

PLANNING & DEVELOPMENT COMMITTEE – SEPTEMBER 8, 2014

INDEX FOR EVENING SESSION – 7:00 P.M.

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 Municipal Board (OMB), and may not be added as a party to the hearing of an appeal before the OMB.

Send written submissions or request notification of future meetings to:

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

12. **PUBLIC MEETING**

Proposed Mississauga Zoning By-law Amendments and Licensing Respecting Medical Marihuana Production
File: BL.09.MED

13. **PUBLIC MEETING**

Information Report on Rezoning and Draft Plan of Subdivision Applications to permit seven (7) detached dwellings, 6155 Ninth Line, Southeast corner of Ninth Line and Osprey Boulevard
Owner: Centreville Homes (Ninth Line) Inc.
Applicant: Weston Consulting, **Bill 51** (Ward 10)
File: OZ 13/015 W10, T-M13005 W10

14. **PUBLIC MEETING**

Information Report on Official Plan Amendment and Rezoning to permit the existing uses including: a supermarket, garden centre, warehouse and second storey apartments to remain, and to apply one consistent official plan designation and zoning category for the property 2265, 2277 and 2281 Camilla Road East side of Camilla Road, south of Queensway East
Owner: Tiveron Farms Limited
Applicant: John D. Rogers and Associates Inc., **Bill 51** (Ward 7)
File: OZ 13/023 W&

15. PUBLIC MEETING

Information Report on Rezoning and Draft Plan of Subdivision Applications to permit 30 semi-detached dwellings and 1 detached dwelling on a common element condominium private road 1173, 1177 and 1183 Haig Boulevard East side of Haig Boulevard, south of Atwater Avenue

Owner: Dunsire (Haig) Inc.

Applicant: Michael Gray / 763930 Ontario Limited, **Bill 51** (Ward 1)

File: OZ 13/010 W1, T-M13002 W1

16. PUBLIC MEETING

Information Report on Rezoning and Draft Plan of Subdivision Applications to permit 16 semi-detached dwellings on a common element condominium private road, 1209 Haig Boulevard, East side of Haig Boulevard, south of Atwater Avenue

Owner: Dunsire (Haig) Inc.

Applicant: Michael Gray / 763930 Ontario Limited, **Bill 51** (Ward 1)

File: OZ 13/011 W1, T-M13003 W1

17. SUPPLEMENTARY REPORT

Official Plan Amendment and Rezoning Applications to permit a dental office in a residential dwelling with one resident dentist, one non-resident dentist and a maximum of three employees 5306 Creditview Road, West side of Creditview Road, south of Carolyn Road

Owner: Navin and Vandana Ratra

Applicant: Weston Consulting Group Inc., **Bill 51** (Ward 6)

File: OZ 11/011 W6

18. SUPPLEMENTARY REPORT

City-initiated Official Plan Amendment and Rezoning to permit detached dwellings on the westerly portion of the lands not constrained by hazard lands associated with Moore Cree, 990-994 Lakeshore Road West, South side of Lakeshore Road West, east of Lorne Park Road

Owner: Roland Smitas, Sylvia Simtas and Simone Bradley

Applicant: City of Mississauga, **Bill 51** (Ward 2)

File: CD.21.LAK

ADJOURNMENT



Corporate Report

Clerk's Files

Originator's
Files

BL.09.MED

DATE: August 19, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Proposed Mississauga Zoning By-law Amendments and Licensing
Respecting Medical Marihuana Production
PUBLIC MEETING**

RECOMMENDATION: That the submissions made at the public meeting to consider the report titled "Proposed Mississauga Zoning By-law Amendments and Licensing Respecting Medical Marihuana Production" dated June 3, 2014, from the Commissioner of Planning and Building, be received.

BACKGROUND: On June 23, 2014, City Council approved recommendation PDC-0049-2014, which reads:

"That a public meeting be held to consider amendments to the zoning and licensing by-laws as recommended in the report titled "Proposed Mississauga Zoning By-law Amendments and Licensing Respecting Medical Marihuana Production" dated June 3, 2014, from the Commissioner of Planning and Building."

The report is attached as Appendix 1.

COMMENTS:

The purpose of the public meeting is to receive comments on the proposed amendments to the zoning and licensing by-laws respecting medical marihuana production and fulfil the statutory public meeting requirements of the *Planning Act*.

Following the public meeting, a report will be prepared for Planning and Development Committee which will address comments received from the public and where appropriate, recommend changes to the proposed amendments.

At the June 23, 2014 Planning and Development Committee meeting, staff were asked to clarify where medical marihuana production facilities will be located and for further information on their impacts. These issues are discussed below and will be also addressed in the report following the public meeting.

Proposed Location for Medical Marihuana Production Facilities

It is proposed that medical marihuana production facilities be permitted in all Employment Zones within “Business Employment” and “Industrial” designated areas in Mississauga Official Plan (MOP). These designations are predominately located within Employment Area Character Areas and Corporate Centre Character Areas.

However, there are several scattered, remnant “Business Employment” designated parcels also zoned for Employment uses, located within Neighbourhood Character Areas, as shown on the map attached as Appendix 2. Existing “Business Employment” designated lands in neighbourhoods recognize historical employment uses, but Business Employment uses are not part of the long term vision for neighbourhoods. No new Business Employment designated lands are permitted in Neighbourhood Character Areas in Mississauga Official Plan.

Some of the land parcels are isolated from Employment Area and Corporate Centre Character Areas and are in close proximity to residential neighbourhoods.

Several of these parcels can only be accessed from local neighbourhood roads that are not suitable for high volumes of vehicular traffic, including truck traffic that may be associated with Business Employment uses.

There are also several land parcels that are located on the periphery of employment areas and have good arterial or collector road access, but fall within the boundaries of Neighbourhood Character Areas. These parcels may be appropriate for medical marihuana production but would need to be reviewed on a case-by-case basis.

It is proposed that medical marihuana production not be permitted on properties located in residential neighbourhoods. To prohibit medical marihuana production on these parcels, the existing Exception Zones within the Zoning By-law would need to be amended to prohibit the medical marihuana production use. In some instances, the existing Exception Zone permits only the current use and therefore already prohibits medical marihuana production.

Impact of Medical Marihuana Production Facilities

Information regarding the impact of medical marihuana facilities is discussed in the June 3, 2014 report attached as Appendix 1, on pages 13 and 14. As part of the security requirements under the federal *Marihuana for Medical Purposes Regulations (MMPR)*, all areas where cannabis is present must be equipped with an air filtration system to prevent the escape of odours. The measures for effective control of odour aim at ensuring public safety. The producer's license application must detail the air filtration system and the system is subject to federal inspection under the *MMPR*.

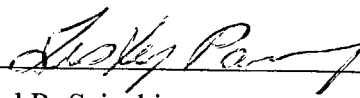
FINANCIAL IMPACT: Not applicable.


CONCLUSION: Following the statutory public meeting, a report will be prepared for consideration by the Planning and Development Committee to address comments received from the public and other stakeholders.

ATTACHMENTS:

Appendix 1: Report titled "Proposed Mississauga Zoning By-law Amendments and Licensing Respecting Medical Marihuana Production" dated June 3, 2014, from the Commissioner of Planning and Building

Appendix 2: MAP 'A' – Subject Parcels Located in Neighbourhood Character Areas, shown on Schedule 9 – Character Areas, of Mississauga Official Plan


Edward R. Sajecki
Commissioner of Planning and Building

 Prepared By: Sharleen Bayovo, Policy Planner



Corporate Report

Clerk's Files

Originator's
Files

BL.09.MED

PDC JUN 23 2014

DATE: June 3, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 23, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: Proposed Mississauga Zoning By-law Amendments and Licensing
Respecting Medical Marihuana Production

RECOMMENDATION: That a public meeting be held to consider proposed amendments to the zoning and licensing by-laws as recommended in the report titled "Proposed Mississauga Zoning By-law Amendments and Licensing Respecting Medical Marihuana Production" dated June 3, 2014, from the Commissioner of Planning and Building.

**REPORT
HIGHLIGHTS:**

- New federal regulations, *Marihuana for Medical Purposes Regulations (MMPR)*, that came into effect June 19, 2013, shift the growing of medical marihuana out of residential dwellings and into commercial-scale production facilities;
- Benefits to municipalities resulting from the new *MMPR* include eliminated residential production hazards, notification of production site addresses and activities, and the opportunity to enact zoning and/or licensing by-laws to further regulate marihuana production facilities;

- Medical marihuana production includes the cultivation and growing of the marihuana plant, but the Zoning By-law's existing "Manufacturing Facility" definition does not allow for the production of a living thing such as a plant;
- Recommended Zoning By-law amendments include:
 - A "Medicinal Product Manufacturing Facility" definition to address medicinal product-based manufacturing that may grow and use living organisms in the production process;
 - A "Medical Marihuana" definition;
 - A general provision to require that waste destruction or composting be located wholly within a building or structure;
- With these proposed amendments, medical marihuana production will be permitted as-of-right as a manufacturing use in all Employment Zones and in Employment and Corporate Centre Character Areas in Mississauga Official Plan;
- For lands designated "Business Employment" within Neighbourhood Character Areas, it is recommended that Exception Zones be developed to prohibit medical marihuana production; and
- Licensing of medical marihuana production facilities is recommended to address matters not captured through zoning or building permit and will assist in protecting public safety and enforcing property standards, noise and other City by-laws.

BACKGROUND:Introduction

New Health Canada regulations shift the growing of medical marihuana out of residential dwellings and away from residential neighbourhoods into commercial-scale production facilities. The new regulations will result in improvements to facility security; local government, police and fire official notification; land use; and public health and safety.

Legislation

In June 2013, Health Canada updated the Marihuana Medical Access Program with the introduction of new *Marihuana for Medical Purposes Regulations (MMPR)*, replacing the *Marihuana Medical Access Regulations (MMAR)*. The new regulations aim to treat medical marihuana as much as possible like other controlled substances used for medical purposes, allowing for quality control and production under secure and sanitary conditions.

The regulation of medical marihuana production falls exclusively under federal jurisdiction. The federal government governs and prohibits the possession, production and trafficking of marihuana through the *Controlled Drugs and Substances Act*, S.C. 1996, c.19 (*CDSA*). The *MMPR* were enacted pursuant to the authority granted under section 55 (1) of the *CDSA*.

The *MMPR* do not require any action from municipalities; however using their powers to regulate or prohibit land uses, municipalities may choose to enact zoning and/or licensing by-laws to further regulate medical marihuana production. Should municipalities choose to enact by-laws, some consideration should be given to limitations that may arise that would effectively render the by-laws invalid or inapplicable. If there were a direct conflict between the federal *MMPR* and a municipal by-law, the federal regulations would be paramount.

Regulations

The new *MMPR* change the way medical marihuana is produced and accessed in Canada. Most significantly, the *MMPR* prohibit licensed medical marihuana production in dwelling places and allow only for the commercial production of medical marihuana.

The *MMPR* include regulatory requirements for indoor-only production activities and storage, physical security measures, quality control standards, record keeping of all activities including inventory of marihuana, security clearances for producer's licence applicants, and secure distribution. Appendix 1 provides more detail about the *MMPR* requirements and compares them to the previous *Marihuana Medical Access Regulations (MMAR)* requirements.

Under the *MMPR*, the only legal means to access marihuana for medical purposes is through a licensed producer. Licensed producers will sell and distribute dried marihuana directly to a client with medical documentation provided by a health care practitioner, or to the client's health care practitioner. Regarding distribution, a medical marihuana order must be securely delivered to the address of a registered client or the health care practitioner's office. There is no permission under the *MMPR* for retail sales; therefore, a client cannot pick up their medical marihuana from the producer's site or from any retail outlet (e.g. pharmacy). Appendix 1 compares the old and new processes for individuals to access marihuana.

As of April 1, 2014, the personal and designated production of medical marihuana by individuals allowed under the *MMAR* is no longer permitted and subsequently considered an illegal activity subject to law enforcement action. Following the March 31, 2014 expiration of the authorizations to possess and production licences under the *MMAR*, all marijuana (plants, seeds, dried) obtained under the *MMAR* were to be destroyed and notice provided to Health Canada to confirm destruction.

However, on March 21, 2014, a Federal Court judge issued an injunction that allows medical marihuana users licensed under the *MMAR* to continue to grow their own marihuana plants pending a future trial. On March 31, 2014, the Government of Canada issued a departmental statement that it intends to appeal the Federal Court's order and that "the persons previously authorized to grow marihuana under the *MMAR*, who meet the terms of the Court order, will be able to continue to do so on an interim basis until the Court issues a final decision."¹

Implications for Municipalities

Changes in the regulatory requirements for medical marihuana activities under the new *MMPR* provide several benefits to municipalities, including:

- The elimination of hazards associated with previously licensed residential medical marihuana production. Licensed, quality controlled and secure commercial medical marihuana facilities

¹ Government of Canada, 2014. Departmental Statement on Court Injunction and Medical Marijuana. 31 March. <http://news.gc.ca/web/article-en.do?nid=832809>

will eliminate some of the common hazards and issues associated with licensed production previously permitted in residential dwellings, including, fire, mould, odour, and security (e.g. break-ins). However, these hazards may persist for illegal marihuana production activity.

- The provision of production site addresses including a list of all activities to be conducted at the sites. Under the *MMPR*, licensed producers are required to notify their local government, police force and fire officials of their intention to apply for a license as well as upon issuance of a license, so that local authorities are aware of the proposed medical marihuana production facility location and activities. However, it is the responsibility of the municipality to keep a list of the licensed production sites, since Health Canada cannot provide such information that is protected under the *Privacy Act*.
- The opportunity to regulate the location and siting of medical marihuana production facilities. Although not specifically stated in the *MMPR*, Health Canada has confirmed that licensed producers are required to comply with municipal legislation and by-laws, including zoning by-laws. However, it is the responsibility of the municipality to ensure zoning by-law and building code compliance, since Health Canada can only inspect for compliance with the *MMPR* and any related federal legislation. Further, there are no requirements of Health Canada's producer's license to show such compliance with municipal by-law and building permit requirements.

Municipal and Industry Response

Municipalities across Canada are now evaluating ways to regulate the new medical marihuana production use, and contemplating what zones may be best suited for the use. The regulatory approaches range from interpretations that the use is as-of-right in industrial or agricultural zones, to specifically defining the use and allowing it in a particular zone or zones, to a blanket prohibition of the use with requirement for a site specific rezoning. In some cases, zoning by-laws include regulations such as a minimum separation distance from sensitive land uses (e.g. residences, schools) or permission of the use in a stand-alone building only. Appendix 2 outlines examples of regulatory approaches taken by various municipalities.

Simultaneously, proprietors are moving ahead with securing medical marihuana production sites and buildings, applying to Health Canada for their producer's licenses, and notifying municipalities of their intended site as required under the *MMPR*. However, the process to find a suitable business location, acquire a site and building and prepare an application for a producer's license is complex.

Significant capital investment is required for a site and production building(s), for security equipment to meet the *MMPR* requirements, and to outfit a building with commercial-scale facilities such as a ventilation system, storage vault, and potentially an on-site laboratory for product testing. The Health Canada producer's license application is scrutinized to ensure *MMPR* compliance and may result in a lengthy review timeline. Before a license can be issued, the site and facility must be available for pre-license inspection by Health Canada for compliance with the *MMPR*.

Status of Producer's Licenses in Ontario

As of January 2014, Health Canada had received over 400 applications for medical marijuana production and distribution facilities, with approximately 160 of those for facilities in Ontario. To date, a total of 13 licenses have been issued with four of these for Ontario-based facilities in Clearview, Markham, Smiths Falls, and Toronto. Several more license applications for Ontario-based facilities are in advanced stages of review, including the Lakeshore proposal and a greenhouse growing operation located in Leamington, Ontario that has received a pre-production license to commence growing.

With about 37,000 licensed medical marihuana users today and a projected approximately 435,000 users by 2024, interest from commercial producers for medical marihuana facilities will only increase.

Prospects for Production Facilities in Mississauga

The Life Sciences sector is one of the key sectors under the City of Mississauga's Economic Development Strategy, including companies involved in biotechnology, pharmaceuticals, and health care and laboratories. Medical marihuana production fits within this sector.

The medical marihuana business also supports economic development goals as an employment generator. The business requires skilled personnel such as horticulturalists, botanists and lab technicians, as well as a team of growers to cultivate the marihuana plants and customer support agents to respond to patient questions and process orders. Security personnel and information technology specialists are also required for site operations. Outreach and support job positions may also be created to help educate medical practitioners about medical marihuana and provide them with research updates. One licensed company, Tweed Inc., expects to employ about 100 people when operating at full capacity with 50,000 plants growing over a 1.6 hectare (4 acre) area.

The *MMPR* require distribution of medical marihuana orders directly to clients or to the individual responsible for a client, via a secure shipping method such as by courier. Given this, Mississauga may be a favourable business location for medical marihuana companies, given its proximity to major highways and the Toronto Pearson International Airport.

Methadone Clinics

Planning staff were directed to research methadone clinics along with the review of medical marihuana. Issues pertaining to methadone clinics are a separate matter to be addressed through licensing. Legal Services is preparing a report in response to methadone clinics.

PRESENT STATUS:

Existing Official Plan and Zoning Provisions

Mississauga Official Plan (MOP) permits manufacturing, warehousing and distribution uses on lands designated "Business Employment" and "Industrial". Based on Zoning By-law definitions for these uses, all of the activities associated with a medical marihuana production facility are permitted, with exception of commercial growing of marihuana plants.

Specific land use designations or uses that would permit commercial growing, such as "agriculture" or "horticulture", do not exist in MOP, particularly since no agricultural lands remain in Mississauga.

In the Zoning By-law, the manufacturing, distribution and warehousing of medical marihuana would represent permitted uses in

all "Employment" zones, with the exception of commercial growing of marihuana plants. Growing, cultivating or related activities are not listed as activities under any of the permitted uses in "Employment" zones, and there are no defined "agriculture" or "horticulture" uses in the Zoning By-law.

Response to Inquiries and Committee of Adjustment Applications

The City of Mississauga (the "City") has received several inquiries since the new *MMPR* were announced in June 2013 and has approved two applications made to the Committee of Adjustment for medical marihuana production facilities in E2 -Employment zones, with conditions that:

- Limit the variance to a temporary in effect period for up to five years;
- Limit the medical marihuana growing area (agricultural) to 20% of total Gross Floor Area (GFA) of the unit/building;
- The building shall only be tenanted by the proposed medical marihuana production facility;
- Require the applicant to obtain and maintain a valid Health Canada license for all uses associated with the operation;
- Require the applicant to certify that notice has been provided to the Peel Regional Police and Mississauga Fire Services; and
- No signage be permitted.

In response to the growing interest in medical marihuana, regulatory issues have been reviewed and a regulatory approach identified for Mississauga, in consultation with staff from Policy Planning, Development and Design, Zoning, Building, Compliance and Licensing, Fire and Emergency Services, Legal Services, and Economic Development. Peel Regional Police have also outlined the benefits and concerns associated with medical marihuana production facilities and distribution under the new *MMPR*.

This report highlights the issues considered in developing a proposed regulatory approach for Mississauga, and recommends an approach that recognizes all aspects of medical marihuana production as a manufacturing process.

COMMENTS:

In developing an approach to regulating medical marihuana production facilities, many zoning and planning issues were considered, with each addressed below.

The proposed approach is premised on the fact that medical marihuana production is a drug manufacturing process, not unlike a pharmaceutical drug manufacturing process that takes place in a highly controlled environment that includes laboratory testing, and results in a final product that is used for medical purposes.

Medical marihuana production involves the cultivation, growing, harvesting, and drying of the marihuana plant, followed by the testing, packaging and storage of the dried marihuana. The dried medical marihuana is distributed to authorized customers for medical use. Any plant waste is destroyed on-site or removed by a licensed disposal company.

Unique to medical marihuana production is the requirement for on-site plant growing since marihuana is a controlled substance subject to stringent security requirements. In contrast, other medicinal plants such as Echinacea, ginseng or goldenseal, are not controlled substances and therefore may be grown or wildcrafted (collected from the wild) in a non-secure, agricultural environment and then transported to a manufacturing facility.

1.0 Zoning

Mississauga's "Employment" zones would permit the manufacturing, distribution and warehousing of medical marihuana as-of-right, with the exception of commercial growing of marihuana plants. However, the growing of plants is an integral component of the medical marihuana production process and should be recognized as a manufacturing activity.

The current "Manufacturing Facility"² definition limits the ability to recognize the growing of plants as part of a manufacturing process since the definition only allows for the production of non-living things. The definition does not consider that the "items" being altered,

² Manufacturing Facility: means a building, structure or part thereof, used for altering, assembling, fabricating, finishing, inspecting, making, processing, producing, treating or repairing, items either by hand or through the use of machinery and may include the temporary on-site storage of commercial motor vehicles (ie. trucks, tractors and/or trailers) for freight handling including the pick-up, delivery and transitory storage of goods incidental to motor freight shipment directly related to the permitted use(s). (OMB, 2008 November 10)

processed, produced, etc., could involve a living organism such as a plant.

This challenges Mississauga's life sciences sector companies that have manufacturing facilities, including those from the pharmaceutical and biotechnology industries, classified under the "Manufacturing Facility" definition. These companies may use living organisms such as cells in a biomanufacturing³ process to produce a biopharmaceutical⁴ product (e.g. vaccine, plasma proteins). The living organisms may be grown under controlled conditions within a manufacturing facility.

It is evident that a new Zoning By-law definition is required to address all medicinal product-based manufacturing that may use living organisms in the production process.

Recommendation: That the Zoning By-law be amended to include the following new definition:

Medicinal Product Manufacturing Facility means a building, structure or part thereof, used for altering, assembling, fabricating, finishing, inspecting, making, processing or producing, medical products, including medical marihuana, or herbal or natural medicines, that may use living organisms or parts of living organisms, and includes the growing or cultivation of living organisms used in the manufacturing process, either by hand or through the use of machinery and may include the temporary on-site storage of commercial motor vehicles (ie. trucks, tractors and/or trailers) for freight handling including the pick-up, delivery and transitory storage of goods incidental to motor freight shipment directly related to the permitted use(s).

It is proposed that the term "medical marihuana" also be defined to relate back to the *MMPR*:

³ Biomanufacturing: means the manufacturing component of the biotechnology industry. Source: Wiktionary

⁴ Biopharmaceutical: means "a pharmaceutical product manufactured by biotechnology methods (involving live organisms; bioprocessing)". Source: Radar, Ronald. "What is a Biopharmaceutical? Part 1: (Bio) Technology-Based Definitions". BioExecutive International. March 2005.

Recommendation: That the Zoning By-law be amended to include the following new definition:

Medical Marihuana means marihuana, cannabis or its constituent or derivative forms, produced, tested, stored, distributed and/or sold pursuant to the Marihuana for Medical Purposes Regulations, SOR/2013-119, as amended from time to time.

2.0 Planning Considerations

2.1 Land Use Designations

MOP permits manufacturing uses on lands designated “Business Employment” and “Industrial”. A “Medicinal Product Manufacturing Facility”, as proposed for the Zoning By-law, would be considered a permitted use under the existing “manufacturing” use permission in “Business Employment” and “Industrial” designations.

Employment Areas contain diverse industrial and business employment operations. A medical marihuana production facility would be appropriate in an Employment Area amongst other manufacturing, warehouse and distribution operations.

There are a few scattered, remnant “Business Employment” designated parcels located within the Port Credit, Sheridan and Streetsville Neighbourhood Character Areas. These would not be appropriate locations for medical marihuana production facilities.

Corporate Centres contain a mix of high density employment uses with a focus on major office development. Many prestigious research and manufacturing business are found in Corporate Centres, often in facilities exhibiting high architectural and urban design standards. Medical marihuana production facility security requirements may conflict with the urban design policies for intensification areas that encourage prominent built form with active facades, reducing the likelihood that these facilities will locate in Corporate Centres.

2.2 Public Health and Safety

2.2.1 Environmental Compliance

There are no Ontario Ministry of the Environment (MOE) approval requirements specific to medical marihuana production facilities. However, similar for any industrial facility, there may be requirement for environmental compliance approvals (ECA) for air discharges or waste disposal and management, pursuant to the *Environmental Protection Act*, R.S.O. 1990, c. E.19. It is the responsibility of the proponent of a medical marihuana production facility to obtain any required MOE environmental approvals.

The *MMPR* require that in areas within a site where cannabis is present, those areas be equipped with an air filtration system to prevent the escape of odours and, if present, pollen. The filtration system is reviewed by Health Canada prior to the issuance of a producer's license.

The *MMPR* allow for the destruction of cannabis on the production site "in accordance with a method that (i) conforms with all federal, provincial and municipal environmental legislation applicable to the location at which it is to be destroyed, and (ii) does not result in any person being exposed to cannabis smoke." Destruction methods may include composting or incineration. The Zoning By-law would consider cannabis destruction as an accessory use to a "Medicinal Product Manufacturing Facility" use.

Given that the growing of plants is a large part of the medical marihuana production process, there is potential for more organic waste product than might usually result from a manufacturing facility. To address potential odour issues, it is proposed that waste destruction and specifically composting, be in an enclosed area. The following is proposed for inclusion in the General Provisions section of the Zoning By-law:

Recommendation:

Medical Marihuana Production

All uses shall be located wholly within a building or structure, or part thereof, inclusive of waste destruction or composting.

2.2.2 Separation Distances from Sensitive Land Uses

The City has the ability to impose separation distances between industrial uses and sensitive land uses to avoid or minimize the potential for land use conflicts that extend beyond the property limits of the industrial activity. Typical emissions that may affect the amenity of nearby sensitive land uses include gaseous and particulate emissions, noise, dust and odour. Although not always the case, it is generally assumed that impacts on the environment will generally decrease with increased distance from the source of the emission.

To separate medical marihuana production facilities from sensitive land uses (e.g. residences, schools, day nurseries, places of worship), some municipalities have included separation distances in their zoning by-laws that range from 70 metres up to 200 metres. Appendix 2 outlines examples of separation distances proposed by various municipalities.

The Ministry of the Environment's Guideline D-6, "Compatibility Between Industrial Facilities and Sensitive Land Uses", applies to industrial land uses "which have the potential to produce point source and/or fugitive air emissions such as noise, vibration, odour, dust and others, either through normal operations, procedures, maintenance or storage activities, and/or from associated traffic/transportation."

Guideline D-6 categorizes industrial facilities into three classes based on noise, odour and vibration outputs, the scale of the operation, the type of process, and operation intensity, and provides guidance on appropriate separation distances. A minimum separation distance and potential influence area are provided for each industrial class. Lower impact industrial uses may fall within the Class I category, with a recommended minimum 20 metre (65 ft.) separation distance and a 70 metre (230 ft.) potential influence area.

Medical marihuana production activities are wholly enclosed in a building and do not involve noisy, large scale industrial machinery; vehicle traffic is limited to employees and delivery vehicles; and sophisticated filtration and ventilation systems would eliminate air emissions and odours.

A medical marihuana production facility will have no more impact than any other manufacturing, warehouse and distribution use in an Employment zone and may in fact have less impact compared to other operations. Considering this, Guideline D-6 is not considered to be applicable and no separation distance from sensitive land uses is recommended specific to a medical marihuana production facility.

Mississauga's existing E2 and E3 Employment Zone setbacks from Residential Zones include a 30 metre (98 ft.) front yard setback and 15 metre (49 ft.) side and rear yard setbacks. Urban design guidelines in MOP provide further guidance on mitigating impacts from Employment Areas adjacent to residential areas and other sensitive land uses. Overall, the City's employment areas are intended to accommodate a wide variety of business operations, that may include truck traffic, noise, dust and odour.

However, there are a few scattered, remnant "Business Employment" designated parcels located within Neighbourhood Character Areas. While it is not likely that these parcels would be desirable for medical marihuana production due to their small or awkward parcel size or isolated location, it is recommended that Exception Zones be developed for these parcels to prohibit medical marihuana production.

Recommendation:

That Exception Zones be developed for lands designated "Business Employment" within Neighbourhood Character Areas to prohibit medical marihuana production.

2.2.3 Security Risk

Any facility that stores a controlled substance is subject to security risk. The *MMPR* remove this risk from residential neighbourhoods and introduces stringent requirements to deal with security in commercial facilities.

The *MMPR* requires that all marihuana production and storage activities must occur indoors under secure conditions. Required security measures to prevent unauthorized access include 24-hour surveillance, intrusion detection, and restricted access to areas where cannabis is present. There is no requirement for enclosed loading spaces related to product distribution; however, the shipping/receiving

area would be a secure area, separated from the overall facility operations.

Health Canada's *Directive on Physical Security Requirements for Controlled Substances* (Security Directive) also establishes security requirements for the storage of dried marihuana, marihuana seeds, and cannabis, including the requirement for a storage vault. Health Canada's Security Directive is also applicable to pharmaceutical companies that may be producing pain medication drugs such as codeine or morphine. These drugs have a higher illicit market price compared to marihuana, potentially placing them at a higher security level.

Peel Regional Police are supportive of the *MMPR* and commercial production facilities, but still have concerns regarding criminal activity (e.g. robbery), the safety of nearby residents and businesses and secure product distribution. One of the main benefits for police is the *MMPR* requirement to notify the local police force of the site address and proposed activities, allowing for monitoring and surveillance of the site. This is a significant improvement from the previous *MMAR* that had no notification requirement so police did not know the whereabouts of legal medical marihuana operations.

2.2.4 Building and Fire Protection

Medical marihuana production may be accommodated in a new or existing building that may be stand-alone or part of a multi-tenant building. To create the highly controlled environment required for growing and storing marihuana, the building will need to be outfitted with specialized grow lighting and sophisticated systems controlling heat, humidity and air filtration/ventilation. Security requirements will also influence building components such as wall construction and entranceway and storage vault specifications.

In the case of retrofitting an existing building for medical marihuana production, it is highly likely that building upgrades to accommodate security, mechanical and HVAC requirements will trigger the need for a building permit. However, building inspection, including a Fire Code compliance review, will be limited to the permitted works.

Of concern to Fire and Emergency Services (FES) is whether a building retrofitted for medical marihuana production complies with the Fire Code and if there are any combustion or explosion risks associated with the operation or product. FES would like for there to be a requirement for a Fire Code compliance review of an existing building prior to any work being undertaken.

Fire Code compliance reviews for building retrofits would be limited to the applicable code in effect when the building was constructed. However, an overall building Fire Code review would ensure compliance with the applicable code and provide FES with information about the building for emergency response awareness.

3.0 Licensing

To address matters not captured through zoning or building permitting, it is proposed that a business license be required for all medical marihuana production facilities.

Licensing will assist in protecting public safety by requiring conformity with Building and Fire Codes. Licensing will also track the total number of medical marihuana facilities in Mississauga and be an information source to police and fire services to allow for informed facility monitoring and emergency response. Hours of operation may also be imposed through licensing.

General licensing provisions may include:

- Copy of approved Health Canada license and notice within 30 days after renewal, amendment, suspension, reinstatement or revocation.
- Notifying the Licensing section of any changes of information related to the license such as name or address change.
- Right of entry for Enforcement staff to inspect the premise during the term of the license period.
- A floor plan of the building including dimensions and proposed use of each room and a site plan showing the location and dimensions of all parking spaces available on the property.
- A letter from the Fire Chief which states that an inspection has been conducted of the location, within 180 days of the date of the application for the license, and its compliance with all the provisions of the Fire Protection and Prevention Act, S.O. 1997.

- Documentation confirming the building complies with applicable provisions of the Ontario Building Code Act and the Ontario Building Code.
- A Certificate of Inspection report issued by the Electrical Safety Authority certifying that an inspection has been conducted on the location, within 180 days of the date of the application for the license and that there are no visible fire, shock or electrical hazards and the property is in compliance with the requirements of the Ontario Electrical Safety Code.
- Ensure that no construction, renovation, alteration or addition is carried out on the licensed premise without first obtaining the necessary building permit, as may be required.
- Ensure that the property owner/occupants comply with all City by-laws including the Property Standards By-law, Nuisance Weeds and Long Grass By-law, Nuisance Lighting By-law, Nuisance Noise and Noise Control By-laws and the Open Air Burning By-law; Zoning By-law and all other applicable law.

Policy Planning staff will work with Fire and Emergency Services, Building and Compliance and Licensing to further develop the licensing provisions.

OPTIONS:

Not applicable.

STRATEGIC PLAN:

Under the Move: Cultivating Creative and Innovative Businesses strategic pillar, the Strategic Plan identifies the need to develop knowledge-based industries including those in the life sciences sector, and the need to promote Mississauga as an international centre of health care excellence with more health care options for the community,

FINANCIAL IMPACT:

Not applicable.

CONCLUSION:

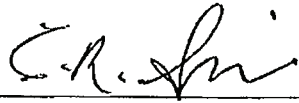
In response to the new *Marihuana for Medical Purposes Regulations*, Zoning By-law amendments are proposed to allow medical marihuana production as-of-right in Employment Zones, and licensing is proposed to address matters of facility tracking and building safety. The proposed amendments are made in light of the fact that medical marihuana production is a drug manufacturing process not unlike a

pharmaceutical drug manufacturing process and that the growing of plants is part of that process.

ATTACHMENTS:

Appendix 1: Marihuana Medical Access Program (MMAP) –
Major Program Changes under New *Medical
Marihuana for Medical Purposes Regulations
(MMPR)*

Appendix 2: Regulatory Approaches – Municipal Examples



Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Sharleen Bayovo, Policy Planner



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APPENDIX 1

Marihuana Medical Access Program (MMAP) – Major Program Changes under New Medical Marihuana for Medical Purposes Regulations (MMPR)	
<i>Marihuana Medical Access Regulations (MMAR)</i> – Repealed March 31, 2014	<i>NEW Marihuana for Medical Purposes Regulations (MMPR)</i> – In force June 2013
Process to produce medical marihuana	
<ul style="list-style-type: none"> • Require “Authorization to Possess” • Authorized individuals may be licensed to produce own medical marihuana supply or designate an individual to produce on their behalf • Personal/small scale production 	<ul style="list-style-type: none"> • Require producer’s license, subject to <i>MMPR</i> provisions • Commercial production
Process for authorized individuals to obtain dried medical marihuana	
<ul style="list-style-type: none"> • Individual submits an application to Health Canada for “Authorization to Possess” dried marihuana for a medical purpose, accompanied by a medical declaration made by the medical practitioner treating the patient. • Authorized individuals have three options to obtain dried medical marihuana supply: <ul style="list-style-type: none"> ○ Personal-Use Production License (PUPL) – Authorized individuals producing own supply. ○ Designated-Person Production License (DPPL) – Authorized individuals designating an individual to produce on their behalf. ○ Authorized individuals can purchase a single strain of dried marihuana available through Health Canada, which contracts a private company to produce and distribute marihuana for the MMAP.ⁱ 	<ul style="list-style-type: none"> • Individual obtains a medical document completed by a health care practitioner, similar to a prescription. • Individual registers with a licensed producer (licensed under the <i>MMPR</i>). Individuals will have a variety of licensed producers to choose from that will offer a variety of medical marihuana strains - licensed producers are not limited in the type or number of strains they may offer. • Licensed producer fills the order and ships via secure shipping method, the dried marihuana order directly to the individual, or to the health care practitioner, as specified. Must ship only one shipment per order. • No permission for personal pick-up (e.g. from a pharmacy).

