



Corporate Report

Clerk's Files

Originator's
Files

CD.03.MIS

PDC SEP 20 2010

DATE: September 7, 2010

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 20, 2010

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Revised Report on Outstanding Matters – Draft Mississauga Official Plan**

- RECOMMENDATION:**
1. That the Draft Mississauga Official Plan be revised in accordance with the report titled “Revised Report on Outstanding Matters – Draft Mississauga Official Plan” dated September 7, 2010, from the Commissioner of Planning and Building.
 2. That the following comments received, subsequent to the June 28, 2010 meeting of the Planning and Development Committee, be received:
 - (i) Letter dated June 30, 2010 from Roslyn Houser, Goodmans, on behalf of Wal-Mart Canada Inc.;
 - (ii) Letter dated July 5, 2010 from Roslyn Houser, Goodmans, on behalf of Rockwood Mall Ltd.;
 - (iii) Letter dated July 6, 2010 from Roslyn Houser, Goodmans, on behalf of Wal-Mart Canada Inc.;
 - (iv) Letter dated July 6, 2010 from Philip Stewart, Pound and Stewart, on behalf of Orlando Corporation; and
 - (v) Letter dated July 7, 2010 from Lynda Townsend, Townsend and Associates, on behalf of Solmar Development Corporation.

BACKGROUND:

City Council, on July 7, 2010, considered the reports titled “Report on Comments – Draft Mississauga Official Plan”, dated June 8, 2010 and Addendum Report on Comments - Draft Mississauga Official Plan, dated June 23, 2010 from the Commissioner of Planning and Building. and adopted the following:

1. That the Draft Mississauga Official Plan be revised in accordance with the report titled “Report on Comments – Draft Mississauga Official Plan”, dated June 8, 2010 and the report titled “Addendum Report on Comments – Draft Mississauga Official Plan” dated June 23, 2010 from the Commissioner of Planning and Building.
2. That a by-law to repeal Mississauga Plan and adopt the Draft Mississauga Official Plan, as revised, be enacted by City Council, and the City Clerk be authorized to forward the Draft Mississauga Official Plan to the Region of Peel for approval.
3. That Recommendation 60 contained in Appendix 3: Response to Comments Table of the report titled “Report on Comments – Draft Mississauga Official Plan” dated June 8, 2010 from the Commissioner of Planning and Building, be revised as follows:

That Table 7-2 be revised by deleting the row regarding Main Street and replacing it with:

Main St./Queen St. S./Approximately 90 m east of Wyndham St./Mississauga/20 m.

Main St./Approximately 90 m east of Wyndham St./Credit River/Mississauga/30 m.

4. That Floor Space Index ranges be re-introduced into the Draft Mississauga Official Plan.
5. That staff bring forward for Council approval, a motion to amend Recommendation 46 contained in Appendix 3: Response to Comments Table and Policy 5.4.3 of the Draft Mississauga Official Plan.

6. That further written submissions with regard to the “Report on Comments – Draft Mississauga Official Plan”, dated June 8, 2010 and the report titled “Addendum Report on Comments – Draft Mississauga Official Plan”, dated June 23, 2010, from the Commissioner of Planning and Building, be received and considered:
 - (i) Letter dated June 24, 2010 from Glen Broll, Partner, Glen Schnarr & Associates Inc.;
 - (ii) Letter dated June 24, 2010 from Bruce Thom, Planner, EMBEE Properties Limited;
 - (iii) Letter dated June 28, 2010 from Glenn J. Wellings, WELLINGS Planning Consultants Inc.;
 - (iv) Letter dated June 28, 2010 from Victor Labreche, Senior Principal, Labreche Patterson & Associates Inc.;
 - (v) Letter dated June 28, 2010 from Michael Gagnon, Managing Principal Planner, Gagnon & Law;
 - (vi) Letter dated June 28, 2010 from Robert E. Jarvis, Q.C., Barrister and Solicitor;
 - (vii) Letter dated June 28, 2010 from Michael Gagnon, Managing Principal Planner, Gagnon & Law;
 - (viii) Letter dated June 28, 2010 from Chad B. John-Baptiste, Senior Planner, Associate, Planning & Environmental Design, Baif Developments Limited;
 - (ix) Letter dated June 28, 2010 from Paul Lowes, Principal, Sorensen Gravely Lowes Planning Associates Inc.;
 - (x) Letter dated June 28, 2010 from Michael Gagnon, Managing Principal Planner, Gagnon & Law.
7. That oral submissions made at the Planning and Development Committee meeting held on June 28, 2010, be received and considered.

Planning and Development Committee, at its meeting on June 28, 2010 received for consideration oral submissions and the above correspondence which could not be addressed in the reports on the comments received regarding the Draft Mississauga Official Plan, (the draft Plan). In addition, comments have been received subsequent to the meeting of Planning and Development Committee from the following:

1. Letter dated June 30, 2010 from Roslyn Houser, Goodmans, on behalf of Wal-Mart Canada Inc.;
2. Letter dated July 5, 2010 from Roslyn Houser, Goodmans, on behalf of Rockwood Mall Ltd.;
3. Letter dated July 6, 2010 from Roslyn Houser, Goodmans, on behalf of Wal-Mart Canada Inc.;
4. Letter dated July 6, 2010 from Philip Stewart, Pound and Stewart, on behalf of Orlando Corporation; and
5. Letter dated July 7, 2010 from Lynda Townsend, Townsend and Associates, on behalf of Solmar Development Corporation.

The purpose of this report is to review outstanding issues resulting from oral and written submissions received at the June 28, 2010 Planning and Development Committee meeting and from submissions subsequently received (Appendix 1), and recommend amendments to the draft Plan, where necessary. This report was originally prepared for consideration by Planning and Development Committee on September 7, 2010. Since that time, it has been revised for the September 20, 2010 meeting of Planning and Development Committee to include additional recommendations regarding air quality and minor mapping changes.

The proposed amendments are addressed in Appendix 2 in the order in which the policies appear in the draft Plan. Deletions are shown as ~~strikeouts~~ and additions are in *italics and underlined*. The recommendations do not include editorial changes, minor matters of style or organization, changes to the arrangement of text, tables, schedules and figures, changes to figures, captions and appendices, minor cartographic revision, or minor rewording, that does not alter the intent or meaning of the proposed policies.

COMMENTS:

Oral Submissions

Outstanding matters identified by deputants at Planning and Development Committee were:

- parking;
- air quality;
- retroactive application of Official Plan policies (Cliffway Plaza); and
- application of Port Credit Local Area Plan.

Parking

Issue: With respect to the submission on parking by Jim Danahy on behalf of MIRANET, it was suggested that the parking standard in the zoning by-law be subordinate to the Official Plan, that terms of reference for parking studies mandate the new vision for parking, and that a parking authority be established.

Response: Because building and occupancy permits are issued on the basis of the zoning by-law, the parking standards in the by-law take precedence. Where there is a development application proposing a reduction in parking standards based on the policies of the Official Plan, they will form a policy framework for evaluating the proposal. This vision for parking forms part of the terms of reference for any parking studies. A Parking Office has been established in the

Transportation and Works Department until such time as a parking authority is established.

Air Quality

Issue: Sue Shanly, on behalf of MIRANET, made recommendations regarding the governance of the Oakville-Clarkson Airshed, the implementation of the Air Quality Action Plan, Certificates of Approval, provincial standards for emissions, and the integration of the Report of the Air Quality Task Force on the Oakville-Clarkson Airshed into the draft Plan.

Response: The official plan is not the appropriate mechanism to control air quality through the development approval process, as this is dealt with by the Ministry of Environment through the Certificate of Approval process. Nonetheless, the draft Plan, as amended by the recommendations of the report titled “Report on Comments – Draft Mississauga Official Plan”, dated June 8, 2010 from the Commissioner of Planning and Building, identifies the expectations of Mississauga for the Ministry of Environment to consider the cumulative effects of emissions by the following additional policy:

“Mississauga requests the Ministry of Environment to take into account existing regulatory standards, the cumulative effects of emissions, and background pollutant concentrations prior to approving applications for Certificates of Approval.”

Staff have reviewed the Report of the Air Quality Task Force on the Oakville Clarkson Airshed, dated June 24, 2010, and concluded that it contains no further recommendations appropriate for the draft Plan. However, the above-noted recommendation should be revised to encourage the Ministry of Environment to establish higher regulatory standards than currently used by the Ministry.

Retroactive Application of Official Plan Policies

Issue: Andrew Gassman, on behalf of MIRANET, suggested, with reference to the Cliffway Plaza Site, that the draft Plan be applied to current development applications.

Response: Ontario Municipal Board decisions have established the principle that the Official Plan which is in force and effect at the time a development application is the plan which forms the basis for evaluating the application.

Port Credit Local Area Plan

Dr. Geoff Edwards raised some concerns regarding the policies in the Port Credit Local Area Plan as they apply to the development capacity of his site. The Port Credit Local Area Plan contains the existing policies of the Port Credit District Policies in Mississauga Plan. As these policies are under review, it is inappropriate to amend them through this process. Dr. Edwards' concerns have been referred to staff responsible for the review of the Port Credit Local Area Plan.

Written Submissions at June 28, 2010 Planning and Development Committee Meeting

Matters Dealt with by the Report on Comments

The following letters are dealt with in the report titled “Report on Comments – Draft Mississauga Official Plan”, dated June 8, 2010:

- letter dated June 24, 2010 from Glenn Broll, Glen Schnarr and Associates Inc., on behalf of Chartwell, RioCan and Rockport; and
- letter dated June 28, 2010 from Paul Lowes, Sorensen, Gravely, Lowes Planning Associates Inc. on behalf of Highland Farms.

These matters are dealt with by recommendations 1 and 132, respectively, in Appendix 3 of the June 8, 2010 report and no further action is required. Recommendation 1 states that the Plan be revised to incorporate all amendments adopted by City Council, which will include the Chartwell, RioCan and Rockport amendment.

Recommendation 132 states that the policies of Exempt Sites (e.g. Highland Farms) be revised to permit all development rights currently permitted by Mississauga Plan.

Matters to be Dealt with by Development Applications

The following comments seek to amend the draft Plan or the Port Credit Local Area Plan to facilitate development applications by seeking land use redesignations, the adjustment of character area boundaries, and/or site specific policies. Consequently, they should be dealt with through the development approval process. In the case of the letter from Robert Jarvis requesting a site specific deferral of the Plan pending a hearing by the Ontario Municipal Board, the draft Plan will be revised, if required, in accordance with the decision by the Ontario Municipal Board.

- letter dated June 28, 2010, from Glenn Wellings, Wellings Planning Consultants Inc.;
- letter dated June 28, 2010 from Michael Gagnon, Gagnon and Law, on behalf of White Elm Investments Ltd.;
- letter dated June 28, 2010 from Michael Gagnon, Gagnon and Law, on behalf of Latiq Qureshi;
- letter dated June 28, 2010 from Michael Gagnon, Gagnon and Law, on behalf of Azuria Group; and
- letter dated June 28, 2010 from Robert Jarvis.

Matters Requiring Further Consideration

Planning and Building staff reviewed the following submissions to Planning and Development Committee and recommend minor revisions to the draft Plan, as described below:

- letter dated June 24, 2010 from Bruce Thom, Embee Properties;
- letter dated June 28, 2010 from Victor Labreche, Labreche Patterson and Associates Inc.; and
- letter dated June 28, 2010 from Chad B. John-Baptiste, Baif Developments Ltd.

Planning and Building Department staff met with Bruce Thom, representing Embee Properties, to discuss his comments. To address his concerns, staff explained the proposed policies regarding drive-through facilities, and clarified that the meaning of “encourage” is “to carefully consider, or take into account” the potential to mix uses on land designated “Mixed Use”. If, after careful consideration, a mix of use is not appropriate the policies provide flexibility to respond to site specific circumstances.

Further, it was noted that the “Mixed Use” designation of the lands at the south-west corner of Mavis Road and Bristol Road does not permit uses; namely, a service station, gas bar, car wash and garden centre, permitted by the zoning by-law in accordance with an Ontario Municipal Board settlement. These lands should be identified as a Special Site to permit these additional uses, as outlined in Appendix 2.

Planning and Building Department staff also met with Victor Labreche and representatives of the restaurant industry to further review their comments, and recommend some minor revisions to the drive-through policies, as outlined in Appendix 2. It is proposed to remove reference to the word “exceptional” with reference to the circumstances where a drive-through facility would be permitted. As well, it is proposed to exempt existing restaurants with drive-through facilities in those areas where they will be prohibited by the draft Plan.

Baif Development (“Baif”) notes that there is an inconsistency in the mapping of the boundaries of the Downtown Core. In this regard, Schedules 2, 9 and 10 of the draft Plan show the southerly boundary of

the Downtown Core as including the lands designated Residential High Density fronting on the south side of Webb Drive. This is consistent with the boundary of the Urban Growth Centre identified in the report titled “ Growth Plan for the Greater Golden Horseshoe –The Built Boundary and the Mississauga Urban Growth Centre” dated April 22, 2008 from the Commissioner of Planning and Building.

The Downtown Core Local Area Plan Land Use Map is based on the existing City Centre Boundaries, and does not include the lands on the south side of Webb Drive. Given the intent of the Urban Growth Centre, the Downtown Core Local Area Plan policies and maps should be revised to include the lands fronting onto the south side of Webb Drive, consistent with the boundaries of Downtown Core in Schedule 10 of the draft Plan. By doing so, the Downtown Core Local Area Plan will permit structures over or under public roadways, which will also address Baif’s concern that these encroachments be permitted, where appropriate.

Baif is also concerned that the prohibition of outdoor signage for convenience commercial facilities within an apartment building would not be appropriate in the Downtown Core. Given that such signage is regulated by the Sign By-law, this policy, in section 11.2.5.11 c is outmoded and should be deleted from the draft Plan.

Additional Comments Submitted after the June 28, 2010 PDC Meeting

Specific comments have been received from the following subsequent to consideration of the draft Plan by Planning and Development Committee (Appendix 1). The comments are addressed in Appendix 2 in the order in which the policies appear in the draft Plan.

