

City of Mississauga
Corporate Report



<p>Date: May 27, 2022</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: CD.21.INT W11</p>
	<p>Meeting date: June 20, 2022</p>

Subject

PUBLIC MEETING INFORMATION REPORT (WARD 11)

Motor Vehicle Commercial Land Use Study - Mississauga Road, south of the Canadian Pacific Railway

File: CD.21.INT W11

Recommendation

That the report dated May 27, 2022, from the Commissioner of Planning and Building regarding Motor Vehicle Commercial Land Use Study – Mississauga Road, south of the Canadian Pacific Railway, under File CD.21.INT W11 be received for information.

Background

On October 13, 2021, Council passed Resolution No. 0192-2021, directing Planning and Building staff to undertake a land use study of Zoning By-law 0225-2007 provisions and related Mississauga Official Plan policies for the lands zoned Motor Vehicle Commercial – Exception (C5-3) fronting, flanking, and/or abutting Mississauga Road, south of the Canadian Pacific Railway, for the purposes of determining appropriate permitted uses, regulations, and applicable land use policies.

Resolution No. 0192-2021 also directed Council to enact an interim control by-law for those lands subject to the land use study. Interim control by-law 0221-2021 was passed October 13, 2021 and has the effect of permitting only uses legally existing on the date of passing of the by-law for a period of one year, pending the completion of the abovementioned land use study.

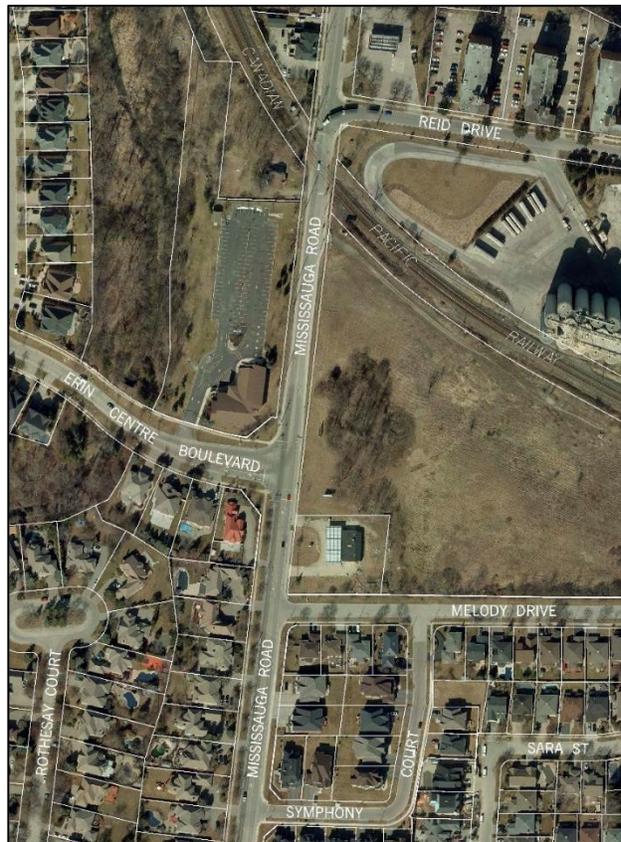
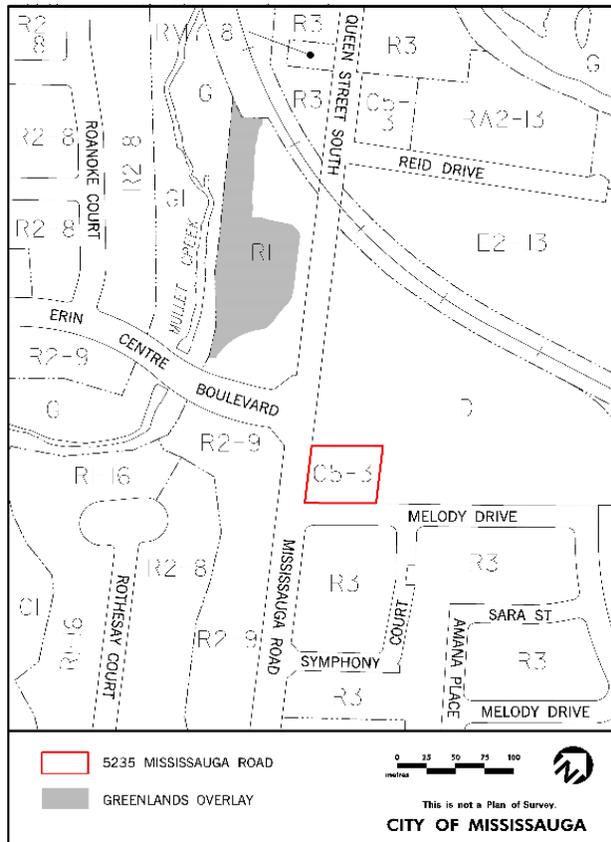
Refer to Appendix 2 for Council Resolution No. 0192-2021 and Appendix 3 for Interim control by-law 0221-2021.

The purpose of this report is to present the relevant land use policies, regulations, guidelines and other planning considerations that apply to the subject lands; to present proposed amendments to the zoning by-law resulting from the planning analysis; and, to hear comments from the public on the proposed changes.

Comments

The land use study resulting from Council Resolution No. 0192-2021, applies to all properties currently zoned **C5-3** (Motor Vehicle Commercial – Exception), which front, flank, and/or abut Mississauga Road, south of the Canadian Pacific (CP) Railway.

There is one property within the study area that is zoned **C5-3** (Motor Vehicle Commercial – Exception), which is located at 5235 Mississauga Road. This property has operated as a motor vehicle repair facility since the 1960s. Recent development activity on the property has resulted in Council directing Planning and Building staff to undertake a land use study to determine the appropriate permitted uses, regulations and applicable land use policies, bearing in mind the location of the property on Mississauga Road, a designated Scenic Route in Mississauga Official Plan (MOP).



All Lands Zoned **C5-3** (Motor Vehicle Commercial – Exception) within the Study Area

Aerial Image of Study Area

LAND USE POLICIES AND REGULATIONS

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.

In addition to reviewing the relevant policies of Mississauga Official Plan, Planning and Building staff have also reviewed the applicable regulations of Zoning By-law 0225-2007, the Urban Design Guidelines for Mississauga Road Scenic Route and the findings and recommendations of the City of Mississauga's Cultural Heritage Landscape Project.

