

**DATE:** March 16, 2004

**TO:** Chairman and Members of the Planning and Development Committee

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

**SUBJECT:** **Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments**  
**Port Credit Heritage Conservation Feasibility Study**  
**Phase Two**

**MEETING DATE:** April 5, 2004

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**ORIGIN:** Planning and Building Department

**BACKGROUND:** City Council on May 28, 2003 considered a report titled "Proposed Heritage Conservation District and Interim Control By-law - Port Credit Heritage Village" dated April 29, 2003 from the Commissioner of Planning and Building and adopted the following recommendations:

- "1. That the Community Services Department undertake a Heritage Preservation Feasibility Study for the lands south of Lakeshore Road West, west of the Credit River, north of Lake Ontario and east of Mississauga Road South to determine if there is merit in the heritage preservation for the area, and to recommend measures to be undertaken to achieve such preservation as outlined in the report titled "Proposed Heritage Conservation District and Interim Control By-law - Port Credit Heritage Village" dated April 29, 2003 from the Commissioner of Planning and Building.

2. That pursuant to S.38(1) of the *Planning Act*, an Interim Control By-law for all lands south of Lakeshore Road West, west of the Credit River, north of Lake Ontario and east of Mississauga Road South be enacted by City Council to allow for the Heritage Preservation Feasibility Study to be completed as outlined in the report titled "Proposed Heritage Conservation District and Interim Control By-law - Port Credit Heritage Village" dated April 29, 2003 from the Commissioner of Planning and Building."

Subsequently, City Council on December 17, 2003 considered a report titled "Status Report - Port Credit Heritage Conservation Feasibility Study - Phase One" dated November 18, 2003 from the Commissioner of Planning and Building and the Commissioner of Community Services and adopted the following:

- "1. That the report titled "Status Report - Port Credit Heritage Conservation Feasibility Study - Phase One" dated November 18, 2003, from the Commissioner of Planning and Building and the Commissioner of Community Services be received, and that Phase Two of the Port Credit Heritage Conservation Feasibility Study be completed in accordance with Resolution PDC-0062-2003 which directed the Community Services Department to undertake the study.
2. That future Public Meetings be held at the Planning and Development Committee to review the draft planning tools to be developed in Phase Two of the Port Credit Heritage Conservation Feasibility Study."

Pursuant to the above noted recommendations, draft planning tools have been developed in consultation with the residents. The purpose of this report is to provide an overview of these tools, and to obtain direction to hold a public meeting at the Planning and Development Committee in accordance with the *Planning Act*.

**COMMENTS:****1.0 Study Organization and Methodology**

The study was divided into two phases:

Phase One, which was completed in December, 2003, consisted of research, inventory, analysis and recommendations on planning tools to be further investigated in Phase Two, which is the subject of this report.

In Phase One, the consultants recommended:

- that the area merits heritage conservation;
- protection measures, within the appropriate heritage planning framework under the *Ontario Heritage Act* as a Heritage Conservation District, and the *Planning Act* (Official Plan and Zoning By-law amendments, Site Plan Approval).

In accordance with the recommendation that Phase Two be completed, the consultants have prepared:

- the identified protection measures in consultation with the community;
- priorities for heritage conservation;
- opportunities for historical interpretation;
- other measures to help conserve the area's historical character.

**2.0 Public Participation**

Phase Two of the study process has incorporated the following opportunities for public participation, at which time the Draft Heritage Conservation District Plan, Official Plan and Zoning By-law amendments, and the Site Plan approval process were reviewed with the residents:

- two meetings with a Volunteer Advisory Committee

comprised of the Ward Councillor, landowners, a Heritage Advisory Committee representative, consultants and staff; and

- one public information session, to which all residents and landowners were invited.

Phase Two of the study will continue to involve the Volunteer Advisory Committee and the community as a whole through further public information sessions and a statutory public meeting pursuant to the *Planning Act* requirements. Staff will report on comments received during this review process, and recommend appropriate amendments to the draft planning documents, for consideration at a public meeting tentatively scheduled for May, 2004.

