



# Corporate Report

Clerk's Files

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Files

CD.01.REG  
(Region Official Plan)

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**DATE:** December 9, 2008

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: January 12, 2009

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

**SUBJECT:** **Proposed Regional Official Plan Amendment 14 (ROPA 14) -  
Daycare Facilities in Gateway District**

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**RECOMMENDATION:** That the report titled "Proposed Regional Official Plan Amendment 14 (ROPA 14) - Daycare Facilities in Gateway District" dated December 9, 2008 from the Commissioner of Planning and Building be adopted in accordance with the following:

1. That the Region of Peel be advised that the City of Mississauga supports Regional Official Plan Amendment 14 (ROPA 14) - Daycare Facilities in Gateway District provided that it is amended to permit only work-place related daycare facilities.
2. That the Region be requested to amend ROPA 14 to include reference to the Airport Corporate District as one of the Districts for which exemptions may be granted to permit noise sensitive uses.

**BACKGROUND:** The Region of Peel has requested comments on draft Regional Official Plan Amendment 14 (ROPA 14), attached as Appendix 1, submitted by Pound and Stewart Services on behalf of Orlando Corporation.

**PRESENT STATUS:** Draft ROPA 14 has been circulated for comments for consideration at a public meeting to be scheduled early in 2009.

**COMMENTS:** **1. Purpose of Amendment**

The purpose of ROPA 14 is to include the Gateway District among other Districts (i.e. Malton, Meadowvale Village and East Credit) as areas allowing specific exceptions to the prohibition of new hospitals, nursing homes, daycare facilities, and public or private schools in Mississauga Plan. The intent of the draft amendment is to permit Mississauga to define an exception in Mississauga Plan to permit day care centres and private schools in that part of the Gateway District below the 35NEF/NEP contour. The aircraft noise policies in Mississauga Plan currently prohibit these uses in the Gateway District.

The ROPA is written, however, to allow Mississauga to define an exception in Mississauga Plan to permit hospitals and nursing homes as well as daycare centres and private schools in that part of the Gateway District below the 35NEF/NEP contour.

Orlando Corporation is of the opinion that the ability to attract high quality corporate office investment in the Gateway District Node is, in part, dependent on accommodating the personal and community needs of working families through the provision of convenient and well located work-place oriented daycare opportunities. The Economic Development Office supports the provision of work-place oriented daycare opportunities.

**2. Aircraft Noise Policies**

The Regional Official Plan and Mississauga Plan prohibit the development, redevelopment and infill of new residential uses, and sensitive uses, (specifically hospitals, nursing homes, daycare facilities, and public or private schools) in the Lester B. Pearson International Airport (L.B.P.I.A.) Operating Area, as shown on Appendix 2.

When these aircraft noise policies were prepared and approved in 2002, it was recognized that some flexibility was required to provide for new residential uses and sensitive uses in the Malton, Meadowvale Village and East Credit residential planning districts where the development, infill or redevelopment of non-residential uses, such as employment, was inappropriate or not practical. Further, it was also recognized that there was a need to provide for daycare facilities and schools to serve the needs of the residents.

Consequently, the Regional Official Plan aircraft noise policies included a policy allowing Mississauga, in consultation with the Greater Toronto Airports Authority (GTAA) and Region of Peel, to define specific exemptions to the aforementioned prohibition for the Malton, Meadowvale Village and East Credit Districts, subject to certain conditions.

Flowing from this Regional policy, the aircraft noise policies in Mississauga Plan included policy 3.11.2.1.7 to permit redevelopment or infilling for hospitals, nursing homes, daycare facilities and public and private schools in Malton, Meadowvale Village and East Credit Districts below the 35 NEP/NEF composite noise contour, as shown on Appendix 2.

### **3. Mississauga OPA 25**

Mississauga OPA 25 consolidated and relocated the aircraft noise policies in Mississauga Plan and, through this process, Orlando Corporation appealed section 3.11.2.1.7 as it does not contain a specific exemption to permit noise sensitive uses in Gateway. Consequently, ROPA 14 is linked with the current appeal by Orlando Corporation to OPA 25 in respect of the airport noise policies which prohibit daycare uses in the Gateway District.

