

Barbertown Class 4 area Resolution

Whereas applications for plan of subdivision, official plan amendment and zoning by-law amendment were submitted by Barbertown Ventures Inc. ("applicant") on January 27, 2017 for lands municipally known as 1707 – 1725 Barbertown Road ("subject lands") to permit 96 townhomes under Files Nos. OZ 17/002 W6 and T-M17001 W6;

And whereas the City of Mississauga approved applications for plan of subdivision, official plan amendment and zoning by-law amendment to permit 75 freehold townhomes on the subject land on October 23, 2019;

And whereas Council's decision to approve the official plan amendment and zoning by-law amendment on the subject lands were appealed to the Local Planning Appeal Tribunal ("LPAT") by an adjacent land owner (ADM Agri-Industries - "Appellant") on November 21, 2019 on the basis of land use compatibility concerns including concerns with negative noise concerns between the proposed residential use and their industrial use;

And whereas the City has been informed orally that ADM Agri-Industries and Barbertown Ventures Inc. have reached a settlement on the LPAT appeals and apparently, this settlement is contingent upon the subject property being classified as a Class 4 area pursuant to the Provincial Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning ("NPC-300");

And whereas A Class 4 classification allows for higher sound level limit relative to a Class 1 area, up to 5 decibels (dBA) in outdoor areas and up to 10 dBA at window panes (plane of window), in recognition of the incorporation of air conditioning and upgraded windows in the applicant's development;

And whereas in this case, because the Class 4 classification only applies to the applicant's lands and therefore does not have the effect of permitting ADM to exceed the lower Class 1 sound level limit as it relates to existing residential development in the vicinity of ADM;

And whereas Mississauga Official Plan contains policies with criteria for establishing Class 4 classifications;

And whereas in order to facilitate a potential LPAT appeal settlement, Council's approval of the Class 4 area classification has been requested by the applicant and appellant pursuant to the NPC-300; and

Therefore be it resolved that the subject lands (1707 – 7125 Barbertown Road) be classified as a Class 4 area pursuant to the NPC-300.

A handwritten signature in dark ink, appearing to read "Paul Starn", is written over a faint, light-colored rectangular stamp or watermark.