Production Site	
<ul style="list-style-type: none"> No production site location restrictions; allow for in-home production. Allow for indoor and/or outdoor production, provided outdoor production site is not adjacent to a school, public playground, day care facility or other public place frequented mainly by persons under 18 years of age. Dried marihuana must be kept indoors.ⁱⁱ 	<ul style="list-style-type: none"> Production site limited to a building or a place in a building. All activities permitted under the <i>MMPR</i> are prohibited in a dwelling place. Production, distribution and call-centre sites can be separate, but each require separate licensing. Storefronts or retail outlets are not permitted. Indoor production and storage only and at the producer's site.
Security Requirements	
<ul style="list-style-type: none"> No security clearance for initial PUPL application (but if revoked due to a designated marihuana offence under the license, no license issued for 10 years after the revocation); Historical (10 years preceding the application, as an adult) designated drug offence check for DPPL. Non-specific building security measures, requiring only a "description of the security measures that will be implemented at the proposed production site" 	<ul style="list-style-type: none"> Security clearance for producer's license applicant. If a producer's license is sought by a corporation, each officer and director of the corporation requires a security clearance. Building security measures to prevent unauthorized access, including: physical barriers, intrusion detection system, visual monitoring and recording devices, monitoring by personnel, and secure storage of cannabis in accordance with Health Canada's Security Directive (e.g. vault).
Notify Local Authorities	
<ul style="list-style-type: none"> No requirement. 	<ul style="list-style-type: none"> Written notice required to local government, fire authority and police force officials, advising of proposed site address.
Marihuana Plants and Dried Marihuana Limits	
<ul style="list-style-type: none"> Formula used to calculate the maximum number of plants that may be under production at the production site at any time that factors in the prescribed daily 	<ul style="list-style-type: none"> No limit to number of marihuana plants or marihuana strains that can be offered by commercial producers.

<p>amount of dried marihuana.</p> <ul style="list-style-type: none"> • Formula used to calculate the maximum quantity of dried marihuana that may be stored on site. 	
Air Filtration	
<ul style="list-style-type: none"> • No requirements 	<ul style="list-style-type: none"> • Areas within a site where cannabis is present must be equipped with an air filtration system to prevent escape of odours, pollen.
Production Practices	
<ul style="list-style-type: none"> • No requirements 	<ul style="list-style-type: none"> • Requirements for dried marihuana to undergo analytical testing, quality assurance approval, and be produced, packaged, labelled and stored under sanitary conditions and in accordance with a sanitation program.

ⁱ Marihuana for Medical Purposes Regulations – Regulatory Impact Analysis Statement. Canada Gazette. Vol. 146, No. 50. December 15, 2012. <http://gazette.gc.ca/rp-pr/p1/2012/2012-12-15/html/reg4-eng.html>

ⁱⁱ Consolidation Marihuana Medical Access Regulations. SOR/2001-227. Current to September 16, 2013. Minister of Justice.

Regulatory Approaches – Municipal Examples

Municipality	Where Permitted	Distance Separation	Other Comments
Clearview Township, ON	Permitted as-of-right as a “greenhouse” primary use in agricultural and rural zones	No	
Markham, ON	Permitted as-of-right in Employment Zones as an industrial use that allows for the manufacturing of goods, with plant growing considered incidental to the principal use	No	
Smith Falls, ON	Permitted as-of-right in industrial zones (Processing plant use)	No	
City of Windsor, ON	Permitted in industrial zones	No	
Fort Erie, ON	Permitted in agricultural, industrial, rural and existing open space zones	70 m setback from residential zones and sensitive uses	Defined Medical Marijuana Grow and Production Facilities
Town of Milton, ON	Permitted in general industrial zone	70 m setback from various zones and sensitive uses	Defined Medical Marijuana Production Facility Appealed to OMB
City of Toronto, ON	Permitted in industrial zones	70 m separation distance from sensitive land uses, including residential, public/private schools, place of worship, day nursery	Defined Medical Marijuana Production Facility
City of Ottawa, ON	Permitted in industrial zones	150 m separation distance from residential and institutional zones	Defined Medical Marijuana Production Facility

Municipality	Where Permitted	Distance Separation	Other Comments
District of Maple Ridge, BC	Permitted in agricultural zones only	200 m separation distance from elementary/secondary schools	Defined Medical Marihuana, Commercial Production
City of Kamloops, BC	Permitted in industrial zones	150 m separation from sensitive land uses	Defined Medical Marihuana Grow Operation (MIMGO) Permitted subject to regulations including: description of all discharges; ventilation plan; stand-alone buildings only; no ancillary uses; require Business Licence
City of Surrey, BC	Permitted only in Community Commercial B Zone, requiring site-specific rezoning for permissions outside of this zone	No	Defined medical marihuana
City of Delta, BC	Prohibited in all zones and require site-specific rezoning	No	Defined medical marihuana

NOTE: No municipalities surveyed have size restrictions

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MAP 'A' - Subject Parcels Located in Neighbourhood Character Areas

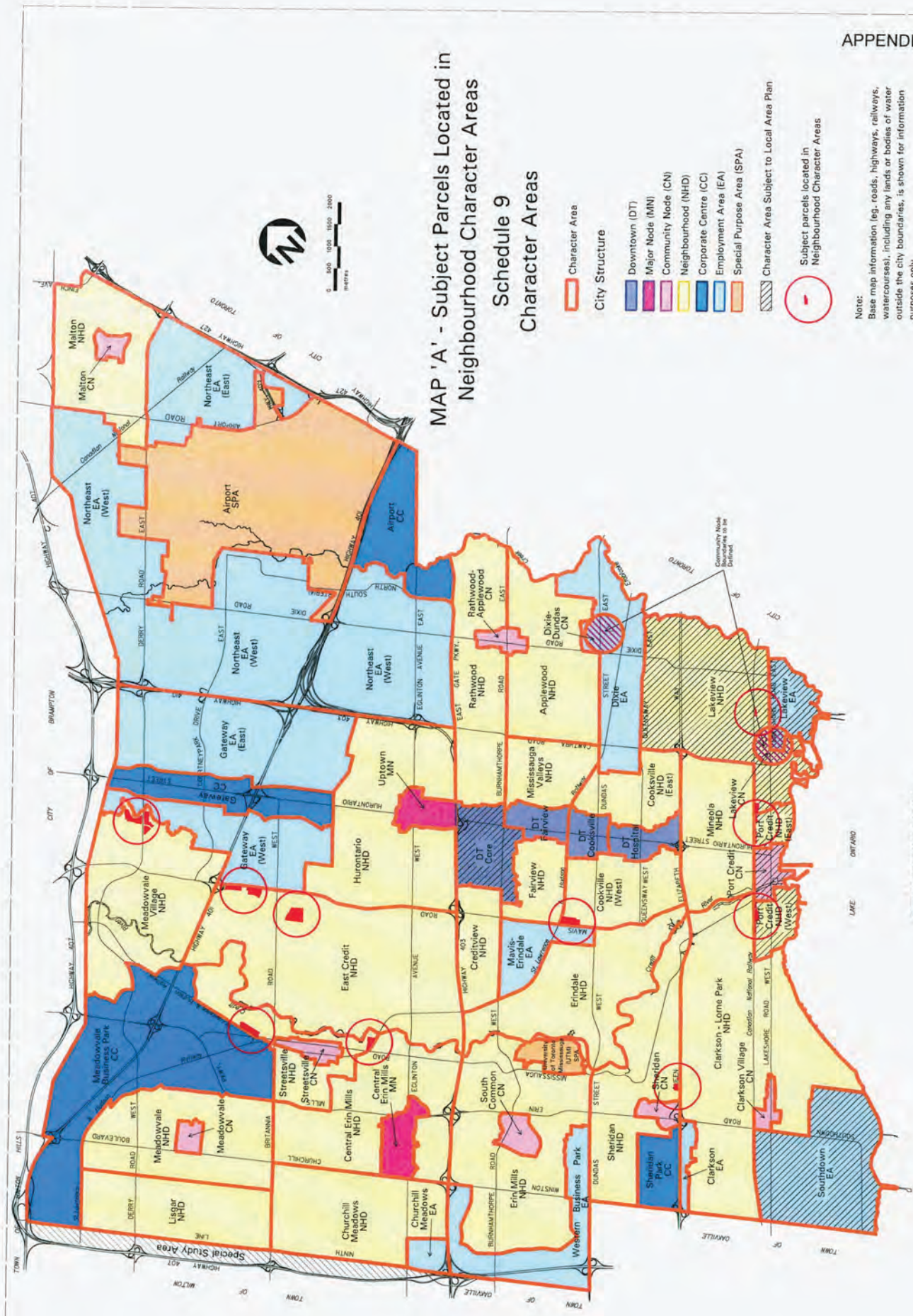
Schedule 9 Character Areas

- Character Area
- City Structure
- Downtown (DT)
- Major Node (MN)
- Community Node (CN)
- Neighbourhood (NHD)
- Corporate Centre (CC)
- Employment Area (EA)
- Special Purpose Area (SPA)
- Character Area Subject to Local Area Plan

Subject parcels located in Neighbourhood Character Areas

Note:
Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.

MISSISSAUGA
Planning and Building





Corporate Report

Clerk's Files

Originator's

Files OZ 13/015 W10
T-M13005 W10

DATE: August 19, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning and Draft Plan of Subdivision Applications
To permit seven (7) detached dwellings
6155 Ninth Line
Southeast corner of Ninth Line and Osprey Boulevard
Owner: Centreville Homes (Ninth Line) Inc.
Applicant: Weston Consulting
Bill 51

Public Meeting **Ward 10**

RECOMMENDATION: That the Report dated August 19, 2014, from the Commissioner of Planning and Building regarding the applications to change the zoning from "R1" (Residential – Detached Dwellings – Typical Lots) and "R7-8" (Residential – Detached Dwellings – Shallow Lots) to "R7 – Exception" (Residential – Detached Dwellings – Shallow Lots) and "B" (Buffer) under File OZ 13/015 W10 and a Draft Plan of Subdivision to permit seven (7) detached dwellings and a buffer block under File T-M13005 W10, Centreville Homes (Ninth Line) Inc., 6155 Ninth Line, be received for information.

**REPORT
HIGHLIGHTS:**

- Prior to the Supplementary Report, matters to be addressed include the appropriateness of the proposed Zoning By-law amendment and Draft Plan of Subdivision and the satisfactory resolution of issues including the number of lots proposed, buffer blocks, noise attenuation, drainage, stormwater management, grading and other design details.

BACKGROUND:

The above-noted applications have been circulated for technical comments. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications submitted:	Received: October 3, 2013 Deemed complete: October 30, 2013
Number of units:	Seven (7) detached dwellings
Maximum Height:	10.7 m (35.1 ft.)
Net Density:	28.45 units/ha 11.51 units/acre
Anticipated Population:	27* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2013 Growth Forecasts for the City of Mississauga.
Supporting Documents:	Planning Justification Report Draft Zoning By-law Draft Plan of Subdivision Aerial/Context Plan and Surveys Grading and Servicing Plans Noise Feasibility Study Phase 1 Environmental Site Assessment Arborist Report & Tree Preservation Plan (revised) Stage 1-2 Archaeological Assessment

Site Characteristics	
Frontage:	53.25 m (174.70 ft.) along Ninth Line
Depth:	37.78 m (123.95 ft.)
Net Lot Area:	0.246 ha (0.608 ac.)
Existing Use:	One detached dwelling with an accessory building

Additional information is provided in Appendices I-1 to I-13.

Neighbourhood Context

The subject property is located in the Lisgar Neighbourhood Character Area and contains a detached dwelling with access from Ninth Line. A large subdivision was developed around this parcel in 2001. The applicant purchased the subject property, along with the abutting Blocks 220 and 221 on Plan 43M-1457 from the surrounding subdivision, which were held in escrow by the City for Mattamy Homes. The lands on the west side of Ninth Line are currently being reviewed by the City to determine future land uses for the Ninth Line corridor. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Detached dwellings fronting onto Osprey Boulevard

East: Detached dwellings

South: Detached dwellings fronting onto Pondview Way and south of Pondview Way is Lisgar Meadow Brook Park which contains a stormwater management pond known as Osprey Marsh

West: Detached dwellings on rural lots and vacant city-owned lands. Further west is Highway 407

Current Mississauga Official Plan Designation and Policies for the Lisgar Neighbourhood Character Area

"Residential Low Density II" which permits detached, semi-detached and duplex dwellings, triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

The applications are in conformity with the land use designation and no official plan amendment is required.

There are other policies in Mississauga Official Plan that are also applicable in the review of these applications, which are found in Appendix I-11.

Existing Zoning

"R1" (Residential – Detached Dwellings – Typical Lots) for the portion of the lands that contain the existing residence. This zoning permits detached dwellings on lots with frontages of 22.5 m (73.8 ft.) and a minimum interior lot area of 750 m² (8,072.9 sq. ft.) and a minimum corner lot area of 835 m² (8,987.9 sq. ft.).

"R7-8" (Residential – Detached Dwellings – Shallow Lots) for Block 220 along Pondview Way and Block 221 along Osprey Boulevard. This zoning is the same for the adjacent subdivision. The "R7-8" zone permits detached dwellings with interior lot frontages of 11.0 m (36.1 ft.) and corner lot frontages of 14.3 m (46.9 ft.), amongst other regulations.

Proposed Zoning By-law Amendment

"R7 - Exception" (Residential – Detached Dwellings – Shallow Lots), to permit seven (7) detached dwellings in accordance with the proposed zone standard contained within Appendix I-12. The four lots along Pondview Way are proposed to have a reduced minimum lot frontage of 10.1 m (33.13 ft.).

"B" (Buffer) to permit a 3.0 m (9.8 ft.) buffer block adjacent to Ninth Line for separation, noise attenuation and landscaping purposes.

This proposal will require relief from Council approved resolution CPD 121-91, which requires three (3) on-site parking spaces per unit for lots with frontages less than 12.0 m (39.4 ft.). Only two (2) on-site parking spaces per dwelling are proposed.

COMMUNITY ISSUES

No community meetings were held for this proposal and one e-mail from an area resident has been received expressing concerns with flooding in the area.

Comments raised by the community through the public meeting process will be considered in the evaluation of the applications and will be addressed as part of the Supplementary Report.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-9 and school accommodation information is contained in Appendix I-10. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Satisfactory arrangements regarding attenuation of noise sources impacting the development in accordance with the City/Ministry of the Environment (MOE) guidelines. An increased noise attenuation barrier and resulting berm, drainage swale and walkway may impact the viability of Lot 4;
- Satisfactory arrangements regarding grading and stormwater management given the basement water infiltration issues experienced in the Lisgar community;
- Satisfactory arrangements regarding the proposed gateway entrance feature at the southeast corner of Ninth Line and Osprey Boulevard and the proposed setback between the

dwelling on Lot 1 to the entrance feature located on a separate buffer block to be dedicated to the City;

- Appropriateness of the proposed Zoning By-law, Draft Plan of Subdivision and concept plans to ensure compatibility with the surrounding built homes; and
- Arrangements for the dedication of a road widening along Ninth Line, a sight triangle and a 0.3 m (1.0 ft.) reserve at the intersection of Ninth Line and Osprey Boulevard.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters with respect to servicing, grading, noise attenuation and stormwater that will require the applicant to enter into the appropriate agreements with the City, the details of which will be dealt with during the processing of the plan of subdivision.

The applicant will not be required to enter into a Servicing Agreement for municipal works, as no road construction or municipal servicing will be required, save and except the provision of connections from the lots to municipal services within the road allowances.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City, as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

Most agency and City department comments have been received and after the public meeting has been held and all the issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

Appendix I-1: Site History

Appendix I-2: Aerial Photograph

Appendix I-3: Excerpt of Lisgar Neighbourhood Character Area
Land Use Map

Appendix I-4: Excerpt of Existing Land Use and Zoning Map

Appendix I-5: Draft Plan of Subdivision

Appendix I-6: Concept Plan

Appendix I-7: Elevations for Lot 1

Appendix I-8: Elevations for Lot 4

Appendix I-9: Agency Comments

Appendix I-10: School Accommodation

Appendix I-11: Relevant Mississauga Official Plan policies

Appendix I-12: Proposed Zoning Standards

Appendix I-13: General Context Map


Edward R. Sajecki

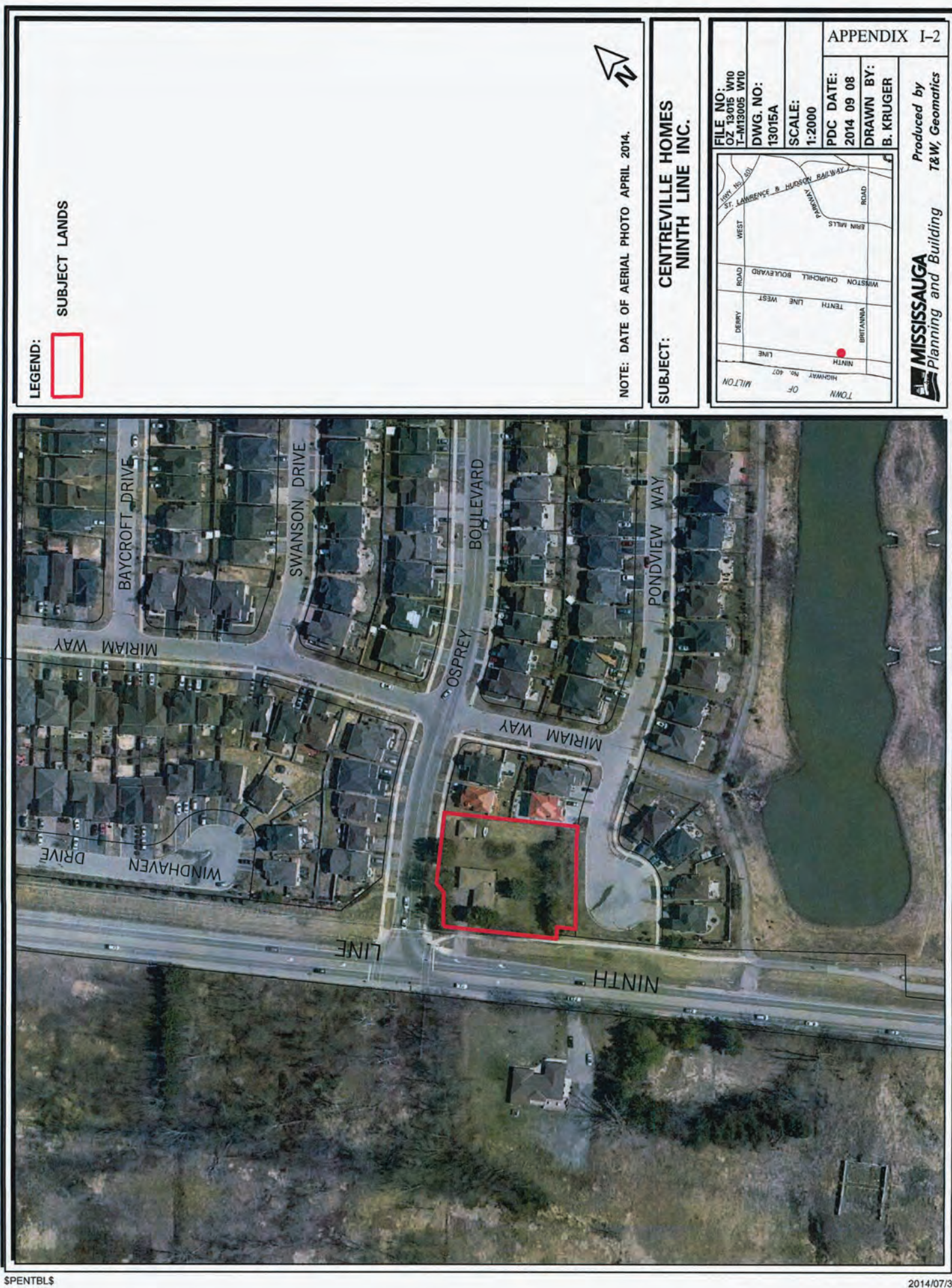
Commissioner of Planning and Building

Prepared By: Stephanie Segreti, Development Planner

Centreville Homes (Ninth Line) Inc.**File: OZ 13/015 W10
T-M13005 W10****Site History**

- October 8, 2000 – Rezoning to permit detached dwellings, school block, park and greenbelt lands approved for the lands to the north, east and south of the subject property municipally known as 6155 Ninth Line. The abutting Blocks 220 and 221 were part of the Draft Plan of Subdivision. The Draft Plan of Subdivision was registered on May 9, 2001.
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. The subject lands containing the detached dwelling and accessory building, municipally known as 6155 Ninth Line, is zoned "R1" (Residential – Detached Dwellings – Typical Lots). Blocks 220 and 221 on Plan 43M-1457 are zoned "R7-8" (Residential – Detached Dwellings – Shallow Lots).
- November 14, 2012 – Mississauga Official Plan came into force except for those policies under appeal. The subject lands are designated "Residential Low Density II" in the Lisgar Neighbourhood Character Area.

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LEGEND: SUBJECT LANDS

NOTE: DATE OF AERIAL PHOTO APRIL 2014.

SUBJECT: CENTREVILLE HOMES
NINTH LINE INC.

FILE NO: OZ 13015 W10 T-MT13005 W10		DWG. NO: 13015A		SCALE: 1:2000		PDC DATE: 2014 09 08		DRAWN BY: B. KRUGER	
MISSISSAUGA Planning and Building					Produced by T&W, Geomatics				

**PART OF SCHEDULE 10 LAND USE DESIGNATIONS
OF MISSISSAUGA OFFICIAL PLAN**

LAND USE DESIGNATIONS

	Residential Low Density I		Business Employment
	Residential Low Density II		Industrial
	Residential Medium Density		Airport
	Residential High Density		Institutional
	Downtown Mixed Use		Public Open Space
	Downtown Core Commercial		Private Open Space
	Mixed Use		Greenbelt
	Convenience Commercial		Parkway Belt West
	Motor Vehicle Commercial		Utility
	Office		To Be Determined

LAND USE LEGEND

	Heritage Conservation District		Civic Centre (City Hall)
	1996 NEP/2000 NEF Composite Noise Contours 30		City Centre Transit Terminal
	LBPA Operating Area Boundary		GO Rail Transit Station
	See Aircraft Noise Policies		Public School
	Area Exempt from LBPA Operating Area		Catholic School
	Natural Hazards		Hospital
			Community Facilities

CITY STRUCTURE

	Downtown		Corporate Centre
	Major Node		Employment Area
	Community Node		
	Neighbourhood		

SUBJECT LANDS



**SUBJECT: CENTREVILLE HOMES
NINTH LINE INC.**

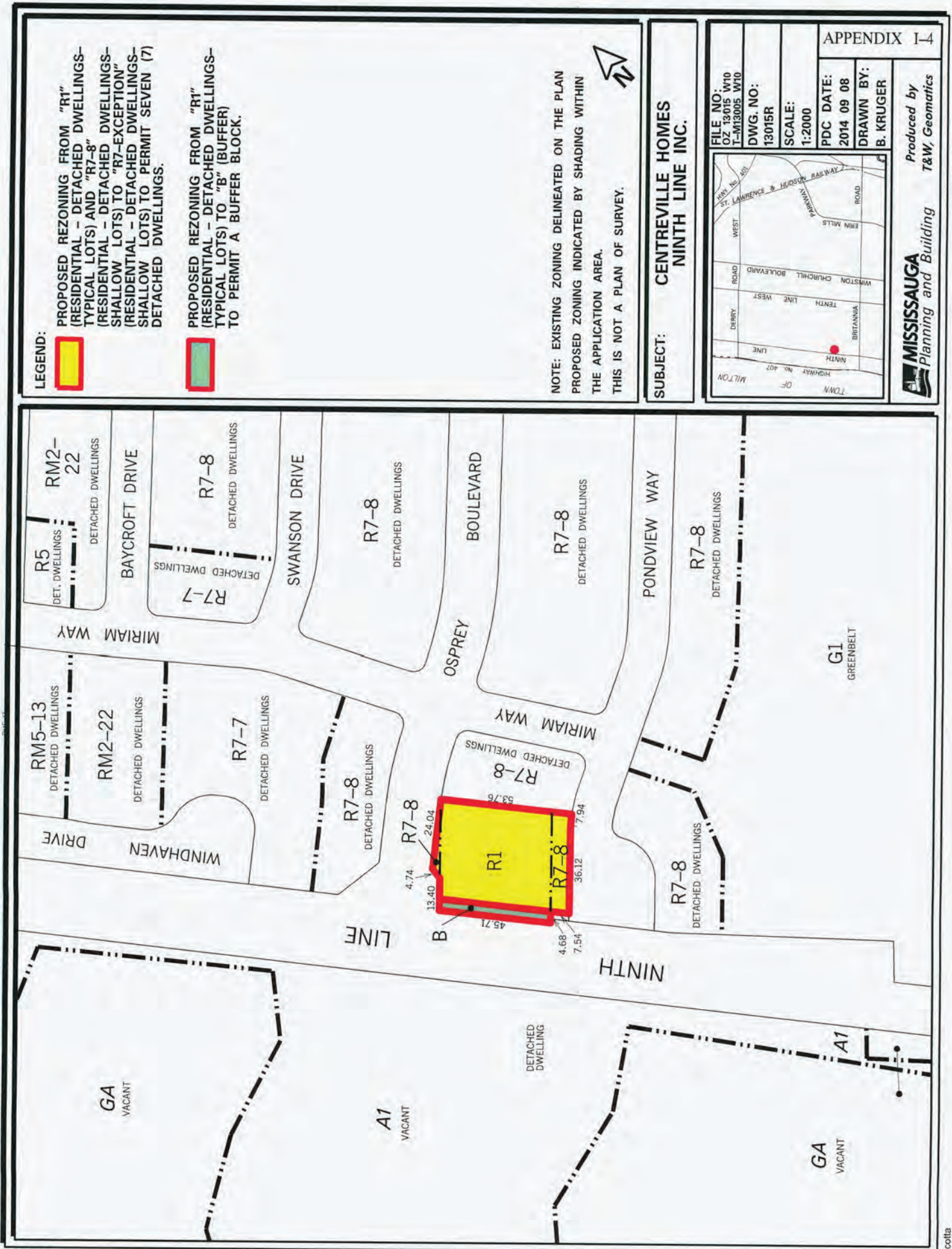


APPENDIX I-3

FILE NO: OZ 13015 W10 T-M13005 W10	DWG. NO: 13015L	SCALE: 1:2000	DATE: 2014 09 08	DRAWN BY: B. KRUGER
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MISSISSAUGA
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Produced by
T&W Geomatics

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scotta

VACANT
LANDS

NOTES:

1. Lot Frontages calculated at the Building Line pursuant to the City of Mississauga Zoning By-law.
2. All observed reference points are referred to UTM Zone 17, NAD83 (CSRS) (1987.0).
3. Distances shown on this plan are in meters.

TOPOGRAPHIC SURVEY OF
Block 220 & Block 221
Plan 43M-457



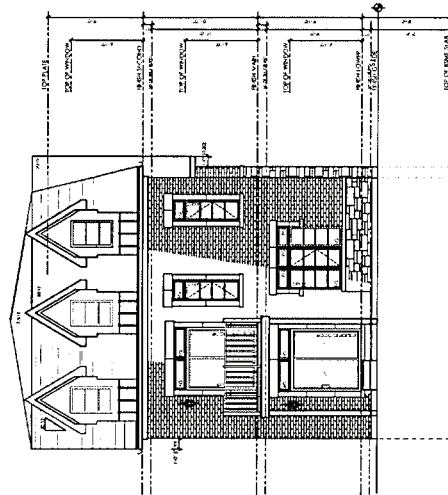
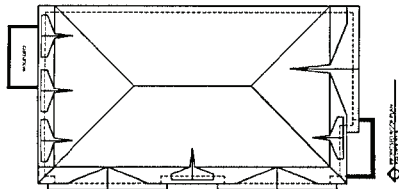
PROJECT NO. V140222

APPLICATION NO. SP1 14/0000

SPA DRAWINGS - ISSUED FOR SPA MAR. 03/14

ABBREVIATIONS	
D1	DOUBLE X20
T1	TREX JOIST
GT	GARDENING
CO	CO-ONE
R1	ROOF JOIST
STL	STEEL
W4	WOOD
W3	2X2X8"
W4	2X2X12"
W5	2X2X16"
W6	2X2X20"
W7	2X2X24"
W8	2X2X28"
W9	2X2X32"
W10	2X2X36"
W11	2X2X40"
W12	2X2X44"
W13	2X2X48"
W14	2X2X52"
W15	2X2X56"
W16	2X2X60"
W17	2X2X64"
W18	2X2X68"
W19	2X2X72"
W20	2X2X76"
W21	2X2X80"
W22	2X2X84"
W23	2X2X88"
W24	2X2X92"
W25	2X2X96"
W26	2X2X100"
W27	2X2X104"
W28	2X2X108"
W29	2X2X112"
W30	2X2X116"
W31	2X2X120"
W32	2X2X124"
W33	2X2X128"
W34	2X2X132"
W35	2X2X136"
W36	2X2X140"
W37	2X2X144"
W38	2X2X148"
W39	2X2X152"
W40	2X2X156"
W41	2X2X160"
W42	2X2X164"
W43	2X2X168"
W44	2X2X172"
W45	2X2X176"
W46	2X2X180"
W47	2X2X184"
W48	2X2X188"
W49	2X2X192"
W50	2X2X196"
W51	2X2X200"
W52	2X2X204"
W53	2X2X208"
W54	2X2X212"
W55	2X2X216"
W56	2X2X220"
W57	2X2X224"
W58	2X2X228"
W59	2X2X232"
W60	2X2X236"
W61	2X2X240"
W62	2X2X244"
W63	2X2X248"
W64	2X2X252"
W65	2X2X256"
W66	2X2X260"
W67	2X2X264"
W68	2X2X268"
W69	2X2X272"
W70	2X2X276"
W71	2X2X280"
W72	2X2X284"
W73	2X2X288"
W74	2X2X292"
W75	2X2X296"
W76	2X2X300"
W77	2X2X304"
W78	2X2X308"
W79	2X2X312"
W80	2X2X316"
W81	2X2X320"
W82	2X2X324"
W83	2X2X328"
W84	2X2X332"
W85	2X2X336"
W86	2X2X340"
W87	2X2X344"
W88	2X2X348"
W89	2X2X352"
W90	2X2X356"
W91	2X2X360"
W92	2X2X364"
W93	2X2X368"
W94	2X2X372"
W95	2X2X376"
W96	2X2X380"
W97	2X2X384"
W98	2X2X388"
W99	2X2X392"
W100	2X2X396"
W101	2X2X400"
W102	2X2X404"
W103	2X2X408"
W104	2X2X412"
W105	2X2X416"
W106	2X2X420"
W107	2X2X424"
W108	2X2X428"
W109	2X2X432"
W110	2X2X436"
W111	2X2X440"
W112	2X2X444"
W113	2X2X448"
W114	2X2X452"
W115	2X2X456"
W116	2X2X460"
W117	2X2X464"
W118	2X2X468"
W119	2X2X472"
W120	2X2X476"
W121	2X2X480"
W122	2X2X484"
W123	2X2X488"
W124	2X2X492"
W125	2X2X496"
W126	2X2X500"
W127	2X2X504"
W128	2X2X508"
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W130	2X2X516"
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W146	2X2X580"
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W164	2X2X652"
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W174	2X2X692"
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W179	2X2X712"
W180	2X2X716"
W181	2X2X720"
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W184	2X2X732"
W185	2X2X736"
W186	2X2X740"
W187	2X2X744"
W188	2X2X748"
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W191	2X2X760"
W192	2X2X764"
W193	2X2X768"
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W437	2X2X1744"
W438	2X2X1748"
W439	2X2X1752"
W440	2X2X1756"
W441	2X2X1760"
W442	2X2X1764"

PROJECT NO.:
V14-0222



NOTES:

[illegible]

PROJECT: VT-0222	MODEL:	LOT 4	PAGE:	SPA4
6155 NINTH LINE MISSISSAUGA, ON				
CLIENT: CENTREVILLE DEVEL.		SCALE: 3/16" = 1'-0"		

[illegible]

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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VULCAN DESIGN INC.
130 Juras Pro Mark Drive
Unit 61 Concord, ON L4K 5Y2
PH: 416-885-5200
FAX: 905-266-0013
EMAIL: dberry@vulcandesigninc.com
CONTACT PERSON: DANIEL BERRY

Centreville Homes (Ninth Line) Inc.**File: OZ 13/015 W10
T-M13005 W10****Agency Comments**

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

Agency / Comment Date	Comment
Region of Peel (August 5, 2014)	Please be advised that all Draft Plan Conditions must be satisfied to regional standards. There is adequate water and sanitary servicing in the area. The developer will be required to enter into a Development Agreement with the Region of Peel for the construction/extension/connection to all municipal water and sewer associated with these lands. The applicant will be responsible for the payment of applicable fees, development charges, legal costs and all other costs associated with the development of this site.
Dufferin-Peel Catholic District School Board (December 20, 2013) Peel District School Board (December 11, 2013)	Both School Boards responded that they are satisfied with the 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 these development applications. In addition, if approved, both School Boards also require that warning clauses regarding temporary school accommodation and transportation arrangements be included in any Agreement of Purchase and Sale as well as the Development and/or Servicing Agreements.
City Community Services Department – Parks and Forestry Division/Park Planning Section (July 9, 2014)	Osprey Marsh (P-466), zoned G1, is located 60 m (196 ft.) from the subject lands and contains a walking trail. In addition, Johnny Bower Park (P-365), zoned OS1, is located 470 m (1,541 ft.) from the site and contains a play site. Prior to draft approval, street tree contributions and buffer planting securities are required for Ninth Line. All existing municipal trees to be removed, replaced, and protected have been identified by the City Arborist. Further, prior to the issuance of building permits, for each lot or block, cash-in-lieu for park or other public recreational

Centreville Homes (Ninth Line) Inc.

