



Corporate Report

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DATE: September 1, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 21, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Proposed Official Plan Amendments and Zoning By-law
Amendments Airport Corporate District - Renforth Area**

PUBLIC MEETING

Ward 5

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- RECOMMENDATION:**
1. That the report titled "Proposed Official Plan Amendments and Zoning By-law Amendments Airport Corporate District - Renforth Area" dated September 1, 2009, from the Commissioner of Planning and Building, be received for information.
 2. That the Planning and Building Department report back on the public submissions received and make specific recommendations to amend the Official Plan policies for the Airport Corporate District and to amend the existing E1 (Employment in Nodes) zone standards in order to support transit oriented development.

BACKGROUND: On September 23, 2008 City Council, through Resolution 0246-2008, directed that the Planning and Building Department undertake a review of Mississauga Plan (Official Plan) land use policies and zoning provisions for the lands surrounding the Renforth Bus Rapid Transit (BRT) Station. Also, City Council directed that an Interim Control By-law (ICB) be passed for lands

within the Airport Corporate District, east of Commerce Boulevard, north of Matheson Boulevard East, east of Explorer Drive and south of Provincial Highway 401 to restrict the use of lands zoned "E1" for a period of one year, pending the completion of the review.

Interim Control By-law 0332-2008, was subsequently passed by Council and has the effect of restricting new development on the lands within its control in order to allow the City to study the issues and determine appropriate planning policy and controls. The By-law is currently under appeal by the property owners affected by the ICB. A pre-hearing conference was held on June 1, 2009. At the pre-hearing it was determined that the hearing on the ICB would be held in abeyance provided the City held a Public Meeting by September, 2009, to consider the proposed Official Plan Amendments and Zoning By-law Amendments and that the amendments be approved by October, 2009. A three week hearing has been scheduled to commence January 19, 2010, in anticipation of appeals by affected land owners.

A report titled *Mississauga BRT Planning Guidance Renforth- Station Area* was completed by Urban Strategies Inc., on behalf of the City, which contains a number of recommendations for the City's consideration proposing amendments to the Official Plan and Zoning By-law. The report was received for information and staff circulated the study recommendations to affected landowners and technical agencies for comments in accordance with Resolution 0105-2009 adopted on May 28, 2009 by City Council.

COMMENTS:

The study looked at proposed land use restrictions for lands north of Eglinton Avenue West, east of Explorer Drive to the Mississauga border with Toronto to encourage higher employment densities, performance standards such as minimum heights, parking strategies and methods to facilitate movement to and from the stations.

Affected landowners were contacted on June 2, 2009 informing them of the study, recommendations and directing them to review the entire document which is available on-line on the City's website. Landowners were also requested to provide Planning staff with any initial comments and to provide contact information should they wish

to be notified of any future meetings or additional work being undertaken.

Based on the study recommendations and initial comments received, proposed amendments to the Airport Corporate District policies of Mississauga Plan and the Zoning By-law were drafted which require that buildings have a minimum height of four storeys, a Floor Space Index (FSI) of 0.5, and be brought up to the street with no parking between the Bus Rapid Transitway (BRT) and/or the street. Main entrance doors are to face the BRT and/or streets. Manufacturing and warehousing facilities have been removed from the list of permitted uses to encourage higher employment densities that would be found in multi-level buildings. In the policies, at grade service and retail uses are encouraged as is underground parking. Through site plan review, staff will be encouraging transparent facades at grade and convenient access for pedestrians to the BRT.

On July 13, 2009 draft copies of a proposed Official Plan Amendment and draft Zoning By-law were circulated to those landowners who requested further notification of the project.

Representatives of the land owners around the Renforth Station met with Planning and Building staff on July 21, 2009, to review their issues.

There have been a number of issues raised through the preliminary consultation stage. Appendix 1 contains a summary of the issues raised regarding the *Mississauga BRT Planning Guidance-Renforth Station Area* report prepared by Urban Strategies Inc. and a response to those comments. Appendix 2 contains the comments received on the proposed Official Plan Amendments and Zoning By-law Amendments dated July 13, 2009, and a staff response.

Based on the comments received, a number of revisions have been made to the proposed amendments. Attached as Appendices 3 and 4 are proposed Official Plan and Zoning By-law Amendments based on the work of Urban Strategies and input received from landowners and technical agencies.

The major issues raised to date through the consultation process are:

- the cap on the maximum parking provided;
- the requirement for additional pedestrian walkways and whether or not they would be public or private;
- the requirement for underground parking;
- the minimum height requirements;
- how setbacks to buildings would be addressed on multiple streets;
- the need for flexibility with respect to vertical articulation of buildings as well as variety in building setbacks to allow for architectural fenestration and appropriate streetwalls;
- the requirement for a minimum Floor Space Index (FSI) of 0.5 on a development parcel;
- the desire to increase the grade related accessory uses to 25 percent from 20 percent for the four storey buildings, while also exempting those additional uses from the parking provisions which require that all accessory uses over 10 percent be calculated at the applicable standard for each use;
- the need to recognize the existing industrial uses and buildings that would not conform to the by- law.
- the need for development incentives, including financial, to encourage transit-oriented development.

At this time, the Planning and Building Department is not proposing to place restrictions on the parking provided. The need for walkways and their locations will be dealt with through the site plan approval process. The proposed draft Zoning By-law amendment as currently drafted allows some variation on building setback and heights while ensuring the majority (70 percent) of the building is brought up to the street and is a minimum 4 storeys in height except for podiums joining the buildings. This will allow some variation in massing. Existing buildings and uses are recognized in the proposed by-law and may expand without being subject to the by-law provisions. It is recognized that if underground parking is mandated, there can be significant financial impacts. At this time the draft by-law is not requiring underground parking.

FINANCIAL IMPACT: It is anticipated that the new policy framework will result in development that is transit-supportive, thereby contributing to the viability of the BRT.

CONCLUSION: Once the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding these matters.

