



Corporate Report

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DATE: June 11, 2007

TO: Mayor and Members of Council
Meeting Date: June 20, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Additional Matters arising from City Council Meeting -
May 23, 2007
Proposed Amendments to Mississauga Plan and New Zoning
By-law
City of Mississauga**

Addendum Report **Wards 1 to 11**

RECOMMENDATION:

1. That the Report dated June 11, 2007, from the Commissioner of Planning and Building on additional matters arising from the City Council Meeting on May 23, 2007, be received for information.
2. That the recommendations contained in Appendices A-1 and A-2 of the report dated June 11, 2007 from the Commissioner of Planning and Building be adopted and that the recommendations be incorporated into Official Plan Amendment No. 25 and the new Zoning By-law.

BACKGROUND: On May 23, 2007, City Council adopted the recommendations contained in the reports dated April 10, 2007 and May 14, 2007 from the Commissioner of Planning and Building and directed that an Addendum Report be brought forward to address the issue of the official plan designation and proposed zoning of the Harris Farm property at 6545 Creditview Road.

COMMENTS:**Harris Farm**

The City has entered into preliminary negotiations with the owner to purchase the Harris Farm for passive parkland. Since these negotiations are in the preliminary stages, there is a concern that the implementation of the new Zoning By-law may compromise the appraisal of the property. As such, the owner may launch a protective appeal of the new Zoning By-law to protect his interests and align with his appeal of Region of Peel Amendment 13 (ROPA 13). In the meantime, a motion has been prepared for the Ward Councillor that directs that: an appraisal of the property value should be based on the current Official Plan and zoning of the lands; that the owner be advised that the proposed zoning does not carry over all the potential zoning rights in the existing by-law; and in view of the outstanding appeals, it is recommended that a top of bank staking be undertaken by staff from the City, Region and Credit Valley Conservation and the owner's representatives to determine the location of the top of bank and Natural Area. Staff have no concern because the negotiations with the City to purchase the property were initiated under the existing Mississauga Plan context and Zoning By-law 5500.

**Day Care Centre –
Orlando Lands**

At the May 23, 2007 Council meeting, Phil Stewart of Pound & Stewart Associates Limited on behalf of Orlando Corporation requested recognition of an existing accessory day care centre in the Gateway District that was established prior to the Lester B. Pearson International Airport Operating Area restrictions. Staff have no concern with the request since it recognizes the existing zoning and a motion has been prepared for the Ward Councillor to implement the change.

**Day Care Centre –
Bentall Real Estate
Services (2725312
Canada Inc.)**

A request has been made by John D. Rogers & Associates Inc. on behalf of Bentall Real Estate to amend the new Zoning By-law for lands in the Meadowvale Business Park, to permit a free-standing day care centre. Staff have no concern with the request since it recognizes the existing zoning and a motion to this effect has been prepared for the Ward Councillor.

The additional motions proposed by Councillors are addressed in Appendix A-1.

Additional Matters

In addition to the above-noted motions, staff have identified two minor matters pertaining to Official Plan Amendment No. 25 (OPA 25) and the New Zoning By-law as follows:

1. Lands at the southeast corner of Matheson Boulevard East and General Road were proposed to be redesignated from Motor Vehicle Commercial to Industrial in OPA 25. Since the surrounding lands were redesignated from Industrial to Business Employment – Special Site, by resolution at the May 23, 2007 Council Meeting, it is proposed that these lands be redesignated as well.
2. A new detached dwelling has been proposed in the Parkway Belt Zone at 3669 Mississauga Road. As of the May 23, 2007 Council meeting, the location for a satisfactory building envelope had not been determined by staff and the Conservation Authority. Since the building envelope has now been established, it is appropriate to permit a new detached dwelling on the subject lands.

Staff are satisfied that these amendments are appropriate and recommendations are contained in Appendix A-2 to implement the modifications.

CONCLUSION:

This report addresses the issues related to the Harris Farm property at 6545 Creditview Road, summarizes additional motions and matters that have arisen since the May 23, 2007 Council meeting, and contains recommendations to approve amendments to the Official Plan (Mississauga Plan) and the new Zoning By-law.

ATTACHMENTS:

Appendix A-1: Comments on Additional Motions from Councillors
Appendix A-2: Additional Recommendations from Planning and Building Department - Mississauga Plan and Draft Zoning By-law Proposed Amendments

original signed by

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Marianne Cassin, Manager, Zoning By-law Review Team

