



MISSISSAUGA

DECLARATION

Subsection 17 of the Planning Act

Applicant: The City of Mississauga

Municipality **City of Mississauga**

Our File: **OPA 50**

I, Diana Rusnov, Deputy Clerk, solemnly declare,

1. That the decision in respect of the above-noted matter was made on June 8, 2016 when By-law Number 0125-2016 was enacted and that notice as required by subsection 17 of the Planning Act was given on June 16, 2016.
2. That no appeal to the Ontario Municipal Board of the decision in respect of the above-noted matter was received under subsection 17 of the Planning Act within the time specified for submitting an appeal.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me

at the City of Mississauga

in the Regional Municipality of Peel

This 6th day of July, 2016.

Commissioner of Oaths

Declarant

**DONNA RAE LEBRETON, a Commissioner, etc.,
Regional Municipality of Peel, for the
Corporation of the City of Mississauga.
Expires May 3, 2019.**



**PLANNING ACT
NOTICE OF THE PASSING OF AN OFFICIAL PLAN AMENDMENT AND
A ZONING BY-LAW BY
THE CORPORATION OF THE CITY OF MISSISSAUGA
BILL 51**

DATE OF NOTICE	June 16, 2016	
OPA NUMBER	OPA 50 (By-law 0125-2016)	
ZONING BY-LAW NUMBER	0126-2016	
DATE PASSED BY COUNCIL	June 8, 2016	
LAST DATE TO FILE APPEAL	July 5, 2016	
FILE NUMBER	CD.01.MIS (BL.09.MIS)	Ward 1
APPLICANT	The City of Mississauga	
PROPERTY LOCATION	Southeast corner of Lakeshore Road East & Elizabeth St. South	

TAKE NOTICE that the Council of the Corporation of the City of Mississauga passed the above noted Official Plan Amendment and Zoning By-law, under Sections 17 and 34 of the Planning Act, R.S.O., 1990, c.P.13, as amended.

An explanation of the Purpose and Effect of the Official Plan Amendment Zoning By-law, a description of the lands to which it applies, and/or a key map showing the location of the lands to which it applies, are attached.

To view the Official Plan Amendment and Zoning By-law in their entirety please visit:
www.mississauga.ca/portal/cityhall/publicnotices, or in person at the Office of the City Clerk, 300 City Centre Drive, 2nd Floor, Mississauga, Ontario.

The Zoning by law shall not come into force until Mississauga Plan (Official Plan) Amendment Number 50 is in full force and effect.

A notice of appeal to the Ontario Municipal Board in respect of the by-law must be filed with the Clerk of the City of Mississauga, Attention: Crystal Greer, 300 City Centre Drive, Mississauga, Ontario L5B 3C1, **no later than the 5th day of July, 2016.**

The Notice of Appeal must:

- 1) set out reasons for the appeal; and,
- 2) be accompanied by the fee required by the Ontario Municipal Board in the amount of \$125.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario, and
- 3) be accompanied by an administration fee of \$150.00, payable by Certified Cheque to the Treasurer of City of Mississauga.
- 4) Four (4) copies of the appeal package.

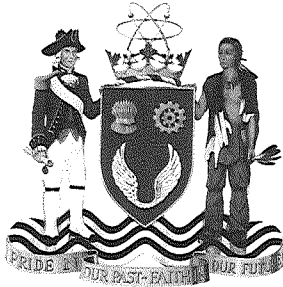
IF YOU WISH TO APPEAL to the OMB a copy of an appeal form is available from the OMB website at www.omb.gov.on.ca.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the City of Mississauga Council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.