The appeal by Orlando Corporation to permit daycare uses in the Gateway District does not conform to the Regional Official Plan. Consequently, Orlando Corporation's appeal is without jurisdiction as the current policies in Mississauga Plan, and in OPA 25, must conform to the Region of Peel Official Plan by virtue of s. 27 of the

*Planning Act.* In order for the Orlando Corporation appeal to proceed, the Region of Peel Official Plan must first be amended. If ROPA 14 is approved by the Region and comes into effect, the OMB can then deal with Orlando's appeal.

#### **4. Comments**

ROPA 14 will provide Mississauga the authority, if it wishes to do so, to grant an exemption to the prohibition of sensitive land uses in that part of Gateway below the 35 NEP/NEF contour, as shown on Appendix 3.

Since this issue is primarily a local land use planning matter, and because the proposed policy is permissive rather than obligatory, it will not adversely affect Mississauga. Consequently, ROPA 14 should be supported, provided it is amended to permit only work-place related day care facilities.

Should the Region of Peel see merit in this amendment, it is suggested that it be amended to also include reference to the Airport Corporate District as one of the Districts for which exemptions may also be granted to permit only work-place related day care facilities. Airport Corporate District is also a node, an area in which high quality, high density office development is encouraged. Consequently, like the Gateway Node, opportunities should be provided for work-place oriented daycare opportunities to support high quality office development in Airport Corporate District.

**FINANCIAL IMPACT:** Not applicable

**CONCLUSION:** The Region of Peel should be advised that Mississauga supports ROPA14 provided it is amended to permit only work-place related day care facilities, and that the Region should be requested to amend it to also include reference to the Airport Corporate District as one of the Districts for which exemptions may be granted to permit noise sensitive uses.

**ATTACHMENTS:**

APPENDIX 1:ROPA 14

APPENDIX 2:L.B.P.I.A. Operating Area

APPENDIX 3:Gateway District Land Use Map

APPENDIX 4: Airport Corporate District Land Use Map

*Original Signed By:*

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Edward R. Sajecki

Commissioner of Planning and Building

*Prepared By: Ron Miller, Policy Planner, Planning and Building  
Department*

November 6, 2008

Circulation to Agencies and Municipalities  
(See attached list)

**Re: Proposed Amendment to the Region of Peel Official Plan  
Workplace Daycare as an Accessory Land Use in the  
Gateway District Node, City of Mississauga  
Applicant: Orlando Corporation  
File Number ROP-04-002**

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Please find enclosed for your information, a copy of the above noted proposed draft amendment to the Region of Peel Official Plan. The purpose of this amendment is intended to permit workplace daycare as an accessory land use in Mississauga's Gateway District Node.

The enclosed draft amendment to the Regional Official Plan was prepared by Philip Stewart, MCIP, RPP, of Pound & Stewart Services, of Markham, Ontario. If you have any comments or concerns on the draft Regional Official Plan Amendment, please provide them to Peel Region by **December 23<sup>rd</sup>, 2008**.

The applicant also submitted a study entitled **Planning for Childcare in the Gateway District Node, City of Mississauga**, by Pound & Stewart Associates Limited, August 2008 in support of this application. This study is also available on Peel Region's website [www.peelregion.ca](http://www.peelregion.ca) at the following link <http://www.peelregion.ca/planning/officialplan/list-amendmts.htm> select ROPA 14 (04-002).

Please direct your comments to the attention of Mr. Brock Criger, Manager, Development Planning Services. If you have any questions or concerns, please contact Ms. Christina Iulianetti, Junior Planner, at 905-791-7800, extension 4710 or by email to [Christina.iulianetti@peelregion.ca](mailto:Christina.iulianetti@peelregion.ca).

