

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: March 11, 2016

CASE NO(S): PL140799

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Lisgar Development Ltd.
Appellant: Steve & Dina Makridis
Appellant: RioCan (Clarkson) Inc.
Appellant: Gary Uhlman; and others
Subject: Proposed Official Plan Amendment No. 9
Municipality: City of Mississauga
OMB Case No.: PL140799
OMB File No.: PL140799
OMB Case Name: Makridis v. Mississauga (City)

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Lisgar Development Ltd.
Appellant: Steve & Dina Makridis
Appellant: RioCan (Clarkson) Inc.
Appellant: Gary Uhlman; and others
Subject: By-law No. 0194-2014
Municipality: City of Mississauga
OMB Case No.: PL140799
OMB File No.: PL140800

Heard: November 23 and 24, 2015 in Mississauga,
Ontario

APPEARANCES:

Parties

RioCan (Clarkson) Inc.

Counsel*/Representative

J. Farber*

607074 Ontario Limited C. Tzekas*

City of Mississauga M. Kemerer*

Lisgar Development Ltd., Gary S. Zorbas
Uhlman, Steve and Dina Makridis,
Steve Zorbas

DECISION DELIVERED BY H. JACKSON AND ORDER OF THE BOARD

[1] The City of Mississauga (the "City") Council on July 2, 2014, adopted Official Plan Amendment No. 9 ("OPA 9") and implementing Zoning By-law Amendment No. 0194-2014 ("ZBLA") for the Clarkson Village area. OPA 9 was the outcome of the Clarkson Village Study undertaken for the area. Pursuant to the *Planning Act*, appeals were filed by RioCan (Clarkson) Inc. ("RioCan"); Lisgar Development Ltd., Gary Uhlman, Steve and Dina Makridis, and Steve Zorbas (the "Appellants"); due primarily to the height restrictions imposed by OPA 9.

[2] 607074 Ontario Limited (the "Satellite Restaurant") was added as a party to this matter at a previous prehearing conference ("PHC") to resolve an omission that was made when OPA 9 was approved.

[3] Three matters were before the Board at this hearing; the RioCan appeal for its property located at 1865 Lakeshore Road West, the Satellite Restaurant housekeeping matter, and the appeals by the parties represented by Mr. Zorbas. These Appellants own various properties on the south side of Lakeshore Road West between 1672 and 1728 Lakeshore Road West. There were many participants who attended the previous two PHCs and this hearing.

[4] The Board was advised that RioCan had resolved its issues with the City, and that RioCan would lead land use planning opinion evidence provided by Glenn Broll to support resolution of the matter. The Appellants represented by Mr. Zorbas remain

opposed to the height restriction for their properties and summoned John Hardcastle to provide land use planning opinion evidence to support their appeals. Mr. Hardcastle was the City planner responsible for the Clarkson Village Study that recommended a height restriction of 4 to 6 storeys for the area of the Village where their lands are located. Council did not accept that recommendation and approved a height restriction of 2 to 4 storeys for the subject area. Franco Romano was retained by the City to provide land use planning opinion evidence in support of Council's decision. Mr. Romano also provided evidence in regards to the Satellite Restaurant matter.

CLARKSON VILLAGE STUDY AND OPA 9

[5] This study was initiated in 2005 at the local councillor's request for an updated planning vision for Clarkson Village. The purpose of the Clarkson Village Study was:

to establish a community based vision for the Village and create a planning framework from which the main street along Lakeshore Road West in Clarkson Village can become the 'heart' of the community by creating a desirable, functional, attractive and identifiable 'place'.

The vision articulated at the outset by the stakeholder group stated:

Clarkson Village will transition into a pedestrian friendly and transit supportive community full of activity places and gathering places, with a mainstreet atmosphere found amidst new, contemporary, mixed-use development paying tribute to the Village's heritage and character.

[6] The study was lengthy. Phase 1, from 2006 to 2009, the Background and Public Engagement component, identified Port Credit, Streetsville, Oakville, and Bloor West Village as case studies of locations with vibrant main streets. The Phase 1 study used these case studies to describe desirable building height and built form conditions for the Village.

[7] The Canadian Urban Institute ("CUI") undertook an external review of the Phase 1 study, dated November 2, 2007, and provided in evidence at Exhibit 2, Tab 18. This study had as one of its conclusions:

In most cases in Clarkson, the costs of acquiring land and clearing it to make it ready for development will be significant enough that allowing density will be the only way to make a positive impact on the built form of Clarkson Village. It is this incentive that makes allowing mid-rise the clear best choice for making the area attractive to developers.

[8] Subsequently, N. Barry Lyon Consultants Limited undertook a Market & Financial Feasibility Analysis Reporting Letter, dated May 21, 2009, provided in evidence at Exhibit 2, Tab 19. The analysis examined four development scenarios and concluded that for the analysis of a 3 storey building with retail at grade:

Our analysis illustrates that a building of three storeys in height with at-grade retail and surface parking would be viable given the strong potential for higher than average revenues from the surrounding affluent market.

[9] In August 2010, Phase 2 of the study delineated four Character Areas within the Clarkson Village Community Node. From west to east these are:

- West Village Gateway
- Outer Village Core
- Village Core
- East Village Gateway

[10] The Clarkson Village Study OPA 9 figure provided as Exhibit 4 in this hearing provides the outline of the Clarkson Village Community Node Area and the Character Areas, based on either distinct built form characteristics or locational characteristics. The approved height in storeys for these lands is also shown.

[11] The West Village Gateway is near the GO Station and is delineated from the Outer Village Core by a rail spur line. The Satellite Restaurant site is within the West Village Gateway. The RioCan property is at the western extent of the outer Village Core. The properties owned by the Appellants represented by Mr. Zorbas are also shown on this figure. These are on the south side of Lakeshore Road West within the Village Core. The Outer Village Core and the Village Core generally coincide with the mainstreet commercial area. These areas contain more of the traditional low-rise

mainstreet built form of 2 storey mixed use development consisting of ground floor retail commercial and upper floor residential and/or offices.

[12] The summary from the Phase 2 study included:

Moderate intensity sites are generally those in the Village Core and Outer Village Core areas. These are large parcels of land which can accommodate more intensity of development. The maximum building height in these areas shall be 6 storeys. Where building heights exceed 3 storeys, step backs from the street will be required to maintain sun exposure and minimize any microclimatic impacts. The maximum FSI of the residential component for buildings in these areas shall be 2.0. At grade buildings are to include small scale retail and office uses consistent with the existing "Mainstreet Retail Commercial" permissions. Office uses are encouraged within the second and third levels and residential on all higher levels.

[13] The Planning and Building Staff report of June 4, 2013, went to Council's Planning and Development Committee meeting of June 24, 2013. This report recommended approval of the OPA and ZBLA and for the Lakeshore Road West – Clarkson Village Study area. This report stated:

It was generally concluded that additional height and density were necessary to encourage redevelopment. Without additional as-of-right permission, changes to the economic conditions in the area would be necessary before redevelopment would occur. Without policy change, there would be no incentive to redevelop existing strip plazas in the Village that are currently dominated with parking areas located between the buildings and the street line.

[14] Ultimately, staff recommendations were adopted with the exception that the maximum building heights within the Outer Village Core and the south side of the Village Core be reduced from 6 storeys to 4 storeys, and that the maximum building heights on the north side of the Village Core be reduced from 4 storeys to 3 storeys. These changes were made as a result of a motion put forward by the local Councillor. OPA 9 and the implementing ZBLA that include these changes were adopted by Council on July 2, 2014, and were provided in evidence as Exhibit 1, Tabs 5 and 6 respectively.

[15] OPA 9 has since been modified, and the version being sought for approval at this hearing was provided at Exhibit 1, Tab 8, provided as Attachment 1 to this decision.

This version includes the changes made to incorporate the Satellite Restaurant site and the changes to incorporate the settlement in regards to the RioCan property. Other changes that were made as a result of housekeeping matters and minor corrections are also included.

[16] The implementing ZBLA has also been modified to include the RioCan settlement, and to correct stylistic changes. The ZBLA was included in evidence as Exhibit 1, Tab 9 and is provided as Attachment 2 to this Decision.

SATELLITE RESTAURANT PROPERTY

[17] Mr. Romano described the situation regarding the Satellite Restaurant property located in the West Village Gateway area. The development proposed for the Satellite Restaurant site was approved by the Board in its final Order of November 8, 2013. The resulting OPA 121 for these lands was included in the Mississauga Official Plan (the "MOP") by Board Decision of September 26, 2013. However, OPA 121 was inadvertently not imported into OPA 9 when it was adopted by City Council on July 2, 2014. OPA 121 permits a height of 15 storeys; however a maximum height of 4 storeys is permitted on the lands under OPA 9, as shown on Exhibit 4.

[18] The West Village Gateway area has a number of properties with permission for greater intensity than the Village Core area. For example, the Satellite Restaurant property is adjacent to a site with 15 storey approval, and opposite the road on the south side is approval for 17 storeys. Mr. Romano testified that in his opinion the inclusion of the Satellite Restaurant lands in the revised OPA 9 as Special Site 5 for 15 storeys, as provided in Exhibit 1, Tab 8 (provided as Attachment 1 to this decision), is appropriate and reasonable as it incorporates a previous Board approval.

[19] The Board accepts Mr. Romano's planning opinion and finds that it is appropriate and good planning to include Satellite Restaurant property as Special Site 5 lands in the revised OPA 9 provided in Exhibit 1, Tab 8 (provided as Attachment 1 to this decision).

RIOCAN PROPERTY

[20] Mr. Broll provided background to the RioCan site. He said this property has the opportunity for redevelopment due to its large size of about 4.65 acres. The site has about 500 feet frontage on Lakeshore Road West and is about 400 feet deep. It is currently occupied by an "L" shaped commercial plaza with parking in front adjacent to a McDonald's drive-through restaurant to the east. The lands are designated Mixed Use. Commercial and office uses are encouraged on the ground floor and residential uses are encouraged on the upper floors. The lands are zoned C4 Main Street Commercial Zone which promotes buildings at the street edge.

[21] Mr. Broll was retained in 2006 by RioCan for a development application that was to consist of an 8 storey senior housing facility with a 1 storey retail component. The development was in partnership with the adjacent McDonald's which was to be moved to the front of the lands to provide for more of a main street character. The plan also incorporated a privately owned public square at the southeast portion of the site. Ultimately, the application was abandoned because the senior's housing partner withdrew. Interim permissions had been granted by the Board for the proposed development that have since expired.

[22] Mr. Broll explained that when Council approved OPA 9 in July 2014, the floor space index ("FSI") range permitted for this location was 0.5 to 2.0 and the height permission was reduced to 4 storeys. Mr. Broll said that the City and RioCan have now agreed upon changes for this site that include a change to the FSI range to be 0.5 to 2.5 and an increase to the maximum building height to be 2 to 8 storeys, as provided in Map 14-2.1 in the revised OPA 9 provided in Attachment 1.

[23] Mr. Broll described the C4-67 Exception in the ZBLA for the RioCan site as provided in Attachment 2. The changes highlighted by Mr. Broll are Regulation 6.2.5.67.3 that allows the one permitted large store to remain, the residential FSI of 2.5, the maximum height of 8 storeys, the requirement for 60% glazing, and a reduced

parking requirement. He said the s. 37 Public Benefits Contribution are included in the proposed ZBLA and include lay-by parking along Lakeshore Road West, a public urban square, and a public easement for access to the MacDonald's.

[24] Mr. Broll's opinion is that the site specific policies for this site are reasonable as this allows for some recognition for approval that occurred for the site in the past. He said that 8 storeys is an appropriate height as there is a cascading of building heights from the west to the lower heights in the east. An FSI of 2.5 is within the scope of a main street commercial development, and allows for a bit more development within a reasonable range. Mr. Broll said that this development helps with the intensification targets provided in the Growth Plan of the Greater Golden Horseshoe (the "Growth Plan"), and assists with the official plan policies for the effective use of lands and the provision of alternative housing forms.

[25] Mr. Broll said additional height and density are appropriate in this instance, and provided support for this opinion based upon policies within the MOP. For example, the Clarkson Village Community Node is an intensification area as provided in s. 5.3.3.3 of the MOP. It is also defined as a Corridor due to Lakeshore Road West, as provided by s. 5.4 of the MOP. Corridors are subject to a minimum height of 2 storeys unless a character area study has been done, where the height can be altered, such as in this case.

[26] Section 5.5 of the MOP states that:

Intensification Areas will be attractive mixed use areas, developed at densities that are sufficiently high to support frequent transit service and a variety of services and amenities. It is expected that more efficient use of land within Intensification Areas will occur as single storey buildings and surface parking lots are replaced with multi-storey developments and structured parking facilities.

Mr. Broll states that this is a logical policy when considering redevelopment on the subject lands.

[27] Two residents spoke in opposition to the development on the basis that Council approved a maximum of 4 storeys in this area, and that therefore the 4 storey restriction should be maintained.

[28] Based on the uncontroverted opinion evidence of Mr. Broll and the agreement with the City, the Board is satisfied that the proposed development of the RioCan lands (Site 6), as outlined in OPA 9 in Exhibit 1, Tab 8 and the ZBLA in Exhibit 1 Tab 9, provide appropriate site specific standards that maintain and conform to the MOP. The Board finds that the approval of these instruments with respect to the RioCan lands represents good planning.

APPELLANTS REPRESENTED BY MR. ZORBAS

[29] The Appellants represented by Mr. Zorbias oppose the height restriction of 4 storeys on their lands. They submit that the recommendations put forward by the planning staff in the Phase 2 study were based on detailed work over a number of years and were supported by the findings of the Final Clarkson Village Study, and conform to the Growth Plan, Mississauga's Strategic Plan, Mississauga's Official Plan and Growth Management Strategy, and the study was supported by a professional peer review completed by CUI.

[30] The Appellants submit that the motion put forward at the Council meeting to restrict the maximum height to "4 storeys from 6 storeys" was conducted without any planning rationale, and after 10 years of consultation, this is "unacceptable and concerning". To support their position, the Appellants summoned Mr. Hardcastle to provide his planning opinion with regard to the Clarkson Village Study and the resulting recommended building heights.

[31] Mr. Hardcastle provided evidence to support the final conclusions of the study and his recommendations with respect to the building heights for the Village Core. He said that Clarkson Village is identified as an intensification area and that there is significant opportunity to achieve increased density along Lakeshore Road West. He

said the location is well served by transit, including the bus along Lakeshore Road West and the GO station beyond the westerly extent of the area. He said that MOP Figure 5-5 shows that community nodes are capped at 4 storeys, but local studies can direct how a community node will develop.

[32] Mr. Hardcastle testified that in this study, staff looked at tangible performance criteria. He described the work that was undertaken to determine that 6 storeys could provide sufficient sunlight and a comfortable pedestrian realm. He said that within the Village Core, if the upper floors of the buildings are setback, then the objective of maintaining sky view and the main street feel can be achieved. This also supports walkability in a transit area, and provides for appropriate transition to the higher heights in the West Village Gateway character area. The 6 storey height would allow for some intensification while still balancing other interests; and, this height meets the policy framework of the MOP, the Growth Plan and the Provincial Policy Statement 2014 ("PPS").

[33] Mr. Hardcastle testified that he was confident that the conclusions and recommendations represented good planning in regards to the report that went to the June 23, 2014 meeting. He said that specifically in regards to the properties under appeal, that at 6 storeys, these lots would result in development compatible with the area. He said the variable lotting pattern and variability in height would be compatible with the area, as it not necessary to be "the same as" to be compatible, as each of these lots at 6 storeys would be sympathetic in this eclectic area.

[34] Under cross-examination, Mr. Hardcastle acknowledged that the local Councillor did not support a 6 storey height, and supported the desire of the stakeholders who wanted a 2 to 3 storey limit to reflect the human scale and encourage a main street feel. His view is that additional height and density could be accommodated without offending the main street feel; by stepping back the upper storeys and having good design. He said the additional height helps to meet the policies for intensification, and the additional

population density helps to create the commercial demand and vibrancy. He said the extra height and density are achieved without impact.

[35] Mr. Romano's opinion is in contrast to that of Mr. Hardcastle. He said the heart of the village has a modest built form character, and currently in this part of the village, no buildings are above 2 storeys in height. The MOP policy framework provides for context sensitivity, and to respect and reinforce the existing low rise character in the community nodes. The MOP explicitly states a maximum of 4 storeys are permitted in a community node, and if there is deviation, a study is required. Mr. Romano said the community node policy in the MOP and in OPA 9 is intended to ensure that the form and intensity of development complements the existing character that allows a mix of land uses and provides for a modest intensification opportunity. He said that Council made the decision to provide for low rise built form with modest intensification in the Core lands. This is important for the character of the village and the interface with the low density residential uses that abut the lands to the south and north. He also said the Village Core is well beyond 500 metres from the GO station and therefore is not within the transit core.

[36] When considering the case studies, Mr. Romano said each of these provides for vibrant active places that have a main street with buildings at 2 to 3 storeys in height. Mr. Romano testified that the lower rise built form that reinforces the low rise built character of the area is important to the residents of the study area and stakeholders.

[37] His view is that the CUI espoused a midrise form of development, in the order of 6 storeys, based on a perceived economic consideration to attract development. However, the Lyon report said that a 3 storey height was supported economically. Nevertheless, his view is that the economic incentive for redevelopment should not outweigh good planning principles for development within the Clarkson Village Core.

RESIDENTS' CONCERNS

[38] A number of residents provided evidence at the hearing in opposition to the 6 storey request for the Appellants' lands. These residents expressed the great desire to achieve a vibrant, friendly main street, and one that is complimentary to the human scale; saying that it should be no higher than 4 storeys. These residents spoke to the process that resulted in the adoption by Council of the 4 storey limitation, and expressed that this is the outcome that the residents were happy with. Only one resident spoke in support of the Appellants request for 6 storeys, noting that the economic incentive to redevelop to 4 storeys may not be sufficient to provide for any redevelopment.

ANALYSIS AND FINDINGS

[39] In this matter, the Board prefers the evidence and opinion of Mr. Romano. The decision made by Council to restrict the height on the south side of Lakeshore Road West in the Village Core to 4 storeys rather than the 6 storeys recommended by staff was not unreasonable. Mr. Hardcastle acknowledged that the local Councillor did not support the 6 storey height for this portion of the Community Node during the community consultation.

[40] The Board finds that the permissions in the ZBLA and OPA that would allow 2 to 4 storeys on the south side of Lakeshore Road West in the Village Core provides for modest intensification that is consistent with the PPS, conforms to the Growth Plan and implements the MOP policies that encourage context sensitivity. As testified by Mr. Romano, considerable density is allocated to the West Village Gateway character area, and this density will assist in meeting the intensification goals of these policy documents.

[41] Mr. Hardcastle's evidence was that permission for a 6 storey height was required in order to provide sufficient economic incentive for redevelopment to occur. However, on this issue, the Board agrees with Mr. Romano's opinion that the economic

incentive for redevelopment should not outweigh good planning principles. In this situation, the Board finds that the policies of the MOP that encourage context sensitivity requires that new development respect and reinforce the existing historical community node character that is low rise in scale along this portion of the Community Node.

[42] The restriction to 4 storeys meets the objective of the stakeholders which is to create a vibrant main street. The change should build upon the existing context, and in a manner similar to the case studies that relied upon main streets with buildings at 2 storeys. The Board finds that OPA 9 and ZBLA 194-2014 accommodate intensification appropriate to the Village Core character and low density residential character interface, particularly to the residential area to the south.

[43] The existing Core has a low rise built form of 1 to 2 storeys. The Appellants' request for 6 storeys is inconsistent with the existing and planned physical context for the Village Core. To allow 6 storeys for the individual properties would be inconsistent with the comprehensive framework adopted by Council to achieve a cohesive street scape for the south side of Lakeshore Road West within the Village Core. It would be an undesirable streetscape to have a cap at 3 storeys on the north side of Lakeshore Road West and scattered individual properties at 6 storeys on the south side.

[44] The Board finds that the proposed OPA 9 and implementing ZBLA, as provided in Attachments 1 and 2 respectively, conform to the MOP community nodes policies, the intensification policies and the urban structure. These instruments accommodate appropriate intensification opportunity for the Appellants' lands in a manner best suited for their location. The requested relief by the Applicants for 6 storeys, as testified by Mr. Romano, would provide for a disjointed unharmonious streetscape, particularly given that the north side of the street has a height restriction of 3 storeys. The Board finds the requested relief by the Appellants should not be approved.

ORDER

[45] The Board allows in part the appeal by RioCan and approves the settlement reached with the Satellite Restaurant property and the City. OPA 9, as provided in Attachment 1, and the implementing ZBLA, as provided in Attachment 2, are approved. These instruments incorporate the settlements reached regarding the Satellite Restaurant property and the RioCan property.

[46] The appeals by Lisgar Development Ltd., Gary Uhlman, Steve and Dina Makridis, and Steve Zorbas are dismissed.

"H. Jackson"

H. JACKSON
MEMBER

If there is an attachment referred to in this document,
please visit www.elfo.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

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ATTACHMENT 1

PL140799

Amendment No. 9
to
Mississauga Official Plan
for the
City of Mississauga Planning Area

PURPOSE

The purpose of this Amendment is to change the boundary of the Clarkson Village Community Node and the Clarkson-Lorne Park Neighbourhood Character Areas, add Precinct policies, transportation policies, amend land use designation policies and to delete, amend and add Special Site policies.

LOCATION

The lands affected by this Amendment are located on the north and south sides of Lakeshore Road West between Southdown Road and Birchwood Park.

BASIS

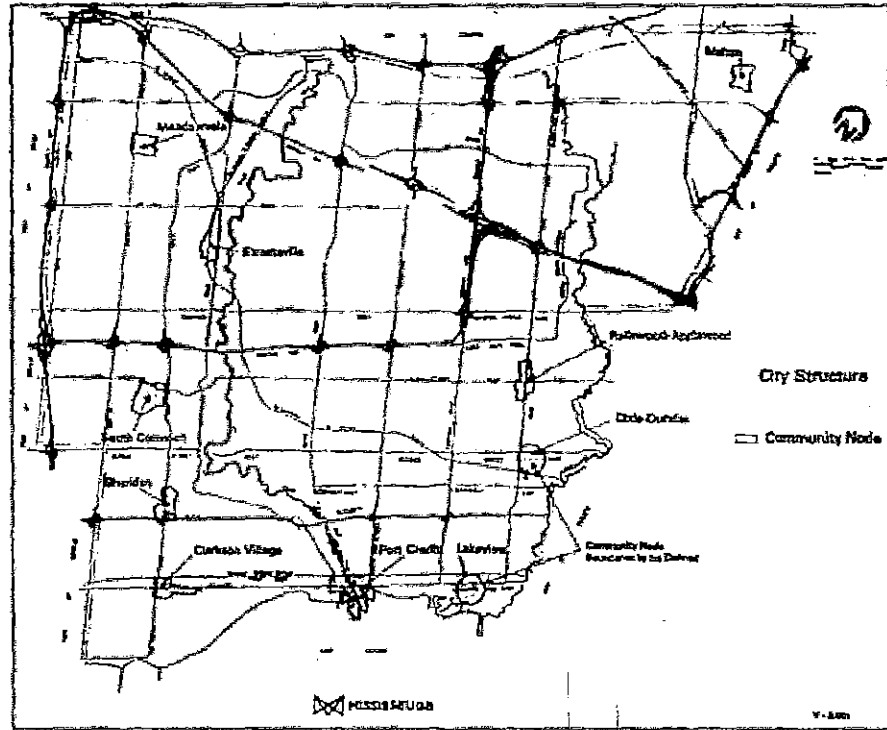
The subject lands are located in the Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas, and form part of Mississauga Official Plan, which came into effect on November 14, 2012, save and except for those policies and land use designations which have been appealed to the Ontario Municipal Board.

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

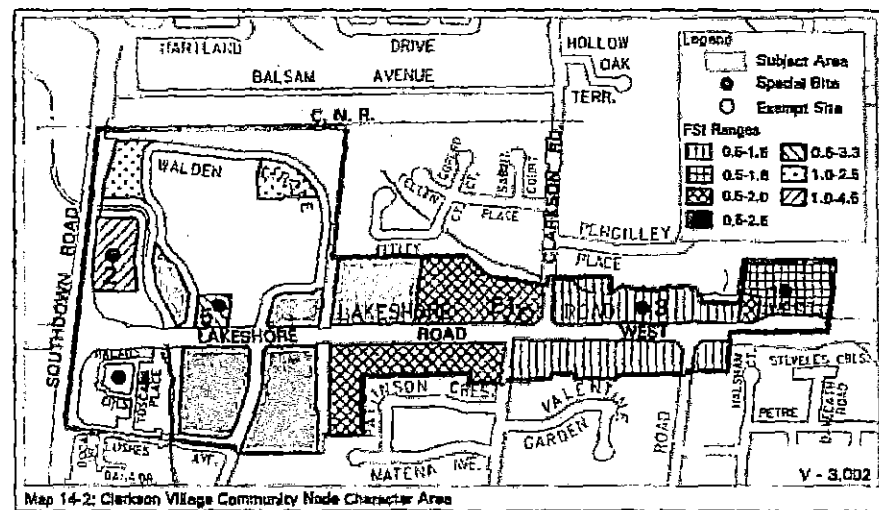
1. The proposed amendments to Mississauga Official Plan - Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas meet the overall intent, goals, objectives and policies of Mississauga Official Plan and will help direct the form of future development for the Clarkson Village Community Node.
2. The proposed amendments establish a land use vision for the Clarkson Village Community Node Character Area and address compatibility concerns from development in the Village onto adjacent residential lands and the public realm.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

- Section 14.1 Community Nodes is hereby amended by deleting Map 14-1: City Structure - Community Nodes and replacing it with the following:



- Map 14-2: Clarkson Village Community Node Character Area is hereby deleted and replaced with the following:

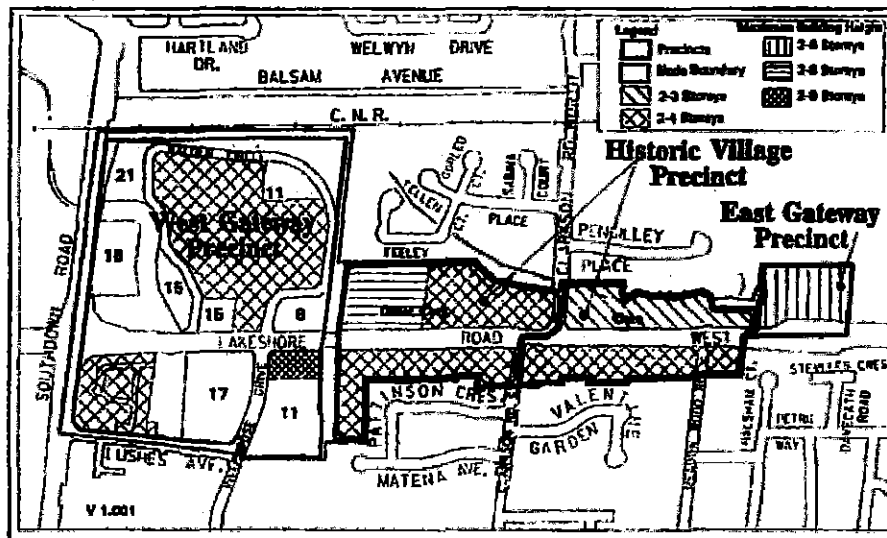


Map 14-2: Clarkson Village Community Node Character Area

3. Section 14.2.1 Urban Design Policies, Section 14.2.2 Transportation, and Section 14.2.3 Special Site Policies are hereby deleted and replaced with the following:

14.2.1 Urban Design Policies

Shared Community Vision and Focus



Map 14-2.1: Precinct Areas - Clarkson Village Community Node

14.2.1.1 Clarkson Village Community Node is to transition into a pedestrian friendly and transit supportive community full of activity places and gathering spaces, with a mainstreet atmosphere found amidst new, contemporary, mixed use, development paying tribute to the Village's heritage and character.

14.2.1.2 The Clarkson Village Community Node will be the focus of activity for the surrounding Clarkson-Lorne Park Neighbourhood, combining residential uses, cultural activities, shopping, dining, commerce and recreation.

14.2.1.3 Precincts have been identified as shown on Map 14-2.1: Precinct Areas - Clarkson Village Community Node, to reflect the character of different areas and permitted heights within the Community Node.

14.2.1.4 Development will be compatible with and enhance the Village character as a distinct established community by integrating with and transitioning to the adjacent Clarkson-Lorne Park Neighbourhood.

14.2.15 Development will incorporate a high level of urban design, pedestrian amenity, landscaping and will be of a compact form to ensure a strong sense of place, a high quality streetscape and reinforce the Clarkson Village Community Node as the centre of activity for the area.

14.2.16 Development will be in accordance with minimum and maximum height limits as shown on Map 14-2.1: Precinct Areas - Clarkson Village Community Node.

14.2.17 Built form will be located close to the street, with a two to three storey streetwall. Where additional height is permitted, it will be stepped back from the streetwall to minimize shadowing, maximize skyviews, maintain a desirable streetscape and ensure new development is consistent and compatible with the existing building fabric.

14.2.18 Where mixed use buildings are proposed, non-residential floor space will be excluded from the calculation of *floor space Index (FSI)*.

14.2.19 New development along Lakeshore Road West will be located close to the street and promote a continuous streetwall.

14.2.1.10 On-site parking will not be permitted between the streetwall and the street.

14.2.1.11 Mississauga will encourage on-street lay-by parking and the provision of well lit, on-site parking located at the rear of buildings with clear visibility and sight lines through to Lakeshore Road West.

Historic Village Precinct

14.2.1.12 New development will encourage a pedestrian oriented streetscape and a walkable community, preserve elements along the edge of Turtle Creek to connect to the parking areas and the shopping street and to encourage the visual enjoyment and surveillance of this natural creek feature.

14.2.1.13 Residential uses will not be permitted on the ground floor adjacent to Lakeshore Road West.

14.2.1.14 Large format retail development will be discouraged.

14.2.1.15 Lands located at the northwest corner of Lakeshore Road West and Clarkson Road North are encouraged to redevelop as a focal point of the Clarkson Village Community Node.

14.2.1.16 Within the Core area, as shown on Map 14-2: Clarkson Village Community Node Character Area, required parking for new development with a *floor space index (FSI)* greater than 1.0 will be within an underground structure.

14.2.1.17 Within the Outer Core area, as shown on Map 14-2: Clarkson Village Community Node Character Area, required parking for new development with a *floor space index (FSI)* greater than 1.0 will be within a parking structure located either above or below grade. Where an above grade structure is provided, it will be located to the rear of an active building facade, will be no more than two storeys in height and will not be visible from public roads. Where above grade parking structures are visible from adjacent lands, they will utilize appropriate finish materials and be of a high architectural quality.

West Gateway Precinct

14.2.1.18 New development will maintain the existing height transition with the highest built form at the west end, closest to the Clarkson GO Transit Station, and lowest building heights at the east end, adjacent to the CN Rail overpass and the Historic Village Precinct.

14.2.1.19 Mixed use buildings will be located close to the street to ensure a pedestrian oriented environment.

14.2.1.20 Mississauga will encourage a symbolic gateway feature on Lakeshore Road West, east of Southdown Road to define the entry and exit from Clarkson Village Community Node.

East Gateway Precinct

14.2.1.21 Mississauga will encourage a symbolic gateway feature on Lakeshore Road West, west of Johnson's Lane to define the entry and exit from the Clarkson Village Community Node.

14.2.1.22 At grade, street related retail, commercial, restaurants and office uses are encouraged. Mixed use buildings will be located close to the street to ensure a pedestrian oriented environment.

14.2.2 Land Use

14.2.2.1 Notwithstanding the policies of this Plan, drive-through facilities will not be permitted.

14.2.3 Transportation, Access and Parking

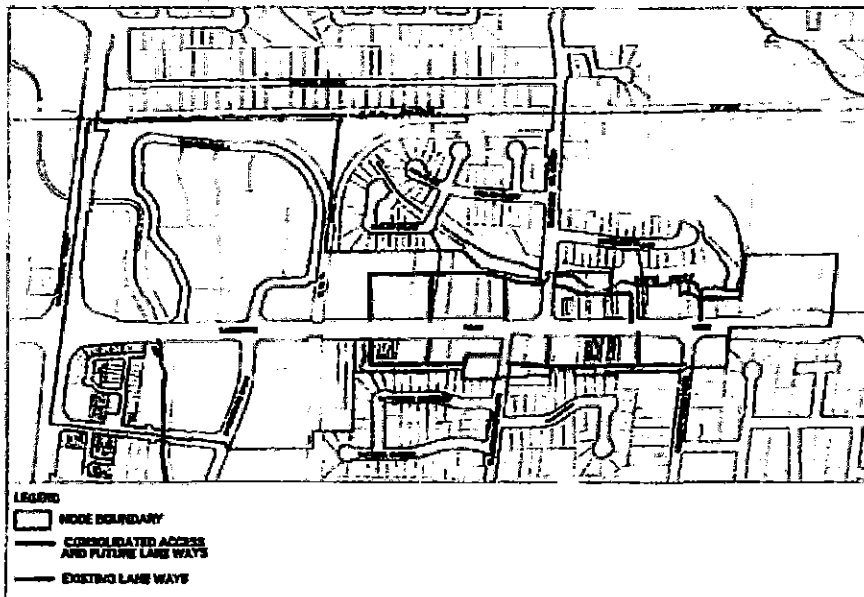
14.2.3.1 No major changes to Clarkson Road will be undertaken except minor channelization, reconstruction, bus-bay construction, and improvements of a similar nature.

14.2.3.2 Notwithstanding the classification of Clarkson Road, this road will be limited to no more than two through lanes.

14.2.3.3 Mississauga will encourage and promote better utilization of the existing parking inventory within the Clarkson Village Community Node through discussions with the members of the Clarkson Village Business Improvement Area.

14.2.3.4 Development within the Clarkson Village Community Node will implement the general intent of Map 14-2.2: Access Management Plan - Clarkson Village Community Node Character Area and will:

- a. eliminate and/or consolidate vehicular access connections to and from Lakeshore Road West to reduce vehicle turning movements onto and direct traffic towards signalized intersections;
- b. facilitate the creation of a publicly accessible laneway system by granting public use easements over internal driveways to facilitate access to and from abutting lands to the east and west and to consolidate vehicular access connections to Lakeshore Road West;
- c. contribute a proportionate share towards the construction of a continuous centre median along Lakeshore Road West; and
- d. where the ultimate condition cannot be accommodated, interim solutions will be accommodated to ensure that vehicular access rights are maintained and appropriate interim agreements will be executed to ensure the ultimate condition will be achieved.



Map 14-2.2 : Access Management Plan-Clarkson Village Community Node Character Area

14.2.3.5 Where surface parking is being provided at the rear of buildings, communal parking spaces accessed from the public laneway system will be encouraged.

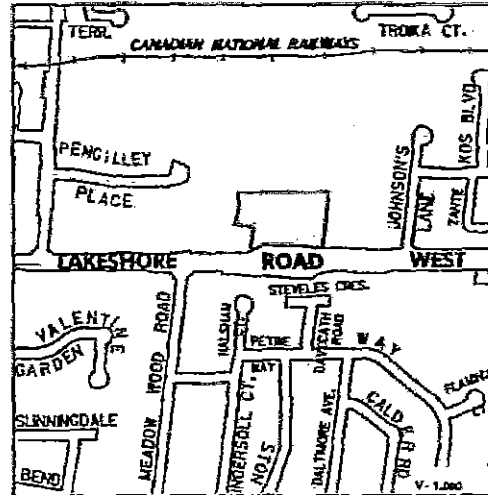
14.2.3.6 Through the development review and approval process, developers will be responsible for the construction of on-street lay-by parking in accordance with the Clarkson Village Transportation/Urban Design Study - Final Report.

14.2.3.7 A dedicated cycling route will be provided along Lakeshore Road West.

14.2.4 Special Site Policies

There are sites within the Character Area that merit special attention and are subject to the following policies.

14.2.4.1 Site 1

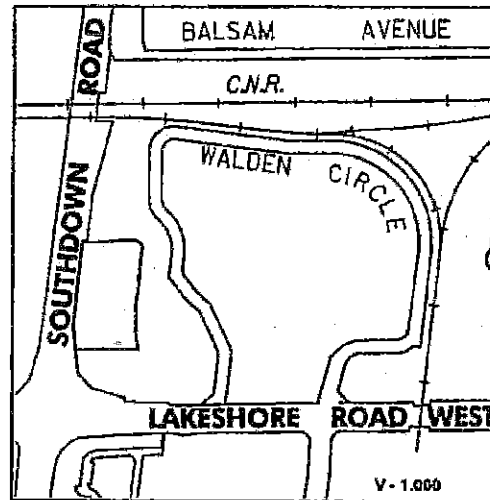


14.2.4.1.1 The lands identified as Special Site 1 are located on the north side of Lakeshore Road West, east of Clarkson Road.