Diana Rusnov, Deputy Clerk
Legislative Services,
Corporate Services Department
905-615-3200 X 5421

Amendment No. 50
to
Mississauga Official Plan



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0125-2016

A by-law to Adopt Mississauga Official Plan Amendment No. 50

WHEREAS in accordance with the provisions of sections 17 or 21 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, (the "*Planning Act*") Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing ("MMAH") authorized the Regional Municipality of Peel (the "Region") an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region of Peel has advised that, with regard to Amendment No. 50, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

AND WHEREAS, Council desires to adopt certain amendments to Mississauga Official Plan to permit development with additional height and other provisions on the lands municipally known as 91-93 and 99 Lakeshore Road East, 42 Port Street East within the Port Credit Community Node Character Area.

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

1. The document attached hereto, constituting Amendment No. 50 to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this 8 day of June, 2016.

APPROVED AS TO FORM City Solicitor MISSISSAUGA		
<i>MEM</i>		
Date	2016	05/31

Chris Fonseca

 ACTING MAYOR

Crystal Green

 CLERK

Amendment No. 50
to
Mississauga Official Plan

The following text attached constitutes Amendment No. 50.

Also attached but not constituting part of the Amendment are Appendices I and II.

Appendix I is a description of the Public Meeting held in connection with this Amendment.

Appendix II is a copy of the Council report dated May 16, 2016, pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to add a special site policy to permit additional height and include other provisions on the subject lands.

LOCATION

The lands affected by this Amendment are located at the southeast corner of Lakeshore Road East and Elizabeth Street South. The subject lands are located in the Port Credit Community Node Character Area, as identified in Mississauga Official Plan.

BASIS

Mississauga Official Plan came into effect on November 14, 2012, save and except for those policies and land use designations which have been appealed to the Ontario Municipal Board.

The subject lands are designated Mixed Use which permits residential, secondary office and range of retail and service commercial uses.

OPA 1 which was adopted by Council on February 12, 2014, added a special site policy that addressed the number of units and the height of the building. An appeal to OPA 1 was withdrawn on March 9, 2015, however the amendment could not come into force because the Port Credit Local Area Plan it amended was replaced on February 27, 2015 by OPA 19. The proposed amendment would add the special site policies for the subject site to the new Port Credit Local Area Plan.

The proposed Amendment is acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposed development is compatible with the land uses adjacent to the site and the design achieves appropriate relationships with the surrounding built form.
2. The proposed Official Plan provisions and zoning standards are appropriate to accommodate the requested uses based on the proposed height, massing, step backs, landscaping, streetscape and general site design.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Section 13.1, Special Sites, Port Credit Local Area Plan of Mississauga Official Plan, is hereby amended by adding the following:

13.1.15 Site 15



13.1.15.1 The lands identified as Special Site 15 are located at the southeast corner of Lakeshore Road East and Elizabeth Street South.

13.1.15.2 Notwithstanding the policies of this Plan, the following additional policies will apply:

- a. a maximum of 56 residential units are permitted;
- b. Area A:
 - a maximum building height of four storeys is permitted;
 - building step backs from Lakeshore Road East shall be introduced to the facade.
- c. Area B:
 - a maximum building height of four storeys fronting Port Street East, stepping up to a maximum building height of ten storeys towards the north, is permitted;
 - notwithstanding the above height maximums, the building height adjacent to the easterly boundary of Area B shall be no greater than one storey.

IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, Mississauga Official Plan will be amended in accordance with this Amendment.

The lands will be rezoned to implement this Amendment.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated March 11, 2016.

INTERPRETATION

The provisions of Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply in regard to this Amendment.

This Amendment supplements the intent and policies of Mississauga Official Plan.

APPENDIX I

PUBLIC MEETING

A public meeting notice appeared in the Mississauga News on Thursday April 21, 2016 and Friday April 22, 2016 Editions. The property owner of the subject lands and their agent were invited to a Public Meeting of the Planning and Development Committee held on May 16, 2016 in connection with this proposed Amendment.

There were no comments submitted regarding the proposed amendment and therefore no changes were made to the original proposed policies.