Yours truly,



Brock Criger,  
Manager,  
Development Planning Services

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Fax: 905-791-7920  
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BC:nb  
Attachments

## ROPA-04-002 External Circulation: (Page 1)

Victor Doyle, Ministry of Municipal Affairs & House (copy Planning study)  
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 Crystal Greer, City of Mississauga, Clerks (copy Planning study)  
 Martin Power, City of Mississauga, Transportation and Works (copy Planning study)  
 Mary-Ellen Bench, City of Mississauga, Legal  
 Councillor Eve Adams, City of Mississauga Regional Councillor  
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 Karen Landry, Town of Halton Hills, Clerks  
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 Alexandre Beaudin, Conseil Scolaire de District Catholique Centre Sud  
 Steven Hare, Peel District School Board  
 Paul DeCioito, The Social Planning Council of Peel  
 S. White, United Way of Peel Region of Peel  
 Kevin O'Brien, Canada Post  
 Robert Milne, Enbridge Consumers Gas  
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 Darlene Truax, TransCanada Pipelines, c/o Lehman and Associates  
 Heather Doyle, Ministry of Transportation  
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 Les Hart, Hydro One Networks  
 Enersource Corporation  
 Bev Wilton, Union Gas  
 Colleen Mitchell, Imperial Oil Enterprises  
 Walter Watt, Trans Northern Pipelines Inc.  
 Jack LeChapelle, Bell Canada  
 Michel Fenn, Mississauga Halton Local Health Integration Network  
 Ken White, William Osler Health Centre Board of Directors  
 Wayne Fyffe, The Credit Valley Hospital  
 Eric Vanderwall, Trillium Health Centre  
 Geoff Woods, Canadian National Railway  
 Pat Neville, Greater Toronto Airports Authority (copy Planning study)  
 Ontario Power Generation

PLANNING & BUILDING RECEIVED			
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Division Action	Action	Info	Seen
Commissioner			
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Dev. & Design			
Strat. Plan. & Bus. Services			

PROPOSED AMENDMENT TO  
THE REGION OF PEEL OFFICIAL PLAN  
POLICY 5.6.6.2.6  
REGARDING  
CITY OF MISSISSAUGA  
GATEWAY DISTRICT - THE GATEWAY DISTRICT NODE  
ON BEHALF OF  
ORLANDO CORPORATION

MAY 2004

AMENDMENT NO \_\_\_\_  
TO THE OFFICIAL PLAN OF THE  
REGIONAL MUNICIPALITY OF PEEL



## **1.0 Statutory Provisions**

This Amendment No. \_\_\_, to the Official Plan for the Regional Municipality of Peel Planning Area, adopted by the Council of the Corporation of the Regional Municipality of Peel, is hereby approved under the Planning Act, R.S.O. 1990, c.P.13, as Amendment No. \_\_\_ to the Official Plan for the Regional Municipality of Peel Planning Area.

## **2.0 Region of Peel Adoption**

This Amendment No. \_\_\_, to the Regional Official Plan for the Regional Municipality of Peel Planning Area, will be adopted by By-law, as attached hereto.

## **3.0 Purpose**

The purpose of this Amendment is to amend the Regional Official Plan Section 5.6.6.2.6. to include the "Gateway" among other Districts such as Malton, Meadowvale Village and East Credit as an area allowing specific exceptions to Regional Policy 5.6.6.2.4 in terms of the municipal official plan. The specific exception involves permission for day care centres and private schools to be located within that part of the Gateway District depicted as the Gateway Node as specified in Mississauga Plan. This Official Plan Amendment is intended to support these specific community uses as part of existing and planned office commercial centres. These uses are needed and reasonable uses, suitably located within office complexes of the Gateway Node, located within the Gateway District and the Lester B. Pearson International Airport (LBPIA) Operating Area below the 35 NEF/NEP contour. These uses, located within office commercial centres, will be required to satisfy the acoustical design standards of the Ministry of Environment.

## **4.0 Location**

The lands subject to this Amendment are located within that part of the Airport Operating Area – Figure 11 of the Regional Official Plan known as the Gateway District of Mississauga Plan.