14.2.4.1.2 Notwithstanding the provisions of the Residential High Density designation, the following additional policies will apply:

- a. the maximum *floor space index (FSI)* will be 1.8;
- b. office and commercial uses will be permitted.

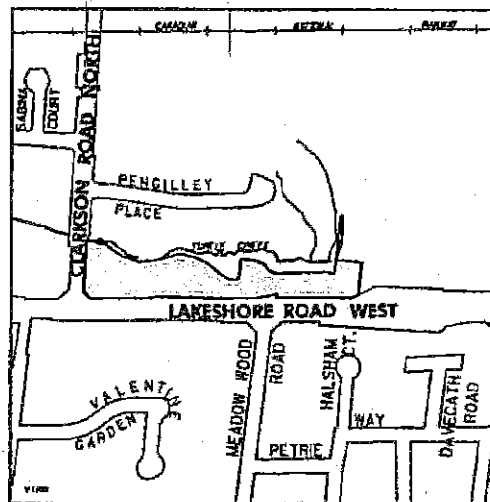
14.2.4.2 Site 2



14.2.4.2.1 The lands identified as Special Site 2 are located on the east side of Southdown Road, north of Lakeshore Road West.

14.2.4.2.2 Notwithstanding the policies of this Plan, the maximum permitted number of apartment dwelling units will be 424.

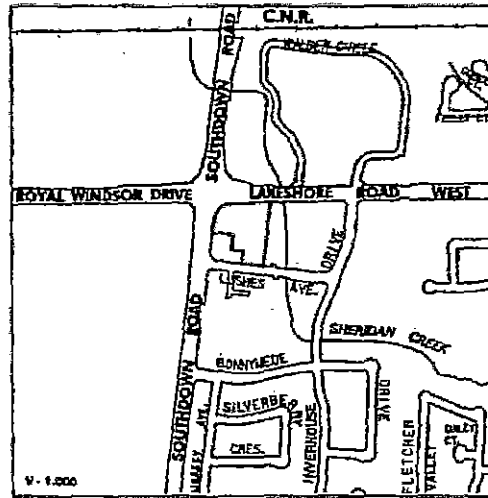
14.2.4.3 Site 3



14.2.4.3.1 The lands identified as Special Site 3 are located on the north side of Lakeshore Road West between Birchwood Park and Clarkson Road North.

14.2.4.3.2 The lands are encumbered by slope stability issues associated with Turtle Creek. Satisfactory technical reports addressing these issues are required prior to any development of these lands.

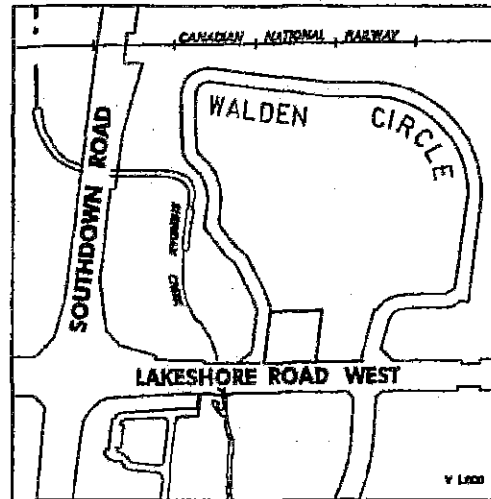
14.2.4.4 Site 4



14.2.4.4.1 The lands identified as Special Site 4 are located on the southeast corner of Lakeshore Road West and Southdown Road.

14.2.4.4.2 Notwithstanding the policies of this Plan, a maximum of two detached dwellings will be permitted.

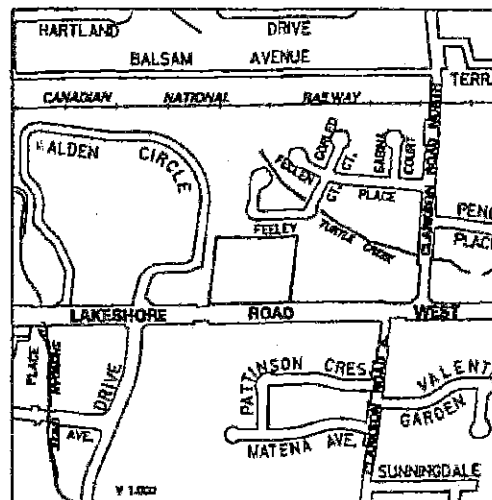
14.2.4.5 Site 5



14.2.4.5.1 The lands identified as Special Site 5 are located on the northeast corner of Lakeshore Road West and Walden Circle.

14.2.4.5.2 Notwithstanding the policies of this Plan, a 15 storey apartment building with a maximum *floor space Index (FSI)* of 3.3 will be permitted.

14.2.4.6 Site 6



14.2.4.6.1 The lands identified as Special Site 6 are located on the north side of Lakeshore Road West, west of Clarkson Road North and east of the railway tracks, and are municipally known as 1865 Lakeshore Road West.

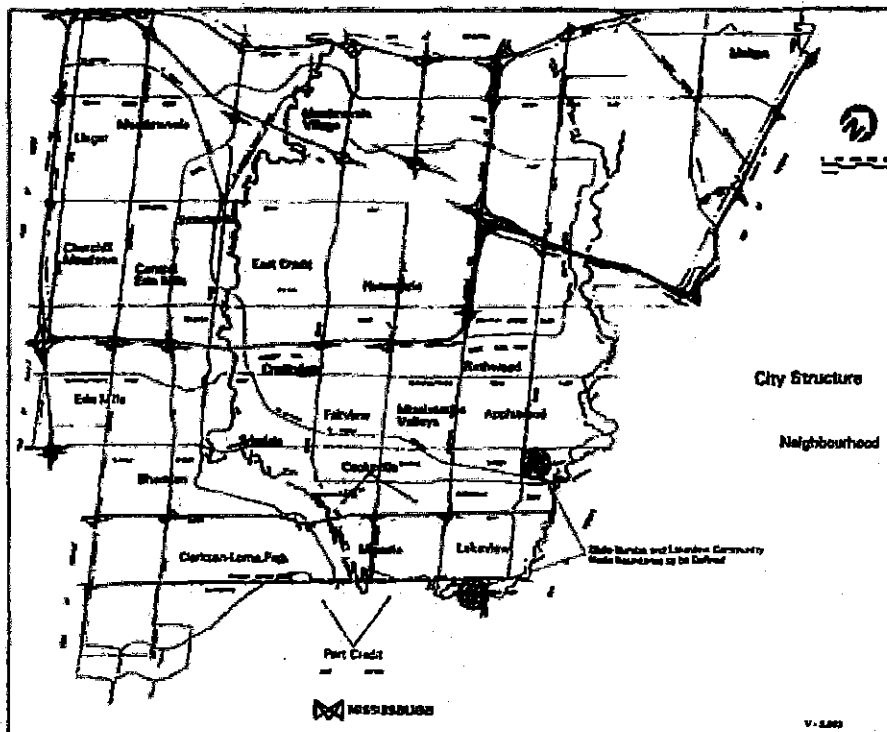
14.2.4.6.2 Notwithstanding the policies of this Plan, existing uses will be permitted as they existed on the day these policies come into effect in their current location. Alterations and minor expansions to existing uses in their current location/configuration will be permitted.

14.2.4.6.3 In accordance to Map 14-2.2: Access Management Plan - Clarkson Village Community Node Character Area within the policies of this Plan, a publicly accessible driveway easement will be provided to facilitate laneway access between 1865 Lakeshore Road West and the lands municipally known as 1829 Lakeshore Road West.

14.2.4.6.4 Notwithstanding the policies in this Plan, the following additional policies will apply to development:

- a. the maximum residential *floor space index (FSI)* will be 2.5; and
- b. the maximum height will be eight storeys

4. Section 16.1 Neighbourhoods is hereby amended by deleting Map 16-1: City Structure - Neighbourhoods and replacing it with the following:



5. Section 16.5 Clarkson-Lorne Park is hereby amended by revising the special site numbers on Map 16-5: Clarkson-Lorne Park Neighbourhood Character Area in accordance with the changes to the Special Site Policies.
6. Section 16.5.5.6 Site 6 is hereby deleted.
7. Section 16.5.5.10 Site 10 is hereby deleted.
8. Schedule 1 - Urban System of Mississauga Official Plan is hereby amended as follows:
- by changing the boundaries of the Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas as shown on Map "A" of this Amendment; and
 - by removing a portion of the Green System as shown on Map "A".
9. Schedule 1b - Urban System - City Structure of Mississauga Official Plan is hereby amended by changing the boundaries of the Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas as shown on Map "B" of this Amendment.

10. Schedule 2 - Intensification Areas of Mississauga Official Plan is hereby amended by changing the boundaries of the Clarkson Village Community Node Character Area as shown on Map "C" of this Amendment.
11. Schedule 9 - Character Areas of Mississauga Official Plan is hereby amended by changing the boundaries of the Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas as shown on Map "D" of this Amendment.

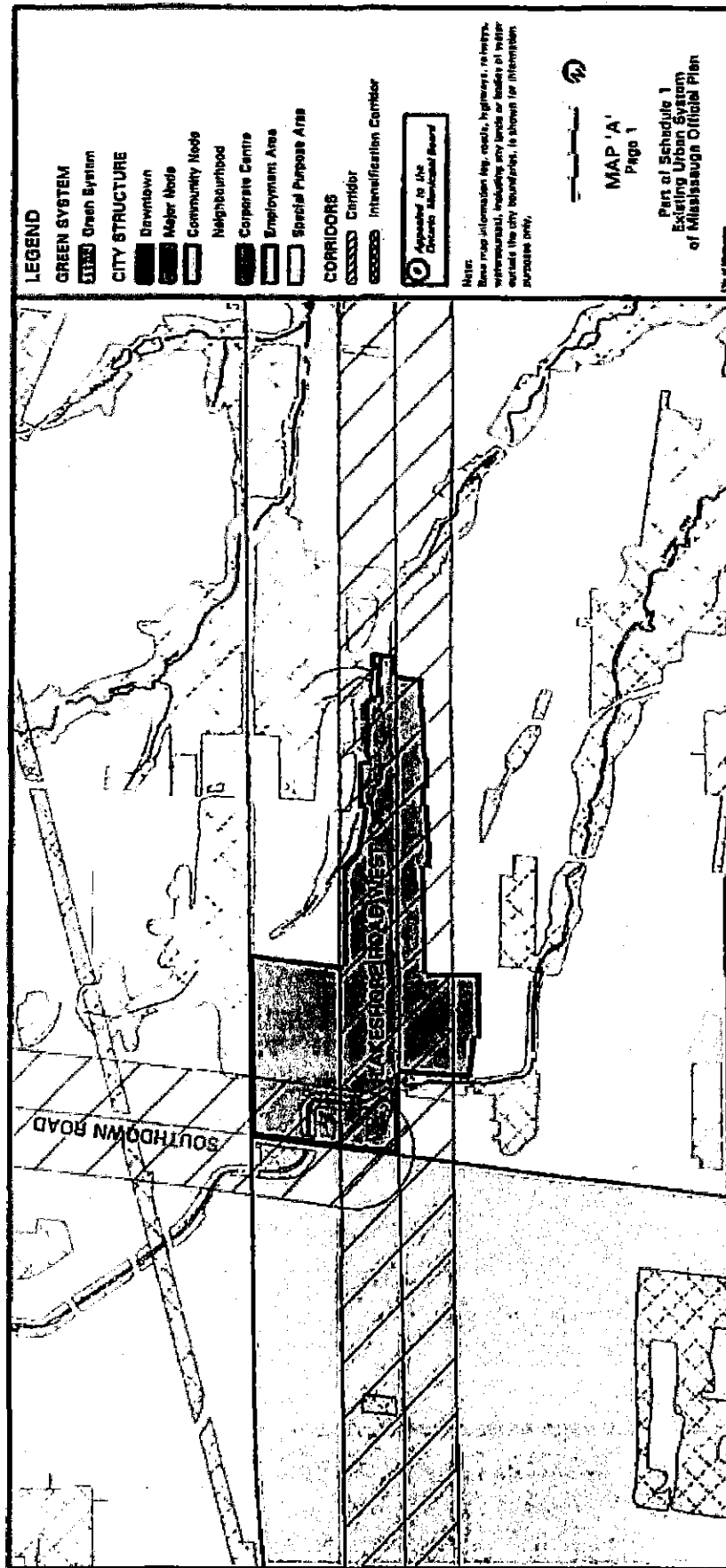
IMPLEMENTATION

Upon receipt of the Ontario Municipal Board's Final Order, Mississauga Official Plan will be amended in accordance with the Order, which will then form part of Mississauga Official Plan. The lands will be rezoned as part of the same Board Order.

INTERPRETATION

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

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



LEGEND

GREEN SYSTEM

Green System

CITY STRUCTURE

Downtown

Major Node

Community Node

Neighborhood

Corporate Centre

Employment Area

Special Purpose Area

CORRIDORS

Corridor

Intensification Corridor

Approved to the
City Municipal Board

Note:

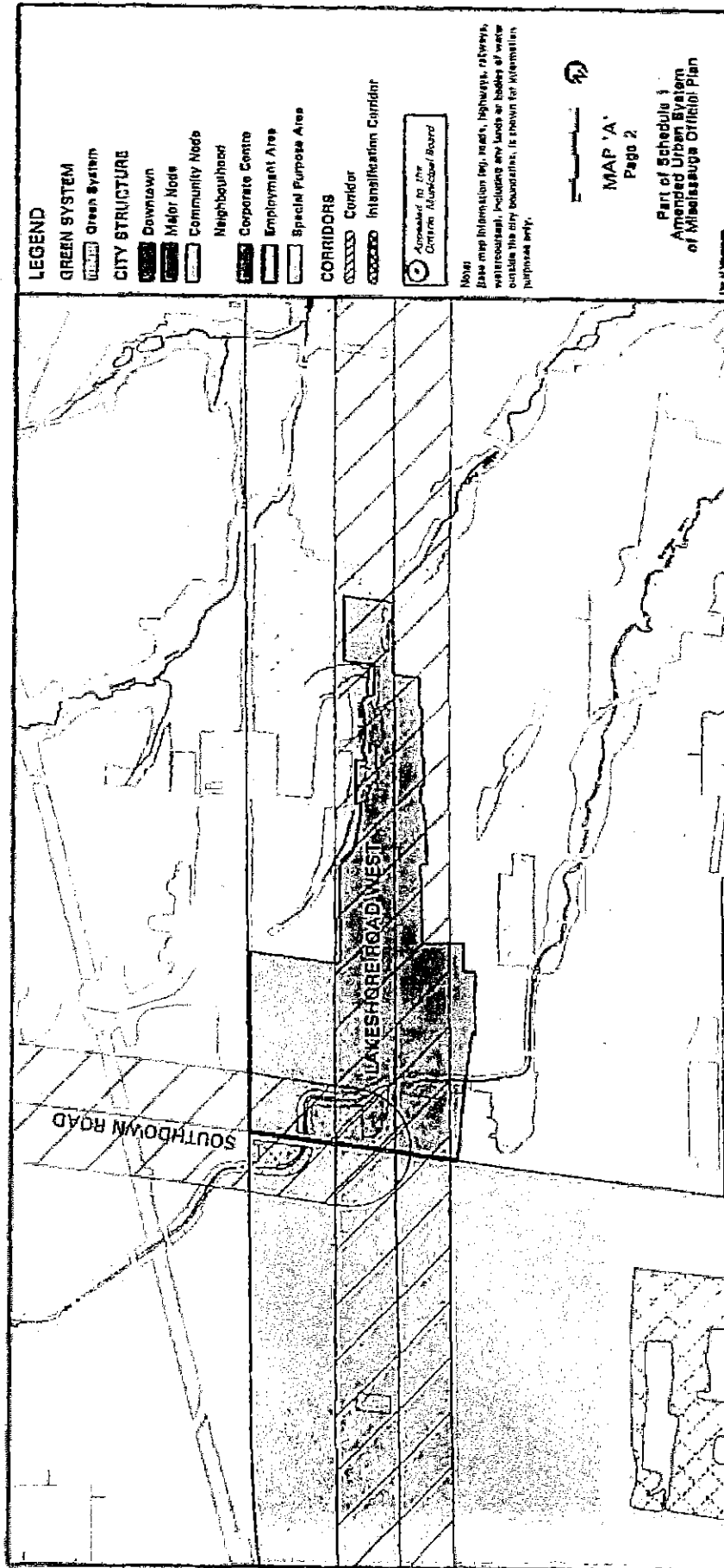
Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.

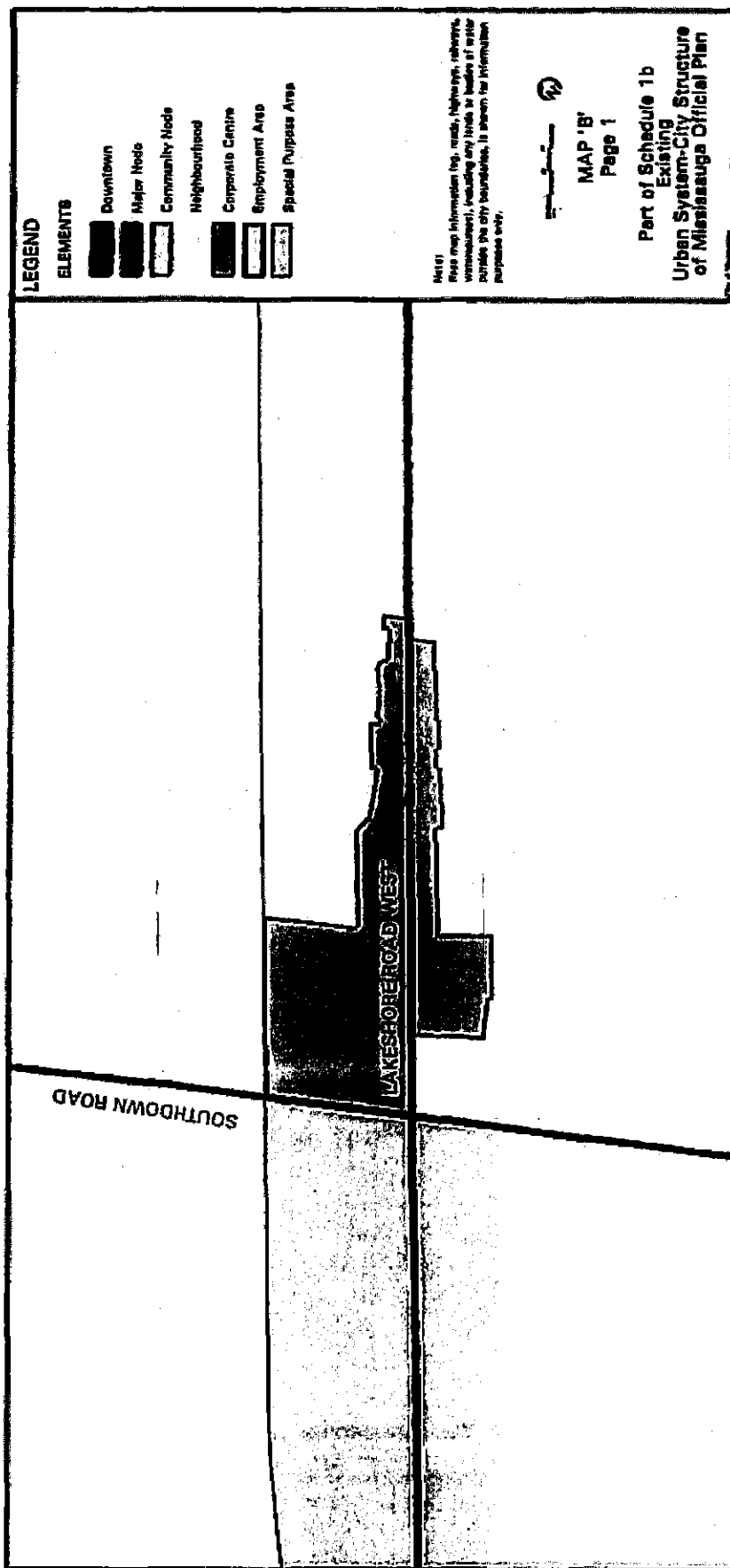


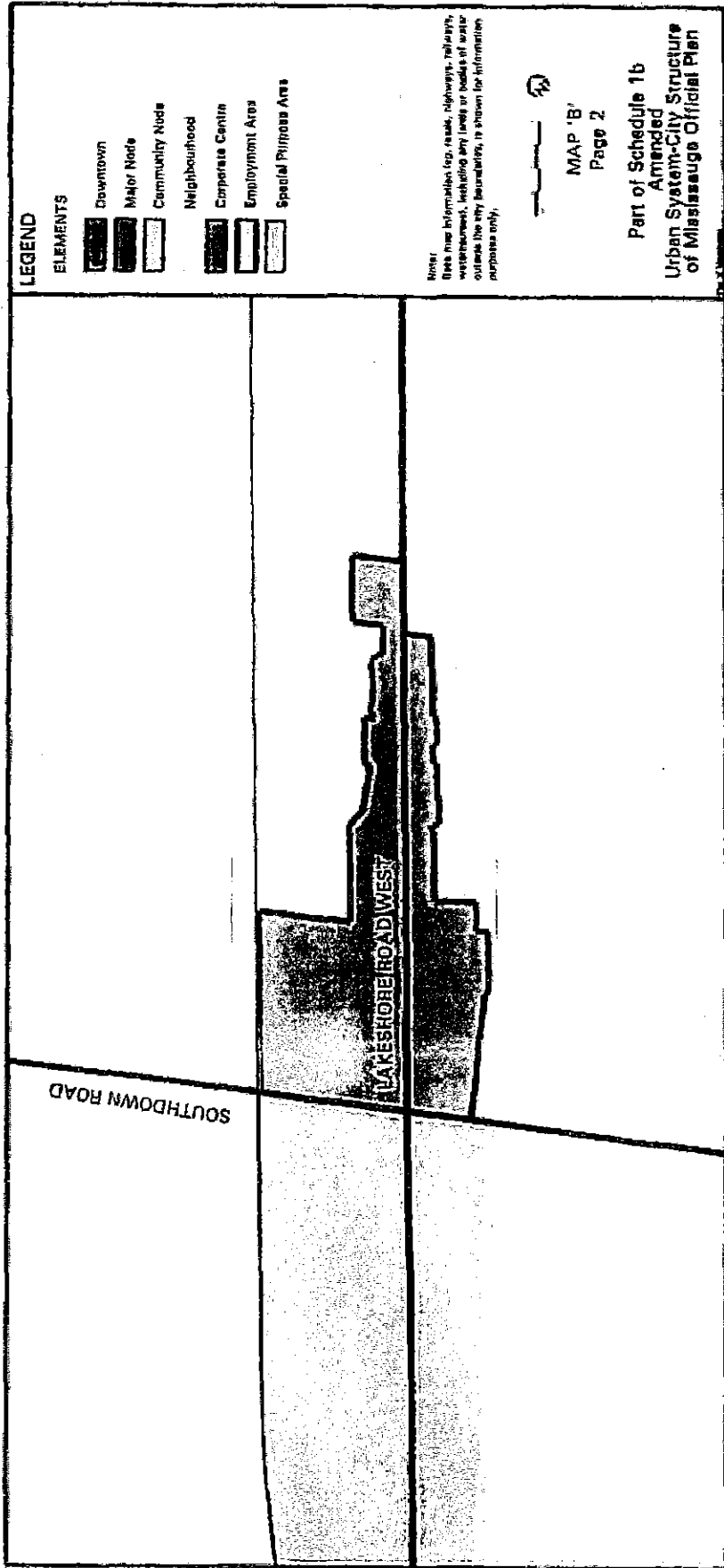
MAP 'A'
Page 1

Part of Schedule 1
Existing Urban System
of Mississauga Official Plan

City of Mississauga














LEGEND

ELEMENTS

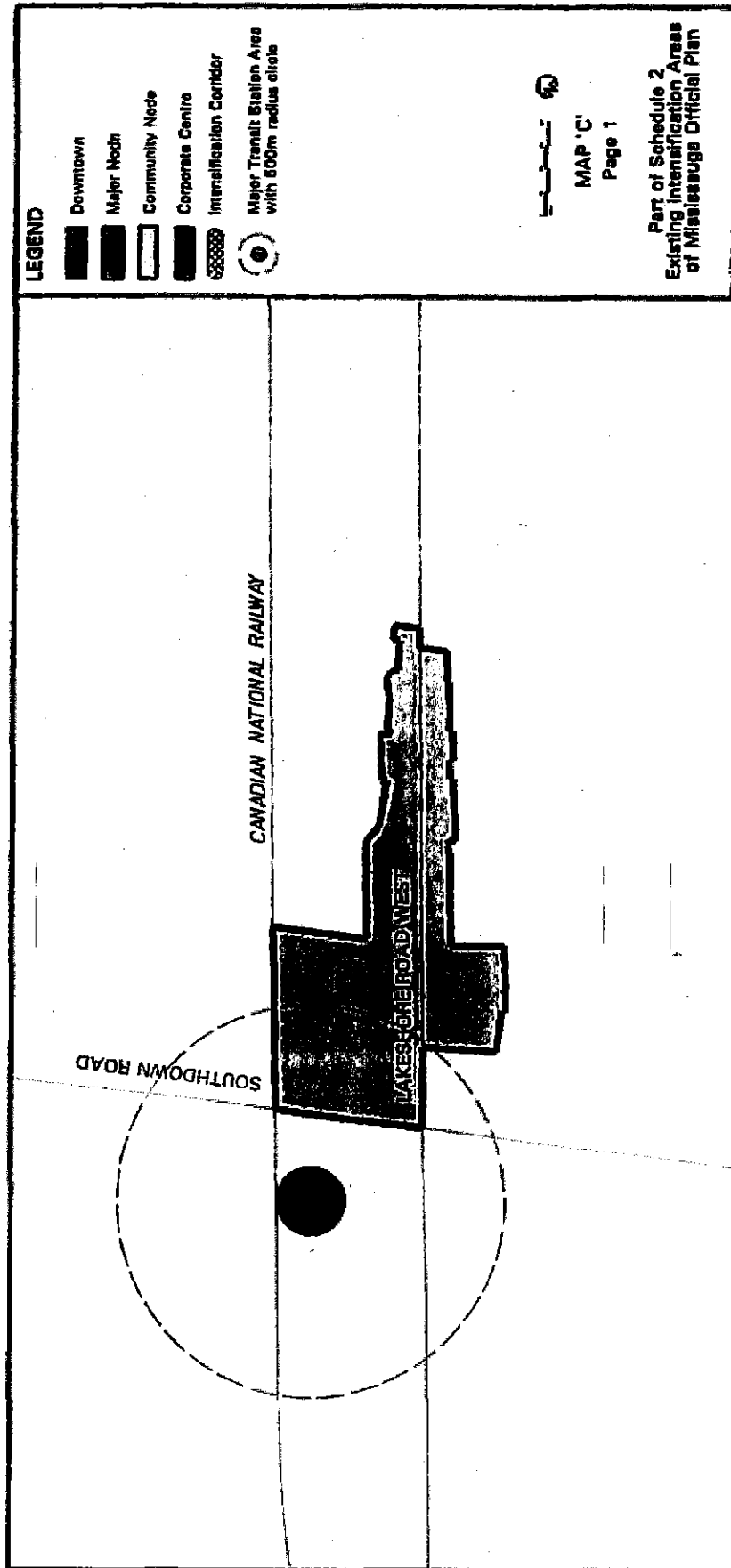
-  Downtown
-  Major Node
-  Community Node
-  Neighbourhood
-  Corporate Centre
-  Employment Area
-  Special Purpose Area

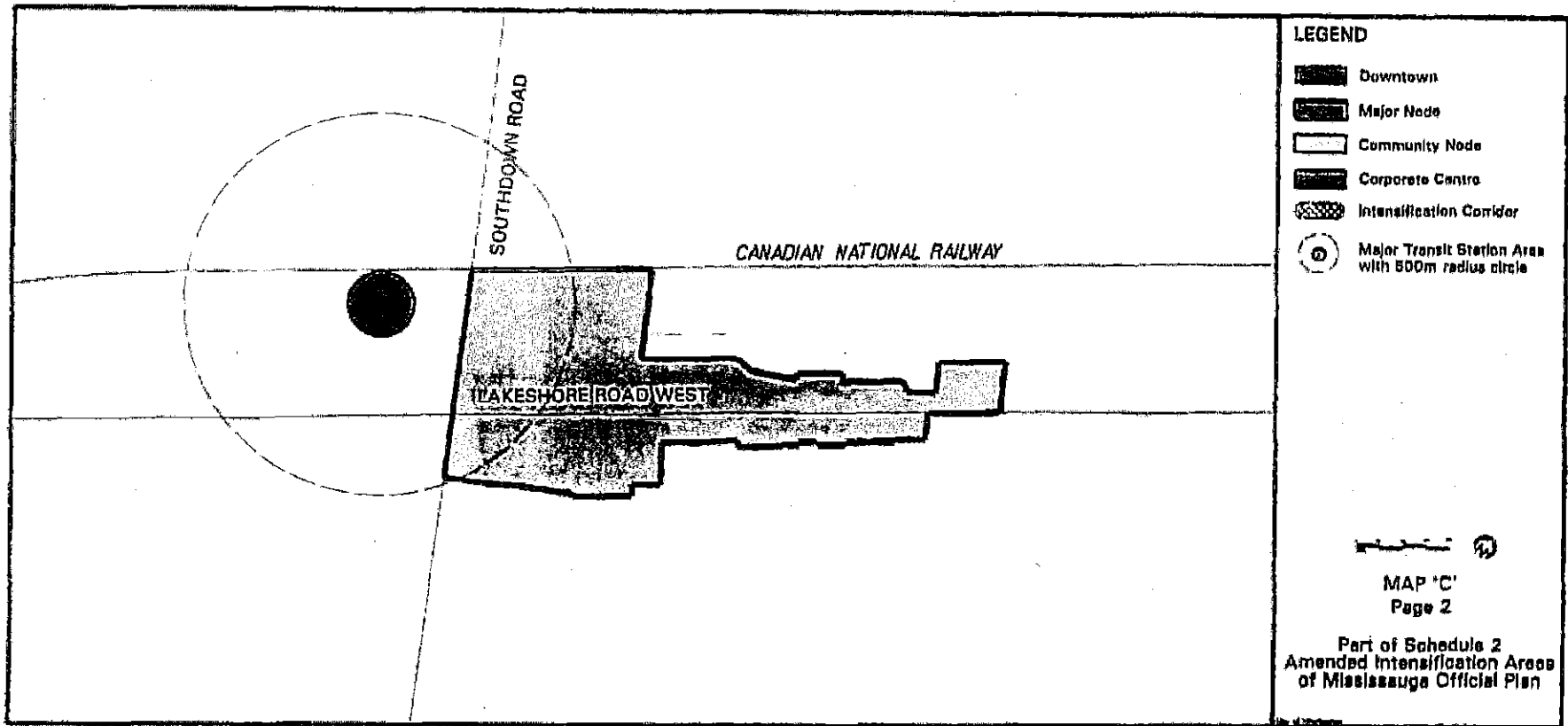
Note:
This map illustrates (e.g. roads, highways, railways, waterways, including any lands or bodies of water outside the city boundaries, is shown for information purposes only.









MAP 'B'
Page 2


Part of Schedule 1b
Amended
Urban System-City Structure
of Mississauga Official Plan





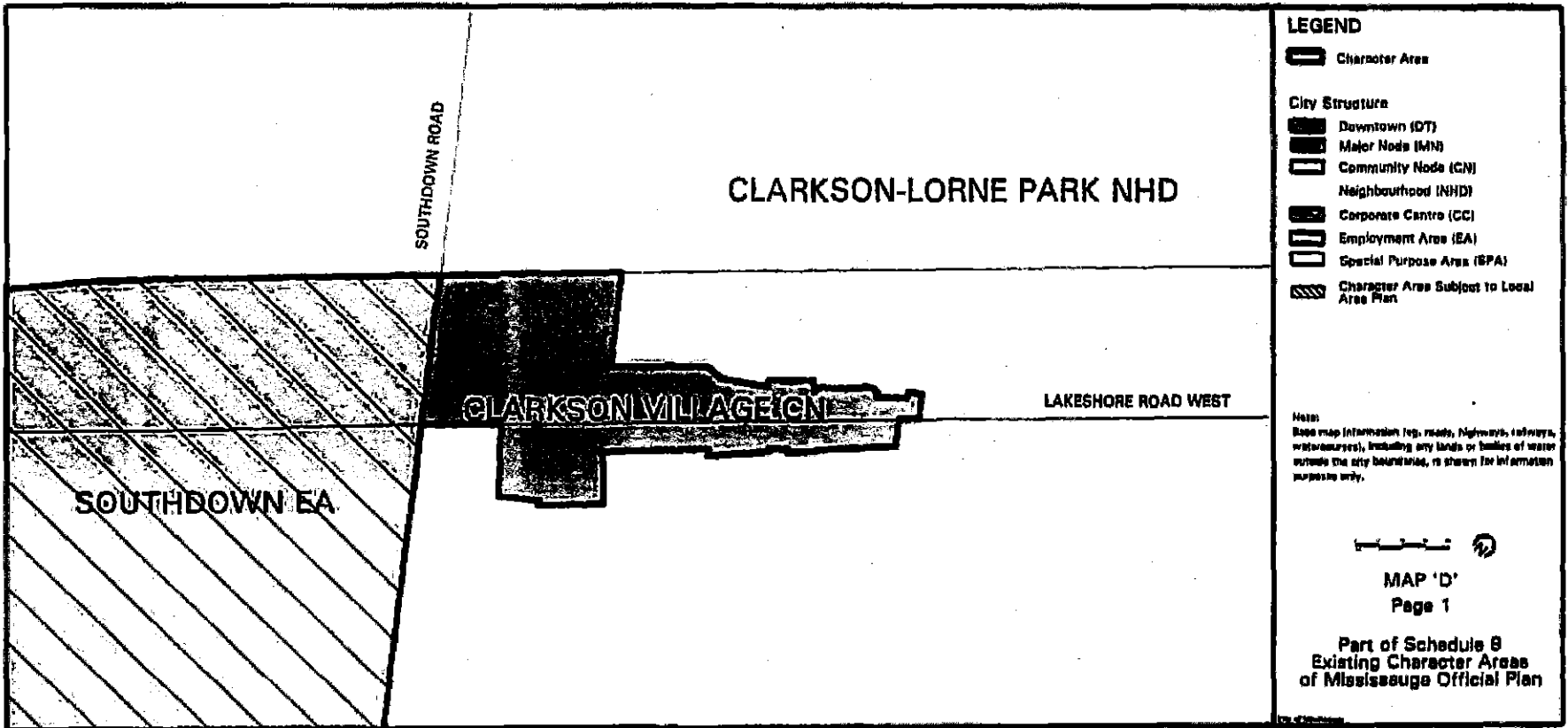
LEGEND

-  Downtown
-  Major Node
-  Community Node
-  Corporate Centre
-  Intensification Corridor
-  Major Transit Station Area with 500m radius circle












MAP 'C'
 Page 2

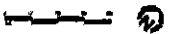
Part of Schedule 2
 Amended Intensification Areas
 of Mississauga Official Plan



LEGEND

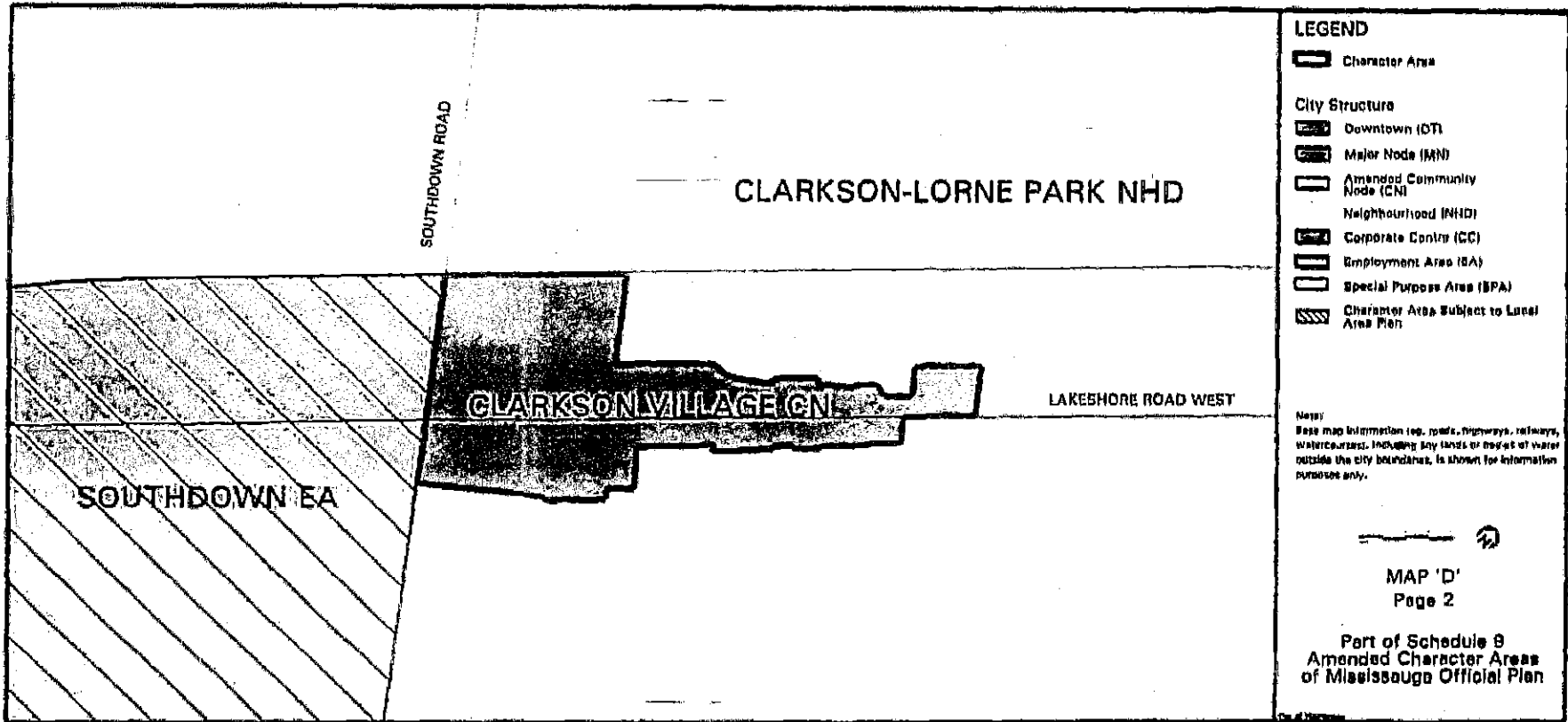
-  Character Area
- City Structure**
-  Downtown (DT)
-  Major Node (MN)
-  Community Node (CN)
-  Neighbourhood (NHD)
-  Corporate Centre (CC)
-  Employment Area (EA)
-  Special Purpose Area (SPA)
-  Character Area Subject to Local Area Plan

Notes:
 Base map information (eg. roads, highways, railway, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.



