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## Planning and Development Committee

### Date

2016/03/21

### Time

7:00 PM

### Location

Civic Centre, Council Chamber,  
300 City Centre Drive, Mississauga, Ontario, L5B 3C1 Ontario

### Members

Councillor George Carlson	Ward 11 (Chair)
Mayor Bonnie Crombie	
Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10

### Contact

Mumtaz Alikhan, Legislative Coordinator, Legislative Services  
905-615-3200 ext. 5425  
[mumtaz.alikhan@mississauga.ca](mailto:mumtaz.alikhan@mississauga.ca)

### Find it Online

<http://www.mississauga.ca/portal/cityhall/planninganddevelopment>

**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 – 6<sup>th</sup> Floor  
Att: Development Assistant  
300 City Centre Drive, Mississauga, ON, L5B 3C1  
Or Email: [application.info@mississauga.ca](mailto:application.info@mississauga.ca)

1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. MINUTES OF PREVIOUS MEETING - February 22, 2016
4. MATTERS TO BE CONSIDERED
  - 4.1. Payment-in-Lieu of Parking (PIL) Application, 1041 Lakeshore Road East, north of Lakeshore Road, west of Ogden Road.  
Owner: Dunsire (1041 Lakeshore) Inc.  
File: F.A.31 15/002 (Ward 1)
  - 4.2. Payment-in-Lieu of Parking (PIL) Application), 52 Lakeshore Road East, north side of Lakeshore Road East, east of Stavebank Road  
Owner: Ryan Long  
File: F.A.31 11/003 (Ward 1)
  - 4.3. **PUBLIC MEETING/INFORMATION REPORT**  
Application to permit a 32 storey residential apartment building containing 321 units and over 800 square metres of commercial uses,  
3920-3980 Grand Park Drive, southwest corner of Burnhamthorpe Road West and Grand Park Drive  
Owner: RioTrin Properties (Burnhamthorpe)  
File: OZ 15/006 (Ward 7)
  - 4.4. **RECOMMENDATION REPORT - (Deferred from February 22, 2016 Meeting)**  
Applications to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings, 1850 Rathburn Road East and 4100 Ponytrail Drive  
Owner: Forest Park Circle Ltd.  
File: OZ 12/009 W3

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4.5.      **RECOMMENDATION REPORT**

Applications to permit 23 townhouses on a private condominium road, 1640 Crestview Avenue, southwest corner of South Service Road and Crestview Avenue  
Owner: Carlyle Communities Crestview Inc.  
File: OZ 14/004 (Ward 1)

4.6.      **RECOMMENDATION REPORT**

To revise the zoning for the Cranberry Cove neighbourhood in Port Credit in order to limit the impact of new infill housing development south of Lakeshore Road West, west of Imperial Oil Limited (former Texaco Refinery) lands  
Applicant: City of Mississauga  
File: CD.06.POR (Ward 1)

4.7.      Provincial Policy Statement (PPS), 2014 Implementation - Report on Comments  
File: LA.07.PRO

4.8.      Provincial Coordinated Land Use Planning Review - Advisory Panel Report  
File: LA.07.PRO

4.9.      Proposed amendments to Mississauga Official Plan policies, respecting updated noise and railway proximity guidelines  
File: EC.19 ENV

5.        **ADJOURNMENT**

City of Mississauga

# Corporate Report



Date: March 1, 2016

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:  
FA.31.15/002 W1

Meeting date:  
2016/03/21

## Subject

### **PAYMENT-IN-LIEU OF PARKING (PIL) APPLICATION (WARD 1)**

**1041 Lakeshore Road East, north of Lakeshore Road East, between Ogden Avenue and Strathy Avenue**

**Owner: Dunsire (1041 Lakeshore) Inc.**

## Recommendation

That the Report dated March 1, 2016, from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Parking (PIL) application under file FA.31.15/002 W1, Dunsire (1041 Lakeshore) Inc., 1041 Lakeshore Road East, north of Lakeshore Road East, between Ogden Avenue and Strathy Avenue, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$21,312.00 be approved as the amount for the payment-in-lieu of 3 parking spaces and that the owner/occupant enter into an agreement with the City of Mississauga for the payment of the full amount owing in a single, "Lump Sum" payment.
2. That City Council enact a by-law under Section 40 of the *Planning Act* to authorize the execution of the PIL agreement with Dunsire (1041 Lakeshore) Inc.
3. That the execution of the PIL agreement and payment be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of Council approval, and/or the PIL payment is not made within 90 days of Council approval, then the approval will lapse and a new PIL application along with the application fee will be required.

## Report Highlights

- The application has been made in order to allow a mixed use development on the subject property resulting in a deficiency of 3 parking spaces;
- The proposal has been evaluated against the criteria contained in the Corporate Policy and Procedure on Payment-in-Lieu of Parking (PIL);
- The request can be supported subject to the execution of a PIL Agreement and payment of the required "Lump Sum" amount by the owner/occupant.



## Background

The Planning and Building Department is currently processing a Site Plan application for the subject property under file SP 12/135 W1 to permit two 4 storey buildings proposing 73 residential units and 482.00 m<sup>2</sup> (5,188.20 sq. ft.) of ground level commercial space fronting onto Lakeshore Road East. The applicant recently was granted a minor variance under file 'A' 415/15 that among other items, provided relief to the amount of parking to be provided for all uses on-site. Although the Zoning By-law required a total of 134 parking spaces, the applicant submitted a Parking Utilization Study as part of the minor variance application and upon review, staff supported the applicant providing 99 parking spaces on-site. However, only 96 parking spaces can be accommodated on-site and as a result, the applicant has applied to address the shortfall of 3 spaces through PIL.

The purpose of this report is to provide comments and recommendations with respect to the PIL application.

## Comments

Background information including details of the application is provided in Appendices 1 through 5.

### NEIGHBOURHOOD CONTEXT

The site is located on the north side of Lakeshore Road East between Ogden Avenue and Strathy Avenue and forms part of the Lakeview Neighbourhood Character Area. The lands are designated **Mixed Use** under Mississauga Official Plan and zoned **C4 (Mainstreet Commercial)** which permits a mix of residential, commercial and office uses.

The proposal incorporates two buildings on the northerly and southerly portion of the site. The northerly building is 4 storeys in height and consists of stacked townhouses. The southerly building is also 4 storeys in height and consists of residential units above commercial space that is located on the ground floor fronting Lakeshore Road East.

The surrounding context includes detached homes immediately to the north; commercial uses to the east and west fronting Lakeshore Road East, and industrial uses to the south.

### PIL REQUEST

The applicant is seeking to provide 96 on-site parking spaces to accommodate the proposal with the approved minor variance application requiring 99 on-site parking spaces. The applicant is seeking to address the deficiency through a PIL payment for 3 spaces.

### EVALUATION CRITERIA

This application has been evaluated against the following criteria contained in the Corporate Policy and Procedure on Payment-in-Lieu of Parking.

- ***Whether the existing parking supply in the surrounding area can accommodate on-site parking deficiencies?***
- ***What site constraints prevent the provision of the required number of parking spaces?***

- ***The proposed use of the property, and whether there is any issue as to overdevelopment of the site?***
- ***Consistency with and/or advancement of environmental, design, transportation or economic development objectives and policies of Mississauga's Official Plan.***
- ***Consistency with the objectives of a City Council endorsed parking strategy relevant to the subject location.***

The applicant, as part of the proposed development, will be providing 4 layby parking spaces on the Ogden Avenue municipal right-of-way. These will provide additional spaces available for visitor/commercial parking that are not included in the on-site parking space count. In addition, there is available on-street parking located on Strathy Avenue. Based on the proposed mixed use development and the size of the property, there is no opportunity to reconfigure the parking spaces to provide more on-site parking.

The proposal supports the objectives of Mississauga Official Plan and the Lakeview Local Area Plan by producing a development that is appropriate and desirable given the **Mixed Use** designation of the property and its location on an intensification corridor. In July 2014, Council endorsed the Mississauga Parking Strategy – Phase II: Port Credit and Lakeview. The study concluded that on-street parking should be introduced along Lakeshore Road East in Lakeview as development occurs and that collecting funds through PIL will support this in the future.

## **PIL AGREEMENT**

The *Planning Act* provides that a municipality and an owner or occupant of a building may enter into an agreement exempting the owner or occupant from providing or maintaining parking facilities in accordance with the Zoning By-law, provided such agreement provides for the payment of monies for the exemption and sets out the basis for such payment.

The Planning and Building Department and the applicant have agreed upon the terms and conditions of the PIL approval and the agreement which has been executed by the owner/occupant of the subject lands. The agreement stipulates the following:

- payment-in-lieu of parking is provided for 3 parking spaces;
- a total payment of \$21,312.00 is required;
- payment has been made in one lump sum.

## **Financial Impact**

As of March 1, 2016, the balance of the Payment-in-Lieu of Parking account for Lakeview is \$72,642.88 and with the incorporation of the monies from this application, the account will have a balance of \$93,954.88.

## **Conclusion**

Current parking standards represent city-wide averages which were developed to ensure that municipal standards will provide adequate parking for all land uses. Nonetheless, there are areas within the City where it may be physically impossible to comply with the parking requirements without jeopardizing the opportunities to expand uses in response to market demand. Older areas of the City such as Lakeview face the further challenge of strengthening their historic commercial centres through the creation of new residential and commercial space in their core areas through intensification and infilling on lots with limited land areas.

The subject PIL application should be supported for the following reasons:

- There are no opportunities to create additional parking on the subject site;
- The applicant is proposing layby parking spaces on Ogden Avenue and there are also on-street opportunities in the immediate vicinity to offset the on-site shortfall of parking spaces;
- The proposed shortfall of 3 on-site parking spaces is not expected to adversely impact the local area.

## Attachments

Appendix 1: Site and Policy History  
Appendix 2: Aerial Photograph  
Appendix 3: Site Plan  
Appendix 4: Parking Plan



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Edward R. Sajecki  
Commissioner of Planning and Building

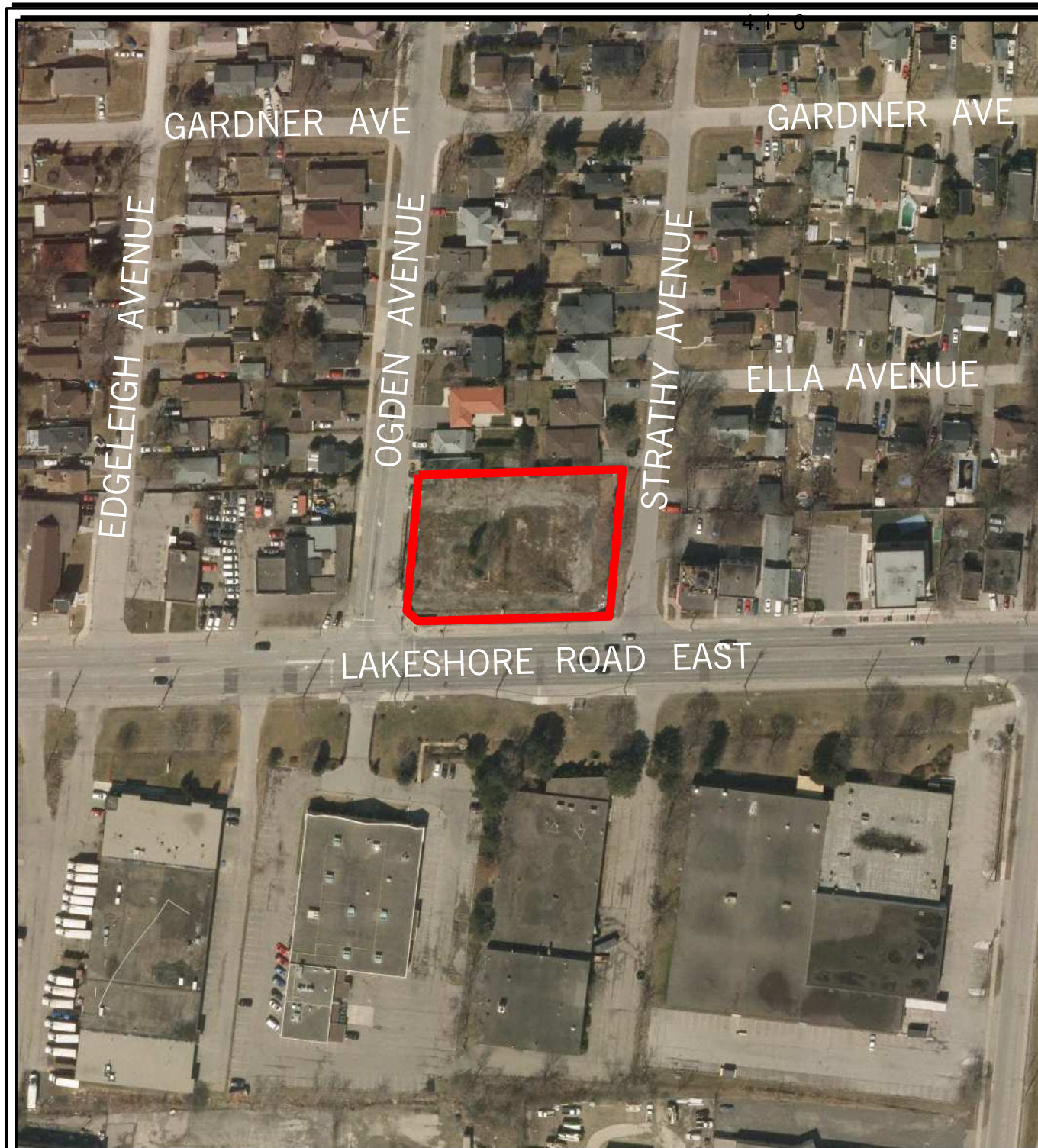
Prepared by: David Ferro, Development Planner

**Dunsire (1041 Lakeshore) Inc.****File: FA.3115/002 W1****Site History**

- August 3, 2012 – Site Plan application submitted under file SP 12/135 W1 to permit a mixed use development proposing 73 residential units and 482.00 m<sup>2</sup> (5,188.20 sq. ft.) of commercial space;
- November 18, 2015 – Committee of Adjustment granted a minor variance under file 'A' 416/15, to permit a reduction in provided parking, among other required variances. The Committee approved a reduction in parking providing 99 spaces whereas 134 parking spaces are required by the Zoning By-law.

**Policy History**

- March 27, 1997 – Council adopted Recommendation PDC-43-97 approving a revised Payment-in-Lieu of Off-Street Parking Program;
- March 1998 – The firm of McCormick Rankin Corporation prepared the *City of Mississauga Commercial Areas Parking Strategy* to form the basis for the City's ongoing program of capital investment in parking improvement in the historic commercial areas of Clarkson, Cooksville, Port Credit and Streetsville. On September 30, 1998, the *Strategy* was endorsed by Council as a guide to parking-related matters;
- October 25, 2000 – Council adopted Recommendation PDC-0150-2000 which slightly revised the Payment-in-Lieu of Off-Street Parking Program concerning the approval process and the types of uses that are eligible for PIL;
- February 11, 2009 – Council adopted Recommendation PDC-0014-2009 which revised the Payment-in-Lieu of Off-Street Parking Program including the addition of recommendations from the Parking Strategy for Mississauga City Centre;
- November 13, 2012 – Administrative revision made to Applicability of Surface and Structured Parking Formulas Section to clarify what PIL rate applies when parking being paid for is located off-site;
- December 3, 2012 – Revisions to Applicability of Surface and Structured Parking Formulas – clarification that structure parking formulas only apply to City Centre District;
- December 7, 2015 – Revisions made to simply name of Policy; clarification of scope; and administrative revisions to align language with new Official Plan.



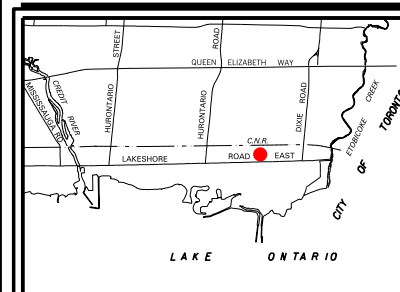
## LEGEND:



SUBJECT LANDS



SUBJECT: DUNSIRE (1041 LAKESHORE) INC.



FILE NO:  
FA.31.15.002  
DWG. NO:  
3115002A  
SCALE:  
1:2000

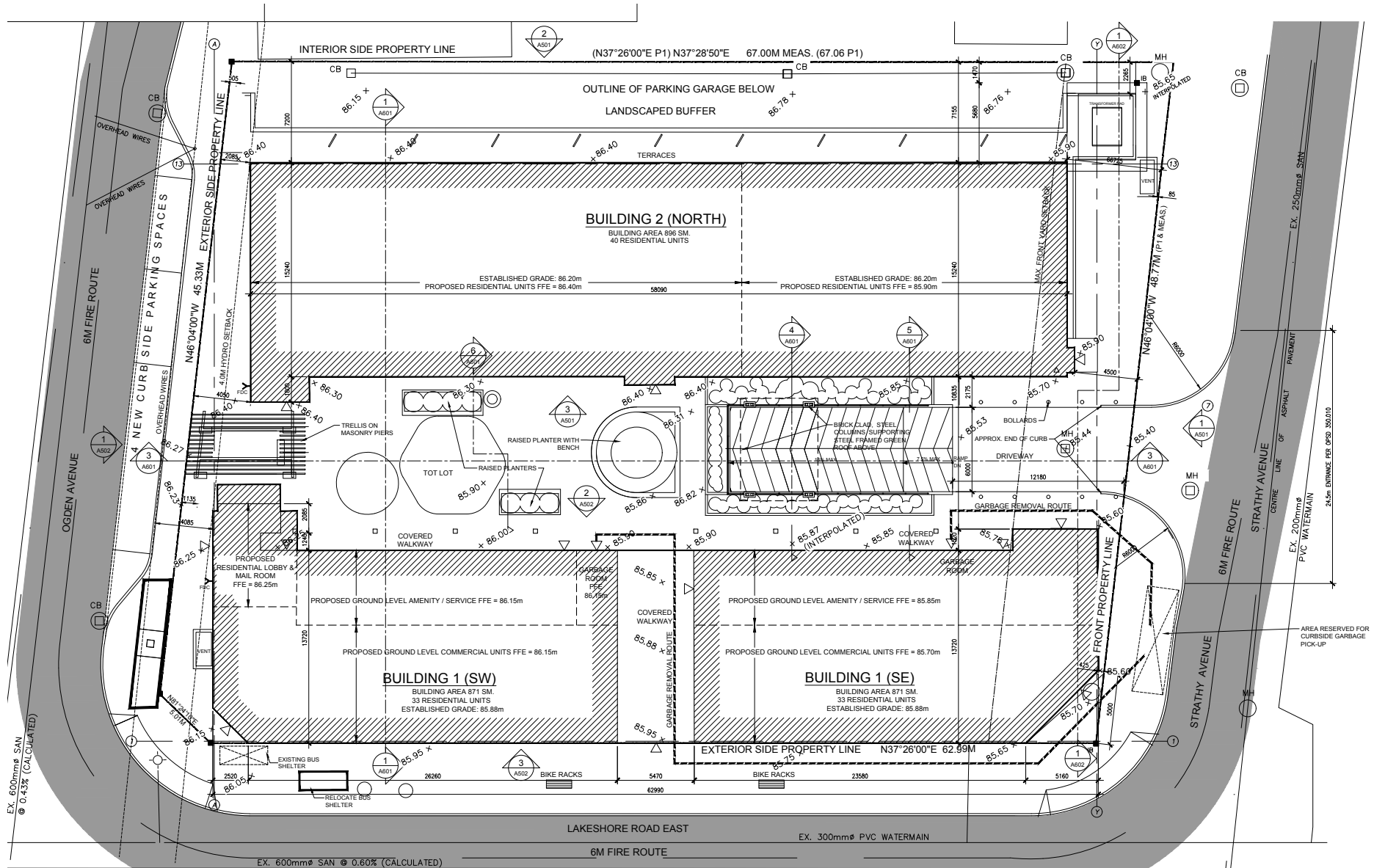
DATE:  
2016/03/21  
DRAWN BY:  
J.BERNARD

Appendix 2

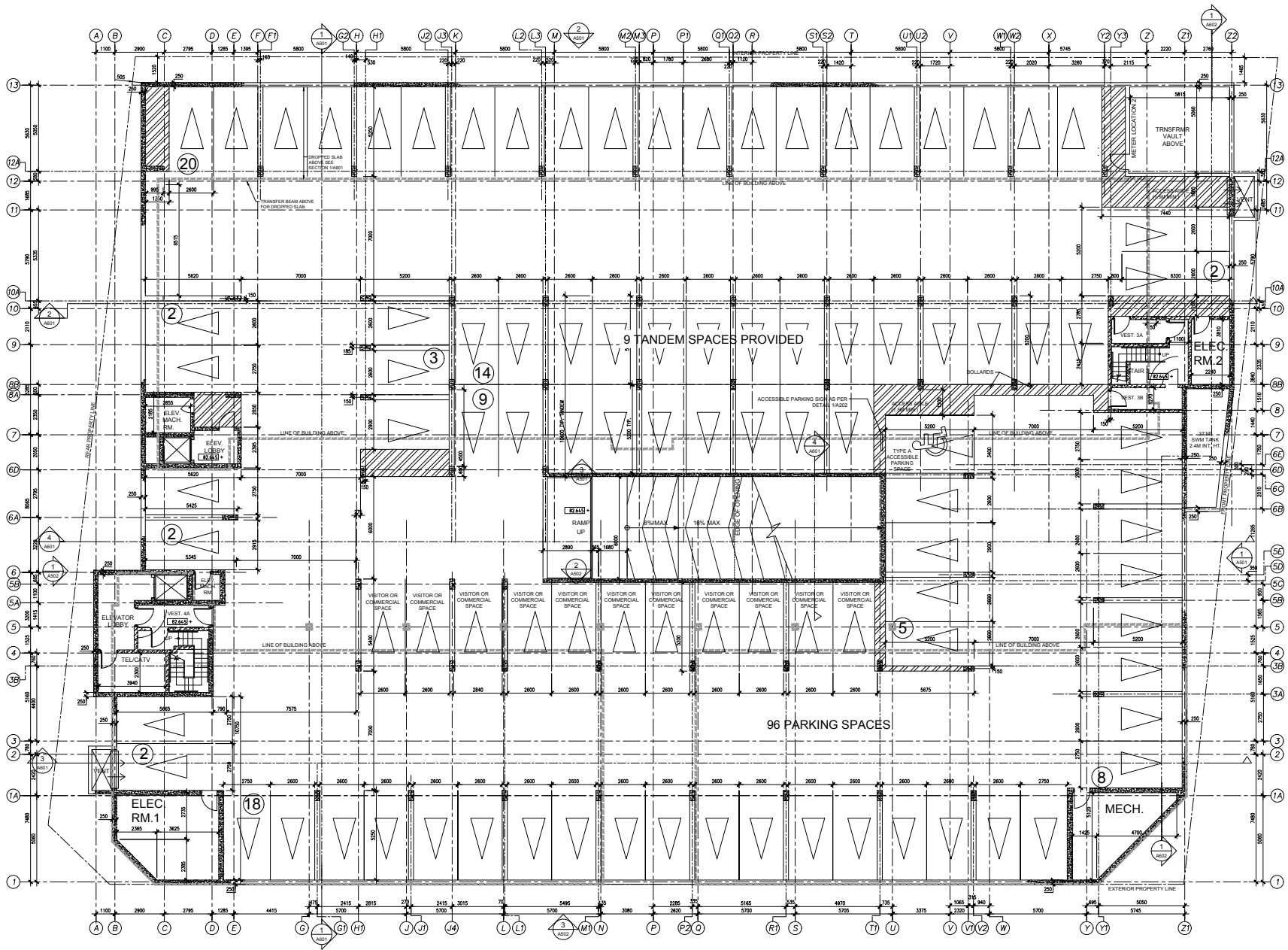


MISSISSAUGA

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T&W, Geomatics







City of Mississauga  
**Corporate Report**



Date: March 1, 2016

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:  
FA.31 11/003 W1

Meeting date:  
2016/03/21

## Subject

**PAYMENT-IN-LIEU OF PARKING (PIL) APPLICATION (WARD 1)**

**52 Lakeshore Road East, north side of Lakeshore Road East, east of Stavebank Road**

**Owner: Ryan Long**

## Recommendation

That the Report dated March 1, 2016 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Parking (PIL) application under file FA.31.11/003 W1, Ryan Long, 52 Lakeshore Road East, north side of Lakeshore Road East, east of Stavebank Road, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$42,800.00 be approved as the amount for the payment in lieu of 8 parking spaces and that the owner/occupant enter into an agreement with the City of Mississauga for the payment of the full amount owing in a single, "Lump Sum" payment.
2. That City Council enact a by-law under Section 40 of the *Planning Act* to authorize the execution of the PIL agreement with Ryan Long for a proposed occupancy of the second floor as event space/banquet hall.
3. That the execution of the PIL agreement and payment must be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of Council approval, and/or the PIL payment is not made within 90 days of Council approval then the approval will lapse and a new PIL application along with the application fee will be required.

## Report Highlights

- The application has been made in order to allow a banquet hall use on the second storey of the restaurant known as 'Spice Lounge' resulting in a deficiency of 8 parking spaces;
- The proposal has been evaluated against the criteria contained in the Corporate Policy and Procedure on Payment-in-Lieu of Parking (PIL);
- The request can be supported subject to the execution of a PIL Agreement and payment



☐ of the required 'lump sum' amount by the owner/occupant.

## Background

The applicant was granted a minor variance under file 'A' 229/11 to permit the operation of a banquet hall use on the second storey of the restaurant provided:

1. the space is used for private bookings and not as an extension of the restaurant;
2. the applicant make up the parking deficiency through PIL.

An application has been filed requesting payment-in-lieu of providing 8 on-site parking spaces. The restaurant has been operating for a period of time without the benefit of a Certificate of Occupancy. Compliance and Licensing Enforcement is aware of the operation and court action is being withheld pending approval of this application and the applicant's immediate attention to the matter.

The purpose of this report is to provide comments and recommendations with respect to the application.

## Comments

Background information including details of the application is provided in Appendices 1 through 4.

### NEIGHBOURHOOD CONTEXT

The site is located on the north side of Lakeshore Road East, east of Stavebank Road and forms part of the Mainstreet Node of the Port Credit Community Node Character Area. The buildings in this area are mostly two storeys in height with stores, restaurants and other commercial uses on the ground floor and a mix of commercial and residential uses on the second floor. This area is the centre of commercial activity in Port Credit.

The lands are designated **Mixed Use** and zoned **C4 (Mainstreet Commercial)** which permits a mix of residential, commercial and office uses.

### PIL REQUEST

The applicant is seeking to use the second floor of the building for banquet hall space. The restaurant currently has access to the 6 parking spaces across the right-of-way at the rear of the property. With the introduction of the additional 101 m<sup>2</sup> (1,087 sq. ft.) of banquet hall space, a parking deficiency of 8 parking spaces is created. The applicant is proposing payment for all 8 spaces and no reduction in parking is being requested.

### EVALUATION CRITERIA

The application has been evaluated against the following criteria contained in the Corporate Policy and Procedure on Payment-in-Lieu of Parking:

- ***Whether or not the existing parking supply in the surrounding area can accommodate on-site parking deficiencies?***
- ***What site constraints prevent the provision of the required number of parking spaces?***

- ***The proposed use of the property, and whether there is any issue as to overdevelopment of the site?***
- ***Consistency with and/or advancement of environmental, design, transportation or economic development objectives and policies of Mississauga's Official Plan.***
- ***Consistency with the objectives of a City Council endorsed parking strategy relevant to the subject location.***

Given the historical built form of this area of Port Credit, the site has no parking. The restaurant has access to 6 parking spaces across the right-of-way at the rear of the property on the lands known municipally as 0 Stavebank Road. As the space at the rear of the property is very limited, there is no opportunity to reconfigure the space to provide more parking. No new floor area is being proposed. The applicant has registered a restriction on transfer of the lands at both 0 Stavebank Road and 52 Lakeshore Road East ensuring that parking will continue to be supplied for the restaurant.

The proposal supports the objectives of Mississauga Official Plan and the Port Credit Local Area Plan. The proposal is desirable in that it represents a further strengthening of the Port Credit Node by enhancing businesses which attract visitors to the area.

In July 2014, Council endorsed the Mississauga Parking Strategy – Phase II: Port Credit and Lakeview. The study concluded that there is currently an adequate amount of public parking in Port Credit and that revenues collected through PIL applications will support the future addition of public parking which will be required in the longer term.

Public parking is available in the immediate vicinity of the restaurant along Stavebank Road and Lakeshore Road East as well as at the Port Credit Library.

### **PIL Agreement**

The *Planning Act* provides that a municipality and an owner or occupant of a building may enter into an agreement exempting the owner or occupant from providing or maintaining parking facilities in accordance with the Zoning By-law, provided such agreement provides for the payment of monies for the exemption and sets out the basis for such payment.

The Planning and Building Department and the applicant have agreed upon the terms and conditions of the PIL approval and the agreement has been executed by the owner/occupant of the subject lands. The agreement stipulates the following:

- Payment-in-lieu of parking is provided for 8 parking spaces;
- A total payment of \$42,800 is required;
- Payment has been made in one lump sum.

### **Financial Impact**

As of December 31, 2015, the balance of the Payment-in-Lieu of Parking account for Port Credit is \$3,172,688.20 and with the incorporation of the monies from this application, the account will have a balance of 3,215,488.20.

## Conclusion

Current parking standards represent city wide averages which were developed to ensure that municipal standards will provide adequate parking for all land uses. Nonetheless there are areas within the City where it may be impossible to comply with the parking requirements without jeopardizing the opportunities to expand uses in response to market demand. Older areas of the City such as Port Credit face the further challenge of strengthening their historic commercial centres through the creation of new residential and commercial space in their core areas through intensification and infilling on lots with limited land areas.

The subject PIL application should be supported for the following reasons:

- There are public parking opportunities in the immediate vicinity to offset the shortfall of parking;
- There are no changes proposed to the appearance or functionality of the site;
- The proposed shortfall of eight 8 parking spaces is not expected to adversely impact the local area.

## Attachments

Appendix 1: Site and Policy History  
Appendix 2: Aerial Photograph  
Appendix 3: Excerpt of Existing Land Use Map  
Appendix 4: Concept Plan



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Edward R. Sajecki  
Commissioner of Planning and Building

Prepared by: David Breveglieri, Development Planner

Ryan Long

File: FA31 11/003 W1

### Site History

- November, 1982 – Committee of Adjustment granted a minor variance under file 'A' 356/82 W1 to permit the operation of a restaurant with 3 parking spaces located across the right of way at the rear of the property;
- June 23, 2011 – Committee of Adjustment granted a minor variance under file 'A' 229/11 W1 to permit a banquet hall use of the second floor of the premise provided that it is used on a booking basis and does not form an expansion of the patron area of the restaurant and the parking shortfall is address through Payment in Lieu of Parking.

### Policy History

- March, 1997 – Council adopted Recommendation PDC-43-97 approving a revised Payment-in-Lieu of Off-Street Parking Program;
- September, 1998 – Council endorses the *City of Mississauga Commercial Areas Parking Strategy* to form the basis for the City's ongoing program of capital investment in parking improvement in the historic commercial areas of Clarkson, Cooksville, Port Credit and Streetsville;
- October 25, 2000 – Council adopted Recommendation PDC-0150-2000 which slightly revised the Payment-in-Lieu of Off-Street Parking Program concerning the approval process and the types of uses that are eligible for PIL;
- July 2, 2014 – Council endorsed the Mississauga Parking Strategy – Phase II: Port Credit and Lakeview which examined existing public parking supply and projections for future parking demand;
- December 7, 2015 – Revisions made to simply name of Policy; clarification of scope; and administrative revisions to align language with new Official Plan.

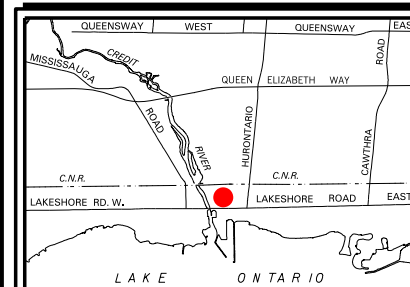


4.2 - 6

**LEGEND:**

**SUBJECT LANDS**  
**52 LAKESHORE ROAD EAST**

DATE OF AERIAL PHOTO: SPRING 2015

**SUBJECT:****RYAN LONG**

**FILE NO:**  
**FA 31 11002 W1**

**DWG. NO:**  
**FA 31 11002A**

**SCALE:**  
**1:2500**

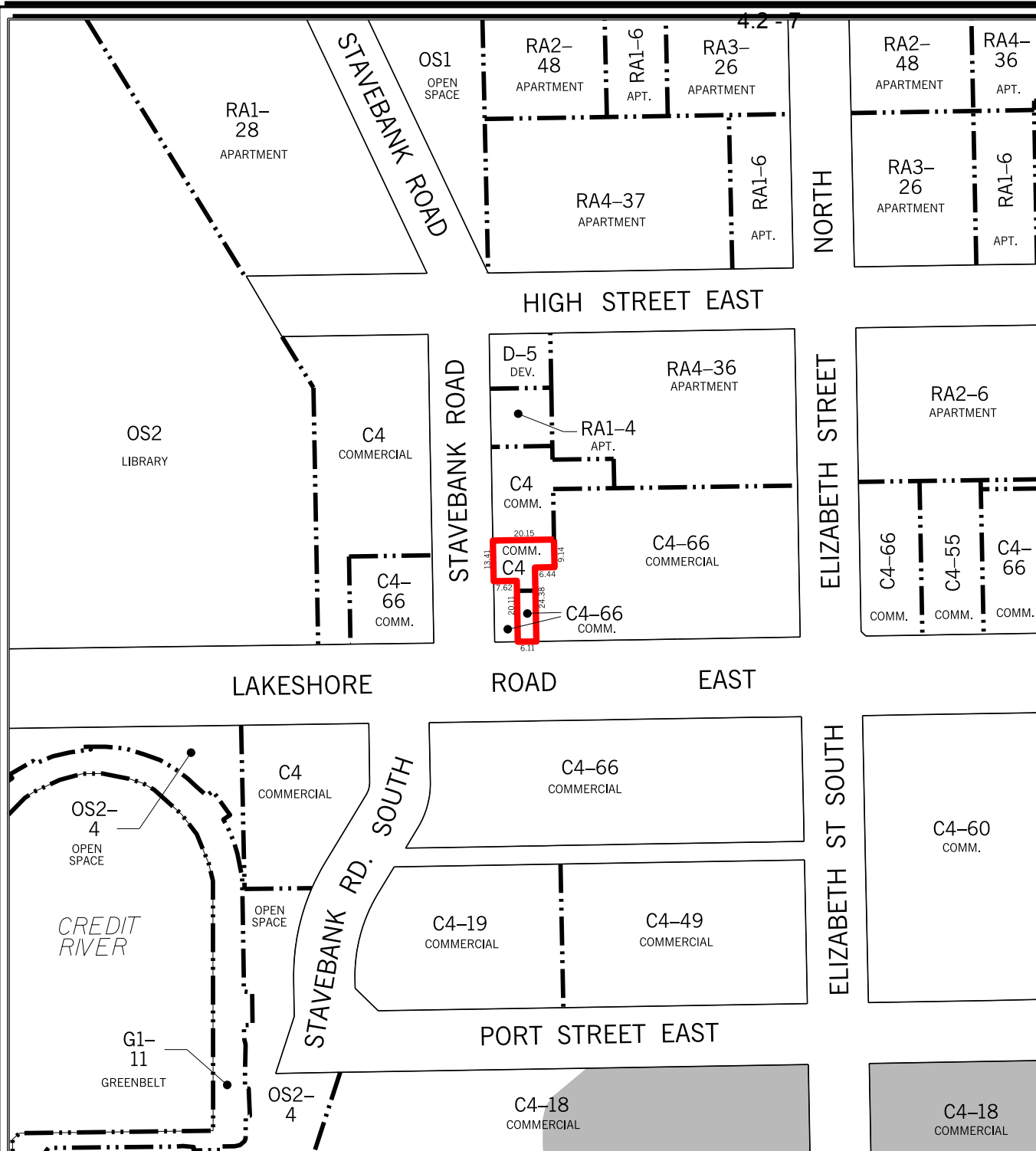
**PDC DATE:**  
**2016 03 21**

**DRAWN BY:**  
**B. KRUGER**

Appendix 2

**MISSISSAUGA**

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**LEGEND:**



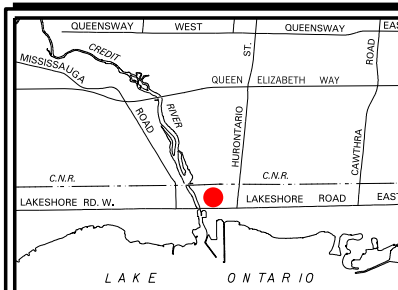
## SUBJECT LANDS

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



**SUBJECT:**

**RYAN LONG**



FILE NO:  
FA 31 11002 W1

DWG. NO:  
FA 31 11002R

**SCALE:**  
**1:2500**

PDC DATE:  
2016 03 21

**DRAWN BY:**  
**B. KRUGER**

## Appendix 3



# MISSISSAUGA

Produced by  
T&W, Geomatics





City of Mississauga

# Corporate Report



Date: March 1, 2016

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:  
OZ 15/006 W7Meeting date:  
2016/03/21

## Subject

### **PUBLIC MEETING INFORMATION REPORT (Ward 7)**

**Application to permit a 32 storey, 321 unit apartment building with retail commercial uses on the ground floor, 3900-3980 Grand Park Drive, southwest corner of Burnhamthorpe Road West and Grand Park Drive**

**Owner: RioTrin Properties (Burnhamthorpe) Inc.**

## Recommendation

That the report dated March 1, 2016, from the Commissioner of Planning and Building regarding the applications by RioTrin Properties (Burnhamthorpe) Inc. to permit a 32 storey, 321 unit apartment building and retail commercial uses on the ground floor under File OZ 15/006 W7, 3900-3980 Grand Park Drive, be received for information.

## Background

The application has been circulated for technical comments. A community meeting has not been held. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

### **Report Highlights**

- This report has been prepared for a public meeting to hear from the community;
- An amendment to the Official Plan is required as the applicant exceeds the four storey height limit for Neighbourhoods within Mississauga Official Plan;
- Community concerns identified to date relate to traffic impact on surrounding streets; impacts on views and increased noise and air quality; and
- Prior to the next report, matters to be addressed include demonstrating an appropriate height and transition of scale between the proposed development and the Downtown Core Character Area and the homes to the north; consideration of the relationship to the



surrounding area context and character; provision of appropriate landscaping; resolution of environmental issues including air quality; and resolution of traffic issues and servicing.

## Comments

### THE PROPERTY AND THE NEIGHBOURHOOD

Size and Use	Proposed Development Site
Frontages:	78.14 m (256.36 ft.) Grand Park Drive 73.57 m (241.37 ft.) Burnhamthorpe Road West
Depth:	73.57 m (241.37 ft.)
Gross Lot Area:	0.56 ha (1.38 ac.)
Existing Uses:	Commercial (Grand Park Plaza) which includes restaurants and retail uses including Shoppers Drug Mart

The proposed development site is part of a 4.05 ha (10 ac.) retail commercial plaza property located at the southwest corner of Burnhamthorpe Road West and Grand Park Drive. A portion of the plaza is proposed to be redeveloped to permit an apartment building with ground floor retail commercial uses (see Appendix 11).