1. Letter dated June 30, 2010 from Roslyn Houser, Goodmans, on behalf of Wal-Mart Canada Inc.;
2. Letter dated July 5, 2010 from Roslyn Houser, Goodmans, on behalf of Rockwood Mall Ltd.;
3. Letter dated July 6, 2010 from Roslyn Houser, Goodmans, on behalf of Wal-Mart Canada Inc.;
4. Letter dated July 6, 2010 from Philip Stewart, Pound and Stewart, on behalf of Orlando Corporation; and
5. Letter dated July 7, 2010 from Lynda Townsend, Townsend and

Associates, on behalf of Solmar Development Corporation. Planning and Building staff recommend the following minor amendments to the draft Plan in response to these submissions:

- amendments to the Retail policies to clarify that the expansion of existing retail uses on lands designated Mixed Use will be permitted;
- modifications to the Downtown, Major Nodes, Community Nodes and Corporate Centres policies to permit single-storey additions to existing retail developments, where considered appropriate by Character Area policies;
- amendments to the Greenbelt designation to permit electricity transmission and distribution facilities, if no other options are feasible and subject to an Environmental Assessment;
- amendments to the Gateway Corporate policies to incorporate OPA 40, as approved by the Ontario Municipal Board;
- amendments to Schedule 1b and the Neighbourhoods Map on page 16-1 of the draft Plan to correct an error by establishing Mavis Road as the boundary between the East Credit Neighbourhood and Gateway Employment District, consistent with the rest of the draft Plan; and
- amendments to the Downtown Core Local Area Plan Land Use Policies to clarify that restaurants with drive-through facilities are not permitted.

CONCLUSION:

Subsequent to completion of the report titled “Report on Comments – Draft Mississauga Official Plan”, dated June 8, 2010, additional submissions were received. While these submissions have not resulted in any significant changes to the draft Plan, some minor revisions, as outlined in Appendix 2, are proposed.

STRATEGIC PLAN:

The Official Plan is an important tool to implement the land use components of the Strategic Plan. The results of the “Our Future Mississauga – Be part of the conversation” public consultation informed the preparation of the draft Plan. The policy themes of the draft Plan advance the strategic pillars for change, which are:

Move: Developing a Transit Oriented City
Belong: Ensuring Youth, Older Adults and New Immigrants Thrive

Connect: Complete Our Neighbourhoods
Prosper: Cultivating Creative and Innovative Businesses
Green: Living Green

FINANCIAL IMPACT: Not applicable

ATTACHMENTS: APPENDIX 1: Written Submissions Received by the Planning and
Development Committee, June 28, 2010
APPENDIX 2: Response to Comments Table

Original Signed By:

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Ron Miller, Policy Planning Division

Appendix 1

Written Submissions Received by Planning and Development Committee, June 28, 2010

1. Letter dated June 24, 2010 from Glen Broll, Partner, Glen Schnarr & Associates Inc.
2. Letter dated June 24, 2010 from Bruce Thom, Planner, EMBEE Properties Limited
3. Letter dated June 28, 2010 from Glenn J. Wellings, WELLINGS Planning Consultants Inc.
4. Letter dated June 28, 2010 from Victor Labreche, Senior Principal, Labreche Patterson & Associates Inc.
5. Letter dated June 28, 2010 from Michael Gagnon, Managing Principal Planner, Gagnon & Law, (on behalf of White Elm Investments Ltd.)
6. Letter dated June 28, 2010 from Robert E. Jarvis, Q.C., Barrister and Solicitor
7. Letter dated June 28, 2010 from Michael Gagnon, Managing Principal Planner, and Gagnon & Law (on behalf of Azuria Group)
8. Letter dated June 28, 2010 from Chad B. John-Baptiste, Senior Planner, Associate, Planning & Environmental Design, MMM Group
9. Letter dated June 28, 2010 from Paul Lowes, Principal, Sorensen Gravely Lowes Planning Associates Inc.
10. Letter dated June 28, 2010 from Michael Gagnon, Managing Principal Planner, Gagnon & Law, (on behalf of Latiq Qureshi)

Written Submissions Received after June 28, 2010

11. Letter dated June 30, 2010 from Roslyn Houser, Goodmans, (on behalf of Wal-Mart Canada Inc.)
12. Letter dated July 5, 2010 from Roslyn Houser, Goodmans, (on behalf of Rockwood Mall Ltd.)
13. Letter dated July 6, 2010 from Roslyn Houser, Goodmans, (on behalf of Wal-Mart Canada Inc.)
14. Letter dated July 6, 2010 from Philip Stewart, Pound and Stewart Associates Ltd.
15. Letter dated July 7, 2010 from Lynda Townsend, Townsend and Associates



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

PARTNERS:
GLEN SCHNARR, MCIP, RPP
GLEN BROLL, MCIP, RPP
COLIN CHUNG, MCIP, RPP

ASSOCIATES:
CARL BRAWLEY, MCIP, RPP
JEFF R. DUNCAN, CPT, ACST(A)

June 24, 2010

Refer To File: 556-001

City of Mississauga
Office of the City Clerk
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Attention: Mr. John Britto, Legislative Coordinator

Dear John,

**Re Comments on the new Official Plan
Planning and Development Committee Meeting – June 28, 2010
Chartwell/RioCan/Rockport
1829 and 1865 Lakeshore Road West
OZ-07/013 W2
City of Mississauga**

We are the Planning Consultants to RioCan and McDonalds, the owners of the above referenced lands. We have been involved in an Ontario Municipal Board Hearing under the Planning Department file number OZ-07/013 W2 for an Official Plan Amendment and Rezoning. The hearing resulted in a settlement between the parties, however the site specific Amendment and By-law has not yet been Ordered by the Board. It has come to our attention that the City's new Official Plan document which is being considered at the Planning and Development Committee meeting on June 28, 2010, ought to include the special site provisions that were agreed to in the settlement hearing.

Please accept this letter as a formal request for the policies, as settled in the hearing, to be included within the City's new Official Plan. We have not yet reviewed the document in its entirety to ensure that there are no other provisions that may impact the development. Therefore we are filing this letter out of an abundance of caution. In addition, please advise of any future meetings and/or notice of the passing of this document.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

Glen Broll, M.C.I.P., R.P.P.

Partner.

10 KINGSBRIDGE GARDEN CIRCLE
SUITE 700
MISSISSAUGA, ONTARIO
L5R 3K6
TEL (905) 568-8888
FAX (905) 568-8894
WEBSITE www.gsa1.ca



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

- c. L. Townsend
- M. Minkowski
- A. Dietrich
- R. Miller
- J. Hardcastle
- S. Wisnowski
- L. Savoie

EMBEE

PROPERTIES LIMITED

88 Sheppard Avenue W, Suite 200
 Toronto ON M2N 1M5
 tel 416.250.5858
 fax 416.250.5860

June 24, 2010

DELIVERED BY HAND

PLANNING & DEVELOPMENT COMMITTEE

JUN 28 2010

CD. 03. MIS

Planning & Development Committee
 City of Mississauga
 300 City Centre Drive
 Mississauga ON L5B 3C1

Draft Mississauga Official Plan
March 2010
File CD.03.MIS

Embee Properties Limited is the registered owner of numerous properties in Mississauga.

We have studied the draft Official Plan with regard to both overall policy direction and impact on our individual sites.

We appeared before Planning and Development Committee at the statutory public meeting of May 3, 2010, and provided a written submission of the same date.

We met with Planning staff on May 27, 2010, to review our concerns and objections as part of their on-going Official Plan process.

We have reviewed the latest staff report dated June 8, 2010. We provide our current comments in this letter following the same format as our letter of May 3, 2010.

1. SEC Bloor Street and Mississauga Valley Blvd. – 620 Bloor Street East

- Proposed designation “Convenience Commercial” does not describe the existing development which is greater than 2,000 sq.m.

June 24, 2010

- The June 8, 2010, staff report recommends removal of the 2,000 sq.m. size limitation; this is acceptable to Embee.

2. SEC Bristol Road and Creditview Road – 5425 Creditview Road

- Proposed designation “Convenience Commercial” does not describe the existing development which is greater than 2,000 sq.m.

June 24, 2010

- This comment is as we have noted for Site #1 above.

3. SEC Erin Mills Parkway & Millcreek Drive – 6400 Millcreek Drive

- Proposed designation “Mixed Use” does not describe the existing development, particularly the permitted drive-through function and uses.

June 24, 2010

- We are unable to decipher the new policies proposed in the June 8, 2010, staff report. For example, proposed policy 8.2.2 requires conformity to certain design standards; it is unclear to us how this will impact existing facilities that may not meet such standards.
- Furthermore, the proposed policy permits drive-throughs provided they maintain the intent of the Plan. What exactly is that intent expressed in clear language and where is it to be found in the new document?

4. SEC Mavis Road and Bristol Road – 720 Bristol Road West

- Proposed designation “Mixed Use” does not describe the existing development, particularly the permitted drive-through function and uses.

June 24, 2010

- This comment is as we have noted for Site #3 above.

5. SWC Mavis Road and Bristol Road – 5380 Mavis Road

- Proposed designation “Mixed Use” does not describe the proposed development per the site-specific Ontario Municipal Board settlement.

June 24, 2010

- We provided staff with detailed information regarding this site at the meeting of May 27, 2010, but have not heard back from staff. It is imperative that all matters in the settlement are provided for in the draft Official Plan.

6. SWC Hurontario Street and King Street – 2500 Hurontario Street

- Proposed designation “Mixed Use” does not take into account Hurontario-Main Study and Downtown Hospital Local Area Plan.

June 24, 2010

- We believe the proposed policies are premature until the noted Study and Plan recommendations are made available for our review and comment.

7. NWC Hurontario Street and King Street – 2550 Hurontario Street

- Proposed designation “Mixed Use” does not take into account Hurontario-Main Study and Downtown Cooksville Local Area Plan.

June 24, 2010

- This comment is as we have noted for Site #6 above.

8. We object to all general and specific policies relating to the “Mixed Use” designation.

June 24, 2010

- We continue to object to all general and specific policies relating to the “Mixed Use” designation.
- Furthermore, we object to all general and specific policies relating to “Drive-through facilities”, for example, but without limitation, as we have noted for Site #3 above.

9. We object to all general and specific policies relating to “payment-in-lieu” of parking.

June 24, 2010

- We do not see that our concerns discussed with staff at the meeting of May 27, 2010, have been addressed with regard to these matters. We continue to object to all general and specific policies relating to "payment-in-lieu" of parking.

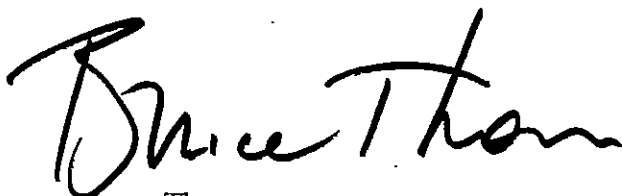
We will attend your meeting of June 28, 2010.

We continue to be available to review these concerns and objections with City staff as part of their ongoing Official Plan process.

We request that we receive written notice of any and all further actions by the City with regard to this file.

Respectfully submitted.

EMBEE PROPERTIES LIMITED

A handwritten signature in black ink, appearing to read "Bruce Thom". The signature is fluid and cursive, with the first name "Bruce" and last name "Thom" clearly distinguishable.

Bruce Thom
Planner

BT:bk

APPENDIX 1 - 3

Wellings Planning Consultants Inc.
Land Use Planners

June 28, 2010

Mr. John Britto
 Legislative Coordinator
 City of Mississauga
 300 City Centre Drive
 Mississauga, Ontario
 L5B 3C1

PLANNING & DEVELOPMENT COMMITTEE

JUN 28 2010

CD. 03. MIS

Dear Mr. Britto:

**Re: Proposed Adoption of the Draft Mississauga Official Plan
 Lands Owned by Dr. Geoff Edwards, 46 Port Street East – Port Credit
 Our File No.: 2007/57**

We are Planning Consultants for Dr. Geoff Edwards, owner of land municipally known as 46 Port Street East within the Port Credit community. We have had the opportunity to review the Draft Mississauga Official Plan and provide the following comments.

Our client's lands are designated "Community Node" on proposed Schedule 1 – Urban System and "Mixed Use" on proposed Schedule 10 a – Land Use Designations – South. The subject lands are also designated "Mixed Use" within the Port Credit Local Area Plan ("PCLAP"), forming part of the Mississauga Official Plan.

"Community Node" Land Use Designation

Chapter 14 of the draft Mississauga Official Plan indicates that there are ten (10) Community Nodes in the City, including Port Credit. Chapter 14 identifies modifications to the General Land Use designations in Chapter 11 that apply to all Community Nodes. There are no modifications stated for 46 Port Street East.

"Mixed Use" Land Use Designation

Chapter 11, Section 11.2.6.1 lists the uses permitted in the "Mixed Use" designation and include, but are not limited to, residential, restaurant, retail store, commercial parking facility, and entertainment, recreation and sports facilities. Residential uses are permitted within this designation, with the exception of detached and semi-detached dwellings. It is also stated that residential uses will be combined on the same lot or same building with another permitted use and will generally not be permitted on the ground floor. Section 11.3 states: "In addition to the general land use designation, Local Area Plans may develop land use designations specific to the area they address."

Port Credit Local Area Plan – Draft – March 2010

The PCLAP Land Use Map designates the subject lands "Mixed Use". The Harbour Mixed Use Precinct Urban Design Policies would also apply. Section 2.1 of the PCLAP

– Community Design, Subsection 2.1.2.7 contains policies for the community referred to as “Harbour Mixed Use”.

The character of this area is meant to be an extension of the Mainstreet Commercial Precinct with potential for higher buildings. The PCLAP further states:

“Building heights should not exceed three storeys for the entire Harbour Mixed Use area with the exception of buildings fronting onto the north and south sides of Port Street East between the Hurontario Street extension and Helene Street South which may be six storeys high and buildings located on lands municipally known as 48-50 Port Street East which may be five storey high.” [Quote from part of Subsection 2.1.2.7 – Harbour Mixed Use, Subsection b.]

Based on the foregoing, 46 Port Street East can re-develop with a maximum height of three (3) storeys. This height restriction would also apply to the neighbouring property to the west (42 Port Street East).

Section 5 of the PCLAP contains “Special Site Policies”. There are detailed policies provided for Site 4 – Areas A and B. Area A is located on the south side of Lakeshore Road East between Helene Street South and Elmwood Avenue. Area A of Site 4 is located to the east of, and in close proximity to, 46 Port Street East.

There are lands identified as Special Site 37 which are located at the northwest corner of Port Street East and Helene Street South. These lands are immediately adjacent to 46 Port Street East and the site specific policy reads: “Notwithstanding the Urban Design Policies, Harbour Mixed Use provisions, the maximum height of the existing apartment building will be five storeys.”

