

Issued April 30, 2012



## MINUTES

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### PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

**MONDAY, APRIL 16, 2012 - 7:00 P.M.**

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

<http://www.mississauga.ca>

#### Members

Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor Frank Dale	Ward 4
Councillor Bonnie Crombie	Ward 5
Councillor Ron Starr	Ward 6
Councillor Katie Mahoney	Ward 8 <b>(Chair)</b>
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

#### Members Absent

Mayor Hazel McCallion	
Councillor Nando Iannicca	Ward 7

Laura Wilson, Legislative Coordinator, Office of the City Clerk  
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STAFF PRESENT:

Mr. E. Sajeki, Commissioner, Planning and Building  
Mr. J. Calvert, Director, Policy Planning  
Ms. H. MacDonald, Director, Strategic Housing Initiative and  
business Services  
Mr. D. Marcucci, Manager, Park Planning  
Mr. S. Barrett, Manager, Transportation and Asset Management  
Mr. D. Morita, Manager, Development Engineering  
Ms. M. Taggart, Legal Counsel  
Mr. D. Bryan, Supervisor, Sign Unit  
Mr. R. Hughes, Planner  
Ms. P. Mikicich, Planner  
Ms. C. Radice, Legislative Coordinator  
Ms. L. Wilson, Legislative Coordinator

**PLANNING & DEVELOPMENT COMMITTEE – April 16, 2012**

**CALL TO ORDER**

7:01 p.m.

**DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST**

NIL

**MATTERS TO BE CONSIDERED**

1. Sign Variance Applications – Sign By-law 0054-2002, as amended  
File: BL.03-SIG (2012)

Councillor, George Carlson, Ward 11, moved the following motion which was voted on and carried:

PDC-0027-2012

That the Report dated March 27, 2012 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested one (1) Sign Variance Application described in Appendix 1 of the Report, be adopted in accordance with the following:

1. That the following Sign Variance **be deferred to allow time for further review:**
  - (a) Sign Variance Application 03-11482  
Ward 11  
Village English  
167 Queen St. S.

To permit the following:

- (i) One (1) fascia sign located on the second storey of the building.

BL.03-SIG (2012)

APPROVED – (Councillor George Carlson)

2. Proposed Corporate Policy and Procedure – Bonus Zoning  
File: CD.02.BON

Paulina Mikicich, Planner, Policy Planning Division addressed the Planning and Development committee with respect to the Proposed Corporate Policy and Procedure – Bonus Zoning. She outlined the report and what bonus zoning encompasses. Ms. Mikicich explained the recommendations made by the consultants with respect to the policy, including minor modifications to the new Mississauga Official Plan and that Council approve a protocol to assist with the implementation of Bonus Zoning. She further noted that the goal of the policy is to ensure that Bonus Zoning is consistently applied, is fair to developers, responsive to community needs and transparent to the public.

Councillor Pat Mullin, Ward 2, sought clarification regarding the use of assessors to assess the value of increased density and she sought clarification with respect to which applications could be exempt from the Draft Corporate Policy and Procedure if adopted. Ms. Mikicich noted that outside assessors would be utilized and that applications could be exempt from the proposed policy based on size.

Councillor Mullin raised concerns with respect wording and drew the Committee's attention to the following phrases in the Draft Corporate Policy and Procedure: *"This policy will be applied mainly to..."* as stated under the Minimum Threshold Size Requirement; and *"The City will secure Community Benefits for which the costs to the developer/ owner represent a reasonable proportion of the increase in the residual land value resulting from the increase in height and/ or density"* as noted under the Guiding Implementation Principals. Ms. Mikicich noted that wording in the Draft Policy and Procedure was meant to allow for flexibility.

Councillor Mullin also spoke to the level of capture for Section 37 Agreements and sought clarification as to when the percentage could be specified by Council. Ms. Mikicich noted that the consultants had suggested that a level of capture not be specified in the Draft Corporate Policy and Procedure because it is a voluntary contribution and not a tax.

Councillor Ron Starr, Ward 6, sought clarification with respect to the minimum threshold size requirements and raised concerns with respect to wording. He also sought clarification regarding section 3.3 of the Draft Corporate Policy and Procedure which stated that *"Eligible Community Benefits will not replace or duplicate the provision of, or funding for, specific facilities or services..."* as stated under the Guiding Implementation Principals. Ms. Mikicich noted that the minimum threshold size requirements were recommendations made by the consultants and further stipulated that the policy could be modified. Ed Sajecki, Commissioner, Planning and Building, noted with respect to eligible community benefits, Council could turn an application down if they were dissatisfied.