Comments on Additional Motions from Councillors

Ward	Origin	Motion	Comment
5	Councillor Adams– Orlando Lands in Gateway Planning District – Existing Accessory Day Care	That the request to change the zoning for lands municipally known as 100 Milverton Drive from E1-14 to E1 Exception to recognize an existing accessory day care within the Lester B. Pearson International Airport Operating Area that was established prior to the enactment of the Lester B. Pearson International Airport Operating Area restrictions, be supported and that staff be directed to incorporate the requested change into the Draft Zoning By-law.	The existing accessory day care was established prior to the enactment of the Lester B. Pearson International Airport Operating Area restrictions regarding day cares, hospitals, long-term care dwellings, public schools and private schools. Orlando has requested to retain their existing zoning rights for this accessory day care. No concern because this motion recognizes existing zoning on this site.
11	Councillor Carlson – Bentall Real Estate Services (2725312 Canada Inc.) - proposed day care use in the Meadowvale Business Park Planning District	That the request to change the zoning for lands municipally known as 1969 Syntex Court from E2-1 to E2 Exception to permit a day care, be supported and that staff be directed to incorporate the requested change into the Draft Zoning By-law.	The existing M1-1616 zone permits a free-standing day care use. The Draft Zoning By-law proposes an E2 Exception zone which does not permit a free-standing day care. The issue of day care uses in Employment areas is being studied in a community use study and once approved, a zoning amendment to reflect any proposed changes will be brought forward for Council's consideration. No concern because this motion recognizes existing zoning on this site.
11	Councillor Carlson – 6545 Creditview Road – Harris Farm	That notwithstanding the proposed zoning of the lands municipally known as 6545 Creditview Road (Harris Farm), an appraisal of the property value should be based on the current Official Plan and zoning of the subject lands so as not to prejudice the owner in the event of a purchase by the City, and further that the owner be advised that the proposed zoning does not carry over all the potential zoning rights in the existing by-law, and further, that for the purposes of the appraisal, the City seek permission from the owner to have the Region of Peel, Credit Valley Conservation and the City attend the site and together with the owner or his representatives to establish the location of the top of bank and Natural Area.	The existing RR, A and G zones permit a golf course. Since the new Zoning By-law must conform with Mississauga Plan and a golf course is not permitted in a Greenbelt designation, the proposed G1 and D-8 zones do not permit a golf course. To be consistent with the Greenbelt policies in Mississauga Plan, the Provincial Policy Statement and the Planning and Building Department's approach to other greenbelt lands in the City, a golf course should not be permitted. No concern because the negotiations with the City to purchase the property have been initiated under the existing Mississauga Plan context and Zoning By-law 5500.

**Additional Recommendations from Planning and Building Department
Mississauga Plan and Draft Zoning By-law Proposed Amendments**

RESPONDENT	WARD	SECTION/ PART	ISSUE	COMMENTS	RECOMMENDATIONS TO EXISTING MISSISSAUGA PLAN AND DRAFT ZONING BY-LAW
Planning and Building Department	5	Section 4.26, Northeast District Land Use Map	<p>Part of Recommendation No.327 of Appendix 1 proposed to redesignate lands at the southeast corner of Matheson Boulevard East and General Road from "Motor Vehicle Commercial" to "Industrial". Rationale for this recommendation was that the uses permitted under the Motor Vehicle Commercial designation are permitted under the Industrial designation in Employment Districts, and therefore lands currently designated Motor Vehicle Commercial should be redesignated to Industrial. At the time, the surrounding lands were recommended to be designated Industrial.</p> <p>At the City Council meeting of May 23, 2007, the lands surrounding the subject property were redesignated from "Industrial" to "Business Employment – Special Site" by Resolution No. 0134-2007, to permit all business employment uses, including existing uses and to allow outdoor storage.</p> <p>As a result of Resolution No. 0134-2007, the designation on the lands surrounding the subject parcel is "Business Employment – Special Site". Motor Vehicle Commercial uses are permitted under the Business Employment designation in Employment Districts, and therefore the subject lands should be redesignated "Business Employment – Special Site".</p>	It is appropriate to amend part of Recommendation No.327 in Appendix 1, Mississauga Plan Proposed Amendments (2005 January)	<p>Amend 327</p> <p>That part of Recommendation No.327 in Appendix 1 be amended by redesignating the lands at the southeast corner of Matheson Boulevard East and General Road from "Motor Vehicle Commercial" to "Business Employment – Special Site" to permit all business employment uses, including existing uses and to allow outdoor storage.</p>

RESPONDENT	WARD	SECTION/ PART	ISSUE	COMMENTS	RECOMMENDATIONS TO EXISTING MISSISSAUGA PLAN AND DRAFT ZONING BY-LAW	
Planning and Building Department	8	Part 11 – Subsection 11.2.2	To allow a new detached dwelling in conformity with the Parkway Belt West policies of Mississauga Plan.	Staff worked in consultation with Credit Valley Conservation and the property owner of 3669 Mississauga Road to define an appropriate buildable area on the subject lands that will permit the construction of a new detached dwelling.	Subsection 11.2.2 and Map #24	That the request to change the zoning for lands municipally known as 3669 Mississauga Road from PB1-5 to PB1 Exception to permit the construction of a new detached dwelling within a buildable area determined by staff in consultation with Credit Valley Conservation, be supported and that staff be directed to incorporate the requested change into the Draft Zoning By-law.

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