centre Drive, Mississauga, Ontario, L5B 3C1
And Online Video Conference

Members

Mayor Bonnie Crombie	
Councillor Stephen Dasko	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Ron Starr	Ward 6 (Vice-Chair)
Councillor Dipika Damerla	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11 (Chair)
Councillor Carolyn Parrish	Ward 5 (ex-officio)
Councillor Pat Saito	Ward 9 (ex-officio)

Participate Virtually or In Person

Advance registration is required to participate in person and/or make comment in the virtual public meeting. Please email deputations.presentations@mississauga.ca no later than Friday, November 12, 2021 at 4:00 p.m. Any materials you wish to show the Committee during your presentation must be provided as an attachment to the email. Links to cloud services will not be accepted. You will be provided with directions on how to participate from Clerks' staff.

Participate Via Telephone

Residents without access to the internet, via computer, smartphone or tablet, can participate and/or make comment in the meeting via telephone. To register, please call Megan Piercey at 905-615-3200 ext. 4915 no later than Friday, November 12, 2021 at 4:00 p.m. You must provide your name, phone number, and application number if you wish to speak to the Committee. You will be provided with directions on how to participate from Clerks' staff.

Contact

Megan Piercey, Legislative Coordinator, Legislative Services
905-615-3200 ext. 4915
megan.piercey@mississauga.ca

PUBLIC MEETING STATEMENT: In accordance with the *Ontario Planning Act*, if you do not make a verbal submission to the Committee or Council, or make a written submission prior to City Council making a decision on the proposal, you will not be entitled to appeal the decision of the City of Mississauga to the Ontario Land Tribunal (OLT), and may not be added as a party to the hearing of an appeal before the OLT.

Send written submissions or request notification of future meetings to:

Mississauga City Council Att: Development Assistant
c/o Planning and Building Department – 6th Floor
300 City Centre Drive, Mississauga, ON, L5B 3C1
Or Email: application.info@mississauga.ca

1. **CALL TO ORDER**

2. **DECLARATION OF CONFLICT OF INTEREST**

3. **MINUTES OF PREVIOUS MEETING**

3.1. Planning and Development Committee Meeting Draft Minutes - November 8, 2021

4. **MATTERS TO BE CONSIDERED**

4.1. PUBLIC MEETING INFORMATION/RECOMMENDATION REPORT (ALL WARDS)

Temporary Patio and Temporary Outdoor Businesses Programs.

File: CD.21-TEMP

4.2. PUBLIC MEETING INFORMATION REPORT (WARD 2)

Rezoning application to permit 2 one-storey industrial buildings, north of Lakeshore Road West, east side of Avonhead Road.

Address: 551 Avonhead Road

Owner: 551 Avonhead GP Inc.

File: OZ 21/007 W2

4.3. PUBLIC MEETING INFORMATION REPORT (WARD 1)

Mississauga Official Plan Amendment for the Lakeshore Road East Corridor.

File: CD.03-LAK W1

4.4. PUBLIC MEETING RECOMMENDATION REPORT (WARD 2)

Official Plan Amendment and Rezoning applications to permit 6 townhomes, northwest of Lakeshore Road West and Lorne Park Road, at Albertson Crescent and Bramblewood Lane.

Address: 1110 Lorne Park Road

Owner: Jacan Construction Ltd. (LJM Developments)

File: OZ 19/006 W2

4.5. PUBLIC MEETING INFORMATION REPORT (WARD 4)

Official Plan Amendment and Rezoning applications to permit two 45 storey and one 37 storey apartment buildings with ground floor commercial uses, southwest corner of Eglinton Avenue West and Hurontario Street.

Address: 30 Eglinton Avenue West

Owner: 30 Eglinton Avenue West Limited (c/o Crown Property)

File: OZ 21/002 W4

5. **ADJOURNMENT**

City of Mississauga

Corporate Report



<p>Date: October 22, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's files: CD.21-TEM (All Wards) and CD.21-SPE (All Wards)</p> <hr/> <p>Meeting date: November 15, 2021</p>
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Subject

PUBLIC MEETING INFORMATION/RECOMMENDATION REPORT (ALL WARDS)

Temporary Patio and Temporary Outdoor Businesses Programs

Files: CD.21-TEM and CD.21-SPE

Recommendation

1. That the proposed amendments to the by-laws and the waiver of fees, outlined in Appendix 4 of the report dated October 22, 2021, from the Commissioner of Planning and Building related to temporary outdoor patios and temporary outdoor businesses to allow them to operate until December 31, 2022, be approved, and that the necessary implementing by-laws be brought to a future City Council meeting.
2. That the Planning and Building Department report back on public submissions received and make recommendations on permanent regulations for patios and/or outdoor recreational/entertainment establishments.

Executive Summary

- The temporary use by-laws for outdoor patios and outdoor businesses need to be extended to continue to support Mississauga's businesses to the end of 2022.
- Planning and Building Department staff are considering options for the long-term regulation of patios and/or outdoor recreational/entertainment establishments.
- Consultation with relevant businesses and the public will be conducted prior to a recommendation report on the long-term regulations being brought before the Planning and Development Committee in 2022.

Background

TEMPORARY OUTDOOR PATIO PROGRAM

To support the restaurant industry in Mississauga during the COVID-19 pandemic, on July 8, 2020, Council passed Temporary Use By-law 0163-2020 to permit temporary outdoor patios accessory to restaurants, convenience restaurants and take-out restaurants in certain zones until December 31, 2020. An extension was subsequently approved by Council on November 11, 2020 through Temporary Use By-law 0233-2020 to permit the use until December 31, 2021. Reports associated with those approvals are included as Appendix 2 to this report.

To date, 24 patio permits have been approved to allow temporary patios on a public right-of-way. Since temporary patios on private lands do not require a patio permit, it is difficult to determine the total number of temporary patios across the City. However, approximately 100 inquiries were received regarding the temporary patio program, which indicates significant interest and success with the program.

PORT CREDIT CULTURAL NODE PATIO PROGRAM

Patios and retail sales are currently permitted on the public sidewalks and lay-by parking areas in Port Credit through the Port Credit Cultural Node project. Minor variance approval was originally granted in 2011 to permit the uses on a temporary basis, and based on its success, approval was subsequently renewed in 2012 and again in 2017. The current approval is set to expire on April 30, 2022. Separate approvals are required for wood structures through an encroachment agreement, which are not granted on a permanent basis, and only permit the encroachments between April 15 and October 15.

TEMPORARY OUTDOOR BUSINESSES PROGRAM

Apart from restaurants and patios, other businesses in Mississauga have expressed interest in operating outdoors, allowing for greater ability to physically distance. Examples include drive-in movie theatres, outdoor bingo halls and outdoor retail sales. Council passed Temporary Use By-law 0307-2020 on December 9, 2020 to permit temporary outdoor retail sales and temporary outdoor recreational/entertainment establishments in most commercial, Downtown Core, employment and open space zones until December 31, 2021. Reports associated with that approval are included as Appendix 3 to this report.

Comments

EXTENSION OF TEMPORARY PATIO AND TEMPORARY OUTDOOR BUSINESSES PROGRAMS

On July 16, 2021, the Province of Ontario entered Step 3 of the Roadmap to Reopen Plan, which resulted in a number of indoor and outdoor activities being permitted or permissions being altered. Indoor dining was permitted to resume, and on October 25, 2021 capacity limits were lifted for the majority of businesses requiring proof of vaccination, including restaurants and bars without dance floors. However, due to personal preferences of patrons, it may be advantageous

for restaurant owners to continue offering patio services outdoors. The Province has indicated that on November 15, 2021, it intends to further lift capacity limits in remaining businesses where proof of vaccination is required, including food or drink establishments with dance facilities.

Continuing to support businesses in Mississauga beyond the end of 2021 given the uncertainty of the impacts of the pandemic remains important. Staff are recommending that both of the temporary use by-laws for patios and outdoor businesses be extended for an additional year, expiring at the end of 2022. No changes are proposed to any of the previously approved temporary zoning regulations as they apply to these uses. However, the permitted zones are proposed to be slightly expanded to ensure that the Port Credit Cultural Node patio program is captured within the new temporary use by-laws. The encroachment agreement/patio permit programs will continue to apply if uses are being proposed in the public right-of-way. In addition, amendments to various City by-laws will be required to further extend waiving of fees or other requirements.

Temporary Outdoor Patio Program

Ontario Regulation 345/20, made under the *Reopening Ontario (A Flexible Response to COVID-19) Act 2020*, exempted temporary use by-laws related to patios from the requirements for providing public notice and holding a statutory public meeting.

The following are the by-laws that will require amendments for the temporary patio program. Details regarding the amendments are outlined in Appendix 4.

- Zoning By-law 0225-2007
- Prohibit Sale of Goods on Highways By-law 0127-1995
- Encroachment By-law 0057-2004
- Business Licensing By-law 0001-2006
- Noise Control By-law 0360-1979
- Building By-law 0203-2019
- User Fees and Charges By-law 0156-2019

For the temporary patio program, applicable fees under the User Fees and Charges By-law 0251-2020 were waived. The waiver of such fees will also be incorporated into the 2022 User Fees and Charges By-law which will replace the current by-law and is expected to be approved by Council before the end of 2021.

Temporary Outdoor Businesses Program

The temporary use by-law to extend the permissions for temporary outdoor retail sales and display and temporary outdoor recreational/entertainment establishments requires public notice, the holding of a statutory public meeting and is subject to potential appeal. The public meeting on November 15, 2021 fulfills the statutory requirements under the *Planning Act*.

In addition to the temporary use by-law, temporary outdoor retail sales and display and temporary outdoor recreational/entertainment establishments were given similar exemptions from the application of the above-noted City By-laws through the enactment of By-law 0306-2020. This by-law will be amended to extend the current repeal date of December 31, 2021 to December 31, 2022.

Public complaints regarding temporary patios or temporary outdoor businesses have been minimal during the pandemic. Only nine of the 1,400 noise complaints that were received by the City from October 2020 to September 2021, mention patios.

REGULATION OF PATIOS AND OUTDOOR BUSINESS ACTIVITIES ON A PERMANENT BASIS

Given the success of the temporary use by-laws, staff are considering more permanent changes to the regulation of patios, and/or outdoor recreational/entertainment establishments, including the patio program in Port Credit. Before the temporary use by-laws, none of the aforementioned outdoor uses were permitted in the City, with the exception of patios in some of the Downtown Core zones, and some site-specific permissions such as Port Credit.

Staff are reviewing the following options.

Option 1: Allow the temporary use by-laws to expire with no changes

The City can return to the regulations that applied before the pandemic, with none of the uses being permitted outdoors. Any request would be required to apply for a rezoning or minor variance application to permit the uses.

Option 2: Allow temporary patios, and/or temporary recreational/entertainment establishments to continue permanently

Except for temporary outdoor retail sales, the City can allow all of the uses that are currently permitted through the temporary use by-laws beyond 2022. The uses would still be limited to those being temporary in nature (i.e. can be easily removed or relocated and do not include permanent structures). The City could consider a licensing regime to regulate the number of days in a calendar year that they are permitted to operate. Staff will assess and monitor the effect on the more permissive parking regulation and may recommend further changes accordingly. In particular, staff are considering the impact to public on-street parking in the Business Improvement Area (BIA) districts and the Downtown, which may be significant if parking activity returns to pre-pandemic levels.

Option 3: Allow permanent patios

Unless it is located in one of the permissive Downtown Core zones, restaurants seeking a permanent on-site patio normally require a minor variance. This process allows public consultation and for the Committee of Adjustment to review the proposal and impose conditions of approval that may mitigate any impacts of the patio. These conditions include limitations on hours of operation, length of approval and/or music.

To mitigate anticipated impacts, staff will consider introducing a minimum separation distance from patios to residential zones similar to the 60 m (197 ft.) separation between restaurants and residential zones. Permanent patios located in parking areas may require a reduced parking rate since the patio would permanently reduce the supply of parking available on site.

Permanent patios may be required to obtain site plan approval. Business owners will be required to enter into an encroachment agreement with the City on any patio within the City's right-of-way. The City's Noise By-law and Property Standards By-law will continue to help address any related nuisance or maintenance related complaints.

Permanent patio structures are not being considered for public on-street parking spaces. The only consideration for the public right-of-way would be on a municipal sidewalk where there is adequate width to accommodate such a facility.

LAND USE POLICIES AND REGULATIONS

Appendix 1 contains relevant policies from the *Provincial Policy Statement* (PPS), *Growth Plan for the Greater Golden Horseshoe* (Growth Plan), the Region of Peel Official Plan (ROP) and Mississauga Official Plan (MOP) as they apply to the proposed temporary use by-laws. MOP contains policies regarding support for economic activities, distinct local communities and cultural identities, active public realms, and encouraging retail uses in Intensification Areas. Further, Section 19.9.1 of MOP contains specific policies in regards to temporary use by-laws, including criteria and conditions.

Upon review of the relevant policies, Planning and Building staff are of the opinion that the extension of the temporary use by-laws for outdoor patios, outdoor retail sales and outdoor recreational/entertainment establishments conform to MOP including the criteria for a temporary use by-law, represent good planning, and should be approved.

Engagement and Consultation

Should the extensions to the temporary use by-laws be approved, communications staff will coordinate appropriate messaging to affected businesses, and the City's website will be revised to reflect the changes. Staff can also modify the website to receive public input on the potential long-term regulation of patios and outdoor recreational/entertainment establishments. Engagement will include local BIAs, the Mississauga Board of Trade (MBOT), Mississauga Tourism and Restaurants Canada.

Financial Impact

Both the temporary patio and temporary outdoor businesses programs were intended to assist local businesses to offset loss of revenue during the pandemic. A number of City fees have, and will continue to be waived as part of the extension of the temporary programs.

The main financial impact will be continued reallocation of staff time to continue the implementation of the programs, decreased revenue due to occupied paid parking spaces, potential increased enforcement and increased cost of winter maintenance.


Depending on the City's approach to the long-term regulation of outdoor uses, the financial impacts and required staff resources will vary.

Conclusion

In summary, the proposed extension of the temporary use by-laws for outdoor patios and outdoor businesses are consistent with good planning. Continuing to support Mississauga's businesses as the pandemic continues beyond 2021 will contribute to the City's recovery and should be approved. In addition, once the public meeting has been held, and input has been received from the public and businesses, the Planning and Building Department will present recommendations regarding the long-term regulation of patios, outdoor retail sales and outdoor recreational/entertainment establishments.

Attachments

- Appendix 1: Detailed Information and Preliminary Planning Analysis
- Appendix 2: Supplementary Recommendation Report – Temporary Outdoor Patios
- Appendix 3: Public Meeting Information/Recommendation Report – Outdoor Business Activities
- Appendix 4: Necessary Amendments to City By-laws



Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Jordan Lee, Planner

Detailed Information and Preliminary Planning Analysis
City Initiated Zoning By-law Amendment

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1. Summary of Applicable Policies, Regulations and Proposed Amendments

The *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect these potential amendments have been reviewed and summarized in the table below. Only key policies relevant to the amendments have been

included. The table should be considered a general summary of the intent of the policies and should not be considered exhaustive. In the sub-section that follows, the relevant policies of Mississauga Official Plan are summarized. The potential amendments will be evaluated based on these policies in the subsequent recommendation report.

Policy Document	Legislative Authority/Applicability	Key Policies
Provincial Policy Statement (PPS)	<p>The fundamental principles set out in the PPS apply throughout Ontario. (PPS Part IV)</p> <p>Decisions of the council of a municipality shall be consistent with PPS. (PPS 4.1)</p> <p>The Official Plan is the most important vehicle for implementation of the Provincial Policy Statement (PPS 4.6)</p>	<p>Healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term (PPS 1.1.1)</p> <p>Land use patterns within <i>settlement areas</i> shall be based on densities and a mix of land uses which: a) efficiently use land and resources (PPS 1.1.3.2)</p> <p>Planning authorities shall promote economic development and competitiveness by: b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses (PPS 1.3.1)</p> <p>Long-term economic prosperity should be supported by: a) promoting opportunities for economic development and community investment-readiness; d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; h) providing opportunities for sustainable tourism development (PPS 1.7.1)</p>
Growth Plan for the Greater Golden Horseshoe (Growth Plan)	<p>The Growth Plan applies to the area designated as the Greater Golden Horseshoe growth plan area. All decisions made on or after May 16, 2019 in respect of the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise. (Growth Plan 1.2.2)</p>	<p>Within settlement areas, growth will be focused in delineated built-up areas; strategic growth areas; locations with existing or planned transit; and, areas with existing or planned public service facilities. (Growth Plan 2.2.1.2 c)</p> <p>Economic development and competitiveness in the GGH will be promoted by: d) integrating and aligning land use planning and economic development goals</p>

Policy Document	Legislative Authority/Applicability	Key Policies
		<p>and strategies to retain and attract investment and employment (Growth Plan 2.2.5.1)</p> <p>Retail and office uses will be directed to locations that support active transportation and have existing or planned transit (Growth Plan 2.2.5.3)</p>
Parkway Belt West Plan (PBWP)	The policies of MOP generally conform with the PBWP.	Public open space and buffers and uses incidental to them will be permitted in areas designated 'Public Use Area'.
Region of Peel Official Plan (ROP)	The Region of Peel approved MOP on September 22, 2011.	<p>The ROP identifies the subject lands as being located within Peel's Urban System.</p> <p>General objectives of ROP, as outlined in Section 5.3, include establishing healthy complete communities and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances, while taking into account the characteristics of existing communities and services, and achieving an urban form and densities that are pedestrian-friendly and transit supportive.</p>

Mississauga Official Plan

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms with the Growth Plan, Greenbelt Plan, PBWP and ROP. An update to MOP is currently underway

to ensure MOP is consistent with and conform to changes resulting from the recently released Growth Plan, 2019 and Amendment No. 1 (2020).

Relevant Mississauga Official Plan Policies

The following policies are applicable in the review of these potential amendments. In some cases the description of the general intent summarizes multiple policies.

	General Intent
Chapter 5 Direct Growth	<p>Mississauga will maintain an adequate supply of lands for a variety of employment uses to accommodate existing and future employment needs. (Section 5.3.6.1)</p> <p>Mississauga will maintain a sustainable, diversified, employment base by providing opportunities for a range of economic activities. (Section 5.3.6.2)</p> <p>Employment uses that support opportunities for residents to work in Mississauga will be encouraged. (Section 5.3.6.3)</p>
Chapter 7 Complete Communities	<p>When making planning decisions, Mississauga will identify, maintain and enhance the distinct identities of local communities by having regard for the built environment, natural or heritage features, and culture of the area. (Section 7.1.10)</p> <p>Mississauga will support cultural development by considering the needs of the cultural community when: c. allowing for arts and cultural uses and activities within the public realm (e.g. public art, festivals) (Section 7.5.3)</p> <p>Mississauga will strive to protect and enhance the desirable character of areas with distinct identities and encourage the development of distinct identities for other areas. (Section 7.6.1.1)</p>
Chapter 9 Build A Desirable Urban Form	<p>Mississauga will transform the public realm to create a strong sense of place and civic pride. (Section 9.1.8)</p> <p>The public realm will be planned to promote healthy, active communities that foster social connections at all stages of life and encourage built and natural settings for recreation, culture and active transportation. (Section 9.3.5.9)</p> <p>Display areas are to be an integral part of the overall site design and evaluated based on their impact on the streetscape. (Section 9.5.4.7)</p>
Chapter 10 Foster a Strong Economy	<p>Mississauga will encourage a range of employment opportunities reflective of the skills of the resident labour force. (Section 10.1.1)</p>

	General Intent
	<p>To encourage economic development and competitiveness, Mississauga will ensure the necessary infrastructure, for which it is responsible, is provided to support current and forecasted employment needs. (Section 10.1.7)</p> <p>Retail uses are encouraged to locate primarily within the Downtown, Major Nodes and Community Nodes. (Section 10.4.1)</p>
Chapter 19 Implementation	<p>City Council may pass by-laws to authorize the temporary use of land for a purpose that is otherwise prohibited by the zoning by-law, as permitted by the provisions of the <i>Planning Act</i>. (Section 19.9.1)</p> <p>A temporary use which conforms to this Plan may be permitted by a temporary use by-law to allow: a. an unfamiliar use on a trial basis (Section 19.9.2)</p> <p>The following conditions will apply to all uses permitted by a temporary use by-law (Section 19.9.3):</p> <ul style="list-style-type: none"> a. extensions of the period of temporary use may be permitted by subsequent by-laws but should generally not continue for more than three years as per the <i>Planning Act</i>; b. no new buildings or expansions of buildings, except for temporary or movable structures will be permitted; c. the temporary use permitted must be compatible with adjacent land uses, or measures to mitigate any adverse impacts must be applied; d. no adverse impacts on traffic or transportation facilities in area result, and sufficient parking must be provided on-site; g. the temporary use will not jeopardize the eventual planned use; and h. temporary buildings must conform to the property standards by-law

Potential Zoning Regulations

Options	Potential Amendments
Option 1 – Allow the temporary use by-laws to expire with no changes	<ul style="list-style-type: none"> - Outdoor patios are permitted in CC1-CC4, CCO zones accessory to a restaurant, take-out restaurant or retail store where the primary function is the sale of food
Option 2 – Allow temporary patios and/or temporary recreational/entertainment establishments to continue	<p>Patios:</p> <ul style="list-style-type: none"> - Permitted in O1-O3, C1-C4, H-CC1-H-CC4, H-CCO, CC1-CC4, CCO, E1-E3 zones - Not permitted on landscaped areas or landscaped buffers - Minimum setback from residential zones – 6.0 m (19.7 ft.) - Minimum percentage of required parking spaces that shall remain available for use – 80% - Minimum percentage of required accessible parking spaces that shall remain available for use – 100% - Minimum distance from accessible parking spaces to edge of patio – 1.0 m (3.3 ft.) - Patio shall not obstruct driveways, parking aisles and pedestrian walkways <p>Outdoor Recreational Establishment and Outdoor Entertainment Establishment:</p> <ul style="list-style-type: none"> - Permitted in C2-C4, H-CC1-H-CC4, CC1-CC4, H-CCO, CCO, H-CCOS, CCOS, E1, E2, OS1, OS2, PB1-6 zones - Maximum number of consecutive days and maximum number of days within one calendar year for temporary tent and/or stage – not applicable - Minimum distance from a Residential zone to edge of outdoor recreational establishment and outdoor entertainment establishment – 4.5 m (14.8 ft.) - Minimum percentage of required parking spaces that shall remain available for use – 80% - Minimum percentage of required accessible parking spaces that shall remain available for use – 100% - Minimum distance from accessible parking spaces to edge of outdoor recreational establishment and outdoor entertainment establishment – 1.0 m (3.3 ft.) - Outdoor recreational establishment and outdoor entertainment establishment shall not obstruct pedestrian walkways
Option 3 – Allow permanent patios	<ul style="list-style-type: none"> - Permitted in O1-O3, C1-C4, H-CC1-H-CC4, H-CCO, CC1-CC4, CCO, E1-E3 zones - Minimum separation distance to Residential zone – 60.0 m (196.9 ft.)

Options	Potential Amendments
	<ul style="list-style-type: none">- Not permitted on landscaped areas or landscaped buffers- Patio shall not obstruct driveways, parking aisles and pedestrian walkways- Minimum distance from accessible parking spaces to edge of patio – 1.0 m (3.3 ft.)

2. Next Steps

Based on the comments received and the applicable Mississauga Official Plan policies, the Planning and Building Department will bring forward a recommendation report to a future Planning and Development Committee meeting.

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City of Mississauga

Corporate Report



<p>Date: October 19, 2020</p> <p>To: Mayor and Members of Council</p>	<p>Originator's file: CD.21-TEM</p>
<p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Meeting date: November 11, 2020</p>

Subject

SUPPLEMENTARY RECOMMENDATION REPORT (All Wards)Public Meeting
Covid-19 Recovery – Support for Temporary Outdoor Patios File CD.21-TEM

Recommendation

1. That Council amend Temporary Use By-law 0163-2020 to permit temporary outdoor patios accessory to all types of restaurants to December 31, 2021, in accordance with the updated regulations in the staff report dated October 19, 2020, from the Commissioner of Planning and Building.
2. That amendments to the By-laws set out in the staff report dated October 19, 2020, and any other necessary amendments to By-laws related to temporary outdoor patios to allow them to operate at no cost until December 31, 2021, be approved.

Report Highlights

- The temporary patio program could be extended until December 31, 2021, and include permission for temporary tents to address the need for winter shelter
- Permitting temporary tents will require inspections by the Fire and Emergency Services ("Fire") with respect to type of material used and type and location of heat sources
- If approved, By-law Enforcement Officers will begin inspections of patio enclosures on public rights-of-way and on private property immediately
- Winter maintenance and the costs associated with enhanced snow removal will increase if temporary patios and/or tents are located on the municipal right-of-way over the winter months

Background

On July 8, 2020, Council passed Temporary Use By-law 0163-2020 to permit outdoor patios accessory to restaurants, convenience restaurants and take-out restaurants in certain Zones within the City of Mississauga until December 31, 2020. At the same meeting, a temporary patio program was endorsed to allow restaurants to install patios on public lands (right-of-way sidewalks outside the storefront and/or in on-street parking spaces). This program is set to expire on November 15, 2020.

In support of the temporary patio program several amendments to City By-laws were also adopted by Council. Specifically, these enabled fees for encroachments, noise by-law exceptions and business licensing to be waived, and the sale of goods on public roadways was permitted.

Since the Council meeting held on July 8, 2020, staff received numerous inquiries from a diverse group of businesses across all wards, including bars, restaurants, banquet halls and convention centres, cultural centres, bakeries and lounges. In total, there was 52 inquiries for patios on private lands, and 17 for public lands. Staff estimate that 75 patios were installed on private property, for which no municipal approvals were required. A total of nine temporary permits were issued to businesses for patios on public rights-of-way.

Generally, the program was successful. While staff received some complaints from members of the public and business owners, these primarily related to businesses not complying with the Provincial Regulations and/or the City's Temporary Patio Design Guidelines. As example, on private lands some patios were placed over accessible parking spaces and interfered with pedestrian walkways, while others related to blocked parking spots. Generally, these complaints were addressed by the property owners or management companies.

Other complaints related to the construction of platforms for temporary patios on private lands and on public rights-of-way. By-law Enforcement staff responded to 311 calls to ensure these platforms did not require building permits. If relevant, the restaurant owner was directed to Realty Services to sign up for the Port Credit Cultural Node patio program.

Comments

As of October 10, 2020, the Province of Ontario issued new restrictions for restaurants and bars that prohibit indoor dining, for a second time. As a result, local restaurant businesses continue to experience reduced revenues and seek the City's support to assist the hospitality industry. Specifically the continuation of the temporary program and provision for an ability to utilize tents is desired.

EXTENSION OF THE TEMPORARY USE BY-LAW

Staff propose to extend the existing temporary by-law with amendments. This entails a new expiry date of December 31, 2021, and adding a provision for temporary tents to existing zoning regulations. Specifically, the definition of a temporary outdoor patio will be amended to include the words "that may be covered by a temporary tent".

With respect to the permission of tents, Provincial regulations state that patios are to be open air, but if it is covered by a roof, canopy, tent, awning or other element, at least two full sides of the outdoor dining area must be open to the outdoors, and must not be substantially blocked by any walls or other impermeable physical barriers. The City of Mississauga does not have authority to alter or change the Provincial regulations.

Typically, a tent on private property would require a site plan approval express review and approval by Development and Design staff, however staff recommend that this requirement be waived for tents on temporary outdoor patios.

It should also be noted, where a business proposes a temporary tent attached to, or located within 3 m (9.5 ft.) of a building, and if they are greater than 60 m² (645 ft²) in size, a building permit would be required. Council may elect to waive the building permit fee in these cases.

Additionally, a recent trend occurring throughout many cities has been the use of "dining bubbles". It is staff's position that a dining bubble would not meet the provincial regulations as currently set out. However, should this change at some point, a dining bubble would be in compliance with the temporary patio by-law.

The proposed changes and extension of the temporary use by-law is consistent with the Provincial Policy Statement, conforms to the Growth Plan, the Region of Peel Official Plan and Mississauga Official Plan, and represents good planning.

EXTENSION OF TEMPORARY PATIO PROGRAM ON PUBLIC RIGHTS-OF-WAY

There are 21 legal patios installed in the road allowance in Port Credit (14), Streetsville (six) and Clarkson (one). These patios are permitted under both the temporary patio program and the Port Credit Cultural Node patio program.

Any winter weather event will present unique maintenance challenges for Works Operations and Maintenance. As example, the use of automated sidewalk snow clearing equipment will be difficult, and additional handwork with crews manually shovelling the priority sidewalks will be required. Patios within the public ROW will also impact the City's ability to store snow in the road allowance. Consequently, additional snow removal efforts using a combination of specialized equipment and labour will be required.

Additional costs are anticipated should a winter event occur that requires salting and/or plowing of the roadway and priority sidewalks. In addition, Council-approved winter maintenance service

level timelines for major roads and priority sidewalks may be negatively impacted due to the obstruction the patios present.

However, business owners will be responsible for clearing all snow and/or ice from their patio, including the entry and exit points for the patio and restaurant.

OTHER CONSIDERATIONS

With the extension of the Temporary Use By-law, and the new provision for temporary tents, staff anticipate the use of heaters during the winter months. Staff recommend an enforcement program that focuses on public safety and the compliance with Provincial regulations, as outlined in the following sections.

Fire and Emergency Services - Patio Heater Guidelines

Gas fired commercial tent heaters that are located external to a temporary tent and which pump heat into the tent would be permitted. Commercial grade and professionally installed electrical heaters located inside a temporary tent would also be permitted, however, no power cords may cross a municipal sidewalk. All types of heaters will be subject to Fire inspection and approval.

Propane and natural gas patio heaters which are designed for outdoor use only, will not be permitted within an enclosed structure, such as a tent. Patio Heater Safety Guidelines prepared by the Technical Standards & Safety Authority (TSSA) provide this guidance.

Tents shall meet the design specifications of the Ontario Fire Code. Tents greater than 30 m² (323 ft²) shall also meet Flameproofing Treatment requirements of the Ontario Fire Code, along with any other applicable fire code requirements.

Enforcement

By-law Enforcement Officers will begin inspections of patio enclosures on public rights-of-way immediately upon their approval by the City. As well, inspections will respond to complaints received through the public, and will be proactively undertaken in specific locations during high use times and periods of inclement weather.

Inspections of tents located on private lands will occur on a complaint basis, or when identified by staff as part of their proactive inspection. When Enforcement staff note the presence of a temporary tent, with or without a heater, they will contact Fire Inspection for follow-up. For large tents, or those attached to or within 3 m (10 ft.) of a building, By-law Enforcement will contact Building staff for follow-up.

By-law Enforcement will initially provide Notices of Contravention for patio enclosures that are non-compliant with either the Provincial Regulations or the City's Conditions for Temporary Patios. This may escalate to Provincial Offence Notices for repeated violations, where applicable. Officers will also provide enforcement of any noise exemptions that may be approved for patios.

OTHER TEMPORARY BY-LAW AMENDMENTS

Other City of Mississauga By-laws that require amendments to continue to facilitate temporary outdoor patios are regulated under other Provincial Acts. All proposed amendments will have the same expiration date of December 31, 2021, and any required fees for tents that have already been installed will be refunded, retroactive to October 10th, which was the date that the Region of Peel was put into a Modified Stage 2 by the Province. The proposed changes are as follows:

By-law	July 2020 Changes	November 2020 Change
Prohibit Sale of Goods on Highways By-law (0127-1995)	Exempt Public Highways adjacent to Office (O), Commercial (C1-C4), Employment (E2), and all relevant exception zones and Employment in Nodes - Exceptions (E1-Exceptions) zones where all types of restaurants are permitted by the zoning.	Extend exemption to December 31, 2021.
Encroachment By-law (0057-2004)	Add temporary outdoor patios as an exception to the regulation that prohibits encroachment onto a public highway. Waive all permit application fees and fees for agreements authorizing temporary patios on public lands or City rights-of-way.	Extend exceptions to December 31, 2021.
Business Licensing By-law (0001-2006)	Waive the requirements for a fee payment and a Zoning Certificate.	Extend exemptions to December 31, 2021.
Noise Control By-law (0360-1979)	Waive fees for an application for an exemption from the provisions of the By-law.	Extend changes to December 31, 2021.
Building By-law (0203-2019)	N/A	Waive permit fees for a temporary tent, to expire on December 31, 2021. An amending By-law will be brought to Council on November 25 th .

Council	2020/10/19	6
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Originator's file: CD.21-TEM

By-law	July 2020 Changes	November 2020 Change
User Fees and Charges By-law (0156-2019)	N/A	Waive relevant fees in all applicable Schedules, to expire on December 31, 2021.

COMMUNITY ENGAGEMENT

Ontario Regulation 345/20, issued under the *Reopening Ontario Act 2020*, exempted temporary use by-laws from the requirements for providing public notice and holding a statutory public meeting. However, notice of the passing of the By-law will be provided by the Office of the City Clerk, and Communications staff will coordinate a press release and will provide updates on the City's website.

Financial Impact

The temporary patio program is intended to assist local restaurants in their economic recovery. Although a number of City fees will be waived as part of the continuation of the temporary outdoor patio initiatives, the fees would not normally have been collected and would not have been included as part of the City's revenue stream.

The main financial impacts will be the reallocation of staff time to facilitate the continued implementation of the temporary outdoor patio program, increased enforcement costs and the increased cost of winter maintenance.

The following table shows the average number of winter events in the last three years by specific time frame, as well as estimated additional costs for increased sidewalk handwork and road allowance snow removal:

Time Period	Salting and Plowing Events – Three Year Average	Estimated Additional Costs
November 16 th to December 31 st	10	\$30,000
January 1 st to April 15 th	40	\$120,000
Total	50	\$150,000

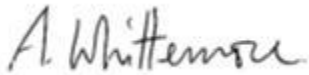
The estimated additional costs for winter maintenance as a result of extending the patio season to December 31, 2021, assuming all 21 legalized patios remain, is approximately \$30,000 for 2020 and \$150,000 for 2021. These costs are estimates only and could increase or decrease, depending on the number of winter events and the number of patios that are located in the road allowance.

Conclusion

The proposed amendments and extension of the Temporary Use By-law and temporary amendments to other City of Mississauga By-laws are consistent with good planning. The regulations will allow legal restaurants to maintain their temporary outdoor patios through the cooler weather at no cost to the businesses, and this will contribute to the City of Mississauga's overall plan for recovery from the COVID-19 pandemic.

Attachments

Appendix 1: Information Report dated July 8, 2020



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Lisa Christie, Special Projects Planner; Daniel Grdasic, Planning Associate;
Brandon Eidner, Planning Associate

City of Mississauga

Corporate Report



<p>Date: June 15, 2020</p> <p>To: Chair and Members of Planning and Development Committee</p>	<p>Originator's files: CD.21-TEM</p>
<p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Meeting date: July 8, 2020</p>

Subject

PUBLIC MEETING INFORMATION/RECOMMENDATION REPORT (All Wards) Covid-19 Recovery – Support for Temporary Outdoor Patios File: CD.21-TEM

Recommendation

1. That Planning and Development Committee recommend to Council to permit temporary outdoor patios, accessory to all types of restaurants for a period of time expiring on December 31, 2020, through a temporary use by-law in accordance with the regulations contained in the staff report dated June 15, 2020 from the Commissioner of Planning and Building.
2. That time limited amendments to the following City by-laws be approved in accordance with the regulations contained in the staff report dated June 15, 2020:
 - (i) Prohibit Sale of Goods on Highways By-law 0127-1995
 - (ii) Encroachment By-law 0057-2004
 - (iii) Business Licensing By-law 0001-2006
 - (iv) Noise Control By-law 0360-1979

Background

A meeting was held by Council on June 17, 2020, at which time a Report was received for information (see Appendix 1) and to give direction to staff to hold a statutory public meeting with respect to a temporary use by-law. Resolution 0191-2020 was adopted by Council on the same day.

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1. That Council authorize City staff to prepare a Temporary Use By-law effective to December 31, 2020, to permit outdoor patios accessory to all types of restaurants on adjacent private and public lands.
2. That Council authorize staff to prepare by-laws to amend the following City by-laws so as to not conflict with the provisions of the proposed Temporary Use By-law:
 - i. the Prohibit Sale of Goods on Highways By-law 127-95 to temporarily permit business operations on a public highway;
 - ii. the Encroachment By-law 57-04 to allow temporary outdoor patios accessory to all types of restaurants to temporarily infringe on a public highway;
 - iii. the Business Licensing By-law 001-2006 to allow temporary outdoor patios on private property to comply with zoning requirements;
 - iv. the Fees and Charges By-law 0156-2019 to allow an application for a temporary outdoor patio to be processed without charge.
3. That Council direct staff, upon the issuance of notice for the statutory public meeting to consider the temporary use by-law, to suspend the enforcement of those zoning by-law provisions which currently prohibit or regulate outdoor patios accessory to all types of restaurants on private and public lands and that the suspension continue until the temporary use zoning by-law comes into force or until the duration stipulated for the temporary use zoning by-law expires, as may be the case.
4. Notwithstanding planning protocol, that a recommendation report from the Commissioner of Planning and Building be scheduled for a Planning and Development Committee meeting to be held on July 8, 2020, to conduct a public meeting to meet the statutory requirements under the provisions of the Planning Act.

Comments

Since the Council meeting on June 17th, 2020, the Provincial Government moved the Region of Peel to Stage 2 of the Reopening Ontario framework. This step means that restaurants can now open for dining in outdoor areas only. The City's initiative to permit temporary outdoor patios on private property, curbside, parking lots and adjacent premises is consistent with the Provincial regulations and guidelines.

In anticipation of the move to Stage 2, and to accommodate the time required to convene a statutory public meeting to consider the temporary use by-law, Council passed Resolution 0192-2020, also on June 17th. This resolution suspended enforcement of the zoning by-law regulations that prohibit outdoor patios accessory to all types of restaurants. This waiver commenced upon publication of the notice for the statutory public meeting, and continues until the temporary use by-law comes into force or until the duration of the temporary use by-law expires.

