
For Information

REPORT TITLE: Delegation from Mother Parker's Tea and Coffee Inc. (Referred Motion)

FROM: Kealy Dedman, Commissioner of Public Works

OBJECTIVE

To provide a response to a Motion (Resolution 2022-426) referred to staff at the May 12, 2022 Regional Council meeting to further consider the delegation from Mother Parker's Tea and Coffee Inc. (Mother Parker's) regarding implementing appropriate Employment Area designations and protections on specific properties north of Mother Parker's buildings.

REPORT HIGHLIGHTS

- At the May 12, 2022 meeting, Regional Council referred a Motion to staff to further consider the delegation from Mother Parker's Tea and Coffee Inc. including their request for the Region to write to the Minister of Municipal Affairs and Housing to ask that a modification be made during their review of the Adopted Official Plan to include the lands affected by noise and odour from the Mother Parker's operation in the Regional Employment Area.
- Inclusion of the subject lands in the Regional Employment Area would mean that there would be no opportunity for the lands to be considered for conversion to a non-employment area use such as residential and major retail until the Region undertakes its next Municipal Comprehensive Review.
- Staff have reviewed the request in the context of the new Region of Peel Official Plan (RPOP), as well as the current and proposed City of Mississauga Official Plan framework.
- Staff met with City of Mississauga staff to discuss the regional and local planning framework for Mother Parker's request and the various requests in the area, received to date.
- Staff were copied on two emails to Minister Clark from the Ahmed Group regarding 1000 and 1024 Dundas Street East, Mississauga advising of their proposal to develop over 400 units of purpose-built rental on the properties and opposing inclusion of their lands within the Regional Employment Area.
- The Ahmed Group also delegated at Regional Council on June 9, 2022, reiterating their opposition to their lands being included in the Regional Employment Area and outlined concerns with the land use compatibility results submitted by Mother Parker's.
- In addition to the request from the Ahmed Group, staff received letters regarding five sites within the subject properties addressed to the City of Mississauga, requesting removal from the Employment Area in the Mississauga Official Plan and requesting that they be included within the Mixed Use Limited designation, which is the same designation proposed for lands to the east and west of the subject properties.
- In accordance with the extensive technical studies undertaken to support the new Region of Peel Official Plan including the Land Needs Assessment and the Major Transit

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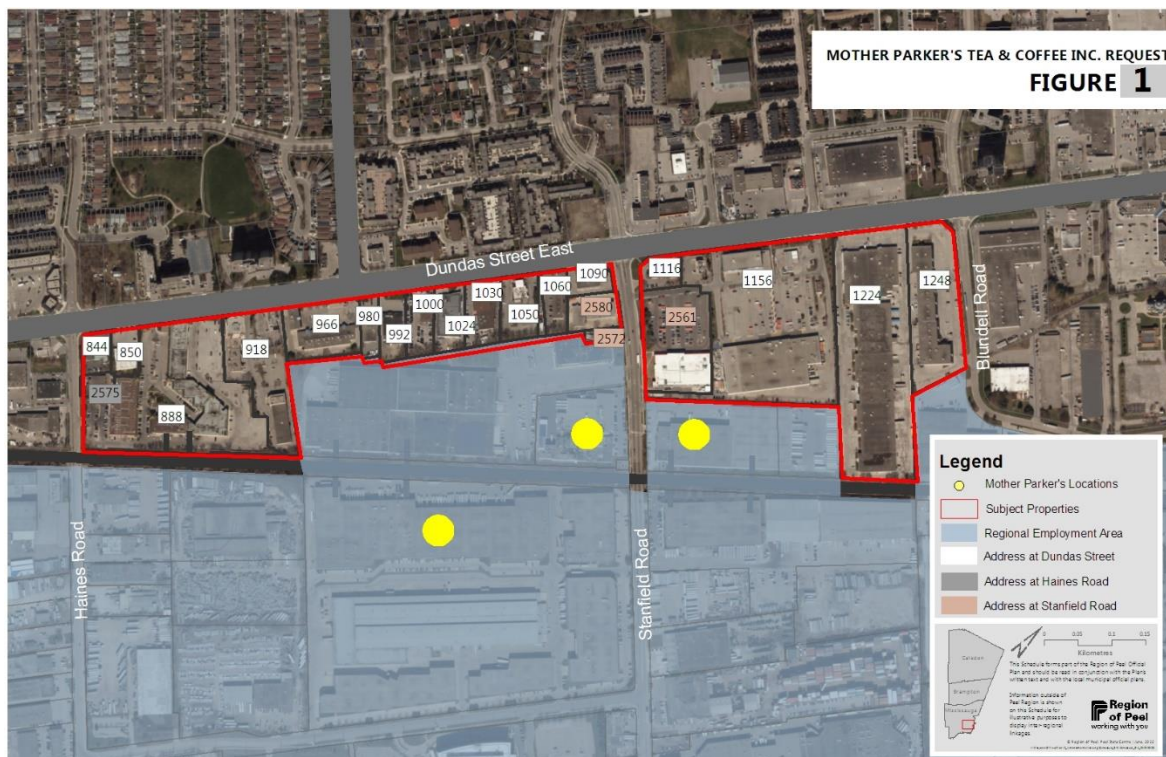
Station Area (MTSA) studies, staff continue to support the inclusion of the subject lands north of Mother Parker's operations within the Urban System and Built-Up Area designations within two primary MTSA (outside of the Regional Employment Area) in accordance with the adopted new April 2022 Regional Official Plan.

