



MINUTES

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, FEBRUARY 25, 2013 - 7:00 P.M.

COUNCIL CHAMBER, 2ND FLOOR - CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1

<http://www.mississauga.ca>

Members Present

Mayor Hazel McCallion	(Arrived 7:12 p.m.)
Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor Frank Dale	Ward 4
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Katie Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10 (Chair)
Councillor George Carlson	Ward 11

Members Absent

Councillor Bonnie Crombie	Ward 5
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Mumtaz Alikhan, Legislative Coordinator, Office of the City Clerk
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STAFF PRESENT:

Mr. E. Sajecki, Commissioner, Planning and Building
Ms. M. Ball, Director, Development and Design
Ms. Heather MacDonald, Director, Strategic Housing Initiatives & Business Services
Mr. D. Marcucci, Manager, Park Planning
Ms. K. Yerxa, Legal Services
Mr. S. Barrett, Manager, Transportation Asset Management
Mr. D. Morita, Manager, Development Engineering
Ms. R. Marland, Strategic Leader, City Strategy & Innovations
Ms. E. Irvine, Planner, Policy Planning
Ms. S. Mittmann, Urban Designer, Development & Design
Mr. Ray Poitras, Manager, Development & Design
Mr. D. Breveglieri, Planner, Development & Design
Mr. W. Nishihama, Manager, Development & Design
Ms. Mumtaz Alikhan, Legislative Coordinator
Ms. Carmela Radice, Legislative Coordinator
Ms. Stephanie Smith, Legislative Coordinator

PLANNING & DEVELOPMENT COMMITTEE – February 2, 2013**CALL TO ORDER**

Councillor McFadden, Chair, called the meeting to order at 7:00 p.m.

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST

Nil

MATTERS TO BE CONSIDERED

The Planning and Development Committee adjusted the order of the Agenda as follows:

3. Report on Inspiration Port Credit – Background Report, Public Comments and Next Steps (Ward 1).

Councillor Tovey moved the following motion which was voted on and carried:

PDC-0007-2013

1. That the report entitled "*Inspiration Port Credit – Background Report, Public Comments and Next Steps*" dated February 13, 2013 from the Director, City Strategy and Innovations be received for information; and
2. That the Strategic Community Initiatives section proceed with the stakeholder and public engagement with respect to the Master Plan options and report back to the Planning and Development Committee with the recommended Master Plan, implementation guide and action plan.

CD.21.POR

APPROVED – (Councillor J. Tovey)

File: CD.21.POR

5. Report on Payment-in-Lieu of Off-Street Parking (PIL) Application 100 Queen Street South - Unit #102, West side of Queen Street South, south of Caroline Street
Owner: Cyncorp Developments Inc.
Applicant: Cyncorp Developments Inc. (Ward 11)
File: FA.31 12/004 W11

Councillor Carlson moved the following motion which was voted on and carried:

PDC-0008-2013

That the Report dated February 5, 2013 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Off-Street Parking (PIL) application under file FA.31 12/004 W11, Cyncorp Developments Inc., 100 Queen

Street South, Unit #102, west side of Queen Street South and south of Caroline Street, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$13,260.00 be approved as the amount for the payment-in-lieu of three (3) off-street parking spaces and that the owner/occupant enter into an agreement with the City of Mississauga for the payment of the full amount owing in a single, lump sum payment.
2. That City Council enact a by-law under Section 40 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to authorize the execution of the PIL agreement with Cyncorp Developments Inc. for the proposed medical office within Unit #102, 100 Queen Street South.
3. That the execution of the PIL agreement and payment be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of Council approval, and/or the PIL payment is not made within 90 days of Council approval, then the approval will lapse and a new PIL application along with the application fee will be required.

ADOPTED – (Councillor G. Carlson)
File: FA.31 12/004 W11

6. Report on Mississauga Crime Prevention Through Environmental Design (CPTED) Principles
File: CD.21.CPT

Councillor Saito moved the following motion which was voted on and carried:

PDC-0010-2013

That the report dated February 5, 2013, from the Commissioner of Planning and Building entitled "Mississauga Crime Prevention Through Environment Design (CPTED) Principles, be approved.