Originator's file: CD.21-TEM

Since the City moved into Stage 2, staff has taken a number of steps to assist local restaurants on the road to economic recovery from the Covid-19 pandemic. These measures include:

- creating a website with quick links to each process (permission for patios on public or private property)
- creating a Temporary Patio Permit program to expedite the approval of the patios on public property/road allowances
- creating detailed design guidelines for temporary patios on private property
- creating a detailed communications plan
- dedicating staff resources to work solely on this program

COMMUNITY ENGAGEMENT

Notice of the Public Meeting was placed in the Mississauga News on June 18th, 2020, in compliance with the regulations of the *Planning Act*. The notice was also sent by email to the City's Business Improvement Areas, MIRANET, the Mississauga Board of Trade and Tourism Mississauga. Some Ward Councillors were also able to use their office contact lists/websites to further advertise the statutory public meeting.

In lieu of a typical community meeting, staff attended meetings with representatives from all the BIAs, as well as with Tourism Mississauga to answer questions and help promote the pending process for temporary patios. Staff also attended a webinar hosted by the Economic Development Office and the Mississauga Board of Trade.

TEMPORARY USE BY-LAW

The Temporary Use By-law is regulated under the *Planning Act*. In Section 19.2 of Mississauga Official Plan, a temporary use which conforms to Mississauga Official Plan is permitted to deal with unfamiliar issues on a trial basis. Outdoor patios as a generally permitted use throughout the City is an unfamiliar use based on historic zoning restrictions and business practices. The temporary permission to allow them in parking lots associated with all types of restaurants and within public rights of way conforms to Mississauga Official Plan. Under this policy, the temporary use zoning amendment is consistent with the *Provincial Policy Statement*, and conforms to the *Growth Plan for the Greater Golden Horseshoe* and the Region of Peel Official Plan. The *Greenbelt Plan* and *Parkway Belt Plan* policies do not apply.

The regulations recommended for temporary patios in the proposed temporary use by-law are as follows:

- permission for an outdoor patio accessory to all types of restaurants where Zoning By-law 0225-2007, as amended, does not permit this use in zones O (Office) and exception zones, C1 to C4 (Commercial) and exception zones, E1 to E3 (Employment) and exception zones and H-CC1 to H-CC4 and H-CCO and exception zones where any type of restaurant is permitted
- temporary patios shall not be permitted on required landscaped areas or landscaped buffers

Originator's file: CD.21-TEM

- temporary patios shall maintain a setback of 6.0 m (19.7 ft.) from residential zones
- temporary patios shall not occupy more than 50% of required parking spaces
- temporary patios shall not occupy any accessible parking spaces
- temporary patios shall not obstruct driveways or parking aisles
- waive the requirement for a Certificate of Occupancy
- the temporary use by-law shall expire on December 31, 2020

OTHER TEMPORARY BY-LAW AMENDMENTS

Other City by-laws that require amendment to facilitate the installation of temporary patios are regulated under the *Municipal Act* and, unlike amendments to the Zoning By-law, do not require public notice. All proposed amendments will have the same expiration date of December 31, 2020. The proposed changes are as follows:

Prohibit Sale of Goods on Highways By-law 0127-1995

- exempt Public Highways adjacent to Office (O), Commercial (C1-C4), Employment (E2) and all relevant exception zones and Employment in Nodes - Exceptions (E1-Exceptions) zones where all types of restaurants are permitted by the zoning

Encroachment By-law 0057-2004

- add temporary outdoor patios as an exception to the regulation that prohibits encroachment onto a public highway
- add an exception to remove the requirement for payment of a non-refundable fee

Business Licensing By-law 0001-2006

- waive the requirements for a fee payment and a Zoning Certificate

Noise Control By-law 0360-1979

- waive fees for an application for an exemption from the provisions of the By-law

Financial Impact

Although a number of City fees will be waived as part of the temporary outdoor patio initiative, the fees would not normally have been collected and would not have been included as part of the City's revenue stream. The patio program is intended to assist local restaurants in their economic recovery. Fees related to permitting patios were not anticipated in this year's budget. The main financial impact will be the reallocation of staff time to facilitate the successful implementation of the temporary outdoor patio program.


Conclusion

In summary, the proposed regulations for the Temporary Use By-law and temporary amendments to other City by-laws are consistent with good planning. The regulations allow legal restaurants to expand in a reasonable manner, consistent with Provincial guidelines.

These actions will contribute to the City of Mississauga's overall plan for recovery from the Covid-19 pandemic, and should be approved.

Attachments

Appendix 1: Information Report



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Lisa Christie, Special Projects Planner

Date: June 12, 2020 To: Mayor and Members of Council	Originator's files: CD.21-TEM
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: June 17, 2020

Subject

Covid-19 Recovery – Support for Temporary Outdoor Patios

Recommendation

1. That Council authorize City staff to prepare a Temporary Use By-law effective to December 31, 2020, to permit outdoor patios accessory to all types of restaurants on adjacent private and public lands.
2. That Council authorize staff to prepare by-laws to amend the following City by-laws so as to not conflict with the provisions of the proposed Temporary Use By-law:
 - i. the Prohibit Sale of Goods on Highways By-law 127-95 to temporarily permit business operations on a public highway;
 - ii. the Encroachment By-law 57-04 to allow temporary outdoor patios accessory to all types of restaurants to temporarily infringe on a public highway;
 - iii. the Business Licensing By-law 001-2006 to allow temporary outdoor patios on private property to comply with zoning requirements;
 - iv. the Fees and Charges By-law 0156-2019 to allow an application for a temporary outdoor patio to be processed without charge.
3. That Council direct staff, upon the issuance of notice for the statutory public meeting to consider the temporary use by-law, to suspend the enforcement of those zoning by-law provisions which currently prohibit or regulate outdoor patios accessory to all types of restaurants on private and public lands and that the suspension continue until the temporary use zoning by-law comes into force or until the duration stipulated for the temporary use zoning by-law expires, as may be the case.
4. Notwithstanding planning protocol, that a recommendation report from the Commissioner of Planning and Building be scheduled for a Planning and Development

Committee meeting to be held on July 8, 2020, to conduct a public meeting to meet the statutory requirements under the provisions of the *Planning Act*.

Background

In an effort to protect public health and safety during the COVID-19 pandemic, the Province announced a shutdown of all non-essential services across Ontario on March 17th, 2020.

Mississauga's local businesses have experienced reduced revenues that have led to business closures, employee layoffs, inability to pay rents, and reduced operating hours. Some food service providers have increased their online presence, and have adapted their business models to offer delivery and new curbside pick-up opportunities.

In May 2020, the Economic Development Office and the Mayor's Office engaged BIAs in a discussion about economic impacts of the pandemic and opportunities for the City to provide support to local businesses. One suggestion for assistance was that the City could provide support for temporary patios without the need for either a minor variance or a rezoning and the site plan approval process. A letter submitted by MBOT also sought Council's assistance in support of patio expansions.

On June 8, 2020 the Province amended regulations under the *Liquor Licence Act* and waived fees to permit licenced establishments to temporarily add or extend patios adjacent to their premises until January 1, 2021, provided they have municipal approval.

In addition, on June 11, 2020 the Province issued O.Reg.263/20 – Stage 2 Closures, which permits restaurants, bars, food trucks and other food establishments to open for in-person dining, only in outdoor dining areas located in or adjacent to the place of business. Physical distancing is required between tables and singing and dancing is prohibited on patios.

Outdoor patios ("patios") are not permitted accessory to any type of restaurant as-of-right in Zoning By-law 0225-2007 ("the By-law"). Patios are only currently permitted on private property in the Downtown Core and in Port Credit as an accessory use to a restaurant or take-out restaurant, where there is a specific program in place for the use of private land contiguous to a building on a sidewalk, and for use of public land (lay-by parking spaces). Patios are also permitted accessory to restaurants where a minor variance or exception zone has allowed the use.

Comments

Canadian municipalities including Winnipeg and Edmonton have begun to implement temporary patio programs that waive applicable permits, fees and relaxed zoning requirements during the COVID-19 recovery period. Ontario municipalities including Oakville, Hamilton and Kingston have received council endorsement for patio implementation plans to be used when restaurants are permitted to reopen.

On June 10, 2020, Council passed Resolution 0175-2020:

That Council direct staff to schedule a public meeting and prepare a report related to the use of a temporary zoning by-law to allow restaurant patios on private and public property to utilize outdoor spaces to accommodate seating for customers.

In advance of receiving Provincial direction that the Region of Peel is moving into Stage 2 such that restaurants are permitted to resume table service in outdoor dining areas, City staff will prepare a temporary use by-law and the necessary amending by-laws to permit outdoor patios accessory to all types of restaurants on both municipally-owned and private lands until December 31, 2020.

Temporary Zoning Considerations

In order to permit patios on lands where restaurants are permitted, the zoning by-law must be amended to allow the use. In response to social distancing requirements of the pandemic, it is proposed that they be permitted as-of-right in certain zones on a temporary basis.

Planning staff propose that patios be permitted in all zones that permit restaurants, take-out restaurants and convenience restaurants through a Temporary Use By-law. The zones that would be included are four commercial zones (C1 to C4), the Office (O) zone and one employment zone (E2), including all associated exception zones. Another employment zone (E1) has a number of exception zones that permit restaurants, and these would also be included. This permission would include municipally owned land, such as municipal parking lots where they are adjacent to lands that permit restaurants. The Temporary Use By-law would not permit patios where a restaurant is currently prohibited by an Exception Zone.

As example, the temporary use by-law would permit restaurants within strip malls to establish a temporary patio, including the use of some of the existing parking, where this is agreed upon by plaza management. Alternatively, a restaurant facing a public street could use the portion of its own property for a temporary patio; however, if they wish to use a portion of the sidewalk or street, they would only be able to do this upon entering into an encroachment agreement with the City.

Proposed Zoning Regulations

To expedite the approval of patios, staff recommend that the following set of zoning regulations be applied to each patio:

- i) not permitted on required landscaped areas or landscaped buffers
- ii) maintain a setback of 6.0 m (19.7 ft.) from residential zones
- iii) may occupy up to 50% of required parking spaces but not accessible parking spaces
- iv) may not obstruct a driveway or parking aisle

Roads & Right of Ways:

The Temporary Use By-law would not apply to municipally owned public highways, as they do not have zoning. Proposed patios on municipal roads will require an encroachment agreement and/or road occupancy permit with the City and will be reviewed with respect to the proposed design to ensure the safety of the travelling public and the patrons occupying the patio.

Site Plan Approval

In order to expedite patio openings, site plan approval will not be required for the installation of temporary outdoor patios. Patios proposed on municipal roadways will require an encroachment agreement with the City and will be reviewed with respect to the proposed design to ensure the safety of the travelling public and the patrons occupying the patio.

Patio Design

Staff will also produce an Urban Design Reference Note for Temporary Outdoor Patios that will provide examples of how to design temporary patios while respecting the proposed zoning regulations and allowing for adequate pedestrian movement around the patios. In the interim, patios on public property (i.e. parking lots) and private lands will still be regulated by the Nuisance Lighting By-law (262-12), Nuisance Type Noise By-law 785-80 and the Property Standards By-law 654-98.

Other Legislative Considerations

Until such time as the Temporary Use By-law is in force and effect, Council is requested to approve a recommendation directing staff to suspend the enforcement of the zoning by-law, including waiving the requirement for a Certificate of Occupancy and other regulations governing patios. This will assist the business community to move forward with patios in the warm weather as permitted by Provincial Regulations, taking into consideration the extraordinary circumstances of the pandemic.

To allow patios to locate on a travelled portion (lane/lanes) of a street, on lay-by parking or other part of a road allowance, temporary amendments to the *Encroachment By-law* and the *Prohibit Sale of Goods on Highways By-law* must also be prepared. As both of these by-laws are legislated under the *Municipal Act*, public notice is not required and there is no appeal period for the amendments.

Other by-laws that will need to be amended as part of this process are the *Business Licensing By-law* and the *Fees and Charges By-law*. All of the proposed amendments to the above noted by-laws would also expire on December 31, 2020.

Other municipal regulations will still apply when utilizing public streets, such as the need for a road occupancy permit. This permit is used to ensure construction safety, approving appropriate locations with respect to planned road works and other safety considerations. All permit applications and agreements will go through the regular review and approval process by the Transportation and Works Department.

The Planning Process

The City has to meet its statutory public meeting notification requirements under the *Planning Act* to implement this proposed zoning change. Notice will be given of the intent to approve the temporary use by-law on June 18th, advising that the statutory Public Meeting will be held at Planning and Development Committee (PDC) on July 8th, 2020. On the same day, Council will be asked to approve the PDC recommendation and approve the implementing temporary use by-law which will come into force and effect following the 20 day appeal period.

Communication Strategy

Once these measures are endorsed by Council, staff will contact local Business Improvement Associations, the Mississauga Board of Trade and the Mississauga Tourism Board in order to determine the best means of communicating information to restaurant owners.

Financial Impact

The financial impact of the Temporary Use By-law and permission to locate patios on a public highway will depend on which fees Council chooses to waive, and how many municipal parking spaces (lay-by and in publically owned parking lots) are approved for patio use. Examples of fees that could be waived include Encroachment Agreement applications (\$1,021) Zoning Certificates of Occupancy (\$500), \$650-\$900 to move or permanently relocate a parking meter plus \$201 per month, \$540 for Public Utilities Coordinating Committee fees and up to \$365 for Road Occupancy Permits. These are not typical revenues we would normally be collecting and are only being recommended to be waived due to the extraordinary circumstances that have occurred due to the global pandemic, which has placed undue burden on restaurants and the necessity of adapting to allow for the safety of their patrons by expanding seating areas through the use of patios to satisfy public health requirements.

Conclusion

A Temporary Use By-law is proposed to permit patios on public and private properties. At the same time, amendments to the Encroachment By-law and Prohibit Sale of Goods on Highways By-law will allow installation of patios on public property. These temporary actions represent good planning, and also ensure that restaurant capacity can be expanded in a safe and responsible manner in response to the physical distancing requirements of the Provincial Emergency Order.



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Lisa Christie, Special Projects Planner

City of Mississauga Corporate Report



Date: November 16, 2020 To: Chair and Members of Planning and Development Committee From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Originator's file: CD.21-SPE
	Meeting date: December 9, 2020

Subject

PUBLIC MEETING INFORMATION/RECOMMENDATION REPORT (ALL WARDS)
COVID-19 Recovery – Support for Outdoor Business Activities
File: CD.21-SPE

Recommendation

1. Subject to applicable prohibitions and restrictions established by the Provincial regulations under the Keeping Ontario Safe and Open Framework, that Council temporarily permit outdoor retail sales and display and outdoor recreational and entertainment establishments, for a period of time expiring on December 31, 2021, through a temporary use by-law in accordance with the regulations contained in the staff report dated November 16, 2020 from the Commissioner of Planning and Building.
2. That a by-law be enacted to exempt the application of City of Mississauga by-laws that prohibit or require fees to be paid for temporary outdoor retail sales and display and temporary outdoor recreational and entertainment establishments until December 31, 2021.
3. That a recommendation report regarding the amendment of the City's Building By-law 203-2019, to waive building permit application fees associated with temporary outdoor retail sales and display and temporary outdoor recreational and entertainment establishments until December 31, 2021, from the Commissioner of Planning and Building be scheduled for a Planning and Development Committee meeting to conduct a public meeting to meet the statutory requirements under the provisions of the *Building Code Act*.
4. That City staff are hereby authorized to negotiate the encroachment permit between The Corporation of the City of Mississauga, as property owner, and the applicant, to use City-owned lands as required in connection with temporary outdoor retail sales and display or temporary outdoor recreational and entertainment establishments, in form and content satisfactory to Legal Services.

Report Highlights

- Temporary outdoor retail sales and display and outdoor recreational and entertainment establishment uses are proposed in a range of Commercial, Employment, Downtown Core, Open Space and Parkway Belt zones, with restrictions on parking and setbacks to Residential zones.
- The proposed temporary outdoor uses will support some of the City's small businesses during the pandemic, allowing them to operate outdoors, provided that they are permitted by Provincial regulations under the Keeping Ontario Safe and Open Framework.
- Communications with the public and the business community will emphasize that Provincial regulations take precedence over municipal zoning permissions.

Background

A meeting was held by General Committee on November 18, 2020, at which time a Direction Report was received (see Appendix 1) and gave direction to staff to hold a statutory public meeting with respect to a temporary use by-law. Recommendations GC-0308-2020 were adopted by Council on November 25, 2020.

1. That Council authorize City staff to prepare a temporary use by-law effective to December 31, 2021, to permit outdoor retail sales and display and outdoor recreational and entertainment establishments in accordance with the regulations in the staff report dated November 2, 2020, from the Commissioner of Planning and Building, as amended.
2. That notwithstanding planning protocol, that an information/recommendation report from the Commissioner of Planning and Building be scheduled for a Council meeting to be held on December 9, 2020, to conduct a public meeting to meet the statutory requirements under the provisions of the *Planning Act*.

Comments

On November 23, 2020, the Province of Ontario placed the Region of Peel in the Grey-Lockdown level of the Keeping Ontario Safe and Open Framework. Measures under the Lockdown include, but are not limited to:

- Retail stores are permitted to be open for curbside pick-up or delivery only, with certain exceptions such as supermarkets, grocery stores, pharmacies, hardware stores, discount and big box retailers selling groceries, beer, wine and liquor stores, safety supply stores, and convenience stores, which will be allowed to operate at 50% capacity per room that is open to the public;
- Restaurant, bars, and food and drink establishments will only be able to provide takeout, drive-through and delivery;
- Personal care services closed;
- Casinos, bingo halls and other gaming establishments closed;

- Indoor sports and recreational facilities, including pools, closed with limited exceptions;
- Drive-in cinemas and performing arts permitted; and
- Outdoor markets permitted.

Since drive-in cinemas, drive-in performing arts, and outdoor markets are permitted under the Provincial Lockdown level, some of the proposed outdoor uses that are being considered under the temporary use by-law would be permitted under the current public health and municipal zoning regulations. Some other uses that would be permitted by the temporary use by-law may be required to be closed under the Lockdown level, such as an outdoor bingo hall. It will be properly communicated to the public and businesses that Provincial regulations and public health directives take precedence over any municipal zoning permissions.

COMMUNITY ENGAGEMENT

Notice of the public meeting was placed in the Mississauga News on November 19, 2020, in compliance with the regulations of the *Planning Act*. Given the rising number of COVID-19 cases in Peel, staff have avoided heavily publicizing this initiative at the current time, over the concern of the potential risk of large outdoor gatherings occurring. Through proper implementation and adherence to public health guidelines, it may help small businesses supplement their revenue making this a valuable initiative to support small business in a period where their operations are constricted. More importantly, having the temporary use by-law in place will allow these outdoor uses to operate without delay when Peel is moved out of the Lockdown level, particularly in the spring and summer of 2021.

TEMPORARY USE BY-LAW

Temporary use by-laws are regulated under the *Planning Act*. In Section 19.9 of Mississauga Official Plan, a temporary use which conforms to Mississauga Official Plan is permitted to deal with unfamiliar issues on a trial basis. Permitting recreational and entertainment establishment uses to operate outdoors is an unfamiliar issue. Prior to the pandemic, these uses were restricted to indoor operations and there was no need to move these operations outdoors. Additionally, permitting outdoor retail sales and display in a broad range of zones is an unfamiliar issue because outdoor markets are currently only permitted in specific Downtown Core zones.

The temporary permission to allow these uses conforms to Mississauga Official Plan. The proposed amendments would permit outdoor recreational and entertainment establishments in zones that already permit them indoors. Outdoor retail sales and display is proposed in zones where retail stores are already permitted. The exception to the above statements are the Open Space zones that allow passive and active recreational uses, which also aligns with the outdoor nature of the proposed uses. With rare exception, lands with OS1, OS2 and PB1-6 zoning are owned by the City and are used for parks and community facilities.

The proposed amendments are consistent with the Provincial Policy Statement, and conform to the Growth Plan for the Greater Golden Horseshoe and the Region of Peel Official Plan. The Greenbelt Plan policies do not apply. The Parkway Belt West Plan policies only apply as they pertain to Iceland Arena, which is designated 'Public Open Space and Buffer Area'. The

relevant policies permit open space uses and other public uses of land that preserve natural features and secure an open space character of the area. Since temporary outdoor uses will generally maintain the intent of these policies, the proposed amendments conform to the Parkway Belt West Plan.

Proposed Regulations

The regulations recommended for outdoor retail sales and display and outdoor recreational and entertainment establishments in the proposed temporary use by-law are as follows:

- Permission for outdoor recreational and entertainment establishments in '**C2**' (Neighbourhood Commercial), '**C3**' (General Commercial), '**C4**' (Mainstreet Commercial), '**E1**' (Employment in Nodes), '**E2**' (Employment), '**OS1**' (Open Space – Community Park), '**OS2**' (Open Space – City Park), '**PB1-6**' (Parkway Belt), '**H-CC1**' and '**CC1**' (Downtown Core – Core Commercial), '**H-CC2**' and '**CC2**' (Downtown Core – Mixed Use), '**H-CC3**' and '**CC3**' (Downtown Core – Mixed Use Transition Area), '**H-CC4**' and '**CC4**' (Downtown Core – Mixed Use), '**H-CCO**' and '**CCO**' (Downtown Core - Office) and '**H-CCOS**' and '**CCOS**' (Downtown Core – Open Space) zones
- Permission for outdoor retail sales and display in '**C1**', '**C2**', '**C3**', '**C4**', '**OS1**', '**OS2**', '**PB1-6**', '**H-CC1**', '**CC1**', '**H-CC2**', '**CC2**', '**H-CC3**', '**CC3**', '**H-CC4**', '**CC4**', '**H-CCO**', '**CCO**', '**H-CCOS**' and '**CCOS**' zones
- Outdoor retail sales and display shall be accessory to a retail store, with the exception of '**OS1**', '**OS2**', '**H-CCOS**', '**CCOS**' and '**PB1-6**' zones
- A minimum of 50% of required parking spaces must be available for use (including temporary outdoor patios)
- Minimum 100% of required accessible parking spaces must be available for use
- Minimum of 1.0 m (3.3 ft.) distance from accessible parking spaces
- Minimum of 4.5 m (15 ft.) setback from Residential zones
- Pedestrian walkways shall not be obstructed
- The existing time limitations on temporary tents and/or stage shall not apply for outdoor retail sales and display and outdoor recreational and entertainment establishments
- Waive the requirement for a Certificate of Occupancy
- The temporary use by-law shall expire on December 31, 2021

Temporary Tents and Other Similar Structures

Temporary tents are already permitted in the zoning by-law for a broad range of zones, including Commercial, Downtown Core, Employment and Open Space zones. Currently, they are limited to 14 consecutive days, and 28 days within one calendar year. Staff recommend that during the duration of the temporary use by-law, those provisions not apply for temporary outdoor uses. In addition, temporary tents that are located more than 3.0 m (9.8 ft.) from a building and cumulatively occupy less than 65.0 m² (700 ft²) do not require a building permit. Staff have prepared design reference notes that will guide businesses regarding design and setbacks.

Other outdoor structures such as a temporary stage or temporary structure to hold a movie theatre screen may require a building permit. Council may consider waiving those fees.

Public vs. Private Lands

The utilization of city-owned property for any of the proposed temporary outdoor uses will require the approval of the City. The sidewalk portion of a municipal right-of-way will only be permitted to have outdoor retail sales and display, shall be accessory to an adjacent retail store, and will require the property owner to obtain an encroachment permit from the City, similar to the permit process that was used for temporary outdoor patios. A permit will only be granted if the municipal sidewalk has an adequate width so as not to impede pedestrian movement. In addition, no portion of the road, including lay-by parking, will be permitted for outdoor retail sales and display. Further, through the encroachment permit, property owners will be required to agree to the removal of their temporary outdoor retail sales and display during snow removal and salting operations. For arenas, community centres and libraries, a park permit or license agreement will be required, and retail sales and display will be permitted without being accessory to a retail store.

On private property, no agreement will be required with the City, which is similar to the approach used for temporary outdoor patios. Outdoor retail sales and display must be accessory to a retail store on the same lot and should be placed so as not to restrict pedestrian movements while enabling physical distancing requirements. These details will be included in the design reference notes.

Duration

As required by the *Planning Act*, the temporary use by-law will not come into effect until the expiry of the mandatory 20 day appeal period, and if there are any appeals, the resolution of such appeals before the Local Planning Appeal Tribunal (LPAT). As a majority of the requests for temporary outdoor uses are anticipated for the spring, summer and fall of 2021, it is recommended that the temporary use by-law expire on December 31, 2021.

Who Will Benefit

This initiative will benefit smaller retail stores that cannot rely solely upon online sales during the pandemic to generate revenue. Shopping malls, community centres and libraries with parking lot capacity can offer outdoor events such as drive-in movie theatres. Providing these opportunities will support our local businesses while encouraging people to participate in activities outdoors. Should the pandemic continue into the spring and summer of 2021, it is anticipated that interest in these outdoor uses will increase during the warmer months of the year.

STAND-ALONE BY-LAW TO EXEMPT APPLICATION OF CERTAIN BY-LAWS

It is recommended that Council approve a stand-alone by-law which would exempt temporary outdoor retail sales and display and temporary outdoor recreational and entertainment establishments from the application of certain City of Mississauga by-laws until December 31, 2021. This by-law would ensure that these activities are not prohibited or subject to fees that would ordinarily apply under other City by-laws. Such by-laws include the Prohibit Sale of Goods on Highways By-law (0127-1995), the Encroachment By-law (0057-2004), the Business Licensing By-law (0001-2006), the Noise Control By-law (0360-1979) and the User Fees and Charges By-law (0156-2019). A separate amending by-law will be brought to Council

to amend the Building By-law (0202-2019) as there is a statutory notice requirement under the *Building Code Act*.

Financial Impact

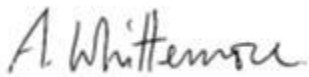
The financial impact of the temporary use by-law and permissions for outdoor retail sales and display and outdoor recreational and entertainment establishments will depend on whether Council chooses to waive fees associated with building permits, certificates of occupancy and/or associated fees for encroachment permits. There could also be some additional enforcement costs, should any unforeseen issues arise. Sweeping and debris removal of the occupied areas within the right-of-way by Works Operations after removal of the outdoor business activities may incur additional costs. Lastly, for temporary outdoor uses at public facilities such as arenas, community centres and libraries, additional staffing may be required to provide access to washroom facilities.

Conclusion

In summary, the proposed regulations for the temporary use by-law are consistent with good planning. The regulations enable some businesses and/or charitable ventures to operate outdoors in a safe and responsible manner while avoiding the cost and delays associated with minor variance approvals. Messaging regarding Provincial regulations and other public health directives will be communicated to the public and the business community. These actions will contribute to the City of Mississauga's overall plan for recovery from the COVID-19 pandemic, and should be approved.

Attachments

Appendix 1: Direction Report



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Jordan Lee, Planner

City of Mississauga

Corporate Report



Date: November 2, 2020

To: Chair and Members of General Committee

From: Andrew Whittemore, M.U.R.P., Commissioner of
Planning & Building

Originator's file:
CD.21-SPE

Meeting date:
November 18, 2020

Subject

COVID-19 Recovery – Support for Outdoor Business Activities

Recommendation

1. That Council authorize City staff to prepare a temporary use by-law effective to December 31, 2021, to permit outdoor markets and outdoor recreational and entertainment establishments in accordance with the regulations in the staff report dated November 2, 2020, from the Commissioner of Planning and Building.
2. That Council direct staff, upon the issuance of notice for the statutory public meeting to consider the temporary use by-law, to suspend the enforcement of those zoning by-law provisions which currently do not permit outdoor markets and outdoor recreational and entertainment establishments on private and public lands and that the suspension continue until the temporary use by-law comes into force or until the duration stipulated for the temporary use by-law expires, as may be the case.
3. Notwithstanding planning protocol, that an information/recommendation report from the Commissioner of Planning and Building be scheduled for a Council meeting to be held on December 9, 2020, to conduct a public meeting to meet the statutory requirements under the provisions of the *Planning Act*.

Report Highlights

- Due to the COVID-19 pandemic, the City has received multiple requests for outdoor uses which are not permitted in the zoning by-law, resulting in by-law violations, opening delays and additional costs to businesses for minor variance applications.
- To support Mississauga's businesses and/or charitable ventures, the City can temporarily permit outdoor markets and outdoor recreational and entertainment establishments in appropriate zones.
- Municipal by-laws such as the City's Noise Control By-law and Property Standards By-law will still be in effect for businesses operating outdoors, in the event that there are nuisance or noise complaints.

Background

In an effort to protect public health and safety during the COVID-19 pandemic, the Province announced a shutdown of all non-essential services across Ontario on March 17, 2020. The Provincial Government moved the Region of Peel into Stage 3 of the "Reopening Ontario" framework on July 31, 2020 but then moved Peel back into a modified Stage 2 on October 10, 2020. As a result, the capacity limits for some businesses have been substantially reduced and some other businesses have been required to close. To address these issues, some businesses have expressed a desire to operate outdoors, which would allow greater ability to physically distance. Examples include outdoor drive-in movie theatres and live entertainment, outdoor bingo halls and outdoor sport viewing events. Some of the events may also be for charitable purposes.

Comments

The City's Zoning By-law (0225-2007) states that all uses shall be located wholly within a building, structure or part thereof in all commercial zones unless specifically permitted by exception zone provision. In addition, the definitions of certain uses specifically state that they are to be located within a building. For example, the definitions of recreational establishment and entertainment establishment are as follows:

Recreational Establishment – means a building, structure or part thereof, designed and equipped to be used for athletic and leisure activities and may include such facilities as a fitness centre, racquet club, billiard hall, bowling alley, arena, curling rink, indoor facility used for golf, baseball or soccer, indoor playground.

Entertainment Establishment – means a building, structure or part thereof, designed and equipped to be used for the provision of entertainment or amusement without the necessity of active participation by the user and may include a movie theatre, playhouse, dinner theatre, stadium or auditorium.

Outdoor markets are permitted to be outdoors, but they are only permitted in some of the Downtown Core zones.

As a result, most of these types of outdoor uses require approval of a minor variance application at the Committee of Adjustment. This adds significant delays to the start of operations due to statutory requirements such as notification and appeal periods under the *Planning Act* and impacts the ability of the industry to respond to changing conditions in a timely manner.

Temporary Zoning Regulations

To expedite the approval of certain outdoor business activities, staff are considering the following zoning regulations be permitted on a time limited basis through a temporary use by-law:

1. Recreational and entertainment establishments shall be permitted outdoors in 'C2' (Neighbourhood Commercial), 'C3' (General Commercial), 'C4' (Mainstreet Commercial),

'E1' (Employment in Nodes), 'E2' (Employment), 'OS1' (Open Space – Community Park), 'OS2' (Open Space – City Park), 'PB1-6' (Parkway Belt), 'CC2' (Downtown Core – Mixed Use), 'CC3' (Downtown Core – Mixed Use Transition Area), 'CC4' (Downtown Core – Mixed Use), 'CCO' (Downtown Core - Office) and 'CCOS' (Downtown Core – Open Space) zones;

2. Outdoor markets shall be permitted in 'C2', 'C3', 'C4', 'OS1', 'OS2' and 'PB1-6' zones;
3. A maximum of 50% of required parking spaces may be occupied by outdoor markets and outdoor recreational and entertainment establishments; and
4. Outdoor markets and outdoor recreational and entertainment establishments shall not occupy and be located a minimum of 1.0 m (3.3 ft.) from an accessible parking space.

Permitted Uses and Zones

Based on the types of requests that the City has received for outdoor uses, it appears that most of them would be generally defined as either a recreational establishment or entertainment establishment under the City's Zoning By-law.

Recreational and entertainment establishments are currently permitted in the 'C2', 'C3', 'C4', 'E1', 'E2' and 'E3' (Industrial) zones. They are also permitted as accessory uses in the Downtown Core zones, 'CC2', 'CC3', 'CC4' and 'CCO'. It is proposed that outdoor recreational and entertainment establishments be permitted for the above noted zones, with the exception of 'E3' zones, due to the industrial nature of that zone.

Outdoor markets are currently permitted in the 'CC1', 'CC2', 'CCO' and 'CCOS'. It is proposed that they also be permitted in the commercial zones, 'C2', 'C3' and 'C4' that already permit retail stores.

Other properties that are under consideration for the all of the proposed uses are City-owned lands with a public library, arena or community centre. The majority of these properties are zoned 'OS1', 'OS2' or 'CCOS'. The zoning would be permissive, but the City still has the right to evaluate appropriate requests and require a park permit or license agreement, depending on the duration and the nature of the proposed use.

Parking

The number of required parking spaces is normally regulated by the amount of gross floor area attributed to each use in a building. Permitting outdoor markets and outdoor recreational and entertainment establishments will not accurately reflect the parking demands on a property. In most instances, those outdoor uses will be located in the parking lot, occupying many of the required parking spaces. In particular, this may be problematic for multi-tenant buildings or plazas. However, due to the pandemic, parking demands are generally lower, mitigating some of those impacts.

To accommodate the outdoor uses, while maintaining an appropriate amount of parking for other businesses, it is recommended that a maximum of 50% of the required parking spaces

may be occupied by outdoor markets and outdoor recreational and entertainment establishment uses. In addition, the uses should not be permitted to occupy or be located within 1.0 m (3.3 ft.) of an accessible parking space.

Similar parking regulations have been applied to temporary patios. While there have been some complaints from patrons and other business owners, they have generally been addressed by the property owners or management companies.

Duration

The proposed amendments to the zoning by-law are being contemplated to address the unique situation of Mississauga's businesses during the pandemic. As a result, it is recommended that they remain temporary through the use of a temporary use by-law. As a majority of the requests will be for operation during the spring, summer and fall months, it is recommended that an expiry date of December 31, 2021 be considered.

Staff are also considering a permanent strategy to permitting "outdoor special events" to reduce the need for applications to the Committee of Adjustment, and associated delays. However, those amendments will require further analysis, given the broad nature of potential requests and impacts. Permitting outdoor markets and outdoor recreational and entertainment establishments is an interim strategy until a fulsome study can be conducted.

Other Legislative Considerations

Other municipal by-laws such as the Noise Control By-law and Property Standards By-law will still be in effect for businesses operating outdoors. Therefore, if there are any impacts or nuisance complaints, the City will still have the ability to address the situation. Council may consider providing noise exemptions (with or without fees waived).

Until such time as the temporary use by-law is in force and effect, Council is requested to approve a recommendation directing staff to suspend the enforcement of the zoning by-law, governing outdoor markets and outdoor recreational and entertainment establishments. This will assist the business community to move forward with these uses as permitted by Provincial Regulations, taking into consideration the extraordinary circumstances of the pandemic. This is a similar approach that was taken for outdoor patios.

Other Municipalities

Staff contacted other municipalities in the Greater Toronto and Hamilton Area (GTHA) to find out how other municipalities have dealt with similar issues. Most of the municipalities that responded have followed a similar model as Mississauga regarding outdoor patios. There are two noteworthy municipalities which have special event policies or regulations that pre-date the pandemic.

The City of Burlington amended their zoning by-law in 2013 to allow temporary, one-time special charity events in all zones. The events are limited to private properties, a 24 hour duration and no more than two events can take place on a property during a 12 month period.

The Town of Whitby has a special events policy that was approved in April 2019. Every event is subject to an application and approval process. Zoning regulations and standards are not applied to temporary events but if they are longer-term, they would apply.

No municipalities have responded to the pandemic through amendments to their zoning by-law to permit outdoor uses such as the ones currently contemplated. Some respondents indicated that they will be following what occurs in Mississauga and may explore similar approaches in their municipality.

The Planning Process

The City has to meet its statutory public meeting notification requirements under the *Planning Act* to implement this proposed zoning change. Notice will be given of the intent to approve the temporary use by-law on November 19, 2020, advising that the statutory Public Meeting will be held at a Council meeting on December 9, 2020.

Financial Impact

The financial impact of the temporary use by-law and permissions for outdoor markets and outdoor recreational and entertainment establishments will depend on whether Council chooses to waive fees. Aside from that, there could be additional enforcement costs, should any issues arise.

Conclusion

A temporary use by-law is proposed to permit outdoor markets and outdoor recreational and entertainment establishments on certain public and private properties. These temporary actions represent good planning, and also ensure that certain businesses and charitable ventures can operate outdoors in a safe and responsible manner in response to the physical distancing requirements of the Provincial Emergency Order. These actions will contribute to the City of Mississauga's overall plan for recovery from the COVID-19 pandemic, and should be approved.