## **5.0 Details of the Amendment and Policies Related Thereto**

The document known as the Official Plan of the Regional Municipality of Peel Planning Area is amended as follows:

Official Plan Amendment Number No. 5 was implemented by By-law Number 37-2002 (See attached) and approved July 11, 2002 including Policy 5.6.6.2.6 which reads as follows:

*"Direct the Cities of Mississauga and Brampton, in consultation with the Greater Toronto Airports Authority and the Region, to define specific exceptions to Policy 5.6.6.2.4 in the municipal official plan, which may be considered for Malton, Meadowvale Village and East Credit, within the L.B.P.I.A. Operating Area, provided however that such exceptions:*

- ii) Prohibit, above the 35 NEF/NEP contour, development redevelopment or infilling, which increases the number of dwelling units, and development, redevelopment and infill for new sensitive land uses, specifically hospitals, nursing homes, day care facilities and public and private schools;*
- iii) Define the areas to which the exceptions would apply; and*
- iv) Require that MOE acoustical design standards met."*

Regional Official Policy Section 5.6.6.2.6 is hereby revised to add "Gateway" to the list of Districts within the L.B.P.I.A. Operating Area:

*"Direct the Cities of Mississauga and Brampton, in consultation with the Greater Toronto Airports Authority and the Region, to define specific exceptions to Policy 5.6.6.2.4 in the municipal official plan, which may be considered for Malton, Meadowvale Village, East Credit and Gateway, within the L.B.P.I.A. Operating Area, provided however that such exceptions:*

- ii) Prohibit, above the 35 NEF/NEP contour, development redevelopment or infilling, which increases the number of dwelling units, and development, redevelopment and infill for new sensitive land uses, specifically hospitals, nursing homes, day care facilities and public and private schools;*
- iv) Define the areas to which the exceptions would apply; and*
- iv) Require that MOE acoustical design standards met."*

## 6.0 Implementation

Upon adoption of this Amendment and the enabling By-law by the Council of the Regional Municipality of Peel, the appropriate sections and policies of the Regional Official Plan will be revised in accordance with this Amendment.

The Amendment supplements the intent and policies of the Regional Official Plan.

The provisions of the Regional Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply to this amendment.

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## THE REGIONAL MUNICIPALITY OF PEEL

## BY-LAW NUMBER 37-2002

**A by-law to Adopt Official Plan Amendment Number 5.**

WHEREAS in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P.13, as amended, Council may adopt an Official Plan or amendments thereto;

AND WHEREAS a public meeting was held on June 20, 2002, notice of which was given in accordance with the Planning Act, R.S.O. 1990, c.P.13, as amended;

AND WHEREAS the Council of the Regional Corporation has by resolution passed on the 11th day of July, 2002 authorized the adoption of Amendment Number 5 to the Regional Official Plan;

NOW THEREFORE the Council of the Regional Municipality of Peel enacts as follows:

That schedule A, attached hereto forms part of this by-law, constitute and is hereby adopted as Amendment Number 5 to the Official Plan of the Regional Municipality of Peel.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL this 11th day of July , 2002

C. Gravlev

S. DiMarco

Acting Regional Clerk

Acting Regional Chair

**Schedule A****AMENDMENT NUMBER 5 TO THE OFFICIAL PLAN OF THE REGIONAL MUNICIPALITY OF PEEL****1.0 Statutory Provisions**

This Amendment No.5, to the Official Plan for the Regional Municipality of Peel Planning Area, which will be adopted by the Council of the Corporation of the Regional Municipality of Peel, is hereby approved under section 17 of the Planning Act, R.S.O. 1990, c.P.13, as Amendment No. 5 to the Official Plan for the Regional Municipality of Peel Planning Area.

**2.0 Region of Peel Approval**

This Amendment No.5, to the Official Plan for the Regional Municipality of Peel Planning Area, will be adopted by By-law, as attached hereto.

### 3.0 Purpose

The purpose of this Amendment is to amend the Regional Official Plan Section 5.6.6.2 to clarify policies affecting sensitive land uses within the Airport Operating Area and to provide the general framework allowing the local municipalities to deal with more specific land use planning matters within the Airport Operating Area.

### 4.0 Location

The lands subject to this amendment are located within the Airport Operating Area - Schedule H of the Regional Official Plan.

### 5.0 Details of the Amendment and Policies Related Thereto

The Document known as the Official Plan of the Regional Municipality of Peel Planning Area is amended as follows:

- Delete Section 5.6.6.2.3 in its entirety and replace it with the following:

Section 5.6.6.2.3    Protect the Lester B. Pearson International Airport (L.B.P.I.A.) Operating Area ensure that development adjacent to the Airport is compatible with airport operations and the needs of residents.

- Rename Section 5.6.6.2.4 to Section 5.6.6.2.7.

