

Issued: June 25, 2012



MINUTES

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, JUNE 11, 2012 - 7:00 P.M.

COUNCIL CHAMBER, 2ND FLOOR - CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1
<http://www.mississauga.ca>

Members

Mayor Hazel McCallion	
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 Nando Iannicca	Ward 7
Councillor Katie Mahoney	Ward 8
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11 (Chair)

Members Absent

Councillor Pat Saito	Ward 9
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Laura Wilson, Legislative Coordinator, Office of the City Clerk
905-615-3200 ext. 5425 / Fax 905-615-4181
email: laura.wilson@mississauga.ca

STAFF PRESENT:

Mr. E. Sajeki, Commissioner, Planning and Building

Ms. M. Ball, Director, Development and Design

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. R. Poitras, Planner

Ms. B. Phillips, Planner

Mr. H. Lynch, Planner

Ms. S. Smith, Legislative Coordinator

Ms. L. Wilson, Legislative Coordinator

PLANNING & DEVELOPMENT COMMITTEE – JUNE 11, 2012

CALL TO ORDER

Councillor George Carlson called the meeting to order at 7:00 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 (2011)

The Planning and Development Committee (the committee) sought direction regarding number two (2) of the Sign Variance Applications – Sign By-law 0054-2002 recommendation and Councillor Iannicca noted that he was in support of granting number two (2) of the recommendation.

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

PDC-0037-2012

1. That the following Sign Variances **be granted**:

- (a) Sign Variance Application 12-00439
Ward 1
Port Credit Wellness Centre
333 Lakeshore Road West

To permit the following:

- (i) Four (4) fascia signs above the first storey,
one on each of the building elevations.

- (b) Sign Variance Application 12-00240
Ward 3
Research in Motion
4701 and 4715 Tahoe Blvd.

To permit the following:

- (i) Two (2) fascia signs for each building located
On the 5th floor of the 6 storey buildings.

- (c) Sign Variance Application 12-00232
Ward 5
Light Presbyterian Church
6965 Professional Court

To permit the following:

- (i) One (1) ground sign with a sign area of 11.71 sq. m. (126 sq. ft.) and a height of 6.86 m. (22.5 ft) fronting Derry Road.

- (d) Sign Variance Application 12-00112
Ward 11
Walkers Fishmarket Inc.
6531 Mississauga Rd.

To permit the following:

- (i) One (1) sign located on the side of a patio.

- (e) Sign Variance Application 12-00209
Ward 11
RBC
7020 Saint Barbara Blvd.

To permit the following:

- (i) Two (2) directional signs having a height of 1.37 m (4.4 ft.).

- (f) Sign Variance Application 11-07022
Ward 7
TransGlobe
3122 Hurontario Street

To permit the following:

- (i) Four (4) fascia signs on the building.

BL.03-SIG (2012)

2. PUBLIC MEETING

Information Report - Official Plan Amendment and Rezoning Applications -

To permit a dental office in a residential dwelling, with one resident dentist, one non-resident dentist and a maximum of three employees; 5306 Creditview Road, West side of Creditview Road, south of Carolyn Road

Owner: Navin and Vandana Ratra

Applicant: Weston Consulting Group Inc. **Bill 51** (Ward 6)

File: OZ 11/011 W6

Councillor George Carlson called this public meeting to order at 7:04 p.m.

Allan Young, Weston Consulting made a deputation with respect to the application noting that the property owner wished to expand the dental clinic currently operating on the premises to include a second dentist's chair, and room for a total of three staff. He further noted that adding a second storey to the existing building was proposed, that the existing driveway would be removed and that landscaping would be increased. Mr. Young also stipulated for the Planning and Development Committee that the number of parking spaces would be in compliance with municipal parking standards. He then spoke to the City's stipulation that lands at the rear of the property be dedicated to the City and requested that an easement be considered instead. Madam Mayor spoke to the matter and suggested that an encroachment agreement be considered which would allow the property owners to continue using the land. Marilyn Ball, Director, Development and Design, Planning and Building Department noted that an encroachment agreement could be considered.