The surrounding land uses are:

North: Two-storey detached homes

East: A 28-storey condominium apartment with ground floor commercial; and southeast of the site is a 48-storey condominium apartment under construction (Pinnacle)

South: Retail plaza (Grand Park Plaza)

West: Retail commercial uses on Burnhamthorpe Road West and mixed industrial and commercial uses on Mavis Road

Information regarding the history of the site is found in Appendix 1.

### DETAILS OF THE PROJECT

The applicants are proposing to demolish the Shoppers Drug Mart and construct a 32 storey, 321 unit apartment building with 5 613 m<sup>2</sup> (60,418 ft<sup>2</sup>) of ground floor retail commercial uses along Grand Park Drive.

Nineteen, shared-use surface parking spaces will be provided for visitor and proposed retail commercial use parking (see Appendix 5). A total of 324 residential parking spaces will be provided in three levels of underground parking. Other than the removal of the Shoppers Drug Mart building and parking area, no other changes are proposed to the existing retail commercial and restaurant buildings in the Grand Park Plaza.

Development Proposal		Existing Grand Park Plaza
Application(s) submitted:	Received: August 17, 2015 Deemed complete: September 16, 2015	SP-02-164 – Site Plan Approved July 28, 2003
Developer Owner:	RioTrin Properties (Burnhamthorpe) Inc.	RioTrin Properties (Burnhamthorpe) Inc.
Number of units:	321 units	N/A
Existing Gross Floor Area:	Existing Shoppers Drug Mart – 2 427.9 m <sup>2</sup> (26,134 ft <sup>2</sup> ) to be removed	9 503.89 m <sup>2</sup> (102,299 ft <sup>2</sup> ) overall site, excluding Shoppers Drug Mart
Height:	32 storey(s)	1 storey
Lot Coverage:	29.1 %	27%
Floor Space Index:	4.35	0.27
Landscaped Area:	64.5 %	16.9 %
Proposed Gross Floor Area:	24 397 m <sup>2</sup> (262,607 ft <sup>2</sup> )	9 503.89 m <sup>2</sup> (102,299 ft <sup>2</sup> ) Existing gross floor area to be retained.
Anticipated Population:	803* *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.	N/A
Green Initiatives:	No Green Initiatives are proposed.	N/A

Additional information is provided in Appendices 1 to 11.

### LAND USE CONTROLS

The subject lands are located within the Fairview Character Area and are designated **Mixed Use**. The applicant has requested an amendment to Mississauga Official Plan to permit the residential uses above four storeys. The height exceeds the permissions for a Neighbourhood Character Area. The proposal will have to demonstrate that there is an appropriate transition in heights to surrounding lands and meets other objectives of the Official Plan. Detailed information regarding the Official Plan is in Appendix 9.

A rezoning is proposed from **C3-5 (General Commercial)** to **C3-Exception (General Commercial)** to permit a 32 storey apartment building with ground floor retail commercial uses in accordance with the proposed zone standards contained within Appendix 10.

### **Fielding Chemical Technologies**

A portion of the existing Grand Park Plaza abuts the Fielding Chemical Technologies plant located at 3549 Mavis Road. The plant is specifically used to recycle liquid waste including the recycling of waste solvents and glycols. Mississauga Official Plan policies restrict any new residential development to be permitted within a 300 m (984.25 ft.) influence area of the plant. Ministry of Environment Guideline D-6 "Compatibility Between Industrial Facilities and Sensitive Land Uses" also requires a separation distance of 300 m (984.25 ft.) from industrial facilities and sensitive land uses like residential. The proposed apartment building is located outside of the 300 m (984.25 ft.) influence area but the City is requesting environmental reports including air quality and record of site condition to address any potential compatibility issues.

### **Bonus Zoning**

On September 26, 2012, Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted height and/or density are deemed to be good planning by Council through the approval of a development application. Should these applications be approved by Council, or through the Ontario Municipal Board, the City will report back to Planning and Development Committee on the provision of community benefits as a condition of approval.

### **WHAT DID THE COMMUNITY SAY?**

No community meetings were held and eight e-mails were received by the Planning and Building Department. The residents provided the following comments:

- The removal of the Shoppers Drug Mart limits access to a drug store;
- Traffic impact on the intersection of Grand Park Drive and Burnhamthorpe Road West and additional traffic on Webb Drive will result from the development;
- Concerns for impacts on views; and
- Increased noise and air pollution will be generated by this proposal.

### **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix 7 and school accommodation information is contained in Appendix 8. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Resolution of how the development proposal is to be separated from the existing Grand Park Plaza;
- Ensuring there are active uses at ground level along Burnhamthorpe Road West and Grand Park Drive;
- The relationship of the proposed buildings to the surrounding area context and character;
- Ensuring the proposed development addresses the City Structure policies;

- Demonstration of an appropriate transition of building height and massing between the proposed development and the Downtown Core located on the east side of Grand Park Drive and the low density residential area on the north side of Burnhamthorpe Road West;
- The lack of Green Initiatives for the development proposal;
- Provision of adequate landscaping and on-site amenity areas;
- Satisfactory resolution of shadow impacts;
- Resolution of streetscape design and roadway requirements for Burnhamthorpe Road West and Grand Park Drive and the request for a Utility Plan to determine a streetscape plan;
- Satisfactory resolution of environmental issues including a requirement for a record of site condition and a requirement for a peer review of the Air Quality Feasibility Assessment;
- Satisfactory resolution of traffic impact on the surrounding road network including the review of access and number of on-site parking spaces; and
- Provision of a satisfactory Functional Servicing Report to determine if there is capacity and resolution of all servicing and utility issues.

#### **OTHER INFORMATION**

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

- Plan of Survey
- Context Map and Site Plan
- Elevation Drawings and Floor Plans
- Civil Engineering Drawings
- Easement/Restriction Documents
- Planning Justification Report
- Urban Design Brief
- Pedestrian Wind Assessment
- Shadow Studies
- Environmental Noise & Air Quality Feasibility Assessment
- Phase One Environmental Site Assessment
- Functional Servicing & Stormwater Management Report
- Traffic Impact Study
- Green Development Strategy

#### **Development Requirements**

There are engineering matters including: servicing, roadway and streetscape design, and noise mitigation, which will require the applicant to enter into agreements with the City. Prior to any development proceeding on-site, the City will require the submission and review of an application for site plan approval.

## Financial Impact

Development charges will be payable as required by the Development Charges By-law of the City. Also the financial requirements of any other external commenting agency must be met.

## Conclusion

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

## Attachments

Appendix 1: Site History  
Appendix 2: Aerial  
Appendix 3: Land Use  
Appendix 4: Zoning Map  
Appendix 5: Site Plan  
Appendix 6: Elevations  
Appendix 7: Agency Comments  
Appendix 8: School Accommodation  
Appendix 9: Official Plan Policies  
Appendix 10: Zoning Provisions  
Appendix 11: Context Map



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Edward R. Sajecki  
Commissioner of Planning and Building

Prepared by: Michael Hynes, Development Planner

RioTrin Properties (Burnhamthorpe) Inc

File: OZ 15/006 W7

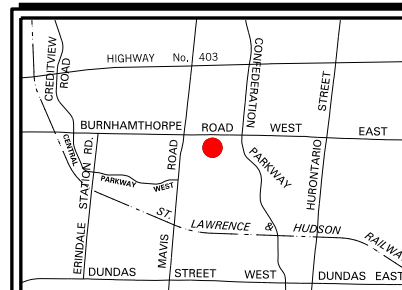
### Site History

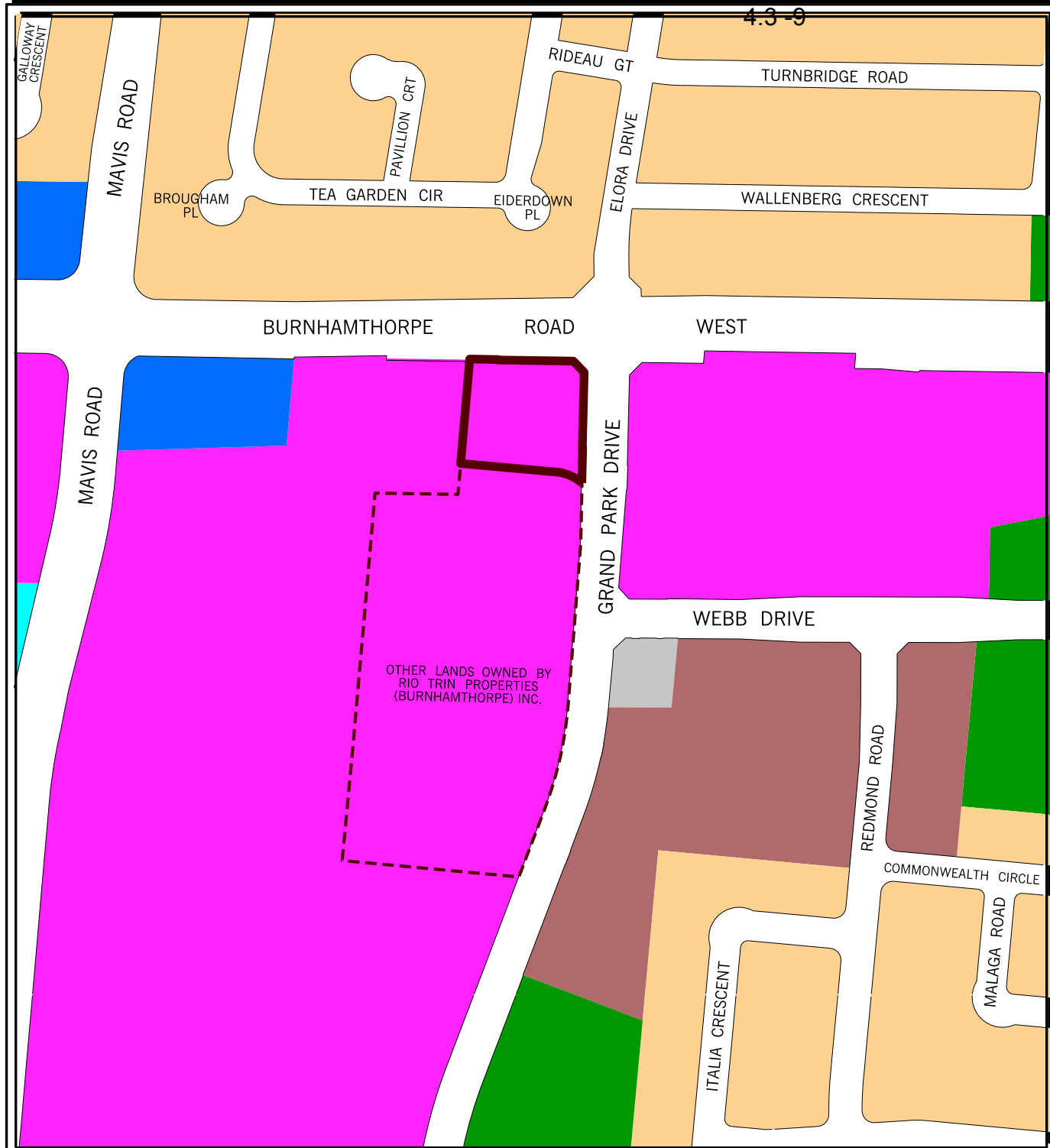
- May 5, 2003 – The Region of Peel approved Mississauga Plan policies for the Fairview District, which designated the subject lands "Mixed Use".  
  
Fairview District Policies of Mississauga Plan Section 4.14.5.2.2 Area 1A stated:
  - The General Commercial designation applies to lands fronting on the south side of Burnhamthorpe Road West and on the north side of Central Parkway West.
    - a. The General Commercial designation permits a mix of office and commercial uses on these sites.
    - b. *Offices* will not exceed a *Floor Space Index (FSI)* of 1.0.
    - c. In addition to the *Floor Space Index (FSI)* of 1.0 permitted for *offices*, an additional *Floor Space Index (FSI)* of 0.15 will be permitted for accessory street level commercial uses.
    - d. Off-street parking at the rear and sides of building will be encouraged.
- July 28, 2003 - Approval of SP-02-164 a site plan to construct a commercial retail development (Grand Park Plaza) with a proposed gross floor area of 9 676 m<sup>2</sup> (104,152 ft<sup>2</sup>).
- December 17, 2003 - Approval of SP 03-340 - revisions to existing site plan including elevations and floor plans to Grand Park Plaza.
- April 7, 2004 - Approval of SP 04/30 – revisions to existing site plan including elevations and floor plans to Grand Park Plaza.
- June 20, 2007 – Zoning By-law 0225-2007 came into force, zoning the subject lands C3-5 (Commercial Zone-Exception).
- 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. The subject lands are designated Mixed Use in the Fairview Neighbourhood Character Area.



**LEGEND:****SUBJECT LANDS****OTHER LANDS OWNED BY  
RIO TRIN PROPERTIES  
(BURNHAMTHORPE) INC.**

DATE OF AERIAL PHOTO IS SPRING 2015

**SUBJECT: RIOTRIN PROPERTIES  
(BURNHAMTHORPE) INC.****FILE NO:**  
OZ 15006 W7**DWG. NO:**  
15006A**SCALE:**  
1:3500**PDC DATE:**  
2016 03 21**DRAWN BY:**  
B. KRUGER**APPENDIX 2****MISSISSAUGA**Produced by  
T&W, Geomatics



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

**LAND USE DESIGNATIONS**

- |                            |                       |
|----------------------------|-----------------------|
| Residential Low Density I  | Airport               |
| Residential Low Density II | Institutional         |
| Residential Medium Density | Public Open Space     |
| Residential High Density   | Private Open Space    |
| Mixed Use                  | Greenlands            |
| Convenience Commercial     | Parkway Belt West     |
| Motor Vehicle Commercial   | Utility               |
| Office                     | Special Waterfront    |
| Business Employment        | Partial Approval Area |
| Industrial                 |                       |

**BASE MAP INFORMATION**

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

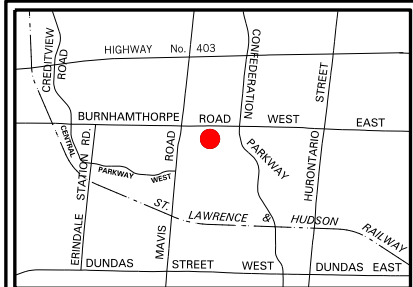
**City Structure**

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

**SUBJECT LANDS**



**SUBJECT: RIOTRIN PROPERTIES (BURNHAMTHORPE) INC.**



**FILE NO:**  
OZ 15006 W7

**DWG. NO:**  
15006L

**SCALE:**  
1:3500

**PDC DATE:**  
2016 03 21

**DRAWN BY:**  
B. KRUGER

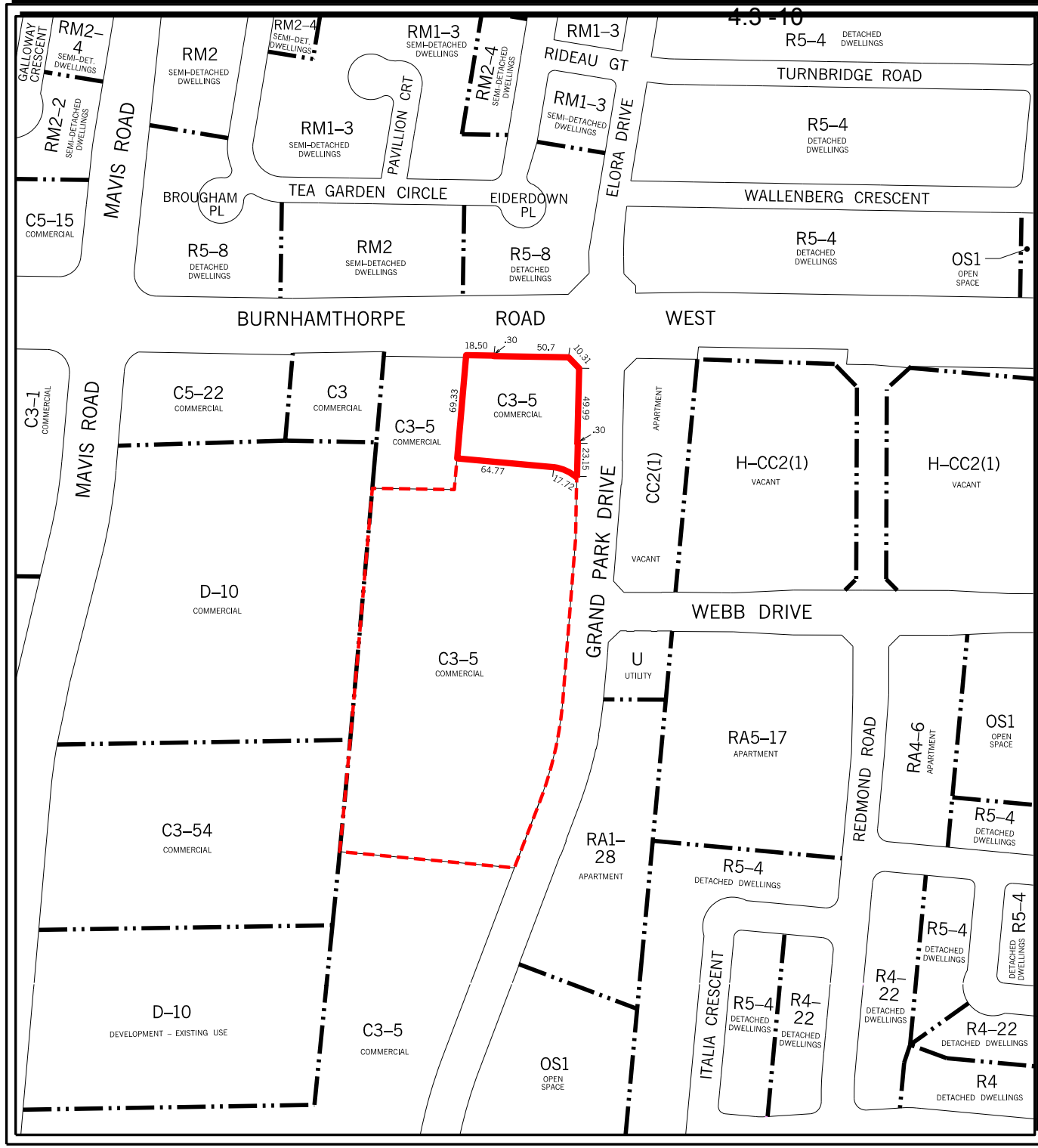
**APPENDIX 3**





**MISSISSAUGA**

Produced by  
T&W, Geomatics





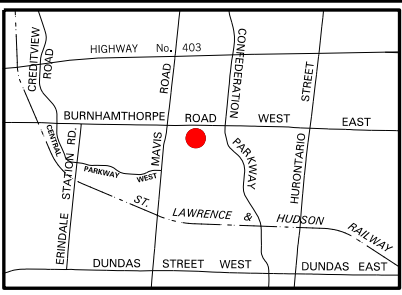
LEGEND:

-  PROPOSED REZONING FROM "C3-5" (GENERAL COMMERCIAL) TO "C3-EXCEPTION" (GENERAL COMMERCIAL) TO PERMIT A 32 STOREY APARTMENT BUILDING WITH RETAIL COMMERCIAL USES ON THE GROUND FLOOR.
-  OTHER LANDS OWNED BY RIOTRIN PROPERTIES (BURNHAMTHORPE) INC.

NOTE: THIS IS NOT A PLAN OF SURVEY.



SUBJECT: RIOTRIN PROPERTIES (BURNHAMTHORPE) INC.



FILE NO:  
OZ 15/006 W7

DWG. NO:  
15006R

SCALE:  
1:3500

PDC DATE:  
2016 03 21

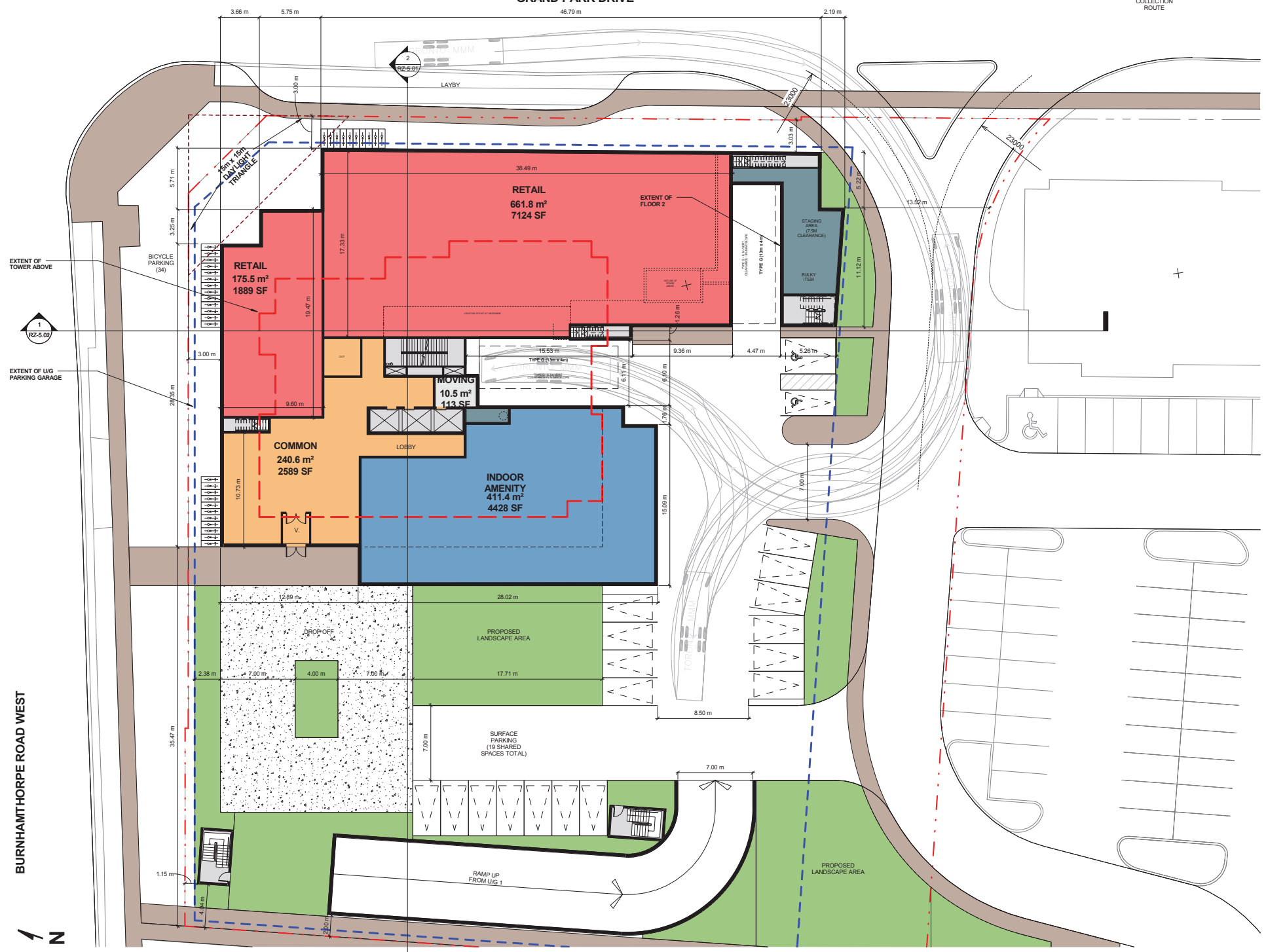
DRAWN BY:  
B. KRUGER

BURNHAMTHORPE ROAD WEST

4.3 -11

GRAND PARK DRIVE

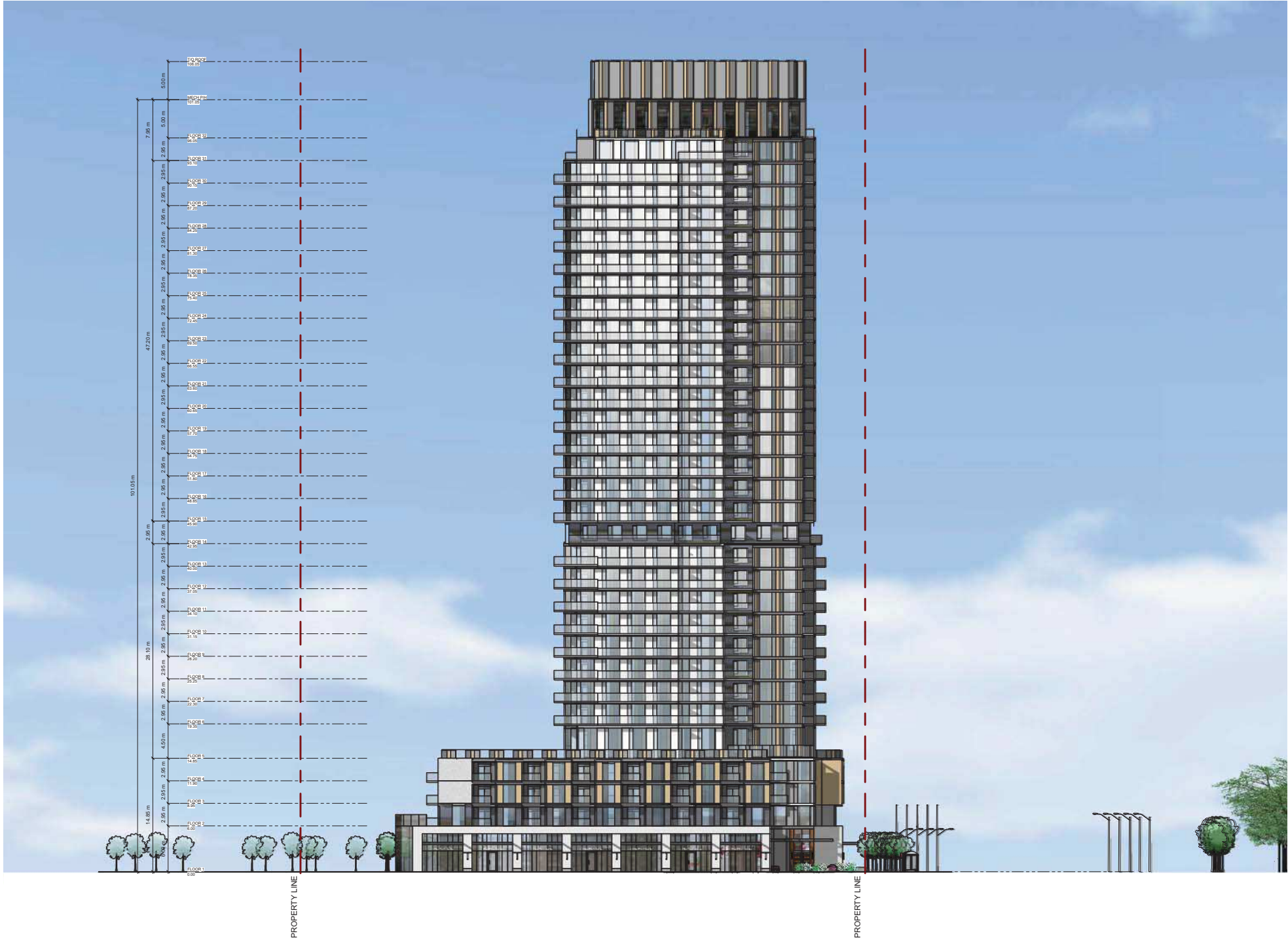
WASTE  
COLLECTION  
ROUTE













RioTrin Properties (Burnhamthorpe) Inc

File: OZ 15/006 W7

## Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (February 22, 2016)	<p>An updated Functional Servicing Report is required to determine if there is capacity for the proposed development. Three copies of the Functional Servicing Report (FSR) and Storm Water Management Report (SWMR), prepared by Croizer &amp; Associates, and dated August 2015, have been received and found to be incomplete. Please note that the Region of Peel must find the FSR and modeling results satisfactory prior to zoning approval. The FSR will not be circulated for modeling until the comments below have been addressed. The SWMR will not be reviewed because there are no Regional roads. The Report should include:</p> <p>A) Please include in the report the multi-use Demand Table, B) Please provide Fire Flow in l/s, C) Please provide the Professional Engineer's signature and stamp on the demand table and FSR.</p> <p>The property must have its own municipal water connection and sanitary sewer connection. Servicing of this site may require municipal and/or private easements and the construction, extension, twinning and/or upgrading of municipal services. All works associated with the servicing of this site will be at the applicant's expense. The applicant will also be responsible for the payment of applicable fees, DC charges and all other costs associated with the development of this site.</p> <p>Private Servicing Easements and/or a Section 118 may be required. This will be determined once the site servicing proposal is reviewed.</p> <p>The Region of Peel will provide front-end collection of garbage and recyclable materials for the residential units provided that requirements with regard to the Outdoor Waste Collection Point, number, size and type of receptacles and Internal Waste Storage Requirements are satisfied. On-site waste collection will be required through a private waste hauler for all the commercial units.</p>

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Agency / Comment Date	Comment
<p>Dufferin-Peel Catholic District School Board and the Peel District School Board (October 28, 2015) (October 1, 2015)</p>	<p>In comments, dated October 1, 2015 from the Peel District School Board and October 28, 2015 from 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.</p> <p>In addition, if approved, the Peel District School Board and/or the Dufferin-Peel Catholic District School Board also require the following warning clause in all offers of purchase and sale agreements:</p> <p>(a) Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board and Peel District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.</p>
<p>City Community Services Department – Parks and Forestry Division/Park Planning Section (January 20, 2016)</p>	<p>In comments dated January 20, 2016, this Department notes future residents of the proposal will receive park service at John Clearly Park (P-308) and City View Park (P-400), which are located approximately 300 metres (984.25 ft.) from the proposed development. The parks contain active recreational facilities, namely play sites, minor unlit soccer fields and an unlit ball diamond.</p> <p>Prior to enactment of the implementing of the Zoning By-law, this department will require satisfactory agreements to secure for the upgraded streetscape along Burnhamthorpe Road West and Grand Park Drive.</p> <p>Furthermore, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required for the new residential development pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws."</p>
<p>City Transportation and Works Department (December 14, 2015)</p>	<p>In comments dated December 14, 2015 this Department confirmed receipt of a Functional Servicing Report, Site Grading/Servicing Plans, Environment Noise &amp; Air Quality Feasibility Study, Transportation Impact Study and Phase 1</p>



RioTrin Properties (Burnhamthorpe) Inc

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Agency / Comment Date	Comment
	<p>Environmental Site Assessment circulated by the Planning and Building Department.</p> <p>Notwithstanding the findings of these reports and drawings, the applicant has been requested to provide additional technical details. Development matters currently under review and consideration by the department include:</p> <ul style="list-style-type: none"> <li>• Grading and Servicing details,</li> <li>• Stormwater Management,</li> <li>• Traffic operational issues associated with Grand Park Drive and the private road,</li> <li>• Provision for an overall concept / block plan,</li> <li>• Environment Noise &amp; Air Quality.</li> </ul> <p>The above aspects will be addressed in detail prior to the Recommendation Report.</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> <p>Rogers Cable Enersource Hydro Mississauga</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Mississauga Transit Community Services – Heritage Fire Prevention Canada Post Greater Toronto Airport Authority Economic Development</p>

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**School Accommodation**

<b>The Peel District School Board</b>	<b>The Dufferin-Peel Catholic District School Board</b>																																								
<ul style="list-style-type: none"> <li>Student Yield:           <table> <tr> <td>37</td><td>Kindergarten to Grade 5</td></tr> <tr> <td>16</td><td>Grade 6 to Grade 8</td></tr> <tr> <td>11</td><td>Grade 9 to Grade 12</td></tr> </table> </li> <li>School Accommodation:           <p>Chris Hadfield</p> <table> <tr> <td>Enrolment:</td><td>573</td></tr> <tr> <td>Capacity:</td><td>672</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> <p>Camilla Road Senior</p> <table> <tr> <td>Enrolment:</td><td>673</td></tr> <tr> <td>Capacity:</td><td>669</td></tr> <tr> <td>Portables:</td><td>3</td></tr> </table> <p>TL Kennedy Secondary School</p> <table> <tr> <td>Enrolment:</td><td>617</td></tr> <tr> <td>Capacity:</td><td>1335</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p> </li> </ul>	37	Kindergarten to Grade 5	16	Grade 6 to Grade 8	11	Grade 9 to Grade 12	Enrolment:	573	Capacity:	672	Portables:	0	Enrolment:	673	Capacity:	669	Portables:	3	Enrolment:	617	Capacity:	1335	Portables:	0	<ul style="list-style-type: none"> <li>Student Yield:           <table> <tr> <td>5</td><td>Junior Kindergarten to Grade 8</td></tr> <tr> <td>4</td><td>Grade 9 to Grade 12</td></tr> </table> </li> <li>School Accommodation:           <p>Bishop Scalabrini</p> <table> <tr> <td>Enrolment:</td><td>558</td></tr> <tr> <td>Capacity:</td><td>412</td></tr> <tr> <td>Portables:</td><td>6</td></tr> </table> <p>Father Michael Goetz</p> <table> <tr> <td>Enrolment:</td><td>1335</td></tr> <tr> <td>Capacity:</td><td>1593</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> </li> </ul>	5	Junior Kindergarten to Grade 8	4	Grade 9 to Grade 12	Enrolment:	558	Capacity:	412	Portables:	6	Enrolment:	1335	Capacity:	1593	Portables:	0
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RioTrin Properties (Burnhamthorpe) Inc

File: OZ 15/006 W7

### Summary of Existing and Proposed Mississauga Official Plan Policies and Relevant Mississauga Official Plan Policies

Mississauga Official Plan (2012) came into force on November 14, 2012 except for those policies which have been appealed. As no policies have been filed, the policies of MOP apply. The subject lands are designated Mixed Use in the Fairview Neighbourhood Character Area which permits a range of commercial uses.

There are other policies in Mississauga Official Plan that are also applicable in the review of this application, which are found in Appendix 9.

#### Relevant Mississauga Official Plan Policies

	Specific Policies	General Intent
Chapter 5 – Direct Growth	Section 5.1.4 Section 5.1.6 Section 5.1.9	Most of Mississauga's future growth will be directed to Intensification Areas. Mississauga encourages compact, mixed use development that is transit supportive, in appropriate locations, to provide a range of live/work opportunities. New development will not exceed the capacity of existing and planned engineering services, transit services and community infrastructure. Development proposals may be refused if existing or planned servicing and/or infrastructure are inadequate to support the additional population and employment growth that would be generated or be phased to coordinate with the provision of services and infrastructure
Chapter 5 – Direct Growth - Neighbourhoods	Section 5.3 Section 5.3 <i>Figure 5-5</i>  Section 5.3.5 Section 5.3.5.1 Section 5.3.5.2 Section 5.3.5.3 Section 5.3.5.4 Section 5.3.5.5 Section 5.3.5.6	The Downtown will contain the highest densities, tallest buildings and greatest mix of uses. Neighbourhoods and Employment Areas will accommodate the lowest densities and building heights. Neighbourhoods will focus on residential uses and associated services and facilities.  The maximum height of buildings in Neighbourhoods is 4 storeys.  Neighbourhoods are characterized as physically stable areas with a character that is to be protected. Mississauga's Neighbourhoods are not appropriate areas for significant intensification. This does not mean that they will remain static or that the new development must initiate previous development patterns, but rather that when development does occur it should be sensitive to the Neighbourhood's existing planned character.