City of Mississauga
Corporate Report



Date: 2016/05/16	Originator's files: CD.01-MIS
To: Mayor and Members of Council	Meeting date: 2016/06/08
From: Edward R. Sajecki, Commissioner of Planning and Building	

Subject

**Proposed City Initiated Official Plan and Rezoning Amendments to Mississauga Official Plan and Mississauga Zoning By-law 0225-2007
 Recommendation Report
 File: CD.01-MIS (Ward 1)**

Recommendation

That the Report dated April 26, 2016, from the Commissioner of Planning and Building regarding Proposed City Initiated Official Plan and Rezoning Amendments to Mississauga Official Plan and Mississauga Zoning By-law 0225-2007, be adopted in accordance with the following:

1. That the proposed City Initiated Official Plan and Rezoning Amendments to Mississauga Official Plan and Mississauga Zoning By-law 0225-2007 as detailed in Appendix 1 be approved.

Background

A public meeting was held by the Planning and Development committee on May 16, 2016, at which time a Planning and Building Department Information Report (Appendix 1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed the following recommendation PDC-0034-2016:

"That the Report dated April 26, 2016, from the Commissioner of Planning and Building regarding proposed initiated amendments to the Official Plan and Zoning By-law 0225-2007, be received for information and notwithstanding planning protocol, that the Recommendation report be brought directly to a future Council meeting."

This recommendation was subsequently adopted by Council at its meeting held on May 25, 2016 via Resolution 0099-2016.

Comments

The implementing Official Plan and Zoning By-law amendments have been prepared to reflect the City initiated amendments noted in Appendix 1 of the Public Meeting/Information Report which is attached as Appendix 1.

COMMUNITY ISSUES

No community meetings were held, and no one attended the Planning and Development Committee meeting with respect to this item. No written comments were received by the Planning and Building Department.

PLANNING COMMENTS

The proposed amendments to the Official Plan and Zoning By-law are required to ensure that the Official Plan and Zoning By-law remains up-to-date. The amendments are in conformity with the policies of the Mississauga Official Plan.

Financial Impact


Not applicable

Conclusion

The proposed City Initiated Official Plan and Rezoning Amendments to Mississauga Official Plan and Mississauga Zoning By-law 0225-2007 are acceptable from a planning standpoint and should be approved.

Attachments

Appendix 1: Information Report

AW 

Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Angela Dietrich, Manager, Policy Planning

City of Mississauga
Corporate Report



Date: 2016/04/26	Originator's files: CD.01-MIS
To: Chair and Members of Planning and Development Committee	
From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date: 2016/05/16

Subject

PUBLIC MEETING INFORMATION REPORT

Proposed City Initiated Official Plan and Rezoning Amendments to Mississauga Official Plan and Mississauga Zoning By-law 0225-2007

File: CD.01-MIS (Ward 1)

Recommendation

That the Report dated April 26, 2016, from the Commissioner of Planning and Building regarding proposed City initiated amendments to the Official Plan and Zoning By-law 0225-2007, be received for information and notwithstanding planning protocol, that the Recommendation report be brought directly to a future Council meeting.

Background

The purpose of this report is to propose housekeeping amendments to the Official Plan and Zoning By-law for three sites within Ward 1 and to hear comments from the public on the proposed amendments. The sites are known municipally as:

- 1294, 1298-1318 Alexandra Avenue
- 91-93, 99 Lakeshore Road East and 42 Port Street East
- 266-294 Lakeshore Road West, 125-143 High Street West and 5-7 Benson Avenue

Comments

The proposed Official Plan amendments affect all three properties and the proposed Zoning By-law amendment affects one property. Appendix 1 contains a summary of the proposed Official Plan and/or Zoning By-law amendments.

The proposed City initiated amendments are to incorporate approvals for development applications that were being processed or under appeal when Mississauga Official Plan Amendment 32 (the 'Lakeview Local Area Plan') and Mississauga Official Plan Amendment 19 (the 'Port Credit Local Area Plan') came into effect. The proposed amendments are to bring

forward official plan policies and, where applicable, associated zoning that have been considered at a public meeting and approved by Council. There are no outstanding appeals to the Ontario Municipal Board on these matters.