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

Engagement and Consultation

A virtual community meeting was held on November 30, 2021 and approximately 8 residents were in attendance. A second community meeting has been scheduled for June 7, 2022. The issues raised by residents at the November 30, 2021 meeting are summarized in Appendix 1, Section 5. Resident comments from the two community meetings and June 20, 2022 statutory public meeting will be summarized in the recommendation report to be presented at a future Planning and Development Committee meeting.

Conclusion

Staff are recommending amendments to the zoning by-law that would have the effect of restricting development on the property to what is legally existing and removing permissions for a take-out restaurant and associated drive-through facilities on the subject lands.

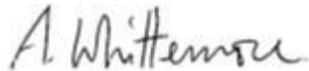
Once the community meeting and public meeting have been held, the Planning and Building Department will make a recommendation regarding the proposed amendments at a future Planning and Development Committee meeting.

Attachments

Appendix 1: Detailed Information and Preliminary Planning Analysis

Appendix 2: Council Resolution No. 0192-2021

Appendix 3: Interim Control By-law 0221-2021



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

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Detailed Information and Preliminary Planning Analysis
Motor Vehicle Commercial Land Use Study - Mississauga Road South
of the Canadian Pacific Railway

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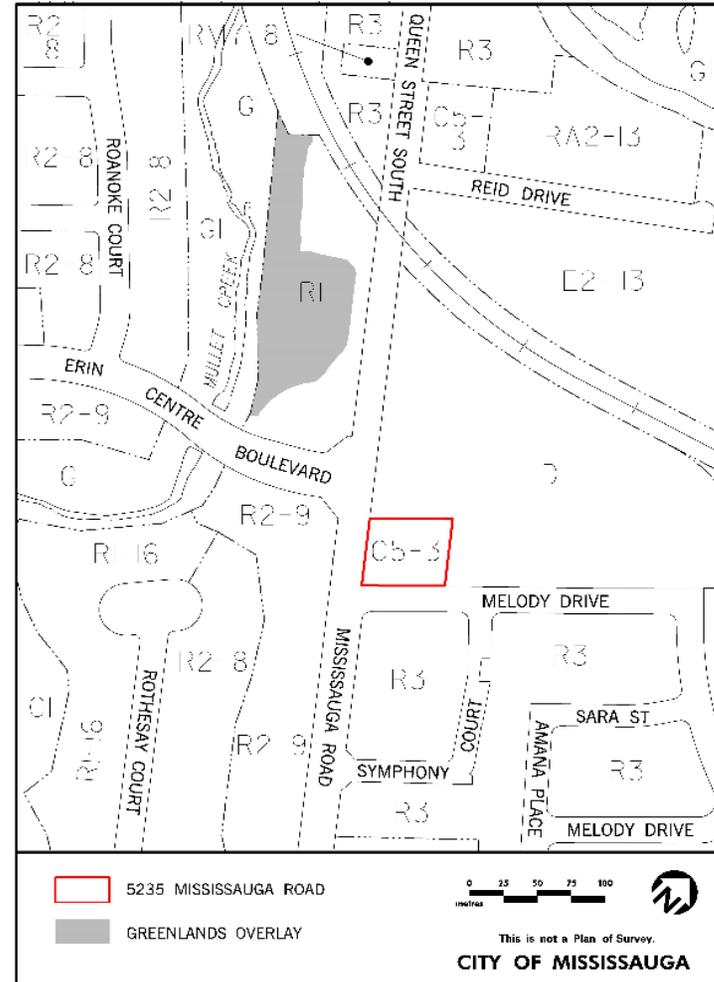
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1. Study Area

Council Resolution No. 0192-2021 applies to all properties currently zoned **C5-3** (Motor Vehicle Commercial – Exception), which front, flank, and/or abut Mississauga Road, south of the Canadian Pacific (CP) Railway and north of Melody Drive.

5235 Mississauga Road is the only property that fronts Mississauga Road, between the CP Railway and Melody Drive. This property is zoned **C5-3** (Motor Vehicle Commercial – Exception) and has operated as a motor vehicle service station (repair facility) since the 1960s. Recent development activity on the property has resulted in Council directing Planning and Building staff to undertake a land use study to determine the appropriate permitted uses, regulations and applicable land use policies, while being cognisant of the location of the property on Mississauga Road, a designated Scenic Route in Mississauga Official Plan (MOP).



All Lands Zoned **C5-3** (Motor Vehicle Commercial – Exception) within the Study Area

2. Site Description and History

Site Description

The property at 5235 Mississauga Road is located at the northeast corner of Mississauga Road and Melody Drive.

The property is currently occupied by an Esso gas bar with accessory convenience kiosk and a **motor vehicle repair facility – restricted** (LA Auto Repairs). The property has two driveways from Mississauga Road and surface parking between the building and south property line. There is minimal vegetation on the property, with a few privately owned trees along the Mississauga Road frontage.



Current view of 5235 Mississauga Road

Frontages:	51.8 m (169.9 ft.)
Depth:	61.1 m (200.5 ft.)
Gross Lot Area:	0.3 ha (0.8 ac.)
Existing Uses:	Esso gas bar with accessory convenience kiosk and a motor vehicle repair facility - restricted

Site History

- Early to mid- 1960s – subject lands developed as a motor vehicle service centre (i.e. repair facility)
- January 26, 1966 – Zoning By-law 5500 came into force and effect. The subject lands are zoned **M1** (Industrial), permitting a variety of industrial uses, including an automobile repair garage facility
- December 16, 1985 – As a result of an Ontario Municipal Board (OMB) hearing, Council adopted By-law 1203-85; rezoning the lands to **AC-1395** (Automobile Commercial – Exception). This site specific zone allowed an automobile service centre (i.e. sale of automotive service components (batteries, spark plugs, etc.), and/or the minor repairs of small-motor vehicles) as an additional permitted use; while removing the permission for the sale of gasoline (gas bar)