Councillor Jim Tovey, Ward 1, noted that a number could not be specified for determining the level of Section 37 benefits as it is not a tax and suggested that the wording of policies from other municipalities be taken under advisement. Councillor Tovey also suggested the following: that the policy statement should read “*Bonus Zoning enables the City to secure a range of Community Benefits when increases in permitted development are deemed good planning and acceptable by Council...*”; that the dispute resolution process noted in section 2.2.4 of the draft policy be outlined; that section 3.5 of the draft policy read “*Planning and Building staff and the Ward Councillor will lead discussion or negotiations for Section 37 Agreements...*” He also asked if a municipality had ever received Section 37 benefits through the Ontario Municipal Board. Ms. Mikicich noted that she believed this had occurred and would confirm.

Mr. Sajecki noted that the comments and concerns raised by the Planning and Development Committee would be taken under advisement and that Planning and Building would report back to Council.

Councillor Pat Mullin, Ward 2, moved the following motion, which was voted on and carried:

PDC-0028-2012

1. That the Corporate Policy and Procedure - Bonus Zoning, attached as Appendix 1 to the report titled “Proposed Corporate Policy and Procedure – Bonus Zoning” dated March 7, 2012 from the Commissioner of Planning and Building, be referred to staff for consideration of comments and suggestions made by the Planning and Development Committee with respect to the policy and procedure.
2. That staff be requested to report directly to a future Council meeting.

File: CD.02.BON

APPROVED – (Councillor Pat Mullin)

3. Payment-in-Lieu of Off-Street Parking (PIL) Application, 215 Lakeshore Road East, South side of Lakeshore Road East, east of Oakwood Avenue South.  
Owner: Rosario Grande, Georgio Grande and Anna Cale  
Applicant: Marzena Wlodarczyk  
File: FA.31 11/004 W1

Councillor Jim Tovey, Ward 1, moved the following motion which was voted on and carried:

PDC-0029-2012

That the Report dated March 27, 2012 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Off-Street Parking (PIL) application under file FA.31 11/004 W1, Rosario Grande, Georgio Grande and Anna Cale, 215 Lakeshore Road East, south side of Lakeshore Road East, east of Oakwood Avenue South, be adopted in accordance with the following for “Lump Sum” agreements:

1. That the sum of \$5, 350.00 be approved as the amount for the payment in lieu of one (1) off-street parking space 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 Rosario Grande, Georgio Grande and Anna Cale for the conversion of an existing unit for a take-out restaurant.
3. That the execution of the PIL agreement and payment must 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.

File: FA.31 11/004 W1

APPROVED – (Councillor Jim Tovey)

4. PUBLIC MEETING AND SUPPLEMENTARY REPORT

Official Plan Amendment, Rezoning and Draft Plan of Subdivision Applications  
To permit apartments with ground related commercial and office uses, and townhouses under standard and common element condominium tenure  
5081 Hurontario Street

East side of Hurontario Street, north of Eglinton Avenue East

Owner: Summit Eglinton Inc.

Applicant: Jim Lethbridge, Lethbridge & Lawson Inc., **Bill 51** (Ward 5)

File: OZ 09/011 W5 and T-M09004 W5

Councillor Katie Mahoney, Ward 8, Chair, called this public meeting to order at 7:39 p.m.

Councillor Bonnie Crombie, Ward 5, noted that a revised recommendation had been distributed to the Planning and Development Committee and outlined the amendments that had been made to the recommendation.

Rob Hughes, Planner, addressed the Planning and Development Committee with respect to the Official Plan Amendment, Rezoning and Draft Plan of Subdivision Applications - To permit apartments with ground related commercial and office uses, and townhouses under standard and common element condominium tenure 5081 Hurontario Street. He outlined the location and context of the subject lands and spoke to the concept plan. Mr. Hughes also spoke to the Addendum Report associated with the plan that had been listed on the Planning and Development Committee Additional Agenda.

The Planning and Development Committee posed questions and sought clarification from staff regarding the development plan.

Councillor Frank Dale, Ward 4, asked staff if the plan conformed to the Official Plan and sought clarification with respect to the parkland in the community, and the management of traffic in the area. Staff responded to the inquiries and Mr. Hughes indicated that some aspects of the proposal did conform with the Official Plan while other aspects did not. Dave Marcucci, Manager, Park Planning, noted that staff would be reviewing the possibility for additional parkland in the area with any development applications to the south of the subject lands. Steve Barrett, Manager, Transportation and Infrastructure Management indicated that traffic studies had been completed and that staff were confident that any increase in traffic could be supported with existing and future road networks.

Councillor Pat Mullin, Ward 2, sought clarification with respect to the density of the proposal and issues related to water and sanitation. Mr. Hughes noted that while density would be increased on the west side, density would be decreased on other parts of subject lands which would balance out the density. Ed Sajecki, Commissioner, Planning and Building confirmed that there would be a re-distribution of density on the site which was supported by staff. Mr. Hughes further noted that with respect to issues regarding sanitation and water, a holding symbol would be placed on those parts of the subject lands which posed an issue. Mr. Barrett addressed Councillor Mullin's concerns with respect to traffic and noted that there would be an increase in traffic and an impact on intersections but that this could be managed and that the Light Rail Transit (LRT) system would help alleviate traffic congestion.