Community Nodes and Intensification

We note that Community Nodes are identified as Intensification Areas. Planning staff note in their report dated June 8, 2010 that transportation and community infrastructure is being directed to Community Nodes and urban design policies have been written to require compact built form conducive to pedestrians. Generally, the vision for Community Nodes is to provide for walkable and vibrant mixed use areas containing a variety of services and facilities. Planning staff do state, however, that not all Intensification Areas are to be developed to the same density. The Downtown and Major Nodes are planned to contain greater heights and densities, and local area studies will determine the appropriate density for each Community Node.

Following from the PCLAP, a District Plan will be prepared and approved for Port Credit. On behalf of our client we have been monitoring the process and progress to date pertaining to the Port Credit District Plan (“PCDP”). Various studies, including the Mobility Hub Study, the Lakeshore Road Study and the Port Credit Parking Study, must be complete before the completion of the PCDP. Detailed policies regarding land use, transportation, transit, parking and open space will be incorporated into the PCDP.

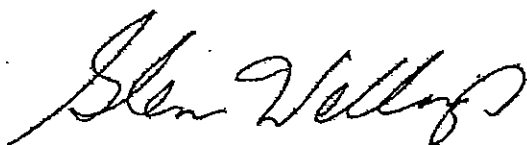
Comments

Based on our review of the new draft Mississauga Official Plan, we have significant concerns regarding the general policy direction for the Port Credit Community Node as it relates to 46 Port Street East and the immediately surrounding lands. The proposed policies provide little vision and potential redevelopment and intensification opportunities. The public consultation process identified this precinct as capable of providing high rise built form which is clearly not reflected in the proposed policies (i.e. maximum of three (3) storeys). The economic implications of a three (3) storey redevelopment have not been addressed in the policy framework which will almost certainly only facilitate surface parking. Further, we find the proposed policies deficient in terms of requiring integrated, comprehensive redevelopment of properties and an overall parking strategy within precincts. Such policies represent good planning and in our view provide a superior built form.

We wish to ensure that equitable policy treatment is provided to all properties within this precinct. We are aware of the Official Plan and Zoning By-law Amendment applications for those lands directly to the west of our client's lands (Centre City Capital). The proposal is to permit a four (4) storey retail commercial/office building fronting on Lakeshore Road and a ten (10) storey, 56 unit residential condominium apartment building (stepping to four (4) storey) fronting on Port Street East. This proposal would not conform to the height restrictions stated in the draft Official Plan and the PCLAP. We assume that an Official Plan Amendment would continue to be required for the proposal based on the present policy framework.

We would appreciate receiving further notice of the approval of Mississauga Official Plan.

Yours truly,
WELLINGS PLANNING CONSULTANTS INC.



Glenn J. Wellings, MCIP, RPP.

- c. Edward Sajecki, Commissioner of Planning and Building
- Dr. Geoff Edwards - 46 Port Street
- Lyn Townsend - Lynnda J. Townsend Professional Corporation
- Michael Spaziani - Michael Spaziani Architect Inc.

**Labreche Patterson & Associates Inc.**

Professional Planners, Development Consultants, Project Managers

PLANNING & DEVELOPMENT COMMITTEE

JUN 28 2010

CD. 03. MIS

June 28, 2010

(E-mailed: john.britto@mississauga.ca)

Chair and Members of Planning and Development Committee
c/o John Britto, Legislative Coordinator
City of Mississauga
300 City Centre Drive
Mississauga, ON
L5B 3C1

Dear Mr. Britto and Members of Planning and Development Committee

Re: Proposed Draft Mississauga Official Plan
File #: CD.03.MIS
Commissioner of Planning Recommendation Report Dated June 8, 2010

We are responding to the latest Planning Department recommendation report that will be considered by the Planning and Development Committee later today. We have previously provided written comments on the previous proposed draft Official Plan (OP) in which our letter dated May 2, 2010 was acknowledged at the Planning and Development Committee meeting on May 3, 2010.

As noted in our previous letter, we represent the member brands being A & W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons restaurants), and Wendy's restaurants of Canada Inc. as well as their industry group association being the Ontario Restaurant Hotel and Motel Association (ORHMA).

We recognize and appreciate that within the Planning Department recommendation report (page 5 and 6 of report) it provides comments and response to our previous letter and the previously proposed Official Plan policies/prohibition areas related to drive-through facilities. These areas and the approach to regulating drive-through facilities have been revised and somewhat scaled back to acknowledge our comments along with provided OMB and court case law examples that drive-through facilities should not be prohibited at the level of the Official Plan.

Our previous letter, in addition to referencing related OMB and court case law and providing the Planning Department with specific case law examples in a follow up e-mail to them on May 4th, details the fact that drive-throughs locate in existing areas of any City that are already designated for service retail commercial land uses all of which typically rely on vehicular and pedestrian access already coming to and accommodated in the area by associated parking lots. As such, the only unique feature of a drive-through in these pre-determined commercial areas is the drive-through stacking or queuing lane. The drive-through facility and stacking is a detail

- 2 -

which can clearly be regulated through the zoning by-law and/or urban design guidelines and under the municipal powers of Site Plan Control. Therefore, prohibition based policies at the level of an official plan is not warranted.

While we have had some discussions with Planning staff in the last week, we have not been able to obtain satisfactory clarification or assurances on certain concerns we have with the latest revised proposed Official Plan and we ask that these concerns be addressed before or at the Planning Committee meeting this evening as follows:

1. As specifically noted within the proposed revised OP policies for drive-through facilities in "Appendix 3", recommendation #100, it is noted that the *"Plan be revised to continue the prohibition of drive-through facilities in the Downtown Core and all areas currently designated Mainstreet Commercial until Local Area Plans are prepared for these areas which may confirm, modify or amend the prohibitions"*. With regard to this statement, we have been unable to confirm that in fact the noted "Downtown Core" means those lands currently designated "Mixed Use and Retail Core Commercial" within the "City Centre District Map" which are the designations that currently prohibit drive-through facilities. We need assurances that the proposed new OP will reflect only the geographic areas of these current designations per the current OP as the proposed new OP would substantially enlarge the "Downtown" as shown on "Schedule 1b Urban System – City Structure" plan of the new OP.
2. The Planning Department staff report as well as recommendation #100 on Appendix 3 does not acknowledge our concern noted on page 3 of our previous letter that any existing drive-through facilities that are located within designations proposed to continue a prohibition for drive-through facilities be at least provided a site specific OP policy exemption so they do not become non-conforming to the new OP and/or rendered "legal non-conforming" in any future implementing Zoning By-law for these locations. We would note that there are not many locations that would fall into this category (likely 5 to 8 locations) which would be easy and appropriate to acknowledge within the OP. It is also necessary to recognize these existing facilities in the proposed new OP so that the investment of each of the corporate brands we represent and equally that of the owner/operator franchisee is not adversely impacted if these site were to become non-conforming to the new OP and the future implementing Zoning By-law.
3. We are concerned and object to the current opening sentence in the proposed revised Policy 8.2.1 in that it would appear to require that a Zoning By-law Amendment would be required in all cases when a new drive-through facility was proposed within an "Intensification Area". We don't feel it would be fair or appropriate to require a Zoning by-law Amendment in all cases in these areas and as such request that the opening sentence to revised Policy 8.2.1 be revised as follows: *"Zoning By-law Amendments for new drive-through facilities may be required in certain areas of the "Intensification Areas" and those areas where a Zoning By-law Amendment will be required will be further established and defined within the city's implementing comprehensive Zoning By-law. Zoning By-law Amendments for these identified areas will not be approved where they will interfere with the intended function and form of these areas."*

We are also concerned and object to the use of the word "exceptional" noted in the proposed revised Policy 8.2.1 as noted within recommendation #100 in Appendix 3. The use of the word "exceptional" is much too broad and open to interpretation and is redundant as this policy clearly lists the circumstances/requirements that consideration of a new drive-through facility would have to meet. As such, we request that the word "exceptional" be deleted from this proposed revised Policy 8.2.1.

- 3 -

4. We are concerned that proposed revised Policy 8.2.2 as noted in recommendation #100 on Appendix 3 is a new policy that would be applied to any future new or re-development application for a drive-through facility no matter what designation it occurred anywhere across the city. In reference to our previous letter and in relation to the related OMB and court case law examples we provided to the Planning Department, our submission is that wherever a "parking lot" is permitted and required by any other commercial retail land use including restaurants without an associated drive-through, a drive-through should be held to the same requirements that would be applied to any new permitted parking lot.

The only minor difference would be site plan and urban design matters related to some additional landscaping/buffering around the stacking/queuing lane and placement/location requirements for the stacking lane which the city already has in place within its Zoning By-law and Urban Design Guidelines. As such, we request that the opening sentence to this policy be revised to read as follows:

"Drive-through facilities will be permitted in non-intensification areas provided that and, in consideration to the similar evaluation of otherwise permitted parking lots in the same areas, that a proposed drive-through facility development does not interfere with the intended function and form of these character areas."


The remainder of this policy as proposed by the Planning Department would remain the same.

Lastly, while the overall revisions proposed by the Planning Department generally recognizes our previous comments letter dated May 2, 2010 in recognition of related OMB and court case law that drive-through facilities should not be prohibited at the level of the Official Plan, as such, we request that the OP be revised now to remove any existing prohibition policies rather than waiting until "Local Area Plans are prepared for these existing prohibition areas" as noted in the first paragraph in recommendation #100 on Appendix 3.

Based on the foregoing, we request that the above points be addressed by the Planning Department at the Planning and Development Committee meeting later today and the final draft OP be revised accordingly to incorporate our comments. Alternatively, although it is not clear, the Planning Department notes two options to provide modifications to the Plan after adoption of the Plan by Committee and Council under the heading of "Approval of the Plan" on page 10 of the staff report. We would be satisfied if staff could clarify/confirm that our requested revisions would be accommodated as part of the two scenarios for Plan modification detailed within the staff report.

We thank you again for your consideration and we request that we be sent a copy of written notice of committees decision on this matter and any future notices and related decision to either committees or councils decision on the proposed new Official Plan for the City of Mississauga.

Yours truly,
Labreche Patterson & Associates Inc.



(for) Victor Labreche, MCIP, RPP
Senior Principal

- 4 -

VL/sl

Copy: John Calvert (via e-mail: john.calvert@mississauga.ca)
Director of Policy Planning, City of Mississauga

Marianne Cassin (via e-mail: marianne.cassin@mississauga.ca)
Policy Planner, City of Mississauga

Ron Miller (via e-mail: ron.miller@mississauga.ca)
Planner, City of Mississauga

Tony Elenis (via e-mail: telenis@orhma.com)
President and CEO – ORHMA

Michelle Saunders (via e-mail: msaunders@orhma.com)
ORHMA

Michael Polowin (via e-mail: michael.polowin@gowlings.com)
Gowling Lafleur Henderson LLP

Nick Javor (via e-mail: javor_nick@timhortons.com)
The TDL Group Corp.

Maurice Luchich (via e-mail: luchich_maurice@timhortons.com)
The TDL Group Corp.

Leslie Smejkal (via e-mail: smejkal_leslie@timhortons.com)
The TDL Group Corp.

Sherry McLaughlin (via e-mail: sherry.maclaughlan@ca.mcd.com)
McDonald's Restaurants of Canada Ltd.

Scott Dutchak (via e-mail: scott.dutchak@ca.mcd.com)
McDonald's Restaurants of Canada Ltd.

Paul Hower (via e-mail: paul.hower@ca.mcd.com)
McDonald's Restaurants of Canada Ltd.

Susan Towle (via e-mail: susan_towle@wendys.com)
Wendy's Restaurants of Canada

Darren Sim (via e-mail: dsim@aw.ca)
A & W Food Services of Canada Inc.

APPENDIX 1 – 5



Principals
 Michael Gagnon, B.E.S., M.C.I.P., R.P.P.
 Lily Law, B.E.S.

June 28, 2010

Our File: PN 1619 – Draft
 Mississauga OP

City of Mississauga
Planning and Building Department
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Via: Mail & E-Mail

Attention: Crystal Greer, Clerks Department
 John Britto, Clerks Department
 John Calvert, Planning & Building Department
 Marianne Cassin, Planning and Building Department

Re: Formal Public Input - Draft Mississauga Official Plan

To Whom It May Concern:

Gagnon & Law Urban Planners Ltd. (G&L) is agent to White Elm Investments Ltd. (White Elm), the registered owner of the property located at 1450 to 1458 Dundas Street East in the City of Mississauga; generally located at the southwest quadrant of Dixie Road and Dundas Street East.

The subject property measures approximately 2.80 hectares (6.93 acres) and is currently utilized as a mixed use commercial strip plaza. Retail and warehousing uses are located on the ground floor of the existing plaza and office uses are located within a partial second storey along the building's northern façade (Dundas Street East).

White Elm is currently in the initial stages of pursuing an application to re-develop the site for a high density mixed-use residential, office and retail development.

White Elm has requested that we review and comment on the draft 'new' Mississauga Official Plan – March 2010 (MOP) as it relates to their contemplated vision for re-development of the site. On behalf of White Elm we would like to share the following comments, concerns and observations:

1. We note that the site is designated as:

- 'Mixed Use' on Schedule 10;
- 'Community Node' on Schedules 1, 1B, 9, 10;

21 Queen Street East, Suite 500 • Brampton, Ontario, Canada L6W 3P1

Phone: (905) 796-5790 • Fax: (905) 796-5792 • Website: www.gagnonlawurbanplanners.com

CONFIDENTIALITY CAUTION

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.

- 'Major Transit Station Area' on Schedule 2;
 - Being within the Dixie Employment Area on Schedule 9.
2. We note that Dundas Street is identified as an 'Intensification Corridor' on Schedules 1, 1C, 2 and 6. It is also designated a 'Higher Order Transit Corridor' on Schedule 6.
 3. Schedule 1 designates the site Employment Area, Intensification Corridor and Community Node.
 4. While Schedule 2, Intensification Areas identifies the site as falling within a Community Node, we believe that the Node as depicted should be increased in size to envelope the whole of the intersection and immediate surrounding lands which are conducive to the type of development envisaged in this area. It should also include the Major Transit Station Area.
 5. We support the identification on Schedule 5 of Dundas Street East as an Arterial Road. We support the identification on Schedule 6 on Dundas Street East as an Intensification Corridor and a Higher Order Transit Corridor coupled with a Potential Mobility Hub in proximity to the existing commuter rail-line and station to the south. These designations lend support to our position that our client's site and surrounding area should be considered for Higher Order Mixed-Use development.
 6. Schedule 10a designates our client's site as Mixed-Use. While we support the Mixed-Use designation, we believe that consideration should be given to the adjustments of the mixed-use area and the Node consistent with the vision for our client's property.
 7. We believe that circumstances exist where it is appropriate to identify 'site specific' policies which reflect the unique circumstances of certain sites and/or groups of properties. In some instances it simply isn't practical to expect the Official Plan which is a broad, high level plan to be able to capture existing land uses or a particular vision for the lands.
 8. Consistent with the Growth Plan, the proposal to redevelop our client's property will contribute to:
 - Building compact, vibrant and complete communities;
 - Protecting, preserving, enhancing and wisely using valuable natural resources for current and future generations; and
 - Optimize the use of existing and new infrastructure.
 9. The proposal to intensify on the site is appropriate on account that existing infrastructure is or will be available to support the additional development.
 10. Consistent with the guiding principles of the new Official Plan, the proposal will contribute to the range of housing choices for local residents.