File: OZ 13/015 W10
T-M13005 W10

Agency / Comment Date	Comment
	purposes is required pursuant to Section 42(6) of the <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City Policies and By-laws.
City Community Services Department – Heritage Section (November 11, 2013)	Following the review of the Stage 1 and 2 Archaeological Assessments, Heritage Planning staff advises that it has no concerns with the applications.
City Community Services Department – Fire and Emergency Services Division (March 7, 2014)	Emergency response time to the site and water supply available are acceptable, therefore, this Division has no concerns.
City Transportation and Works Department (July 28, 2014)	<p>This Department confirms receipt of a Site Plan, Functional Servicing Report, Conceptual Grading Plan, Utility Plans, Noise Feasibility Study, Traffic Impact Study and Phase 1 Environmental Site Assessment.</p> <p>The Noise Feasibility Study, dated May 20, 2014, prepared by HGC Engineering, has analysed the noise impacts on the subject lands and recommended mitigation measures to be implemented to achieve satisfactory noise levels consistent with City/MOE guidelines. It has been reviewed in conjunction with the Grading Plan and cross-sections for the proposed noise attenuation barrier along Ninth Line. The applicant has been requested to provide a revised grading plan and cross-sections to confirm the feasibility of Lot 4 with a required 3.4 m (11.15 ft.) high noise attenuation barrier along Ninth Line.</p> <p>Stormwater discharge from this development will contribute to the area influenced by the on-going investigation of basement infiltration experienced in the Lisgar Community. This Department is working with the applicant to define stringent stormwater management controls that will negate further impacts to the existing system.</p>

Centreville Homes (Ninth Line) Inc.**File: OZ 13/015 W10****T-M13005 W10**

Agency / Comment Date	Comment
	Further detailed comments/conditions will be provided prior to the Supplementary Report Meeting pending receipt and review of the foregoing.
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> <p>Rogers Cable Bell Canada Canada Post Enersource Halton Region</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>City Realty Services Conseil Scolaire de District Centre-Sud-Ouest Conseil Scolaire de District Centre-Sud Ministry of Transportation Town of Milton Lisgar Resident's Association</p>

Centreville Homes (Ninth Line) Inc.

File: OZ 13/015 W10
T-M13005 W10

School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 2 Kindergarten to Grade 5 1 Grade 6 to Grade 8 1 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Osprey Woods Public School <ul style="list-style-type: none"> Enrolment: 524 Capacity: 540 Portables: 3 Lisgar Middle School <ul style="list-style-type: none"> Enrolment: 672 Capacity: 688 Portables: 0 Meadowvale Secondary School <ul style="list-style-type: none"> Enrolment: 1319 Capacity: 1497 Portables: 0 <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p>	<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 1 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> St. Simon Stock <ul style="list-style-type: none"> Enrolment: 417 Capacity: 584 Portables: 0 Our Lady of Mount Carmel <ul style="list-style-type: none"> Enrolment: 1756 Capacity: 1320 Portables: 16

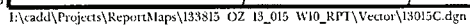
Centreville Homes (Ninth Line) Inc.**File: OZ 13/015 W10
T-M13005 W10****Relevant Mississauga Official Plan Policies**

Below is an overview of some of the policies which apply to these applications:

	Specific Section/ Policies	General Intent
Chapter 5 – Direct Growth	Section 5.3.5 Neighbourhoods	Mississauga Official Plan (MOP) will ensure that stable Neighbourhoods will remain intact. Mississauga's Neighbourhoods are characterized as physically stable areas with a character that is to be protected and are therefore not appropriate areas for significant intensification. When new development does occur it should be sensitive to the Neighbourhoods existing and planned character, as well as compatible in built form and scale to the existing surrounding development.
Chapter 9 – Build a Desirable Urban Form	Section 9.1 Section 9.2.2 Section 9.5 Section 9.5.2	MOP will ensure that new development respects the identity and character of the surrounding context and requires properties to develop in a manner that contributes to the overall vision for the city.
Chapter 16 - Neighbourhoods	Section 16.1.2 Section 16.14	MOP will ensure the preservation of the character of lands designated Residential Low Density I and Residential Low Density II.

Centreville Homes (Ninth Line) Inc.**File: OZ 13/015 W10
T-M13005 W10****Proposed Zoning Standards**

Zone Standards	Existing "R1" Zoning Standards	"R7" Zoning Standards	Proposed "R7- Exception" Zoning Standards
Minimum Lot frontage – Interior Lot	22.5 m (73.8 ft.)	11.0 m (36.1 ft.)	10.1 m (33.1 ft.)





Corporate Report

Clerk's Files

Originator's
Files OZ 13/023 W7

DATE: August 19, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning
To permit the existing uses including: a supermarket, garden centre, warehouse and second storey apartments to remain, and to apply one consistent official plan designation and zoning category for the property
2265, 2277 and 2281 Camilla Road
East side of Camilla Road, south of Queensway East
Owner: Tiveron Farms Limited
Applicant: John D. Rogers and Associates Inc.
Bill 51

Public Meeting **Ward 7**

RECOMMENDATION: That the Report dated August 19, 2014, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Convenience Commercial" and "Residential Low Density I" to "Convenience Commercial" and to change the Zoning from "C1-7" (Convenience Commercial - Exception) and "R3" (Detached Dwellings - Typical Lots) to "C1-7" (Convenience Commercial - Exception) as amended, to permit the existing uses including: a supermarket, garden centre, warehouse and second storey apartments to remain, and to apply one consistent official plan designation and zoning category for the property under File

OZ 13/023 W7, Tiveron Farms Limited, 2265, 2277 and 2281 Camilla Road, be received for information.

**REPORT
HIGHLIGHTS:**

- No new development is proposed. The owners are looking to consolidate the policies and regulations that apply to the property where "The Apple Market" is located.
- Comments from the September 8, 2014 Planning and Development Committee public meeting will be considered in the evaluation of the applications as part of the Supplementary Report.

BACKGROUND:

The property, commonly known as "The Apple Market" has been operating as a fruit and vegetable market since the 1950s. Over the years, there have been uses added through various City approvals. The land holdings have also changed. The applications are to allow the existing commercial and residential uses to continue and to apply one consistent official plan designation and zoning category for the entire subject property (see appendix I-1).

The above-noted applications have been circulated for technical comments. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Existing Development Details	
Applications submitted:	Received: December 20, 2013 Deemed complete: March 12, 2014
Existing Uses:	Building A: Supermarket and garden centre with associated outdoor display and sales area and a second floor apartment dwelling unit Building B: Warehouse/storage building with outdoor growing area and a second floor apartment dwelling unit Building C: Storage garage
Existing Gross Floor Area:	Site total: 1,447.7 m ² (15,583.4 sq. ft.) Building A: 1161.7 m ² (12,504.8 sq. ft.)

Existing Development Details	
	Building B: 476.7 m ² (5,131.1 sq. ft.) Building C: 85.8 m ² (923.5 sq. ft.)
Height:	Building A: 2 storeys Building B: 2 storeys Building C: 1½ storeys
Total Lot Coverage:	23%
Landscaped Area:	3.5%
Number of Residential Units:	2
Parking Required:	72 Spaces (including 3 spaces for persons with disabilities) 1 Loading space
Parking Provided:	77 Spaces (including 3 spaces for persons with disabilities) 3 Loading spaces
Supporting Documents:	Survey Context Map Concept Plan Planning Justification Report Noise Impact Study

Site Characteristics	
Frontage:	108.3 m (355.3 ft.)
Depth:	2277, 2281 Camilla Rd.: 60.94 m (199.93 ft.) 2265 Camilla Rd: 45.92 m (150.66 ft.)
Net Lot Area:	0.63 ha (1.56 ac.)

Additional information is provided in Appendices I-1 to I-9.

Neighbourhood Context

The subject property is located at the southwest corner of Queensway East and Camilla Road in the Cooksville Neighbourhood. The neighbourhood consists predominately of

single detached dwellings although there is a mix of uses adjacent to the site. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Utility corridor, multi-use trail; detached dwellings across Queensway East

East: Camilla Road Senior Public School; Corsair Elementary School

South: Detached dwellings

West: Camilla Road, a law office, detached dwellings

Current Mississauga Official Plan Designation and Policies for the Cooksville Neighbourhood Character Area.

"Residential Low Density I" (2277 Camilla Road) which permits detached dwellings, semi-detached dwellings, duplex dwellings, accessory office for health professionals, home occupation, special needs housing and urban gardening.

"Convenience Commercial" (2265 and 2281 Camilla Road) which permits a commercial parking facility, recreation facility, financial institution, gas bar, personal service establishment, retail store, secondary office, restaurant and residential uses.

The applications are not in conformity with the land use designations for the entirety of the property.

There are other policies in Mississauga Official Plan that are also applicable in the review of these applications, which are found in Appendix I-7.

Proposed Official Plan Designation and Policies

"Convenience Commercial" to permit the existing uses including: a supermarket, garden centre, warehouse and second storey apartments to remain, and to apply one consistent official plan designation for the property. A Special Site may be required

to accommodate additional permitted uses such as warehousing, distributing and wholesaling.

Existing Zoning

"C1-7" (Convenience Commercial – Exception) (2265 and 2281 Camilla Road) which permits the following uses:

For 2262 Camilla Road (Area A):

- (1) Food Store
- (2) Garden Centre
- (3) One Apartment Dwelling Unit
- (4) Cold Storage Room

For 2281 Camilla Road (Area B)

Only the following accessory uses to Area A shall be permitted:

- (1) Parking required for 2265 Camilla Road
- (2) Garage

"R3" (Detached Dwellings – Typical Lots) (2277 Camilla Road) which permits detached dwellings.

Proposed Zoning By-law Amendment

"C1-7" (Convenience Commercial – Exception) (as amended), to permit the existing uses including: a supermarket, garden centre, warehouse and second storey apartments to remain, and to apply one consistent zoning category for the property in accordance with the proposed zone standards contained within Appendix I-8.

COMMUNITY ISSUES

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

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-6. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Provision of a revised Noise Study
- Provision of a Phase I Environmental Site Assessment
- Provision of an Environmental Site Screening Questionnaire and Declaration
- Resolution of any building matters related to outstanding permits and orders

OTHER INFORMATION**Development Requirements**

In conjunction with the proposed development, there are certain other matters with respect to noise, stormwater management and servicing and land titles issues which will require the applicant to enter into appropriate agreements with the City.

FINANCIAL IMPACT: Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION: All agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

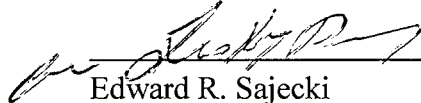
ATTACHMENTS:

- Appendix I-1: Site History
- Appendix I-2: Aerial Photograph
- Appendix I-3: Excerpt of Cooksville Neighbourhood Character Area Land Use Map
- Appendix I-4: Excerpt of Existing Land Use Map
- Appendix I-5: Concept Plan
- Appendix I-6: Agency Comments

Appendix I-7: Relevant Mississauga Official Plan policies

Appendix I-8: Proposed Zoning Standards

Appendix I-9: General Context Map



Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Aiden Stanley, Development Planner

Tiveron Farms Limited**File: OZ 13/023 W7****Site History**

- 1950-Present – Tiveron Farms Limited has operated as a farm and fruit/vegetable market since approximately 1950. While the commercial component continued to operate in various forms as a legal non-conforming use, the acreage of the farm was reduced through the sale of a large portion of the lands to the Peel District School Board and through expropriation for the construction of Queensway East.
- August, 1977 – Committee of Adjustment application 'A' 222/77 was approved to permit an expansion to the legal non-conforming use: a two storey addition to the existing building for the purposes of the sale of produce, nursery stock, and other related items).
- June 19, 1980 – Land Division Committee application 78/80-M was approved to sever the lands containing the wholesale fruit and vegetable packing operation (2277 Camilla Road) from the main parcel.
- 1980-1981 – Construction of Queensway East took place. City Council granted permission to erect a cold frame structure for a temporary period to protect seedlings.
- September 3, 1981 – Tiveron Farms Limited applied to the Committee of Adjustment under application 'A' 503/81 to permit the cold frame structure to remain on a permanent basis. The application was approved to allow the cold frame building to remain for the period of one year. The decision was appealed to the Ontario Municipal Board by several area residents. The Ontario Municipal Board allowed the appeal by the residents and dismissed the application for minor variance.
- August 12, 1982 – Tiveron Farms Limited applied to the Committee of Adjustment under application 'A' 237/82 to permit an addition consisting of a cold frame to an existing structure. The Committee approved the use for a temporary period of two years. The decision was appealed to the Ontario Municipal Board by several area residents. The Ontario Municipal Board allowed the appeal by the residents and dismissed the application for minor variance. The opinion of the Board was that the issue would be more appropriately dealt with through a rezoning application.
- May 11, 1983 – Rezoning application OZ 23/83 W7 was submitted requesting an amendment to the Zoning By-law from "R3" (Detached dwellings) to "DC – Special Section" to recognize and permit the existing non-conforming use and to allow the continuation of the existing 'cold frame' structure. A public meeting was held and a staff report recommended approval of the application.
- July 28, 1987 – OZ 23/83 W7 was closed by the Planning and Building Department due to inactivity.
- June 27, 1995– Site Plan SP 153/95 W7 was submitted to recognize the existing food store and garden centre.
- July 13, 1995 – Committee of Adjustment application 'A' 375/95 (to permit the existing food store and garden centre to remain and to reduce setbacks and parking

Tiveron Farms Limited**File: OZ 13/023 W7****Site History**

requirements as required by Zoning By-law 5500) was refused. The Committee felt that the application would be more appropriately dealt with through a rezoning application.

- December 19, 1996 – Tiveron Farms Limited applied to the Committee of Adjustment under Application 'A' 620/96 for the same permissions requested through 'A' 375/95 in order to secure approvals to address charges under the Ontario Building Code Act. The application was refused.
- May 6, 1997 – Official Plan Amendment and Rezoning Applications OZ 97/021 W7 were submitted to permit the existing food store/garden centre/residential apartment uses to remain and to allow a small expansion to the existing structure to be used as a cold storage room at 2281 Camilla Road.
- December 19, 2003 – OZ 97/021 W7 was approved for 2265 and 2281 Camilla Road to amend the City Plan land use designation from "Residential Low Density I" to "Retail and Service Commercial – Convenience Commercial"; to add a Special Site designation and policies to the Cooksville District Policies for City Plan and to change the zoning from "R3" to "DC – Special Section", to recognize and permit the continued use of the existing food supermarket/garden centre with outdoor display and sales area, a residential apartment unit, together with a proposed addition to the existing cold storage room.
- May 5, 2003 – The Cooksville District Policies and Land Use Map (Mississauga Plan) were partially approved with modifications by the Region of Peel. 2265 and 2281 Camilla Road were designated "Convenience Retail Commercial – Special Site 9", 2277 Camilla Road was designated "Residential – Low Density I"
- February 15, 2005 – SP 95/153 W7 was approved to recognize the existing site conditions for 2281 and 2265 Camilla Road.
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which were appealed. As no appeals were filed, the provisions of the new by-law apply. 2265 and 2281 Camilla Road are zoned "C1-7" (Convenience Commercial – Exception) and 2277 Camilla Road is zoned R3 (Detached Dwellings – Typical Lots).
- November 14, 2012 – Mississauga Official Plan came into force except for those site/policies which have been appealed. As no appeals have been filed, the policies of the new Mississauga Official Plan apply. 2265 and 2281 Camilla Road are designated "Convenience Commercial" and 2277 Camilla Road is designated "Residential Low Density I" in the Cooksville Neighborhood Character Area.
- 2013 – Tiveron Farms Limited purchases 2277 Camilla Road. 2265, 2277 and 2281 Camilla Road are placed under single ownership.

LEGEND:



SUBJECT LANDS

DATE OF IMAGERY: SPRING 2014



SUBJECT: TIVERON FARMS LIMITED

FILE NO:
OZ 13 / 023 W7

DWG. NO:
13023A

SCALE:
1:2500

DATE:
2014/09/08

DRAWN BY:
J. BERNARD

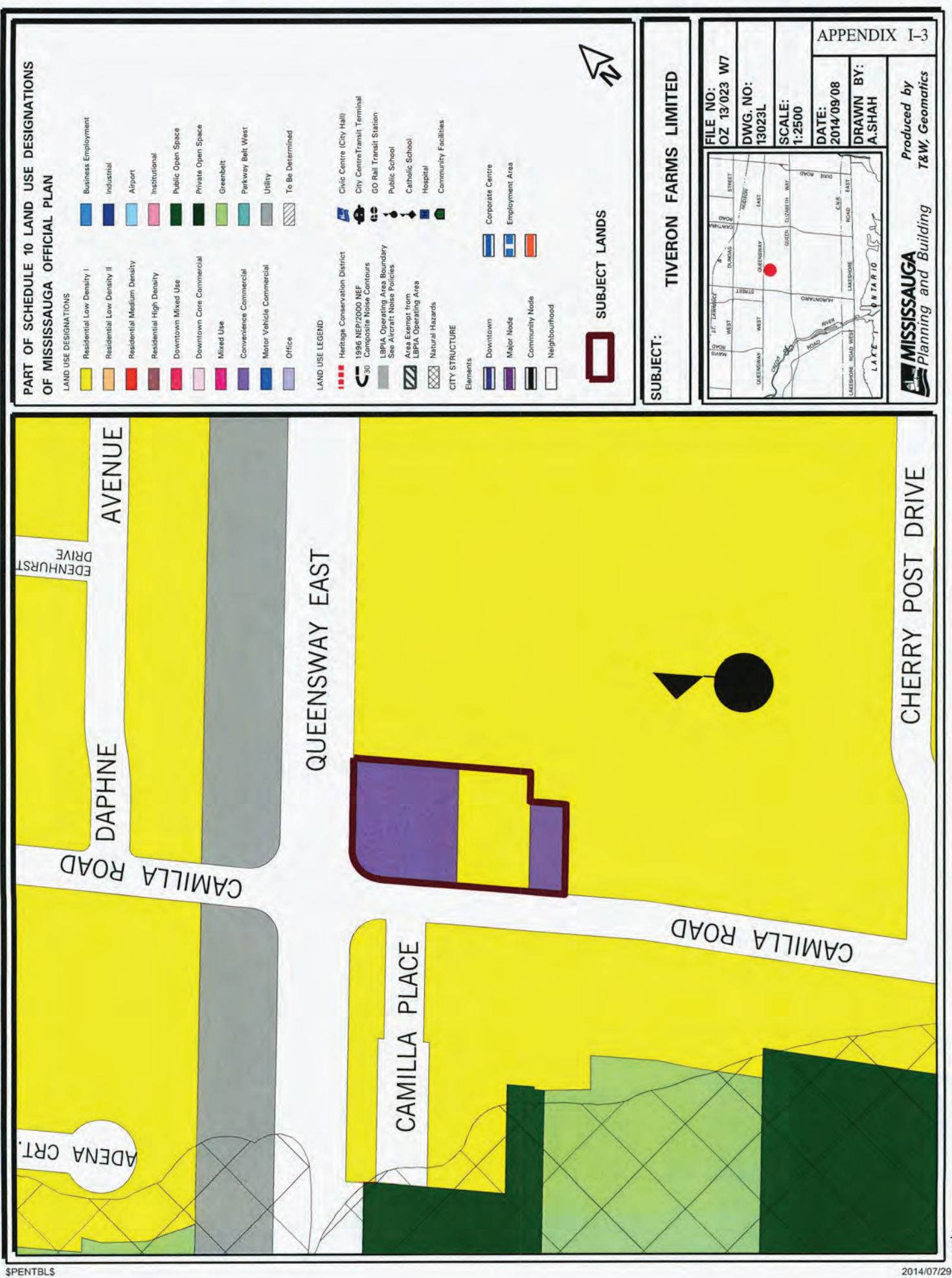
APPENDIX I-2



MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

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LEGEND:



PROPOSED OFFICIAL PLAN AMENDMENT FROM "CONVENIENCE COMMERCIAL" AND "RESIDENTIAL LOW DENSITY 1" TO "CONVENIENCE COMMERCIAL" AND PROPOSED REZONING FROM "C1-7" (CONVENIENCE COMMERCIAL-EXCEPTION) AND "R3" (DETACHED DWELLINGS-TYPICAL LOTS) TO "C1-7" (CONVENIENCE COMMERCIAL-EXCEPTION) AS AMENDED TO PERMIT THE EXISTING USES INCLUDING: A SUPERMARKET, GARDEN CENTRE, WAREHOUSE AND SECOND STOREY APARTMENTS TO REMAIN, AND TO APPLY A CONSISTENT OFFICIAL PLAN DESIGNATION AND ZONING CATEGORY FOR THE PROPERTY.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN
PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA.
THIS IS NOT A PLAN OF SURVEY.



SUBJECT: TIVERON FARMS LIMITED



FILE NO:
OZ 13 / 023 W7

DWG. NO:
13023A

SCALE:
1:2500

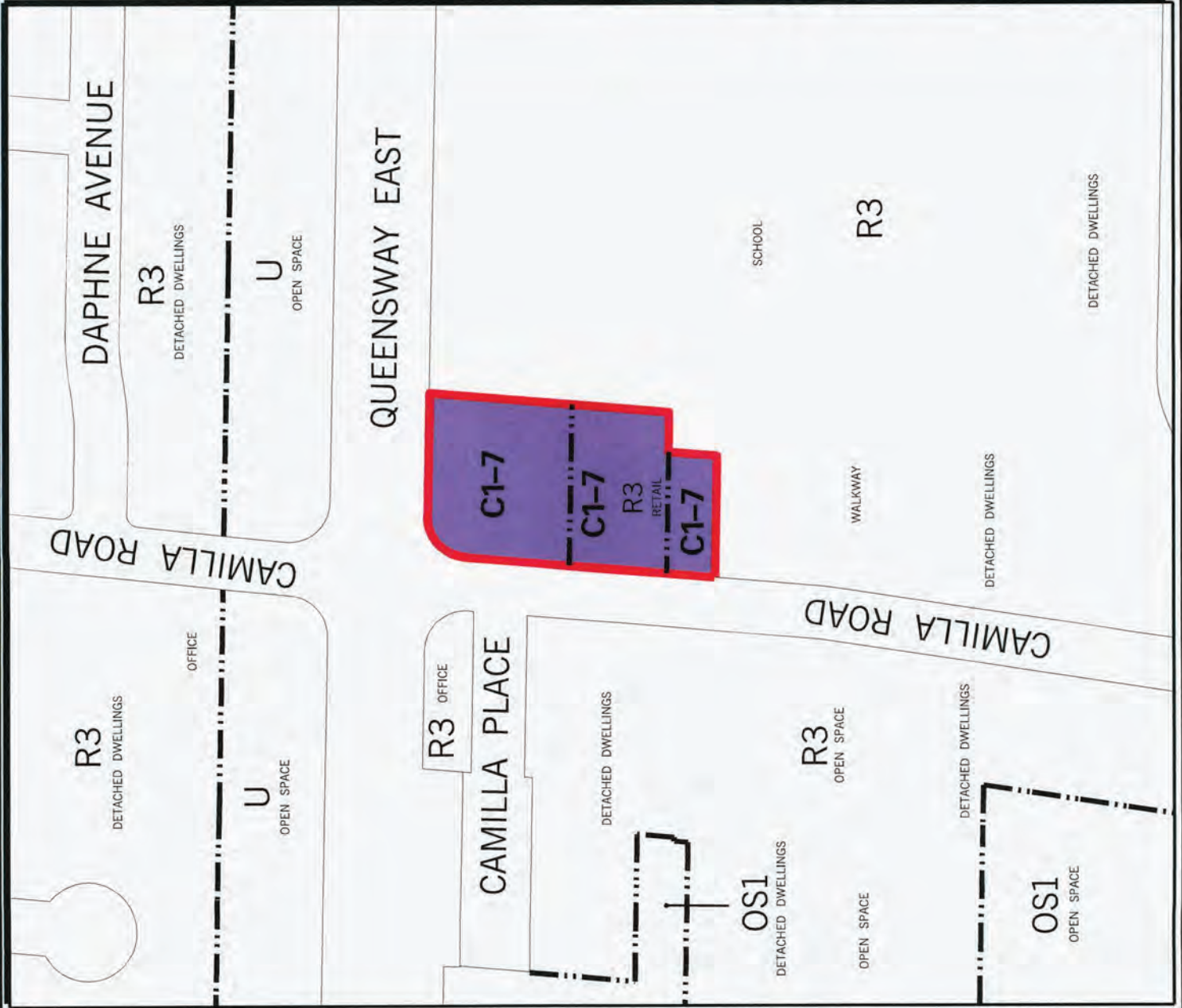
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2014/09/08

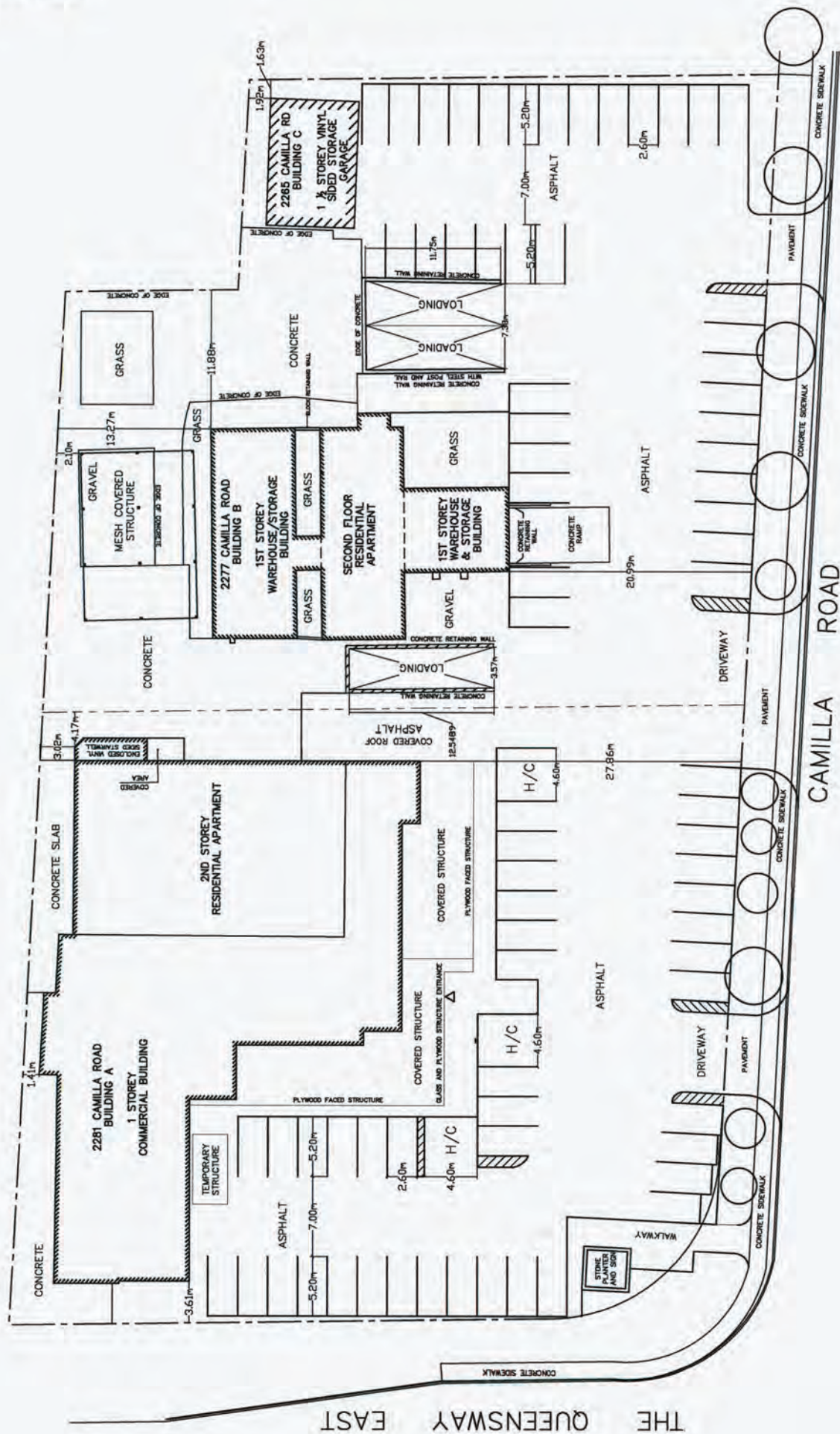
DRAWN BY:
J. BERNARD

APPENDIX I-4

MISSISSAUGA
Planning and Building
Produced by
T&W, Geomatics

Project: Tiveron Farms Limited, OZ 13/023 W7, RPT Version 1, 12/25/2014





Application**File: OZ 13/023 W7****Agency Comments**

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

Agency / Comment Date	Comment
Dufferin-Peel Catholic District School Board (April 7, 2014) and the Peel District School Board (March 31, 2014)	In The Peel District School Board and the Dufferin-Peel Catholic District School Board responded 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.
City Community Services Department – Parks and Forestry Division/Park Planning Section (July 31, 2014)	In the event that the application is approved, the Community Services Department - Park Planning note the following conditions: Prior to the By-law enactment a cash contribution for street planting will be required."
City Transportation and Works Department (August 1, 2014)	In comments dated May 1, 2014, this department confirmed receipt of a Survey Plan, Noise Impact Study, and Environmental Site Screening Questionnaire and Declaration circulated by Planning and Building. Notwithstanding the findings of these reports and drawings, the applicant has been requested to provide an updated Noise Impact Study and a Phase 1 Environmental Site Assessment prior to the Supplementary Meeting. Further detailed comments/conditions will be provided prior to the Supplementary Meeting pending receipt and review of the foregoing.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: Region of Peel

Application**File: OZ 13/023 W7**

Agency / Comment Date	Comment
	City Community Services Department – Fire and Emergency Services Division Enersource Hydro Mississauga City Community Services Department – Heritage Division
	The following City Departments and external agencies were circulated the applications but provided no comments: City of Mississauga Realty Services Enbridge Gas Distribution Hydro One Enbridge Pipelines Inc.

Relevant Mississauga Official Plan Policies**File: OZ 13/023 W7**

Below is an overview of some of the policies which apply to these applications:

	Specific Section/ Policies	General Intent
Chapter 5 – Direct Growth	Section 5.16	Mississauga Official Plan (MOP) encourages compact, mixed use development that is transit supportive, in appropriate locations, to provide a range of local live/work opportunities.
Chapter 7 – Complete Communities	Section 7 Section 7.1 Section 7.1.1 Section 7.1.3	MOP encourages the provision of services, facilities and housing that support the population living and working in Mississauga. Compact, mixed use development is encouraged by integrating residential, commercial, employment, community and recreational land uses.
Chapter 10 – Foster a Strong Economy	Section 10.1 Section 10.4 Section 10.4.3 Section 10.4.5	MOP will encourage a range of employment opportunities reflective of the skills of the resident labour force. Retail uses may be permitted in Neighbourhoods to provide retail uses convenient to the local residents. Outside of Nodes, the location of Retail uses will be identified in Character Area policies.
Chapter 11 – General Land Use Designations	Section 11.2.9.1	The Convenience Commercial designation permits residential and retail. Residential uses should be combined with another use on the same lot and are not permitted on the ground floor.

Relevant Mississauga Official Plan Policies**File: OZ 13/023 W7**

	Specific Section/ Policies	General Intent
Chapter 19 – Implementation – Criteria for Site Specific Official Plan Amendments	Section 19.5.1	<p>Mississauga Official Plan 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.

Tiveron Farms Limited

File No.: OZ 13/023 W7

Proposed Zoning Standards

	Existing "C1-7 - Exception" Zoning By-law Standards	Proposed "C1-7 – Exception" (as amended) Zoning By-law Standards
Uses Permitted	(1) Food Store (2) Garden Centre (3) One (1) Apartment Dwelling Unit (4) Cold Storage Room (5) Accessory Garage	(1) Retail Store (2) Garden Centre (3) Two (2) Apartment Dwelling Units (4) Cold Storage Room (5) Warehousing/Storage (6) Accessory Garage
Required Parking Spaces	65 spaces	71 spaces
Maximum gross floor area – non residential	1,162 m ² (12,508.1 sq. ft.)	1,605 m ² (17,276.6 sq. ft.)
Minimum Interior Side Yard	2.0 m (6.6 ft.)	1.5 m (4.9 ft.)
Minimum front yard	23.0 m (75.5 ft.)	20.0 m (65.6 ft.)
Maximum area used for seasonal outdoor growing/storage	N/A	150 m ² (1614.6 sq. ft.)

As part of the Supplementary Report, additional zoning standards may be recommended to accommodate the current and future use of the subject lands such as the amount of permitted uses on site, setbacks and landscaping requirements

GENERAL CONTEXT MAP

OZ 13/023 W7 APPENDIX I-9





Corporate Report

Clerk's Files

Originator's

Files OZ 13/010 W1
T-M13002 W1

DATE: August 19, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning and Draft Plan of Subdivision Applications
To permit 30 semi-detached dwellings and 1 detached dwelling
on a common element condominium private road
1173, 1177 and 1183 Haig Boulevard
East side of Haig Boulevard, south of Atwater Avenue
Owner: Dunsire (Haig) Inc.
Applicant: Michael Gray / 763930 Ontario Limited
Bill 51

Public Meeting

Ward 1

RECOMMENDATION: That the Report dated August 19, 2014, from the Commissioner of Planning and Building regarding the applications to change the zoning from "R3" (Detached-Dwellings – Typical Lots) to "RM3 – Exception" (Semi-Detached Dwellings on a CEC – Private Road), to permit 30 semi-detached dwellings and 1 detached dwelling on a common element condominium private road under files OZ 13/010 W1 & T-M13002 W1, Dunsire (Haig) Inc., 1173, 1177, 1183 Haig Boulevard, be received for information.

REPORT HIGHLIGHTS:

- Community concerns identified to date relate to traffic, the adequacy of visitor parking and height of the proposed dwellings;
- Prior to the Supplementary Report, matters to be addressed include the appropriateness of the proposed Zoning By-law amendment and Draft Plan of Subdivision and satisfactory

resolution of various design and technical issues outlined in this report.

BACKGROUND:

The above-noted applications have been circulated for technical comments and a community meeting has been held. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications submitted:	Received: August 27, 2013 Deemed complete: October 7, 2013
Number of units:	30 semi-detached dwellings and 1 detached dwelling
Maximum Height:	10.4 m (34.1 ft.)
Parkland Dedication	0.18 ha (0.45 ac)
Net Density:	35 units/ha 14 units/acre
Anticipated Population:	112* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2013 Growth Forecasts for the City of Mississauga.
Parking Required:	62 resident spaces @ 2.0 spaces/unit 8 visitor spaces @ 0.25 spaces/unit Total Required: 70 spaces
Parking Provided:	72 spaces
Supporting Documents:	<ul style="list-style-type: none"> • Tree Inventory & Preservation Plan • Planning Justification Report • Noise Control Feasibility Study • Functional Servicing Report • Phase 1 Environmental Site Assessment • Geotechnical Investigation Report • Traffic Opinion Letter

Development Proposal	
	<ul style="list-style-type: none"> • Heritage Impact Statement • Stage 1 and 2 Archaeological Assessment • Parcel Register Documents • Green Site and Building Features List • Draft Zoning By-law

Site Characteristics	
Frontage:	38.4 m (126 ft.)
Depth:	191.66 m (628.8 ft.) (Irregular)
Gross Lot Area:	1.05 ha (2.6 ac.)
Existing Use:	Two (2) Detached Dwellings

Additional information is provided in Appendices I-1 to I-11.

Green Development Initiatives

The applicant has identified that they are proposing Energy Star Qualified Homes, including water and energy efficient appliances.