- June 20, 2007 – Zoning By-law 0225-2007 came into force and effect. Zoning By-law 0225-2007 consolidated six previous **AC** (Automobile Commercial) zones, as well as their associated permitted uses, into the singular **C5** (Motor Vehicle Commercial) zone; with the subject lands ultimately zoned **C5-3** (Motor Vehicle Commercial – Exception). As a result of this consolidation, a gas bar was reinstated as a permitted use on the subject lands. This exception zone specifically prohibits a **motor vehicle wash facility-restricted**
- September 2017 – Mississauga Road Scenic Route Urban Design Guidelines were established to protect the special character of Mississauga Road in response to increasing redevelopment pressure
- February 8, 2019 – Mississauga Road Scenic Route policies are incorporated into Mississauga Official Plan through MOPA 64
- April 9, 2020 – Building Permit (BP 9SMAL 20-718) issued for an extension of the existing front canopy. The application description specifies that no change in use is proposed from the existing service station
- February 27, 2020 – Site Plan Approval Express Application (SPAX 20-026 W11) approved an extension to the existing unilluminated canopy on-site for the continued use of the property for an **motor vehicle service station**
- September 14, 2020 – Building Permit (BP 9SMAL 20-2142) issued for a small one storey rear addition and interior alterations for the existing **motor vehicle service station**. The small rear addition was intended to replace an existing shed at the rear of the building. The application description specifies that no change in use is proposed from the existing service station
- September 17, 2021 – Technical Standards and Safety Authority (TSSA) approvals were obtained to permit the installation of gasoline pumps and tanks on the property*. With the installation of these facilities, the existing structure was repurposed to operate as an Esso gas bar with an accessory convenience kiosk
- December 17, 2021 – Minor Variance Application (A66/22) submitted to allow a motor vehicle sales-restricted use on the property to sell five vehicles at any given time, whereas **motor vehicle sales- restricted** is not a permitted use. The application was withdrawn

*There are no requirements for the TSSA to notify local municipalities of applications received or approvals granted for fuel storage and/or distribution infrastructure.



5235 Mississauga Road, September 2007
 (source: Google Streetview)



5235 Mississauga Road, January 2021
 (source: Google Streetview)



5235 Mississauga Road, September 2019
 (source: Google Streetview)

3. Site Context

Surrounding Land Uses

The subject lands, combined with the vacant property that surrounds it to the north and east, act as a transitional area between the residential lands south of Melody Drive and the Streetsville Village Core, which is located north of the CP Railway.

5267 Mississauga Road is a large vacant parcel that surrounds the subject property to the north and east. This parcel has been subject to official plan amendment, rezoning and draft plan of subdivision applications (OZ/OPA 11/019 W11 and 21T-M 11/006 W11) over the past several years. These applications, which proposed ten lots on Melody Drive to accommodate detached homes and three, 1 storey, retail, service commercial

and office buildings on the remainder of the property, were refused by City Council. The applicant appealed Council's decision to the Ontario Municipal Board (OMB), who ultimately approved a modified version of the proposal. The OMB's final order has been withheld pending receipt of a revised zoning by-law that implements the Board's direction. At the time of writing this report, a zoning by-law has not been finalized and a final Board order has not been issued.

On the west side of Mississauga Road, between the CP railway and Erin Centre Blvd is a detached home and the Kingdom Hall of Jehovah's Witnesses. South of Erin Centre Boulevard are detached homes, fronting Mississauga Road, on large lots with generous setbacks.

Neighbourhood Context

The subject property is located in the Central Erin Mills Neighbourhood Character Area, an area bounded by the Streetsville Community Node and Britannia Road West to the north, Winston Churchill Boulevard to the west, the Credit River to the east and Highway 403 to the south. The Central Erin Mills Neighbourhood Character Area is occupied predominantly by residential land uses, mainly in the form of detached, semi-detached and townhomes, with a few apartment buildings dispersed throughout. There are also some retail and service commercial uses dispersed throughout the Character Area.

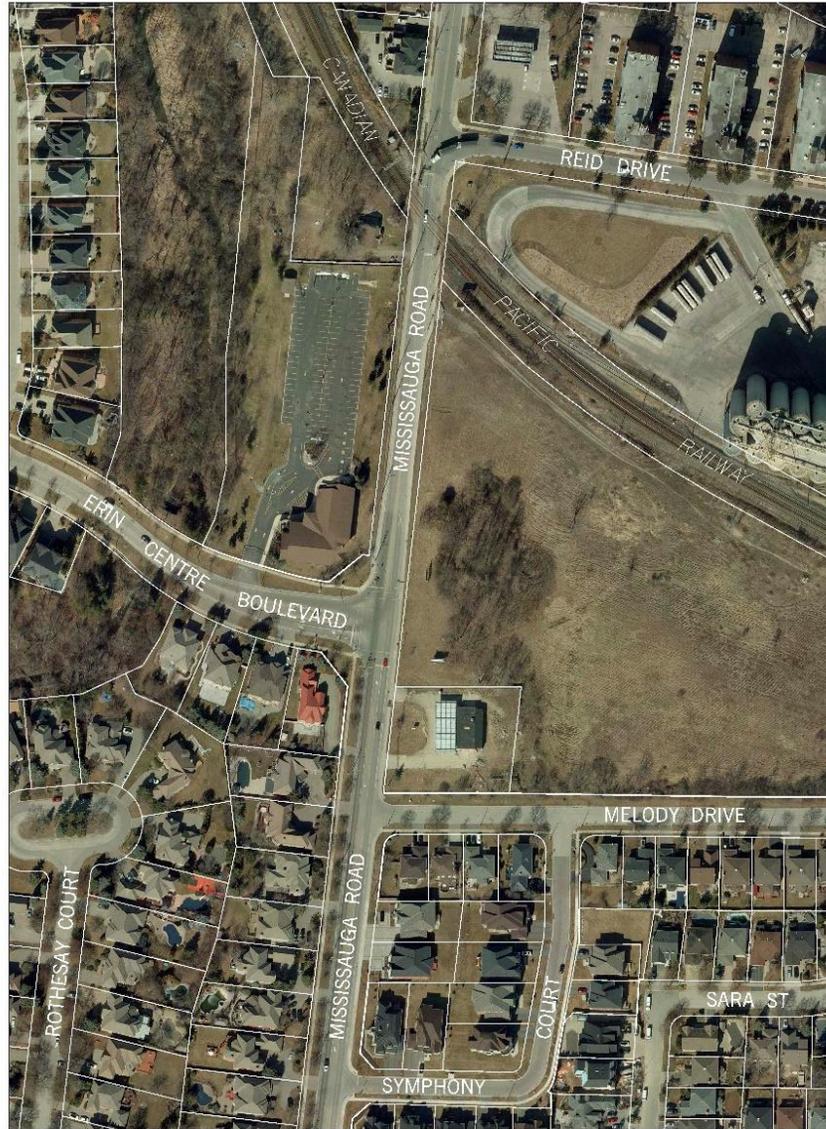
The lands on both sides of Mississauga Road, from Melody Drive/Erin Centre Boulevard to Eglinton Avenue West are

occupied primarily by large detached homes on large lots with generous building setbacks and mature vegetation.