To date, the residents have made the following comments at the information session on the draft proposals, which will be taken into consideration when staff prepare final recommendations for consideration by Planning and Development Committee:

- some residents are of the view that additional townhouses, now permitted by the "Mainstreet Commercial" designation on the west side of Front Street South, are out of character with the area and should be prohibited;
- other residents have taken a differing position to maintain property rights and uses now permitted by the "Mainstreet Commercial" designation on the west side of Front Street South;
- delete the node boundary located south of Lakeshore Road West and west of Front Street South to discourage redevelopment and intensification;
- concerns with the potential impact of future commercial development on adjacent residences;
- control the size of infill housing by regulating total building

height;

- the need for a buffer along the west side Mississauga Road South from development on the former oil refinery lands west of Mississauga Road South and to establish a maximum building height reflective of that of development on the east side of Mississauga Road South;
- the meaning of "policies" versus "guidelines"; and
- understanding the complexity of the approval process for a Heritage Permit.

### **3.0 Recommended Heritage Planning Framework**

The consultants recommend the following heritage planning framework:

- designate the study area as a Heritage Conservation District;
- adopt a Heritage Conservation District Plan (HCDP);
- amend Mississauga Plan by adding Special Site policies to the Port Credit District Policies;
- amend the Port Credit Zoning By-law 1227 to conform to Mississauga Plan, as proposed to be amended, and incorporate new development standards for construction; and
- amend the Site Plan Control By-law to extend the approval of a site development plan for new, or additions, to detached dwellings. This would mean that all development within the District would be subject to Site Plan Approval.

### **3.1 Heritage Conservation District Plan Overview**

*The Ontario Heritage Act*, Part V, provides the authority for a municipality to establish Heritage Conservation Districts. The purpose of designating an area as a Heritage Conservation District is to recognize the unique character and heritage resources within a defined area. The adoption of a Heritage

Conservation District Plan provides the municipality with a guide to conserving and enhancing the heritage character of the area.

The proposed Old Port Credit Village Heritage Conservation District Plan (Exhibit 1) achieves two major goals. First, it documents and provides recognition to the cultural heritage resources of the neighbourhood. Second, the plan serves as a guide to physical change over time which allows for careful review to ensure changes are compatible and contribute to the District's heritage character. It is not the intent of the plan to prevent change or freeze the District's physical features in time. The plan applies to both private property and City-owned lands.

The proposed Old Port Credit Village Heritage Conservation District Plan is organized into three general topics. The plan provides a summary and illustrations of the defining elements of the District's general historic character. The defining elements are followed by the goals and objectives of the plan and its supporting policies. The policies are of particular importance as they provide enforceable direction toward appropriate heritage conservation, but are permissive rather than restrictive in nature. The policies, to be read in conjunction with Mississauga Plan, address general land use, buildings of historic interest, complementary buildings, other buildings (as described below), front yards, streets and public rights-of-way, Marina Park, J.C. Saddington Park, Imperial Oil lands, and public awareness.

The plan distinguishes among three major building types. The first is described as "buildings of historic interest". These are properties that have been identified for their cultural heritage significance. Second, there are "complementary" buildings which are similar in size and scale to buildings of historic interest but do not have a particular historical significance. The third, and smallest category, is classified as "other", and includes structures such as multi-unit residences and non-historic commercial properties.

To ensure that the proposed policies are effectively carried out,

the plan proposes an implementation strategy. The strategy recommends adoption of the area as a Heritage Conservation District under Part V, the *Ontario Heritage Act*, various Official Plan and Zoning By-law amendments, the initiation of Site Plan Approval for all development within the district, and possible City initiatives. It is important that an application review process be established for the alteration of properties within the district.

The plan presents principles and guidelines which provide guidance to both the property owner and the City. These are general in nature and will assist in the application review process for any scale of project. Though the guidelines do not address specific architectural detail there is sufficient information to provide both the property owner and the City with the tools to make informed decisions.

### **3.2 Proposed Mississauga Plan Amendments**

Exhibit 2 is a summary of the proposed amendments to Mississauga Plan recommended by the consultants. Among other matters, the consultants recommend the following:

- identify the institutional uses (defined as "Community Uses" by Mississauga Plan) along Lakeshore Road West and Port Street (including Clarke Hall, the Masonic Temple, Port Credit Fire Station, First United Church, St. Mary's Church and Cemetery) as a Special Site with policies to preserve the character of the buildings and properties, including preserving the exterior character of the structures and related exterior open space areas;
- redesignate three existing five and six-storey apartment buildings at 36 Front Street South, 27 John Street South, and 11 John Street South from "Residential Low Density I" to "Residential Medium Density III" to recognize their current height and density;
- identify Marina Park, located between Front Street South and the Credit River, as a Special Site to recognize its potential

as a vibrant river and village edge and identify principles to guide its possible development, subject to the preparation of a Master Plan by the City;

- introduce additional design guidelines to lessen the visual impact of townhouses and other forms of development permitted by the "Mainstreet Commercial" designation on the west side of Front Street South.