RioTrin Properties (Burnhamthorpe) Inc

File: OZ 15/006 W7

	Specific Policies	General Intent
		<p>Neighbourhoods will not be the focus for intensification and should be regarded as stable residential areas where the existing character is to be preserved.</p> <p>Residential intensification within Neighbourhoods will generally occur through infilling and the development of existing commercial sites as mixed use areas.</p> <p>Where higher density uses are proposed they should be located on sites identified by a local area review, along <b>Corridors</b> or in conjunction with existing apartment sites or commercial centres.</p> <p>Intensification of commercial sites that results in a significant loss of commercial floor space will be discouraged.</p> <p>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.</p> <p>Development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale.</p>
Chapter 5 – Direct Growth - Corridors	Section 5.4 Section 5.4.4 Section 5.4.5 Section 5.4.6 Section 5.4.7 Section 5.4.8	<p>Corridors connect various elements of the city to each other. Over time, many of these <b>Corridors</b> will evolve and accommodate multi-modal transportation and become attractive public spaces in their own right. Some <b>Corridors</b> have been identified as appropriate locations for intensification and generally comprise of the road right-of-way. Development on <b>Corridors</b> should be compact, mixed use and transit friendly and appropriate to the context of the surrounding Neighbourhood.</p> <p>Where higher density uses within Neighbourhoods are directed to <b>Corridors</b>, development will be required to have regard for the character of the Neighbourhoods and provide appropriate transitions in height, built form and density to the surrounding lands.</p>

RioTrin Properties (Burnhamthorpe) Inc

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	Specific Policies	General Intent
Chapter 9 – Non-Intensification Areas	Section 9.2.2 Section 9.2.2.1 Section 9.2.2.2 Section 9.2.2.3	<p>Non-intensification areas will experience limited growth and change; consequently, intensive growth will not be directed to them. Non-Intensification Areas consist of: Neighbourhoods</p> <p>Non-Intensification areas will have lower densities, lower building heights and more homogeneous land uses than Intensification Areas.</p> <p>Where increases in density and a variety of lands uses are considered in Neighbourhoods and Employment Areas, they will be directed to <b>Corridors</b>. Appropriate transitions to adjoining areas that respect variations in scale, massing and land uses will be required.</p> <p>Heights in excess of four storeys will be required to demonstrate that an appropriate transition in height and built form that respects the surrounding context will be achieved.</p> <p>Tall buildings will generally not be permitted.</p> <p>While new development need not mirror existing development, new development in Neighbourhoods will:</p> <ul style="list-style-type: none"> <li>a. Respect existing lotting patterns</li> <li>b. Respect the scale and character of the surrounding area</li> <li>c. Minimize overshadowing and overlook on adjacent neighbours</li> <li>d. Be designed to respect the existing scale, massing, character and grades of the surrounding area.</li> </ul>
Chapter 9 – Site Development and Buildings	Various policies	<p>High quality, diverse and innovative design will be promoted in a form that reinforces and enhances the local character. Development will be sited and massed to contribute to a false and comfortable environment. Site development should respect and maintain the existing grades, conserve energy, provide enhanced streetscaping and contribute to the quality and character of existing streets.</p> <p>Tall buildings design and materials selected are fundamental to good urban form and are of the highest standards. Buildings will minimize undue physical and visual negative impacts relating to noise, sun, shadow, views, skyview and wind.</p>

**RioTrin Properties (Burnhamthorpe) Inc****File: OZ 15/006 W7**

	<b>Specific Policies</b>	<b>General Intent</b>
<b>Section 11 General Land Use Designations</b>	Section11.2.6 Section11.2.6.1 Section11.2.6.2 Section11.2.6.3 Section11.2.6.4 Section11.2.6.5	<p>Residential uses are permitted in a Mixed Use designation and will be encouraged through infilling to consolidate the potential of these areas and to restrict their linear extension into stable, non-commercial areas.</p> <p>Residential uses will be discouraged on the ground floor and will be combined on the same lot or same building with another permitted use.</p>
<b>Section 16 Special Site Policies</b>	Section16.11.2.1	Special Site 1 applies to the rest of the site but not the portion of the development proposal. The Special Site applies to a large tract of land fronting the east side of Mavis Road, south of Burnhamthorpe Road West and north of Central Parkway West.
<b>Section 19 - Implementation</b>	Section 19.5.1	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> <li>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;</li> <li>the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;</li> <li>there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application;</li> <li>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.</li> </ul>

RioTrin Properties (Burhamthorpe) Inc

File: OZ 15/006 W7

**Summary of Existing and Proposed Zoning Provisions****Existing Zoning By-law Provisions**

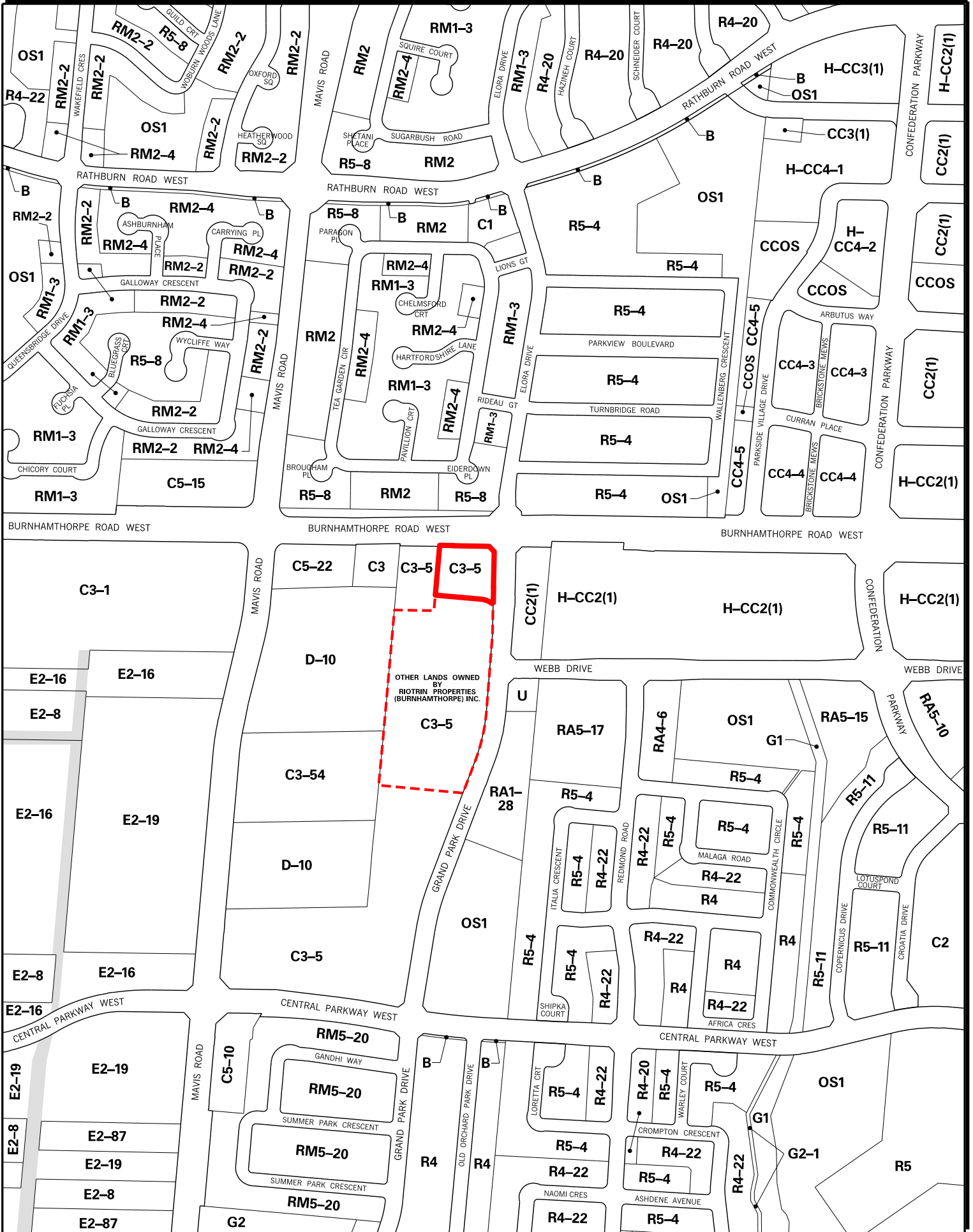
C3-5 (Commercial) which permits a retail store, home furnishing store, motor vehicle sales (leasing), motor vehicle rental, restaurants, convenience restaurant, take-out restaurant, veterinary clinic, animal care establishment, funeral establishment, personal service establishment, commercial school, financial institution, repair establishment, beverage/food preparation establishment, medical office, office, overnight accommodation, banquet hall/conference centre/convention centre, recreational establishment, amusement arcade, entertainment establishment, entertainment establishment, private club and university/college.

**Proposed Zoning Standards**

C3-Exception (Commercial) to permit residential apartments in addition to commercial uses listed above.

	<b>Required C3 – (Commercial) Zoning By-law Standards</b>	<b>Proposed C3 – Exception (Commercial) Zoning By-law Standards</b>
Apartments	Not permitted	Permitted
Maximum <b>floor space index – apartment dwelling zone</b>	N/A	4.5
Maximum <b>height</b>	20 m (65.6 ft.) - 4 storeys	115.0 m (377.3 ft.) - 32 storeys
Minimum <b>front yard</b>	4.5 m (14.7 ft.)	2.0 m (6.5 ft.)
Minimum <b>exterior side yard</b>	4.5 m (14.7 ft.)	2.0 m (6.5 ft.)
Minimum depth of a <b>landscape buffer</b> measured from a <b>lot line</b> that is a <b>street line</b>	4.5 m (14.7 ft.)	2.0 m (6.5 ft.)
Minimum depth of a <b>landscape buffer</b> measured from the <b>lot line</b> of a Commercial Zone that abuts another Commercial Zone	1.5 m (4.9 ft.)	0.0 m
Minimum number of <b>parking spaces</b> per dwelling unit	5.4 spaces/100 m <sup>2</sup> of <b>gross floor area - non-residential</b>	1.0
Minimum number of visitor <b>parking spaces</b> per dwelling unit	N/A	0.15





City of Mississauga

# Corporate Report



Date: February 2, 2016	Originator's file:
To: Chair and Members of Planning and Development Committee	OZ 12/009 W3
From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date: 2016/02/22

## DEFERRED FROM FEBRUARY 22, 2016 MEETING

### Subject

#### RECOMMENDATION REPORT (WARD 3)

**Applications to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings, 1850 Rathburn Road East and 4100 Ponytrail Drive, west side of Ponytrail Drive, north of Burnhamthorpe Road East**

**Owner: Forest Park Circle Ltd.**

**File: OZ 12/009 W3**

### Recommendation

That the Report dated February 2, 2016 from the Commissioner of Planning and Building recommending approval of the applications under File OZ 12/009 W3, Forest Park Circle Ltd., 1850 Rathburn Road East and 4100 Ponytrail Drive, west side of Ponytrail Drive, north of Burnhamthorpe Road East, be adopted in accordance with the following:

1. That the application to amend Mississauga Official Plan from **Residential High Density** to **Residential High Density – Special Site** to permit additional apartment buildings with a floor space index (FSI) of 1.6 be approved.
2. That the application to change the Zoning from **RA4-1 (Apartment Dwellings)** to **RA4-Exception (Apartment Dwellings)** to permit two new apartment buildings of 12 and 15 storeys with an FSI of 1.6 in accordance with the proposed zoning standards described in the Information Report, be approved subject to the following conditions:
  - (a) That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development;

- (b) In accordance with Council Resolution 152-98:  
Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the Peel District School Board that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Peel District School Board for the subject development.
- (c) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Dufferin-Peel Catholic District School Board not apply to the subject lands.
4. In the event these applications are approved by Council, that staff be directed to hold discussions with the applicant to secure community benefits, in accordance with Section 37 of the *Planning Act* and the Corporate Policy and Procedure on Bonus Zoning, and to return to Council with a Section 37 report outlining the recommended community benefits upon conclusion of the discussions.
5. 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 the public meeting, a revision has been made to set the upper 12 storeys of the 15 storey building proposed at the front of the site, 10.5 m (34.4 ft.) back from the road.
- Staff are satisfied with the changes to the proposal and find it to be acceptable from a planning standpoint, and recommend that the applications be approved.

## Background

A public meeting was held by the Planning and Development Committee on May 25, 2015, at which time a Planning and Building Department Information Report (Appendix 1) was presented and received for information. The Planning and Development Committee passed Recommendation PDC-0031-2015 which was adopted by Council and is attached as Appendix 2.

## Comments

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

## REVISED DEVELOPMENT PROPOSAL

Throughout the process, the applicant has been working on the issues raised by staff through the technical review and by the community at the community meetings held on October 17, 2012, September 18, 2013, February 24, 2015 and January 13, 2016 and at the public meeting. On July 2, 2015, the applicant submitted a revised development proposal along with supporting documents to the City for review. Further supporting documents, including a revised Functional Servicing Report, sun/shadow study and tree preservation plans were submitted on June 23, 2015 and September 16, 2015. Changes include the following:

- The internal road has been increased from 6 m (19.7 ft.) to 7 m (23 ft.) in width;
- The top 12 storeys of the 15 storey building have been shifted back from Ponytrail Drive and Rathburn Road East by 10.5 m (34.4 ft.) to meet the zoning by-law requirement.

## COMMUNITY COMMENTS

The comments below were identified by residents through written correspondence and at community meetings held by Ward 3 Councillor Chris Fonseca and at the public meeting held by the Planning and Development Committee on May 25, 2015.

### Comment

The proposed height, scale and density do not fit with the established, residential character of the area. The proposal for more development on the site is inappropriate as it is not located in an intensification area.

### Response

These concerns are addressed in the Planning Comments section of this report.

### Comment

Additional development should not be permitted as it will result in a lack of green space on site and will cut off access to the surrounding trails and open space.

### Response

With the proposed addition of two condominium buildings on the site, the amount of landscaped area will be 69% of the site area (reduced from the current 76% landscaped area), which exceeds the zoning by-law standard of 40% of the site. The proposal was previously revised to minimize paved area in response to community concerns and staff comments.

Landscape plans, tree preservation plans and an arborist report have been submitted in support of the applications and have been found satisfactory by staff. Trees are proposed to be retained or replaced through the redevelopment. Should the applications be approved, protective tree hoarding will be required and landscape design will be reviewed by staff as part of the site plan approval process.

The Community Services Department has requested fencing be installed along Shaver's Trail (City owned greenbelt) as it is a standard requirement when private lands are developed next to greenbelt lands. Should the applications be approved, the walkway system, fence openings and layouts will be examined as part of the subsequent site plan application.

Separately from these applications, there are currently several trees on site that have been marked for removal due to emerald ash borer damage.

#### **Comment**

The additional population will add pressure to local infrastructure and services.

#### **Response**

Studies and reports evaluating the impact of the development on local infrastructure and services have been submitted in support of the applications and have been found to be acceptable. A further review of capacity for a larger area within Ward 3 was undertaken by the Region and the City and is found in Appendix 5: Ward 3 Capacity Analysis. The study looked at the cumulative impact if a number of sites within the Ward 3 area were to develop and intensify. The study examined the properties on Burnhamthorpe Road East from the eastern boundary to Cawthra Road and north to Eastgate Parkway. It is estimated that there would be almost 8,000 more people if all of the underutilized sites were to develop. The study found that the roads, water, sewer and parks infrastructure are adequate to accommodate the additional people if all of the sites redeveloped. Local improvements may be necessary, but overall, the infrastructure is adequate to accommodate growth.

#### **Comment**

The development may cause additional flooding on the site and surrounding lands.

#### **Response**

The revised Functional Servicing and Stormwater Management Report (FSR) (dated September, 2015) includes a proposed infiltration system through underground storage chambers that will control the flow of storm water from the site. During the processing of the site plan application, staff will identify additional storm water management techniques through the site drainage and landscape design. Transportation and Works staff have no objection to the proposed development based on the revised FSR and as per the City's requirements there will be no increase in flows to the existing storm infrastructure as a result of the proposed development.

#### **Comment**

The added traffic, parking demand and new entrance configuration will be unacceptable.

#### **Response**

A Traffic Impact Study was submitted, reviewed by staff and found to be acceptable. Transportation and Works Staff are requiring that the southerly site access be aligned with

Tapestry Trail in order to improve safety and to reduce conflicting turning movements. This is reflected in the current proposal. The surrounding intersections (including Burnhamthorpe Road East and Ponytrail Drive and Rathburn Road East and Ponytrail Drive) have been analyzed and are expected to meet the City standards for level of service without a significant impact to traffic. The applicant will be responsible for making modifications to the centre median on Ponytrail Drive in order to provide left turn storage for cars turning into the site. Parking will be provided in accordance with the City's Zoning By-law. Additional information is provided in the Updated Agency and City Department Comments section in this report.

### **Comment**

The existing buildings are not well maintained and the problem will not improve with additional development.

### **Response**

A property standards inspection was completed by City By-law Enforcement staff on March 9, 2015. As a result of this inspection, a property standards order was issued requiring that the up/down elevator buttons be repaired so that they light up on each floor when in use. This contravention was corrected March 11, 2015 and no other issues were found. City By-law Enforcement also visited the site in January, 2016 and issued orders to address water penetration issues in the underground parking garage and to remove trees that are dead and affected by emerald ash borer.

Through the development of the subject site, the applicant proposes to make upgrades to the existing buildings (including improvements to the indoor amenity areas, lobby and common spaces) and improvements to the outdoor amenity areas, which are to be shared by the tenants in the existing buildings and the occupants of the proposed condominium buildings. The shared outdoor amenity space and common elements will be managed through a shared facilities agreement that would address reciprocal costs and maintenance. This agreement and easements required for reciprocal access would be required by the City at the condominium registration stage and addressed in the development agreement.

A centrally located, shared amenity space has been identified on the concept plans submitted in support of these applications. The details of the amenity space, improvements to the existing site and buildings and any improvements required to meet current property standards by-law standards will be addressed in the development agreement and implemented at the site plan approval stage.

### **Comment**

The shadowing and overlook from the buildings will impact the surrounding homes and open space.

### **Response**

This concern is addressed in the Planning Comments section of this report.

**Comment**

The added development will adversely impact the pedestrian environment surrounding the site.

**Response**

A pedestrian level wind study was submitted in support of the applications, which determined that there would be no significant wind impact to the pedestrian environment. The study recommended wind mitigation such as the installation of screens for specific areas of the proposed site (ground level patios and the outdoor terrace). The pedestrian connections and ground level environment as proposed met current City standards. Should the applications be approved, the walkway system, screening and layout will be examined as part of the site plan application.

**Comment**

If approved, the project will create a precedent for development of similar sites.

**Response**

Each development application is reviewed on its own merits, which include demonstrating compatibility with the area context, conforming with official plan policies, providing supporting technical information and, illustrating principles of good planning and design.

**Comment**

Now that the development is proposed to be in two towers, the remaining green space will be developed with medium density residential, similar to the original proposal which proposed additional buildings and density.

**Response**

The proposed zoning by-law and official plan amendment will be written to only permit the two additional buildings. Any additional development on the site would require further planning applications including a public process and would be evaluated on its own merits.

**UPDATED AGENCY AND CITY DEPARTMENT COMMENTS****Region of Peel**

Comments updated November 16, 2015, state that adequate capacity has been confirmed for water and waste water services for the proposed development. Should the applications be approved, a revised Functional Service Report is required to correct minor technical details. The Region will require the submission and review of all easements and title documents as well as site servicing drawings prior to site plan approval.

**City Transportation and Works Department**

Comments updated December 10, 2015 from the Transportation and Works Department state that the Traffic Impact Study analysed the traffic impacts and has confirmed that predicted



future traffic volumes generated as a result of the proposed development can be accommodated within the existing road network.

The Noise Impact Study confirmed that with the installation of central air conditioning, special building measures and registration of the appropriate noise warning clauses, compliance with the City/Ministry of the Environment and Climate Change Guidelines will be achieved.

In the event this application is approved by Council, prior to the enactment of the Zoning By-law, the applicant will be required to finalize certain grading and servicing details, and make satisfactory arrangements with Transportation and Works Department for road improvement works necessary to support access to this site. In addition, the owner shall enter into a development agreement with the City to address the implementation of the conditions of rezoning. Site specific details will be addressed through the processing of a site plan application.

#### **City Community Services Department – Parks and Forestry Division/Park Planning Section**

Comments updated November 26, 2015 from Park Planning state that should these applications be approved, fencing, protective hoarding, and associated securities for the adjacent greenbelt lands will be required. Arrangements will be made to secure for any clean-up and reinstatement works that may be required within the adjacent greenbelt lands.

Prior to by-law enactment, a cash contribution for street planting will be required. Further, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the *Planning Act* and in accordance with City's Policies and By-laws. These monies are used to purchase additional parkland where possible and contribute to the upgrading of existing park facilities.

#### **PLANNING COMMENTS**

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

The *Provincial Policy Statement* (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 PPS encourages intensification of land within urban areas, promotes efficient use of infrastructure and public facilities, encourages mixed use developments and the support of public transit.

The *Provincial Growth Plan for the Greater Golden Horseshoe* (Growth Plan) directs municipalities to "identify the appropriate type and scale of development in intensification areas" and states that intensification areas will be planned and designed to "achieve an appropriate transition of built form to adjacent areas". The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale. These policies are implemented through Mississauga's Official Plan.

The proposed development adequately takes into account the existing context as referenced in the Official Plan section below.

The proposal requires an amendment to the Mississauga Official Plan Policies for the Rathwood Character Area to permit additional high density residential development at a floor space index (FSI) of 1.6.

Section 19.5.1 of Mississauga Official Plan provides the following criteria for evaluating site specific Official Plan Amendments:

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

Planning staff have undertaken an evaluation of the criteria against these proposed development applications. The approval of the applications will not adversely impact the overall, goals and objectives of Mississauga Official Plan.

The proposal meets the intent of the current high density residential designation as it permits apartment buildings on the lands. The lands are located within the Rathwood Neighbourhood. In the City Structure policies of the official plan, Neighbourhoods are not identified as the focus for intensification but the official plan allows for modest additional growth and intensification where the proposal is compatible with and enhances the surrounding development. Across the City, in neighbourhoods outside of nodes and the downtown, the FSI of apartment sites ranges from 0.05 to 5.26. The proposed density of 1.6 fits within this range.

The official plan states that residential intensification within Neighbourhoods should generally occur through infilling and that where higher density uses are proposed, they should be located on existing apartment sites. The proposal represents appropriate intensification on a large property with two existing apartment buildings.

The Neighbourhood policies in the official plan also state that proposals for additional development on lands with existing apartment buildings should be medium density and limited to four storeys in height. This policy requires that any development over four stories go through an Official Plan Amendment so that it can be evaluated against the policies of the plan including

the criteria noted above. Through the processing of the official plan amendment and rezoning applications and in consultation with the community, the applicant amended the proposals submitted in 2012 and 2013. The previous proposal showed a combination of taller apartment buildings with medium density townhouses and low-rise apartment buildings within and along the perimeter of the site. The current proposal shows two taller buildings with smaller footprints.

The proposal maintains and enhances the park like setting valued by residents with clusters of generous landscaping that define the existing context. The hydro corridor to the west and the trail system to the south provide a buffer to the surrounding residential communities. The proposed buildings do not cause any significant adverse shadow or wind impacts to the surrounding developments and open space trail. The building at the front of the site will not cause impact to the residential uses as it is across from the commercial plaza. This proposal will not impact future uses of the surrounding lands.

The proposed building setbacks and building separation distances (from 29 m (95 ft.) to 32 m (105 ft.)) between the new buildings and relative to the existing buildings are appropriate. The proposed building heights are lower than the heights of the existing buildings on the site and have been located to respect the surrounding context by preserving view corridors from the existing buildings. As well, the proposed buildings maintain adequate separation distances and building forms to achieve an appropriate transition to surrounding developments.

The applicant will be required to demonstrate and implement improvements to the rental buildings and are proposing an updated shared amenity space.

As noted in the comments regarding the capacity study and the site specific transportation study and FSR, there is adequate capacity in the system to accommodate the development. There will also be some local improvements undertaken at the applicant's cost to address the road improvements including the relocation of the south driveway to line up with Tapestry Trail. As well, the development supports efficient use of infrastructure, is well-served by bus routes including access to the Burnhamthorpe bus route that connects to the Islington subway station. Additionally, the development introduces a different form and tenure of housing to those wishing to relocate to or remain in the neighbourhood.

The applicant has provided a planning justification report and staff concur with the conclusion that the applications represent good planning.

### **Zoning**

The proposed **RA4-Exception (Apartment Dwellings)** zone is appropriate to accommodate the two additional apartment buildings with heights of 12 and 15 storeys and a FSI of 1.6 times the site area. The permitted uses and regulations shall be as specified for an RA4 zone and shall reflect the concept plan shown in Appendix 3.

### **Bonus Zoning**

Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning on September 26, 2012. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted height and/or density are deemed to be good planning by Council through the approval of a development application. Should these applications be approved by Council, the recommendations contained in this report request Council to direct staff to hold discussion with the applicant to secure community benefits and return to Council with a Section 27 report outlining the recommended community benefits upon conclusion of the discussions.

### **Site Plan**

Prior to development occurring on the lands, the applicant will be required to obtain Site Plan approval. A site plan application has not been submitted to date. While the applicant has worked with City departments to address site plan related issues through review of the Rezoning concept plan, the site plan will further address matters related to tree preservation, landscaping, additional stormwater management and low impact development techniques, urban design and wind protection measures.

### **Financial Impact**

Development charges will be payable in keeping with the requirements of the Development Charges By-law of the City. Also, the financial requirements of any other commenting agency must be met.

### **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 is compatible with the surrounding land uses based on the existing apartment buildings on the site and the complementary nature of the design which achieves appropriate built form relationships with its context.
2. The proposed official plan provisions and zoning standards are appropriate to accommodate the requested uses based on the general site design.

## Attachments

Appendix 1: Information Report

Appendix 2: Recommendation PDC-0031-2015

Appendix 3: Revised Concept Plan

Appendix 4: Revised 3D views

Appendix 5: Ward 3 Capacity Analysis



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Edward R. Sajecki

Commissioner of Planning and Building

Prepared by: Aiden Stanley, Development Planner



# Corporate Report

Clerk's Files

 Originator's  
Files OZ 12/009 W3

**DATE:** May 5, 2015

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: May 25, 2015

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** Applications to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings  
1850 Rathburn Road East and 4100 Ponytrail Drive  
Northwest of Burnhamthorpe Road East and Ponytrail Drive  
Owner: Forest Park Circle Ltd.

Public Meeting/Information Report

Ward 3

**RECOMMENDATION:** That the Report dated May 5, 2015, from the Commissioner of Planning and Building regarding applications by Forest Park Circle Ltd. to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings under File OZ 12/009 W3, at 1850 Rathburn Road East and 4100 Ponytrail Drive, be received for information.

## REPORT HIGHLIGHTS:

- This report has been prepared for a public meeting on May 25, 2015 to hear from the community;
- The project does not conform with the Residential High Density land use designation and requires an official plan amendment and rezoning;
- Community concerns identified to date relate to traffic, height and density, current condition of the site, impact on the surrounding neighbourhood and servicing;

- Prior to the next report, matters to be addressed include review of the site and building layout to ensure compatibility with the surrounding neighbourhood and the resolution of technical requirements.

**BACKGROUND:**

The applications have been circulated for technical comments and a number of community meetings have been held based on different concepts for the development of the site. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

**COMMENTS:****THE PROPERTY AND THE NEIGHBOURHOOD**

Size and Use	
Frontages:	379 m (1,243.44 ft.) on Rathburn Road East
Depth:	256 m (840 ft.) adjacent to utility corridor 213 m (698.82 ft.) adjacent to Shaver Trail
Gross Lot Area:	3.74 ha (9.24 ac.)
Existing Uses:	Two 18 storey rental apartment buildings

The property is located in a mature neighbourhood, which contains mainly residential uses with retail commercial uses, a trail system and utility corridor. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Detached homes, townhomes and a one storey retail commercial plaza  
 East: Detached dwellings and townhomes  
 South: Shaver Trail, detached homes and townhomes  
 West: Utility corridor, Shaver Trail, townhomes



### DETAILS OF THE PROJECT

The project consists of two condominium apartment buildings: one 12 storey building with 129 units internal to the site and one 15 storey, 149 unit building along the Rathburn Road East frontage. Both buildings have a three storey podium. Two existing 18 storey rental apartment buildings will remain on the site. The proposal includes a shared outdoor amenity space for all buildings. The southerly driveway to the site is proposed to be realigned with Tapestry Trail and both driveways will connect to an internal roadway that will provide access for all of the buildings. Resident parking will be underground and visitor parking will be on the ground level.

<b>Development Proposal</b>	
Applications submitted:	Received: May 22, 2012 Deemed complete: June 19, 2012 Revised: December 12, 2012 Revised: May 21, 2013 Revised: December 5, 2014
Developer/ Owner:	Forest Park Circle Ltd.
Applicant:	Urban Strategies Inc./Glen Schnarr and Associates Inc.
Number of Units:	Existing: 384 Proposed: 278 Total: 662
Height:	12 and 15 storeys
Total Lot Coverage:	Existing: 5.35% Proposed: 12.4%
Floor Space Index:	Existing: 0.96 Proposed: 1.6
Total Landscaped Area:	Existing: 75.9% Proposed: 69.3%
Gross Floor Area:	Existing: 35 720 m <sup>2</sup> (384,486.88 sq. ft.) Proposed: 24 295 m <sup>2</sup> (261,509.20 sq. ft.) Total: 60 015 m <sup>2</sup> (645,996.08 sq. ft.)

<b>Development Proposal</b>		
Anticipated Additional Population:	695* *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	Proposed
Resident spaces	373	373
Visitor spaces	56	56
Total	429	429

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

## **LAND USE CONTROLS**

The applications are not in conformity with the land use designation. The applicant has requested that the land be redesignated to "Residential High Density – Special Site" to allow the project to go forward.

A rezoning is proposed from "**RA4-1 (Apartment Dwelling-Exception)**" to "**RA4-Exception (Apartment Dwellings)**" to permit apartment dwellings with a FSI of 1.6 in accordance with the proposed zone standards contained within Appendix I-10.

Detailed information regarding the Official Plan and Zoning is found in Appendices I-9 and I-10.

## **Bonus Zoning**

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

### **WHAT DID THE COMMUNITY SAY?**

Three community meetings were held by Ward 3 Councillor, Chris Fonseca - October 17, 2012; September 18, 2013 (based on previous concepts); and February 24, 2015 (based on the current, revised proposal). A petition containing 660 signatures in opposition to the proposal was submitted by the Ponytrail Development Opposition Committee on November 5, 2012.

Issues raised by the community are listed below. They will be addressed along with issues raised at the public meeting in the Recommendation Report, which will come at a later date.

- The proposed height, scale and density do not fit in with the established, residential character of the area;
- Additional development should not be permitted as it will result in a lack of green space on site and will cut off access to the surrounding trails and open space;
- The additional population will add pressure to local infrastructure and services;
- The development may cause additional flooding on the site and surrounding lands;
- The added traffic, parking demand and new entrance configuration will be unacceptable;
- The existing buildings are not well maintained and the problem would continue with additional development;
- The shadowing and overlook from the buildings will impact the surrounding homes and open space;
- The added development will adversely impact the pedestrian environment surrounding the site.

### **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Are the policies and principles of Mississauga Official Plan maintained by this project?
- Is the proposal compatible with the character of the area given the project's height, massing, density, landscaping, building configuration and technical requirements?
- Are the proposed design details and zoning standards appropriate?
- Have all other technical requirements and studies related to the project been submitted and found to be acceptable?

### **OTHER INFORMATION**

Forest Park Circle Ltd. have submitted a number of studies and reports in support of the applications. The list is below and the studies are available for review.

- Planning Justification Report
- Functional Servicing Report
- Traffic Impact and Parking Report
- Sun/Shadow Study
- Preliminary Environmental Noise Report
- Green Development Initiatives Letter
- Wind Study
- Tree Inventory Plan/Arborist Report
- Architectural Drawings and Concept Plan
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment

### **Development Requirements**

There are engineering matters including: servicing, grading, noise control, construction, and stormwater management which will require the applicant to enter into agreements with the City. The development will also require the submission and review of a draft plan of condominium and an application for site plan approval.

### **FINANCIAL IMPACT:**

Development charges will be payable as required by the Development Charges By-law of the City. Also the financial

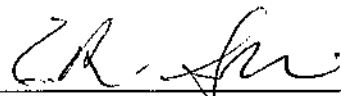
requirements of any other external commenting agency must be met.

**CONCLUSION:**

Most agency and City department comments have been received. The Planning and Building Department will make a recommendation on this project after the public meeting has been held and all the issues are resolved.

**ATTACHMENTS:**

Appendix I-1: Site History  
Appendix I-2: Aerial Photograph  
Appendix I-3: Excerpt of Mississauga Official Plan  
Appendix I-4: Existing Land Use and Proposed Zoning Map  
Appendix I-5: Concept Plan  
Appendix I-6: Exterior Views  
Appendix I-7: Agency Comments  
Appendix I-8: School Accommodation  
Appendix I-9: Summary of Existing and Proposed Mississauga Official Plan policies  
Appendix I-10: Summary of Existing and Proposed Zoning Provisions and Applicant's Draft Zoning By-law Amendment  
Appendix I-11: General Context Map



Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Aiden Stanley, Development Planner*


**Forest Park Circle Ltd.****File: OZ 12/009 W3****Site History**

- December 27, 1973 – Council adopted the recommendation in the Corporate Report dated December 6, 1973 recommending the approval of an application under File OZ-78-73 for an amendment to the Zoning By-law for the Morenish Subdivision to allow for the development of 400 acres of lands north of Burnhamthorpe Road, west of the Etobicoke Creek in accordance with Draft Plan of Subdivision T-2366 to permit detached dwellings, semi-detached dwellings, row dwellings, apartment dwellings, commercial service establishments, parks, conservation lands and a school site.
- June 20, 2007 – Zoning By-law 0225-2007 came into force and effect except for those sites which have been appealed. The subject lands are zoned "RA4-1" (Apartment Dwellings – Exception).
- November 14, 2012 – Mississauga Official Plan came into force except for those site/policies which have been appealed. The subject lands are designated "Residential High Density" in the Rathwood Neighbourhood Character Area.





## LEGEND:

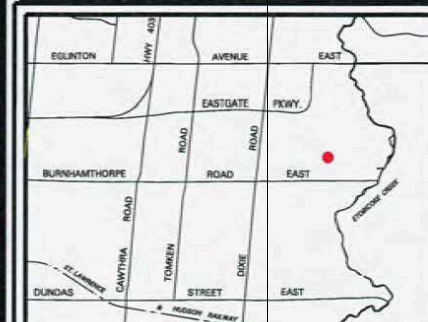
 SUBJECT LANDS

NOTE: DATE OF AERIAL PHOTO IS MAY 2014.



## SUBJECT:

**FOREST PARK CIRCLE LTD.**



FILE NO:  
OZ 12/009 W3

DWG. NO:  
12009A

SCALE:  
1:3000

PDC DATE:  
2015 05 25

DRAWN BY:  
B. KRUGER

APPENDIX I-2

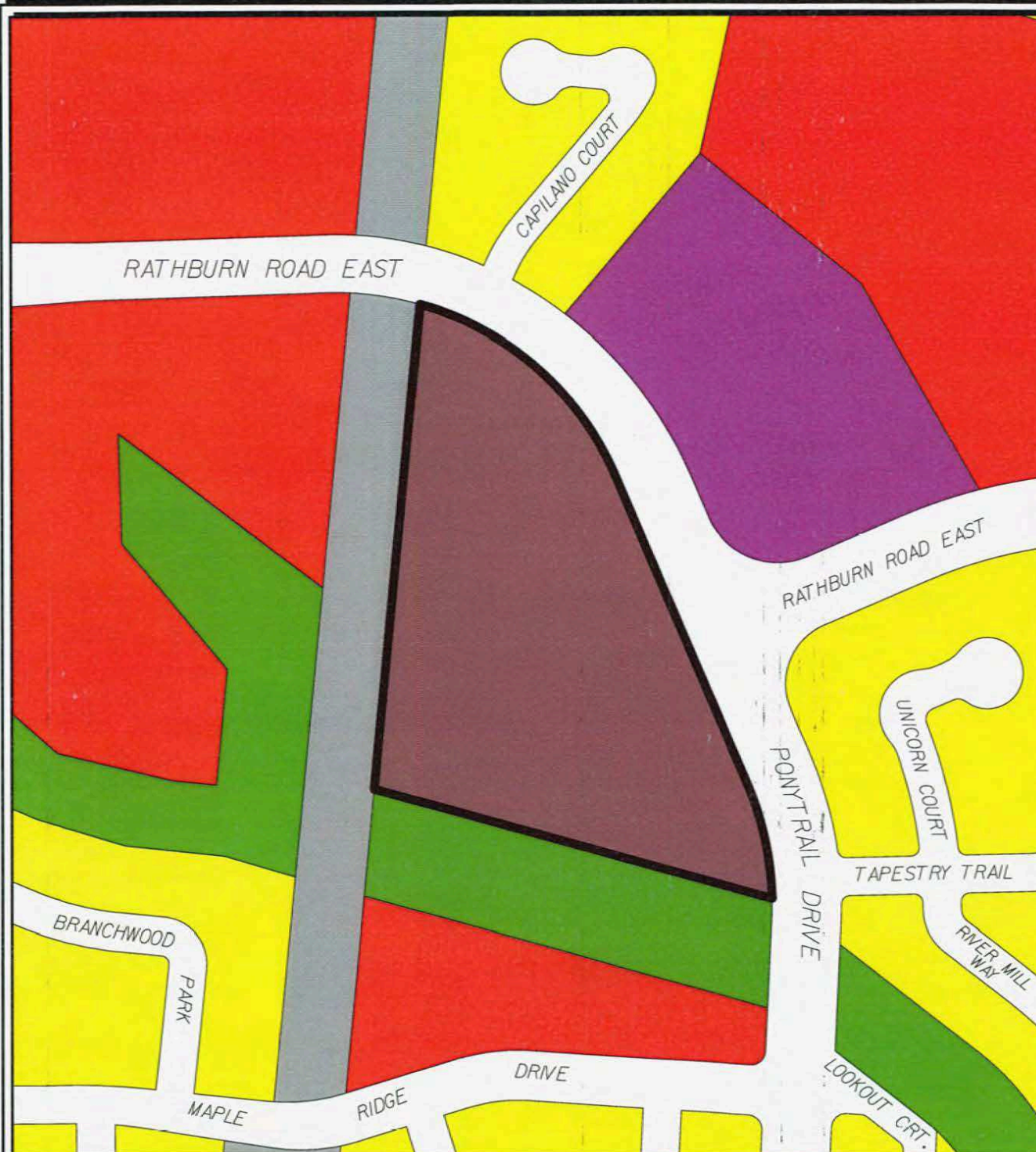
**MISSISSAUGA**  
Planning and Building

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T&W, Geomatics



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# 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	City Centre/Transit Terminal
LBPIA Operating Area Boundary See Aircraft Noise Policies	GO Rail Transit Station
Area Exempt from LBPIA Operating Area	Public School
Natural Hazards	Catholic School
	Hospital
	Community Facilities

## CITY STRUCTURE

### Elements

Downtown	Corporate Centre
Major Node	Employment Area
Community Node	
Neighbourhood	



SUBJECT LANDS



SUBJECT:

FOREST PARK CIRCLE LTD.

FILE NO:  
OZ 12009 W3DWG. NO:  
12009LSCALE:  
1:3000DATE:  
2015 05 25DRAWN BY:  
B. KRUGER

APPENDIX 1-3



MISSISSAUGA

Produced by  
T&W, Geomatics

2015/04/17

Betsy





## LEGEND:



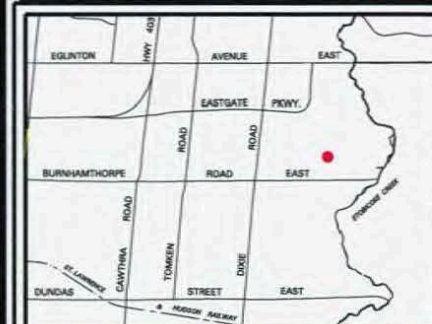
PROPOSED OFFICIAL PLAN AMENDMENT FROM 'RESIDENTIAL HIGH DENSITY' TO 'RESIDENTIAL HIGH DENSITY - SPECIAL SITE' AND PROPOSED REZONING FROM 'RA4-1 (APARTMENT DWELLINGS)' TO 'RA-4-EXCEPTION' (APARTMENT DWELLINGS) TO PERMIT A 12 STOREY CONDOMINIUM APARTMENT BUILDING AND A 15 STOREY CONDOMINIUM APARTMENT BUILDING WITH A TOTAL OF 278 RESIDENTIAL UNITS.

NOTE: THIS IS NOT A PLAN OF SURVEY.