- Staff are satisfied that sufficient opportunity exists within the City of Mississauga planning framework and other applicable provincial legislation to undertake land use compatibility studies to properly assess the potential introduction of a sensitive use such as residential in proximity to the surrounding employment uses.

DISCUSSION

1. Background

Mr. David Tang from Miller Thompson LLP, on behalf of Mother Parker's Tea and Coffee Inc. (Mother Parker's) provided a letter on April 27, 2022, and subsequently delegated to Regional Council on May 12, 2022, regarding three properties in the City of Mississauga where they currently manufacture coffee and tea. They own 2530 and 2531 Stanfield Road and occupy 2470 Stanfield Road. Mr. Tang advised that land use compatibility studies have been undertaken that identify noise and odour implications from the operations on these three sites on 21 properties located to the north, fronting on Dundas Street between Haines Road and Blundell Road – to be referred as “the subject properties”. Refer to the map included as Figure 1.



Mother Parker's indicated concern that the adopted RPOP and the draft City of Mississauga Dundas Corridor Policy Implementation OPA (discussed in more detail in a later section of this report), would not prohibit sensitive uses, including residential uses on the subject properties, which will affect Mother Parker's ability to acquire Ministry of the Environment

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and Climate Change approvals as required for their business operation and expansion. Mother Parker's also provided the results of a noise impact assessment which concluded that the subject properties north of Mother Parker's operations will experience sound levels greater than the applicable limits as defined by the Ministry of Environment, Conservation and Parks.

Through the May 12, 2022, Council Delegation Mr. Tang requested:

- Regional staff work with City of Mississauga staff and Mother Parker's regarding implementing appropriate employment area designations and protections on specific properties north of Mother Parker's buildings that are subject to noise and odour impacts from their operations to enable them to continue their manufacturing and not limit their ability to continue process changes and expansions.
- That the Region request that the Minister modifies the Regional Official Plan prior to approval to include the subject properties north of Mother Parker's in the Regional Employment Area designation.

On June 1, 2022, Regional staff received information from Ahmed Group regarding their lands at 1000 and 1024 Dundas Street East, Mississauga which are included in the subject properties as shown on Figure 1. The correspondence provides an overview of their efforts to date to develop mixed uses on the site(s) including their proposal for 400 purpose built rental units. The correspondence also states opposition to including their lands within the Regional Employment Area and advises that their noise and vibration impact study concluded that the noise levels impacting their properties potentially exceed the applicable sound level criteria. However, the study recommends the properties would be appropriate for a Class 4 Area designation, which is a tool available to municipalities to approve a new sensitive land use with relaxed noise limit levels in an area of existing stationary noise in order to promote intensification. Mother Parker's disagrees with this analysis and recommendation. Staff received a copy of six letters from neighboring owners in support of Ahmed Group's proposal.

Staff also received letters regarding five properties within the subject properties addressed to the City of Mississauga, requesting removal from the Employment Area within the City Structure and designation of Mixed Use Limited in the Mississauga Official Plan. The owners of the five properties are 1910878 Ontario Inc. at 888 Dundas Street East; Ashley Group at 918, 920, 922 Dundas Street East; Golfour Property Services Inc. at 960 and 966 Dundas Street East; B.L.W. Holding Ltd. at 980 Dundas Street East; and, Tavora Holding Co. Ltd. at 1030 Dundas Street East.