APPROVED – (Councillor P. Saito)
File: CD.21.CPT

4. **SUPPLEMENTARY REPORT**
Report on the Official Plan Amendment and Rezoning Applications to permit a 137 unit, 4-storey condominium apartment building 1224, 1230, 1236, 1240, 1244 Cawthra Road and 636 Atwater Avenue, Southwest corner of Cawthra Road and Atwater Avenue
Owner: Windcatcher Development Corporation
Applicant: Lethbridge & Lawson Inc., **Bill 51** (Ward 1)
File: OZ 11/016 W1

Please see public comments on this item at the end of this document.

Councillor Tovey moved the following motion which was voted on and carried:

PDC-00010-2013

That the Report dated February 5, 2013, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 11/016 W1, Windcatcher Development Corporation, 1224, 1230, 1236, 1240, 1244 Cawthra Road and 636 Atwater Avenue, southwest corner of Cawthra Road and Atwater Avenue, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the 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 amendment is hereby waived.
2. That the application to amend Mississauga Official Plan from "Residential Medium Density - Special Site 1" to "Residential High Density - Special Site" to permit a 137 unit, 4-storey condominium apartment building, be approved.
3. That the application to change the Zoning from "R3-1" (Detached Dwellings - Typical Lots) to "RA1-Exception" (Apartment Dwellings) to permit a 137 unit, 4-storey condominium apartment building in accordance with the proposed revised zoning standards described in Appendix S-7 of this report, be approved subject to the following conditions:
 - (a) That the applicant agrees to satisfy all the requirements of the City and any other official agency concerned with the development;
 - (b) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards not apply to the subject lands.
4. In the event these applications are approved in principle by Council, that staff be directed to hold discussions with the applicant to secure community benefits, in accordance with Section 37 of the *Planning Act* and the Corporate Policy and Procedure on Bonus Zoning, and to return to Council with a Section 37 report outlining the recommended community benefits upon conclusion of the discussions.
5. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

6. That the following correspondence be received:

- a) Letter dated February 9, 2013 from Bohdan and Julie Radecky, Residents.

APPROVED – (Councillor J. Tovey)

File: OZ 11/016 W1

1. **PUBLIC MEETING**

Housing Choices: Second Units Implementation Strategy
CDD.06.AFF

Emily Irvine, Planner, addressed the Planning and Development Committee with respect to the statutory report regarding the Second Units Implementation Strategy. She spoke to the Official Plan policies; zoning by-law regulations; licensing requirements; education program and partnerships with key stakeholders. She provided background information and next steps for the City to comply with Provincial legislation.

Roger Clement, Division Chief, Fire Prevention and Life Safety, outlined the need for fire safety regulations in two unit dwelling units, enforcement of fire regulations in Ontario's Fire Code for two unit dwellings and information regarding fire safety requirements which can be found on the Fire Prevention's website.

Sharad Kerur, Executive Director, Ontario Non-Profit Housing Association, outlined that the Association advocates for regulatory approaches for affordable housing. He noted the benefits for affordable housing in Mississauga that include increased housing options for lower, moderate and elderly incomes and new home owners; additional income for current home owners; legalizing existing non-compliant second unit suits and integrated measures for effective housing strategies. He noted that secondary unit suites cannot be the only measure for affordable housing in Mississauga.

Edna Toth, Peel Poverty Action Group, outlined proposed housing standards for private single family homes and their support of Bill C400. She noted that women in Mississauga cannot find housing and that affordable housing such as second units would increase options for homeless people and the supply of affordable housing in Mississauga.

Sandy Milakovic, Chief Executive Officer, Canadian Mental Health Association/Peel Branch spoke to the need for affordable housing for people with mental illnesses. She addressed elements for secure housing and noted that many homeless residents have mental illnesses and are subjected to poor living conditions. She noted that landlords, the City of Mississauga and the Region of Peel need to work together and be held accountable.

Daniel Amsler, Community Legal Worker/ Paralegal, Mississauga Community Legal Services noted that the by-law should be inclusive and that the City of Mississauga should license larger dwelling units. He noted his concerns with the requirement of an additional parking space for a second unit and that a license could be rescinded if the by-law is breached. Councillor Iannicca posed the question how do you explain to a community the proposed by-law zoning changes to change their single detached to allow for second units. Mr. Amsler responded that laws and characteristics of communities change over time.

Mara Samardzic, Planner, Policy & Government Relations, BILD, representing RenoMark Builders, spoke in support of the City's initiatives and noted their efforts in assisting building complete communities by providing affordable housing options. It was noted that BILD's RenoMark members would only work on legal second units. Concerns were noted with second unit zoning provisions with respect to the principal owner residing at the residence and requested that the zoning provision be amended to remove that requirement. Councillor Mahoney sought clarification that the home owner would encounter additional expenses if they resided at the residence during renovations. She requested further information be sent to the Planning and Building Committee on that matter.