MAP 'D'
 Page 1

Part of Schedule B
 Existing Character Areas
 of Mississauga Official Plan



ATTACHMENT 2

PL140799

SCHEDULE "A" TO

ONTARIO MUNICIPAL BOARD

ORDER DATED _____

OMB File No. PL140800

OMB Case No. PL140799

(RioCan (Clarkson) Inc.)

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by deleting Exception Table 6.2.5.11 and substituting the following therefor:

6.2.5.11	Exception: C4-11	Map # 10	By-law:
In a C4-11 zone the permitted uses and applicable regulations shall be as specified for a C4 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
6.2.5.11.1	(1)	Horizontal Multiple Dwelling	
	(2)	Motor vehicle service station and motor vehicle wash facility - restricted legally existing on the date of passing of this By-law	
Uses Not Permitted			
6.2.5.11.2	(1)	Retail store greater than 600 m² gross floor area - non-residential	
	(2)	Parking Lot	
Regulations			
6.2.5.11.3		Maximum floor space index - residential	2.0
6.2.5.11.4		Minimum front yard	0.6 m
6.2.5.11.5		Minimum exterior side yard	0.6 m
6.2.5.11.6		Minimum interior side yard abutting lands zoned Residential or Greenbelt	7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m

6.2.5.11	Exception: C4-11	Map # 10	By-law:
6.2.5.11.7	Minimum rear yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m
6.2.5.11.8	A minimum of 75% of the first storey of any building or structure shall contain commercial uses where it has a streetwall facing Lakeshore Road West		
6.2.5.11.9	Maximum height		4 storeys
6.2.5.11.10	Minimum first storey height measured from the finished floor of the first storey to the underside of the finished ceiling		4.5 m
6.2.5.11.11	Minimum setback from the front exterior face of the third storey to the front exterior face of the fourth storey of a building or structure		6.0 m
6.2.5.11.12	Minimum length of a streetwall along Lakeshore Road West where there is driveway access to a street		70% of lot frontage
6.2.5.11.13	Minimum length of a streetwall along Lakeshore Road West where there is no driveway access to a street or the driveway access to a street is shared with an abutting property		90% of lot frontage
6.2.5.11.14	Non-residential uses located on the first storey shall have the main front entrance facing Lakeshore Road West		
6.2.5.11.15	Minimum percentage of glazing of the first storey of a streetwall		60%
6.2.5.11.16	Minimum number of parking spaces per 100 m ² gross floor area - non-residential for a retail store, animal care establishment, personal service establishment, repair establishment or office, provided that the gross floor area - non-residential is less than or equal to 300 m ²		3.0
6.2.5.11.17	Where the floor space index - residential is greater than 1.0, required parking shall be provided within a parking structure located either above or below grade		
6.2.5.11.18	Maximum height of an above grade parking structure		2 storeys

6.2.5.11	Exception: C4-11	Map # 10	By-law:
6.2.5.11.19	Above grade parking structures adjacent to a street shall have residential and/or non-residential uses with a minimum depth of 10.0 m along a streetwall of both the first and second storey		
6.2.5.11.20	"Floor Space Index - Residential" means the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area - non-residential, to the lot area		

2. By-law Number 0225-2007, as amended, is further amended by adding the following Exception Table:

6.2.5.63	Exception: C4-63	Map # 03, 10	By-law:
In a C4-63 zone the permitted uses and applicable regulations shall be as specified for a C4 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.5.63.1	(1) Horizontal Multiple Dwelling		
Uses Not Permitted			
6.2.5.63.2	(1) Retail store greater than 600 m² gross floor area - non-residential		
	(2) Parking Lot		
Regulations			
6.2.5.63.3	Maximum floor space index - residential		2.0
6.2.5.63.4	Minimum front yard		0.6 m
6.2.5.63.5	Minimum exterior side yard		0.6 m
6.2.5.63.6	Minimum interior side yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m

6.2.5.63	Exception: C4-63	Map # Q3, 10	By-law:
6.2.5.63.7	Minimum rear yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m
6.2.5.63.8	A minimum of 75% of the first storey of a building or structure shall contain commercial uses where it has a streetwall facing Lakeshore Road West		
6.2.5.63.9	Maximum height		4 storeys
6.2.5.63.10	Minimum first storey height measured from the finished floor of the first storey to the underside of the finished ceiling		4.5 m
6.2.5.63.11	Minimum setback from the front exterior face of the third storey to the front exterior face of the fourth storey of a building or structure		6.0 m
6.2.5.63.12	Minimum length of a streetwall along Lakeshore Road West where there is driveway access to a street		70% of lot frontage
6.2.5.63.13	Minimum length of a streetwall along Lakeshore Road West where there is no driveway access to a street or the driveway access to a street is shared with an abutting property		90% of lot frontage
6.2.5.63.14	Non-residential uses located on the first storey shall have the main front entrance facing Lakeshore Road West		
6.2.5.63.15	Minimum percentage of glazing of the first storey of a streetwall		60%
6.2.5.63.16	Minimum number of parking spaces per 100 m ² gross floor area - non-residential for a retail store, animal care establishment, personal service establishment, repair establishment or office, provided that the gross floor area - non-residential is less than or equal to 300 m ²		3.0
6.2.5.63.17	Where the floor space index - residential is greater than 1.0, required parking shall be provided within a parking structure located either above or below grade		
6.2.5.63.18	Maximum height of an above grade parking structure		2 storeys

6.2.5.63	Exception: C4-63	Map # 03, 10	By-law:
6.2.5.63.19	Above grade parking structures adjacent to a street shall have residential and/or non-residential uses with a minimum depth of 10.0 m along a streetwall of both the first and second storey		
6.2.5.63.20	"Floor Space Index - Residential" means the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area - non-residential, to the lot area		

3. By-law Number 0225-2007, as amended, is further amended by adding the following Exception Table:

6.2.5.64	Exception: C4-64	Map # 10	By-law:
In a C4-64 zone the permitted uses and applicable regulations shall be as specified for a C4 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.5.64.1	(1)	Horizontal Multiple Dwelling	
Uses Not Permitted			
6.2.5.64.2	(1)	Retail store greater than 600 m ² gross floor area - non-residential	
	(2)	Parking Lot	
Regulations			
6.2.5.64.3	Maximum floor space index - residential		1.5
6.2.5.64.4	Minimum front yard		0.6 m
6.2.5.64.5	Minimum exterior side yard		0.6 m
6.2.5.64.6	Minimum interior side yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m

6.2.5.64	Exception: C4-64	Map # 10	By-law:
6.2.5.64.7	Minimum rear yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m
6.2.5.64.8	A minimum of 75% of the first storey of any building or structure shall contain commercial uses where it has a streetwall facing Lakeshore Road West		
6.2.5.64.9	Maximum height		3 storeys
6.2.5.64.10	Minimum first storey height measured from the finished floor of the first storey to the underside of the finished ceiling		4.5 m
6.2.5.64.11	Minimum length of a streetwall along Lakeshore Road West where there is driveway access to a street		70% of lot frontage
6.2.5.64.12	Minimum length of a streetwall along Lakeshore Road West where there is no driveway access to a street or the driveway access to a street is shared with an abutting property		90% of lot frontage
6.2.5.64.13	Non-residential uses located on the first storey shall have the main front entrance facing Lakeshore Road West		
6.2.5.64.14	Minimum percentage of glazing of the first storey of a streetwall		60%
6.2.5.64.15	Minimum number of parking spaces per 100 m ² gross floor area - non-residential for a retail store, animal care establishment, personal service establishment, repair establishment or office, provided that the gross floor area - non-residential is less than or equal to 300 m ²		3.0
6.2.5.64.16	Where the floor space index - residential is greater than 1.0, required parking shall be provided within a parking structure located below grade		
6.2.5.64.17	"Floor Space Index - Residential" means the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area - non-residential, to the lot area		

4. By-law Number 0225-2007, as amended, is further amended by adding the following Exception Table:

6.2.5.65	Exception: C4-65	Map # 03	By-law:
In a C4-65 zone the permitted uses and applicable regulations shall be as specified for a C4 zone except that the following uses/regulations shall apply:			
Additional Permitted Use			
6.2.5.65.1	(1)	Horizontal Multiple Dwelling	
Uses Not Permitted			
6.2.5.65.2	(1)	Retail store greater than 600 m² gross floor area - non-residential	
	(2)	Parking Lot	
Regulations			
6.2.5.65.3	Maximum floor space index - residential		1.5
6.2.5.65.4	Minimum front yard		0.6 m
6.2.5.65.5	Minimum exterior side yard		0.6 m
6.2.5.65.6	Minimum interior side yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m
6.2.5.65.7	Minimum rear yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m
6.2.5.65.8	A minimum of 75% of the first storey of any building or structure shall contain commercial uses where it has a streetwall facing Lakeshore Road West		
6.2.5.65.9	Maximum height		4 storeys
6.2.5.65.10	Minimum first storey height measured from the finished floor of the first storey to the underside of the finished ceiling		4.5 m
6.2.5.65.11	Minimum setback from the front exterior face of the third storey to the front exterior face of the fourth storey of a building or structure		6.0 m

6.2.5.65	Exception: C4-65	Map # 03	By-law:
6.2.5.65.12	Minimum length of a streetwall along Lakeshore Road West where there is driveway access to a street		70% of lot frontage
6.2.5.65.13	Minimum length of a streetwall along Lakeshore Road West where there is no driveway access to a street or the driveway access to a street is shared with an abutting property		90% of lot frontage
6.2.5.65.14	Non-residential uses located on the first storey shall have the main front entrance facing Lakeshore Road West		
6.2.5.65.15	Minimum percentage of glazing of the first storey of a streetwall		60%
6.2.5.65.16	Minimum number of parking spaces per 100 m ² gross floor area - non-residential for a retail store, animal care establishment, personal service establishment, repair establishment or office, provided that the gross floor area - non-residential is less than or equal to 300 m ²		3.0
6.2.5.65.17	Where the floor space index - residential is greater than 1.0, required parking shall be provided within a parking structure located below grade		
6.2.5.65.18	"Floor Space Index - Residential" means the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area - non-residential, to the lot area		

5. By-law Number 0225-2007, as amended, is further amended by adding the following Exception Table:

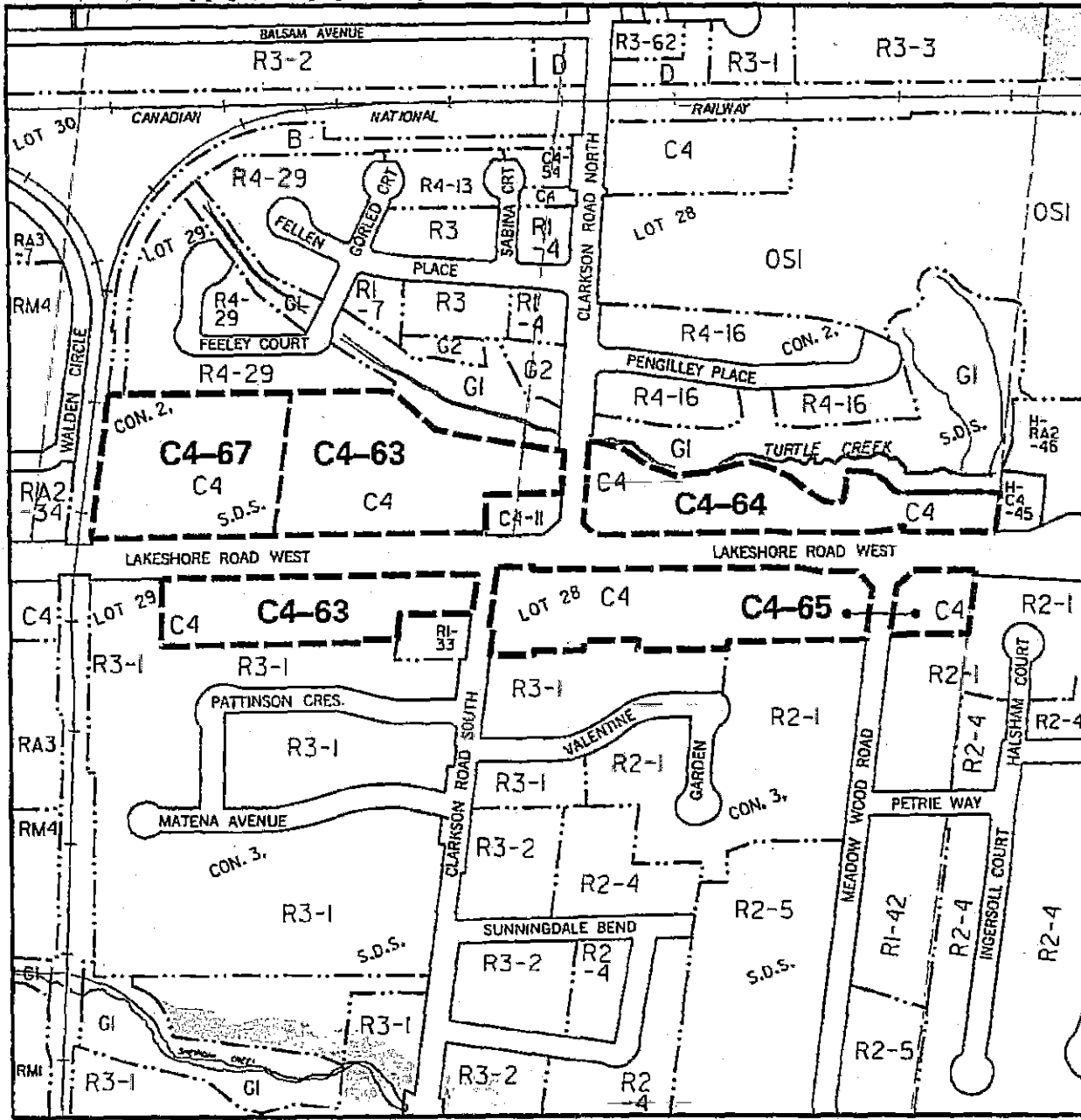
6.2.5.67	Exception: C4-67	Map # 10	By-law:
In a C4-67 zone the permitted uses and applicable regulations shall be as specified for a C4 zone except that the following uses/regulations shall apply:			
Additional Permitted Uses			
6.2.5.67.1	(1) Horizontal Multiple Dwelling (2) Commercial building legally existing on the date of passing of this By-law		
Use Not Permitted			
6.2.5.67.2	(1) Parking Lot		
Regulations			
6.2.5.67.3	The maximum number of retail stores greater than 600 m ² gross floor area - non-residential but less than or equal to 2 750 m ² gross floor area - non-residential		1
6.2.5.67.4	Expansion or alteration to the building legally existing on the date of passing of this By-law shall be permitted and shall not be subject to the regulation of Sentence 6.2.5.67.3 of this Exception		
6.2.5.67.5	Maximum floor space index - residential		2.5
6.2.5.67.6	Minimum front yard		0.6 m
6.2.5.67.7	Minimum exterior side yard		0.6 m
6.2.5.67.8	Minimum interior side yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m
6.2.5.67.9	Minimum rear yard abutting lands zoned Residential or Greenbelt		7.5 m plus 1.0 m for each additional 1.0 m of building height or portion thereof, exceeding 10.0 m
6.2.5.67.10	A minimum of 75% of the first storey of a building or structure shall contain commercial uses where it has a streetwall facing Lakeshore Road West		

not plus change

6.2.5.67	Exception: C4-67	Map # 10	By-law:
✓ 6.2.5.67.11	Maximum height		8 storeys
6.2.5.67.12	Minimum first storey height measured from the finished floor of the first storey to the underside of the finished ceiling		4.5 m
6.2.5.67.13	Minimum setback from the front exterior face of the third storey to the front exterior face of the fourth storey of a building or structure		6.0 m
6.2.5.67.14	Minimum length of a streetwall along Lakeshore Road West where there is driveway access to a street		70% of lot frontage
6.2.5.67.15	Minimum length of a streetwall along Lakeshore Road West where there is no driveway access to a street or the driveway access to a street is shared with an abutting property		90% of lot frontage
6.2.5.67.16	Non-residential uses located on the first storey and within 20.0 m of Lakeshore Road West shall have the main front entrance facing Lakeshore Road West		
✓ 6.2.5.67.17	Minimum percentage of glazing of the first storey of a streetwall		50%
6.2.5.67.18	Minimum number of parking spaces per 100 m ² gross floor area - non-residential for a retail store, animal care establishment, personal service establishment, repair establishment or office, provided that the gross floor area - non-residential is less than or equal to 300 m ²		3.0
✓ 6.2.5.67.19	Minimum number of parking spaces per 100 m ² gross floor area - non-residential for retail store, animal care establishment or office, provided that the gross floor area - non-residential is between 300 m ² and 2 750 m ²		4.0
6.2.5.67.20	Where the floor space index - residential is greater than 1.0, required parking shall be provided within a parking structure located either above or below grade		
6.2.5.67.21	Maximum height of an above grade parking structure		2 storeys
6.2.5.67.22	Above grade parking structures adjacent to a street shall have residential and/or non-residential uses with a minimum depth of 10.0 m along a streetwall of both the first and second storey		

6.2.5.67	Exception: C4-67	Map # 10	By-law:
6.2.5.67.23	"Floor Space Index - Residential" means the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area - non-residential, to the lot area		
6.2.5.67.24	"Urban Square" means an outdoor area on a lot, located at grade, for passive recreational uses, such as seating areas by the general public. An urban square may include hard and soft landscape elements such as grass, flowers, shrubs, trees, as well as walkways and berms, but shall not include driveways, ramps, aisles, internal roads, parking areas or any exterior garbage or handling areas		
Section 37 Public Benefits Contribution			
Pursuant to Section 37 of the <i>Planning Act</i> , R.S.O. 1990, c.P13, as amended, the height and density of development provided by this Exception shall be permitted subject to:			
<ul style="list-style-type: none"> ✓ (1) the owner of the lands zoned C4-67 entering into an agreement with the Corporation of the City of Mississauga (the City) for the provision of certain facilities, services or matters in return for the increase in height and density of the development granted by this Exception as provided by Section 37(3) of the <i>Planning Act</i>, R.S.O. 1990, c.P13; ✓ (2) the registration of the agreement on title to the lands zoned C4-67; and, ✓ (3) the owner undertaking to complete or providing full compensation for the completion of: <ul style="list-style-type: none"> (3.1) lay-by parking and streetscape improvements along the entire Lakeshore Road West frontage of the subject lands; (3.2) the provision of an urban square, to the satisfaction of the City, on site for the use of the public; and, (3.3) the granting of a public use easement in accordance with the Access Management Plan contained in Mississauga Official Plan and compliance with all other terms referred to in paragraphs (1) and (2) above. 			

2. Map Number 10 of Schedule "B" to By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by changing thereon from "C4" to "C4-63", "C4-64", "C4-65" and "C4-67", the zoning of Part of Lots 28 and 29, Concession 2, South of Dundas Street, in the City of Mississauga, PROVIDED HOWEVER THAT the "C4-63", "C4-64", "C4-65" and "C4-67" zoning shall only apply to the lands which are shown on the attached Schedule "A", which is deemed to be an integral part of this By-law, outlined in the heaviest broken line with the "C4-63", "C4-64", "C4-65" and "C4-67" zoning indicated thereon.
3. This By-law shall not come into force until Mississauga Official Plan Amendment Number 9 is in full force and effect.



This is not a Plan of Survey. Dimensions are derived from available office records.

CITY OF MISSISSAUGA

**THIS IS SCHEDULE "A" TO
SCHEDULE "A" OF O.M.B.
ORDER DATED _____
O.M.B. FILE NO. PL140800
O.M.B. CASE NO. PL140799**

APPENDIX "A" TO SCHEDULE "A" OF

OMB ORDER DATED _____

OMB File No. PL140800

OMB Case No. PL140799

Explanation of the Purpose and Effect of the By-law

The purpose of this By-law is to amend various sections of the Zoning By-law pertaining to Clarkson Village along Lakeshore Road West. Changes include the following:

- Additional residential uses within the C4 zone
- Removal of large retail uses within the C4 zone
- Establish a maximum height and maximum floor space index - residential
- Establish a minimum front yard and exterior side yard setback
- Establish a maximum height of above grade parking structures

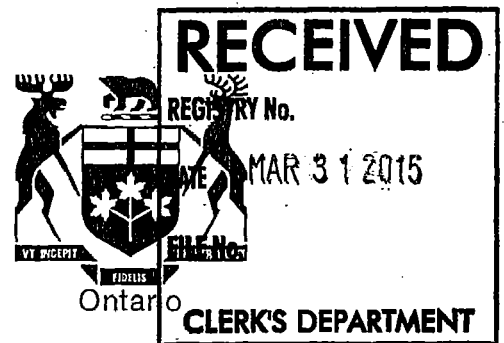
The existing motor vehicle commercial use on the site illustrated on Appendix "B" shall continue to be permitted, however new regulations with respect to additional uses and development standards have been included for that site.

Location of Lands Affected

Lands located in Clarkson Village along Lakeshore Road West in the City of Mississauga, as shown on the attached Map designated as Schedule "A"

<http://transites.mississauga.ca/sites/18/Bylaws/CD.04.CLA.OMB.sm.jp.jnce.docx>

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: March 30, 2015

CASE NO(S): PL140799

PROCEEDING COMMENCED UNDER subsection 17(24) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant:	Lisgar Development Ltd.
Appellant:	Steve & Dina Makridis
Appellant:	RioCan (Clarkson) Inc.
Appellant:	Gary Uhlman; and others
Subject:	Proposed Official Plan Amendment No. 9
Municipality:	City of Mississauga
OMB Case No.:	PL140799
OMB File No.:	PL140799

PROCEEDING COMMENCED UNDER subsection 34(19) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant:	Lisgar Development Ltd.
Appellant:	Steve & Dina Makridis
Appellant:	RioCan (Clarkson) Inc.
Appellant:	Gary Uhlman; and others
Subject:	By-law No. 0194-2014
Municipality:	City of Mississauga
OMB Case No.:	PL140799
OMB File No.:	PL140800

Heard: March 24, 2015 in Mississauga, Ontario

APPEARANCES:

Parties

Counsel*/Representative

RioCan (Clarkson) Inc.

J. Farber*

City of Mississauga

K. Yerxa*

Lisgar Development Ltd., Gary S. Zorbas
Uhlman, Steve and Dina Makridis,
Steve Zorbas

**MEMORANDUM OF ORAL DECISION DELIVERED BY H. JACKSON ON
MARCH 24, 2015 AND ORDER OF THE BOARD**

[1] This was the first prehearing conference ("PHC") for appeals filed pursuant to the *Planning Act* by RioCan (Clarkson) Inc., Lisgar Development Ltd., Gary Uhlman, Steve and Dina Makridis, and Steve Zorbas (the "Appellants") from the City of Mississauga's (the "City") new Official Plan Amendment No. 9 (the "OPA") and Zoning By-law Amendment No. 0194-2014 (the "ZBLA") adopted by Council for the Clarkson Village area.

[2] The Board heard that the new OPA and ZBLA have instituted a height restriction of four storeys, whereas the Appellants oppose this restriction. Mr. Farber and Mr. Zorbas both indicated that they were prepared to work with the City to determine if this one issue could be settled or at least further narrowed. The parties requested a second PHC at which time the issue would be clarified and the parties would have a Procedural Order ready. The second PHC would allow the many residents who requested Participant status to attend to understand their responsibilities for the Hearing. The Parties anticipate that a Hearing for this matter would require five days and requested a Hearing date in November.

[3] Numerous residents attended this PHC and requested the opportunity to participate at the Hearing. The Participants indicated that their concern is also height. The Board granted Participant status to those listed in Attachment 1 to this Decision.

[4] The second PHC is scheduled for **Monday, August 31, 2015 at 10 a.m.**

[5] The hearing is scheduled for one week beginning on **Monday, November 23,**

2015 at 10 a.m.

[6] The second PHC and the hearing will be held at:

**City Hall
Municipal Hearing Room
300 City Centre Drive
Mississauga ON**

[7] No further notice will be given.

[8] This member is not seized.

"H. Jackson"

H. JACKSON
MEMBER

If there is an attachment referred to in this document,
please visit www.elfo.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elfo.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Attachment 1

Donald Baer
Clarkson Fairfield South Ratepayers Association
1189 April Drive
Mississauga ON
L5J 3J6

Sue Shanly
Meadowood Rattray Ratepayers Association
978 Valley Crescent
Mississauga
L5J 2X7

Beverly Bleackley
1080 Kos Blvd.
Mississauga, ON
L5J 4L6

John Pegram
434 Apple Lane
Mississauga, ON
L5J 2T1

Cameron McCuaig
1352 Aldo Drive
Mississauga, ON
L5H 3E9

David Dodaro
2783 Tallberg Court
Mississauga ON
L5J 1S9

Eric Smith
White Oaks Lorne Park Community Association
1255 Lorne Park Road
Mississauga
L5H 3A9

Don Benoit
1845 Pattenson Crescent
Mississauga ON
L5J 1H6



FAX: 905-615-4181
www.mississauga.ca

July 9, 2014

Mr. John Hardcastle
Manager
Development Services
Public Works
Region of Peel
10 Peel Centre Drive, Suite A, 6th Floor, Room 601
BRAMPTON ON L6T 4B9

Dear Mr. Hardcastle:

RE: Official Plan Amendment No. 9
The lands affected by this Amendment are located on the north and south sides of Lakeshore Road West between Southdown Road and Birchwood Park, in the City of Mississauga.
File: CD.04.CLA & OPA 9 - Ward 2

Please find enclosed the Notice of Decision for Official Plan Amendment 9 and duplicate original copy of the amendment. This amendment was adopted by Council on July 2, 2014, by By-law 0193-2014. The Mississauga Plan (Official Plan) Amendment has been prepared in accordance with PDC Recommendation Number 0049-2013 adopted by City Council on July 3, 2013.

Also enclosed for your records is a copy of the Certificate of Public Meeting and Notification, Record of Written Submissions, minutes of the Planning & Development Committee meeting of June 24, 2013.

Yours truly,

Diana Rusnov, Deputy Clerk and
Manager Legislative Services
Corporate Services Department
905-615-3200 X 5421

: mj

cc:

Marianne Cassin & Sheena Harrington-Slade, Planning and Building (Working copy of Amendment)
Carmen Gucciardi, Planning and Building (Viewing copy of Amendment)
Applicant – City of Mississauga (Certified working copy of Amendment)

DECLARATION

Subsection 17 of the Planning Act

Applicant: City Initiated
Municipality City of Mississauga
Our File: OPA 9

I, Diana Rusnov, Deputy Clerk solemnly declare,

1. That the decision in respect of the above-noted matter was made on July 2, 2014 when By-law Number 9 was enacted and that notice as required by subsection 17 of the Planning Act was given on July 9, 2014.
2. That 5 appeals to the Ontario Municipal Board of the decision in respect of the above-noted matter was received under subsection 17 of the Planning Act within the time specified for submitting an appeal.


And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me

at the City of Mississauga

in the Regional Municipality of Peel

this 29th day of July, 2014.



Commissioner of Oaths



Declarant

DAVID LESLIE MARTIN, a Commissioner, etc.,
Regional Municipality of Peel, for the
Corporation of the City of Mississauga.
Expires May 10, 2017.



July 31, 2014

DELIVERED BY COURIER

Ontario Municipal Board
Suite 1500
655 Bay Street
TORONTO, ON M5G1E5

Dear Sirs:

Re: Appeal Pursuant to Section 34(19) & 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13,
Appeal of the Application to amend the Zoning By-law 0225-2007
Lands located in Clarkson Village along Lakeshore Rd. W.
Our File: CD.04.CLA & OPA 9 - Ward 2

Enclosed please find the documentation in connection with the appeal to the Ontario Municipal Board from Fogler, Rubinoff LLP, solicitors for RioCan (Clarkson) Inc., Grant Gorchynski, Steve Zorbas, Steve & Dina Makridis and Gary Uhlman

1. Original letters of appeal.
2. 10 Cheques payable to the Minister of Finance in the amount of \$125.00 each.
3. Completed Ontario Municipal Board Official Plan Appeal form together with the required supporting documentation.

You will note that we have indicated **5 days** as being the length of time required for the hearing.

Yours truly,

Diana Rusnov, Deputy Clerk
Legislative Services
Corporate Services Department

:mj
Att.

cc: Mary E. Bench, City Solicitor (via email)
Councillor, Ward 2 (via email)
Marianne Cassin & Sheena Harrington-Slade, Planning and Building (via email)
Grant Gorchynski, Lisgar Development Ltd.
Fogler Rubinoff LLP
Steve Zorbas
Steve & Dina Makridis
Gary Uhlman

Amendment No. 9

to

Mississauga Official Plan

for the

City of Mississauga Planning Area



**PLANNING ACT
NOTICE OF THE PASSING OF AN OFFICIAL PLAN AMENDMENT AND
A ZONING BY-LAW BY
THE CORPORATION OF THE CITY OF MISSISSAUGA
BILL 51**

DATE OF NOTICE	July 9, 2014	
OPA NUMBER	OPA# 9 (By-law # 0193-2014)	
ZONING BY-LAW NUMBER	0194-2014	
DATE PASSED BY COUNCIL	July 2, 2014	
LAST DATE TO FILE APPEAL	July 29, 2014	
FILE NUMBER	CD.04.CLA	Ward 2
APPLICANT	City of Mississauga	
PROPERTY LOCATION	North and South sides of Lakeshore Road West, between Southdown Road and Birchwood Park.	

TAKE NOTICE that the Council of the Corporation of the City of Mississauga passed the above noted Official Plan Amendment and Zoning By-law, under Sections 17 and 34 of the Planning Act, R.S.O., 1990, c.P.13, as amended.

The Purpose and Effect: The Purpose and Effect of this Amendment is to change the boundary of the Clarkson Village Community Node and the Clarkson-Lorne Park Neighborhood Character Areas, add precinct policies, transportation policies, amend land use designation policies and to delete, amend and add Special Site policies. The zoning By-law amendment adds and removes uses in the C4 Zone, establishes maximum heights and FSI and minimum setbacks.

To view the Official Plan Amendment and Zoning By-law in their entirety please visit:
www.mississauga.ca/portal/cityhall/publicnotices, or in person at the Office of the City Clerk, 300 City Centre Drive, 2nd Floor, Mississauga, Ontario.

The Zoning by law shall not come into force until Mississauga Plan (Official Plan) Amendment Number 9 is in full force and effect. A notice of appeal to the Ontario Municipal Board in respect of the by-law must be filed with the Clerk of the City of Mississauga, Attention: Crystal Greer, 300 City Centre Drive, Mississauga, Ontario L5B 3C1, no later than July 29, 2014.

The Notice of Appeal must:

- 1) set out reasons for the appeal; and,
- 2) be accompanied by the fee required by the Ontario Municipal Board in the amount of \$125.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario, and
- 3) be accompanied by an administration fee of \$150.00, payable by Certified Cheque to the Treasurer of City of Mississauga.
- 4) Four (4) copies of the appeal package.

IF YOU WISH TO APPEAL to the OMB a copy of an appeal form is available from the OMB website at www.omb.gov.on.ca.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the City of Mississauga Council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

Diana Rusnov, Deputy Clerk
Legislative Services,

Corporate Services Department- Tel: 905-615-3200 X 5421

A by-law to Adopt Mississauga Official Plan Amendment No. 9

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

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing ("MMAH") authorized the Regional Municipality of Peel (the "Region") an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

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

AND WHEREAS, the Commissioner of Public Works for the Region of Peel has advised that, with regard to Amendment No. 9, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

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

1. The attached maps designated as Maps "A", "B", "C", "D", and "E", and explanatory text attached, constitute Amendment No. 9 to Mississauga Official Plan, specifically the Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas Policies of Mississauga Official Plan, of the City of Mississauga Planning Area, are adopted.

ENACTED and PASSED this 2nd day of JULY, 2014.

ORIGINAL SIGNED BY
HAZEL MCCALLION

MAYOR

CRYSTAL GREER CITY CLERK
CITY OF MISSISSAUGA

CLERK

Memorandum



FOR IMMEDIATE ATTENTION AND ACTION

TO: Ed Sajecki, Commissioner of Planning & Building

FROM: Diana Rusnov, - Office of the City Clerk

DATE: July 23, 2014

RE: Appeal Pursuant to 34(19) & 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13,
Application to Amend Zoning By-law 0225-2007
Lands located in Clarkson Village along Lakeshore Rd. West
Our File: CD.04.CLA & OPA 9 Ward 2

Attached please find copy of a letter of appeal dated July 17, 2014 received July 21, 2014 from Fogler Rubinoff, solicitors for RioCan (Clarkson) Inc., with respect to CD.04.CLA & OPA 9.

In accordance with the Planning Act requirements, the City is required to submit the Notice of Appeal, Municipal Submission Form (including prescribed records) and appeal fee to the Ontario Municipal Board within 15 days after the Notice of Appeal is received. In order to meet this deadline, we request that you provide our office with the following information outlined on the attached Municipal Submission Form (R2) **no later than July 30, 2014.**

- **Part 4: Related Matters**
- **Part 5: By-law Information**
- **Part 6: Scheduling Information** (including the estimated number of days for the hearing)
- **Part 7: Municipal Representative Information** (Legal or Planning)
- **Part 8: Required Documentation** (include the applicable documents and information indicated by a tick)

Thank you for your co-operation.

Diana Rusnov, Deputy Clerk
Legislative Services
Corporate Services Department
905-615-3200 X5419

:mj

Att.

cc: Mary E. Bench, City Solicitor (via email)
Councillor, Ward 2 (via email)
Marianne Cassin & Sheena Harrington-Slade, Planning and Building (via email)

fogler
rubinoff

Fogler, Rubinoff LLP
Lawyers

77 King Street West
Suite 3000, PO Box 95
TD Centre North Tower
Toronto, ON M5K 1G8
t: 416.864.9700 | f: 416.941.8852
foglers.com

July 17, 2014

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 12/1753

VIA COURIER

City of Mississauga
Legislative Services
City of Mississauga
300 City Centre Drive
Mississauga, ON
L5B 3C1

Attention: Diana Rusnov, Deputy Clerk

Dear Madam:

Re: Appeal of OPA #9 and ZBL 0194-2014 (CD-04-CLA)

We are the solicitors for RioCan (Clarkson) Inc.

Please find enclosed herewith our appeals of the above-noted planning instruments in accordance with the City's requirements.

Yours truly,

FOGLER, RUBINOFF LLP

Joel D. Farber

JDF/ay

Encls.

cc: Client (with attachments)



Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.elto.gov.on.ca

**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

Receipt Number (OMB Office Use Only)

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/Severance	<input type="checkbox"/> Appeal a decision	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
Zoning By-law or Zoning By-law Amendment	<input checked="" 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 type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input type="checkbox"/> Failed to make a decision on the plan within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	
Plan of 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

Multiple - Lakeshore Road West - Clarkson Village

Address and/or Legal Description of property subject to the appeal: _____

Municipality/Upper tier: _____ Mississauga, Peel

Part 3: Appellant Information

First Name: _____ Last Name: _____

RioCan (Clarkson) Inc.