11. The proposal represents an opportunity to direct higher density residential and employment growth to key locations which have or will have transit and infrastructure available.
12. Consistent with Section 4.3 the Official Plan appropriately identifies our client's property as falling within a Community Node. We recommend the enlargement of the Community Node to capture the whole of the intersection of Dundas Street East and Dixie Road. We envisage our client's property as playing a future role in accommodating a mix of population and employment uses at densities commensurate with the ability of existing and planned infrastructure to support same. The opportunity exists to maximize the ability of the Dundas Street East and Dixie Road intersection to contribute to the Official Plan's goals and objectives for intensification.
13. According to Section 4.3.3, our client's site is located within the Dixie/Dundas Community Node. We support the range of uses envisaged including retail, restaurants and housing. We support the role that the site and surrounding property can play in intensification.
14. Consistent with Section 8.2, we envisage the development of our client's site as contributing to the build-out of the Community Node as an exciting Intensification Area. Ultimately, this area will become a vibrant and memorable urban place.
15. Section 16.0 deals with Neighbourhoods. Section 17.0 deals with Employment Areas. We recommend that the limits of the Dixie Employment Area be revised to include the whole of the intersection of Dixie Road and Dundas Street East and that a special site designation be applied to our client's lands to recognize the potential for Mixed-Use development, including Employment and Residential uses commensurate with infrastructure. The Residential uses would be wholly appropriate in view of Section 17.1.2. There seems to be a contradiction in Section 17.1.3. Any restrictions on Residential within this area would needlessly and unfortunately result in the area not achieving its full mixed-use potential.

We welcome an opportunity to meet with staff to discuss our comments. We reserve the right to make additional comments. We recommend against approving the Official Plan in its current format. We wish to receive notification of approval of the Plan and adoption of implementing documents. We wish to be notified of future meetings related to the Mississauga Official Plan.

Yours truly,


Michael Gagnon, B.E.S., M.C.I.P., R.P.P.
 Managing Principal Planner

C.C.:  Mark Turk, White Elm Investments Ltd.
 Anna Morgan, White Elm Investments Ltd.
 Richard Domes, G&L Urban Planners Ltd.

06/24/2010 10:40 905-763-3990

MUSSELLAM

#0473 P.002 / 003

PLANNING & DEVELOPMENT COMMITTEE

JUN 28 2010

CD. 03. MIS

ROBERT E. JARVIS, Q.C.
Barrister and Solicitor

105 Confederation Way
Thornhill, Ontario
Canada, L3T 5R4
Phone: (905) 763-5998
Fax: (905) 763-1439

June 25, 2010
File No. 8-011

BY FACSIMILE

City of Mississauga
Planning and Building Department
Policy Division
300 City Centre Drive
Mississauga ON L5B 3C1

Attn: Ms. Marianne Cassin

Dear Ms. Cassin:

**RE: Draft Mississauga Official Plan
Section 14 Community Nodes, Subsection 14.2 Clarkson Village;
Official Plan and Zoning By-law Amendment – 607074 Ontario Limited
Mississauga File: OZ 05/043 W2 – 1969 and 1971 Lakeshore Rd. West**

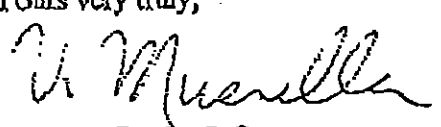
607074 Ontario Limited has made a private application for an Official Plan Amendment and Rezoning for lands located at 1969 and 1971 Lakeshore Road West, at the northeast corner of Lakeshore Road West and Walden Circle. The application has been appealed to the Ontario Municipal Board.

The subject lands are as defined by Appendix S-3 of the November 10, 2009 Supplementary Report, attached for your reference.

On behalf of 607074 Ontario Limited, I wish to request a deferral of Section 14.1.1.2 of Section 14 Community Nodes in the draft Mississauga Official Plan as it applies to the subject site until the Ontario Municipal Board has dealt with the Appeal.

Alternatively, I would request that the policies in the draft Mississauga Official Plan be amended to implement the Official Plan Amendment under application OZ 05/043 W2.

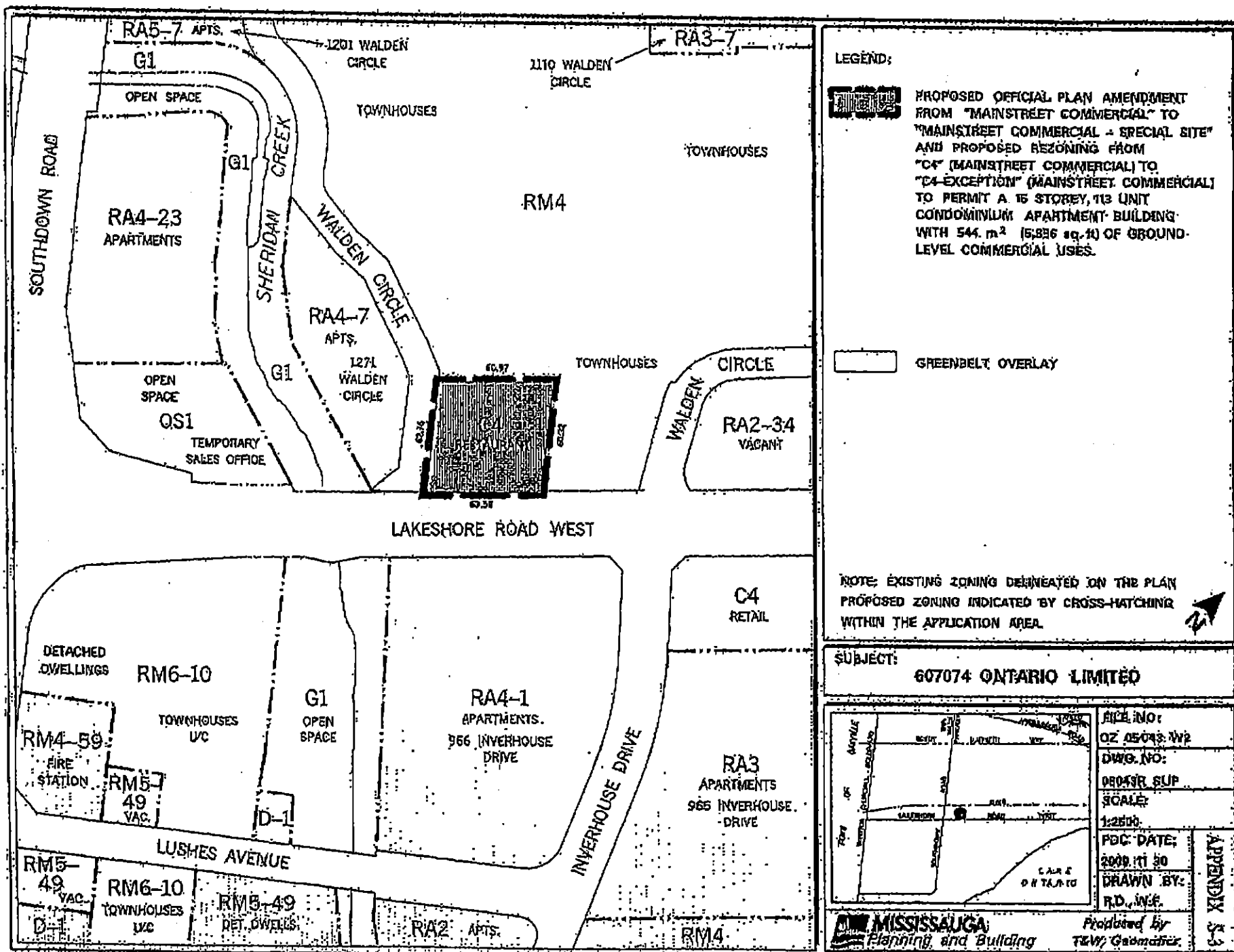
Yours very truly,


Robert E. Jarvis, Q.C.
Enc.

06/24/2010 10:40 905-763-3990

MUSSELLMAN

#0473 P.003 / 003



PLANNING & DEVELOPMENT COMMITTEE

JUN 28 2010

CD. 03. MIS

*Principals*

Michael Gagnon, B.E.S., M.C.L.P., R.P.P.

Lily Law, B.E.S.

June 28, 2010

Our File:

P.N.90.050.00

Mississauga OP

City of Mississauga
Planning and Building Department
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

"AZURIA"

Attention: Crystal Greer, Clerks Department
John Britto, Clerks Department
John Calvert, Planning & Building Department
Marianne Cassin, Planning and Building Department

Re: Formal Public Input - Draft Mississauga Official Plan
Azuria Group

To Whom It May Concern:

Gagnon & Law Urban Planners Ltd. (G&L) represent Azuria Group (Azuria), the registered owner of 3150 Golden Orchard Drive, located at the southwest corner of Golden Orchard Drive and Dixie Road, Part of Lot 6, Concession 1, N.D.S., City of Mississauga, Regional Municipality of Peel. 3150 Golden Orchard measures approximately 2.44 hectares (6.03 acres) in size. It is occupied by two (2) apartment buildings; one 16 storey building and one 14 storey building. The two (2) buildings house 238 apartment units in total.

Azuria has requested that G&L review the Draft Mississauga Official Plan (MOP). This review is being conducted partially in response to a letter which Azuria received from the City of Mississauga, Planning Department advising that a proposed change in the Draft MOP would delete a "Special Site" designation which currently applies to our client's site.

Our review will focus on the MOP in the context of Azuria's plans for intensification of their site through the addition of a third and possibly fourth apartment building.

1. Schedule 1, 1b and 1c designates the site Neighbourhood and Corridor, whereas we believe that it should be designated as part of the larger Employment Area and Intensification Corridor in the vicinity of the intersection of Dixie Road and Dundas Street East. This would recognize the existing development on the site and the

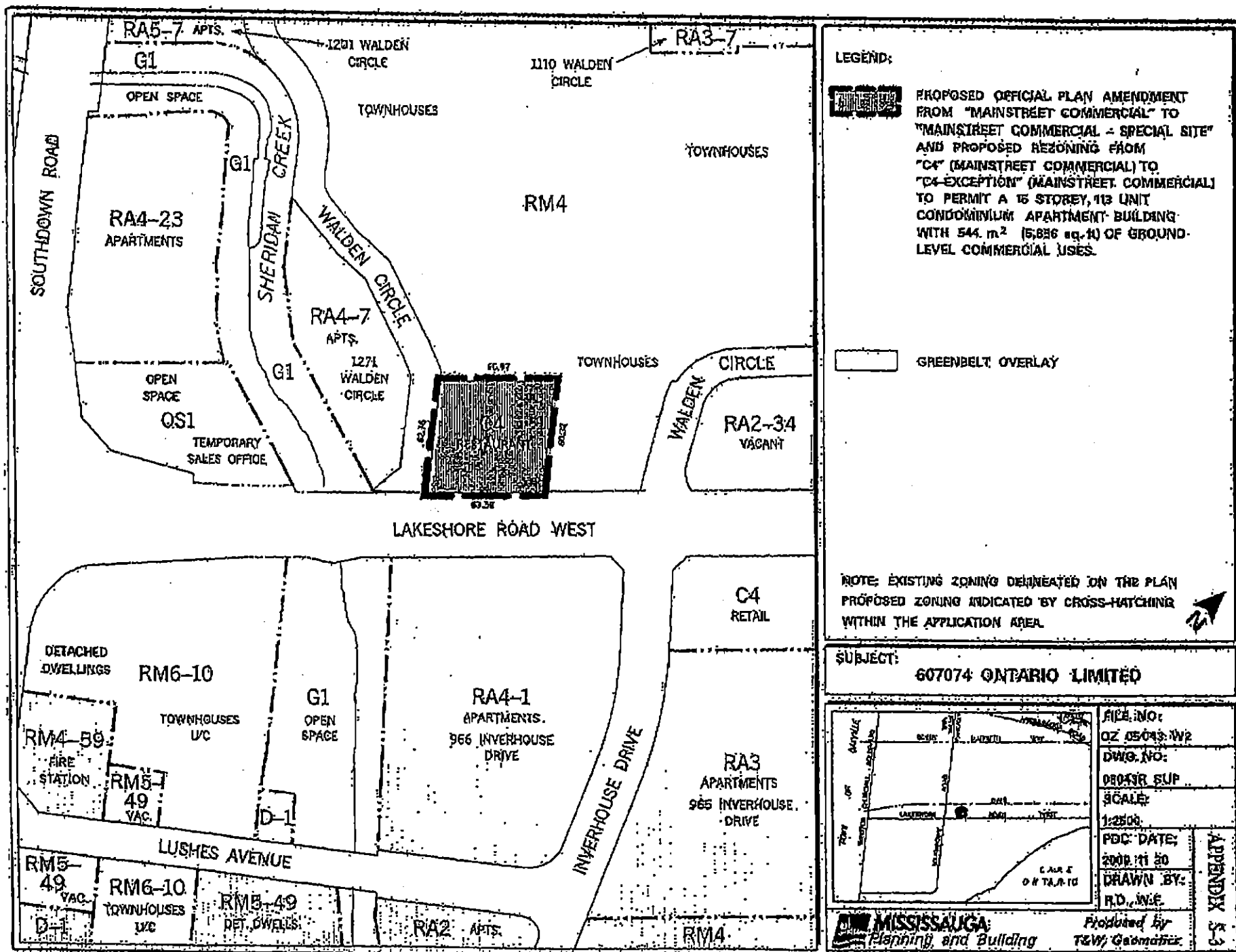
21 Queen Street East, Suite 500 • Brampton, Ontario, Canada L6W 3P1

Phone: (905) 796-5790 • Fax: (905) 796-5792 • Website: www.gagnonlawurbanplanners.com

06/24/2010 10:40 905-763-3990

MISSISSAUGA

#0673 P.003 / 003



potential to accommodate more residential development. Residential development on this site contributes to the municipality's intensification goals. With respect to the Corridor designation, we believe that it would be more appropriate to be an Intensification Corridor. Once again, this would more appropriately recognize what exists on site and the potential it has to accommodate more residential. The Community Node which is proposed on the north and south sides of Dundas Street East, just east of Dixie Road is a more appropriate designation for the subject site and surrounding lands to the south.