The Streetsville Neighbourhood Character Area is located north of the CP Railway. This change in Character Area coincides with the southern limits of the Streetsville Village Core and the renaming of Mississauga Road to Queen Street. Aside from the Ardent Mill and a Husky gas station on the east side of Mississauga Road, immediately north of the CP railway, the east and west side of Queen Street are occupied by detached and some semi-detached homes, many of which have been converted into offices.

Mississauga Road is a designated Scenic Route in Mississauga Official Plan (MOP). Given the significance of Mississauga Road in the City's history, the vast majority of properties that front, flank and/or abut Mississauga Road are either Listed or Designated Heritage Properties and are captured within the Mississauga Road Scenic Route Cultural Heritage Landscape.

The CP Railway crossing at Mississauga Road/Queen Street South is currently a level crossing. With long-term plans to increase commuter service on the Milton GO Transit line, an assessment will be required to determine the appropriateness of a grade separated crossing at this intersection. Adjacent lands would be required to accommodate a grade separated crossing, should one be necessitated.



Aerial Image of Study Area

4. Summary of Applicable Policies, Regulations, and Guidelines

Mississauga Official Plan

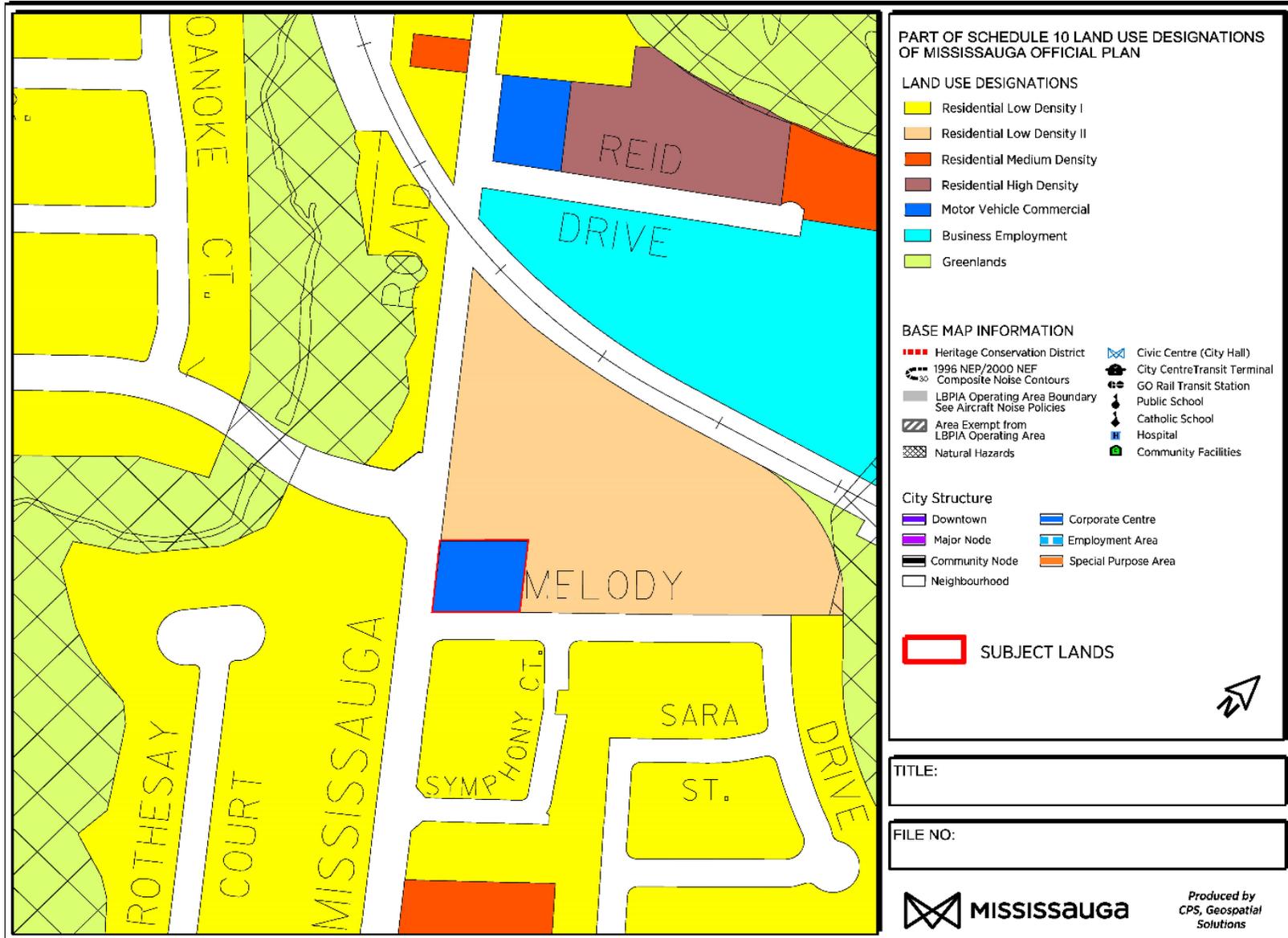
The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms with the Growth Plan, Greenbelt Plan, PBWP and ROP. An update to MOP is currently underway to ensure MOP is consistent with and conforms to changes resulting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

Current Designation

The subject lands are located within the Central Erin Mills Neighbourhood Character Area and are designated **Motor Vehicle Commercial**. The **Motor Vehicle Commercial** designation permits a gas bar; motor vehicle repair; motor vehicle service station; and, motor vehicle wash. Retail stores and take-out restaurants which may include a drive-through are permitted accessory to motor vehicle commercial uses.