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

Professional Title (if applicable): _____

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

Daytime Telephone #: 416-864-6479 Alternate Telephone #: _____

Fax #: 416-864-3550

Mailing Address: 2300 Yonge Street Toronto
Street Address Apt/Suite/Unit# City/Town
Ontario M4P 1E4
Province Country (if not Canada) Postal Code

Signature of Appellant: _____ Date: _____
(Signature not required if the appeal is submitted by a law office.)

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: Joel D. Last Name: Farber

Company Name: Fogler, Rubinoff LLP Lawyers

Professional Title: Lawyer

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

Daytime Telephone #: 416-365-3707 Alternate Telephone #: 416-864-9700

Fax #: 416-941-8852

Mailing Address: 77 King Street West Suite 3000 Toronto
Street Address Apt/Suite/Unit# City/Town
Ontario M5K 1G8
Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: July 17, 2014

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: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: 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)
Zoning By-law 0194-2014 (the "ZBL")

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 9 or attach a separate page.

(Please print)
The ZBL removes a number of pre-existing zoning rights including for uses currently existing on the RioCan site at 1865 Lakeshore Blvd. West. The ZBL also implements height and density restrictions which are too restrictive for the area which is within walking distance to the GO Transit Clarkson Rail Station. See Part 9 for additional grounds.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-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 9 or attach a separate page.

Part 7: 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

(For example: A consent application connected to a variance application)

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

(Please print)
RioCan (Clarkson) Inc. appeal of OPA #9

Part 8: 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: _____

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?

 3

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):

 Planner, Architect, Transportation

Do you believe this matter would benefit from mediation? YES NO
 (Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
 (Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? _____ To settle issues for hearing and establish procedural order.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

Specific objections to ZBL 0194-2014 include but are not limited to:
(i) Restriction on retail uses in the C4-63 zone at the RioCan site;
(ii) Maximum residential FSI for RioCan site - 2.0;
(iii) Minimum yards for RioCan site;
(iv) Maximum height - 4 storeys;
(v) Required building setbacks, streetwall requirements, glazing requirements;
(vi) Requirement for parking structures; and
(vii) Requirement for all non-residential uses to have main front access facing Lakeshore.
RioCan reserves the right to supplement these grounds of appeal.

Part 10: Required Fee

Total Fee Submitted: \$ _____ 125.00 _____

Payment Method: Certified cheque Money Order Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.



Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E6
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.elto.gov.on.ca

**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

Receipt Number (OMB Office Use Only)

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)
	<input type="checkbox"/> Appeal a decision	53(19)
Consent/Severance	<input type="checkbox"/> Appeal conditions imposed	53(27)
	<input type="checkbox"/> Appeal changed conditions	53(14)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	34(19)
	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(11)
Zoning By-law or Zoning By-law Amendment	<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	
	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	38(4)
Interim Control By-law	<input checked="" type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input type="checkbox"/> Failed to make a decision on the plan within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	
Official Plan or Official Plan Amendment	<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)
Plan of Subdivision		

Part 2: Location Information

Multiple - Lakeshore Road W. - Clarkson Village

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

Municipality/Upper tier: Mississauga, Peel

Part 3: Appellant Information

First Name: _____ Last Name: _____

Company Name or Association Name (Association must be incorporated – include copy of letter of Incorporation)
RioCan (Clarkson) Inc.

Professional Title (if applicable): _____

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

Daytime Telephone #: 416-864-6479 Alternate Telephone #: _____

Fax #: 416-864-3550

Mailing Address: 2300 Yonge Street Toronto
Street Address Apt/Suite/Unit# City/Town
Ontario M5K 1G8
Province Country (if not Canada) Postal Code

Signature of Appellant: _____ Date: _____
(Signature not required if the appeal is submitted by a law office.)

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: Joel D. Last Name: Farber

Company Name: Fogler, Rubinoff LLP Lawyers

Professional Title: Lawyer

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

Daytime Telephone #: 416-365-3707 Alternate Telephone #: 416-864-9700

Fax #: 416-941-8852

Mailing Address: 77 King Street West, Suite 3000 Toronto
Street Address Apt/Suite/Unit# City/Town
Ontario M5K 1G8
Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: July 17, 2014

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: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: 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)
City of Mississauga OPA #9

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 9 or attach a separate page.

(Please print)
OPA #9 implements overly restrictive land use policies for the Clarkson Village Planning Area, The proposed heights and densities are too restrictive, especially for large character sites such as the RioCan site at 1865 Lakeshore Road W (please see Part 9).

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-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 9 or attach a separate page.

Part 7: 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
(For example: A consent application connected to a variance application)

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

(Please print)
RioCan (Clarkson) Inc. Appeal of ZBL 0194-2014

Part 8: 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: _____

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
3

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):
Planner, Architect, Transportation

Do you believe this matter would benefit from mediation? YES NO
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? _____ To settle issues, procedural order.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

Lands west of Clarkson Road, and especially the RioCan site at 1865 Lakeshore Road W. have the potential to develop at heights and densities greater than proposed in OPA #9. Increased heights and densities are supported by excellent access to public transit including the GO Transit Clarkson Rail Station. Furthermore, OPA #9 and the implementing zoning by-law do not appropriately recognize and provide for recognition and transition of existing uses on site. Built form requirements in the planning instruments do not appropriately recognize and provide for practical development of the RioCan site given its large area and substantial depth. RioCan reserves the right to add and/or supplement these grounds for appeal.

Part 10: Required Fee

Total Fee Submitted: \$ 125.00

Payment Method: Certified cheque Money Order Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

Memorandum



FOR IMMEDIATE ATTENTION AND ACTION

TO: Ed Sajecki, Commissioner of Planning & Building

FROM: Diana Rusnov, - Office of the City Clerk

DATE: July 29, 2014

RE: Appeal Pursuant to 34(19) & 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13,
Application to Amend Zoning By-law 0225-2007
Lands located in Clarkson Village along Lakeshore Rd. West
Our File: CD.04.CLA & OPA 9 - Ward 2

Attached please find 3 copies of appeal forms received July 29, 2014 from Steve Zorbas, Steve & Dina Makridis, and Gary Uhlman, with respect to CD.04.CLA & OPA 9.

In accordance with the Planning Act requirements, the City is required to submit the Notice of Appeal, Municipal Submission Form (including prescribed records) and appeal fee to the Ontario Municipal Board within 15 days after the Notice of Appeal is received. In order to meet this deadline, we request that you provide our office with the following information outlined on the attached Municipal Submission Form (R2) **no later than July 30, 2014.**

- **Part 4: Related Matters**
- **Part 5: By-law Information**
- **Part 6: Scheduling Information** (including the estimated number of days for the hearing)
- **Part 7: Municipal Representative Information** (Legal or Planning)
- **Part 8: Required Documentation** (include the applicable documents and information indicated by a tick)

Thank you for your co-operation.

Diana Rusnov, Deputy Clerk
Legislative Services
Corporate Services Department
905-615-3200 X5419

:mj

Att.

cc: Mary E. Bench, City Solicitor (via email)
Councillor, Ward 2 (via email)
Marianne Cassin & Sheena Harrington-Slade, Planning and Building (via email)



Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.ello.gov.on.ca

**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp: *Appeal Received by Municipality*
 14 JUL 29 AM 11:11
 "CLERK'S DEPARTMENT
 CITY OF MISSISSAUGA"

Receipt Number (OMB Office Use Only)

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/Severance	<input type="checkbox"/> Appeal a decision	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
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	<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)
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	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	
Plan of 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

1720 Lakeshore Rd West
 Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: Mississauga / Peel Region

Part 3: Appellant Information

First Name: Steve Last Name: Zorbas

Company Name or Association Name (Association must be incorporated – Include copy of letter of incorporation)

Professional Title (If applicable): _____

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

Daytime Telephone #: (905) 332-9697 Alternate Telephone #: (905) 332-9697

Fax #: _____

Mailing Address: 1954 Fieldgate Drive, Burlington

Street Address: _____ Apt/Suite/Unit#: _____ City/Town: _____
Ontario CDA L7P 3H6
Province: _____ Country (if not Canada): _____ Postal Code: _____

Signature of Appellant: [Signature] Date: July 24, 2014
(Signature not required if the appeal is submitted by a law office.)

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: Steve Last Name: Zorbas

Company Name: _____

Professional Title: _____

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

Daytime Telephone #: (905) 332-9697 Alternate Telephone #: (905) 332-9697

Fax #: _____

Mailing Address: 1954 Fieldgate Drive, Burlington

Street Address: _____ Apt/Suite/Unit#: _____ City/Town: _____
Ontario CDA L7P 3H6
Province: _____ Country (if not Canada): _____ Postal Code: _____

Signature of Appellant: [Signature] Date: July 24, 2014

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. (owner)

Part 5: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: 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)

Appealing OPA # 9 (By-law # 0193-2014)
Zoning By-law # 0194-2014
File #: CD.04.CLA

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 9 or attach a separate page.

(Please print)

Appealing zoning By-law amendment that establishes height in C4 Zone. City Planners & City consultants recommended 6 stories and Council reduced to 4 stories. In addition no further public meetings were set to allow landowners to speak to this political action.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-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 9 or attach a separate page.

[Empty box for explanatory note]

Part 7: 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

(For example: A consent application connected to a variance application)

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

(Please print)

[Empty box for OMB Reference Number(s) and/or Municipal File Number(s)]

Part 8: 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: _____

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
Working with other impacted landowners to discuss.

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):

Do you believe this matter would benefit from mediation? YES NO
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? landowners are seeking staff approved height of 6 storeys.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

Clarkson Village Study underway for 8 years.
Redevelopment opportunities identified for approx. 80 properties.
Intensity of development, as recommended by City consultants
& City senior planners; maximum height shall be 6 storeys.
Recommendations supported by "Places to Grow Act, 2005"
and other Growth Plan.
All draft reports recommended 6 storeys, at the 11th hour,
for political reasons height was reduced to 4 storeys
without additional public hearings to communicate to impacted
landowners. Worked with City staff for years supporting
their recommendations.

Part 10: Required Fee

Total Fee Submitted: \$ 125.00

Payment Method: Certified cheque Money Order Solicitor's general or trust account cheque

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Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.ello.gov.on.ca

**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
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Date Stamp - Appeal Received by Municipality "RECEIVED"
 14 JUL 29 AM 11:11
 "CLERK'S DEPARTMENT"
 CITY OF MISSISSAUGA

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

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Part 2: Location Information

1708, 1710, 1726 Lakeshore Road West
 Address and/or Legal Description of property subject to the appeal:
 Municipality/Upper tier: Mississauga Peel Region

Part 3: Appellant Information

First Name: Steve & Dina Last Name: Makridis

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

Professional Title (if applicable): _____

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

Daytime Telephone #: (905) 822-5490 Alternate Telephone #: (905) 828-8628

Fax #: _____

Mailing Address: 3676 Strattonwood Crt Mississauga
Street Address Apt/Suite/Unit# City/Town
Ontario Canada L5L 4V2
Province Country (if not Canada) Postal Code

Signature of Appellant: [Signature] Date: X July 27, 2014
(Signature not required if the appeal is submitted by a law office.)

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.

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First Name: Steve Last Name: Zorbas

Company Name: _____

Professional Title: _____

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

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Fax #: _____

Mailing Address: 1954 Fieldgate Drive, Burlington →
Street Address Apt/Suite/Unit# City/Town
Ontario Canada L7R 3H6
Province Country (if not Canada) Postal Code

Signature of Appellant: [Signature] Date: X July 27, 2014

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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)

Appealing OPA #9 (By-law #0193-2014)
Zoning By-law #0194-2014
File # CD.04.CLA

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(Please print)

Appealing zoning By-law amendment that establishes height in C1 Zone. City Planner & City consultants recommended 6 storeys and Council reduced to 4 storeys. In addition no further public meetings were established to allow landowners to speak to this political action.

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[Empty box for explanatory note]

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(For example: A consent application connected to a variance application)

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

(Please print)

[Empty box for OMB Reference Number(s) and/or Municipal File Number(s)]

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Working with other impacted landowners to discuss

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):

Do you believe this matter would benefit from mediation? YES NO
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If yes, why? landowners are seeking staff approved height of 6 storeys.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

Clarkson Village Study underway for 8 years.
Redevelopment opportunities identified for approx. 80 properties.
Intensity of development, as recommended by City consultants
& City senior planners; maximum height shall be 6 storeys.
Recommendations supported by "Places to Grow Act, 2005"
and Cities Growth Plan.
All draft reports recommended 6 storeys, at the 4th hour,
for political reasons height was reduced to 4 storeys
without additional public hearings to communicate to impacted
landowners. Worked with City staff for years supporting
their recommendations

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 www.elto.gov.on.ca

**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
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Date Stamp - Appeal Received by Municipality: "14 JUL 29 11:15"
 "CLERK'S DEPARTMENT
 CITY OF MISSISSAUGA"

Receipt Number (OMB Office Use Only)

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

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
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	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	
Plan of 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

1728 LAKESHORE RD WEST
 Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: MISSISSAUGA PEEL REGION

Part 3: Appellant Information

First Name: GARY Last Name: UHLMAR

Company Name or Association Name (Association must be incorporated -- include copy of letter of incorporation)

Professional Title (if applicable):

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

Daytime Telephone #: _____ Alternate Telephone #: _____

Fax #: _____

Mailing Address: 1728 Lakeshore RD west Mississauga
Street Address Apt/Suite/Unit# City/Town
ONT Canada L5J 1J5
Province Country (if not Canada) Postal Code

Signature of Appellant: [Signature] Date: JULY 28/2014
(Signature not required if the appeal is submitted by a law office.)

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: Steve Last Name: Zorbas

Company Name: _____

Professional Title: _____

E-mail Address: S.Zorbas@Cageco.ca
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 905 332-9697 Alternate Telephone #: _____

Fax #: _____

Mailing Address: 1954 Fieldgate Drive Burlington
Street Address Apt/Suite/Unit# City/Town
ONT Canada L7P 3H6
Province Country (if not Canada) Postal Code

Signature of Appellant: [Signature] Date: JULY 28/2014

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: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: 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)

Appealing OPA #9 (By-law # 0193-2014)
Zoning By-law # 0194-2014
File # C.D. 04.CLA

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 9 or attach a separate page.

(Please print)

Appealing Zoning By-law amendment that establishes height in C4 Zone. City Planners & City consultants recommended 6 storeys and Council reduced to 4 storeys. In addition no further public meetings were established to allow landowners to speak to this political action.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-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 9 or attach a separate page.

[Empty box for explanatory note]

Part 7: 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
(For example: A consent application connected to a variance application)

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

(Please print)

[Empty box for OMB Reference Number(s) and/or Municipal File Number(s)]

Part 8: 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: _____

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
Working with other impacted landowners to discuss.

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):

Do you believe this matter would benefit from mediation? YES NO
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? landowners are seeking approved height of 6 storeys.

Part 9: Other Applicable Information **Attach a separate page if more space is required.

Claremont Village Study underway for 5 years.
Redevelopment opportunities identified for approx. 80 properties.
Intensity of development, as recommended by City consultants
& City senior planners; maximum height shall be 6 storeys.
Recommendations supported by "Places to Grow Act, 2005"
and Cities Growth Plan.
All draft reports recommended 6 storeys, at the 11th hour,
for political reasons height was reduced to 4 storeys
without additional public hearings to communicate to impacted
landowners. Worked with City staff for years supporting
their recommendations.

Part 10: Required Fee

Total Fee Submitted: \$ 195.00

Payment Method: Certified cheque Money Order Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

Memorandum



FOR IMMEDIATE ATTENTION AND ACTION

TO: Ed Sajecki, Commissioner of Planning & Building

FROM: Diana Rusnov, - Office of the City Clerk

DATE: July 28, 2014

RE: Appeal Pursuant to 34(19) & 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13,
Application to Amend Zoning By-law 0225-2007
Lands located in Clarkson Village along Lakeshore Rd. West
Our File: CD.04.CLA & OPA 9 - Ward 2

Attached please find copy of appeal form dated July 28, 2014 received July 28, 2014 from Grant Gorchynski, with respect to CD.04.CLA & OPA 9.

In accordance with the Planning Act requirements, the City is required to submit the Notice of Appeal, Municipal Submission Form (including prescribed records) and appeal fee to the Ontario Municipal Board within 15 days after the Notice of Appeal is received. In order to meet this deadline, we request that you provide our office with the following information outlined on the attached Municipal Submission Form (R2) **no later than July 30, 2014.**

- **Part 4: Related Matters**
- **Part 5: By-law Information**
- **Part 6: Scheduling Information** (including the estimated number of days for the hearing)
- **Part 7: Municipal Representative Information** (Legal or Planning)
- **Part 8: Required Documentation** (include the applicable documents and information indicated by a tick)

Thank you for your co-operation.

Diana Rusnov, Deputy Clerk
Legislative Services
Corporate Services Department
905-615-3200 X5419

:mj

Att.

cc: Mary E. Bench, City Solicitor (via email)
Councillor, Ward 2 (via email)
Marianne Cassin & Sheena Harrington-Slade, Planning and Building (via email)



Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.elto.gov.on.ca

**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

Receipt Number (OMB Office Use Only)

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)
	<input type="checkbox"/> Appeal a decision	53(19)
Consent/Severance	<input type="checkbox"/> Appeal conditions imposed	53(27)
	<input type="checkbox"/> Appeal changed conditions	53(14)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	34(19)
	<input checked="" type="checkbox"/> Appeal the passing of a Zoning By-law	34(11)
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	38(4)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	17(24) or 17(36)
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	17(40)
Official Plan or Official Plan Amendment	<input checked="" type="checkbox"/> Appeal a decision	22(7)
	<input type="checkbox"/> Failed to make a decision on the plan within 180 days	51(39)
	<input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	51(43) or 51(48)
	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	51(34)
Plan of 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

1672 – 1692 Lakeshore Road West,
 Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: Mississauga / Peel Region

Part 3: Appellant Information

First Name: Grant Last Name: Gorchynski

Lisgar Development Ltd. (Incorporated 1956)
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (If applicable): _____

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

Daytime Telephone #: (905) 842-3691 x.23 Alternate Telephone #: _____

Fax #: (905) 842-8969

Mailing Address: 277 Lakeshore Road EAST Suite 300 Oakville
Street Address Apt/Suite/Unit# City/Town

Ontario L6L-1H9
Province Country (if not Canada) Postal Code

Signature of Appellant: [Signature] Date: July 28, 2014
(Signature not required if the appeal is submitted by a law office.)

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.

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Part 4: Representative Information (if applicable)

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

First Name: Grant Last Name: Gorchynski

Company Name: Lisgar Development Ltd.

Professional Title: _____

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

Daytime Telephone #: - above - Alternate Telephone #: _____

Fax #: _____

Mailing Address: - above -
Street Address Apt/Suite/Unit# City/Town

- above -
Province Country (if not Canada) Postal Code

Signature of Appellant: [Signature] Date: July 28, 2014

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.

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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)
Appealing OPA# 9 (By-law #0193-2014)
Zoning By-law # 0194-2014
File #: CD.04.CLA

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 9 or attach a separate page.

(Please print)
Appealing zoning by-law amendment that establishes height in C4 Zone. City Planes and City consultant's recommended six (6) stories and Council reduced to four (4) stories.

In addition no further public meetings were set to allow landowners to speak to this political action.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-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 9 or attach a separate page.

[Empty box for explanatory note]

Part 7: 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
(For example: A consent application connected to a variance application)

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

(Please print)
[Empty box for OMB Reference Number(s) and/or Municipal File Number(s)]

Part 8: 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: _____

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
Working with other impacted landowners to discuss.

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):

Do you believe this matter would benefit from mediation? YES NO
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? Land owners are seeking staff approved height of six(6) stories

Part 9: Other Applicable Information **Attach a separate page if more space is required.

Clarkson village study was underway for over eight (8) years. Redevelopment opportunities identified for approximately
Eighty (80) properties. Intensity of development, as recommended by City consultants and City senior planners. Maximum
Height shall be six (6) stories. Recommendation supported by "Places to Grow Act, 2005" and cities Growth Plan.
All draft reports recommend six (6) stories. At the last second as a result of political reasons the height was changed and
Reduced to four (4) stories without additional public hearings to communicate to impacted landowners. The final decision
Should be based on the best interests of the community and surrounding areas. The best interest for the area,
Community, and economy of the town of Clarkson is six (6) stories. It would be a shame to see the area
Negatively impacted by not having the area see its full and lush potential.

Part 10: Required Fee

Total Fee Submitted: \$ 125.00

Payment Method: Certified cheque Money Order Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

Amendment No. 9

to

Mississauga Official Plan

for the

City of Mississauga Planning Area

The following text and maps designated Map "A", "B", "C", "D" and "E" attached hereto constitute Amendment No. 9.

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

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

Appendix II is a copy of the Planning and Building Department report dated June 4, 2013, pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to change the boundary of the Clarkson Village Community Node and the Clarkson-Lorne Park Neighbourhood Character Areas, add Precinct policies, transportation policies, amend land use designation policies and to delete, amend and add Special Site policies.

LOCATION

The lands affected by this Amendment are located on the north and south sides of Lakeshore Road West between Southdown Road and Birchwood Park.

BASIS

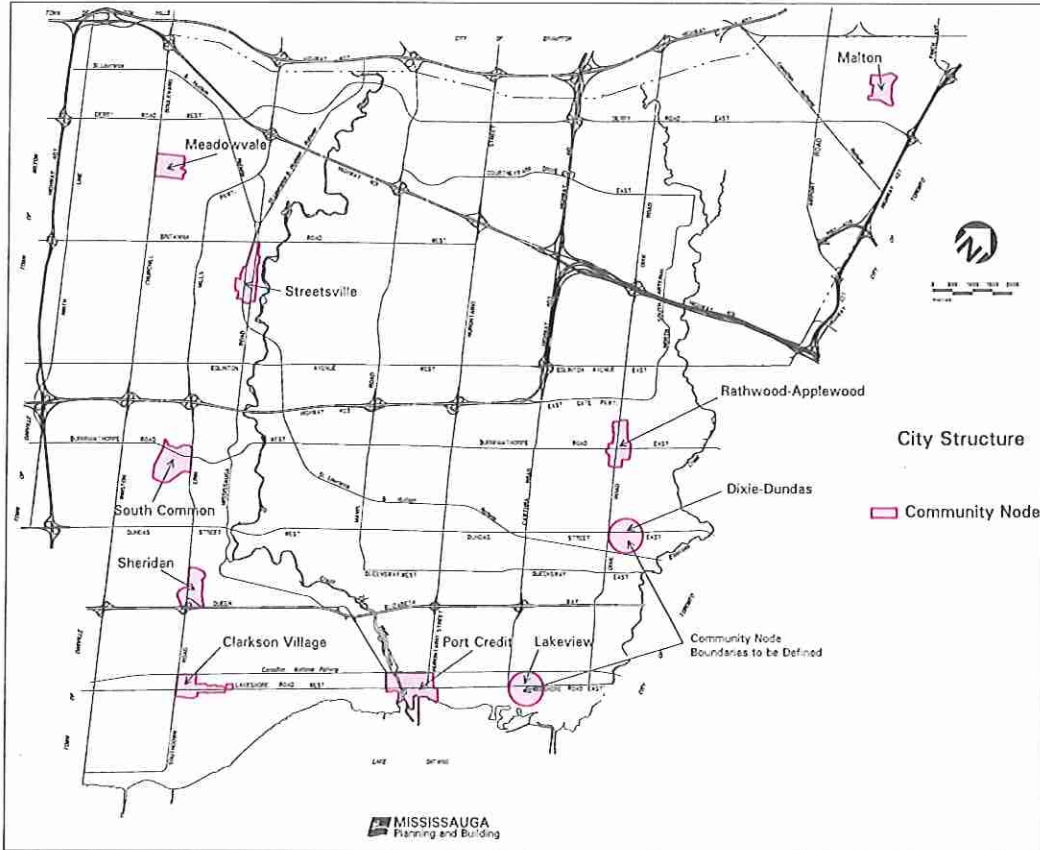
The subject lands are located in the Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas, and form part of Mississauga Official Plan, which came into effect on November 14, 2012, save and except for those policies and land use designations which have been appealed to the Ontario Municipal Board.

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

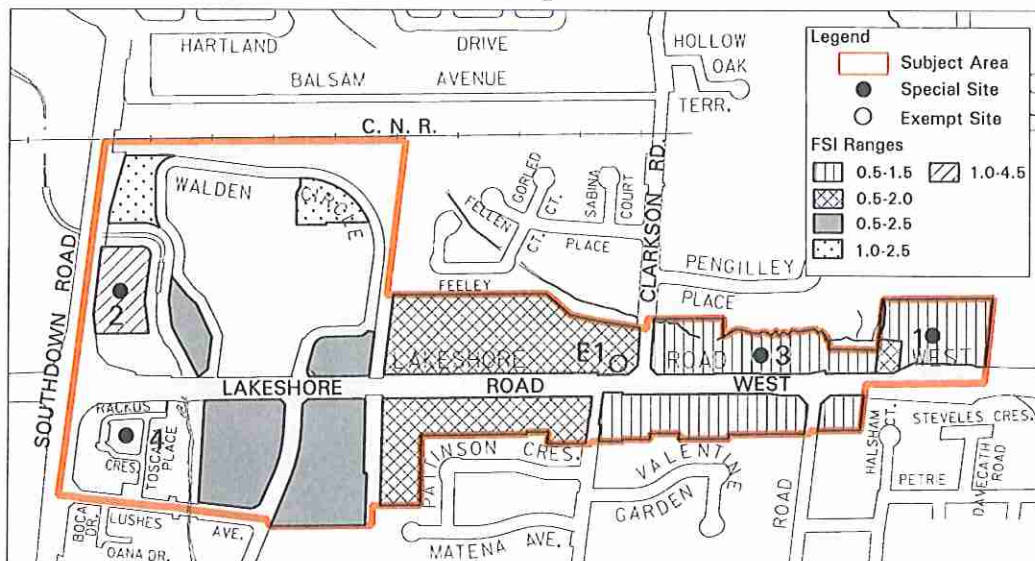
1. The proposed amendments to Mississauga Official Plan – Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas meet the overall intent, goals, objectives and policies of Mississauga Official Plan and will help direct the form of future development for the Clarkson Village Community Node.
2. The proposed amendments establish a land use vision for the Clarkson Village Community Node Character Area and address compatibility concerns from development in the Village onto adjacent residential lands and the public realm.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

- Section 14.1 Community Nodes is hereby amended by deleting Map 14-1: City Structure – Community Nodes and replacing it with the following:



- Map 14-2: Clarkson Village Community Node Character Area is hereby deleted and replaced with the following:

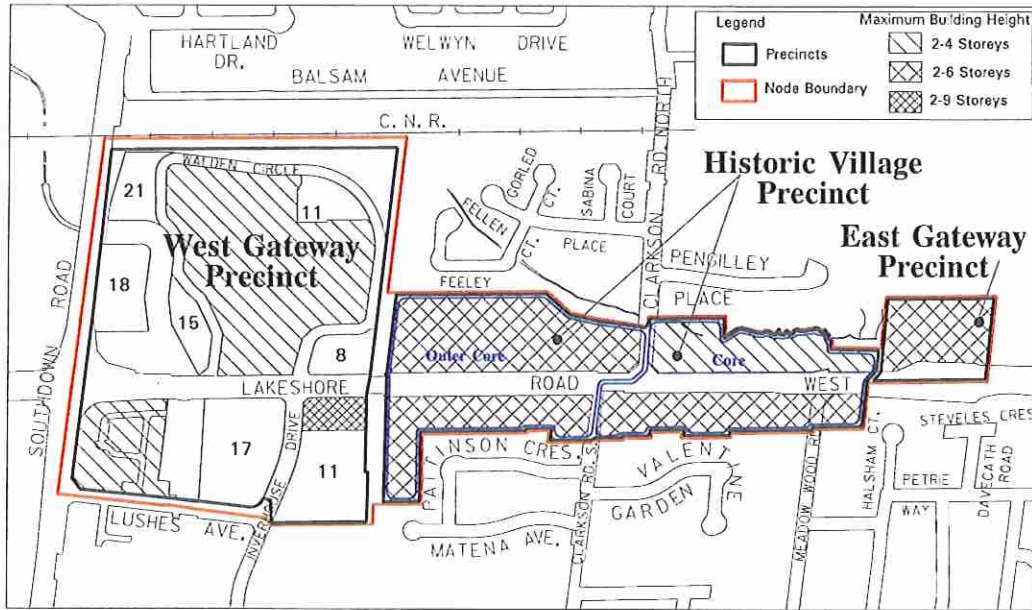


Map 14-2: Clarkson Village Community Node Character Area

3. Section 14.2.1 Urban Design Policies, Section 14.2.2 Transportation, and Section 14.2.3 Special Site Policies are hereby deleted and replaced with the following:

14.2.1 Urban Design Policies

Shared Community Vision and Focus



Map 14-2.1: Precinct Areas-Clarkson Village Community Node

- 14.2.1.1 Clarkson Village Community Node is to transition into a pedestrian friendly and transit supportive community full of activity places and gathering spaces, with a mainstreet atmosphere found amidst new, contemporary, mixed use, development paying tribute to the Village's heritage and character.
- 14.2.1.2 The Clarkson Village Community Node will be the focus of activity for the surrounding Clarkson-Lorne Park Neighbourhood, combining residential uses, cultural activities, shopping, dining, commerce and recreation.
- 14.2.1.3 Precincts have been identified as shown on Map 14-2.1 Precinct Areas – Clarkson Village Community Node, to reflect the character of different areas and permitted heights within the Community Node.
- 14.2.1.4 Development will be compatible with and enhance the Village character as a distinct established community by integrating with and transitioning to the adjacent Clarkson-Lorne Park Neighbourhood.

- 14.2.1.5 Development will incorporate a high level of urban design, pedestrian amenity, landscaping and will be of a compact form to ensure a strong sense of place, a high quality streetscape and reinforce the Clarkson Village Community Node as the centre of activity for the area.
- 14.2.1.6 Development will be in accordance with minimum and maximum height limits as shown on Map 14-2.1 Precinct Areas – Clarkson Village Community Node.
- 14.2.1.7 Built form will be located close to the street, with a two to three storey streetwall. Where additional height is permitted, it will be stepped back from the streetwall to minimize shadowing, maximize skyviews, maintain a desirable streetscape and ensure new development is consistent and compatible with the existing building fabric.
- 14.2.1.8 Where mixed use buildings are proposed, non-residential floor space will be excluded from the calculation of FSI.
- 14.2.1.9 New development along Lakeshore Road West will be located close to the street and promote a continuous street wall.
- 14.2.1.10 On-site parking will not be permitted between the streetwall and the street.
- 14.2.1.11 Mississauga will encourage on-street lay-by parking and the provision of well lit, on-site parking located at the rear of buildings with clear visibility and sight lines through to Lakeshore Road West.

Historic Village Precinct

- 14.2.1.12 Development will respect the character of the existing building fabric as well as transition appropriately to the adjacent Clarkson-Lorne Park Neighbourhood. New development will encourage a pedestrian oriented streetscape and a walkable community, preserve elements along the edge of Turtle Creek to connect to the parking areas and the shopping street and to encourage the visual enjoyment and surveillance of this natural creek feature.
- 14.2.1.13 Residential uses will not be permitted on the ground floor adjacent to Lakeshore Road West.
- 14.2.1.14 Large format retail development will be discouraged.
- 14.2.1.15 Lands located at the northwest corner of Lakeshore Road West and Clarkson Road North are encouraged to redevelop as a focal point of the Clarkson Village Community Node.

- 14.2.1.16 Within the Core area, as shown on Map 14-2 Clarkson Village Community Node Character Area, required parking for new development with a FSI greater than 1.0 will be within an underground structure.
- 14.2.1.17 Within the Outer Core area, as shown on Map 14-2 Clarkson Village Community Node Character Area, required parking for new development with a FSI greater than 1.0 will be within a parking structure located either above or below grade. Where an above grade structure is provided, it will be located to the rear of an active building facade, will be no more than two storeys in height and will not be visible from public roads. Where above grade parking structures are visible from adjacent lands, they will utilize appropriate finish materials and be of a high architectural quality.

West Gateway Precinct

- 14.2.1.18 New development will maintain the existing height transition with the highest built form at the west end, closest to the Clarkson GO Transit Station, and lowest building heights at the east end, adjacent to the CN Rail overpass and the Historic Village Precinct.
- 14.2.1.19 Mixed use buildings will be located close to the street to ensure a pedestrian oriented environment.
- 14.2.1.20 Mississauga will encourage a symbolic gateway feature on Lakeshore Road West, east of Southdown Road to define the entry and exit from Clarkson Village Community Node.

East Gateway Precinct

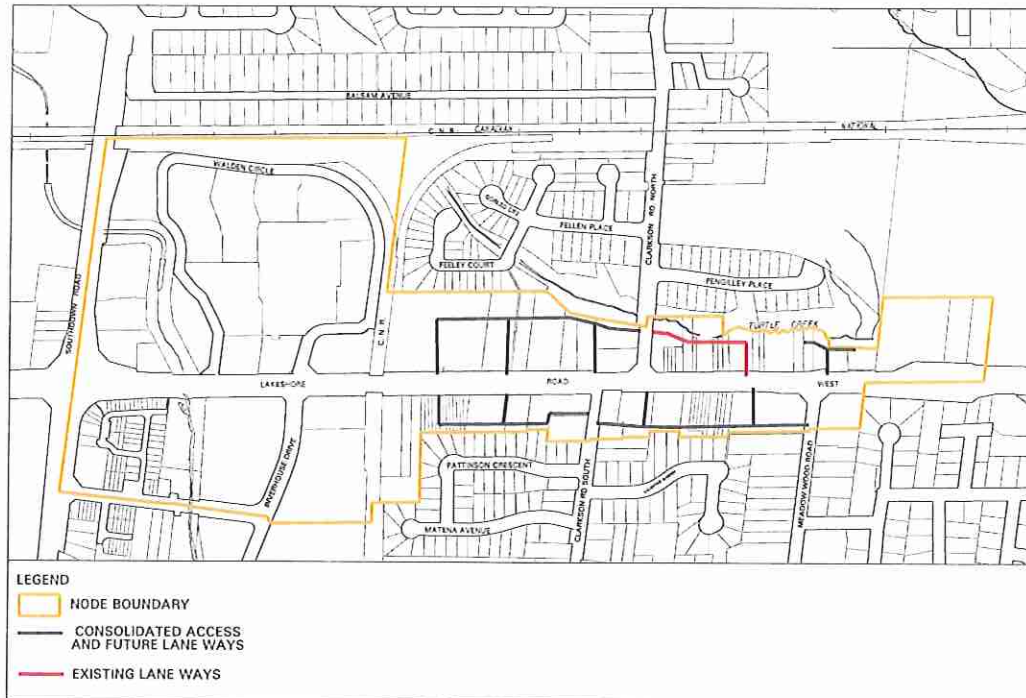
- 14.2.1.21 Mississauga will encourage a symbolic gateway feature on Lakeshore Road West, west of Johnson's Lane to define the entry and exit from the Clarkson Village Community Node.
- 14.2.1.22 At grade, street related retail, commercial, restaurants and office uses are encouraged. Mixed use buildings will be located close to the street to ensure a pedestrian oriented environment.

14.2.2 Land Use

- 14.2.2.1 Notwithstanding the policies of this Plan, drive-through facilities will not be permitted.

14.2.3 Transportation, Access and Parking

- 14.2.3.1 No major changes to Clarkson Road will be undertaken except minor channelization, reconstruction, bus-bay construction, and improvements of a similar nature.
- 14.2.3.2 Notwithstanding the classification of Clarkson Road, this road will be limited to no more than two through lanes.
- 14.2.3.3 Mississauga will encourage and promote better utilization of the existing parking inventory within the Clarkson Village Community Node through discussions with the members of the Clarkson Village Business Improvement Area.
- 14.2.3.4 Development within the Clarkson Village Community Node will implement the general intent of Map 14-2.2 Access Management Plan - Clarkson Village Community Node and will:
 - a. eliminate and/or consolidate vehicular access connections to and from Lakeshore Road West to reduce vehicle turning movements onto and direct traffic towards signalized intersections;
 - b. facilitate the creation of a publicly accessible laneway system by granting public use easements over internal driveways to facilitate access to and from abutting lands to the east and west and to consolidate vehicular access connections to Lakeshore Road West;
 - c. contribute a proportionate share towards the construction of a continuous centre median along Lakeshore Road West; and
 - d. where the ultimate condition cannot be accommodated, interim solutions will be accommodated to ensure that vehicular access rights are maintained and appropriate interim agreements will be executed to ensure the ultimate condition will be achieved.