## SUBJECT:

**FOREST PARK CIRCLE LTD.**



FILE NO:  
OZ 12009 W3

DWG. NO:  
12009R

SCALE:  
1:3000

PDC DATE:  
2015 05 25

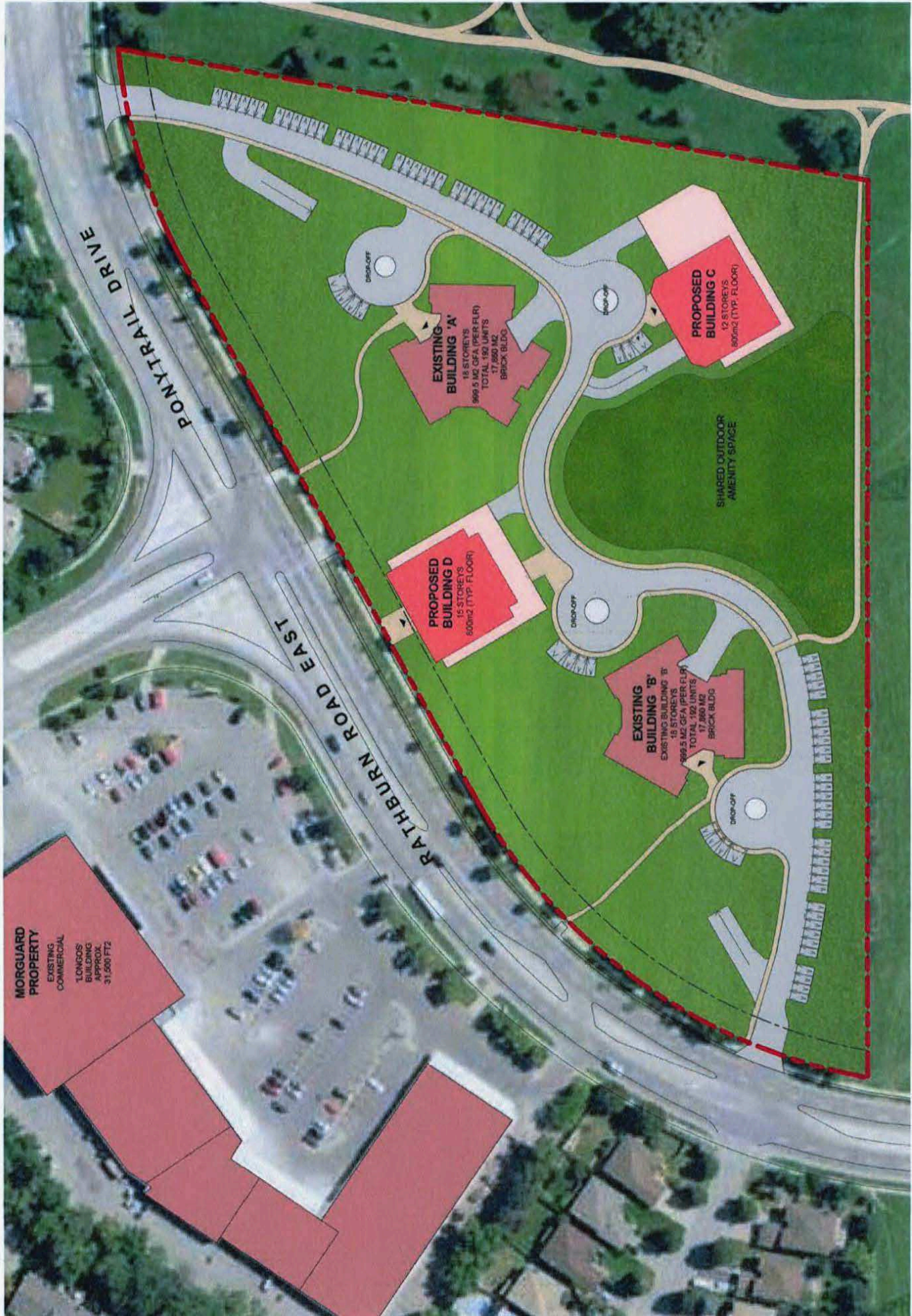
DRAWN BY:  
B. KRUGER

APPENDIX 14

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Planning and Building

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APPENDIX I-6

PAGE 1





4.4 -25

APPENDIX I-6  
PAGE 2



Forest Park Circle Ltd.

File: OZ 12/009 W3

**Agency Comments**

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

Agency / Comment Date	Comment
<p>Region of Peel (January 30, 2015)</p>	<p>There is an existing 450 mm (17.71 in.) and 250 mm (9.84 in.) diameter watermain on Ponytrail Drive. There is an existing 400 mm (15.75 in.) diameter sanitary sewer and a 300 mm (11.81 in.) diameter watermain on Rathburn Road East.</p> <p>Prior to the Recommendation report, the applicant must submit an addendum to the Functional Servicing Report with a detailed calculation of the sanitary flows, demand table and hydrant flow test information.</p> <p>Front-end waste collection will be provided by the Region of Peel provided that the applicant satisfies the Region's requirements.</p>
<p>Dufferin-Peel Catholic District School Board (January 26, 2015) and the Peel District School Board (December 18, 2014)</p>	<p>The Dufferin-Peel Catholic District School Board responded that it is satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application.</p> <p>The Peel District School Board requested that in the event that the applications approved, the standard school accommodation condition in accordance with City of Mississauga Resolution 152-98, adopted by Council on May 27, 1998 be applied. Among other things, this condition requires that a development application include the following as a condition of approval:</p> <p>"Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the</p>

Forest Park Circle Ltd.

File: OZ 12/009 W3

Agency / Comment Date	Comment
	developer/applicant and the School Boards for the subject development."
<p>City Community Services Department – Parks and Forestry Division/Park Planning Section (March 17, 2015)</p>	<p>In the event that the application is approved, the Community Services Department - Park Planning note the following conditions.</p> <p>The subject property is adjacent to Shaver Trail (P-239) which contains a lit multi-use trail. Also, the site is approximately 100 m from Garnetwood Park (P-135) which contains 2 unlit softball diamonds, 2 basketball hoops, a natural ice rink, a leash free zone, a multi pad, a play site, a senior unlit soccer field and 4 public tennis courts.</p> <p>Should this application be approved, fencing, protective hoarding, and associated securities for the adjacent greenbelt lands will be required. Arrangements will be made to secure for any clean-up and reinstatement works that may be required within the adjacent greenbelt lands.</p> <p>Prior to by-law enactment, a cash contribution for street planting will be required. Further, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of <i>the Planning Act</i> and in accordance with City's Policies and By-laws.</p>
<p>City Community Services Department – Fire and Emergency Services Division (January 27, 2015)</p>	<p>Fire has reviewed the application from an emergency response perspective and has no concerns. Emergency response time to the site and available water supply are acceptable.</p>
<p>City Transportation and Works Department (February 6, 2015)</p>	<p>This department confirmed receipt of a Site Plan, Planning Justification Report, Functional Servicing Report, Environmental Noise Report and Traffic Impact and Parking Study.</p> <p>Notwithstanding the findings of these reports and drawings, the applicant has been requested to provide additional technical details. Development matters currently under review and</p>

Forest Park Circle Ltd.

File: OZ 12/009 W3

Agency / Comment Date	Comment
	<p>consideration by the department include:</p> <ul style="list-style-type: none"> <li>• Traffic impacts and site access details;</li> <li>• Stormwater servicing design;</li> <li>• Grading details;</li> <li>• Environmental Site Assessment;</li> <li>• Compliance with City condominium standards.</li> </ul> <p>The above aspects will be addressed in detail prior to the Recommendation Report.</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> <p>Canada Post Rogers Cable Greater Toronto Airport Authority</p>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Bell Canada Enersource Hydro Mississauga Conseil Scolaire de Districte Centre-Sud Conseil Scolaire Viamonde Trillium Health Partners Culture Division, Community Services Department Realty Services, Corporate Services Department</p>

Forest Park Circle Ltd.

File: OZ 12/009 W3

## School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<ul style="list-style-type: none"> <li>Student Yield: <ul style="list-style-type: none"> <li>52 Kindergarten to Grade 6</li> <li>23 Grade 7 to Grade 8</li> <li>33 Grade 9 to Grade 12</li> </ul> </li> <li>School Accommodation: <ul style="list-style-type: none"> <li>Glen Forest P.S. <ul style="list-style-type: none"> <li>Enrolment: 525</li> <li>Capacity: 539</li> <li>Portables: 2</li> </ul> </li> <li>Glenhaven Sr. <ul style="list-style-type: none"> <li>Enrolment: 468</li> <li>Capacity: 559</li> <li>Portables: 0</li> </ul> </li> <li>Glenforest S.S. <ul style="list-style-type: none"> <li>Enrolment: 1,378</li> <li>Capacity: 1,023</li> <li>Portables: 10</li> </ul> </li> </ul> </li> </ul> <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"> <li>Student Yield: <ul style="list-style-type: none"> <li>5 Junior Kindergarten to Grade 8</li> <li>1 Grade 9 to Grade 12</li> </ul> </li> <li>School Accommodation: <ul style="list-style-type: none"> <li>Saints Martha and Mary <ul style="list-style-type: none"> <li>Enrolment: 354</li> <li>Capacity: 430</li> <li>Portables: 0</li> </ul> </li> <li>Philip Pocock <ul style="list-style-type: none"> <li>Enrolment: 1207</li> <li>Capacity: 1257</li> <li>Portables: 5</li> </ul> </li> </ul> </li> </ul>



**Forest Park Circle Ltd.****File: OZ 12/009 W3**

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).

### **Current Mississauga Official Plan Designation and Policies for the Rathwood Neighbourhood Character Area**

**"Residential High Density"** which permits apartment dwellings with a maximum Floor Space Index (FSI) of 1.0 and the following additional uses: residential dwelling, accessory offices for health professionals, home occupation, special needs housing, urban gardening and a convenience commercial facility on the ground floor of a building.

For lands within a Neighbourhood, a maximum building height of four storeys applies. For lands designated Residential High Density, development in addition to existing buildings will be restricted to uses permitted in the Residential Medium Density designation.

There are other policies in Mississauga Official Plan that are also applicable in the review of this/these applications, which are found in Appendix I-9.

### **Proposed Official Plan Amendment Provisions**

The applicant is proposing to retain the **"Residential High Density"** designation while adding the following new Special Site policies for the site:

- a) additional apartment dwellings are permitted
- b) a maximum FSI of 1.6

Forest Park Circle Ltd.

File: OZ 12/009 W3

**Relevant Mississauga Official Plan Policies**

	<b>Specific Policies</b>	<b>General Intent</b>
<b>Section 5 – Direct Growth</b>	Section 5.3.5 Section 5.4	Neighbourhoods should be regarded as stable residential areas where the existing character is to be preserved. Residential intensifications within Neighbourhoods should generally occur through infilling and development of existing commercial sites as mixed use areas. Where higher density uses are proposed, they should be located along Corridors or in conjunction with existing apartment sites or commercial sites.  Intensification within Neighbourhoods may be considered where the proposed development is compatible in built form and scale to the surrounding development.
<b>Section 7 – Complete Communities</b>	Section 7.2	The provision of housing should maximize the use of community infrastructure and engineering services, while meeting the housing needs and preferences of Mississauga residents. A range of housing types, tenure and price is to be provided.
<b>Section 9 – Build a Desirable Urban Form</b>	Section 9.0 Section 9.1 Section 9.2 Section 9.3 Section 9.4 Section 9.5	Appropriate infill in both Intensification Areas and Non-Intensification Areas will help to revitalize existing communities by replacing aged buildings, developing vacant or underutilized lots and by adding to the variety of building forms and tenures. It is important that infill "fits" within the existing urban context and minimizes undue impacts on adjacent properties. Redevelopment projects include a range of scales, from small residential developments to large scale projects, such as the redevelopment of strip malls.  Infill and redevelopment within Neighbourhoods will respect the existing and planned character, provide appropriate transition to the surrounding context and minimize undue impacts on adjacent properties.  Tall buildings should incorporate podiums, achieve appropriate street enclosure in relation to the right-of-way width, enhance the quality of the public realm, and be appropriately spaced to permit light and sky views.

Forest Park Circle Ltd.

File: OZ 12/009 W3

	Specific Policies	General Intent
Section 16 – Neighbourhoods	Section 16.1 Section 16.1.2	<p>A maximum building height of four storeys will apply to Neighbourhoods. Proposals for heights of more than four storeys will be considered where it can be demonstrated that the transition in heights respects the surrounding context, the proposal enhances the existing or planned development and the City Structure hierarchy is maintained.</p> <p>Proposals for additional development on lands with existing apartment buildings will be restricted to uses permitted in the Residential Medium Density Designation.</p> <p>As a condition of development, the site in its entirety must meet current site plan and landscaping requirements and existing buildings must meet current building code, fire code and property standards.</p>
Section 19 – Implementation	Section 19.5.1	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> <li>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;</li> <li>the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;</li> <li>there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application;</li> <li>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.</li> </ul>

Forest Park Circle Ltd.

File: OZ 12/009 W3

**Summary of Existing Zoning By-law Provisions**

**"RA4-1" (Apartment Dwellings)**, which permits Apartment dwellings according to the "RA4" zoning regulations with a minimum floor space index of 0.5 and a maximum floor space index of 1.0.

**Proposed Zoning Standards**

	<b>Required "RA4-1" (Apartment Dwellings) Zoning By-law Standards</b>	<b>Proposed "RA4" Zoning By-law Standards</b>
Floor Space Index	0.5-1.0	1.6
Exception Schedule		The permitted uses and applicable regulations shall be as specified for a RA4 zone except that all site development plans shall comply with the exception schedule which will reflect the concept plan shown in Appendix I-5.

## APPENDIX I-11



**Forest Park Circle Ltd.**

**File: OZ 12/009 W3**

**Recommendation PDC-0031-2015**

That the Report dated May 5, 2015, from the Commissioner of Planning and Building regarding applications by Forest Park Circle Ltd. to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings under File OZ 12/009 W3, at 1850 Rathburn Road East and 4100 Ponytrail Drive, be received for information.  
File: OZ 12/009 W3









AERIAL VIEW OF SITE FROM NORTH



STREET VIEW OF SITE FROM NORTH-EAST





AERIAL VIEW OF SITE FROM SOUTH-WEST



AERIAL VIEW OF SITE FROM NORTH-WEST

## WARD 3 CAPACITY ANALYSIS

### Purpose

The purpose of this study is to address servicing impacts from potential redevelopment of properties within a portion of Ward 3 including Rockwood Village, with respect to impacts on local community centres, traffic on abutting streets, and physical infrastructure.

This analysis is being considered in conjunction with some recent in-progress applications for intensification within Rockwood village and the surrounding area.

While reviewing the Official Plan Amendment and Rezoning applications under File OZ 12/009 W3 (4100 Ponytrail Drive and 1850 Rathburn Road East), Ward 3 Councillor, Chris Fonseca expressed concerns that there are two applications in process in and around the Rockwood Village area that are located outside of the identified Rathwood Applewood Community Node. While individual applications may not impact the streets and infrastructure, there were questions about capacity in the area for the future. Councillor Fonseca asked Planning Staff to coordinate the review of capacity in the area to address potential future servicing impacts.

### Parameters

See attached study area map which identifies sites for potential, future intensification. See also attached spreadsheet which details the population increase based on development of these potential sites. *The assumptions made in this analysis and the sites selected are for modelling purposes only and are not to be interpreted as support for intensification or development of sites.*

Appendix A (attached) outlines the approximate boundaries for analysis and identifies the location of potential development sites within the study area based on parameters outlined in Appendix B.

The area is bound generally by Cawthra Road to the west, Eastgate Parkway to the north, Little Etobicoke Creek to the east and Burnhamthorpe Road East to the south and mainly consists of properties located on Arterial and Major Collector roads. The areas along Dundas Street East and Bloor Street East will be or have been subject to more detailed review under additional studies (Dundas Connects (started 2015) and the East Bloor Corridor Review (Backgrounder and Interim Strategy, 2013) respectively.

Appendix B outlines the assumptions used in the review.

- Potential development sites are existing commercial sites, lands on corridors which may be consolidated in the future or existing apartment sites which have additional site area that may be able to accommodate medium-density intensification such as townhomes
- Existing apartment data and density figures are sourced from the 2015 City of Mississauga Residential Directory

- For the purposes of estimating increased population, a modest increase in density was assigned to existing apartment sites similar or lower than what is being proposed for the OZ 12/009 W3 application or as per the permitted density in the Official Plan
- Average unit size was estimated based on current development applications

### **Process**

Given the assumed population increase within the study area, the Region of Peel and the City's Community Services and Transportation and Works Departments were requested to review the impacts from their respective perspectives.

### **Results**

Based on assumptions and estimates, an additional 3,225 units could potentially result, which translates to an estimated population increase of 7,739. This population increase is greater than the City's 2011 growth forecast for 2041 and represents a long term scenario for modelling purposes.

Individual comments were received by the Region of Peel, Community Services and Transportation and Works.

#### Region of Peel

Currently, there are no capital water or wastewater works identified to accommodate growth in the area. The area is presently well serviced with no capacity related concerns identified.

#### *Water*

The area will be serviced from the existing Silverthorne and Hanlan pumping stations. The Beckett Sproule reservoir will provide some floating storage, and due to the configuration of the system; the remainder of the storage required will be pumped from the Silverthorne pumping station and reservoir.

Should there be higher demands around Dixie and Rathburn at Burnhamthorpe, the 300 mm (11.81 inch) watermain on Burnhamthorpe should be replaced with a 400 mm (15.75 inch) watermain.

#### *Wastewater*

Rockwood Village area is serviced through two main trunk systems, the Dundas Street trunk which services the Ponytrail area to the east and the Little Etobicoke Creek trunk, which services the area around Burnhamthorpe between Cawthra Road and Dixie Road.

Currently there is existing infrastructure in the area that can collect flows in the village and properties around Ponytrail Drive can be serviced with the existing system. Works are currently underway to ensure proposed developments can be serviced.

### *Stormwater*

Properties adjacent to Bough Beeches near Dixie Road and Burnhamthorpe Road East can be serviced once the existing sewer on Bough Beeches Boulevard is upgraded to prevent surcharging under a 5-yr storm. A 375 mm (14.8 inch) sewer would be sufficient based on the population projections provided. Timing for this project will be determined once the applications come forward and exact population estimates are confirmed.

The developments west of Dixie Road within the study area can also be serviced using the existing local system which eventually conveys flows to the sewer on Ibis Court.

During the storm event on July 2013, several areas around the Rockwood Village experienced basement flooding, which flagged serious issues in the sewer system. Subsequently, studies have been initiated to evaluate the current state of the existing sewers and identify a solution to avoid further problems. Applications for development will be evaluated to ensure that risks of flooding are minimized.

### City of Mississauga Community Services

#### *Parkland*

Based upon the prospective growth, sufficient parkland is already in place to provide 100% coverage within the area. The existing park system exceeds the city wide provision level.

#### *Playgrounds*

The area would not require additional playgrounds to accommodate the projected population increase.

#### *Trails and Pathways*

Trails and pathways are not developed based on a population standard and are provided as connections between and within City lands and facilities. The area is well served by over 15 km of trails and pathways and the projected population increase would not impact the system. The City will continue building towards an interconnected trail and pathway system which builds off of the existing network.

#### *Recreational Facilities*

The population increase does not alter recommendations in Future Directions Master Plan in relation to the service area (5). Future Directions recommends that a new community centre may be triggered by future growth along the Highway 10 Corridor (i.e. in Cooksville).

### City of Mississauga Transportation and Works

Based on a high-level assessment, the projected long-term growth can be accommodated within the existing transportation network.

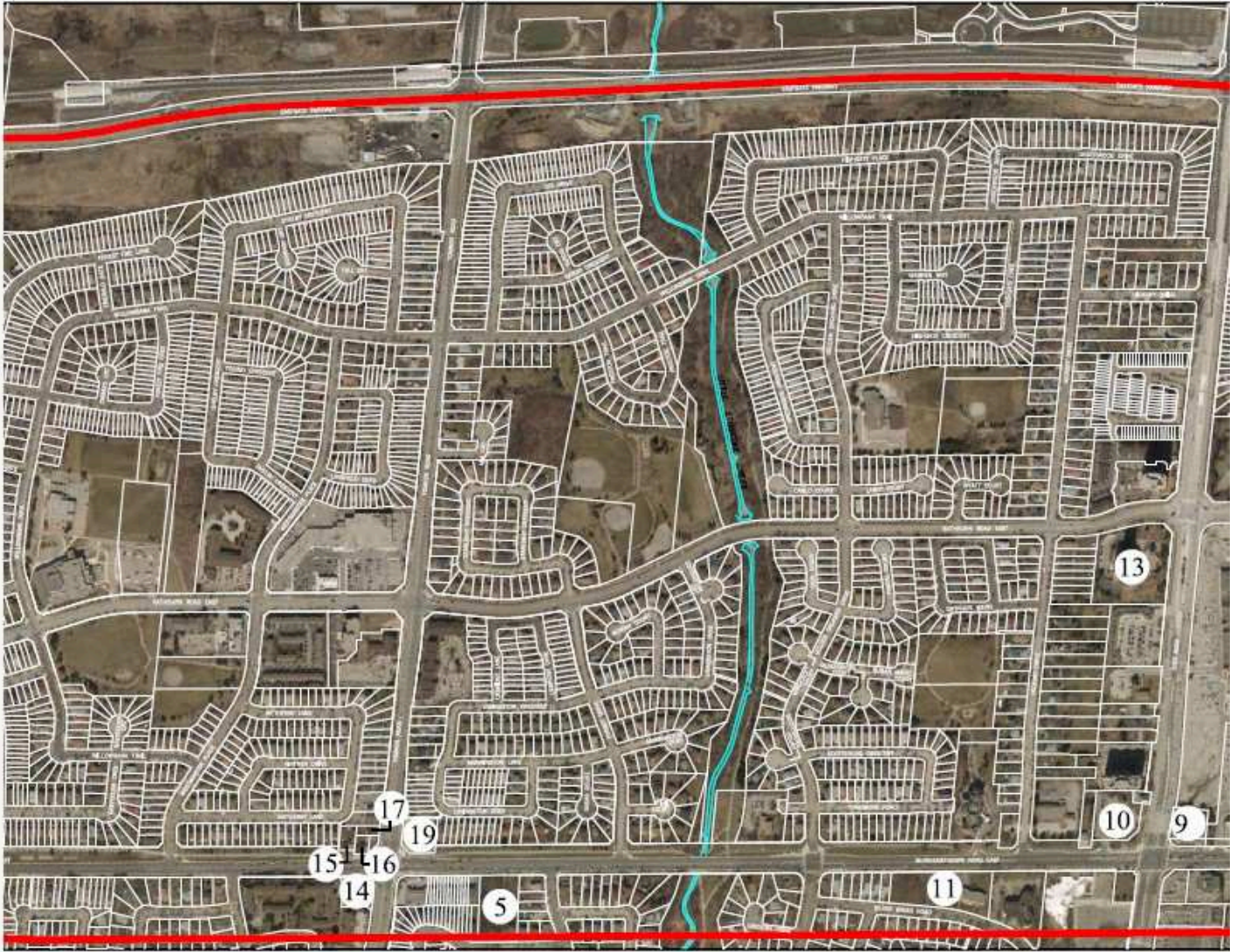
The existing development applications have submitted satisfactory Traffic Impact Studies which did not identify any need for improvements beyond those already in the capital budget. Any future developments would also require the submission and review of a Traffic Impact Study.

The City's terms of reference for Traffic Impact Studies include the requirement for analysis of future traffic growth.

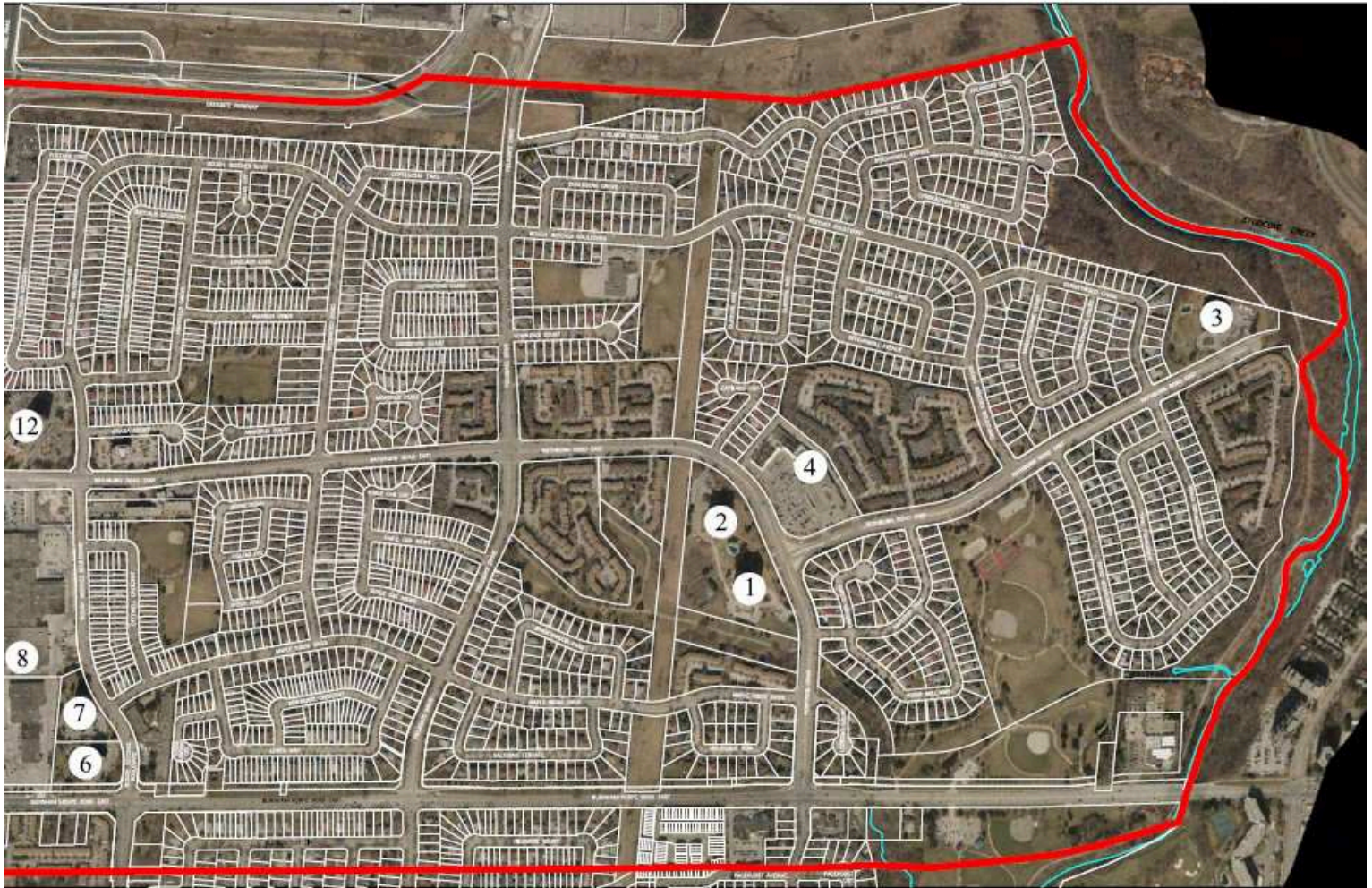
**Conclusion**

Based on the parameters of the study and analysis conducted by the Region of Peel, the City's Transportation and Works and Community Services, there are no significant capacity concerns related to future growth. Any intensification beyond what is permitted would be subject to Official Plan Amendment and Rezoning applications supported by technical studies.



**APPENDIX A – Analysis Area and Potential Development Sites**



**APPENDIX A – Analysis Area and Potential Development Sites**

## WARD 3 CAPACITY ANALYSIS

Map Key #	Address	Ex. Building Type	Zoning	Residential Tenure	Site Area		FSI <sup>1</sup>		Total GFA	Average Unit Size <sup>2</sup>	No. of Units		Potential Unit Increase <sup>3</sup>	PPU <sup>4</sup>	Projected Population
					ha	sm	Existing	New	New	m <sup>2</sup>	Existing	New/Existing to Remain			
1,2	4100 Ponytrail 1850 Rathburn	2 x 18 storey building	RA4-1	rental	3.74	37,400	0.96	1.6			384	662	278		
3	2121 Rathburn Road East	Existing Apartment	RA4-1	rental	1.78	17,800	0.75	1.4	24,920	80	139	312	173		
4	1891 Rathburn Road East	Plaza	C2	n/a	1.22	12,200	n/a	1.6	19,520	80	0	244	244		
5	1050 Burnhamthorpe Road East	detached house	R3	n/a	0.68	6,800	n/a	1	6,800	80	1	85	84		
6	1111 Bough Beeches Boulevard	Existing Apartment	RA4	condo	0.88	8,800	1.40	1.5	13,200	80	100	165	65		
7	1155 Bough Beeches Boulevard	Existing Apartment	RA4	condo	0.86	8,600	1.55	1.6	13,760	80	120	172	52		
8	4141 Dixie Road	Mall	C3-56	n/a	3.66	36,600	n/a	2.5	91,500	80	0	1144	1144		
9	4011 Dixie Road	Commercial	C5-3	n/a	0.15	1,500	n/a	2.5	3,750	80	0	47	47		
10	1349 Burnhamthorpe Road East	Commercial	C5-16	n/a	0.55	5,500	n/a	1.4	7,700	80	0	96	96		
11	1315,1355 Silver Spear Road	Existing Apartments	RA2-40	rental	3.34	33,400	1.48-1.29	1.5	50,100	80	347	626	279		
12	1315 Bough Beeches Boulevard	Existing Apartments	H-RA5-39	condo	2.37	23,700	1.12	2.56		n/a	270	683	413		
13	1360 Rathburn Road East	Existing Apartments	RA4-5	condo	1.52	15,200	1.14	1.8	27,360	80	179	342	163		
14	960 Burnhamthorpe Road East	Commercial	R3	n/a	0.25	2,500	n/a	1.4	3,500	80	0	44	44		
15	949 Burnhamthorpe Road East	Detached House	R3	n/a	0.1	1,000	n/a	1.4	1,400	80	1	18	17		
16	951 Burnhamthorpe Road East	Detached House	R3	n/a	0.07	700	n/a	1.4	980	80	1	12	11		
17	4012 Tomken Road	Detached house	R3	n/a	0.06	600	n/a	1.4	840	80	1	11	10		
18	3670 Cawthra Road	Vacant	C5-3	n/a	0.25	2,500	n/a	1.6	4,000	80	0	50	50		
19	971 Burnhamthorpe	Commercial	C5-3	n/a	0.25	2,500	n/a	1.47	3,675	n/a	0	56	52		
									262,110		1,543	4,768	3,225	2.4	7,739

## Notes:

- Existing data is from 2015 City of Mississauga Residential Directory
- New assumptions and new data as a result of this Capacity Analysis
- Indicates lot area divided in half to account for potential non-residential (mixed use) re-development on commercial sites
- Indicates in progress or approved development applications with known unit numbers/FSI
- 1 FSI estimates based on a conservative increase in existing FSI for each site or FSI as per Official Plan
- 2 Average Unit size is estimated based on current development applications
- 3 The number of units is calculated as follows: New units = site area x density / average unit size
- 4 PPU figure is an estimated population per unit figure for apartments based on development applications for the City's 2011 Growth Forecast.



# City of Mississauga

## Corporate Report



Date: March 1, 2016

Originator's file:  
OZ 14/004 W1

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Meeting date:  
2016/03/21

### Subject

#### **RECOMMENDATION REPORT (WARD 1)**

**Applications to permit 23 townhouses on a private condominium road, 1640 Crestview Avenue, southwest corner of South Service Road and Crestview Avenue**  
**Owner: Carlyle Communities Crestview Inc.**

### Recommendation

That the Report dated March 1, 2016, from the Commissioner of Planning and Building regarding the applications under File OZ 14/004 W1, Carlyle Communities Crestview Inc., 1640 Crestview Avenue, southwest corner of South Service Road and Crestview Road, be adopted in accordance with the following:

1. That City Council direct the City Solicitor, representatives from the appropriate City Departments and any necessary consultants to attend the Ontario Municipal Board hearing on the subject applications in support of the recommendations outlined in the report dated March 1, 2016, that concludes that the proposed Official Plan Amendment and Rezoning are not acceptable from a planning standpoint and should not be approved.
2. That City Council provide the Planning and Building Department with the authority to instruct the City Solicitor on modifications to the position deemed necessary during or before the Ontario Municipal Board hearing process, however if there is a potential for settlement then a report shall be brought back to Council by the City Solicitor.

### Report Highlights

- The applicant has appealed the applications to the Ontario Municipal Board (OMB). The pre-hearing conference is scheduled for April 6, 2016.
- The applications should be refused for several reasons including excessive height, scale and massing, and a lack of an appropriate built form transition.
- Staff are seeking direction from Council to attend any OMB proceedings which may take place in connection with the applications and in support of the recommendations outlined in this report.

## Background

A public meeting was held by the Planning and Development Committee on June 22, 2015, at which time a Planning and Building Department Information Report (Appendix 1) was presented and received for information. The Planning and Development Committee passed Recommendation PDC-0042-2015 which was adopted by Council and is attached as Appendix 2.

## Comments

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

### REVISED DEVELOPMENT PROPOSAL

On August 26, 2015, the applicant made some modifications to the proposed concept plan including:

- A reduction in the number of townhouse units from 24 to 23;
- A change in the number and layout of townhouse blocks. Block 3, which was previously located along the south lot line, has been broken into two blocks and relocated to the north beside Blocks 1 and 2;
- A relocation of the private condominium road and access driveway on Crestview Avenue, common amenity area and visitor parking spaces;
- An increase in the number of storeys of some of the townhouses, which are now all to be 4 storeys whereas previously Block 3 was to be 3 storeys.

The revised concept plan is shown on Appendix 3.

On November 2, 2015, the landowner appealed their development applications to the Ontario Municipal Board (OMB) due to the failure by Council to make a decision within the required timelines under the *Planning Act*. The OMB pre-hearing conference has been scheduled for April 6, 2016.

### COMMUNITY COMMENTS

The issues below are a summary of comments made by the public through written submissions, during the June 10, 2015 community meeting held by Ward 1 Councillor Jim Tovey and at the June 22, 2015 public meeting.

#### Comment

The proposed density, height, massing and setbacks are not compatible with the surrounding neighbourhood.

#### Response

Staff agree with concerns expressed by area residents, which include the proposed building height, lack of adequate built form transition, impact on adjacent trees and lack of conformity with the policies of Mississauga Official Plan. Consequently, it is recommended that these development applications be refused for the reasons outlined in the Planning Comments section of this report.

**Comment**

There will be an overflow of car parking onto nearby streets given the limited number of on-site parking spaces proposed.

**Response**

The applicant is proposing to provide the number of parking spaces for both residents and visitors on the subject lands as required by the City's Zoning By-law.

**Comment**

The traffic impact on the local roads is a concern.

**Response**

Should this proposal be approved, the Transportation and Works Department does not expect the level of service of the surrounding road network to be significantly impacted given the number of residential units proposed.

**Comment**

The concept plan does not show any trees.

**Response**

The applicant's landscape plan does indicate new vegetation including trees. As stated in the Planning Comments section, staff have concerns with the impact on existing mature trees on adjoining properties to the west and south as well as limitations on new tree plantings along these property lines due to the proposed site layout.

**Comment**

HUF Gym has been a good neighbour for many years and should not close down.

**Response**

In its evaluation of the appropriateness of development applications, staff do not consider the qualities of a specific business operator that may be displaced by requested planning approvals. Additionally, the City has no control over the private business decisions of owners and lessees regarding whether or not to discontinue their operations. The land use recommendations are based on good planning principles, including appropriate land use, design, landscaping, engineering and Mississauga Official Plan policies.

**UPDATED AGENCY AND CITY DEPARTMENT COMMENTS****Region of Peel**

Comments updated November 30, 2015 state that based on the updated proposal, the Region's condition with regard to the Functional Servicing Report (FSR) has not yet been met as a hydrant flow test has not been performed by the applicant. Notwithstanding, the Region's internal modelling of the FSR data revealed no capacity constraints, demonstrating that the servicing capacity is in place for the proposed development as it relates to water and wastewater services. A hydrant flow test shall be submitted as an addendum to the FSR to update the Region's model.

### City Transportation and Works Department (T&W)

Comments updated December 3, 2015 state that following the review of revisions to the Concept Plan, Functional Servicing and Stormwater Management Report, Site Grading/Servicing Plans, Noise Feasibility Study and Phase 1 Environmental Site Assessment, T&W identified the following outstanding issues:

- Concerns regarding the Ministry of Transportation (MTO) restriction limiting the South Service Road access to right-in movements only and the resulting potential on-site traffic implications and vehicular conflicts on the internal private road;
- Following an investigation of the existing storm drainage conditions, it was evident from the documentation submitted by the applicant's engineering consultant that the addition of storm runoff from the new development could be problematic. The applicant was asked to consider the installation of a new storm sewer pipe as part of the proposal;
- There are concerns with the raised grades and associated storm drainage scheme proposed within the development. The applicant has been asked consider lowering the proposed grades to limit the need for retaining walls and to reduce runoff onto the adjacent lands;
- The applicant's acoustic consultant has confirmed that a 2.5 m (8.2 ft.) high noise wall in addition to retaining walls will be required to achieve compliance with Ministry of the Environment and Climate Change (MOECC) noise guidelines for the outdoor living areas due to the exposure to a substantially loud acoustical environment created by traffic using South Service Road and the Queen Elizabeth Way (QEW). The applicant was requested to reconsider the layout of the site, as an alternate building orientation could provide the needed acoustical mitigation for the outdoor living areas.

The above concerns have been identified in previous comments to the applicant and have not been satisfactorily addressed in the subsequent revised circulation of plans and documents received for the applications.

### PLANNING COMMENTS

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

The *Provincial Policy Statement* (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 PPS encourages intensification of land within urban areas, promotes efficient use of infrastructure and public facilities, encourages mixed use developments and the support of public transit.

The *Provincial Growth Plan for the Greater Golden Horseshoe* (Growth Plan) directs municipalities to "identify the appropriate type and scale of development in intensification areas" and states that intensification areas will be planned and designed to "achieve an appropriate transition of built form to adjacent areas". The PPS and Growth Plan indicate that development must be governed by appropriate standards. These policies are implemented through Mississauga's Official Plan.

The proposed development does not adequately take into account the existing context and does not provide an appropriate transition of built form to adjacent areas as referenced in the Mississauga Official Plan (MOP) section below.

### Region of Peel Official Plan

Within the Region of Peel Official Plan, the subject lands are within the Urban System. While the proposal conforms to some of the policies related to intensification within the Urban System, it does not conform to all. Section 5.3.1.4 states that development in the Urban System is to “achieve intensified and compact form and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances while taking into account the characteristics of existing communities and services.” Urban System policies also require recognition of the integrity and physical characteristics of existing communities. Since the proposal is not compatible with the existing community, it does not conform to these policies.

### Mississauga Official Plan (MOP)

The proposal requires an amendment to MOP, specifically a land use designation change within the Mineola Neighbourhood Character Area from **Convenience Commercial** to **Residential Medium Density**. As outlined in the Information Report, Section 19.5.1 of MOP provides the following criteria for evaluating site specific Official Plan Amendments:

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

Planning staff have undertaken an evaluation of these criteria against the development applications, as well as a comprehensive consideration of other MOP policies in relation to the proposal. The following is a high level presentation of this analysis and is not exhaustive of all the factors which staff have considered.

The proposal does not meet the intent, goals and objectives of MOP. As part of a Neighbourhood City Structure element, the surrounding area is considered stable and its character is to be protected (Section 5.3.5). While this does not mean that these communities are to remain static or that previous development patterns must be replicated, intensification needs to be sensitive to the neighbourhood's existing and planned character. The proposal does not meet this test of contextual sensitivity. It fails to demonstrate compatibility and meaningful transition in built form and scale to the surrounding area (Sections 5.3.5.6 and 9.5.1).

The neighbourhood is primarily characterized by large lots developed in the 1950s with mature trees and landscaping, modest one and two storey homes with generous road and property line setbacks and narrow local streets with abutting drainage ditches and an extensive tree canopy.

