

May 10, 2011

BY REGULAR MAIL & EMAIL

Region of Peel
 Development Services
 10 Peel Centre Drive, Suite A
 Brampton, Ontario
 L6T 4B9

LEGISLATIVE SERVICES	
COPY TO:	FOR:
Chair	Committee
CAO	
Corporate Services	Council
Public Works	May 26, 2011
Employee and Business Services	2011
Health Services	File
Human Services	
Peel Living	

RECEIVED

MAY 12 2011

REGION OF PEEL
 CLERKS DEPT.

Attn: Mr. Brock Criger, MCIP, RPP, Manager

**Re: New Adopted Mississauga Official Plan - Pending Modifications
 Orlando Corporation
 City of Mississauga
 Our File: 1421**

We are the planners of record for Orlando Corporation ('Orlando'), writing with respect to the City of Mississauga's new Official Plan presently under consideration by the Region of Peel. We have provided prior written submissions to the Region regarding this new Official Plan. To the extent the local municipality did not incorporate our modification requests, we ask the Region to consider modifying Mississauga Official Plan to facilitate our requested changes.

In addition, as part of the foregoing new Official Plan process, we also request the Region's consideration of our client's lands (referred to as the 'subject site') which are located in the Meadowvale Business Park District (per Mississauga Plan in effect), at the northeast quadrant of Erin Mills Parkway and Britannia Road West; primarily fronting onto Erin Mills Parkway. Please refer to the following planning policy and zoning context.

Mississauga Plan, in effect

The subject site is designated 'Business Employment' per Mississauga Plan. (See Figure 1) The Section 3.3, 'BUSINESS EMPLOYMENT' land use designation permits freestanding offices, financial institutions and all types of restaurants, among other uses, with no policy regarding a minimum height. We also refer to policy 3.3.2.6, which reads, "Freestanding restaurants, and banks or other financial institutions will be designed to locate buildings next to the street edge, where possible."

REFERRAL TO PUBLIC WORKS
 RECOMMENDED _____
 DIRECTION REQUIRED _____
 RECEIPT RECOMMENDED _____

POUND & STEWART ASSOCIATES LIMITED

As noted above, offices are a permitted use and office uses are defined as business, professional and administrative offices. Medical offices are proposed on the subject site inclusive of accessory medical and pharmaceutical dispensary and associated retail services and supplies. The maximum Floor Space Index (FSI) for offices not located in Nodes is 1.0.

Accessory uses to a medical office, for example, can include subordinate uses which are directly related to the functioning of the permitted medical office use. Accessory uses are generally limited to 20% of the total Gross Floor Area (GFA) and are proposed as an accessory use within the context of the same office building.

Zoning By-law 0225-2007, as amended and in effect

The 'as of right' zoning for the subject site is E2-99 (northern section) and, E2-100 (southern section), per the E2 – Employment Zone, of Zoning By-law 0225-2007, as amended. (See Figure 2) This zoning designation permits freestanding office uses, inclusive of office and medical office, financial institutions and restaurants on the subject site.

More specifically, Section 8.1.2.1.1., *“Permitted accessory uses shall include laboratories and associated facilities for medical diagnostic and dental purposes, medical supply and equipment store, pharmacy, ...retail store less than 600 m2 and a personal service establishment...”*

Section 8.1.2.1.2., *“A maximum of 20% of the total gross floor area – non residential of an office building or medical office building may be used for accessory uses.”*

In addition, Section 8.1.3 refers to accessory Retail Sales and/or Accessory Retail Display in Employment Zones, where section 8.1.3.1 reads in part as follows: *“In an E1 to E3 zone, a maximum of 20% of the total gross floor area – non residential of a Business Activity use contained in Table 8.2.1 of this By-law, may be used for accessory retail sales, leasing and/or rental, accessory retail display and/or retail display and/or installation of products, ... provided such that accessory retail sales, leasing and/or rental, accessory retail display and/or retail display and/or installation of products is contained wholly within an enclosed building, structure or part thereof.”*

This 'as of right' zoning for the subject site implements the policies of the Official Plan in effect.