2. Schedule 2 fails to identify the site and surrounding area as part of a Community Node and Intensification Corridor. Given the existing development and potential to accommodate higher density residential, as well as surrounding uses, we believe that the Community Node as depicted should be enlarged to include the site. We also believe that it should be increased in size to envelope the whole of the intersection of Dixie Road and Dundas Street East, plus the Major Transit Station Area located to the south, as all of these lands work in unison to create a mixed-use precinct/district. The various sites and land uses do not exist in a vacuum. They are not isolated from one another.
3. We support the identification on Schedule 5 of Dixie Road as a Regional Arterial Road. We support the identification on Schedule 6 of Dixie Road as a Transit Priority Corridor. The Arterial Road context and the Transit Priority Corridor lend support to our position that our client's site and the surrounding area should be assigned a higher priority relative to their role and function in accommodating higher density development.
4. Schedule 9 identifies our client's site as being within the Applewood NHD, whereas we believe that it should be part of the Dixie EA and Community Node CN for the reasons stated earlier. We believe that the site has a stronger relationship to Dixie Road and the other developments to the south and east in terms of their role and function in providing higher density residential which provides much needed housing and supports the commercial uses existing and planned.
5. Schedule 10a designates our client's site as Residential High Density. We believe that consideration should be given to re-designating the site perhaps to Mixed-Use in recognition of its relationship to the lands to the south and east, and the role and function the site plays in accommodating residential high-rise development. We believe that consideration should be given to the adjustments of the Mixed-Use Area and the Node consistent with earlier comments.
6. Our client's proposal is supportive of Provincial Policy which encourages development that is transit-oriented. The intention behind the proposal is to increase density as a means of maximizing and optimizing the use of infrastructure.
7. We believe that circumstances exist where it is appropriate to identify 'site specific' policies which reflect the unique circumstances of certain sites and/or groups of properties. In some instances it simply isn't practical to expect the Official Plan which is a broad, high level plan to be able to capture existing land uses or a particular vision for the lands.

8. The intent through 'intensification' as proposed is to support the PPS and the goal of long term prosperity and social well-being. We support the wise use of land resources. The Azuria proposal to add a third and possibly fourth apartment building will promote greater efficiency and a more compact form of development.
9. Consistent with the Growth Plan, the proposal will contribute to:
 - Building compact, vibrant and complete communities;
 - Protecting, preserving, enhancing and wisely using valuable natural resources for current and future generations; and
 - Optimize the use of existing and new infrastructure.
10. The proposal to intensify on the site is appropriate on account of existing infrastructure which will be available to support the additional development.
11. Consistent with the guiding principles of the New Official Plan the proposal will contribute to the range of housing choices for local residents.
12. The proposal represents an opportunity to direct higher density residential and employment growth to key locations which are served by transit and infrastructure.
13. Consistent with Section 4.3, we believe that our client's site has a role and function to play in the context of the intersection of Dixie Road and Dundas Street East as part of a larger Community Node. The development which exists and which is envisaged can play an important role in accommodating higher density development which is transit-oriented.
14. Being mindful of Section 4.3.3, we believe that the limits of the Dixie/Dundas Community Node need to be revised to include our client's lands. These lands already play an important role in accommodating higher density residential. As development on the site intensifies, it will help to achieve the vision for the Dixie/Dundas Node, as well as the particular targets related to the number of residents to be accommodated.
15. Section 4.3.5 Neighbourhoods does recognize that higher density development has a role to play and that intensification can occur, but that being said, we believe that it would be more appropriate to re-designate our client's lands from Neighbourhood to Dixie/Dundas Community Node and Employment Area recognizing that higher density development will play an important role in the emerging Intensification area to the south.
16. Section 4.4 addresses Corridors. We believe that it would be more appropriate recognizing the level of development existing on our client's site and proposed that the site be designated an Intensification Corridor.
17. We believe that our client's site is suitable for a fourth apartment building located immediately adjacent to Dixie Road. Dixie Road in the vicinity of our client's site leading down to Dundas Street East is worthy of serious consideration as being designated an Intensification Corridor.

18. As far as Intensification Areas are concerned and being mindful of Section 8.2.2, the Zoning By-law already allows for a third apartment building on our client's site. Our client is considering the pursuit of a fourth apartment building. We seriously question the appropriateness of designating the site as being part of a Non-Intensification Neighbourhood Area. We believe that it would be more appropriate to re-designate the site a Community Node.

19. We have reviewed Section 16.0 of the Official Plan and the letter from the Planning Department proposing to delete the "Special Site" designation which applies to our client's lands. We do not support what is proposed. We believe that the site should continue to be identified as a "Special Site" in the context of our other recommendations and comments contained herein. The site should have a "Special Site" applied to it and possibly an exemption to allow for its own policies to be developed.

We welcome an opportunity to meet with staff to discuss our comments. We reserve the right to make additional comments. We recommend against approving the Official Plan in its current format. We wish to receive notification of approval of the Plan and adoption of implementing documents. We wish to be notified of future meetings related to the Mississauga Official Plan.

Yours truly,



Michael Gagnon, B.E.S., M.C.I.P., R.P.P.
Managing Principal Planner

C.C.: Edith Devico, Azuria Group
Marc De Nardis, G&L Urban Planners Ltd.



MMM Group Limited
100 Commerce Valley Drive West
Thornhill, ON Canada L3T 0A1
t: 905.882.1100 | f: 905.882.0055

www.mmm.ca

June 25, 2010
10.10022.001.P01

Edward Sajecki, Commissioner of Planning and Building
City of Mississauga
Planning and Building Department
Policy Division
300 City Centre Drive
Mississauga, ON L5B 3C1

**Subject: Baif Developments Limited Comments on the March 2010 Draft
Official Plan**

MMM Group Ltd has reviewed the Draft Official Plan on behalf of our clients, Baif Developments Limited in relation to their land holdings, and would like to offer the following comments on the Draft Official Plan as it relates to the subject. The subject site covers two parcels located on the north and south side of Webb Drive on the west side of the proposed new Main Street in Downtown Mississauga. Legally described as, Part of Lots 26, 27, 29 & 30 and all of Lot 28 & Pt of Paul Grave Rd on Registered Plan B-25.

In general we are supportive of the policy directions outlined in the draft Official Plan. However, we note that there are inconsistencies that permeate the document and flow into the Downtown 21 Master Plan (April 2010) and the Downtown Core Local Area Plan (DCLAP, March 2010). Our comments are outlined below:

1. Schedules in the draft Official Plan indicate that the boundary for the Downtown Core includes the subject site on the south side of Webb Drive, whereas the mapping in the Downtown Core Local Area Plan and the Downtown 21 Master Plan, show a combination of the subject site both in and out of the Downtown Core Area. Our position is that the subject site south of Webb Drive should remain included in the Downtown Core Local Area Plan as part of the City of Mississauga Urban Growth Centre.
2. We support the DCLAP, section 5.1.5, which permits 'the placement of structures over and under public roadways consistent with this Plan' as a permitted use. We note that section 7.2.2.8 of the Draft Official Plan does not permit 'permanent below or at grade encroachments on the road system' and therefore request that it be modified to allow for an exception for the downtown core and site specific exemptions, to allow for parking structures to be permitted in public easements or R.O.W. as determined by staff and approved by Council.

Baif Developments Limited
June 25, 2010
Page 2 of 2



3. The Draft Official Plan indicates in policy 11.2.5.11 (c) that no outdoor signage will be permitted for lands designated High Density Residential. We do not believe that was the intent of the Official Plan. Rather we would like to see this policy changed to reflect 'appropriate' signage policies for the downtown core consistent with an urban environment.

Outlined above are our immediate concerns with regards to the March 2010 Draft Official Plan. There are inconsistencies that require clarification. We would be pleased to meet with you at your earliest convenience to discuss the input we have provided above.

Regards,

MMM GROUP LTD

A handwritten signature in black ink that reads 'C. B. John-Baptiste'.

Chad B. John-Baptiste, BES, MCIP, RPP
Senior Planner, Associate
Planning & Environmental Design

C.c. Marianne Cassin, Policy Planner
Lynn Barkey, Baif Developments Limited

M:\Jobs\2010\10.10022.001.P01 - Baif, Mississauga\OP review letter for submission.doc



Sorensen Gravely Lowes
Planning Associates Inc.

509 Davenport Road
Toronto, Ontario M4V 1B8
Telephone (416) 923-6630
Facsimile (416) 923-6916

Principals: Warren Sorensen, P.Eng, MCIP, RPP
Catherine Gravely, MES, MCIP, RPP
Paul Lowes, MES, MCIP, RPP
Senior Associate: Carol-Anne Munroe, MCIP, RPP

June 28, 2010

Project: HF.MS

Planning and Development Committee
Policy & Planning Division
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Chair and Members of the Planning and Development Committee:

Re: Report on Comments – Draft Mississauga Official Plan
Highland Farms Property

Thank you for your response to our letter dated April 30, 2010, where we expressed concern with the Draft Mississauga Official Plan and the proposed permitted uses on Exempt Site 1 in Gateway Corporate Centre, the Highland Farms property.

In the "Report on Comments – Draft Mississauga Official Plan" report dated June 8, 2010, Appendix 3 summarizes all comments received on the Draft OP and associated recommendations to each comment. Recommendation # 133 addresses our letter, stating that "No action [is] required" as our concern is dealt with by recommendation #3. While we support the changes in this recommendation, the changes do not address the concerns we raised relating to the existing permission of retail uses on the Highland Farms property.

It was our understanding that staff would carry forward all existing permitted uses in the Mississauga Plan for "Special Site 1", which permit "all forms of retail commercial uses, including free-standing restaurants and financial institutions, except motor vehicle commercial uses and drive-throughs".

We request that the permitted uses for "Exempt Site 1" in the Gateway Corporate Centre District, the Highland Farms property, reflect the existing permissions.

Yours very truly,

SORENSEN GRAVELY LOWES PLANNING ASSOCIATES INC.

Paul Lowes, M.E.S., MCIP, RPP
Principal



Sorensen Gravely Lowes
Planning Associates Inc.

page 2

*Copy Mr. Charles Coppa, Highland Farms Inc.
Mr. John Calvert, Director, City of Mississauga Planning and Building Department
Ms. Marianne Cassin, City of Mississauga Planning and Building Department
Mr. Ron Miller, City of Mississauga Planning and Building Department
Ms. Angela Dietrich, City of Mississauga Planning and Building Department
Mr. Ed Sajecki, Commissioner, City of Mississauga Planning and Building Department*

APPENDIX 1 – 10

*Principals*

Michael Gagnon, B.E.S., M.C.I.P., R.P.P.

Lily Law, B.E.S.

June 28, 2010

Our File:

PN.08.1519.00

The Corporation of the City of Mississauga
 Planning, Design & Development
 300 City Centre Drive
 Mississauga, Ontario
 L5B 3C1

Via E-mail & Mail

"LATIQ QURESHI"

Attention: Crystal Greer, Clerks Department
 John Britto, Clerks Department
 John Calvert, Planning & Building Department
 Marianne Cassin, Planning and Building Department

Re: Formal Public Input - Draft Mississauga Official Plan
 2625 Hammond Road

To Whom It May Concern:

We represent Latiq Qureshi, owner of 2625 Hammond Road in the City of Mississauga. 2625 Hammond Road is located south of the commercial plaza at the southwest corner of Dundas Street West and King Forest Drive.

Our client is proposing to preserve the heritage dwelling which occupies 2625 Hammond Road. In addition, our client wishes to develop the surplus lands surrounding the heritage dwelling for a modest number of single detached residential dwellings in keeping with the lot fabric in the surrounding area. The objective is to focus on the architecture of the historic dwelling. They wish to make the home itself a showpiece. The new surrounding lots will be sympathetic to the neighbourhood.

1. Schedule 1 and 1a to the Official Plan designate the site Neighbourhood. It is unclear from the scale of Schedule 1 if the site is included as part of the Intensification Corridor and the Green System. We do not support the designation of Green System due to the highly degraded condition of the vegetation which occupies a portion of the site. We also do not support the Green System designation due to the lack of connectivity with any other significant natural heritage features in the area. The drainage ditch/swale which traverses the property is a highly degraded remnant former water course which traversed the site and surrounding area. This feature was decimated by the approval by the City of Mississauga of urban development to the north, south, east and west.

21 Queen Street East, Suite 500 • Brampton, Ontario, Canada L6W 3P1

Phone: (905) 796-5790 • Fax: (905) 796-5792 • Website: www.gagnonlawurbanplanners.com

CONFIDENTIALITY CAUTION

This document is Consultant-Client privileged and contains confidential information intended only for person(s) named above. Any distribution, copying or disclosure is strictly prohibited. If you have received this document in error, please notify us immediately by telephone and return the original to us by mail without making a copy.