Neighbourhood Context

The subject property is located in the Lakeview Neighbourhood, a stable residential community characterized predominately by detached dwellings on large lots (see Appendix I-1). 1173 and 1177 Haig Boulevard contain detached dwellings, while the dwelling on 1183 Haig Boulevard has been demolished. A large portion of the site is grassed, while the rear is heavily treed.

To the north, Dunsire (Haig) Inc. has submitted, in conjunction with these applications, separate Rezoning and Subdivision applications under files OZ 13/011 W1 and T-M 13003 W1 to permit 16 semi-detached dwellings on a common element condominium private road. The overall concept plan shown in Appendix I-7 illustrates the two development proposals by Dunsire (Haig) Inc. Together, there will be 46 semi-detached dwellings and one detached dwelling.

Lands immediately to the south have been rezoned to permit 76 standard condominium townhouse dwellings and one detached dwelling (Weldan Properties (Haig) Inc.).

The surrounding land uses are described as follows:

North: Detached dwellings

East: Lakeview Golf Course

South: Detached dwelling and lands zoned for townhouse development

West: Detached dwellings on west side of Haig Boulevard

Current Mississauga Official Plan Designation and Policies for the Lakeview Local Area Plan

"**Residential Low Density I**" which permits detached, semi-detached and duplex dwellings. A portion of the site is also subject to the policies for "**Natural Hazards**" as it is in the Regulatory Floodplain, until such time as the Serson Creek culvert works have been completed.

The applications are in conformity with the land use designations and no official plan amendment is proposed.

There are other policies in Mississauga Official Plan that are also applicable in the review of these applications, which are found in Appendix I-10.

Draft Lakeview Local Area Plan

The City of Mississauga has undertaken a review of the Lakeview Local Area Plan and has prepared draft policies that are to be incorporated into the Mississauga Official Plan. The draft Plan carries forward many existing policies and land use designations found in the existing Plan and introduces a number of key modifications, including a vision, directing growth to certain areas, and additional policies on complete communities, transportation and urban form. The draft Plan was circulated following the Planning and Development Committee on February 3, 2014 and City staff held a public open house on April 1, 2014. On June 2,

2014, a statutory public meeting was held and it is expected that a report on comments to the draft Plan will be considered at a Planning and Development Committee meeting early 2015.

Although the Draft Lakeview Local Area Plan is not in effect, the policies proposed outline the overall vision for the Lakeview Neighbourhood, therefore this development shall have regard for its policies.

Existing Zoning

"R3" (Detached Dwellings – Typical Lots), which permits detached dwelling on lots with a minimum lot frontage of 15 m (49.2 ft.) and a minimum lot area of 550 m² (5, 920 sq. ft.).

Proposed Zoning By-law Amendment

"RM3-Exception" (Semi-Detached Dwellings on a CEC – Private Road), to permit semi-detached dwellings on a common element condominium private road. The exception zone is necessary to recognize the one detached dwelling, and a reduced sidewalk width of 1.5 m (4.9 ft.); whereas on July 2, 2014, a new minimum width for a CEC sidewalk of 2.0 m (6.6 ft.) was introduced through the City-initiated housekeeping By-law 0190-2014, amending Zoning By-law 0225-2007. The applicant has not requested any other exceptions to the standard "RM3" provisions.

COMMUNITY ISSUES

A community meeting was held by Ward 1 Councillor, Jim Tovey on June 24, 2014.

Issues raised by the Community and through subsequent correspondence received:

- The adequacy of the number of visitor parking spaces proposed which may result in an overflow onto Haig Boulevard;
- The visibility of the proposed visitor parking from Haig Boulevard;

- The proposed development should have regard for the Draft Lakeview Local Area Plan;
- The capacity for both the sanitary sewer and storm water systems;
- The height of the proposed units, as they appear to be 4 storey dwellings;
- Increased traffic in the neighbourhood and safety concerns due to the two new entrances being created;
- Safety and sightline issues at the railroad crossing;
- Overlook issues for existing homes along Haig Boulevard, affecting the use and privacy of the backyards for these adjacent lots.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-8 and school accommodation information is contained in Appendix I-9. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- appropriate height of the proposed semi-detached dwellings and other design issues;
- visitor parking locations;
- the impact and transition to the abutting dwellings on Haig Boulevard;
- tree preservation along Lakeview Golf Course;
- interface between the proposed common element condominium road and Lakeview Golf Course;
- confirmation of the how the overland flow (the major storm system) will be accommodated through the development;
- the parkland dedication lands (Block 32) should more appropriately be rezoned to "OS2-1" (Open Space – City Park), similar to the rezoning of the lands to south in order to be consistent with the current zoning for the Lakeview Golf Course;
- the lands must be removed from the Regulatory flood plain associated with Serson Creek and from a spill area associated with Applewood Creek prior to any development proceeding.

OTHER INFORMATION**Development Requirements**

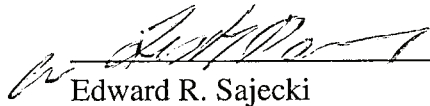
In conjunction with the proposed development, there are certain other engineering matters with respect to servicing, grading, road construction and storm water which will require the applicant to enter into the appropriate agreements with the City, the details of which will be dealt with during the processing of the plan of subdivision.

FINANCIAL IMPACT: Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION: All agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

- Appendix I-1: Aerial Photograph
- Appendix I-2: Existing Mississauga Official Plan and Lakeview Character Area Plan Land Use Map
- Appendix I-3: Excerpt of Existing Lands Use Map
- Appendix I-4: Concept Plan
- Appendix I-5: Draft Plan of Subdivision
- Appendix I-6: Elevations
- Appendix I-7: Overall Concept Plan
- Appendix I-8: Agency Comments
- Appendix I-9: School Accommodation
- Appendix I-10: Relevant Mississauga Official Plan policies
- Appendix I-11: General Context Map



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Sheena Harrington Slade, Development Planner

LEGEND:

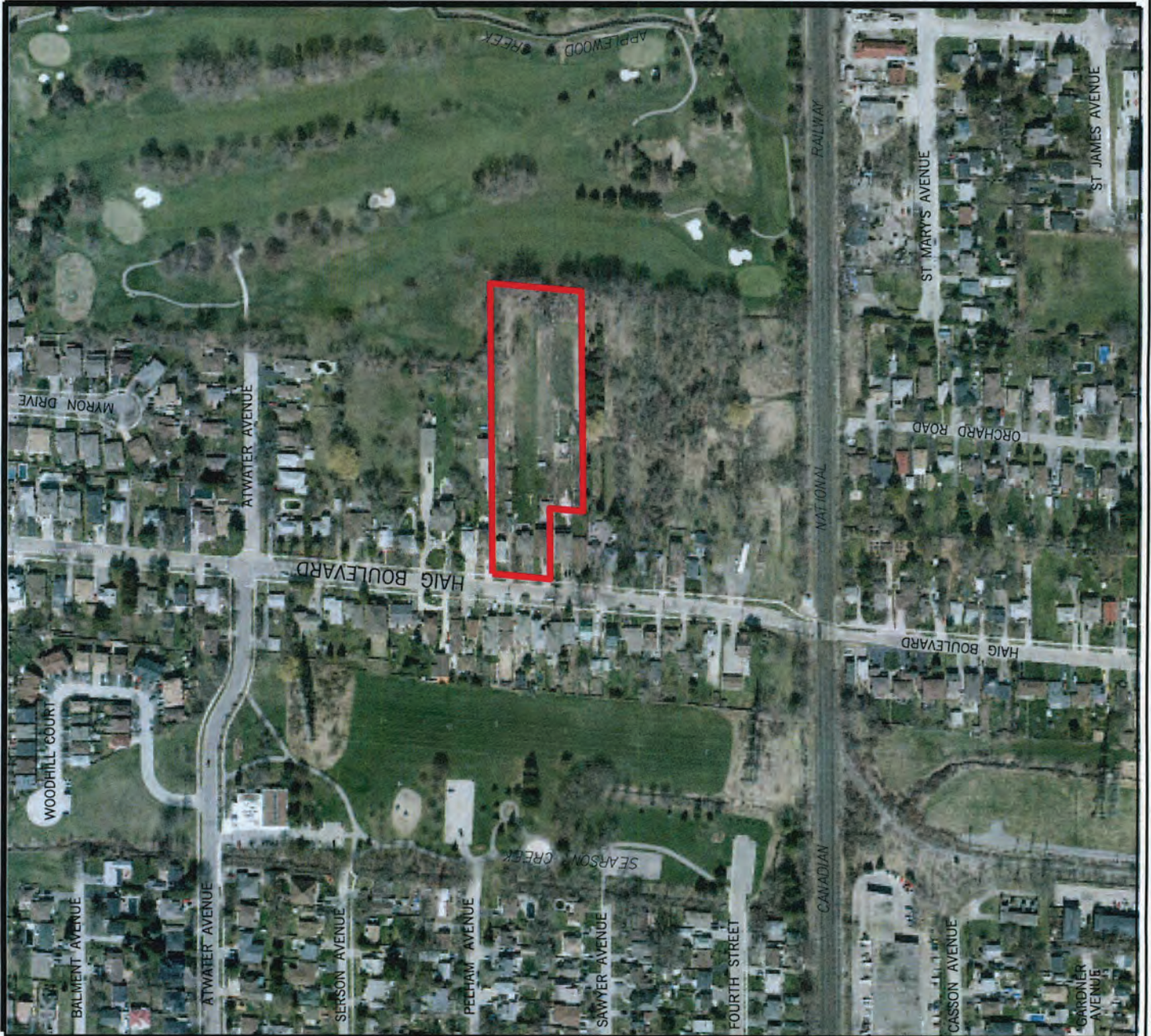


SUBJECT LANDS



SUBJECT: DUNSIRE (HAIG) INC.

FILE NO: OZ 13010 W1 T-M13002 W1		DWG. NO: 13010A		SCALE: 1:2500		PDC DATE: 2014 09 08		DRAWN BY: B. KRUGER		APPENDIX I-1	
										Produced by T&W, Geomatics	



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**PART OF SCHEDULE 10 LAND USE DESIGNATIONS
OF MISSISSAUGA OFFICIAL PLAN
AND LAKEVIEW LOCAL AREA PLAN LAND USE MAP**

LAND USE DESIGNATIONS



LAND USE LEGEND



CITY STRUCTURE

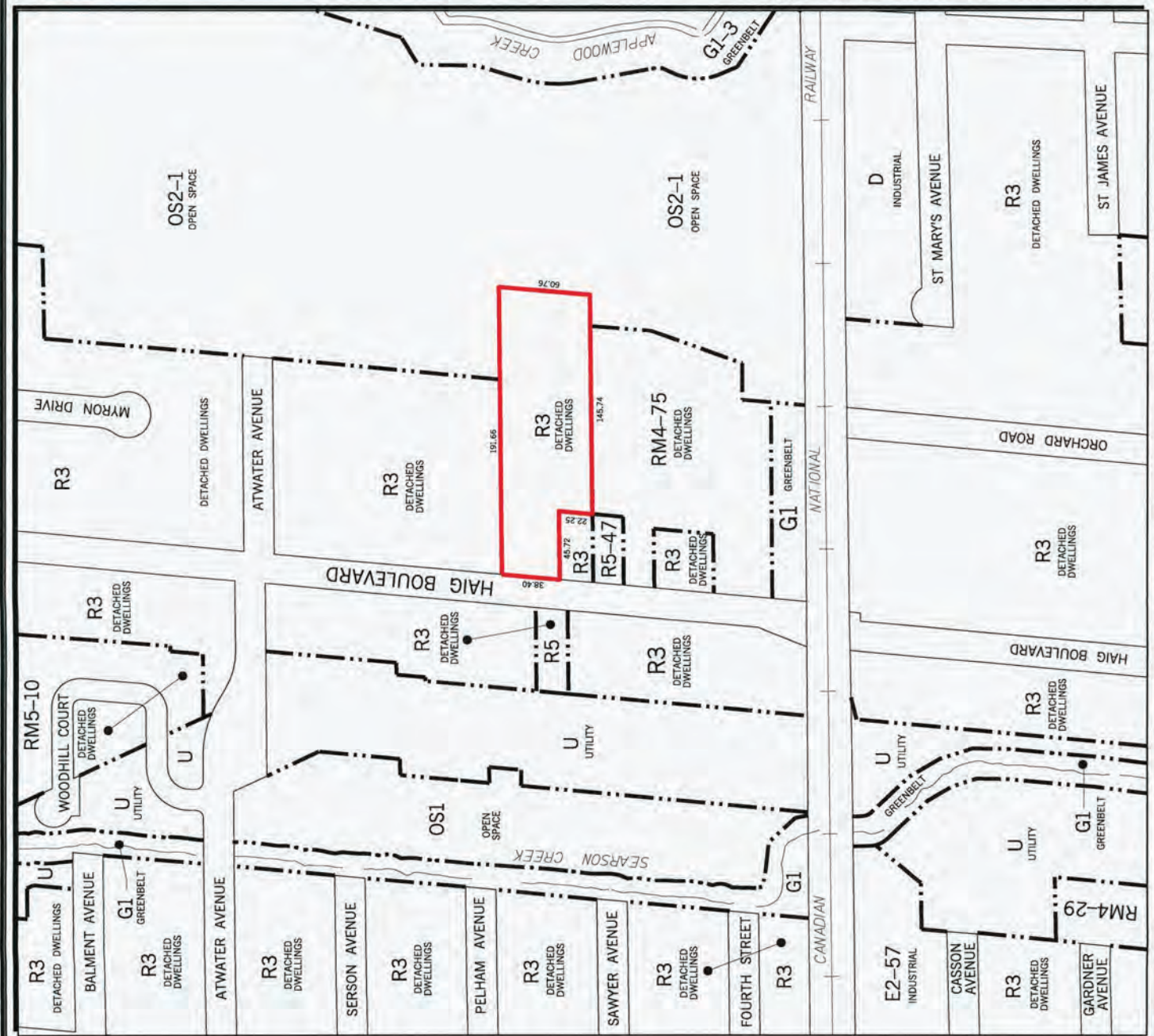


SUBJECT LANDS



SUBJECT: DUNSIRE (HAIG) INC.

FILE NO: OZ 13010 W1 T-M13002 W1		DWG. NO: 13010L		SCALE: 1:2500	
PDC DATE: 2014 09 08		DRAWN BY: B. KRUGER		APPENDIX 1-2	
		MISSISSAUGA Planning and Building			
				Produced by T&W, Geomatics	



LEGEND:



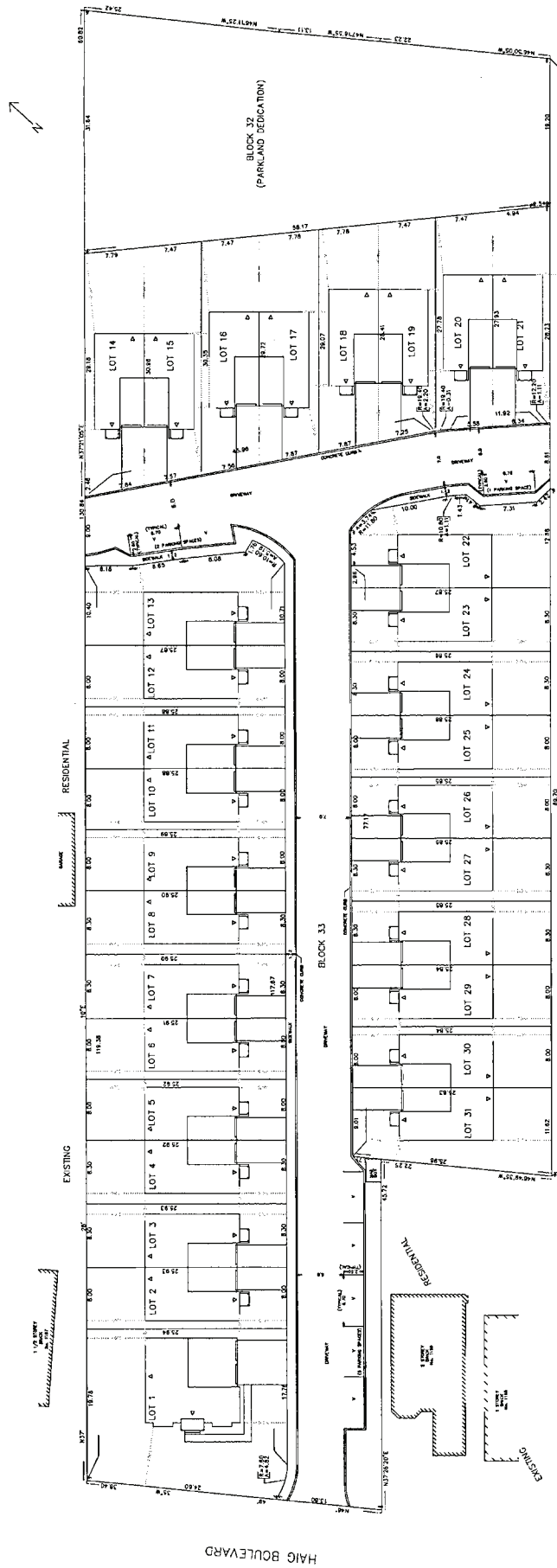
PROPOSED REZONING FROM 'R3'
(DETACHED DWELLINGS - TYPICAL LOTS)
TO 'RM3 - EXCEPTION' (SEMI -
DETACHED DWELLINGS ON A CEC -
PRIVATE ROAD) TO PERMIT 30 SEMI -
DETACHED DWELLINGS AND ONE
DETACHED DWELLING ON A COMMON
ELEMENT CONDOMINIUM PRIVATE ROAD.

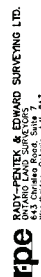
NOTE: EXISTING ZONING DELINEATED ON THE PLAN
PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA.
THIS IS NOT A PLAN OF SURVEY.

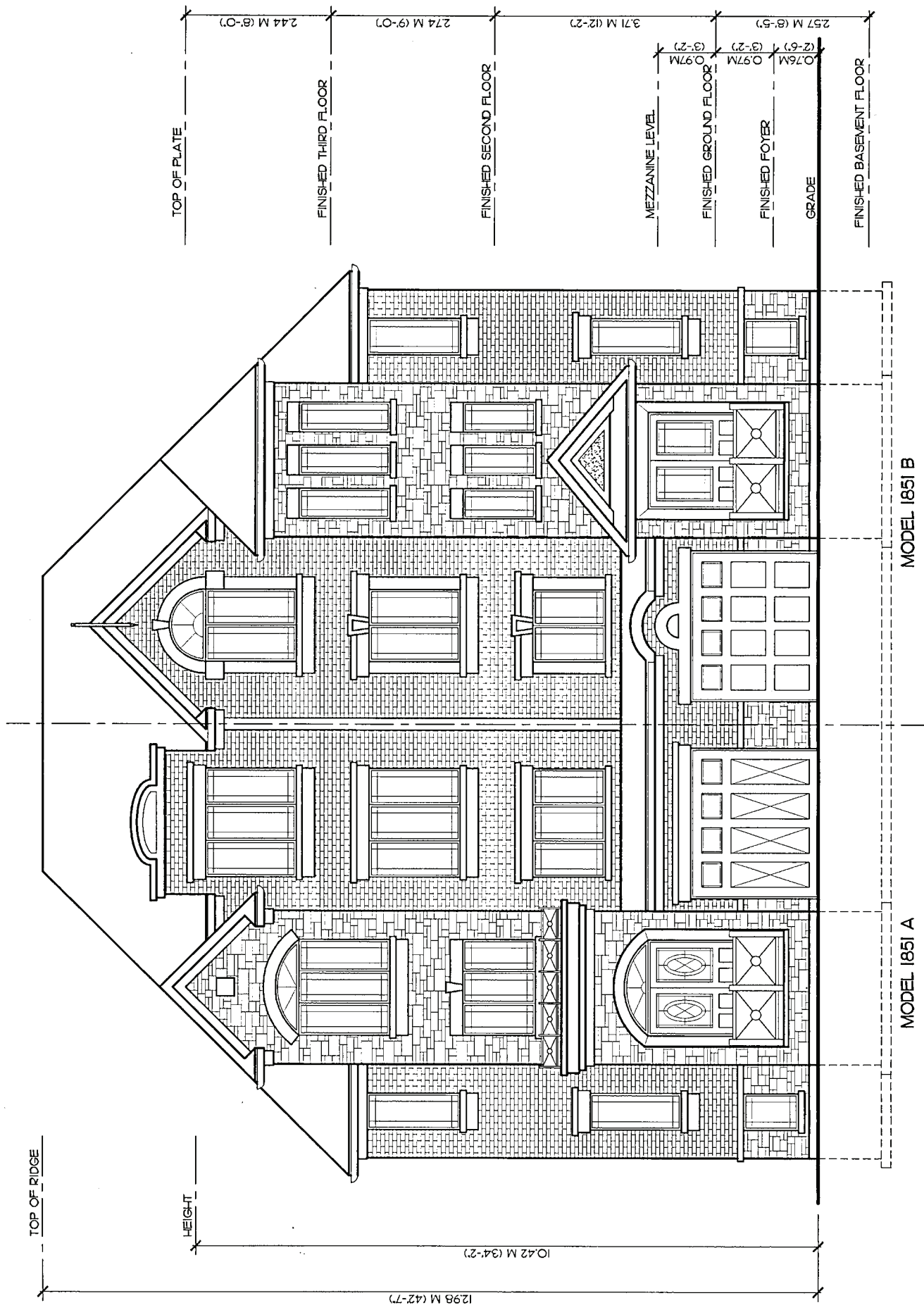


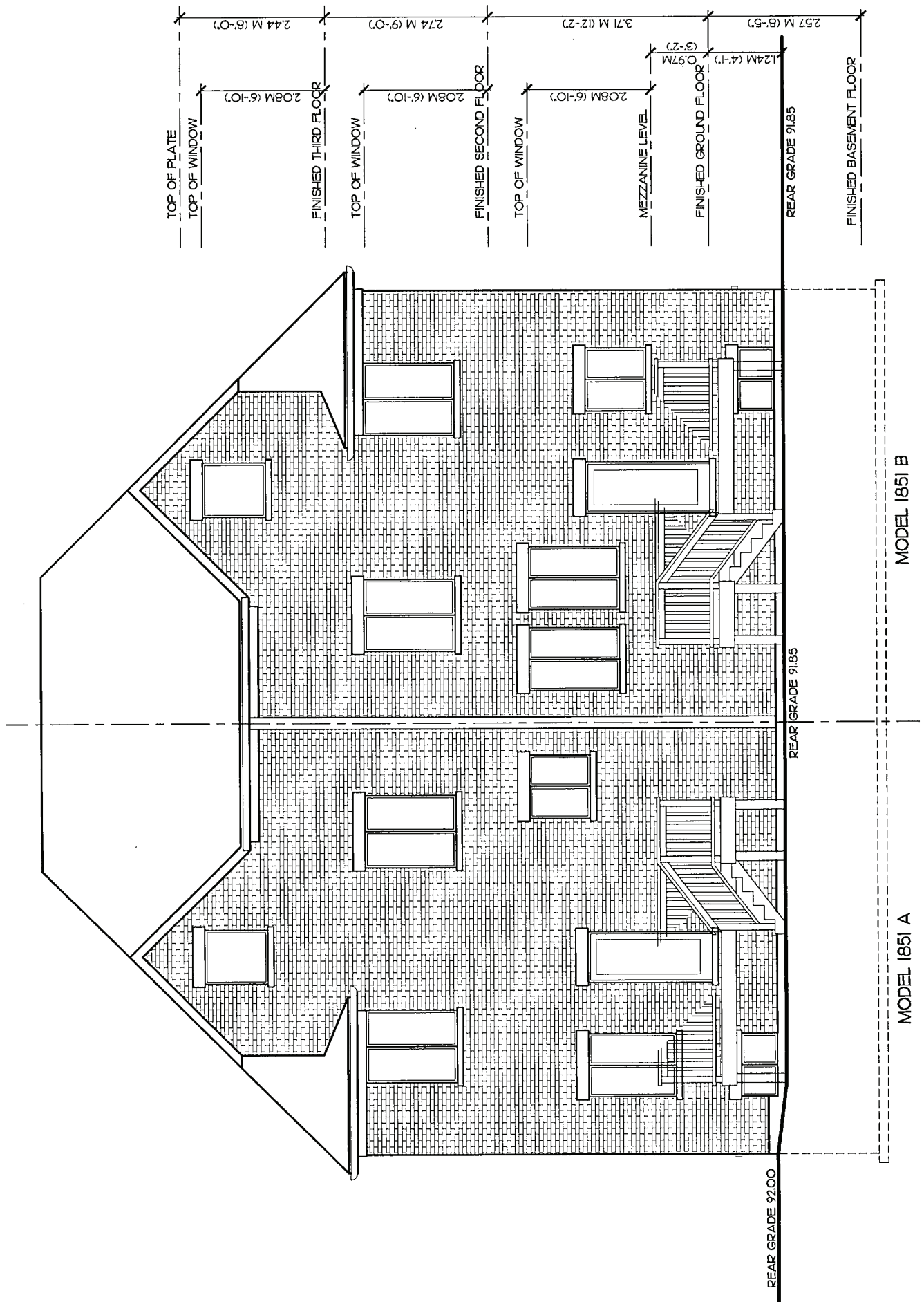
SUBJECT: **DUNSIRE (HAIG) INC.**

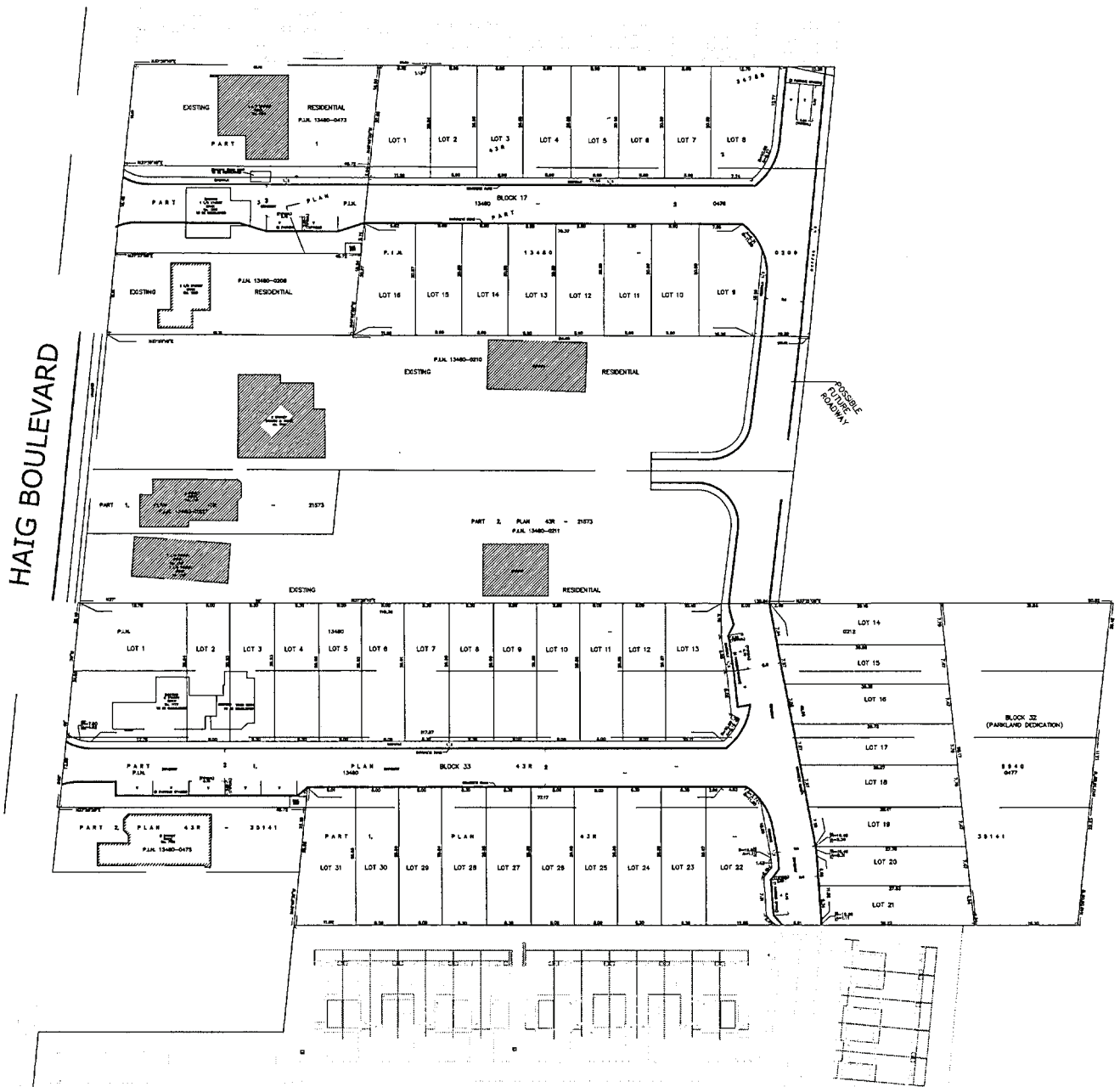
FILE NO: OZ 13010 W1 T-M13002 W1		APPENDIX I-3	
DWG. NO: 13010R		PDC DATE: 2014 09 08	
SCALE: 1:2500		DRAWN BY: B. KRUGER	
Produced by MISSISSAUGA Planning and Building T&W, Geomatics			











Dunsire (Haig) Inc.

OZ 13/010 W1

T-M13002 W1

Agency Comments

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

Agency / Comment Date	Comment
<p>Region of Peel (August 5, 2014)</p>	<p>The applicant will be required to enter into a Condominium Water Servicing Agreement with the local municipality and Region for the construction of water connections associated with the lands. These services will be constructed and designed in accordance with the latest Region standards and requirements.</p> <p>Municipal sanitary sewer facilities consist of a 750 mm (30 in.) diameter sewer on Haig Boulevard. The lands are located in Water Pressure Zone 1. Municipal water facilities consist of a 150 mm (6 in.) diameter watermain located on Haig Boulevard.</p> <p>It is noted that there is basement flooding in the area. The Region of Peel's Water and Wastewater Program Planning is investigating the cause of the basement flooding and analyzing the existing sanitary system.</p> <p>The Draft Plan conditions will not be cleared by the Region until this investigation is completed.</p>
<p>Dufferin-Peel Catholic District School Board and the Peel District School Board (August 5, 2014)</p>	<p>Both School Boards responded 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 these development applications.</p> <p>In addition, if approved, both School Boards require that warning clauses with respect to temporary school</p>

Dunsire (Haig) Inc.

OZ 13/010 W1

T-M13002 W1

Agency / Comment Date	Comment
	accommodation and transportation arrangements be included in the Development and/or Servicing Agreement.
GO Transit - Rail Corridor Management Office (August 5, 2014)	<p>A specific warning clause is required to be included in any Development Agreements, Offers to Purchase or Agreements of Purchase and Sale or Lease for all residential units within 300 m (984 ft.) of the rail corridor.</p> <p>The Owner shall grant Metrolinx an environmental easement for operational emissions registered on title against the subject residential dwellings in favour of Metrolinx. This easement is essentially a noise warning clause registered on title.</p>
Credit Valley Conservation (CVC) (July 29, 2014)	<p>Through the development application for the adjacent lands to the south (Weldan Properties (Haig) Inc.), the neighbouring landowner has proposed works to the Serson Creek culvert and on site grading works to remove the adjacent and subject property from the Regulatory flood plain associated with Serson Creek and from a spill area associated with Applewood Creek. CVC staff is not in a position to support any land use changes until these works have been completed to the satisfaction of CVC and City of Mississauga, and a Professional Engineer has confirmed the flood risk has been removed from the subject property.</p> <p>The proponent should be aware that Butternut (tree #64) is a species at risk and that a Butternut Health Assessment may have to be completed should there be any potential injury. The proponent should contact the local district Ministry of Natural Resources (MNR) (Aurora) who would be able to provide further direction as well as provide lists of local Butternut Health Assessors. In addition, MNR should provide a confirmation on what would constitute <i>significant habitat</i> for this endangered species in order to be consistent with the PPS (policy 2.1.3).</p>

Dunsire (Haig) Inc.

OZ 13/010 W1

T-M13002 W1

Agency / Comment Date	Comment
	<p>At the time of review, this property continues to be in the Regulatory Flood plain. The Functional Storm Report (FSR), dated May 27, 2014, considers the post culvert upgrade scenario (Weldan H-OZ11/001). Under the existing conditions and for the development to proceed the FSR must present an interim condition for CVC to review. CVC is in the process of updating its floodplain mapping for Serson Creek.</p>
<p>City Community Services Department – Parks and Forestry Division/Park Planning Section (July 28, 2014)</p>	<p>A dedication of parkland will be required pursuant to Section 42 of the <i>Planning Act</i> and in accordance with City Policies and By-laws. The dedicated lands will function as a vegetative buffer block between the 7th hole of Lakeview Golf Course, and the proposed semi-detached dwelling units. The amount of land to be dedicated has yet to be finalized however the combined yield of both applications is 0.163 ha (0.4 acres). The applicant will be required to enter into a Parkland Dedication Agreement as the lands to be dedicated are related to two development applications (T-M13002 W1 and T-M13003 W1).</p> <p>The applicant is proposing landscaping changes to the City owned and heritage designated Lakeview Golf Course in order to mitigate safety concerns related to errant golf balls landing on the proposed development. Any changes proposed to the golf course will be undertaken at the applicant's expense and will require the approval of the City's Heritage Advisory Committee as well as a Heritage Permit, issued by the City's Culture Division. Should these proposed changes to the Heritage property be rejected, the applicant will need to explore alternative safety measures such as safety fencing.</p> <p>The applicant will be responsible for the implementation of a City approved landscape plan within the lands to be dedicated, for which securities will be collected through the appropriate Servicing Agreement. To date, landscape plans have not been finalized.</p>

Dunsire (Haig) Inc.

OZ 13/010 W1

T-M13002 W1

Agency / Comment Date	Comment
	<p>This Department has design related concerns pertaining to the lot pattern adjacent to the parkland dedication block. The current configuration results in the removal of several large, healthy trees (greater than 90 cm (36 in.) diameter at breast height) on City property that provide a valuable vegetative buffer between the Golf Course and proposed development. This Department does not support the removal of these trees.</p> <p>The proposed development is located approximately 165 m (541 ft.) from Serson Park (P-002), which provides a variety of facilities that include basketball hoops, unlit mini soccer pitches, playground equipment and trails.</p>
City Community Services Department – Culture Division (July 29, 2014)	Heritage Planning has received the revised Heritage Impact Assessment which is currently under review. Any alterations to the City-owned golf course will require approvals from the Heritage Advisory Committee. This requires the submission of a Heritage Property Permit application. More comments may be forthcoming.
City Community Services Department – Fire and Emergency Services Division (August 5, 2014)	Fire has reviewed the applications from an emergency response perspective and has no concerns; emergency response time to the site and water supply available are acceptable.
City Transportation and Works Department (T&W) (July 28, 2014)	<p>T&W confirmed receipt of the updated circulation of the draft plan, concept plan, functional servicing report by Skira and Assoc., including the storm drainage design, site grading and servicing plans. Preliminary documents provided by the applicant also include an acoustic report, traffic opinion analysis, geotechnical report and Phase 1 Environmental Assessment.</p> <p>The site is traversed by an existing overland drainage regime which includes substantial runoff from the adjacent residential properties to the north and approximately 3 ha (7.2 ac.) of</p>

Dunsire (Haig) Inc.