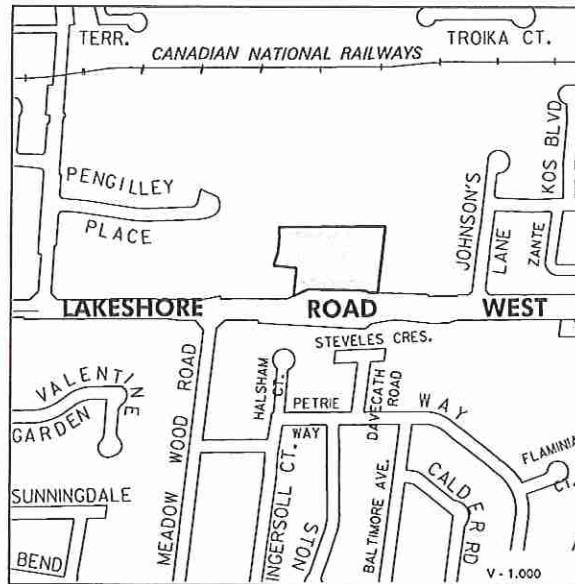
Map 14-2.2 : Access Management Plan-Clarkson Village Community Node Character Area

- 14.2.3.5 Where surface parking is being provided at the rear of buildings, communal parking spaces accessed from the public laneway system will be encouraged.
- 14.2.3.6 Through the development review and approval process, developers will be responsible for the construction of on-street lay-by parking in accordance with the Clarkson Village Transportation/Urban Design Study – Final Report.
- 14.2.3.7 A dedicated cycling route will be provided along Lakeshore Road West.

14.2.4 Special Site Policies

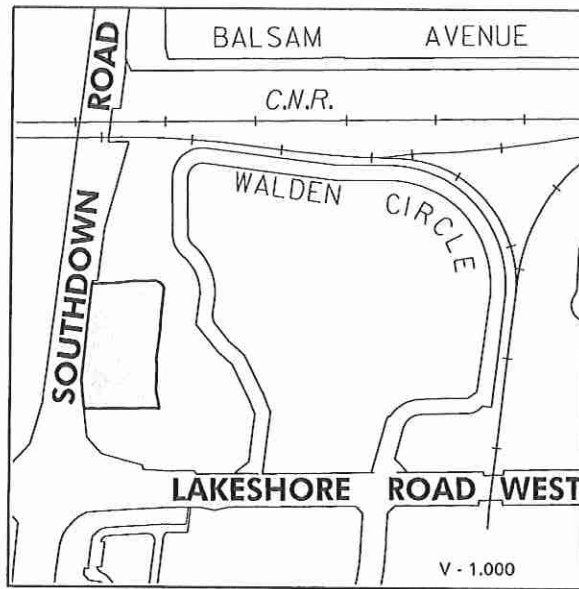
There are sites within the Character Area that merit special attention and are subject to the following policies.

14.2.4.1 Site 1



- 14.2.4.1.1 The lands identified as Special Site 1 are located on the north side of Lakeshore Road West, east of Clarkson Road.
- 14.2.4.1.2 Notwithstanding the provisions of the Residential High Density designation, the following additional policies will apply:
- a. the maximum *floor space index (FSI)* will be 1.5;
 - b. the maximum number of apartment dwelling units permitted will be 210;
 - c. the maximum number of townhouse dwellings permitted will be 32; and
 - d. the maximum apartment building height will be six storeys.

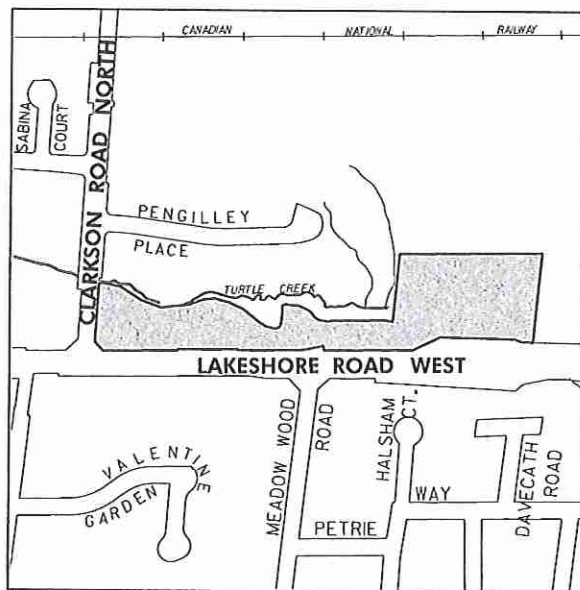
14.2.4.2 Site 2

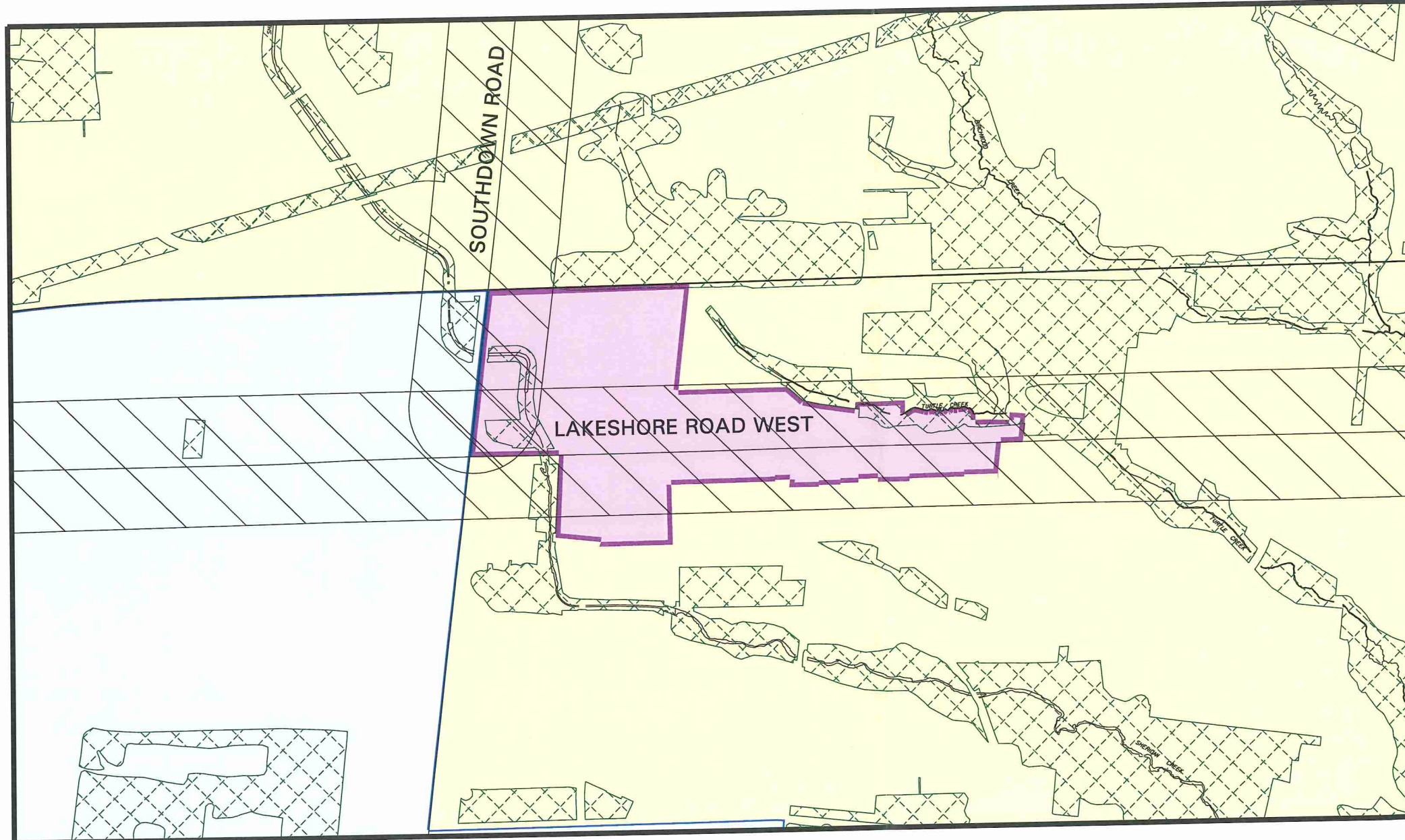


14.2.4.2.1 The lands identified as Special Site 2 are located on the east side of Southdown Road, north of Lakeshore Road West.

14.2.4.2.2 Notwithstanding the policies of this Plan, the maximum permitted number of apartment dwelling units will be 424.

14.2.4.3 Site 3





LEGEND

GREEN SYSTEM

- Green System

CITY STRUCTURE

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

CORRIDORS

- Corridor
- Intensification Corridor

Appealed to the Ontario Municipal Board

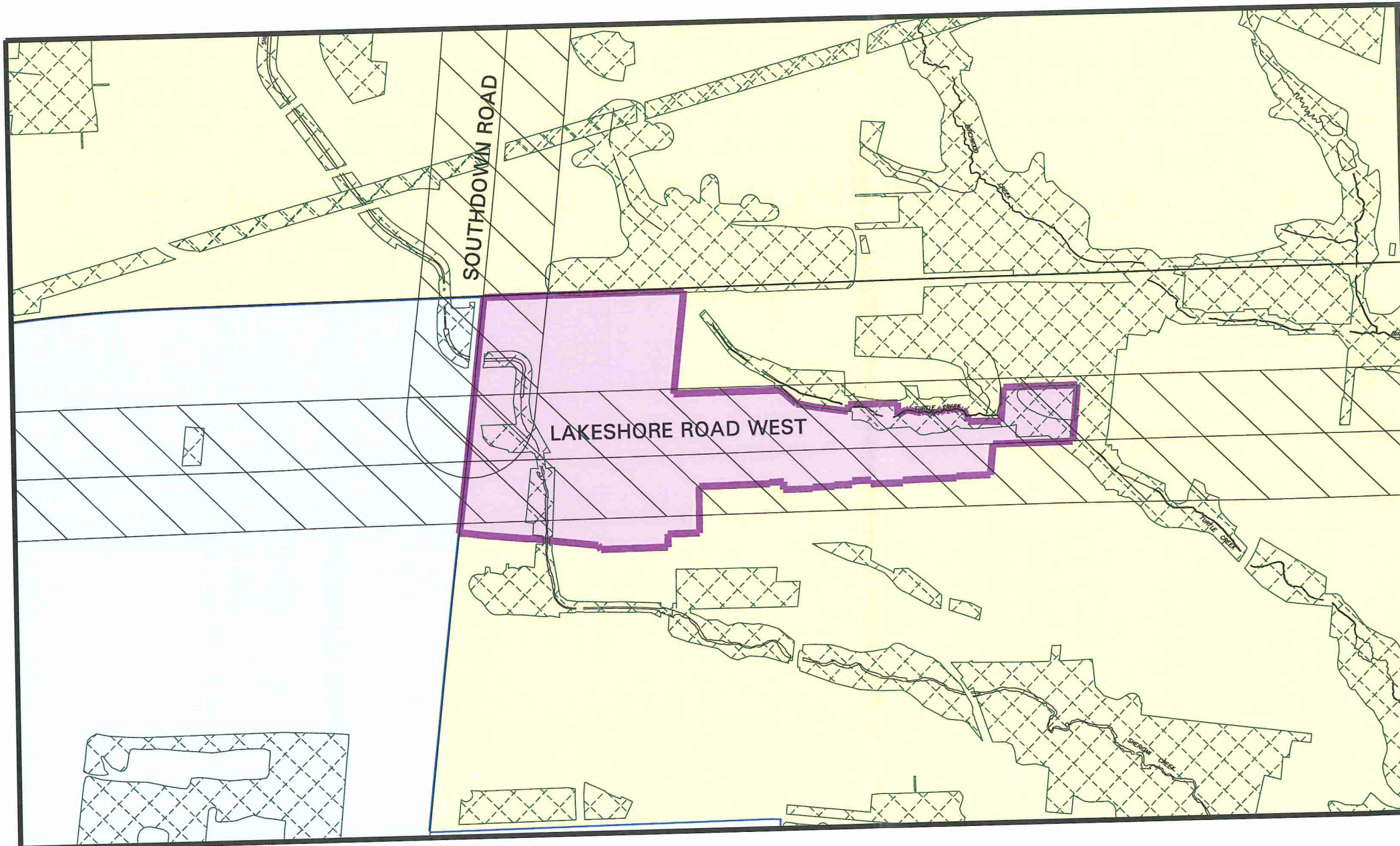
Note:
Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.

0 60 120 180 240
metres

MAP 'A'
Page 1

Part of Schedule 1
Existing Urban System
of Mississauga Official Plan

City of Mississauga



LEGEND

GREEN SYSTEM
 Green System

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

CORRIDORS
 Corridor
 Intensification Corridor

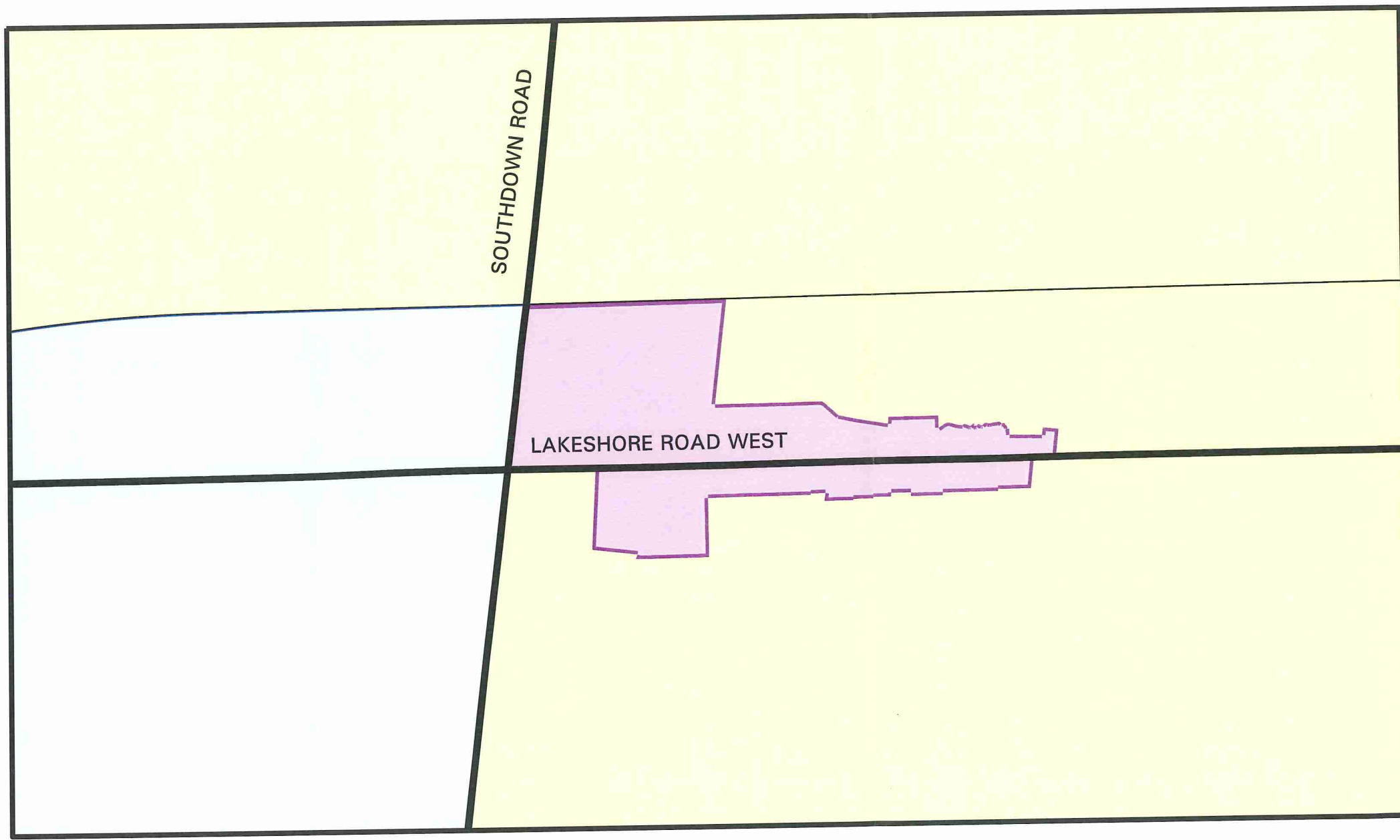
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MAP 'A'
 Page 2








Part of Schedule 1
 Amended Urban System
 of Mississauga Official Plan

City of Mississauga

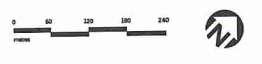


LEGEND

ELEMENTS

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

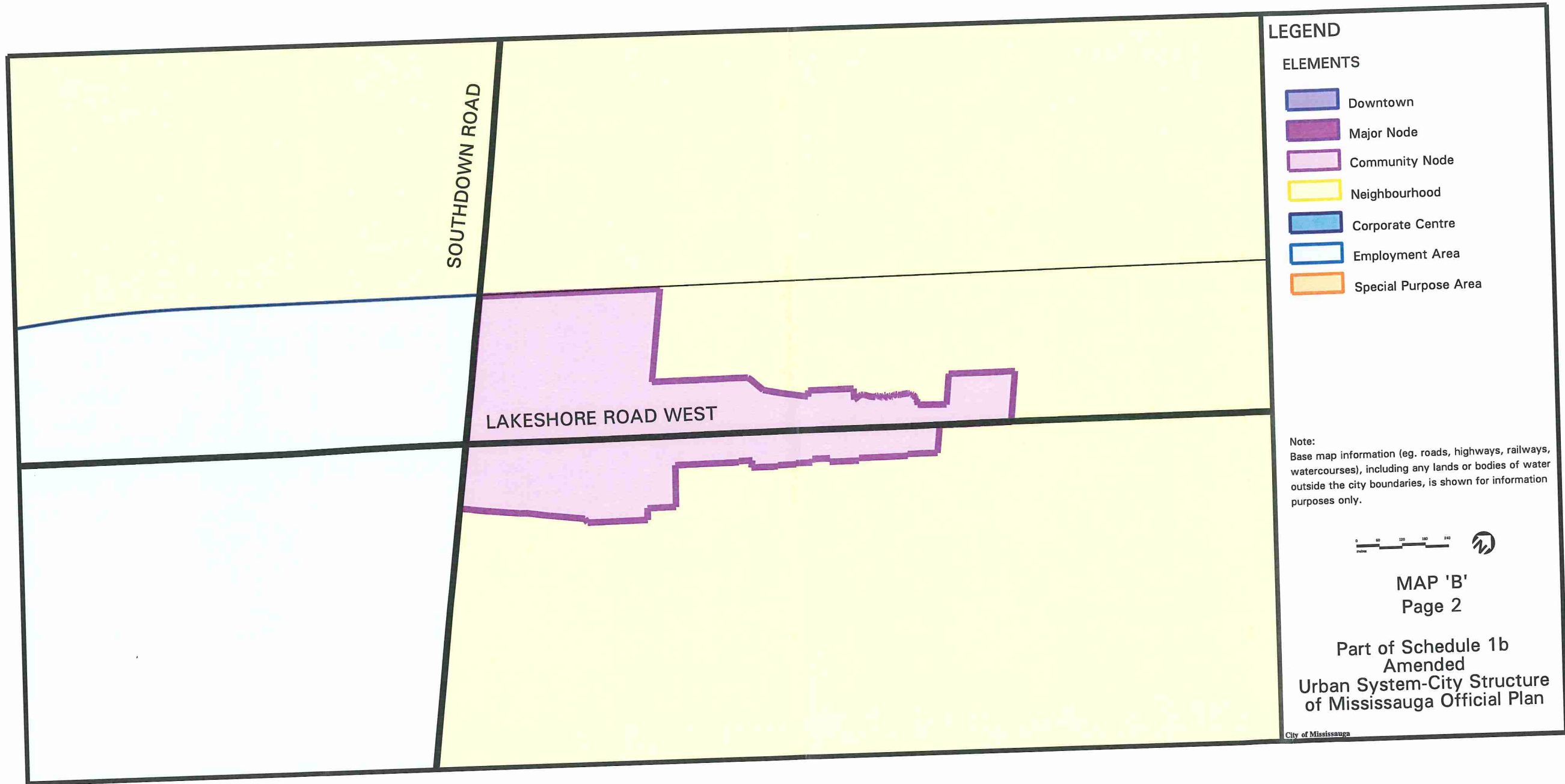
Note:
Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.



MAP 'B'
Page 1








Part of Schedule 1b
Existing
Urban System-City Structure
of Mississauga Official Plan

City of Mississauga



LEGEND

ELEMENTS

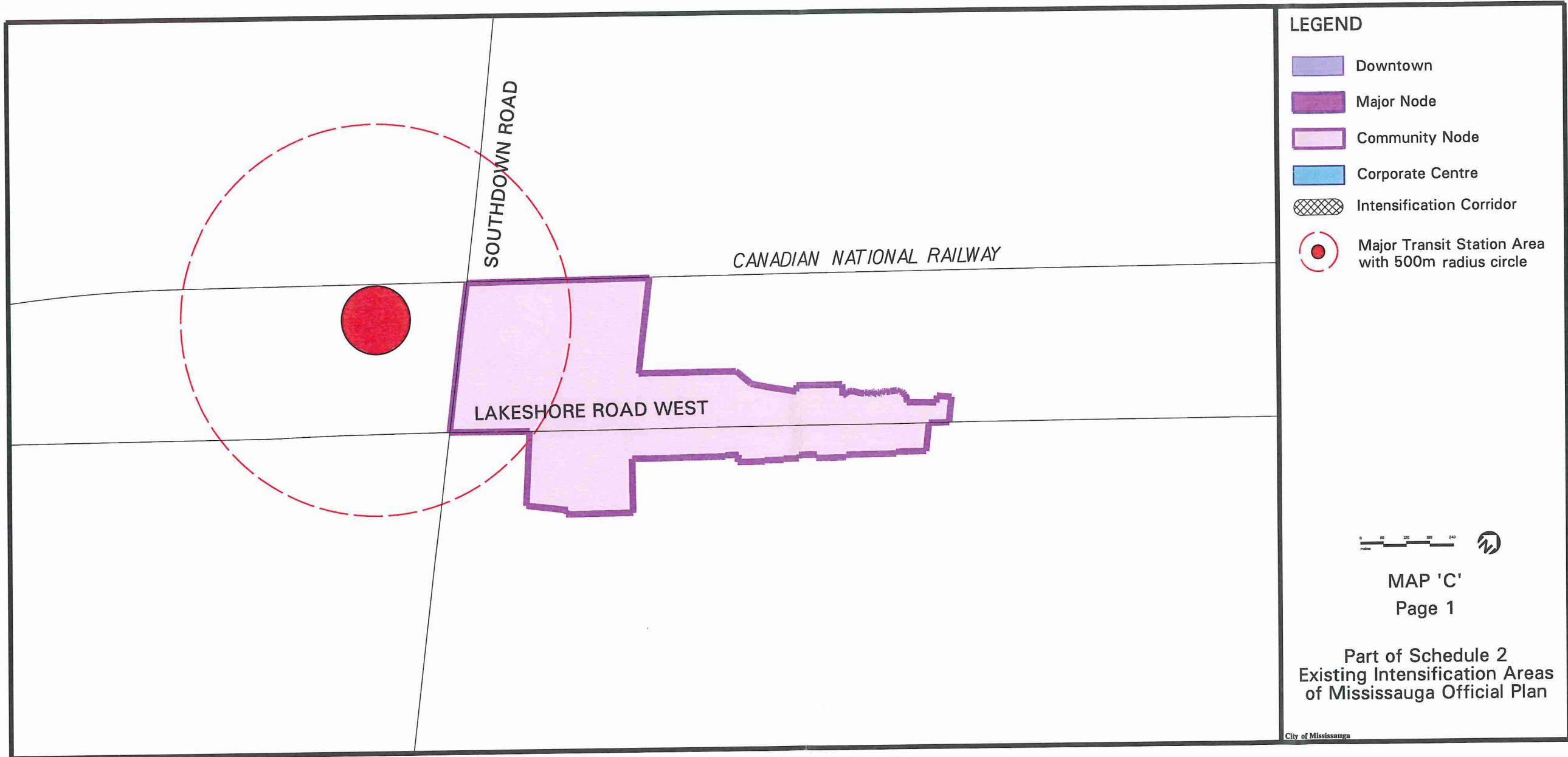
-  Downtown
-  Major Node
-  Community Node
-  Neighbourhood
-  Corporate Centre
-  Employment Area
-  Special Purpose Area

Note:
 Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.









MAP 'B'
 Page 2

Part of Schedule 1b
 Amended
 Urban System-City Structure
 of Mississauga Official Plan



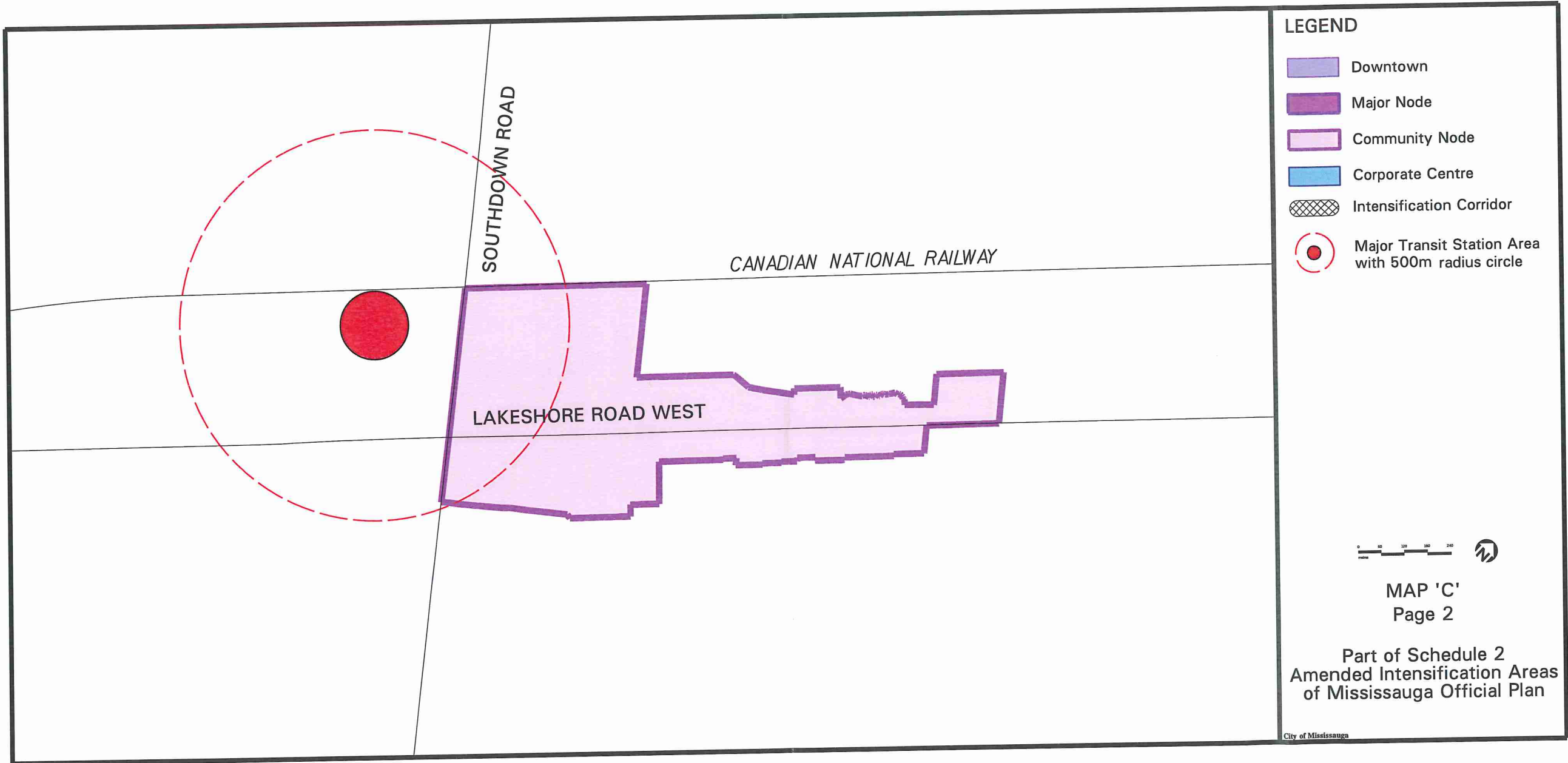
LEGEND

-  Downtown
-  Major Node
-  Community Node
-  Corporate Centre
-  Intensification Corridor
-  Major Transit Station Area with 500m radius circle









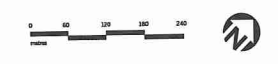
MAP 'C'
Page 1

Part of Schedule 2
Existing Intensification Areas
of Mississauga Official Plan



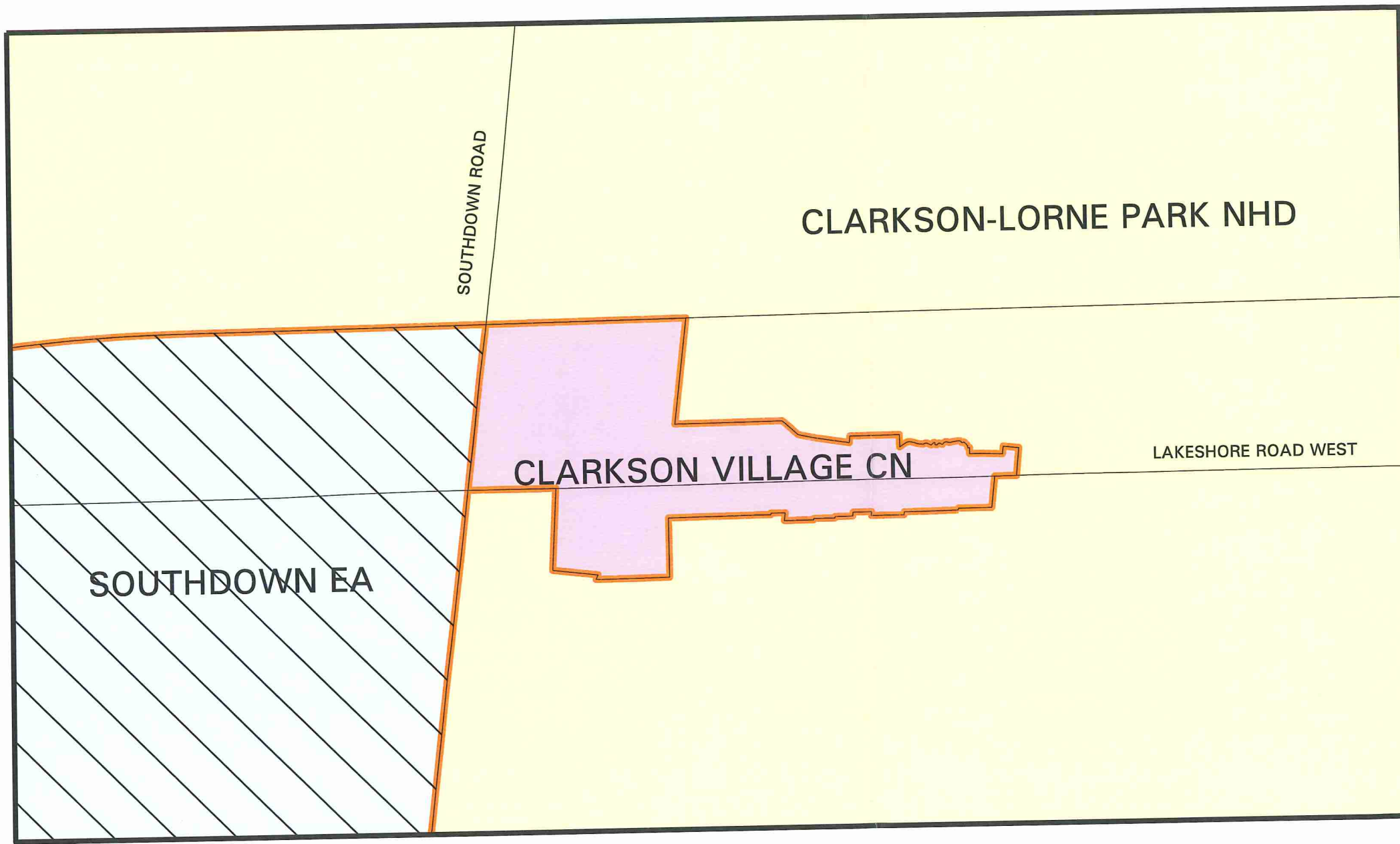
LEGEND

-  Downtown
-  Major Node
-  Community Node
-  Corporate Centre
-  Intensification Corridor
-  Major Transit Station Area with 500m radius circle












MAP 'C'
Page 2

Part of Schedule 2
Amended Intensification Areas
of Mississauga Official Plan



LEGEND

-  Character Area

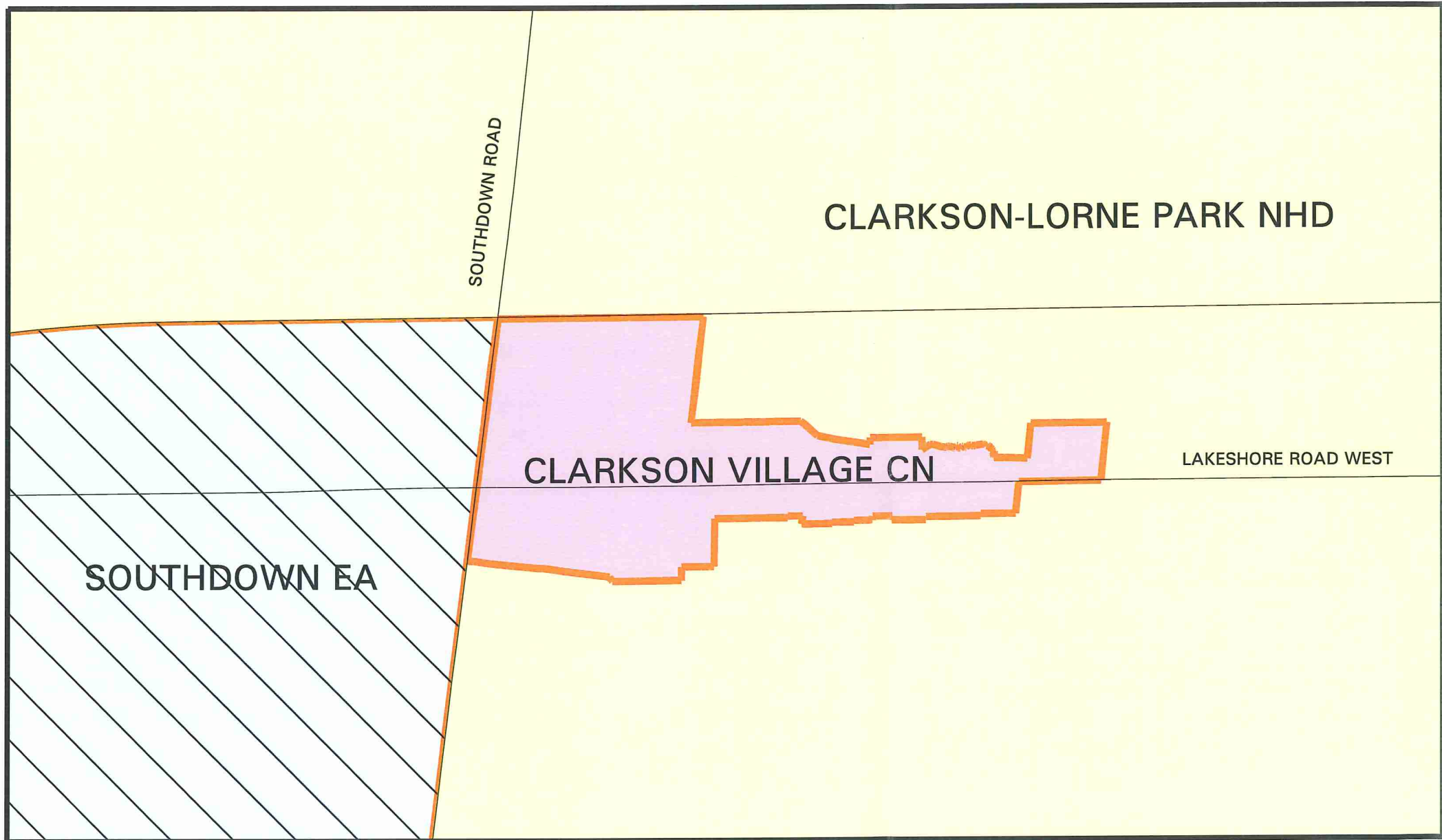
- City Structure**
-  Downtown (DT)
-  Major Node (MN)
-  Community Node (CN)
-  Neighbourhood (NHD)
-  Corporate Centre (CC)
-  Employment Area (EA)
-  Special Purpose Area (SPA)
-  Character Area Subject to Local Area Plan

Note:
 Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.