Councillor Bonnie Crombie, Ward 5, sought clarification with respect to the traffic study that had been completed, and raised a question with respect to shadowing. Mr. Barrett noted that traffic studies do not take into account when development would take place and noted that the amount of development in the area could pose a challenge to traffic but that this would have to be coordinated. He further noted that staff were confident that the infrastructure along Hurontario Street could accommodate the development in the area. Mr. Hughes addressed Councillor Crombie's concerns with respect to shadowing and noted that a shadow study had been completed and that concerns with respect to shadowing had been addressed.

Michael Goldberg, Goldberg Group, addressed the committee and noted that he was representing Alfonso Gallucci Construction Limited which was the neighbour abutting the subject lands to the north. He indicated that there had been a number integration issues between the property to the north and the subject lands but that the content of the report was satisfactory. He further noted that the plan needed to be implemented properly through conditions of the draft plan of the subdivision and through development agreements and that he and his client looked forward to working with staff to ensure that implementation was properly carried out.

David Fisher, 1405 Mississauga Valley Boulevard addressed the committee and noted that he would like a section thirty seven (37) implemented in the project. He noted that his major concern was with the new road to the south which would connect with Hurontario Street. Mr. Fisher also noted his concern that parking would negatively impact traffic, indicating his desire to see a reduction in parking standards to alleviate traffic congestion. He further noted that traffic would continue to be a problem unless there is an increase in carpooling or until a different method of transportation is used. He also spoke to shadowing and noted that it would be an issue for one (1) to two (2) hours per day. Mr. Fisher also indicated that a lack of green space was not an issue for him as lands west of Cooksville Creek would be used as park land in the future. He also noted that high density development along major transit corridors benefits transit.

Councillor Bonnie Crombie made concluding remarks indicating that concerns related to the development had largely been addressed. Councillor Crombie also outlined positive aspects of the development including the phasing in of the development, the agreement for semi – detached homes rather than three (3) storey town homes, the mix of density, the minimal impact of shadows, the cap on the number of units, and the agreement from the developer to honour the public art policy. Councillor Crombie further noted that traffic issues would need to be continually dealt with throughout the City of Mississauga.

Councillor Frank Dale, Ward 4, noted a concern related to traffic congestion resulting from development in the area and indicated further concern because the proposal was not in compliance with the Official Plan. He suggested that until the LRT is constructed, tighter controls on development be implemented.

Councillor Bonnie Crombie, Ward 5, moved the following motion, which was voted on and carried:

PDC-0030-2012

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 Plan from "Residential - High Density II - Special Site 7" to "Residential - Medium Density I - Special Site", "Residential - Medium Density II - Special Site" and "Residential - High Density II - Special Site" to permit apartments with ground related commercial and office uses, semi-detached dwellings and townhouses under standard and common element condominium tenure, be approved.
3. That the application to change the Zoning from "D" (Development) to "D" (Development), "RM5-Exception" (Street Townhouse and Semi-Detached Dwellings), "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road), "H-RA2-Exception" (Apartment Dwellings) and "H-RA5-Exception" (Apartment Dwellings) to permit apartments with ground related commercial and office uses, semi-detached dwellings and townhouses under standard and common element condominium tenure, in accordance with the City supported zoning standards contained in the staff report, be approved subject to the following conditions:
  - (a) That the draft plan of subdivision be approved.
  - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
  - (c) 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 both School Boards not apply to the subject lands.
  - (d) "That in accordance with Council Resolution 160-91, that a minimum of three car spaces per dwelling, including those in a garage be required on-site and a minimum of 0.25 on-street visitor parking spaces per dwelling be required for dwellings on lots less than 12 m (39.4 ft.) of frontage for the subject development."
4. That the Plan of Subdivision under file T-M09004 W5, be recommended for approval subject to the conditions contained in Appendix S-10, as modified to incorporate semi-detached lots.
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 36 months of the Council decision.

6. That Legal Services request the Ontario Municipal Board to make appropriate modifications to the new Mississauga Official Plan through the Board approval process to redesignate the lands from "Residential - High Density II - Special Site 7" to "Residential - Medium Density I - Special Site", "Residential - Medium Density II - Special Site" and "Residential - High Density II - Special Site".

File: OZ 09/011 W5 and T-M09004 W5  
APPROVED – (Councillor B. Crombie)

Councillor Frank Dale requested that his opposition to the development be recorded.

This public meeting closed at 8:25 p.m.

**ADJOURNMENT** – 8:26 p.m.  
(Councillor Ron Starr)