Olga Juric identifying herself as a neighbour to the north of the subject lands addressed the Planning and Development Committee and noted her objection to the layout of the proposed parking lot. She explained that the proposed parking lot would abut her property and expressed concern with respect to a loss of privacy. Ms. Juric requested that the staff and applicant look at re-arranging the layout of the parking lot. Jonathan Famme, Planner, Planning and Building Department, stipulated that an aisle was required and therefore re-arranging the parking lot would require demolition which was not preferable to the applicant.

Councillor Ron Starr noted that the Planning and Development Committee had received many letters in support of the application and that noted that the proposal was compatible with the neighbourhood adding that an encroachment agreement could be considered.

Vandana Ratra, 5306 Creditview Road, addressed the Planning and Development Committee and noted that the business was being expanded to include a second dentist in anticipation of her son graduating as a dentist and joining the practice.

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

PDC-0038-2012

1. That the Report dated May 22, 2012, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Residential – Low Density II" and "Greenbelt" to "Residential Low Density II – Special Site" and "Greenbelt", as amended, and to change the Zoning from "R3" (Detached Dwelling) to "R3 – Exception" (Detached Dwelling) and "G1" (Greenbelt), to permit a dental office in a residential dwelling, with one resident dentist, one non-resident dentist and a maximum of three employees under file OZ 11/011 W6, Navin and Vandana Ratra, 5306 Creditview Road, be received for information and, notwithstanding Planning Protocol, that the Supplementary Report be brought directly to a future Council meeting.

2. That the following correspondences be received:
 - (a) Letters dated May 30, 2012 from Michael Iacovou, Resident
 - (b) Letter, un-dated from Tung Dai Tran, Resident
 - (c) Email and letter dated June 7, 2012 from Kevin Saldanha, Resident
 - (d) Letter dated June 6, 2012 from Hung Giang, Resident
 - (e) Letter dated June 7, 2012 from Britt Bretteher, Resident
 - (f) Letter dated May 30, 2012 from Jose Olea, Resident
 - (g) Letter dated May 30, 2012 from Abdul Masri, Resident
 - (h) Letter dated May 30, 2012 from Fisun Shevket, Resident
 - (i) Letter, un-dated from Dr. The Huy Nguyen, Resident
 - (j) Letter, un-dated from Usha Mahau, Resident
 - (k) Letter, un-dated, from James C. Mephram and Helen J. Mephram, Residents
 - (l) Letter, un-dated, from Mir Alam, Resident
 - (m) Letter, un-dated from Diethard Boeticher, Resident
 - (n) Letter dated June 6, 2012 from Bickram Ramlakhan, Resident

APPROVED - (Councillor R. Starr)

File: OZ 11/0011 W6

This public meeting closed at 7:21 p.m.

3. SUPPLEMENTARY REPORT

Official Plan Amendment and Rezoning Applications - To permit 4 storeys of retail commercial/office fronting onto Lakeshore Road East, a 10 storey residential condominium apartment with 56 units stepping down to 4 storeys fronting onto Port Street East and the retention of Montgomery House 91-93 & 99 Lakeshore Road East and 42 Port Street East Southeast corner of Lakeshore Road East and Elizabeth Street South

Owner: Centre City Capital Limited and William G. James

Applicant: John D. Rogers & Associates Inc. **Bill 51**(Ward 1)

File: OZ 08/009 W1

Ben Phillips, Planner, spoke to the Supplementary Report noting the location and characteristics of the subject lands, and outlining the updated concept plan. He also noted the community's concerns surrounding the proposal and how these concerns had been addressed. Mr. Phillips proceeded to make comment regarding the specifics of the updated concept plan.

Councillor Carlson welcomed comment from the audience.

Denise Baker, Solicitor Representative for the owner of 46 Port Street addressed the committee and raised concerns with respect to the ability of the owner of 46 Port Street to re-develop the land, a limiting distance agreement, and with the wording and stipulations of the height limit. Ms. Baker then outlined proposed changes to the recommendation requesting that the committee consider the proposed changes.

Chris Mackie on behalf of the Executive of the Cranberry Cove Port Credit Ratepayers Association addressed the development's appearance; the negative impact of construction, issues with the City's parking standards and raised concerns with respect to the determination of Community Benefits under Section 37 of the Planning Act. Mr. Mackie further suggested that the City endorse revised parking standards.