- Add Section 5.6.6.2.4 as follows:

Section 5.6.6.2.4    Prohibit the development, redevelopment and infill of new residential and sensitive land uses, specifically hospitals, nursing homes, daycare facilities and public and private schools in L.B.P.I.A Operating Area outlined on Schedule "I"

- Add Section 5.6.6.2.5 as follows:

Section 5.6.6.2.5	Direct the Cities of Mississauga and Brampton, in consultation with the Greater Toronto Airports Authority and the Region to include in their official plans:
	i)        Airport Operating Area policies consistent with Policy 5.6.6.2.4;
	ii)       Definitions and illustrations of the areas to which the Airport Operating Area policies apply; and
	iii)      Definitions of the terms sensitive land uses, redevelopment and infill.

- Add Section 5.6.6.2.6 as follows:

Section 5.6.6.2.6	Direct the Cities of Mississauga and Brampton, in consultation with the Greater Toronto Airports Authority and the Region, to define specific exceptions to Policy 5.6.6.2.4 in the municipal official plan, which may be considered for Malton, Meadowvale Village and East Credit, within the L.B.P.I.A. Operating Area, provided however that such exceptions:
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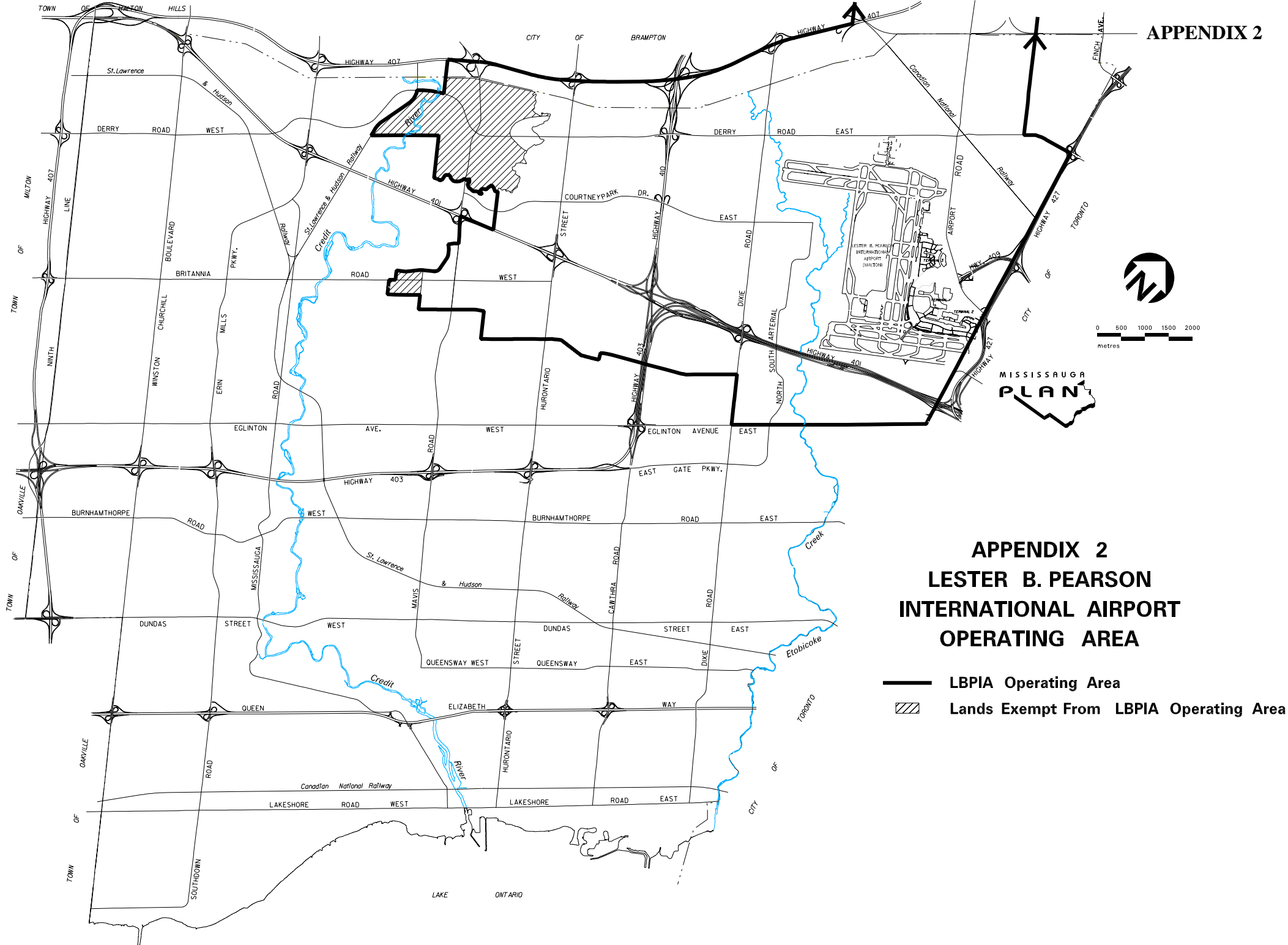
- ii) Prohibit, above the 35 NEF/NEP contour, development, redevelopment c  
infilling which increases the number of dwelling units, and development,  
redevelopment and infill for new sensitive land uses, specifically hospital  
nursing homes, daycare facilities and public and private schools;
- ii) Define the areas to which the exceptions would apply;and
- iv) Require that MOE acoustical design standards be met.