Notification letters advising of this staff report have been sent to Mother Parker's and the potentially affected subject property owners.

2. Overview of Planning Framework

Regional of Peel Official Plan

On April 28, 2022, the new April 2022 Region of Peel Official Plan (RPOP) was adopted by Regional Council under By-law 20-2022, and repeals the 1996 Region of Peel Official Plan, as amended. The new April 2022 RPOP is subject to approval by the Minister of Municipal Affairs and Housing.

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The three properties currently being used by Mother Parker's for their operations (2530, 2531 and 2470 Stanfield Road) are located within the current Regional Employment Area designation of the new April 2022 RPOP as well as within the Provincially Significant Employment Zone (PSEZ). However, the subject properties north of Mother Parker's operations are located outside of the Regional Employment Area and PSEZ, and within the Dixie Road Primary Major Transit Station Area (DUN-16) and the Tomken Road Primary Major Transit Station Area (DUN-15) and both subject to a minimum density target of 160 residents and job per hectare. Refer to Appendix I for the Regional planning framework for the Mother Parker's lands and the subject properties.

Staff, working collaboratively with City of Mississauga staff through the Municipal Comprehensive Review (MCR), have implemented the findings of the 2018 Dundas Connects Master Plan in the new April 2022 RPOP. The lands, which are within Major Transit Station Areas were recommended for potential introduction of mixed uses, subject to land use compatibility through the Dundas Connects Master Plan and therefore were removed from the Regional Employment Area prior to the adoption of the new April 2022 RPOP. Additionally, during the MCR, the Ahmed Group requested an employment conversion for the property at 1000 Dundas Street East. The request was supported by Regional staff due to the alignment with the recommendations of the Dundas Connects Master Plan. During the Peel 2051 Official Plan review, staff were not aware of the specific potential land use compatibility issue raised by Mother Parker's and were only approached as the new April 2022 ROPA was being finalized.

Mississauga Official Plan

Within the current Mississauga Official Plan, the Mother Parker's properties are located within the Dixie Employment Area and are designated Business Employment. Current policies allow existing industrial uses that require extensive outdoor processing and storage to expand, except where adjacent to residentially designated lands.

The subject properties north of Mother Parker's operations are located within the Dixie Employment Area and are designated Mixed Use as per the Mississauga Official Plan. Current policies allow a broad range of commercial and institutional uses, in addition to some industrial uses, including manufacturing, research and development, warehousing, distribution, and wholesale. Residential uses on the subject properties are currently not permitted, and any proposed residential development would require a local Official Plan Amendment.

City of Mississauga Dundas Connects Master Plan and Official Plan Amendment

The Dundas Connects Master Plan (Dundas Connects) was endorsed by City of Mississauga Council on June 18, 2018. Dundas Connects guides growth and intensification along the Dundas Street Corridor and provides a number of land use and urban design recommendations, including encouraging mixed-use, transit-supportive intensification across Dundas Street.

An amendment to the Mississauga Official Plan is currently underway to implement the endorsed recommendations of Dundas Connects. The draft Dundas Corridor Policy Implementation OPA proposes to remove a number of properties along Dundas Street from the Dixie Employment Area, and designate them as Mixed Use Limited to facilitate the potential introduction of mixed uses along the corridor subject to a number of criteria

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including land use compatibility. However, in response to the technical information provided recently by Mother Parker's, the amendment does not propose changes to the subject properties north of Mother Parker's operations; therefore, would remain within the Dixie Employment Area, designated as Mixed Use (residential uses not permitted) at this time due to the need of further analysis to determine the long-term suitability of sensitive uses in the area given the nearby employment operations.

The Ahmed Group has requested that the City of Mississauga change the designation on the subject lands to remove them from the Employment Area and include them as Mixed Use Limited. The request would allow consideration of sensitive uses, including residential without an Official Plan Amendment subject to land use compatibility criteria.