MAP 'D'
 Page 1

Part of Schedule 9
 Existing Character Areas
 of Mississauga Official Plan



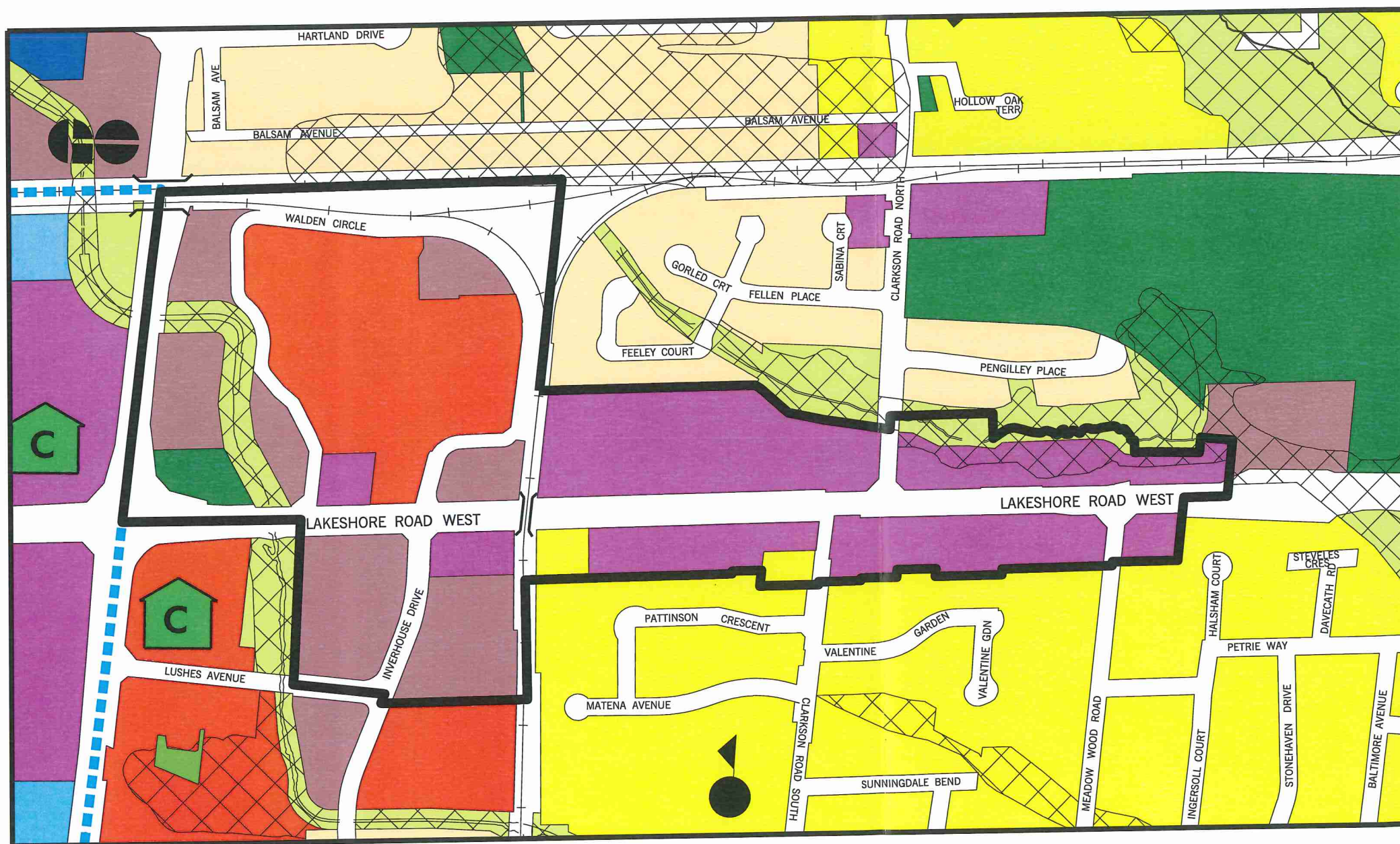
- LEGEND**
- Character Area
 - City Structure**
 - Downtown (DT)
 - Major Node (MN)
 - Amended Community Node (CN)
 - Neighbourhood (NHD)
 - Corporate Centre (CC)
 - Employment Area (EA)
 - Special Purpose Area (SPA)
 - Character Area Subject to Local Area Plan

Note:
 Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.



MAP 'D'
 Page 2

Part of Schedule 9
 Amended Character Areas
 of Mississauga Official Plan



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

BASE MAP INFORMATION

Heritage Conservation District	Civic Centre (City Hall)
1996 NEP/2000 NEF Composite Noise Contours	City Centre Transit Terminal
LBPIA Operating Area Boundary See Aircraft Noise Policies	GO Rail Transit Station
Area Exempt from LBPIA Operating Area	Public School
Natural Hazards	Catholic School
	Hospital
	Community Facilities

City Structure

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

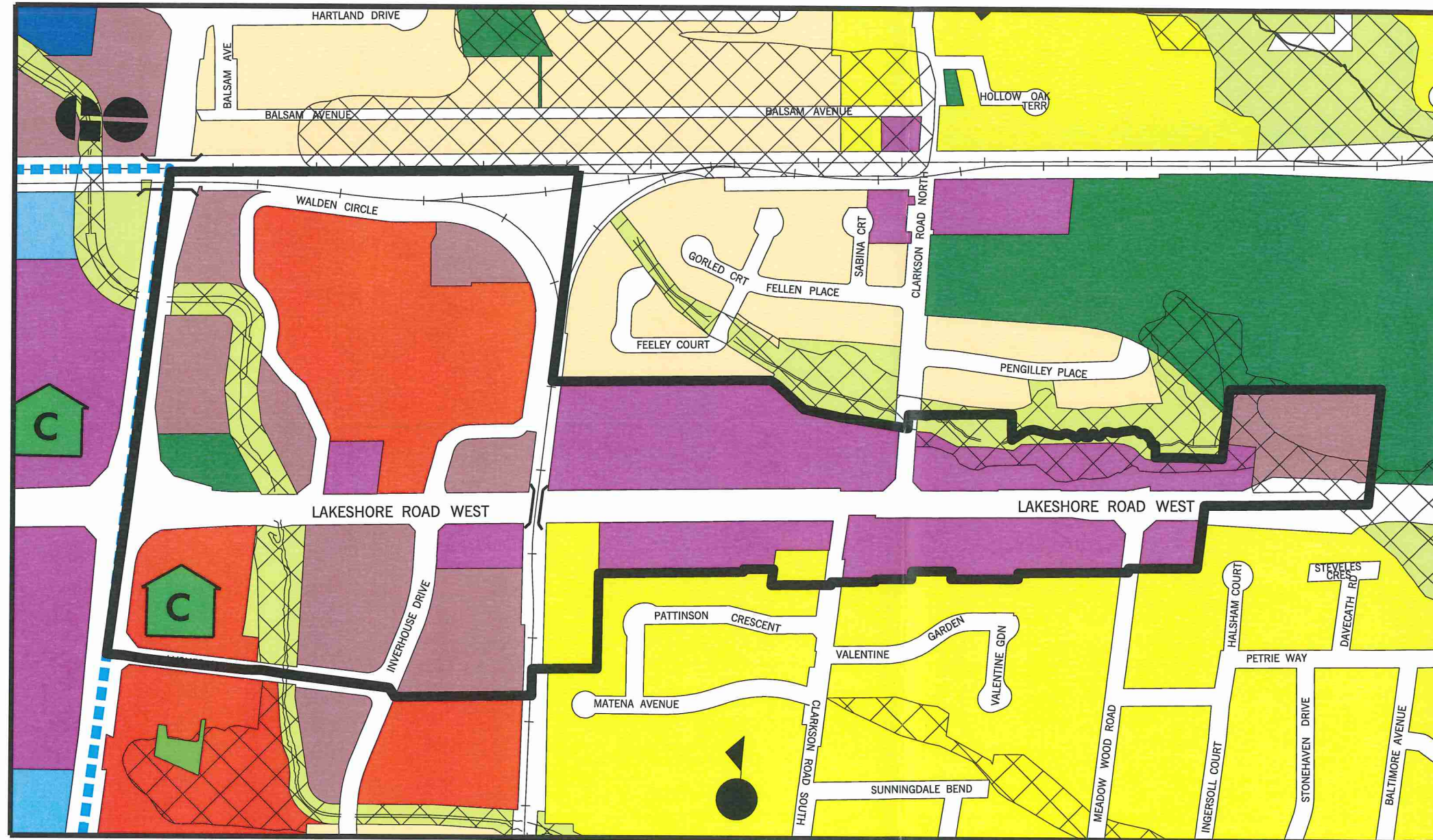
Notes:

- The limits of the Natural Hazards shown on this schedule are for illustrative purposes only. The appropriate Conservation Authority should be consulted to determine their actual location.
- Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.
- Roads shown on this schedule are existing or under construction and are shown for information purposes only. For future roads refer to Schedule 5, Long Term Road Network.



MAP 'E'
Page 1

Part of Schedule 10
Existing Land Use Designations
of Mississauga Official Plan



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

BASE MAP INFORMATION

Heritage Conservation District	Civic Centre (City Hall)
1996 NEP/2000 NEF Composite Noise Contours	City Centre Transit Terminal
LBPIA Operating Area Boundary See Aircraft Noise Policies	GO Rail Transit Station
Area Exempt from LBPIA Operating Area	Public School
Natural Hazards	Catholic School
	Hospital
	Community Facilities

City Structure

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

Notes:

- The limits of the Natural Hazards shown on this schedule are for illustrative purposes only. The appropriate Conservation Authority should be consulted to determine their actual location.
- Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.
- Roads shown on this schedule are existing or under construction and are shown for information purposes only. For future roads refer to Schedule 5, Long Term Road Network.



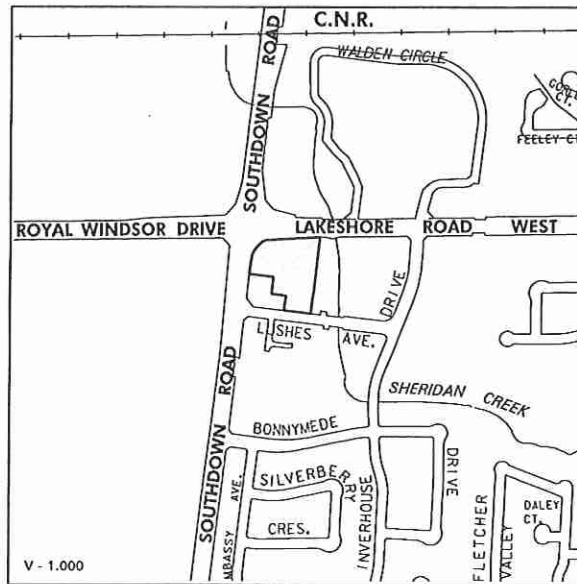
MAP 'E'
Page 2

Part of Schedule 10
Amended Land Use Designations
of Mississauga Official Plan

14.2.4.3.1 The lands identified as Special Site 3 are located on the north side of Lakeshore Road West between Birchwood Park and Clarkson Road North.

14.2.4.3.2 The lands are encumbered by slope stability issues associated with Turtle Creek. Satisfactory technical reports addressing these issues are required prior to any development of these lands.

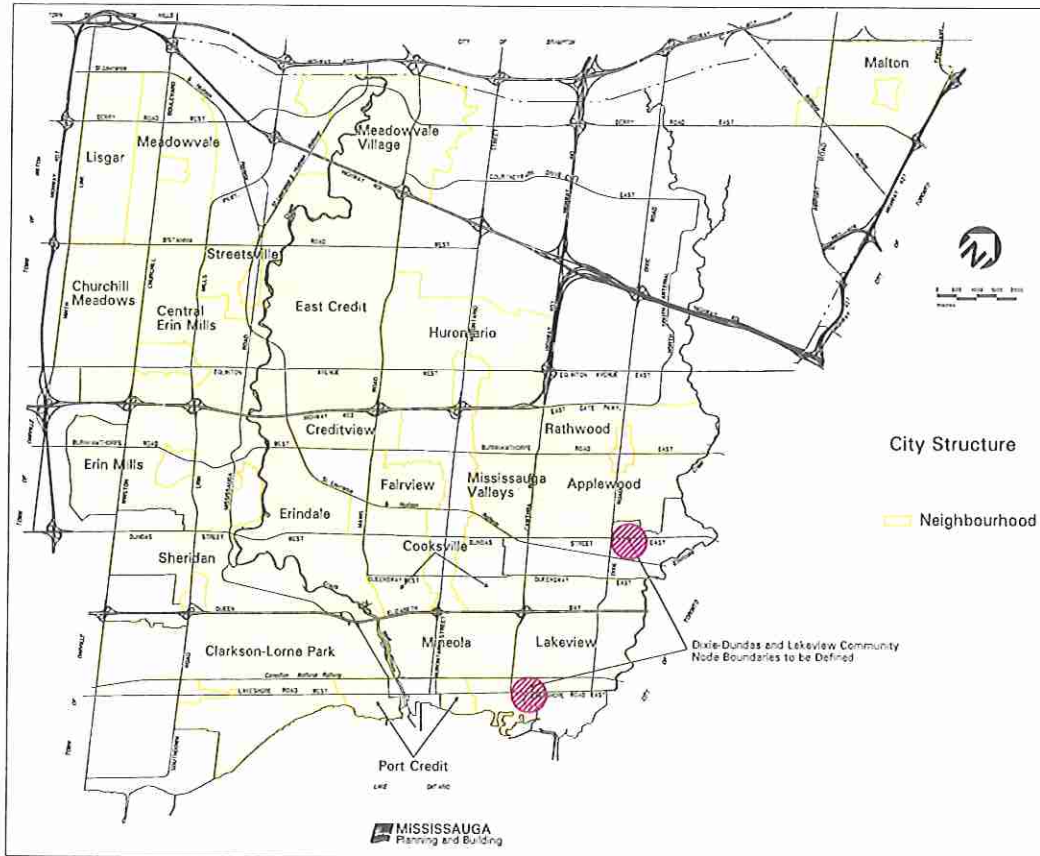
14.2.4.4 Site 4



14.2.4.4.1 The lands identified as Special Site 4 are located on the southeast corner of Lakeshore Road West and Southdown Road.

14.2.4.4.2 Notwithstanding the policies of this Plan, a maximum of two detached dwellings will be permitted.

4. Section 16.1 Neighbourhoods is hereby amended by deleting Map 16-1: City Structure – Neighbourhoods and replacing it with the following:



5. Section 16.5 Clarkson-Lorne Park is hereby amended by revising the special site numbers on Map 16-5: Clarkson-Lorne Park Neighbourhood Character Area in accordance with the changes to the Special Site Policies.
6. Section 16.5.5.6 Site 6 is hereby deleted.
7. Section 16.5.5.10 Site 10 is hereby deleted.
8. Schedule 1 – Urban System of Mississauga Official Plan is hereby amended by changing the boundaries of the Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas as shown on Map "A" of this Amendment.
9. Schedule 1b – Urban System – City Structure of Mississauga Official Plan is hereby amended by changing the boundaries of the Clarkson Village Community Node and Clarkson-Lorne Park Neighbourhood Character Areas as shown on Map "B" of this Amendment.

10. Schedule 2 – Intensification Areas of Mississauga Official Plan is hereby amended by changing the boundaries of the Clarkson Village Community Node Character Area as shown on Map "C" of this Amendment.
11. Schedule 9 – Character Areas of Mississauga Official Plan is hereby amended by changing the boundaries of the Clarkson Village Community Node and Clarkson–Lorne Park Neighbourhood Character Areas as shown on Map "D" of this Amendment.
12. Schedule 10 – Land Use Designations of Mississauga Official Plan is hereby amended by changing the boundaries of the Clarkson Village Community Node and Clarkson–Lorne Park Neighbourhood Character Areas as shown on Map "E" of this Amendment.

IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, Mississauga Official Plan will be amended in accordance with this Amendment, and thereafter forms part of the Mississauga Official Plan.

The lands will be rezoned to implement this Amendment.

INTERPRETATION

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

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

APPENDIX I

PUBLIC MEETING

All property owners within a radius of 120 m of the subject lands were invited to attend a Public Meeting of the Planning and Development Committee held on February 13, 2012 in connection with this proposed Amendment.

Concerns raised by the public included: proposed building heights and potential shadow and overlook conditions; a desire to focus on the Village Core and not the Gateway areas; a suggestion that the policies address lands adjacent to the Clarkson GO station; and the need for policies to have a high standard of sustainability.



Corporate Report

Clerk's Files

 Originator's
Files CD.04.CLA

DATE: June 4, 2013

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 24, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: Proposed Amendments to Mississauga Official Plan and
Zoning By-law 0225-2007 for Lakeshore Road West –
Clarkson Village Study
Bill 51

Supplementary Report **Ward 2**

RECOMMENDATION: That the report dated June 4, 2013, from the Commissioner of Planning and Building, recommending amendments to Mississauga Official Plan and Zoning By-law 0225-2007 for the Lakeshore Road West – Clarkson Village Study area, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, revisions to the proposed amendments are being recommended, Council considers that changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendments is hereby waived.
2. That the proposed amendments to Mississauga Official Plan for the Lakeshore Road West – Clarkson Village Study area be approved in accordance with the January 24, 2012 Public Meeting Report (attached as Appendix S-1 of this report).

3. That the proposed amendments to Zoning By-law 0225-2007 for the Lakeshore Road West – Clarkson Village Study area, be approved in accordance with Appendix S-3 of this report.
4. That the implementing Official Plan and Zoning By-law Amendments be brought to a future City Council meeting upon resolution of the outstanding appeal to the "Mixed Use" designation and policies of Mississauga Official Plan.
5. That staff be directed to complete Built Form Standards for Lakeshore Road West – Clarkson Village and bring them forward to be endorsed at a future City Council meeting.

**REPORT
HIGHLIGHTS:**

- A Public Meeting was held on February 13, 2012 to hear comments regarding the proposed amendments to Mississauga Official Plan (MOP) and Zoning By-law 0225-2007 for the Lakeshore Road West – Clarkson Village Study;
- The proposed amendments include changes to the Clarkson Village Community Node Character Area policies by introducing new Land Use, Urban Design, Transportation, Access and Parking Policies; and to amend specific Special Site policies to direct the form of future development; and to modify the "C4" (Mainstreet Commercial) zoning within Clarkson Village to include new requirements with respect to the form and relationship of buildings to adjacent lands;
- Revisions to the proposed Zoning provisions are recommended in response to comments received from Credit Valley Conservation for lands adjacent to Turtle Creek; and for lands that are subject to current development applications;
- Responses are provided to written and verbal comments received; and,
- The recommendation is to approve the proposed amendments as revised, and to forward the implementing documents to Council for adoption once the relevant appeal to MOP is resolved.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on February 13, 2012 at which time a Corporate Report (Appendix S-1) was presented and received for information.

At the Public Meeting, the Planning and Development Committee passed Recommendation PDC-0010-2012 which was subsequently adopted by Council and is attached as Appendix S-2.

Update on Clarkson Village Developments

Reichmann Seniors Housing (1907 Lakeshore Road West)

On October 26, 2012, subsequent to the Public Meeting, a full building permit was issued for the construction of an 8 storey retirement dwelling with 126 dwelling units. Construction is now nearing completion. Revisions to the proposed Official Plan and Zoning By-law amendments outlined in the January 24, 2012 Public Meeting report are not required to accommodate the ongoing construction of this building.

2286974 Ontario Inc. (Vandyk Group of Companies) formerly Clarkson Manors Inc. (1571, 1575 and 1601 Lakeshore Road West)

Official Plan Amendment and Rezoning applications for these lands were received under file OZ 12/010 W2 on August 10, 2012 and deemed complete on September 25, 2012. These applications are to permit a 324 unit condominium apartment building ranging in height from 4 to 6 storeys with limited ground floor commercial uses and to complete the partially constructed 3-storey building at the southwest corner of the site for commercial/office uses. A Public Meeting on the proposed development was recently held by Planning and Development Committee at its May 27, 2013 meeting. It is recommended that Mississauga Official Plan be modified in accordance with the draft policies contained in the January 24, 2012 Public Meeting report, however, that the Zoning By-law provisions, as previously set out in Appendices 4 and 5 of the Public Meeting report, not be changed through this process, allowing for the current application process to address any site specific zoning requirements for the development.

607074 Ontario Limited (Satellite Restaurant and Spoon and Fork Restaurant sites, 1969 and 1971 Lakeshore Road West)

Subsequent to the August 25, 2011 Ontario Municipal Board (OMB) decision, which allowed the developer's appeal to permit a 15 storey, 124 unit apartment building with ground level commercial uses, City staff and the developer have been working toward a resolution of the appropriate community benefit payment under Section 37 of the *Planning Act*. City Council recently directed the City Solicitor to prepare a Section 37 Agreement, execute Minutes of Settlement and if required, attend at the OMB in support of the Agreement and the approval of the Official Plan and Zoning By-law amendments to implement the Board's decision. Any applicable Official Plan and Zoning By-law provisions to accommodate the development would best be addressed through the OMB's Order enacting the site specific amendments.

COMMENTS:

COMMUNITY ISSUES

In addition to the Public Meeting held on February 13, 2012, community and open house meetings were held on May 2, 2007 and March 27, 2008. Several stakeholder focus group meetings have been held since April of 2006, the most recent meeting being on April 4, 2012. The following is a summary of comments and responses to issues identified:

Comment

Concerns were identified with regard to the limited opportunities for residents to participate in the process, review the proposed amendments and provide formal comments for the Clarkson Village Study.

Response

An extensive community engagement process was undertaken with community stakeholders, including representatives from active ratepayers groups in the area, interested individuals, property owners, developers and the Clarkson BIA, prior to the commencement of the formal public consultation process.

Community meetings and open houses have been held, with public notification to the broader Clarkson area through formal mailings; newspaper notifications; the posting of the Phase 2 Analysis and Recommendations Report for the Study, updates on the City's Planning and Building website, and the placement of mobile signs along Lakeshore Road West.

Although the January 24, 2012 Corporate report was publicly available only 1 week in advance of the formal Public Meeting, a three month commenting period was allotted on the City's Clarkson Village Study website following the Public Meeting to allow for public input. During this period, written comments were received from 4 individuals. From January 2012 to April 30, 2013, the website has been accessed 330 times. Relevant concerns and comments received prior to and during this period have been outlined and addressed within the Comments section of this report.

Comment

A concern was raised regarding the lack of vision for Clarkson Village, which would be a reference for the community and developers when considering new development proposals in the area.

Response

The Terms of Reference for the Clarkson Village Study required that the stakeholders group create a shared vision for the area. Collaboration resulted in the vision statement, as stated on pg. 1 of Appendix 4 of the Public Meeting report (attached to this report as Appendix S-1). It is proposed that the Shared Community Vision and Focus form part of the new policies for the area, directing new development.

Comment

Concerns were raised with regard to proposed building heights, the impact of permitting additional building height beyond that which is currently permitted, on the character of the Village and adjacent established residential areas from a shadow and overlook perspective.

Response

Comments regarding height and character are included in the Planning Comments section of this Report.

Comment

The policies should consider greater density and height given the location of the Village relative to higher order transit.

Response

As noted in the previous response, comments regarding height and character are included in the Planning Comments section of this Report.

Comment

A comment was received in regard to 972 Clarkson Road South, situated on the west side, one property south of Lakeshore Road West, that the site is located partially within two character areas, the Village Core and the Outer Village Core. The lands should be contained only within one character area.

Response

Appendix 6 attached to the Public Meeting report (Appendix S-1) includes the entirety of this site within the Outer Village Core area of the Historic Village Precinct. It is proposed that final Official Plan mapping be prepared in accordance with this schedule.

Comment

The Study is recommending site specific Official Plan policies for the Stonebrook Properties lands located on the east side of Southdown Road, north of Lakeshore Road West. As there have been additional approvals granted through the Committee of Adjustment which have exceeded the site specific permissions, the proposed Official Plan amendment for the Study Area should add these provisions.

Response

The noted lands are presently identified as Special Site 2 to the Clarkson Village Community Node (see Appendix 5 of the Public Meeting report) and have provisions to allow for a maximum floor

Space Index of 4.5, a maximum of 424 apartment dwelling units, and a maximum building height of 18 storeys, notwithstanding the provisions of the "Residential High Density" designation. There is no change recommended to these Council approved provisions or to the existing zoning of these lands. Accordingly, the minor variances granted to permit an increase in the maximum permitted number of apartment dwelling units will continue to apply without change to the amendments proposed through this report.

Comment

The policies should focus on the core of the Village and not include the Gateway areas.

Response

The study establishes three distinct precincts, the Historic Village Precinct, East Gateway Precinct and West Gateway Precinct. The Historic Village Precinct is further divided into the Core and Outer Core Character Areas. The entire area, made up of all three precincts, does and will continue to function as the Clarkson Village Community Node. The identification of sub-areas is not intended to influence the functioning or role of the area, but to recognize and address differences in built form and lot fabric.

Comment

The policies should incorporate and address lands adjacent to the Clarkson GO Station.

Response

The Clarkson Village Study considered lands adjacent to the Clarkson GO Station in terms of their impact on the Study Area, but does not propose amendments to the Official Plan or Zoning for those lands. As recommended in the Phase 2 Report, any changes to the land use for the area in the vicinity of the GO Station should be undertaken as part of any future detailed station area plan.

Comment

Concerns were expressed that a 3.0 m (9.8 ft.) landscape buffer adjacent to residential lands would be inadequate to accommodate

transitional buffering and that 4.5 m (14.7 ft.) would be more appropriate.

Response

Modifications to the landscaped buffer requirements of the "C4" (Mainstreet Commercial) zone category are not proposed. Where lands abut a residential zone, a minimum 4.5 m (14.7 ft.) landscape buffer is required; where abutting most non-residential zones 3.0 m (9.8 ft.) is required; and where abutting another "C4" zone or a street line, a landscaped buffer is not required.

Comment

The policies should require a higher standard of sustainability.

Response

Mississauga Official Plan has new City-wide policies regarding sustainability which are comprehensive and intended to be applied across the entire City. Localized policies are not necessary to achieve the goals of the Clarkson Village Study in terms of sustainability.

PLANNING COMMENTS**Official Plan**

Mississauga Official Plan was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 22, 2011. The Plan was appealed in its entirety, however, on November 14, 2012, the OMB issued a Notice of Decision approving Mississauga Official Plan, save and except certain appeals.

The "Mixed Use" Policies of Mississauga Official Plan have been appealed to the OMB in their entirety. As the majority of the lands within the study area are designated "Mixed Use", the proposed Official Plan amendments cannot be enacted at this time. Accordingly, the proposed amendments will be withheld until such time as this outstanding appeal has been resolved. As appropriate,

an Addendum report will accompany the amendments to address any changes made through the resolution of this appeal.

Building Heights

Feedback was provided during the February 13, 2012 Public Meeting with regards to proposed building heights and their impact upon adjacent sensitive neighbourhoods and creating a desirable character for the area. Based upon the general themes expressed during the Public Meeting, it is important to recall the Terms of Reference for the Clarkson Village Study which set out 8 goals for the study. In addition to the creation of a shared stakeholders vision statement and implementation plan to achieve the shared vision, the goals call for the creation of a pedestrian oriented community, promoting a transit-oriented community, and creating a vibrant mainstreet. These goals rely to some degree on achieving a higher built form than presently exists within the Village.

The Canadian Urban Institute (CUI) participated in the Clarkson Village Study and peer reviewed the early portions of the public engagement process, providing feedback on the process and built form options in establishing a vision. The feedback on the process was positive, citing an effective engagement strategy to obtain feedback and establish a shared vision. The CUI also advised that there were three general options to consider in terms of built form typology, status quo (no change), mid-rise development (5 to 12 storeys) and high-rise development (12+ storeys). An evaluation of the three options in accordance with the goals of the study and stakeholder input overwhelmingly supported the concept of a mid-rise built form.

Building heights in the upper end of the mid-rise range were not well received by stakeholders who generally felt that the upper limit was too tall and not a desirable character. Given the stated desires of the stakeholders to create a 'Village', to minimize the impact of development on existing established neighbourhoods abutting the Village and to maintain sunlight and view corridors on the public sidewalks, additional evaluation of the individual sites within the Village was undertaken to determine what heights and

setbacks could be accommodated without impacts. It was determined that buildings should generally be no greater than 6 storeys and in some cases 4 storeys in height and that building step-backs beyond the 2nd or 3rd storey would be necessary to maintain sky views and minimize shadowing on public sidewalks.

To test the viability of the built form recommendations, Barry J. Lyon and Associates were engaged to review conditions in the Village. It was generally concluded that additional height and density were necessary to encourage redevelopment. Without additional as-of-right permission, changes to the economic conditions in the area would be necessary before redevelopment would occur. Without policy change, there would be no incentive to redevelop existing strip retail plazas in the Village that are currently dominated with parking areas located between the buildings and the street line.

The City's Official Plan has identified the Clarkson Village area as a Node for more than a decade; an area which is intended to be developed more intensely and diversely than surrounding lands. With the onset of the Growth Plan for the Greater Golden Horseshoe and the new Mississauga Official Plan identifying the western portion of the Village within a Major Transit Station Area, the rationale for additional density in the Village has become stronger. A reasonable approach to accommodating density, which considers the role of the Village within the Clarkson Neighbourhood, the broader City of Mississauga and the GTA, is necessary to ensure a defensible policy framework under increasing demands to redevelop.

Zoning

Subsequent to the Public Meeting, updated comments were received from Credit Valley Conservation (CVC) stating that they no longer supports the proposed use of a "H" Holding Symbol for lands which are encumbered by slope stability issues associated with Turtle Creek, within the Village Core Area. CVC are concerned that minor redevelopment proposals may trigger the requirement to remove the "H" Holding Provision, which may be

more onerous than the proposal warrants. CVC, however, continues to support the proposed Official Plan policies for Special Site 3, (see Appendix 4, Pg. 5 and Appendix 5 of the Public Meeting report), which require the submission of satisfactory technical reports prior to any development of these lands.

In view of the preceding, it is recommended that the "H" Holding Symbol previously proposed for these lands be deleted and the zoning be changed to "C4-Exception 2" (Core Area). The revised zoning provisions and mapping are attached as Appendices S-3 and S-4. CVC has also requested that minor revisions be undertaken to the Greenbelt Overlay in the Zoning By-law to reflect current and updated CVC mapping. Current CVC mapping will be utilized in the final Zoning By-law amendments forwarded for Council's enactment.

Further, as noted in the section at the beginning of the report titled "Update on Clarkson Village Developments", it is recommended that the "H-C4-Exception 5" (East Gateway – Holding) zoning previously proposed for the residential portion of the "Vandyk" lands at 1571, 1575 and 1601 Lakeshore Road West be deleted and that the current "H-RA2-46" (Apartment and Townhouse Dwellings with Holding Symbol) zoning be retained on these lands. The revised zoning provisions and mapping are attached as Appendices S-3 and S-4.

Section 37 – Bonus Zoning

On September 26, 2012, subsequent to the Public Meeting report, Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted development are deemed good planning by Council through the approval of a development application.

Where applicable, should an application be approved in principle by Council, or through the OMB, the City will report back to

Planning and Development Committee on the provision of community benefits as a condition of approval.

Where a proposed development within Clarkson Village is deemed appropriate and meets the criteria for a Section 37 contribution, funds should, where possible, be directed towards works outlined within the Lakeshore Road West – Clarkson Village Study Phase 2 Report.

FINANCIAL IMPACT: Not applicable.

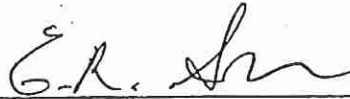
CONCLUSION: In accordance with subsection 34 (17) of the *Planning Act*, R.S.O. 1991, c.P.13, as amended, Council is given the authority to determine if further public notice is required. The proposed revisions to the Zoning By-law consist of the elimination of a "H" Holding Symbol proposed for lands abutting the Turtle Creek and the retention of the current residential zoning on lands which are subject to active development applications. These revisions are considered minor. Therefore, it is recommended that no further public notice be required regarding these proposed changes.

The proposed Official Plan and Zoning By-law amendments, as revised, should be approved for the following reasons:

1. The proposed amendments to Mississauga Official Plan – Clarkson Village Community Node Character Area policies; and those to Zoning By-law 0225-2007, as revised, meet the overall intent, goals, objectives and policies of Mississauga Official Plan and will help to direct the form of future development for Clarkson Village.
2. The proposed "C4-Exception" (Mainstreet Commercial) zone categories are appropriate and compatible with the surrounding land uses.
3. The proposed amendments will establish a vision for the study area and address compatibility and shadow concerns on adjacent residential lands and public sidewalks.

ATTACHMENTS:

- Appendix S-1: Public Meeting Report
- Appendix S-2: Recommendation PDC-0010-2012
- Appendix S-3: Proposed Zoning Amendments Clarkson Village Community Node (Revised)
- Appendix S-4: Proposed Zoning – Clarkson Village Community Node (Revised)



Edward R. Sajecki
Commissioner of Planning and Building

*Prepared By: Sharon Mittmann, Urban Designer
John Hardcastle, Development Planner*



Corporate Report

Clerk's Files

Originator's
Files CD.04.CLA
PDC FEB 13 2012

DATE: January 24, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: February 13, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: Proposed Amendments to Mississauga Official Plan and
Zoning By-law 0225-2007: Lakeshore Road West –
Clarkson Village Study
Bill 51

Public Meeting Ward 2

- RECOMMENDATION:**
1. That the report titled "Proposed Amendments to Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West – Clarkson Village Study," dated January 24, 2012 from the Commissioner of Planning and Building be received for information.
 2. That staff report back to Planning and Development Committee on any submissions made with respect to the January 24, 2012 report.

BACKGROUND: At its meeting on September 20, 2010, Planning and Development Committee considered a report titled "Proposed Amendments to the City of Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West – Clarkson Village Study", dated August 31, 2010 from the Commissioner of Planning and Building (Appendix 1) giving direction to hold a Public Meeting to consider recommended Official Plan and Zoning By-law amendments for Clarkson Village. Recommendation

PDC-0048-2010 was subsequently adopted by Council on September 29, 2010 and is attached as Appendix 2.

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. Mississauga Official Plan (2011) has been appealed in its entirety and, as such, the existing Mississauga Plan (2003) remains in effect. Accordingly, while the public engagement process for the proposed Official Plan and Zoning By-law amendments for the Lakeshore Road West – Clarkson Village Study can continue, the proposed amendments cannot be considered by City Council until such time as the outstanding appeals to Mississauga Official Plan (2011) have either been scoped or resolved.

This Public Meeting of the Planning and Development Committee fulfills the statutory *Planning Act* requirements and provides opportunity for the public to make submissions to the Planning and Development Committee on the proposed Official Plan and Zoning By-law amendments for the Lakeshore Road West – Clarkson Village Study (hereinafter referred to as the Study) as contained in Appendices 4 through 9 inclusive to this report.

COMMENTS:

Appendix 3 contains a summary of the policy framework and rationale for the proposed amendments to Mississauga Official Plan – Clarkson Village Community Node.

The Study was undertaken to establish a community based vision for the Village and create a planning framework from which the mainstreet along Lakeshore Road West in Clarkson Village can become the ‘heart’ of the community by creating a desirable, functional, attractive and identifiable ‘place’.

Based on the recommendations contained in the Phase 2 – Analysis and Recommendations Report of the Study, dated August 2010 and as generally outlined in the previous report dated August 31, 2010, from the Commissioner of Planning and Building, (see Appendix 1), the intent of the proposed amendments to Mississauga Official Plan are to:

- identify the new refined character precincts within the Node that specifically speak to the contextual character of the immediate area;
- identify an appropriate built form to frame Lakeshore Road West within Clarkson Village while ensuring the adjacent stable, low density neighbourhoods have minimal impact;
- develop a conceptual streetscape plan for Lakeshore Road West, to provide direction for new development applications;
- introduce a long term plan for pedestrian, cycling and automobile traffic within Clarkson Village;
- ensure that vehicular access and parking areas are consolidated through new development by eliminating and consolidating access points from Lakeshore Road West into a continuous and coordinated laneway system, and
- suggest a number of sustainable initiatives.

Since September 20, 2010, the Phase 2 – Analysis and Recommendations Report for the Study has been posted on the City's Planning and Building Department website. The document has been accessed 711 times. In addition, further meetings have been held with the Stakeholders Group and with the Clarkson BIA, as outlined below.

Meetings with Stakeholders Group and Clarkson BIA and correspondence received to date

Meetings with the Stakeholders Group were held on January 18, 2011 and with the Clarkson BIA on October 5, 2011, where the Phase 2 report for the Study was presented along with the proposed amendments to Mississauga Official Plan – Clarkson Village Community Node and proposed Zoning provisions to implement the established Vision for the Village. Feedback received through these meetings and through correspondence received during this time is summarized below:

- The policies should focus on the core of the Village and not include the Gateway areas;

- Additional height permissions of 6 storeys within the Core and Outer Core areas will negatively impact the character of the village;
- The policies should consider greater density and height given the location of the Village relative to higher order transit;
- The policies should incorporate and address lands adjacent to the Clarkson GO Station; and
- The policies should require a higher standard of sustainability.