The lands fronting, flanking and/or abutting Mississauga Road, between the CP Railway, located south of Reid Drive, and Lakeshore Road West, are part of the designated Mississauga Road Scenic Route, as delineated on Schedule 5 (Long Term Road Network) of MOP. MOP includes specific policies that apply to lands along the Mississauga Road Scenic Route that

are intended to preserve the historic streetscape character and appearance.



Excerpt of the Central Erin Mills Neighbourhood Character Area

Relevant Mississauga Official Plan Policies

The following policies are applicable to the land use study. In some cases the description of the general intent summarizes multiple policies.

	General Intent
<p>Chapter 5 Direct Growth</p>	<p>Mississauga will protect and conserve the character of stable residential Neighbourhoods. (Section 5.1.7)</p> <p>Neighbourhoods will not be the focus for intensification and should be regarded as stable residential areas where the existing character is to be preserved. (Section 5.3.5.1)</p> <p>Development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale. (Section 5.3.5.7)</p>
<p>Chapter 7 Complete Communities</p>	<p>Mississauga will recognize the significance of and act responsibly in the identification, protection, and enhancement of structures, sites, cultural heritage landscapes, environments, artifacts, traditions, and streetscapes of historical, architectural or archaeological significance. (Section 7.1.8)</p> <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’s cultural heritage resources reflect the social, cultural and ethnic heritage of the city and, as such, are imperative to conserve and protect. Cultural heritage resources are structures, sites, environments, artifacts and traditions that are of cultural, historical, architectural, or archaeological value, significance or interest. These include, but are not limited to:</p> <ul style="list-style-type: none"> • environments such as landscapes, streetscapes, flora and fauna within a defined area, parks, heritage trails and historic corridors; (Section 7.4.1) <p>Mississauga will maintain a Heritage Register of property, including structures and cultural landscapes that should be preserved as cultural heritage resources. The cultural heritage resources in the Heritage Register will be assessed based on their design or physical value, historical or associative value, contextual value and archaeological significance including the aggregation of both natural and cultural heritage resources. (Section 7.4.1.7)</p>

	<p>General Intent</p> <p>Mississauga will regulate use and other matters, as appropriate, for heritage preservation through zoning by-laws. (Section 7.4.1.15)</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>
<p>Chapter 9 Build a Desirable Urban Form</p>	<p>Mississauga will promote a built environment that protects and conserves heritage resources. (Section 9.1.7)</p> <p>Cultural heritage resources are valued and should be preserved for future generations. Heritage properties, districts and landscapes create a unique sense of place and local identity. In addition to their historic associations, cultural heritage resources are landmarks and focal points that contribute to the overall city image. (Section 9.2.4)</p> <p>Special care will be taken with development along scenic routes to preserve and complement the scenic historical character of the street. (Section 9.3.3.10)</p> <p>Lands fronting, flanking and/or abutting Mississauga Road, between the Canadian Pacific Railway, located south of Reid Drive, and Lakeshore Road West, are part of a designated scenic route. These lands will be subject to the following:</p> <ul style="list-style-type: none"> a. in order to preserve its historic streetscape character and appearance, residential development will only consist of detached dwellings and will generally be on lots with a minimum depth of 40 m. This policy does not apply within the Port Credit Local Area Plan; b. direct vehicular access to Mississauga Road will be encouraged; c. upgraded building elevations, including principal doors and fenestrations, will be required facing Mississauga Road; f. building massing, design, setbacks and lot frontages will be consistent with surrounding buildings and lots; h. alternative on-site turn-arounds, such as hammerhead driveways, will be encouraged in order to reduce reverse movements and the number of driveway entrances. Circular driveways will be discouraged; i. tree preservation and enhancement will be required on public and private lands in order to maintain existing trees; j. removal of existing landscape features, including but not limited to stone walls, fences and hedgerows, will be discouraged;

	General Intent
	<ul style="list-style-type: none"> k. utilities will be located to minimize the impact on existing vegetation; l. grading for new development will be designed to be compatible with and minimize differences between the grades of the surrounding area, including Mississauga Road. Retaining walls as a grading solution will be discouraged; and m. opportunities to enhance connections to nearby pedestrian, cycling and multi-use trails, particularly within the Credit River Valley Corridor, will be encouraged (Section 9.3.3.11) <p>The existing and planned non-residential uses along Mississauga Road, between the Canadian Pacific Railway, located south of Reid Drive, and Melody Drive, will be developed with the highest design and architectural quality. These developments will incorporate the scale, massing, patterns, proportions, materials, character and architectural language found in the best executed examples of commercial conversions of residential buildings within Streetville's historic mainstreet commercial core. Sufficient landscaping and setbacks along Mississauga Road will be provided. Should any of these sites be developed for residential uses, they will maintain the character of the rest of Mississauga Road as outlined in the scenic route policies of this Plan. (Section 9.3.3.12)</p> <p>Development in proximity to landmark buildings or sites, to the Natural Areas System or cultural heritage resources, should be designed to:</p> <ul style="list-style-type: none"> a. respect the prominence, character, setting and connectivity of these buildings, sites and resources; and b. ensure an effective transition in built form through appropriate height, massing, character, architectural design, siting, setbacks, parking, amenity and open spaces. (Section 9.5.1.15)
Chapter 11 General Land Use Designations	<p>In addition to the Uses Permitted in all Designations, lands designated Motor Vehicle Commercial will also permit the following uses:</p> <ul style="list-style-type: none"> a. gas bar; b. motor vehicle repair; c. motor vehicle service station; and d. motor vehicle wash. (Section 11.2.10.1) <p>Retail stores and take-out restaurants which may include a drive-through facility will be permitted accessory to Motor Vehicle Commercial uses. (Section 11.2.10.2)</p>