Attachments

N/A



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Jordan Lee, Planner

By-law	Previous Amendments / Exemptions	Proposed Amendments / Extensions
Prohibit Sale of Goods on Highways By-law (0127-1995)	<ul style="list-style-type: none"> - Add temporary outdoor patios - Exempt public highways adjacent to Office (O1-O3), Commercial (C1-C4), Employment (E2) and all relevant exception zones and Employment in Nodes – Exceptions (E1-Exceptions) zones where all types of restaurants are permitted by the zoning, to December 31, 2021 - Exempt temporary outdoor retail sales and display, temporary outdoor recreational establishment and temporary outdoor entertainment establishment from restriction of selling, offering to sell, displaying of goods, merchandise, products, refreshments, foodstuffs or flowers on a public highway over which the City has jurisdiction, to December 31, 2021 	<ul style="list-style-type: none"> - Extend changes to December 31, 2022
Encroachment By-law (0057-2004)	<ul style="list-style-type: none"> - Add temporary outdoor patios and temporary patio permit - Waive all permit application fees, fees for encroachment agreements (including encroachment application fees, registration fees and annual encroachment fees), temporary patio permits and registration fees for temporary patios - Waive all permit applications fees and fees applicable to agreements for temporary outdoor retail sales and display, temporary outdoor recreational establishment and temporary outdoor entertainment establishments 	<ul style="list-style-type: none"> - Extend changes to December 31, 2022
Business Licensing By-law (0001-2006)	<ul style="list-style-type: none"> - Add temporary outdoor patios - Waive the requirements for a fee payment and a Zoning Certificate 	<ul style="list-style-type: none"> - Extend waiving of fees and requirements to December 31, 2022
Noise Control By-law (0360-1979)	<ul style="list-style-type: none"> - Add temporary outdoor patios - Waive application of publication requirement in subparagraph 7(2)(f) in certain circumstances where applying for an exemption from s. 4 of the By-law - Waive fees for an application for an exemption from the provisions of ss. 3 and 4 of the By-law 	<ul style="list-style-type: none"> - Extend changes to December 31, 2022
Building By-law (0203-2019)	<ul style="list-style-type: none"> - Waive permit fees for a temporary tent, to expire on December 31, 2021 	<ul style="list-style-type: none"> - Extend waiving of fees to December 31, 2022

By-law	Previous Amendments / Exemptions	Proposed Amendments / Extensions
Zoning By-law (0225-2007)	<ul style="list-style-type: none"> - Temporary Outdoor Patio: - Certificate of Occupancy not required - New definition of temporary outdoor patio - Permitted in the following zones: O, C1 to C4, H-CC1 to H-CC4, H-CCO, E1 to E3 - Not permitted on landscaped areas or landscaped buffers - Minimum setback of 6.0 m (19.7 ft.) from Residential Zones - Minimum of 50% of required parking spaces that shall remain available for use - Minimum of 100% of required accessible parking spaces that shall remain available for use - Minimum of 1.0 m (3.3 ft.) distance from accessible parking space to edge of temporary outdoor patio - Shall not obstruct driveways, parking aisles and pedestrian walkways - Provisions in the temporary use by-law shall only be in effect until December 31, 2021 - Temporary Outdoor Retail Sales and Display: - Certificate of Occupancy not required - Permitted in the following zones: C1 to C4, H-CC1 to H-CC4, CC1 to CC4, H-CCO, CCO, H-CCOS, CCOS, OS1, OS2, PB1-6 - Shall be accessory to a retail store, with the exception of OS1, OS2 and PB1-6 - Limit on number of days for temporary tent and/or stage not applicable - Minimum of 4.5 m (14.8 ft.) distance from Residential Zone to edge of temporary outdoor retail sales and display - Minimum of 50% required parking spaces that shall remain available for use 	<ul style="list-style-type: none"> - Extend expiry of provisions to December 31, 2022 - Include zones in the geographic area subject to minor variance 'A' 128/17 that were not included in the temporary use by-laws, but only for temporary outdoor patio and temporary outdoor retail sales and display

By-law	Previous Amendments / Exemptions	Proposed Amendments / Extensions
	<ul style="list-style-type: none"> - Minimum of 100% of required accessible parking that shall remain available for use - Minimum of 1.0 m (3.3 ft.) distance from accessible parking space to edge of temporary outdoor retail sales and display - Shall not obstruct pedestrian walkways - Provisions in the temporary use by-law shall only be in effect until December 31, 2021 - Temporary Outdoor Recreational Establishment and Temporary Outdoor Entertainment Establishment: - Certificate of Occupancy not required - Permitted in the following zones: C2 to C4, H-CC1 to H-CC4, CC1 to CC4, H-CCO, CCO, H-CCOS, CCOS, E1, E2, OS1, OS2, PB1-6 - Limit on number of days for temporary tent and/or stage not applicable - Minimum of 4.5 m (14.8 ft.) distance from Residential Zone to edge of temporary outdoor recreational establishment and a temporary outdoor entertainment establishment - Minimum of 50% required parking spaces that shall remain available for use - Minimum of 100% of required accessible parking that shall remain available for use - Minimum of 1.0 m (3.3 ft.) distance from accessible parking space to edge of temporary outdoor entertainment establishment and temporary outdoor recreational establishment - Shall not obstruct pedestrian walkways - Provisions in the temporary use by-law shall only be in effect until December 31, 2021 	
User Fees and Charges By-laws	<ul style="list-style-type: none"> - Waive relevant fees for temporary patios and temporary outdoor entertainment/recreational establishments in the 	<ul style="list-style-type: none"> - Include the same waivers / exemption of

Appendix 4, Page 4
File: CD.21-TEM and CD.21-SPE (All Wards)
Date: 2021/11/15

By-law	Previous Amendments / Exemptions	Proposed Amendments / Extensions
	2020 User Fees and Charges By-law 0156-2019 (repealed December 31, 2020) and 2021 User Fees and Charges By-law 0251-2020, which is expected to be repealed December 31, 2021	fees in the 2022 User Fees and Charges By-law to be approved by Council and will come into effect January 1, 2022

City of Mississauga

Corporate Report



<p>Date: October 22, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's file: OZ 21/007 W2</p>
	<p>Meeting date: November 15, 2021</p>

Subject

PUBLIC MEETING INFORMATION REPORT (WARD 2)

Rezoning application to permit 2 one-storey industrial buildings

551 Avonhead Road, north of Lakeshore Road West, east side of Avonhead Road

Owner: 551 Avonhead GP Inc.

File: OZ 21/007 W2

Recommendation

That the report dated October 22, 2021 from the Commissioner of Planning and Building regarding the application by 551 Avonhead GP Inc. to permit 2 one storey industrial buildings, under File OZ 21/007 W2, 551 Avonhead Road, be received for information.

Background

The application has been deemed complete and circulated for technical comments. The purpose of this report is to provide preliminary information on the application and to seek comments from the community. The report consists of two parts, a high level overview of the application and a detailed information and preliminary planning analysis (Appendix 1).

PROPOSAL

The rezoning application is required to permit 2 one storey industrial buildings. The zoning by-law will need to be amended for a portion of the property from **G2** (Greenlands – Natural Features) to **E3-12** (Industrial – Exception) to implement this development proposal.

During the ongoing review of this application, staff may recommend different land use designations and zoning categories to implement the proposal.

Comments

The property is located on the east side of Avonhead Road, north of Lakeshore Road West within the Southdown Employment Character Area. The site is currently occupied by a waste transfer station with outdoor storage. There are currently 5 one storey buildings on-site.



Aerial Image of 551 Avonhead Road



Applicant's rendering of the proposed 2 one storey industrial buildings from Avonhead Road

LAND USE POLICIES AND REGULATIONS

The *Planning Act* allows any person within the Province of Ontario to submit development applications to the local municipality to build or change the use of any property. Upon submitting all required technical information, the municipality is obligated under the *Planning Act* to process and consider these applications within the rules set out in the Act.

The *Provincial Policy Statement* (PPS) establishes the overall policy directions on matters of provincial interest related to land use planning and development within Ontario. It sets out province-wide direction on matters related to the efficient use and management of land and infrastructure; the provision of housing; the protection of the environment, resources and water; and, economic development.

The *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) builds upon the policy framework established by the PPS and provides more specific land use planning policies which support the achievement of complete communities, a thriving economy, a clean and healthy environment and social equity. The Growth Plan establishes minimum intensification targets and requires municipalities to direct growth to existing built-up areas and strategic growth areas to make efficient use of land, infrastructure and transit.

The *Planning Act* requires that municipalities' decisions regarding planning matters be consistent with the PPS and conform with the applicable provincial plans and the Region of Peel Official Plan (ROP). Mississauga Official Plan is generally consistent with the PPS and conforms with the Growth Plan, the *Greenbelt Plan*, the *Parkway Belt West Plan* and the ROP.

Conformity of this proposal with the policies of Mississauga Official Plan is under review.

Additional information and details are found in Appendix 1, Section 4.

AGENCY AND CITY DEPARTMENT COMMENTS

Agency and department comments are summarized in Appendix 1, Section 6.

Financial Impact

All fees paid by developers are strictly governed by legislation, regulation and City by-laws. Fees are required to be paid prior to application approval, except where otherwise may be prescribed. These include those due to the City of Mississauga as well as any other external agency.

Conclusion

Most agency and City department comments have been received. The Planning and Building Department will make a recommendation on this project after the public meeting has been held and the issues have been resolved. The matters to be addressed include: provision of additional

information regarding stormwater management, site servicing and the delineation of Greenlands boundary.

Attachments

Appendix 1: Detailed Information and Preliminary Planning Analysis



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Lucas Petricca, Development Planner

Detailed Information and Preliminary Planning Analysis

Owner: 551 Avonhead GP Inc.

551 Avonhead Road

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1. Proposed Development

The applicant proposes to develop the property with 2 one storey industrial buildings which are planned to be used as warehousing and distribution facilities. A rezoning application is required to permit the proposed development (refer to Section 4 for details concerning the proposed amendments).

Development Proposal		
Application submitted:	Received: July 2, 2021 Deemed complete: July 27, 2021	
Developer/ Owner:	551 Avonhead GP Inc.	
Applicant:	Glen Schnarr & Associates Inc.	
Proposed Gross Floor Area:	78 343.66 m ² (843,284 ft ²)	
Height:	1 storey / 14.29 m (46.88 ft.) 1 storey / 14.29 m (46.88 ft.)	
Lot Coverage:	51.66%	
Floor Space Index:	0.52 FSI	
Landscaped Area:	9.20%	
Road Type:	Public road (Avonhead Road)	
Parking:	Required	Provided
Warehousing (Building A)	262	268
Warehousing (Building B)	279	279
Total	541	547
Green Initiatives:	• LEED Certification	

Supporting Studies and Plans

The applicant has submitted the following information in support of the applications, which can be viewed at

<http://www.mississauga.ca/portal/residents/development-applications:>

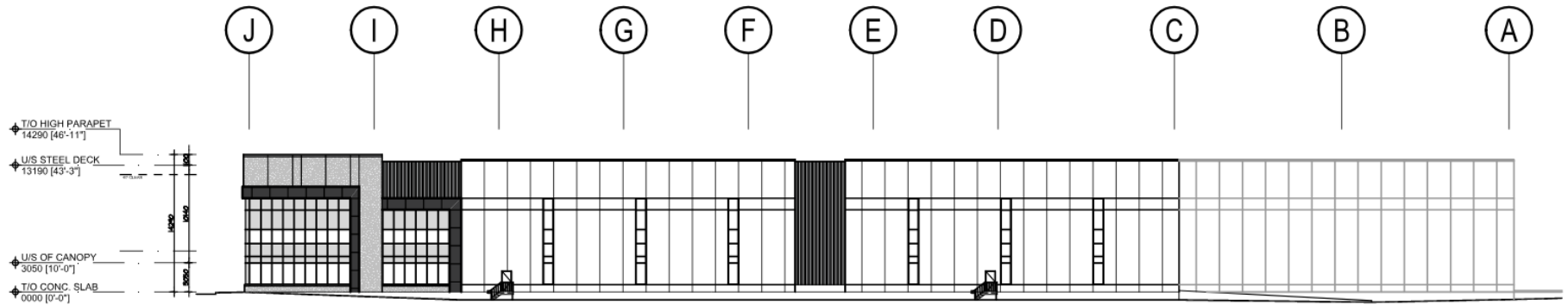
- Acoustical Engineering Letter
- Arborist Report
- Site Plan and Building Elevations
- Environmental Impact Study
- Geotechnical Report
- Phase I Environmental Site Assessment
- Phase II Environmental Site Assessment
- Planning Justification Report
- Stormwater Management and Functional Servicing Report
- Top of Bank Assessment
- Traffic Impact Study
- Tree Inventory and Preservation Plan
- Zoning Compliance Chart

Application Status

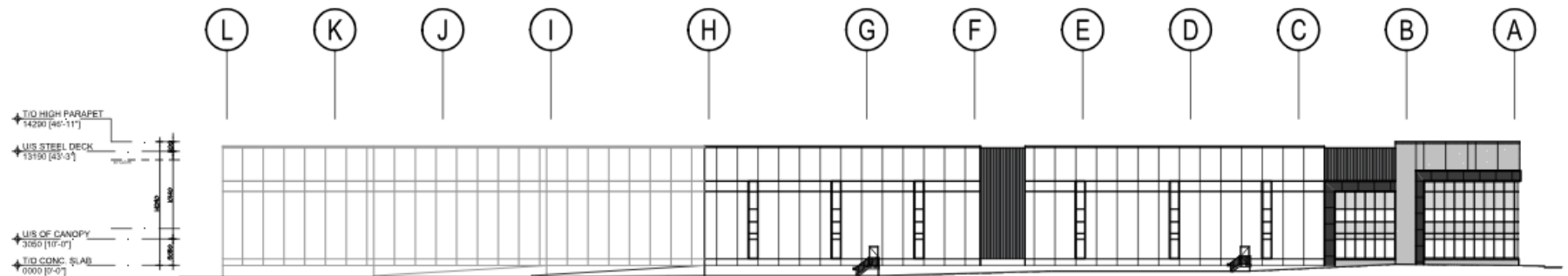
Upon deeming the application complete, the supporting studies and plans were circulated to City departments and external agencies for review and comment. These comments are summarized in Section 6 of this appendix and are to be addressed in future resubmissions of the application.

[illegible]

Site Plan



Building A – East Elevation



Building B – East Elevation



Applicant's Rendering

2. Site Description

Site Information

The subject property is located on the east side of Avonhead Road, north of Lakeshore Road West, within the Southdown Employment Character Area. The property is currently being utilized as a waste transfer station by Clean Harbors Canada. The property contains multiple one storey buildings, and outside storage of trailers. A large portion of the property is located within Schedule 3 – Natural System of the Mississauga Official Plan and is classified as a Significant Natural Area and Natural Green Space.



Aerial Photo of 551 Avonhead Road

Property Size and Use	
Frontage:	385.86 m (1,265.94 ft.)
Depth:	+/- 434 m (1,483.88 ft.)
Gross Lot Area:	15.16 ha (37.47 ac.)
Existing Uses:	5 one storey industrial buildings and outdoor storage used for a waste transfer station (Clean Harbors Canada)



Photo from Avonhead Road, facing east

Site History

- June 20, 2007 – Zoning By-law 0225-2007 came into force. The subject property carried over a historical dual zoning being **G2** (Greenlands – Natural Features) and **E3** (Industrial)

- December 9, 2009 – Zoning By-law 0396-09 is passed by Council, which amends the zoning on part of the property from **E3** to **E3-12** (Industrial – Exception Zone). The amended zoning restricts the following uses: transportation facility, truck terminal, waste processing station, waste transfer station and composting station. However, the amendment allows uses legally existing on the date of passing of this By-law.
- May 17, 2010 – The Ontario Municipal Board (OMB) approves Zoning By-law 0396-09
- November 14, 2012 – Mississauga Official Plan came into force. The subject property is designated **Industrial** in the Southdown Employment Area
- August 11, 2015 – Southdown Local Area Plan came into force. The **Industrial** designation within the Southdown Local Area Plan reflects the **E3-12** zone and restricts similar uses
- July 5, 2021 – Submission of rezoning application under OZ 21/007 W2 to permit 2 one storey industrial buildings

3. Site Context

Surrounding Land Uses

The area surrounding the subject property consists of industrial uses and vacant vegetated areas identified in Schedule 3 – Natural System of the Mississauga Official Plan. Immediately north of the subject property is a large vacant lot that contains a Significant Natural Area. The lands to the east contains a truck terminal with outdoor storage. The area south of the subject property is Clarkson Waste Water Treatment Plant. There is an industrial manufacturing use and a CN Railway spur west of the subject property.

The surrounding land uses are:

North: Vacant lot

East: Truck terminal and outdoor storage (Musket Transport)

South: Clarkson Waste Water Treatment Plant

West: Industrial manufacturing (St. Lawrence Cement)

Neighbourhood Context

The subject property is located within the Southdown Employment Area, which is a well-established Employment Area designated primarily for employment and industrial purposes. This mostly defines the surrounding area of the subject property.

Residential development borders the Character Area to the east, while industrial/commercial uses and vacant land borders

the area to the west in the Town of Oakville. Within the Character Area, the lands fronting onto Royal Windsor Drive are meant to create a community identity to enhance and contribute positively to the streetscape. The development south of Royal Windsor Drive contains a mix of heavier industrial and manufacturing uses.



Aerial Photo of 551 Avonhead Road

Demographics

The number of jobs within the Southdown Employment Character Area is 5,260. Total employment, combined with the population, results in a PPJ for the Southdown Employment Area of 7 persons plus jobs per ha. (18 persons plus jobs per acre). There are residential detached dwellings on the edge of the Character Area abutting Winston Churchill Boulevard.

Other Development Applications

There are no active development applications in the vicinity of the subject property.

Community and Transportation Services

This application will have minimal impact on existing services in the community.

City owned parkland known as Lakeside Park is located approximately 1.2 km (0.75 miles) southeast of the subject property along Lakeshore Road West. This distance represents a 2 minute car ride / 14 minute walk. On a larger scale, the

Clarkson GO Station is located 2.3 km (1.4 miles) northwest of the site, which represents a 4 minute car ride / 18 minute bus ride.

The following major MiWay bus routes currently service the subject property with bus stops to the north on Royal Windsor Drive and southeast on Lakeshore Road West:

- Route 14 – Lorne Park
- Route 45 – Winston Churchill

4. Summary of Applicable Policies, Regulations and Proposed Amendments

The *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect this application have been reviewed and summarized in the table below. Only key policies relevant to the application have been included. The Greenbelt Plan and Parkway Belt West Plan are not applicable

in this instance. The table should be considered a general summary of the intent of the policies and should not be considered exhaustive. In the sub-section that follows, the relevant policies of Mississauga Official Plan are summarized. The development application will be evaluated based on these policies in the subsequent recommendation report.

Policy Document	Legislative Authority/Applicability	Key Policies
Provincial Policy Statement (PPS)	<p>The fundamental principles set out in the PPS apply throughout Ontario. (PPS Part IV)</p> <p>Decisions of the council of a municipality shall be consistent with PPS. (PPS 4.1)</p> <p>The Official Plan is the most important vehicle for implementation of the Provincial Policy Statement (PPS 4.6)</p>	<p>Settlement areas shall be the focus of growth and development. (PPS 1.1.3.1)</p> <p>Land use patterns within settlement areas will achieve densities and a mix of uses that efficiently use land, resources, infrastructure, public service facilities and transit. (PPS 1.1.3.2.a)</p> <p>Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment. (PPS 1.1.3.3)</p> <p>Natural features and areas shall be protected for the long term. (PPS 2.1.1)</p> <p>Sites with contaminants in land or water shall be assessed and remediated. (PPS 3.2.2)</p>
Growth Plan for the Greater Golden Horseshoe (Growth Plan)	<p>The Growth Plan applies to the area designated as the Greater Golden Horseshoe growth plan area. All decisions made on or after May 16, 2019 in respect of the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise. (Growth Plan 1.2.2)</p>	<p>Within settlement areas, growth will be focused in delineated built-up areas; strategic growth areas; locations with existing or planned transit; and, areas with existing or planned public service facilities. (Growth Plan 2.2.1.2 c)</p> <p>Complete communities will feature a diverse mix of land uses; improve social equity and quality of life; provide a range and mix of housing options; provide convenient access to a range of transportation options, public service facilities, open spaces and parks, and healthy, local and affordable food options; provide a more compact built form; mitigate and adapt to climate change impacts; and, integrate green infrastructure. (Growth Plan 2.2.1.4)</p>

Policy Document	Legislative Authority/Applicability	Key Policies
		<p>Economic development and competitiveness in the GGH will be promoted by:</p> <ul style="list-style-type: none"> a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities; b) ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan; c) planning to better connect areas with high employment densities to transit; and d) Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment. (Growth Plan 2.2.5.1) <p>Municipalities will continue to protect any natural heritage features and areas in a manner that is consistent with the PPS and may continue to identify new systems in a manner that is consistent with the PPS. (Growth Plan 4.2.2.6)</p> <p>To achieve minimum intensification and density targets, municipalities will develop and implement urban design and site design official plan policies and other supporting documents that direct the development of high quality public realm and compact built form. (Growth Plan 5.2.5.6)</p>
Region of Peel Official Plan (ROP)	<p>The Region of Peel approved MOP on September 22, 2011, which is the primary instrument used to evaluate development applications. The proposed development applications were circulated to the Region who has advised that in its current state, the applications meet the requirements for exemption from Regional approval. Local official plan amendments are generally exempt from approval where they have had regard for the <i>Provincial Policy Statement</i> and applicable Provincial Plans, where the City Clerk has certified that processing was completed in accordance with the <i>Planning Act</i> and where the Region has advised that no Regional official plan amendment is required to accommodate the local official plan amendment. The Region provided additional comments which are discussed in Section 8 of this Appendix.</p>	<p>The ROP identifies the subject lands as being located within Peel's Urban System. The portions of the lands associated with the natural feature are considered Regional Core Greenlands.</p> <p>General objectives of ROP, as outlined in Section 5.3, include conserving the environment, achieving sustainable development, establishing healthy complete communities, achieving intensified and compact form and mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances, while taking into account the characteristics of existing communities and services, and achieving an urban form and densities that are pedestrian-friendly and transit supportive.</p> <p>Identify, protect and support the restoration and rehabilitation of the Greenlands System in Peel. (ROP 2.3.1)</p> <p>Development and site alteration within the Core Areas of the Greenlands System are prohibited, with the exception of limited wildlife management, conservation, and passive recreational type uses. (ROP 2.3.2.6)</p> <p>More detailed mapping of the Core Areas of the Greenlands System will be provided in the area municipal official plans and will be further determined on a</p>

Policy Document	Legislative Authority/Applicability	Key Policies
		site specific basis through studies, as may be required by the area municipalities through the local planning approval process, in consultation with the Region and relevant agencies. An amendment to the Plan is not required for minor boundary adjustments to the Core Areas of the Greenlands System. (ROP 7.2.2.3)

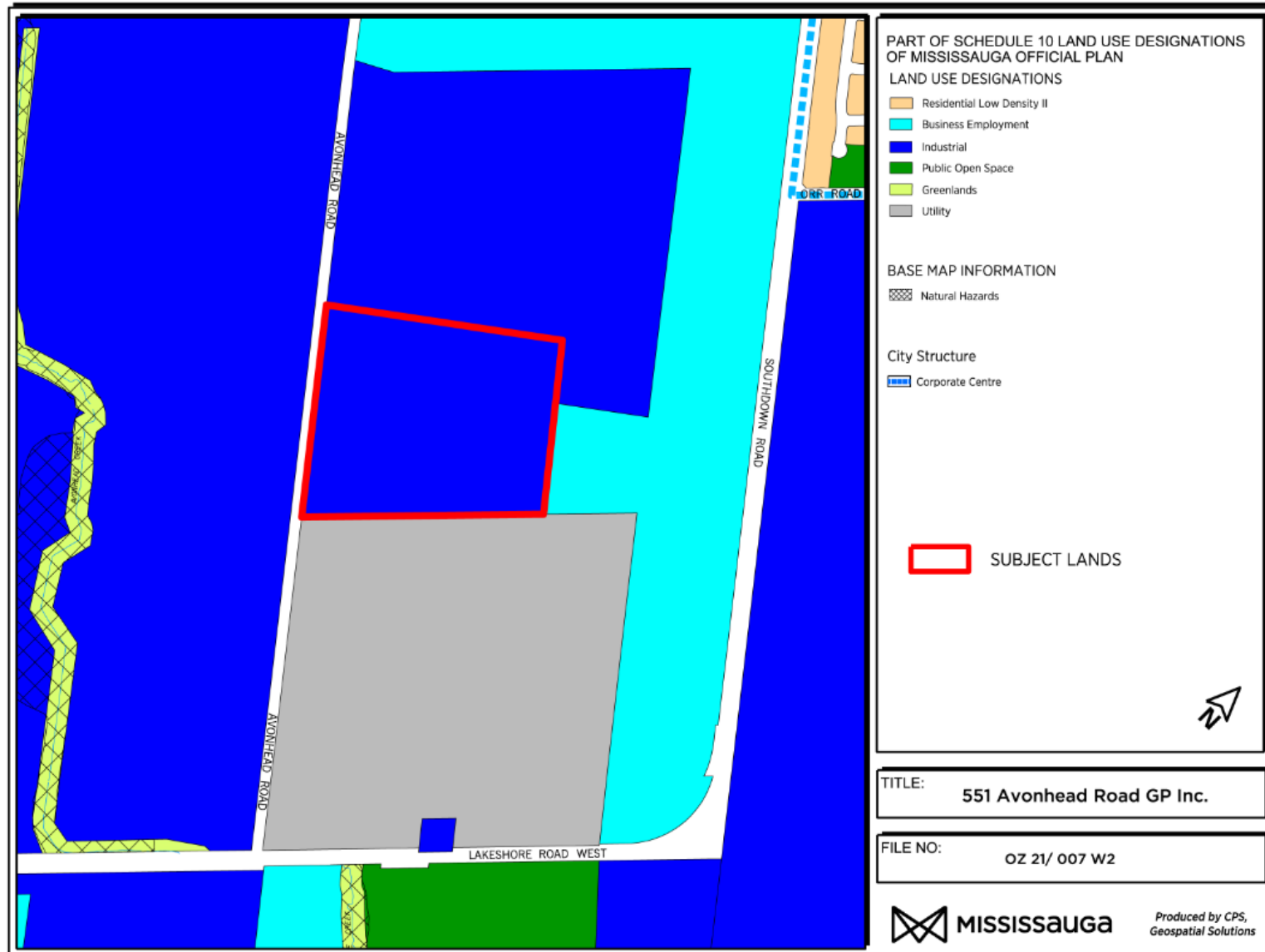
Mississauga Official Plan

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms with the Growth Plan, Greenbelt Plan, PBWP and ROP. An update to MOP is currently underway to ensure MOP is consistent with and conform to changes resulting from the recently released Growth Plan, 2019 and Amendment No. 1 (2020).

Existing Designation

The lands are located within the Southdown Employment Character Area and are designated **Industrial**. The **Industrial** designation permits a variety uses including warehousing and distribution facilities.

The subject property is not located within a proposed Major Transit Station Area (MTSA).



Excerpt of Southdown Employment Character Area

Relevant Mississauga Official Plan Policies

The following policies are applicable in the review of this application. In some cases the description of the general intent summarizes multiple policies.

	General Intent
Chapter 5 Direct Growth	<p>Mississauga will establish strategies that protect, enhance and expand the Green System. (Section 5.2.1)</p> <p>Mississauga will promote and encourage the restoration of natural forms, functions and linkages. (Section 5.2.2)</p> <p>Mississauga will maintain an adequate supply of lands for a variety of employment uses to accommodate existing and future employment needs (5.3.6.1)</p> <p>Mississauga will maintain a sustainable, diversified employment base by providing opportunities for a range of economic activities. (Section 5.3.6.2)</p>
Chapter 6 Value The Environment	<p>Buffers are vegetated protection areas that provide a physical separation of development from the limits of natural heritage features and Natural Hazard Lands. Buffers will be determined on a site specific basis as part of an Environmental Impact Study to the satisfaction of the City and conservation authority. (Section 6.3.7 and Section 6.3.8)</p> <p>The exact limit of components of the Natural Heritage System will be determined through site specific studies such as an Environmental Impact Study. (Section 6.3.10)</p> <p>Minor refinements to the boundaries of the Natural Heritage System may occur through Environmental Impact Studies, updates of the Natural Heritage System, or other appropriate studies accepted by the City without amendment to this Plan. Major boundary changes require an amendment to this Plan. (Section 6.3.11)</p> <p>The Natural Heritage System will be protected, enhanced, restored and expanded by ensuring that development in or adjacent to the Natural Heritage System protects and maintains natural heritage features and their ecological functions and placing those areas into public ownership. (Section 6.3.24.a & b)</p> <p>Lands identified as or meeting the criteria of a Significant Natural Area, as well as their associated buffers will be designated Greenlands and zoned to ensure their long term protection. (Section 6.3.26)</p> <p>Development and site alteration will not be permitted within or adjacent to Natural Green Spaces, Linkages and Special Management Areas unless it has been demonstrated that there will be no negative impact to the natural heritage features and their ecological functions and opportunities for their protection, restoration, enhancement and expansion have been identified. This will be demonstrated through a study in accordance with the requirements of the Environmental Assessment Act. When not subject to the Environmental Assessment Act, an Environmental Impact Study will be required. (Section 6.3.2)</p>

	General Intent
Chapter 7 Complete Communities	New development will be compatible with the physical, social and environmental attributes of the existing community. (Section 7.6.1.5)
Chapter 9 Build A Desirable Urban Form	<p>Mississauga will develop an urban form based on the urban system and the hierarchy identified in the city structure as shown on Schedule 1: Urban System. (Section 9.1.1)</p> <p>Development within Employment Areas and Special Purpose Areas will promote good urban design that respects the function of the area (Section 9.1.4)</p> <p>Development will be sensitive to the site and ensure that Natural Heritage Systems are protected, enhanced and restored. (Section 9.2.3.1)</p> <p>Buildings and site design will be compatible with site conditions, the surrounding context and surrounding landscape of the existing or planned character of the area. (9.5.1.1)</p> <p>Developments should be compatible and provide appropriate transition to existing and planned development by having regard for the Natural Heritage System. (Section 9.5.1.2a)</p> <p>High quality, diverse and innovative design will be promoted in a form that reinforces and enhances the local character, respects its immediate context and creates a quality living or working environment. (9.5.2.1)</p>
Chapter 11 General Land Use Designations	<p>In addition to the Uses Permitted in all Designations, lands designated Industrial will also permit the following uses:</p> <p>m. Manufacturing y. Distribution, warehousing and wholesaling (Section 11.2.12.1)</p> <p>Accessory uses will generally be limited to a maximum of 20% of the total Gross Floor Area. (Section 11.2.12.3)</p>
Chapter 19 Implementation	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands; that a municipal comprehensive review of the land use designation or a five year review is not required; the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands; there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application; a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation has been provided by the applicant. (Section 19.5.1)

Relevant Southdown Local Area Plan Policies

	General Intent
Section 10 Land Use - Industrial	<p>a. existing industrial operations, including existing outdoor processing and outdoor storage will be permitted to continue.</p> <p>b. notwithstanding the Industrial policies of this Plan, the following uses will not be permitted:</p> <ul style="list-style-type: none"> • trucking terminals; • waste processing station or waste transfer stations and composting facilities; and • expansions to or new outdoor processing; and <p>c. outdoor storage of materials, except extracted resources, such as, but not limited to, salt and sand, will be within enclosed containers, a structure with a minimum of three sides and a roof, or otherwise covered to mitigate the effects of dust or particulate matter that may be detrimental to other businesses or neighbouring areas. (Section 10.2)</p>

Mississauga Zoning By-law

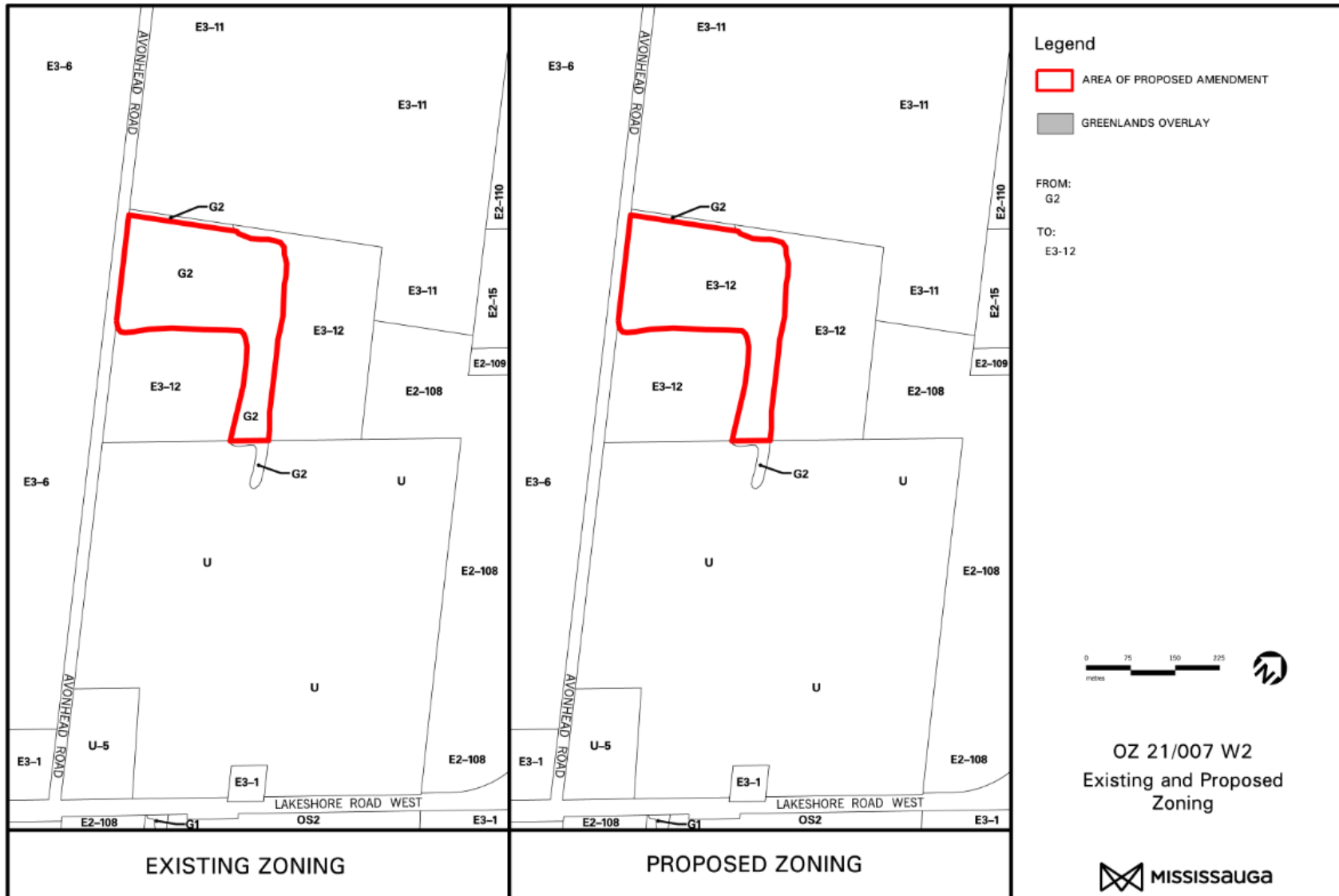
Existing Zoning

The subject property is currently zoned **E3-12** (Industrial –Exception) and **G2** (Greenlands – Natural Features). The **E3-12** zone permits manufacturing, warehousing and distribution facilities, and other employment, office and commercial uses. However, the exception zone does not permit a transportation facility, truck terminal, waste processing station, waste transfer station and composting facility. The **G2** zone only permits a natural protection area and natural heritage features and conservation area.

Proposed Zoning

The applicant is proposing to zone the entire property **E3-12** to permit 2 one storey industrial buildings.

Through the processing of the application staff may recommend a more appropriate zone category for the development in the Recommendation Report.



Excerpt of Zoning Map

Proposed Zoning Regulations

Zone Regulations	Existing E3-12 Zone Regulations	Existing G2 Zone Regulations	Proposed Amended Zone Regulations
Permitted Uses	Warehouse/Distribution Facility	Natural Protection Area and Natural Heritage Features and Conservation Area.	Warehouse/Distribution Facilities
Minimum Front Yard	7.5 m (24.6 ft.)	n/a	4.45 m (14.6 ft.)
	Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the application is further refined. In addition to the regulations listed, other minor and technical variations to the implementing by-law may also apply, including changes that may take place before Council adoption of the by-law, should the application be approved.		

5. Community Questions and Comments

No community meetings were held and no written comments were received by the Planning and Building Department.

6. Development Issues

The following is a summary of comments from agencies and departments regarding the application:

Agency / Comment Date	Comments
Region of Peel (September 1, 2021)	A Functional Service Report (FSR) was submitted; however, additional information has been requested regarding the hydro flow test and fire flow calculations.
Peel District School Board (August 12, 2021)	Peel District School has reviewed the application and has no comment as this is a non-residential development, no students are anticipated.
Credit Valley Conservation Authority (CVC) (October 18, 2021)	The property is located within CVC's regulated area due to the presence of CVC regulated wetlands. A CVC permit is required for the proposed development. CVC notes that staff are reviewing the submitted material and will send our engineering/ecology comments directly to the applicant.
City Community Services Department – Park Planning Section (October 18, 2021)	In comments dated October 18, 2021, Park Planning recommends revisions within the submitted Environmental Impact Statement (EIS) to determine the appropriate development limits, natural heritage features, and associated buffers. The proposed development seeks to remove a large portion of the City's Natural Heritage System to facilitate development. This Department may recommend the dedication of environmentally sensitive lands to the City. Should this application be approved, hoarding and fencing of these features will be required of the applicant. Additionally, securities may be required for clean up, restoration, hoarding protection, and fencing. Prior to the issuance of building permits for each lot or block cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.
Economic Development Office (August 19, 2021)	The Economic Development Office has reviewed the application and advises that there are no comments or concerns from an economic development perspective.