Councillor Tovey spoke to concerns with respect to Section 37 Benefits and outlined positive aspects of the proposal such as Section 37 benefits and the creation of office space. He also raised a question as to when revised parking standards would be brought forward and Mr. Phillips noted that the parking study being conducted by the City was anticipated to be completed within the year. Councillor Tovey also raised a concern with respect to the lack of sewage capacity noting that he anticipated it would be dealt with by the Region.

Councillor Mullin spoke to Section 37 Benefits noting that the City should be looking for the highest percentage possible and that the applicant and City should be conducting assessments. Councillor Mullin asked if the development meets the parking standard. Mr. Phillips noted that the development did not meet the parking standard but that a mixed use formula had been applied and that parking would be adequate.

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

PDC-0039-2012

1. That the application to amend Mississauga Plan from "Mainstreet Retail Commercial" to "Mainstreet Retail Commercial – Special Site" in conformity with the provisions outlined in Appendix S-3, be approved.
2. That the application to change the Zoning from "C4" (Mainstreet Commercial) to "C4-Exception" (Mainstreet Commercial) to permit 4 storeys of retail commercial/office, a 10 storey, 56 unit residential condominium apartment with street level retail commercial uses and the retention of Montgomery House be approved subject to the following conditions:
 - (a) That the permitted uses and development standards shall conform to those outlined in Appendices S-4 and S-5;
 - (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 Peel District and Dufferin-Peel Separate School Boards, not apply to the subject lands;
 - (c) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development.
3. That in accordance with the provisions of Section 37 of the *Planning Act*, an agreement between Centre City Capital Limited, William G. James and the City shall be executed, in the event that the Official Plan Amendment and Zoning By-law Amendment as recommended are approved. The agreement shall be consistent with the recommendations contained in this report.
4. In the event that Mississauga Official Plan (2011) comes into force and effect as it pertains to the subject lands, that Mississauga Official Plan (2011) be amended for these lands from "Mixed Use" to "Mixed Use – Special Site" consistent with the provisions outlined in Appendix S-3.
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 correspondences be received:
 - (a) Email dated June 10, 2012 from Helen Shuttleworth, Resident
 - (b) Email and letter dated June 8, 2012 from Denise Baker, Townsend and Associates

File: OZ 08/009 W1

4. PUBLIC MEETING AND SUPPLEMENTARY REPORT

Official Plan Amendment and Rezoning Applications

To permit 117 townhouse dwellings, 23 mainstreet retail commercial live/work units and to identify a block for future development

90, 100 and 110 Dundas Street West, South side of Dundas Street West, east side of Confederation Parkway

Owner: 675553 Ontario Inc. (Viewmark Homes) and the City of Mississauga

Applicant: Jim Lethbridge, Lethbridge Lawson Inc., **Bill 51** (Ward 7)

File: OZ 07/022 W7

Councillor George Carlson called the public meeting to order at 8:04 p.m.

Councillor Carlson welcomed comments from the public. No members of the public wished to address the Planning and Development Committee with respect to the application and the committee did not require a staff presentation.

Councillor Nando Iannicca detailed the characteristics and history of the subject lands noting his support for the proposal.

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

PDC-0040-2012

That the Report dated May 22, 2012, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 07/022 W7, 675553 Ontario Inc. (Viewmark Homes), 90, 100 and 110 Dundas Street West, south side of Dundas Street West, east side of Confederation Parkway, be adopted in accordance with the following:

1. That the application to amend Mississauga Plan from "Mainstreet Retail Commercial – Special Site 12" to "Mainstreet Retail Commercial – Special Site", "Residential Medium Density II – Special Site" and "Residential High Density I – Special Site", to permit 117 townhouse dwellings and 23 mainstreet retail commercial live/work units and to identify a block for future Residential High Density development, be approved.
2. That the application to change the Zoning from "C4-8" (Mainstreet Retail Commercial) to "H-C4-Exception" (Mainstreet Retail Commercial), "H-RM6-Exception" (Townhouses on a CEC-Private Road) and "D" (Development) to permit 117 townhouse dwellings, 23 mainstreet retail commercial live/work units and to identify a block for future development in accordance with the proposed standards described in this report, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development;