	General Intent
	<p>Motor Vehicle Commercial uses will be encouraged to locate at intersections, except where such locations are important or sensitive in terms of city image, area character, streetscape or significant natural features. (Section 11.2.10.3)</p> <p>Motor Vehicle Commercial uses will be discouraged as single uses at important intersections and should be integrated with other commercial development. (Section 11.2.10.4)</p> <p>Generally more than one Motor Vehicle Commercial use at any intersection will be discouraged. However, a maximum of two Motor Vehicle Commercial uses may be permitted at any intersection. When two Motor Vehicle Commercial uses locate at the same intersection they are encouraged to locate at diagonally opposite corners, where feasible. (Section 11.2.10.5)</p> <p>Motor Vehicle Commercial uses along the same street are encouraged to locate on alternate sides of the street. (Section 11.2.10.6)</p>
Chapter 16 Neighbourhoods	There are no Character Area specific policies pertaining to the subject lands in the Central Erin Mills Neighbourhood Character Area.
Chapter 19 Implementation	<p>City Council may pass an Interim Control By-law prohibiting the use of land, buildings or structures within the city or within a defined area of the city for a limited period of time as specified by the Planning Act. Interim Control measures may be considered and enacted for the purposes of undertaking studies where development pressures warrant a review of zoning. (Section 19.10.1)</p> <p>To provide consistent application of planning and urban design principles, all development applications will address, among other matters:</p> <ul style="list-style-type: none"> h. the suitability of the site in terms of size and shape, to accommodate the necessary on site functions, parking, landscaping, and on site amenities; (Section 19.4.3)

Mississauga Zoning By-law

The **C5** (Motor Vehicle Commercial) zone permits a **gas bar, motor vehicle service station, motor vehicle wash facility – restricted, and motor vehicle repair facility – restricted**. The **C5-3** (Motor Vehicle Commercial – Exception) zone has the effect of removing **motor vehicle wash facilities – restricted**, as a permitted use.

The Zoning By-law includes specific regulations for buildings and structures used for a gas bar, motor vehicle service station, motor vehicle wash facility – restricted, or a motor vehicle repair facility – restricted. These regulations are summarized as follows:

Table 6.1.2.1 - Regulations for Motor Vehicle Service Uses in a Commercial Zone

Line	Regulations	
1.4	Minimum Lot Frontage – Corner Lot	48.0 m (157.5 ft.)
2.1	Minimum setback from a lot line to a fuel pump	6.0 m (19.7 ft.)

Current Zoning

Additionally, the following zoning regulations apply to the **C5** (Motor Vehicle Commercial) zone:

Table 6.2.1 - C5 Zone Regulations

Line	Regulations	
4.0	Minimum Front Yard	4.5 m (14.8 ft.)
6.0	Minimum Exterior Side Yard	4.5 m (14.8 ft.)
8.5	Minimum Interior Side Yard (for any zone that is not a residential zone)	4.5 m (14.8 ft.)
9.5	Minimum Rear Yard (for any zone that is not a residential zone)	4.5 m (14.8 ft.)
11.1	Maximum Height	6.0 m (19.7 ft.) and 2 storeys
12.1	Minimum depth of a landscaped buffer measured from a lot line that is a street line	4.5 m (14.8 ft.)
12.4	Minimum depth of a landscaped buffer measured from any other lot line	4.5 m (14.8 ft.)

The following zoning by-law definitions are relevant:

Convenience Retail and Service Kiosk	means a building, structure or part thereof, accessory to a motor vehicle service station , a gas bar , a motor vehicle wash facility - commercial motor vehicle or a motor vehicle wash facility - restricted , with a maximum gross floor area of 300 m ² (3,229.2 ft ²), and where goods may be stored or offered for sale, and may include as accessory thereto a banking machine and/or a take-out restaurant with or without a drive-through, excluding seating, and not exceeding a gross floor area of 30 m ² (322.9 ft ²).
Gas Bar	means a building, structure , area or part thereof, where fuel for motor vehicles is dispensed and may include accessory thereto a convenience retail and service kiosk and the sale of propane cylinders .
Motor Vehicle Service Station	means a building, structure or part thereof, used for the servicing and repairing of motor vehicles and for the sale of fuel, oils, and accessories for motor vehicles , and may include accessory thereto a convenience retail and service kiosk and the sale of propane cylinders .
Motor Vehicle Wash Facility- Restricted	means a building, structure or part thereof, used for the washing of motor vehicles with automatically operated equipment located wholly within an enclosed building, structure or part thereof, but shall not include time-pay washing facilities, coin-operated washing facilities, wand washing facilities or other manually operated equipment or facilities for the washing of motor vehicles .
Motor Vehicle Repair Facility – Restricted	means a building, structure or part thereof, where mechanical repairs are made to motor vehicles and shall include the repair and installation of motor vehicle windshields, motor vehicle equipment, rustproofing and may include accessory thereto a motor vehicle diagnostic centre and motor vehicle cleaning/detailing facility.
Take-Out Restaurant	means a building, structure or part thereof, that shall not include a drive-through where food, prepared on or off the premises, is offered for sale to the public with consumption of food on or off the premises, and a maximum of six seats shall be permitted.

Urban Design Guidelines: Mississauga Road Scenic Route

In response to increasing redevelopment pressures, Urban Design Guidelines for the Mississauga Road Scenic Route were developed to ensure that new development is designed to be compatible with and sensitive to the established character of the Scenic Route and to minimize undue impacts on adjacent properties.

The Urban Design Guidelines characterize the built form and landscape features along the Scenic Route as being:

- largely rural in character with large ‘estate’ lots
- a narrow and winding road alignment
- primarily residential uses
- an architecture that reflects its historic past
- established and mature vegetation and significant tree canopy
- a variety of heritage, cultural and landscape features

The design principles in the Urban Design Guidelines for the Mississauga Road Scenic Route have been incorporated into Mississauga Official Plan in policies 9.3.3.11 and 9.3.3.12 (Refer to the Relevant Official Plan Policies table above).

City of Mississauga Cultural Heritage Landscapes Project

The Provincial Policy Statement defines a Cultural Heritage Landscape (C.H.L.) as a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as

buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

The City of Mississauga recently undertook a review of its Cultural Heritage Landscape Inventory (2005). The project was undertaken in two phases, with Phase One evaluating eight landscapes and two cultural features prioritized by the City, including the Mississauga Road Scenic Route. A final report was prepared that presents the results of both phases of the project and provides an implementation plan and interpretation strategy. Volume 1 of the final report, titled “Conserving Heritage Landscapes: Cultural Heritage Landscape Project”, describes the Mississauga Road Scenic Route as:

Mississauga Road is one of Mississauga’s oldest north-south transportation corridors and has historically connected some of the City’s oldest communities, including Port Credit, Erindale, and Streetsville. While the roadway extends the entire north-south extent of Mississauga, the Mississauga Road C.H.L. runs from Lakeshore Road West in the south to Britannia Road in the north. In the southern half of the C.H.L., the road follows an Indigenous trail along the top of bank of the Credit River. This C.H.L. is known for its scenic quality with views to the Credit River and associated valley, varied topography and land use,

significant residential neighbourhoods, and mature trees and natural vegetation.