Agency / Comment Date	Comments
<p>City Transportation and Works Department (September 10, 2021)</p>	<p>Technical reports and drawings have been submitted and are under review to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic and environmental compliance can be satisfactorily addressed to confirm the feasibility of the project, in accordance with City requirements.</p> <p>Based on a review of the materials submitted to date, the owner has been requested to provide additional technical details and revisions prior to the City making a recommendation on the application, as follows:</p> <p><u>Stormwater</u></p> <p>A Storm Management and Functional Servicing Report prepared by a.m. candaras associates inc. dated June 10, 2021 was submitted in support of the proposed development. The purpose of the report is to evaluate the proposed development impact on the municipal drainage system (e.g. storm sewers, watercourses, etc.) and to mitigate the quality and quantity impacts of stormwater run-off generated from the site. Mitigation measures may include improvements to existing stormwater servicing infrastructure, new infrastructure, and/or on-site stormwater management controls, i.e. infiltration trenches, stormwater re-use for landscape irrigation and/or permeable pavers.</p> <p>The ultimate storm sewer outlet for these lands is the existing storm sewer system located on Lakeshore Rd. W. The proposal is to adequately provide storm drainage to service the development lands, and to implement on-site sustainable stormwater management controls to limit post-development discharge.</p> <p>The applicant is required to provide further technical information to demonstrate:</p> <ul style="list-style-type: none"> • feasibility of the proposed storm sewer, infiltration trench and outlet; • downstream capacity; • accommodate any extremal flow from the adjacent properties; • how groundwater will be managed on site; and • that there will be no impact to the City's existing drainage system <p><u>Traffic</u></p> <p>A traffic impact study (TIS), prepared by GHD Limited and dated June 2021, was submitted in support of the proposed development and a full review and audit was completed by Transportation and Works staff. Should the development proposal change, an updated study will be required for review.</p> <p>The applicant is required to provide the following information as part of subsequent submissions, to the satisfaction of the Transportation and Works Department:</p> <ul style="list-style-type: none"> • Provide the future property line due to the road allowance widening towards the ultimate 26.0 m (85.3 ft) right-of-way of Avonhead Road as identified in the Official Plan; • Provide satisfactory plans for a future road network including right of way widths and road configuration;

Agency / Comment Date	Comments
	<ul style="list-style-type: none"> • Provide necessary provisions for the inclusion of a future municipal sidewalk; and, • Address any traffic concerns from the Community related to the proposed development. <p><u>Environmental Compliance</u></p> <p>Based on the Phase One ESA and Phase Two ESA reports both dated September 10, 2020 provided by EXP Services Inc., prior to a Recommendation meeting, the following is required:</p> <ul style="list-style-type: none"> • RAP – Remediation Action Plan • Clarification of land dedication • Dewatering commitment letter • Reliance letter • Confirmation of well decommissioning <p><u>Noise</u></p> <p>The Noise Study evaluates the potential impact to and from the development, and recommends mitigation measures to reduce any negative impacts. Noise sources that may have an impact on this development include road traffic and stationary sources and will require noise warning clauses in the development agreement.</p> <p><u>Engineering Plans/Drawings</u></p> <p>The applicant has submitted a number of technical plans/drawings (i.e. Grading Plan with City benchmark, Servicing Plan, FSR, cross-section showing groundwater elevation, etc.), which need to be revised in accordance with City Standards and as part of subsequent submissions.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <ul style="list-style-type: none"> - Alectra - City of Mississauga, Arborist – City Property - City of Mississauga, Arborist – Private Property - Bell Canada - Canada Post Corporation - Canadian National Railway - CS Viamonde - Dufferin Peel Catholic District School Board - City of Mississauga, Fire - City of Mississauga, Heritage Planning - Greater Toronto Airport Authority - Hydro One Network - City of Mississauga, Traffic - Rogers Cable

Agency / Comment Date	Comments
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> - Enbridge - City of Mississauga, Transit - Trillium Health Partners

Development Requirements

There are engineering matters including: grading, environmental, engineering, servicing and stormwater management that will require the applicant to enter into agreements with the City. Prior to any development proceeding on-site, the City will require the submission and review of an application for site plan approval.

7. Section 37 Community Benefits (Bonus Zoning)

Section 37 community benefits (bonus zoning) is not considered applicable for the current proposal as no official plan amendment is required and the net increase in height and density above existing zoning permissions does not meet the eligibility requirements of Corporate Policy 07-03-01 – Bonus Zoning.

8. Next Steps

Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Is there a natural feature that will be affected by the proposed development?
- Is the removal of the **G2** zone a minor refinement to the Natural Feature identified in Schedule 3 of the Mississauga Official Plan?

Upon satisfying the requirements of various City departments and external agencies, the Planning and Building Department will bring forward a recommendation report to a future Planning and Development Committee meeting. It is at that meeting that the members of the Committee will make a decision on the application.

City of Mississauga

Corporate Report



Date: October 21, 2021

To: Chair and Members of Planning and Development Committee

From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building

Originator's files:
CD.03-LAK W1

Meeting date:
November 15, 2021

Subject

PUBLIC MEETING INFORMATION REPORT (WARD 1) – Mississauga Official Plan Amendment for the Lakeshore Road East Corridor

Recommendation

1. That the report titled "Mississauga Official Plan Amendment for the Lakeshore Road East Corridor" dated October 21, 2021 from the Commissioner of Planning and Building, be received for information.
2. That the submissions made at the Public Meeting held on November 15, 2021 to consider the report titled "Mississauga Official Plan Amendment for Lakeshore Road East Corridor" dated October 21, 2021, from the Commissioner of Planning and Building, be received.

Report Highlights

- A draft Official Plan Amendment (OPA) has been prepared that provides a policy framework for future development along the Lakeshore East Corridor Area in the Lakeview Neighbourhood Character Area. See Appendix 1 for a map of the subject area.
- This report presents the draft OPA for Council's consideration, which includes draft policies on items such as: vision, height and urban design guidelines.
- This report also provides Council with preliminary feedback from stakeholders through engagement in May and June 2021; along with feedback from the initial virtual community meeting held on February 23, 2021.
- Staff aim to bring a Recommendation Report with the final OPA to Council for consideration in early 2022.

Background

The purpose of this land-use planning review was to examine the **height, density and built form policies** for the Lakeshore East Corridor between Seneca Avenue and the Etobicoke border. The study area excludes the [Lakeview Village](#) and Rangeview lands which are subject to their own rezoning and master planning exercises respectively.

The review was initiated as an increasing number of planning applications along Lakeshore Road East Corridor have been received in recent years and many of the proposals contain heights and densities that significantly exceed existing permissions. There are currently two active rezoning applications, two recently approved zoning applications, and four site plan application along the corridor.

The current official plan policies allow for building heights generally between two to four storeys. The two active rezoning applications under review range between eleven and fifteen storeys.

The ensuing maps illustrate the study area boundaries and the existing and approved maximum building heights, in storeys, along the corridor.



Figure 1: Existing and Approved Heights in Storeys along western corridor



Figure 2: Existing and Approved Heights in Storeys along eastern corridor

The Lakeshore Road East Corridor is identified as a Higher Order Transit Corridor in Mississauga Official Plan (MOP) and varies in width. The Right of Way (ROW) width for the western portion of the corridor is 30 m (Seneca Avenue to East Avenue) and the designated ROW of the eastern portion is 44.5 m (East Avenue to Etobicoke border).

Comments

OVERVIEW OF DRAFT OFFICIAL PLAN AMENDMENT

The draft OPA has been prepared to address the issues identified by stakeholders and staff. It incorporates comments and feedback received during the public and stakeholder consultation period between February and June 2021. City staff proposed three key policy moves. No changes to Schedule 10 Land Use Designations are proposed through this amendment. The following summarizes key policies within the draft OPA (Appendix 4).

Reaffirm the Vision

The existing Lakeview Local Area Plan has extensive and distinct guiding principles. In short, the six guiding principles are:

- Reconnect Lakeview to the waterfront;
- Strengthen distinct neighbourhoods;
- Support complete communities;
- Promote community health;
- Support social wellbeing;
- Achieve leadership in sustainability.

The vision section has been updated to better reflect today's context, including technical word changes. The draft OPA reinforces the complete communities guiding principle with the addition of wording to encourage a sense of place. The guiding principles have been reviewed and reconfirmed. The existing vision reflects a pedestrian scaled, mixed-use mainstreet, which helps achieve complete communities, aids active transportation including walking and supports housing for all groups and abilities.

Building Height

The current planning framework in the Lakeshore Road East Corridor area generally allows for buildings up to four storeys in height. There are sites with existing height permissions beyond four storeys as shown figures 1 and 2. Staff undertook a parcel analysis along the corridor to determine redevelopment potential. Shallow lots with less than 40 m in depth are common, but are the least likely to redevelop due to the challenge of providing underground parking and meeting urban design criteria. The table below summarizes Staff's site analysis.

Lot Depth	Anticipated Redevelopment Height Potential	Approximate Number of Redevelopment Sites	
		Including under application & site specific permissions	Excluding under application & site specific permissions
Less than 40 m	2-4 storeys	8	5
40-60 m	2-8 storeys	10	6
Greater than 60 m	2-8 storeys, or maximum of 30 m tall	6	4

All amended height policies proposed above would only be permitted if appropriate transitions to low density areas are provided and street wall polices (described below) are achieved.

Staff considered the following key factors when developing the proposed height framework.

- Vision for a main street corridor, with pedestrian friendly scale
- Existing buildings and approved heights
- Tie-in with Rangeview lands that also have an eight storey maximum height policy for the Lakeshore fronting buildings
- Consideration of the road right-of-way width
- Buildings that support ground floor retail
- Transit supportive densities that support provincial/regional Major Transit Station Area requirements
- Create more certainty for existing landowners, prospective land owners and community members

Ensure a Village Main Street Character - Urban Design

The draft OPA includes a new urban design policy; proposing a minimum streetwall of 2 storeys and maximum of 4 storeys. The streetwall is the exterior wall of a building facing the front lot line abutting Lakeshore Road. The two to four storey streetwall is context sensitive to the varied existing condition of one and two storey buildings and larger apartment buildings. A two to four storey streetwall provides a human scaled pedestrian realm and sense of enclosure.

The existing LAP and the Lakeview Built Form Standards provide further policies, direction and guidelines regarding streetscape treatment, landscaping, street furnishings, public art, building material, and building design. No changes are proposed to these policies.

Land Assembly

The current planning framework in the Lakeview Local Area Plan discourages land assembly. No revisions to the land assembly policies are proposed through this review. However, if land assembly does occur, the LAP policy indicates that the primary purpose of assembled lands is to provide a buffer to the adjacent low density lands to the development.

Given the existing lot pattern, the opportunity for redevelopment can be achieved without further land assembly.

There have been no development applications involving land assemblies in along Lakeshore Road in Lakeview since the LAP was adopted in 2015.

Transition

The current LAP requires appropriate transition to adjacent low density residential. The draft amendment does not propose revisions to the transition policies and guidelines.

The LAP states that development along Lakeshore Road should have regard for the character of the Neighbourhood, providing appropriate transitions in height, built form and density. It further states that redevelopment will ensure built form compatibility and transition in heights to adjacent low density residential neighbourhoods.

The Lakeview Built Form Standards further refines the transition policies, including the use of a 45 degree angular plane, increase to the building setbacks, and the use of building step backs to ensure minimal impact from newer developments to adjacent low rise dwellings.

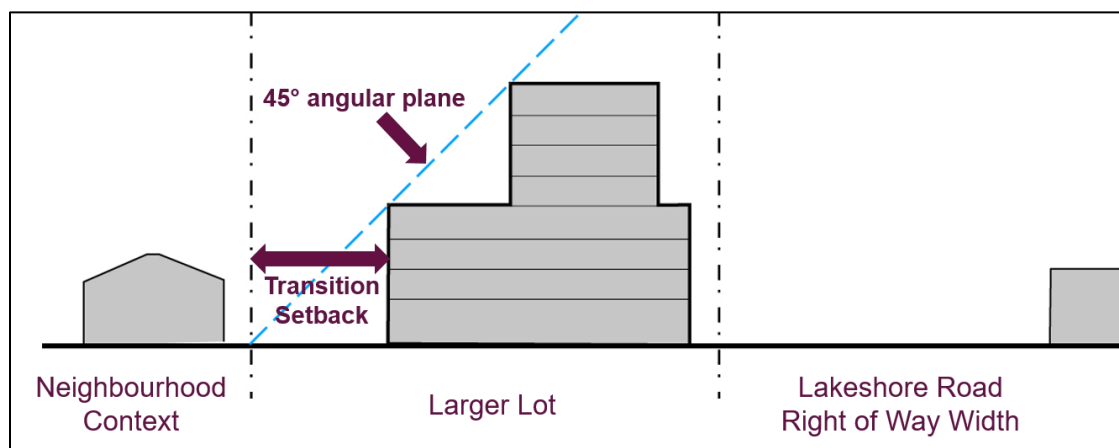


Figure 3: Existing Transition Policies

Heritage

Cultural heritage policies have been reviewed as part of this exercise. Section 8.2 of the LAP, Cultural Heritage, recognizes the important of heritage resources in the area and further guides how to improve and enhance development adjacent to heritage sites.

There are opportunities to integrate and enhance heritage resources through contextually sensitive designs, paying attention to setbacks, stepbacks, material choice, facades, landscaping, and site design, etc. Development along the corridor is also subject to a site plan control bylaw.

Parks and Green System

Integration of parks, open space and landscaping into new developments has been reviewed. The current LAP prioritizes policies which protect, enhance, restore, and connect green spaces in Lakeview.

Through redevelopment, additional opportunities for landscaping, setbacks, streetscaping or publically accessible privately open space will be reviewed. In addition, developments along Lakeshore Road East will be required to contribute to parkland, either on site or through cash in lieu.

COMMUNITY ENGAGEMENT

Engagement Process

An extensive engagement process underpins this draft OPA and included:

- **Public Engagement:** The public has been involved via a project website, social media, an online comments form, virtual community meetings, virtual community workshops, surveys, and this statutory public meeting. Public engagement was intended to provide information on the draft policies and gain preliminary feedback.
 - **EHQ Website** had approximately 1350 visits between Jan 1 and Aug 31
 - **Virtual Community Meeting:** A virtual community meeting was held on February 23, 2021. The virtual community meeting included staff presentations, online polls, chat forum and post meeting feedback survey.
 - Approximately 165 attendees excluding staff
 - **Virtual Community Workshops:** Three virtual community workshops were held on May 4th, 5th and 11th 2021. The virtual community workshops included presentations by staff and an independent urban designer, breakout rooms, online polls, chat forum and post meeting feedback survey.
 - Staff presented draft building heights of 4-6 storeys on small lots, 6-8 storeys on medium lots, and 8-12 storeys on large lots.
 - Approximately 180 attendees excluding staff
 - **Virtual Community Meeting:** A virtual community meeting was held on June 10, 2021. The virtual community meeting included staff presentations, online polls, chat forum and post meeting feedback survey.
 - Staff presented draft building heights of 4 storeys on smaller lots, and 8 storeys on larger lots
 - Approximately 80 people attended excluding staff
 - **Statutory Public Meeting:** Notification for the November 15, 2021, Statutory Public Meeting was published in the Mississauga News. Information of this public meeting was also shared on the Lakeshore East Corridor website (<https://yoursay.mississauga.ca/lakeshore-east-corridor-study>), and promoted via a media release, Council's Corner newsletter, social media, and the local councillor's newsletter.
 - **Posting Draft OPA:** The draft OPA policies will be posted on the project website in advance of the public information meeting along with an online comment form in order to receive further detailed comments from the public.
- **Stakeholder Meeting:** outreach with the Lakeview Ratepayers Association took place in June and November, 2021 in order to provide information on the amendment and gain preliminary feedback on more site specific matters.

Feedback Received to Date

Staff engaged stakeholders and the public through the abovementioned engagement tactics. Staff have incorporated preliminary feedback into the draft OPA and provided a summary of the key messages received below. Some of the feedback received is outside the scope of this draft OPA.

Creating a Complete Community

We heard about the need for the Lakeshore Corridor to evolve as a complete, vibrant and mixed use community that provides opportunities for people of all ages and abilities to live, work, shop and play.

Feedback also included a desire for a greater mix of uses along the corridor.

Strengthening the Main Street

We heard general support for mixed use buildings where people can live, work, play, shop and dine. There was a desire for streetscape improvements such as wider sidewalks, and landscaping.

The community expressed concerns that additional height will create undue precedents and cause negative shadow impacts.

Green Space and Setbacks

We heard there was a desire for green space and additional setbacks along Lakeshore Road East, especially on the south side of the corridor between East Avenue and Hydro Road. This area is outside of the study area, but parkland consultation and evaluation for the Lakeview Village Development Masterplan is ongoing. More information on the Lakeview Village Parkland Public Engagement can be found at the following link:
<https://yoursay.mississauga.ca/lakeviewparks>.

Any new development along Lakeshore Road is required to provide opportunities for landscaping, wider sidewalks and improved public realm. In our existing Lakeview Local Area Plan Built Form Guidelines, any new development proposal in the Lakeshore East Corridor study area is required to have a setback to the front property line of 0.6 m and 3.0 m.

Improving Transportation

During each round of engagement, a common concern we heard was around traffic and transportation. The City of Mississauga is conducting concurrent projects regarding the Lakeshore Bus Rapid Transit Study, Lakeshore Complete Street Study, and the New Credit River Active Transportation Bridge Study. Further information on these studies is available here:

<https://www.mississauga.ca/lakeshore-transportation>. These three studies build on the Lakeshore Connecting Communities Transportation Master Plan which set out a long-term vision for transit and corridor improvements along Lakeshore Road from 2020 to 2041.

Rangeview

While outside of the Lakeview Local Area Plan and Lakeview Neighbourhood Character Area, residents expressed a desire and willingness to participate in a holistic approach to the neighbouring Rangeview lands. Development master plans are required for the Rangeview lands. During the development master plan process staff will share information and assist in neighbourhood collaboration.



Figure 4: Lakeshore East Corridor Official Plan Amendment Process

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Financial Impact

There are no financial impacts resulting from the Recommendations in this report.

Conclusion

The Lakeshore Road East Corridor study has been a consultative process that has produced a draft policy framework to aid in the development of a vibrant, mixed-use and connected community. The next step is to incorporate any further feedback received through community engagement and at the November 15, 2021 Public Meeting into the final Official Plan Amendment that will be presented to Council for consideration in early 2022.

Attachments

- Appendix 1: Context Map of Lakeshore Road East Corridor
- Appendix 2: Summary of Engagement June 20, 2021
- Appendix 3: Lakeshore Road East Corridor – Draft Official Plan Amendment Height Schedule
- Appendix 4: Lakeshore Road East Corridor – Draft Official Plan Amendment



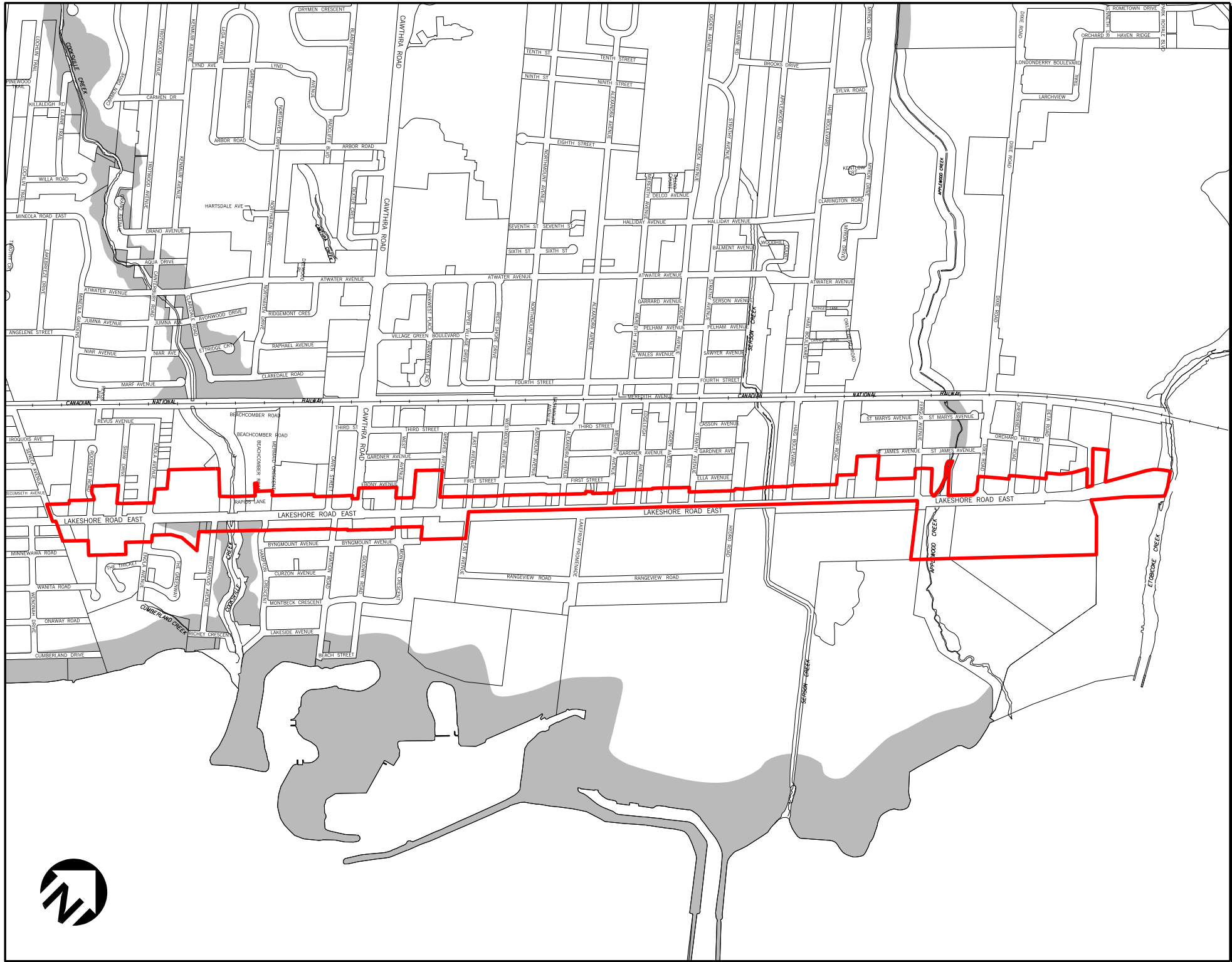
Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Robert Ruggiero, Planner, City Planning Strategies

General Context Map

CD.03-LAK W1

Appendix 1





Community Meeting – What We Heard

On June 10, 2021, the City of Mississauga held a virtual community meeting to present a preliminary draft policy recommendations on various urban design principles to guide and manage compatible growth along the Lakeshore East Corridor.

The virtual community meeting included a staff presentation and Q&A discussion. The meeting ran from 6:30pm – 8:15pm with an estimated 92 people in attendance on the Webex meeting platform.

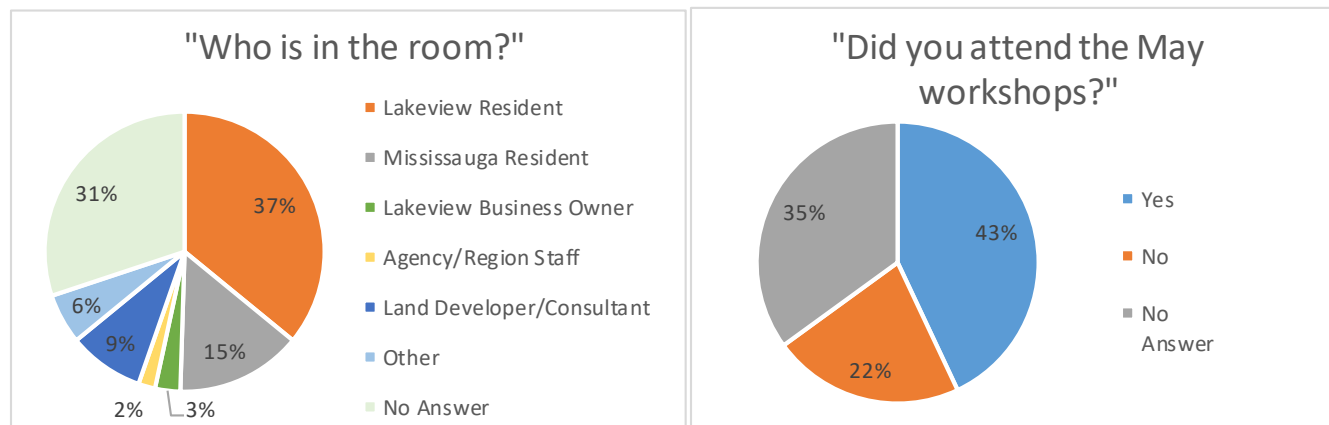
Following the meeting, those that could not attend the meeting or who had more to say had the opportunity to complete an online survey responding to the content and questions asked at the workshop. The survey was hosted on the [project website](#).

Ward 1 Councillor Stephen Dasko attended and opened the meeting. Jason Bevan Director, City Planning and Strategies, Planning and Building Department of the City of Mississauga provided an overview on the significance of undertaking the study and Robert Ruggiero, Project Lead and Planner, presented a project update as well as the preliminary draft policy recommendations. The meeting continued with Q&A discussion on the newly presented draft policies.

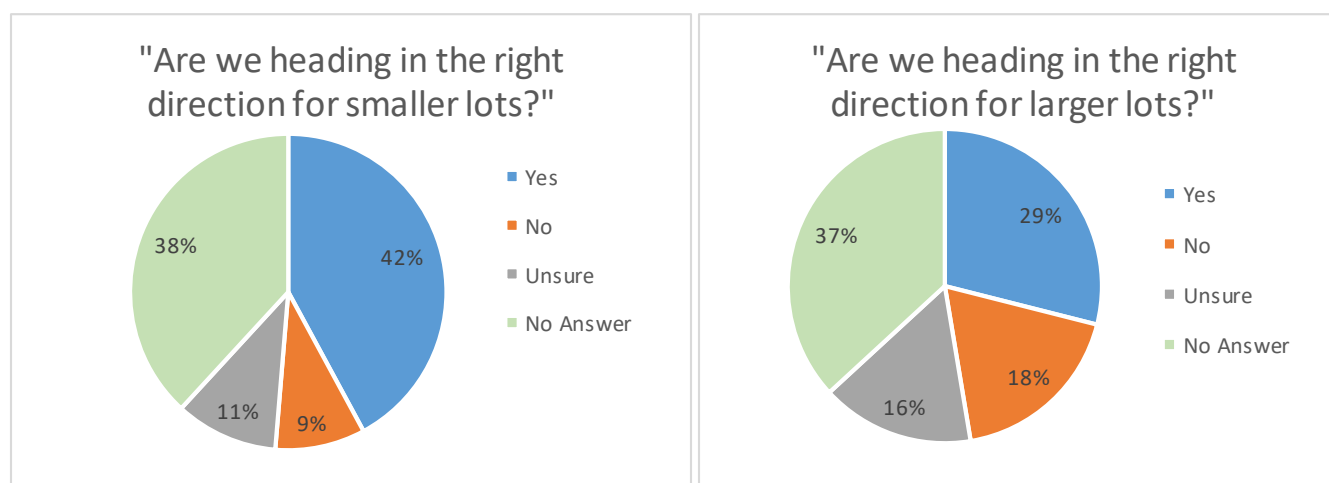
This summary is based on the Webex Chat transcripts, staff notes and survey responses. Fewer than 5 survey responses were received.

Below are the results of four poll questions asked at the community meeting and 2 survey responses from June 1 to July 8, 2021.

Poll Results Based on 65 Respondents from June 10, 2021



Poll Results Based on 76 Respondents from June 10, 2021 Community Meeting (74 Responses) and Survey Results from June 11 – July 8, 2021 (2 Responses)



The following is a summary of what we heard from the community meeting.

Vibrant Main Street and Urban Design Principles

- Encourage mixed-use developments for a vibrant main street feel where people can live, shop and dine.

- Participant's Comment: *"how about mixed-use building, I figure most along the corridor should be mixed-use where first few stories are commercial and the rest residential."*
- General support for smaller lots to have 4 storeys that creates a continuous and uniform main street on Lakeshore Road.
- Protect for public realm where redevelopments will enhance the main street concept and provide a sense of enclosure.
 - Participant's Comment: *"I'm a big fan of the "enclosure" feeling. Keeping all of that retail close to the sidewalk makes it a lot more usable for pedestrians and cyclists."*
- Establish urban design guidelines and policies to encourage complete communities and aesthetically pleasing developments.
 - Participant's Comment: *"I support complete communities and I want a city development application based on how well developers can work with and achieve the visions of the residents?"*

Heights and Density

- Concerns with reviewing and assessing applications based on precedents.
 - Participant's Comment: *"how can we avoid allowing previous heights inform future builds?"*
- Set "hard limit" on the number of storeys along the Lakeshore East.
- Maintain a balance between residential, commercial and open space uses
 - Participant's Comment: *"As long it is planned and developed thoughtfully as diverse mixed use and a lens on environment/habitat/flood protection/efficient buildings, it will meet my particular desire."*
- Ensure additional density brings more affordable housing, services and amenities for the community.
- Raised concerns of land assembly; combining smaller lots to create a larger development lot.
- Focus on "Built Function" to create a vibrant and comfortable place for pedestrians with natural light, space for walking, shops and interesting building design at the street level? (make plain language)
 - Participant's Comment: *"How the buildings are used has a lot to do with how the height/massing is perceived."*

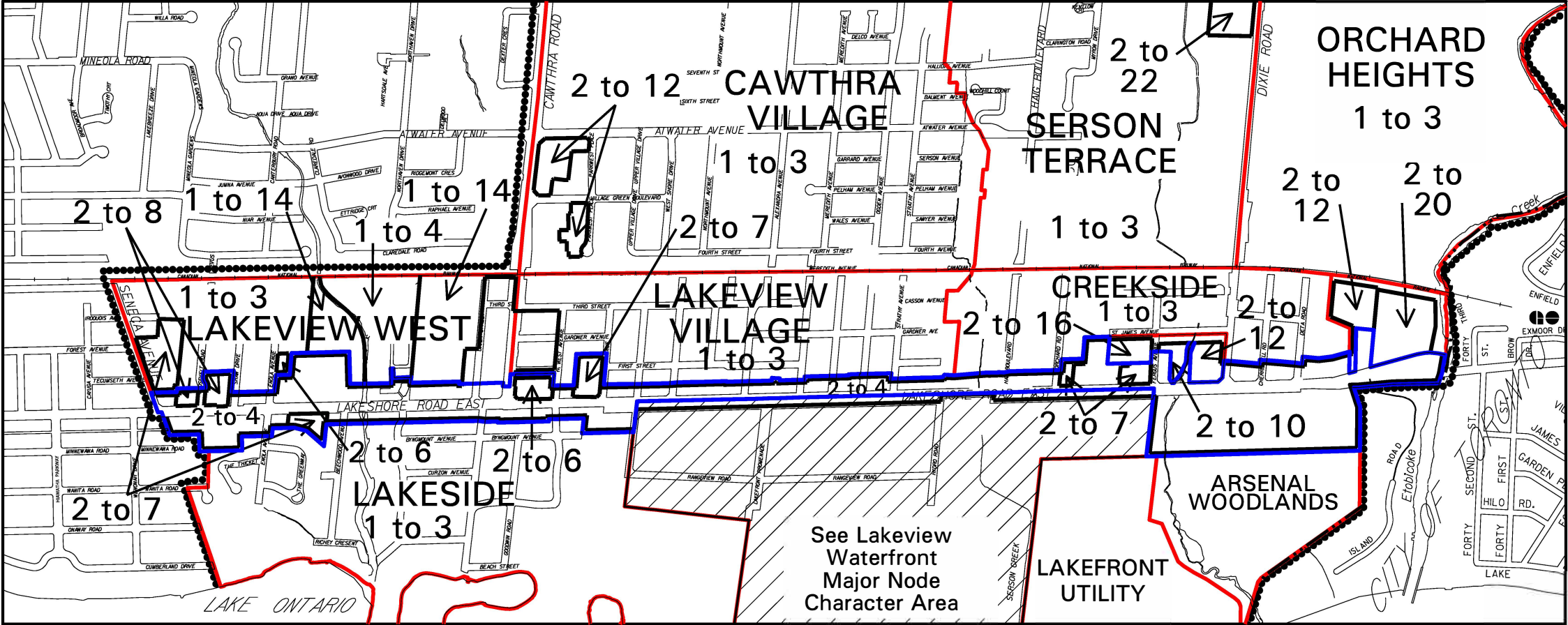
Green Space and Setbacks

- Desire for the linear park on the south side of Lakeshore east of East Avenue
- Concerns with shadow impacts of larger developments on the public realm.
- Raised concerns of maintaining privately owned linear park.
- Ensure taller buildings have sufficient setback from the main street.
 - Participant's Comment: *"If a taller building is further back then it keeps the open feeling of the current Lakeshore but with more "enclosure" main street feel."*

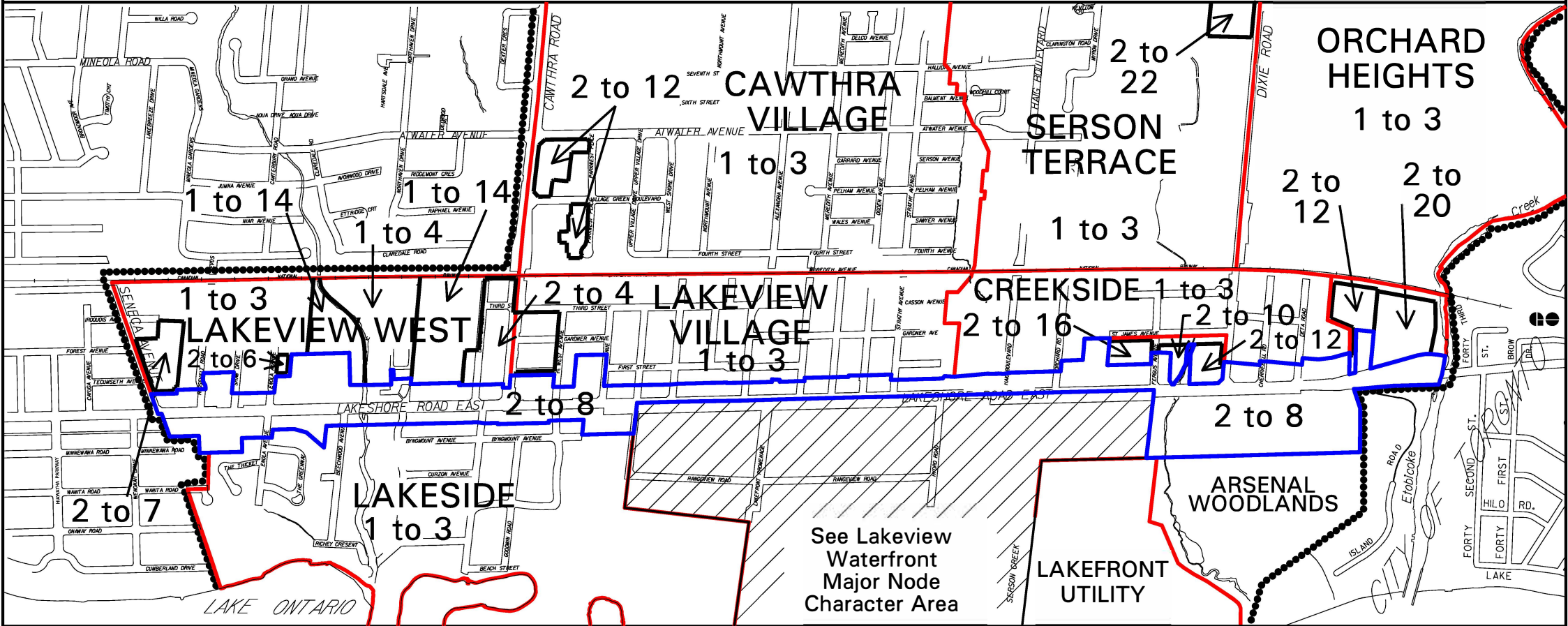
- Potential environmental impacts (heating and cooling inefficiencies) with stepback design in buildings.

Additional Comments

- Consider integrating low impact development techniques with open space to encourage sustainable developments.
- Create cycling path that comply with universal accessible standards.
- Encourage use of wider and less sloped sidewalks for more accessible use.
- Undertake potential consultation for streetscape improvements in the study area.
- Discuss the potential opportunities and/or challenges of future BRT and how does it affect housing affordability in the area.
- Consider opportunities for affordable housing to encourage mix of housing options and accommodate a range of everyone's needs.
 - Participant's Comment: *"The city needs to mandate three bedroom units for apartments and condos. Families need places to live."*






EXISTING HEIGHT LIMITS



PROPOSED HEIGHT LIMITS

Legend

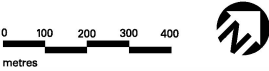
-  Sub-Area Boundary
-  Local Area Plan Boundary
-  Area of Amendment

Note:

1. Height limits represent the minimum and maximum number of storeys permitted.

DRAFT

Part of
Lakeview Local Area Plan
Height Limits



Appendix 4: Lakeshore East Corridor Study – Draft Official Plan Amendment

Draft policies are shown in red; deleted text is shown as ~~strikeouts~~; existing policies are in black

3.0 Current Context

Lakeview is made up of ~~stable~~ residential neighbourhoods characterized by ~~detached and semi-detached housing~~ a variety of housing forms, including low rise dwellings and apartments. Many homes built in the ~~1950s and 1960s~~ post-war era are being renovated today or replaced largely with new detached housing, and some assembly for townhouses is occurring. Townhouses are found in pockets throughout Lakeview between Lakeshore Road East and the Queen Elizabeth Way. Apartment buildings are located mainly near the Canadian National Railway tracks at Cawthra Road, on Dixie Road, and ~~several are built~~ a number along Lakeshore Road East. There are a few clusters of multi-unit residential dwellings in Lakeview, including duplex, triplex and ~~quadplex~~ fourplex.

The area is served by commercial facilities concentrated along Lakeshore Road East. However, it is fragmented by other uses such as motor vehicle repair garages and motor vehicle sales and service. The area along Lakeshore Road East to the east of Cawthra Road is in its early stages of revitalization to mainstreet retail, with newly built and proposed mixed use buildings. Neighbourhoods to the north are served by commercial facilities located along both sides of the Queen Elizabeth Way, namely Dixie Outlet Mall and Applewood Village Plaza.

The G.E. Booth Wastewater Treatment Facility, situated south of Lakeshore Road East, occupies a large portion of the Lake Ontario shoreline. A major utility use in the area is the Lakeview Water Treatment Facility which is bordered by several parks including A.E. Crookes Park, Lakefront Promenade Park, and Douglas Kennedy Park.

The open space system predominately consists of golf courses, natural areas, creeks, trails, and parks along the Lake Ontario waterfront. These lands are culturally and recreationally significant and connect to Mississauga's parks system.

The waterfront is one of the distinctive elements of Lakeview, and physical and visual accessibility to the waterfront is integral to the community.

Cultural and heritage resources include heritage buildings, cultural landscapes associated with the scenic parks and golf courses, Lakeview's industrial past, former residential estates, and the Dixie Road Scenic Route.