Alex Vacello, Resident, sought clarification to the definition of a rooming house. Heather McDonald, Director, Strategy Housing Initiative and Business Services noted that this recommendation is with respect to adding one additional unit to a residence. Mr. Vacella noted that most secondary units are investment units and are not homeowner occupied. He noted support for additional fees to ensure legal, safe secondary units.

Ranjit Dhaliwal, Mortgage Broker, Mortgage Intelligence Company, expressed concern with the disconnect between supply and demand for affordable housing in the City of Mississauga. He outlined the lack of rental buildings and the financial benefits to allow affordable housing in Mississauga. He noted that allowing legal affordable housing in Mississauga would ensure safe housing.

Taruna Sharma, Resident, expressed support for secondary units in Mississauga. She spoke to the current high housing costs and that secondary units would create additional revenue for homeowners and noted the financial gain for the City.

Irene Dorowa, Resident, expressed support for second units in Mississauga. She noted the difficulties of first home owners purchasing a home.

Councillor Mullin spoke to the matter and expressed concerns with absentee landlords, safety concerns, property standards, parking and enquired about the role the Fire Marshal has for basement apartments. She further enquired about partnership opportunities with Peel Housing.

Councillors McFadden and Councillor Iannicca enquired about financial assistance from the Provincial Government for the mandate of secondary units and raised

concerns with proposed by-law zoning changes to communities from what was originally planned for including transit, parkland and community services.

Councillor Tovey raised concerns with building codes, monitoring secondary units and the financial impact on the City.

Councillor Starr expressed concern with the financial strains on City services and noted an implementation fee needs to be established to recognize the increase on service demands.

Madam Mayor spoke to the matter and noted that the Federal and Provincial Government have not dealt with social housing demands and that the issue has been downloaded to local municipalities. She addressed the need for affordable housing in the City of Mississauga and outlined the additional financial strains on City services and the potential impact on property taxes. She noted that the Province needs to comply with the City's requests and conditions and that the City would delay implementation.

Madam Mayor noted that this matter would not solve the social housing problem and that residents must talk to their MP and MPP.

Councillor Fonseca spoke to the matter and noted the importance of partnerships to ensure legal safe secondary suites. She requested that staff bring back information regarding previous concerns raised about multi-unit residential units.

Councillor Mahoney sought a legal opinion regarding condo board mandates on this matter. She noted that the Provincial Government have not acknowledged illegal living conditions and noted the need for additional financial resources.

Councillor McFadden commented that residents need to contact their local MP and MPP to raise their concerns.

Councillor Mullin moved the following motion which was voted on and carried:

PDC-0011-2013

1. That the report titled "*Housing Choices: Second Units Implementation Strategy*" dated February 5, 2013 from the Commissioner of Planning and Building be received for information.
2. That the submissions made at the public meeting/open house held at the Planning and Development Committee meeting on February 25, 2013 to consider the Second units Implementation Strategy be received.
3. That Planning and Building Department staff report back on the submissions made with respect to the Second Unit Implementation Strategy in the report titled *Housing Choices: Second Units Implementation Strategy* attached as Appendix 1.

4. That the following correspondence be received:
 - a) Email dated February 6, 2013 from Alice Jacques, Resident.
 - b) Email dated February 20, 2013 from Henry and May Darmetko, Residents.
 - c) Email dated February 21, 2013 from Daniel Amsler, Community Legal Worker, Mississauga Community Legal Services
 - d) Email dated February 25, 2013 from Sherry Irwin, Resident.
 - e) Email dated February 25, 2013 from Ben de Castro, Resident.
 - f) Letter dated February 25, 2013 from Paula J. Tenuta, Vice President, Policy & Government Relations, Building Industry and Land Development Association (BILD)
 - g) Email dated February 25, 2013 from Kim Wozniak, Resident.
 - h) Email dated February 25, 2013 from Mr. Tommy Chang, Planning & Development, The Conservatory Group.