OZ 13/010 W1

T-M13002 W1

Agency / Comment Date	Comment
	<p>runoff from the Lakeview Golf Course to the northeast. The drainage of these areas has been identified as a concern by the owner of 1187 Haig Boulevard in a letter to the City dated November 27, 2013; whose property is also tributary and upstream of the proposed development.</p> <p>The minor storm sewer drainage system proposed by the applicant intends to accommodate the interim and ultimate development of these upstream drainage areas with rear and side yard catch basins. Notwithstanding this, we share the concerns of the Community Services Department that the installation of the proposed drainage works within the minimal side yard setback for Lot 21 will have an impact on the grading and existing vegetation within the golf course, which is also a Heritage Property. It was also noted that the applicant's engineering consultant will be requested to provide additional details to confirm to the satisfaction of T&W how all overland flow (the major storm system) will be accommodated through the development without flooding any of the existing or proposed residential dwellings.</p> <p>The applicant will be required to address all of the concerns identified in the preliminary comments/conditions. Further detailed comments/conditions will be provided prior the Supplementary Report pending receipt and review of the requested information.</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"> • Bell Canada • Canada Post Corporation • Enersource Hydro Mississauga • Hydro One Network • Fire Prevention Plan Examination

Dunsire (Haig) Inc.

OZ 13/010 W1

T-M13002 W1

Agency / Comment Date	Comment
	<ul style="list-style-type: none">• Enbridge Gas Distribution Inc.
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none">• Realty Services• Peel Regional Police• Conseil Scolaire de District Catholique Centre-Sud• Conseil Scolaire de District Catholique Centre-Sud-Ouest• Rogers Cable• Trillium Health Partners

Dunsire (Haig) Inc.

OZ 13/010 W1

T-M13002 W1

School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 2 Kindergarten to Grade 5 1 Grade 6 to Grade 8 2 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Janet I McDougald P.S. <ul style="list-style-type: none"> Enrolment: 529 Capacity: 580 Portables: 1 Allan A Martin Sr. <ul style="list-style-type: none"> Enrolment: 459 Capacity: 538 Portables: 0 Cawthra Park S.S. <ul style="list-style-type: none"> Enrolment: 1,516 Capacity: 1,044 Portables: 6 <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p>	<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 5 Junior Kindergarten to Grade 8 2 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Queen of Heaven <ul style="list-style-type: none"> Enrolment: 366 Capacity: 561 Portables: 0 St. Paul <ul style="list-style-type: none"> Enrolment: 610 Capacity: 807 Portables: 0

Dunsire (Haig) Inc.

OZ 13/010 W1

T-M13002 W1

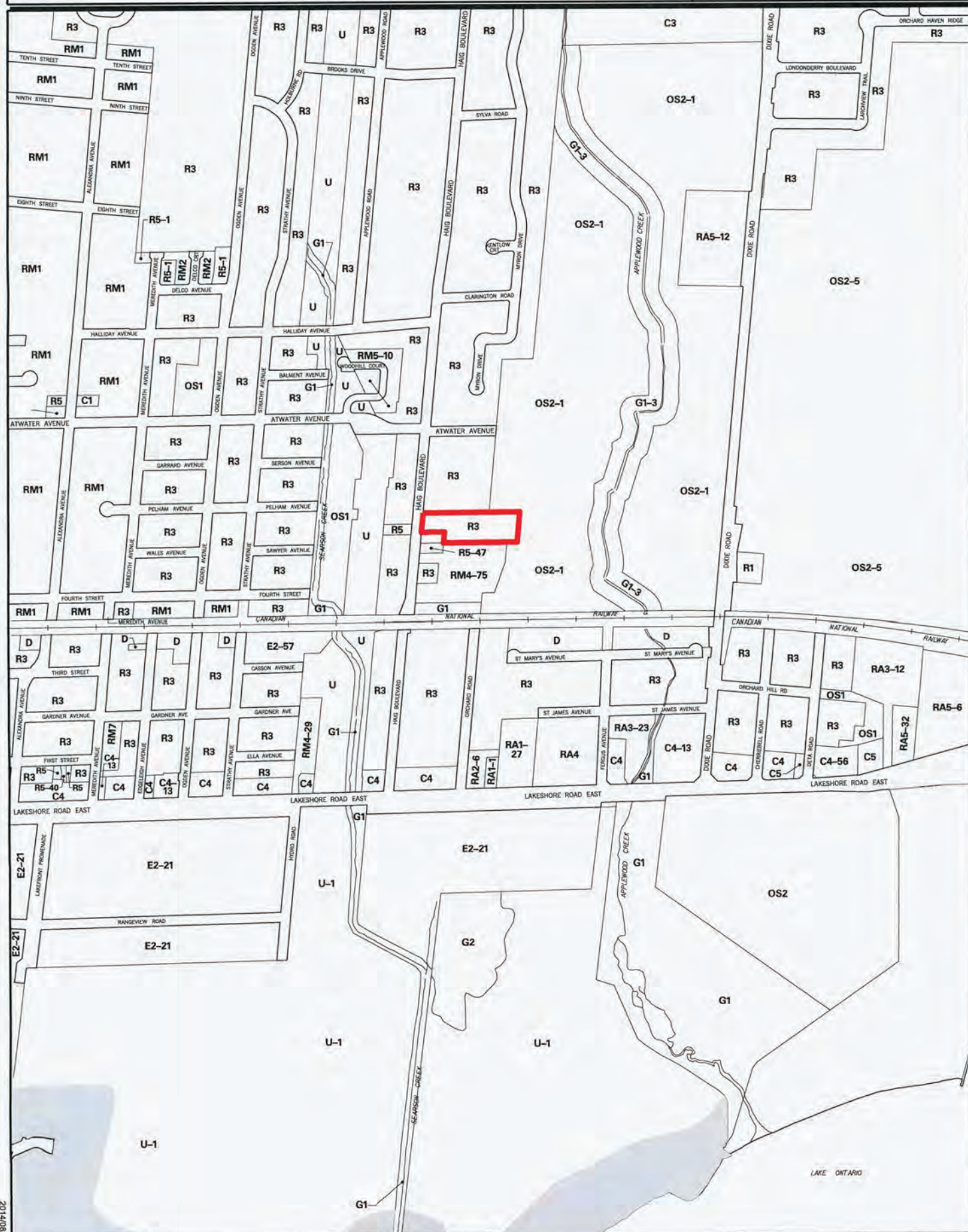
Relevant Mississauga Official Plan Policies

Below is an overview of some of the policies which apply to these applications:

	Specific Policies	General Intent
Chapter 5 – Direct Growth	Section 5.3.5 Neighbourhoods	Mississauga Official Plan (MOP) will ensure that stable Neighbourhoods will remain intact. Mississauga's Neighbourhoods are characterized as physically stable areas with a character that is to be protected and are therefore not appropriate areas for significant intensification. When new development does occur it should be sensitive to the Neighbourhoods existing and planned character, as well as compatible in built form and scale to the existing surrounding development.
Chapter 7 – Complete Communities	Section 7.1.10 Section 7.4.1	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 of significant value will be identified, protected and preserved.
Chapter 8 – Create a Multi-Modal City	Section 8.2.2.7 Section 8.4.11	MOP will ensure that future additions to the road network should be public roads, and where private roads are permitted public easements may be required.
Chapter 9 - Build a Desirable Urban Form	Section 9.1 Section 9.1.3 Section 9.2.2 Section 9.2.4 Section 9.5.1	MOP will ensure that new development respects the identity and character of the surrounding context and requires properties to develop in a manner that contributes to the overall vision for the city.
Chapter 16 - Neighbourhoods	Section 1.1.2.1	MOP will ensure the preservation of the character of lands designated Residential Low Density I and Residential Low Density II.

OZ 13010 W1
T-M13002 W1

APPENDIX I-11





Corporate Report

Clerk's Files

Originator's

 Files OZ 13/011 W1
 T-M13003 W1

DATE: August 19, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Rezoning and Draft Plan of Subdivision Applications
To permit 16 semi-detached dwellings on a common element
condominium private road
1209 Haig Boulevard
East side of Haig Boulevard, south of Atwater Avenue
Owner: Dunsire (Haig) Inc.
Applicant: Michael Gray / 763930 Ontario Limited
Bill 51

Public Meeting **Ward 1**

RECOMMENDATION: That the Report dated August 19, 2014, from the Commissioner of Planning and Building regarding the applications to change the zoning from "R3" (Detached-Dwellings – Typical Lots) to "RM3 – Exception" (Semi-Detached Dwellings on a CEC – Private Road), to permit 16 semi-detached dwellings on a common element condominium private road under files OZ 13/011 W1 & T - M13003 W1, Dunsire (Haig) Inc., 1209 Haig Boulevard, be received for information.

**REPORT
HIGHLIGHTS:**

- Community concerns identified to date relate to traffic, the adequacy of visitor parking and the height of the proposed dwellings;
- Prior to the Supplementary Report, matters to be addressed include the appropriateness of the proposed Zoning By-law amendment and Draft Plan of Subdivision and satisfactory

resolution of various design and technical issues outlined in this report.

BACKGROUND:

The above-noted applications have been circulated for technical comments and a community meeting has been held. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications submitted:	Received: August 27, 2013 Deemed complete: October 7, 2013
Number of units:	16 semi-detached dwellings
Height:	10.4 m (34.1 ft.)
Net Density:	32 units/ha 13 units/acre
Anticipated Population:	58* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2013 Growth Forecasts for the City of Mississauga.
Parking Required:	32 resident spaces @ 2.0 spaces/unit 4 visitor spaces @ 0.25 spaces/unit Total Required: 36 spaces
Parking Provided:	36 spaces
Supporting Documents:	<ul style="list-style-type: none"> • Tree Inventory & Preservation Plan • Planning Justification Report • Noise Control Feasibility Study • Functional Servicing Report • Phase 1 Environmental Site Assessment • Geotechnical Investigation Report • Traffic Opinion Letter • Heritage Impact Statement • Stage 1 and 2 Archaeological Assessment

Development Proposal

	<ul style="list-style-type: none"> • Parcel Register Documents • Green Site and Building Features List • Draft Zoning By-law
--	---

Site Characteristics

Frontage:	16.46 m (54.0 ft.)
Depth:	130.96 m (429.65 ft.) (Irregular)
Gross Lot Area:	0.5 ha (1.2 ac.)
Existing Use:	Detached Dwelling

Additional information is provided in Appendices I-1 to I-11.

Green Development Initiatives

The applicant has identified that they are proposing Energy Star Qualified Homes, including water and energy efficient appliances.

Neighbourhood Context

The subject property is located in the Lakeview Neighbourhood, a stable residential community characterized predominately by detached dwellings on large lots (see Appendix I-1). The site is a "key" shaped lot containing a detached dwelling on the front portion with the rear portion being vacant. The perimeter of the site is well treed.

To the south, Dunsire (Haig) Inc. has submitted, in conjunction with these applications, separate Rezoning and Subdivision applications under files OZ 13/010 W1 and T-M 13002 W1 to permit 30 semi-detached dwellings and one detached dwelling on a common element condominium private road. The overall concept plan shown in Appendix I-7 illustrates the two development proposals by Dunsire (Haig) Inc. Together, there will be 46 semi-detached dwellings and one detached dwelling.

Further south, lands north of the CN Railway have been rezoned to permit 76 standard condominium townhouse dwellings and one detached dwelling (Weldan Properties (Haig) Inc.).

The surrounding land uses are described as follows:

North: Detached Dwellings

East: Lakeview Golf Course

South: Detached Dwellings

West: Detached dwellings on west side of Haig Boulevard

Current Mississauga Official Plan Designation and Policies for the Lakeview Local Area Plan

"Residential Low Density I" which permits detached, semi-detached and duplex dwellings.

The applications are in conformity with the land use designation and no official plan amendment is proposed.

There are other policies in Mississauga Official Plan that are also applicable in the review of these applications, which are found in Appendix I-10.

Draft Lakeview Local Area Plan

The City of Mississauga has undertaken a review of the Lakeview Local Area Plan and has prepared draft policies that are to be incorporated into the Mississauga Official Plan. The draft Plan carries forward many existing policies and land use designations found in the existing Plan and introduces a number of key modifications, including a vision, directing growth to certain areas, and additional policies on complete communities, transportation and urban form. The draft Plan was circulated following the Planning and Development Committee on February 3, 2014 and City staff held a public open house on April 1, 2014. On June 2, 2014, a statutory public meeting was held and it is expected that a report on comments to the draft Plan will be considered at a Planning and Development Committee meeting early 2015.

Although the Draft Lakeview Local Area Plan is not in effect, the policies proposed outline the overall vision for the Lakeview Neighbourhood, therefore this development shall have regard for its policies.

Existing Zoning

"R3" (Detached Dwellings – Typical Lots), which permits which permits detached dwelling on lots with a minimum lot frontage of 15.0 m (49.2 ft.) and a minimum lot area of 550 m² (5, 920 sq. ft.).

Proposed Zoning By-law Amendment

"RM3-Exception" (Semi-Detached Dwellings on a CEC – Private Road), to permit semi-detached dwellings on a common element condominium private road. The exception zone is necessary to recognize a reduced sidewalk width of 1.5 m (4.9 ft.); whereas on July 2, 2014, a new minimum width for a CEC sidewalk of 2.0 m (6.6 ft.) was introduced through a City-initiated housekeeping By-law 0190-2014, amending Zoning By-law 0225-2007. The applicant has not requested any other exceptions to the standard "RM3" zone provisions.

COMMUNITY ISSUES

A community meeting was held by Ward 1 Councillor, Jim Tovey on June 24, 2014.

Issues raised by the Community and through subsequent correspondence received are summarized below and will be addressed in the Supplementary Report:

- The adequacy of the number of visitor parking spaces proposed which may result in an overflow onto Haig Boulevard;
- The visibility of the proposed visitor parking from Haig Boulevard;
- The proposed development should have regard for the Draft Lakeview Local Area Plan;
- The capacity for both the sanitary sewer and storm water systems;
- The height of the proposed units, as they appear to be 4 storey dwellings;
- Increased traffic in the neighbourhood and safety concerns due to two new entrances being created;
- Safety and sightline issues at the railroad crossing;

- Overlook issues for existing homes along Haig Boulevard and Atwater Avenue, affecting the use and privacy of the backyards for these adjacent lots.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-8 and school accommodation information is contained in Appendix I-9. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- appropriate height of the proposed semi-detached dwellings and other design issues;
- visitor parking locations;
- the impact and transition to the abutting dwellings on Haig Boulevard and Atwater Avenue;
- tree preservation along Lakeview Golf Course;
- interface between the proposed common element condominium road and Lakeview Golf Course;
- confirmation of the how the overland flow (the major storm system) will be accommodated through the development.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters with respect to servicing, grading, road construction and storm water which will require the applicant to enter into the appropriate agreements with the City, the details of which will be dealt with during the processing of the plan of subdivision.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.


CONCLUSION:

The majority of agency and City department comments have been received and after the public meeting has been held and all issues

are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

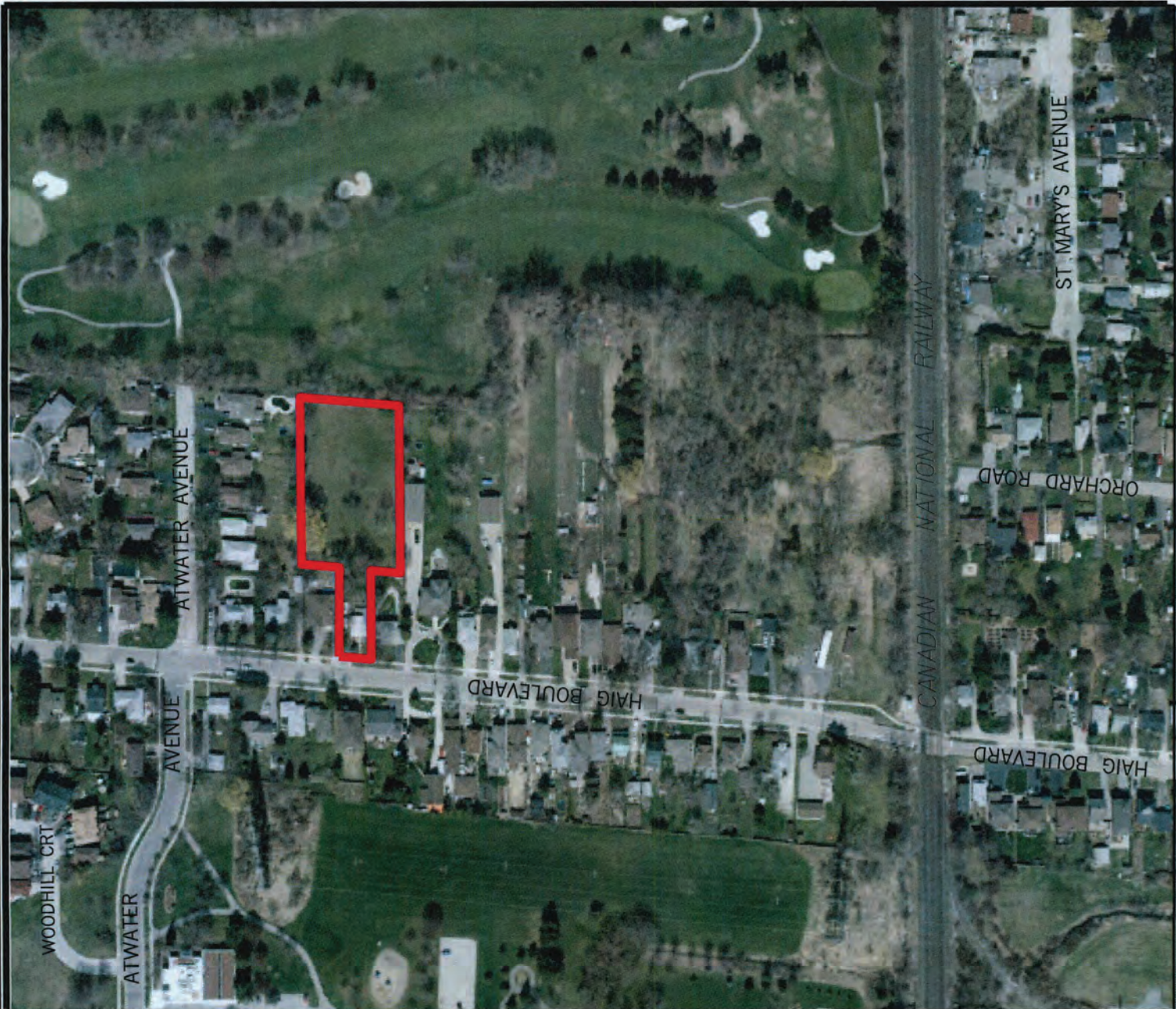
Appendix I-1: Aerial Photograph
Appendix I-2: Excerpt of Lakeview Character Area
Land Use Map
Appendix I-3: Excerpt of Existing Land Use Map
Appendix I-4: Concept Plan
Appendix I-5: Draft Plan of Subdivision
Appendix I-6: Elevations
Appendix I-7 Overall Concept Plan
Appendix I-8: Agency Comments
Appendix I-9: School Accommodation
Appendix I-10: Relevant Mississauga Official Plan policies
Appendix I-11: General Context Map



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Sheena Harrington Slade, Development Planner

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LEGEND:



SUBJECT LANDS

NOTE: DATE OF AERIAL PHOTO: 03 2013



SUBJECT:

DUNSIRE (HAIG) INC.

FILE NO:
OZ 13011 W1
T-M13003 W1

DWG. NO:
13011A

SCALE:
N.T.S.

DATE:
2014 09 08

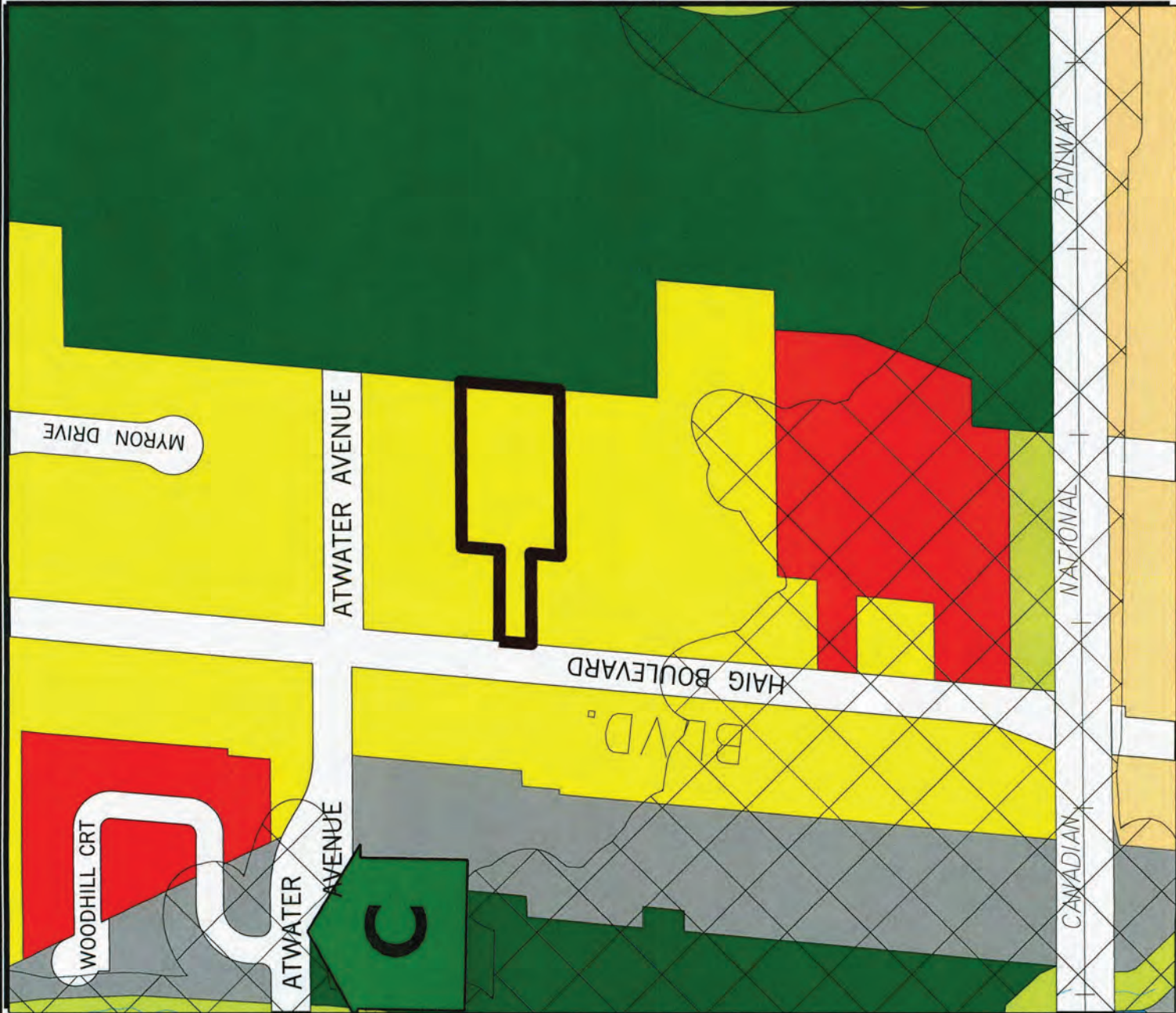
DRAWN BY:
B. KRUGER

APPENDIX I-1



MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



PART OF SCHEDULE 10 LAND USE DESIGNATIONS
OF MISSISSAUGA OFFICIAL PLAN
AND LAKEVIEW LOCAL AREA PLAN LAND USE

LAND USE DESIGNATIONS

- | | |
|----------------------------|---------------------|
| Residential Low Density I | Business Employment |
| Residential Low Density II | Industrial |
| Residential Medium Density | Airport |
| Residential High Density | Institutional |
| Downtown Mixed Use | Public Open Space |
| Downtown Core Commercial | Private Open Space |
| Mixed Use | Greenbelt |
| Convenience Commercial | Parkway Belt West |
| Motor Vehicle Commercial | Utility |
| Office | To Be Determined |

LAND USE LEGEND

- | | |
|--------------------------------|------------------------------|
| Heritage Conservation District | Civic Centre (City Hall) |
| 1996 NEP/2000 NEF | City Centre Transit Terminal |
| Composite Noise Centours | GO Rail Transit Station |
| LBPA Operating Area Boundary | Public School |
| See Aircraft Noise Policies | Catholic School |
| Area Exempt from | Hospital |
| LBPA Operating Area | Community Facilities |
| Natural Hazards | |

CITY STRUCTURE

- | | |
|----------------|----------------------|
| Elements | Corporate Centre |
| Downtown | Employment Area |
| Major Node | Special Purpose Area |
| Community Node | |
| Neighbourhood | |

ND2 Region of Peel Non-Decision

SUBJECT LANDS



SUBJECT: DUNSIRE (HAIG) INC.