The road network consists of the following east-west road connections: Queen Elizabeth Way, Lakeshore Road East, Queensway East, North and South Service Road, and Atwater Avenue. The north-south road connections are: Cawthra Road, Dixie Road, Ogden Avenue, Stanfield Road, and Haig Boulevard. For classification and rights-of-way, refer to the Road Classification tables found in Chapter 8 of Mississauga Official Plan.

Population, employment, and land area statistics of the Lakeview area are summarized in Figure 3. For the purpose of this Area Plan, Lakeview is arranged by Precinct: North Residential Neighbourhood, Central Residential Neighbourhood, South Residential Neighbourhood, and Lakeshore Corridor, as shown on Map 1: Lakeview Local Area Plan Precincts and Sub-Areas.

5.0 Vision

The Vision for Lakeview is a connection of neighbourhoods with views to the lake and public access to the shores and waters of Lake Ontario. The neighbourhoods of Lakeview will be connected through a network of parks and open spaces.

Neighbourhoods in Lakeview are stable and offer a variety of housing choices. It is recognized that some change will occur, and development should provide appropriate transition to the existing stable areas, and protect the existing character and heritage features.

5.1 Guiding Principles

The Vision for Lakeview is based on the following six guiding principles that provide local context and supplements the Guiding Principles of the principal document:

5.1.1 Reconnect Lakeview to the waterfront by protecting view corridors to the lake and along the shoreline, providing a mix of uses and public access to the waterfront.

5.1.2 Strengthen distinct neighbourhoods by preserving heritage features, protecting established stable neighbourhoods and ensuring appropriate built form transitions for development.

5.1.3 Support complete communities **and encourage a sense of place** through compact, mixed use development and a pedestrian oriented mainstreet **along Lakeshore Road East** that offers a range of ~~culture~~ **cultural**, residential and employment opportunities.

5.2.3 Corridors

The principal document identifies Lakeshore Road East, Cawthra Road, and Dixie Road as **corridors**. These **corridors** link together the neighbourhoods of Lakeview. **Corridors** that run through the Neighbourhood Character Area should develop with mixed uses oriented towards the **corridor**.

Lakeshore Road East is an important **corridor** in the future development of Lakeview. This area will be strengthened by concentrating additional commercial, residential and community uses, and by improving transportation connections with the surrounding neighbourhoods.

This Area Plan identifies Lakeshore Road East (also referred to as the Lakeshore Corridor), as the Lakeshore Corridor Precinct. Although Lakeshore Corridor is a non-intensification area, the Area Plan has identified sites along the **corridor** which are appropriate for intensification.

Maintaining Lakeshore Road East as a four lane roadway during peak travel times is a transportation priority. At the same time, Lakeshore Road East is a constrained **corridor** that requires a context sensitive design approach. Traffic calming measures should be considered, where possible. Trade-offs will be required to accommodate the envisioned multi-modal function of the **corridor** to provide transportation choices including walking, cycling, auto/truck traffic, and transit.

10.2 Lakeshore Corridor

The Lakeshore Corridor Precinct is intended to be the primary area for street related commercial development, ~~with a mixture of uses and pedestrian oriented built form~~ **of a built form containing a mix of uses to create a pedestrian oriented environment**. The extent of the Lakeshore Corridor is from Seneca Avenue to the east end of the municipal boundary at Etobicoke Creek. Given the length of this **corridor**, it is divided into sections: the Core and Outer Core (see Map 1). The Core is from Seneca Avenue to Hydro Road and is envisioned to have a concentration of street related commercial uses. The Outer Core, from Hydro Road to Etobicoke Creek, is to be a pedestrian friendly area. Similar to the Core, it allows for mixed use development, however, commercial uses are not required.

In order to achieve the intended function of the Lakeshore Corridor Precinct, redevelopment will address among other matters, the following:

- creating a pedestrian oriented environment;
- ensuring built form compatibility and **providing a transition in heights to adjacent neighbourhoods**;
- minimizing access points along Lakeshore Road East;
- preserving light and sky views; and
- creating an attractive public realm.

10.2.1 Development should preserve and enhance the views and vistas to the natural environment.

10.2.2 The City will seek opportunities for views to Lake Ontario through development applications for new north-south roads and road extensions.

10.2.3 Development will be encouraged to locate parking to the rear of buildings or underground.

10.2.4 Development **fronting along Lakeshore Road East** ~~is encouraged to~~ **will be two to four eight storeys in height if provided an appropriate transition to the adjacent context is maintained**; ~~however, some sites will be permitted building heights greater than four eight storeys in height~~ **as shown on Map 3**.

~~10.2.5~~ **10.2.5** Additional height up to a maximum building height of 30 m may be considered on existing lots greater than 60 m in depth if the development proposal is consistent with the policies of this Plan.

~~10.2.5~~ **10.2.6** Appropriate transition to adjacent low density residential will be required.

10.2.7 In order to achieve a pedestrian scaled environment, new buildings will have a street wall of a minimum of 2 storeys to a maximum of 4 storeys. A street wall is the exterior wall of a building facing the front lot line fronting the mainstreet.

~~10.2.6~~ **10.2.8** To promote a pedestrian friendly mainstreet environment, street related commercial uses will front onto and be located along Lakeshore Road East. Development should address the following, among other items:

- a. maintaining an appropriate average lot depth for mainstreet commercial;
- b. buildings should be closely spaced with minimal breaks to ensure a continuous building or street frontage;
- c. buildings should incorporate active uses at grade, in order to animate the public realm and pedestrian environment; and
- d. building entrances should be located along and face Lakeshore Road East, and should be clearly identifiable with direct access from the sidewalk.

~~10.2.7~~ **10.2.9** Development will provide an appropriate *streetscape* treatment of the public realm that supports pedestrian activity and provides an attractive character to the street. This may include, among other things:

- a. landscaping and planting;
- b. street furnishings;
- c. public art;
- d. quality building materials; and
- e. building design elements and features including articulated rooflines such as parapets and towers.

~~10.2.8~~ **10.2.10** Development will be encouraged to provide placemaking opportunities, such as public squares, plazas, and open spaces, including among other locations, at Cooksville Creek, Cawthra Road, East Avenue, Alexandra Avenue, Ogden Avenue, Hydro Road, Dixie Road, and Etobicoke Creek.

~~10.2.9~~ **10.2.11** The assembly of adjacent low density residential land to enlarge properties fronting Lakeshore Road East is discouraged. Should assembly occur, however, the primary purpose of these lands will be an enhanced landscape buffer to the adjacent residential uses and for amenity space and/or parking if required through the development.

~~10.2.10~~ **10.2.12** The Intensification Areas policies of the Plan will apply to development within the Core area.

~~10.2.11~~ **10.2.13** Single use residential buildings are permitted in the Outer Core area, subject to the following:

- a. buildings are set back from the street;
- b. provision of a well landscaped front yard;
- c. an appropriate *streetscape*; and
- d. parking at the rear of the property or underground.

10.3 Built Form Types

10.3.1 For the development of detached, semi-detached, duplex and triplex dwellings, the following will be addressed, among other things:

- a. new housing within Lakeview should maintain the existing character of the area; and
- b. development will fit the scale of the surrounding area and take advantage of the features of a particular site, such as topography, contours, and mature vegetation.

10.3.2 Criteria for the development of street townhouses or freehold townhouses will include, among other things:

- a. they fit into the existing lotting pattern of the community;

- b. they provide an appropriate transition from low built form to higher built forms; and
- c. they are located on, or in proximity to transit routes.

10.3.3 For the development of standard and common element condominium townhouse dwellings, the following will be addressed, among other items:

- a. they can fit into the existing lotting pattern of the community;
- b. they provide an appropriate transition from low built form to higher built forms;
- c. they have an appropriate minimum lot depth to accommodate elements such as landscaping and parking;
- d. they are located on, or in proximity to transit routes; and
- e. visitor parking will be centrally located and not visible from a public road. Visitor parking will be appropriately screened to provide a *streetscape* that is compatible with adjacent neighbourhoods.

10.3.4 Townhouses, may be developed, subject to, among other things:

- a. a minimum lot depth to ensure internal circulation;
- b. area to accommodate appropriate parking, amenity space, landscaping;
- c. utilities can be accommodated internal to the site; and
- d. located on, or in proximity to transit routes.
- e. visitor parking will be centrally located and not visible from a public road. Visitor parking will be appropriately screened to provide a *streetscape* that is compatible with adjacent neighbourhoods.

10.3.5 Criteria for apartment development will include, among other things:

- a. a minimum separation distance to ensure light and permeability;
- b. a maximum floor plate to ensure minimal impact on residential areas; and

- c. transition to adjacent lower built forms.

10.3.6 Criteria for commercial development will include, among other things:

- a. the ~~maximum~~ height of buildings will be ~~four~~ **two to eight storeys if appropriate transition is maintained**

City of Mississauga

Corporate Report



<p>Date: October 22, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's file: OZ 19/006 W2</p>
	<p>Meeting date: November 15, 2021</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (WARD 2)

**Official Plan Amendment and Rezoning applications to permit 6 townhomes
1110 Lorne Park Road, northwest of Lakeshore Road West and Lorne Park Road, at
Albertson Crescent and Bramblewood Lane**

Owner: Jacan Construction Ltd. (LJM Developments)

File: OZ 19/006 W2

Recommendation

1. That the applications under File OZ 19/006 W2, Jacan Construction Ltd. (LJM Developments), 1110 Lorne Park Road to amend Mississauga Official Plan to **Residential Medium Density** and **Greenlands**; to change the zoning to **H-RM5-60** (Street Townhouses) and **G2** (Greenlands) to permit 6 street townhouses, be approved subject to the conditions referenced in the staff report dated October 22, 2021 from the Commissioner of Planning and Building.
2. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.
3. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.
4. That the "H" holding symbol is to be removed from the **H-RM5-60** (Street Townhouses) zoning applicable to the subject lands, by further amendment upon confirmation from applicable agencies and City Departments that matters as outlined in the report dated October 22, 2021, from the Commissioner of Planning and Building have been satisfactorily addressed.

Executive Summary

- The applications are to amend the policies of the official plan and change the zoning by-law to allow 6 townhouses.
- The applicant has made revisions to the proposal to address issues raised at the Public Meeting and by staff, including removing one unit, increasing setbacks and deleting access points onto Lorne Park Road and Bramblewood Lane.
- Staff are satisfied with the changes to the proposal and find them to be acceptable from a planning standpoint, and recommend that the applications be approved.

Background

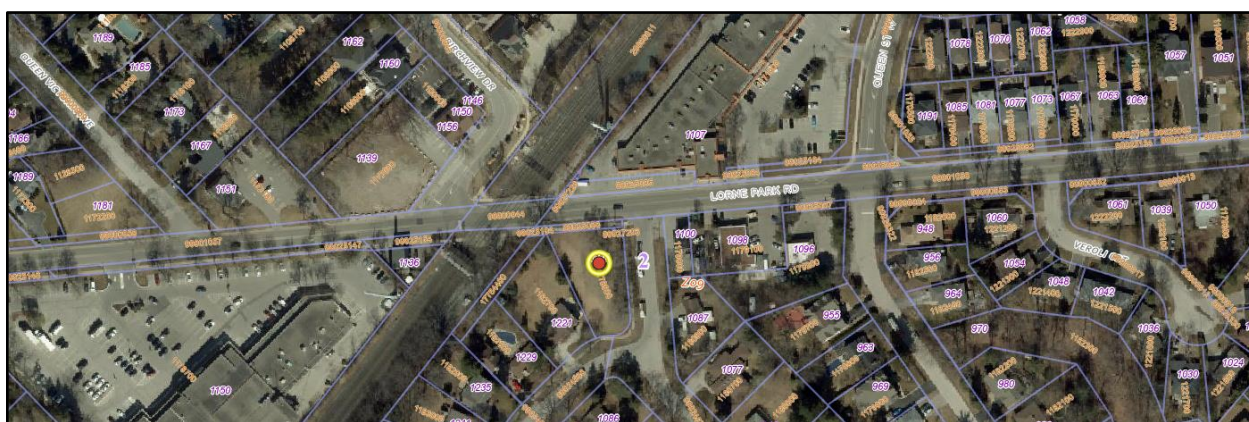
A public meeting was held by the Planning and Development Committee on October 28, 2019, at which time an Information Report

(https://www7.mississauga.ca/documents/committees/pdc/2019/2019_10_28_PDC_Agenda.pdf) was received for information.

Recommendation PDC-0079-2019 was then adopted by Council on November 6, 2019.

1. That the report dated October 4, 2019, from the Commissioner of Planning and Building regarding the applications by Jacan Construction Ltd. (LJM Developments) to permit seven townhomes, under File OZ 19/006 W2, 1110 Lorne Park Road, be received for information.
2. That six oral submissions be received.

There were some technical matters that needed to be resolved before the Planning and Building Department could make a recommendation on the applications. Given the amount of time since the public meeting, full notification was provided.



Aerial Image

Comments

REVISED DEVELOPMENT PROPOSAL

The applicant has made some modifications to the proposed concept plan including:

- Reducing number of overall townhouse units from 7 to 6
- deleting access points onto Lorne Park Road and Bramblewood Lane
- increasing building setbacks to Lorne Park Road and Bramblewood Lane
- including storm water tank to address on site drainage

COMMUNITY ENGAGEMENT

Notice signs were placed on the subject lands advising of the proposed official plan and zoning change. All property owners within 120 m (393 ft.) were notified of the applications on July 12, 2019. A community meeting was held by Ward 2 Councillor Karen Ras on September 12, 2019. Approximately 25 people attended the meeting. Supporting studies were posted on the City's website at <http://www.mississauga.ca/portal/residents/development-applications>.

The public meeting was held on October 28, 2019. Six members of the public made deputations regarding the applications. Responses to the issues raised at the public meeting and from correspondence received can be found in Appendix 2.

PLANNING ANALYSIS SUMMARY

The *Planning Act* allows any property owner within the Province of Ontario the ability to make a development application to their respective municipality in order to accommodate a particular development proposal on their site. Upon the submission of mandated technical information, the municipality is obligated under the *Planning Act* to process and consider the application within the rules set out in the Act.

The Province identifies through its *Provincial Policy Statement* matters that are of provincial interest, which require the development of efficient land use patterns and sustainability in urban areas that already exist. The Province has also set out the *Growth Plan for the Greater Golden Horseshoe*, which is designed to promote economic growth, increase housing supply and build communities that are affordable and safe, among other items. The Growth Plan requires municipalities to manage growth within already existing built up areas to take advantage of existing services to achieve this mandate. In order to meet required housing supply projections, the *Planning Act* instructs municipalities to make planning decisions that are consistent with the *Provincial Policy Statement* and the Growth Plan.

A detailed Planning Analysis is found in Appendix 2. The applications are consistent with the *Provincial Policy Statement* and conform to the *Growth Plan for the Greater Golden Horseshoe*, the Region of Peel Official Plan and Mississauga Official Plan. An official plan amendment is required to change the designation from **Office** to **Residential Medium Density** and

Greenlands. A Zoning By-law Amendment is required to change the zoning from **O1-14** (Minor Office - Exception) to **H-RM5-60** (Street Townhouses) and **G2** (Greenlands). The zoning requires an "H" Holding Provision that can be removed once a number of technical details have been resolved and are deemed satisfactory by staff.

The proposed official plan amendment and rezoning applications to permit 6 townhouses have been found acceptable. The applicant has addressed the criteria for site specific applications as set out in Mississauga Official Plan. Staff are supportive of the proposal for the following reasons:

- The proposed 6 townhomes add to the range of housing in the Clarkson Lorne Park Neighbourhood and makes more efficient use of the subject property, aligning with the goals and objectives of the *Provincial Policy Statement* and *Growth Plan*, as well as Mississauga Official Plan.
- The proposed land use and built form is not without precedence in the neighbourhood and represents a modest infill project that fronts onto a minor collector road and fits within the surrounding area.
- The proposed townhouse block has been designed in a manner that compliments the immediate vicinity and is sensitive to its massing impact on adjacent properties. The proposed height is within the existing zoning permissions for building heights applicable to the Clarkson Lorne Park Neighbourhood.

Strategic Plan

The applications are consistent with the Connect Pillar of the Strategic Plan by contributing a choice of housing type to residents that supports the principle of building complete communities to accommodate growth.

Financial Impact

All fees paid by developers are strictly governed by legislation, regulation and City by-laws. Fees are required to be paid prior to application approval, except where otherwise may be prescribed. These include those due to the City of Mississauga as well as any other external agency.

Conclusion

In summary, the proposed development represents a modest infill project that fits within the surrounding neighbourhood. The proposed official plan amendment and rezoning applications are acceptable from a planning standpoint and should be approved.

Should the applications be approved by Council, the implementing official plan amendment and zoning by-law will be brought forward to Council at a future date.

Attachments

Appendix 1: Information Report

Appendix 2: Detailed Planning Analysis



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: David Ferro, Development Planner, MCIP, RPP

City of Mississauga

Corporate Report



Date: 2019/10/04

To: Chair and Members of Planning and Development Committee

From: Andrew Whittemore, M.U.R.P., Commissioner of Planning and Building

Originator's file:
OZ 19/006 W2

Meeting date:
2019/10/28

Subject

PUBLIC MEETING INFORMATION REPORT (WARD 2)

Official plan amendment and rezoning applications to permit seven townhomes
1110 Lorne Park Road, northwest of Lakeshore Road West and Lorne Park Road, at
Albertson Crescent and Bramblewood Lane

Owner: Jacan Construction Ltd. (LJM Developments)

File: OZ 19/006 W2

Recommendation

That the report dated October 4, 2019, from the Commissioner of Planning and Building regarding the applications by Jacan Construction Ltd. (LJM Developments) to permit seven townhomes, under File OZ 19/006 W2, 1110 Lorne Park Road, be received for information.

Background

The applications have been deemed complete and circulated for technical comments. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community. The report consists of two parts, a high level overview of the applications and a detailed information and preliminary planning analysis (Appendix 1).

PROPOSAL

The official plan amendment and rezoning applications are required to permit seven townhomes. The applicant is proposing to amend the official plan designation from **Office** to **Residential Medium Density**. The zoning by-law will also need to be amended from **O-14** (Office) to **RM5-Exception** (Street Townhouses) to implement this development proposal.

During the ongoing review of these applications, staff may recommend different land use designations and zoning categories to implement the proposal.

Comments

The property is located at the intersection of Lorne Park Road and Albertson Crescent within the Clarkson-Lorne Park Neighbourhood Character Area. The Metrolinx Lakeshore West GO Corridor/Canadian National (CN) Railway tracks are located immediately north of the site. The area is predominantly residential with some neighbourhood commercial uses. The site is currently vacant.



Aerial image of 1110 Lorne Park Road



Applicant's elevations of the proposed townhomes

LAND USE POLICIES AND REGULATIONS

The *Planning Act* allows any person within the Province of Ontario to submit development applications to the local municipality to build or change the use of any property. Upon submitting all required technical information, the municipality is obligated under the *Planning Act* to process and consider these applications within the rules set out in the Act.

The *Provincial Policy Statement* (PPS) establishes the overall policy directions on matters of provincial interest related to land use planning and development within Ontario. It sets out province-wide direction on matters related to the efficient use and management of land and infrastructure; the provision of housing; the protection of the environment, resources and water; and, economic development.

The *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) builds upon the policy framework established by the PPS and provides more specific land use planning policies, which support the achievement of complete communities, a thriving economy, a clean and healthy environment and social equity. The Growth Plan establishes minimum intensification targets and requires municipalities to direct growth to existing built-up areas and strategic growth areas to make efficient use of land, infrastructure and transit.

The *Planning Act* requires that municipalities' decisions regarding planning matters be consistent with the PPS and conform with the applicable provincial plans and the Region of Peel Official Plan (ROP). Mississauga Official Plan is generally consistent with the PPS and conforms with the Growth Plan, the *Greenbelt Plan*, the *Parkway Belt West Plan* and the ROP.

Conformity of this proposal with the policies of Mississauga Official Plan is under review.

Additional information and details are found in Appendix 1, Section 5.

AGENCY AND CITY DEPARTMENT COMMENTS

Agency and department comments are summarized in Appendix 1, Section 8.

Financial Impact

All fees paid by developers are strictly governed by legislation, regulation and City by-laws. Fees are required to be paid prior to application approval, except where otherwise may be prescribed. These include those due to the City of Mississauga as well as any other external agency.

Conclusion

Most agency and City department comments have been received. The Planning and Building Department will make a recommendation on this project after the public meeting has been held and the issues have been resolved. The matters to be addressed include: provision of additional

technical information, review of the proposed setback to the rail corridor, noise and vibration impacts, submission of a new environmental study, submission of a revised arborist report, ensuring compatibility of new buildings and community consultation.

Attachments

Appendix 1: Detailed Information and Preliminary Planning Analysis



Andrew Whitemore, M.U.R.P., Commissioner of Planning and Building

Prepared by: Robert Ruggiero, Development Planner

Detailed Information and Preliminary Planning Analysis**Owner: Jacan Construction Ltd. (LJM Developments)****1110 Lorne Park Road****Table of Contents**

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1. Site History

- Based on available aerial photography, 1110 Lorne Park Road has been vacant since at least 1954
- The lands were historically zoned residential and part of a plan of subdivision
- October 3, 1972 – Certificate of Occupancy issued for snowmobile sales
- August 22, 1985 – Committee of Adjustment application "A" 434/85 to sever the subject lands to create a new residential lot was refused
- June 20, 2007 – Zoning By-law 0225-2007 came into force; the subject lands were zoned **R2-1**
- September 23, 2009 – Official plan amendment and rezoning applications for a two storey office building were submitted and then approved on October 24, 2012
- The subject lands are designated **Office** in the Clarkson – Lorne Park Neighbourhood Character Area and zoned **O-14** (Office - Exception); which only permits an office building
- Building Permit application under file BP 15-7487, for a two storey office building was submitted in 2015 but never approved

2. Site and Neighbourhood Context

Site Information

The property is an irregular shape with frontages on Lorne Park Road, Albertson Crescent and Bramblewood Lane. The property is located within the Clarkson-Lorne Park Neighbourhood Character Area, which is predominately residential. The Metrolinx Lakeshore West GO Corridor/Canadian National (CN) Railway tracks are located immediately north of the site. The site is generally flat and contains several mature trees.



Image of existing condition of 1110 Lorne Park Road taken from Albertson Crescent looking north

Property Size and Use	
Frontages:	
Lorne Park Road	37.4 m (122.7 ft.)
Albertson Crescent	44 m (144.3 ft.)
Bramblewood Lane	22.4 m (73.4 ft.)
Gross Lot Area:	0.14 ha (0.35 ac.)
Existing Uses:	Vacant

Surrounding Land Uses

The surrounding area is characterized by mostly detached homes on large lots and some neighbourhood commercial uses. In the immediate area fronting Lorne Park Road are retail, personal service, restaurant, office, and automotive repair uses. Birchwood Creek is located a block southwest of the site.

The surrounding land uses are:

North: Metrolinx/CN Rail Corridor and Centennial Commercial Plaza (Battaglia's Lorne Park Marketplace, CIBC, and others)

East: Commercial plaza (Cuda's Tap and Grill, Lily's Pizza and Pasta, animal hospital and others)

South: M Salon and Spa, Rankin Automotive Repair, and detached homes

West: Detached homes

The Neighbourhood Context

The subject property is located within an established residential area characterized by detached homes on large

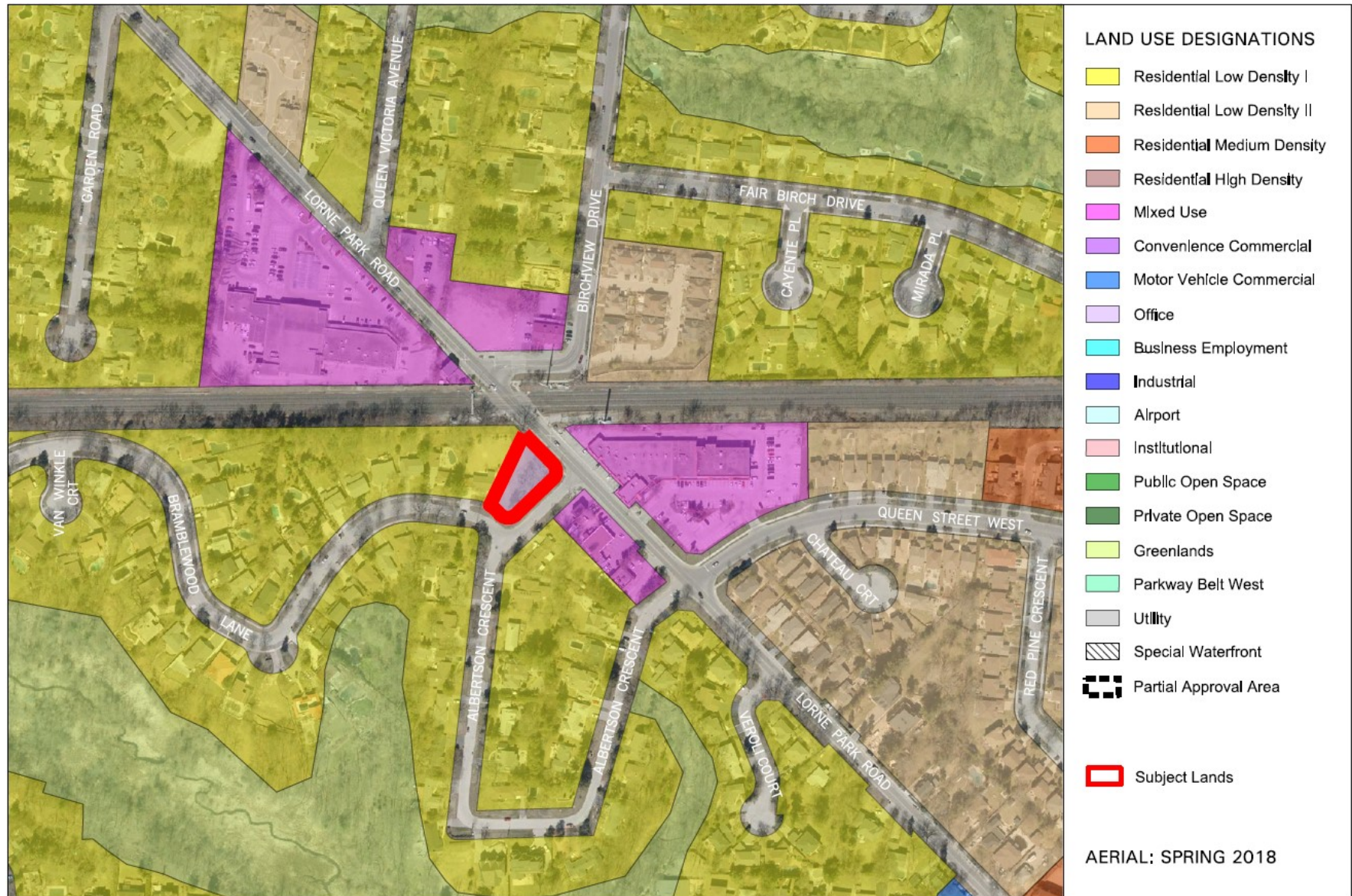
lots. Lorne Park Road is visible on Peel County maps dating from 1859. Albertson Crescent was developed in the 1950s. Lorne Park Station, located at Lorne Park Road and the rail corridor was an active rail station until 1967.

Development is generally denser south of the Metrolinx/CN Rail Corridor. Smaller townhome developments are located on Lorne Park Road north and south of the site, and larger townhome developments are located east of Lorne Park Road.

Demographics

Based on the 2016 census, the existing population of the Clarkson - Lorne Park Neighbourhood Character Area is 36,635 with a median age of this area being 43 (compared to the City's median age of 40). 68% of the neighbourhood population are of working age (15 to 64 years of age), with 16% children (0-14 years) and 16% seniors (65 years and over). From 2011 to 2016, the population decreased; however, modest population growth is expected to occur by 2031. The average household size is 3 persons with 7% of people living in apartment buildings that are five storeys or more. The mix of housing tenure for the area is 10,475 units (83%) owned and 2,205 units (17%) rented with a vacancy rate of approximately 0.8%*. In addition, the number of jobs within this Character Area is approximately 2,018.

*Please note that vacancy rate data does not come from the census. This information comes from CMHC which demarcates three geographic areas of Mississauga (Northeast, Northwest, and South). This specific Character Area is located within the South geography. Please also note that the vacancy rate published by CMHC is ONLY for apartments.



Aerial Photo of 1110 Lorne Park Road

Other Development Applications

The following development applications are in process or were recently approved in the immediate vicinity of the subject property:

- SP 18/88 – 1139 Lorne Park Road – under review for a 3 storey mixed use building with 12 residential units
- OZ 16/014 – 1190 and 1200 Lorne Park Road – approved in 2019 by the Local Planning Appeal Tribunal (LPAT) for 3 detached, 4 semi-detached, and 6 townhomes
- OZ 07/020 – 1195 Lorne Park Road – approved in 2010 for 4 semi-detached and 5 townhomes, constructed in 2011
- OZ 00/040 – 1011 Lorne Park Road – approved for 6 townhomes, constructed in 2007
- OZ 99/036 – 1155 Birchview Drive – approved in 2001 for 8 detached and 4 semi-detached, constructed in 2006
- Numerous site plan infill applications for replacement dwellings are located in the area

The proposed development applications are well within the anticipated population forecasted for the Clarkson-Lorne Park Character Area.



Other development applications in the area

Community and Transportation Services

This development is anticipated to have minimal impact on existing services in the community. The area is well served by major city facilities including Jack Darling Memorial Park located within a half kilometer radius (0.3 miles) of the site and Lorne Park Library located within a kilometer and a half radius (0.9 miles). Jack Darling Memorial Park is a destination park with a wide range of services and amenities including leash free zone, toboggan hill, spray area, picnic areas, playground, tennis courts, washrooms, parking, and beach and waterfront access.

The site is well served by transit. MiWay bus route 14/14A currently services the site via on Lorne Park Road. MiWay route 23 on Lakeshore Road is within 500 m (0.3 miles) of the site, and connects to Port Credit GO and Clarkson GO stations.

Lorne Park Road is a signed bike route connecting to multi-use trails and bicycle lanes on Lakeshore Road and Truscott Drive.

This section of Lorne Park Road is generally a minor collector road, as defined in the official plan. Lorne Park Road is a major collector road between Truscott Drive and Indian Road.

3. Project Details

The applications are to amend the official plan and zoning by-law to permit seven townhomes fronting on to Albertson Crescent.

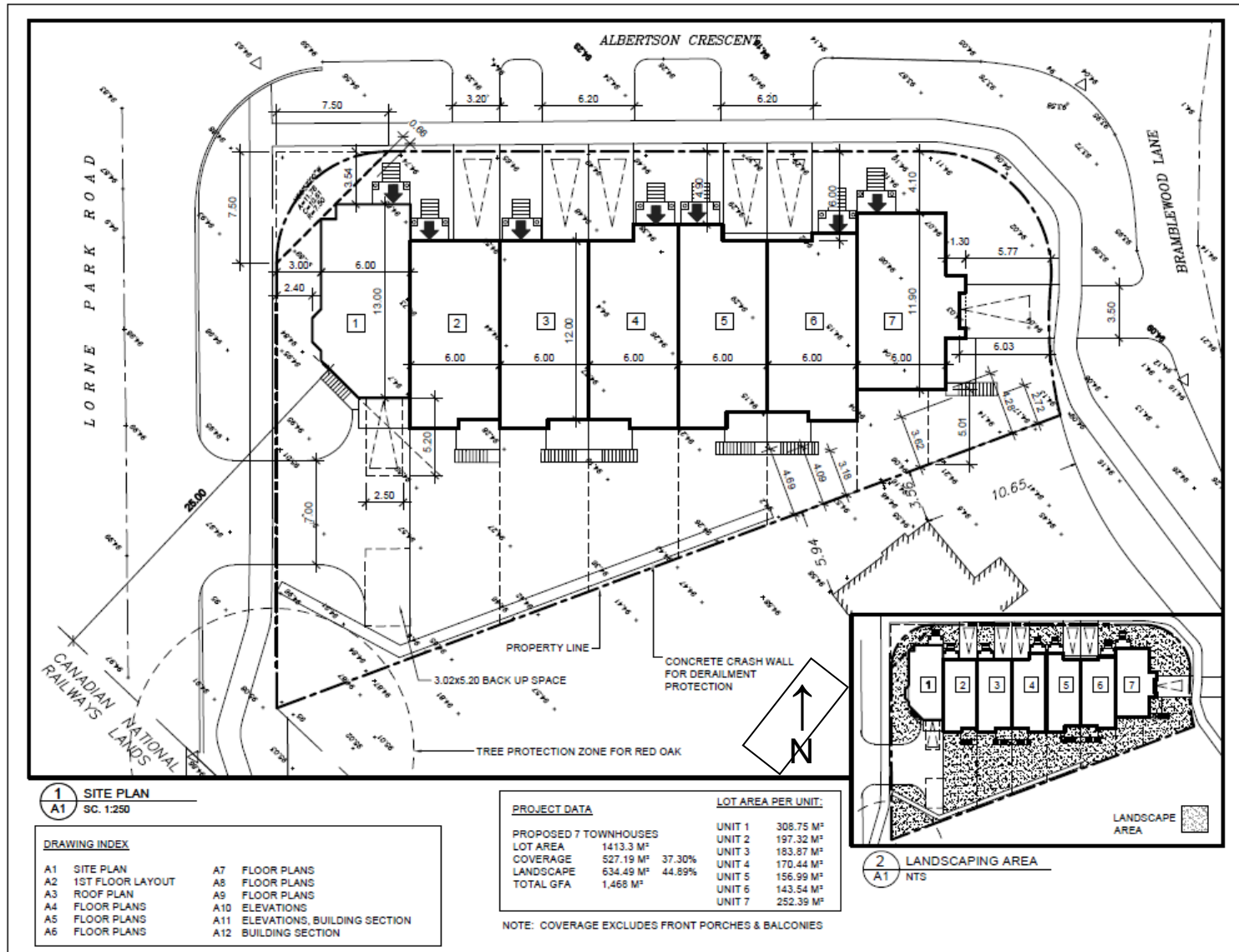
Development Proposal		
Applications submitted:	Received: April 25, 2019 Deemed complete: July 2, 2019	
Developer/ Owner:	Jacan Construction Ltd. (LJM Developments)	
Applicant:	Franz Kloibhofer, A.J. Clarke and Associates Ltd.	
Number of units:	7 units	
Proposed Gross Floor Area:	1 459 m ² (15,704.6 ft ²)	
Height:	2.5 storeys	
Lot Coverage:	37.3 %	
Floor Space Index:	1.03	
Landscaped Area:	44.9%	
Anticipated Population:	22* *Average household sizes for all units (by type) based on the 2016 Census	
Parking:	Required	Provided
resident spaces	2 spaces per unit	2 spaces per unit
visitor spaces	0 spaces per unit	0 spaces per unit
Total	14	14

Supporting Studies and Plans

The applicant has submitted the following information in support of the applications:

- Planning Justification Report
- Context Plan
- Concept, Floor plans, Elevation and Site Plans
- Grading and Site Servicing Plans
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Shadow Study
- Phase I and II Environmental Site Assessment
- Acoustical and Vibration Feasibility Study
- Arborist Report and Addendum Letter
- Tree Preservation Plan
- Functional Servicing, Stormwater Management Report and Low Impact Design Features
- Archeological Assessment and letter from Ministry of Tourism, Culture and Sport
- Geotechnical Investigation

Draft Concept Plan and Elevations



Site Plan



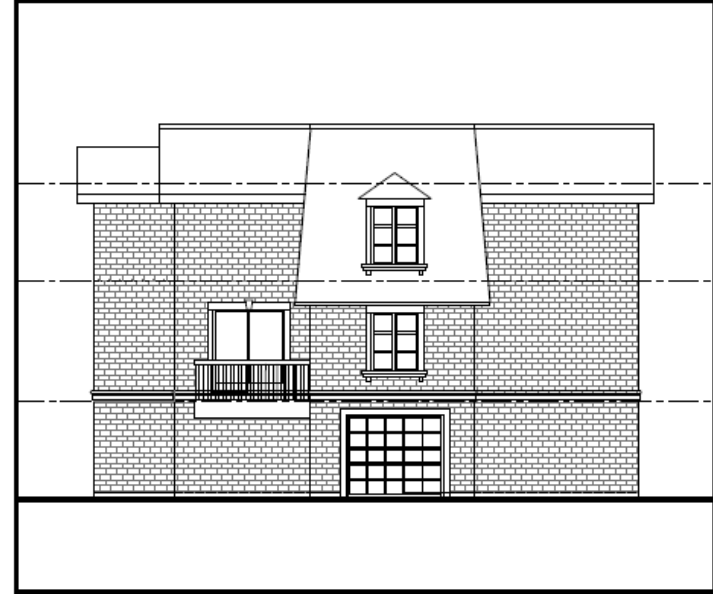
East Elevation – View from Albertson Crescent



West Elevation – View from rear yards



North Elevation



South Elevation

Elevations

4. Land Use Policies, Regulations & Amendments

Mississauga Official Plan

Existing Designation

The site is designated **Office** which permits offices and accessory uses.

