



MINUTES

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, OCTOBER 19, 2009

**AFTERNOON SESSION – CANCELLED
EVENING SESSION – 7:00 P.M.**

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

<http://www.mississauga.ca>

Members Present:

Councillor Pat Mullin (Ward 2)
Councillor Maja Prentice (Ward 3)
Councillor Frank Dale (Ward 4)
Councillor Eve Adams (Ward 5)
Councillor Carolyn Parrish (Ward 6) (Chair)
Councillor Nando Iannicca (Ward 7)
Councillor Sue McFadden (Ward 10)
Councillor George Carlson (Ward 11)
Mayor Hazel McCallion

Members Absent:

Councillor Carmen Corbasson (Ward 1)
Councillor Katie Mahoney (Ward 8)
Councillor Pat Saito (Ward 9)

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STAFF PRESENT:

Mr. E. R. Sajecki, Commissioner of Planning and Building
Mr. J. Calvert, Director, Policy Planning
Ms. K. Crouse, Planner, Community Planning
Ms. M. Ball, Director, Development & Design
Ms. L. Pavan, Manager, Development Team North
Ms. D. Rusnov, Manager, Development Team West
Mr. J. Famme, Planner, Development & Design
Mr. B. Phillips, Planner, Development & Design
Ms. K. Dedman, Manager of Development Engineering T&W
Mr. D. Marcucci, Manager, Planning & Heritage Community Services
Mr. M. Minkowski, Legal Counsel, Litigation
Ms. J. Reid, Legislative Coordinator, Office of the City Clerk
Ms. K. A. Brent, Legislative Coordinator, Office of the City Clerk

PLANNING & DEVELOPMENT COMMITTEE – OCTOBER 19, 2009

CALL TO ORDER – 7:00 P.M.

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST - Nil

MATTERS CONSIDERED

AFTERNOON SESSION – CANCELLED

EVENING SESSION – 7:00 P.M.

1. **SUPPLEMENTARY REPORT - Southdown District Policies – Implementing Zoning By-law**

Karen Crouse, Planner, Policy Planning, explained the background of the proposed implementing zoning by-law. She advised that the proposed zoning implements the policies approved by Council in August 2008 as well as proposed modifications to address the appeals received. Ms. Crouse explained the context of Official Plan Amendment 63 ("OPA 63"). The vision for the area will be established through new regulations and future applications will have to comply with this framework. Some of the key principles in the draft zoning by-law are that it: recognizes all legally existing uses; maintains employment area while recognizing the need to enhance lands along the frontages of main corridors; prohibits certain uses (transportation facilities, truck terminals, waste processing and waste transfer stations, composting facilities, outdoor storage yards, contractor service shops and yards, vehicle pound facilities, motor vehicle and commercial motor vehicle body repair, adult entertainment establishments, body rub establishments, and car lot fuel dispensing facilities); requires industries to place particulate materials in enclosed containers or otherwise cover them.

One of the appellants of OPA 63 is Petro-Canada. A new E3-11 exception zone to legally recognize the existing land farming operation on the west side of Southdown Road is proposed in the zoning by-law. Petro-Canada requested a change to accurately reflect the existing use of their lands which is a lubricants centre. In addition, an E3-13 zone is also proposed to legally recognize the existing Petro-Canada card lock fuel dispensing facility located on the east side of Southdown Road north of the oil refinery. Lastly, a G1-16 zone is proposed along the shoreline of Lake Ontario to legally recognize the existing building structures within the greenbelt area along the shoreline.

Subsequently, Ms. Crouse explained the revisions to the draft zoning by-law to reflect these three amendments as distributed by the Clerk's office on October 19, 2009. Once approved by Committee, the by-law should be forwarded to Council for adoption and following adoption of the by-law, it will be forwarded to the Ontario Municipal Board ("OMB") to be considered with the outstanding appeals with respect to OPA 63.

The following individuals addressed Committee in respect of this matter:

Payton A., Solicitor, Petro-Canada (now Suncor)

Graham Beasant, CertainTeed Gypsum

Mary Flynn-Guglietti, Ashland Corporation

Payton A., Solicitor on behalf of Petro-Canada (now Suncor) expressed concern for the proposed wording for G1-16 presented by staff and requested that section to be referred to staff to afford him sufficient time to obtain instructions from his client.