To the immediate east and south are bungalows on large lots with frontages exceeding 30 m (98.4 ft.). These properties are subject to the Infill Exception regulations in the City's Zoning By-law, which places more stringent development restrictions on these lots beyond the standard R1 zone requirements. This includes limiting heights to 9.5 m (31.2 ft.) to the highest ridge of a sloped roof, 7.5 m (24.6 ft.) for flat roofs, and 6.4 m (21.0 ft.) for eaves. These stricter zoning standards were put in place to help ensure that new infill homes and additions in the area would be compatible with the modest heights of existing homes. It effectively limits homes to 2 storeys. The abutting bungalow to the south has a height of 7.6 m (24.9 ft.). The townhouses located to the west of the subject site have the same modest height of 7.6 m (24.9 ft.) and are also 2 storeys. By contrast, the proposed townhouses are 4 storeys in height. The highest roof ridge of Block 1 is proposed to be 13.9 m (45.6 ft.) above the ground floor level. Due to site grading, this is 14.2 m (46.6 ft.) above the existing sidewalk level of South Service Road and 15.1 m (49.5 ft.) above the existing edge of pavement on the west side of Crestview Avenue. Given the 1 and 2 storey existing residential context and the other area attributes noted above, the proposed buildings and general site development illustrate the significant difference in scale and intensity compared to neighbouring homes. As a result, the Neighbourhood character would be negatively impacted.

Although the site is relatively flat, the applicant is proposing significant grade alterations to create a rear walk-out from the second floor of each unit. The applicant has indicated that this will allow the townhouses to qualify as 3 storeys under the *Ontario Building Code*. Looking south from South Service Road towards the rear yards between Blocks 1 and 2, the combined berm, retaining walls and acoustical fencing would rise 5.1 m (16.7 ft.) above South Service Road. The proposed grading and lack of sufficient setbacks to the private condominium road will also result in the loss of on-site and neighbouring trees along the south and west property lines. Given the site constraints, this limits opportunities for replacement trees. Minimum requirements for rear yard depths, landscape buffers, sidewalk widths, noise barrier heights and a centralized amenity space with associated setbacks to site elements are not being met, which contributes to the site's overdevelopment. Combined, the proposed design standards conflict with Section 9.2.2 of MOP, which requires new development in Neighbourhood Character Areas to be "...designed to respect the existing scale, massing, character and grades of the surrounding area".

As noted previously, the Transportation and Works Department has identified concerns that have not been resolved, including those related to on-site vehicle circulation, grading and storm water drainage.

The applicant's Planning Justification Report has not adequately demonstrated that the proposal represents good planning or is consistent with the intent of MOP policies.

### Zoning

The proposed **RM6-Exception (Townhouse Dwellings on a CEC – Private Road)** zone is not appropriate in this instance. It would permit 23 townhouses, which represents overdevelopment of the site as illustrated in the previous section. It would permit building heights that are not compatible with surrounding homes. Other proposed development standards, such as minimum rear yards, internal setbacks and sidewalk widths are not compatible with the existing neighbourhood character and are less than the minimums required under the City's base zoning development standards for common element condominium townhouses.



**Bonus Zoning**

Should the OMB render a decision on the applicant's appeals that results in an increase in height or density, it will be requested that as a condition of approval the applicant make a community benefits contribution in accordance with Section 37 of the *Planning Act*, policies contained within MOP and Corporate Policy and Procedure 07-03-01 – Bonus Zoning.

**Financial Impact**

Development charges will be payable in keeping with the requirements of the Development Charges By-law of the City. Also, the financial requirements of any other commenting agency must be met.

**Conclusion**

The proposed Official Plan Amendment and Rezoning are not acceptable from a planning standpoint and should be refused for reasons, including the following:

1. The proposed development does not support the overall intent, goals and objectives of Mississauga Official Plan.
2. The proposal is of a height, scale, massing and intensity that is excessive for the site and does not provide adequate height transition and compatibility to the adjacent homes.
3. Other key elements of the proposal have not been satisfactorily addressed as of the preparation of this report, including storm water servicing, road configuration, landscaping, setbacks and preliminary grading.

**Attachments**

Appendix 1: Information Report

Appendix 2: Recommendation PDC-0042-2015

Appendix 3: Revised Concept Plan



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Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Ben Phillips, Planner



# Corporate Report

Clerk's Files

Originator's

Files OZ 14/004 W1

**PDC JUN 22 2015**

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**DATE:** June 2, 2015

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: June 22, 2015

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** Applications to permit 24 townhouses on a private  
condominium road  
1640 Crestview Avenue  
Owner: Carlyle Communities Crestview Inc.

Public Meeting/Information Report

Ward 1

---

**RECOMMENDATION:** That the report dated June 2, 2015 from the Commissioner of Planning and Building regarding the applications by Carlyle Communities Crestview Inc. to permit 24 townhouses on a private condominium road under File OZ 14/004 W1, at 1640 Crestview Avenue, be received for information.

**REPORT  
HIGHLIGHTS:**

- This report has been prepared for a public meeting to hear from the community;
- The project does not conform with the Convenience Commercial designation and requires an official plan amendment and a rezoning;
- Community concerns identified to date relate to density, height, character of the neighbourhood, increased traffic, and parking;
- A community meeting is scheduled for June 10, 2015;

- Prior to the next report, matters to be addressed include an evaluation of compatibility with the surrounding neighbourhood and the resolution of technical requirements.

**BACKGROUND:**

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

**COMMENTS:****THE PROPERTY AND THE NEIGHBOURHOOD**

Size and Use	
Frontage:	62.16 m (203.94 ft.) on South Service Road
Depth:	98.78 m (324.08 ft.)
Gross Lot Area:	0.57 ha (1.40 ac.)
Existing Uses:	HUF Gym operating in a 1 and 2 storey commercial plaza

The property is located in the Mineola Neighbourhood, immediately south of the Queen Elizabeth Way (QEW), east of the Hurontario Street, fronting onto South Service Road. Residential and institutional uses are found in the surrounding area, including townhouses, detached homes, a church and a school. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: South Service Road and QEW beyond  
 East: Crestview Avenue and one storey detached homes beyond  
 South: One storey detached homes  
 West: Two storey townhomes and a place of religious assembly (Unitarian Congregation in Mississauga) and Queen Elizabeth Senior Public School beyond

**DETAILS OF THE PROJECT**

The applicant is proposing to construct 24 townhouses in three blocks. Two blocks (Blocks 1 and 2) are proposed to be 4 storeys

in height, while the remaining block (Block 3) would be 3 storeys. Site access is proposed to be by a common element condominium private road with right-in access from South Service Road and a full movement access from Crestview Avenue. Seven surface visitor parking spaces are proposed (see Appendix I-5).

<b>Development Proposal</b>		
Applications Submitted	Received: August 13, 2014 Deemed complete: August 21, 2014 Revised: April 10, 2015	
Developer/Owner	Carlyle Communities Crestview Inc.	
Applicant	Jim Levac – Glenn Schnarr & Associates	
Number of units	24 townhouses	
Height	Blocks 1 and 2 – 4 storeys Block 3 – 3 storeys	
Lot Coverage	28.44%	
Floor Space Index	0.88	
Landscaped Area	49.56%	
Net Density	42.18 units/ha (17.07 units/ac)	
Gross Floor Area	4 993.28 m <sup>2</sup> (53,748.98 sq. ft.)	
Road type	Common element condominium private road (CEC)	
Anticipated Population	75 *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	Proposed
resident spaces	48	58
visitor spaces	6	7
Total	54	65

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

## LAND USE CONTROLS

The application is not in conformity with the existing **Convenience Commercial** land use designation within Mississauga Official Plan. A small portion of the lands are also identified as Natural Hazards due to the proximity of Cooksville

Creek. The applicant has requested that the lands be redesignated to **Residential Medium Density** to permit the proposed townhouse development.

A rezoning is proposed from **C1 (Convenience Commercial)** to **RM6 - Exception (Townhouse Dwellings on a CEC – Private Road)**.

Detailed information regarding the Official Plan and Zoning is in Appendices I-9 and I-10.

### **Bonus Zoning**

Section 37 of the *Planning Act* and policies in the Official Plan allow the City to seek community benefits when increases in permitted height and/or density are found to be good planning by Council. If these applications are approved, staff will report back to the Planning and Development Committee on the provision of community benefits as a condition of approval.

### **WHAT DID THE COMMUNITY SAY?**

A community meeting is scheduled to be held by Ward 1 Councillor Jim Tovey on June 10, 2015. Several written comments have been received to date and are summarized below:

- The proposal is too dense for this small site and is not consistent with the surrounding neighbourhood;
- The proposed height is not in keeping with the character of the area and will set an undesirable precedent;
- As there is a limited number of on-site parking spaces, there will be an overflow of parking onto nearby streets;
- Increased vehicle congestion will result from this development, which will make it less safe for children, increase noise and make walking less desirable;
- There is the potential that these townhouses will be converted into subsidized housing;



- This development will lower property values in the area, lead to a decreased quality of life and could increase the potential for theft;
- The concept plan does not show any trees.

These issues, along with any others raised by the community at the June 10, 2015 meeting and the public meeting, will be addressed in the Recommendation Report, which will come at a later date.

### **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Are the policies and principles of Mississauga Official Plan maintained by this project?
- Is the proposal compatible with the character of the area given the project's land use, height, massing, density, landscaping, setbacks and building configuration?
- Has an appropriate transition been provided between the surrounding buildings and the proposed townhouses?
- Are the proposed design details, including site access, internal road configuration and grading, as well as zoning standards appropriate?
- Is the applicant's intent to create Parcels of Tied Land (POTLs) through the Exception to Part Lot Control process an acceptable alternative to the submission of a draft plan of subdivision?
- Have all other technical requirements and studies related to the project been submitted and found to be acceptable?

### **OTHER INFORMATION**

The applicant has submitted a number of studies, reports and drawings in support of the applications. The list is below and these documents are available for review.

- Planning Justification Report
- Noise Feasibility Study
- Functional Servicing, Stormwater Management and Flood Spill Report
- Phase I and II Environmental Site Assessment
- Utility Plan
- Tree Inventory, Preservation Plan and Arborist Report
- Typical Section Through Acoustic Fence
- Concept Plan, Elevations and Landscape Plan
- Preliminary Grading, Servicing and Details Plan
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment

### **Development Requirements**

There are engineering matters including: servicing, noise reduction, construction, stormwater management and streetscape that will require the applicant to enter into agreements with the City.

**FINANCIAL IMPACT:** Development charges will be payable as required by the Development Charges By-law of the City. Also the financial requirements of any other external commenting agency must be met.

**CONCLUSION:** Most agency and City department comments have been received. The Planning and Building Department will make a recommendation on this project after the public meeting has been held and all the issues are resolved.

**ATTACHMENTS:**

- Appendix I-1: Site History
- Appendix I-2: Aerial Photograph
- Appendix I-3: Excerpt of Mississauga Official Plan
- Appendix I-4: Existing Land Use and Proposed Zoning Map
- Appendix I-5: Concept Plan
- Appendix I-6: Elevations
- Appendix I-7: Agency Comments
- Appendix I-8: School Accommodation

Appendix I-9: Summary of Existing and Proposed Mississauga  
Official Plan Policies and Relevant Mississauga  
Official Plan Policies

Appendix I-10: Summary of Existing and Proposed Zoning  
Provisions

Appendix I-11: General Context Map



Edward R. Sajecki

Commissioner of Planning and Building

*Prepared By: Ben Phillips, Development Planner*



Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

**Site History**

- August 7, 2003 – Committee of Adjustment (File 'A' 516/03) approved the establishment of an outdoor seasonal garden centre for a temporary period six (6) years.
- February 22, 2007 – Committee of Adjustment (File 'A' 505/06) approved the expansion of the existing fitness centre within unit #7 into the basement area providing a total of 125 parking spaces for the entire site.
- 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 **C1 (Convenience Commercial)**.
- November 14, 2012 – Mississauga Official Plan came into force except for those site/policies which have been appealed. The subject lands are designated **Convenience Commercial** in the Mineola Neighbourhood Character Area.



LEGEND:



SUBJECT LANDS

NOTE: DATE OF AERIAL WAS SPRING 2014

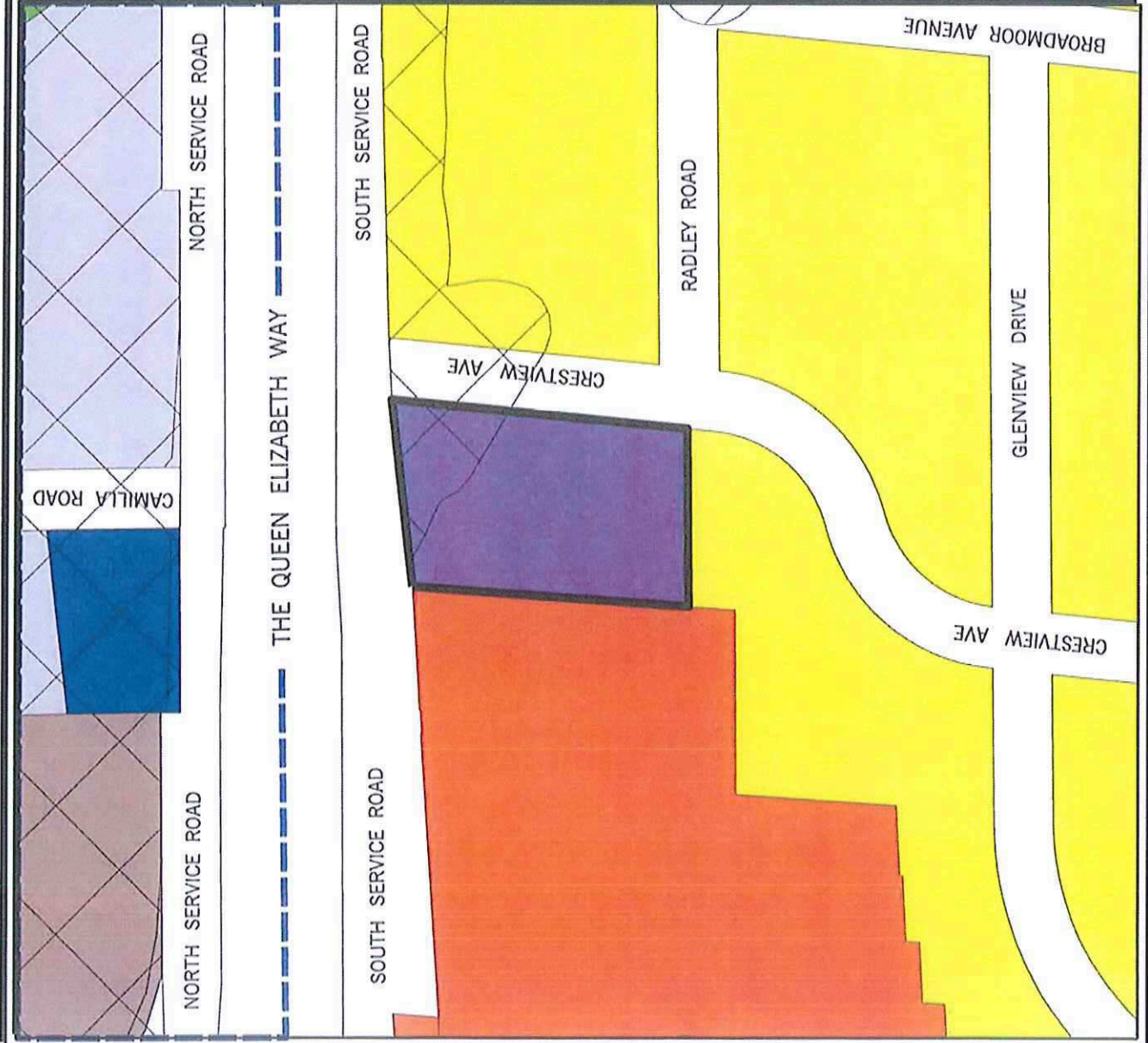
SUBJECT: CARLYLE COMMUNITIES  
CRESTVIEW INC.

FILE NO: OZ 14004 W1	DWG. NO: 14004A	SCALE: 1:2000	DATE: 2015 06 22	DRAWN BY: B. KRUGER

APPENDIX 1-2

**MISSISSAUGA**  
Planning and Building  
Produced by  
T&W Geomatics



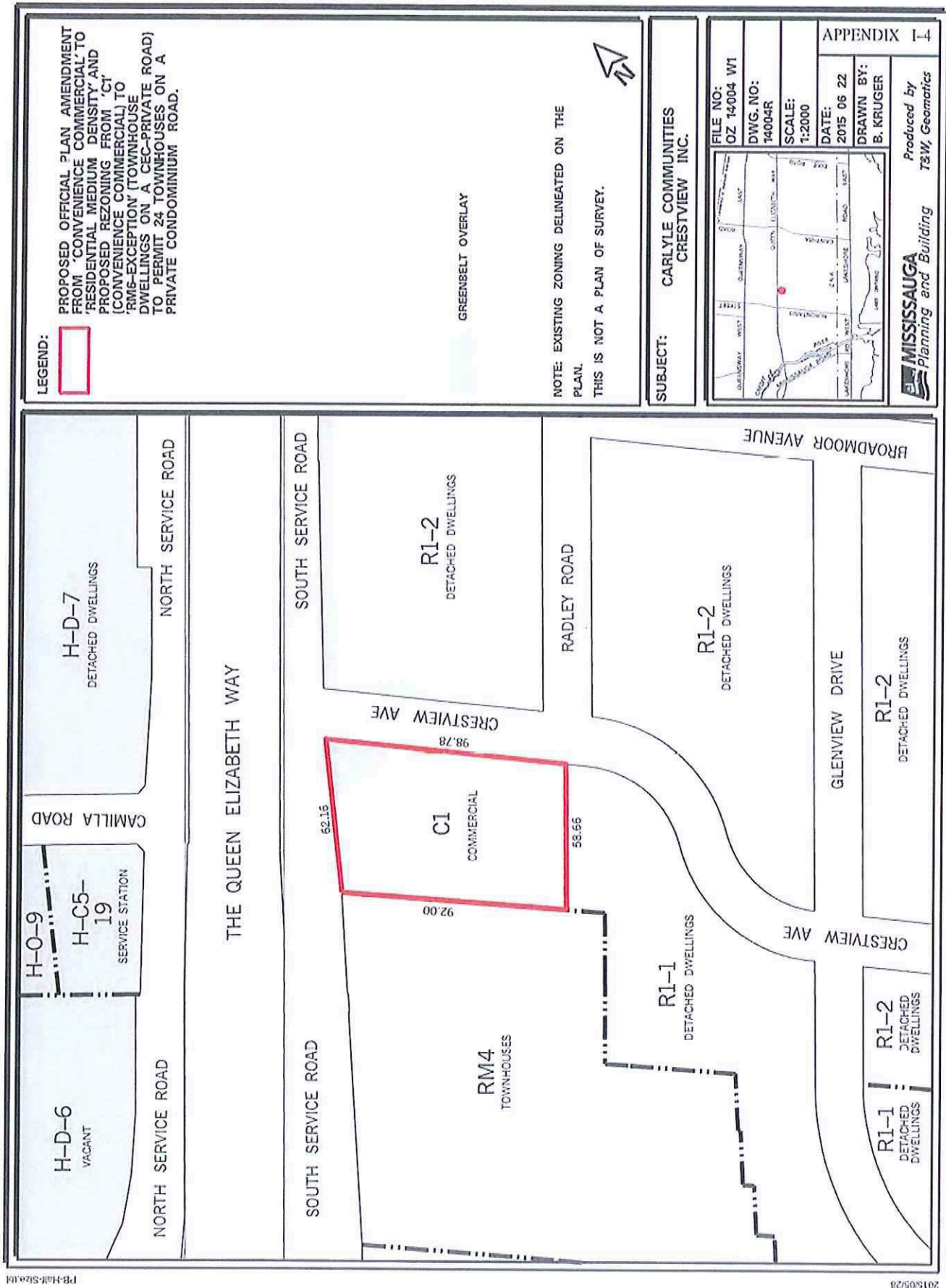


SUBJECT: CARLYLE COMMUNITIES CRESTVIEW INC.

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DWG. NO: 14004L  
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DATE: 2015 06 22  
DRAWN BY: B. KRUGER

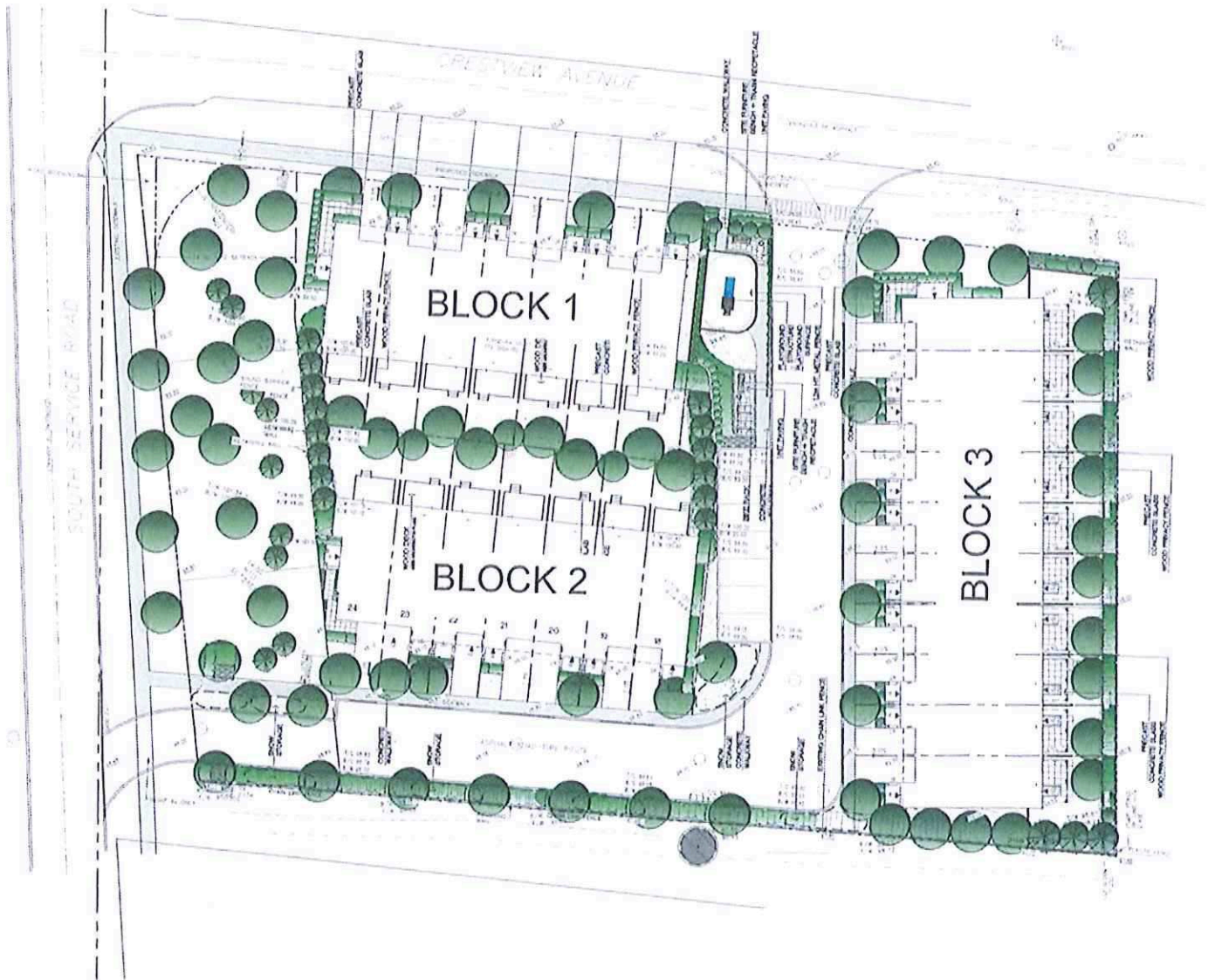
APPENDIX I-3

MISSISSAUGA Planning and Building  
Produced by T&W, Geomatics



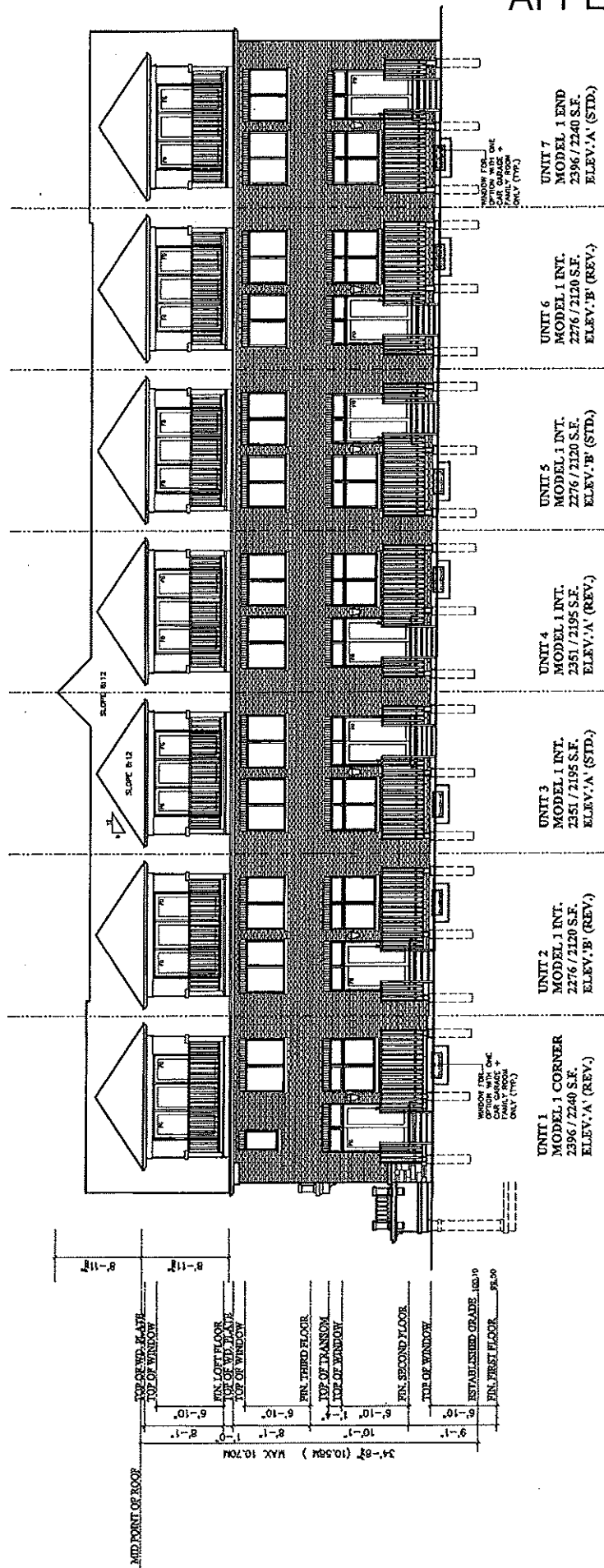


## APPENDIX I-5

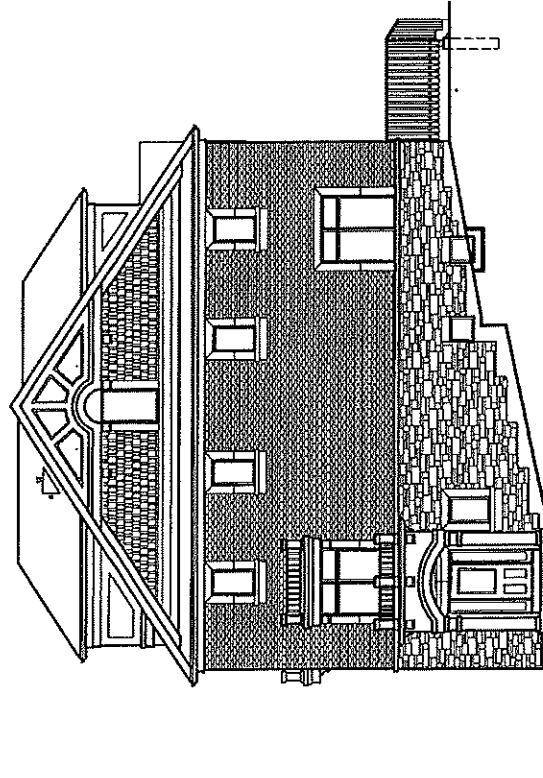


CONCEPT PLAN



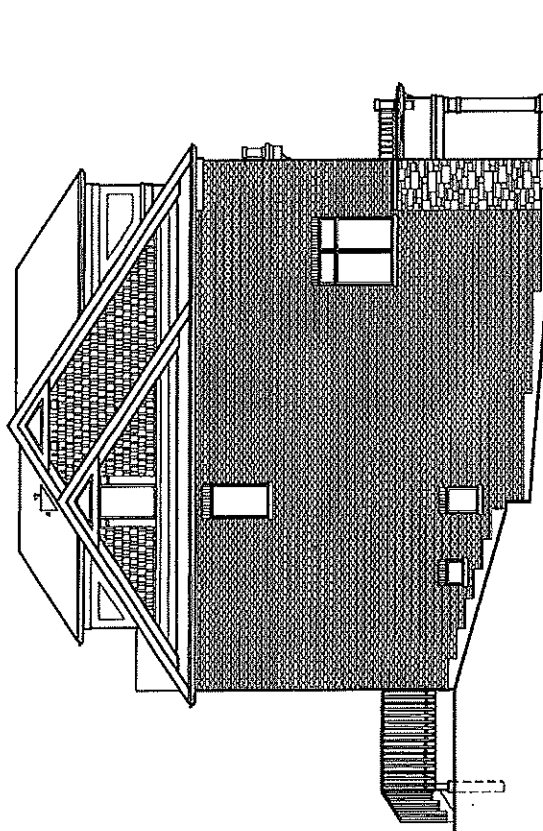


BLOCK 1 - REAR ELEVATION



UNIT 1  
MODEL 1 CORNER  
2396 / 2240 S.F.  
ELEV.'A' (REV.)

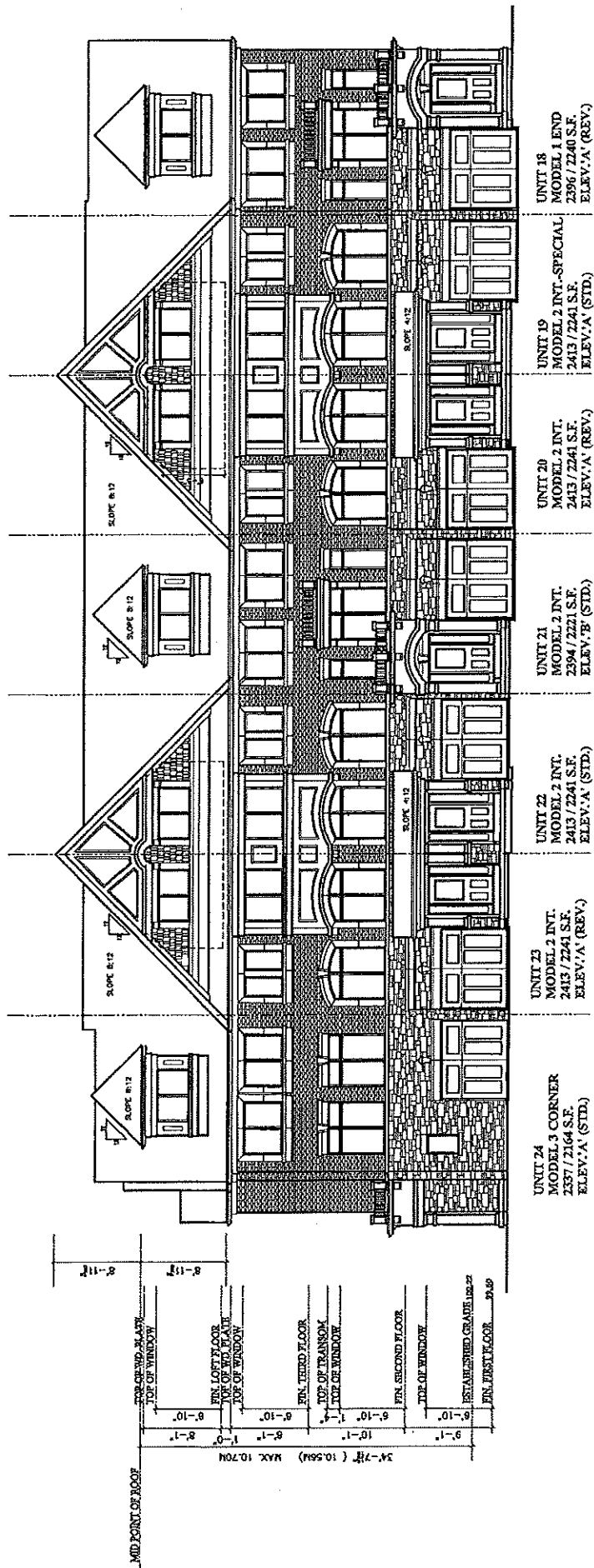
BLOCK 1 - RIGHT SIDE ELEVATION



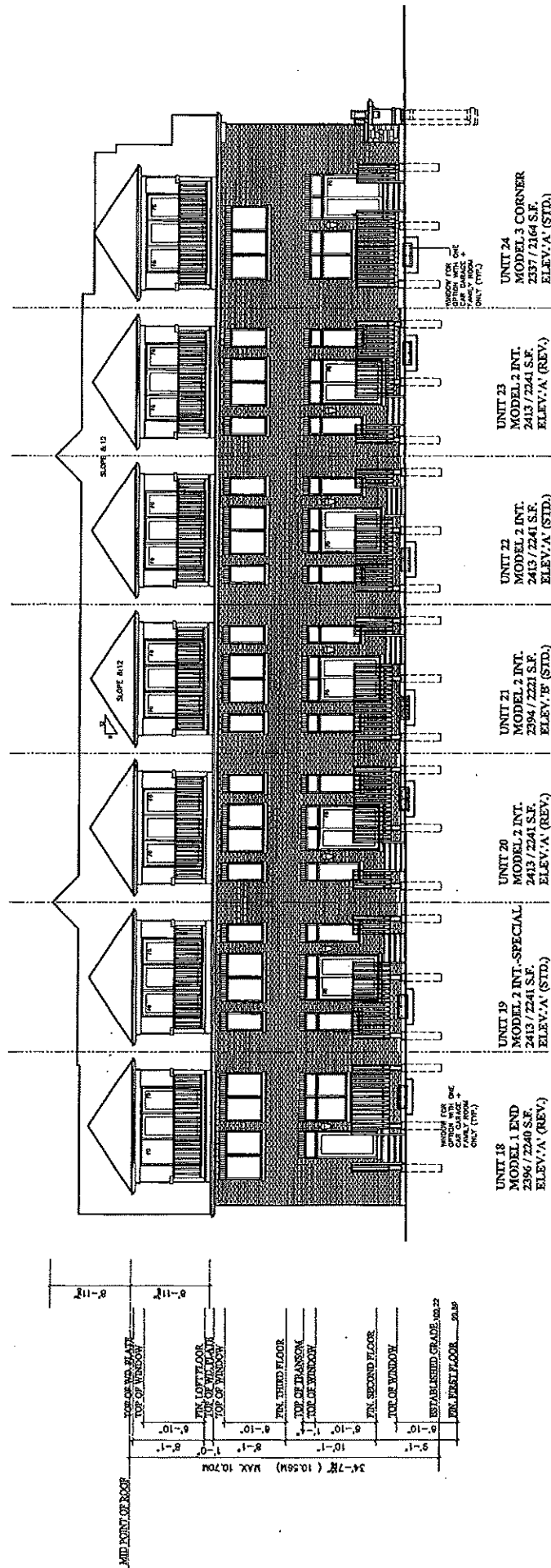
UNIT 7  
MODEL 1 END  
2396 / 2240 S.F.  
ELEV.'A' (STD.)

BLOCK 1 - LEFT SIDE ELEVATION

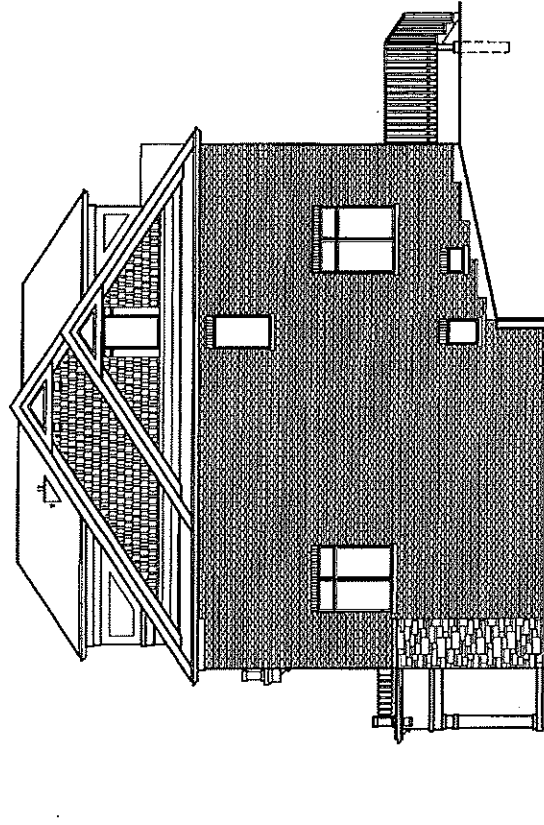




BLOCK 2 - FRONT ELEVATION

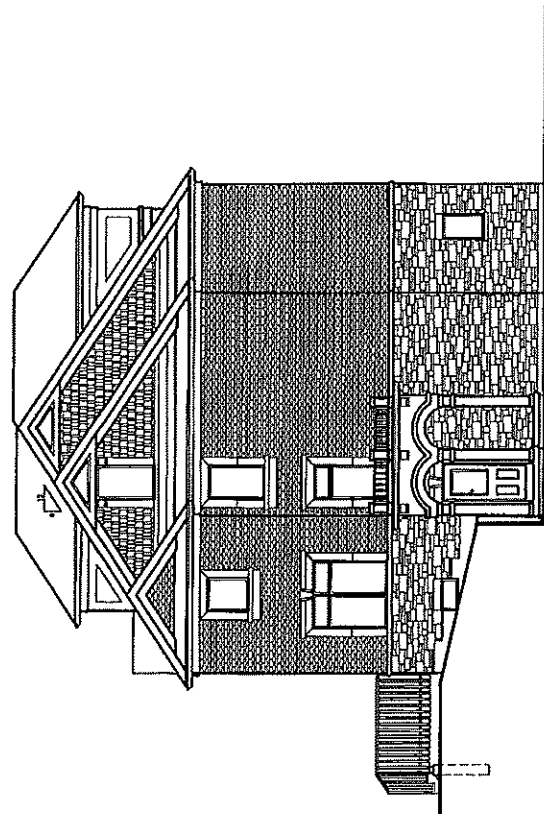


## BLOCK 2 - REAR ELEVATION



UNIT 18  
MODEL 1 END  
2396 / 2240 S.F.  
ELEV.'A' (REV.)