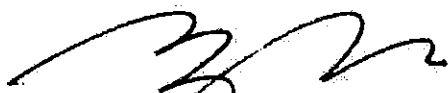
2. Schedule 10a designates our client's site Greenbelt and Residential Low Density 1, whereas we believe that the Greenbelt designation is wholly inappropriate. We also believe that Residential Low Density 1 should be changed to Residential Low Density 2 consistent with the rest of the Neighbourhood. Our client is in the process of preparing a Draft Plan of Subdivision for additional lots which will be similar in size with that which exist in the area.
3. Our client's objective in going forward is to protect, preserve and enhance the historic dwelling and a reasonable and appropriate amount of land surrounding it, while allowing for the development of the balance of the lands in a manner which is consistent and complementary.
4. We believe that circumstances exist where it is appropriate to identify 'Site Specific' policies which reflect the unique circumstances of certain sites and/or groups of properties. In some instances it simply isn't practical to expect the Official Plan which is a broad, high level plan to be able to capture existing land uses or a particular vision.
5. Consistent with the Growth Plan, the proposal will contribute to:
 - Building compact, vibrant and complete communities;
 - Protecting, preserving, enhancing and wisely using valuable natural resources for current and future generations; and
 - Optimize the use of existing and new infrastructure.
6. The proposal and the vision of continuing to protect the heritage resource is unique and represents an exciting opportunity to recognize the diversity in the local landscape. This is an inspired opportunity to demonstrate how the public and private sectors can work together to promote the individual and greater good simultaneously.
7. The proposal in advancing a limited number of new residential lots which are similar and/or complementary in terms of frontage and lot size is meant to protect and enhance what is by and large a stable neighbourhood, but at the same time allow for our client to optimize the use of the site. We firmly believe that if planned properly, additional lots can be added without detracting from the significant cultural heritage resource. Future homes will be designed being mindful of the heritage of the existing dwelling.
8. Consistent with the guiding principles of the new Official Plan, the proposal will support, sustain and improve the natural environment and cultural heritage. The proposal includes the realignment and re-vegetation of the watercourse/drainage swale/ditch which traverses the property. The goal is to take a highly degraded vegetative unit and create something superior to what exists today.
9. Our client knows first hand the value of preserving natural heritage and cultural resources. In this regard, our client is committed to maintaining a link to the past, while balancing this with the need to use land resources as efficiently and responsibly as possible.
10. While our client is sympathetic to the Greenland System and need to protect and enhance natural systems, this cannot extend to the inappropriate designation of highly degraded pockets of vegetation of which serve no true purpose on a city-wide scale. In the case of

our client's property, the surrounding lands were approved for the development of housing and a commercial plaza, and it is our understanding that historically these other lands were not terribly different from our clients' property. Recognizing this, we do not believe that it is appropriate to apply any of the Greenland System Policies to the subject site.

11. We have reviewed Section 6.4 of the Official Plan dealing with Heritage Planning. Our client's property is identified and designated as a Heritage Resource. Our client does not dispute the importance of maintaining the heritage dwelling. Our client only wishes to develop surplus lands consistent with what others have been allowed to do.
12. Our client views the rest of the land holding as having similar characteristics to adjacent properties which were approved for the development of single detached dwellings and a shopping centre. Our client is preparing to file an Amendment Application which will propose the preservation of the historic dwelling and a modest number of new residential building lots. We believe that the policies in the Official Plan pertaining to Heritage Resources need to be re-examined and customized to take into consideration this site.
13. Consistent with comment No.12 above and being mindful of Section 16.0 of the Official Plan, we recommend that consideration be given to applying a "Special Site" designation to 2625 Hammond Road which would recognize the preservation of the heritage dwelling and allow for development of surplus lands consistent with surrounding newer construction.

We welcome an opportunity to meet with staff to discuss our comments. We reserve the right to make additional comments. We recommend against approving the Official Plan in its current format. We wish to receive notification of approval of the Plan and adoption of implementing documents. We wish to be notified of future meetings related to the Mississauga Official Plan.

Yours truly,



Michael Gagnon, B.E.S., M.C.I.P., R.P.P.
Managing Principal Planner

c.c.: **L. Qureshi, 2625 Hammond Road**
A. Walker, G&L Urban Planners Ltd.

APPENDIX 1 – 11

Goodmans ^{LLP}

Barristers & Solicitors

Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.caDirect Line: 416.597.4119
rhouser@goodmans.ca

June 30, 2010

Our File No.: 10.1246

*Via Email: john.calvert@mississauga.ca*Mr. John Calvert, MCIP, RPP
Director, Policy Planning
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Mr. Calvert:

**Re: Draft Mississauga Official Plan
800 Matheson Blvd. W., Mississauga**

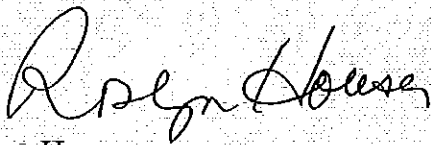
We are the solicitors for Wal-Mart Canada Inc., which operates a store at 800 Matheson Blvd. which is located at the southwest corner of Mavis Road and Matheson Blvd. (the "Lands"). The Lands are located within the East Credit Neighbourhood and are proposed to be designated "Mixed Use" in the City's new Official Plan (the "New OP").

We understand from City staff that the intent of the New OP is to maintain the current retail permissions and to allow for the expansion of existing stores on designated sites. However, when we consider the interplay of the Retail and Neighbourhoods policies in the New OP, we believe there is some doubt as to whether the policies would permit an expansion of a large retail facility such as the existing Wal-Mart. Specifically, the Retail policies of the New OP contained in Section 9.4 provide permission only for limited retail development in Neighbourhoods and specify that the retail uses are meant to serve nearby residential populations. While Section 9.4.3 identifies that the character area policies and local area plans will identify appropriate locations and types of retail uses, the East Credit Neighbourhood Character Area policies do not even mention permission for retail uses.

In order to remove any doubt with respect to the permission that the existing retail uses on the Lands may expand, we are requesting the inclusion of a Special Site Policy in the East Credit Neighbourhood Character Area that expressly provides such permission.

Yours truly,

Goodmans LLP

A handwritten signature in black ink, appearing to read "Roslyn Houser". The signature is fluid and cursive, with the first name "Roslyn" being more prominent than the last name "Houser".

Roslyn Houser

RH/sls

cc Marianne Cassin

V5862721

Goodmans^{LLP}

APPENDIX 1 - 12

Barristers & Solicitors

Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.4119
rhouser@goodmans.ca

July 5, 2010

Our File No.: 96-1922

Via Email: john.calvert@mississauga.ca

Mr. John Calvert, MCIP, RPP
Director, Policy Planning
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Mr. Calvert:

**Re: Draft Mississauga Official Plan
Rockwood Mall, 4141 Dixie Road East**

We are the solicitors for Rockwood Mall Limited ("Rockwood Mall"), the owner of a shopping centre located at the northeast corner of Burnhamthorpe Road and Dixie Road (the "Lands") in the City of Mississauga (the "City"). The Lands are located in the Rathwood-Applewood Community Node and are proposed to be designated "Mixed Use" in the City's New Official Plan (the "New OP").

The retail policies in the New OP prohibit single storey retail uses within the Downtown, Major Nodes and Community Nodes. The policies for Community Nodes also require a minimum building height of two storeys for all development in the Node. In discussions with staff, we were advised it is their view that any proposal for an expansion to existing single storey building would be required to include a two storey component unless an application is filed for an official plan amendment.

We understand that the minimum height requirements are intended to assist the City in its objective to create a vibrant mixed use areas within Community Nodes which have compact, urban form and offer a variety of services and amenities. While a minimum height restriction may be an appropriate requirement in the context of an application for a significant development proposal or redevelopment, we do not consider it appropriate to prevent an existing, successful shopping centre from expanding to meet the needs of tenants if the proposal does not include a second storey component.

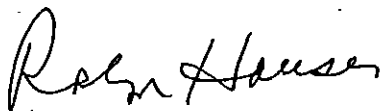
Goodmans^{LLP}

We note that the City is currently processing a site plan application for a new single storey pad site on the Lands.

We are requesting a modification to the new policy requirement for minimum building heights of two storeys to clarify that the Lands will not be subject to this requirement.

Yours truly,

Goodmans LLP

A handwritten signature in black ink, appearing to read "Roslyn Houser". The signature is fluid and cursive, with the first name "Roslyn" and the last name "Houser" clearly distinguishable.

Roslyn Houser

RH/sls

c.c. Mariane Cassin
Michael Sitzler

V5863086

Goodmans^{LLP}

Barristers & Solicitors

Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.4119
rhouser@goodmans.ca

July 6, 2010

Our File No.: 10.1246

Via Email: john.calvert@mississauga.ca

Mr. John Calvert, MCIP, RPP
Director, Policy Planning
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Mr. Calvert:

**Re: Draft Mississauga Official Plan
Wal-Mart Canada Inc.
100 City Centre Drive, Mississauga**

We are the solicitors for Wal-Mart Canada Inc., which operates a store at 100 City Centre Drive within the Square One Shopping Centre (the "Lands"). The Lands are located within the "Downtown Core Character Area" and are designated "Downtown Retail Core Commercial" in the City's new Official Plan (the "New OP").

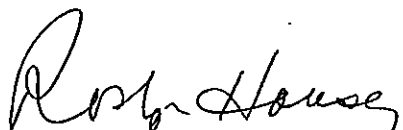
The Retail policies in the New OP prohibit single storey retail buildings within the Downtown, Major Nodes and Community Nodes. The policies for the Downtown also require a minimum building height of three storeys for all development in the Downtown. In discussions with staff, we were advised it is their view that any proposal for an expansion to an existing building in the Downtown would be required to include a three storey component unless an application is filed for an official plan amendment.

We understand that the proposed minimum height requirements are intended to assist the City in its objective to create a vibrant downtown for the City which will support a variety of uses and services in a compact urban form. While a minimum height restriction may be an appropriate requirement in the context of an application for a significant development proposal or redevelopment, we do not consider it appropriate to preclude an expansion by Wal-Mart of its current store unless it takes the form of a three-storey structure.

Therefore, we request the inclusion of a Special Site Policy in the Downtown Core Character Area that expressly provides permission for the Wal-Mart to expand in a single-storey form.

Yours truly,

Goodmans LLP

A handwritten signature in black ink, appearing to read "Roslyn Houser". The signature is fluid and cursive, with the first name "Roslyn" and last name "Houser" clearly distinguishable.

Roslyn Houser

RH/sls

cc Marianne Cassin
Chris Hanson

V5864468

POUND & STEWART

PLANNING CONSULTANTS • CITYPLAN.COM

I-8

July 6, 2010

**DELIVERED**

City of Mississauga
300 City Centre Drive
City of Mississauga
L5B 3C1

Attn: Madame Mayor & City Council

RECEIVED	
REGISTRY No.	
DATE	JUL - 6 2010
FILE No.	CD.03.M15
CLERK'S DEPARTMENT	

Re: Draft Mississauga Official Plan - Comments on behalf of Orlando Corporation

One of our client's significant developments is the Heartland Town Centre ('Heartland'). Schedule 10b places all of our client's development within the Gateway Employment Area. We are content with the City Structure designation. However, the map of Employment Areas found on p. 17-1 of the new Plan fails to depict those portions of Heartland to the west of Mavis Road as forming part of that Employment Area. That map should be revised to correct that omission. A similar revision to the depiction of the Gateway Employment Area ought to be made to Schedules 1, 1b and 9.

Should the City not revise the Gateway Employment Area as requested above, Section 17.1.3.1. should be revised to include mention of the East Credit Character Area.

The Plan proposes to designate a solitary parcel of land south of Plymouth Drive, east of Terry Fox Way and north of Matheson Boulevard as "Business Employment". This isolated designation does not represent good planning. We hereby request that this site be designated "Mixed Use" like the lands it abuts to the north and east.

Our client and the City recently resolved before the Ontario Municipal Board the appropriate urban design policies that ought to apply to its lands in the Upper Hurlontario Corridor. A modified OPA No. 40 was approved by the OMB. The principles and policies contained in that settlement ought to be reflected in the general urban design policies of this new Plan. Without limiting the foregoing, sections 15.3.1.2 e. & f. and 7.4.7 b. & d. must be revised. As well, the special site policies recently approved by the OMB should be inserted into 15.3 of the Plan.

<input checked="" type="checkbox"/> Receive	<input type="checkbox"/> Resolution
<input type="checkbox"/> Direction Required	<input type="checkbox"/> Resolution / By-Law
<input type="checkbox"/> Community Services	For
<input type="checkbox"/> Corporate Services	<input checked="" type="checkbox"/> Appropriate Action
<input checked="" type="checkbox"/> Planning & Building	<input type="checkbox"/> Information
<input type="checkbox"/> Transportation & Works	<input type="checkbox"/> Reply
	<input type="checkbox"/> Report

POUND & STEWART ASSOCIATES LIMITED

I-8a

We are generally encouraged that the new Plan supports the provision of daycare facilities within the Gateway Character Area below the 35 NEP/NEF composite noise contour. However, sections 5.1.11 should be revised to specifically mention the airport; 15.3.1.2 i. should speak to the encouragement of integration but not be a requirement; and 15.1.1.4 should allow for daycare facilities in freestanding structures.

The Plan proposes to place almost the entire City within an "Airport Influence Area" [AIA]...a new concept being introduced. We have seen no justification for and are opposed to this AIA concept; the policies proposed in section 18.2; and the depiction of an AIA on Appendix G: Maps 2 and 3. These all needlessly go beyond the appropriate recognition of airport obstacle limitation surfaces and composite noise contours as shown on Maps 1 and 4 of Appendix G.

A policy should be introduced into the Plan that provides that when a park or open space is deemed surplus and disposed by the City, that the subject lands will take on the abutting land use designation without further amendment to the Plan.

As Tables form part of the Plan, all Tables should be specifically identified and included in the Plan's Table of Contents.

We continue to review the Plan and reserve the right to further comment on it and elaborate upon the concerns contained in this submission.

Yours truly,
 Pound & Stewart Associates Limited.



Philip Stewart, MCIP, RPP

la/

1421ltr July.06.10

cc. Ms. J. Reid, Legislative Co-ordinator, Office of the City Clerk, City of Mississauga
 cc. Ms. C. Greer, Clerk, City of Mississauga
 cc. Mr. E. Sajecki, Commissioner of Planning & Building, City of Mississauga
 cc. Mr. J. Calvert, Director, Policy Planning Division, City of Mississauga
 cc. Mr. L. Longo, Aird & Berlis
 cc. Messrs. P. King & G. Kramer, Orlando Corporation

POUND & STEWART ASSOCIATES LIMITED

205 BELSIZE DRIVE, SUITE 101, TORONTO, ONTARIO, CANADA M4S 1M3 • 416 482 9797
 305 RENFREW DRIVE, SUITE 101, MARKHAM, ONTARIO, CANADA L3R 9S7 • 905 305 9797
 1 800 250 9056 • WWW.CITYPLAN.COM • INFO@CITYPLAN.COM

TOWNSEND AND ASSOCIATES**BARRISTERS AND SOLICITORS****LYNDA J. TOWNSEND PROFESSIONAL CORPORATION**

July 7, 2010

City of Mississauga
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Attention: Ms. Crystal Greer, Clerk

Dear Madam:

Re: Solmar Development Corporation
Comments on the New City of Mississauga Official Plan

We are solicitors for Solmar Development Corporation with respect to lands in which it has an interest in lands in Caledon.