File: CD 06 AFF

APPROVED – (Councillor Mullin)

2. PUBLIC MEETING

Proposed Zoning By-Laws Amendments Port Credit Infill Housing Study – Hiawatha Neighbourhood (Ward 1)
CD.06.POR

Sharon Mittmann, Urban Designer, reviewed the report covering the residential neighbourhood located south of Lakeshore Road East and east of Elmwood Avenue South. Community consultations and surveys conducted in 2012 showed 88% of the residents indicated they wished changes to the existing by-law with 50% indicating that waterfront lots should be treated differently from standard lots. Ms. Mittmann outlined the next steps in the process which was to revise the proposed amendments based on public input for the Committee's consideration.

In response to a question from Councillor Mullin with respect to a maximum for garage projections being allowed, Ms. Mittmann responded that there was no such provision, but that the recommendation was for a reduction from a full protruding garage.

Gavin Clark, resident, addressed the committee in opposition of flat roofs which he said would result in increased massing. He also supported the restriction of protruding garages and the proposed 19.8m (65 ft.) maximum length restriction to a dwelling.

Marie Howes-Clark, resident, addressed the committee and spoke against the proposal for allowing protruding garages for non-waterfront properties which was crafted as a result of the City's survey of residents in the area. Mrs. Howes-Clark further requested that the City preserve the character of the area with varied but modest homes, not a congested sub-division with oversized homes.

Marilyn L. Sparrow, resident, addressed the committee in opposition of the amendments. She noted that larger homes create jobs, increase tax revenues and maintain reasonably high real estate values for the neighbourhood. Ms. Sparrow expressed concern that further zoning restrictions in the Hiawatha neighbourhood would affect real estate values and that the recommendations should be fair for all properties in the "R15" zoned area.

Peter Lo, resident, addressed the committee in opposition of the amendments and viewed them as a restriction to private property rights with undefined benefits to the community. He further stated that the proposed amendments would severely restrict development and directly impact the value of waterfront properties and that only the size of future developments was addressed without consideration to the original character of the neighbourhood. A flexible approach for a variety of housing styles and sizes was required and that construction of larger homes will increase tax revenues which should be used to improve the surrounding areas and services for families who live in the Hiawatha neighbourhood.

Afzal Ahmad, resident, addressed the committee and spoke of the grave effect of the mammoth structure on Cumberland Drive on both himself, as well as the entire community. He expressed strong opposition to permitting construction of protruding garages and the need to preserve the charm and character of the neighbourhood.

Janet Coyle, resident, addressed the committee and was concerned that as a result of the potential changes to the zoning by-law her house will be severely devalued. She requested staff study the financial impact of the proposed changes. Ms. Coyle said that her property was small, but will be subjected to the same restrictions as the larger properties and that no one will be able to redevelop their property without a variance.

Evan Steed, resident, addressed the committee in opposition of the proposal. He said that the proposal was not equitable or fair and that waterfront lots were excessively restricted. He suggested that focus should be on the dwelling depth and massing, not lot sizes. Mr. Steed requested similar waterfront areas be compared and a further survey of residents be conducted before a decision was made.

Mr. Steed noted that the new homes have improved the neighbourhood and that one property should not warrant changes.

Councillor Tovey noted that the City had been working with the community for the past 12 months and will continue to do so to move closer to a solution.

Judy Watson, resident, addressed the committee and spoke of the 36% survey response rate being better than most federal or municipal elections and urged that these results are not discarded.

John David, resident, addressed the committee and spoke in favour of restrictions to projecting garages on non-waterfront lots.

Andrew Beattie, resident, addressed the committee and raised a concern that restrictions to a 3rd storey be included in the proposed by-law amendment.

Councillor Mullin noted that she went through something similar with the infill by-law in Clarkson and Lorne Park. The infill by-law has worked well dealing with height, setback and protruding garages, and still allowed redevelopment.

Councillor Carlson spoke of similar changes and concerns in Ward 11 and noted that the by-law restrictions had worked very well in Streetsville.

Councillor Tovey thanked the community for their input and reiterated that working together would result in a resolution in this matter.

