



**MISSISSAUGA**

## **DECLARATION**

Subsection 17 of the Planning Act

**Applicant:** The City of Mississauga

**Municipality** **City of Mississauga**

**Our File:** **OPA 51**

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 0127-2016 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.



**MISSISSAUGA**

File Number: OPA 51  
Municipality: City of Mississauga  
Subject Lands: North side of Lakeshore Road West, east of Benson Ave.  
Date of Decision: June 8, 2016  
Date of Notice: June 16, 2016  
Last Date of Appeal: July 5, 2016

**NOTICE OF DECISION**  
**With respect to an Official Plan Amendment**  
**Subsection 17(23) of the Planning Act**  
**BILL 51**

A decision was made on the date noted above to approve all of Amendment Number **51** to the **Mississauga Plan** (Official Plan) Amendment for the City of Mississauga as adopted by **By-law 0127-2016**.

**Purpose and Effect of the Official Plan Amendment**

The purpose of this amendment is to permit retirement dwelling units, apartment dwelling units for seniors, townhouses and street related commercial uses.

A copy of By-Law 0127-2016 adopting this Amendment is attached.

**When and How to File An Appeal**

***Any appeal to the Ontario Municipal Board must be filed with the City of Mississauga no later than 20 days from the date of this notice as shown above as the last date of appeal.***

The appeal should be sent to the attention of the City Clerk, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies.
- (2) set out the reasons for the request for the appeal, and
- (3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario.
- (4) be accompanied by an administration fee of \$150.00, payable by Certified Cheque to the Treasurer of City of Mississauga.

If you wish to appeal to the OMB a copy of an appeal form is available from the OMB website at [www.omb.gov.ca](http://www.omb.gov.ca)

**Who Can File an Appeal**

Only individuals, corporations or public bodies may appeal a decision of the City of Mississauga to the Ontario Municipal Board. A notice of appeal may not be made by an unincorporated association or group. However, a notice of appeal may be made 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 plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

**When the Decision is Final**

The proposed official plan amendment is exempt from approval by the Regional Municipality of Peel. The decision of the City of Mississauga is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

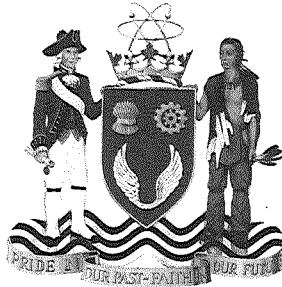
**Getting Additional Information**

Additional information about this amendment is available for public inspection during regular office hours at the City of Mississauga at the address noted below or from Angela **Dietrich of the City of Mississauga, Planning and Building Department at (905) 615-3200 X-5510.**

**Mailing Address for Filing a Notice of Appeal**

City of Mississauga  
Office of the City Clerk  
300 City Centre Drive  
MISSISSAUGA ON L5B 3C1

**Amendment No. 51**  
**to**  
**Mississauga Official Plan**



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0127-2016

A by-law to Adopt Mississauga Official Plan Amendment No. 51

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. 51, 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 retirement dwelling units, apartment dwelling units for seniors, townhouses and street related commercial uses within the Port Credit Neighbourhood 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. 51 to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this 8 day of June, 2016.

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
MEM			
Date	2016	05	30

Chris Fonseca  
ACTING MAYOR

Crystal Greer  
CLERK

**Amendment No. 51**  
**to**  
**Mississauga Official Plan**

The following text and Map "A" attached constitutes Amendment No. 51.

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 permit retirement dwelling units, apartment dwelling units for seniors, townhouses and street related commercial uses.

## **LOCATION**

The lands affected by this Amendment are located on the north side of Lakeshore Road West, east of Benson Avenue. The subject lands are located in the Port Credit Neighbourhood 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 a range of uses including residential, retail stores, personal service establishments, restaurants and financial institutions. A portion of the subject lands are also identified as Exempt Site 1 which permits existing motor vehicle repair uses.

OPA 41 which came into force on December 17, 2015, added a special site policy to allow various forms of residential development and street related commercial uses and deleted permission for the existing motor vehicle repair uses.

OPA 19 known as the Port Credit Local Area Plan came into force on December 21, 2015, and did not include the special site policies from OPA 41 for the subject site. The proposed amendment adds the special site policies for the subject site to the Port Credit Local Area Plan. The amendment also deletes Exempt Site 1.

