

**Recommendation Report
Detailed Planning Analysis**

Owner: 2415054 Ontario Inc.

1075 Canadian Place

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1. Community Comments

Comments from the public were generally directed towards concerns regarding truck traffic, safety and general nuisance. Below is a summary and response to the specific comments heard.

Comment

The neighbouring property has a number of medical and convenience businesses and are concerned about the impact of truck traffic.

Response

The subject property is located in the Northeast Employment Area and truck use is to be expected.

Comment

The neighbouring property expressed concern that users of the transportation facility (parking lot) will trespass and leave their personal vehicles on their property and then access the subject lands.

Response

The subject application has been amended to include delineated spaces for passenger cars.

Comment

The neighbouring property representative raised concern at the unsightliness of litter that may come from the subject site.

Response

While no litter is anticipated to be generated by this facility, the application has been amended to include a fence along the north property line to partially screen the facility.

Comment

There were complaints that truck repair was occurring on the property.

Response

The temporary by-law will allow only for the parking of trucks and will not permit motor vehicle repair uses.

2. Updated Agency and City Department Comments

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

Stormwater

The Stormwater Management (SWM) Brief prepared by Land & Building Experts, dated January 5, 2023, indicates that an increase in stormwater runoff will occur with the development 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 has demonstrated a satisfactory stormwater servicing concept. Infiltration trenches on site are being proposed to mitigate increased runoff.

Environmental

An Environmental Site Screening Questionnaire and Declaration form, dated March 1, 2021, and a letter titled "Sampling of gravel fill, 1075 Canadian Place – Mississauga", dated February 21, 2023 and prepared by Maat Environmental Engineering Corp., were submitted in support of the proposed use of the vacant lot as a temporary transportation facility with suitable fill materials from an environmental perspective.

Traffic

As there are no buildings proposed for the subject site, the Traffic Planning Section has no concern with the temporary use by-law to permit a transportation facility for commercial motor vehicles.

Noise

The proposal is for a temporary transportation facility, which is not considered a noise sensitive land use as defined by the Provincial Environmental Noise Guideline-NPC-300, therefore, a Noise Report was not required for review.

Other information

Upon receipt of a rezoning application for a permanent use, additional technical details will be required to facilitate a permanent use which may require a development agreement and new site plan.

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 Public Meeting Report dated May 6, 2022 (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 2.2.1 of the PPS states that natural features should be protected for the long term.

The subject site and proposal is for the temporary use of the lands for a transportation facility (parking lot). Through the approved site plan and temporary use by-law, the property's natural features are being protected. 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.

Section 4.2.2.6 of the Growth Plan states that 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.

The proposed development conforms to the Growth Plan as it provides an appropriate buffer to the natural heritage features.

6. Region of Peel Official Plan

As summarized in the public meeting report dated May 6, 2022 (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. Portions of the subject property associated with Little Etobicoke Creek, are considered Regional Core Greenlands.

General Objectives in Section 2 and General Policies in Section 2.3.1 direct municipalities to protect and support the restoration and rehabilitation of the Greenlands System in Peel.

The proposed development conforms to ROP as it is an appropriate temporary use of land where all uses and activities will be located outside of the delineated Greenlands.

When a formal application for a permanent use on the lands is received, the City will require that the Greenlands be rehabilitated and/or restored and be dedicated to the City.

7. Mississauga Official Plan (MOP)

The proposal does not require an amendment to the Mississauga Official Plan.

Section 19.9 of Mississauga Official Plan, does however, contemplate temporary use by-laws and sets out a criteria by which an application is to be evaluated. Planning staff have undertaken an evaluation of the relevant policies of the PPS, Growth Plan and MOP, including those found in Section 19.9 against this proposed development application.

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

Section 19.9.2 states that a temporary use which conforms to MOP may be permitted by a temporary use by-law to allow:

- An unfamiliar use on a trial basis
- The use of an available building until the rehabilitation or redevelopment of the building for a use permitted by MOP is warranted by future market conditions; or
- The use of vacant land for a parking lot that would otherwise not be permitted.