Local Ward Councillor, Pat Mullin advised Mr. Payton that he will have an opportunity to discuss this further prior to it being passed by Council. In response to Mr. Payton's concern, Karen Crouse explained that staff do not permit buildings within a green belt (other than storm water management structures) and therefore if an owner wishes to expand, they would be required to seek approval from the Credit Valley Conservation Authority ("CVCA") and possibly Committee of Adjustment.

Graham Beasant, representing CertainTeed Gypsum, a local property owner, advised that they have similar concerns to Petro-Canada for the proposed G1 area. He explained that the proposed green belt goes through their plant and affects the rear of their plant where water manufacturing activity and storm water management is contained. Mr. Beasant advised that they oppose this designation and will include this in their appeal to the OMB. Mr. Beasant felt that to require CVCA approval for repair and maintenance of structures within the green belt area is an unreasonable burden. He advised that his client also owns property paralleling their current board line which they have proposed to build a second more efficient board line and dryer on, and the G1 area will prohibit them from maintaining an industrial presence in the area. He opined that this would infringe some of the employment parameters of City Council.

Mary Flynn-Guglietti, on behalf of Ashland Corporation a subsidiary of Ashland Inc., the owner and operator of facilities located at 2620 and 2463 Royal Windsor Drive, advised that they are appellants with respect to OPA 63. She expressed concern for storage of vehicles exceeding 3,000 kilograms on the site. She explained that the site is used for contractors and bulk storage yards. With respect to sections 8.2.4.13 and 8.2.3.108.3 of the zoning by-law, Ms. Flynn-Guglietti advised that it is unclear as to whether outdoor storage of items fully contained would still be permitted and requested clarification on those two issues before this matter goes forward.

In response to Ms. Flynn-Guglietti, Karen Crouse explained that with respect to the storage of vehicles over 3,000 kilograms, the by-law definition of manufacturing facility has been changed to allow for the on-site storage of transport vehicles and noted that a manufacturing facility is permitted on these lands. With respect to outdoor storage, through a site visit, staff understand that this site has outdoor storage materials which are stored within containers and therefore would be permitted. The by-law indicates that loose material, such as sand and salt, would have to be enclosed in a three-sided structure and or covered by a tarp.

Local Ward Councillor, Pat Mullin moved receipt of the three letters and approval of staff's recommendation with the revised wording under the proposed By-law sections 8.2.4.11.1 (1) and 10.2.2.16.1 (1). The Councillor commented that staff worked with various appellants to find compromise and many things envisioned from the residents' point of view cannot happen. However, she hopes to take a small step forward with this proposed by-law. Many of the concerns are the dust and particulate due to the trucking area and staff came forward with regulations with regard to expansions and containing outdoor storage of particulate materials in that regard. Councillor Mullin explained that she is concerned about expansions and the corridors and the effects on the local residents. Councillor Mullin was hopeful that over time the industrial emissions in this area would improve. She commented that she hoped that the parties are able to move forward without involvement of the OMB.

Mayor McCallion commented that this implementing zoning by-law may not solve all of the resident's concerns; however it is a step forward. She added that it confirms the City and its resident's strong concern of having an energy plant in this area and clearly indicates that this area is environmentally stressed. Mayor McCallion expressed appreciation for the local businesses for choosing to locate their businesses in Mississauga, and commented that efforts to reduce industrial emissions are of great benefit to the industry, their employees, as well as the local residents. Madam Mayor thanked the industry for their cooperation and hoped that involving the OMB can be avoided.

PDC-0086-2009

That the report titled "Southdown District Policies – Implementing Zoning By-law - Supplementary Report" dated September 29, 2009 from the Commissioner of Planning and Building, be approved in accordance with the following:

- 1. Notwithstanding that subsequent to the public meeting held on June 23, 2008, revisions to the implementing zoning by-law have been made, City 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, further notice regarding the proposed amendment is hereby waived.*
- 2. That the implementing zoning by-law for the lands in the Southdown Planning District be amended, in accordance with the proposed zoning changes contained in Appendix 1, as revised under clauses 8.2.4.11.1 (1) and 10.2.2.16.1 (1) on October 19, 2009, to this report which is consistent with the proposed modifications to Official Plan Amendment No.63.*
- 3. That correspondence from Storwell Self Storage dated October 5, 2009; Enbridge Pipelines Inc. dated October 6, 2009; and McMillan LLP dated October 19, 2009, be received.*

Amended (Councillor Pat Mullin)
CD.03.SOU W2

2. SIGN VARIANCE APPLICATIONS - Sign By-law 0054-2002, as amended

With respect to Sign Variance Application 09-04236, Councillor Frank Dale commented that it appeared that part of the sign would not be visible due to a fence and supported refusal of this application. He added that a more appropriate location for that sign would be on the vacant property where the commercial plaza is to be built, which is also owned by Mr. Madill.