Councillor Tovey moved the following motion which was voted on and carried:

PDC-0012-2013

1. That the report dated February 5, 2013, from the Commissioner of Planning and Building, titled "Proposed Zoning By-law Amendments, Port Credit Infill Housing Study – Hiawatha Neighbourhood", south of Lakeshore Road East, east of Elmwood Avenue South, be received for information.
2. That the Planning and Building Department report back on any public submissions received and make specific recommendations to amend the existing "R15" (Detached Dwellings – Port Credit) zone standards in the Port Credit Infill Housing Study area in order to retain neighbourhood character and improve compatibility between existing housing and replacement housing and detached dwelling additions.
3. That the following correspondence be received:
 - a) Email dated February 14, 2013 from Mr. Giuseppe Simeone, Resident.
 - b) Email dated February 20, 2013 from Mr. Peter Lo, Resident.
 - c) Email dated February 22, 2013 from Mr. Leo Norgard, Resident.
 - d) Email dated February 24, 2013 from Mr. Afzal Ahmad, Resident.
 - e) Email dated February 25, 2013 from Mr. Tim Ader, Resident.
 - f) Email dated February 25, 2013 from Ms. Kareen Colbert, Resident

- g) Email dated February 25, 2013 from Mr. John Holland, Resident.
- h) Email dated February 25, 2013 from Mr. Paul Krush, Resident.
- i) Email dated February 25, 2013 from Mrs. Jodi and Dominic Rosso, Residents.
- j) Email dated February 25, 2013 from Mr. Ian L. Smith, Resident.
- k) Email dated February 25, 2013 from Mr. Evan and Mrs. Shelley Steed, Residents.
- l) Letter dated February 20, 2013 from Lisa and Paul Reed, Residents.
- m) Email dated February 25, 2013 from Cathy Mann, Resident.
- n) Letter dated February 25, 2013 from Andrew Beattie and Michelle Becker, Residents.

RECEIVED – (Councillor J. Tovey)
File: CD.06.POR

4. Councillor McFadden, Chair, at the request of Councillor Tovey, called for any members in the audience wishing to comment on item 4 - Supplementary Report (File: OZ 11/016 W1), adopted earlier in the meeting, to come forward to address the committee.

SUPPLEMENTARY REPORT

Report on the Official Plan Amendment and Rezoning Applications to permit a 137 unit, 4-storey condominium apartment building 1224, 1230, 1236, 1240, 1244 Cawthra Road and 636 Atwater Avenue, Southwest corner of Cawthra Road and Atwater Avenue. Owner: Windcatcher Development Corporation. Applicant: Lethbridge & Lawson Inc., **Bill 51** (Ward 1). File: OZ 11/016 W1

Councillor Tovey noted that the property had originally been zoned for townhomes but the application from the new owner, Windcatcher, was for a 4 storey condo unit.

Janice Witashko (sp), resident, addressed the committee and asked if a walkabout was conducted of the creek behind the property as previously suggested by Madam Mayor. Councillor Tovey responded that the new application would allow 47% of greenspace as opposed to 15% if townhouses had been built and that the Credit Valley Conservation Authority as well as two studies by the proponent had declared the area flood free.

Kathy Morrison, resident, addressed the committee expressing disappointment that the application being supported despite the fact that over 600 names were included in the petition in opposition to the proposal. She felt that these had clearly not been listened to. The traffic situation was already disastrous.

Councillor Tovey noted that decisions were made based on the City's Official Plan, Strategic Plan and secondary policies. Consideration had also been given to the application from a traffic standpoint. He stated that if the application was denied, the proponent would take it to the Ontario Municipal Board and this would be an irresponsible action affecting City staff who consider the plan a good one.

Dave Fisher, resident, addressed the committee citing his deceased sister, who was a resident of the area, supported this project. He noted that the development was good for the area and that the building should be taller. As for the traffic, he noted that currently 4 to 5 cars are parked on one driveway contributing to the traffic problem. He said that this development will help those who rely on transit and the development offers more people the use of public transit.

Isabel Garcia, resident, addressed the committee in opposition of the development. She felt that consideration had not been given to the community's concerns. Ms. Garcia noted that traffic congestion is great and the small condos proposed would bring more cars to the area. She questioned who was surveyed.

Laura Everley (sp), resident, addressed the committee in opposition to the project. She noted that there were a total of 6 schools in the vicinity and over 80% of the students walk, all having to cross Cawthra Road. Students who are bussed also have to cross this busy intersection and the increase in the number of cars from this development will negatively impact an already difficult situation. She said that vehicles were cutting across Atwater Avenue, over to Haig Boulevard, to avoid the crossing students. Ms. Everley stated that the approval of this application did not take the safety of the children into consideration.

At the request of the audience, the motion was put to another vote. Councillor Tovey moved the motion which was voted on and carried unanimously.

ADJOURNMENT – 10:03 p.m.
(Councillor R. Starr)