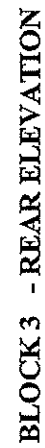
**BLOCK 2 - RIGHT SIDE ELEVATION**



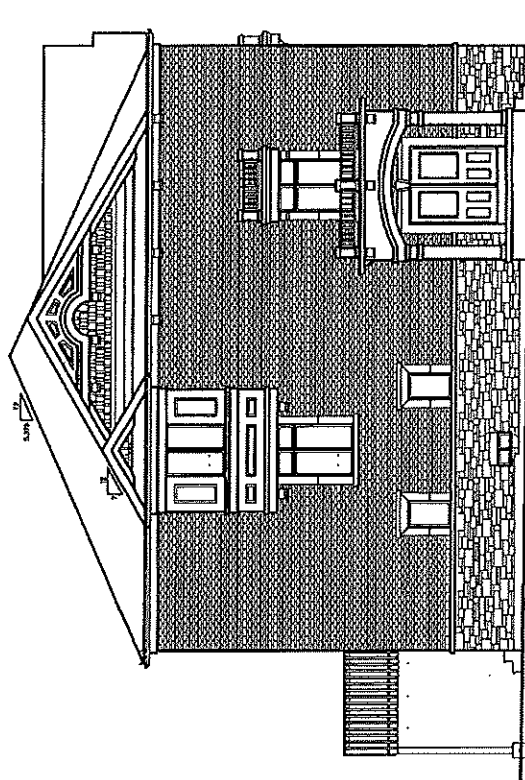
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MODEL 3 CORNER  
2337 / 2164 S.F.  
ELEV.'A' (STD.)

**BLOCK 2 - LEFT SIDE ELEVATION**



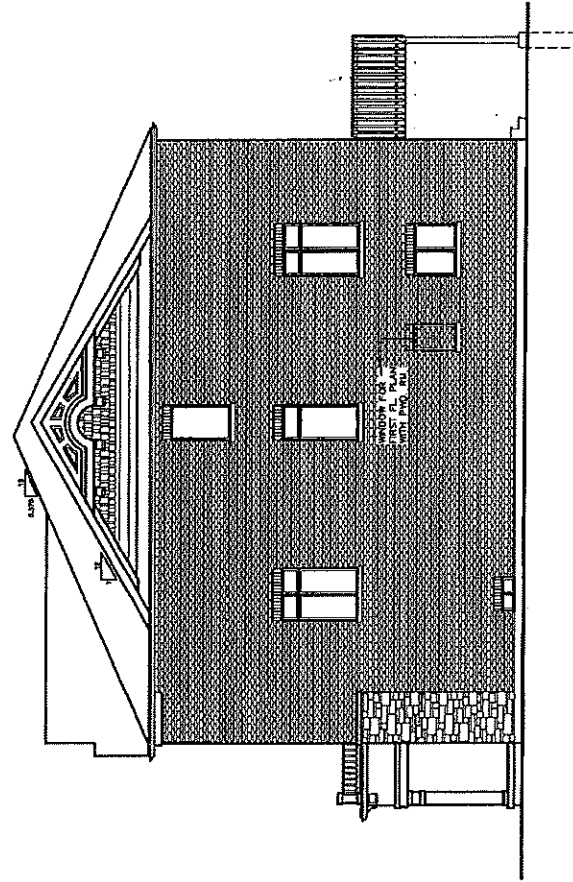






UNIT 8  
MODEL 4 CORNER  
2128 / 1931 S.E.  
ELEV. A (STD.)

**BLOCK 3 - LEFT SIDE ELEVATION**



UNIT 17  
MODEL 4 END  
2120 / 1923 S.E.  
ELEV. A (REV.)

**BLOCK 3 - RIGHT SIDE ELEVATION**

Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

**Agency Comments**

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

Agency / Comment Date	Comment
Ministry of Transportation (MTO) (January 30, 2015)	<p>This agency has no objection in principle to the proposed Rezoning and Official Plan Amendment however, the land affected is within the MTO permit control area therefore any proposed development has to be reviewed in detail and approved by MTO. The proposed development is located next to MTO property (Land Registry Information-PIN 134690343) therefore the 14 m (45.9 ft.) setback requirement is mandatory and in this location must be from the MTO property line.</p> <p>MTO is prepared to consider an approval of the proposed access onto South Service Road being restricted to a right-in access only as shown on the concept plan. The proposed right-in access onto South Service Road cannot be upgraded to any other type of access use now or in the future, regardless of zoning approvals.</p> <p>Should the applications be granted, the applicant will be required to apply for site plan approval. At that time the City will circulate the site plan drawings and all supporting documents to MTO for review and approval. The redevelopment of this site will require a reconstruction of the existing South Service Road entrance from the existing single commercial access to the right-in access only. All details will be discussed and finalized during the Site Plan application process.</p>
Region of Peel (May 11, 2015)	<p>An existing 150 mm (6 in.) diameter water main is located on Crestview Avenue. An existing 300 mm (12 in.) diameter water main is located on South Service Road. In addition, an existing 250 mm (10 in.) diameter sanitary sewer is located at the intersection of Radley Road and Crestview Avenue. The site does not have a sanitary sewer on South Service Road or Crestview Avenue.</p>

Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

Agency / Comment Date	Comment
	A revised submission of the updated Functional Servicing Report (FSR) is required to address several technical comments. In addition to the revised FSR, revised site servicing drawings are required to reflect these amendments to the FSR.
Dufferin-Peel Catholic District School Board and the Peel District School Board (May 27, 2015)	<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>If approved, both School Boards require that warning clauses with respect to temporary school accommodation and transportation arrangements be included in Development and Servicing Agreements and all Agreements of Purchase and Sale.</p>
Credit Valley Conservation (CVC) (May 27, 2015)	CVC received an Addendum to the Functional Servicing, Stormwater Management and Flood Spill Report (prepared by Crozier and Associates, dated September 26, 2014). The Addendum confirms that based on the hydraulic analysis for Cooksville Creek, the Queen Elizabeth Way (QEW) and South Service Road cross-sections provided, the Regulatory flood flows overtopping the roads are confined to the South Service Road east of Crestview Avenue and the direction of spill flows are towards the road sag at Cooksville Creek (eastward). As a result, the subject property is not impacted by the Cooksville Creek floodplain and is located outside of CVC's regulated area. Recognizing this, CVC staff defer the review of the functional servicing/stormwater management component of this project to City staff and have no further comment on these applications as currently submitted.
City Community Services Department – Parks and Forestry Division/Park Planning Section (May 26, 2015)	This Department indicated that prior to the enactment of the implementing Zoning By-law, the applicant shall submit a cash contribution to the Community Services Department for street tree planting on South Service Road and Crestview Avenue.

Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

Agency / Comment Date	Comment
	Further, prior to the issuance of building permits, cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> and in accordance with City's Policies and By-laws.
City Community Services Department – Fire and Emergency Services Division (May 4, 2015)	Fire has reviewed the rezoning/OPA 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) (May 19, 2015)	<p>T&amp;W confirmed receipt of the Site Plan, Functional Servicing and Stormwater Management Report, Site Grading/Servicing Plans, Noise Feasibility Study and Phase 1 Environmental Site Assessment circulated by the Planning and Building Department.</p> <p>As per the correspondence between the Ministry of Transportation (MTO) and the applicant, the MTO is restricting access onto South Service Road to right-in movements only. The Site Plan, updated March 31, 2015 illustrates this access restriction; however the proposed private road configuration will result in traffic implications and vehicular conflicts within the development, and is therefore not supported by T&amp;W. An alternative arrangement needs to be further investigated and reviewed.</p> <p>In connection with the Functional Servicing Report updated April 2015, by Crozier &amp; Associates, there are concerns with the raised grades and associated storm drainage scheme proposed within the development. As a result, T&amp;W is encouraging lowering the proposed grades to limit the need for retaining walls and to reduce runoff onto the adjacent lands. A scheduled site meeting with the applicant and City staff is intended to provide clarification on the extent of the drainage issues. The applicant will be required to provide a downstream analysis and updated drawings to demonstrate a self-contained site.</p> <p>Following review of the Noise Feasibility Study, dated July 2014 and addenda, prepared by HGC Engineering, the noise consultant has confirmed that a 2.5 m (8.2 ft.) high noise wall</p>

Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

Agency / Comment Date	Comment
	<p>in addition to retaining walls will be warranted to minimize the exposure to a substantially loud acoustical environment created by South Service Road and the Queen Elizabeth Way. The applicant has been requested to reconsider the layout of the site, as an alternate building orientation could provide the needed acoustical mitigation for the outdoor living areas.</p> <p>Additional development matters currently under review and consideration by T&amp;W include the environmental site assessment and compliance with City condominium standards.</p> <p>The above aspects will be addressed in detail prior to the Recommendation Report.</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"> <li>- Economic Development</li> <li>- Bell Canada</li> <li>- Enersource Hydro Mississauga</li> <li>- Canada Post</li> <li>- Enbridge Gas Distribution</li> <li>- Rogers Cable</li> </ul>
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> <li>- Realty Services, Corporate Services Department</li> <li>- Conseil Scolaire de District Catholique Centre-Sud</li> <li>- Conseil Scolaire Viamonde</li> <li>- Trillium Health Partners</li> <li>- Trans-Northern Pipelines Inc.</li> <li>- Hydro One Networks Inc.</li> </ul>

Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

## School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<ul style="list-style-type: none"> <li>Student Yield: <ul style="list-style-type: none"> <li>4 Kindergarten to Grade 6</li> <li>1 Grade 7 to Grade 8</li> <li>2 Grade 9 to Grade 12</li> </ul> </li> <li>School Accommodation: <ul style="list-style-type: none"> <li>Mineola Public School <ul style="list-style-type: none"> <li>Enrolment: 446</li> <li>Capacity: 429</li> <li>Portables: 3</li> </ul> </li> <li>Queen Elizabeth Middle School <ul style="list-style-type: none"> <li>Enrolment: 337</li> <li>Capacity: 262</li> <li>Portables: 4</li> </ul> </li> <li>Port Credit Secondary School <ul style="list-style-type: none"> <li>Enrolment: 1,191</li> <li>Capacity: 1,203</li> <li>Portables: 1</li> </ul> </li> </ul> </li> </ul> <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"> <li>Student Yield: <ul style="list-style-type: none"> <li>2 Junior Kindergarten to Grade 8</li> <li>1 Grade 9 to Grade 12</li> </ul> </li> <li>School Accommodation: <ul style="list-style-type: none"> <li>St. Dominic Elementary School <ul style="list-style-type: none"> <li>Enrolment: 286</li> <li>Capacity: 271</li> <li>Portables: 0</li> </ul> </li> <li>St. Paul Secondary School <ul style="list-style-type: none"> <li>Enrolment: 487</li> <li>Capacity: 807</li> <li>Portables: 0</li> </ul> </li> </ul> </li> </ul>



Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

## Summary of Existing and Proposed Mississauga Official Plan Policies and Relevant Mississauga Official Plan Policies

### Existing Official Plan Provisions

**Convenience Commercial** which permits a commercial parking facility, financial institution, gas bar, personal service establishment, residential, restaurant, retail store and secondary office. A small portion of the lands at the northeast corner are also identified as Natural Hazards, which are generally unsafe and recognize lands where development will generally not be permitted due to the naturally occurring processes of erosion and flooding associated with river and stream corridors.

The lands are located within the Mineola Neighbourhood Character Area.

### Proposed Official Plan Amendment Provisions

The lands are proposed to be designated **Residential Medium Density**. Within the Mineola Neighbourhood, this designation only permits townhouses.

### Relevant Mississauga Official Plan Policies

There are numerous policies that apply in reviewing these applications. An overview of some of these policies is found below:

	Specific Policies	General Intent
<b>Section 5 – Direct Growth</b>	Section 5.3.5	<p>Neighbourhoods should be regarded as stable residential areas where the existing character is to be preserved. Residential intensification within Neighbourhoods should generally occur through infilling and development of existing commercial sites as mixed use areas and is to be sensitive to the context. Intensification 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 Mississauga Official Plan.</p> <p>Where higher density uses are proposed, they should be located along Corridors or in conjunction with existing apartment sites or commercial sites.</p>

Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

	Specific Policies	General Intent
Section 7 – Complete Communities	Section 7.2	The provision of housing should maximize the use of community infrastructure and engineering services, while meeting the housing needs and preferences of Mississauga residents. A range of housing types, tenure and price is to be provided.
Section 9 – Build a Desirable Urban Form	Section 9.1 Section 9.2.2 Section 9.3 Section 9.4 Section 9.5	<p>Appropriate infill in both Intensification Areas and Non-Intensification Areas will help to revitalize existing communities by replacing aged buildings, developing vacant or underutilized lots and by adding to the variety of building forms and tenures. It is important that infill “fits” within the existing urban context and minimizes undue impacts on adjacent properties. Redevelopment projects include a range of scales, from small residential developments to large scale projects, such as the redevelopment of strip malls.</p> <p>Infill and redevelopment within Neighbourhoods will respect the existing and planned character, provide appropriate transition to the surrounding context and minimize undue impacts on adjacent properties.</p> <p>Buildings, in conjunction with site design and landscaping, will create appropriate visual and functional relationships between individual buildings, groups of buildings and open spaces.</p>
	Specific Policies	General Intent
Section 16 – neighbourhoods	Section 16.1.1.1 Section 16.1.18.2.2	Within the Mineola Neighbourhood Character Area, the Residential Medium Density designation permits only townhouse dwellings.

Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

	Specific Policies	General Intent
Section 19 - Implementation	Section 19.5.1	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;</li> <li>• there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application;</li> <li>• 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.</li> </ul>

Carlyle Communities Crestview Inc.

File: OZ 14/004 W1

**Summary of Existing and Proposed Zoning By-law Provisions****Existing Zoning By-law Provisions**

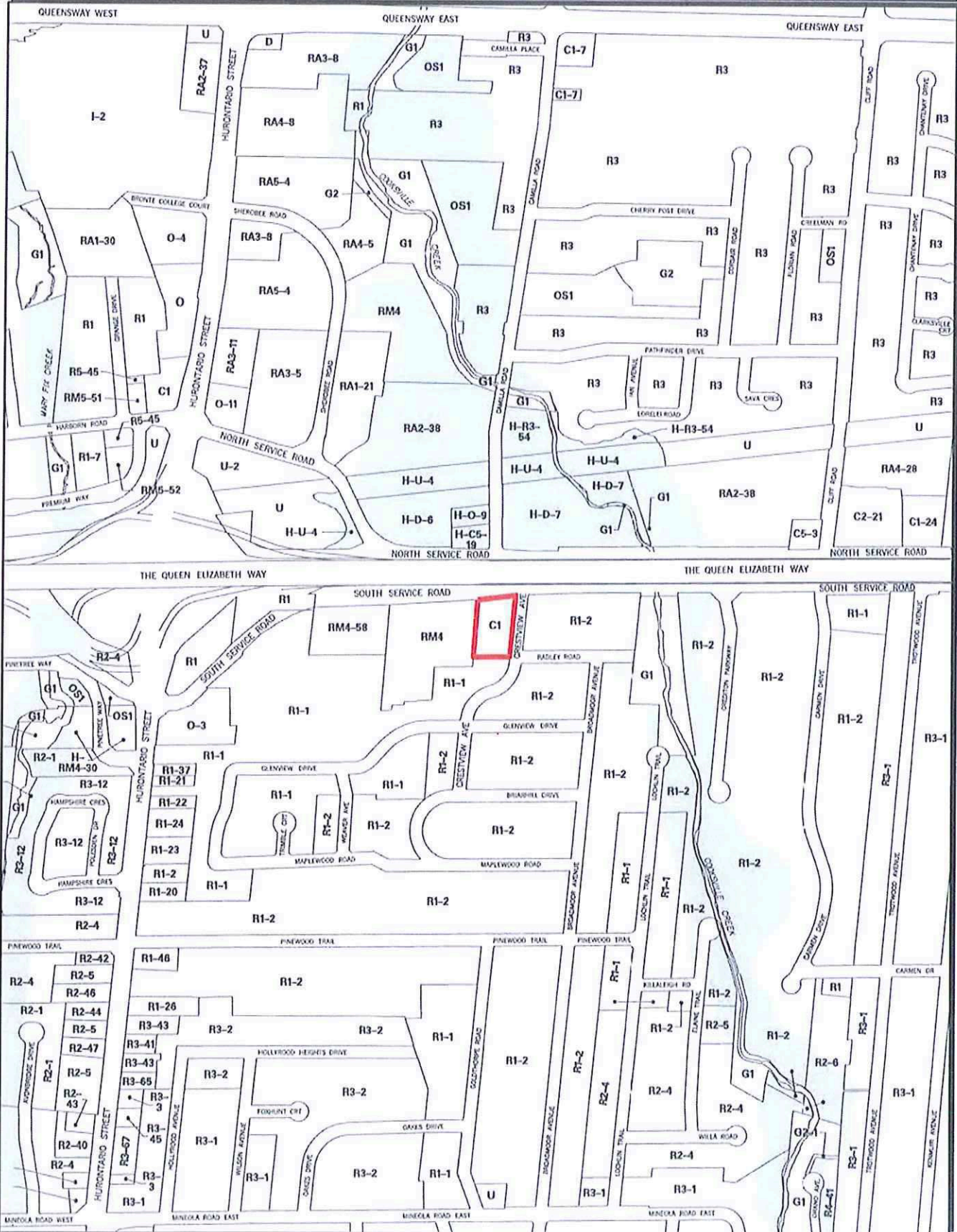
**C1 (Convenience Commercial)**, which permits retail store, restaurant, take-out restaurant, veterinary clinic, animal care establishments, medical office, office, financial institutions, personal service establishments, among other uses.

**Proposed Zoning Standards**

	<b>Required RM6 (Townhouse Dwellings on a CEC – Private Road) Zoning By-law Standards</b>	<b>Proposed RM6-Exception (Townhouse Dwellings on a CEC – Private Road) Zoning By-law Standards</b>
Minimum setback of a townhouse dwelling to a CEC – amenity area	1.50 m (4.92 ft.)	1.25 m (4.10 ft.)
Minimum exterior side yard setback to a side lot line that is a street line	7.50 m (24.60 ft.)	4.50 m (14.76 ft.)
Minimum exterior side yard setback to a side lot line that is a CEC - sidewalk	3.30 m (10.82 ft.)	2.80 m (9.12 ft.)
Minimum rear yard of an interior lot/corner lot	7.50 m (24.60 ft.)	7.00 m (22.97 ft.)
Tandem parking	Not permitted in garage	To be permitted in garage

## OZ 14004 W1

APPENDIX I-11



**Carlyle Communities Crestview Inc.**

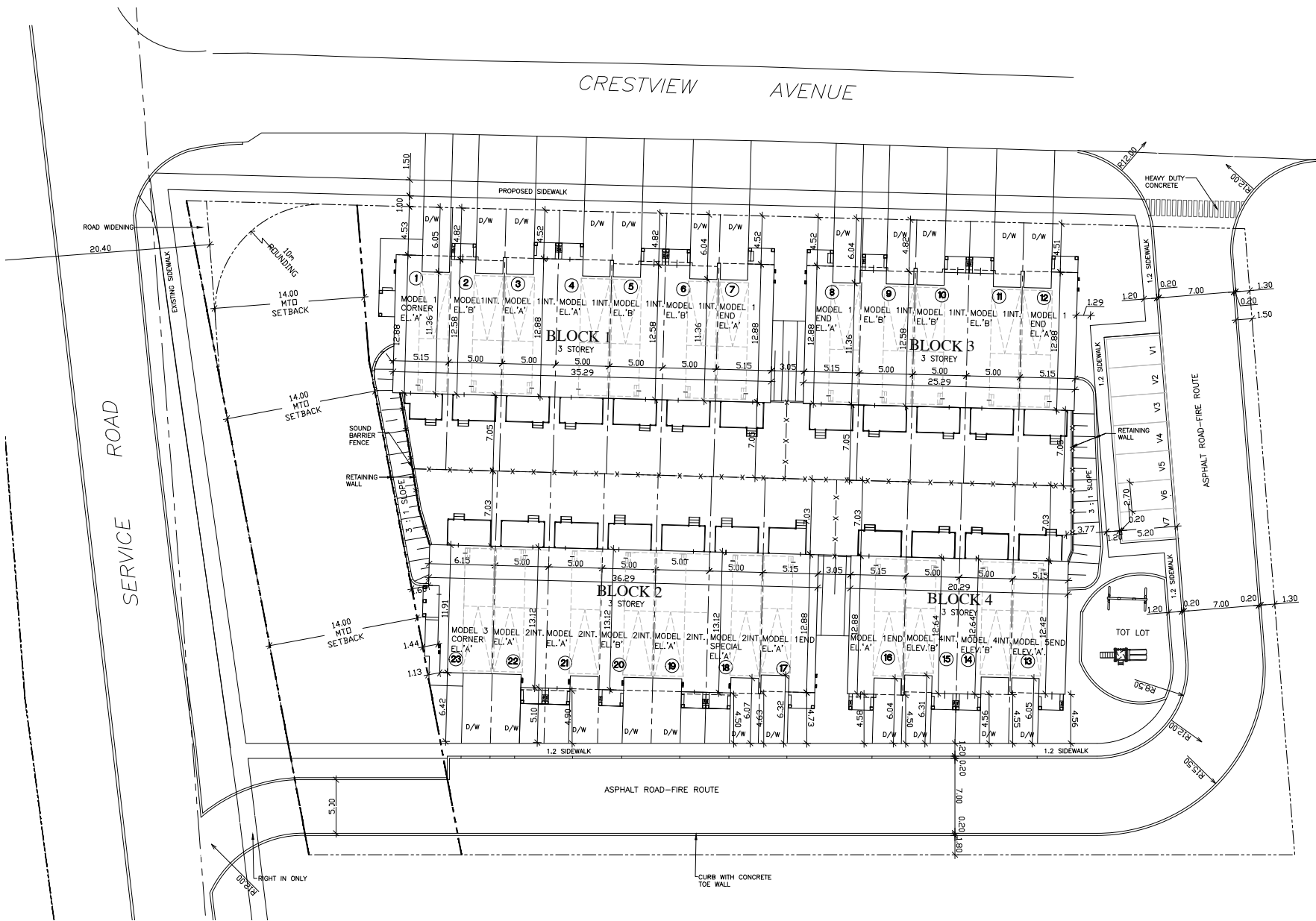
**File: OZ 14/004 W1**

**Recommendation PDC-0042-2015**

PDC-0042-2015

That the Report dated June 2, 2015, from the Commissioner of Planning and Building regarding the applications by Carlyle Communities Crestview Inc. to permit 24 townhouses on a private condominium road under File OZ 14/004 W1, at 1640 Crestview Avenue, be received for information.





City of Mississauga

# Corporate Report



Date: March 1, 2016

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:  
CD.06.PORMeeting date:  
  
2016/03/21

## Subject

### **RECOMMENDATION REPORT (WARD 1)**

**To revise the zoning for the Cranberry Cove neighbourhood in Port Credit in order to limit the impact of new infill housing development south of Lakeshore Road West, west of Imperial Oil Limited (former Texaco Refinery) lands**

**Applicant: City of Mississauga**

## Recommendation

That the Report dated March 1, 2016, from the Commissioner of Planning and Building recommending proposed amendments to the Zoning By-law for the Cranberry Cove neighbourhood in Port Credit, be adopted in accordance with the following:

1. That the existing **R15, R15-6 and R15-7 (Detached Dwellings – Port Credit)** zones within the Cranberry Cove neighbourhood be amended in accordance with the proposed zoning standards outlined in the Zoning section of this report and that an implementing Zoning By-law be brought to a future City Council meeting.

## Report Highlights

- At the public meeting support for the proposed amendments was received from a number of area residents;
- Proposed Zoning By-law amendments are being recommended for the Cranberry Cove neighbourhood including: restricting projecting garages; reducing the maximum allowable height of a home, including eave height; and restricting the maximum house depth.

## Background

A public meeting was held by the Planning and Development Committee on January 18, 2016, at which time a Planning and Building Department Information Report (Appendix 1) was presented and received for information. The Planning and Development Committee passed Recommendation PDC-0002-2016 which was adopted by Council and is attached as Appendix 2.

## Comments

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

### COMMUNITY COMMENTS

At the January 18, 2016, public meeting of the Planning and Development Committee, a number of residents from the community expressed support for the proposal, including the President of the Cranberry Cove Ratepayers Association.

As noted in the Public Meeting Report (Appendix 1), meetings were held with the local ratepayers association and a resident focus group in late 2014 and mid 2015 respectively. The City also created a survey that was distributed to the residents of the Cranberry Cove neighbourhood by the ratepayers association which requested comments regarding the potential changes to the Zoning By-law. The results of the survey are included in Appendix 1. The following is a summary of comments and responses to issues raised by residents through the survey and focus group meetings:

#### Comment

The need to implement architectural control in order to ensure that the character of the area is maintained.

#### Response

Architectural control is a mechanism that would require a design control architect to be retained to assess and sign-off on the architectural elements of new and replacement homes and large additions. However, this mechanism does not look at aspects such as tree preservation, grading, landscaping, site design and impacts to abutting lots, which would normally be reviewed through the Site Plan Control process. As noted in the Public Meeting report, Site Plan Control was not desired by area residents. The proposed Zoning By-law amendments for the Cranberry Cove neighbourhood have been successfully implemented in other neighbourhoods of the City in order to retain neighbourhood character and limit the impact of new and replacement housing and additions. Implementing "architectural control" in an existing and mature neighbourhood is not an approach that has been previously undertaken in the City and will ultimately not address compatibility issues in the Cranberry Cove neighbourhood.

#### Comment

Loss of privacy and impacts on the rear yards of existing properties are a direct result of new homes being constructed to the size and height maximums.

#### Response

The proposed Zoning By-law amendments will reduce the maximum allowable height of homes and will also add a regulation to limit the maximum depth of a home. Both of these regulations will result in a decrease of the size of new homes and therefore will cause fewer impacts on the rear yards of existing homes.

#### Comment

New homes being constructed to the size and height maximums result in impacts to the existing tree canopy and ultimately a loss of mature trees.

## Response

The addition of a maximum house depth regulation will reduce the overall footprint of new homes. A smaller house footprint will essentially decrease the potential of tree removal in order to accommodate a new home.

## PLANNING COMMENTS

### Official Plan

As noted in Appendix 1, the lands within the Cranberry Cove neighbourhood are designated **Residential Low Density I** and are within the South Residential Precinct in the Port Credit Local Area Plan. The following policies are applicable in this instance:

#### “3.3.2 South Residential Precinct

...These stable residential areas will be maintained while allowing for infill which is compatible with and enhances the character of the area.

- a. The predominant characteristics of these areas will be preserved including: the low rise building heights; combination of small building masses on small lots; physical and visual access to Lake Ontario from parks and the terminus street; the well landscaped streetscape and street grid pattern;
- c. New development will have a maximum height generally equivalent to 2 storeys; and...”

The proposed Zoning By-law amendments for Cranberry Cove neighbourhood conform to Mississauga Official Plan policies.

### Zoning

The existing **R15 (Detached Dwellings – Port Credit)** zone within the Cranberry Cove neighbourhood is proposed to be amended to **R15-Exception (Detached Dwellings – Port Credit)** in accordance with the following:

- Adding a regulation that garages not project beyond the main front face of the dwelling;
- Reducing the maximum dwelling height from 9.2 m (30.2 ft.) to the midpoint of the roof to 9.5 m (31.2 ft.) to the highest ridge of the roof;
- Adding a maximum eaves height of 6.4 m (21.0 ft.);
- Adding a maximum dwelling depth of 20.0 m (65.6 ft.).

In addition, the existing **R15-6 and R15-7 (Detached Dwellings – Port Credit)** zones within the Cranberry Cove neighbourhood are to be amended to include the above regulations.

## Financial Impact

Not applicable.

## Conclusion

The proposed Zoning By-law amendments for the Cranberry Cove neighbourhood should be approved for the following reasons:

1. The proposed zoning amendments are in conformity to Mississauga Official Plan and the Port Credit Local Area Plan.
2. The proposed **R15-Exception (Detached Dwellings – Port Credit)** zone and amendments to the existing **R15-6 and R15-7 (Detached Dwellings – Port Credit)** zones are appropriate to accommodate the recommended garage projection, height limits and dwelling depth restriction and are consistent regulations already in place in other areas of the City.
3. The proposed new and revised regulations will assist in maintaining the neighbourhood character and address compatibility issues associated with infill development in the Cranberry Cove neighbourhood.

## Attachments

Appendix 1: Information Report

Appendix 2: Recommendation PDC-0002-2016



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Edward R. Sajecki  
Commissioner of Planning and Building

Prepared by: David Ferro, Development Planner

City of Mississauga

# Corporate Report



<p>Date: December 22, 2015</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Edward R. Sajecki, Commissioner of Planning and Building</p>	<p>Originator's file:</p> <p>CD.06.POR</p> <hr/> <p>Meeting date:</p> <p>2016/01/18</p>
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## Subject

### PUBLIC MEETING INFORMATION REPORT (WARD 1)

South of Lakeshore Road West, west of Imperial Oil Limited (former Texaco Refinery) lands

**Applicant:** City of Mississauga

**Proposal:** To revise the zoning for the Cranberry Cove neighbourhood in Port Credit in order to limit the impact of new infill housing development

## Recommendation

1. That the Report dated December 22, 2015, from the Commissioner of Planning and Building regarding the proposed amendments to the Zoning By-law for the Cranberry Cove neighbourhood in Port Credit, be received for information.
2. That the Planning and Building Department report back on any public submissions received and make recommendations to revise specific zone regulations for the Cranberry Cove neighbourhood.

## Report Highlights

- Ward 1 Councillor Jim Tovey has requested that Planning staff review the current zoning regulations in the Cranberry Cove neighbourhood based on concerns raised by the local ratepayers association and area residents;
- Proposed solutions are discussed for retaining the neighbourhood character and addressing compatibility and massing issues associated with new and replacement housing and additions;
- Comments received to date from neighbourhood residents through the public engagement process are summarized.



## Background

As a result of concerns raised about new infill housing development in the Cranberry Cove neighbourhood, Ward 1 Councillor Jim Tovey requested the Planning and Building Department to review the current Zoning By-law regulations for the neighbourhood. Similar to the review done in the Hiawatha neighbourhood of Port Credit and approved by Council in 2013, a review of the zoning for the Cranberry Cove neighbourhood has been completed by Planning staff and a public engagement process started with area residents. At meetings held with the local ratepayers association and a resident focus group in late 2014 and mid 2015 respectively (further detailed later in this report), Planning staff discussed various options to address issues about new and replacement housing and large additions being constructed in a manner that is out of character with the neighbourhood.

## Comments

### THE PROPERTY AND THE NEIGHBOURHOOD

The Cranberry Cove neighbourhood in Port Credit includes the residential area located south of Lakeshore Road West that extends to Lake Ontario and is bounded by Rhododendron Gardens to the west and the vacant Imperial Oil Limited (former Texaco Refinery) lands to the east, as shown on Appendix 1.

### DETAILS OF THE PROJECT

Amendments to the existing R15, R15-6 and R15-7 (Detached Dwellings – Port Credit) zone regulations are being proposed for the Cranberry Cove neighbourhood to improve compatibility between existing homes and replacement housing and new additions.

The concept of regulating replacement housing and new additions through Zoning By-law standards is not new in Mississauga. The infill housing areas in Clarkson-Lorne Park, Mineola, Streetsville, the Old Port Credit Village and Meadowvale Village Heritage Conservation Districts and most recently the Hiawatha neighbourhood, are subject to specific Zoning By-law regulations that are designed to retain the character of these areas and reduce the incompatibility between existing houses, new houses and additions. In these areas, the Zoning By-law was modified to include new and revised regulations that reduced lot coverage and allowable heights, restricted how far a garage can project in front of a home and imposed a maximum house length and size restriction. In addition, Council recently approved a Zoning By-law amendment that restricted the height of flat roofed homes in parts of Ward 1 that are not subject to infill housing, including the Cranberry Cove neighbourhood.

### LAND USE CONTROLS

The lands are located in the Port Credit Neighbourhood Area, more specifically within the westerly portion of the South Residential Neighbourhood (Cranberry Cove Precinct), as identified in the Port Credit Local Area Plan. The lands are generally designated **Residential Low Density I**, which permits detached dwellings (see Appendix 2). Semi-detached and duplex

dwelling are not permitted uses within this designation for lands within the Port Credit Local Area Plan. Mississauga Official Plan (Port Credit Local Area Plan) contains additional policies applicable to the South Residential Neighbourhood, as outlined on Appendix 4.

The lands are currently zoned **R15, R15-6 and R15-7 (Detached Dwellings – Port Credit)**, as shown on Appendix 3. The R15 zone permits detached dwellings on lots with a minimum frontage of 12.0 m (39.4 ft.) and a minimum lot area of 460 m<sup>2</sup> (4,951 sq. ft.). The R15-6 and R15-7 zones apply to single properties on Ben Machree Drive. The R15-6 zone permits a duplex or triplex dwelling legally existing on the date of passing of the By-law in addition to a detached dwelling. The R15-7 zone permits only a detached or triplex dwelling. Appendix 5 outlines the existing R15 zone regulations.

### **Proposed Zoning By-law Amendments**

The Planning and Building Department is considering the following combination of Zoning By-law amendments for the Cranberry Cove neighbourhood, subject to further community input:

- Adding a regulation that garages not project in front of the house;
- Revising the allowable height of homes from 9.2 m (30.2 ft.), measured from established grade to the midpoint of the roof, to 9.5 m (31.2 ft.) measured from established grade to the peak of the roof, and adding a maximum height to the roof eaves of 6.4 m (21 ft.);
- Adding a maximum house length of 20 m (65.6 ft.).

A discussion of the above regulations in the context of the Cranberry Cove neighbourhood is provided below.

### **Projecting Garages**

A review of existing homes within the study area indicates that few houses have attached garages that project in front of the home. In order to maintain this neighbourhood characteristic, a regulation which prohibits an attached garage from projecting beyond the main face of the home is proposed in order to reduce the prominence of garages.

### **Reduction in Height**

The existing R15 zone permits a maximum allowable height of a home of 9.2 m (30.2 ft.) to the midpoint of the roof. This height is measured from average grade of the lot to the mid-point of a sloped roof. As a result, the highest point of a roof can be significantly higher depending upon the pitch of the roof. For the infill housing areas in Clarkson-Lorne Park, Mineola and Streetsville, the maximum allowable height of a home is measured as the distance between the average grade of the lot and the highest ridge of a sloped roof. The maximum height in these areas has been reduced to 9.0 m (29.5 ft.) and 9.5 m (31.2 ft.) depending upon lot frontage. There is another zoning regulation that requires a maximum height to the underside of the roof eaves of 6.4 m (21 ft.). This regulation simply brings the edge of the roof closer to the ground, which significantly lessens the visual massing of a home.

See Appendix 8 for an illustration showing the two types of height measurements as noted above.

In June 2015, Council approved By-law 0171-2015 that reduced the allowable height of a flat roofed home to 7.5 m (24.6 ft.) in parts of Ward 1 that are not subject to infill housing regulations, including the Cranberry Cove neighbourhood. Currently, this amendment is under appeal and is subject to future proceedings at the Ontario Municipal Board.

### **Maximum Dwelling Length**

The majority of lot depths within the study area are within the range of 40.0 m (131.23 ft.) and 60.0 m (196.85 ft.). The existing R15 zone permits a detached house to have continuous dwelling depth as long as it complies with the minimum front yard setback of 6.0 m (19.6 ft.) and the minimum rear yard setback of 7.5 m (24.6 ft.). The infill residential areas of Clarkson-Lorne Park, Mineola and Streetsville include a maximum house length standard of 20.0 m (65.5 ft.). This provision effectively regulates the overall size of homes and encourages attached garages to be incorporated into the design of the home.

### **WHAT DID THE COMMUNITY SAY?**

On November 13, 2014, Ward 1 Councillor, Jim Tovey and Planning staff were invited to a Cranberry Cove Port Credit Ratepayers Association Annual General Meeting to participate in a panel discussion on "Our Changing Neighbourhood". At this meeting concerns were expressed about new and replacement housing and large additions being constructed in the area that are out of character with the neighbourhood.

As a result of this meeting, Ward 1 Councillor, Jim Tovey held a focus group meeting on April 22, 2015 with residents from the Cranberry Cove neighbourhood. The focus group consisted of approximately 20 residents from the neighbourhood. Several issues related to built form were identified including:

- Allowable height of homes;
- Overall size of homes;
- The need to restrict how far a garage can project in front of a house; and
- The need to restrict house length.

Following this meeting, a survey prepared by Planning staff was given to the Cranberry Cove Residents Association for the purposes of distribution amongst property owners within the neighbourhood. This survey requested property owners to indicate if they are interested in Zoning By-law changes and if so, what regulations should be added or further restricted. A total of 96 surveys were given out and staff received 57 surveys with responses, representing a 59% response rate. Of those that responded, 80% indicated that they would like to see changes to

the Zoning By-law. The following additional information was obtained from the surveys and represents a percentage of those that responded:

- 95% felt that the character of the area should be maintained;
- 92% felt that the overall size of the house should be further restricted;
- 97% felt that the front yard setback should be maintained;
- 91% felt that the lot coverage should be maintained;
- 91% felt that the side yard setbacks should be maintained;
- 84% felt that the maximum house length should be restricted;
- 88% felt that the allowable height should be further restricted;
- 63% felt that garages should be restricted so to not project past the front wall of the house;
- 85% felt that Site Plan Control should be implemented.

Although there was a positive response regarding the implementation of Site Plan Control through the results of the survey, early discussions with residents at the earlier ratepayer and focus group meetings suggested that Site Plan Control was not desired and that applying the same zoning regulations as approved for the standard lots in the Hiawatha neighbourhood would be preferred.

Additional comments received from the survey are also summarized below and will be taken into consideration when preparing the Recommendation Report:

- The need to implement "architectural control" in order to ensure that the character is maintained;
- Loss of privacy and impacts on the rear yards of existing properties are a direct result of new homes being constructed to the size and height maximums;
- New homes being constructed to the size and height maximums result in impacts to the existing tree canopy and ultimately a loss of mature trees.

## **Financial Impact**

Not applicable.

## **Conclusion**

Once public input has been received and all issues are identified, the Planning and Building Department will be in a position to make recommendations regarding the proposed amendments to the Zoning By-law for the Cranberry Cove neighbourhood.