The project concluded that the Mississauga Road Scenic Route is a Significant C.H.L. and recommended a series of strategies to ensure that it is conserved through the appropriate protection measures, including identifying the Mississauga Road Scenic Route as a Significant C.H.L. in the City's new Official Plan (Official Plan review currently underway) through appropriate mapping and incorporating policies related to the identified heritage attributes. In addition to the recommended strategies to conserve the Significant C.H.L.s, the final report also prioritized Significant C.H.L.s based on speed of implementation of the conservation strategies or based on the degree of potential threat of loss of the elements that contribute to the significance of the C.H.L. The Mississauga Road Scenic Route is identified as medium priority for implementation of the recommended conservation strategies, which recognizes that there is a potential threat to the heritage attributes of the C.H.L. However, this area is less prone to development that would result in detrimental change to the C.H.L. due to existing policies, regulations and guidelines that already apply to the Mississauga Road Scenic Route.

5. Community Questions and Comments

A community meeting was held by Ward 11 Councillor, George Carlson on November 30, 2021. Written submissions from two separate parties have also been 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.

- Questioning the elimination of the land use restrictions resulting from the 1985 OMB decision which removed a gas bar as a permitted use
- Objection to the operation of a gas station so close to residential properties
- Concerns regarding current traffic congestion on Mississauga Road, including backups at the CP Railway tracks
- Concerns regarding the impacts that a grade separation at Mississauga Road and the CP Railway to accommodate increased GO service would have on redevelopment of the lands in this area
- Concerns with view from Melody Drive and property maintenance
- Can vehicular access to Melody Drive be prevented?
- Can a fence and/or planting be required along the Melody Drive frontage?

6. Preliminary Recommendation

The existing gas bar and motor vehicle repair facility have been legally established in accordance with the City's Zoning By-law, prior to the passing of the Interim Control By-law.

Site Plan approval was not required nor could it be required under the provisions of the *Planning Act*, with respect to the new pavement or curbs.

With respect to future development and use of the property, staff are recommending amendments to the zoning by-law that would have the effect of restricting further development on the property to that which is legally existing and removing any land use permissions for a take-out restaurant and associated drive-through facility.

7. Next Steps

Subject to any comments received on the above-noted preliminary recommendations, as well as applicable policies, regulations and guidelines that have been summarized above, 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 Planning and Development Committee will make a decision on staff's recommendation.

A motion to enact an Interim Control By-law under section 38 of the Planning Act, R.S.O. 1990 c.P.13 as amended along Mississauga Road south of the Canadian Pacific Railway (Ward 11)

RESOLUTION 0192-2021

Moved By Councillor G. Carlson

Seconded By Councillor M. Mahoney

WHEREAS Mississauga Official Plan states that special care will be taken with development along scenic routes to preserve and complement the scenic historic character of the street;

AND WHEREAS Mississauga Official Plan identifies lands fronting, flanking and/or abutting Mississauga Road, between the Canadian Pacific Railway, located south of Reid Drive, and Lakeshore Road West as part of a designated scenic route;

AND WHEREAS Mississauga Official Plan states that the existing and planned non-residential uses along Mississauga Road, between the Canadian Pacific Railway, located south of Reid Drive, and Melody Drive, will be developed with the highest design and architectural quality;

AND WHEREAS Zoning By-law 0225-2007 permits a range of uses in the Motor Vehicle Commercial (C5) and Motor Vehicle Commercial - Exception (C5) zones;

AND WHEREAS recent motor vehicle service development activity along Mississauga Road has raised awareness about the potential incompatibility of uses in Motor Vehicle Commercial - Exception (C5 - 3) zone along the Mississauga Road scenic route related to matters such as the preservation of the scenic historical character of the street, number of driveway entrances and building design, massing and setbacks;

AND WHEREAS the opportunity to implement the Mississauga Road scenic route planning vision is an important priority for the City;

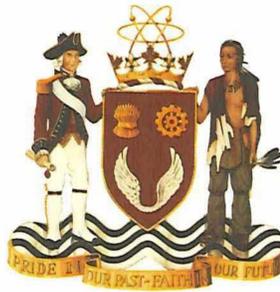
AND WHEREAS that in order to protect the planning vision for the Mississauga Road scenic route from being undermined due to incompatible development it is in the public interest to enact an interim control by-law in order to create breathing space for an appropriate planning study to be carried out to review whether the existing zoning and Official Plan policies warrant amendments in light of the scenic route policy objectives;

THEREFORE BE IT RESOLVED that: 1. The Planning and Building Department be directed to undertake a study of Zoning Bylaw 0225-2007 provisions, as amended, and related Mississauga Official Plan policies for the lands zoned Motor Vehicle Commercial - Exception (C5 - 3) fronting, flanking and/or abutting Mississauga Road south of the Canadian Pacific Railway to determine appropriate permitted uses, regulations and applicable land use policies. 2. City Council enact an interim control by-law pursuant to Section 38 of the Planning Act for a period of one year for the lands zoned Motor Vehicle Commercial - Exception (C5 - 3) fronting, flanking and/or abutting Mississauga Road, south of the Canadian Pacific Railway as the City conducts the land use study described in paragraph 1.

YES (10): Councillor S. Dasko, Councillor C. Fonseca, Councillor J. Kovac, Councillor C. Parrish, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor P. Saito, Councillor S. McFadden, and Councillor G. Carlson

ABSENT (2): Mayor Crombie, and Councillor K. Ras

Carried (10 to 0)



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0221-2021

An Interim Control By-law

under section 38 of the *Planning Act*, R.S.O. 1990 c.P.13 as amended.