ATTACHMENTS:

- Appendix 1 - Comments received regarding *Mississauga BRT Planning Guidance - Renforth Station Area, Urban Strategies. April 2009*
- Appendix 2 - Comments received regarding Proposed Official Plan and Zoning By-law Amendments dated July 13, 2009
- Appendix 3 - Proposed Official Plan Amendment 102
- Appendix 4 - Proposed Zoning By-law Amendment

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lesley Pavan, Manager, Development Team North

**Comments received regarding Mississauga BRT Planning Guidance Renforth Station Area
Urban Strategies Inc. April 2009**

#	Respondent	Issue/Comment <i>BRT Planning Guidance by Urban Strategies Inc.</i>	Staff Response
1	Letter submitted by Ian Woods dated June 26, 2009 on behalf of the Greater Toronto Airports Authority	GTAA is supportive of the policy recommendations. As the Airport Corporate District is directly south of the airport they will need to continue reviewing development applications for potential electronic interference with navigational aids and instrument procedures. Also, it was noted that sensitive land uses including residential, day cares, nursing homes, hospitals and schools are not permitted.	All development applications within the Airport Operating Area are circulated to the GTAA. There will be no change to this practice. The proposed amendments are not proposing to allow sensitive land uses.
2	Letter submitted Christina Ilianetti dated June 24, 2009 on behalf of the Region of Peel	Any change in land use must conform to the Regional Official Plan policies regarding sensitive land use. The western edge of the district is bounded by the Etobicoke Creek and regard must be had for any comments received from the Toronto Regional Conservation Authority. The Region is supportive of intensified and compact forms of development including a mix of land uses which are transit-supportive and pedestrian friendly.	Comments are for information purposes only.
3	Email submitted by Ted Lagakos dated June 16, 2009 Ministry of Transportation, Ontario	The Ministry has no objections to construct the subject transit station. The Amendments should stipulate a building setback requirement of 14 m (46 ft.) from the limit of Highway 401. Any proposed noise attenuation features must be contained within subject lands and set back a minimum of 0.3 m (1 ft.) from highway property limits. Ministry Permits are required for site grading/servicing within 45 m (148 ft.) of Highway 401 property limits and within a 395 m (1,295 ft.) of the centre point of Highway 401.	These matters will be addressed through the site plan approval stage should a site plan application be submitted.
4	Steven A. Zakem dated June 26, 2009 on behalf of UBE Airport Development Ltd. ("UBE")	The vision set out in the Urban Strategies document is unrealistic and if mandated will essentially preclude any development in the Renforth Mobility Hub for a considerable period of time. Specific issues are as	1., 2., and 5. Only certain components of the recommendations have been incorporated in the proposed Official Plan

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		<p>follows:</p> <ol style="list-style-type: none"> 1. Clarity is required regarding the proposed north south pedestrian spine linking to the Renforth Station. 2. Clarity is required regarding the recommendation for a transit plaza as part of the new gateway. 3. The minimum four storey building height is a considerable concern and would sterilize the property for a considerable period of time until the market warrants such density. The City should examine ways in which future density buildings could be phased and/or the possibility of interim uses which would allow redevelopment and intensification at the appropriate time. 4. The minimum of one underground level of parking for prestige offices is unclear. Also, clarification is required around the definition of prestige office. 5. Clarity is required around the potential for a 22 m (72 ft.) north-south right-of-way linking Matheson Boulevard to the Renforth Mobility Hub. 6. The reduced maximum parking rate of 2 spaces per 100 m² (328 ft.) of gfa is unrealistic and would be onerous. 	<p>and Zoning By-law Amendments. While the pedestrian spine linking lands to the transit station is desirable, at this time the requirement is not being mandated. Opportunities for pedestrian connections will be explored when site plan applications are submitted.</p> <ol style="list-style-type: none"> 3. Minimum heights have been incorporated into the documents to encourage transit supportive development. 4. At this time the proposed Official Plan Amendment encourages underground parking but it is not required through the proposed Zoning By-law Amendment. 6. The parking standard is not proposed to be changed at this time.
5	<p>Letter dated June 26, 2009 from Peter Smith, Bousefields Inc. on behalf of Bradgate Investments Limited, International Business Park Limited, Baif Developments Limited and Brookfield Properties Ltd.</p>	<p>The proposed recommendations in the Urban Strategies Report do not appropriately recognize the need for a flexible approach to phasing relative to anticipated changes in modal split over time.</p> <p>Restrictions on maximum parking may place lands at a disadvantage in the market place. Instead, the Official Plan policies and zoning should be directed at encouraging office development through such measures</p>	

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		<p>as reducing minimum parking standards and by giving consideration to financial incentives.</p> <p>Detailed comments are as follows:</p> <ol style="list-style-type: none"> 1. Concern was expressed as to whether or not the concept plan for development was going to form part of the Official Plan Amendment. 2. There was a statement that it was not apparent if the four storey height was related to built form or intended as a proxy for density. 3. Questions were raised with respect to whether or not the walkways would be private or formal public easements. They would not support public easements. 4. The policies for Transportation Demand Management (TDM) strategy is unclear. 5. While supportive in principle of providing at least one level of underground parking, it was noted that there may be issues that may arise through implementation related to "at grade". 6. The prohibition of parking between the building and the streetline could be problematic for sites with multiple street frontages. 7. The extent of the required pedestrian and environmental features could become an issue. In order not to impose extraordinary costs on the development, the extent of such features should be reasonable. 	<ol style="list-style-type: none"> 1. The concept plan is not part of the Official Plan Amendment. 2. The minimum four storey height requirement is to encourage building developments that are intensive in nature. 3. Walkways will be addressed through the site plan approval process to allow a detailed review and to provide some flexibility in achieving this objective. 4. At the site plan approval stage, the need for a TDM study can be reviewed and a terms of reference provided should such a study be required. 5. At this time, it is not proposed to amend the by-law to require underground parking although it will be encouraged. 6. The proposed by-law has been drafted to deal with sites with multiple street frontages. 7. Comment is noted.

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		<p>8. Clarification is required that it is not the City's intention to prohibit grade-related retail, service, restaurant and banking uses within an office building.</p> <p>9. While not opposed to the minimum first phase density of 0.5 FSI, clarification is required whether or not it would apply to the development site rather than across an entire land ownership. Also, it should be an Official Plan policy, not a zoning requirement. It should be clear that the purpose of the concept plan is to ensure that the first phase development does not preclude future intensification and should not be used to impose timing or other conditions on the form of future development.</p> <p>10. The zoning by-law should allow vertical articulation for building wings that may be less than specified minimum heights.</p> <p>11. The by-law should contain a consistent maximum setback standard with sufficient flexibility for articulation and inset building entrances which would work together with an appropriate minimum setback providing sufficient flexibility between minimum and maximum figures. Where there are multiple frontages, such requirement should be directed at main street frontages.</p> <p>12. Concern was expressed regarding the proposed north-south pedestrian spine.</p> <p>13. If minimum built frontage requirements are imposed, zoning provision would have to ensure that the minimum built frontage could be met over time where development occurs in phases. There may be issues where lots have multiple frontages.</p>	<p>8. The policies encourage grade related retail and they are permitted by the by-law.</p> <p>9. The FSI would be calculated on a development block.</p> <p>10. This has been addressed in the revised proposed Zoning By-law.</p> <p>11. The by-law provides for 30 per cent of the building to exceed the maximum setback standard to allow for building articulation.</p> <p>12. See item 3.</p> <p>13. Provisions have been incorporated in the proposed by-law amendment to allow phasing and where there are multiple frontages.</p>

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		14. Imposing a maximum parking standard is not supported, while it is recommended that the minimum standard be reduced. There is concern that the restaurant standard is too high. There should be a more flexible approach for parking for ground floor commercial uses.	14. The parking standards are not proposed to be changed at this time.