FILE NO:
OZ 13011 W1
T-M13003 W1

DWG. NO:
13011L

SCALE:
1:30000

PDC DATE:
201 09 08

DRAWN BY:
B. KRUGER

APPENDIX I-2



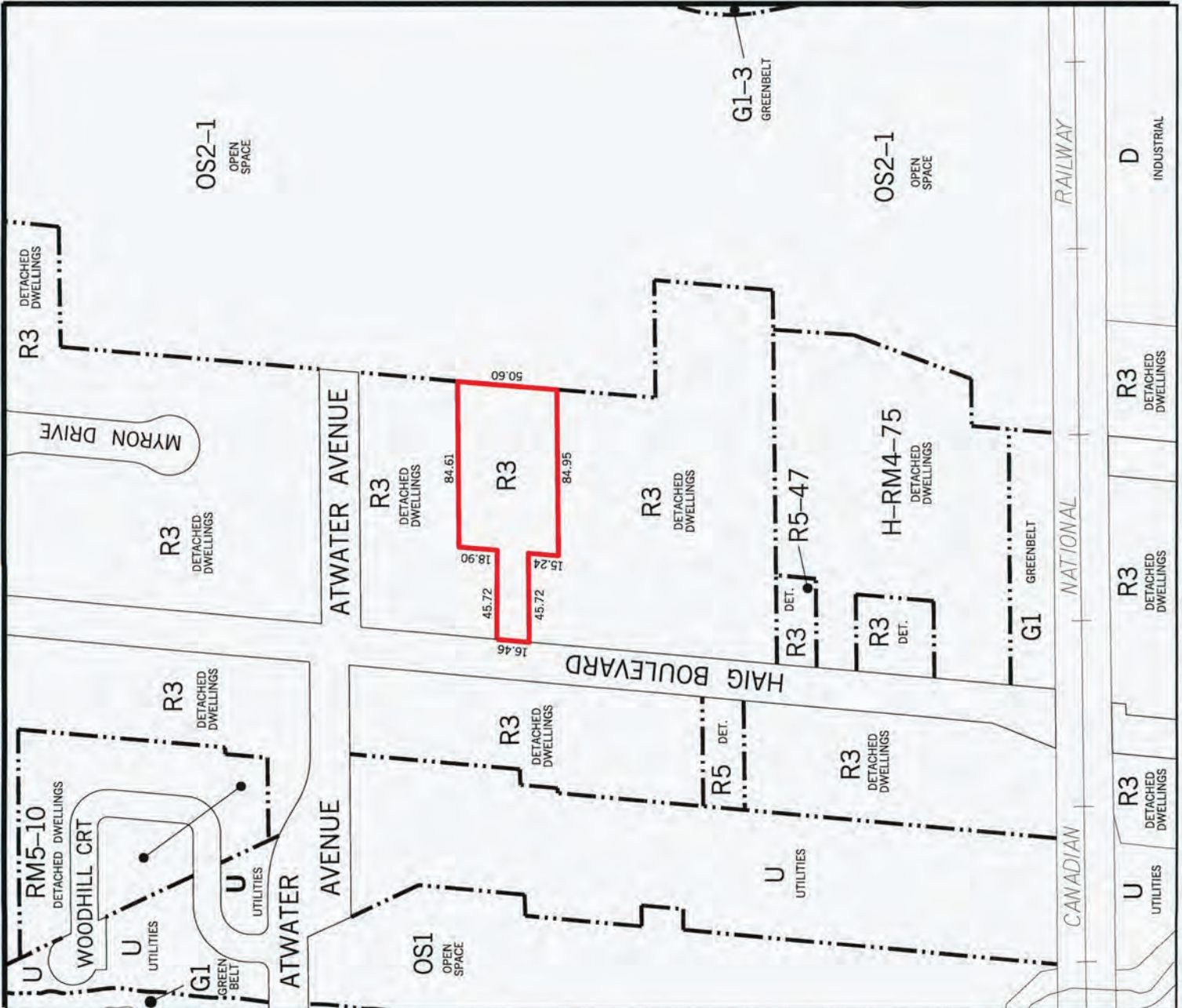
MISSISSAUGA
Planning and Building

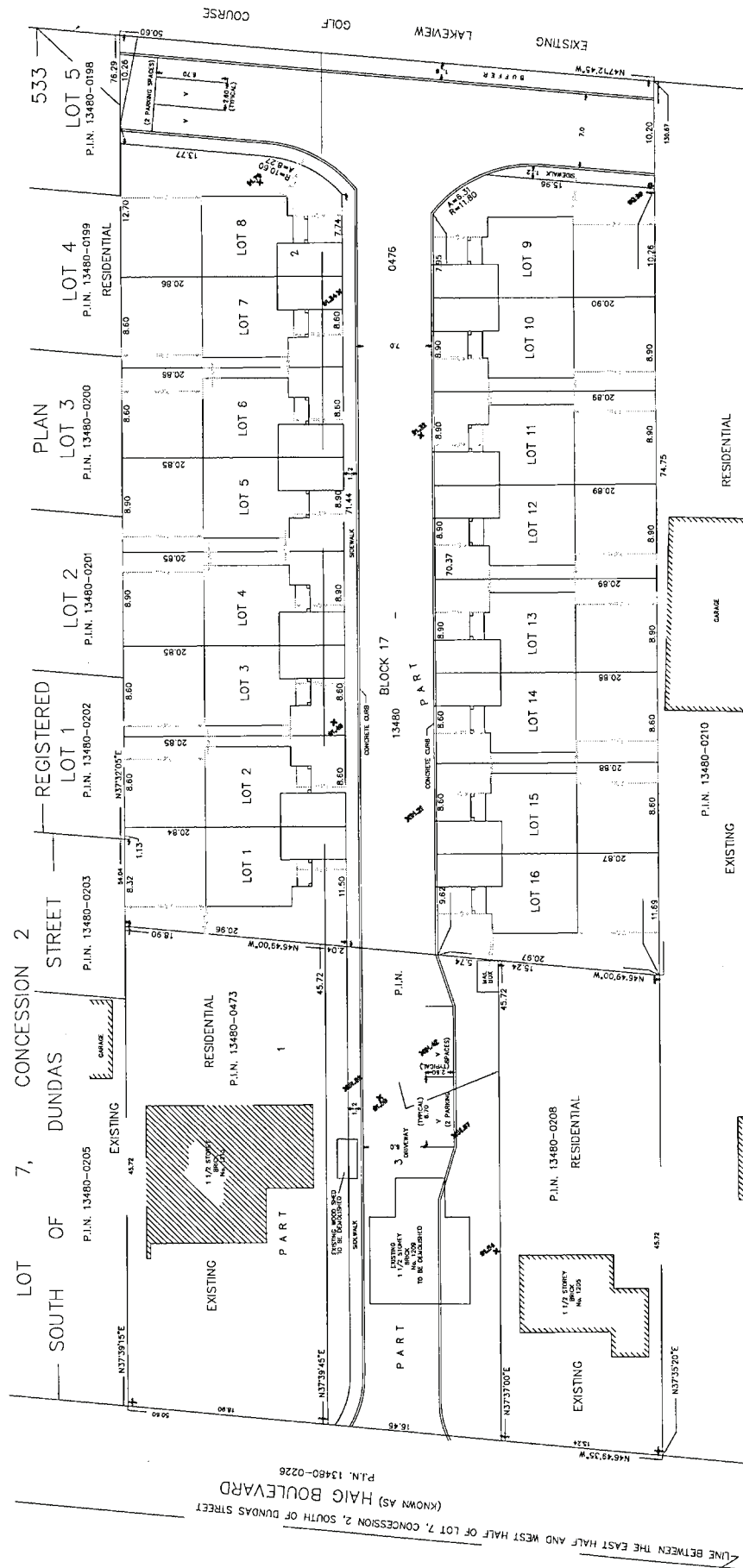
Produced by
T&W, Geomatics

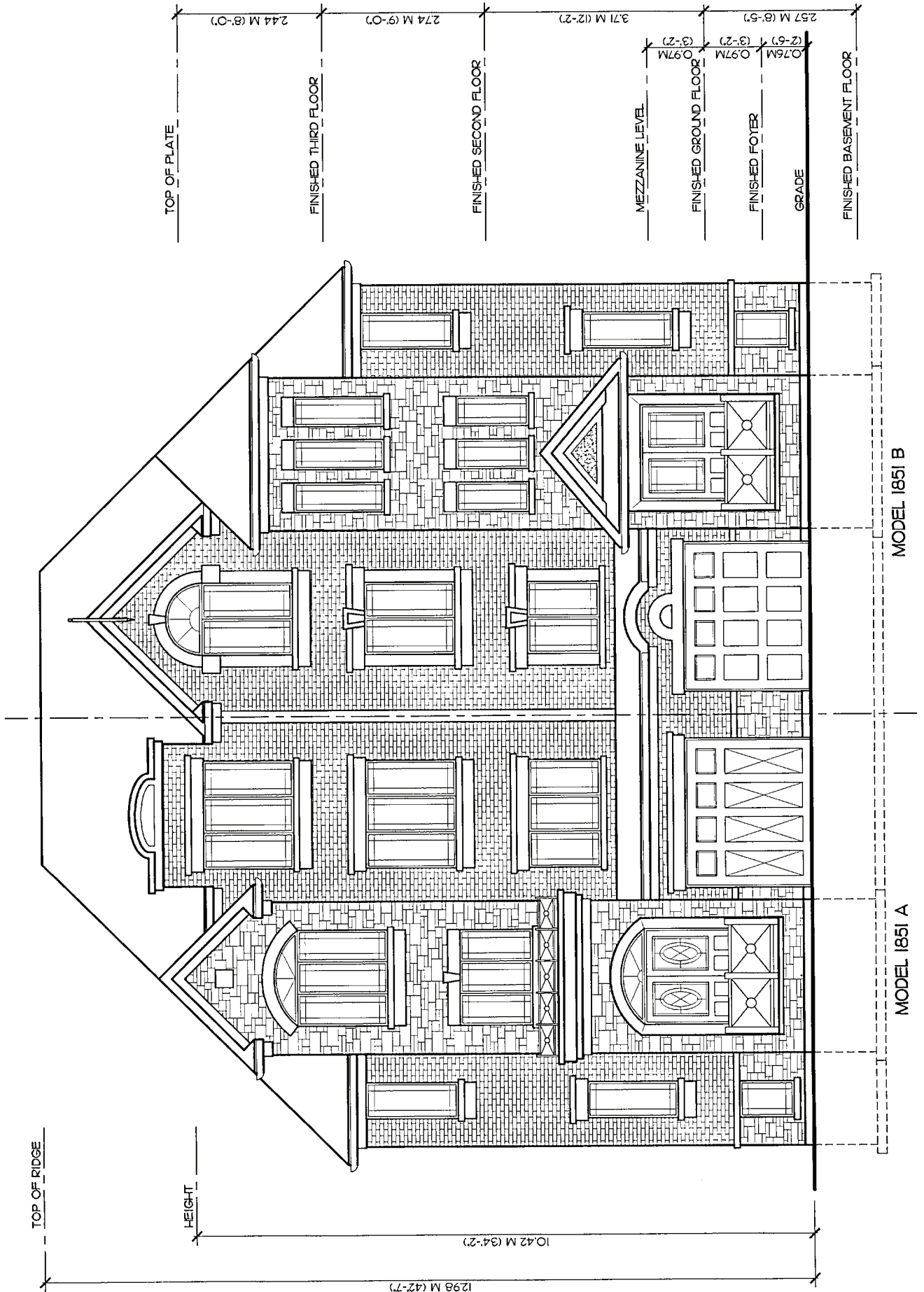


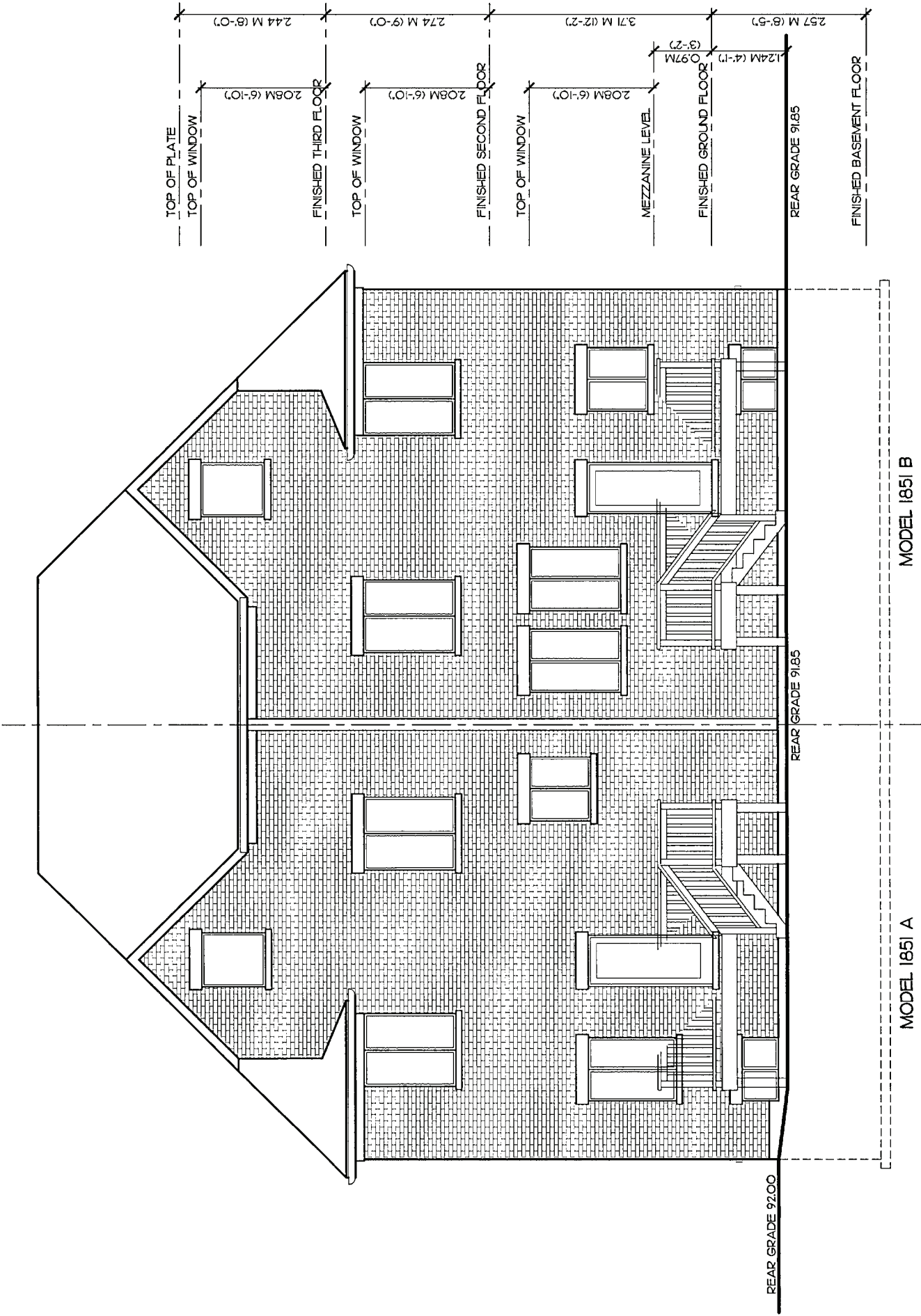
DUNSIRE (HAIG) INC.

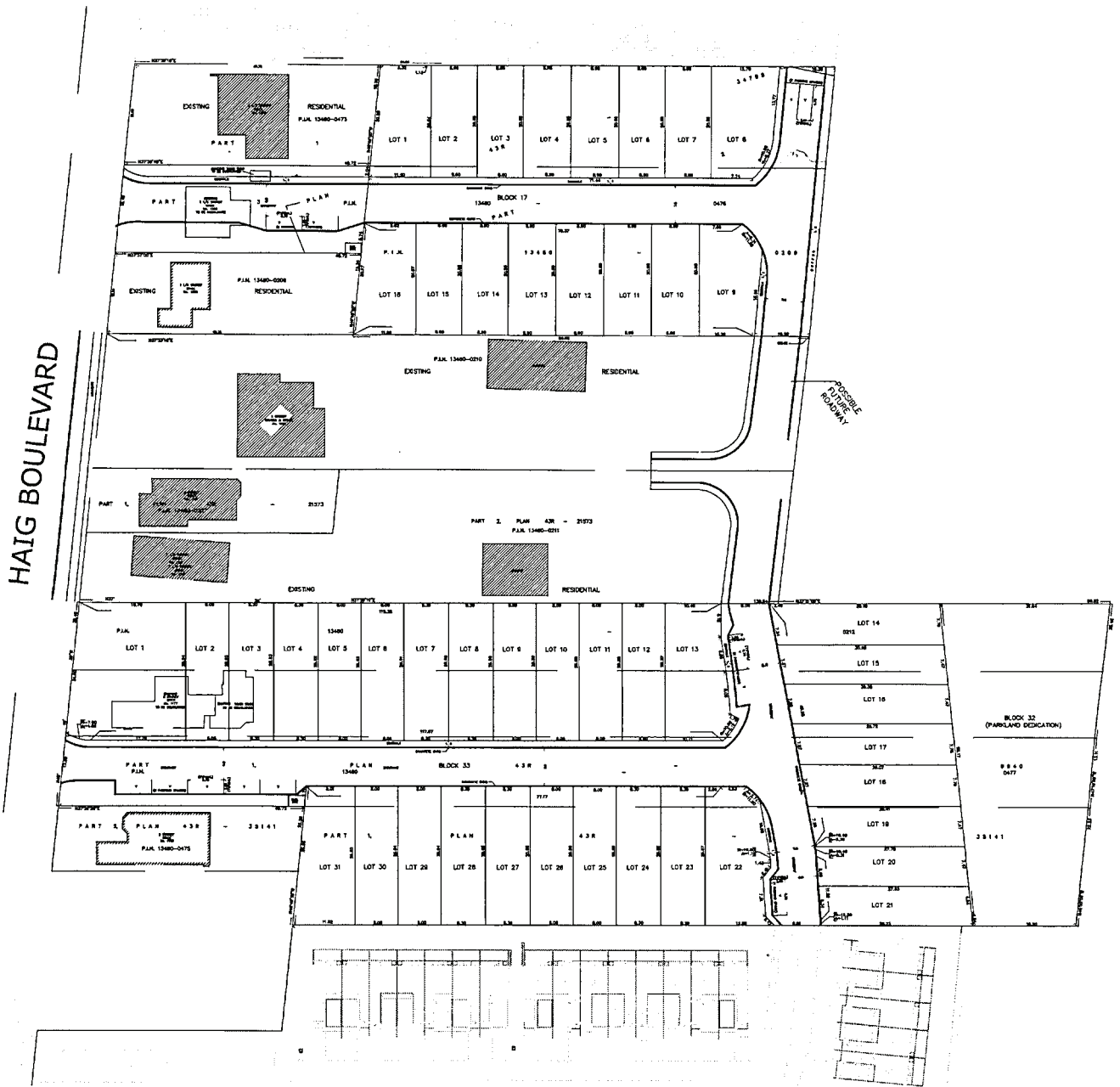
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Dunsire (Haig) Inc.OZ 13/011 W1
T-M13003 W1**Agency Comments**

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

Agency / Comment Date	Comment
Region of Peel (August 5, 2014)	<p>The applicant will be required to enter into a Condominium Water Servicing Agreement with the local Municipality and Region for the construction of water connections associated with the lands. These services will be constructed and designed in accordance with the latest Region standards and requirements.</p> <p>Municipal sanitary sewer facilities consist of a 750 mm (30 in.) diameter sewer on Haig Blvd. The lands are located in Water Pressure Zone 1. Municipal water facilities consist of a 150 mm (6 in.) diameter watermain located on Haig Blvd.</p> <p>It is noted that there is basement flooding in the area. The Region of Peel's Water and Wastewater Program Planning is investigating the cause of the basement flooding and analyzing the existing sanitary system.</p> <p>The Draft Plan conditions will not be cleared by the Region until this investigation is completed.</p>
Dufferin-Peel Catholic District School Board and the Peel District School Board (August 5, 2014)	<p>Both School Boards responded 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 these development applications.</p> <p>In addition, if approved, both School Boards require that warning clauses with respect to temporary school accommodation and transportation arrangements be included in the Development and/or Servicing Agreement.</p>

Dunsire (Haig) Inc.

OZ 13/011 W1

T-M13003 W1

Agency / Comment Date	Comment
GO Transit - Rail Corridor Management Office (August 5, 2014)	<p>A specific warning clause is required to be included in any Development Agreements, Offers to Purchase or Agreements of Purchase and Sale or Lease for all residential units within 300 m (984 ft.) of the rail corridor.</p> <p>The Owner shall grant Metrolinx an environmental easement for operational emissions registered on title against the subject residential dwellings in favour of Metrolinx. This easement is essentially a noise warning clause registered on title.</p>
Credit Valley Conservation (July 9, 2014)	<p>Based on the flood map for Serson Creek, the property is located outside of flood lines and as such from technical stand point CVC has no concern.</p>
City Community Services Department – Parks and Forestry Division/Park Planning Section (July 28, 2014)	<p>A dedication of parkland will be required pursuant to Section 42 of the <i>Planning Act</i> and in accordance with City Policies and By-laws. The dedicated lands will function as a vegetative buffer block between the 7th hole of Lakeview Golf Course, and the proposed semi-detached dwelling units. The amount of land to be dedicated has yet to be finalized however the combined yield of both applications is 0.163 ha (0.4 acres). The applicant will be required to enter into a Parkland Dedication Agreement as the lands to be dedicated are related to two development applications (T-M13002 W1 and T-M13003 W1).</p> <p>The applicant is proposing landscaping changes to the City owned and heritage designated Lakeview Golf Course in order to mitigate safety concerns related to errant golf balls landing on the proposed development. Any changes proposed to the golf course will be undertaken at the applicant's expense and will require the approval of the City's Heritage Advisory Committee as well as a Heritage Permit, issued by the City's Culture Division. Should these proposed changes to the Heritage property be rejected, the applicant will need to explore alternative safety measures such as safety fencing.</p> <p>The applicant will be responsible for the implementation of a City approved landscape plan within the lands to be dedicated, for which securities will be collected through the appropriate</p>

Dunsire (Haig) Inc.

OZ 13/011 W1

T-M13003 W1

Agency / Comment Date	Comment
	<p>Servicing Agreement. To date, landscape plans have not been finalized.</p> <p>This Department has design related concerns with the alignment of the north-south Common Element Condominium road. The current alignment results in the removal of several large, healthy trees (greater than 90 cm (36 in.) diameter at breast height) on City property that provide a valuable vegetative buffer between the Golf Course and proposed development. This Department does not support the removal of these trees.</p> <p>The proposed development is located approximately 165 m (541 ft.) from Serson Park (P-002), which provides a variety of facilities that include basketball hoops, unlit mini soccer pitches, playground equipment and trails.</p>
<p>City Community Services Department – Culture Division (July 29, 2014)</p>	<p>Heritage Planning has received the revised Heritage Impact Assessment which is currently under review. Any alterations to the City owned golf course will require approvals from the Heritage Advisory Committee. This requires the submission of a Heritage Property Permit application. More comments may be forthcoming.</p>
<p>City Community Services Department – Fire and Emergency Services Division (August 5, 2014)</p>	<p>Fire has reviewed the applications from an emergency response perspective and has no concerns; emergency response time to the site and water supply available are acceptable.</p>
<p>City Transportation and Works Department (T&W) (July 28, 2014)</p>	<p>T&W confirmed receipt of the updated circulation of the draft plan, concept plan, site grading and servicing plans. Preliminary documents provided by the applicant also included an acoustic report, traffic opinion analysis, geotechnical report and Phase 1 Environmental Assessment.</p> <p>T&W's preliminary comments and conditions have not been fully addressed by the applicant's latest submission and additional concerns have been identified that may impact the feasibility of the project. Cross-sections are to be provided through the private road and adjacent existing properties to illustrate the substantial grade changes proposed; and through the private road interface with the Lakeview Golf Course</p>

Dunsire (Haig) Inc.

OZ 13/011 W1

T-M13003 W1

Agency / Comment Date	Comment
	<p>(heritage property). The plans are to be updated to confirm how the overland flow (the major storm system) will be accommodated through the development without impacting any of the existing or proposed residential dwellings.</p> <p>The applicant will be required to address all of the concerns identified in the preliminary and current comments/conditions. Further detailed comments/conditions will be provided prior the Supplementary Report pending receipt and review of the requested information.</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"> • Bell Canada • Canada Post Corporation • Enersource Hydro Mississauga • Hydro One Network • Fire Prevention Plan Examination
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> • Realty Services • Peel Regional Police • Conseil Scolaire de District Catholique Centre-Sud • Conseil Scolaire de District Catholique Centre-Sud-Ouest • Rogers Cable • Enbridge Gas Distribution Inc. • Trillium Health Partners

Dunsire (Haig) Inc.

OZ 13/011 W1

T-M13003 W1

School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 1 Kindergarten to Grade 5 1 Grade 6 to Grade 8 1 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Janet I McDougald P.S. <ul style="list-style-type: none"> Enrolment: 529 Capacity: 580 Portables: 1 Allan A Martin Sr. <ul style="list-style-type: none"> Enrolment: 459 Capacity: 538 Portables: 0 Cawthra Park S.S. <ul style="list-style-type: none"> Enrolment: 1,516 Capacity: 1,044 Portables: 6 <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p>	<ul style="list-style-type: none"> Student Yield: <ul style="list-style-type: none"> 3 Junior Kindergarten to Grade 8 1 Grade 9 to Grade 12 School Accommodation: <ul style="list-style-type: none"> Queen of Heaven <ul style="list-style-type: none"> Enrolment: 366 Capacity: 561 Portables: 0 St. Paul <ul style="list-style-type: none"> Enrolment: 610 Capacity: 807 Portables: 0

Dunsire (Haig) Inc.

OZ 13/011 W1

T-M13003 W1

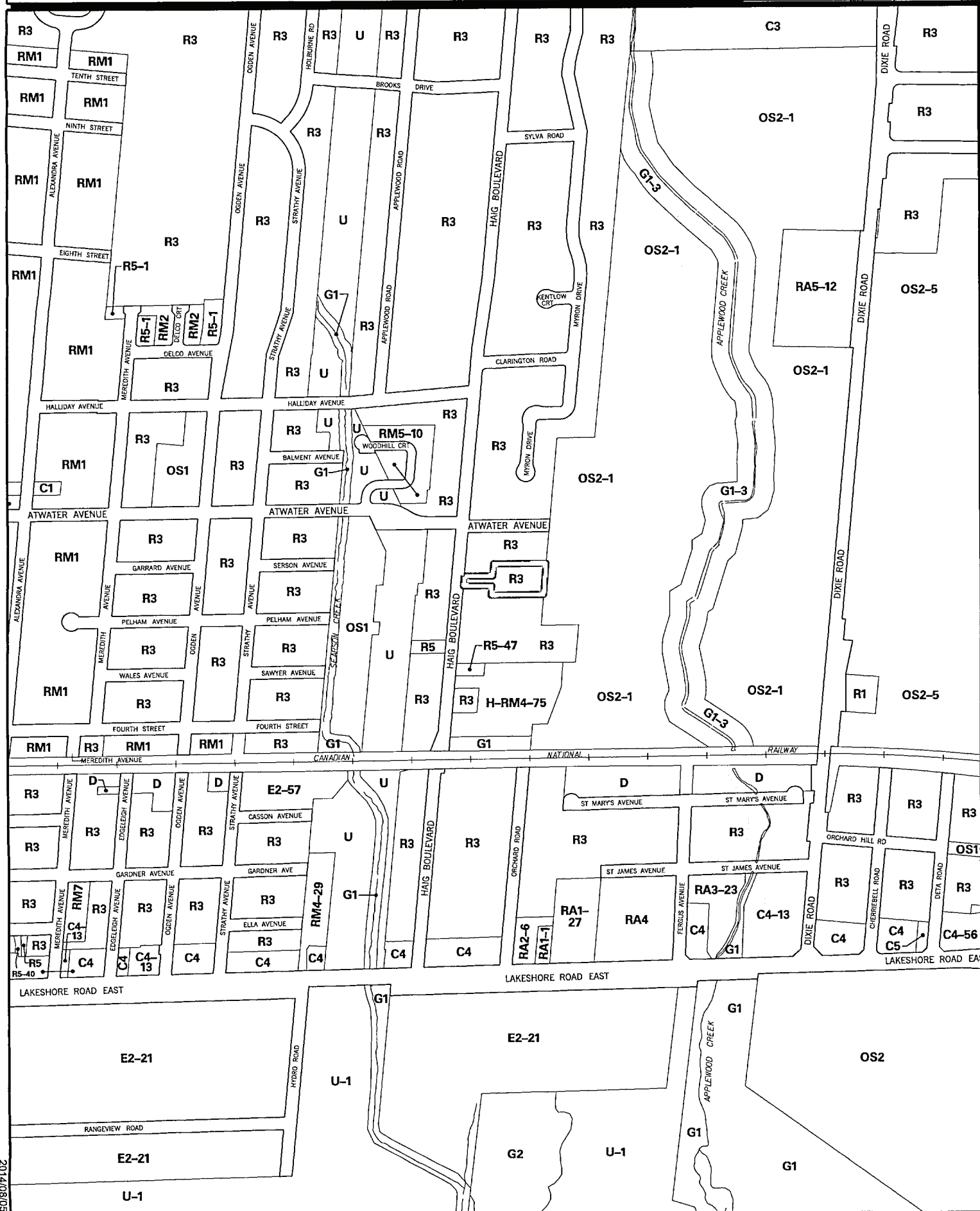
Relevant Mississauga Official Plan Policies

Below is an overview of some of the policies which apply to these applications:

	Specific Policies	General Intent
Chapter 5 – Direct Growth	Section 5.3.5 Neighbourhoods	Mississauga Official Plan (MOP) will ensure that stable Neighbourhoods will remain intact. Mississauga's Neighbourhoods are characterized as physically stable areas with a character that is to be protected and are therefore not appropriate areas for significant intensification. When new development does occur it should be sensitive to the Neighbourhoods existing and planned character, as well as compatible in built form and scale to the existing surrounding development.
Chapter 7 – Complete Communities	Section 7.1.10 Section 7.4.1	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 of significant value will be identified, protected and preserved.
Chapter 8 – Create a Multi-Modal City	Section 8.2.2.7 Section 8.4.11	MOP will ensure that future additions to the road network should be public roads and where private roads are permitted public easements may be required.
Chapter 9 – Build a Desirable Urban Form	Section 9.1 Section 9.1.3 Section 9.2.2 Section 9.2.4 Section 9.5.1	MOP will ensure that new development respects the identity and character of the surrounding context and requires properties to develop in a manner that contributes to the overall vision for the city.
Chapter 16 - Neighbourhoods	Section 1.1.2.1	MOP will ensure the preservation of the character of lands designated Residential Low Density I and Residential Low Density II.

OZ 13011 W1
T-M13003 W1

APPENDIX I-11





Corporate Report

Clerk's Files

 Originator's
Files OZ 11/011 W6

DATE: August 19, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Official Plan Amendment and Rezoning Applications**
To permit a dental office in a residential dwelling
with one resident dentist, one non-resident dentist
and a maximum of three employees
5306 Creditview Road
West side of Creditview Road, south of Carolyn Road
Owner: Navin and Vandana Ratra
Applicant: Weston Consulting Group Inc.
Bill 51

Supplementary Report

Ward 6

RECOMMENDATION: That the Report dated August 19, 2014, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 11/011 W6, Navin and Vandana Ratra, 5306 Creditview Road, west side of Creditview Road, south of Carolyn Road, be adopted in accordance with the following:

1. That the application to amend Mississauga Official Plan Policies for the East Credit Neighbourhood Character Area from "Residential Low Density II" and "Greenbelt" to "Residential Low Density II – Special Site" and "Greenbelt" as amended, to permit a dental office in a residential dwelling with one resident dentist, one non-resident dentist, a

maximum of three employees, and greenbelt preservation be approved.

2. That the application to change the zoning from "R3" (Detached Dwelling – Typical Lot) to "R3-Exception" (Detached Dwelling - Exception) and "G1" (Greenbelt) to permit a dental office in a residential dwelling and greenbelt lands in accordance with the proposed revised zoning standards described in Appendix S-4 of this report, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official 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.

**REPORT
HIGHLIGHTS:**

- Since more than two years have passed since the Information Report and public meeting, the Supplementary Report is being brought to Planning and Development Committee with full public notification as a second public meeting;
- Community comments have been summarized and addressed within this report;
- The owners have agreed to the dedication of the greenbelt lands which are part of Carolyn Creek to the City with a License Agreement negotiated to allow for their continued passive use for 10 year terms.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on June 11, 2012, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0038-2012 which was subsequently adopted by Council and is attached as Appendix S-2.

COMMENTS:**COMMUNITY ISSUES****Comment**

The adjacent resident to the south inquired whether the parking along the south limit of the subject property could be flipped to the north side or laid out differently to have less impact on his property.

Response

The proposal is seeking to maintain the majority of the existing residence with an addition and alterations, to be able to accommodate both a residence and dental office within the dwelling. Relocating the parking to the north side would require the demolition of the entire existing residence and there would be less room to accommodate parking due to the shape of the property and the required setback to Carolyn Creek and the valley slope. The parking currently proposed along the south property limit is entirely in front of the adjacent residence (front yard) and therefore does not directly abut the residence or rear yard amenity area, creating the least impact. A solid screen fence will shield the parking from the neighbour's lands.

Comment

An objection was raised with the expansion of commercial uses into residential areas and comment provided that they should locate within defined commercial areas such as Heartland, Square One, and existing designated commercial plazas to protect the character of residential areas.

Response

The proposal seeks to maintain a single family residence for one of the practicing dentists and will maintain the "Residential" designation within the Official Plan and Zoning By-law with exceptions for the increased medical component. The Official Plan and Zoning By-law currently permit resident physicians and dentists within their principal private residence, in order to provide needed services to area residents within their communities and avoid segregation of these uses in distinct areas requiring residents to commute outside of their neighbourhoods, provided they are small and maintain the residential character. The subject application is for a minor increase in scale of the medical office for an additional practitioner and 3 staff. Given the proposed design and layout of the lot, and the existing character along Creditview Road, including the veterinary clinic immediately to the north on this major collector road, the overall character of the neighbourhood is not anticipated to change. The proposal combines residential and commercial uses and is of an appropriate scale that it would not adversely affect or destabilize the intended character of the area.

Comment

There were also 14 letters of support and/or no objection received from area residents.

**UPDATED AGENCY AND CITY DEPARTMENT
COMMENTS****Transportation and Works Department**

In comments dated July 18, 2014, Transportation and Works confirmed receipt of Site Plan, Functional Storm Drainage Report, Site Servicing and Grading Plan and Environmental Noise Impact Study intended to address the department's comments.

In the event this application is approved by Council, prior to enactment of the Zoning By-law, the applicant will be required to:

- Enter into a Development Agreement;
- Convey gratuitously any lands and/or easements as required by the City (i.e. the Creditview Road widening, Greenbelt lands);
- Enter into a License Agreement for temporary use of Greenbelt lands;
- Provide securities for central air conditioning;
- Provide cash contribution for bike route signs.

Site specific details will be addressed through the Site Plan application, SP-11/133 W6.

Community Services Department

In comments dated July 18, 2014, Community Services stated that in the event that the application is approved, the following condition will apply:

In keeping with City policies, as a condition of this development, prior to the enactment of zoning By-law, the applicant will gratuitously dedicate all lands below the established top-of-bank, as staked by the City and Credit Valley Conservation Authority (CVC) on October 26, 2010. The dedicated lands will be zoned "Greenbelt", to allow for long term conservation and a connection to the City-owned greenbelt system and Carolyn Creek (P-250). The applicant and the City will be entering into a License Agreement to allow the applicant to use the dedicated portion of lands, described as Part 5 in the draft reference plan, for passive recreational use for a period of ten years with an option to renew for another ten years. Furthermore, prior to the enactment of a zoning by-law, a cash contribution will be required to cover the cost of installing a chain link fence along the property line in accordance with the municipal standard, upon termination of the License Agreement.

PLANNING COMMENTS

Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe

The new Provincial Policy Statement, 2014 (PPS) took effect April 30, 2014. The PPS contains the province's policies concerning land use planning for Ontario, and all planning decisions are required to be consistent with these policies. The new PPS gives better direction for supporting healthy active communities, strong economies, and the responsible management of resources in a clean and healthy environment. It states that "planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated" and "appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding mitigating risks to public health and safety".

If this application is approved it will be consistent with the PPS as it protects Carolyn Creek, restricts development from possible flooding and represents acceptable infill development.

Official Plan

While the applications were submitted under the policies of Mississauga Plan, the applicant has consented to the application being converted to amend Mississauga Official Plan (2012).

The proposal requires an amendment to the Mississauga Official Plan policies for the East Credit Neighbourhood Character Area from "**Residential Low Density II**" and "**Greenbelt**" to "**Residential Low Density II – Special Site**" (East Credit Neighbourhood) and "**Greenbelt**". Excerpts of some of the applicable policies from Mississauga Official Plan can be found in **Appendix S-3** of this report.

Section 19.5.1 of Mississauga Official Plan provides criteria for evaluating site specific Official Plan Amendments. Each criterion is summarized below along with a discussion of how the proposed applications address the intent of the criteria.

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?

The Official Plan policies permit accessory offices for physicians, dentists, health professionals, and drugless practitioners within detached dwellings (See policies 11.2.5.2 and 11.2.5.7 within Appendix S-3). The Official Plan also has policies which encourage mixed use development that is transit supportive in appropriate locations to provide a range of local live/work opportunities and reduce travel needs.

Due to limited increase in the intensity of the use, the existing character of the area, and compatibility of built form and scale, the proposal meets the intent, goals and objectives of the Official Plan and the functioning of the remaining "Residential Low Density II" lands. The valley lands associated with Carolyn Creek will be dedicated through this application to ensure their long term protection.

Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?

The subject lands have a large component of lands designated "Greenbelt" which will be protected through dedication to the City and "G1" (Greenbelt) zoning, thus preserving and enhancing the natural system. The "Residential" designation will be maintained. The dentist's principal private residence will be on the second floor of the dwelling/office. The proposed dental office component is compatible with residential lands and is not anticipated to have any negative impact on adjacent and surrounding lands.

Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?

The existing infrastructure and services within the area are sufficient to support the proposed development.

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 received and reviewed a Planning Justification Report from the applicant and assessed the merits of the proposal against Mississauga Official Plan and other planning documents and support the proposed amendments.

Zoning

Since the Information Report, there have been some refinements of the requested exceptions to form part of the Zoning By-law including:

- an increase of gross floor area from 130 m² (1,399 sq.ft.) to 136 m² (1,464 sq.ft.);
- a decrease in rear yard setback from 7.5 m (24.6 ft.) to 6.7 m (22 ft.);
- adding a minimum landscaped buffer requirement of 2.8 m (9.1 ft.) within the front yard adjacent the street; and,
- adding a parking rate of 5.8 spaces per 100 m² (1,076 sq.ft.) non-residential, plus 2 residential parking spaces.

See Appendix S-4 for the draft Zoning By-law Amendment.

The proposed "R3-Exception" (Detached Dwelling - Exception) and "G1" (Greenbelt) zones are appropriate to accommodate the proposed development of the lands for a dental office in a residential dwelling with one resident dentist, one non-resident

dentist, a maximum of three employees and preservation of the valley lands.

Site Plan

Prior to development occurring on the lands the applicant will be required to obtain Site Plan approval.

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 related to architectural elements, tree preservation and landscaping.

Greenbelt Dedication and License Agreement

Since the Public Meeting and Information Report, the applicant has met with staff and Councillor Starr and agreed to dedicate the valley lands to the City of Mississauga consisting of 2,242 m² (0.55 ac.) below the top of bank as determined by the CVC, subject to the City and applicant entering into a License Agreement to allow for continued passive recreational use of the lands in accordance with the Zoning By-law. The License Agreement is for an initial term of 10 years with the Licensee having the option to extend the agreement for two further terms of 10 years each.

FINANCIAL IMPACT: Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION: The proposed Official Plan Amendment and Rezoning are acceptable from a planning standpoint and should be approved for the following reasons:

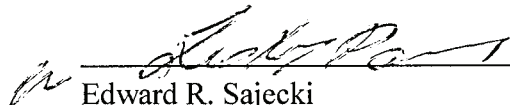
1. The proposal for one additional non-resident dentist and a maximum of three employees is compatible with the surrounding land uses and existing character of Creditview Road as it maintains a residential component in the dwelling for the principal dentist, the development is designed to

provide for sufficient parking and landscaping on the lot; and it provides for the long-term protection of the valley lands.

2. The proposed "Residential Low Density II – Special Site" and "Greenbelt" designations and "R3-Exception" (Detached Dwelling - Exception) and "G1" (Greenbelt) zones are appropriate to accommodate the requested uses and represent a minor modification to the existing designation and zoning, which maintains the intent of Mississauga Official Plan.

ATTACHMENTS:

Appendix S-1: Information Report
Appendix S-2: Recommendation PDC-0038-2012
Appendix S-3: Mississauga Official Plan Excerpts
Appendix S-4: Proposed Zoning Standards
Appendix S-5: Updated Concept Plan
Appendix S-6: Existing and Proposed Land Use Map



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Jonathan Famme, Development Planner



Corporate Report

Clerk's Files

Originator's
Files OZ 11/011 W6**PDC** JUN 11 2012

DATE: May 22, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 11, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning Applications
To permit a dental office in a residential dwelling, with one
resident dentist, one non-resident dentist and a maximum of
three employees
5306 Creditview Road
West side of Creditview Road, south of Carolyn Road
Owner: Navin and Vandana Ratra
Applicant: Weston Consulting Group Inc.
Bill 51

Public Meeting **Ward 6**

RECOMMENDATION: That the Report dated May 22, 2012, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Residential – Low Density II" and "Greenbelt" to "Residential Low Density II – Special Site" and "Greenbelt", as amended, and to change the Zoning from "R3" (Detached Dwelling) to "R3 – Exception" (Detached Dwelling) and "G1" (Greenbelt), to permit a dental office in a residential dwelling, with one resident dentist, one non-resident dentist and a maximum of three employees under file OZ 11/011 W6, Navin and Vandana Ratra, 5306 Creditview Road, be received for information.

**REPORT
HIGHLIGHTS:**

- No community comments have been received to date.
- Agency comments are outlined, including the requirement that the lands below the top of bank are to be dedicated to the City to allow for connection and enhancement of the greenbelt system.
- Prior to the preparation of the Supplementary Report and staff recommendation, the following issues will be addressed: the appropriateness of the application; the dedication of the greenbelt lands and an updated Functional Servicing Report.

BACKGROUND:

The above-noted applications have been circulated for technical comments. A community meeting has not been held. A site plan application has also been submitted under file SP 11/133 W6.

The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications submitted:	August 5, 2011 (Deemed Complete September 6, 2011)
Existing Gross Floor Area:	182 m ² (1,960 sq. ft.)
Proposed Residential Gross Floor Area:	254 m ² (2,734 sq. ft.)
Proposed Dental Clinic Gross Floor Area:	130 m ² (1,399 sq. ft.)
Total Proposed Gross Floor Area	384 m ² (4,134 sq. ft.)
Lot Coverage:	7.8%
Floor Space Index:	0.12
Landscaped Area:	82% 2,723 m ² (29,310 sq. ft.)

Development Proposal	
Number of units:	1
Anticipated Population:	3.382* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2008 Growth Forecasts for the City of Mississauga.
Parking Required:	10 spaces (Residential – 2 spaces per unit; Medical Office – 6.5 spaces per 100 m ² = 8 spaces)
Parking Provided:	10 spaces
Supporting Documents:	<ul style="list-style-type: none"> - Site Plan and Elevations; - Site Servicing and Grading Plan; - Planning Justification Report; - Functional Storm Drainage Report; - Noise Impact Study;

Site Characteristics	
Frontage:	28.30 m (92.85 ft.)
Depth:	86.79 m (284.74 ft.)
Net Lot Area:	0.33 ha (0.81 ac.)
Existing Use:	Non-conforming dental clinic

As a result of an outstanding issue relating to the dedication of Greenbelt lands, the above statistics may change based upon revised property limits. Updated statistics will be provided in the Supplementary Report.

Additional information is provided in Appendices I-1 to I-9.