## **Attachments**

Appendix 1: Location of Study Area

Appendix 2: Excerpt of Port Credit Local Area Plan Land Use Map

Appendix 3: Excerpt of Existing Zoning Map

Appendix 4: Relevant Mississauga Official Plan Policies


Appendix 5: Existing R15 Zone Regulations

Appendix 6: Neighbourhood Survey

Appendix 7: Examples of Homes within the Cranberry Cove neighbourhood

Appendix 8: Illustration of Dwelling Height



 Edward R. Sajecki  
Commissioner of Planning and Building  
Prepared by: David Ferro, Development Planner





LEGEND:



SUBJECT LANDS

DATE OF AERIAL IMAGERY: SPRING 2015



SUBJECT: CITY OF MISSISSAUGA

FILE NO:  
CD.06.POR W1

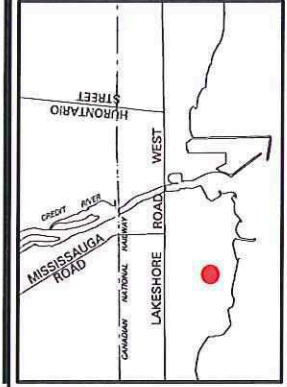
DWG. NO:  
Cranberry Cove  
-Aerial

SCALE:  
1:4000

DATE:  
2015/12/22

DRAWN BY:  
A.SHAH

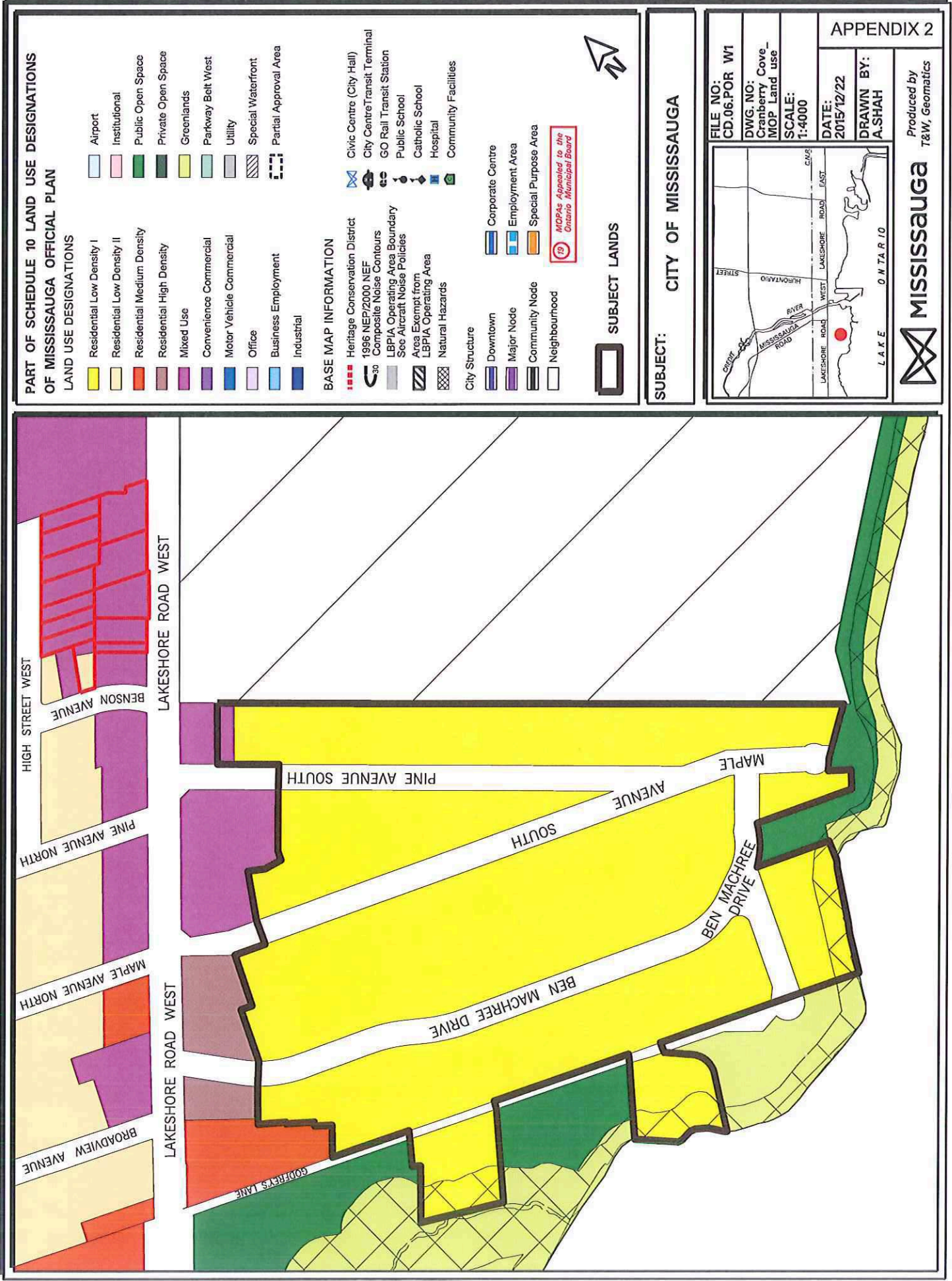
APPENDIX 1

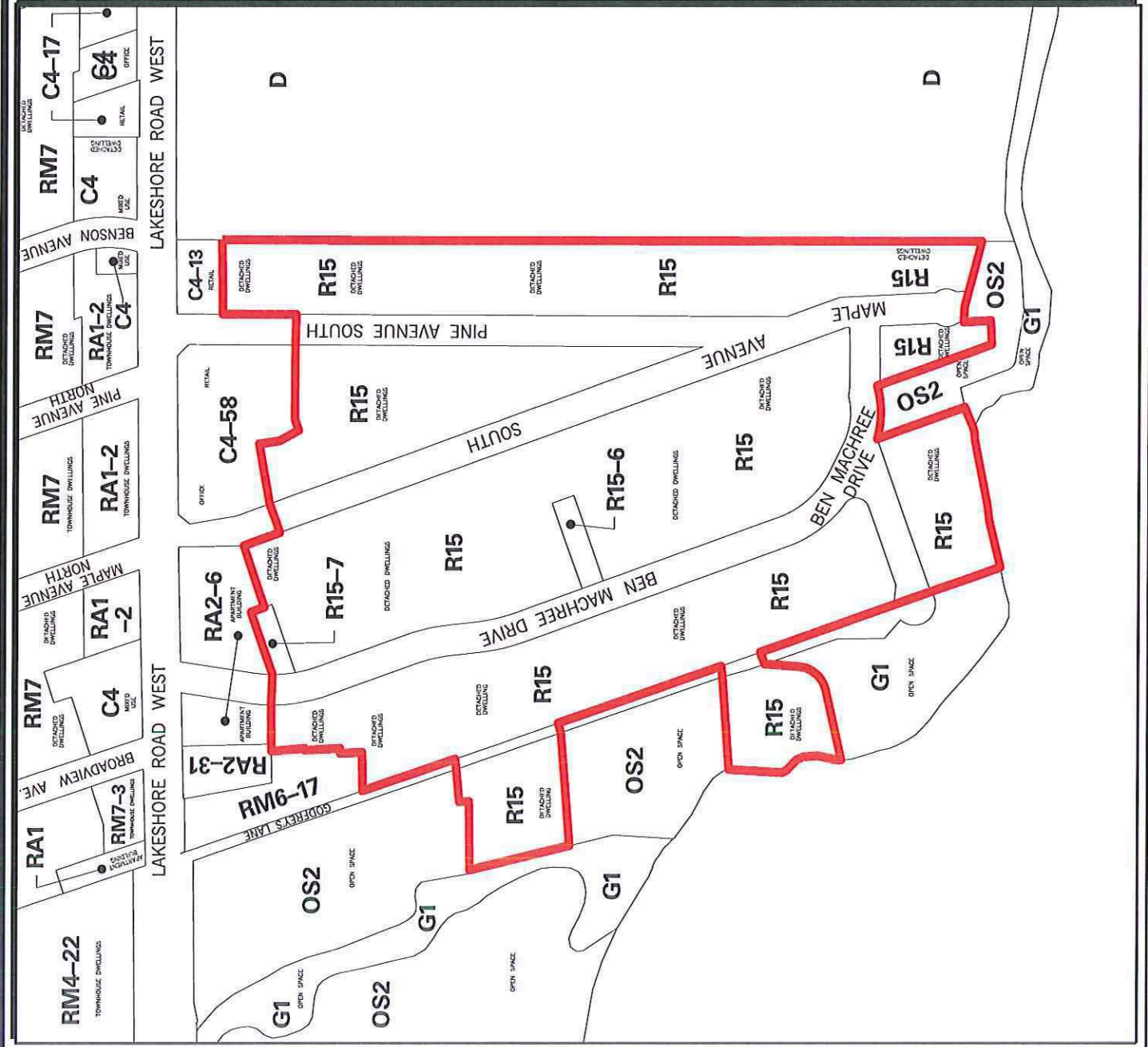


**MISSISSAUGA**

Produced by  
T&W, Geomatics







LEGEND:

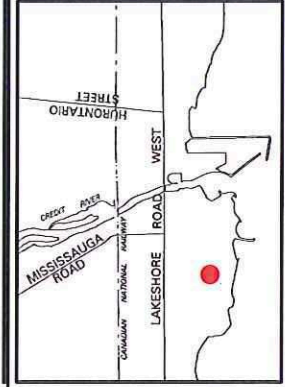


SUBJECT LANDS

THIS IS NOT A PLAN OF SURVEY.



SUBJECT: CITY OF MISSISSAUGA



FILE NO:  
CD.06.POR W1

DWG. NO:  
Cranberry Cove  
-Zoning

SCALE:  
1:4000

DATE:  
2015/12/22

DRAWN BY:  
A.SHAH

APPENDIX 3



Produced by  
T&W, Geomatics

City of Mississauga

File: CD.06.POR

**Relevant Mississauga Official Plan Policies****Relevant Mississauga Official Plan Policies**

	<b>Specific Policies</b>	<b>General Intent</b>
<b>Port Credit Local Area Plan</b>	Section 10.3 Section 10.3.5 Section 10.3.5.1 Section 10.3.5.2 Section 12.2.1	<p>10.3 The Neighbourhood Character Area represents stable residential areas where the existing character is to be preserved and will not be the focus for intensification. Where development occurs, it will generally be through modest infilling.</p> <p>Neighbourhood policies are intended to reflect a number of objectives, including among other things:</p> <ul style="list-style-type: none"> <li>To ensure development is sensitive to the existing low rise context and to reinforce the planned character of the area;</li> </ul> <p>10.3.5 South Residential Neighbourhoods (Cranberry Cove, Hiawatha) Precinct – this precinct includes the areas known as Cranberry Cove and Hiawatha, located on the west and east sides of the Community Node, between Lakeshore Road West and East and the waterfront. These predominantly stable residential areas will be maintained while allowing for infill which is compatible with and enhances the character of the area.</p> <p>10.3.5.1 The predominant characteristics of these areas will be preserved including:</p> <ol style="list-style-type: none"> <li>Low rise building heights;</li> <li>The combination of relatively small building masses on small lots;</li> <li>The physical and visual access to Lake Ontario from parks and the terminus of streets;</li> <li>The well landscaped streetscapes; and</li> <li>Street grid pattern.</li> </ol> <p>10.3.5.2 New development will have a maximum height generally equivalent to 2 storeys.</p> <p>12.2.1 Notwithstanding the Residential Low Density I policies of the Plan, the following uses will not be permitted:</p> <ol style="list-style-type: none"> <li>Semi-detached dwelling; and</li> <li>Duplex dwelling</li> </ol>



### 4.6.1 R15 Permitted Uses and Zone Regulations

All buildings and structures shall comply with the provisions contained in Parts 1 to 3 and Section 4.1 of this By-law, and the uses and zone regulations specified within the applicable zone column contained in Table 4.6.1 - R15 Permitted Uses and Zone Regulations.

**Table 4.6.1 - R15 Permitted Uses and Zone Regulations**

Column A		B
Line 1.0	ZONES	R15
<b>PERMITTED USES</b>		
2.0	RESIDENTIAL	
2.1	Detached Dwelling	✓ <sup>(1)</sup>
<b>ZONE REGULATIONS</b>		
3.0	MINIMUM LOT AREA	460 m <sup>2</sup>
4.0	MINIMUM LOT FRONTAGE	12.0 m
5.0	MAXIMUM LOT COVERAGE	40%
6.0	MINIMUM FRONT YARD	6.0 m <sup>(2)</sup>
7.0	MINIMUM EXTERIOR SIDE YARD	4.5 m <sup>(2)</sup>
8.0	MINIMUM INTERIOR SIDE YARD	
8.1	Detached dwelling with an attached garage	1.2 m <sup>(2)</sup>
8.2	Detached dwelling without an attached garage	3.0 m on one side of the lot and 1.2 m on the other side <sup>(2)</sup>
9.0	MINIMUM REAR YARD	7.5 m <sup>(2)</sup>
10.0	MAXIMUM HEIGHT	9.2 m
11.0	ATTACHED GARAGE, PARKING AND DRIVEWAY	
11.1	Attached garage	Permitted <sup>(3)</sup>
11.2	Minimum parking spaces	✓ <sup>(4) (5)</sup>
11.3	Maximum driveway width	Lesser of 8.5 m or 50% of lot frontage <sup>(4)</sup>
12.0	ACCESSORY BUILDINGS AND STRUCTURES	✓ <sup>(6)</sup>

- NOTES:**
- (1) See Subsections 4.1.1, 4.1.16 and 4.1.17 of this By-law.
  - (2) See also Subsections 4.1.7 and 4.1.8 of this By-law.
  - (3) See also Subsection 4.1.12 of this By-law.
  - (4) See also Subsection 4.1.9 of this By-law.
  - (5) See also Part 3 of this By-law.
  - (6) See Subsection 4.1.2 of this By-law.

# Port Credit Infill Housing Cranberry Cove Neighbourhood Survey

Appendix 6 Page 1

This survey is intended to assess the opinion of the neighbourhood as to whether changes are required to the R15 zoning by-law to limit the impact of new in-fill housing. This is an opportunity to express your opinion. All completed surveys will be kept confidential and only City planning staff will see your response. If there is a consensus to consider changes there will be further consultation with the community.

**Do you want changes to the Zoning By-law in your neighbourhood?**

Yes

No

**Are these issues important to you?**

Issue	Yes	No
Do you wish to see the present character of the neighbourhood maintained?		
Overall size of the dwelling?		
Should the minimum front yard setback of 6.0 m be maintained?		
Should the maximum lot coverage remain at 40 percent?		
Should the present setbacks (see attached table) be maintained?		
Should there be a limit to the maximum depth of a dwelling?		
Should the maximum dwelling height be measured to the highest point of the roof?		
Garages that project beyond the front wall of the dwelling?		
Would you like the City to consider implementing Site Plan Control in the Cranberry Cove neighbourhood?*		

\* Site Plan Control (SPC) is an additional step required prior to applying for a Building Permit. Properties subject to SPC allows the Planning Department to review and further scrutinize new development regarding design, tree retention and drainage, among other matters. For more information on SPC, please visit the following link:

<http://www.mississauga.ca/portal/residents/siteplancontrol>

**Additional Comments:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone/email:** \_\_\_\_\_

**Please submit survey only by mail/email to the City no later than June 15, 2015:**

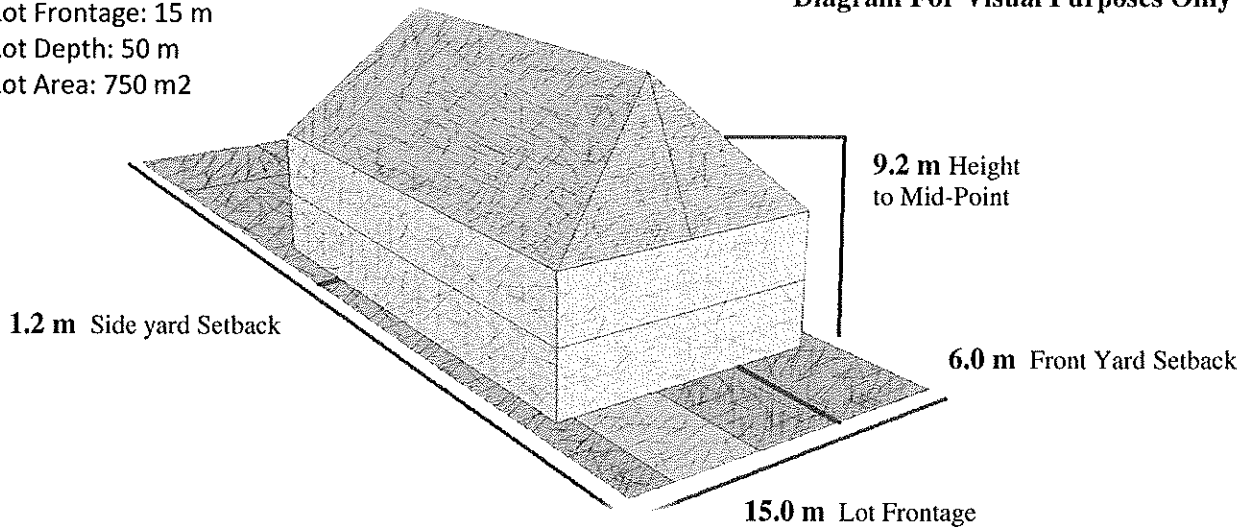
David Ferro  
Development Planner – Mississauga South  
Planning and Building Department  
Email: [david.ferro@mississauga.ca](mailto:david.ferro@mississauga.ca)  
Mississauga Civic Centre  
300 City Centre Drive, 6<sup>th</sup> Floor  
Mississauga Ontario, L5B 3C1

### Current Zoning By-law Regulations for R15 – Single Detached Zone

The following is an example that depicts a potential dwelling constructed to the maximum of the current Zoning By-law permissions. The diagram is intended to help residents understand the Zoning By-law and does not represent an existing or proposed dwelling. The lot dimensions below are based upon the lots on the East side of Pine Ave South within the Cranberry Cove Neighbourhood:

Lot Frontage: 15 m  
 Lot Depth: 50 m  
 Lot Area: 750 m<sup>2</sup>

**Diagram For Visual Purposes Only**



Column	A	B
Line 1.0	ZONES	R15
PERMITTED USES		
2.0	RESIDENTIAL	
2.1	Detached Dwelling	✓ <sup>(1)</sup>
ZONE REGULATIONS		
3.0	MINIMUM LOT AREA	460 m <sup>2</sup>
4.0	MINIMUM LOT FRONTAGE	12.0 m
5.0	MAXIMUM LOT COVERAGE	40%
6.0	MINIMUM FRONT YARD	6.0 m <sup>(2)</sup>
7.0	MINIMUM EXTERIOR SIDE YARD	4.5 m <sup>(2)</sup>
8.0	MINIMUM INTERIOR SIDE YARD	
8.1	Detached dwelling with an attached garage	1.2 m <sup>(2)</sup>
8.2	Detached dwelling without an attached garage	3.0 m on one side of the lot and 1.2 m on the other side <sup>(2)</sup>
9.0	MINIMUM REAR YARD	7.5 m <sup>(2)</sup>
10.0	MAXIMUM HEIGHT	9.2 m
11.0	ATTACHED GARAGE, PARKING AND DRIVEWAY	
11.1	Attached garage	Permitted <sup>(3)</sup>
11.2	Minimum parking spaces	✓ <sup>(4) (5)</sup>
11.3	Maximum driveway width	Lesser of 8.5 m or 50% of lot frontage <sup>(4)</sup>
12.0	ACCESSORY BUILDINGS AND STRUCTURES	✓ <sup>(6)</sup>



Examples of Homes Within the Cranberry Cove Neighbourhood

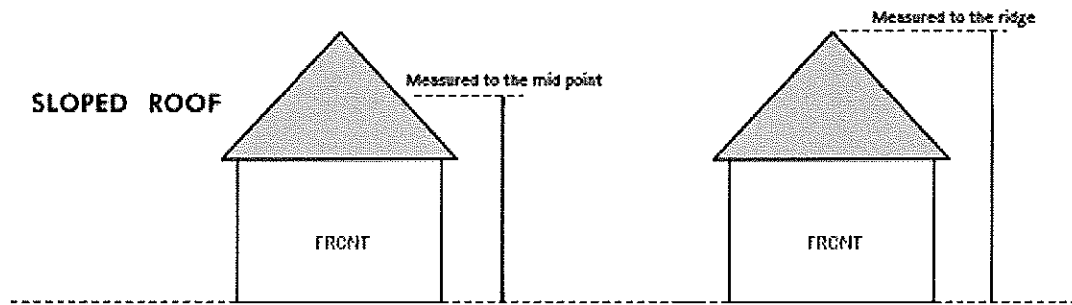






### Illustration of Dwelling Height

The below illustration is for clarification regarding the height measured to the mid point of a roof and to the peak of a roof.



**Cranberry Cove Neighbourhood**

**File: CD.06.POR**

**Recommendation PDC-0002-2016**

**PDC-0002-2016**

1. That the Report dated December 22, 2015, from the Commissioner of Planning and Building regarding the proposed amendments to the Zoning By-law for the Cranberry Cove neighbourhood in Port Credit, be received for information.
2. That the Planning and Building Department report back on any public submissions received and make recommendations to revise specific zone regulations for the Cranberry Cove neighbourhood.

# City of Mississauga

# Corporate Report



Date: March 1, 2016

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:  
LA.07.PRO

Meeting date:  
2016/03/21

## Subject

**Provincial Policy Statement (PPS), 2014 Implementation - Report on Comments**

## Recommendation

That the amendments to Mississauga Official Plan proposed in the report titled "Provincial Policy Statement (PPS), 2014 Implementation – Report on Comments", dated March 1, 2016, from the Commissioner of Planning and Building, be approved.

## Background

On September 8, 2015, Planning and Development Committee considered the report titled "Mississauga Official Plan Conformity to the Provincial Policy Statement (PPS) 2014" dated August 18, 2015, from the Commissioner of Planning and Building.

On January 18, 2016, a public meeting of the Planning and Development Committee was held to consider proposed amendments to Mississauga Official Plan (MOP) related to new and revised policies intended to be consistent with the new Provincial Policy Statement (PPS), 2014 (Appendix 1).

One letter on the proposed changes was received from Philip Stewart, Pound & Stewart Associates Limited, on behalf of Orlando Corporation (Appendix 2). No residents or stakeholders attended the public meeting.

## Comments

The submission made by Mr. Stewart relates to wording and intent. The main concerns of the letter are outlined below with staff's response for each.

### Consistency

Mr. Stewart correctly points out that decisions affecting planning matters are required to be "consistent" with the PPS. He also points out that in some circumstances recommended MOP

policies use the word “will” (a mandatory requirement) whereas the PPS uses “should” (an enabling, supportive policy). The PPS is a document that applies province-wide. Municipalities may establish higher standards than the PPS as is appropriate to local circumstances and priorities. No changes to the proposed policies are recommended.

### Definitions

Mr. Stewart recommends that the definitions of “infrastructure” and “community infrastructure” be more carefully considered.

While it is not a requirement, where appropriate, MOP relies on definitions contained in the PPS and the Growth Plan for the Greater Golden Horseshoe (Growth Plan).

The definition of “infrastructure” as revised for the 2014 PPS is in keeping with the intent of MOP and it is therefore recommended that the PPS definition be incorporated into MOP.

The PPS does not provide a definition of “community infrastructure” whereas the Growth Plan does. When MOP was approved it included its own definition for “community infrastructure” rather than the definition in the Growth Plan in order to reflect local circumstances and policy context. No change to the existing MOP definition is proposed.

### Proposed Policies

Mr. Stewart recommends that “Mississauga” be specified at the beginning of proposed policies regarding infrastructure being planned and delivered to ensure financial viability over its life cycle and to meet projected needs.

The PPS policy does not direct this requirement specifically to municipalities and, therefore, staff interpret that this policy is intended to apply broadly (e.g. to utility providers, education facilities). No changes to the proposed policies are recommended.

## **Financial Impact**

Not applicable.

## **Conclusion**

No changes to the draft MOP policies presented in the report titled “Mississauga Official Plan Conformity to the Provincial Policy Statement (PPS) 2014 – Public Meeting” dated December 22, 2015, from the Commissioner of Planning and Building are proposed based on the comments received.



## Attachments

Appendix 1: Corporate Report: "Mississauga Official Plan Conformity to the Provincial Policy Statement (PPS) 2014 – Public Meeting" dated December 22, 2015, from the Commissioner of Planning and Building

Appendix 2: Correspondence from Phillip Stewart, Pound & Stewart Associates Limited, dated January 8, 2016



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Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Shahada Khan, Policy Planner

# City of Mississauga

## Corporate Report



Date: December 22, 2015	Originator's files:  LA.07.PRO
To: Chair and Members of Planning and Development Committee  From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date:  2016/01/18

### Subject

**Mississauga Official Plan Conformity to the Provincial Policy Statement (PPS), 2014 - Public Meeting**

### Recommendation

1. That submissions made at the public meeting held at the Planning and Development Committee meeting on January 18, 2016, to consider the proposed amendments as outlined in the report "Mississauga Official Plan Conformity to the Provincial Policy Statement (PPS), 2014 – Public Meeting" dated December 22, 2015, from the Commissioner of Planning and Building, be received.
2. That staff prepare a report on comments based on the submissions made, outlining any modifications to the original proposed policies, if necessary.

### Background

On August 18, 2015, Planning and Development Committee (PDC) considered the report titled "Mississauga Official Plan Conformity to the Provincial Policy Statement (PPS) 2014" (see Appendix 1). PDC moved a public meeting be held to provide opportunity for the public to consider the proposed amendments to Mississauga Official Plan (MOP).

The proposed amendments serve to ensure MOP is in conformity with the Provincial Policy Statement (PPS). The amendment includes new policy related to healthy and active communities, infrastructure, climate change, Aboriginal communities and implementation matters.

Planning and Development Committee requested staff to also include a policy to address the restoration of bioswales and other related green infrastructure when disturbed through construction.

## Comments

The purpose of the public meeting is to receive comments on the proposed amendments to conform to the PPS. Since the draft changes were originally presented to Committee on September 8<sup>th</sup>, additional changes have been included:

1. A new policy is proposed to address restoration of bioswales and other green infrastructure if damaged through construction for Section 10.6, Infrastructure and Utilities and reads:

Green infrastructure, such as bioswales, should be protected during construction and maintenance. Green infrastructure damaged during construction or maintenance should be restored to the satisfaction of the City and appropriate conservation authority.

2. Delete the first and second sentences of the second paragraph of Section 10.6, Infrastructure and Utilities:

For the purposes of this Plan, infrastructure and utilities includes sanitary sewer and water supply, stormwater management facilities and systems, gas and oil transmission pipelines, electric power distribution and transmission facilities, telecommunications and other cabled services. These are provided by various government agencies, public bodies and the private sector.

Subsequent to the public meeting, a report on comments will be prepared for consideration by Planning and Development Committee. This report will include changes to the draft policy where warranted.

## Financial Impact

Not applicable.

## Conclusion

The proposed amendment satisfies the requirement for MOP conformity to the Provincial Policy Statement, 2014 (PPS). The public meeting provides stakeholders an opportunity to comment on the proposed changes. A report on comments will be tabled within Planning and Development Committee for final consideration.

## Attachments

Appendix 1: PDC Corporate Report September 8, 2015

Planning and Development Committee

December 22, 2015

3

Originals File: 15.07.P40



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Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Shahada Khan, Policy Planner

# City of Mississauga Corporate Report



Date: 2015/08/18	Originator's files: LA.07.FRO
To: Chair and Members of Planning and Development Committee  From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date:  2015/09/08

## Subject

**Mississauga Official Plan Conformity to the Provincial Policy Statement (PPS) 2014**

## Recommendation

That a public meeting be held to consider the amendments to Mississauga Official Plan as recommended in the report titled "Mississauga Official Plan Conformity to the Provincial Policy Statement (PPS) 2014" dated August 18, 2015, from the Commissioner of Planning and Building.

## Report Highlights

- The Provincial Policy Statement (PPS) is issued under the authority of the Planning Act and provides policy direction of provincial interest related to land use planning and development. Municipal land use decisions are required to be consistent with policy statements.
- The PPS underwent a review and a revised version was released and came into effect on April 30, 2014.
- This report identifies the gaps between the PPS and Mississauga Official Plan (MOP) and proposes amendments to MOP policies in order to conform to the PPS. The policy amendments relate to healthy communities, infrastructure, climate change, aboriginal consultation and other minor changes.
- The purpose of this report is to request permission to hold a public meeting to obtain comments on the proposed policy changes.

## Background

The *Planning Act* establishes the legislative framework which guides land use planning matters for all Ontario municipalities. The Act requires that an Official Plan be prepared to provide a long-term comprehensive framework for land use decision-making in the city. Additionally, under the authority of the



Planning Act, the City is required to ensure its Official Plan policies are consistent with the Provincial Policy Statement (PPS) which provides direction on land use planning and development matters of provincial interest.

The 2005 PPS recently underwent a review. An amended PPS came into effect on April 30, 2014. The City of Mississauga provided comments on the revised PPS identifying a number of revisions to strengthen the policy framework. The revised PPS incorporated some of these comments with enhanced and new policies related to:

- healthy and active communities;
- protection for corridors and employment areas for goods movement;
- planning and protection for infrastructure;
- consideration for the impacts of climate change; and
- Aboriginal consultation, among other matters.

On September 10, 2014 City Council passed by-law 0235-2014 which implemented Mississauga Official Plan Amendment (MOPA) 27. While the MOP incorporates environmental policies related to the revised PPS, there remain several other amendments needed in order to conform to the PPS. This report deals with the latter.

## Comments

The Mississauga Official Plan affects almost every aspect of everyday life. Therefore, it is critical that the Official Plan be kept up-to-date.

The Official Plan determines where new houses, stores, industries, schools, cultural facilities, social services, parks, trails, and other land uses will be built; it protects our natural environment; and it directs the construction of new infrastructure such as sewers, water mains, transit and roads. It sets out the community's vision for its future. It affects the lives of all residents through policies about where and how housing, employment and other land uses will be developed. It shapes how the city's neighbourhoods will look and feel in 20 years.

The proposed amendments (Appendix 1) to the Official Plan will serve to ensure the plan is in conformity with the Provincial PPS and up-to-date.

The proposed amendments to Mississauga Official Plan (MOP) will ensure greater certainty, and clarity. This will make it easier for planners, decision makers and residents to evaluate proposals and to make appropriate land use planning decisions.

The following provides highlights on the proposed plan amendments to Mississauga's Official Plan:

### Healthy and Active Communities

- Policy which supports the establishment of healthy communities through emphasis on planning the public realm for social interaction and natural recreational settings.

Infrastructure

- Increased clarity of the definition of “infrastructure”.
- Policy which requires consideration of the financial viability of infrastructure over time.
- Policy which requires consideration for the re-use and re-purposing of pre-existing buildings, infrastructure and utilities.
- Policy which emphasizes the importance of protecting planned corridors and transportation facilities.

Climate Change

- A guiding principle on “resiliency” to ensure consideration is given to the stresses new growth place on natural and built environments.

Note: The City is currently undertaking a number of studies which will inform land use policy on climate change. Interim policies identified in Appendix 1 are proposed to conform to the PPS, until further study is completed.

Aboriginal Communities

- Develop a consultation protocol for planning matters which affect the interests of the City's local Aboriginal peoples.
- New policies requiring archaeological management plans to ensure appropriate consideration to the conservation of cultural heritage and archeological resources.

Note: The PPS includes a new policy that encourages planning authorities to coordinate planning matters with Aboriginal communities. The City will be conducting a corporate strategy on public engagement and as part of this exercise will examine what this policy means for Mississauga and address how we coordinate with Aboriginal groups.

Implementation

- Change the PPS in effect date to April 30, 2014.
- Amend PPS definitions in Appendix A of MOP for “cultural heritage landscape” and “special needs” (no OPA is required for changes to the appendix).

Next Steps:

Pending Council approval, a public meeting will be held to obtain comments from the public on the proposed changes. After the public meeting a report on comments and final amendment will be prepared for Committee and Council approval.

It should be noted, that the proposed MOP changes identified in Appendix 1 have been reviewed by City staff for concurrence. Additionally, as the approval authority for amendments to the MOP, the Region of

Peel has reviewed the proposals and confirmed they meet the Provincial and Regional requirements for conformity.

## Financial Impact

Not applicable.

## Conclusion

This report presents proposed amendments to Mississauga Official Plan policies in order to conform to the Provincial Policy Statement, 2014 that came into effect April 30, 2014. The purpose of this report is to request permission to hold a public meeting to provide members of the public with an opportunity to comment on the proposed amendments.

## Attachments

Appendix 1: Mississauga Official Plan (MOP) Conformity to the Provincial Policy Statement (PPS) 2014




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Edward R. Sajecki

Commissioner of Planning and Building

Prepared by: Shahada Khan, Policy Planner

## MISSISSAUGA OFFICIAL PLAN (MOP) CONFORMITY TO THE PROVINCIAL POLICY STATEMENT (PPS) 2014

POLICY AREA	PPS SECTION/ POLICY #	PPS SECTION/POLICY (Additions are shown in grey highlighting and deletions are shown in strikethrough)	RECOMMENDATIONS TO MISSISSAUGA OFFICIAL PLAN (MOP)* (Additions to existing policy are shown underlined and deletions from existing policy are shown in strikethrough)
<b>Healthy/Active Communities</b>	1.5.1	<p>Healthy, active communities should be promoted by:</p> <p>a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, <u>foster social interaction and facilitate pedestrian and non-motorized movement, including but not limited to, walking and cycling</u> <u>active transportation and community connectivity</u>;</p> <p>b) <u>planning and</u> providing for a full range and equitable distribution of publicly-accessible built and natural settings for <i>recreation</i>, including facilities, parklands, <u>public spaces</u>, open space areas, trails and linkages, and, where practical, water-based resources;</p>	<p><b>Add to Section 9.3 Public Realm:</b> The public realm will be planned to promote healthy, active communities that foster social connections at all stages of life and encourage built and natural settings for recreation, culture and <b><i>active transportation</i></b>.</p>
<b>Infrastructure</b>	1.6.1	<p><i>Infrastructure</i>, electricity generation facilities and transmission and distribution systems, and <i>public service facilities</i> shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodateing projected needs.</p> <p>Planning for <i>infrastructure</i>, electricity generation facilities and transmission and distribution systems, and <i>public service facilities</i> shall be coordinated and integrated with land use planning <del>for growth</del> so that <del>these</del> they are:</p> <p>a) financially viable over their life cycle, which may be demonstrated through asset management planning; and</p> <p>b) available to meet current and projected needs.</p>	<p><b>Add policy to Section 7.3 Community Infrastructure:</b> Community infrastructure will be planned and delivered to ensure financial viability over life cycles and meet projected needs.</p> <p><b>Add policy to Section 10.1 Introduction, Foster a Strong Economy:</b> Infrastructure will be planned and delivered to ensure financial viability over life cycles and meet projected needs.</p> <p><b>Amend Section 10.6 Infrastructure and Utilities:</b> Delete first sentence of second paragraph in Section 10.6:</p> <p>For the purposes of this Plan, infrastructure and utilities includes sanitary sewer and water supply, stormwater management facilities and systems, gas and oil transmission pipelines, <b><i>electric power distribution and transmission facilities</i></b>,</p>

POLICY AREA	PPS SECTION/ POLICY #	PPS SECTION/POLICY (Additions are shown in grey highlighting and deletions are shown in strikethrough)	RECOMMENDATIONS TO MISSISSAUGA OFFICIAL PLAN (MOP)* (Additions to existing policy are shown underlined and deletions from existing policy are shown in strikethrough)
		<p>PPS Definition for “infrastructure”:  <b>Infrastructure:</b> means physical structures (facilities and corridors) that form the foundation for development.  <i>Infrastructure</i> includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, <del>electric power generation and transmission</del>, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.</p>	<p>telecommunications and other cabled services.</p> <p><b>Add PPS definition for “Infrastructure” to Appendix A: Terms Defined in the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2006).</b>  This item does not require an amendment, but has been included for information.</p> <p>Amend policy 1.1.4mm to add “infrastructure” to the list of Provincial Policy Statement terms.</p>
	1.6.3	<p>Before consideration is given to developing new <i>infrastructure</i> and <i>public service facilities</i>:</p> <p>a) <del>The</del> use of existing <i>infrastructure</i> and <i>public service facilities</i> should be optimized; and</p> <p>b) opportunities for adaptive re-use should be considered, wherever feasible <del>before consideration is given to developing new infrastructure and public service facilities.</del></p>	<p><b>Add new policy to Section 7.3 Community Infrastructure:</b>  Mississauga will maintain and establish programs for renewal of community infrastructure. In doing so, Mississauga will ensure that the capital cost, maintenance cost and environmental impact are minimized. Opportunities for reusing pre-existing buildings for new purposes will be encouraged.</p> <p><b>Amend existing 10.6.8:</b>  10.6.8 Mississauga will maintain and establish programs for renewal of infrastructure and utilities. In doing so, Mississauga will ensure that the capital cost, maintenance cost and environmental impact are minimized. <u>Opportunities for reusing pre-existing infrastructure and utilities for new purposes will be encouraged.</u></p>
	1.6.8.3	<p>Planning authorities shall not permit <i>development in planned corridors</i> that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.</p> <p><i>New development</i> proposed on <i>adjacent lands</i> to existing or <i>planned corridors</i> and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or</p>	<p><b>Add new policy to Section 9.1 Introduction, Build a Desirable Urban Form:</b>  New development proposed on adjacent lands to existing or planned <i>corridors</i> and transportation facilities should be compatible with, and supportive of, the long-term purposes of the <i>corridor</i> and should be designed to avoid, mitigate or minimize adverse impacts on and from the <i>corridor</i> and transportation facilities.</p>

POLICY AREA	PPS SECTION/ POLICY #	PPS SECTION/POLICY (Additions are shown in grey highlighting and deletions are shown in strikethrough)	RECOMMENDATIONS TO MISSISSAUGA OFFICIAL PLAN (MOP)* (Additions to existing policy are shown underlined and deletions from existing policy are shown in strikethrough)
		minimize negative impacts on and from the corridor and transportation facilities.	
Climate Change	1.0	<p><b>Building Strong Healthy Communities</b></p> <p>Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, <del>and</del> healthy and resilient communities, protecting the environment and public health and safety, and <del>facilitate</del> facilitating economic growth.</p>	<p><b>4.4 Guiding Principles, add the following after the first paragraph:</b></p> <p>Mississauga will become a resilient city that proactively plans for and has the capacity to respond to challenges and stresses to its natural and built environment.</p> <p><b>Amend existing 6.1.7:</b> Mississauga will work with other jurisdictions and levels of government, industries, businesses and the community to address climate change mitigation and adaptation, and <u>to build a resilient city.</u></p> <p><b>Amend existing 6.2.1:</b> Mississauga will strive to be a leader in sustainable development to mitigate, manage and adapt to <del>the impacts of</del> climate change.</p>
	1.1.1.h	<p>Healthy, liveable and safe communities are sustained by:</p> <p>h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.</p>	<p><b>Add a new policy to Section 6.1 Introduction, Value the Environment:</b></p> <p>Mississauga will consider the impacts of climate change that may increase risks to the city. Mississauga will develop policies on climate change that will:</p> <ul style="list-style-type: none"> <li>• promote development and land use patterns that conserve and enhance <b>biodiversity</b> and consider the impacts of a changing climate;</li> <li>• promote and protect green infrastructure; and</li> <li>• minimize adverse impacts from a changing climate and consider the ecological benefits provided by nature.</li> </ul>
	1.6.2	Planning authorities should promote <i>green infrastructure</i> to complement <i>infrastructure</i> .	
	1.7.1.j	Long-term economic prosperity should be supported by: j) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;	



POLICY AREA	PPS SECTION/ POLICY #	PPS SECTION/POLICY (Additions are shown in grey highlighting and deletions are shown in strikethrough)	RECOMMENDATIONS TO MISSISSAUGA OFFICIAL PLAN (MOP)* (Additions to existing policy are shown underlined and deletions from existing policy are shown in strikethrough)
	3.1.3	Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.	<b>Add a new policy to Section 6.1 Introduction, Value the Environment:</b> Mississauga will consider the potential impacts of climate change that may increase the risk associated with <i><b>natural hazard lands</b></i> .
<b>Aboriginal</b>	1.2.2	Planning authorities are encouraged to coordinate planning matters with Aboriginal communities.	<b>Add new policy to Section 3.1 Introduction, Promote Collaboration:</b> Mississauga will develop a consultation protocol with members of Aboriginal communities on planning matters that affect their interests.
	4.3	This Provincial Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the <i>Constitution Act, 1982</i> .	
	2.6.4	Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.	<b>Add new policy to Section 7.4.1 Heritage Planning:</b> Mississauga will consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
	2.6.5	Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.	<b>Add new policy to Section 7.4.1 Heritage Planning:</b> Mississauga will consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.
<b>Implementation</b>	4.1	This Provincial Policy Statement applies to all <del>applications, matters or proceedings commenced on or after March 1, 2005.</del> decisions in respect of the exercise of any authority that affects a planning matter made on or after April 30, 2014.	<b>Amend Section 2.1.2 Provincial Policy Statement:</b> First sentence, delete date "March 1, 2005" and replace with new date "April 30, 2014"

\*Noted policies are based on Mississauga Official Plan office consolidation dated July 30, 2014.