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Comments received regarding Proposed Official Plan and Zoning By-law Amendments dated July 13, 2009

#	Respondent	Issue/Comment Draft OPA/ZBA July 13/09	Staff Response
1	<p>Letter dated July 30th, 2009 from Peter Smith, Bousfields Inc. on behalf of Bradgate Investments Limited, International Business Park Limited, Baif Developments Limited and Brookfield Properties Ltd.</p>	<p>The proposal to delete manufacturing facilities and warehouse/distribution facilities as permitted uses would render a number of existing uses legal non-conforming. Legal non-conforming status would impose restriction on the expansion of existing employment uses and changes in employment uses. It is requested that the proposed E1-18 Exception Zone include manufacturing facilities and warehouse/distribution facilities existing as of the date of passing of the Zoning By-law Amendment as additional permitted uses.</p> <p>It is also requested that the range of uses be broadened in accordance with the intent of the proposed Official Plan policy by including the following as additional uses:</p> <ol style="list-style-type: none"> 1. broadcasting/communication facility 2. education and training facility 3. science and technology facility 4. private school 5. private club 6. repair service (as an accessory use) 7. repair establishment (as an accessory use) 8. travel agency (as an accessory use) 9. photography studio (as an accessory use) 10. office and computer supplies and equipment sales (as an accessory use) 11. printing establishment (as an accessory use) 12. outdoor patio accessory to a restaurant or convenience restaurant <p>Further it is requested that the minimum 20% maximum for accessory uses within office buildings be increased to 25% recognizing the City's desire to encourage active ground floor uses.</p>	<p>This recommendation has been incorporated in the revised draft by-law.</p> <p>Education and training facilities if they comply with the requirements for commercial schools would be permitted, science and technology facility is permitted as is a travel agency as an office use, office and computer supplies and equipment sales and stores such as Kinkos (printing) would be permitted as an accessory use in an office building. Private schools would not be permitted due to the aircraft noise policies. Further clarification is required regarding the terms, repair service, repair establishment, photography studio as they may already be permitted. It is City Council's practice to require the review of outdoor patios through the Committee of Adjustment rather than to permit them as a right.</p> <p>The implications regarding parking are under review by planning staff.</p>

#	Respondent	Issue/Comment Draft OPA/ZBA July 13/09	Staff Response
		<p>There continue to be concerns with the following regulations:</p> <p><u>Minimum Gross Floor Area</u> There is a concern with the minimum FSI of 0.5 being applied to the development parcel rather than across an entire land ownership. It is suggested that the minimum gross floor area be expressed as “0.5 times the area of the development parcel”</p> <p><u>Maximum Building Setbacks</u> The term street wall should be italicized to indicate it is a defined term.</p> <p>In addition, the reference to “the first building” in is unclear, as is the proposal to relate the requirement to the lot abutting the specified streets.</p> <p>As well, the phrase “south of Commerce Boulevard” appears incorrect. We would suggest rewording the provisions to specify “maximum setback to the first three (3) storeys of a streetwall facing a lot line abutting (lands zoned PB1, Eglinton Avenue West, etc.)”.</p> <p>Finally, the proposed maximum setback is 4.5 metres (15 ft.), while Regulation 5.0 applicable to the underlying E1 zoning would require a minimum setback of 4.5 metres (15 ft.). Given that it is problematic for the minimum and maximum to be the same, we would suggest reducing the minimum setback to 2.0 metres (6.5 ft.), as recommended by Urban Strategies.</p> <p><u>Minimum Height</u> As discussed at our meeting, we understand that the minimum height is proposed to be “4 storeys” As “storey” is a defined term, we would suggest that it be</p>	<p>With the four storey height requirement it is possible to achieve a 0.5 FSI while developing only one quarter of a development parcel.</p> <p>Recommendation has been incorporated in revised by-law.</p> <p>On large sites that have the potential for more than one building, the by-law proposed to require that the first building be brought up to the street and allow additional buildings to be built behind through future phases.</p> <p>This has been corrected.</p> <p>The by-law contains requirements for a 4.5 m (15 ft.) landscape strip adjacent to streets. The maximum front yard is now being proposed as 5 m (16 ft.).</p> <p>Recommendation has been incorporated in revised by-law.</p>

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		<p>italicized when it is added to the table.</p> <p>In our letter dated June 26, 2009, we indicated concerns regarding the proposal for a minimum four-storey height in terms of clarifying its intent. We note that the by-law continues to refer to “all buildings and structures” and does not make specific accommodation for lower-rise building elements that may be needed for vertical articulation, building wings, atriums or connecting structures. We would suggest that the Exception be modified to include either a specific exception for vertical articulation, building wings, atriums or connecting structures or a regulation that provides that the minimum four storey requirement is subject to the proviso that the floor area of the fourth storey may be no less than 50% (or some other appropriate percentage) of the floor area of the first storey.</p> <p>We would suggest that an additional regulation be added to provide for a more flexible approach to minimum parking for ground floor commercial uses in office buildings. The base Zoning By-law provision provides that, if accessory uses exceed 10% of the gross floor area of the office building, parking will be required on the basis of the applicable standards for each of the accessory uses (whereas, below 10%, the minimum 3.2 spaces per 100 square metre requirement would apply to the entire building). In our opinion, these parking regulations are likely to act as a disincentive for the inclusion of active ground floor uses within office buildings, contrary to the intent of the proposed Official Plan policies. Draft Official Plan Amendment.</p> <p><u>Proposed Official Plan</u> Attached to the letter were a number of requested revisions to the draft Official Plan Amendment, shown in strike-through and underline format. In summary, the key concerns with the draft Official Plan Amendment relate to the following:</p> <p><u>Existing industrial uses:</u> As set out above in our comments regarding the draft Zoning By-law Amendment, we are concerned about the proposal to delete permission for industrial uses. In our opinion, it must be made clear that only new industrial uses are not permitted and that existing industrial uses will be permitted to continue</p>	<p>Recommendation has been incorporated in revised by-law.</p> <p>This recommendation is under review by staff in order to understand the implications on parking.</p> <p>Recommendation has been incorporated in revised proposed Official Plan Amendment.</p>