Proposed Designation

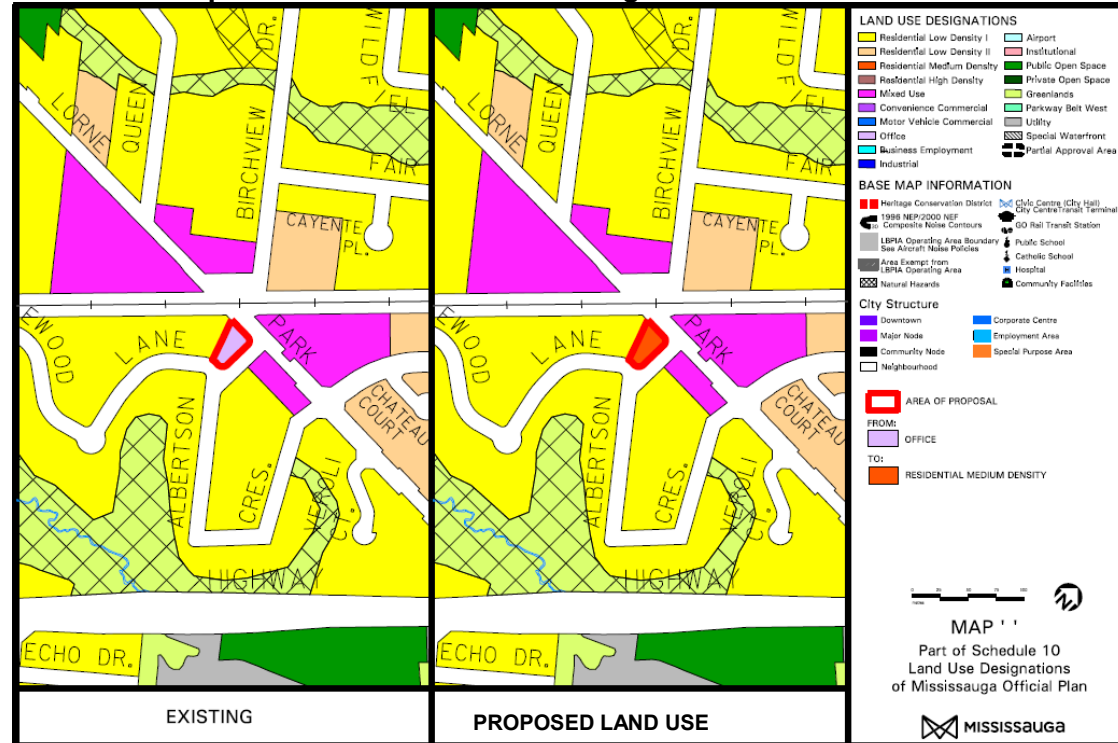
The proposed land use is **Residential Medium Density**. Lands designated **Residential Medium Density** permits all forms of townhomes.

Previous Designation

The previous designation was **Residential Low Density I**. The **Residential Low Density I** designation permits detached, semi-detached, and duplex dwelling.

Note: Detailed information regarding relevant Official Plan policies are found in Section 5.

Excerpt of Clarkson-Lorne Park Neighbourhood Character Area



Mississauga Zoning By-law

Existing Zoning

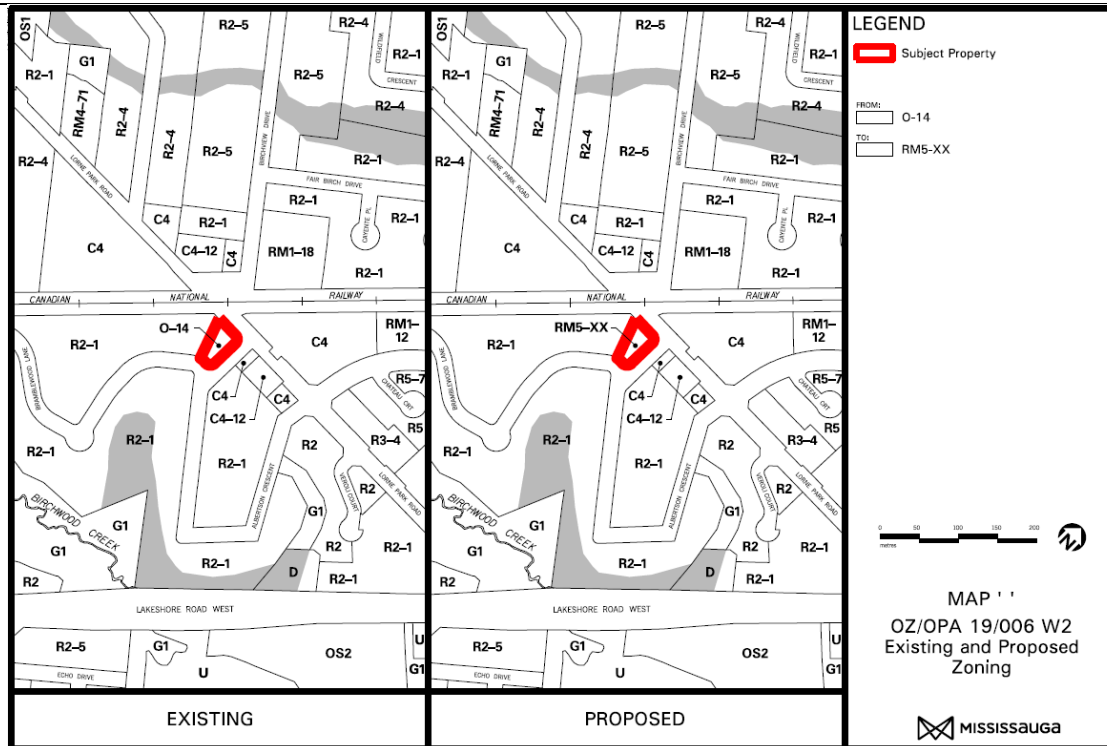
The site is currently zoned **O-14** (Office), which only permits an office. Accessory uses are not permitted in this exception zone.

Proposed Zoning

The proposed zone is **RM5-Exception** (Street Townhouses), which only permits townhomes.

Previous Zoning

The previous zone was **R2-1** (Detached Dwellings), which only permits detached homes. Home occupations are permitted accessory uses in this zone.



Proposed Zoning Regulations

Zone Regulations	RM5 Zone Regulations	Proposed Amended RM5-Exception Zone Regulations
Minimum Lot Area (Interior Lot)	200 m ² (2,153 ft ²)	143 m ² (1,539.24 ft ²)
Minimum Lot Area (Exterior Lot)	280 m ² (3,013.89 ft ²)	250 m ² (2,690.98 ft ²)
Minimum Lot Frontage (Interior Lot)	6.8 m (22.3 ft.)	6 m (19.69 ft.)
Minimum Lot Frontage (Exterior Lot)	9.8 m (32.15 ft.)	9 m (29.53 ft.)
Minimum Front Yard	4.5 m (14.76 ft.)	3.5 m (11.48 ft.)
Minimum Exterior Side Yard	4.5 m (14.76 ft.)	2.3 m (7.55 ft.)
Minimum Rear Yard	7.5 m (24.6 ft.)	4.9 m (16.98 ft.)
Maximum Gross Floor Area	0.75 times the lot area	1.05 times the lot area
Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the applications are further refined.		

5. Summary of Applicable Policies

The *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect these applications have been reviewed and summarized in the table below. Only key policies relevant to the applications have been included. The table should be considered a general summary

of the intent of the policies and should not be considered exhaustive. In the sub-section that follows, the relevant policies of Mississauga Official Plan are summarized. The development application will be evaluated based on these policies in the subsequent recommendation report.

Policy Document	Legislative Authority/Applicability	Key Policies
Provincial Policy Statement (PPS)	<p>The fundamental principles set out in the PPS apply throughout Ontario. (PPS Part IV)</p> <p>Decisions of the council of a municipality shall be consistent with PPS. (PPS 4.2)</p> <p>The Official Plan is the most important vehicle for implementation of the Provincial Policy Statement (PPS 4.7)</p>	<p>Settlement areas shall be the focus of growth and development. (PPS 1.1.3.1)</p> <p>Land use patterns within settlement areas will achieve densities and a mix of uses that efficiently use land, resources, infrastructure, public service facilities and transit. (PPS 1.1.3.2.a)</p> <p>Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment. (PPS 1.1.3.3)</p> <p>Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected needs of current and future residents of the regional market area. (PPS 1.4.3)</p>
Growth Plan for the Greater Golden Horseshoe (Growth Plan)	<p>The Growth Plan applies to the area designated as the Greater Golden Horseshoe growth plan area. All decisions made on or after May 16, 2019 in respect of the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise. (Growth Plan 1.2.2)</p>	<p>Within settlement areas, growth will be focused in delineated built-up areas; strategic growth areas; locations with existing or planned transit; and, areas with existing or planned public service facilities. (Growth Plan 2.2.1.2 c)</p> <p>Complete communities will feature a diverse mix of land uses; improve social equity and quality of life; provide a range and mix of housing options; provide convenient access to a range of transportation options, public service facilities, open spaces and parks, and healthy, local and affordable food options; provide a more compact built form; mitigate and adapt to climate change impacts; and, integrate green infrastructure. (Growth Plan 2.2.1.4)</p> <p>Municipalities will continue to protect any natural heritage features and areas in a manner that is consistent with the PPS and may continue to identify new systems in a manner that is consistent with the PPS. (Growth Plan 4.2.2.6)</p> <p>To achieve minimum intensification and density targets, municipalities will develop and implement urban design and site design official plan policies and</p>

Policy Document	Legislative Authority/Applicability	Key Policies
Region of Peel Official Plan (ROP)	<p>The Region of Peel approved MOP on September 22, 2011, which is the primary instrument used to evaluate development applications. The proposed development applications were circulated to the Region who has advised that in its current state, the applications meet the requirements for exemption from Regional approval. Local official plan amendments are generally exempt from approval where they have had regard for the <i>Provincial Policy Statement</i> and applicable Provincial Plans, where the City Clerk has certified that processing was completed in accordance with the <i>Planning Act</i> and where the Region has advised that no Regional official plan amendment is required to accommodate the local official plan amendment. The Region provided additional comments which are discussed in Section 8 of this Appendix. The existing policies of MOP are consistent with ROP.</p>	<p>other supporting documents that direct the development of high quality public realm and compact built form. (Growth Plan 5.2.5.6)</p> <p>The ROP identifies the subject lands as being located within Peel's Urban System. General objectives of ROP, as outlined in Section 5.3, include conserving the environment, achieving sustainable development, establishing healthy complete communities, achieving intensified and compact form and mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances, while taking into account the characteristics of existing communities and services, and achieving an urban form and densities that are pedestrian-friendly and transit supportive.</p> <p>The proposed application is exempt from Regional approval.</p>

Relevant Mississauga Official Plan Policies

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms with the Growth Plan, Greenbelt Plan, PBWP and ROP. An update to MOP is currently underway to ensure MOP is consistent with and conform to changes resulting from the recently released Growth Plan, 2019.

The subject property is not located within a Major Transit Station Area (MTSA).

The lands are located within the Clarkson-Lorne Park Neighbourhood and are designated **Office**. The **Office**

designation permits office uses.

The applicant is proposing to change the designation to **Residential Medium Density** to permit townhomes. The applicant will need to demonstrate consistency with the intent of MOP and shall have regard for the appropriateness of the proposed built form in terms of compatibility with the surrounding context and character of the area.

The following policies are applicable in the review of these applications. In some cases the description of the general intent summarizes multiple policies.

	Specific Policies	General Intent
Chapter 4 Vision		Mississauga will provide the guiding principles that are to assist in implementing the long-term land use, growth and development plan for Mississauga and sets out how the City will achieve these guiding principles.
Chapter 5 Direct Growth	Section 5.1.6 Section 5.1.7 Section 5.3.5.1 Section 5.3.5.3 Section 5.3.5.5 Section 5.3.5.6	Mississauga encourages compact, mixed use development that is transit supportive, in appropriate locations, to provide a range of local live/work opportunities. Mississauga will protect and conserve the character of stable residential Neighbourhoods. Neighbourhoods will not be the focus for intensification and should be regarded as stable residential areas where the existing character is to be preserved. Where higher density uses are proposed, they should be located on sites identified by a local area review, along Corridors or in conjunction with existing apartment sites or commercial centres. Intensification within Neighbourhoods may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan. Development will be sensitive to the existing and planned context and will include appropriate transition in use, built form, density and scale.
Chapter 6 Value The Environment	Section 6.10.4.1 Section 6.10.4.2	Where residential uses sensitive to noise are proposed in close proximity to rail lines, it may be necessary to mitigate noise impact, in part by way of the building and site design. Any development that includes outdoor living

	Specific Policies	General Intent
		<p>areas will generally not be permitted in locations where the mitigated outdoor noise levels are forecast to exceed the limits specified by the applicable Provincial Government environmental noise guideline. A detailed noise impact study will be required to demonstrate that every effort has been made to achieve the sound level limits specified by the applicable Provincial Government environmental noise guideline, for an outdoor living area (55 dBA or less). Only in cases where the required noise attenuation measures are not feasible for technical, economic, aesthetic or administrative reasons would excess noise above the limit (55 dBA) be acceptable, with a warning clause to prospective purchasers, consistent with the applicable Provincial Government environmental noise guideline. In these situations, any excess noise above the limit will not be acceptable if it exceeds 60 dBA.</p> <p>Development which includes bedrooms, sleeping quarters, living rooms, reading rooms and other noise sensitive uses which will be subject to high levels of railroad noise, will only be permitted if it includes structural features that result in interior noise levels that comply with the indoor standards specified by the applicable noise guideline.</p>
Chapter 7 Complete Communities	Section 7.1.1 Section 7.1.3 Section 7.1.6 Section 7.2.1 Section 7.2.2 Section 7.2.3 Section 7.3.2	<p>The official plan supports the creation of complete communities that meet the day-to-day needs of people through all stages of their life offering a wide assortment of housing options and employment opportunities as well as numerous commercial and social venues. The provision of suitable housing is important to ensure that youth, older adults and immigrants thrive.</p> <p>Mississauga will ensure that the housing mix can accommodate people with diverse housing preferences and socioeconomic characteristics and needs.</p> <p>Mississauga will ensure that housing is provided in a manner that maximizes the use of community infrastructure and engineering services, while meeting the housing needs and preferences of Mississauga residents.</p> <p>Mississauga will provide opportunities for:</p> <ol style="list-style-type: none"> the development of a range of housing choices in terms of type, tenure and price; the production of a variety of affordable dwelling types for both the ownership and rental markets; and the production of housing for those with special needs, such as housing for the elderly and shelters. <p>When making planning decisions, Mississauga will ensure that housing is provided in a manner that fully implements the intent of the Provincial and Regional housing policies.</p> <p>Mississauga will ensure that housing is provided in a manner that maximizes the use of community infrastructure and engineering services, while meeting the housing needs and preferences of Mississauga residents.</p>
Chapter 9 Build A Desirable Urban Form	Section 9.1.1 Section 9.1.3 Section 9.2.2 Section 9.2.2.3 Section 9.2.3.2 Section 9.3.1.3 Section 9.3.1.4 Section 9.3.1.7 Section 9.3.1.8 Section 9.3.1.10	<p>Mississauga will develop an urban form based on the urban system and the hierarchy identified in the city structure as shown on Schedule 1: Urban System.</p> <p>Infill and redevelopment within Neighbourhoods will respect the existing and planned character. Neighbourhoods are stable areas where limited growth is anticipated. Where increases in density and a variety of land uses are considered in Neighbourhoods, they will be directed to Corridors. Appropriate transitions to adjoining areas that respect variations in scale, massing and land uses will be required.</p> <p>While new development need not mirror existing development, new development in Neighbourhoods will:</p> <ol style="list-style-type: none"> Respect existing lotting patterns;

	Specific Policies	General Intent
	Section 9.4.3.1 Section 9.5.1.1 Section 9.5.1.2 Section 9.5.1.9 Section 9.5.1.12 Section 9.5.2.4 Section 9.5.2.5 Section 9.5.2.6 Section 9.5.2.7	<ul style="list-style-type: none"> b. Respect the continuity of front, rear and side yard setbacks; c. Respect the scale and character of the surrounding area; d. Minimize overshadowing and overlook on adjacent neighbours; e. Incorporate stormwater best management practices; f. Preserve mature high quality trees and ensure replacement of the tree canopy; and g. Be designed to respect the existing scale, massing, character and grades of the surrounding area. <p>All development will utilize sustainable design practices.</p> <p>Major roads and their streetscapes should be designed to create spaces that are integral parts of the adjacent communities, thus serving to link communities.</p> <p>Development will be designed to:</p> <ul style="list-style-type: none"> a. meet universal design principles; g. be pedestrian oriented and scaled and support transit use; h. be attractive, safe and walkable; i. accommodate a multi-modal transportation system; <p>Streetscapes will be designed to create a sense of identity through the treatment of architectural features, forms, massing, scale, site layout, orientation, landscaping, lighting and signage.</p> <p>The design of developments at intersections and along major streets should be of a highly attractive urban quality, recognizing that streets are important civic spaces and linkages.</p> <p>Consideration will be given to the location of utilities on private property and the public right-of-way. Utilities will be grouped or located underground where possible to minimize visual impact. The City encourages utility providers to consider innovative methods of containing utility services.</p> <p>Mississauga is committed to the creation of an accessible city. The design of the physical and built environment will have regard for universal design principles.</p> <p>Buildings and site design will be compatible with site conditions, the surrounding context and surrounding landscape of the existing or planned character of the area.</p> <p>Developments should be compatible and provide appropriate transition to existing and planned development by having regard for the following elements:</p> <ul style="list-style-type: none"> e. meet universal design principles; f. continuity and enhancement of streetscapes; g. the size and distribution of building mass and height; h. front, side and rear yards; i. the orientation of buildings, structures and landscapes on a property; j. views, sunlight and wind conditions; k. the local vernacular and architectural character as represented by the rhythm, textures and building

	Specific Policies	General Intent
		<p>materials;</p> <p>l. privacy and overlook; and</p> <p>m. the function and use of buildings, structures and landscapes.</p> <p>Development proposals will demonstrate compatibility and integration with surrounding land uses and the public realm by ensuring adequate privacy, sunlight and sky views are maintained.</p> <p>Noise will be mitigated through appropriate built form and site design. Mitigation techniques such as fencing and berms will be discouraged.</p> <p>Where direct vehicular access to development is not permitted from major roads, buildings should be designed with front doors of individual units oriented towards the major road with vehicular access provided from a side street, service road or rear laneways.</p> <p>Development proponents may be required to upgrade the public boulevard and contribute to the quality and character of streets and open spaces by providing:</p> <p>a. street trees and landscaping, and relocating utilities, if required;</p> <p>Development proponents will be required to demonstrate the successful application of universal design principles and compliance with legislated standards.</p> <p>Site development should respect and maintain the existing grades on-site.</p>
Chapter 11 General Land Use Designations	Section 11.2.5.5 Section 11.2.7.1	<p>Lands designated Residential Medium Density will permit the following uses:</p> <p>a. all forms of townhome dwellings.</p> <p>In addition to the Uses Permitted in all Designations, lands designated Office will also permit the following uses:</p> <p>a. major office;</p> <p>b. secondary office; and</p> <p>c. accessory uses.</p>
Chapter 16 Neighbourhoods	Section 16.1.1.1	For lands within Neighbourhoods, a maximum building height of four storeys will apply unless Character Area policies specify alternative building height requirements.
Chapter 19 Implementation	Section 19.5.1	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands; the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands; there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application; a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation has been provided by the applicant.

6. School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<p>Student Yield:</p> <p>1 Kindergarten to Grade 6 1 Grade 7 to Grade 8 1 Grade 9 to Grade 12</p> <p>School Accommodation:</p> <p>Owenwood Public School</p> <p>Enrolment: 111 Capacity: 130 Portables: 0</p> <p>Glade Green Senior School</p> <p>Enrolment: 303 Capacity: 336 Portables: 0</p> <p>Lorne Park Secondary School</p> <p>Enrolment: 961 Capacity: 1,236 Portables: 0</p>	<p>Student Yield:</p> <p>1 Kindergarten to Grade 8 1 Grade 9 to Grade 12</p> <p>School Accommodation:</p> <p>St. Luke Elementary</p> <p>Enrolment: 445 Capacity: 602 Portables: 0</p> <p>Iona Catholic Secondary School</p> <p>Enrolment: 744 Capacity: 723 Portables: 12</p>

7. Community Comments

A pre-application meeting was held in the community by the applicant on January 16, 2019. A community meeting was held by Ward 2 Councillor, Karen Ras on September 10, 2019. There were 26 residents in attendance. Four written submissions have been received by the Planning and Building Department.

The following comments made by the community as well as any others raised at the public meeting will be addressed in the Recommendation Report, which will come at a later date.

Residents were concerned with:

- Storm drainage because existing streets have a rural cross section with ditches
- Increased traffic because existing traffic and school bus routes are heavy
- Additional driveways will negatively impact the sidewalk and the safety of pedestrians
- New driveway on Lorne Park Road creates a conflict with Metrolinx's long range plan for a grade

- separated rail corridor
- Proposal has too many units, too much massing, and generally does not fit in with character of the community
- Loss of on street parking on Albertson Crescent
- Townhomes are high density in a low density community
- Large city owned red oak tree will block views of the proposed driveway on Lorne Park Road
- Future electrified rail will impact the future residents
- Loss of (privately owned) green space and trees
- Proposed townhomes do not have sufficient storage or adequate garage space, which will result in unsightly garbage bins in the front yard
- Properties are too shallow and narrow for snow storage
- Ownership tenure

8. Development Issues

The following is a summary of comments from agencies and departments regarding the applications:

Agency / Comment Date	Comments
Region of Peel (August 6, 2019)	<p>An existing 300 mm (11.8 in) diameter water main is located on Lorne Park Road. An existing 200 mm (7.9 in) diameter water main is located on Albertson Crescent and an existing 200 mm (7.9 in) diameter water main is located on Bramblewood Lane.</p> <p>The site will require looping to municipal watermain. Please revise the water servicing proposal to reflect the Region's standard 1-8-2.</p>

Agency / Comment Date	Comments
	<p>A satisfactory Functional Servicing Report must be submitted to determine the adequacy of the existing services on site. The report dated March 1, 2019 has been received and will be sent for modelling for fire flow only and may require further revisions.</p> <p>Regional Site Servicing approvals are required prior to the local municipality issuing building permit.</p> <p>Provision(s) for the installation of the property line sanitary manhole and water valve and chamber must be made where parking structures abut property lines.</p> <p>The site is eligible for curbside collection provided that future site plan submissions satisfy the requirements of Sections 2.0 and 3.0 of the Waste Collection Design Standards Manual.</p>
Metrolinx (September 10, 2019)	<p>While the subject site is not immediately adjacent to the rail corridor, the intervening Lorne Park Road right-of-way and rear yard of 1221 Bramblewood Lane are effectively open space, meaning the subject site has direct exposure to passing trains. Given the circumstances, consideration of the rail corridor setback remains a relevant concern. The established mitigation requirement for residential development is a 30 m (98.4 ft.) horizontal setback (measured from the edge of the rail corridor to building face). A reduction to the setback of up to 5 m (16.4 ft.) can be contemplated when a higher-order safety barrier is provided (i.e. crash wall or larger earthen berm). The proposed 25 m (82 ft.) setback will require a higher-order safety barrier to be incorporated into the final design.</p> <p>A 2.5 m (8.2 ft.) high safety barrier is to be provided in conjunction with the established 30 m (98.4 ft.) horizontal setback for residential development. The proposed setback of 25 m (82 ft.) falls short of the established setback and a higher-order safety barrier is required. The proposed safety barrier will be located along the rear property line of Units 1 to 6. The eastern and northern walls of Unit 1 will have direct exposure to the rail corridor and the safety barrier shall be extended to provide full protection for Unit 1. The ultimate design will need to be reviewed and to the satisfaction of Metrolinx and our engineer, AECOM. We request further information in this regard.</p> <p>The proposal contemplates a new driveway for Unit 1 within 30 m (98.4 ft.) of the existing Lorne Park Road at-grade road/rail crossing. We note, Transport Canada does not advise the installation of a driveway/entryway within 30 m (98.4 ft.) of an existing at-grade rail crossing as it would be a contravention of Grade Crossing Regulations (GCR) Section 33, which references Section 11 of the Grade Crossing Standards (GCS). For Metrolinx to further evaluate the driveway proposal for unit 1, requires written consent and direction from Transport Canada. If the new driveway was to be realized within the setback, Metrolinx would not be responsible for any costs associated with the driveway and all Metrolinx costs incurred would be charged back to the proponent. This would include flagging protection and engineering design costs if required. Additionally, although no announcements, plans and/or timelines have been established as of yet, protecting for a possible grade separation at Lorne Park Road remains a relevant consideration in the context of reviewing the proposed development. We recommend that the proponent consider redesigning the driveway access for Unit 1 to an alternative location.</p> <p>We are in receipt of the Noise and Vibration Impact Study prepared by HGC Engineering dated April 12th, 2019. The consultant has modeled GO Train trips as both diesel and electric. For acoustical analyses for adjacent development, it shall be assumed that electrified and diesel trains are equivalent, The consultant shall update the Study to model all GO Train trips as diesel. The consultant notes that the Measured Vibration Levels exceed established guideline criteria. The</p>

Agency / Comment Date	Comments
	<p>consultant has proposed the use of a vibration warning clause which is not an accepted mitigation measure. The consultant shall provide an alternative engineered solution that shall be incorporated into the final development design. We request further information in both these regards.</p> <p>The following warning clause shall be inserted in all development agreements, offers to purchase and agreements of Purchase and Sale or Lease of each residential dwelling unit within 300 m (984 ft.) of the railway right-of-way:</p> <p>“Warning: Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”</p> <p>The Owner shall enter into an agreement with Metrolinx stipulating how applicable concerns will be addressed. The agreement will include an environmental easement for operational emissions, to be registered on title against all residential dwellings within 300 m (984 ft.) of the rail corridor and in favour of Metrolinx.</p>
Dufferin-Peel Catholic District School Board (July 31, 2019) and the Peel District School Board (July 25, 2019)	<p>The Peel District School Board and the Dufferin-Peel Catholic District School Board advised that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application.</p> <p>Both school boards require their standard warning clauses to be placed within the Development Agreement to advise that some of the children from the development may have to be accommodated in temporary facilities or bused to schools.</p> <p>In addition, if approved, the school boards may also require certain conditions be added to the applicable Development Agreements and to any purchase and sale agreements.</p>
City Community Services Department – Park Planning Section (August 17, 2019)	<p>Community Services notes the proposed development is within walking distance of Jack Darling Memorial Park, P-012 which is approximately 400 m (1,312.3 ft.) from the subject property. This 34.41 ha (85.02 ac) park provides community recreational facilities such as a neighbourhood playground, washroom facilities, tennis courts, toboggan hill, lease free zone, picnic area, splash pad and open space opportunities. The park is zoned OS2 and G1 and is located at Lakeshore Road West and Lorne Park Road, directly south of the subject property. Twin Oaks Park (P-009) zoned OS1, is located approximately 500 m (1,640.4 ft.) from the subject site, and contains a community playground including open space. This 0.42 ha (1.03 ac) park along with Jack Darling Memorial Park will serve the neighbourhood needs of future residents. Street tree contributions to cover the cost of planting street trees, up to 60 mm (2.4 in) caliper, will be required for street frontage on Albertson Crescent and Lorne Park Road in accordance with current City standards.</p> <p>The developer will be required to provide securities for tree preservation of public street trees in an amount to be determined by the Community Services Department - Park Planning Section in coordination with Forestry.</p> <p>Furthermore, prior to the issuance of building permits for each lot or block cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O. 1990, c.P.13, as amended) and in accordance with</p>

Agency / Comment Date	Comments
	<p>City's Policies and Bylaws.</p> <p>Forestry</p> <p>A significant City of Mississauga oak tree is located adjacent to the site. The applicant must expand the tree protection zone to ensure the tree is successfully preserved. A revised arborist report is required.</p>
Economic Development Office (July 25, 2019)	No comments or concerns from an economic development perspective.
City Transportation and Works Department (August 20, 2019)	<p>Development Engineering</p> <p>Clarify status of triangular area adjacent "back up space" and crash wall adjacent Lorne Park Rd. How is future maintenance of this land to be administered? Access appears to be restricted due to the location of the crash wall. A warning clause addressing this situation may be required.</p> <p>Noise Study</p> <p>Noise mitigation measures will be required for this proposed development with associated warning clauses included in the Development Agreement. The Study includes a supporting drawing by JSW & Associates in Appendix "A" that appears to be an older development concept. If so, remove the drawing from the Study.</p> <p>Grading Plan</p> <p>Revised plans required. Developer to construct curb and gutter along frontage of Albertson Crescent and Bramblewood Lane. Revise all plans accordingly.</p> <p>Environmental Storm</p> <p>A drainage proposal is required to verify the sewer outlet and sewer capacity. See drawing plan C102. Municipal Infrastructure schedules to the development agreement may be required.</p> <p>This section doesn't support the proposed storm sewer outlet, as this site not designed to drain to Lorne Park storm sewer and the sewer on Lorne Park Rd. 250 mm (9.8 in) has no capacity to accept any extra flow. A revised concept is required.</p> <p>Environmental</p> <p>The Phase I ESA report was prepared eleven (11) years ago, and the Phase II; Due Diligence Subsurface Investigation report was prepared eight (8) years ago. Some of the information and resultant conclusions of this report are time sensitive, which could alter the recommendations of the report. Therefore, the findings of the assessment must be re-evaluated. A new environmental report (e.g. Phase I ESA/Phase II ESA) must be prepared and submitted to the City for review.</p> <p>Traffic</p> <p>The applicant is advised that access of Lorne Park Rd will not be permitted due to close proximity to the railway. Transport</p>

Agency / Comment Date	Comments
	<p>Canada does not advise the installation of an entryway within 30 m (98.4 ft.) of an existing at-grade crossing as it would be a contravention of Grade Crossing Regulations (GCR) Section 33, which references Section 11 of the Grade Crossing Standards (GCS).</p> <p>Sight line analysis will be required.</p> <p>The above aspects are to be addressed prior to the recommendation meeting.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <ul style="list-style-type: none"> - Fire Prevention - Canada Post - Mississauga Transit - Heritage Planning
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> - Community Services, Public Art - Mississauga, Realty Services - Alectra Utilities - Bell Canada - CN Rail - Conseil Scolaire de District Catholique Centre-Sud - Conseil Scolaire Viamonde

Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Are the policies and principles of the Mississauga Official Plan maintained by this project?
- Is the proposal compatible with the planned character of the area given the project's land use, massing, density, setbacks and building configuration?
- Is the proposed setback to the rail corridor sufficient?
- Is the driveway on Lorne Park Road appropriate given it is within 30 m (98.4 ft.) of the rail corridor?
- How will the maintenance of the proposed crash wall be administered?
- Are the proposed zoning by-law exception standards appropriate?
- What are the expected traffic impacts?
- How will privacy and overlook be mitigated?
- Submission of a new Phase I and II Environmental Site Assessment
- Submission of a revised arborist report

Development Requirements

There are engineering matters including: grading, environmental, engineering, servicing and stormwater management that will require the applicant to enter into agreements with the City. Prior to any development proceeding on-site, the City will require the submission and review of an application for site plan approval.

9. Section 37 Community Benefits (Bonus Zoning)

Should these applications be approved by Council, staff will report back to Planning and Development Committee on the provision of community benefits as a condition of approval.

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Recommendation Report Detailed Planning Analysis

Owner: Jacan Construction Ltd. (LJM Developments)

1110 Lorne Park Road

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1. Community Comments

Comments from the public were generally directed towards the proposed density, built form and traffic. Below is a summary and response to the specific comments heard.

Comment

Concerns were expressed with the accommodation of storm drainage on site

Response

The applicant has submitted a Stormwater Management Report and a site grading plan to address initial City comments related to stormwater retention. Throughout the application process, the applicant has updated this information to reflect on going discussions with Transportation and Works Staff.

The most up to date report and plans propose a stormwater retention tank that will be constructed in accordance with City of Mississauga standards and will be located within the rear yards of the dwelling units. The stormwater retention tank will collect the required controlled water runoff on site. The tank will be maintained within the common element space by way of a future CEC – Condominium application.

In addition, the proposal incorporates a combination of drainage swales and grading to accommodate the portion of the uncontrolled stormwater on site.

Transportation and Works Staff are satisfied with the stormwater retention measures proposed to accommodate on

site drainage. Further details will be worked out prior to lifting of the H Provision and/or site plan approval.

Comment

Traffic generated from site and additional driveways will have a negative impact on the surrounding area.

Response

Since the original concept plan submission, the applicant has removed the access onto Lorne Park Road and with the reduction of one unit, the driveway access onto Bramblewood Lane has also been eliminated, which leaves the current proposal of 3 driveway access points onto Albertson Crescent. The reduction of the access points will ensure minimal conflict with traffic circulation in the immediate vicinity of the site.

The applicant has submitted a Traffic Impact Study that has been reviewed by Traffic Planning staff. It has been found that the trips generated by the proposed 6 townhouse dwellings will not generate any undue impacts onto the existing road network.

Comment

The proposed number of units and massing does not fit in with the character of the area.

Response

The applicant has reduced the number of units from 7 to 6 townhomes. As demonstrated in Section 7, similar densities and built form already exists in the surrounding neighbourhood along Lorne Park Road. The townhomes have been designed to compliment and have regard for the character of the area by

providing increased building setbacks and landscaped areas while utilizing a traditional style of architecture. Staff are of the opinion that the proposal is appropriate for the subject property.

Comment

The design of the townhouses may pose issues with adequate garage space and the storage of garbage bins and snow.

Response

The applicant is not seeking relief from the City's standard garage size in the Zoning By-law and is therefore subject to ensuring that the garage sizes comply with the standards that are required City wide. With respect to snow removal from driveways and storage during the winter, the driveway configuration is common throughout the City and residents have successfully been able to clear their driveways and store snow on the sides of the driveway where sod is located during the winter months.

Comment

Concern was expressed with the loss of green space and trees.

Response

To accommodate any development on the subject property, the removal of existing trees is required in order to allow for the construction of any building, whether it be a detached dwelling, office building or townhouse block.

The current **O1-14** (Office – Exception) zoning allows the property owner to construct an office building and parking area that results in a greater amount of site area taken up by hard

surfaces and building. In contrast, in comparison to the proposed townhouse concept plan, there is an overall smaller overall footprint, which increases space for the planting of new vegetation and future trees.

In addition, through the required site plan approval process, staff will require replacement tree planting and vegetation to be included in the landscape plan.

Comment

Concern with the loss of on-street parking on Albertson Crescent.

Response

The proposed townhouse concept plan shows three driveway access points along the west side of Albertson Crescent. Currently, the northwestern edge of Albertson Crescent is available for on-street parking. With the inclusion of the proposed driveways, the amount of on street parking on the northwestern edge will be reduced. However, the driveway access points provide for an ability for on-street parking in between the driveways. Additional on-street parking opportunities exist on the surrounding streets including, the eastern edge of Albertson Crescent and along Bramblewood Lane.

Comment

Concern was expressed with potential future plans for Metrolinx railway grade separation.

Response

While Metrolinx has adopted a general position to avoid at-grade crossings, the Lorne Park Road crossing is not identified as a "priority crossing". It has not been determined whether the Lorne Park Road railway grade separation will materialize in the near future. However, the two improvements that have been made along the Lorne Park Road edge of the site (removal of access onto Lorne Park Road and increased building setback) supports the potential for grade separation. Metrolinx has been involved in the review of this development application.

2. Updated Agency and City Department Comments

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

The application was circulated to all City departments and commenting agencies on July 12, 2019. A summary of the comments are contained in the Information Report attached as Appendix 1. The most recent resubmission was circulated July 26, 2021. Below include any updated comments.

Parks Planning – Community Services Department

Comments updated September 16, 2021, state that Parks Planning advises that the applicant has agreed to gratuitously dedicate the northern "triangle" portion of the subject property to the City. Parks Planning supports the redesignation, rezoning and dedication of this parcel to **Greenlands** and **G2** (Greenlands). There is a large red oak tree within the municipal boulevard that is adjacent to the triangle parcel and the land

dedication will provide a suitable buffer to ensure long term preservation of the tree.

Furthermore, prior to the issuance of building permits for each lot or block, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the *Planning Act* and in accordance with City's Policies and Bylaws.

Transportation and Works Department

Comments updated on October 18, 2021, state the following:

Noise

The evaluation of the noise sources that may have an impact on this development include road and rail traffic. The results of the preliminary noise feasibility and vibration impact study indicate that suitable noise control measures integrated into the design of the buildings are feasible to achieve the required indoor MECP sound levels. Noise mitigation measures including an acoustic barrier will be required, the details of which will be confirmed through the required removal of the Holding Provision, site plan approval and building permit processes.

Stormwater Management

A Functional Servicing Report (FSR) was submitted in support of the proposed development. The purpose of the report is to evaluate the proposed development's impact on the municipal drainage system (e.g. storm sewers, etc.) and to mitigate the quality and quantity impacts of stormwater run-off generated from the site. Mitigation measures may include improvements to existing stormwater servicing infrastructure, new infrastructure and/or on-site stormwater management controls.

The applicant is proposing to control the 100-years storm event on site with the use of a storage tank, which will infiltrate the rain water in to the ground to service the development lands. As well, the applicant is including stormwater management controls for the post development discharge.

The stormwater management report indicates that an increase in stormwater runoff will occur with the redevelopment of the site. In order to mitigate the change in impervious area from the proposed development and/or impact to the receiving municipal drainage system, on-site stormwater management controls for the post development discharge is required.

The applicant is required to provide further information as follows:

- For the catch basin storm connection to Lorne Park Road, additional technical information and an updated SWM report will be required prior to lifting the holding provision.
- The stormwater servicing concept is feasibly accepted by staff and additional technical information is required prior to lifting of the holding provision.

Traffic

With the traffic generated by the proposed development, the intersections in the area are expected to operate at acceptable levels of service with minimal impact to existing traffic conditions.

Environmental Compliance

Based on the Phase I ESA review, dated January 14, 2008, prepared by AME-Materials Engineering, and the Phase II ESA, dated May 12, 2020, prepared by TRY Environmental Services Inc., no further investigation is required. The site is suitable for the proposed land use.

Engineering Plans/Drawings

The applicant has submitted a number of technical plans and drawings (i.e. Grading and Servicing Plans), which will need to be updated upon the submission of the removal of the Holding Provision application.

3. *Provincial Policy Statement, 2020 (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2019 and Amendment No. 1 (2020)*

The *Provincial Policy Statement* (PPS) and the *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) provide policy direction on matters of provincial interest related to land use planning and development and directs the provincial government's plan for growth and development that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

Both the PPS and the Growth Plan recognize that the official plan is the most important vehicle for implementation of these

policies as "comprehensive, integrated and long-term planning is best achieved through official plans".