Update on Clarkson Village Developments and City Initiatives

To provide additional context to the Study, the status of proposed developments in the Clarkson Village area and City policy initiatives have progressed as noted below:

RioCan Plaza Redevelopment (1829 and 1865 Lakeshore Road West)

At the time of the preparation of the Phase 2 report for the Study, an Ontario Municipal Board (OMB) decision based upon minutes of settlement executed by the City and RioCan had just been issued. Negotiations which resulted in the settlement agreement regarding the applications for an 8 storey, retirement residence with at grade retail commercial and a free standing convenience restaurant with a drive through were carried out on the basis of achieving principles of the Clarkson Village Study identified through the process to date. The intent was to create special site policies which implemented the OMB decision. Subsequent to that time, RioCan advised the City and ultimately the OMB that the development proposal would not be going forward as the operator of the retirement dwelling had withdrawn from the project and another suitable operator could not be found. Accordingly, the OMB appeals were withdrawn and the decisions were rescinded.

As a result, it is proposed that the lands be subject to the Historic Village Precinct Policies contained within Appendix 4, with no special site policies.

607074 Ontario Limited (Satellite Restaurant and Fork and Spoon Restaurant sites, 1969 and 1971 Lakeshore Road West)

The Ontario Municipal Board, through an August 25, 2011 decision, approved the proposed 15 storey apartment dwelling with ground level commercial uses. At this time, implementing amendments to the Official Plan and Zoning By-law have not been approved by the Board pending the completion of Section 37 Public Benefits negotiations with the developer. The development generally conforms to the proposed West Gateway Precinct policies, however, would ultimately require Special Site provisions.

Reichmann Seniors Housing (1907 Lakeshore Road West)

Subsequent to the release of the Phase 2 report, a conditional foundation-to-roof building permit and site plan approval have been issued to permit construction of the 8 storey retirement dwelling.

Clarkson Manors Inc. (1571, 1575 and 1601 Lakeshore Road West)

At the time of preparation of the Phase 2 report, applications for Removal of the (H) Holding Provision and Site Plan approval for the row dwelling component of the development and to permit a temporary sales office were being processed by the City. Subsequent to the report being issued, the lands have been sold and the development applications related to the row dwellings were cancelled due to inactivity.

The new landowner, Vandyk Group of Companies, has approached the City on a preliminary basis to discuss the development of the property and is presently considering the removal of the existing, partially completed structure to make way for three, 4 storey apartment buildings on the site, with ground floor commercial uses in one of the buildings facing Lakeshore Road West. Development applications have not been received by the City and the details of

the proposal have not yet been refined. Additional information should be forthcoming in the near future.

Amendments to Mississauga Plan and By-law 0225-2007 had previously been put in place allowing for the development of a 6 storey apartment building, 32 townhouse dwellings and 4 live/work townhouse dwellings, and were carried over into the new Mississauga Official Plan. Notwithstanding the cancellation of the applications and change in ownership, the existing special site policies contained within Mississauga Plan will be continued, with only technical revisions in terms of format, thereby maintaining the original intent.

Streetscape Improvements

A Streetscape Committee comprised of staff from all development related departments has been established with the express purpose of establishing processes and procedures for the review of streetscape improvements required through the development application review process.

The Phase 2 Report identifies streetscape details which should ultimately be incorporated into Built Form standards for Clarkson Village. These details will be forwarded to the Streetscape Committee to assist in informing on process and procedures for the review of development applications within Clarkson Village with streetscape improvement requirements.

Section 37 Planning Tools

Throughout much of the time the Clarkson Village Study has been ongoing, a separate process has been underway to evaluate the use of and determine appropriate policies for the implementation of certain planning tools permitted under the *Planning Act*, including Section 37, Public Benefits. The Planning and Building Department will be reporting on establishing a Corporate Policy and Procedure with respect to the administration of Section 37, Public Benefits later this Spring.

Parking Management Strategy

The Phase 2 report for the Study recommended that the parking standard for restaurants be reduced within the Village. A review of parking standards in mainstreet areas (Port Credit and Lakeview) has demonstrated that the parking demand for restaurants is consistently lower than that elsewhere in the City and the City's minimum requirement of 16 spaces/100 m² (1,076.4 sq. ft.) GFA. Accordingly, through a housekeeping amendment to By-law 0225-2007, approved by Council on December 14, 2011, the standard was reduced to 9.0 spaces/100 m² (1,076.4 sq. ft.) GFA.

A comprehensive review of parking standards throughout the City is proposed to be undertaken by the Department in 2013 which may result in further changes for Clarkson Village.

STRATEGIC PLAN:

The proposed amendments to Mississauga Official Plan – Clarkson Village Community Node Character Area policies; as well as those to Zoning By-law 0225-2007, as envisioned through the Study advance the following Strategic Pillars for change and goals and actions of the City's Strategic Plan:

Move:	Develop a Transit oriented City
Belong:	Ensuring Youth, Older Adults and New Immigrants Thrive
Connect:	Complete Our Neighbourhoods
Prosper:	Cultivating Creative and Innovative Business
Green:	Living Green

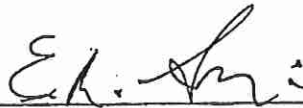
FINANCIAL IMPACTS: Not applicable

CONCLUSION:

Subsequent to the Public Meeting, a report on comments will be prepared for consideration by the Planning and Development Committee, which will address comments received from the public and the Committee members and, where necessary, recommend modifications to the proposed amendments to the new Mississauga Official Plan and Zoning By-law 0225-2007.

ATTACHMENTS:

- Appendix 1: Report titled "Proposed Amendments to City of Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West – Clarkson Village Study", dated August 31, 2010, from the Commissioner of Planning and Building
- Appendix 2: Resolution PDC-0048-2010
- Appendix 3: Policy Framework and Rationale for Changes to the Clarkson Village Community Node
- Appendix 4: Proposed Amendments to Mississauga Official Plan – Clarkson Village Community Node Policies; Amended Clarkson Village Node Boundary and Special Sites
- Appendix 5: Proposed Clarkson Village Community Node
- Appendix 6: Precinct Area – Clarkson Village Community Node
- Appendix 7: Access Management Plan – Clarkson Village Community Node
- Appendix 8: Proposed Zoning Amendments – Clarkson Village Community Node
- Appendix 9: Proposed Zoning – Clarkson Village Community Node
- Appendix 10: General Context Map



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: John Hardcastle, Development Planner and Sharon Mittmann, Urban Designer



Corporate Report

Clerk's Files.

Originator's
Files CD.04.CLA

PDC

SEP 20 2010

DATE: August 31, 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: Proposed Amendments to City of Mississauga Official Plan and
Zoning By-law 0225-2007: Lakeshore Road West –
Clarkson Village Study

RECOMMENDATION: That a public meeting be held by the Planning and Development Committee to consider the recommendations contained in the Phase 2 – Analysis and Recommendations Report of the Lakeshore Road West – Clarkson Village Study, dated August 2010 and as generally outlined in Appendix 2 of the report titled "Proposed Amendments to City of Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West – Clarkson Village Study", dated August 31, 2010, from the Commissioner of Planning and Building.

BACKGROUND: The Clarkson Village Study was initiated in 2005, pursuant to a request from Ward 2 Councillor Patricia Mullin for an updated vision for Clarkson Village. The study has involved an extensive public engagement process, technical review and evaluation of findings towards the preparation of recommendations for amendments to the City of Mississauga Official Plan and Zoning By-law 0225-2007, the creation of design guidelines, as well as ongoing initiatives to address issues that were identified but fell outside of the scope of the initial study.

COMMENTS:**Study Area**

The Clarkson Village Study Area, as depicted on Appendix 1, generally includes lands fronting onto Lakeshore Road West from Southdown Road to Johnson's Lane. The Study area includes portions of the Clarkson Node and all of the Clarkson Village Mainstreet Retail Commercial Area as identified in Mississauga Plan.

Purpose of Study

The purpose of the Clarkson Village Study is to establish a community based vision for the Village and create a planning framework from which the mainstreet along Lakeshore Road West in Clarkson Village can become the 'heart' of the community by creating a desirable, functional, attractive and identifiable 'place'.

Clarkson Village Study Shared Vision

A stakeholders group was established at the study's inception to work with City staff, external agencies and consultants to establish a shared vision, determine core objectives and ultimately set in place a direction for the Village. The shared vision states that *"Clarkson Village will transition into a pedestrian friendly and transit supportive community full of activity places and gathering spaces, with a mainstreet atmosphere found amidst new, contemporary, mixed-use, development paying tribute to the Village's heritage and character."*

Phase 1 – Background and Public Engagement

Phase 1 of the Study outlines the various stages and elements of the public engagement process, including the creation of a shared vision. Towards the achievement of the shared vision, stakeholders provided feedback through; various workshops, open houses, emails, comment drop boxes and through the Clarkson Village Study website, about the appropriate mix of uses, built form typology, streetscape conditions and general character that should be achieved in the Village. This phase of the Study also

articulates feedback received and the findings of two separate sub-studies, namely the Canadian Urban Institute (CUI) Peer Review and the iTRANS Report. The CUI was retained as a consultant to: assist in one of the workshops, peer review the consultation process and make recommendations on appropriate built form types for the Village. In addition, iTRANS Consulting was retained as a consultant to assist in one meeting and to make short term and long term recommendations on transportation and streetscape issues in the Village. The final reports of both consultants are appended to the Phase 1 report. The Phase 1 document was presented to stakeholders, relevant internal departments and external agencies in March of 2009 for feedback and was subsequently finalized and endorsed by the stakeholders, relevant internal departments and external agencies in April 2009.

Phase 2 – Analysis and Recommendations

The Phase 2 Report focuses on an analysis of the area and the feedback obtained through Phase 1 work concluding with implementation recommendations. The Phase 2 Report is broken down into six main sections.

Directions

This section of the report broadly lays out the analytical framework of the study concluding that Clarkson Village is made up of 4 distinct character areas (see Appendix 1) which should be reflected in the implementation of the study findings. The Village Core character area is an area of typical mainstreet development with a comfortable pedestrian realm and low scale built form that is worthy of protection and should form the basis of character for the rest of the Village. The Outer Village Core character area is characterized by larger lot sizes and as such can comfortably accommodate additional building height and density, while maintaining the general character established within the Village Core. The East and West Village Gateway character areas serve transitional purposes to the surrounding lands. The East Village Gateway transitions to lower and less dense built forms. The West Village Gateway is adjacent to the Clarkson GO Transit Station and is developed predominately for medium and high density

residential uses. Redevelopment in this area should maintain existing trends while addressing the areas proximity to higher order transit.

Built Form

This section of the report concludes that buildings throughout the Village should be located at or near the front property line, with a 2 to 3 storey streetwall. Where additional height can be accommodated without negative impact, it is to be 'stepped back' from the street wall to ensure that sun lighting and shadowing impacts are not present on Lakeshore Road West. Built forms are to be detailed through façade articulation, storefront spacing and materials to ensure a visually interesting and attractive street edge condition through the Village.

Vehicular Movement: Access and Parking

This section articulates that pedestrian and vehicle conflicts must be minimized and better controls over access locations implemented. To this end, access consolidation is being proposed along with the implementation of a centre median along Lakeshore Road West and a publicly accessible laneway system running parallel to it. The implementation of three concurrent measures is intended to reduce vehicle access locations, minimize conflicts and improve traffic flow dynamics along Lakeshore Road West while maintaining property access rights. The pedestrian realm is also to be improved through the creation and acknowledgement of several distinct and independent public spaces.

In addition, parking is addressed, by proposing reduced standards for small scale restaurants and retail operations, discouraging surface parking, prohibiting parking between the street wall and the public streets and providing opportunities for lay-by on-street parking.

Public Realm

This section of the report identifies the general treatment of the space between private property lines and the edge of the road. This section sets out appropriate streetscape and landscape

concepts and how they are to be addressed through individual development applications.

Sustainability

In this section, numerous strategies for sustainability are detailed. The Council endorsed Green Development Strategy will provide the framework for implementation of these and other strategies through the development review process.

Implementation

The last section of the Report includes recommendations on how the shared vision can best be achieved through amendments to the City's Official Plan, Zoning By-law 0225-2007, the creation of design guidelines and various other initiatives to fully implement the findings of the study. A summary of proposed amendments to the Mississauga Official Plan and Zoning By-law 0225-2007 is attached as Appendix 2. Both the Phase 1 and Phase 2 reports of the Clarkson Village Study have been provided to Planning and Development Committee under separate cover.

New Mississauga Official Plan

At the June 28, 2010 Planning and Development Committee (PDC) meeting, a report titled "Report on Comments – Draft Mississauga Official Plan" outlining comments received during the public consultation program along with suggested changes to the draft Mississauga Official Plan was approved by PDC and subsequently adopted by City Council on July 7, 2010. A by-law to adopt the new Mississauga Official Plan and a report on the transition process between approval by City Council and the Region will be considered by City Council in September 2010. As a result, amendments proposed through the Clarkson Village Study will have to be made to the new Official Plan, subject to any appeals which may affect the entire document or the Clarkson Village Community Node Policies.

FINANCIAL IMPACT: Not applicable.

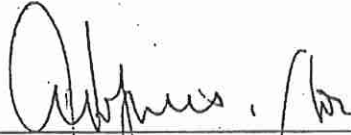
CONCLUSION:

The Clarkson Village Community Node policies will require amendment to achieve the shared community vision and implement the findings of the Clarkson Village study. In addition, new zoning categories will need to be created to address the findings and implement the proposed policy changes addressed in the Phase 2 report.

A statutory public meeting in accordance with the *Planning Act* is required to be held to consider the proposed amendments to the City of Mississauga Official Plan and to Zoning By-law 0225-2007.

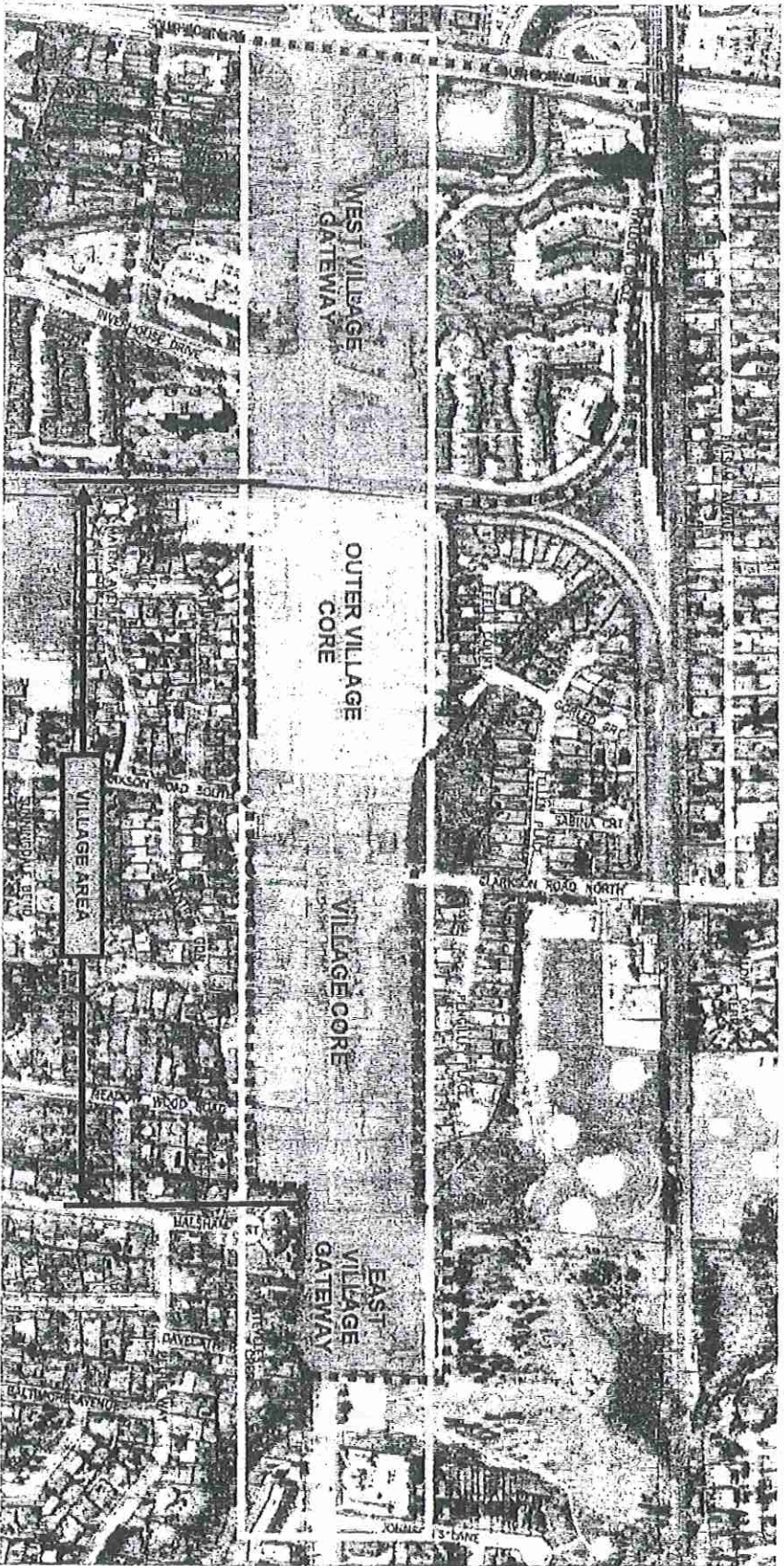
ATTACHMENTS:

- Appendix 1 - Clarkson Village Study Area
- Appendix 2 - Summary of proposed amendments to Mississauga Official Plan and Zoning By-law 0225-2007
- Under Separate Cover - Lakeshore Road West – Clarkson Village Study (Phases 1 and 2)



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: John Hardcastle, Development Planner







CHARACTER AREAS

MISSISSAUGA
Planning and Building



Note: Areas are general

-  PROPOSED NODE AREA
-  STUDY AREA
-  VILLAGE CORE
-  OUTER VILLAGE CORE
-  VILLAGE GATEWAYS

LEGEND

Figure C2.15—Character Areas

**Proposed Amendments to Existing Official Plan Policies
Proposed Zoning By-law Amendments
Clarkson Village Recommended Amendments – Lakeshore Road West, Clarkson Village Study**

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway
<p>Uses</p> <ul style="list-style-type: none"> • At grade, street related, retail, commercial, restaurant or office uses are required within any building. • Exclusively residential buildings (apartment dwellings) will not be permitted. • Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will be discouraged. • <i>At grade, street related, retail, commercial, restaurant and office uses are required within any building.</i> • <i>To permit dwelling units within a mixed use building where permitted non-residential uses are located at the streetwall within the ground floor.</i> • <i>Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will not be permitted.</i> • <i>Exclusively residential buildings (apartment dwellings) will not be permitted.</i> 	<ul style="list-style-type: none"> • At grade, street related, retail, commercial, restaurant or office uses are encouraged within any building. • Exclusively residential buildings (apartment dwellings) will be permitted. • Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will be discouraged. • <i>To permit dwelling units within a mixed use building where the permitted non-residential uses are located at the streetwall within the ground floor.</i> • <i>Exclusively residential buildings (apartment dwellings) will be permitted.</i> • <i>Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will not be permitted.</i> 	<ul style="list-style-type: none"> • At grade, street related, retail, commercial, restaurant and office uses are encouraged within any building. • Exclusively residential buildings (apartment dwellings) will be permitted. • Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will be discouraged. • <i>To permit dwelling units within a mixed use building where the permitted non-residential uses are located at the streetwall within the ground floor.</i> • <i>Exclusively residential buildings (apartment dwellings) will be permitted.</i> • <i>Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will not be permitted.</i> 	<ul style="list-style-type: none"> • At grade, street related, retail, commercial, restaurant and office uses are encouraged within any building. • Exclusively residential buildings (apartment dwellings) will be permitted. • Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will be discouraged. • <i>To permit dwelling units within a mixed use building where the permitted non-residential uses are located at the streetwall within the ground floor.</i> • <i>Exclusively residential buildings (apartment dwellings) will be permitted.</i> • <i>Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will not be permitted.</i> 	<ul style="list-style-type: none"> • At grade, street related, retail, commercial, restaurant and office uses are encouraged within any building. • Exclusively residential buildings (apartment dwellings) will be permitted. • Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will be discouraged. • <i>To permit dwelling units within a mixed use building where the permitted non-residential uses are located at the streetwall within the ground floor.</i> • <i>Exclusively residential buildings (apartment dwellings) will be permitted.</i> • <i>Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will not be permitted.</i>
<p>Special Site Considerations</p>	<ul style="list-style-type: none"> • Lands abutting Turtle Creek on the north side of Lakeshore Road West between Clarkson Road North and Birchwood Park are subject to slope stability issues necessitating the submission of satisfactory technical reports prior to redevelopment. • <i>Holding Provisions shall be incorporated into zoning and an application for removal of (H) Holding Symbol required prior to any physical site alterations.</i> 	<ul style="list-style-type: none"> • Lands on the northwest corner of Lakeshore Road West and Clarkson Road North, Clarkson Commons, are encouraged to redevelop as a focal centre piece of the Village, taking advantage of the visual prominence and significance of the site within the Village. A high standard of architecture, building materials and landscaping will be required. 		

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway
<p>Residential FSI</p> <ul style="list-style-type: none"> • 1.5 FSI/ 1.5 FSI 	<ul style="list-style-type: none"> • 2.0 FSI/ 2.0 FSI 	<ul style="list-style-type: none"> • 2.5 FSI/ 2.5 FSI 	<ul style="list-style-type: none"> • 2.0 FSI/ 2.0 FSI 	
<p>Building Heights</p>	<ul style="list-style-type: none"> • Mixed use buildings may exclude any gross floor area exclusively devoted towards non-residential uses from the calculation of Residential Floor Space Index. • Add the following definition to general provisions of By-law 0225-2007: Residential Floor Space Index (FSI) means the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area. • Minimum 2 storeys and maximum 3 storeys on the north side of Lakeshore Road West. • Minimum 2 storeys and maximum 6 storeys on the south side of Lakeshore Road West. • Section 37 – Public Benefits will not be considered favourably. • Buildings shall be stepped back after the 3rd storey to maintain the village character. • Minimum 2 storeys and maximum 3 storeys on the north side of Lakeshore Road West. • Minimum 2 storeys and maximum 6 storeys on the south side of Lakeshore Road West. • Where building height exceeds 3 storeys, the upper streetwall shall be set back at least 6.0 m (19.68 ft.) from the 3rd storey streetwall. 	<ul style="list-style-type: none"> • Minimum 2 storeys and maximum 6 storeys. • Section 37 – Public Benefits may be considered subject to an Urban Design Study. • Buildings shall be stepped back after the 3rd storey to maintain the village character. • Minimum 2 storeys and maximum 6 storeys. • Where building height exceeds 3 storeys, the upper streetwall shall be set back at least 6.0 m (19.68 ft.) from the 3rd storey streetwall. 	<ul style="list-style-type: none"> • Minimum 2 storeys and maximum 15 storeys with a general downward trend from Southdown Road to the Outer Village Core Area as outlined in Figure C2.16 of the Phase 2 report. Special Site policies shall be incorporated to recognize existing built form and/or to accommodate the general downward trend in maximum building height as follows: <ul style="list-style-type: none"> ➢ Maximum 15 storeys – 1271 Walden Circle. ➢ Maximum 15 storeys – 1969/1971 Lakeshore Road West (*Official Plan and Zoning By-law Amendments pertaining to these lands should be withheld pending the resolution of ongoing OMB proceedings). ➢ Maximum 8 storeys – 1907/1913 Lakeshore Road West. 	<ul style="list-style-type: none"> • Minimum 2 storeys and maximum 6 storeys. • Section 37 – Public Benefits may be considered subject to an Urban Design Study. • Buildings shall be stepped back after the 3rd storey to maintain the village character. • Minimum 2 storeys and a maximum 6 storeys. • Where building height exceeds 3 storeys, the upper streetwall shall be set back at least 6.0 m (19.68 ft.) from the 3rd storey streetwall.

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway
<p>Building Height Cont'd</p>			<ul style="list-style-type: none"> ➤ Maximum 4 storeys – 1998-2039 Lakeshore Road West and 2004-2012 Lushes Avenue (also to permit townhouse and detached dwellings) ➤ Maximum 17 storeys – 966 Inverhouse Road. ➤ Maximum 11 storeys – 965 Inverhouse Road ➤ Maximum 9 storeys – 1901/1948 Lakeshore Road West. • Section 37 – Public Benefits <u>may</u> be considered subject to an Urban Design Study. • <i>Minimum 2 storeys and maximum of 15 storeys to recognize existing built form and/or to accommodate the general downward trend in maximum building height as follows:</i> ➤ <i>Maximum 15 storeys – 1271 Walden Circle.</i> ➤ <i>Maximum 15 storeys – 1969/1971 Lakeshore Road West (*Official Plan and Zoning By-law Amendments pertaining to these lands should be withheld pending the resolution of ongoing OMB proceedings).</i> 	

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway
<p>Building Height Cont'd</p>			<ul style="list-style-type: none"> ➤ Maximum 8 storeys – 1907/1913 Lakeshore Road West ➤ Maximum 4 storeys – 1998-2039 Lakeshore Road West and 2004-2012 Lushes Avenue (also to permit townhouse and detached dwellings) ➤ Maximum 17 storeys – 966 Inverhouse Road. ➤ Maximum 11 storeys – 965 Inverhouse Road ➤ Maximum 9 storeys – 1901/1948 Lakeshore Road West. 	
<p>Building Setbacks <i>Front Yard</i></p>	<ul style="list-style-type: none"> • Minimum front yard of 0.6 m (2 ft.) to maximum of 3.0 m (9.8 ft.). 	<ul style="list-style-type: none"> • Minimum front yard of 0.6 m (2 ft.) to maximum of 3.0 m (9.8 ft.). • Minimum front yard of 4.5 m (14.76 ft.) to maximum of 6.0 m (19.68 ft.) for exclusively residential buildings. 		<ul style="list-style-type: none"> • Minimum front yard of 0.6 m (2 ft.) to maximum of 3.0 m (9.8 ft.). • Minimum front yard of 4.5 m (14.76 ft.) to maximum of 6.0 m (19.68 ft.) for exclusively residential buildings.
<p>Side Yard</p>	<ul style="list-style-type: none"> • Minimum interior side yard, where abutting a non-commercial zone category, of 7.5 m (24.6 ft.) for the first 10.0 m (32.8 ft.) of height plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.). • Minimum exterior side of 0.6 (2 ft.) to maximum 3.0 m (9.8 ft.) for commercial. 	<ul style="list-style-type: none"> • Minimum interior side yard, where abutting a non-commercial zone category, of 7.5 m (24.6 ft.) for the first 10.0 m (32.8 ft.) of height plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.). • Minimum exterior side of 0.6 (2 ft.) to maximum 3.0 m (9.8 ft.) for commercial and 4.5 m (14.76 ft.) to maximum of 6.0 m (19.68 ft.) for residential. 		<ul style="list-style-type: none"> • Minimum interior side yard, where abutting a non-commercial zone category, of 7.5 m (24.6 ft.) for the first 10.0 m (32.8 ft.) of height plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.). • Minimum exterior side of 0.6 (2 ft.) to maximum 3.0 m (9.8 ft.) for commercial and 4.5 m (14.76 ft.) to maximum of 6.0 m (19.68 ft.) for residential.
<p>Rear Yard</p>	<ul style="list-style-type: none"> • Minimum rear yard, where abutting a non commercial zone category, of 7.5 m (24.6 ft.) for the first 10.0 m (32.8 ft.) of height plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.). 			<ul style="list-style-type: none"> • Minimum rear yard, where abutting a non commercial zone category, of 7.5 m (24.6 ft.) for the first 10.0 m (32.8 ft.) of height plus 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.).

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway
Access Management Plan	<ul style="list-style-type: none"> An Access Management Plan will constitute part of the amendments to the Clarkson Village Character Area policies, dealing with integrated parking; site access and off-street vehicular movements; the location of a continuous centre median on Lakeshore Road West, interrupted at signalized intersections. Implementation provisions consistent with Section 2.5 shall be incorporated in the proposed Official Plan Amendments. The general location of shared site access, internal public access and the private laneway system will be outlined generally as shown in Figure C2.34 of the Phase 2 report. 			
Parking Structures	<ul style="list-style-type: none"> Structured above ground parking is not permitted. Underground parking is required where the Residential FSI is 1.0 or greater. Parking will not be permitted between the streetwall of the building(s) closest to the street and the front property line. 	<ul style="list-style-type: none"> Structured above and below grade parking is required where the Residential FSI is 1.0 or greater. Where structured, above grade parking is provided, it shall not exceed 2 storeys in height and the streetwall shall incorporate active retail, commercial, restaurant or office uses at grade, interrupted only where access to the parking structure is required. The depth of active, grade related non-residential uses shall be a minimum of 10 m (32.8 ft.). Parking will not be permitted between the streetwall of the building(s) closest to the street and the front property line. 		
Parking/Loading	<ul style="list-style-type: none"> Reductions in parking and loading space requirements for retail commercial, office and restaurant with a gross floor area of 300 m² (3,229 sq. ft.), or less, will be considered. Parking for retail commercial and office uses of 300 m² (3,229 sq ft.) GFA, or less, shall be provided at 3.0 spaces per 100m² (1,076.4 sq. ft.) GFA. Parking for restaurant uses of 300 m² (3,229 sq ft.) GFA or less shall be provided at 9.0 spaces per 100m² (1,076.4 sq. ft.) GFA. Parking for retail commercial uses of 600m² (6,459 sq ft.) GFA or more shall be provided at 5.4 spaces per 100 m² (1,076.4 sq. ft.) GFA. 			
Landscape Buffer	<ul style="list-style-type: none"> A minimum landscaped buffer of 3.0-m (9.8-ft.) 4.5 m (14.76 ft.) shall be provided abutting any non-commercial zone for buildings of 3 storeys or less and 1.5-m (4.8-ft.) for buildings greater than 3 storeys. 			

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway
Building Detail Elements <i>Frontage</i>	<ul style="list-style-type: none"> A minimum of 70% of the length of lot frontage shall be occupied by a streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property. 			
Glazing for Non-Residential uses	<ul style="list-style-type: none"> A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass. 			
Front Door Grading for Non-Residential Uses	<ul style="list-style-type: none"> For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.66 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance and have a pedestrian access if not level with the public sidewalk closest to the entrance that is accessed by a ramp which has a maximum slope of 4% (0.04 m (0.13 ft.) rise to 1.0 m (3.3 ft.) run). 			
Ground Floor Height of Non-Residential Uses	<ul style="list-style-type: none"> A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided. 			
Main Entrance	<ul style="list-style-type: none"> Main pedestrian building entrances shall face the public road. Main pedestrian building entrances shall face the public road. Main pedestrian building entrances for mixed use buildings on corner lots, commercial entrance(s) shall face Lakeshore Road West and residential entrances may face the secondary road. 			

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

PDC-0048-2010

That a public meeting be held by the Planning and Development Committee to consider the recommendations contained in the Phase 2 - Analysis and Recommendations Report of the Lakeshore Road West - Clarkson Village Study, dated August 2010 and as generally outlined in Appendix 2 of the report titled 'Proposed Amendments to City of Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West - Clarkson Village Study', dated August 31, 2010, from the Commissioner of Planning and Building.

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

Policy Framework and Rationale for Changes to the Clarkson Village Community Node**Mississauga Official Plan**

The proposed revisions and new Special Site policies for the subject lands under review in the Clarkson Village Community Node are supported by the following sections of Mississauga Official Plan (MOP):

Structure Elements

The Clarkson Village Community Node is considered an Intensification Area in MOP. Section 5.3.3, Community Nodes, states:

- Community Nodes are Intensification Areas;
- Community Nodes will develop as centres for surrounding Neighbourhoods and be a location for mixed use development;
- Development in Community Nodes will be in a form and density that complements the existing character of historical Nodes or that achieves a high quality urban environment within more recent developed Nodes;
- Community Nodes will be served by frequent transit services that provide city wide connections. Some Community Nodes will be served by higher order transit facilities, which provide connections to neighbouring municipalities;
- Community nodes will be developed to support and encourage active transportation as a mode of transportation.

Green System

The Clarkson Village Node contains 2 significant Natural Hazards and is on the edge of an area subject to Two Zone Flood Regulations. Section 6.3.2 indicates that Natural Hazard Lands are to conserve the stability and quality of land, soil and water. A priority for development and site alteration is to protect life and property and restore the health and stability of soil and land where is it compromised.

Natural Hazard Lands are generally unsafe for development and site alterations will generally not be permitted due to the naturally occurring processes of erosion and flooding associated with river and stream corridors and the Lake Ontario Shoreline.

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA****Land Use Designation – Community Node**

Lands within the Clarkson Village Community Node are designated “Mixed Use”, “Residential Medium Density”, “Residential High Density” and “Residential Low Density I”.

Section 14.1.2, Community Nodes, Residential, states that *The Residential Low Density I and Residential Low Density II designations will not be permitted, except for lands designated Low Density I and Residential Low Density II at the time this plan comes into effect.*

Section 14.2.1.1 indicates that *The Clarkson Village Node will be the focus of activity for surrounding Neighbourhoods, combining residential uses, cultural activities, shopping, dining, commerce and recreation.* Section 14.2.1.2 outlines that *Developments should be compatible with and enhance the character of Clarkson-Lorne Park as a diverse established community by integrating with the surrounding area.* Section 14.2.1.3 states that *Development should be designed to reflect and enhance the Clarkson Village Mixed Use area streetscape.*

Clarkson Village Node Character Areas Policies

Map 14-2: Clarkson Village Community Node Character Area, identifies the boundaries of the Clarkson Village Node, Special Sites and FSI ranges. The boundaries of the Node are proposed to be modified as illustrated on Appendix 5 to include the following:

- The lands recently developed for townhouses on the southeast corner of Lakeshore Road West and Southdown Road;
- The lands located south of Lakeshore Road West to the rear of the Chartwell Baptist Church, known as 1884 Lakeshore Road West;
- The lands north of Lakeshore Road West which represent the physical limits of the valley features associated with Turtle Creek; and
- The eastern boundary of the Village along the north side of Lakeshore Road West to include the lands just west of Birchwood Park.

In addition, a new Precinct Schedule has been created to identify the location of 3 character precincts as recommended in the Lakeshore Road West, Clarkson Village Study, Phase 2 - Analysis and Recommendations Report (see Appendix 6).

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA****Historic Village Precinct (Core and Outer Core)**

This precinct is experiencing redevelopment pressures and, therefore, the intent of the Character Area Policies is to establish a shared community vision which: recognizes the unique character of the area; puts in place a policy framework to ensure the implementation of the vision over the long term; ensures that new development is respectful of the character of the existing building fabric as well as transitions appropriately to the adjacent stable neighbourhoods.

Maximum buildings heights will range from 2 to 6 storeys in this precinct and will accommodate step-backs beyond the third storey to maintain the Village character, minimize shadow impacts, maximize skyviews and create a desirable pedestrian and built form environment. Heights will be restricted to 4 storeys on the north side of Lakeshore Road West to maintain the character of the area as established by the existing built form.

In the Outer Core, the maximum Floor Space Index (FSI) shall be 2.0, where the properties are deeper and larger and can accommodate additional height and density without undue impact. The maximum FSI shall not exceed 1.5 in the Core, which is impacted by Turtle Creek north of Lakeshore Road West and abuts residential neighbourhoods south of Lakeshore Road West. Gross Floor Area devoted exclusively to non-residential uses shall not be included in the FSI calculation.

Development and redevelopment will be mixed use and include retail, commercial, office and restaurant uses with flush entrances at the street level. Residential amenities will be secondary and will not dominate the Lakeshore Road West street level street wall. A high standard of architecture, building materials and landscaping will be required for all development and redevelopment along the Lakeshore Road West corridor in Clarkson Village. Individual large format retail and commercial uses will be prohibited.

In conjunction with development and redevelopment, improved and controlled vehicular access to Lakeshore Road West is required. The goal is to provide full moves access to Lakeshore Road West at key locations and where traffic signals exist and to construct a centre median along Lakeshore Road West. This will require the creation of a publicly accessible laneway system as identified on Appendix 7.

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA**

In order to achieve the ultimate ROW cross-section, all development and redevelopment proposals will be subject to financial contributions to the City to be held and used for the reconstruction of Lakeshore Road West.

Lands on the northwest corner of Lakeshore Road West and Clarkson Road North, (Clarkson Commons), are encouraged to redevelop as a focal centre piece of the Historic Village Precinct, taking advantage of the visual prominence and centralized location within the Village.

Structured parking will be required, below grade where the FSI exceeds 1.0 within the Historic Village Precinct – Core Area west of Clarkson Road South. Below grade or above grade structured parking will be required where the FSI exceeds 1.0 in the remainder of the Historic Village Precinct. Where above grade structure parking is permitted, it shall not exceed 2 storeys in height and the street wall shall incorporate active uses. Where on-site surface parking is provided, it will not be permitted between the street wall of the building(s) closest to the street and the front property line and will be encouraged to utilize the publicly accessible private laneway system within a shared configuration.