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		<p>and expand.</p> <p><u>Corporate head offices:</u> As specifically recognized in Policy 4.2.2, corporate head offices are an important component of the Airport Corporate District. As such, the proposed policies need to recognize the different considerations which apply to corporate head offices as opposed to multi-tenant office buildings. In multi-tenant office buildings, the policies encouraging active ground floor uses with display windows are feasible, given that such buildings often include restaurants, banks, convenience stores and services. However, such “third party” commercial uses are rare within corporate head office buildings. We have requested a number of revisions to explicitly recognize such considerations, while continuing to address the fundamental objective of avoiding blank walls and promoting an active street frontage.</p> <p><u>Incremental intensification:</u> In terms of their approach to minimum density, both the draft Official Plan Amendment and the implementing Zoning By-law Amendment reflect the principle that intensification is likely to occur over time, as transit improvements are incrementally introduced. We are supportive of this approach, but we believe that it needs to be extended to the policy regarding the achievement of a continuous streetwall, to reflect that the 70% condition is an ultimate objective that may not be achieved with the construction of the first building.</p> <p><u>Sites with multiple frontages:</u> There are a number of corner sites affected by the proposed instruments, and at least one which has three street frontages. Such sites pose special challenges in that it may not be practical to achieve continuous streetwalls and active uses on all street frontages. In such circumstances, it will be important to establish which frontages represent the priorities. We have suggested that Commerce Boulevard and the BRT corridor be established as the priorities.</p> <p><u>Below grade parking:</u> The policy as proposed is somewhat ambiguous and could be interpreted to mean that parking would have to be provided underground throughout the entire site. We would request that the policy instead encourage parking beneath the building</p>	<p>Recommendation has been incorporated in revised proposed Official Plan Amendment.</p> <p>Recommendation has been incorporated in revised proposed Official Plan Amendment.</p> <p>Recommendation has been incorporated in revised proposed Official Plan Amendment.</p> <p>Recommendation has been incorporated in the revised proposed Official Plan</p>

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		<p>itself.</p> <p><u>Parking lot landscaping:</u> Parking lot landscaping is addressed in both the pedestrian connections and parking and servicing section. We have suggested some deletions in order to (1) avoid overlap and (2) to delete the requirement for “substantial areas of concentrated landscaping” which goes beyond the Urban Strategies recommendations and could frustrate the owners’ objective of providing sufficient parking.</p> <p><u>Development Incentives</u> It is our opinion that, as transit infrastructure improvements are put in place across the Greater Toronto Area, there needs to be additional consideration given to the opportunities to integrate land use and infrastructure. One of those opportunities is locating transit-supportive development in proximity to major transit station areas. In addition to Official Plan policies and Zoning By-law regulations, which by definition tend to be restrictive in nature, we believe that additional thought needs to be given to proactive measures such as the use of financial and other incentives to encourage transit-oriented development. The City of Toronto, for example, has recently introduced tax increment financing (tax increment equivalent grants) to encourage office development in four of its designated centres.</p>	<p>Amendment.</p> <p>Recommendation has been incorporated in the revised proposed Official Plan Amendment.</p> <p>This would be the subject of a separate study and was not part of the Council direction at this time.</p>
2	<p>Letter dated August 14, 2009 from Paul Lowes and Carol-Anne Munroe, Sorensen Gravely Lowes Planning Associates Inc. on behalf of UBE Airport Developments Ltd.</p>	<p><u>Proposed OPA No. 102</u> Section 4.2.3.2 Site 1 The description of Site 1 references lands south of Matheson Blvd E whereas the accompanying map schedule appears to include certain lands north of Matheson Blvd E.</p> <p>Section 4.2.3.2.a. It is unclear if free-standing financial institutions, only, are to no longer be permitted, while financial institutions located as tenants in office buildings would be permitted.</p> <p>Section 4.2.3.2.b. The minimum 4-storey building height limit should be tied solely to office</p>	<p>The second part of the sentence states “and all lands east of Explorer Drive” and is consistent with the map.</p> <p>Financial institutions are still permitted as part of a larger building.</p> <p>The recommendation for a</p>

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		<p>buildings since such a height standard would prevent otherwise permitted uses such as banquet halls or entertainment, recreational and sports facilities of less than 4 storeys in height (as “storey” is currently defined in Zoning By-law No. 0225-2007) from locating near a major future transit hub.</p> <p>The policies permit an interim minimum floor space index. Consideration should also be given to an interim height limit that is lower than 4 storeys provided that through the site plan approval process, additional storeys could be added in subsequent phases. The need for interim density and height permissions is particularly critical to attract development to the Renforth Station Area during the period leading up to full build-out of the BRT system in both Mississauga and Toronto and achievement of healthy transit ridership levels.</p> <p>The wording of the policy imposing a minimum building height of 4 storeys for office buildings should also be sufficiently flexible to permit lower-rise building wings and other design elements that add architectural interest to a building or complex.</p> <p>The subject site has multiple frontages (Citation Place, BRT corridor and Matheson Blvd E), with proposed Section 4.2.3.2.b. requiring a minimum of 70% of any lot frontage along the BRT corridor and Citation Place to be occupied with a building or buildings. This policy is problematic along Citation Place due to the curved lot frontage of the subject property along the cul-de-sac bulb. Accordingly, this policy should be amended to delete the reference to Citation Place as it applies to the subject lands, or perhaps to Special Site 1 as a whole, given the non-priority nature of this internalized local street. As well, this policy should be amended to tie the 70% streetwall condition to development at full build-out once planned transit improvements are largely in place. Section 4.2.3.2.c.</p> <p>The implications of the policy requiring the provision of publicly accessible</p>	<p>minimum height 4 storey is part of the original recommendations from Urban Strategies. This policy should be read in conjunction with those that encourage active at grade retail uses. Banquet Halls often have blank walls facing the street.</p> <p>The site plan approval process does not address the construction methods and load bearing of buildings to ensure future development. Further clarification would be required on how this would be enforced.</p> <p>The proposed by-law now incorporates flexibility for wings and design elements.</p> <p>The Official Plan needs to state the long term vision for the area. Although the area has been subdivided into large blocks and includes a cul-de-sac, the policy is seeking to encourage an appropriate built form.</p> <p>At the time of the subdivision, the</p>