Under the *Planning Act*, all planning decisions must be consistent with the PPS and conform to the Growth Plan.

4. Consistency with PPS

The Information Report dated October 28, 2019 (Appendix 1) provides an overview of relevant policies found in the PPS. The PPS includes policies that allow for a range of intensification opportunities and appropriate development standards, including:

Section 1.1.3.2 of the PPS requires development to reflect densities and a mix of land uses which efficiently use land and resources, are appropriate for and efficiently use infrastructure and public service facilities and are transit supportive.

Section 1.1.3.3 of the PPS states that planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock.

Section 1.1.3.4 of the PPS states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.

MOP policies are consistent with this PPS direction. Section 5 of MOP (Direct Growth) includes policies that indicate

intensification may be considered within Neighbourhoods where it is compatible. Section 7.2 of MOP (Housing) includes policies that encourage a range of housing choices which vary by type, tenure and price. Section 9 of MOP (Build a Desirable Urban Form) has policies that encourage an urban form that respects the urban hierarchy and city structure and provides for appropriate transitions to neighbouring uses.

The subject site and proposal represents an opportunity to modestly intensify and increase the range of housing in the area by providing for a land use that makes more efficient use of the subject property while maintaining compatibility with the existing neighbourhood. As outlined in this report, the proposed development supports the general intent of the PPS.

5. Conformity with Growth Plan

The Growth Plan was updated May 16, 2019, in order to support the "More Homes, More Choice" government action plan that addresses the needs of the region's growing population. The new plan is intended, amongst other things, to increase the housing supply and make it faster and easier to build housing. Pertinent changes to the Growth Plan include:

- The Vision for the Growth Plan now includes the statement that the Greater Golden Horseshoe will have sufficient housing supply that reflects market demand and what is needed in local communities.
- Section 2.2.2.3 requires municipalities to encourage intensification generally throughout the delineated built-up area. Previous wording referred to encouraging

intensification to generally achieve the desired urban structure.

- Section 2.2.2.3 also directs municipalities to identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas.

Section 2.2.2.4 b) in the Growth Plan directs municipalities to "identify the appropriate type and scale of development in intensification areas". It states that intensification areas will be planned and designed to "achieve an appropriate transition of built form to adjacent areas". The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale.

MOP policies generally conform with the Growth Plan. Section 5 of MOP (Direct Growth) includes policies that direct growth to appropriate locations. Section 5.3 provides for a city structure where some elements will be the focus of growth (e.g. Downtown) while other areas will accommodate some development but will not be the primary location for future growth (e.g. Neighbourhoods). Section 5.3.5.6 of MOP requires development in Neighbourhoods to be sensitive to the existing and planned context and include appropriate transitions in use, built form, density and scale

The proposed development conforms to the Growth Plan as it is modestly intensifying an underutilized site that fronts onto a Minor Collector Road (Lorne Park Road) and is designed to appropriately respond and transition to the adjacent low rise context. The built form proposed provides for better utilization of

existing infrastructure and adds more housing choice to the surrounding neighbourhood.

The policies of the Greenbelt Plan and the Parkway Belt Plan are not applicable to these applications.

6. Region of Peel Official Plan

As summarized in the public meeting report dated October 4, 2019 (Appendix 1), the proposed development does not require an amendment to the Region of Peel Official Plan.

The subject property is located within the Urban System of the Region of Peel. General Objectives in Section 5 direct development and redevelopment to the Urban System to achieve complete communities that represent a more efficient use of land that is compatible in built form.

The relevant MOP policies in this report are in conformity with the Region of Peel Official Plan. Section 9.1 of MOP emphasizes where growth will be directed and other areas where limited growth will occur. Established residential Neighbourhoods will be protected and strengthened with infill development that is compatible with the existing and planned character.

The proposed development conforms to the ROP as it represents an infill project in an established and mature neighbourhood that has demonstrated compatibility with the surrounding context.

7. Mississauga Official Plan (MOP)

The proposal requires an amendment to the Mississauga Official Plan Policies for the Clarkson Lorne Park Neighbourhood Character Area, to permit 6 townhouses. Section 19.5.1 of Mississauga Official Plan provides the following criteria for evaluating site specific Official Plan Amendments:

- ***Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?***
- ***Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?***
- ***Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?***
- ***Has a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?***

Planning staff have undertaken an evaluation of the relevant policies of the PPS, Growth Plan and MOP, including those found in Section 19.5.1 against this proposed development application.

The following is an analysis of the key policies and criteria:

The subject site is located in the Clarkson - Lorne Park Neighbourhood Character Area, which is a predominantly low rise neighbourhood that contains dwellings on large lots with ample setbacks and mature vegetation. The site is currently vacant and fronts onto Lorne Park Road (Minor Collector Road), Alberston Crescent and Bramblewood Lane. As a result of a previous Official Plan Amendment and Rezoning application undertaken by the same property owner, the subject site is designated **Office**, which permits an office building.

Directing Growth

MOP states that within neighbourhoods, where higher density uses are proposed, the following policies are applicable:

5.3.5.5 Intensification within Neighbourhoods may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan.

5.3.5.6 Development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale.

The subject site is located along a minor collector road and is close to two commercial plazas that contain retail and commercial uses. While the area character is predominantly

detached dwellings, the proposed density, built form and land use is not unique to the immediate neighbourhood. There are other townhouse sites located along Lorne Park Road and within the vicinity. In addition, the applicant has removed one unit from the original submission concept plan in order to increase the ability for larger setbacks and opportunities for landscaping and vegetation, aspects that are in keeping with typical lot conditions of the Clarkson - Lorne Park Neighbourhood.

In consideration of the above, the density proposed is sensitive to and fits within the surrounding area while taking advantage of nearby commercial opportunities. The concept employs a built form that exists in the area and deploys a design that is sensitive to the character of the neighbourhood. As such, it is staff's opinion that the proposal meets the directive of Mississauga Official Plan regarding intensification within established Neighbourhood Character Areas.

Compatibility with the Neighbourhood

Intensification within Neighbourhoods is to be compatible in built form and scale to surrounding development and will be sensitive to the existing and planned context.

MOP states that compatibility "means development, which may not necessarily be the same as, or similar to, the existing or desired development, but nonetheless enhances an established community and coexists with existing development without unacceptable adverse impact on the surrounding area".



Townhouse elevation

The proposed built form is respectful of the surrounding context by providing for a building height that reads to be 2 and a half storeys in height, which is consistent with dwelling heights in the Clarkson - Lorne Park Neighbourhood. The dwelling height of the townhouse block is approximately 9.5 m (31.2 ft.) measured from average grade, which is the maximum allowable height that is allowed for detached homes by the zoning by-law in the area. The roofline of the townhouse block has been designed to relate to the lower density built form types within the vicinity. The architecture of the proposal matches the dominant traditional building design character by providing for a bricked façade and dormer windows.

In addition, with large setbacks and ample vegetation a strong characteristic in the overall neighbourhood, the proposed layout provides for increased setbacks to public roads and neighbouring properties, preserving additional space for landscaping.



Aerial Image – ★ Subject Property, ● Existing or Planned Townhouses and Semi-Detached Houses, ● Commercial Plaza

In a neighbourhood that predominantly consists of detached dwellings, there are examples of higher density land uses and built forms along Lorne Park Road that exist successfully and compliment the neighbourhood. In consideration of the design merits of the proposal and recognizing the contribution to more housing choice in the area, the proposed townhouses fit within the land use and built form context of surrounding site. As such, it is staff's opinion that the proposal meets Mississauga Official Plan's requirements for new development to be compatible with the existing Neighbourhood.

Services and Infrastructure

The Region of Peel has advised that there is adequate water and sanitary sewer capacity to service this site.

The applicant is proposing to incorporate a storm water retention tank within the rear yards of the proposed units in order to accommodate storm water and on site drainage. Maintenance requirements for this storm water tank will be tied

to the individual units through the common element condominium registration process.

Due to the close proximity of the railway, the applicant will be required to construct a noise attenuation and crash wall, which will be further reviewed and assessed by City staff and Metrolinx as part of the application to remove the proposed Holding Provision.

The site is currently serviced by the following MiWay Transit routes:

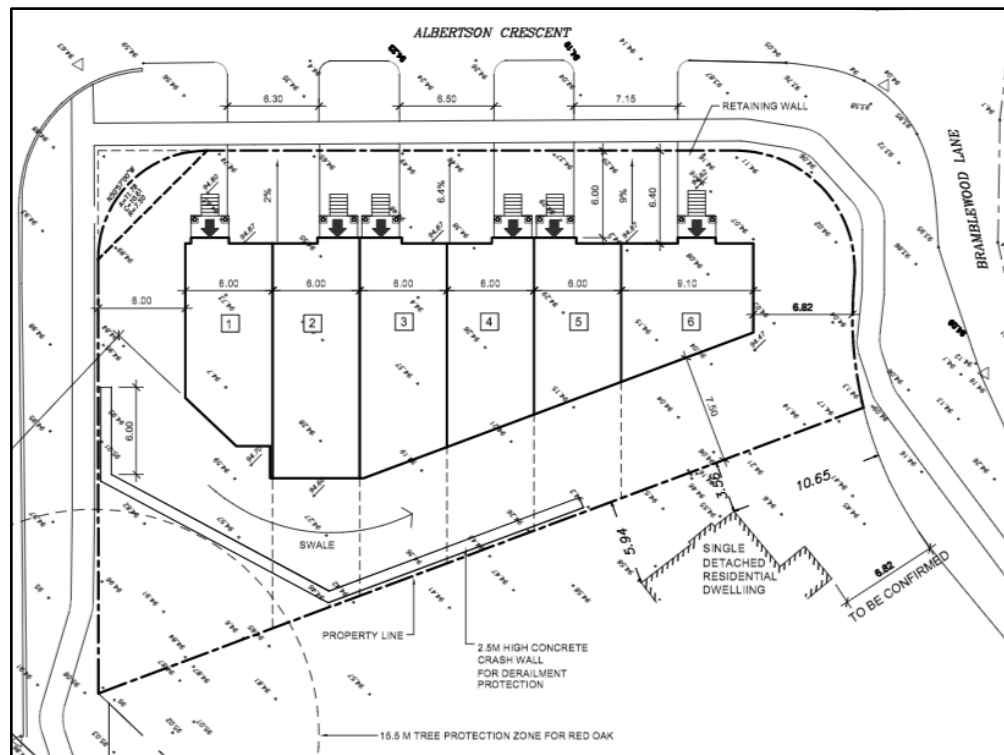
- Number 14/14A on Lorne Park Road having direct access to Indian Road and Truscott Road and connecting to the Clarkson GO Station.
- Number 23 on Lakeshore Road is within 500 m (1,640.4 ft.) of the site and provides access to Port Credit and Clarkson GO Stations, as well as future Hurontario LRT and Lakeshore BRT service.

The site is close to two commercial plazas that contain a variety of commercial and retail uses, such as a grocery store.

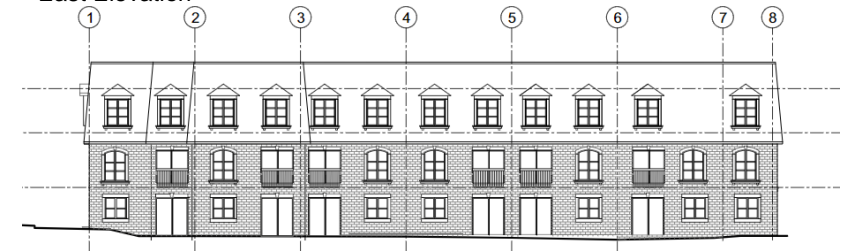
For these reasons, these applications are consistent with MOP, the Region of Peel Official Plan, the Growth Plan for the Greater Horseshoe and the PPS.

8. Revised Site Plan and Elevations

The applicant has provided revised site plan and elevation drawings as follows:



East Elevation



West Elevation



North Elevation

South Elevation

9. Zoning

The proposed **H-RM5-60** (Street Townhouse - Exception) is appropriate to accommodate the proposed 6 townhouses.

Below is an updated summary of the proposed site specific zoning provisions:

Proposed Zoning Regulations

Zone Regulations	RM5 Zone Regulations	Proposed RM5-60 Regulations
Minimum Lot Frontage	6.8 m (22.3 ft.) – interior lot 9.8 m (32.2 ft.) – corner lot	6.0 m (19.7 ft.) – interior lot and corner lot
Maximum gross floor area (GFA) - residential	0.7 FSI	1 470 m ² (15, 823.0 ft ²)
Maximum Dwelling Height – Flat Roof	10.7 m (35.1 ft.)	9.6 m (31.2 ft.)
Minimum landscaped area	25 % of lot area	N/A – no change
Maximum driveway width	5.2 m (17.1 ft.)	3.6 m (11.8 ft.)
In addition to the regulations listed, other minor and technical variations to the implementing by-law may also apply, including changes that may take place before Council adoption of the by-law, should the application be approved.		

10. Bonus Zoning

Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning on September 26, 2012. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted height and/or density are deemed to be good planning by Council through the approval of a development application.

As the proposed development contains a total gross floor area (GFA) of less than 5 000 m² (54,000 ft²), the subject proposal does not meet the policy criteria for a Section 37 Community Benefits contribution.

11. "H" Holding Symbol

Should this application be approved by Council, staff will request an "H" Holding Provision which can be lifted upon:

1. delivery of an executed Development Agreement satisfactory to the City
2. satisfactory arrangements with Metrolinx, Transportation and Works and Planning and Building regarding the required crash/noise wall
3. satisfactory arrangements with the Transportation and Works Department with respect to on site storm water management
4. satisfactory arrangements with the Transportation and Works Department and Community Services Department

with respect to any land dedications

5. submission of updated grading and site servicing drawings satisfactory to the Transportation and Works Department

12. Site Plan

Prior to development of the lands, the applicant will be required to obtain site plan approval. No site plan application has been submitted to date for the proposed development.

While the applicant has worked with City departments to address many site plan related issues through review of the rezoning concept plan, further revisions will be needed to address matters such as grading, stormwater, noise mitigation, tree replacement and landscaping details.

Plan of Condominium and Part Lot Control applications will be required to create the Parcels of Tied Land (POTLs) and establish shared common elements.

13. Conclusions

In conclusion, City staff has evaluated the applications to permit 6 townhouses against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan.

- The proposed 6 townhouses add to the range of housing in the Clarkson - Lorne Park Neighbourhood Character Area and make more efficient use of the subject property, aligning with the goals and objectives of the *Provincial Policy*

Statement and Growth Plan, as well as Mississauga Official Plan.

- The proposed land use and built form is not unique to the neighbourhood and represents a modest infill project that fits within the surrounding area.
- The proposed townhouse block has been designed in a manner that compliments the character in the vicinity and mitigates against any massing impacts on adjacent properties.

City of Mississauga

Corporate Report



Date: October 22, 2021 To: Chair and Members of Planning and Development Committee	Originator's file: OZ 21/002 W4
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: November 15, 2021

Subject

PUBLIC MEETING INFORMATION REPORT (WARD 4)

Official Plan Amendment and Rezoning applications to permit two 45 storey and one 37 storey apartment buildings with ground floor commercial uses 30 Eglinton Avenue West, southwest corner of Eglinton Avenue West and Hurontario Street

Owner: 30 Eglinton Avenue West Limited (c/o Crown Property)

File: OZ 21/002 W4

Recommendation

That the report dated October 22, 2021, from the Commissioner of Planning and Building regarding the applications by 30 Eglinton Avenue West Limited (c/o Crown Property) to permit two 45 storey and one 37 storey apartment buildings with ground floor commercial uses, under File OZ 21/002 W4, 30 Eglinton Avenue West, be received for information.

Background

The applications have been deemed complete and circulated for technical comments. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community. The report consists of two parts, a high level overview of the applications and a detailed information and preliminary planning analysis (Appendix 1).

PROPOSAL

The official plan amendment and rezoning applications are required to permit the construction of two 45 storey and one 37 storey apartment buildings with ground floor commercial uses. A maximum height of 45 storeys / 308.1 m (1010.8 ft.) and reductions to standard building and parking regulations are proposed. The applicant is proposing to amend the existing designation of **Office – Special Site 1** to permit a maximum height of 45 storeys. The zoning by-law will also need to be amended from **O1-8 (Office)** to **O1-Exception (Minor Office – Exception)** to implement this development proposal. There is an existing nine storey office building and one

Aerial image of 30 Eglinton Avenue West



Applicant's rendering of the two 45 storey and one 37 storey apartment buildings

LAND USE POLICIES AND REGULATIONS

The *Planning Act* allows any person within the Province of Ontario to submit development applications to the local municipality to build or change the use of any property. Upon submitting all required technical information, the municipality is obligated under the *Planning Act* to process and consider these applications within the rules set out in the Act.

The *Provincial Policy Statement* (PPS) establishes the overall policy directions on matters of provincial interest related to land use planning and development within Ontario. It sets out province-wide direction on matters related to the efficient use and management of land and infrastructure; the provision of housing; the protection of the environment, resources and water; and, economic development.

The *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) builds upon the policy framework established by the PPS and provides more specific land use planning policies which support the achievement of complete communities, a thriving economy, a clean and healthy environment and social equity. The Growth Plan establishes minimum intensification targets and

requires municipalities to direct growth to existing built-up areas and strategic growth areas to make efficient use of land, infrastructure and transit.

The *Planning Act* requires that municipalities' decisions regarding planning matters be consistent with the PPS and conform with the applicable provincial plans and the Region of Peel Official Plan (ROP). Mississauga Official Plan is generally consistent with the PPS and conforms with the Growth Plan, the *Greenbelt Plan*, the *Parkway Belt West Plan* and the ROP.

Conformity of this proposal with the policies of Mississauga Official Plan is under review.

Additional information and details are found in Appendix 1, Section 4.

AGENCY AND CITY DEPARTMENT COMMENTS

Agency and department comments are summarized in Appendix 1, Section 7.

Financial Impact

All fees paid by developers are strictly governed by legislation, regulation and City by-laws. Fees are required to be paid prior to application approval, except where otherwise may be prescribed. These include those due to the City of Mississauga as well as any other external agency.

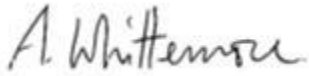
Conclusion

All agency and City department comments have been received. The Planning and Building Department will make a recommendation on this project after the public meeting has been held and the issues have been resolved. The matters to be addressed include:

- provision of additional technical information
- traffic impacts and conflicts with adjacent properties
- review of reduced parking, landscape and built form standards
- ensuring compatibility of with the adjacent area in terms of building separations, building height and density
- mitigating sun/shadow impacts
- provision of sufficient parkland and other community services in the area
- community consultations and input

Attachments

Appendix 1: Detailed Information and Preliminary Planning Analysis



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Adam Lucas, Development Planner

Detailed Information and Preliminary Planning Analysis
Owner: 30 Eglinton Avenue West Limited (c/o Crown Property)
30 Eglinton Avenue West

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1. Proposed Development

The applicant proposes to construct three apartments, two 45 storey and one 37 storey containing 1,577 dwelling units and 1,979 m² (21,301.8 ft²) of ground floor commercial uses. The development concept also includes a large open space (privately owned public space or municipal parkland) at the corner of Hurontario Street and Eglinton Avenue West that is just over 2,710 m² (29,170.2 ft²) in size. There is an existing nine storey office building and one storey heritage building on the property that will be retained as part of the development of the property. Official plan amendment and rezoning applications are required to permit the proposed development (refer to Section 4 for details concerning the proposed amendments).

Development Proposal		
Applications submitted:	Received: March 16, 2021 Deemed complete: March 24, 2021	
Developer/ Owner:	30 Eglinton Avenue West Ltd. (c/o Crown Property)	
Applicant:	David Sajecki, Sajecki Planning	
Number of units:	1,577 dwelling units	
Proposed Gross Floor Area:	107,187 m ² (1,153,751.27 ft ²)	
Height:	Building 1 – 45 storeys / 308.1 m (1010.8 ft.) Building 2 – 37 storeys / 282.9 m (928.4 ft.) Building 3 – 45 storeys / 306.6 m (1005.9 ft.)	
Floor Space Index:	4.74	
Amenity Area:	5.7 m ² (61.4 ft ²)/dwelling unit	
Anticipated Population:	3,485* *Average household sizes for all units (by type) based on the 2016 Census	
Parking: resident spaces	Required 2114	Provided 1454

Development Proposal		
Visitor spaces	315	Combined with non-res. 237
Total	2429	1691
Green Initiatives:	<ul style="list-style-type: none"> • Green roofs • Rainwater harvesting • Permeable paving • Enhances grass swale and bio retention • Enhanced Topsoil 	

Supporting Studies and Plans

The applicant has submitted the following information in support of the applications which can be viewed at:

<http://www.mississauga.ca/portal/residents/development-applications>

- Architectural drawings
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Function servicing and stormwater management report
- Grading, servicing and drainage drawings
- Heritage impact assessment
- Housing report
- Landscape plans
- Traffic Impact Study
- Noise and Vibration Impact Study
- Pedestrian Wind Study
- Phase 1 environmental site assessment
- Planning justification report
- Shadow Study

- Tree inventory and preservation plan
- Urban Design Study

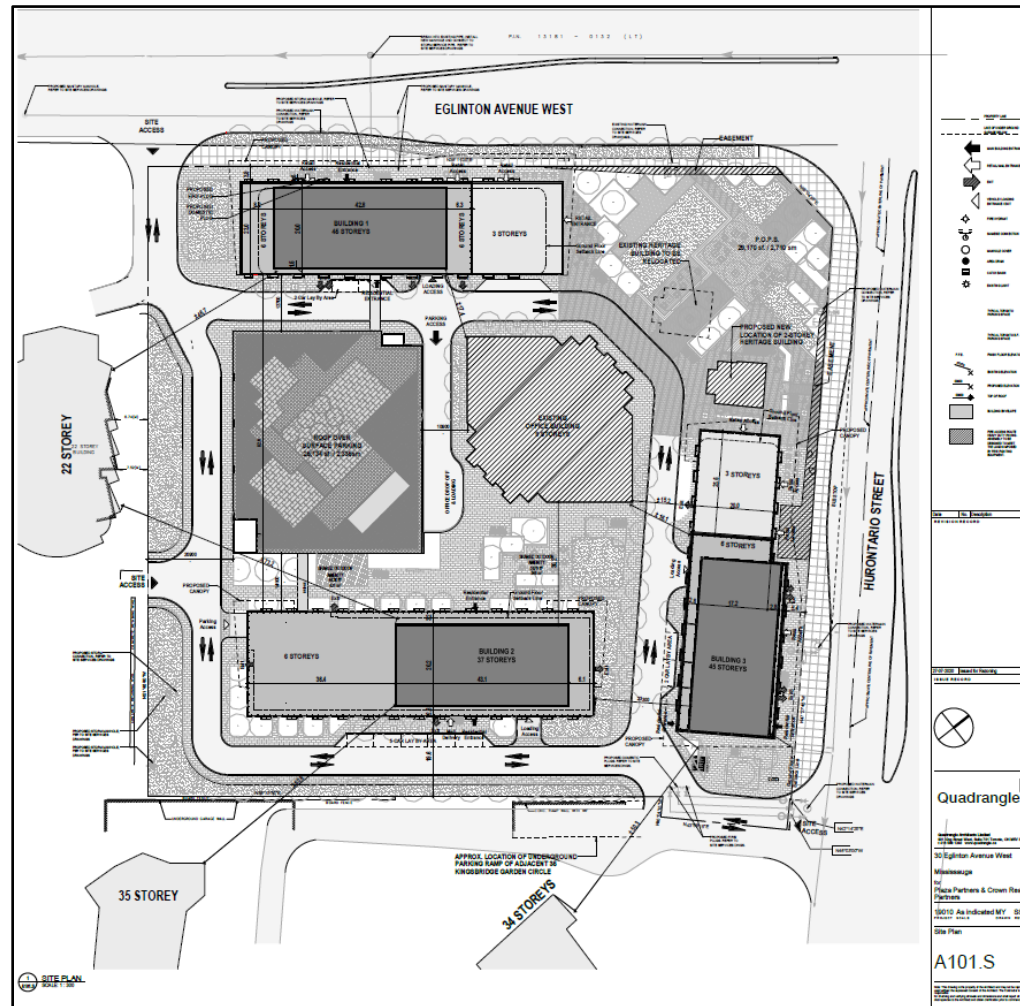
The application was reviewed by the Urban Design Advisory Panel on October 27, 2020. The Urban Design Advisory Panel is an advisory body and makes recommendations to staff for consideration. Panel's suggestions have been incorporated into staff comments.

Application Status

Upon deeming the applications complete, the supporting studies and plans were circulated to City departments and external agencies for review and comment. These comments are summarized in Section 7 of this appendix and are to be addressed in future resubmissions of the applications.

A pre-application community meeting was held by Ward 4 Councillor, John Kovac on December 15, 2020. Refer to Section 6 of this appendix for a summary of comments received at the community meeting and from written submissions received about the applications.

Concept Plan and Rendering



Concept Plan



Applicant's Rendering

2. Site Description

Site Information

The property is located at the intersection of Eglinton Avenue West and Hurontario Street and falls within the Uptown Major Node Character area and is also on an intensification corridor. The area contains a mix of residential, commercial and community uses. The site is currently occupied by a nine storey rectangular office building with two one storey commercial building extensions that project from the office building. There are also three standalone commercial buildings located in the northeast corner of the property, one of which includes a one storey heritage building known as the Wilcox House. The two other buildings are proposed to be removed through the redevelopment of the site.



Aerial Photo of 30 Eglinton Avenue West

Property Size and Use	
Frontages:	
Hurontario Street	141.4 m (463.8 ft.)
Eglinton Avenue West	151.8 m (498.2 ft.)
Depth:	158.1 m (518.7 ft.)
Gross Lot Area:	2.5 ha (6.3 ac.)
Existing Uses:	Nine storey office building and three one storey commercial buildings



Image of existing conditions facing west

Site History

- June 20, 2007 – Zoning By-law 0225-2007 came into force. The subject lands were zoned **O-8** (Office - Exception). The **O-8** zone permits apartments, overnight accommodation, retail commercial use accessory to an office, retail commercial uses accessory to overnight accommodation, financial institutions, medical offices, offices, commercial schools, veterinary clinics and a restaurant in an existing historic building.
- November 14, 2012 – Mississauga Official Plan came into force. The subject lands are designated **Office – Special Site 1** in the Uptown Major Node Character Area.
- May 27, 2020 – City initiated Zoning By-law 0121-2020 rezoned the subject lands to **O1-8** (Minor Office), which permits the same uses as the previous **O-8** (Office) zone. The maximum building height in the **O-8** zone remains unchanged. Zoning By-law 0121-2020 has been appealed by other landowners to the Ontario Land Tribunal (OLT).
- December 9, 2020 – City initiated OPA 116 came into force. The amendment was implemented to help guide and manage growth in the Uptown Node area by establishing an urban, fine-grain road network; securing land for parks; including policies for retaining retail and office functions; and encouraging a range and mix of housing choices.

3. Site Context

Surrounding Land Uses

North of the subject land and east of Hurontario Street is a one storey commercial plaza containing Shopper's Drug Mart, Starbucks, LCBO and COBS Bread Bakery. Located on the northwest corner of Eglinton Avenue West and Hurontario Street is a gas station (Esso). East of Hurontario Street is a one storey neighbourhood commercial plaza containing a number of businesses such as LA Fitness, Swiss Chalet, Toys R Us, Dollarama, Oceans grocery store, and the Royal Bank. To the south are two apartment buildings that are 34 and 35 storeys in height. Immediately to the west of the site is a 22 storey apartment building and beyond that is a townhouse development.

The surrounding land uses are:

North: Commercial plaza, Gas station and Apartments
 East: Commercial plaza
 South: Apartment buildings
 West: Apartment building

Neighbourhood Context

The subject property is located in the Uptown Major Node Character Area. The surrounding area contains a mix of residential and commercial uses located on Hurontario Street and Eglinton Avenue. The character contains a variety of residential building types, including apartment buildings developed in the 1990s and 2010s.

The site is located on the southeast corner of Eglinton Avenue West and Hurontario Street. Hurontario Street which is identified as part of an Intensification Corridor in the Mississauga Official Plan (MOP) that has been approved for higher order transit (HLRT). Construction of the HLRT has begun. The corridor has commercial retail stores fronting and/or close to Hurontario Street, with a mixture of housing types and tenures located along the corridor.



Aerial Photo of 30 Eglinton Avenue West

Demographics

Based on the 2016 census, the existing population of the Uptown Major Node area is 10,380 with a median age in this area being 40 (the same as the City's median age). 68% of the neighbourhood population are of working age (15 to 64 years of age), with 16% children (0-14 years) and 17% seniors (65 years and over). By 2031 and 2041, the population for this area is forecasted to be 15,900 and 19,700 respectively. The average household size is 2 persons with 87% of people living in apartments in buildings that are five storeys or more. The mix of housing tenure for the area is 2,665 units (61%) owned and 1,730 units (39%) rented with a vacancy rate of approximately 0.9%*. In addition, the number of jobs within this Character Area is 2,185. Total employment combined with the population results in a PPJ for Uptown Major Node of 128 persons plus jobs per ha (2.47 acres).

*Please note that vacancy rate data does not come from the census. This information comes from CMHC which demarcates three geographic areas of Mississauga (Northeast, Northwest, and South). This specific Character Area is located within the Northeast geography. Please also note that the vacancy rate published by CMHC is ONLY for apartments.

Other Development Applications

The following development applications are in process or were recently approved in the immediate vicinity of the subject property:

- OZ/OPA 21/008 – 4615 Hurontario Street, 136 Eglinton Avenue East and 25, 35, 55, 105 and 110 Elia Avenue – applications are in process for 9 residential apartment

buildings ranging in height between 25 – 45 storeys with office and retail uses, 8 blocks of back-to-back townhouses and a public park

- OZ/OPA 18/16 and T-M18005 – 91 Eglinton Avenue East and 5055 Hurontario Street – applications approved December 2020 to permit six residential apartment buildings (up to 37 storeys in height) with ground floor commercial, a public park and an amenity building
- SP 12/86 – 5008 Hurontario Street – application in process to permit new upgraded gas station pumps, canopy and convenience building
- OZ 18/011 – 0 and 5044 Hurontario Street – applications in process to permit 4 apartment buildings with retail and office uses located in the building's podium

These applications are within the anticipated population forecasted for the node.

Community and Transportation Services

This development is approximately 45 m (148 ft.) from Hawthorne Valley Trail (P-296), zoned **G1** (Greenlands – Natural Hazards) and includes a bridge, trail, and woodland. The site is also 140 m (459 ft.) from Kingsbridge Common Park (P-195), zoned **OS1** (Open Space - Community Park) and includes an unlit softball diamond, natural ice rink, parking lot, play site and an 11 versus 11 soccer field. This development proposal will have no significant impact on the Frank McKechnie Community Centre and Library.

The site is located along a future Light Rail Transit (HLRT) line on Hurontario Street, with a future LRT stop directly adjacent to

the subject property at the corner of Eglinton Avenue and Hurontario Street. The following major MiWay bus routes currently service the site:

- Route 103 – Hurontario Express
- Route 19 – Hurontario Street
- Route 19A – Hurontario-Britannia
- Route 19B – Hurontario-Cantay
- Route 19C – Hurontario-Heartland
- Route 35 – Eglinton-Ninth Line

- Route 35A – Eglinton-Tenth Line
- Route 7 – Airport
- Route 87 – Meadowvale-Skymark
- Route 34 – Credit Valley

There is a primary on-road bicycling route on Hurontario Street.

4. Summary of Applicable Policies, Regulations and Proposed Amendments

The *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect these applications have been reviewed and summarized in the table below. Only key policies relevant to the applications have been included. The table should be considered a general summary of

the intent of the policies and should not be considered exhaustive. In the sub-section that follows, the relevant policies of Mississauga Official Plan are summarized. The development application will be evaluated based on these policies in the subsequent recommendation report.

Policy Document	Legislative Authority/Applicability	Key Policies
Provincial Policy Statement (PPS)	<p>The fundamental principles set out in the PPS apply throughout Ontario. (PPS Part IV)</p> <p>Decisions of the council of a municipality shall be consistent with PPS. (PPS 4.1)</p> <p>The Official Plan is the most important vehicle for implementation of the Provincial Policy Statement (PPS 4.6)</p>	<p>Settlement areas shall be the focus of growth and development. (PPS 1.1.3.1)</p> <p>Land use patterns within settlement areas will achieve densities and a mix of uses that efficiently use land, resources, infrastructure, public service facilities and transit. (PPS 1.1.3.2.a)</p> <p>Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment. (PPS 1.1.3.3)</p>

Policy Document	Legislative Authority/Applicability	Key Policies
		Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected needs of current and future residents of the regional market area. (PPS 1.4.3)
Growth Plan for the Greater Golden Horseshoe (Growth Plan)	The Growth Plan applies to the area designated as the Greater Golden Horseshoe growth plan area. All decisions made on or after May 16, 2019 in respect to the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise. (Growth Plan 1.2.2)	<p>Within settlement areas, growth will be focused in delineated built-up areas; strategic growth areas; locations with existing or planned transit; and, areas with existing or planned public service facilities. (Growth Plan 2.2.1.2 c)</p> <p>Complete communities will feature a diverse mix of land uses; improve social equity and quality of life; provide a range and mix of housing options; provide convenient access to a range of transportation options, public service facilities, open spaces and parks, and healthy, local and affordable food options; provide a more compact built form; mitigate and adapt to climate change impacts; and, integrate green infrastructure. (Growth Plan 2.2.1.4)</p> <p>To achieve minimum intensification and density targets, municipalities will develop and implement urban design and site design official plan policies and other supporting documents that direct the development of high quality public realm and compact built form. (Growth Plan 5.2.5.6)</p>
Region of Peel Official Plan (ROP)	The Region of Peel approved MOP on September 22, 2011, which is the primary instrument used to evaluate development applications. The proposed development applications were circulated to the Region who has advised that in its current state, the applications meet the requirements for exemption from Regional approval. Local official plan amendments are generally exempt from approval where they have had regard for the <i>Provincial Policy Statement</i> and applicable Provincial Plans, where the City Clerk has certified that processing was completed in accordance with the <i>Planning Act</i> and where the Region has advised that no Regional official plan amendment is required to accommodate the local official plan amendment. The Region provided additional comments which are discussed in Section 8 of this Appendix.	<p>The ROP identifies the subject lands as being located within Peel's Urban System.</p> <p>General objectives of ROP, as outlined in Section 5.3, include conserving the environment, achieving sustainable development, establishing healthy complete communities, achieving intensified and compact form and mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances, while taking into account the characteristics of existing communities and services, and achieving an urban form and densities that are pedestrian-friendly and transit supportive.</p>

Mississauga Official Plan

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms with the Growth Plan, Greenbelt Plan, PBWP and ROP. An update to MOP is currently underway to ensure MOP is consistent with and conforms to changes resulting from the recently released Growth Plan, 2019 and Amendment No. 1 (2020).

Existing Designation

The lands are located within the Uptown Major Node Character Area and are designated **Office – Special Site 1**. The **Office – Special Site 1** designation permits major office, secondary office, post-secondary educational facilities, residential high density in combination with office uses and accessory uses. A maximum building height of 25 storeys is permitted in the

Uptown Major Node Character Area

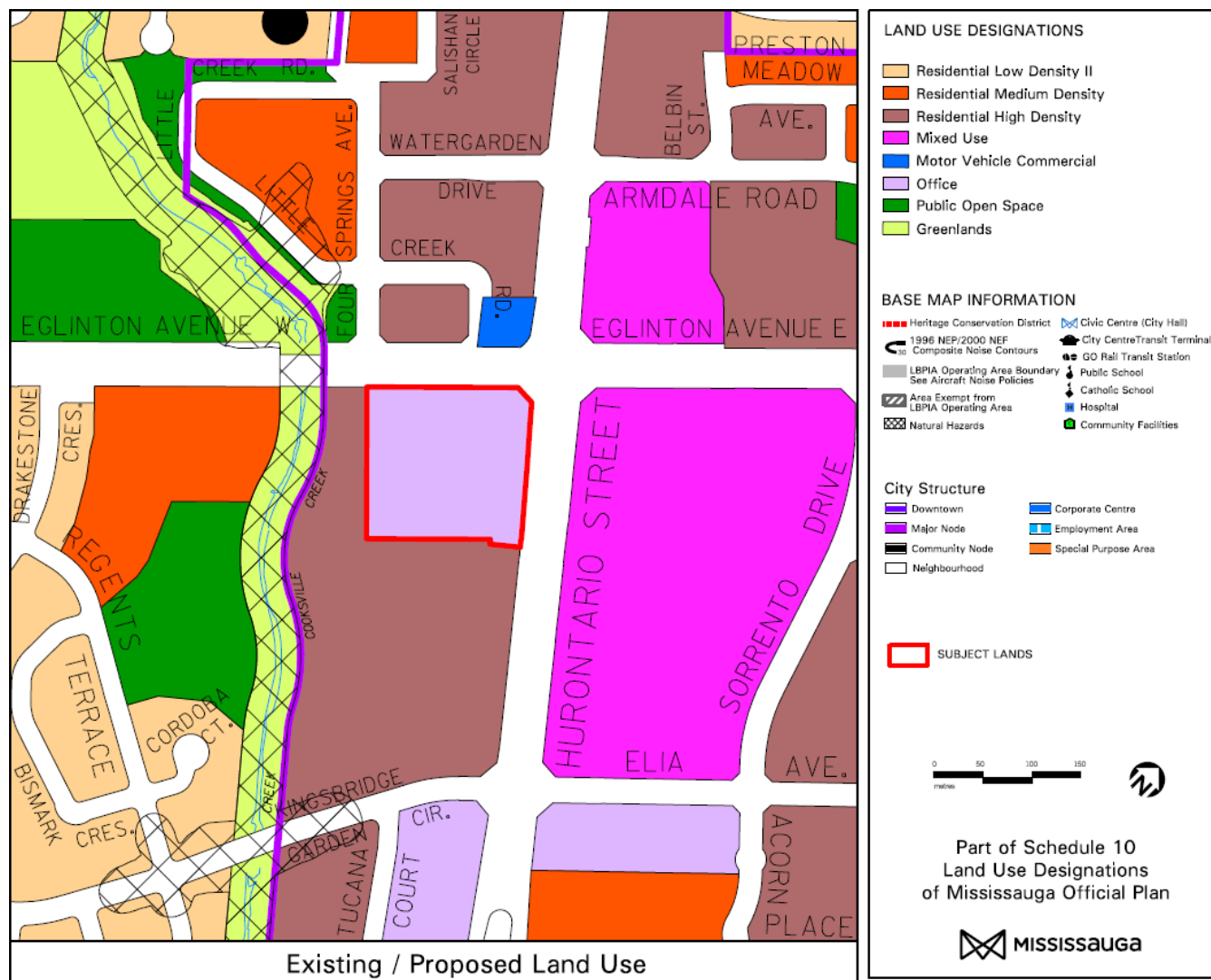
The subject property is located within a proposed Major Transit Station Area (MTSA).