Adopted Mississauga Official Plan, September 2010

The subject site is designated 'Business Employment' per the new adopted Mississauga Official Plan, and is part of the Meadowvale Business Park Corporate Centre. Section 15.1.1.1 informs that "*Corporate Centres will develop a mix of employment uses with a focus on office development and uses with high employment densities.*"

Under Section 11, General Land Use Designations, the subject site is designated 'Business Employment' which permits secondary office, financial institutions and restaurants, and accessory uses, among other uses. As the subject site is located within a Corporate Centre, Major Office is also permitted. Please refer to Figure 3 – Adopted Mississauga Official Plan, Sept. 2010, Schedule 10, Land Use Designations describing the context of the subject site.

Britannia Road and Erin Mills Parkway are designated as *Corridors* per Schedule 1c, Urban System – Corridors in the adopted Official Plan. Please refer to attached Figure 4 - Adopted Mississauga Official Plan, Sept. 2010, Schedule 1c, Urban Systems - Corridors.

In addition, we refer to sub-sections 15.1.1.2 and 15.1.1.3, under section 15. Corporate Centres which read as follows:

"Lands on a Corridor or within a Major Transit Station Area will be subject to the two storey height minimum. Local area plans or planning studies may establish maximum height requirements.

The following uses will not be permitted in free-standing building on a Corridor:

- a. financial institution;*
- b. motor vehicle rental;*
- c. personal service establishment;*
- d. restaurant; and*
- e. retail store."*

Therefore the policies of sub-sections 15.1.1.2 and 15.1.1.3 would apply to the subject site as noted above. In summary, the foregoing uses permitted on the subject site, '*financial institution, restaurant and retail store*' are permitted in the Corporate Centre designation however they are not permitted in a free-standing format.

In addition, the maximum floor space index for secondary offices is 1.0, where accessory uses will generally be limited to a maximum of 20% of that total Gross Floor Area. And, "*All accessory uses should be on the same lot and clearly subordinate to the functioning the permitted use.*"



The Issue

It is Orlando Corporation's preference and request that the new Mississauga Official Plan policies maintain the current 'as of right' Mississauga Plan policies and Zoning By-law 0225-2007, as amended in terms of the subject site. Under the adopted Official Plan free-standing financial institution and/or restaurant uses are not permitted on the subject site. As well, the subject site will be subject to a two storey height minimum.

Orlando Corporation is presently proceeding to develop this site on the basis of the current 'as of right' official plan and zoning permissions. In furtherance of that intention, Orlando Corporation has met with City Staff to discuss the submission and processing of a Site Plan application in accordance with the 'as of right' situation.

Requested Modification by the Region of Peel to Recognize a Special Site Policy

We request the Region of Peel consider an additional modification to the adopted Official Plan that would recognize the current 'as of right' Mississauga Plan policies referred to above for the subject site. This could be achieved as a Special Site Policy allowing for freestanding financial institutions and restaurants with no minimum height requirements. If there is an alternative way of maintaining the existing Mississauga Plan policies, we would be happy to discuss same with you.

If you have any questions or comments, please advise.