- (b) That satisfactory arrangements be made with the applicant regarding the acquisition of 110 Dundas Street for incorporation into the development plan.
- 3. That the "H" Holding provision is to be removed from the whole or any part of the lands zoned "H-C4-Exception" (Mainstreet Retail Commercial) and/or "H-RM6-Exception" (Townhouses on a CEC-Private Road), by further amendment, upon satisfaction of the following requirements:
 - (a) delivery of an executed Development Agreement in a form and on terms satisfactory to the City addressing and agreeing to the installation or placement of all required municipal boulevard works, including the provision of required securities, the implementation of requirements/conditions prior to Site Plan approval, warning clauses, phasing and development provisions and such other provisions the City may require in relation to the proposed development;
 - (b) Submission of a Functional Servicing Report and waste collection facility design to the satisfaction of the City of Mississauga and the Region of Peel;
 - (c) Submission of satisfactory Grading and Servicing drawings, including appropriate cross-sections to clearly demonstrate the feasibility of grading to city standards and specifications;
 - (d) Submission of original Environmental Site Assessments, Record of Site Condition and Letter of Reliance for final review and approval, and the completion of any recommended remediation undertakings;
 - (e) Submission of a satisfactory Streetscape Plan for the Dundas Street West and Confederation Parkway frontages of the site, including municipal services, street tree plantings and other landscape features, supported by an underground composite Utility Plan based on the physical locates of all existing utilities/services within the municipal boulevard;
 - (f) Enter into the appropriate agreements with the City of Mississauga and the Region of Peel and establish the necessary reciprocal easements for any shared services and facilities associated with the future condominium development;
 - (g) Gratuitous dedication to the City of Mississauga of right-of-way widenings along the south side of Dundas Street West, the east side of Confederation Parkway, and the north side of King Street West;

- (h) The provision of securities to the satisfaction of the City of Mississauga to guarantee the installation of air conditioning units and special acoustical building measures in accordance with the approved Noise Report;
 - (i) The provision of all required public easements to the City of Mississauga for vehicular, pedestrian, cycling and servicing, including the provision of related securities, fees and provisions;
 - (j) The City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for the subject development.
- 4. 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.
 - 5. That City Council direct Legal Services and representatives from the appropriate City Departments to attend any Ontario Municipal Board proceedings which may take place in connection with these applications, in support of the recommendations outlined in the report dated May 22, 2012.
 - 6. That City Council provide the Planning and Building Department with the authority to instruct Legal Services staff on any modifications deemed necessary, where required, through the Ontario Municipal Board Hearing process.

APPROVED – (Councillor N. Iannicca)
File: OZ 07/022 W7

This public meeting closed at approximately 8:14 p.m.

5. SUPPLEMENTARY REPORT

Official Plan Amendment and Rezoning Applications

To permit a 169 unit, 6 storey retirement dwelling with a 7th storey mechanical room and amenity area 3640-3658 and 3670 Cawthra Road, Southwest corner of Burnhamthorpe Road East and Cawthra Road

Owner: Daraban Holdings Limited

Applicant: Weston Consulting Group Inc., **Bill 51** (Ward 4)

File: OZ 10/008 W4

Councillor Dale noted his objection to the developer's proposal and the alternative proposal from the Planning and Building Department. He further noted that he had circulated an alternative recommendation for the committee's consideration. He outlined the background of the application and noted that the developer had applied to the Ontario Municipal Board (OMB). He stipulated his concerns with respect to the proposed development which included issues with the mass, scale and density.

Jonathan Famme, Planner, addressed the committee outlining the characteristics and location of the subject lands and the area context. He also described the proposal and noted the community issues including concerns with respect to massing, obstructed views, loss of privacy, separation distances, traffic impacts, safety of pedestrians crossing at Burnhamthorpe Road and Cawthra Road and parking. Mr. Famme noted that the Planning and Building Department was recommending that the committee not endorse the Applicant's proposal but that instead, the committee consider the alternative proposal presented by the Planning and Building Department in the Supplementary Report.

Discussion ensued with respect to the proposal. Councillor Pat Mullin noted her concern that the development was not in a location of intensification. Madam Mayor noted her concern that the development was out of context and asked what type of development staff envisioned for the subject lands and raised a question with respect to parking studies. Mr. Famme explained what an alternative design could look like and Steve Barrett, Manager, Transportation and Asset Management clarified that applicants were required to provide traffic studies and were responsible for discussing a terms of reference with staff. Madam Mayor suggested that traffic studies should be paid for by the developer and directed by staff.