Financial Impact

Not applicable.

Conclusion

Once the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding these amendments. Given the nature of the proposed City initiated amendments to the Official Plan and Zoning By-law, it is recommended that notwithstanding planning protocol, the Recommendation report be brought directly to a future Council Meeting.

Attachments

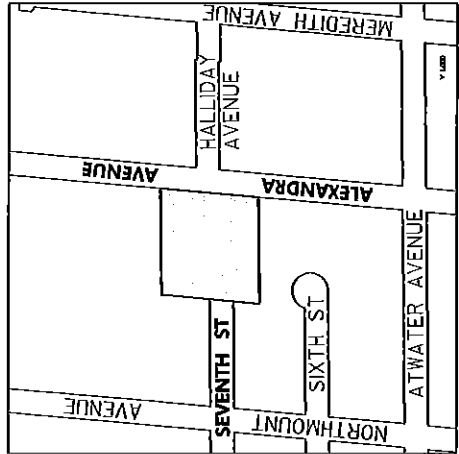
Appendix 1: Proposed City Initiated Amendments to Mississauga Official Plan and Zoning By-law 0225-2007



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Angela Dietrich, Manager, Policy Planning

**Proposed City Initiated Amendments
to Mississauga Official Plan and Zoning By-law 0225-2007**

Subject Site	Previous Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBL)	City Initiated Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBL)
<p>1294-1318 Alexandria Avenue</p> 	<p>OPA 34 and ZBL 0148-2015 was adopted by Council on June 10, 2015. There were no appeals to the Ontario Municipal and both came into force on July 8, 2015. OPA 34 included a special site policy for the subject site that addressed lot frontage and area.</p> <p>OPA 32 known as the Lakeview Local Area Plan was adopted by Council on September 12, 2015. There were no appeals to the Ontario Municipal and the amendment came into force on October 14, 2015. OPA 32 did not include the special site policies from OPA 34 for the subject site.</p>	<p>Recommendation 1: That Mississauga Official Plan be amended by adding the following to the local area policies for the Lakeview Character Area:</p> <p>13.1.14.1 The lands identified as Special Site 14 are located on the west side of Alexandra Avenue, east of Seventh Street and north of Atwater Avenue.</p> <p>13.1.14.2 Notwithstanding the policies of this Plan, the minimum frontage and area of new lots may be smaller than the average lot frontage and lot area of residential lots on both sides of the same street within 120 m of the subject property.</p>

91-93 and 99 Lakeshore Road East,
42 Port Street East



OPA 1 and ZBL 0031-2014 were adopted by Council on February 12, 2014. On March 7, 2014 Dr. Geoff Edwards appealed both the OPA and ZBL. On March 9, 2015 Dr. Geoff Edwards withdrew the appeals; however, OPA 1 could not come into force because it sought to amend the "old" Port Credit Local Area Plan which was no longer in force. ZBL 0031-2014 also never came into force because it was dependent on OPA 1 coming into force. OPA 1 included special site policies that addressed drive-through facilities and the number and height of residential units for the subject site.

OPA 19 known as the Port Credit Local Area Plan was adopted by Council on March 5, 2014. On March 31, 2014 Dr. Geoff Edwards appealed OPA 19 in its entirety and then on November 6, 2014, scooped his appeal to the subject site. On February 27, 2015 Dr. Geoff Edwards withdrew his appeal allowing OPA 19 to come into force for the subject site. OPA 19 did not include the special site policies from OPA 1 that addressed the number and height of residential units for the subject site. Restrictions regarding drive-through facilities for the subject site were addressed in OPA 19.