Yours truly,
Pound & Stewart Associates Limited



Philip J. Stewart, MCIP, RPP

/la

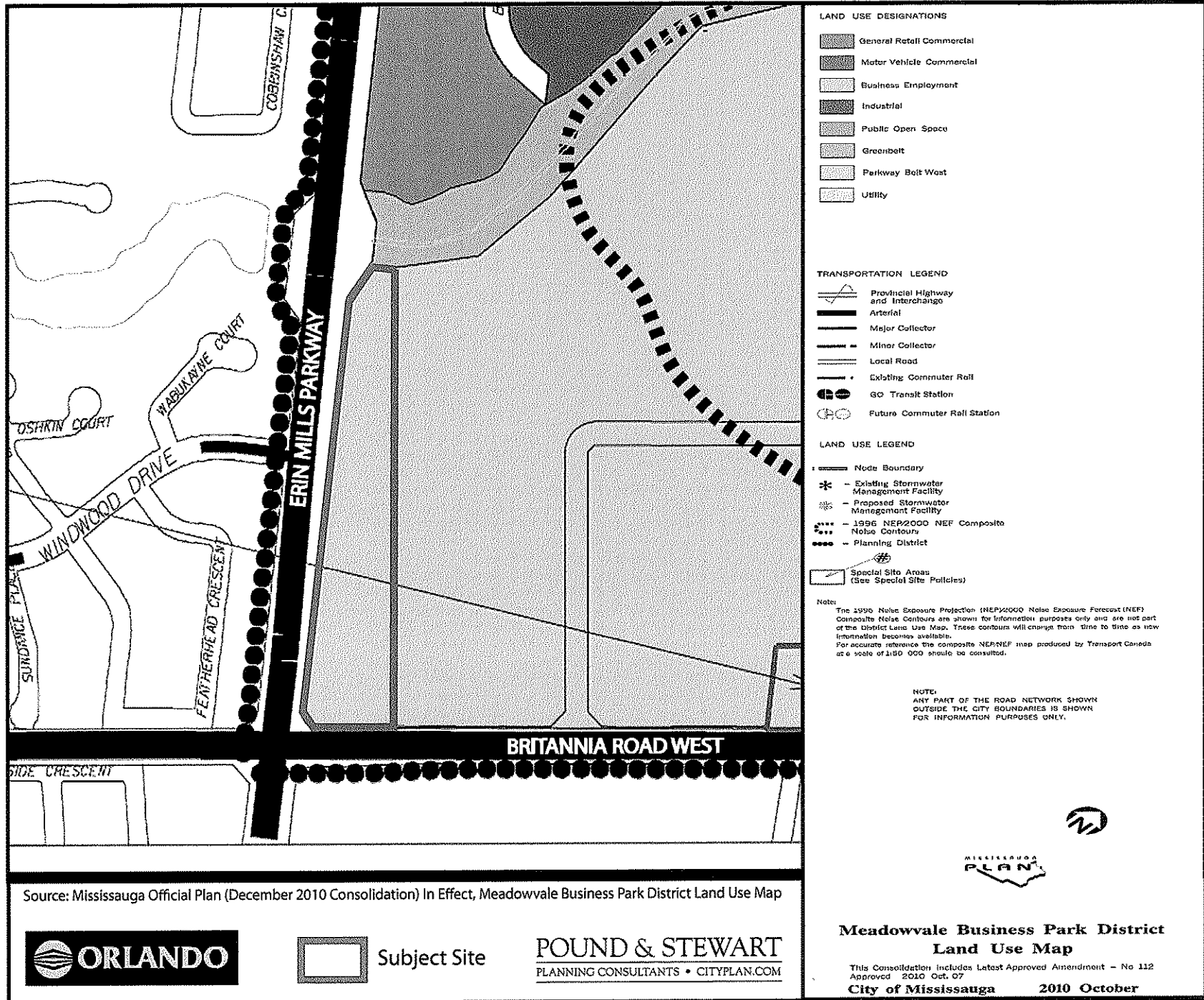
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- Attachments:
- Figure 1 – Mississauga Plan, in effect (December 2010 Consolidation)
 - Figure 2 – Mississauga Zoning By-law 0225-2007, as amended
 - Figure 3 – Adopted Mississauga Official Plan, Sept. 2010, Schedule 10
 - Figure 4 – Adopted Mississauga Official Plan, Sept.2010, Schedule 1c

- cc. Regional Council, c/o Ms. C. Reid, Regional Clerk, Region of Peel
- cc. Messrs. T. Slomke, Development Services, Region of Peel
- cc. Ms. C. Greer, City Clerk, City of Mississauga
- cc. Messrs. E. Sajecki & J. Calvert, City of Mississauga
- cc. Messrs. P. King & G. Kramer, Orlando Corporation
- cc. Mr. L. Longo, Aird & Berlis

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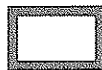
FIGURE 1 - MISSISSAUGA PLAN, IN EFFECT (DECEMBER 2010 CONSOLIDATION)