The Ahmed Group has indicated that should the City of Mississauga not remove the Employment Area designation from their properties (and the other subject properties) that the Mississauga Official Plan would not conform to the new April 2022 RPOP. Staff are satisfied that maintaining the subject lands north of Mother Parker's operations in an employment area in the Mississauga Official Plan is in conformity with the new April 2022 RPOP as it allows local municipalities to support employment uses outside of the Regional Employment Area designation subject to meeting employment forecasts and land use compatibility. This would be the case should the draft Dundas Corridor Policy Implementation Official Plan Amendment be approved as proposed.

City of Mississauga Draft Major Transit Station Area Study Official Plan Amendment (MTSA OPA)

In accordance with Regional and Provincial requirements, the City of Mississauga have commenced preparation of a City-wide Mississauga Official Plan Amendment to include policies applicable to all MTSA's. Proposed changes to land use designations and building heights that support development in MTSA's across Mississauga will be implemented through the MTSA process. The recommended land uses and building heights reflect those shown through Dundas Connects, with some adjustments based on land use compatibility concerns. In April 2022, Regional staff have reviewed a draft City-wide MTSA OPA.

As previously noted, the subject properties are located within the Dixie Road Primary Major Transit Station Area (DUN-16) and the Tomken Road Primary Major Transit Station Area (DUN-15) and must meet the minimum density target of 160 people and jobs/ha. The current provincial policy framework does not allow appeals of this OPA.

3. Staff Response to Requested Employment Area Designation in Adopted Regional Official Plan

In accordance with the extensive technical studies undertaken to support the new Region of Peel Official Plan including the Land Needs Assessment and the MTSA studies, staff continue to support the inclusion of the subject properties north of Mother Parker's operations within the Urban System and Built-Up Area designations within two primary Major Transit Station Areas (outside of the Regional Employment Area) in accordance with the adopted new April 2022 Regional Official Plan.

Staff are satisfied that sufficient opportunity exists within the City of Mississauga planning framework and other applicable provincial legislation to undertake land use compatibility

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studies to properly assess the potential introduction of a sensitive use such as residential in proximity to the surrounding employment uses.

At this time there are two technical studies with differing conclusions as it pertains to noise implications from the Mother Parker's operations should residential uses be permitted. Inclusion of the subject lands north of Mother Parker's in the Regional Employment Area would prohibit residential uses and not allow subsequent land use compatibility studies to make appropriate recommendations related to the introduction of sensitive land uses until next time employment conversions can be considered, which is when the Region undertakes the next Municipal Comprehensive Review.

Additionally, should the subject properties be added into the Regional Employment Area, commercial and retail opportunities along Dundas Street on the subject properties might be limited in accordance with Regional Employment Area policies, restricting the area from meeting the Dundas Connects Master Plan' recommendations. Since these areas are to be the location of clusters of business and economic activity such as warehousing, manufacturing and offices in the new April 2022 RPOP only smaller scale retail uses that support the employment uses are permitted. Major retail uses are directed outside of Regional Employment Areas.

Based on the reasons outlined above, staff do not support Mother Parker's request to include the subject properties north of their operations in the Regional Employment Area designation.

CONCLUSION

Staff continue to support keeping the subject properties north of Mother Parker's operations out of the Regional Employment Area designation and within the Urban System, Built Up Area and Major Transit Station Area designations in accordance with the Adopted April 2022 Region of Peel Official Plan.

Staff are satisfied that sufficient opportunity exists in the work currently being undertaken by the City of Mississauga to allow Mother Parker's Tea and Coffee Inc. to continue to evolve their operations. Any development at the subject properties north of Mother Parker's operations will need a local official plan amendment and will need to meet appropriate land use compatibility principles and demonstrate no interference with the existing or future operations of the Regional Employment Area.

Regional staff will continue working with the City of Mississauga staff, Mother Parker's and the owners of the subject properties to determine the long-term suitability of sensitive land uses in the subject area.

The recently adopted new April 2022 RPOP has been submitted to the Province for approval. As part of the provincial review, a notice is posted on the Environmental Registry of Ontario, which allows stakeholders the opportunity to provide input for consideration during the approval process. Any modification would need to be made by the Minister of Municipal Affairs and Housing through the Provincial Review process.

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APPENDICES

- Appendix I - Regional Planning Framework from Mother Parkers Lands and the Subject Properties
 - Appendix II - Correspondence from David Tang, Miller Thompson LLP on behalf of Mother Parkers Coffee and Tea Inc.
 - Appendix III - Correspondence from Ahmed Group to the Minister of Municipal Affairs and Housing
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