The subject site is designated **Business Employment**, which permits a banquet hall, commercial parking facility, commercial school, financial institution, manufacturing, motor vehicle body repair, overnight accommodation, restaurant, and transportation facilities, but is zoned **D** (Development) and **E2** (Employment) which does not permit a transportation facility.

Section 19.9.3 of MOP provides conditions that will apply to all uses permitted by a temporary use by-law, including:

- extensions of the period of temporary use may be permitted by subsequent by-laws but should generally not continue for more than a total of ten years for a temporary use of a garden suite and three years in all other cases as per the Planning Act;
- no new buildings or expansion of buildings, except for temporary or movable structures, will be permitted;
- the temporary use permitted must be compatible with adjacent land uses, or measures to mitigate any adverse impacts must be applied;
- no adverse impacts on traffic or transportation facilities in the area may result, and sufficient parking must be provided on-site;

- no adverse impact on community infrastructure;
- no adverse impacts on the assessment base;
- the temporary use will not jeopardize the eventual planned land use; and
- temporary buildings must conform to the property standards by-law.

The proposed transportation facility will allow for the parking of 106 commercial motor vehicles. This use is permitted in the Business Employment designation in MOP, and is not anticipated to cause any adverse impacts on the surrounding area. No permanent buildings are proposed and, as described in Section 8 of this report, mitigation measures will be implemented to contain any possible nuisances on abutting lands. Further, the proposed use is not anticipated to impact any future development potential of this site or the surrounding area.

8. Revised Site Plan

The applicant has provided a revised site plan which incorporates the following changes:

- the number of commercial motor vehicle spaces has been reduced from 135 to 106
- Five passenger car spaces have been added to allow drivers to park their personal vehicles on-site while using their trucks
- A fence is proposed along the northerly property line
- Larger stone gravel material is proposed to prevent dust and spillover on to the public road.

The proposed **D - Exception** (Development) **zone** is appropriate to accommodate the proposed temporary parking lot for 106 commercial motor vehicles and associated passenger vehicles.

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

Proposed Zoning Regulations

Zone Regulations	E2 (Employment 2)	D (Development)	Proposed D2 – Exception and E2 Exception
Permitted Uses			
	A range of employment uses including but not limited to manufacturing facility, truck terminal, warehouse distribution facility, restaurant, veterinary clinic, overnight accommodation, truck fuel dispensary facility, and parking lot	A building or structure legally existing on the date of passing of this By-law and the existing legal use of such building or structure	A transportation facility for 106 commercial motor vehicles (and accessory passenger vehicles)
Regulations			
Minimum landscape buffer abutting a street	4.5 m (14.8 ft.)	n/a	3.5 m (11.5 ft.)
Minimum landscape buffer abutting an Employment Zone	0.0 m (0.0 ft.)	n/a	3.5 m (11.5 ft.)
Minimum landscape buffer abutting a Greenbelt Zone	4.5 m (14.8 ft.)	n/a	13.0 m (43 ft.)

Zone Regulations	E2 (Employment 2)	D (Development)	Proposed D2 – Exception and E2 Exception
Parking, Loading and Stacking Lane	All parking areas, driveways and loading areas shall have a minimum overall vertical depth of 15.0 cm comprised of a stable surface such as asphalt, concrete, pervious materials or other hard-surfaced material. (0212-2015)	All parking areas, driveways and loading areas shall have a minimum overall vertical depth of 15.0 cm comprised of a stable surface such as asphalt, concrete, pervious materials or other hard-surfaced material. (0212-2015)	Shall not apply

10. Site Plan

The applicant has received site plan approval under City file SPAX 22-90 W3. Although site plan approval is typically obtained after zoning is in force and in effect, the temporary nature of the proposed use, the fact that no buildings are proposed and the relatively minor scope of the site plan application are such that staff were comfortable processing the temporary rezoning and site plan applications concurrently.

11. Conclusions

In conclusion, City staff has evaluated the application to permit a transportation facility for 106 commercial motor vehicles for a period of three years against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan, and find that the proposed temporary use is appropriate.