#### 6.0 Implementation

Upon adoption of this Amendment, and the enabling By-law by the Council of the Regional Municipality of Peel the appropriate sections and policies of the Regional Official Plan will be revised in accordance with the intent of this Amendment.

The Amendment supplements the intent and policies of the Regional Official Plan.

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



MISSISSAUGA  
PLAN

## APPENDIX 2 LESTER B. PEARSON INTERNATIONAL AIRPORT OPERATING AREA

- LBPIA Operating Area
- Lands Exempt From LBPIA Operating Area

NOTE:  
ANY PART OF THE ROAD NETWORK SHOWN  
OUTSIDE THE CITY BOUNDARIES IS SHOWN  
FOR INFORMATION PURPOSES ONLY.

- General Commercial
- Motor Vehicle Commercial
- Business Employment
- Industrial
- Public Open Space
- Private Open Space
- Greenbelt
- Parkway Belt West
- Utility

TRANSPORTATION LEGEND

- Provincial Highway and Interchange
- Arterial
- Major Collector
- Major Collector (Scenic Route)
- Future Major Collector (conceptual)
- Minor Collector
- Local Road
- Major Transit Corridor

LAND USE LEGEND

- Regulatory Floodplain
- LBPIA Operating Area Boundary - See Aircraft Noise Policies
- Note: In Gateway, all lands are within the LBPIA Operating Area
- Node Boundary
- Cem - Cemetery
- Existing Stormwater Management Facility
- Proposed Stormwater Management Facility
- 1996 NEP/2000 NEF Composite Noise Contours
- Planning District

Special Site Areas  
(See Special Site Policies)

Note:  
The 1996 Noise Exposure Projection (NEP)/2000 Noise Exposure Forecast (NEF) Composite Noise Contours are shown for information purposes only and are not part of the District Land Use Map. These contours will change from time to time as new information becomes available.  
For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:50 000 should be consulted.

NOTE:  
ANY PART OF THE ROAD NETWORK SHOWN OUTSIDE THE CITY BOUNDARIES IS SHOWN FOR INFORMATION PURPOSES ONLY.