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		<p>pedestrian connections through the site plan approval process is unclear since the City's expectations for the location and width of such connections on the subject lands have not been confirmed. Furthermore, we are unsure as to how the City intends to secure such connections in a fair and equitable manner amongst neighbouring landowners, particularly due to the uncertain timing of future site plan approvals and potentially different development timelines.</p> <p>It is also unclear as to the width of the pedestrian easement that the City may seek adjacent to the BRT corridor through the site plan review process, and how such an easement might relate to the existing on-site easement in this general location (Instrument LT549816) that is in favour of the City of Mississauga and the Region of Peel and relates to sanitary, water and storm drainage works.</p> <p>Section 4.2.3.2.d. The policy prohibiting parking between the building and the streetline or BRT corridor on "principal building frontages" should be clarified to identify what constitutes a "principal building frontage". As currently written, this policy would present unreasonable site plan design challenges for the subject lands since it could be interpreted to prohibit parking along the BRT corridor, Citation Place as well as Matheson Blvd E.</p> <p>The reference to "and defined future development blocks" appearing at the end of Bullet 5 seems unnecessary since Bullet 4 to Section 4.2.3.2.b. already requires on-site parking to be addressed under an achievable minimum 1.0 FSI demonstration plan. We suggest that this wording be removed from Section 4.2.3.2.d.</p>	<p>land owners agreed in writing to provide pedestrian connections from the Renforth Station to the adjoining sites. This policy recognises that commitment but leaves flexibility in its implementation.</p> <p>This policy applies to a number of sites. For sites with multiple frontages, the BRT would be the principle frontage and then according to the road hierarchy.</p> <p>Ensuring that parking and pedestrian movements work in phased developments will be a key issue to be reviewed through the site plan approval stage. While a site may achieve an FSI of 1.0, if a pedestrian connection is needed to adjacent properties then this will be reviewed at the site plan stage.</p>

#	Respondent	Issue/Comment Draft OPA/ZBA July 13/09	Staff Response
		<p><i>Proposed Amendment to Zoning By-law No. 0225-2007</i> The reference to Eglinton Ave W seems unnecessary since the development properties to be subject to the maximum 7.5 m setback abut lands zoned “PB1” that position them so as not to abut Eglinton Ave W.</p> <p>The reference to the “first building” is confusing and should be reworded, and the streetwall should be more clearly described as “facing” or “situated along” lands zoned “PB1”.</p> <p>The minimum 4-storey building height should be tied to office buildings, only, to not preclude other permitted uses such as banquet halls and entertainment/recreation/sports facilities from locating on lands proposed to be zoned ‘E1-Exception 18’. It might also be useful to include an equivalent 4-storey minimum metric height measure (4 storey or 12m, whichever is the lesser) to provide design flexibility to accommodate mezzanine levels that add to the overall building massing/height but may not qualify as a “storey” as defined in Zoning By-law No. 0225-2007.</p> <p>As well, our comment requesting that an interim height permission be included in proposed OPA No. 102 should also be addressed in the proposed “E1-Exception 18” zone.</p> <p>Section 2 The “map change” description incorrectly describes the lands to be rezoned from “E1” to “E1-Exception 18” as being located north of Matheson Blvd whereas lands located south of Matheson Blvd are also captured by the proposed zoning amendment.</p> <p>Other Suggested Performance Standards for the Proposed “E1-Exception 18”</p>	<p>This recommendation has been incorporated in the revised draft by-law.</p> <p>The purpose of this clause is to recognize that while development parcels may be built out in phases, the first building constructed needs to be at the street.</p> <p>As noted above some of these uses may not achieve some of the other objectives of the policies. Part of the rationale for a 4 storey building to encourage mixed use buildings with higher employment densities to support transit uses. The by-law also allows up to 30 percent of the building height to vary from the 4 storey requirement.</p> <p>This has been addressed above.</p> <p>The correct description is now incorporated into the By-law.</p>

#	Respondent	Issue/Comment Draft OPA/ZBA July 13/09	Staff Response
		<p>Zone</p> <p>Since Section 8.1.2.1.2 to Zoning By-law No. 0225-2007 limits the total GFA – non-residential of accessory uses for an office building to 20%, such accessory uses should be permitted at the prevailing parking rates for offices buildings of 3.2 spaces/100 m2. In turn, the parking provisions contained in Line 1 to Table 3.1.2.2 of Zoning By-law 0225-2007, requiring parking rates to be levied by specific use where accessory uses occupy more than 10% of the total GFA non-residential, should not apply in the “E1-Exception 18”.</p> <p>We wish to advise that our review of comments received to date by the City related to the proposed Amendments include those provided by Bousfields Inc. (July 30, 2009) on behalf of Bradgate Investments Limited et.al., and that we have no objections to the suggested expanded list of permitted land uses and the City’s use of tax incremental financing to encourage transit oriented development proximate to the Renforth Transit Station.</p>	<p>The proposed parking standard has been revised to up to 20% GFA to be used for accessory uses without having to supply parking at a rate greater than the office rate.</p> <p>This is addressed a part of Comment #1.</p>

Amendment No. 102

to

Mississauga Plan (Official Plan)

for the

City of Mississauga Planning Area

By-law No. _____

A by-law to Adopt Mississauga Plan (Official Plan) Amendment No. 102.

WHEREAS in accordance with the provisions of sections 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to section 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing may authorize an approval authority to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, the Minister of Municipal Affairs and Housing has authorized the Region of Peel to exempt Local Municipal Official Plan Amendments;

AND WHEREAS, on January 27, 2000, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Environment, Transportation, and Planning Services for the Region of Peel has advised that, with regard to Amendment No. 102, in his opinion the amendment conforms with the Regional Official Plan and is exempted;

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

1. The following text attached hereto, constituting Amendment No. 102 to Mississauga Plan (Official Plan), specifically the Airport Corporate District Policies of Mississauga Plan (Official Plan), of the City of Mississauga Planning Area, are hereby adopted.

ENACTED and PASSED this _____ day of _____, 2009.

Signed _____
MAYOR

Signed _____
CLERK

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law No. _____ as Enacted and Passed by the Council of the City of Mississauga on the _____ day of _____, 2009

Signed _____
CLERK OF THE MUNICIPALITY

Amendment No. 102

to

Mississauga Plan (Official Plan)

for the

City of Mississauga Planning Area

The following text attached hereto constitutes Amendment No. 102.

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

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

Appendix II is a map showing the Existing Land Use of the subject lands and the surrounding area, with the lands affected by this Amendment outlined in red.

Appendix III is a copy of the Planning and Building Department report dated XXXX XX XXXX, pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to amend the Business Employment Policies within the Airport Corporate District to encourage transit supportive development within the area surrounding the Gateway Mobility Hub and the Spectrum and Orbitor bus rapid transit stations.