On December 23, 2009 we appealed the City of Mississauga Official Plan Amendment No. 95 which is proposed to implement the Places to Grow Plan. A copy of the appeal is attached hereto. We have recently learned that the City is intending to adopt a new Official Plan with similar policies to OPA 95.

The New Mississauga Official Plan restates the population and employment forecasts used as the basis for OPA 95 that we have appealed. We wish hereby to register our continued objection to these policies as set out in the original appeal. In addition we note that until the Region's conformity amendments have been approved and the deleted sections of OPA 95 modified by the Region, it is premature to entrench population, employment and other related assumptions for a local municipality.

We would ask that you confirm that these comments will be distributed to members of Council before a final decision is made on this matter.

Yours truly,

TOWNSEND AND ASSOCIATES


Lynda J. Townsend

cc: Maurizio Rogato, Solmar Development Corporation
Jim Harbell, Stikeman Elliott
Arvin Prasad, Region of Peel

PLEASE REFER TO:

Lyn Townsend (Ext. 222)

Email: lyn.townsend@ltownsend.ca

Assistant: Kate King (Ext. 221)

E-mail: kate.king@ltownsend.ca

TOWNSEND AND ASSOCIATES

BARRISTERS AND SOLICITORS

LYNDA J. TOWNSEND PROFESSIONAL CORPORATION

PLEASE REFER TO:

Lyn Townsend (Ext. 222)

Email: lyn.townsend@townsend.ca

Assistant: Kate King (Ext. 221)

E-mail: kate.king@townsend.ca

December 23, 2009

Regional Municipality of Peel
Corporate Services Department
10 Peel Centre Drive
Brampton, Ontario
L6T 4B9

Attention: Mr. Jeffrey Payne, Deputy Regional Clerk
Attention: Mr. Brock Criger, Planning Manager

Dear Sirs:

Re: NOTICE OF APPEAL
OPA 95 to the City of Mississauga Official Plan
Section 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13
Solmar Development Corporation

We represent Solmar Development Corporation with respect to its land holdings within the Town of Caledon. We hereby appeal Amendment Number 95 to the City of Mississauga Official Plan to the Ontario Municipal Board, pursuant to section 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13.

On May 4, 2009, comments were submitted to the City raising our client's concerns with the proposed OPA 95, which are attached hereto for ease of reference. Among other things, those comments indicated that it would be inappropriate for the City to adopt OPA 95, which implements the Growth Plan, prior to the adoption of Peel's ROPA 24, which is the culmination of the Region's Growth Plan conformity exercise. As ROPA 24 remains unadopted, this concern still stands.

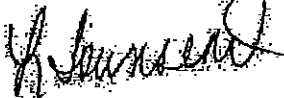
Since both upper and lower tier municipalities are expected to conform to the Growth Plan, and section 27 of the *Planning Act* requires that lower tier municipal plans conform to upper tier municipal plans, it is premature for any component of Mississauga's conformity exercise to conclude in advance of Peel's broader, over-arching, conformity exercise. Furthermore, the other lower tier municipalities within the Region of Peel have delayed the adoption of their conformity plans and instead have requested extensions from the Minister while they await the adoption of Peel's plan.

It is also premature to approve the policies of OPA 95 in advance of the population and employment forecasts for OPA 95. The two components of the plan are coordinate and one cannot be understood in isolation of the other. The implementation of the policies is directly dependant on the forecasts; our client cannot be expected to accept the policies in a vacuum.

Region of Peel
NOTICE OF APPEAL
Mississauga OPA 95
December 23, 2009
Page 2 of 2

We enclose herewith our firm cheque in the amount of \$125 as the required appeal fee, as well as OMB Appeal Form A1. Should you require any additional information, or if you have any questions with respect to this Notice, please do not hesitate to contact the undersigned.

Yours truly,
TOWNSEND AND ASSOCIATES



Lynda J. Townsend

cc, Client

FILE: HSY: MISSISSAUGA
OP REVIEW

Altus Group

Independent Audit Report Introduction

May 4, 2009

Mr. Edward R. Sajecki, Commissioner
Planning and Building
City of Mississauga
300 City Centre Drive
Mississauga, Ontario L5B 3C1

Dear Mr. Sajecki:

Subject: Official Plan Amendment 95
Our File: P-4136

I understand the City of Mississauga proposes to adopt Official Plan Amendment 95 which is intended to bring the Mississauga Plan into conformity with the Growth Plan for the Greater Golden Horseshoe. We have been retained by Solmar Development Corporation to review the proposed OPA 95 and the potential implications for housing and other growth management issues in Peel Region. As Solmar has proposed a "Complete Community" plan for lands in the South Albion/Bolton community in the Town of Caledon, the firm has an interest in the Growth Plan conformity exercise and in the equitable allocation of growth in Peel Region.

Population Projections

Proposed OPA 95 would replace the existing population forecasts in Section 1.2 of the Mississauga Official Plan with a projection of 775,000 persons by 2021 and 812,000 persons by 2031. These forecasts are significantly higher than the forecasts for Mississauga in the Peel Region Official Plan.

¹ The population projections in the Peel Official Plan are not adjusted for the Census undercount. The difference between the proposed new Mississauga forecasts and the Region Official Plan forecasts is significantly greater than the adjustment for Census undercount.

Official Plan Amendment 95

May 4, 2009

Page 2

The cumulative total of the forecasts proposed by the lower-tier municipalities (Caledon, Brampton and Mississauga) exceeds the population forecasts set out in the Growth Plan.

Regional coordination of the growth projections for Caledon, Brampton and Mississauga is a vital component of the Growth Plan conformity exercise. Coordination is necessary to ensure the proper balance needed to address all of the planning objectives and policies set out in the Growth Plan and the Provincial Policy Statement. A careful balancing is required to ensure that provincial objectives for intensification, the density of designated greenfield areas and urban growth centres, the efficient use of infrastructure, and the housing supply can be achieved.

While Mississauga can play a major role in meeting the intensification target set out in the Growth Plan, the City cannot provide the full range of housing types needed to meet the housing requirements of current and future residents of Peel Region. As Mississauga's greenfield lands will soon be built out, Brampton and Caledon will be responsible for providing most of the new single and semi-detached houses that will be needed over the period to 2031. The City of Mississauga does not appear to have considered the potential implications of the proposed new population projection for the continued provision of a full and appropriate range of housing to meet the projected requirements of current and future residents of Peel Region, as required by the Provincial Policy Statement.

Mississauga does not appear to have considered the potential implications of the proposed population and employment forecasts for the Growth Plan's density target for designated greenfield areas across Peel Region. Calculations undertaken as part of the Peel Region Official Plan Review indicate that concentrating too much growth in Mississauga would impair the ability to meet the density target of 50 residents and jobs per hectare in the designated greenfield areas in Brampton and Caledon.

One of the guiding principles of the Growth Plan is to optimize the use of existing and planned infrastructure. The allocation of population and employment forecasts to lower tier municipalities will have significant implications for the efficient utilization of existing and planned Regional infrastructure (water supply, sanitary sewers, and Regional roads). The coordination of infrastructure planning and land use planning is required in policy 3.2.1.1 of the Growth Plan and is necessary to provide for the efficient use of Regional infrastructure. Cost-effective use of existing

Official Plan Amendment 93

May 4, 2009

Page 3

and planned infrastructure will result in financial benefits for all Peel ratepayers, including the residents of Mississauga.

Policy 1.4.2 in the Provincial Policy Statement indicates that upper-tier municipalities are responsible for the allocation of population and units to lower-tier municipalities to ensure the maintenance of an adequate housing supply. Policy 1.2.1 in the Provincial Policy Statement confirms that upper-tier municipalities are responsible for the identification, coordination and allocation of population, housing and employment forecasts to lower-tier municipalities. While Peel Region did assign some of its responsibilities under the Growth Plan to the City of Mississauga, this did not include the allocation of population and employment growth.

The allocation of population and employment forecasts to Mississauga, Brampton and Caledon must be coordinated by the Region of Peel to ensure the conformity with the housing supply policies in the Provincial Policy Statement, the intensification and density targets in the Growth Plan and coordination with infrastructure planning. Therefore, it is not appropriate for the City of Mississauga to adopt an Official Plan Amendment with new population and employment forecasts prior to completion of Peel Region's Official Plan Review and Growth Plan conformity exercise. When a coordinated set of population and employment forecasts is approved for Peel Region, Mississauga can amend its Official Plan to reflect the new forecasts which will assist the Region in conforming to the targets and policy intent of the Growth Plan.

Complete Communities

The proposed definition of Complete Communities does not match the definition in the Growth Plan. In particular, the proposed definition does not refer to "community infrastructure".

Trucking and Transportation

The proposed Trucking and Transportation policies appropriately recognize the importance of Highway 410 as part of the provincial goods movement network. Coordination of land use policies among the lower-tier municipalities in Peel Region may help ensure that land uses in the vicinity of major highway interchanges are compatible with and supportive of the primary goods movement function of these facilities.



Official Plan Amendment 95

May 4, 2009

Page 4

Thank you for the opportunity to comment on proposed Official Plan Amendment 95.

Sincerely,

Leannette P. Spear

~~Jeanette Gillespie, MA~~

Senior Director

Economic Consulting

c.c. Maurizio Rogato, Solmar Development Corporation
Lynda Townsend, Townsend Rogers
Paul Lowe, Sorensen Gravelly Lowe Planning Associates Inc.
Dan Labrecque, Regional Municipality of Peel



Ontario Municipal Board
Commission des affaires municipales de l'Ontario
655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
TEL: (416) 326-8800 or Toll Free: 1-866-887-8820
FAX: (416) 326-5370
www.omb.gov.on.ca

APPELLANT FORM (A1)

PLANNING ACT - Bill 51

(SUBMIT TO MUNICIPALITY/APPROVAL AUTHORITY)

Instructions:

- Complete one form for each type of appeal you are filing.
- A filing fee of \$125 is required for each type of appeal you are filing. To view the Fee Schedule, visit the Board's website.
- The filing fee must be paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- Submit your completed appeal form(s) and filing fee(s) to either the Approval Authority or Municipality, as applicable, by the required filing deadline. The Approval Authority/Municipality will forward your appeal(s) and fee(s) to the Ontario Municipal Board.
- Please print clearly throughout the appeal form.
- The *Planning Act* and the *Ontario Municipal Board Act* are available at www.omb.gov.on.ca.

Receipt Number (OMB Office Use Only):

Date Stamp - Appeal Received by Municipality

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	<input type="checkbox"/> Appeal a decision	45(12)
Consent	<input type="checkbox"/> Appeal a decision or conditions imposed	53(19)
	<input type="checkbox"/> Appeal conditions imposed	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
Zoning By-law/Amendments	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law - failed to make a decision on the application within 120 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law - refused by the municipality	
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	38(4)
Official Plan or Official Plan Amendment	<input checked="" type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input type="checkbox"/> Failed to make a decision on the application within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan - refused by the municipality	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan - failed to make a decision on the application within 180 days	22(7)
Subdivision	<input type="checkbox"/> Appeal a decision	51(39)
	<input type="checkbox"/> Appeal conditions imposed	51(43) or 51(48)
	<input type="checkbox"/> Failed to make a decision on the application within 180 days	51(34)

Part 2: Location Information

whole local municipality
Address and/or Legal Description of property subject to the appeal:

Municipality: City of Mississauga

Part 3: Appellant Information

First Name: _____ Last Name: _____

Solmar Development Corporation
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): c/o Lynda J. Townsend, solicitor

E-mail Address: lyn.townsend@ltownsend.ca
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 905.829.8600 Alternate Telephone #: _____

Fax #: 905.829.2035

Mailing Address: 1525 Cornwall Road Suite: 10 City/Town: Oakville
Street Address Apt/Suite/Unit# City/Town
Ontario L6J 0B2
Province: _____ Country (if not Canada) Postal Code

Signature of Appellant: [Signature] Date: Dec 23, 09

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: _____ Last Name: _____

Company Name: _____

Professional Title: _____

E-mail Address: _____
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: _____ Alternate Telephone #: _____

Fax #: _____

Mailing Address: _____
Street Address Apt/Suite/Unit# City/Town

Province: _____ Country (if not Canada) Postal Code

Signature of Appellant: _____ Date: _____

(continued on next page...)

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☒ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

Part 5: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please Print)

OPA 95 to the City of Mississauga Official Plan

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required please continue in Part 8 or attach a separate page.

(Please Print)

Please see attached correspondence.

****The following sections (a&b) apply only to appeals of Zoning By-law Amendments under Section 34(1) of the Planning Act.**

- a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted on or after January 1, 2007 please use the OMB1 'Bill 51' form.)

- b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:
**If more space is required please continue in Part 8 or attach a separate page.

Part 6: Related Matters (if known)

~~Are there other appeals not yet filed with the Municipality?~~

YES ☐ NO ☒

Are there other planning matters related to this appeal?

YES ☒ NO ☐

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please Print)

ROPA 24 to the Peel Regional Official Plan

Part 7: Scheduling Information

How many days do you estimate are needed for hearing this appeal? ☐ half day ☐ 1 day ☐ 2 days ☐ 3 days
☐ 4 days ☐ 1 week ☐ More than 1 week - please specify number of days: unknown at this point

How many witnesses do you expect to have at the hearing? unknown at this point

Describe witness(es)' area of expertise:

Do you believe this matter would benefit from mediation?

YES ☒ NO ☐

Do you believe this matter would benefit from a Prehearing Conference?

YES ☒ NO ☐

If yes, why? to determine the parties and scope the issues and to determine the length of the hearing

Part 8: Other Applicable Information **Attach a separate page if more space is required.

[illegible]

Part 9: Required FeeTotal Fee Submitted: \$ 125.00Payment Method: ☒ Certified cheque * ☐ Money Order

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.

*Or Solicitor's general or trust account cheque.