With respect to Sign Variance Application 09-04824, Joe Roda addressed Committee for A1 Dental Hygiene. The proposal is to place a sidewalk sign on Old Derry Road on the days of business operation, as their business is located at the end of a cul de sac and a sign in that location would have little effectiveness. Lisa Zincone, owner of A1 Dental Hygiene, explained the visibility issues with the location of her business. She added that the sign would be in keeping with the Meadowvale Village theme, similar to the design provided in staff's report. She also noted that there are no houses along Old Derry Road and therefore it would not interfere with a residential area.

Councillor George Carlson commented moved to defer the application to allow Meadowvale Village Community Association to review the proposed sign.

PDC-0087-2009

That the Report dated September 29, 2009 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested three (3) Sign Variance Applications described in Appendices 1 to 3 to the Report, be adopted in accordance with the following:

1. *That the following Sign Variance be granted:*
 - (a) *Sign Variance Application 09-05608*
Ward 8
Busy Hands 'n' Minds Childcare Centre
4615 Glen Erin Drive
To permit the following:
 - (i) *One (1) ground sign with an area of 2.32 m² (24.97 ft²) and height of 2.44 m (8.0 ft).*
2. *That the following Sign Variance not be granted:*
 - (a) *Sign Variance Application 09-04236*
Ward 4
The Conservatory Group
4624 Jethro Court
To permit the following:
 - (i) *One (1) ground sign on a property where the business is not located.*
 - (ii) *One (1) construction site sign erected on a subdivision project where the first occupancy of the project was granted in April 2008.*
3. *That the following Sign Variance be referred to the local ward Councillor to facilitate review of the application by the Meadowvale Village Community Association:*

- (a) *Sign Variance Application 09-04824*
Ward 11
A1 Dental Hygiene
1149 Upper River Court
To permit the following:
(i) *One (1) sign located on the road allowance of Old Derry Rd. W.*
(ii) *One (1) portable sign located on the road allowance advertising a business.*

Amended (Councillor Frank Dale and Councillor George Carlson)
BL.03.SIG (2009)

3. REMOVAL OF THE "H" HOLDING SYMBOL from Zoning By-law 0225-2007, as amended, 4225 Living Arts Drive, 4200 Duke of York Boulevard and 285 Prince of Wales Drive, Blocks 9, 28 and 29, Plan 43M-1010 Lands bounded by Prince of Wales Drive, Living Arts Drive, Rathburn Road West and Duke of York Boulevard, Owner/Applicant: City of Mississauga, Bill 51

In response to Councillor Parrish, staff explained the purpose and function of the proposed access through the site.

PDC-0088-2009

That the Report dated September 29, 2009, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under file H-OZ 09/004 W4, City of Mississauga, 4225 Living Arts Drive, 4200 Duke of York Boulevard and 285 Prince of Wales Drive, Blocks 9, 28 and 29, Plan 43M-1010, be adopted and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage subject to the execution of the Ground Lease Agreement with Sheridan College.

Approved (Councillor Frank Dale)
H-OZ 09/004 W4

4. STATUS REPORT - City Centre Development Application, 2 City Centre Drive, Part of Block 16, Registered Plan 43M-1010, Southwest corner of Rathburn Road West and City Centre Drive, Owner/Applicant: OMERS Realty Management Corporation / OPGI Management GP Inc., Bill 51

Councillor Frank Dale expressed support for the proposal.

Resident David Fisher suggested that this site be collaborated with other area retail buildings with shared underground parking.

PDC-0089-2009

That the Report dated September 29, 2009, from the Commissioner of Planning and Building, outlining the details of the development proposed for 2 City Centre Drive,

Block 16, Registered Plan 43M-1010, by OMERS Realty Management Corporation/OPGI Management GP Inc. be received for information.

Approved (Councillor Frank Dale)
H-OZ 09/002 W4

5. REMOVAL OF THE "H" HOLDING SYMBOL from Zoning By-law 0225-2007, as amended, 2 City Centre Drive, Part of Block 16, Registered Plan 43M-1010, Southwest corner of Rathburn Road West and City Centre Drive, Owner/Applicant: OMERS Realty Management Corporation / OPGI Management GP Inc., Bill 51

PDC-0090-2009

That the Report dated September 29, 2009, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under file H-OZ 09/002 W4, OMERS Realty Management Corporation/OPGI Management GP Inc., 2 City Centre Drive, Part of Block 16, Registered Plan 43M-1010 be adopted, and that the Planning and Building Department be authorized to prepare the necessary by law for Council's passage.