LOCATION

The lands affected by this Amendment are located north of Eglinton Avenue West, east of the Etobicoke Creek, south of Matheson Boulevard in the City of Mississauga.

BASIS

The subject lands are located in the Airport Corporate District, and form part of Mississauga Plan (Official Plan). Mississauga Plan came into effect on May 5, 2003, save and except for those policies and land use designations which have been appealed to the Ontario Municipal Board. The appeals to Mississauga Plan do not pertain to the subject lands.

The subject lands are designated Business Employment which permits a range of industrial uses including, manufacturing, warehousing, offices, overnight accommodation, entertainment uses, financial institutions, restaurants, commercial schools, funeral establishments.

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

1. The amendment to the Airport Corporate District Policies will encourage transit supportive development by eliminating those uses that will not generate employment densities that meet the definition for Mobility Hubs in the Regional Transportation Plan (RTP).
2. The amendment is proposing policies that include urban design standards to facilitate ease of movement of transit users and create pedestrian friendly streets to encourage transit usage.

Details regarding this Amendment to the Airport Corporate District Policies of Mississauga Plan (Official Plan) are contained in the Planning and Building Report dated XXXX XX XXXX, attached to this Amendment as Appendix III.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 4.2.1 Airport Corporate District Policies of Mississauga Plan, planning context (Official Plan) is hereby amended by adding the following paragraphs:

*The Mississauga Bus Rapid Transit System (BRT) will be constructed on the north side of Eglinton Avenue and is considered a **Bus Rapid Transit Corridor**. Transit stations are proposed at Spectrum Way, Orbitor Drive and west of Renforth Drive. The Spectrum and Orbitor stations are Bus Rapid Transit Stations and the Renforth Station is identified as a Gateway Mobility Hub in the Regional Transportation Plan.*

*The lands along the BRT are considered to be within an **Intensification Corridor**.*

2. Section 4.2.2 Airport Corporate District Policies, Development Concept is hereby amended by deleting the section and replacing it with the following:

The Airport Corporate District is identified as a Node in recognition of the existing high quality office development and its visibility, access and location. The District will continue as a location primarily for corporate head offices, manufacturing, research and development and accessory commercial.

With the introduction of the Mississauga Bus Rapid Transit along the southern border of the District, the area will continue to evolve as a transit-oriented hub, with a greater mix of uses, high quality public realm including pedestrian-friendly streets and new open spaces. Buildings will define street edges, public spaces and intersections through appropriate building siting. In support of the investment in BRT, new buildings will be higher density and contribute to an attractive pedestrian area. In addition, lands within 800 metres of Renforth Station are identified in the Regional Transportation Plan as a Gateway Mobility Hub. The development and employment density should be substantial in order to support levels of ridership for the BRT.

3. Section 4.2.3.1(a) Airport Corporate District Policies, Urban Design Policies, is hereby deleted and replaced by the following:

- (a) the development to a continuous street frontage through the orientation of buildings parallel to the street, and the placement of significant building mass adjacent to the street edge *with transparent facades* at-grade will be encouraged;

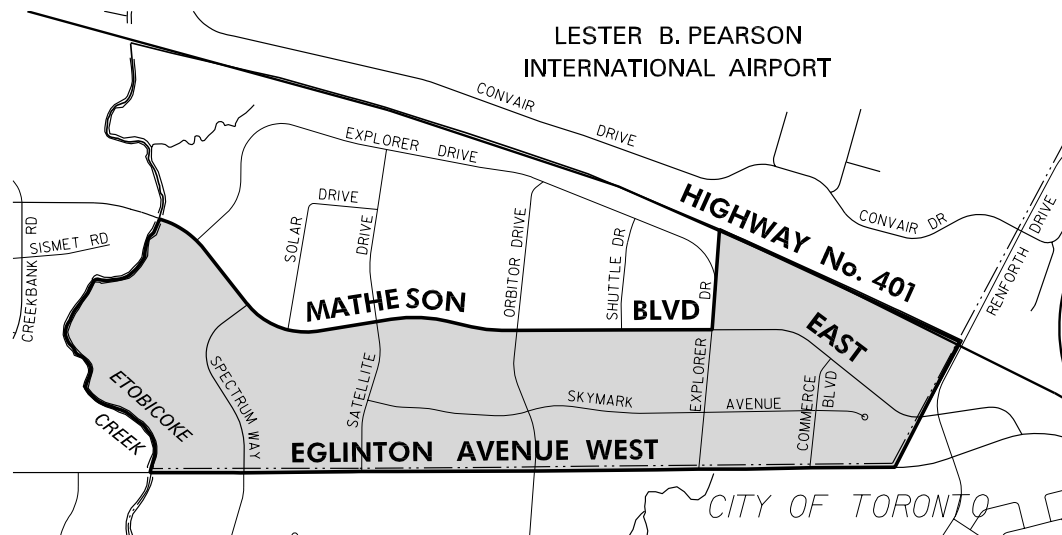
4. Section 4.2.3.1 Airport Corporate District Policies, Urban Design Policies of Mississauga Plan (Official Plan) is hereby amended by adding the following paragraph (b) after paragraph (a) and renumbering the remaining policies thereafter:

- (b) *where they are related, multi-storey buildings should be linked together with a podium;*
5. Section 4.2.3.1(c) Airport Corporate District Policies, Urban Design Policies is hereby deleted and replaced by the following:
- (c) *main building entrances will be clearly articulated and linked to pedestrian walkway systems to provide convenient access for pedestrians to public transit. Active building entrances should be orientated to major street frontages and the BRT.*
6. Section 4.2. **Airport Corporate District** Policies of Mississauga Plan (Official Plan) is hereby amended by adding the following as Section 4.2.3 Special Site Policies:

4.2.3.1. Introduction

There are sites within the District which merit special attention and are subject to the following policies:

"4.2.3.2 Site 1



The lands identified as Special Site 1 are located north of Eglinton Avenue West, south of Matheson Boulevard East, east of the Etobicoke Creek, to Explorer Drive and all lands East of Explorer Drive.