TOWNSEND AND ASSOCIATES
GENERAL ACCOUNT

000419

DATE : Dec 22/2009
CHE # : 419
AMOUNT : \$125.00
ACCOUNT: GENERAL - 1
PAID TO: Minister of Finance

Appeal Fee Solmar Development Corporation - OPA 95

CLIENT: 372 - Solmar Holdings Corp.
MATTER: 06394

TOWNSEND AND ASSOCIATES GENERAL ACCOUNT 1525 CORNWALL ROAD, SUITE 10 OAKVILLE, ON L6J 0B2		BANK OF MONTREAL 1000 FINANCIAL GROUP CENTRE 8805 HURONTARIO STREET, SUITE 100 MISSISSAUGA, ON L5T 0A4		000419
One Hundred Twenty Five				419
				00/100
PAY TO THE ORDER OF	Minister of Finance	Dec 22/2009	\$125.00	
		TOWNSEND AND ASSOCIATES GENERAL ACCOUNT		
		PER <i>[Signature]</i>		
Appeal Fee Solmar Development Corporation - OPA 95				
⑈000419⑈ ⑆38582⑈001⑈ 1030⑈008⑈				

Response to Comments Table

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
1. Introduction and Policy Context					
Lynda Townsend, Townsend and Associates, on behalf of Solmar Development Corporation	4.1 Introduction Table 4-1 Population and Employment Projections	The draft Plan restates the population and employment forecasts used as the basis for OPA 95, which were appealed by Solmar.	This was dealt with by Recommendation 7 in the Report on Comments dated June 8, 2010, which revised the forecasts to be consistent with ROPA 24.	1.	No action required.
5. Value the Environment					
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation	5.1.11 Introduction	Revise to include reference to the Airport as a facility where sensitive land uses may be considered.	The issue of sensitive land uses in the vicinity of the airport is dealt with in 5.9.2 Aircraft Noise.	2.	No action required.

The draft Mississauga Official Plan is referred to as “the draft Plan”. The existing Official Plan is referred to as “Mississauga Plan”

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
Planning and Building Department	5.6 Air Quality	Ministry of Environment air quality standards.	Upon further review, recommendation 37 of the report titled "Report on Comments – Draft Mississauga Official Plan", dated June 8, 2010 from the Commissioner of Planning and Building regarding air quality should be revised to request the Ministry of Environment to establish higher regulatory standards than currently used by the Ministry.	3.	<p>That recommendation 37 of the report titled "Report on Comments – Draft Mississauga Official Plan", dated June 8, 2010 from the Commissioner of Planning and Building be replaced with the following:</p> <p>"That 5.6 of draft Mississauga Plan be amended by adding the following:</p> <p><u>"Mississauga encourages the Ministry of Environment to establish higher regulatory standards than currently used by the Ministry, and take into account the cumulative effects of emissions, and background pollutant concentrations prior to approving applications for Certificates of Approval."</u></p>
8. Build a Desirable Urban Form					
Victor Labreche, Labreche Patterson and Associates Inc., on behalf of members of the Ontario Restaurant Hotel and Motel Association	8.2.1 (as amended by Recommendation 100, June 8, 2010)	<p>The word "exceptional" is too broad, open to interpretation, and is redundant as this policy lists the requirements proposed drive-throughs would have to meet:</p> <p>"Zoning by-law amendments for new drive-through facilities in Intensification Areas will not be approved where they will interfere with the intended function and form of these character areas. Such</p>	Agreed.	4.	<p>That the additional policy contained in Recommendation 100 to the report titled titled "Report on Comments – Draft Mississauga Official Plan", dated June 8, 2010 from the Commissioner of Planning and Building be revised by deleting the word "exceptional".</p>

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
		applications may be considered in exceptional circumstances where the location, design and function of the drive-through facility..."			
Victor Labreche, Labreche Patterson and Associates Inc., on behalf of members of the Ontario Restaurant Hotel and Motel Association	8.2.1 (as amended by Recommendation 100, June 8, 2010)	Suggests this policy be amended to indicate that zoning by-law amendments for new drive-through facilities may be required in certain areas and those areas will be established within the zoning by-law.	This is a zoning matter and need not be addressed in the Official Plan.	5.	No action required.
Victor Labreche, Labreche Patterson and Associates Inc., on behalf of members of the Ontario Restaurant Hotel and Motel Association	8.2.2 (as amended by Recommendation 100, June 8, 2010)	Suggests that a drive-through be subject to the same requirements as would be applied to a parking lot.	Drive-through facilities and parking lots have different functional requirements and should not be treated the same.	6.	No action required.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN
9. Foster a Strong Economy				
Roslyn Houser, Goodmans on behalf of Wal-Mart Canada Inc.	9.4 Retail	The fourth paragraph provides permission only for limited retail development in Neighbourhoods to service nearby residential populations. This could prevent the expansion of a large retail facility such as the existing Wal Mart in the Heartland. Requests a Special Site Policy that provides such permission.	The intent is not to prevent the expansion of existing retail uses on lands designated Mixed Use, but to prevent the redesignation of land for new major retail uses within Neighbourhoods. The draft Plan encourages such uses to locate primarily within Downtown, Major Nodes and Community Nodes. The policies should be amended to clarify their intent.	7. That the first sentence of the fourth paragraph of section 9.4 be revised to read: <u>Within Neighbourhoods, further retail commercial development will be directed to lands designated Mixed Use.</u> Limited retail development will be permitted within Neighbourhoods to service nearby residential populations. Retail uses will be encouraged to develop in combination with residential and office uses.
Roslyn Houser, Goodmans on behalf of Wal-Mart Canada Inc.	9.4.4	Policy 9.4.4 prohibits single-storey retail uses in Downtown, and it is inappropriate to preclude the expansion of Wal-Mart within Square One unless it takes the form of a three-storey structure.	Policy 9.4.4 should be modified as height restrictions for Downtown are covered in policies 12.1.1.2 and 12.1.1.3. Although policy 12.1.1.2 requires a minimum height of three-storeys, policy 12.1.1.3 provides criteria whereby building heights less than three-storeys may be permitted.	8. That policy 9.4.4 of the draft Plan be amended as follows: 9.4.4 Within the Downtown, Major Nodes, Community Nodes and Corporate Centres, single-storey retail uses will not be permitted. existing single-storey retail developments will be encouraged <u>to redevelop into multi-storey mixed use developments.</u> incorporate existing retail floor area into multi-storey mixed use developments.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
Roslyn Houser, Goodmans on behalf of Rockwood Mall Ltd.	9.4.4	Policy 9.4.4 prohibits single-storey retail uses in Community Nodes, and it is inappropriate to preclude the expansion of Rockwood Mall unless it takes the form of a two-storey structure.	<p>Policy 9.4.4 should be modified as height restrictions for Community Nodes are covered in policies 14.1.1.2 and 14.1.1.3.</p> <p>Although policy 14.1.1.2 requires a minimum height of two-storeys, policy 14.1.1.3 provides criteria whereby building heights less than two-storeys may be permitted.</p>	9.	Addressed in Recommendation 7.
11. General Land Use Designations					
Ontario Realty Corporation	11.2.3.2 and 11.2.3.7 Greenbelt	There is a need to permit electricity transmission and distribution facilities in Greenbelt, in accordance with the existing Official Plan.	Upon further review, these uses may be permitted provided that there are no other feasible options, and an Environmental Assessment, or a satisfactory Environmental Impact Study is completed.	<p>10.</p> <p>11.</p>	<p>That 11.2.3.2 of the draft Plan be amended to permit electricity transmission and distribution facilities.</p> <p>That the first sentence of 11.2.3.7 of the draft Plan be amended to read:</p> <p><u>Electricity transmission and distribution facilities.</u> and piped services and related facilities used for water, wastewater and stormwater may only be permitted in Greenbelt if other options are not feasible provided that an Environmental Assessment has been completed in conformity with the <i>Environmental Assessment Act</i> or a satisfactory Environmental Impact Study has been approved</p>

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
					by the appropriate conservation authority, the City and other appropriate approval agencies.
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation	11.2.4 Open Space	A policy is required that states when a public park is deemed surplus and disposed of by the City, the former park will assume the abutting land use designation without amendment to the draft Plan.	This may be problematic where there are multiple adjoining land uses. Further, given this is a substantial change in land use, the proposed policy would not result in a transparent planning process.	12.	No action required.
Chad John-Baptiste, MMM Group, on behalf of Baif Developments	11.2.5.11 c Residential	The prohibition of outdoor signage for convenience commercial facilities within an apartment building would not be appropriate in the Downtown Core.	Given that such signage is regulated by the Sign By-law, this policy is outmoded and should be deleted from the draft Plan.	13.	That the draft Plan be amended by deleting policy 11.2.5.11 c.
16. Neighbourhoods					
Bruce Thom, on behalf of Embee Properties	16.8.3 East Credit Special Site Policies	The lands designated Mixed Use at the south-west corner of Mavis Road and Bristol Road should be identified as a Special Site to permit a service station, gas bar, car wash, and garden centre as additional uses	Agreed.	14.	That the lands designated Mixed Use at the south-west corner of Mavis Road and Bristol Road be identified as a Special Site to permit a service station, gas bar, car wash, and garden centre as additional uses.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
		in accordance with an Ontario Municipal Board settlement.			
17. Employment Areas					
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation	15.1.1.4 Corporate Centres General	This section should allow daycare facilities in freestanding buildings along Corridors rather than be in the same building as the principal use.	Daycare facilities are considered community infrastructure and, as such, are permitted in all land use designations, except Greenbelt. Along Corridors in Corporate Centres, accessory and principal uses should be combined to result in a suitable built form.	15.	No action required.
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation	15.3.1.2 e and f, 15.3.3 Gateway Corporate 7.4.7 b and d, Create a Multi-Modal City, Parking	These sections should be revised in accordance with OPA 40, as modified and approved by the Ontario Municipal Board.	The draft Plan was prepared prior to the approval of OPA 40 and will be revised accordingly. 7.4.7 b and d were not considered by the Ontario Municipal Board. In the event of a conflict between the Gateway Corporate policies and this	16.	That 15.3, Gateway Corporate of the draft Plan be revised to incorporate OPA 40, as approved by the Ontario Municipal Board.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
			section, the provisions of Gateway Corporate take precedence.		
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation	15.3.1.2 i Gateway Corporate	This section should encourage, rather than require the integration of principal and accessory uses.	These uses should be integrated within buildings to achieve a suitable built form along Hurontario Street.	17.	No action required.
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation	17.1.3.1 Mixed Use	The East Credit Character Area should be referenced in this section.	As East Credit is not an Employment Area, it is inappropriate to reference the lands in this section.	18.	No action required.
18. Special Purpose Areas					
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation	18.2 Toronto – Lester B. Pearson International Airport, Appendix G: Maps 2 and 3	Questions the justification for introducing the Airport Influence Area as it goes beyond the Airport Zoning Regulations and aircraft noise contours.	The concept of the Airport Influence Area (AIA) was requested by the Greater Toronto Airports Authority (GTAA) because development outside of the Airport Zoning Regulations and aircraft	19.	No action required.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
			noise contours can potentially impact communications, navigation and surveillance equipment. The related policies require only that applications within the AIA be circulated to the GTAA for comment such that a timely review can take place, concerns can be identified in the early stages of the planning process, and solutions explored.		
Schedules					
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation	Employment Areas map, Schedules 1,1b, 9 and 10b	The map of Employment Areas on page 17-1, and Schedules 1,1b, and 9 do not include the lands west of Mavis Road, south of Highway 401 as being in the Gateway Employment Area.	The map of Employment Areas on page 17-1, and Schedules 1 and 9 correctly depict the lands west of Mavis Road, south of Highway 401 as being in the East Credit Neighbourhood. The Neighbourhoods map on page 16-1 of the Plan, and Schedule 1b incorrectly show the	20.	That Schedules 1b and the Neighbourhoods map on page 16-1 be revised to establish Mavis Road as the boundary between the East Credit Neighbourhood and Gateway Employment District.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
			lands as part of Gateway.		
Philip Stewart, Pound and Stewart Associates Ltd., on behalf of Orlando Corporation.	Schedule 10b	The lands currently designated Business Employment north of Matheson Boulevard, east of Terry Fox Way should be redesignated Mixed Use.	Redesignating lands is outside the scope of the official plan review.	21.	No action required.
Planning and Building Department	Schedules 1, 1a and 4	Upon further review, it was noted that although the Parks and Open Spaces system includes Greenbelt lands, as well as public and private open spaces, Schedule 4 does not include all the lands within this system, and should be amended to do so. Consequently, Schedules 1 and 1a should also be amended to include the information on Schedule 4.	The proposed amendment is acceptable.	22.	That Schedules 1, 1a and 4 of the draft Plan be amended to include all lands within the Parks and Open Spaces system.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
Planning and Building Department	Schedule 4	A note should be added to Schedule 4 to clarify that the Public and Private Open Spaces identified on this Schedule include lands designated Public Open Space, Private Open Space and Greenbelt as shown on Schedule 10.	The proposed amendment is acceptable.	23.	That Schedule 4 of the draft Plan be amended to include the following: <u>The Public and Private Open Spaces identified on this Schedule include lands designated Public Open Space, Private Open Space and Greenbelt as shown on Schedule 10.</u>
Planning and Building Department	Schedules 10a, 10 b and 10 c and the Land Use Maps in Local Area Plans	Upon further review, it was noted that errors exist in the colours used to designate certain lands.	The proposed amendment is acceptable.	24.	That Schedules 10a, 10 b, 10 c and the Land Use Maps in Local Area Plans be revised to reflect the correct designations in Mississauga Plan.
Local Area Plans					
Chad John-Baptiste, MMM Group, on behalf of Baif Developments	Downtown Core Local Area Land Use Plan	The boundaries of the Downtown Core Local Area Land Use Plan are inconsistent with the boundaries of Downtown Core in Schedules 2, 9 and 10 of the draft Plan.	The Downtown Core Local Area Plan policies, maps and Schedules should be revised to include the lands fronting onto the south side of Webb Drive.	25.	That the Downtown Core Local Area Plan policies, maps and Schedules be revised to include the lands fronting onto the south side of Webb Drive.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT MISSISSAUGA OFFICIAL PLAN	
Planning and Building Department	Downtown Core Local Area Land Use Plan	A further review of drive-through policies indicates that the permission for all types of restaurants should exclude those with drive-through facilities.	The proposed amendment clarifies that restaurants with drive-through facilities are not permitted.	26.	That 4.1.1. e of the Downtown Core Local Area Plan be amended as follows: Hotel and conference facilities, all types of restaurants, <u>except those with drive-through facilities</u> , and entertainment facilities...
				27.	That 4.2.1 b of the Downtown Core Local Area Plan be amended as follows: All types of restaurants, <u>except those with drive-through facilities</u> .
Victor Labreche, Labreche Patterson and Associates Inc., on behalf of members of the Ontario Restaurant Hotel and Motel Association	Appendix A: Exempt Sites	Request site specific policies to recognize existing restaurants with drive-through facilities in areas where they will be prohibited in the draft Plan.	Agreed.	28.	That the draft Plan and Local Area Plans be amended to exempt existing restaurants with drive-through facilities in areas where they will be prohibited.