PW-122-5

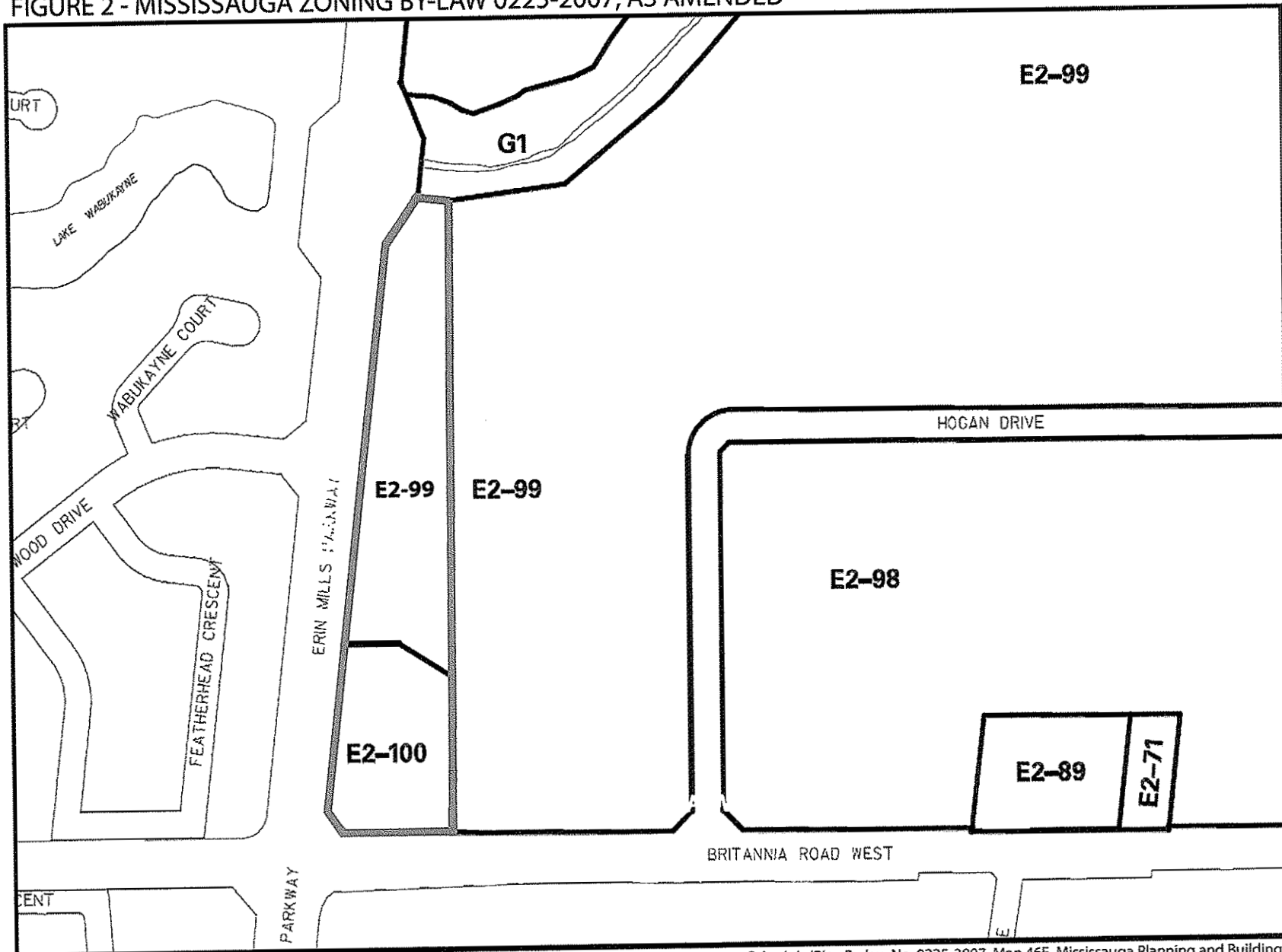
Source: Mississauga Official Plan (December 2010 Consolidation) In Effect, Meadowvale Business Park District Land Use Map