Proposed Designation

The applicant is proposing to amend the existing **Office – Special Site 1** designation to permit a maximum building height of 45 storeys. The applicant will need to demonstrate consistency with the intent of MOP and shall have regards for the appropriateness of the proposed built form in terms of compatibility with the surrounding context and character of the area.

Through the processing of the applications, staff may recommend a more appropriate designation to reflect the proposed development in the Recommendation Report.

Excerpt of Uptown Major Node Character Area



Relevant Mississauga Official Plan Policies

The following policies are applicable in the review of these applications. In some cases the description of the general intent summarizes multiple policies.

	General Intent
Chapter 5 Direct Growth	<p>Most of Mississauga's future growth will be directed to Intensification Areas Mississauga encourages compact, mixed use development that is transit supportive, in appropriate locations, to provide a range of local live/work opportunities. (Sections 5.1.4 and 5.1.6)</p> <p>Major Nodes are Intensification Areas (Section 5.3.2.3)</p> <p>The Major Nodes will achieve a minimum gross density of between 200 and 300 residents and jobs combined per hectare (S.5.3.2.4)</p> <p>Development applications within a Major Node proposing a change to the designated land use which results in a significant reduction in the number of residents or jobs that could be accommodated on the site, will not be permitted unless considered through a municipal comprehensive review (Section 5.3.2.5)</p> <p>Major Nodes will achieve an average population to employment ratio of between 2:1 to 1:2, measured as an average across the entire area of each node (Section 5.3.2.6)</p> <p>Major Nodes will develop as city and regional centres and be a primary location for mixed use development (Section 5.3.2.8)</p> <p>Development in Major Nodes will be in a form and density that achieves a high quality urban environment (Section 5.3.2.11)</p> <p>Major Nodes will be served by frequent transit services, including higher order transit facilities, which provide connections to destinations within the city and to neighbouring municipalities (5.3.2.12)</p> <p>Where Corridors run through or when one side abuts the Downtown, Major Nodes, Community Nodes and Corporate Centres, development in those segments will also be subject to the policies of the City Structure element in which they are located. Where there is a conflict, the policies of the Downtown, Major Nodes, Community Nodes and Corporate Centres will take precedence. (S.5.4.2)</p> <p>Corridors that run through or abut the Downtown, Major Nodes, Community Nodes and Corporate Centres are encouraged to develop with mixed uses orientated towards the Corridor. (S.5.4.3)</p> <p>Development on Corridors should be compact, mixed use and transit friendly and appropriate to the context of the surrounding Neighbourhood and Employment Area. (S.5.4.4)</p> <p>A mix of medium and high density housing, community infrastructure, employment, and commercial uses, including mixed use residential/commercial buildings and offices will be encouraged. However, not all of these uses will be permitted in all areas. (5.5.7)</p>

	General Intent
Chapter 7 Complete Communities	<p>In order to create a complete community and develop a built environment supportive of public health, the City will:</p> <ul style="list-style-type: none"> a. encourage compact, mixed use development that reduces travel needs by integrating residential, commercial, employment, community, and recreational land uses; b. design streets that facilitate alternative modes of transportation such as public transit, cycling, and walking; c. encourage environments that foster incidental and recreational activity; and d. encourage land use planning practices conducive to good public health. (Section 7.1.3) <p>Mississauga will ensure that the housing mix can accommodate people with diverse housing preferences and socioeconomic characteristics and needs. (Section 7.1.6)</p> <p>Mississauga will ensure that housing is provided in a manner that maximizes the use of community infrastructure and engineering services, while meeting the housing needs and preferences of Mississauga residents. (Section 7.2.1)</p> <p>Mississauga will provide opportunities for:</p> <ul style="list-style-type: none"> a. the development of a range of housing choices in terms of type, tenure and price; b. the production of a variety of affordable dwelling types for both the ownership and rental markets; and c. the production of housing for those with special needs, such as housing for the elderly and shelters. (Section 7.2.2) <p>When making planning decisions, Mississauga will ensure that housing is provided in a manner that fully implements the intent of the Provincial and Regional housing policies. (Section 7.2.3)</p>
Chapter 9 Build A Desirable Urban Form	<p>Within Intensification Areas an urban form that promotes a diverse mix of uses and supports transit and active transportation modes will be required. (Section 9.1.2)</p> <p>Development on Corridors will be consistent with existing or planned character, seek opportunities to enhance the Corridor and provide appropriate transitions to neighbouring uses. (Section 9.1.5)</p> <p>A high quality, compact urban built form will be encouraged to reduce the impact of extensive parking areas, enhance pedestrian circulation, complement adjacent uses, and distinguish the significance of Intensification Areas form of surrounding areas. (Section 9.2.1.4)</p> <p>Appropriate height and built form transitions will be required between sites and their surrounding areas. (Section 9.2.1.10)</p> <p>Principal streets should have continuous building frontage that provide continuity of built form from one property to the next with minimal gaps between buildings. (Section 9.2.1.17)</p> <p>Development will contribute to pedestrian oriented streetscapes and have an urban built form that is attractive, compact and transit supportive. (Section 9.2.1.21)</p> <p>Development will face the street and have active facades characterized by features such as lobbies, entrances and display windows. Blank building walls will not be permitted facing principal street frontages and intersections (Sections 9.2.1.23, 24 and 25)</p>

	General Intent
	<p>Built form will relate to and be integrated with the street line, with minimal building setbacks where spatial enclosure and street related activity is desired. (Section 9.2.1.28)</p> <p>Development will have a compatible bulk, massing and scale of built form to provide an integrated streetscape. (Section 9.2.1.29)</p> <p>Development should be positioned along the edge of the public streets and public open spaces, to define their edges and create a relationship with the public sidewalk. (Sections 9.2.1.31 and 32)</p> <p>Developments should minimize the use of surface parking in favour of underground or aboveground structured parking. All surface parking should be screened from the street and be designed to ensure natural surveillance from public areas. (Section 9.2.1.37)</p> <p>Private open space and/or amenity areas will be required for all development. (Section 9.3.5.5)</p> <p>Residential developments of a significant size, except freehold developments, will be required to provide common outdoor on-site amenity areas that are suitable for the intended users. (Section 9.3.5.6)</p> <p>Residential developments will provide at grade amenity areas that are located and designed for physical comfort and safety. In Intensification Areas, alternatives to at grade amenities may be considered. (Section 9.3.5.7)</p> <p>Developments should be compatible and provide appropriate transition to existing and planned development by having regard for the following elements: natural hazards, the size and distribution of building mass and height, front, side and rear yards, the orientation of buildings, structures, and landscapes on a property, views, the local vernacular and architectural character as represented by the rhythm, textures, and building materials, privacy and overlook, and function and use of buildings, structures and landscapes. (Sections 9.5.1.1 and 2)</p> <p>Site designs and buildings will create a sense of enclosure along the street edge with heights appropriate to the surrounding context. (Section 9.5.1.3)</p> <p>Development proposals will demonstrate compatibility and integration with surrounding land uses and the public realm by ensuring that adequate privacy, sunlight and sky views are maintained and that microclimate conditions are mitigated. (Section 9.5.1.9)</p> <p>New residential development abutting major roads should be designed with a built form that mitigates traffic noise and ensures that attractiveness of the thoroughfare. (Section 9.5.1.11)</p>
Chapter 11 General Land Use Designations	Lands designated Office will permit major office, secondary office and accessory uses. (Section 11.2.7)
Chapter 13 Major Nodes	<p>Proponents of development applications within a Major Node may be required to demonstrate how the new development contributes to the achievement of the residents and jobs density target and the population to employment ratio (Section 13.1.1.1)</p> <p>For lands within a Major Node, a minimum building height of two storeys to a maximum building height of 25 storeys will apply, unless Character Area policies specify alternative building height requirements or until such time as alternative building heights are determined</p>

	General Intent
	<p>through the review of Character Area policies (Section 13.1.1.2)</p> <p>Proposals for heights less than two storeys, more than 25 storeys or different than established in the Character Area policies will only be considered where it can be demonstrated to the City's satisfaction, that:</p> <ul style="list-style-type: none"> a. an appropriate transition in heights that respects the surrounding context will be achieved; b. the development proposal enhances the existing or planned development; c. the City Structure hierarchy is maintained; and d. the development proposal is consistent with the policies of this Plan (Section 13.1.1.3) <p>Uptown is encouraged to develop with a range of housing choices in terms of unit type, unit size, tenure, and price, to accommodate changes in community needs over time (Section 13.4.2.1)</p> <p>Mississauga will encourage the provision of affordable housing, and in particular, affordable rental housing and apartments with two or more bedrooms (Section 13.4.2.2)</p> <p>Mississauga will encourage partnerships and collaborations to support the creation of affordable housing in Uptown (Section 13.4.2.3)</p> <p>Uptown will be developed as a compact, mixed use community that supports offices, retail uses and a range of employment opportunities (Section 13.4.3.1)</p> <p>Redevelopment that results in a loss of office floor space will not be permitted, unless the office floor space is replaced as part of the redevelopment (Section 13.4.3.2)</p> <p>Redevelopment that results in a loss of retail and service commercial floor space will not be permitted, unless it can be demonstrated that the planned function of the non-residential component will be maintained or replaced as part of the redevelopment (Section 13.4.3.3)</p> <p>Uptown will be developed to:</p> <ul style="list-style-type: none"> a. create a fine-grain grid network of urban scale blocks and streets; b. provide high quality design for streets and intersections that achieve definition, enclosure and comfort for pedestrians and street life; c. incorporate landscaping, street furniture, street trees, lighting systems and signage to animate roads and create a positive pedestrian, cycling and transit-oriented experience; and d. incorporate and integrate on-street parking into streetscape design, as appropriate, to balance the needs of all modes of transportation and the public realm that share the right-of-way (Section 13.4.4.2) <p>Buildings will be designed to consider the street hierarchy and streetscape, as follows:</p> <ul style="list-style-type: none"> a. high priority streets: High priority streets are major roads and streets that may front onto public amenities, open spaces or parks. High priority streets will have the highest standard of design in the public and private realms, with a mixture of uses and pedestrian oriented built form. Building frontages on high priority streets will be developed to incorporate: <ul style="list-style-type: none"> i. commercial uses at grade, where appropriate;

	General Intent
	<p>ii. connections to parks, public spaces and retail uses at grade, where appropriate; and</p> <p>iii. a substantial amount of transparent vision glass at grade, where appropriate.</p> <p>b. residential streets: Residential streets primarily support housing and local connectivity. Residential streets will be designed to ensure a quality pedestrian environment. Building frontages on residential streets will incorporate residential units at grade that provide direct access to the street, where appropriate. Buildings will contribute to a quality public and private realm.</p> <p>c. service streets: Service streets will provide necessary access to parking facilities, loading, service and utility areas serving development blocks. Buildings will accommodate for service and vehicular access, and utilities along service streets (Section 13.4.4.3)</p> <p>Bicycle parking will be required and should be located throughout the Character Area and at transit facilities (Section 13.4.5.10)</p> <p>Development applications will be accompanied by traffic impact studies and/or parking utilization studies that will address, among other things, strategies for limiting impacts on the transportation network such as:</p> <p>a. transportation demand management;</p> <p>b. transit oriented development and design;</p> <p>c. pedestrian/cycling connections; and</p> <p>d. access management plan (Section 13.4.5.12)</p> <p>Underground parking is preferred, however, where above grade parking structures are permitted they will be screened in such a manner that vehicles are not visible from public view and have appropriate directional signage to the structure. Along prominent streets, parking structures should be screened by buildings that incorporate a mix of uses between the parking structure and the street (Section 13.4.5.14)</p> <p>Limited surface parking will be permitted to accommodate matters such as accessibility parking spaces, car-share spaces and pick-up/drop-off areas for delivery services (Section 13.4.5.15)</p> <p>Where surface parking is permitted its impact should be minimized by being located at the rear or side of buildings, by using screening and employing low impact development techniques, and by providing pedestrian amenities, where appropriate (Section 13.4.5.16)</p> <p>Publicly accessible private open spaces (POPS) may be incorporated into developments provided that:</p> <p>a. the design of private open space will integrate seamlessly with Uptown's parkland system, adjoining street network, and pedestrian environment;</p> <p>b. the private open space interfaces with existing and/or proposed development in a legible and cohesive manner; and</p> <p>c. the private open space is maintained as universally accessible and open to the public (Section 13.4.6.5)</p> <p>Notwithstanding the provisions of the Residential High Density and Office designations, the following additional policies will apply:</p> <p>a. Residential High Density development in combination with office uses will also be permitted, either within one building or in separate buildings. When in combination within a building or on a single site, an integrated development will be required;</p> <p>b. the preferred location of office development will be adjacent to Hurontario Street;</p> <p>c. architectural building and site plan solutions will be developed to create an interesting and identifiable street edge along Hurontario</p>

	General Intent
	Street d. special consideration may be given to reducing building setbacks and other requirements of the Zoning By-law as a means of increasing the opportunities for creative development; and e. in order to achieve a continuous street frontage, buildings will be encouraged to minimize setbacks from street lines. (Section 13.4.9.1.2)
Chapter 19 Implementation	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands; that a municipal comprehensive review of the land use designation or a five year review is not required; the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands; there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application; a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation has been provided by the applicant. (Section 19.5.1)

Mississauga Zoning By-law

Existing Zoning

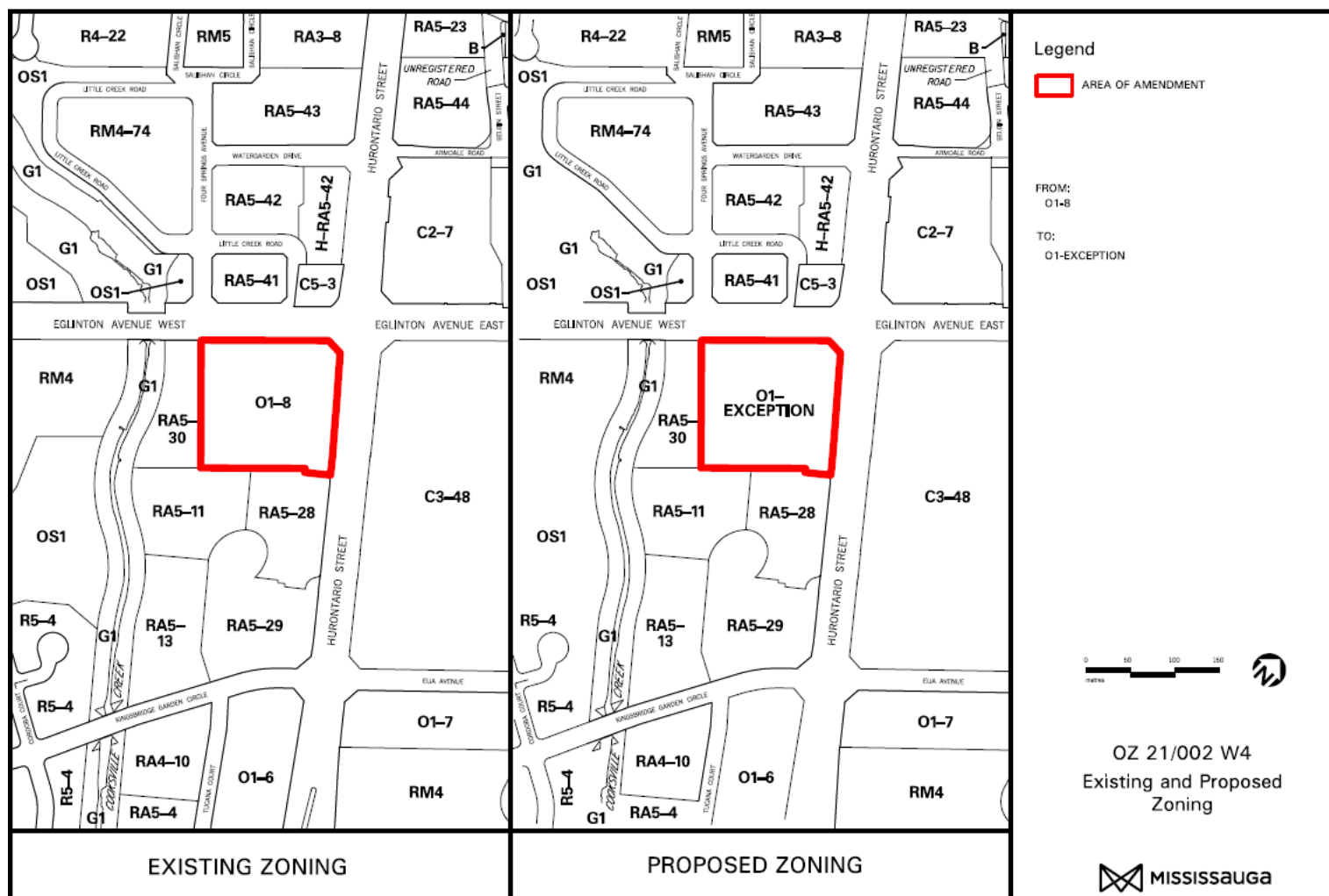
The subject property is currently zoned **O1-8** (Office), which permits apartments, overnight accommodation, retail commercial use accessory to an office, retail commercial uses accessory to overnight accommodation, financial institutions, medical offices, offices, commercial schools, veterinary clinics and a restaurant in the existing historic building.

Proposed Zoning

The applicant is proposing to amend the **O1-8** (Office) zone to permit three apartments, two that are 45 storeys and approximately 308.1 m (1010.8 ft.) and 306.6 m (1005.9 ft.) high and one that is 37 storeys and 282.99 m (928.4 ft.) high. The three buildings will contain 1,577 dwelling units and 2,050 m² (22,066 ft²) ground floor retail commercial uses. Open space uses are also being proposed. The existing 9 storey office building and historic building will remain on-site.

Through the processing of the applications staff may recommend a more appropriate zone category for the development in the Recommendation Report.

Excerpt of Zoning Map 29



Proposed Zoning Regulations

Zone Regulations	O1-8 Zone Regulations	Proposed Amended O1-Exception Zone Regulations
Additional permitted uses	Overnight Accommodation Apartment Retail commercial use accessory to an office Retail commercial use accessory to overnight accommodation Restaurant in the existing historic building identified on Schedule "B" of this Exception	Overnight Accommodation Apartment Retail commercial use accessory to an office Retail commercial use accessory to overnight accommodation Restaurant in the existing historic building identified on Schedule "B" of this Exception Passive Recreational Use Parking Structure
Maximum Floor Space Index (FSI)	0.5	4.74
Minimum Front Yard	4.5 m (14.8 ft.)	3.8 m (12.5 ft.)
Minimum Landscaped Buffer	4.5 m (14.8 ft.)	0.0 m (0.0 ft.)
Maximum Dwelling Units	220	1,577
Maximum Height	25 storeys	45 storeys
Minimum number of parking spaces	1.0 / dwelling unit for studio 1.25 / dwelling unit for one bedroom 1.40 / dwelling unit for two	0.8 / dwelling unit for studio 0.9 / dwelling unit for one bedroom 0.95 / dwelling unit for two

Zone Regulations	O1-8 Zone Regulations	Proposed Amended O1-Exception Zone Regulations
	bedroom 1.75 / dwelling unit for three bedroom 0.20 / dwelling unit for residential visitor 3.2 – 16.0 per 100m ² (1076.4 ft ²) GFA - non-residential	bedroom 1.0 / dwelling unit for three bedroom For the visitor component, a shared parking arrangement may be used for the calculation of required visitor/non-residential parking in accordance with the following: the greater of 0.15 visitor spaces per unit Or Parking required for all non-residential uses, located in the same building or on the same lot as the residential use
Note: The provisions listed are based on information provided by the applicant, which is subject to revisions as the application is further refined. In addition to the regulations listed, other minor and technical variations to the implementing by-law may also apply, including changes that may take place before Council adoption of the by-law, should the application be approved.		

Affordable Housing

In October 2017 City Council approved *Making Room for the Middle – A Housing Strategy for Mississauga* which identified housing affordability issues for low and moderate incomes in the city. In accordance with the Provincial Growth Plan (2019) and Amendment No. 1 (2020), *Provincial Policy Statement* (2020), Regional Official Plan and Mississauga Official Plan (MOP), the City requests that proposed multi-unit residential developments incorporate a mix of units to accommodate a diverse range of incomes and household sizes.

Applicants proposing non-rental residential developments of 50 units or more – requiring an official plan amendment or rezoning for additional height and/or density beyond as-of-right permissions – will be required to demonstrate how the proposed development is consistent with/conforms to Provincial, Regional and City housing policies. The City's official plan indicates that

the City will provide opportunities for the provision of a mix of housing types, tenures and at varying price points to accommodate households. The City's annual housing targets by type are contained in the Region of Peel Housing and Homelessness Plan 2018-2028

<https://www.peelregion.ca/housing/housinghomelessness/pdf/plan-2018-2028.pdf>.

To achieve these targets, the City is requesting that a minimum of 10% (or 150 units in this instance) of new ownership units be affordable. The 10% contribution rate will not be applied to the first 50 units of a development. The contribution may be in the form of on-site or off-site units, land dedication, or financial contributions to affordable housing elsewhere in the city. The applicant has submitted a housing report to indicate how the request for affordable housing is being addressed.

5. School Accommodation

The Peel District School Board

Student Yield	School Accommodation		
150 Kindergarten to Grade 5	Huntington Ridge Public School	Fairwind Senior Public School	Rick Hansen Secondary School
51 Grade 6 to Grade 8	Enrolment: 475	Enrolment: 576	Enrolment: 1,653
29 Grade 9 to Grade 12	Capacity: 624	Capacity: 671	Capacity: 1,725
	Portables: 0	Portables: 0	Portables: 0

The Dufferin-Peel Catholic District School Board

Student Yield	School Accommodation	
27 Kindergarten to Grade 8 22 Grade 9 to Grade 12	St. Matthew Elementary School Enrolment: 202 Capacity: 311 Portables: 6	St. Francis Xavier Secondary School Enrolment: 1500 Capacity: 1858 Portables: 17

6. Community Questions and Comments

A pre-application virtual community meeting was held by Ward 4 Councillor John Kovac on December 15, 2020. 148 people attended and 25 written submissions were received. Notice of complete application was circulated to property owners within 120 metres (393.7 ft.) of the subject property. Resulting from the circulation, 96 written submissions were received.

The following comments made by the community as well as any others raised at the public meeting will be addressed in the Recommendation Report, which will come at a later date.

- The proposal is too high and too dense
- The proposal will cause traffic congestion and gridlock
- The proposal will block views of adjacent condominium owners
- The construction activity will be too noisy and cause inconvenience to residents in the area
- The buildings will cause negative overlook conditions
- The proposed development will have a negative impact on property values in the area
- The development will impact the quality of life in the area by causing more pollution, crime and health issues
- The development does not provide adequate green space
- There is not sufficient parkland, community centre capacity or school accommodation in the area

7. Development Issues

The following is a summary of comments from agencies and departments regarding the applications:

Agency / Comment Date	Comments
Region of Peel (April 28, 2021)	<p>A Regional Official Plan Amendment will not be required.</p> <p>An existing 300 mm (11.8 in.) diameter water main is located Hurontario Street. A 600 mm (23.6 in.) diameter water main is located Eglinton Avenue West. The proposal requires connection to a minimum municipal watermain size of 300 mm (11.8 in.) (Watermain Design Criteria 2.1). Servicing of this site may require municipal and/or private easements and the construction, extension, twinning and/or upgrading of municipal services. All works associated with the servicing of this site will be at the applicant's expense. The applicant will also be responsible for the payment of applicable fees, DC charges, legal costs and all other costs associated with the development of this site. This proposal will require a secondary fire line in compliance with the Ontario Building Code, which is administered by the local municipality. We require confirmation that this has been addressed with the local municipality. We recommend a system looped to municipal water including a secondary domestic water supply where possible. Please review the Region's engineering submission requirements within the on-line Subdivision Procedure document. Please review the Region's Water Design Criteria found on-line.</p> <p>This site does not have frontage on an existing municipal sanitary sewer. A full Engineering Submission is required for the construction of the infrastructure. The Infrastructure must be operational/commissioned by the Region prior to site servicing approval. Please forward the submission to siteplanservicing@peelregion.ca. Please review the Region's engineering submission requirements within the on-line Subdivision Procedure document. Please review the Region's Sanitary Sewer Design Criteria found on-line.</p> <p>Prior to rezoning approval, a satisfactory FSR is required for review and approval by servicing staff. We have received the FSR dated 2020-08-12, prepared by Counterpoint / Gherard Rouby P.Eng. The report is incomplete and outstanding information will be provided directly to the engineering consultant by Iwona Frandsen. A hydrant flow test is required to complete modeling.</p> <p>Please note, there appears to be streetscaping proposed over Region of Peel infrastructure. Streetscaping over Regional infrastructure will not be accepted. Please work with City urban design, landscaping/streetscaping staff to remove any encroachments over the Region's sanitary sewer and/or watermain.</p> <p>When available, please provide the Region with copies of the shoring drawings approved by the local municipality. If proposed streetscaping over Regional infrastructure is not removed, an encroachment review/circulation may be required at the site plan stage to determine its impact. Streetscaping and landscaping drawings will need to be revised to show Region of Peel infrastructure (water/sanitary mains) for review by the Region's Capital and Operations Department. This will delay any approvals of the development.</p>

Agency / Comment Date	Comments
Dufferin-Peel Catholic District School Board (April 1, 2021)	<p>This school board is satisfied with the current provision of educational facilities for the catchment area in which the subject application is located. The City of Mississauga school accommodation condition need not be applied.</p> <p>The Board requests that the following conditions be fulfilled prior to the final approval of the zoning by-law:</p> <ol style="list-style-type: none"> 1. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots: <ol style="list-style-type: none"> (a) "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school." (b) "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."
Peel District School Board (April 28, 2021)	<p>The Board requires the inclusion of the following conditions in the Conditions of Draft Approval as well as the Engineering Agreement:</p> <p>Prior to final approval, the City of Mississauga shall be advised by the School Board(s) that satisfactory arrangements regarding the provision and distribution of educational facilities have been made between the developer/applicant and the School Board(s) for this plan.</p> <p>The Peel District School Board requires the following clause be placed in any agreement of purchase and sale entered into with respect to any units on this plan, within a period of five years from the date of registration of the development agreement:</p> <ol style="list-style-type: none"> a) "Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bused to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the School Accommodation department of the Peel District School Board to determine the exact schools." b) "The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that the children will meet the school bus on roads presently in existence or at another designated place convenient to the Peel District School Board." <p>The developer shall agree to erect and maintain signs at the entrances to this development which shall advise prospective purchasers that due to present school facilities, some of the children from this development may have to be accommodated in temporary facilities or bused to schools, according to the Peel District School Board's Transportation Policy.</p>

Agency / Comment Date	Comments
	<p>The Board wishes to be notified of the decision of Council with respect to this proposed application. Please note, that additional development applications (not including this application) which propose residential development within the Hurontario/Eglinton area will further strain existing schools.</p>
<p>City Community Services Department – Park Planning Section (May 21, 2021)</p>	<p>The proposed development is within the Uptown Node OPA 116 approved in December 9, 2020. The Uptown Node identifies parkland deficiency and a need for a public parkland in this development. The proposed development currently does not include an unencumbered public open space, however, has included a privately Owned Publicly Accessible Space (POPS).</p> <p>This Department notes that a POPS can be supported in this development to meet the future parkland needs. However, in keeping with the current City's parkland Conveyance By-law 0400-2006 and Corporate Policy 07-07-01: Dedication of Land or Cash-in-Lieu Thereof, for Public Open Space, a parkland dedication credit cannot be applied towards a POPS. Therefore, prior to the issuance of building permits for each lot or block cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O, c.P. 13, as amended) and in accordance with City's Policies and By-laws.</p> <p>It is further noted that this development is approximately 45 m (148 ft.) from Hawthorne Valley Trail 9P-296), zoned G1 (Greenlands) and includes a bridge, trail, and woodland. The site is also 140 m (459 ft.) from Kingsbridge Common Park (P-195), zoned OS1 (Open Space - Community Park) and includes an unlit softball diamond, natural ice rink, parking lot, play site and a 11V11 soccer field. This development proposal will have no significant impact to the Frank McKechnie Community Centre and Library.</p> <p>Community Services will undertake a review of the design of the POPS using our internal guideline through the site plan approval process.</p>
<p>City Community Services Department – Forestry (April 15, 2021)</p>	<p>Forestry requires more detailed plans for the proposed street tree planting along Eglinton Ave W. Please be advised that street tree plantings are not permitted under Hydro Wires.</p> <p>Plans are to be prepared at a max. 1:200 scale and include all above and below ground utilities, sidewalks and driveway locations, vegetation, easements, proposed lot lines, road and boulevard width. Cross sections and elevations should be provided where applicable. The plans are to be prepared by a certified landscape architect.</p>
<p>City Community Services – Heritage (April 27, 2021)</p>	<p>A Heritage Permit, issued by the City of Mississauga, is required prior to any alteration of the Wilcox House, including moving it. Further comments will be forthcoming as a result of the review of a complete permit application. A complete Conservation Management Plan (CMP) is required for any heritage application which proposes alteration to a designated property.</p> <p>Heritage Planning does not support the relocation of the Wilcox House. If the applicant wishes to proceed with an application to alter the designated property, then the application will have to be supported by a CMP. A Heritage Engineer's report will also be required, detailing relocation costs and the extent of restoration work. Finally, all costs associated with moving the house and any and all restoration work required are required as part of the CMP.</p>

Agency / Comment Date	Comments
City Community Services – Culture (April 26, 2021)	<p>The recommended option regarding the Wilcox House does not comply with the policies of the City of Mississauga's Official Plan. Section 7.4.1.3 of MOP requires development to maintain locations for cultural heritage resources that are compatible with and enhance the character of the cultural heritage resource. Please provide further examination and justification as to how moving the heritage structure to meet the layout of the proposed development takes this policy into account. Heritage Planning suggests that the development should focus on maintaining the heritage structure in situ and make it a place of prominence and unique character within the overall development's design.</p> <p>The Heritage Impact Assessment (HIA) does not provide a full justification as to the proposed move of the Wilcox House. The HIA states that the move will be to a more prominent location but notes that the former location and entire corner of the property will be used as a POPs. Please provide further examination about how moving the house to a proposed POPs location would provide a more permanent location for the house.</p> <p>The HIA does not adequately determine the impacts which the Wilcox House would be subject to at the proposed location. The impact studies (shadow, vibration etc...) do not report on all options for the location of the Wilcox House. The HIA requires a full consideration of all potential impacts at the proposed location for the Wilcox House and compare it to impacts of leaving the house in situ.</p> <p>The vibration impact study relies on data provided by the Hurontario LRT studies. The Hurontario LRT HIA for the Wilcox House has not yet been completed. Please revise the vibration study and the HIA for this development to include this information when available.</p> <p>No underground parking is to occur underneath the Wilcox House. Further details regarding the design of underground parking within proximity to the Wilcox House are to be included within a revised HIA.</p> <p>The City of Mississauga strongly encourages the inclusion of public art in developments that are greater than 10,000 m² (100,000 sq. ft.) in gross floor area, with the exception of non-profit organizations and social housing. The HLRT transit corridor has been identified as a priority zone for public art. The applicant is encouraged to include public art near pedestrian walkway connections and/or make a cash contribution to the City's Public Art Reserve Fund for the inclusion of public art near the subject site. The dollar value of the public art contribution should be determined by the City's Planning and Building Department, together with the Public Art Program when calculating the value of construction for building permit fees on relevant projects.</p>
Fire Department (March 30, 2021)	<p>The fire access route dimensions mandated by the OBC / Bylaw 1036-81 don't appear to be met (e.g., 6 m (19.6 ft.)) minimum width with 12 m (39.4 ft.) (centreline turning radius). It would be beneficial to show the centreline of the access route complete with dimensions on the site plan drawing.</p>
City Transportation and Works Department (June 10, 2021)	<p>Technical reports and drawings have been submitted and are under review to ensure that engineering matters related to noise, grading, servicing, stormwater management, traffic and environmental compliance can be satisfactorily addressed to confirm the feasibility of the project, in accordance with City requirements.</p> <p>Based on a review of the materials submitted to date, the owner has been requested to provide additional technical details and revisions prior to the City making a recommendation on the application, as follows:</p>

Agency / Comment Date	Comments
	<p><u>Stormwater</u> A Functional Servicing and Stormwater Management Report Drainage Proposal prepared by Counterpoint Engineering Inc., dated August 2020 was submitted in support of the proposed development. The purpose of the report is to evaluate the proposed development impact on the municipal drainage system (e.g. storm sewers, watercourses, etc.) and to mitigate the quality and quantity impacts of stormwater run-off generated from the site. Mitigation measures may include improvements to existing stormwater servicing infrastructure, new infrastructure, and/or on-site stormwater management controls.</p> <p>The applicant is proposing to construct storm sewer infrastructure to service the development lands, and to implement on-site stormwater management controls for the post-development discharge.</p> <p>The applicant is required to provide further technical information to demonstrate:</p> <ul style="list-style-type: none"> • feasibility of the proposed storm sewer and outlet; • how groundwater will be managed on site; and • that there will be no impact to the City's existing drainage system <p><u>Traffic</u> A traffic impact study (TIS), prepared by BA Group Consulting Ltd. and dated August 2020, was submitted in support of the proposed development and a full review and audit was completed by Transportation and Works staff. Based on the information provided to date, staff are not satisfied with the study and require further clarification on the information provided.</p> <p>The applicant is required to provide the following information as part of subsequent submissions, to the satisfaction of the Transportation and Works Department:</p> <ul style="list-style-type: none"> • An updated TIS addressing all staff comments; • Satisfactory plans for the future internal road network including right-of-way widths and road configuration; and • Address any traffic concerns from the community related to the proposed development. <p><u>Environmental Compliance</u> Phase One Environmental Site Assessment (ESA) (ref # 232464), dated November 28, 2018, prepared by Pinchin was submitted in support of the proposed development. No further investigation is warranted at this time.</p> <p>The applicant is required to provide further technical information as part of a subsequent submission, including:</p> <ul style="list-style-type: none"> • Completed ESSQD Form • Reliance Letter for the Phase I ESA report • Dewatering Commitment Letter • Monitoring Wells Decommissioning Letter <p>Please note that a Record of Site Condition (RSC) filing for the property is required prior to By-law enactment.</p>

Agency / Comment Date	Comments
	<p><u>Noise</u> A Noise and Vibration Impact Study prepared by RWDI, dated July 31, 2020 was submitted for review. The noise study evaluates the potential impact both to and from the proposed development and recommends mitigation measures to reduce any negative impacts. Noise sources that may have an impact on this development include road, light rail, aircraft traffic, nearby commercial properties, and mechanical equipment of other residential buildings in the vicinity. Noise mitigation measures will be required. The applicant is required to update the report with further information in order to evaluate the feasibility of proposed mitigation measures and confirm how noise levels from light rail and other stationary sources may affect this development.</p> <p><u>Engineering Plans/Drawings</u> The applicant has submitted a number of technical plans and drawings (i.e. Grading and Servicing Plans), which need to be revised as part of subsequent submissions, in accordance with City Standards.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <ul style="list-style-type: none"> - Go Transit - Metrolinx - Greater Toronto Airport Authority - HULRT Office - Community Services - Arborist - Enbridge Gas - Economic Development - Alectra Utilities - Canada Post - Rogers Cable
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> - Ministry of Transportation - Trillium Health Partners

Development Requirements

There are engineering matters including: grading, engineering, servicing and stormwater management that will require the

applicant to enter into agreements with the City. Prior to any development proceeding on-site, the City will require the submission and review of an application for site plan approval.

8. Section 37 Community Benefits (Bonus Zoning)

Should these applications be approved by Council, staff will report back to Planning and Development Committee on the provision of community benefits as a condition of approval.

9. Next Steps

Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Is the proposed development compatible with the existing and planned character of the area given the proposed massing, building heights, and density, with respect to the following:
 - Are the proposed zoning by-law exception standards (building height, setbacks, landscape buffers, parking requirements, etc.) appropriate
 - Are the proposed heights appropriate given the capacity study that was undertaken for the Uptown Node and the recommendations of the Commissioner of Planning and Building on development applications on the north side of Eglinton Avenue, east and west of Hurontario Street
 - Is there sufficient separation from the apartments located on the site to the south

- Does the proposal meet the City's requirement for sun/shadow impacts
- Do the proposed driveways provide appropriate connections through the site based on the recent Uptown Node Study official plan amendment
- How will existing easements with adjacent properties be maintained during and following construction
- Can the existing street network satisfactorily address the traffic impacts from this proposal and minimize conflicts with adjacent properties
- Is there sufficient parkland and other community services in the area to support this development
- Is the proposed phasing of development appropriate
- Will the existing heritage building (Wilcox Building) be maintained to satisfaction of the City

Upon satisfying the requirements of various City departments and external agencies, the Planning and Building Department will bring forward a recommendation report to a future Planning and Development Committee meeting. It is at this meeting that the members of the Committee will make a decision on the applications.