K:\PLAN\POLICY\GROUP\2015 Provincial Legislation\PPS Conformity\Appendix 1\_PPS MOP Conformity\_List of policies.docx

January 8, 2016

**BY EMAIL & REGULAR MAIL**

City of Mississauga  
 300 City Centre Drive  
 Mississauga, Ontario  
 L5B 3C1

Attn: Chair & Members of Committee

**Re: Planning & Development Committee, January 18, 2016 Public Meeting**  
**"Mississauga Official Plan Conformity to the Provincial Policy Statement, 2014"**  
**City of Mississauga**  
**Our File No. 1421**

We are the planners of record writing on behalf of Orlando Corporation (herein referred to as 'Orlando'), a major landowner and commercial/industrial developer with significant properties located within the City of Mississauga.

Thank you for the opportunity to share our observations and comments regarding the above captioned Item which is the subject of a Public Meeting at the January 18, 2016 Planning and Development Committee Meeting.

We refer to the attached City Corporate Reports dated December 22, 2015 and August 18, 2015 and the proposed amendments per the Appendix 1 Table identified as, **"Mississauga Official Plan (MOP) Conformity to the Provincial Policy Statement PPS 2014"**. We note Appendix 1 lists only City recommended amendments to MOP based on the MOP office consolidation July 30, 2014 in response to the PPS which came into effect April 30, 2014:

- Municipal land use planning decisions governed by the City's Official Plan *"must be consistent with"* the PPS 2014. (Refer to PPS, Part III: How to Read the PPS – Relationship with Provincial Plans.) The City's Staff Report uses the proper *"consistent with"* test only twice, and speak of the Official Plan needing to *"conform"* with the PPS, 2014 [the wrong test] often (including the Report's title and the title of Appendix 1). It is recommended that this matter be properly clarified;



- The City is proposing to add the "Infrastructure" definitions from the PPS and the Growth Plan into MOP. It is recommended that this be carefully applied and distinguished because the PPS defines **"Infrastructure"** as *"...all the basic engineered municipal service systems that serve the functioning of a City."* In contrast, the definition in the Growth Plan for the Greater Golden Horseshoe, 2006 (Office Consolidation 2013) includes all of the same engineered municipal service systems, yet also includes **"Community Infrastructure"** in the definition. The Growth Plan defines **"Community Infrastructure"** as *"lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation socio-cultural activities, security and safety and affordable housing."* As noted in the first bullet point, municipal land use planning decisions governed by the City's Official Plan *"must be consistent with"* the PPS 2014, whereas under the Growth Plan, municipal land use planning decisions are *"subject to the conformity requirements and the conflict provisions of the Places to Grow Act, 2005."* It is recommended that the proposed MOP referral to **"Infrastructure"** and **"Community Infrastructure"** definitions be more carefully considered in MOP as a result of our observations noted above and *Bill 73, Smart Growth for our Communities Act, 2015* (amendments to the *Planning Act* and the *Development Charges Act*);
- It is recommended that *"Mississauga"* be identified at the beginning of each of the following proposed new policy additions to Sections 7.3 and 10.1. There is a need to distinguish that the City of Mississauga is specifically responsible for building and maintaining its own **"Community Infrastructure"** and **"Infrastructure"**, and not that of other parties. Therefore it is recommended that the following proposed text additions (underlined) be considered:

***Add policy to Section 7.3 Community Infrastructure:***

*Mississauga* Community infrastructure will be planned and delivered to ensure financial viability over life cycles and meet projected needs.

***Add policy to Section 10.1 introduction, Foster a Strong Economy:***

*Mississauga* Infrastructure will be planned and delivered to ensure financial viability over life cycles and meet projected needs.

- In MOP the term *"will"* denotes a mandatory requirement. For example, *"'Will' used in conjunction with a permitted land use means the use is permitted if all other policies of this Plan are met."* The PPS refers to *"should"* and *"shall"* in its policies and defines *"should"* as *'enabling or supportive language'*. There may be policy inconsistencies between the PPS and MOP, where *"should"* is used in PPS policy, whereas *"will"* is used in the proposed corresponding MOP policy. Is this the intent?

- It appears that the addition of "**Infrastructure**" as a defined term should be applied to MOP policy '1.1.1.00', instead of '1.1.4.mm'.

Thank-you for the opportunity to provide our submission and we welcome the opportunity to meet with Staff as required to discuss these matters in further detail. As well, please provide notification of any further meetings regarding this matter.

Yours truly,

Pound & Stewart Associates Limited



Philip Stewart, MCIP, RPP

la/

1421ltr.Mississauga.PDC.Jan.8.16

Attachments as noted herein

cc. Ms. M. Alikhan, Legislative Coordinator, City of Mississauga  
cc. Ms. C. Greer, City Clerk, City of Mississauga  
cc. Mr. E. Sajecki, Commissioner of Planning, City of Mississauga  
cc. Ms. S. Khan, Policy Planner, City of Mississauga  
cc. Ms. C. McInnes, Planner, Region of Peel  
cc. Mr. L. Longo, Aird & Berlis  
cc. Client

POUND & STEWART ASSOCIATES LIMITED

City of Mississauga

# Corporate Report



Date: March 1, 2016	Originator's files: LA.07.PRO
To: Chair and Members of Planning and Development Committee  From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date:  2016/03/21

## Subject

Provincial Coordinated Land Use Planning Review - Advisory Panel Report

## Recommendation

That the report titled "Provincial Coordinated Land Use Planning Review – Advisory Panel Report", dated March 1, 2016, from the Commissioner of Planning and Building, be received for information.

## Background

On February 27, 2015 the Province launched a coordinated review of the four provincial plans (Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Niagara Escarpment Plan and the Oak Ridges Moraine Conservation Plan). Collectively, the Plans aim to direct growth in a more efficient manner, and to preserve critical natural areas and agricultural lands.

In recognition of the complementary and related policies within each Plan, a Provincial Advisory Panel, chaired by David Crombie, was formed to ensure a consistent and integrated approach to the review and recommendations.

On December 7, 2015, the Ministry of Municipal Affairs and Housing released the Advisory Panel's report titled "Planning for Healthy, Prosperity and Growth in the Greater Golden Horseshoe: 2015-2041". The full report can be accessed at: <http://www.mah.gov.on.ca/Asset11110.aspx?method=1> . The Advisory Panel report has 87 recommendations focused around six strategic directions:

1. Building complete communities;
2. Supporting agriculture;
3. Protecting natural and cultural heritage assets;
4. Providing infrastructure;

5. Mainstreaming climate change; and

6. Implementing the Plans.

The Province is currently reviewing the Advisory Panel Report recommendations. Based on these, proposed amendments to the four Plans will be drafted. The draft amendments will be released to the public sometime this winter for comment. The Province hopes to complete the coordinated review process and update the four Plans by the summer of 2016.

## Comments

The Advisory Panel report recommends streamlining the policy framework, terminology and timelines of the four Plans. It suggests a secretariat within the government be delegated to ensure effective coordination of the Plans. Beyond these, the following comments highlight some of the details around the Panel's recommendations of particular relevance to the City:

### Complete Communities

The Report suggests the densities targeted in the 2005 Growth Plan, are actually too low to foster complete communities. The Report recommends strengthening policies for well-designed density, and compact walkable, mixed-used, transit oriented communities. Specifically, the report suggests a need to focus on:

- Directing more new development to existing urban areas through intensification, and less to new greenfield areas
- Increasing the density of housing and job opportunities in new development to create well-designed, healthy and transit-supportive communities
- Establishing stronger criteria to control settlement area expansion
- Encouraging a greater mix of housing types, including affordable housing
- Protecting employment areas (from conversion, adjacent to transportation infrastructure and of "strategic" regional importance) and supporting evolving economic activities

### Intensification and Density Targets

Probably amongst the more contentious issues, the Report recommends both a greater degree of intensification/re-development inside already built-up areas and higher densities in the "greenfield" sites that are made available for future development.

The current Growth Plan identifies 25 urban growth centres (UGC's) throughout the Greater Golden Horseshoe region, one of which is located in Mississauga and encompasses the City's Downtown Core, Fairview, Cooksville and Hospital character areas. The Advisory Panel Report recommends increases to the intensification and density targets to the UGC.

This will not significantly impact Mississauga, as it is anticipated to achieve the Growth Plan density targets by 2031. However, fostering the desired balance of population to employment ratio remains a challenge, and the Report does not provide much to address this particular issue. Mississauga was advocating for the residential and employment targets to be separated



for both greenfields and UGCs, so that a more realistic balance can be achieved within local contexts.

Also relevant to Mississauga is the Report's recommendation to require transit-supportive densities. The current Growth Plan includes density targets for urban growth centres, but does not provide targets for transit station areas and mobility hubs, nor transit corridors. Additionally, the Report recommends prioritizing urban growth centres and intensification corridors as areas for investment.

### Climate Change

The report recognizes the vital importance of climate change mitigation and adaptation, and recommendations with a direct bearing on climate change are flagged throughout the report. The basis for most of the recommendations is to create complete, sustainable communities that are resilient to extreme weather events.

## Financial Impact

Not applicable.

## Conclusion

The Provincial coordinated review of four Plans (Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Niagara Escarpment Plan and the Oak Ridges Moraine Conservation Plan) concluded in December 2015 with the release of an Advisory Panel Report. The Advisory Panel report, chaired by David Crombie, has 87 recommendations. The Province is reviewing the recommendations and intends to release draft amendments to the respective Plans this winter. Upon release of these, staff will report on the proposed amendments and implications for Mississauga.




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Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Shahada Khan, Policy Planner

# City of Mississauga

## Corporate Report



Date: March 1, 2016

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:  
EC.19.ENV

Meeting date:  
March 21, 2016

### Subject

**Proposed amendments to Mississauga Official Plan policies, respecting updated noise and railway proximity guidelines**

### Recommendation

1. That a public meeting be held to consider the proposed amendments to Mississauga Official Plan (MOP) contained in the report titled "Proposed amendments to Mississauga Official Plan policies, respecting updated noise and railway proximity guidelines" dated March 1, 2016, from the Commissioner of Planning and Building.
2. That 142-148 Queen Street South be classified as a Class 4 area in accordance with the Environmental Noise Guideline, NPC-300.

### Report Highlights

- Amendments are required to update MOP policy to align with two updated guidelines released in 2013: "*Environmental Noise Guideline: Stationary and Transportation Sources – Approval and Planning, Publication NPC-300*" (NPC-300); and "*Guidelines for New Development in Proximity to Railway Operations*";
- The new Class 4 area classification in NPC-300 has less stringent noise level limits for proposed new development in proximity to existing stationary noise sources; and
- The use of the Class 4 area classification is recommended for 142-148 Queen Street South under the discretion given to municipalities to do so under NPC-300.

### Background

Mississauga Official Plan (MOP) includes policies pertaining to stationary and transportation noise sources and noise mitigation through site and building design, as well as rail safety setbacks. These policies are directly impacted by two new guidelines released in 2013:

1. The Ministry of the Environment and Climate Change (MOECC) released the "*Environmental Noise Guideline: Stationary and Transportation Sources – Approval and*

*Planning, Publication NPC-300*" (NPC-300)<sup>1</sup>, consolidating and replacing four separate noise-related guidelines<sup>2</sup>; and

2. The Federation of Canadian Municipalities (FCM) and Railway Association of Canada (RAC) released the "*Guidelines for New Development in Proximity to Railway Operations*" (Railway Proximity Guidelines). The new guidelines replace and build on the FCM/RAC Proximity Guidelines and Best Practices Report (2004).

#### NPC-300 Class 4 Area

Of greatest interest is the MOECC's introduction of a new noise classification area (Class 4) in NPC-300, in relation to stationary noise sources. The use of Class 4 enables development of noise sensitive land uses (e.g. residential) in areas that would otherwise not be developable due to existing stationary noise sources, thereby potentially aiding in municipal intensification efforts.

The intent of the Class 4 classification is principally to protect established industries from development encroachment that would impact their future viability and ability to operate under their Environmental Compliance Approval (ECA) certificate. However, this intent does not preclude the use of Class 4 in areas with other stationary noise sources (e.g. rooftop equipment on a commercial building).

Stationary noise sources include facilities such as commercial and industrial facilities, warehousing and truck terminal facilities and works yards. Stationary sources are usually comprised of many sources of sound from various activities and equipment such as heating, ventilation and air conditioning (HVAC) equipment, fans and blowers, boilers and furnaces, routine loading and unloading activity and on-site movement of trucks and trailers.

The development of noise sensitive uses near stationary noise sources was precluded or extremely difficult to put into effect under the previous guidelines with only the below three area classifications:

- Class 1 (urban area) generally refers to "urban hum", where an acoustical environment is dominated by activities of people, usually road traffic;
- Class 2 (suburban area) is the same as Class 1 but has lower evening and night background sound; and
- Class 3 (rural area) refers to areas dominated by natural sounds and having little to no road traffic.

NPC-300 retains these three noise classifications and introduces the Class 4 classification, as defined in Appendix 1.

Compared to noise limits in a Class 1 area, Class 4 limits allow for higher noise levels - 5 dBA higher in outdoor areas and 10 dBA higher at window panes (plane of window). Meeting the Class 4 stationary sound level limits are based on the assumption of closed windows, necessitating a ventilation system (e.g. central air conditioning) at the noise sensitive receptor location. The previous MOECC guidelines did not recognize closed windows and a ventilation

<sup>1</sup> "NPC" is the acronym for Noise Pollution Control.

<sup>2</sup> *Publication LU-131 – Noise Assessment Criteria in Land Use Planning*. October 1997; *Noise Assessment Criteria in Land Use Planning: Requirements, Procedures and Implementation*. October 1997; *Publication NPC-205 – Sound Level Limits for Stationary Sources in Class 1 and 2 Areas (Urban)*. October 1995; *Publication NPC-232 – Sound Level Limits for Stationary Sources in Class 3 Areas (Rural)*. October 1995.

system as an acceptable means of mitigation for stationary noise exceedances, regardless of the classification.

### **Comments**

Although ambient noise levels are part of living in an urban environment, excessive noise levels can adversely impact quality of life and, in extreme circumstances, public health. The most common source of noise complaints in Mississauga is from aircraft and motorized vehicles on highways and local roadways. Rail and industrial activities are also a source of noise in the city.

As the city continues to develop and intensify, particularly with mixed uses, noise will continue to be of concern. Special attention must be given to land use compatibility and the incorporation of noise attenuation methods.

MOP noise-related policies discourage sound barriers and encourage mitigation at the sound source. Where sound cannot be mitigated at its source, noise abatement measures such as appropriate site planning, spatial separation, and building design techniques are preferred, wherever possible.

This report proposes MOP policy amendments and new MOP policy that is mindful of the City's noise context and noise mitigation approach. The purpose of this report is twofold:

- to address the Class 4 area classification and recommend a related MOP policy; and
- to identify minor amendments required to the MOP policy to align with the new regulations identified above.

### Potential Use of Class 4 in Mississauga

The use of the Class 4 area classification may enable development of noise sensitive land uses (e.g. residential) in transition areas where the City wants redevelopment to occur, such as in Intensification Areas. It is not expected that there will be a significant need to use Class 4, particularly since Intensification Areas that allow for residential uses are mostly separated from Business Employment and Industrial designated areas where stationary noise sources would more typically be found. However, there may be circumstances where older development in Intensification Areas may have noise that is difficult to mitigate and the use of Class 4 may be an appropriate solution, recognizing that the noise source may eventually be eliminated through redevelopment. It should be noted, that existing noise sensitive uses cannot be made Class 4, unless replaced, redeveloped or rebuilt.

### New Policy – Class 4 Area

NPC-300 delegates authority for the use of the Class 4 area classification to the municipality. With noise policies in MOP that reference the applicable Provincial Government environmental noise guideline, the City has the authority to use the Class 4 classification now, without the requirement for new, implementing MOP policy. Similar to the Class 1, 2 and 3 area classifications, the use of Class 4 would be determined through the development review process and the development agreement would reference the Class 4 classification.

However, allowing for sensitive land uses in proximity to existing stationary noise sources should be approached cautiously and used only in exceptional circumstances. Applicants should make every effort to mitigate noise before a Class 4 classification would be considered.

Staff recommend a new MOP policy to provide clarity and transparency regarding the use of the Class 4 classification, the conditions for considering the use of Class 4 and the need for Council approval, as outlined in Appendix 2 (Policy 6.10.1.6).

In the interim, staff will consider Class 4 requests on a case-by-case basis and with the requirement of Council approval.

#### 142-148 Queen Street South

Staff were in the process of reviewing the use of the Class 4 when a request to be classified as Class 4 was received from the property owner of 142-148 Queen Street South, who is seeking to develop a three-storey mixed-used building on the property. Through the review of the Site Plan Application (file SP 13/026 W11), it was found that a rooftop mechanical unit on the adjacent plaza at 136 Queen Street South created a noise source that exceeds the criteria. Staff have reviewed on-site and at-source mitigation options and concluded that these were not acceptable or desirable. In this instance, a Class 4 classification would be appropriate as the proposed development is consistent with MOP. It is recommended that the property be classified as Class 4 under the discretion given to municipalities to do so under NPC-300 and that appropriate advisory clauses be registered on title.

#### Other Amendments

The existing MOP policies and figures need to be updated to align with NPC-300 and the Railway Proximity Guidelines. The proposed minor amendments are outlined in Appendix 2 and figure modifications in Appendix 3. The amendments generally include:

- standardized reference to the Provincial Government environmental noise guideline;
- terminology updates;
- reference to industry best practices;
- noise influence area updates for Noise Impact Study requirements near rail lines; and
- a railway specific policy.

#### Future Noise Policy Amendments

Staff are working on policy amendments specific to aircraft noise within the Airport Operating Area and will bring these forward to Council in the near future.

#### **Strategic Plan**

Under the strategic pillars, Connect: Completing Our Neighbourhoods and Green: Living Green, the Strategic Plan identifies the need to develop walkable, connected neighbourhoods and nurture the health of people and the environment. The use of the current environmental noise guidelines and railway proximity guidelines helps to protect growing communities from stationary and transportation noise sources, and provides appropriate development mitigation measures for safety in proximity to railways.

#### **Financial Impact**

Not applicable.

**Conclusion**

MOP policies need to be updated to align with the current environmental and railway proximity guidelines. A public meeting should be held to consider the proposed amendment.

**Attachments**

Appendix 1: Noise Classification Areas

Appendix 2: Proposed Mississauga Official Plan Amendments, Chapter 6

Appendix 3: Proposed Mississauga Official Plan Figure Updates, Chapter 6



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Sharleen Bayovo, Interagency Planner



<b>APPENDIX 1 – NOISE CLASSIFICATION AREAS</b>	
<b>Noise Classification</b>	<b>Definition</b>
<b>Class 1 area</b> (urban areas)	Means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as “urban hum”.
<b>Class 2 area</b> (suburban areas)	Means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 areas: <ul style="list-style-type: none"> <li>• Sound levels characteristic of Class 1 during daytime (07:00 to 19:00 or to 23:00 hours); and</li> <li>• Low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 hours (19:00 or 23:00 to 07:00 hours).</li> </ul>
<b>Class 3 area</b> (rural areas)	Means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as: a small community; agricultural area; a rural recreational area such as a cottage or a resort area; or a wilderness area.
<b>Class 4 area</b> (intensification areas)	Means an area or specific site that would otherwise be defined as Class 1 or 2 and which: <ul style="list-style-type: none"> <li>• Is an area intended for development with new noise sensitive land use(s) that are not yet built;</li> <li>• Is in proximity to existing, lawfully established stationary source(s); and</li> <li>• Has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process.</li> </ul> <p>Additionally, areas with existing noise sensitive land use(s) cannot be classified as Class 4 areas.</p>

Noise Classification Areas (adapted from Environmental Noise Guideline, Publication NPC-300)

APPENDIX 2 - PROPOSED MISSISSAUGA OFFICIAL PLAN AMENDMENTS		
* <b>Amendment Key:</b> Deletions are shown as <del>strikeouts</del> ; additions are <u><i>italicized and underlined</i></u> .		
POLICY/SECTION	ISSUE	RECOMMENDATIONS TO AMEND MISSISSAUGA OFFICIAL PLAN (MOP)
<b>Chapter 6 – Value the Environment</b>		
<b>6.10.1 Stationary Noise</b>		
6.10.1.2	Align with new NPC-300 Environmental Noise Guideline	That Policy 6.10.1.2 be amended as follows:  Industrial, commercial or utility development will not be permitted where the noise transmitted to existing or proposed residential areas, or other noise sensitive use, exceeds the mitigated outdoor and plane of window noise criteria established by the <u><i>applicable</i></u> Provincial Government <u><i>environmental noise guideline</i></u> .
6.10.1.3	Align with new NPC-300 Environmental Noise Guideline	That Policy 6.10.1.3 be amended as follows:  The sound levels anticipated on the site of a proposed development will be established on the basis of a <u><i>the</i></u> predictable <u><i>worst case noise impact from the stationary source(s)</i></u> <del>“worst case” scenario using only methods acceptable to the</del> <u><i>in accordance with the applicable</i></u> Provincial Government <u><i>environmental noise guideline</i></u> .
6.10.1.4 6.10.1.5	Align with new NPC-300 Environmental Noise Guideline	That the last sentence of Policy 6.10.1.4 and Policy 6.10.1.5 replace “Ministry of the Environment” with “Provincial Government environmental”, as follows:  <del>...Ministry of the Environment</del> <u><i>Provincial Government environmental</i></u> noise guideline.
<b>NEW</b> 6.10.1.6	Align with new NPC-300 Environmental Noise Guideline	That the following Policy be added to Section 6.10.1, Stationary Noise:  <u><i>6.10.1.6 The use of the Class 4 area classification, as specified in the applicable Provincial Government environmental noise guideline, is at the City’s discretion. The introduction of a Class 4 area will require Council approval.</i></u>

		<p><u>a. The use of Class 4 will only be considered where it can be demonstrated that:</u></p> <ul style="list-style-type: none"> <li><u>the development proposal is for a new noise sensitive land use in proximity to an existing, lawfully established stationary noise source;</u></li> <li><u>the development proposal for a new noise sensitive use does not impair the long term viability and operation of an employment use;</u></li> <li><u>it is in the strategic interest of the City, furthers the objectives of Mississauga Official Plan and supports community building goals; and</u></li> <li><u>all possible measures of noise attenuation have been assessed for both the proposed development site and the stationary noise source, including, but not limited to, building design and siting options for the proposed new noise sensitive use;</u></li> </ul> <p><u>b. Notwithstanding the above conditions, the use of Class 4 will receive more favourable consideration if the stationary noise source is a temporary situation and it is expected that the stationary noise source will be removed through future redevelopment; and</u></p> <p><u>c. Mississauga will require that prospective purchasers be notified that the building is located in a Class 4 area and informed of any agreements as may be required for noise mitigation. A noise warning clause shall be included in agreements that are registered on title, including condominium disclosure statements and declarations.</u></p>
<b>6.10.3 Road Noise</b>		
6.10.3.1	Terminology amendment	<p>That Policy 6.10.3.1 be amended as follows:</p> <p>Where residential and other land uses sensitive to noise are proposed in close proximity to Provincial Highways, it may be necessary to mitigate noise impact, in part, by way of subdivision <u>building and site</u> design. <del>A Noise Impact</del> <u>An Acoustic</u> Feasibility Study will be submitted prior to approval in principle of such land uses located within 50 m of arterial and</p>

		major collector rights-of-way and within 100 m of a Provincial Highway right-of-way, or as required by the City or Region.
6.10.3.2	Align with new NPC-300 Environmental Noise Guideline	<p>That Policy 6.10.3.2 be amended as follows:</p> <p>Residential development or development that includes outdoor living areas will not be permitted in locations where the mitigated outdoor noise levels are forecast to exceed limits specified by the applicable <del>Ministry of the Environment</del> <u>Provincial Government environmental</u> noise guideline <del>by 5 dBA or more</del>. A detailed noise study will be required to demonstrate that every effort has been made to achieve the sound level <del>criteria</del> <u>limits</u> specified by the applicable <del>Ministry of the Environment</del> <u>Provincial Government environmental</u> noise guideline, for an outdoor living area <u>(55 dBA or less)</u>. <del>and the noise study shall prove to the satisfaction of the City that the noise level in the outdoor living area, after applying attenuation measures, is the lowest level aesthetically, technically, administratively and economically practical. The attenuated outdoor noise criteria may be exceeded by five dBA if a warning (consistent with Provincial Government Guidelines) regarding noise levels, is provided to prospective residents of the development area. Only in cases where the required noise attenuation measures are not feasible for technical, economic, aesthetic or administrative reasons would excess noise above the limit (55 dBA) be acceptable, with a warning clause to prospective purchasers, consistent with the applicable Provincial Government environmental noise guideline. In these situations, any excess noise above the limit will not be acceptable if it exceeds 5 dBA.</del></p>
6.10.3.3	Align with new NPC-300 Environmental Noise Guideline	<p>That the last sentence of Policy 6.10.3.3 replace “Ministry of the Environment” with “Provincial Government environmental”, as follows:</p> <p><del>...Ministry of the Environment</del> <u>Provincial Government environmental</u> noise guideline.</p>
6.10.3.4	Align with new NPC-300 Environmental Noise Guideline	<p>That the first paragraph of Policy 6.10.3.4 be amended as follows:</p> <p>Where residential and other land uses sensitive to noise are proposed within 500 m of a freeway, 250 m of a provincial highway or 100 m from other roads, development proponents will be required to submit detailed noise studies delineating mitigative noise</p>

		measures required to meet Provincial Government <del>criteria</del> and Region of Peel noise guidelines.
6.10.3.5	Align with new NPC-300 Environmental Noise Guideline	<p>That the last sentence of the first paragraph of Policy 6.10.3.5 replace “Ministry of the Environment” with “Provincial Government environmental”, as follows:</p> <p>...<del>Ministry of the Environment</del> <u>Provincial Government environmental</u> noise guideline.</p> <p>That the last sentence of Policy 6.10.3.5 replace “Ministry of the Environment” with “applicable Provincial Government environmental”, as follows:</p> <p>...applicable <del>Ministry of the Environment</del> <u>Provincial Government environmental</u> noise guideline.</p>
<b>6.10.4 Rail Noise, Safety and Vibration</b>		
6.10.4.1	<p>Align with industry standards, as outlined in “Guidelines for New Development in Proximity to Railway Operations”, May 2013</p> <p>Align with new NPC-300 Environmental Noise Guideline</p>	<p>That Policy 6.10.4.1 be amended as follows:</p> <p>Where residential and other land uses sensitive to noise are proposed in close proximity to rail lines, it may be necessary to mitigate noise impact, in part by way of the <del>subdivision</del> <u>building and site</u> design. <del>A Noise Impact Study will be submitted prior to approval in principle of such lands located within 100 m of a Principal Main Rail Line right-of-way or within 50 m of a Secondary Main Rail Line.</del> Residential development or any development that includes outdoor <u>living areas</u> <del>passive and recreational areas</del> will generally not be permitted in locations where the mitigated outdoor noise levels are forecast to exceed the limits specified by the applicable <del>Ministry of the Environment</del> <u>Provincial Government environmental</u> noise guideline <del>by five dBA or more.</del> A detailed noise study will be required to demonstrate that every effort has been made to achieve the <del>outdoor sound level criteria limits</del> specified by the applicable <del>Ministry of the Environment</del> <u>Provincial Government environmental</u> noise guideline, <u>for an outdoor living area (55 dBA or less).</u> <del>and the noise study shall prove to the satisfaction of the City that the noise level in the outdoor living area, after applying attenuation measures, is the lowest level aesthetically, technically, administratively and economically practical. Only in cases where the required noise attenuation measures are not feasible for technical, economic, aesthetic or administrative</del></p>

		<i>reasons would excess noise above the limit (55 dBA) be acceptable, with a warning clause to prospective purchasers, consistent with the applicable Provincial Government environmental noise guideline. In these situations, any excess noise above the limit will not be acceptable if it exceeds 5 dBA.</i>
6.10.4.2	Align with new NPC-300 Environmental Noise Guideline	That the last sentence of Policy 6.10.4.2 replace “Ministry of the Environment” with “Provincial Government environmental”, as follows: ... <del>Ministry of the Environment</del> <u>Provincial Government environmental</u> noise guideline.
6.10.4.3	Align with industry standards, as outlined in “Guidelines for New Development in Proximity to Railway Operations”, May 2013	That Policy 6.10.4.3 be amended as follows:  Mississauga will require that the owner/developer engage a qualified noise consultant to undertake an analysis of noise and vibration and recommend abatement measures as necessary to meet Provincial and Region of Peel Guidelines, <u>industry best practices</u> and the requirements of the applicable rail company, to the satisfaction of the City, where sensitive land uses and other noise or vibration sensitive development that includes sleeping quarters, reading rooms and offices, are proposed within: <ul style="list-style-type: none"> <li>• <u>1000 m of a Freight Rail Yard for noise;</u></li> <li>• <del>500</del> <u>300</u> m of a Principal Main Rail Line for noise;</li> <li>• 250 m of a Secondary Main Line for noise;</li> <li>• <u>150 m of a Principal Branch Line for noise;</u></li> <li>• <u>75 m of a Secondary Branch Line for noise;</u></li> <li>• <u>75 m of a Spur Line for noise; and</u></li> <li>• <del>100 m of other railway lines for noise; and</del></li> <li>• 75 m of <u>a rail yard and</u> all rail lines for vibration.</li> </ul>
6.10.4.4	Align with new NPC-300 Environmental	That the last sentence of each paragraph of Policy 6.10.4.4 be amended to replace “Ministry of the Environment” with “Provincial Government environmental”, as follows: ...applicable <del>Ministry of the Environment</del> <u>Provincial Government environmental</u> noise



	Noise Guideline	guideline.
6.10.4.6	Align with industry standards, as outlined in "Guidelines for New Development in Proximity to Railway Operations", May 2013	<p>That Policy 6.10.4.6 be amended as follows:</p> <p>Development applications for dwellings, significant additions thereto and places of public assembly, will incorporate an appropriate safety setback as <del>determined by the City in consultation with the appropriate railway company,</del> <u>necessary to meet industry best practices and the requirements of the applicable rail company, to the satisfaction of the City,</u> which takes into account <del>berms</del> <u>safety barriers (e.g. berms, walls)</u>, topography, intervening structures and the surrounding pattern of development.</p>
<b>Chapter 9 – Build A Desirable Urban Form</b>		
<b>NEW</b>	Align with industry standards, as outlined in "Guidelines for New Development in Proximity to Railway Operations", May 2013	<p>That the following Policy be added to Section 9.5.1 Context:</p> <ul style="list-style-type: none"> <li>• <u>Proposed development should respect railway operations and lines by way of building and site design and implementation of development mitigation measures as required.</u></li> </ul>
<b>Chapter 19 - Implementation</b>		
19.4.5	Terminology amendment and addition	<p>That bullet number 22, under Policy 19.4.5, be amended as follows:</p> <p>19.4.5 Some or all of the following studies, reports and/or documents may be required as part of a complete application submission for an official plan amendment, rezoning, draft plan of subdivision or condominium or consent application...</p>

		<ul style="list-style-type: none"><li>• Acoustical Feasibility Study (for stationary, road, rail and/or airport noise sources)</li></ul> <p>That a new bullet following bullet number 22, be added as follows:</p> <ul style="list-style-type: none"><li>• <u>Noise Impact Study (for stationary, road, rail and/or airport noise sources)</u></li></ul>
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**APPENDIX 3 - PROPOSED MISSISSAUGA OFFICIAL PLAN FIGURE UPDATES****Chapter 6 – Value the Environment, Section 6.10 Noise**

That Figure 6-20 be replaced with the following four Figures:

**Outdoors and Plane of Window Sound Level Limits – Stationary Sources,  
Steady and Varying Sound**

**Exclusion Limit Values of One-Hour Equivalent Sound Level ( $L_{eq}$ ,  $dB(A)$ )  
Outdoor Points of Reception**

Time of Day	Class 1 Area	Class 2 Area	Class 3 Area	Class 4 Area
07:00 – 19:00	50	50	45	55
19:00 – 23:00	50	45	40	55

**Exclusion Limit Values of One-Hour Equivalent Sound Level ( $L_{eq}$ ,  $dB(A)$ )  
Plane of Window of Noise Sensitive Spaces**

Time of Day	Class 1 Area	Class 2 Area	Class 3 Area	Class 4 Area
07:00 – 19:00	50	50	45	60
19:00 – 23:00	50	50	40	60
23:00 – 07:00	45	45	40	55

\*  $L_{eq}$  – The A-weighted sound level of a steady sound carrying the same total energy in the specified time period as the observed fluctuating sound.

\*\*  $dB(A)$  – The A-weighted sound pressure level. Noise measured in decibels weighted to express loudness as perceived by human hearing.

Figure 6-20: Outdoors and Plane of Window Sound Level Limits – Stationary Sources, Steady and Varying Sound (adapted from Environmental Noise Guideline, Publication NPC-300)

<b>Outdoors Sound Level Limits – Stationary Sources, Impulsive Sound</b>					
<b>Exclusion Limit Values for Impulsive Sound Level (<math>L_{LM}</math>, dBAI) *</b> <b>Outdoor Points of Reception</b>					
<b>Time of Day</b>	<b>Actual Number of Impulses in Period of One-Hour</b>	<b>Class 1 Area</b>	<b>Class 2 Area</b>	<b>Class 3 Area</b>	<b>Class 4 Area</b>
07:00 – 23:00	9 or more	50	50	45	55
	7 to 8	55	55	50	60
	5 to 6	60	60	55	65
	4	65	65	60	70
	3	70	70	65	75
	2	75	75	70	80
	1	80	80	75	85
<p>* <math>L_{LM}</math> – Logarithmic Mean Impulse Sound Level</p> <p>dBAI – The A-weighted sound pressure level of an impulsive sound measured with a sound level meter set to “impulse” response.</p>					

Figure 6-XX: Outdoors Sound Level Limits – Stationary Sources, Impulsive Sound (adapted from Environmental Noise Guideline, Publication NPC-300)

<b>Plane of Window Sound Level Limits – Stationary Sources, Impulsive Sound</b>				
<b>Exclusion Limit Values for Impulsive Sound Level (<math>L_{LM}</math>, dBAI) Plane of Window – Noise Sensitive Spaces (Day/Night)</b>				
<b>Actual Number of Impulses in Period of One-Hour</b>	<b>Class 1 Area (0700-23:00)/ (23:00-07:00)</b>	<b>Class 2 Area (0700-23:00)/ (23:00-07:00)</b>	<b>Class 3 Area (07:00-19:00)/ (19:00-0:700)</b>	<b>Class 4 Area (0700-23:00)/ (23:00-07:00)</b>
9 or more	50/45	50/45	45/40	60/55
7 to 8	55/50	55/50	50/45	65/60
5 to 6	60/55	60/55	55/50	70/65
4	65/60	65/60	60/55	75/70
3	70/65	70/65	65/60	80/75
2	75/70	75/70	70/65	85/80
1	80/75	80/75	75/70	90/85
<p>* <math>L_{LM}</math> – Logarithmic Mean Impulse Sound Level</p> <p>dBAI – The A-weighted sound pressure level of an impulsive sound measured with a sound level meter set to “impulse” response.</p>				

Figure 6-XX: Plane of Window Sound Level Limits – Stationary Sources, Impulsive Sound (adapted from Environmental Noise Guideline, Publication NPC-300)

Noise Classification	Definition
<b>Class 1 area</b> (urban areas)	Means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as “urban hum”.
<b>Class 2 area</b> (suburban areas)	Means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 areas: <ul style="list-style-type: none"> <li>• Sound levels characteristic of Class 1 during daytime (07:00 to 19:00 or to 23:00 hours); and</li> <li>• Low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 hours (19:00 or 23:00 to 07:00 hours).</li> </ul>
<b>Class 3 area</b> (rural areas)	Means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as: a small community; agricultural area; a rural recreational area such as a cottage or a resort area; or a wilderness area.
<b>Class 4 area</b> (intensification areas)	Means an area or specific site that would otherwise be defined as Class 1 or 2 and which: <ul style="list-style-type: none"> <li>• Is an area intended for development with new noise sensitive land use(s) that are not yet built;</li> <li>• Is in proximity to existing, lawfully established stationary source(s); and</li> <li>• Has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process.</li> </ul> <p>Additionally, areas with existing noise sensitive land use(s) cannot be classified as Class 4 areas.</p>

Figure 6-XX: Noise Classification Areas (adapted from Environmental Noise Guideline, Publication NPC-300)



That Figure 6-23 be replaced with the following Figure:

<b>Outdoor and Indoor Sound Level Limits – Road and Rail</b>			
<b>Type of Space</b>	<b>Time Period</b>	<b>Equivalent Sound Level <math>L_{eq}</math> * (Time Period) (dBA) **</b>	
		Road	Rail
Outdoor Living Areas (OLA)	0700 – 23:00, 16 hours	55	55
Living/dining, den areas of residences, hospitals, nursing homes, schools, daycare centres, etc.	0700 – 23:00, 16 hours	45	40
Living/dining, den areas of residences, hospitals, nursing homes, etc. (except schools or daycares)	23:00 – 7:00, 8 hours	45	40
Sleeping quarters	0700 – 23:00, 16 hours	45	40
	23:00 – 7:00, 8 hours	40	35
Sleeping quarters of hotels/motels	23:00 – 7:00, 8 hours	45	40
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	23:00 – 7:00, 8 hours	40	35
General offices, reception areas, retail stores, etc.	0700 – 23:00, 16 hours	50	45
Nursing/retirement homes, theatres, places of religious assembly, libraries	0700 – 23:00, 16 hours	45	40
Individual or semi-private offices, conferences rooms, reading rooms, etc.	0700 – 23:00, 16 hours	45	40
<p>* <math>L_{eq}</math> – The A-weighted sound level of a steady sound carrying the same total energy in the specified time period as the observed fluctuating sound.</p> <p>** dBA – The A-weighted sound pressure level. Noise measured in decibels weighted to express loudness as perceived by human hearing.</p>			
Figure 6-23: Outdoor and Indoor Sound Level Limits – Road and Rail (adapted from Environmental Noise Guideline, Publication NPC-300)			