 Subject Site

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FIGURE 2 - MISSISSAUGA ZONING BY-LAW 0225-2007, AS AMENDED



PW-DA-6

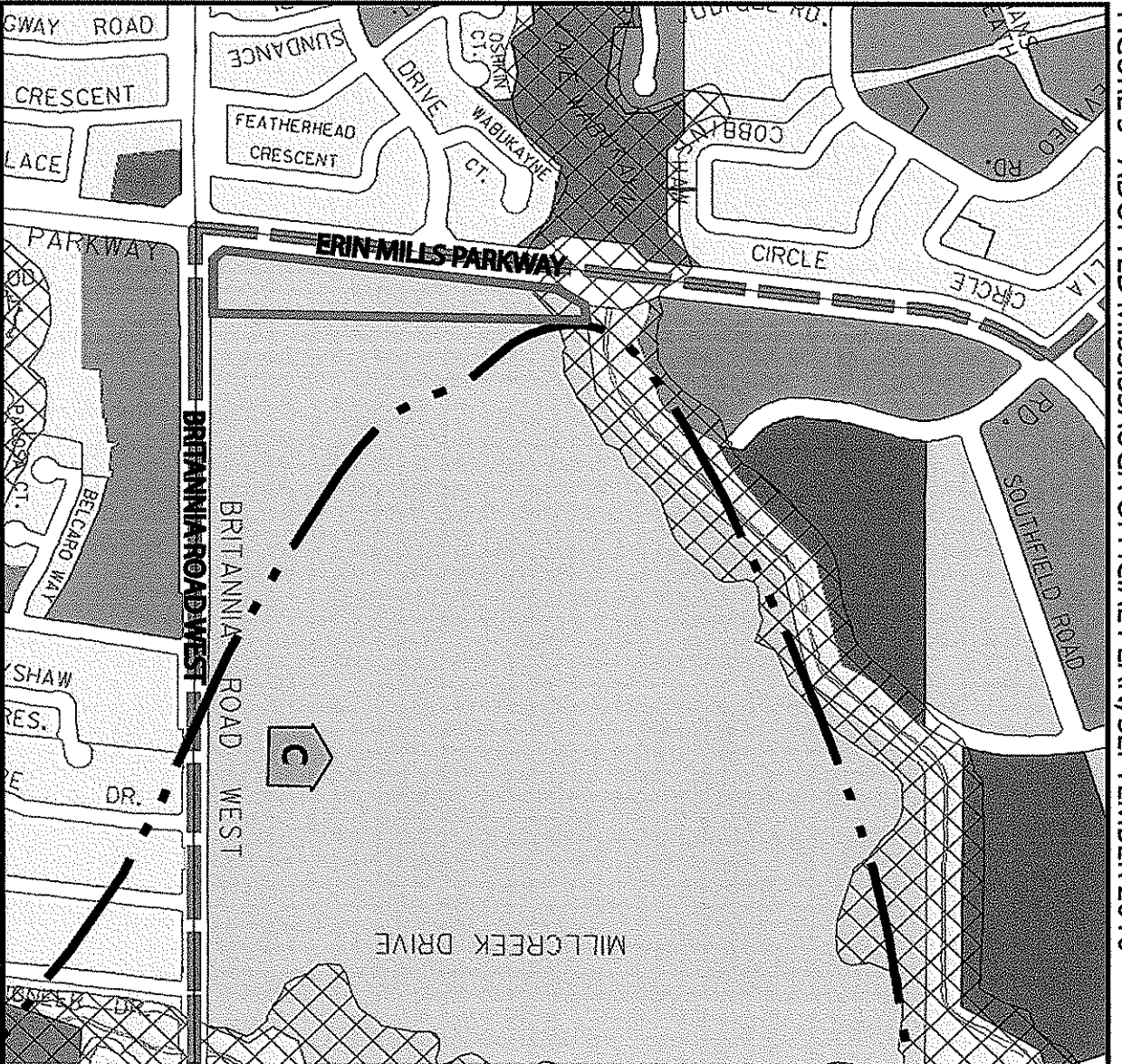
Source: Schedule 'B' to By-law No. 0225-2007, Map 46E, Mississauga Planning and Building



 Subject Site

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FIGURE 3 - ADOPTED MISSISSAUGA OFFICIAL PLAN, SEPTEMBER 2010



Source: Adopted Mississauga Official Plan, September 2010, Schedule 10 - Land Use Designations



Subject Site

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LAND USE DESIGNATIONS

	Residential Low Density I		Business Employment
	Residential Low Density II		Industrial
	Residential Medium Density		Airport
	Residential High Density		Institutional
	Downtown Mixed Use		Public Open Space
	Downtown Core Commercial		Private Open Space
	Mixed Use		Greenbelt
	Convenience Commercial		Parkway Belt West
	Motor Vehicle Commercial		Utility
	Office		To Be Determined

LAND USE LEGEND

	Heritage Conservation District		Civic Centre (City Hall)
	1996 NRP/2000 NFP		City Centre/Transit Terminal
	Composite Noise Contour		GO Rail Transit Station
	LBP/A Operating Area Boundary		Public School
	See Aircraft Noise Policies		Catholic School
	Area Exempt from LBP/A Operating Area		Hospital
	Natural Hazards		Community Facilities
	Option 1, Conceptual Centre View Drive connection to EB Hwy. 403 concept, Conceptual HWY / ramp (terminal reduction)		

CITY STRUCTURE

	Downtown		Corporate Centre
	Major Node		Employment Area
	Community Node		Special Purpose Area
	Neighbourhood		

1. The City of Mississauga has been the recipient of a Provincial grant. The amount of the grant is \$1,000,000. The grant is for the purpose of funding the development of the City of Mississauga's Official Plan. The grant is for the purpose of funding the development of the City of Mississauga's Official Plan.