Neighbourhood Context

The subject property is located in a predominantly residential neighbourhood comprised of detached dwellings, save for a veterinary clinic immediately north, and two commercial plazas, an apartment building and townhouse development further north at Bristol Road West. The subject lands are currently occupied by a

detached dwelling which is also being used for a non-conforming dental clinic. The front yard has been paved to accommodate parking with very little landscaping. There is a large rear yard that is landscaped and slopes downwards into Carolyn Creek which also traverses the subject site. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: veterinary clinic, Carolyn Road
East: detached dwellings
South: detached dwellings
West: Carolyn Creek, detached dwellings

Current Mississauga Plan Designation and Policies for East Credit District (May 5, 2003)

"Residential Low Density II" which permits detached, semi-detached and street townhouse dwellings, within a density range of 18-30 units per net residential hectare (44-74 units per net residential acre). The general policies of the Plan permit only accessory offices for physicians, dentists, health professionals, and drugless practitioners in their principal private residences within Residential designations.

"Greenbelt" which permits conservation, flood and erosion works, uses which complement the principal conservation functions, passive recreation activities, accessory facilities which are passive, nonstructural and do not adversely affect the floodplain, and existing legal non-conforming facilities, buildings and structures.

The proposal for a dental clinic with additional non-resident staff is not in conformity with the land use designations and therefore a site specific amendment is proposed.

There are other policies in the Official Plan which also are applicable in the review of these applications relating to built

form, context, site design and greenbelt. These are outlined in Appendix I-8.

Criteria for Site Specific Official Plan Amendments.

Section 5.3.2 of Mississauga Plan contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- 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 is adequate infrastructure and community services to support the proposed development.

New Mississauga Official Plan

Mississauga Official Plan was adopted by City Council on September 29, 2010. Until the new Mississauga Official Plan is approved by the Region of Peel and comes into force, Mississauga Plan continues to be in effect. While the existing Official Plan is the plan of record against which the applications are being reviewed, regard should also be given to the new Mississauga Official Plan. Under the new Mississauga Official Plan, the subject lands are designated "**Residential Low Density II**" and "**Greenbelt**". The proposed dental office in a residential dwelling with additional non-resident employees does not conform with the land use designations contained in the new Mississauga Official Plan and associated policies.

The timing of the approval of the proposed site specific official plan amendment may be affected by the approval of the new Mississauga Official Plan and any potential appeals. A recommendation will be included in the Supplementary Report to address the status of the new Mississauga Official Plan.

Proposed Official Plan Designation and Policies

"Residential Low Density II – Special Site" to permit an accessory medical office for two physicians, dentists, health professionals, or drugless practitioners within the principal private residence of one of the physicians, dentists, health professionals, or drugless practitioners.

"Greenbelt" as amended, to be adjusted to the limits staked and defined by the City and the Credit Valley Conservation Authority.

Existing Zoning

"R3" (Detached Dwelling), which permits detached dwellings with minimum frontages of 15 metres (49 ft.).

Proposed Zoning By-law Amendment

As part of the rezoning, the applicant is proposing that the following be applied:

"R3 - Exception" (Detached Dwelling), which would permit the same as the above, but add a site specific exception to permit the following:

- a medical office-restricted in a detached dwelling;
- maximum of one resident physician, dentist, drugless practitioner or health professional and one non-resident physician, dentist, drugless practitioner or health professional;
- maximum of three additional employees;
- maximum gross floor area of the dental clinic to be 130 m² (1,400 sq. ft.);
- minimum aisle width of 6 m (19.69 ft.)

"G1" (Greenbelt), which would apply to the lands below the staked top-of-bank at the rear of the building, and only permit natural heritage features and areas of conservation, flood control, stormwater management, and erosion management.

COMMUNITY ISSUES

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

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- the appropriateness of the proposed applications;
- as the subject lands are traversed by Carolyn Creek and the associated floodplain and valley slope, the lands below top of bank are to be dedicated to the City to allow for connection and enhancement of the City owned greenbelt system consistent with the lands to the north, west and southwest and the Official Plan;
- provision of an updated Functional Servicing Report to evaluate the impacts of the proposed drainage system.

OTHER INFORMATION**Development Requirements**

In conjunction with the proposed development there are certain other engineering and conservation matters which will require the applicant to enter into appropriate agreements with the City.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

Most agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

Appendix I-1: Site History
Appendix I-2: Aerial Photograph
Appendix I-3: Excerpt of East Credit District Land Use Map
Appendix I-4: Excerpt of Existing Land Use Map
Appendix I-5: Concept Plan
Appendix I-6: Elevations
Appendix I-7: Agency Comments
Appendix I-8: Official Plan Policy Excerpts
Appendix I-9: General Context Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Jonathan Famme, Development Planner

Navin and Vandana Ratra

File: OZ 11/011 W6

Site History

- May 5, 2003 – East Credit District Policies of Mississauga Plan approved by the Region of Peel subject to appeals, which designated the subject lands "Residential – Low Density II" and "Greenbelt".
- March 22, 2007 – Minor Variance application A-78/07 to permit the existing dental office located within the dentist's principal private residence to increase the total number of staff to three (3) (a dental assistant, receptionist, and part time dental hygienist) and permit six (6) tandem parking spaces on site; whereas By-law 5500, as amended, permits one (1) dentist and one (1) staff member and only permits four (4) tandem parking spaces, was approved for a temporary period of five (5) years to expire and terminate on or before April 30, 2012 subject to the following condition: The Committee shall be in receipt of a letter from the Planning and Building Department and an accompanying revised Site Plan indicating that the total amount of landscaped area at the front of the property has been increased in order that a maximum driveway width of 6.00 m (19.69 ft.) is provided for the driveway in front of the dwelling.
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed, the provisions of the new By-law apply. The subject lands are zoned "R3" (Detached Dwelling).

LEGEND:



SUBJECT LANDS

DATE OF AERIAL PHOTO: SPRING 2011



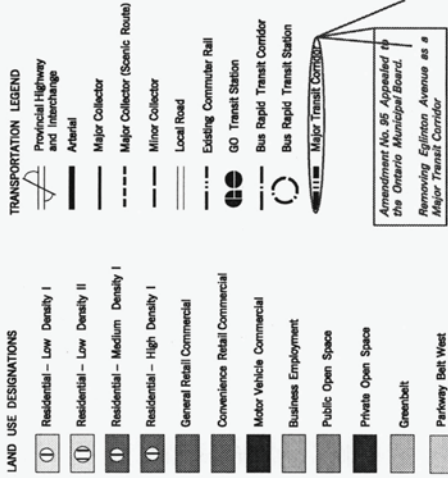
SUBJECT:

NAVIN AND VANDANA RATRA

FILE NO: OZ 11/011 W6		DWG. NO: 11011A		SCALE: 1:2500		PDC DATE: 2012/06/11		DRAWN BY: A.SHAH		APPENDIX I-2			
										MISSISSAUGA Planning and Building		Produced by T&W, Geomatics	



**PART OF EAST CREDIT DISTRICT LAND USE MAP
EAST CREDIT DISTRICT POLICIES OF MISSISSAUGA PLAN**



LAND USE LEGEND

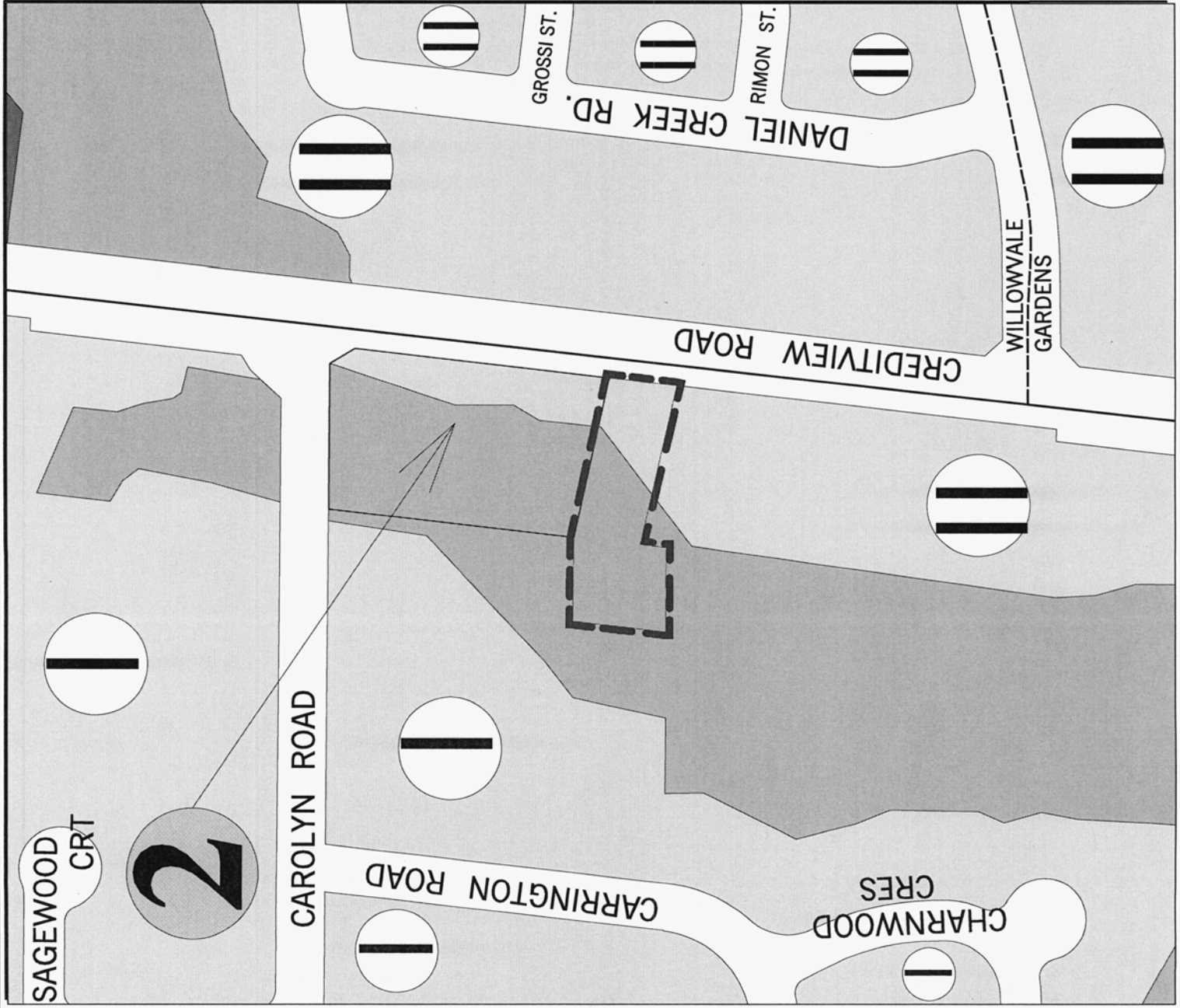


SUBJECT LANDS

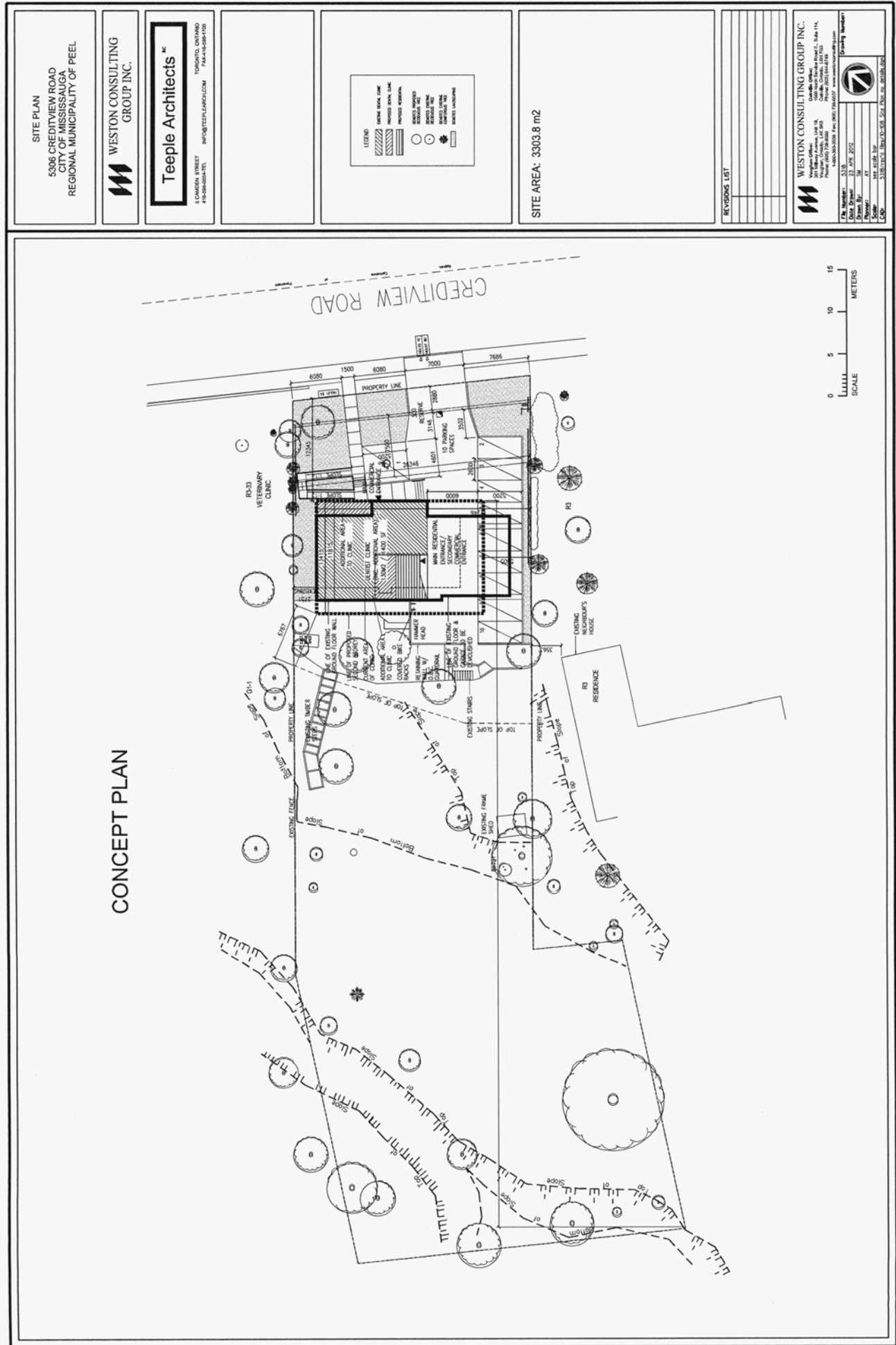


SUBJECT: NAVIN AND VANDANA RATRA

FILE NO: OZ 11/011 W6		APPENDIX I-3	
DWG. NO: 11011L		PDC DATE: 2012/06/11	
SCALE: 1:3500		DRAWN BY: A.SHAH	
		Produced by T&W, Geomatics	
		MISSISSAUGA Planning and Building	



Produced by
T&W, Geomatics



NORTH ELEVATION

SCALE = 1:100

4

A3.1

Navin and Vandana Ratra

File: OZ 11/011 W6

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (November 4, 2011)	<p>No objection to the applications, but should they be approved, the Development Agreement is to include the following Warning Clause to be registered on title:</p> <p>Mixed Use Buildings found in residential areas will be subject to the Region's current bag standard. Curbside collection will be provided for the residential waste, while a private hauler will be required for the dental office waste. Residential waste must be separated from dental office waste, and must be clearly identifiable.</p>
Credit Valley Conservation (April 20, 2012)	<p>The subject property is traversed by Carolyn Creek and the associated floodplain and valley slope. The property will require a CVC Permit prior to the issuance of a municipal building permit or any site works commencing. The top-of-bank was staked by the City and CVC on October 26, 2010. CVC recommends that all lands below top-of-bank, including the floodplain, be dedicated to the municipality and placed in the Greenbelt Official Plan designation and Greenbelt "G1" zone.</p>
City Community Services Department – Planning, Development and Business Services Division/Park Planning Section (April 23, 2012)	<p>City greenbelt lands identified as Carolyn Creek (P-250) abut the subject property on both the north and west sides. In keeping with City policies, as a condition of development, the gratuitous dedication of the greenbelt lands has been requested, which will allow for the connection and enhancement of the City owned greenbelt system. Should these applications be approved, satisfactory arrangements regarding hoarding, fencing and securities associated with the greenbelt dedication shall be made. Further, prior to the issuance of building permits, payment of cash-in-lieu of parkland for park or other public recreational purposes is required pursuant to Section 42</p>

Navin and Vandana Ratra

File: OZ 11/011 W6

Agency / Comment Date	Comment
	of the <i>Planning Act</i> (R.S.O.1990, c.P. 13, as amended) and in accordance with the City's Policies and By-laws.
City Transportation and Works Department (March 20, 2012)	<p>Site Plan, Functional Servicing Report, Site Servicing and Grading Plan, Traffic Analysis and Environmental Noise Analysis intended to address the Department's comments have been received.</p> <p>Prior to the Supplementary Meeting, the applicant has been requested to provide an updated Functional Servicing Report that evaluates the impact of the proposed drainage system on the existing basement.</p> <p>Further detailed comments/conditions will be provided prior to the Supplementary Meeting pending receipt and review of the foregoing.</p>
Mississauga Transit (October 7, 2011)	<p>The site is currently serviced by Mississauga Transit Routes 38 and 89 along Creditview Road.</p> <p>The applicant is to ensure that convenient and accessible pedestrian linkages are provided between the site, the existing sidewalk network, and Mississauga Transit service.</p>
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: City Community Services Department – Fire and Emergency Services, City Economic Development Office, Enersource Hydro, Greater Toronto Airport Authority, Canada Post, and Rogers Cable.
	The following City Departments and external agencies were circulated the applications but provided no comments: Heritage Coordinator of Culture Division, Policy Division, Realty Services, Hydro One Networks Inc., Bell Canada, Air Transport Association of Canada.

Official Plan Policy Excerpts**3.2.3.2**

High quality and innovative residential design will be promoted in a form which reinforces and enhances the local community character, respects its immediate context and creates a quality living environment. Innovative housing types and zoning standards will be encouraged. Design issues related built form, scale, massing, orientation, parking, overshadowing, and the quantity and quality of open space will be priorities in assessing the merits of residential development.

3.2.3.9

Permitted uses must be compatible with the surrounding development.

3.17.7.4

Appropriate landscaping, buffering, and design considerations should be taken into account to ensure compatibility of parking areas with surrounding land uses.

3.18.5.10

Building and site designs will locate and design parking, loading and storage areas to minimize their presence from the street.

3.18.2.6

Building, landscaping and site design will minimize the effects of noise, unattractive views, other negative impacts and will buffer adjacent land uses.

3.18.9.3

Buildings and site designs will be in harmony and scale, proportion, continuity, rhythm and texture of adjacent buildings and streets.

Greenbelt Policies

3.9.2.1

Greenbelt is determined on a site by site basis and is defined by the greater of the "regulatory storm" floodplain, the "top of bank" and/or combined influence of the stable slope line/stable slope allowance, erosion allowance, and the average annual recession rate, including the hazards associated with Lake Ontario, where applicable, and the limits of identified natural features. These parameters are determined in consultation with the City and appropriate Conservation Authority and/or through studies completed by the proponent to the satisfaction of the City and the appropriate Conservation Authority.

3.9.2.2

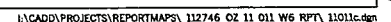
Greenbelt lands will be conveyed to the City or other public agency. Such lands will not be accepted as part of the dedication of land for park or other public recreational purposes contribution or credited against any cash-in-lieu for park or other public recreational purposes or be included in the calculation of density for building coverage.

3.9.2.4

Development adjacent to Greenbelt lands will be subject to the delineation of the natural features, buffers and setbacks by the City in consultation with the appropriate Conservation Authority. Dedication and/or restrictive zoning of buffers to Greenbelt may also be required by the City in consultation with the appropriate Conservation Authority.

3.9.2.7

Lands may be zoned Greenbelt within any land use designation.



Navin & Vandana Ratra

File: OZ 11/011 W6

Recommendation PDC-0038-2012

PDC-0038-2012

1. That the Report dated May 22, 2012, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from 'Residential - Low Density II' and 'Greenbelt' to 'Residential Low Density II - Special Site' and 'Greenbelt', as amended, and to change the Zoning from 'R3' (Detached Dwelling) to 'R3 - Exception' (Detached Dwelling) and 'G1' (Greenbelt), to permit a dental office in a residential dwelling, with one resident dentist, one non-resident dentist and a maximum of three employees under file OZ 11/011 W6, Navin and Vandana Ratra, 5306 Creditview Road, be received for information and, notwithstanding Planning Protocol, that the Supplementary Report be brought directly to a future Council meeting.
2. That the following correspondences be received:
 - (a) Letters dated May 30, 2012 from Michael Iacovou, Resident
 - (b) Letter, un-dated from Tung Dai Tran, Resident
 - (c) Email and letter dated June 7, 2012 from Kevin Saldanha, Resident
 - (d) Letter dated June 6, 2012 from Hung Giang, Resident
 - (e) Letter dated June 7, 2012 from Britt Bretteher, Resident
 - (f) Letter dated May 30, 2012 from Jose Olea, Resident
 - (g) Letter dated May 30, 2012 from Abdul Masri, Resident
 - (h) Letter dated May 30, 2012 from Fisun Shevket, Resident
 - (i) Letter, un-dated from Dr. The Huy Nguyen, Resident
 - (j) Letter, un-dated from Usha Mahau, Resident
 - (k) Letter, un-dated, from James C. Mephram and Helen J. Mephram, Residents
 - (l) Letter, un-dated, from Mir Alam, Resident
 - (m) Letter, un-dated from Diethard Boeticher, Resident
 - (n) Letter dated June 6, 2012 from Bickram Ramlakhan, Resident.

Navin and Vandana Ratra**Mississauga Official Plan Policy Excerpts****Residential****11.2.5.2**

In addition to the Uses Permitted in all Designations, residential designations will also permit the following uses:

- a. residential dwelling;
- b. accessory office for physicians, dentists, health professionals and drugless practitioners;
- c. home occupation;
- d. special needs housing; and
- e. urban gardening.

11.2.5.7 Accessory offices for physicians, dentists, health professionals, and drugless practitioners will only be permitted in detached and semi-detached dwellings provided the dwelling is their principal private residence.

11.2.5.4

Lands designated Residential **Low Density II** will permit the following uses:

- a. detached dwelling;
- b. semi-detached dwelling;
- c. duplex dwelling, and
- d. triplexes, street townhouses and other forms of low-rise dwellings with individual frontages.

Greenbelt**11.2.3.1**

Lands designated Greenbelt are generally associated with natural hazards and/or natural areas where development is restricted to protect people and property from damage and to provide for the protection, enhancement and restoration of the Natural Area System.

11.2.3.2

Lands designated Greenbelt permit the following uses:

- a. conservation;
- b. electricity transmission and distribution facilities;
- c. facilities that by their nature must locate near water or traverse *watercourses* (i.e. bridges, storm sewer outlets and stormwater management facilities);
- d. flood and/or erosion work;

Navin and Vandana Ratra

- e. passive recreational activity;
- f. parkland;
- g. piped services and related facilities for water, wastewater and stormwater; and
- h. accessory uses.

11.2.3.4

Permitted uses will be subject to fulfilling the requirements of the appropriate conservation authority, the City and other appropriate approval agencies.

11.2.3.5

Passive recreational activities will be permitted where they are compatible with the viability of the natural area, while respecting appropriate buffers from *watercourses* and valley slopes.

6.3.1.5

The Natural Areas System will be protected, enhanced, restored and expanded through the following measures:

- a. placing those areas identified for protection, enhancement, restoration and acquisition through development applications in the appropriate land use designation and zoning category to ensure their long term protection;
- b. placing those areas identified for protection, enhancement and restoration in public ownership, where feasible;
- c. discouraging fragmentation of ownership of Natural Areas and buffers;
- d. using native plant materials and non-invasive species, and reducing and/or eliminating existing invasive, non-native plant species to improve ecological value and the sustainability of indigenous vegetation, where appropriate;
- e. retaining areas in a natural condition and/or allowing them to regenerate to assume a natural state;
- f. controlling activities that may be incompatible with the retention of *natural features, areas and Linkages, including their ecological functions*;
- g. the promotion of stewardship within privately and publicly owned Natural Areas; and
- h. regulation of encroachment into Natural Areas and other public open spaces.

6.3.2.1.1

Development and site alteration will not be permitted within erosion hazards associated with valleyland and *watercourse* features. In addition, development and site alteration must provide an appropriate buffer to erosion hazards, as established to the satisfaction of the City and appropriate conservation authority.

Navin and Vandana Ratra

General

5.1.6

Mississauga encourages compact, mixed use development that is transit supportive, in appropriate locations, to provide a range of local live/work opportunities.

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.

7.1.3

In order to create a complete community and develop a built environment supportive of public health, the City will:

- 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.

9.1.3

Infill and redevelopment within Neighbourhoods will respect the existing and planned character.

9.2.2.3

While new development need not mirror existing development, new development in Neighbourhoods will:

- a. respect existing lotting patterns;
- 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.

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

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

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by adding the following Exception Table:

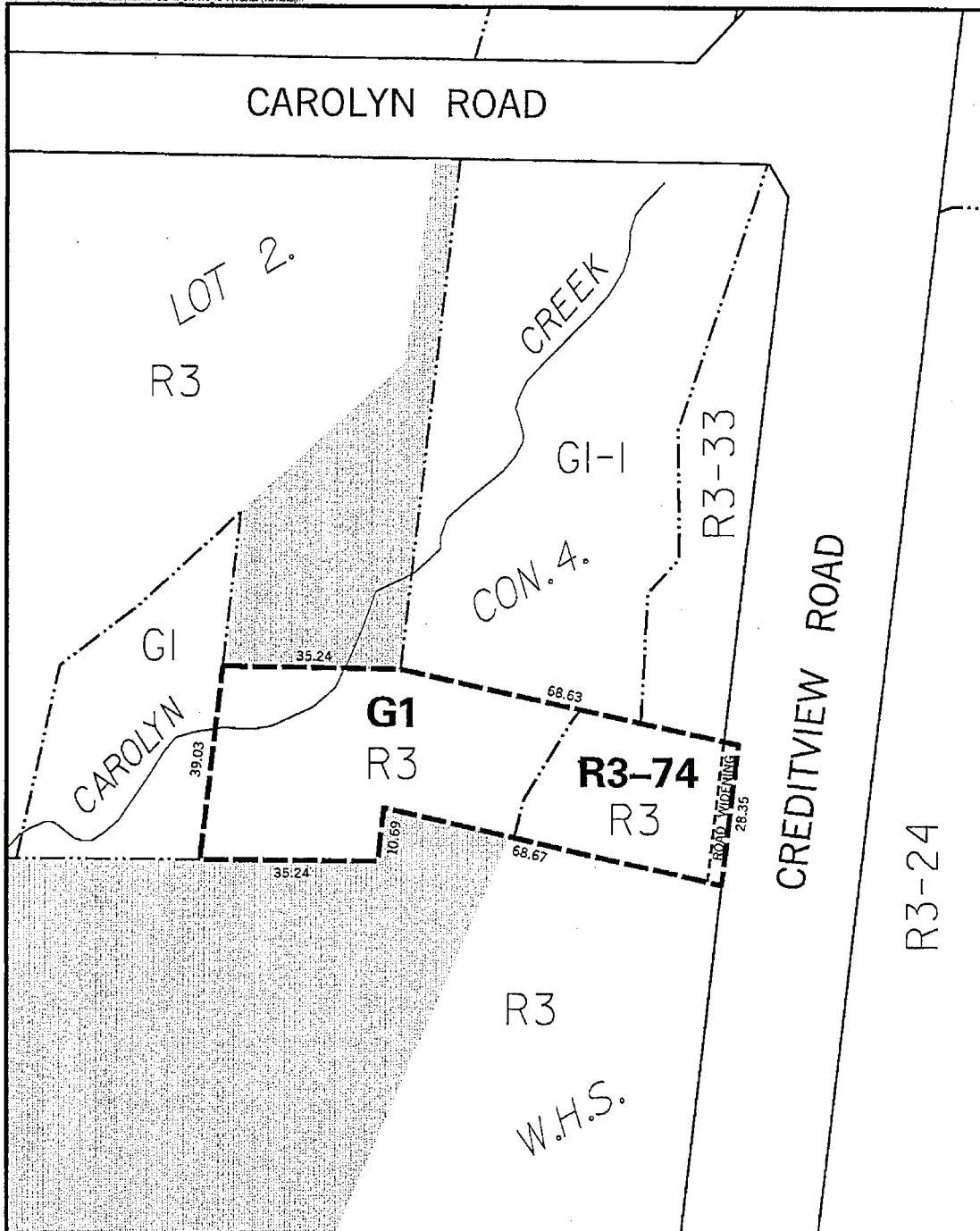
4.2.4.74	Exception: R3-74	Map # 38W	By-law:
In a R3-74 zone the permitted uses and applicable regulations shall be as specified for a R3 zone except that the following uses/regulations shall apply:			
Regulations			
4.2.4.74.1	An office of a physician, dentist, drugless practitioner or health professional shall comply with the R3 zone regulations contained in Subsection 4.2.1 of this By-law except that:		
	(1) the provisions of Articles 4.1.17.2 and 4.1.17.8 shall not apply		
	(2) one (1) resident physician, dentist, drugless practitioner or health professional, one (1) non-resident physician, dentist, drugless practitioner or health professional and three (3) employees shall be permitted		
	(3) maximum gross floor area - non-residential	136 m ²	
	(4) minimum rear yard	6.7 m	
	(5) minimum aisle width	6.0 m	
	(6) minimum landscaped buffer between a parking space and the front lot line	2.8 m	
	(7) minimum number of parking spaces per 100 m ² gross floor area - non-residential	5.8	
	(8) required number of parking spaces for residential use	2	
	(9) an access ramp for persons with disabilities shall be permitted to encroach into the required front yard		

2. Map Number 38W of Schedule "B" to By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by changing thereon from "R3" to "R3-74" and "G1", the zoning of Part of Lot 2, Concession 4, West of Hurontario Street, in the City of Mississauga, PROVIDED HOWEVER THAT the "R3-74" and "G1" zoning shall only apply to the lands which are shown on the attached Schedule "A", which is deemed to be an integral part of this By-law, outlined in the heaviest broken line with the "R3-74" and "G1" zoning indicated thereon.
3. This By-law shall not come into force until Mississauga Official Plan Amendment Number 28 is in full force and effect.

ENACTED and PASSED this _____ day of _____, 2014.

MAYOR

CLERK



0 10 20 30 40
metres



GREENBELT OVERLAY

This is not a plan of survey. The dimensions shown taken from a Draft Reference Plan, No. LSG-0810A prepared by Land Survey Group, O.L.S., dated July 11th, 2014.

CITY OF MISSISSAUGA

DRAFT

THIS IS SCHEDULE "A" TO

BY-LAW _____

PASSED BY COUNCIL ON

APPENDIX "A" TO BY-LAW NUMBER _____

Explanation of the Purpose and Effect of the By-law

To permit a dental office in a residential dwelling with one resident dentist, one non-resident dentist and a maximum of three employees.

This By-law amends the zoning of the property outlined on the attached Schedule "A" from "R3" (Detached Dwelling - Typical Lot) to "R3-74" (Detached Dwelling - Typical Lot - Exception) and "G1" (Greenbelt).

"R3" (Detached Dwelling - Typical Lot) permits detached dwellings with minimum frontages of 15.0 m (49.2 ft.). One resident physician, dentist, drugless practitioner or health professional is permitted in their principal private residence, and one employee, provided the maximum gross floor area does not exceed 100 m² (1,076 sq. ft.).

"R3-74" (Detached Dwelling - Typical Lot - Exception) permits an additional non-resident physician, dentist, drugless practitioner or health professional and maximum of three employees within a maximum non-residential accessory office gross floor area of 136 m² (1,464 sq. ft.). There are also exceptions for parking, minimum aisle width, rear yard setback, and a landscaped buffer requirement.

"G1" (Greenbelt - Natural Hazards) permits flood control, erosion and stormwater management, and natural heritage features and conservation.

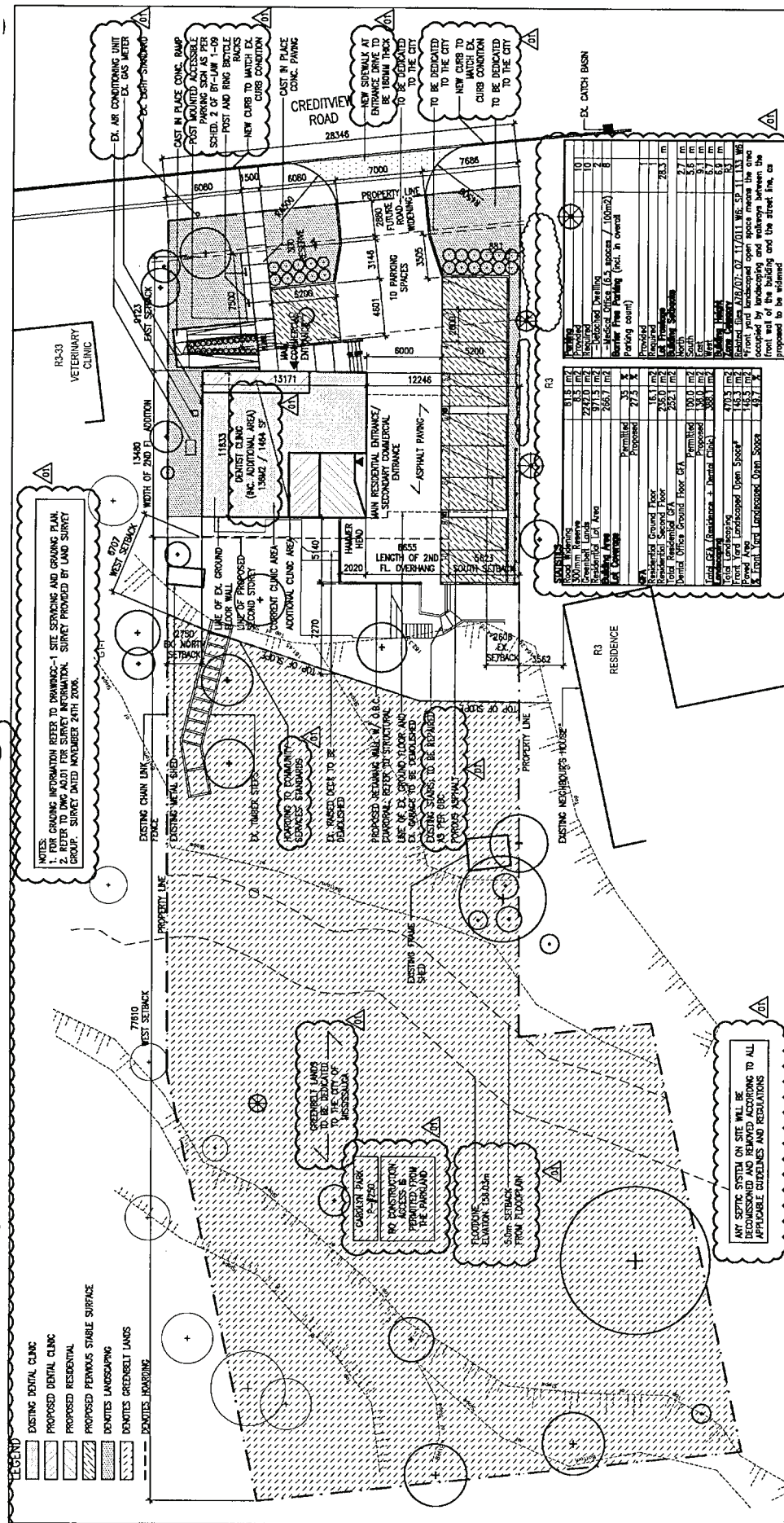
Location of Lands Affected

West side of Creditview Road, south of Carolyn Road, 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 Jonathan Famme of the City Planning and Building Department at 905-615-3200 ext. 4229.