Appealed to the  
Ontario Municipal Board

Appealed to the  
Ontario Municipal Board

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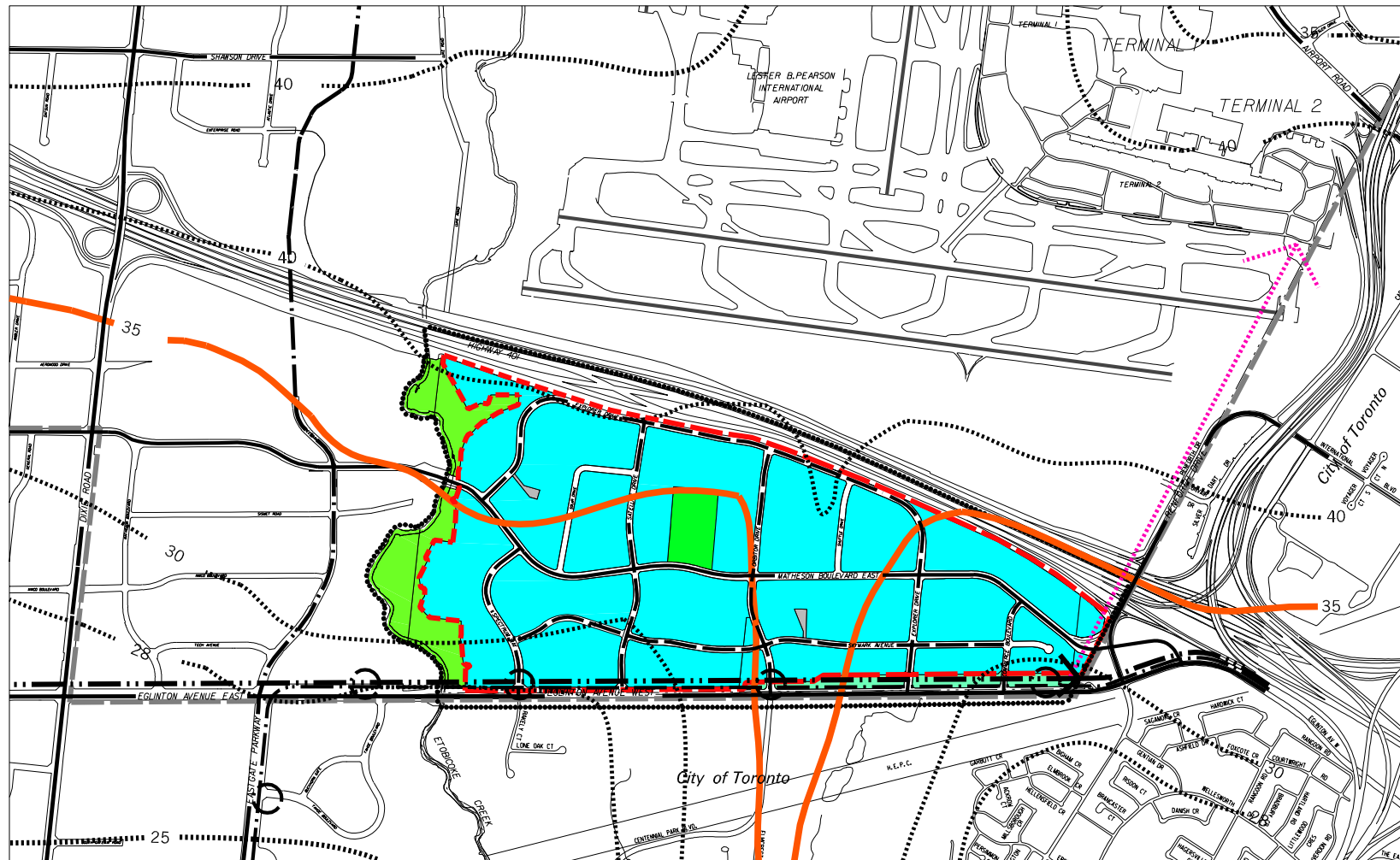


## APPENDIX 3 Gateway District Land Use Map

This Consolidation includes Latest Approved Amendment - No. 25  
OMB Order No. 2622 2007 September 10

City of Mississauga 2008 November





## APPENDIX 4

### LAND USE DESIGNATIONS

- Business Employment
- Public Open Space
- Greenbelt
- Parkway Belt West
- Utility

### LAND USE LEGEND

- Node Boundary
- 1996 NEP/2000 NEF Composite Noise Contours
- Planning District
- LBPIA Operating Area Boundary - See Aircraft Noise Policies  
Note: In Airport Corporate District, this includes all lands.

### PROVINCIAL HIGHWAY AND INTERCHANGE

- Arterial
- Future Arterial
- Major Collector
- Minor Collector
- Local Road

### TRANSIT

- Transit Airport Connections
- Bus Rapid Transit Corridor
- Bus Rapid Transit Station
- Major Transit Corridor

**Notes:**

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For accurate reference the composite NEP/NEF map produced by Transport Canada at a scale of 1:50 000 should be consulted.

**NOTE:**

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