### **3.3. Proposed Zoning Bylaw Amendments**

Exhibit 3 is a summary of the proposed amendments to the Zoning By-law recommended by the consultants. In some cases, amendments are required to bring the By-law into conformity with Mississauga Plan. Other amendments are intended to guide development to be consistent with the HCDP. Among other zoning by-law amendments, the consultants recommend the following:

- rezone the lands largely occupied by detached dwellings, which are designated "Residential Low Density I" from "H-R4" to "R1 - Special Section" to permit only detached dwellings subject to, among others, the following standards:
  - minimum lot area of 500 m<sup>2</sup> (5,382 sq. ft.);
  - minimum lot frontage of 12 m (39 ft.);
  - maximum height of 2 storeys to a maximum of 6.4 m (21 ft.) to the lower edge of the eaves;
  - minimum front yards equivalent to existing front yards;
  - maximum gross floor area for the main building of 139 m<sup>2</sup> (1,496 sq. ft.) plus 0.2 x the lot area to a maximum of 275 m<sup>2</sup> (2,960 sq. ft.);
  - minimum 40% of lot area for landscaped open space.
- rezone Marina Park from "P" to an "H-P" zone (Holding Open Space), to permit, subject to the removal of the "H" prefix, in addition to public open space uses, such uses as



offices, retail commercial including restaurants without a drive-through facility, art galleries and artisan studios, an academy for performing arts, museum, community uses, private community centres and conference centres;

- rezone the existing five and six-storey apartment buildings at 36 Front Street South, 27 John Street South, and 11 John Street South from "R4", "H-R4" and "C 5" to "R4 - Special Section" with special restrictions limiting height and density to their existing height and number of apartment units;
- amend the "C4" zone, which applies along Mississauga Road South from Lakeshore Road West to Port Street, to permit a detached dwelling and remove automobile oriented uses;
- zone the unzoned portions of J.C. Saddington Park as "P".

### **3.4 Site Development Plan Approval**

The consultants recommend that the Site Plan Approval By-law be amended to extend the requirement for the approval of a site development plan to detached dwellings within the study area. Minor alterations and additions to detached dwellings would be subject to Site Plan Approval, but such applications would be dealt with by staff in an abbreviated fashion, having regard for the nature, size and location of the alteration.

### **4.0 Interim Control By-law 0219-2003**

Interim Control By-law 0219-2003 was enacted by City Council on May 28, 2003, to be in effect for one year, but may be extended for another year. The Interim Control By-law has been appealed to the Ontario Municipal Board (OMB), which held a hearing on March 3, 2004 at which time the Board reserved its decision. If the appeal is dismissed the Interim Control By-law will expire before new Official Plan and Zoning By-law amendments come into effect. Given that additional time was required for an

expanded public participation program not contemplated in the original study design, it is recommended that Interim Control By-law 0219-2003 be extended for one year. It is anticipated that the by-law could be repealed in July, 2004 provided there are no appeals to the new Official Plan and Zoning By-law amendments.

**CONCLUSION:**

Phase Two of the Port Credit Heritage Conservation Feasibility Study is nearing completion in accordance with the recommendation adopted by City Council on December 17, 2003. A Heritage Planning Framework has been proposed by the consultants which recommends that Old Port Credit Village be designated as a Heritage Conservation District. Any physical change is to be guided by a Heritage Conservation District Plan, as well as complementary amendments to Mississauga Plan and Zoning By-law 1227, and the Site Plan Control By-law. Before the consultant's proposals are considered by City Council, it is recommended that a public meeting be held at Planning and Development Committee to obtain comments from the landowners and residents. Due to the expanded public consultation, it will be necessary to extend Interim Control By-law 0219-2003 for one year, although it is anticipated it could be repealed in July, 2004 if there are no appeals to the new official plan and zoning by-law amendments.

**RECOMMENDATIONS:**

1. That a public meeting be held at the Planning and Development Committee to consider the proposed Heritage Conservation District Plan, and amendments to Mississauga Plan and Zoning By-law 1227 and Site Plan Approval By-law as outlined in the report titled "Proposed Heritage Conservation District Plan - Official Plan and Zoning By-law Amendments - Port Credit Heritage Conservation Feasibility Study - Phase Two" dated March 16, 2004, from the Commissioner of Planning and Building.
2. That Interim Control By-law 0219-2003 be amended to extend the period of time during which it will be in effect for one additional year.

Original Signed By:

Edward R. Sajecki

Commissioner of Planning and Building