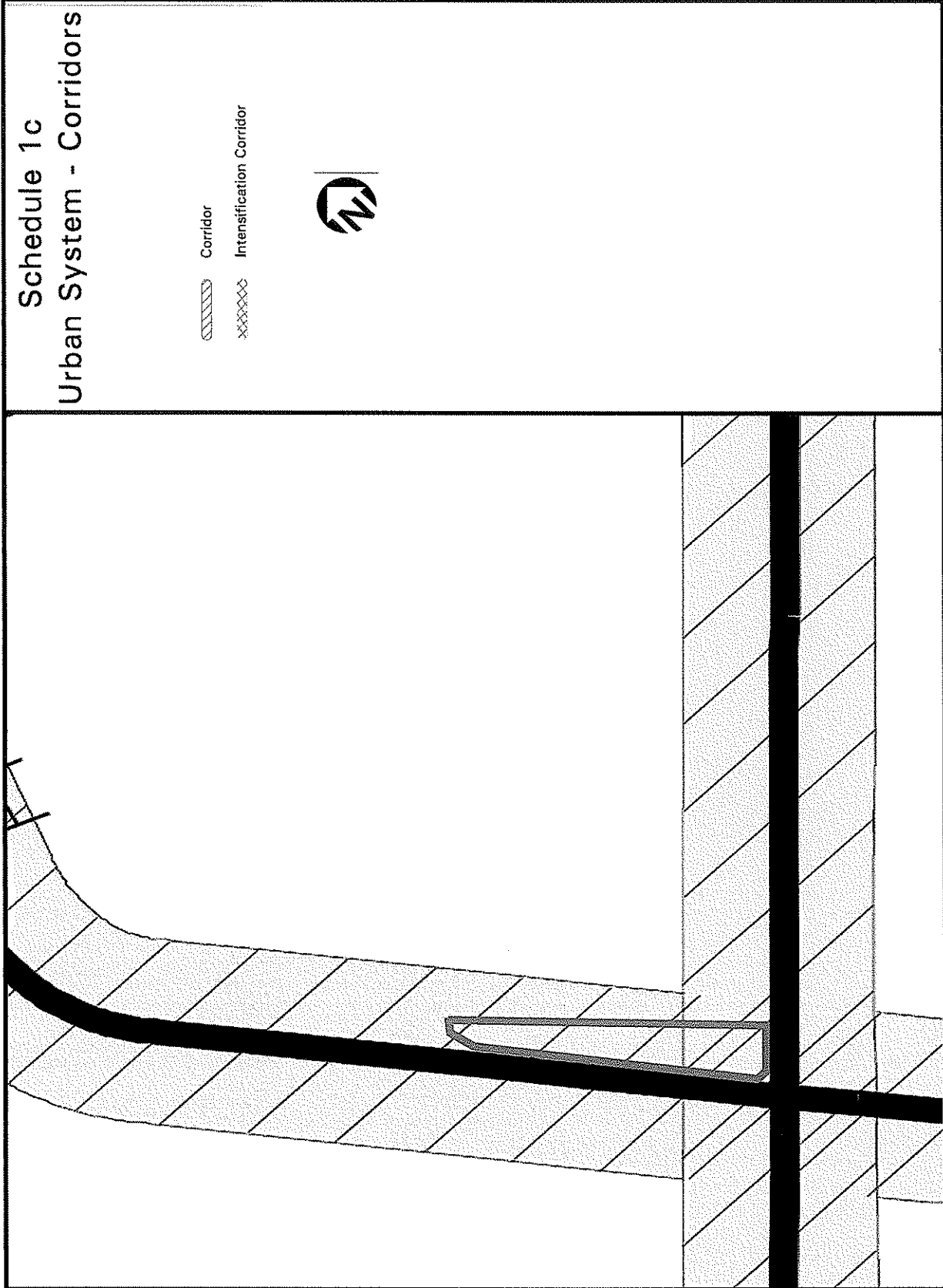
Schedule 10
Land Use Designations

City of Mississauga 2010 September

rw-02-7

PW-D2-8

FIGURE 4 - ADOPTED MISSISSAUGA OFFICIAL PLAN, SEPTEMBER 2010, SCHEDULE 1c



Schedule 1c

Urban System - Corridors



Corridor



Intensification Corridor



Subject Site

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Source: Adopted Mississauga Official Plan, September 2010, Schedule 1c - Urban System - Corridor