Recommendation 2: That Mississauga Official Plan be amended by adding the following to the local area policies for the Port Credit Character Area:

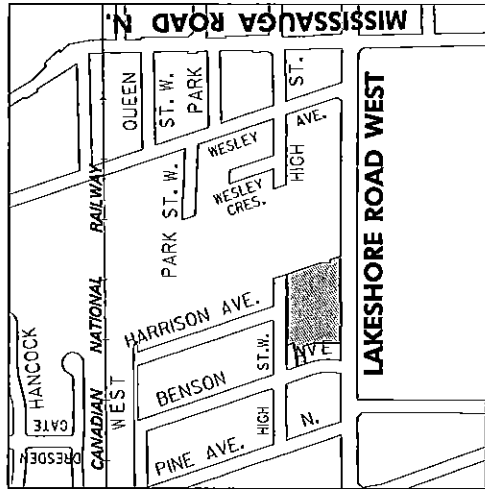
13.1.15.1 The lands identified as Special Site 15 are located at the southeast corner of Lakeshore Road East and Elizabeth Street South.

13.1.15.2 Notwithstanding the policies of this Plan, the following additional policies will apply:

- a. a maximum of 56 residential units are permitted;
- b. Area A:
 - a maximum building height of four storeys is permitted;
 - building step backs from Lakeshore Road East shall be introduced to the facade.
- c. Area B:
 - a maximum building height of four storeys fronting Port Street East, stepping up to a maximum building height of ten storeys towards the north, is permitted;
 - notwithstanding the above height maximums, the building height adjacent to the easterly boundary of Area B shall be no greater than one storey.

Recommendation 3: That Zoning By-law 0225-2007 be amended by adding Exception zoning provisions to conform to the Mississauga Official Plan policies as proposed in Recommended 2 above.

266-294 Lakeshore Road West,
125-143 High Street West,
5-7 Benson Avenue



OPA 41 and ZBL 0281-2015 were adopted by Council on November 25, 2015. There were no appeals to the Ontario Municipal Board and both came into force on December 17, 2015. OPA 41 redesignated the site from "Residential Low Density II" to "Mixed Use" and included a special site policy for the subject site that addressed the number and type of units permitted on the site, building heights and restricted the type of permitted commercial uses. It also deleted a special site policy permitting the existing motor vehicle repair uses.

OPA 19 known as the Port Credit Local Area Plan was adopted by Council on March 5, 2014. On March 31, 2014 Dr. Geoff Edwards appealed OPA 19 in its entirety and then on November 6, 2014 scooped his appeal so that it no longer affected the subject site. On April 1, 2014 High Benson Holdings Inc. filed an appeal to OPA 19 specific to the subject lands. On December 21, 2015 High Benson Holdings Inc. withdrew their appeal which allowed OPA 19 to come into force. OPA 19 did not include the special site policies from OPA 41 or delete permissions for existing motor vehicle repair uses for the subject site.

The land use redesignation from "Residential Low Density II" to "Mixed Use" included in OPA 41 was not affected by OPA 19 and remains in force. ZBL 0281-2015 also remains in force.

Recommendation 4: That Mississauga Official Plan be amended by deleting Exempt Site 1 and adding the following to the local area policies for the Port Credit Character Area:

13.1.16.1 The lands identified as Special Site 16 are located on the north side of Lakeshore Road West, east of Benson Avenue.

13.1.16.2 Notwithstanding the policies of this Plan, the following additional policies will apply:

- a. a maximum of 16 townhouse dwelling units with building heights not exceeding three storeys of livable space will be provided along the south side of High Street West;
- b. a maximum of 309 retirement dwelling units and/or apartment dwelling units for seniors will be permitted within mixed use buildings that front onto Lakeshore Road West;
- c. a maximum building height of four storeys fronting Lakeshore Road West, stepping up to a maximum building height of eight storeys towards the north, is permitted for the mixed use buildings;
- d. the only commercial uses permitted are retail stores, financial institutions, restaurants, personal service establishments, repair establishments and **secondary office** uses and are to be located within the ground floor of the mixed use buildings fronting Lakeshore Road West.