- a. *Notwithstanding the provisions of the Business Employment designation, the following uses will not be permitted:*
- *new industrial uses including manufacturing, assembling, processing, fabricating, repairing, warehousing, distributing and wholesaling, outdoor storage uses;*

- *free-standing retail commercial uses and financial institutions.*

However, existing industrial uses will be permitted to continue and expand.

b. Notwithstanding the Business Employment designation, the following additional policies will apply:

- *buildings will be a minimum of four storeys within 500 m of the limits of Renforth BRT station;*
- *buildings will be a minimum of two storeys within 500 m of the limits of Spectrum and Orbitor stations;*
- *development will have a minimum FSI of 0.5;*
- *prior to site plan approval, it will be demonstrated by the proponent that sites have the ability to achieve a minimum FSI of 1.0 over time by demonstrating the capacity of the site to accommodate additional development having regard to parking, servicing, access and landscaping;*
- *the provision of retail commercial uses with display windows in the at-grade level is encouraged. Buildings closest to the BRT station should have active uses along most of their ground floor frontage facing public streets and/or BRT corridor;*
- *where it is not feasible to include retail commercial uses, the at grade level should include windows, lobbies and entrances so as to avoid blank walls facing public streets;*
- *in order to achieve a continuous street wall, it is intended that as development occurs over time, a minimum of 70 percent of any lot frontage along the BRT corridor, Skymark Avenue, Commerce Boulevard and Citation Place, should be occupied with a building or buildings. In the case of lots with multiple street frontages, priority will be given to establishing a continuous street wall along Commerce Boulevard and the BRT corridor.*

*c. **Pedestrian Connections***

Development will promote pedestrian movements to and from transit stations through the local streets and publicly accessible private pedestrian connections or private open space areas (plazas). The location, size and character of the publicly accessible connections will be determined during the site plan review process having regard for the following:

- *sidewalks will be provided on both sides of all streets and form a connected system of pedestrian access to and from BRT stations.*

- *streetscape improvements will be coordinated and well designed, including trees, pedestrian-scale lighting, special paving and street furniture on sidewalks, boulevards and important pedestrian and publicly accessible open space areas and walkways;*
- *parking areas will have appropriate landscape treatments, including trees and lighting, throughout parking lots and along their edges, in order to improve the appearance of the parking areas, to contribute to the visual continuity of the street edge. Parking areas should also incorporate defined pedestrian routes for safe and convenient pedestrian movement to building entrances and other destinations to encourage the safe use of these spaces;*
- *concentrated landscape treatment will be provided where continuous street planting is not possible due to the location of utilities or other constraints;*
- *private open space areas will be high quality, usable, and physically and visually linked to streets, park and mid-block pedestrian routes;*
- *pedestrian easements will be provided through the site plan review for the achievement of a continuous pedestrian promenade adjacent to the BRT corridor.*

d. *Parking and Servicing*

- *new developments will demonstrate that they have a Transportation Demand Management (TDM) strategy in place as a condition of site plan approval;*
- *prestige offices will be encouraged to provide at least one level of below grade parking below the building;*
- *no parking will be provided between the building and the streetline or BRT corridor on principal building frontages;*
- *surface parking should incorporate pedestrian and environmental features including: pathways and plantings to break up large expanses of asphalt, permeable surfaces, storm-water management, clear pathways for enhanced pedestrian access, and defined future development blocks;*
- *loading and garbage storage areas should be located at the rear of buildings, integrated or screened from primary pedestrian routes and publicly visible areas;*
- *shared parking and driveways between developments will be encouraged;*

- *site plans will demonstrate the ability for shared servicing access with adjacent developments;*
- *new development will provide secure bicycle parking for employees.*

IMPLEMENTATION

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

Provisions will be made through the rezoning of the lands subject to this Amendment, for development to occur subject to approved site development, architectural and landscaping plans, to ensure that site access, buildings, parking and landscaping are satisfactorily located and designed.

INTERPRETATION

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

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

Upon approval of this Amendment, the various Sections will be amended in accordance with this Amendment, subject to technical revisions being permitted to this Amendment without official plan amendments with respect to: changing the numbering, cross-referencing and arrangement of the text, tables, schedules and maps; altering punctuation or language for consistency; and correcting grammatical, dimensional and boundary, mathematical or typographical errors, provided that the purpose, effect, intent, meaning and substance of this Amendment are in no way affected.

APPENDIX I
PUBLIC MEETING

All property owners within a radius of 120 m of the subject lands were invited to attend a Public Meeting of the Planning and Development Committee held on XXXX XX XXXX in connection with this proposed Amendment.

Note to Planner: A sentence or paragraph needs to be added regarding the result of the Public Meeting

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A by-law to Adopt Mississauga Plan (Official Plan) Amendment No. 102

WHEREAS in accordance with the provisions of sections 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to section 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing may authorize an approval authority to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, the Minister of Municipal Affairs and Housing has authorized the Region of Peel to exempt Local Municipal Official Plan Amendments;

AND WHEREAS, on January 27, 2000, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Environment, Transportation, and Planning Services for the Region of Peel has advised that, with regard to Amendment No. 102, in his opinion the amendment conforms with the Regional Official Plan and is exempted;

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

1. The following text attached hereto, constituting Amendment No. 102 to Mississauga Plan (Official Plan), specifically the Airport District Policies of Mississauga Plan (Official Plan), of the City of Mississauga Planning Area, are hereby adopted.

ENACTED and PASSED this _____ day of _____, 2009.

MAYOR

CLERK

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

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

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by adding the following Exception Table:

8.2.2.18	Exception: E1-18	Map # 33, 34E	By-law:
In an E1-18 zone the permitted uses and applicable regulations shall be as specified for an E1 zone except that the following uses/regulations shall apply:			
Uses Not Permitted			
8.2.2.18.1	(1) Manufacturing Facility (2) Warehouse/Distribution Facility		
Additional Permitted Uses			
8.2.2.18.2	(1) Manufacturing facility legally existing on the date of passing of this By-law (2) Warehouse/distribution facility legally existing on the date of passing of this By-law		
Regulations			
8.2.2.18.3	Minimum floor space index - non residential		0.5
8.2.2.18.4	Maximum setback to the first three (3) storeys of a streetwall of the first building erected on a lot abutting lands zoned PB1		7.5 m
8.2.2.18.5	Maximum setback to the first three (3) storeys of a streetwall of the first building erected on a lot abutting Commerce Boulevard, Explorer Drive or Skymark Avenue		5.0 m
8.2.2.18.6	A maximum of 30% of the length of a streetwall of the first three (3) storeys of a building or structure identified in Sentences 8.2.2.18.4 and 8.2.2.18.5 of this Exception, may be set back beyond the maximum setback		
8.2.2.18.7	Minimum height of all buildings and structures except that:		4 storeys
	(1) a maximum of 30% of the building footprint may be less than four (4) storeys		