West Gateway Precinct

This precinct is also receiving development pressure and has had a number of recent applications for higher density developments. A downward transition in terms of apartment building heights has been established with the tallest, 21 storey apartment building, located closest to the Clarkson GO Station on the east side of Southdown Road and the lowest, 8 retirement dwelling (under construction), furthest from the GO Station on the north side of Lakeshore Road West, adjacent to the CN Rail overpass. It is proposed that the existing building heights be acknowledged and that new apartment development in this precinct respect the established trend and not exceed 15 storeys. The maximum FSI for this area will be 2.5.

Mixed use buildings fronting onto Lakeshore Road West are encouraged. At grade, street related retail, commercial, restaurants and office uses are encouraged within any building. Mixed use buildings shall be located close to the street to ensure a pedestrian oriented environment. Individual large format retail uses will be discouraged.

A symbolic entry feature at the Intersection of Lakeshore Road West and Southdown Road is encouraged.

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

East Gateway Precinct

This precinct should act as the eastern gateway into the Clarkson Village Community Node. A symbolic gateway is encouraged to define the entry and exit from Clarkson Village.

The minimum height for any building or structure shall be 2 storeys and the maximum height shall be 6 storeys. Buildings shall be stepped back from the street after the third storey to promote a pedestrian friendly environment, minimize shadow impact and ensure new development is consistent and compatible with the existing building fabric.

Mixed use buildings fronting onto Lakeshore Road West are encouraged. At grade, street related retail, commercial, restaurants and office uses are encouraged within any building. Individual large format retail uses will be discouraged. Mixed use buildings shall be located close to the street to ensure a pedestrian oriented environment. Gross Floor Area devoted exclusively to non-residential uses shall not be included in the FSI calculation.

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

Proposed Amendments to Mississauga Official Plan – Clarkson Village Community Node

1. Map 14-2: Clarkson Village Community Node Character Area is hereby deleted and replaced with Appendix 5.
2. Section 14.2, Clarkson Village is hereby amended by adding Map 14-2.1: Precinct Areas - Clarkson Village Community Node Character Area attached as Appendix 6.
3. Section 14.2 Clarkson Village is hereby amended by adding the following:
 - 14.2.1 Land Use Policies
 - 14.2.1.1 Notwithstanding the provisions of the Mixed Use designation; drive-through facilities will not be permitted.
4. Section 14.2.1 Urban Design Policies is hereby deleted and replaced by the following:
 - 14.2.2 Urban Design Policies

Shared Community Vision and Focus

- 14.2.2.1 Clarkson Village Community Node is to transition into a pedestrian friendly and transit supportive community full of activity places and gathering spaces, with a mainstreet atmosphere found amidst new, contemporary, mixed-use, development paying tribute to the Village's heritage and character.
- 14.2.2.2 The Clarkson Village Community Node will be the focus of activity for the surrounding Clarkson-Lorne Park Neighbourhood, combining residential uses, cultural activities, shopping, dining, commerce and recreation.
- 14.2.2.3 Development will be compatible with and enhance the Village character as a distinct established community by integrating with and transitioning to the adjacent Clarkson-Lorne Park Neighbourhood.
- 14.2.2.4 Development will incorporate a high level of urban design, pedestrian amenity, landscaping and will be of a compact form to ensure a strong sense of place, a high quality streetscape and reinforce the Clarkson Village Community Node as the centre of activity for the area.
- 14.2.2.5 Development will be in accordance with minimum and maximum height limits as shown on Map 14-2.1 (Appendix 6).

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

- 14.2.2.6 Built form will be located close to the street, with a two to three storey streetwall. Where additional height is permitted, it will be stepped back from the streetwall to minimize shadowing, maximize skyviews, maintain a desirable streetscape and ensure new development is consistent and compatible with the existing building fabric.
- 14.2.2.7 Where mixed use buildings are proposed, non-residential floor space will be excluded from the calculation of FSI.
- 14.2.2.8 New development along Lakeshore Road West will be located close to the street and promote a continuous street wall.
- 14.2.2.9 On-site parking will not be permitted between the streetwall and the street.
- 14.2.2.10 Mississauga will encourage on-street lay-by parking and the provision of well-lit, on-site parking located at the rear of buildings with clear visibility and site lines through to Lakeshore Road West.

Historic Village Precinct

- 14.2.2.11 Development will respect the character of the existing building fabric as well as transition appropriately to the adjacent Clarkson-Lorne Park Neighbourhood. New development will encourage a pedestrian oriented streetscape and a walkable community, preserve elements along the edge of Turtle Creek to connect to the parking areas and the shopping street and to encourage the visual enjoyment and surveillance of this natural creek feature.
- 14.2.2.12 Residential uses will not be permitted on the ground floor adjacent to Lakeshore Road West.
- 14.2.2.13 Large format retail development will be discouraged.
- 14.2.2.14 Lands located at the northwest corner of Lakeshore Road West and Clarkson Road North are encouraged to redevelop as a focal point of the Clarkson Village Community Node.
- 14.2.2.15 Within the Core area, as shown on Map 14-2.1 (Appendix 6), required parking for new development with a FSI greater than 1.0 will be within an underground structure.
- 14.2.2.16 Within the Outer Core area, as shown on Map 14-2.1 (Appendix 6), required parking for new development with a FSI greater than 1.0 will be within a

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA**

parking structure located either above or below grade. Where an above grade structure is provided, it will be located to the rear of an active building façade, will be no more than two storeys in height and will not be visible from public roads. Where above grade parking structures are visible from adjacent lands, they will utilize appropriate finish materials and be of a high architectural quality.

West Gateway Precinct

- 14.2.2.17 New development will maintain the existing height transition with the highest built form at the west end, closest to the Clarkson GO Transit Station, and lowest building heights at the east end, adjacent to the CN Rail overpass and the Historic Village Precinct.
- 14.2.2.18 Mixed use buildings will be located close to the street to ensure a pedestrian oriented environment.
- 14.2.2.19 Mississauga will encourage a symbolic gateway feature on Lakeshore Road West, east of Southdown Road to define the entry and exit from Clarkson Village Community Node.

East Gateway Precinct

- 14.2.2.20 Mississauga will encourage a symbolic gateway feature on Lakeshore Road West, west of Johnson's Lane to define the entry and exit from Clarkson Village Community Node.
 - 14.2.2.21 At grade, street related retail, commercial, restaurants and office uses are encouraged. Mixed use buildings will be located close to the street to ensure a pedestrian oriented environment.
5. Section 14.2, Clarkson Village is hereby amended by adding Map 14-2.2: Access Management Plan - Clarkson Village Community Node, attached as Appendix 7.
 6. Section 14.2.2, Transportation, is hereby deleted and replaced with the following:
 - 14.2.3 Transportation, Access and Parking
 - 14.2.3.1 No major changes to Clarkson Road will be undertaken except minor channelization, reconstruction, bus-bay construction, and improvements of a similar nature.

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

- 14.2.3.2 Notwithstanding the classification of Clarkson Road, this road will be limited to no more than two through lanes.
- 14.2.3.3 Mississauga will encourage and promote better utilization of the existing parking inventory within the Clarkson Village Community Node through discussions with the members of the Clarkson Village Business Improvement Area.
- 14.2.3.4 Development within the Clarkson Village Community Node will implement the general intent of the Access Management Plan – Clarkson Village Community Node (Appendix 7) and will:
- a. eliminate and/or consolidate vehicular access connections to and from Lakeshore Road West to reduce vehicle turning movements onto and direct traffic towards signalized intersections;
 - b. facilitate the creation of a formal publicly accessible laneway system by granting public use easements over internal driveways to facilitate access to and from abutting lands to the east and west and to consolidated vehicular access connections to Lakeshore Road West;
 - c. contribute a proportionate share towards the construction of a continuous centre median along Lakeshore Road West; and,
 - d. where the ultimate condition cannot be accommodated, interim solutions will be accommodated to ensure that vehicular access rights are maintained and appropriate interim agreements will be executed to ensure the ultimate condition will be achieved.
- 14.2.3.5 Where surface parking is being provided to the rear of buildings, communal parking spaces accessed from the formal publicly accessible laneway system will be encouraged.
- 14.2.3.6 Through the development review and approval process, developers will be responsible for the construction of on-street lay-by parking in accordance with the Clarkson Village Transportation/Urban Design Study – Final Report.
- 14.2.3.7 The Mississauga Cycling Master Plan proposes on-road bicycle lanes on Lakeshore Road West.

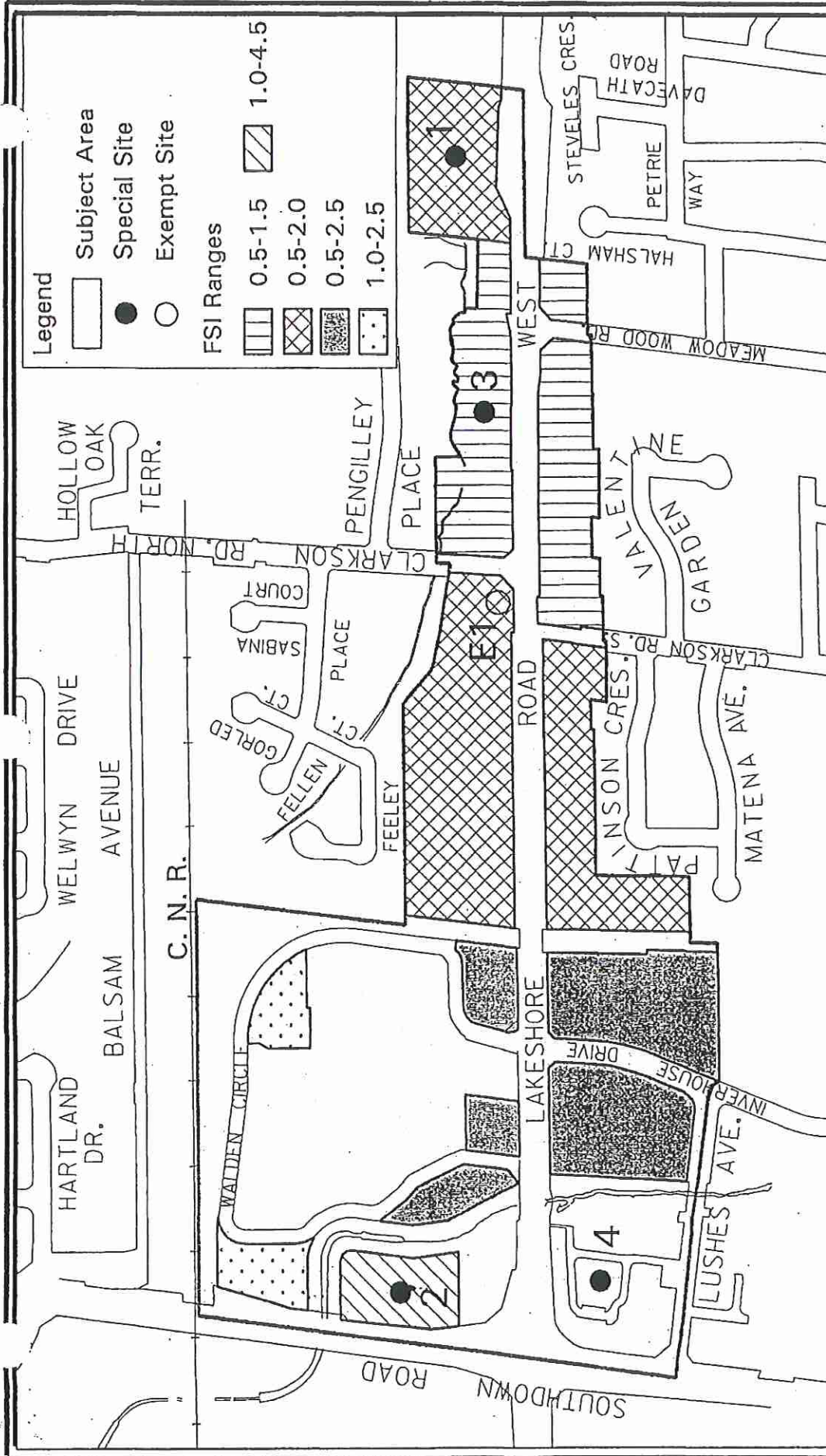
Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

7. Section 14.2.3.1 is hereby deleted and replaced with the following:
 - 14.2.4.1 Special Site 1
 - 14.2.4.1.1 The lands identified as Special Site 1 are located on the north side of Lakeshore Road West, east of Clarkson Road.
 - 14.2.4.1.2 Notwithstanding the provisions of the Residential High Density designation, the maximum number of residential dwelling units permitted will be 246.
8. Section 14.2.3.2.2 is hereby deleted and replaced with the following:
 - 14.2.3.2.2 Notwithstanding the Residential High Density designation, the maximum permitted number of apartment dwelling units shall be 424.
9. Section 14.2.3.3 is hereby deleted and replaced with the following:
 - 14.2.3.3 Special Site 3
 - 14.2.3.3.1 The lands identified as Special Site 3 are located on the north side of Lakeshore Road West between Birchwood Park and Clarkson Road North.
 - 14.2.3.3.2 The lands are encumbered by slope stability issues associated with Turtle Creek. Satisfactory technical reports addressing these issues are required prior to any development of these lands.
10. Section 14.2.3.4 is hereby amended by adding the following:
 - 14.2.3.4 Special Site 4
 - 14.2.3.4.1 The lands identified as Special Site 4 are located on the southeast corner of Lakeshore Road West and Southdown Road.
 - 14.2.3.4.2 Notwithstanding the provisions of the Residential Medium Density designation, a maximum of two detached dwellings will be permitted.
11. Schedule 1 – Urban System is hereby amended by changing the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
12. Schedule 1b - Urban System – City Structure is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA**

13. Schedule 2 - Intensification Areas is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
14. Schedule 9.- Character Areas 'G' is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
15. Schedule 10 - Land Use Designations is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
16. Map 14-1: City Structure - Community Nodes is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
17. Map 16-1: City Structure – Neighbourhoods is hereby amended by removing lands from the Clarkson-Lorne Park Neighbourhood to be incorporated into the Clarkson Village Community Node (See Appendices 5 and 6).
18. Map 16-5: Clarkson-Lorne Park Neighbourhood Character Area is hereby deleted and replaced. (See Appendices 5 and 6).
19. Section 16.5.5.6 Special Site 6, is hereby deleted.
20. Section 16.5.5.10 Special Site 10, is hereby deleted.



Legend

- Subject Area
- Special Site
- Exempt Site

FSI Ranges

- 0.5-1.5
- 0.5-2.0
- 0.5-2.5
- 1.0-2.5

LEGEND:

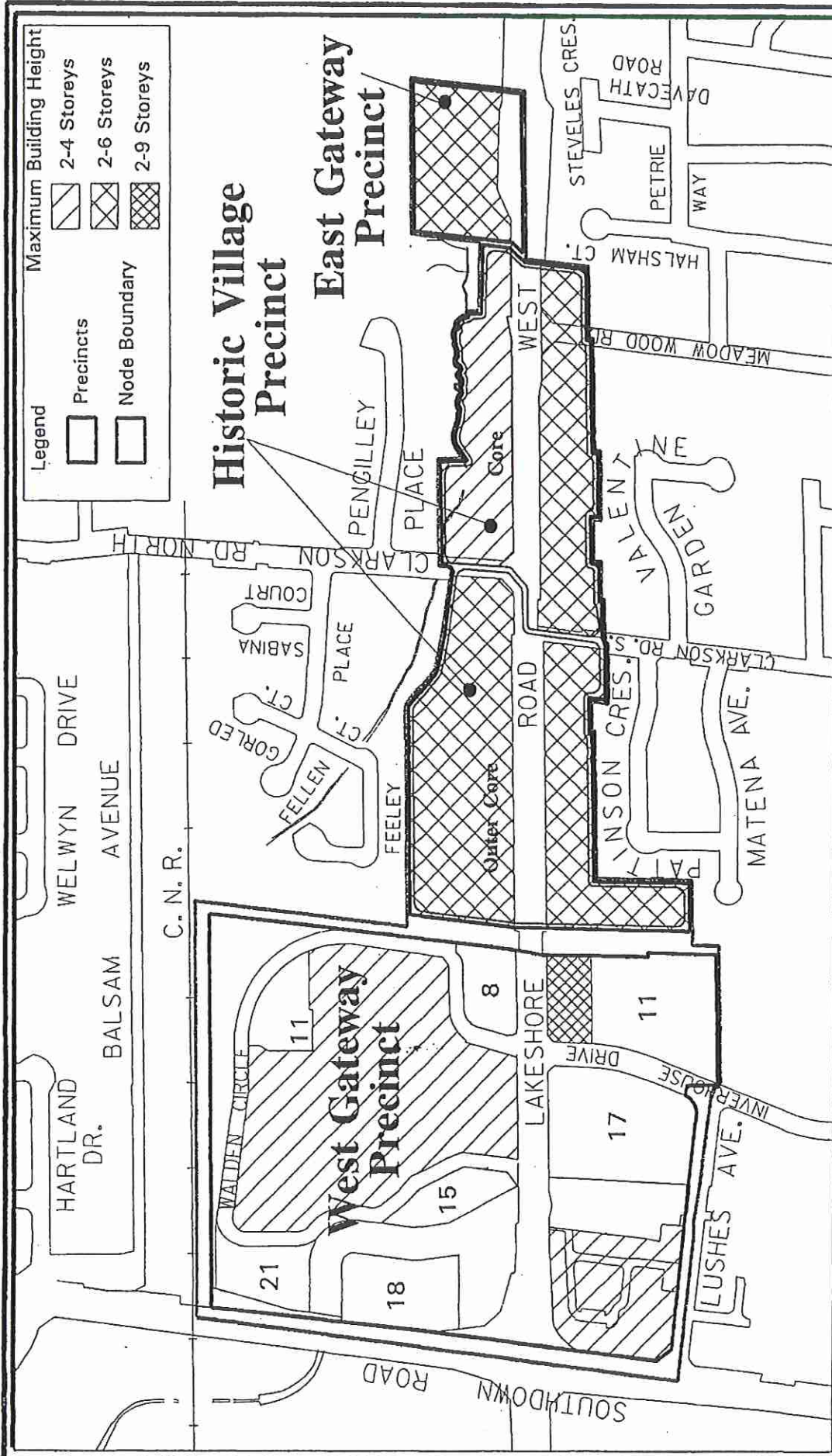
PROPOSED CLARKSON VILLAGE COMMUNITY NODE BOUNDARY

SUBJECT: PROPOSED CLARKSON VILLAGE COMMUNITY NODE

MISSISSAUGA
 Planning and Building

Produced by
 T&W, Geomatics





Legend

[Hatched Box]	Maximum Building Height
[Diagonal Hatched Box]	2-4 Storeys
[Cross-hatched Box]	2-6 Storeys
[Grid Hatched Box]	2-9 Storeys
[Solid Box]	Precincts
[Dashed Box]	Node Boundary

LEGEND:

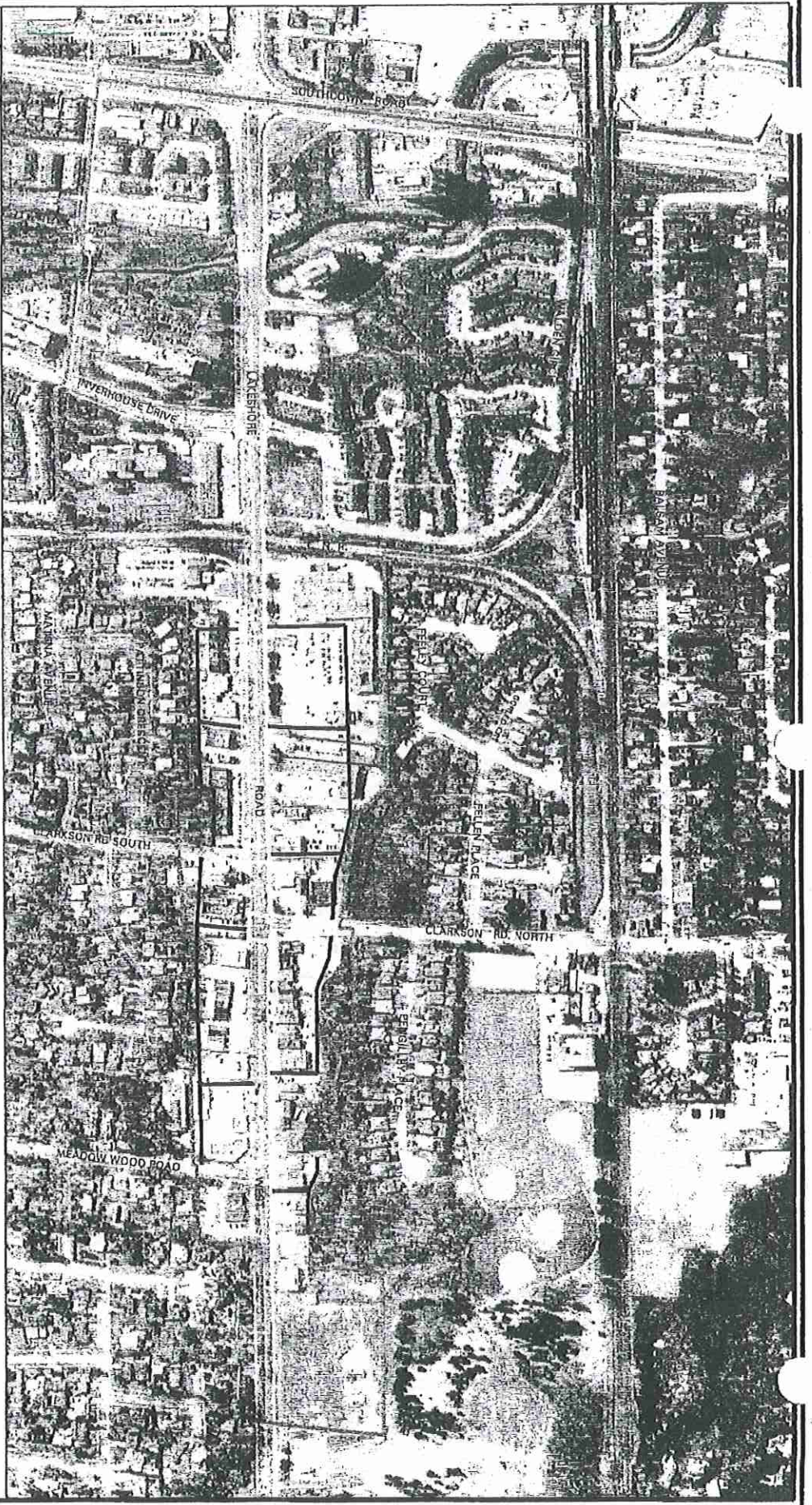
[Dashed Box] PROPOSED CLARKSON VILLAGE COMMUNITY NODE BOUNDARY

SUBJECT: PRECINCT AREAS - CLARKSON VILLAGE COMMUNITY NODE

MISSISSAUGA
 Planning and Building

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 T&W, Geomatics





- LEGEND**
- NODE BOUNDARY
 - CONSOLIDATED ACCESS AND FUTURE LANE WAYS
 - EXISTING LANE WAYS

SUBJECT: ACCESS MANAGEMENT PLAN – CLARKSON VILLAGE COMMUNITY NODE

MISSISSAUGA
Planning and Building

Produced by
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Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

Proposed Zoning Amendments – Clarkson Village Community Node

Notwithstanding the existing “C4” (Mainstreet Commercial) zone provisions, the following additional zone provisions are proposed. The below-noted Exceptions correspond with zones shown on Appendix 9 – Proposed Zoning - Clarkson Village Community Node:

C4-Exception 1 (Outer Core)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

Zone Regulations

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;
- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area;
- Floor Space Index – Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

H-C4- Exception 2 (Core – Holding, North side of Lakeshore Road West)**Uses**

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

Zone Regulations

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area;
- Floor Space Index – Residential shall not exceed 1.5;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for commercial uses located on the first storey shall be located in the streetwall facing a public right of way;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance and have a pedestrian access if not level with the public sidewalk closest to the entrance that is accessed by a ramp which has a maximum slope of 4%;

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located below grade; and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

“H” Holding Provision

- The lands identified with an “H” Holding provision may be used for any of the permitted uses prior to the removal of the Holding provision provided that no physical site alterations are undertaken; and,
- The “H” Holding Provision is to be removed from the whole or any part of these lands by further amendment to this By-law prior to any form of physical site alteration, upon satisfaction of the following requirements:
 - Technical studies, assessing and defining the slope hazard associated with Turtle Creek to the satisfaction of the City and Credit Valley Conservation.

C4- Exception 3 (Core – South side of Lakeshore Road West)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

Zone Regulations

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential; to the lot area;
- Floor Space Index – Residential shall not exceed 1.5;
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located below grade; and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

C4-Exception 4 (Northwest corner of Lakeshore Road West and Clarkson Road North)

Uses

- Motor vehicle service station and motor vehicle wash facility – restricted legally existing on the date of passing of this by-law continue to be permitted;
- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

Zone Regulations

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;
- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area;

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA**

- Floor Space Index – Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

H-C4-Exception 5 (East Gateway – Holding)**Uses**

- Horizontal multiple dwellings shall be permitted;
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted; and,
- Townhouse Dwelling Units.

Zone Regulations

- Maximum number of residential dwelling units 236;
- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.) for mixed use or non-residential buildings;
- Minimum front and exterior side yard shall be 4.5 m (14.8 ft.) to a maximum of 6.0 m (19.7 ft.) for exclusively residential buildings;
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

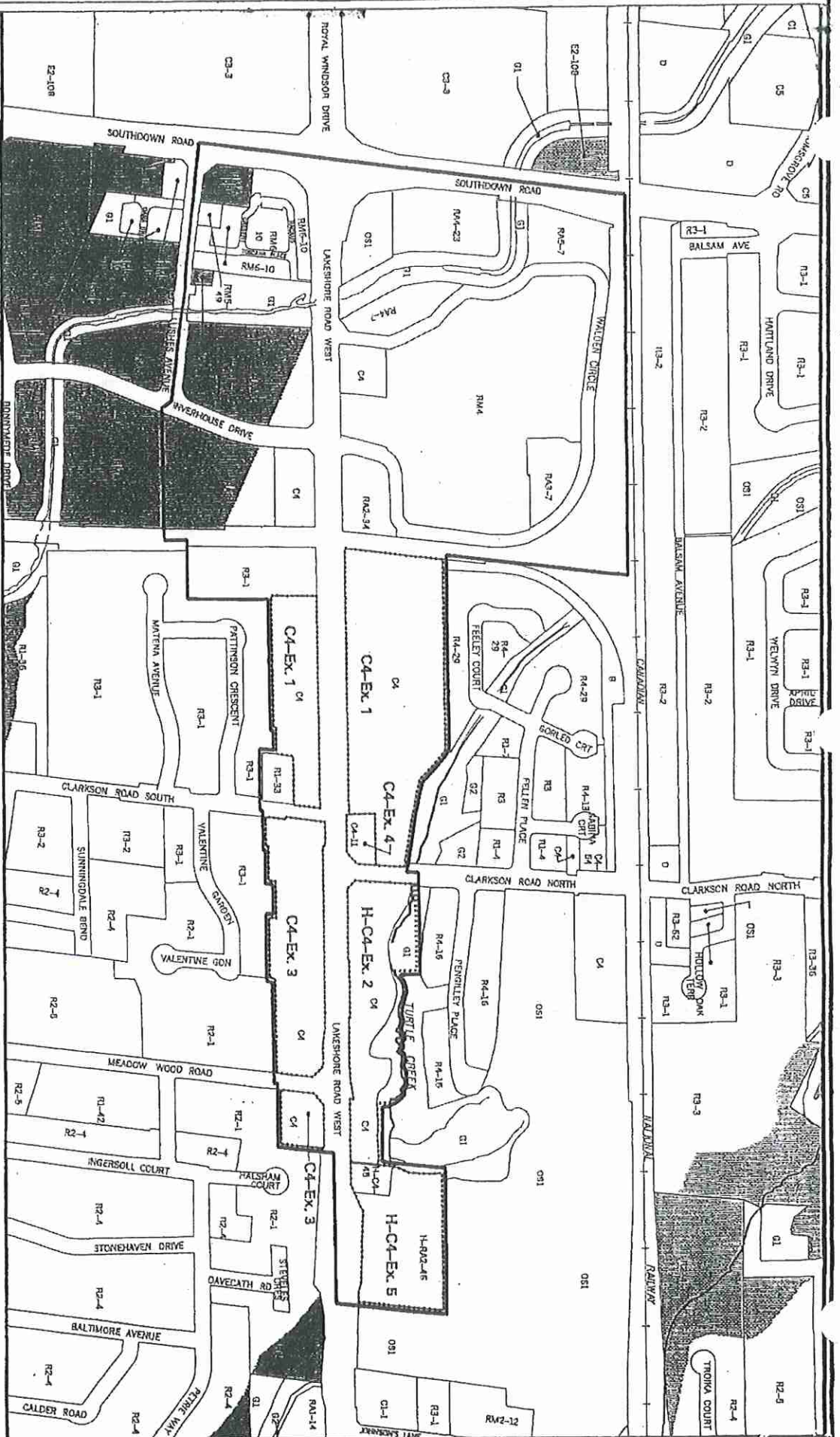
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;
- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area;
- Floor Space Index – Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

“H” Holding Provision

- The “H” Holding provision is to be removed from the whole or any part of these lands by further amendment to this By-law, upon satisfaction of the following requirements:
 - submission of a satisfactory site plan, acoustical report, functional servicing report, grading plan, tree preservation plan and servicing plans;
 - issuance of any required tree permit(s) in accordance with By-law No. 0474-2005;
 - payment in an amount satisfactory to the City of Mississauga for street tree plantings along Lakeshore Road West;
 - receipt of clearance from the Ministry of Culture with respect to the archaeological assessment;
 - gratuitous transfer and dedication of Lakeshore Road West right-of-way widening to the City of Mississauga;
 - gratuitous transfer and dedication of all lands zoned “G1” (Greenbelt) to the City of Mississauga;

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA**

- provision of securities satisfactory to the City of Mississauga for parkland and greenbelt protection and reinstatement, tree protection hoarding and chain link fencing for the adjacent park and greenbelt lands;
- issuance of a permit from the Credit Valley Conservation for the installation of the required Turtle Creek culvert;
- installation of the required Turtle Creek culvert works to the satisfaction of the Credit Valley Conservation;
- delivery of an executed development and/or servicing agreement in a form satisfactory to the City of Mississauga, including the implementation of all requirements and warning clauses outlined in any outstanding technical studies or reports, in addition to warning clauses advising prospective purchasers of the range of facilities within the abutting Birchwood Park; and
- confirmation that satisfactory arrangements have been made with the Region of Peel Public Works Department with respect to both the provision of municipal services (water and sanitary sewer) and the adequacy of services to the proposed development.



LEGEND:
 [Dotted line] PROPOSED ZONING
 [Solid line] PROPOSED CLARKSON VILLAGE COMMUNITY NODE BOUNDARY

NOTE: PROPOSED ZONING IS DELINEATED AND SHOWN BOLD WITHIN THE APPLICATION AREA.

SUBJECT: **PROPOSED ZONING - CLARKSON VILLAGE COMMUNITY NODE**



Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

Recommendation PDC-0010-2012

- "1. That the report titled "Proposed Amendments to Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West - Clarkson Village Study," dated January 24, 2012 from the Commissioner of Planning and Building be received for information.
2. That staff report back to Planning and Development Committee on any submissions made with respect to the January 24, 2012 report.
3. That the following correspondences be received:
 - (a) Email dated January 28, 2012, from Robert Nash
 - (b) Facsimile dated February 13, 2013, from Michael Garvey of Garvey and Garvey LLP
 - (c) Email and attachments dated February 13, 2012, from Joel Farber of Folger, Rubinoff LLP
 - (d) Email and attachments dated February 13, 2012, from Glen Broll of Glen Schnarr & Associates Inc."

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

Proposed Zoning Amendments – Clarkson Village Community Node – Revised

Notwithstanding the existing “C4” (Mainstreet Commercial) zone provisions, the following additional zone provisions are proposed. The below-noted Exceptions correspond with zones shown on Appendix S-4 – Proposed Zoning - Clarkson Village Community Node (Revised):

C4-Exception 1 (Outer Core Area)**Uses**

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

Zone Regulations

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;
- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area;
- Floor Space Index – Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

C4- Exception 2 (Core Area – North side of Lakeshore Road West)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

Zone Regulations

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area;
- Floor Space Index – Residential shall not exceed 1.5;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA**

- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located below grade; and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

C4- Exception 3 (Core Area – South side of Lakeshore Road West)**Uses**

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

Zone Regulations

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
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- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area;
- Floor Space Index – Residential shall not exceed 1.5;
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building facade;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;

Lakeshore Road West – Clarkson Village Study

File: CD.04.CLA

- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located below grade; and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

C4-Exception 4 (Outer Core Area - Northwest corner of Lakeshore Road West and Clarkson Road North)

Uses

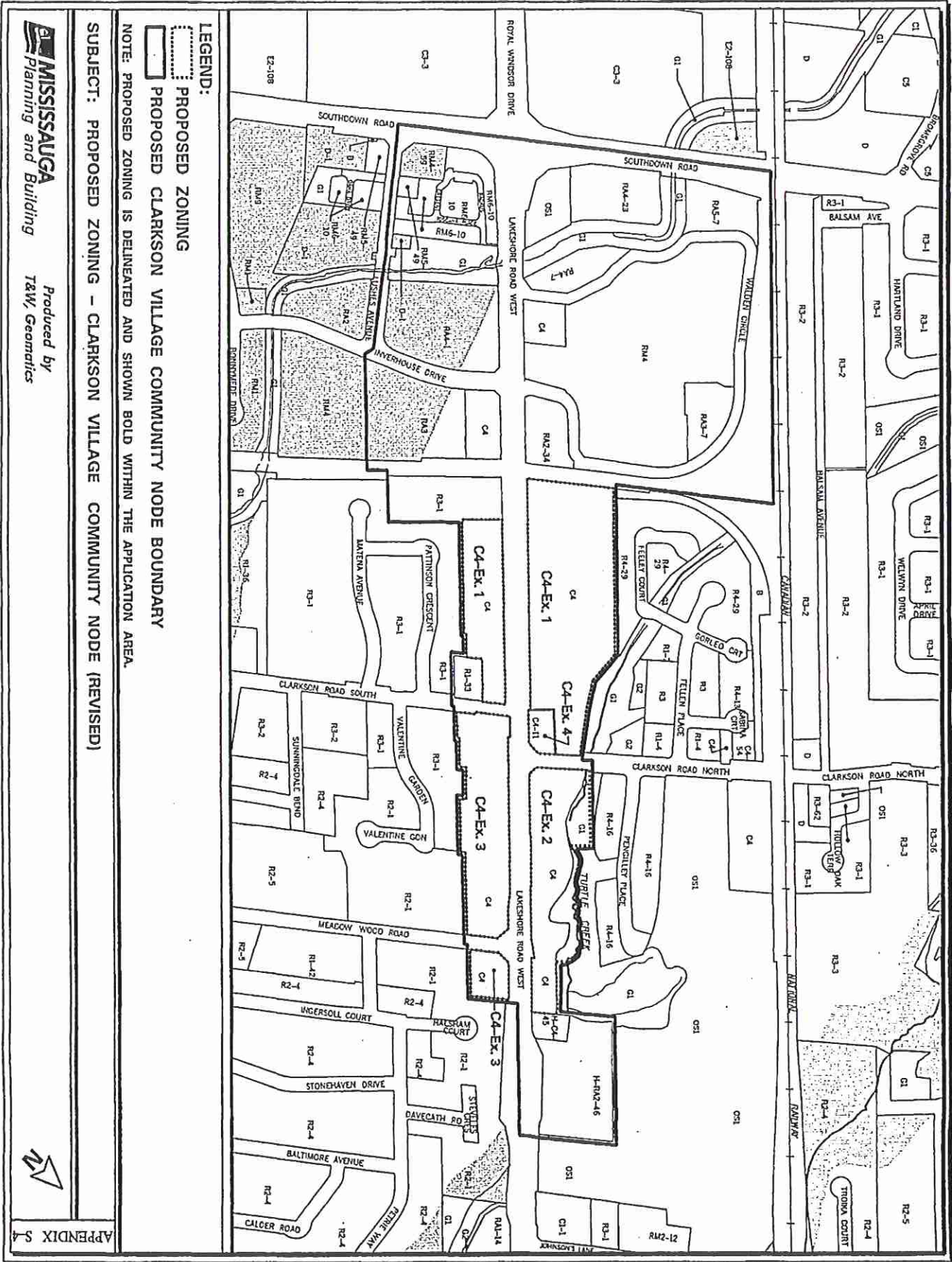
- Motor vehicle service station and motor vehicle wash facility – restricted legally existing on the date of passing of this by-law continue to be permitted;
- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

Zone Regulations

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building facade;
- Floor Space Index – Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot area;
- Floor Space Index – Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;

Lakeshore Road West – Clarkson Village Study**File: CD.04.CLA**

- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index – Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.



MISSISSAUGA
 Planning and Building

Produced by
 T&W, Geomatics



APPENDIX 5.4