WHEREAS pursuant to section 38 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass an Interim Control By-law for a period of time which shall not exceed one year from the date of passage of the By-law where the council has directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof;

AND WHEREAS Council of The Corporation of the City of Mississauga has directed by resolution that a study be undertaken to examine the motor vehicle commercial land use policies and zoning provisions for certain lands abutting the Mississauga Scenic Route (the "Study");

AND WHEREAS the Council of the Corporation of the City of Mississauga has directed by resolution that while the Study is undertaken an interim control by-law be enacted for a period of one year for certain lands abutting Mississauga Road south of the Canadian Pacific Railway as part of a designated scenic route, pursuant to section 38 of the *Planning Act*;

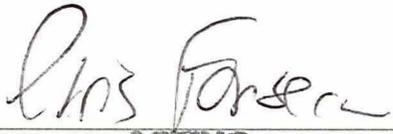
NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. That the lands, buildings and structures zoned "C5-3" in By-law 0225-2007, as amended, abutting Mississauga Road, south of the Canadian Pacific Railway, as shown on Schedule "A" to this By-law, shall not be used for any uses except such uses legally existing on the date of passing of this By-law.

3. This By-law expires one year from the date of its passage by Council.

PASSED this 13th day of October, 2021.

Approved by Legal Services City Solicitor City of Mississauga
MEM
Michal Minkowski
Date: October 13, 2021
File: CD.21-INT

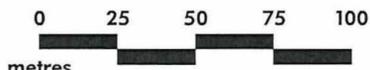
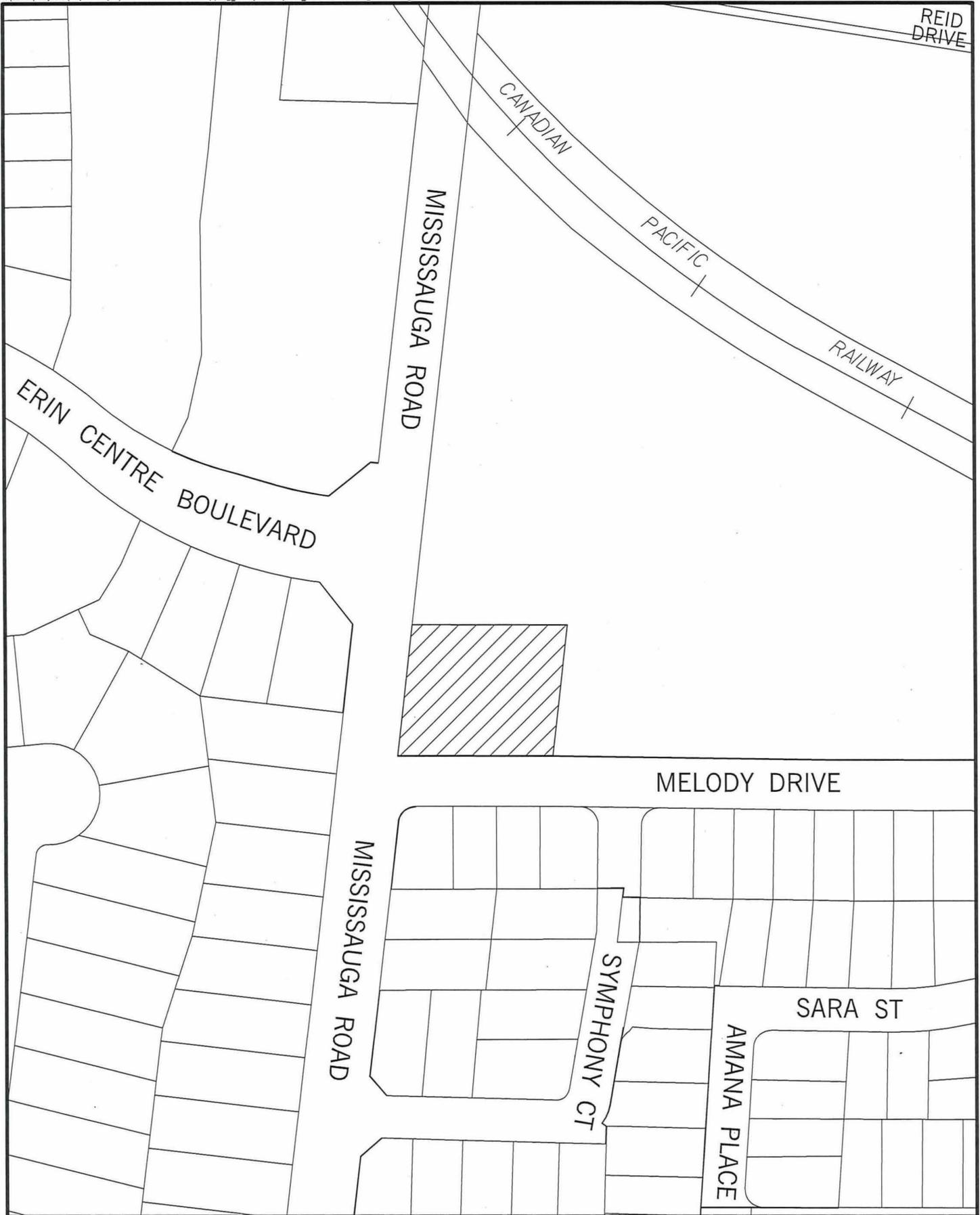


ACTING MAYOR



CLERK

I:\cadd\Projects\ReportMaps\217196 C5-3 Zone Mapping_RPT\Vector\CBL_5235 Mississauga Road.dgn



APPENDIX "A" TO BY-LAW NUMBER 0221-2021

Explanation of the Purpose and Effect of the By-law

This By-law restricts the use of certain lands zoned "C5 - 3" (Motor Vehicle Commercial - Exception) abutting Mississauga Road, south of the Canadian Pacific Railway abutting the Mississauga Scenic Route for a period of one year, pending the completion of a review of Mississauga Official Plan policies and zoning permitted uses.

Location of Lands Affected

Lands along Mississauga Road south of the Canadian Pacific Railway in the City of Mississauga, as shown on the attached Map designated as Schedule "A".

Further information regarding this By-law may be obtained from Aiden Stanley of the City Planning and Building Department at 905-615-3200 ext. 3897.

<http://teamsites.mississauga.ca/sites/18/bylaws/cd.21-int.icb.as.docx>