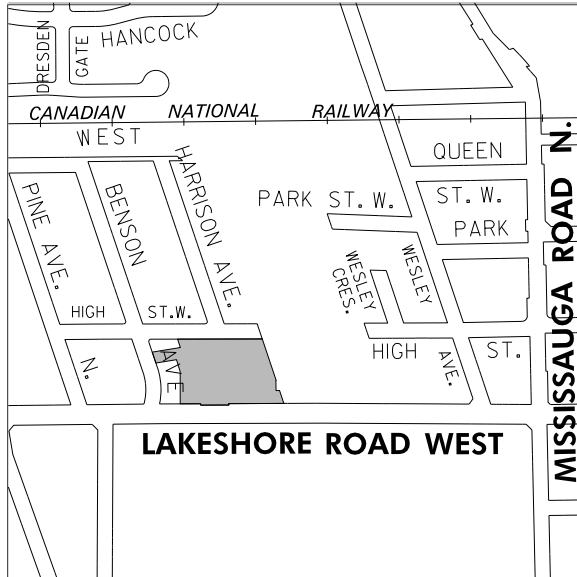
The proposed Amendment is acceptable from a planning standpoint and should be approved for the following reasons:

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 are appropriate to accommodate the requested uses based on the proposed height, massing, landscaping and general site design.

## DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

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

### 13.1.16 Site 16



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.

2. Section 13.2, Exempt Sites, Port Credit Local Area Plan of Mississauga Official Plan, is hereby amended by deleting Section 13.2.1.

## **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 owners 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	
From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date: 2016/06/08

## 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

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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

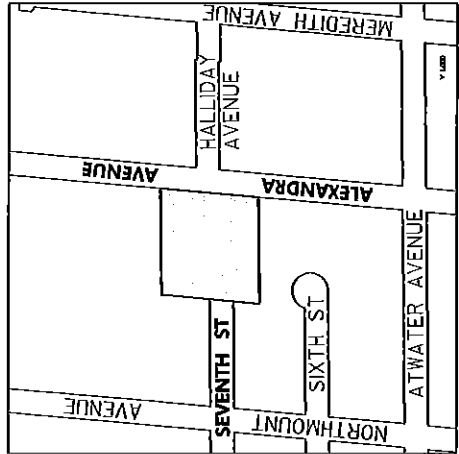


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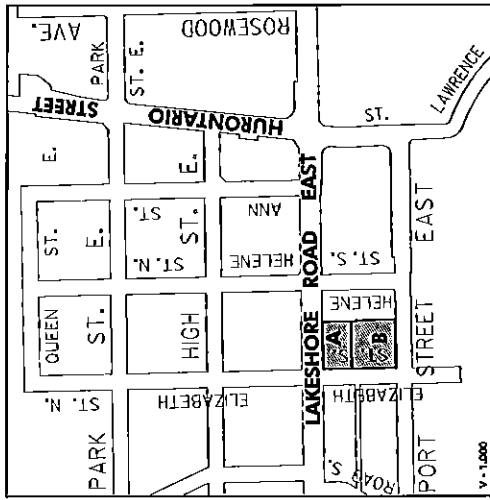
Edward R. Sajecki, Commissioner of Planning and Building

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><b>Recommendation 1: That Mississauga Official Plan be amended by adding the following to the local area policies for the Lakeview Character Area:</b></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:**

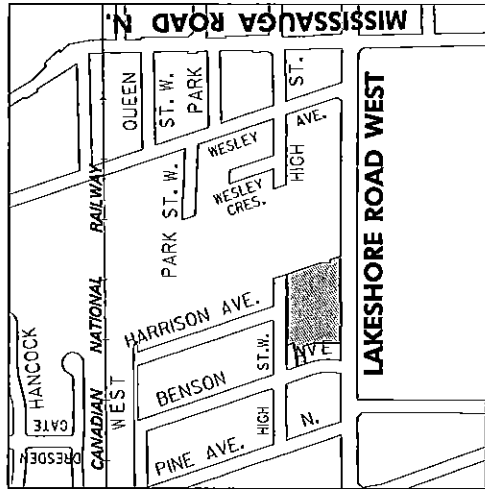
13.1.15.1 The lands identified as Special Site 15 are located at the southeast corner of Lakeshore Road East and Elizabeth Street South.

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.