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SITE PLAN
SCALE = 1:250
1
A1.01



LEGEND:



SUBJECT LANDS



'RESIDENTIAL LOW DENSITY II - SPECIAL SITE DESIGNATION, 'R3-EXCEPTION' ZONING



'GREENBELT' DESIGNATION, 'G1' ZONING

PROPOSAL TO AMEND THE OFFICIAL PLAN FROM "RESIDENTIAL-LOW DENSITY II" AND "GREENBELT" TO "RESIDENTIAL LOW DENSITY II-SPECIAL SITE" AND "GREENBELT" AS AMENDED AND TO CHANGE THE ZONING FROM "R3" (DETACHED DWELLING) TO "R3-EXCEPTION" (DETACHED DWELLING) AND "G1" (GREENBELT), TO PERMIT A DENTAL OFFICE IN A RESIDENTIAL DWELLING, WITH ONE RESIDENT DENTIST, ONE NON-RESIDENT DENTIST AND A MAXIMUM OF THREE EMPLOYEES.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN
PROPOSED ZONING INDICATED BY SHADING WITHIN
THE APPLICATION AREA



SUBJECT:

NAVIN AND VANDANA RATRA

FILE NO:

OZ 11/011 W6

DWG. NO:

11011R

SCALE:

1:2500

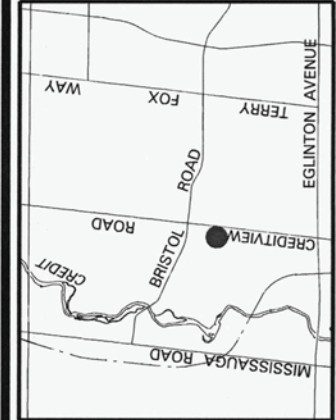
PDC DATE:

2014/09/08

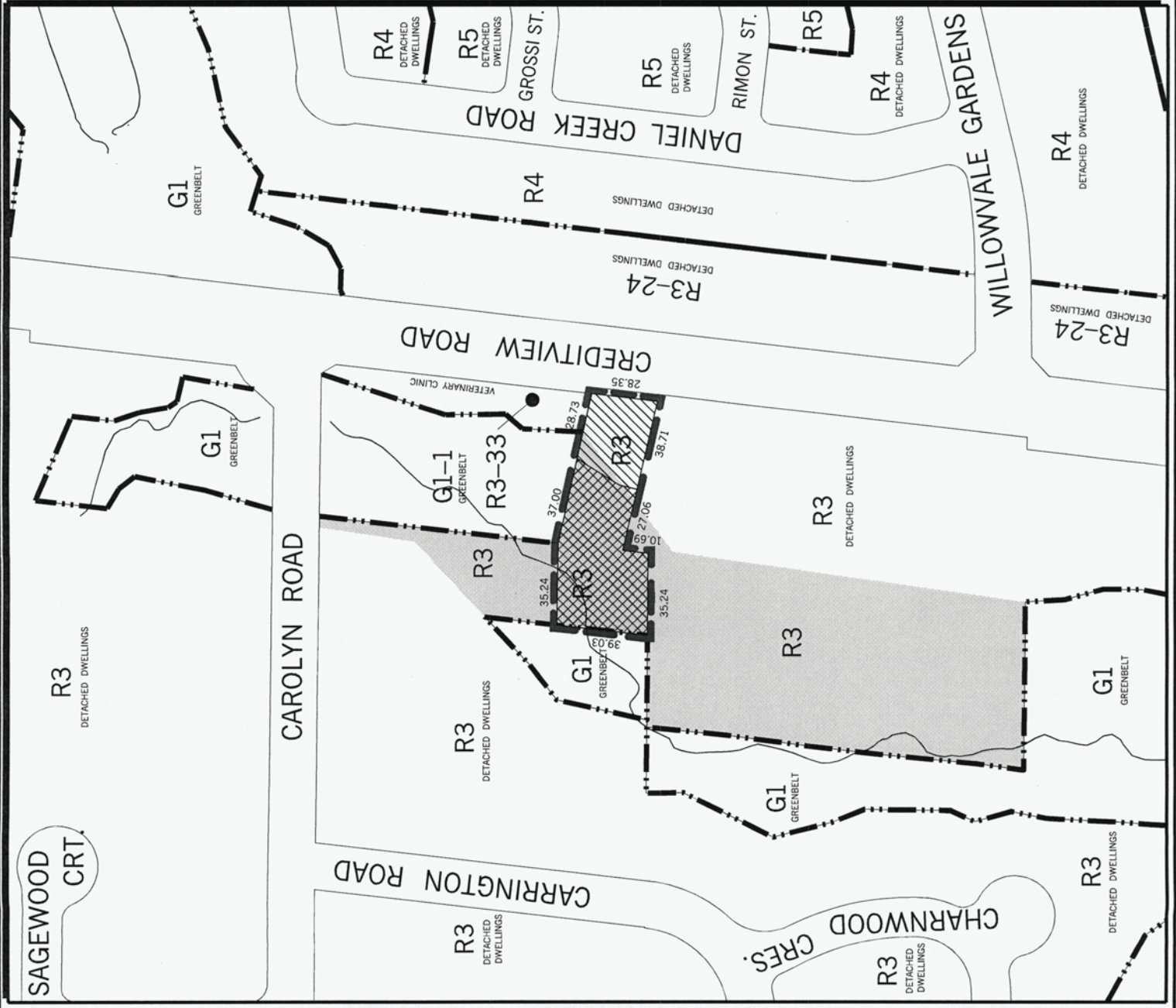
DRAWN BY:

A.SHAH

APPENDIX S-6



Produced by
T&W, Geomatics





Corporate Report

Clerk's Files

 Originator's
Files CD.21.LAK

DATE: August 19, 2014

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2014

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **City-initiated Official Plan Amendment and Rezoning
To permit detached dwellings on the westerly portion
of the lands not constrained by hazard lands associated
with Moore Creek
990-994 Lakeshore Road West
South side of Lakeshore Road West, east of Lorne Park Road
Owner: Roland Smitas, Sylvia Smitas and Simone Bradley
Applicant: City of Mississauga
Bill 51**

Supplementary Report **Ward 2**

RECOMMENDATION: That the Report dated August 19, 2014, from the Commissioner of Planning and Building recommending approval of the proposed City-initiated amendments under File CD.21.LAK, Roland Smitas, Sylvia Smitas and Simone Bradley, 990-994 Lakeshore Road West, be adopted in accordance with the following:

1. That the City-initiated amendment to Mississauga Official Plan from "Private Open Space" and "Greenbelt" to "Residential Low Density 1" and "Greenbelt" to permit detached dwellings on the westerly portion of the lands not constrained by hazard lands associated with Moore Creek, be approved.

2. That the City-initiated amendment to change the Zoning from "OS1-2" (Open Space) to "R2-5" (Detached Dwellings – Typical Lots) and "G1" (Greenbelt) to permit detached dwellings with a minimum lot frontage of 30 m (98.4 ft.) outside of the identified hazard lands, be approved in accordance with the proposed zoning standards described in the Information Report, subject to the following condition:
 - (a) That the owner agree to gratuitously dedicate the agreed upon hazard lands.

**REPORT
HIGHLIGHTS:**

- At the Public Meeting held on September 30, 2013, comments were received regarding the impact any changes would have to Moore Creek and associated wildlife;
- Responses are provided to the comments received; and,
- The City-initiated amendments to the Official Plan and Zoning By-law are recommended for approval.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on September 30, 2013, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0063-2013 which was subsequently adopted by Council and is attached as Appendix S-2.

COMMENTS:

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

COMMUNITY ISSUES

A few issues were raised by area residents at the September 30, 2013 public meeting. These issues are listed below along with the responses.

Comment

The proposed amendments should be deferred until Credit Valley Conservation (CVC) has completed the Fluvial Geomorphology study of the Moore Creek Corridor and the results of this study are available.

Response

CVC staff has undertaken a geomorphic analysis of portions of Moore Creek downstream from the subject property as part of the Lake Ontario Integrated Shoreline Strategy program; however the study did not include the subject properties.

Although the assessment undertaken downstream may be helpful in understanding the downstream hazards and perhaps some downstream remediation/enhancement opportunities, the Geotechnical Analysis prepared for the subject property as part of the land owner's proposal provides the constraints and opportunities for remediation/enhancements for the site. CVC has reviewed the Geotechnical Analysis and were involved in the delineation of the hazard lands.

Comment

Concerns were raised regarding the affects any changes made to the subject site will have to the erosion of Moore Creek as well as impacts to the wildlife.

Response

The City-initiated amendments do not propose any changes to the hazard lands associated with Moore Creek or the creek itself. Should the property owners wish to pursue any development of the land, including reassessment of the hazard lands, they would be required to submit their own application which would be evaluated on its own merits.

**UPDATED AGENCY AND CITY DEPARTMENT
COMMENTS****Official Plan**

A City-initiated amendment is required to the Mississauga Official Plan Policies for the Clarkson-Lorne Park Neighbourhood Character Area. As outlined in the Information Report, Section 19.5.1 of Mississauga Official Plan provides criteria for evaluating site specific Official Plan Amendments. Each criterion is summarized below, along with a discussion of how the proposed amendments address the criteria.

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?

The City-initiated amendment seeks to reinstate the same land use designation and zoning which had historically existed on the property with the exception of the undevelopable hazards lands associated with Moore Creek. The subject property was inadvertently redesignated to coincide with the "Private Open Space" designation on the abutting lands owned by the Lorne Park Estates Association, notwithstanding that this property has remained in separate private ownership. The "Private Open Space" designation was then perpetuated by the adoption of the current Zoning By-law. The City-initiated amendment will afford the property owners the same residential permissions as were in place prior to passing of Zoning By-law 0225-2007.

The open culvert component of Moore Creek which runs parallel to Lakeshore Road West will have a "Greenbelt Overlay" which will prevent development until the owners have provided adequate justification through technical studies and completed any necessary engineering works to support the culvert extension to allow the land to be used for residential purposes.

Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?

The subject property is situated along Lakeshore Road West and abuts detached dwellings to both the east and west. The owners have agreed to dedicate the hazard lands associated with Moore Creek located on the easterly portion of the property to the City. This portion of the lands will be designated and zoned to prohibit development.

Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed amendment?

No development is proposed in association with the City-initiated amendments. The change in land use will give permission for one detached dwelling, however, should the owners wish to construct a dwelling, they will be required to obtain Site Plan approval, which will address matters such as zoning conformity, tree preservation, grading and landscaping.

Zoning

The proposed "R2-5" (Detached Dwellings – Typical Lots) zone reflects the zoning which has historically existed on the property prior to the passing of the current Zoning By-law and is the same zoning that applies to the residential properties surrounding the site. This zone permits detached dwellings with a minimum lot frontage of 30 m (98.4 ft.). The proposed "G1" (Greenbelt) zone protects the natural area associated with Moore Creek.

FINANCIAL IMPACT: Not applicable

CONCLUSION: The proposed City-initiated Official Plan Amendment and Rezoning should be approved for the following reasons:

1. The proposal amendments will allow for detached dwellings on the westerly portion of the lands not constrained by hazard

lands associated with Moore Creek, consistent with surrounding uses to the east and west.

2. The proposed "G1" (Greenbelt) zone for the identified hazard lands associated with Moore Creek will ensure the easterly portion of the site is protected from development and will be gratuitously dedicated to the City.

ATTACHMENTS:

Appendix S-1: Information Report

Appendix S-2: Recommendation PDC-0063-2013



Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: David Breveglieri, Development Planner



Corporate Report

PDC SEP 30 2013

Clerk's Files

Originator's
Files **CD.21 LAK**

DATE: September 10, 2013

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 30, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
City-initiated Official Plan Amendment and Rezoning
To permit detached dwellings on the westerly portion of the
lands not constrained by hazard lands associated with
Moore Creek
990-994 Lakeshore Road West
South side of Lakeshore Road West, east of Lorne Park Road
Owner: Roland Smitas, Sylvia Smitas and Simone Bradley
Applicant: City of Mississauga
Bill 51

Public Meeting **Ward 2**

RECOMMENDATION: That the Report dated September 10, 2013, from the Commissioner of Planning and Building regarding the City-initiated amendment to the Official Plan from "Private Open Space" and "Greenbelt" to "Residential Low Density I" and "Greenbelt" and to change the Zoning from "OS1-2" (Open Space) to "R2-5" (Detached Dwellings – Typical Lots) to permit detached dwellings with a minimum lot frontage of 30 m (98.4 ft.) on the westerly portion of the lands not constrained by hazard lands associated with Moore Creek under file CD.21 LAK, Roland Smitas, Sylvia Smitas and Simone Bradley, 990 – 994 Lakeshore Road West, be received for information.

**REPORT
HIGHLIGHTS:**

- The proposed City-initiated amendments are being undertaken by the Planning and Building Department in order to revert the zoning on the property so to allow detached dwellings with the same standards as previously permitted prior to the implementation of Zoning By-law 0225-2007. The change in zoning necessitates an Official Plan Amendment;
- The hazard lands which may become developable with the extension of the Moore Creek culvert and additional creek works will have a Greenbelt Overlay which will require the owners to satisfy all engineering requirements prior to any development.

BACKGROUND:

The adoption of Zoning By-law 0225-2007 in June 2007 changed the zoning of the subject property from "R2-2065" (Detached Residential) which permitted detached dwellings on lots with a minimum lot frontage of 30 m (98.4 ft.) to "OS1-2" (Open Space) which permits only private open space. The intent of the change was to bring the zoning into conformity with the applicable "Private Open Space" and "Greenbelt" official plan designations.

In conjunction with passing Zoning By-law 0225-2007, Council also passed Resolution 0136-2007 allowing any land owner to request Council to authorize an exception zone recognizing a prior approval as long as the request was received within one year of passing of Zoning By-law 0225-2007. The subject property owners approached the City within that timeframe requesting that the zoning of the lands be reverted such that they regain the zoning afforded to them by the previous residential zoning under former Zoning By-law 5500.

In reviewing the applicant's request, it was identified that while the property had historically been designated "Residential", the adoption of the Official (Primary) Plan in 1981 and the Lorne Park Secondary Plan in 1986, changed the designation to "Open Space" and "Greenbelt". City Plan which came into effect in July 1997 further changed the designation of the property to "Private Open Space" and "Greenbelt". These designations have continued to date through the different iterations of the City's Official Plan.

While the "Greenbelt" designation reflects the natural hazard lands associated with Moore Creek, it has been determined that the lands were inadvertently designated "Open Space" and further designated "Private Open Space", as the property was not part of the adjoining private open space lands to the south owned by Lorne Park Estates Association.

The applicant's request to revert the zoning to allow detached dwellings with the same standards as previously permitted necessitates an Official Plan Amendment, however, it has been indicated to the applicant that the hazard lands associated with Moore Creek must remain within a "Greenbelt" designation with an associated "G1" (Greenbelt) zone.

In order to afford the property owners the same residential permissions as were in place prior to the implementation of By-law 0225-2007, the Planning and Building Department has brought forward a City-initiated Official Plan Amendment and Rezoning as requested through Ward 2 Councillor, Pat Mullin.

The above-noted amendments have been circulated for technical comments. The purpose of this report is to provide preliminary information on the amendments and to seek comments from the community.

COMMENTS:**Neighbourhood Context**

The subject property is located in the Clarkson Lorne-Park Neighbourhood Character Area which is characterized as a stable residential area with generously sized lots. The subject site contains a variety of vegetation including some mature trees. Moore Creek traverses the site with the westerly portion of the creek being piped and out letting into an open culvert which flows southward into the private park owned by Lorne Park Estates Association. Information regarding the history of the site is found in Appendix I-1.

Additional information is provided in Appendices I-2 to I-6.

The surrounding land uses are described as follows:

North: Detached dwellings across Lakeshore Road West
East: Detached dwellings
South: Private Park within Lorne Park Estates
West: Detached dwellings

Official Plan

Mississauga Official Plan (2012) was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 29, 2011. The Plan was appealed in its entirety; however, on November 14, 2012 the Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals which have no effect on the subject applications.

Current Mississauga Official Plan Designation and Policies for the Clarkson-Lorne Park Neighbourhood Character Area

"Private Open Space" which permits conservation uses cemeteries, golf courses and accessory uses.

"Greenbelt" which permits uses generally associated with natural hazards or significant natural areas where development is restricted to protect people and property from damage and to provide for the protection, enhancement and restoration of the Natural Area System. These lands are identified as Natural Hazard Lands on Schedule 10 of Mississauga Official Plan.

The amendments are not in conformity with the land use designations.

Criteria for Site Specific Official Plan Amendments

Section 19.5.1 of Mississauga Official Plan contains criteria which require an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- 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.

Proposed Official Plan Designation and Policies

"Residential Low Density I" which permits only detached dwellings.

"Greenbelt" which permits uses as described above. These lands will continue to be identified as Natural Hazard Lands on Schedule 10 of Mississauga Official Plan.

Existing Zoning

"OS1-2" (Open Space), which permits only private open space. A portion of the site contains a Greenbelt Overlay to coincide with the existing "Greenbelt" designation.

Proposed Zoning By-law Amendment

"R2-5" (Detached Dwellings), to permit detached dwellings with a minimum lot frontage of 30 m (98.4 ft.). This zoning is applicable to the residential properties to both the west and the east

and is equivalent to the zoning standards which were in effect prior to the implementation of Zoning By-law 0225-2007.

"G1" (Greenbelt), to permit lands for flood control, stormwater management, erosion management, and natural heritage features and areas of conservation.

A Greenbelt Overlay is proposed to be placed over the entirety of the **"G1" (Greenbelt)** lands and also over the portion of **"R2-5" (Detached Dwellings)** lands where it may be possible to extend the Moore Creek culvert enclosure and remove those natural hazards, as illustrated in Appendix I-4. This will ensure that this portion of land will not be developed until such time that the appropriate culvert extension and creek works take place and that the limits of the modified natural hazards and setbacks be confirmed.

COMMUNITY ISSUES

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

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-5. Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed:

Hazard Lands

The property owners have submitted a technical submission, including a Slope Stability and Erosion Analysis prepared by Terraprobe dated May 4, 2010 as well as a Bank Restoration drawing prepared by Geomorphic Solutions dated October 20, 2010. This information has generally delineated the hazard lands contained within the site and has also indicated that it may be feasible to enclose the portion of the Moore Creek culvert which runs along Lakeshore Road West. The implementation of this culvert extension and creek work proposal will require significant

infrastructure works and creek modifications on the subject property and onto adjacent lands owned by Lorne Park Estates. These works may facilitate the removal of some of the hazard lands thereby allowing more developable land along the Lakeshore Road West frontage. While the property owners have indicated that this may be pursued in the future, it does not constitute part of the subject amendments.

As mentioned in the above section, a Greenbelt Overlay will remain on this portion of the lands to ensure that no development takes place until all approval bodies are satisfied.

Based on the technical information provided, the easterly portion of the site will be required to remain designated "Greenbelt" with a proposed "G1" (Greenbelt) zone due to the natural hazard associated with Moore Creek. The property owners have indicated that they are willing to gratuitously dedicate these lands to the City. They will also be required to enter into appropriate agreements with the City in order to facilitate the dedication of this land.

FINANCIAL IMPACT: Not applicable

CONCLUSION: Most agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these amendments.

ATTACHMENTS:

- Appendix I-1: Site History
- Appendix I-2: Aerial Photograph
- Appendix I-3: Excerpt of Clarkson-Lorne Park Character Area Land Use Map
- Appendix I-4: Excerpt of Existing Land Use Map

Appendix I-5: Agency Comments

Appendix I-6: General Context Map



Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: David Breveglieri, Development Planner

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Roland Smitas, Sylvia Smitas and Simone Bradley**File: CD.21 LAK****Site History**

- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "OS1-2" (Open Space).
- November 12, 2012 – Mississauga Official Plan came into force except for those site/policies which have been appealed. As no appeals have been filed the policies of the new Mississauga Official Plan apply. The subject lands are designated "Private Open Space" and "Greenbelt" in the Clarkson-Lorne Park Character Area.

LEGEND:



SUBJECT LANDS

DATE OF IMAGERY: SPRING 2013



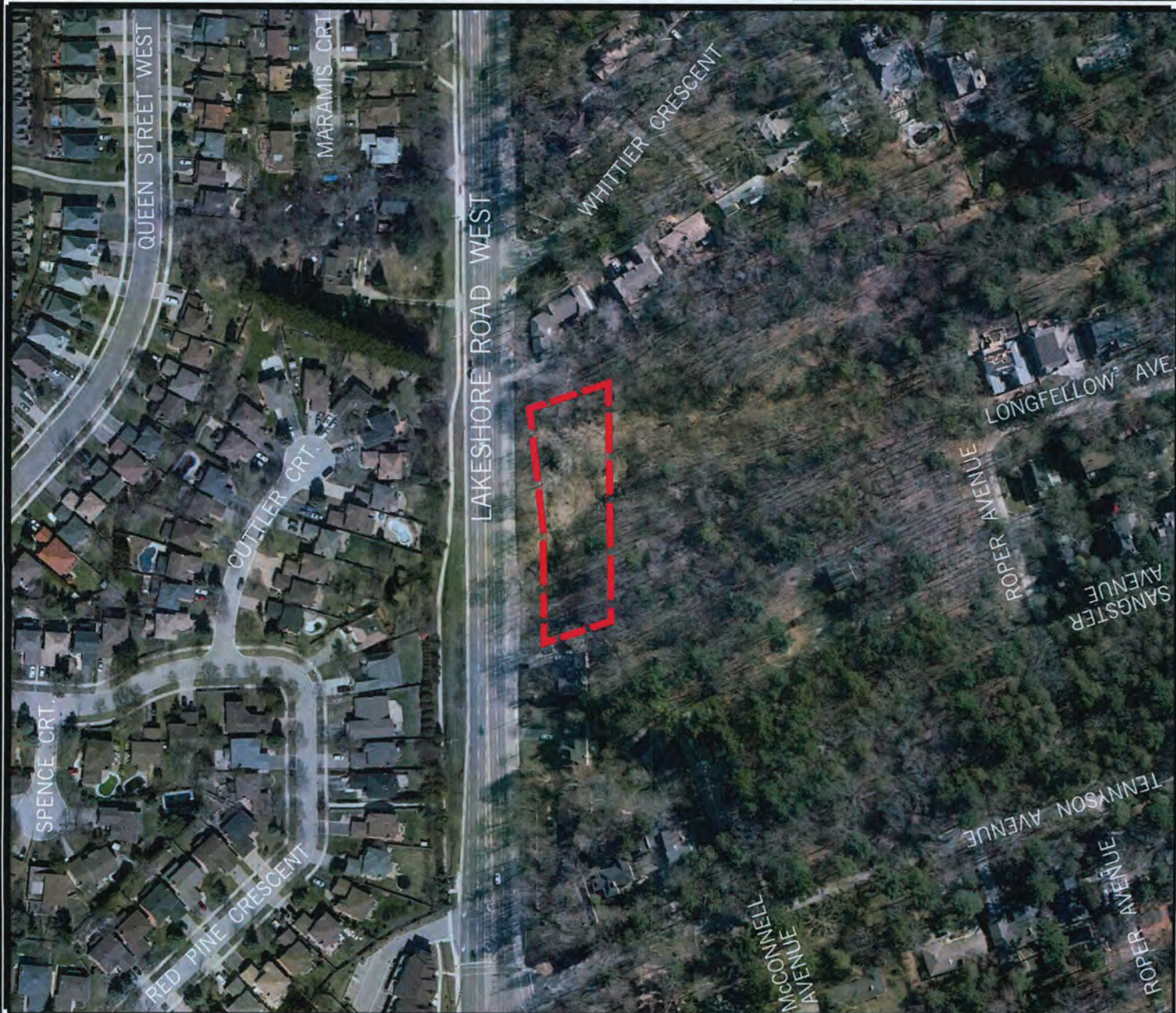
SUBJECT: CITY OF MISSISSAUGA
ROLAND SMITAS, SYLVIA SMITAS AND SIMONE BRADLEY

FILE NO:	CD 21 LAK
DWG. NO:	CD21A
SCALE:	1:2500
DATE:	2013 /09 /30
DRAWN BY:	A.SHAH
APPENDIX I-2	



MISSISSAUGA
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PART OF SCHEDULE 10 LAND USE DESIGNATIONS OF MISSISSAUGA OFFICIAL PLAN

LAND USE DESIGNATIONS



LAND USE LEGEND

SUBJECT LANDS

SUBJECT: CITY OF MISSISSAUGA
ROLAND SMITAS, SYLVIA SMITAS AND SIMONE BRADLEY

FILE NO:
CD.21 LAK
DWG. NO:
CD21L_MOP
SCALE:
1:2000

APPENDIX I-3

DATE:
2013 /09/30
DRAWN BY:
A.SHAH

Produced by
T&W, Geomatics



MISSISSAUGA
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LAKESHORE ROAD WEST

QUEEN STREET WEST

CUTLER CRT.

SPENCE CRT

RED PINE CRESCENT

WHITTIER CRES.

MCCONNELL AVENUE

TENNYSON AVENUE

ROPER AVENUE

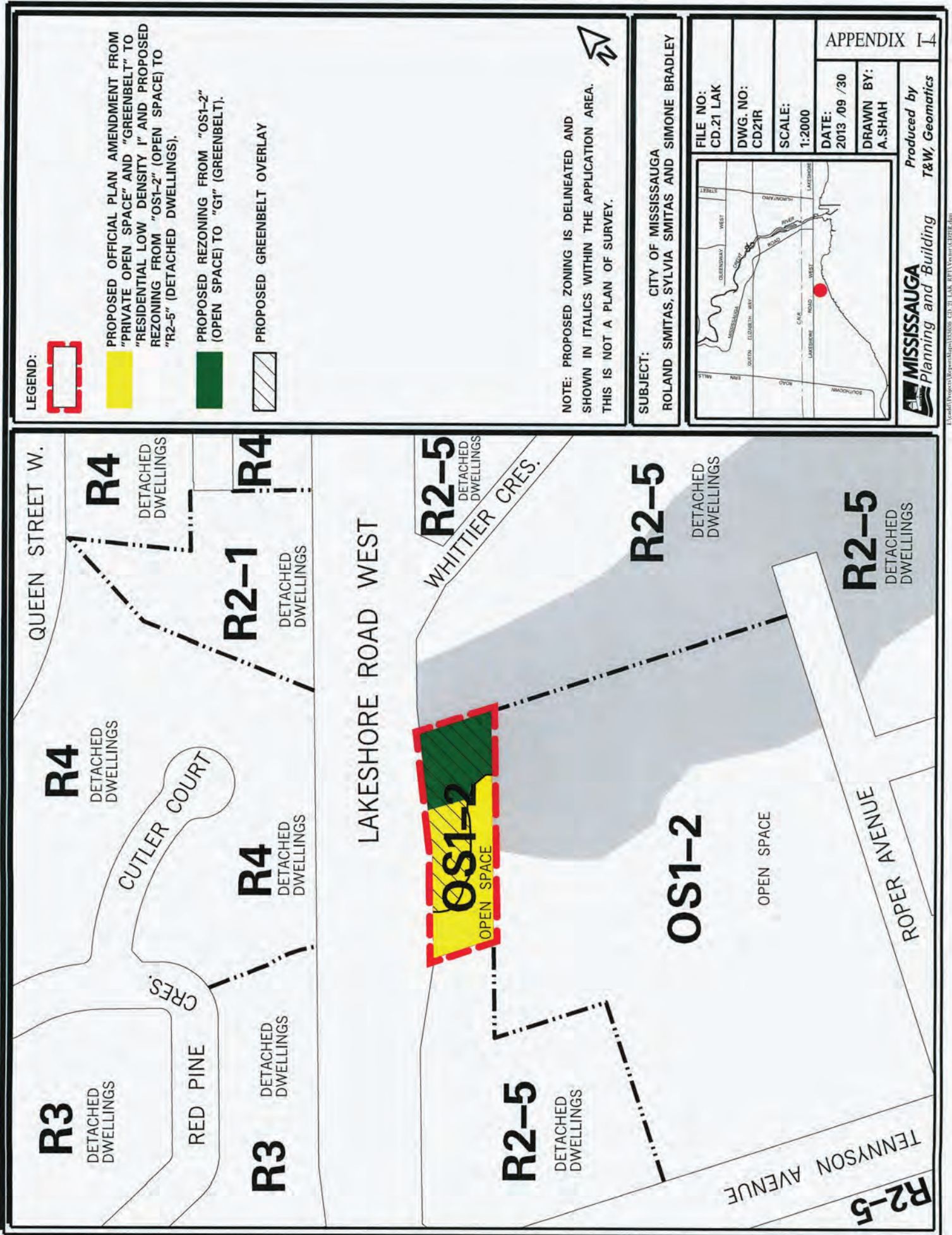
LONGFELLOW AVE.

SANGSTER AVE.

ROPER AVENUE

BURNS AVE.

HENDERSON AVE.



Roland Smitas, Sylvia Smitas and Simone Bradley

File No.: CD.21 LAK

Agency Comments

The following is a summary of comments from agencies and departments regarding the proposed amendments.

Agency / Comment Date	Comment
Region of Peel (August 8, 2013)	The Region will provide waste collection servicing to residential developments provided the requirements outlined in the Waste Collection Design Standards Manual are satisfied.
Credit Valley Conservation (CVC) (September 6, 2013)	<p>CVC has reviewed the proposed Official Plan and Zoning By-law Amendment mapping and has no objection to the proposed limit of the Greenbelt designation in the Official Plan, and the limit of the "G1" zone (as noted on Appendix I-4), provided a Greenbelt Overlay is put in place to reflect the existing natural hazards on the remainder of the site. Following the completion of the proposed culvert and creek works, the limits of the natural hazards and setbacks will be confirmed, and the limit of the Greenbelt designation and "G1" zone can be further refined. It is anticipated that the Greenbelt overlay will be removed at this time.</p> <p>A CVC Permit is required to authorize the required culvert extension and creek works. This must be issued and the works completed and certified to the satisfaction of the City and CVC prior to any further land use approvals.</p> <p>Further, in keeping with CVC policy, staff recommends that all hazard lands and associated setbacks should be dedicated to the City of Mississauga for natural hazards management purposes.</p>
City Community Services Department – Parks and Forestry Division/Park Planning Section (September 10, 2013)	<p>As the subject lands are located within the City's CL17 Natural Heritage Area, this Department is desirous of a gratuitous dedication of all lands within the applicant property to be zoned "G1" – Greenbelt. There are two options available for administering the land dedication:</p> <ol style="list-style-type: none"> 1. If the landowner gratuitously dedicate lands to be zoned "G1" – Greenbelt through the City-initiated Official Plan Amendment and Rezoning, the City is willing to be responsible for all surveying and transaction costs.

Roland Smitas, Sylvia Smitas and Simone Bradley

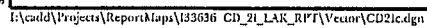
File No.: CD.21 LAK

Agency / Comment Date	Comment
	<p>2. If the City pursues the same land dedication through a future development application, the landowner will be responsible for all surveying and transaction costs.</p> <p>As this is a City-initiated Official Plan Amendment and Rezoning, it is requested that the Planning and Building Department present these two options to the affected landowner and advise us of the landowner's preference.</p>
City Transportation and Works Department (August 15, 2013)	<p>The proposed residential portion which contains hazard lands is to have a Greenbelt Overlay until an alternate proposal is implemented.</p> <p>Based on the review of the materials provided to date and understanding that no new lots or buildings are proposed, and that the subject site will remain as one lot, we have no objection in principle to the City-initiated Official Plan and Zoning amendments as proposed.</p> <p>In the event the owner pursues the development of additional "tableland" or increase the number of lots, this Department will require the following:</p> <ul style="list-style-type: none"> • An updated Functional Servicing Report; • Topographic Plan and Grading Plan; • Development Agreement; • Servicing Agreement for Municipal Works for the culvert extension and enclosure of Moore Creek; • Financial arrangement to secure the creek works. The City has agreed to provide some financial contribution to these works as it relates to stability of the municipal right-of-way for Lakeshore Road West; • Easement in favour of the City for proposed municipal storm sewer; • Dedication of remaining Hazard Lands; • Storm Drainage specific comments would be provided with a future development application; • CVC approval for Moore Creek infrastructure and modification works; • A completed Environmental Site Screening Questionnaire and Declaration (ESSQD) form E2116 (Rev. 06/05), signed by a commissioner of oaths and the owner;

Roland Smitas, Sylvia Smitas and Simone Bradley

File No.: CD.21 LAK

Agency / Comment Date	Comment
	<ul style="list-style-type: none">• Phase 1 Environmental Site Assessment (ESA);• Written confirmation that the long-term stable top of bank, hazard line and any required development setbacks have been established to the satisfaction of the CVC;• Access should be consolidated to minimize points of access onto Lakeshore Road West, and;• Satisfactory arrangements are to be made with Enbridge Inc. to address the stabilization or decommissioning of existing gas services within the property.
	<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 – Heritage Planning- Community Services – Urban Forestry- Enersource Hydro Mississauga- GO Transit (Metrolinx)- Enbridge Gas Distribution Inc.- Enbridge Pipelines Inc.- CN Rail



Appendix S-2**Roland Smitas, Sylvia Smitas and Simone Bradley****File: CD.21 LAK****Recommendation PDC-0063-2013**

"That the Report dated September 10, 2013, from the Commissioner of Planning and Building regarding the City-initiated amendment to the Official Plan from 'Private Open Space' and 'Greenbelt' to 'Residential Low Density I' and 'Greenbelt' and to change the Zoning from 'OS1-2' (Open Space) to 'R2-5' (Detached Dwellings – Typical Lots) to permit detached dwellings with a minimum lot frontage of 30 m (98.4 ft.) on the westerly portion of the lands not constrained by hazard lands associated with Moore Creek under file CD.21 LAK, Roland Smitas, Sylvia Smitas and Simone Bradley, 990 – 994 Lakeshore Road West, be received for information. (b) That the following correspondence be received: 1. Letter dated September 30, 2013, from Scott Zies, President, Lorne Park Estates Association CD.21 LAK"