Councillor Fonseca noted that Ward 3 borders Ward 4 at Cawthra Road and noted that the proposal does not fit the community context in the area. Councillor Crombie outlined her concerns with respect to the proposal and encouraged the applicant to give consideration to the wishes of the community.

Murray Schelter, Burnhamthorpe Cawthra Association outlined concerns with respect to the development including issues with the traffic and noise studies, the height of the development and that the proposal did not meet with the Official Plan. He further noted concern regarding the isolation of the development, the noise surrounding the development, the lack of green space in the area, the high volume traffic in the vicinity of the development and how these concerns would negatively impact senior citizens residing in the building.

Councillor Dale requested that staff advise the community as to how they can be party to the OMB hearing.

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

PDC-0041-2012

WHEREAS there are no buildings located along Cawthra Road that exceed four storeys in height;

AND WHEREAS the Mississauga Plan Section 3.2.3.2 identifies that the scale and massing should be priorities in assessing residential developments;

AND WHEREAS the Mississauga Plan Section 3.13.5.4 states that any consideration to heights in excess of four storeys will only be considered where it can be demonstrated that an appropriate transition in heights that respects the surrounding context will be achieved;

AND WHEREAS the Mississauga Plan Section 3.13.6.17 states that development proposals will demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale;

AND WHEREAS the Mississauga Plan Section 5.4.5 states that development will be required to have regard for the character of the Neighbourhood and provide appropriate transitions in height, built form and density to the surrounding lands;

AND WHEREAS the Mississauga Plan Section 5.3.5.6 states that development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale;

AND WHEREAS the Mississauga Plan Section 3.18.7.5 states that building and site designs will provide adequate outdoor amenity space to suit the needs of building users;

AND WHEREAS the Mississauga Plan Section 3.13.6.23 states that development should minimize the use of surface parking in favour of underground or aboveground structured parking;

AND WHEREAS there is currently no north-south public transit options available along Cawthra Road between Burnhamthorpe Road and Bloor St;

AND WHEREAS within the Mississauga Valleys Planning District, Residential High Density II lands are generally located in the vicinity of Hurontario Street, and there are no examples of Residential High Density II lands abutting low density residential development;

AND WHEREAS the proposed amendment cannot be supported as the density, scale and massing of the proposal is excessive for the given context;

AND WHEREAS the density being sought has lead to constraints in the surface treatments of parking, outdoor amenity area, landscaping and buffers;

NOW THEREFORE LET IT BE RESOLVED THAT:

1. That the application to amend the Mississauga Plan from "Motor Vehicle Commercial" to "Residential High Density II – Special Site" to permit a 169 unit, 6 storey retirement dwelling with a 7th storey mechanical room and amenity area, be refused.
2. That the application to change the Zoning from "RM4" (Townhouse Dwellings) and "C5-3" (Motor Vehicle Commercial – Exception) to "RA2 Exception" to permit a 169 unit, 6 storey retirement dwelling with a 7th storey mechanical room and amenity area in accordance with the proposed zoning standards described in the Information Report, be refused.
3. That the Planning and Development Committee not endorse the Planning and Building Department recommended alternative proposal;
4. That the Mississauga Plan be amended from "Residential Medium Density I" and "Motor Vehicle Commercial" to "Residential High Density I – Special Site" to permit a retirement dwelling with a maximum height of 4 storeys.
5. That the Zoning be changed from "RM4" (Townhouse Dwellings) and "C5-3" (Motor Vehicle Commercial - Exception) to "RA1-Exception" (Apartment Dwellings - Exception) to permit a retirement dwelling with a maximum height of 4 storeys.
6. That City Council direct Legal Services to obtain an outside planning consultant, and that Legal Services and the outside planning consultant attend any Ontario Municipal Board proceedings which may take place in connection with the applications and in support of the recommendations outlined in this resolution.

APPROVED – (Councillor F. Dale)

File: OZ 10/008 W4

ADJOURNMENT – 9:00 p.m.
(Councillor N. Iannicca)