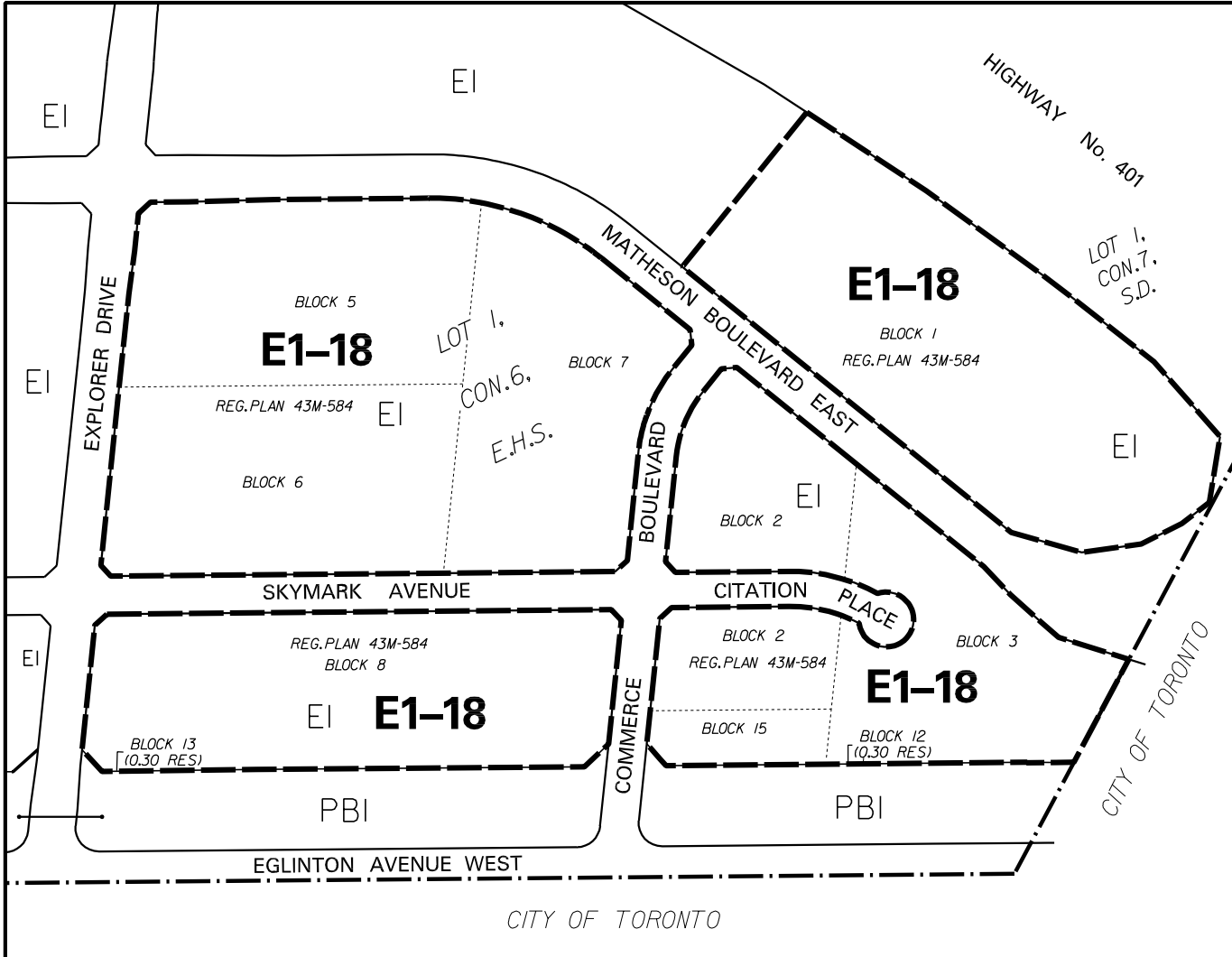
8.2.2.18	Exception: E1-18	Map # 33, 34E	By-law:
8.2.2.18.8	Where a building is located within 10.0 m of lands zoned PB1, Eglinton Avenue West, Commerce Boulevard, Explorer Drive or Skymark Avenue, the main front entrance shall face the street . Where a building is located at the intersection of two (2) of these streets and/or lands zoned PB1, or any combination thereof, the main front entrance shall be located at either the corner of the building facing the intersection , or a building entrance shall be located facing each street and/or lands zoned PB1		
8.2.2.18.9	Enlargement of any use, building or structure legally existing on the date of passing of this By-law shall be permitted and shall not be subject to the regulations of Sentences 8.2.2.18.3 to 8.2.2.18.8 of this Exception		
8.2.2.18.10	In an office building , where the non- office uses , including medical office and real estate office , are greater than 20% of the total GFA – non-residential , separate parking will be required for all of such uses in accordance with the regulations contained in Table 3.1.2.2 of this By-law. Parking for banquet hall/conference centre/convention centre will be provided in accordance with the applicable regulations contained in Table 3.1.2.2 of this By-law.		

2. Map Numbers 33 and 34E of Schedule "B" to By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by changing thereon from "E1" to "E1-18", the zoning of Part of Blocks 1, 2 and 3, and Blocks 5, 6, 7, 8, 12, 13 and 15, Registered Plan 43M-584 and Peel Condominium Plan 437 in the City of Mississauga, PROVIDED HOWEVER THAT the "E1-18" zoning shall only apply to the lands which are shown on the attached Schedule "A" outlined in the heaviest broken line with the "E1-18" zoning indicated thereon.
3. This By-law shall not come into force until Mississauga Plan (Official Plan) Amendment Number 102 is in full force and effect.

ENACTED and PASSED this _____ day of _____ 2009.

MAYOR

CLERK



**PART OF BLOCKS 1, 2, 3 and 8
BLOCKS 5, 6, 7, 12, 13, 15 OF
REGISTERED PLAN 43M-584
CITY OF MISSISSAUGA**

**THIS IS SCHEDULE "A" TO
BY-LAW _____
PASSED BY COUNCIL ON
_____**

APPENDIX "A" TO BY-LAW NUMBER _____

Explanation of the Purpose and Effect of the By-law

This By-law amends the zoning of the property outlined on the attached Schedule "A" from "E1" (Employment in Nodes) to "E1-18" (Employment in Nodes - Exception).

The "E1-18" zone introduces minimum heights, FSI and maximum setbacks for a portion of the Airport Corporate Employment Node. The "E1-18" zone also removes manufacturing, warehousing and distribution facilities as a permitted use but permits existing uses to continue and expand.

Location of Lands Affected

Lands east of Explorer Drive, south of Matheson Boulevard East, north of Eglinton Avenue West, a portion of the lands north of Matheson Boulevard East, south of Highway 401 and west of the City of Toronto boundary in the City of Mississauga, as shown on the attached Map designated as Schedule "A".

Further information regarding this By-law may be obtained from Lesley Pavan of the City Planning and Building Department at 905-615-3200 ext. 5531.

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