Approved (Councillor Frank Dale)
H-OZ 09/002 W4

6. PUBLIC MEETING - Official Plan Amendment and Rezoning Applications, to permit a Hyundai motor vehicle sales, leasing and/or rental facility (restricted), 6215, 6225 Mississauga Road and 3 Alpha Mills Road, East side of Mississauga Road and south of Alpha Mills Road, Owner: Valjer Holdings Inc. Applicant: John D. Rogers and Associates Inc., Bill 51

Councillor Parrish called this public meeting to order at approximately 7:35 p.m. and read the recommendation.

Councillor George Carlson expressed support for this development.

PDC-0091-2009

That the Report dated September 29, 2009, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Business Employment" to "Business Employment - Special Site" and to change the Zoning from "E2-1" (Employment) to "E2 - Exception" (Employment - Exception) under file OZ 09/003 W11, Valjer Holdings Inc., 6215, 6225 Mississauga Road and 3 Alpha Mills Road, be received for information and notwithstanding planning protocol, that the supplementary report be brought directly to a future Council meeting.

This public meeting closed at approximately 7:40 p.m.

Amended (Councillor George Carlson)
OZ 09/003 W11

7. REPORT ON COMMENTS - Proposed Official Plan Amendments and Zoning By-law Amendments Airport Corporate District - Renforth Area

Carol-Anne Munroe, Sorensen Gravely Lowes Planning Associates Inc., addressed Committee and indicated that she also attended the public meeting held by this Committee on September 21, 2009 with respect to this matter to express concerns for her client's property located at 2950 Citation Place. Ms. Munroe advised that her concern with respect to parking prohibitions on lands with multi-road frontages was resolved with staff's policy wording. However, with respect to the 4-storey height limit, she proposed that a lesser building height be allowed prior to the construction of the proposed transit system and further storeys could be built after the transit infrastructure is built. She indicated that she is working with staff and hope to resolve this issue.

In response to Ms. Munroe's concern regarding restricted minimum storeys, Councillor Eve Adams commented that a few years ago there was a similar development proposal for her client's property, but the owner withdrew. Councillor Adams encouraged the owner to come forward with that proposal.

Peter Smith, of Bousfields Inc., planning consultants for affected land owners Bradgate Investments Limited, Brookfield Properties Ltd., International Business Park Limited and Baif Developments Limited, advised that he has been working with staff on a number of concerns. However, one concern remains outstanding with respect to the minimum 0.5 Floor Space Index in the draft Zoning By-law. Mr. Smith explained that the properties that his client's own are large and will likely be developed as multi-phase developments and expressed concern for the calculation of density based on a lot area. He added that he may have a resolution of this issue by way of a policy in the Official Plan Amendment to recognize special circumstances applying to large sites that may have multi-phase development and if necessary could be reviewed under site specific application or Committee of Adjustment. Mr. Smith hoped to work with staff on wording for such a policy and requested that Committee direct staff to report back on this issue prior to enactment of the Official Plan Amendment.

Mr. Smith took this opportunity to raise a concern with respect to the proposed Light Rail Transit system in the airport corporate district park area. He explained that he was recently made aware that the proposed transit line would cross through their client's property and will essentially make that parcel not developable. He opined that if that were the ultimate location, it would contradict this policy of encouraging intensification around rapid transit lines. He advised that they are meeting separately with Toronto Transit Commission in regard to the alignment of the LRT. However, they would appreciate any assistance that the City of Mississauga could provide.

With regard to Mr. Smith's comments respecting Eglinton LRT, Councillor Eve Adams advised that the City would like to connect to the Eglinton LRT which would be valuable to Mississauga residents and the business community. In response to Mr. Smith's

concern regarding minimum FSI, Councillor Adams explained that she will move forward with this matter at this time, however, the City is always open to discussion.

PDC-0092-2009

That the Report dated September 29, 2009, from the Commissioner of Planning and Building titled "Report on Comments - Proposed Official Plan Amendments and Zoning By-law Amendments Airport Corporate District – Renforth Area", be adopted in accordance with the following:

- 1. That notwithstanding that subsequent to the public meeting, changes 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 Official Plan Amendment 102, as amended, attached as Appendix 3 of Appendix S-1, be adopted subject to the following revision:*
 - (a) That Policy 6 be amended to include in the fourth bullet point of item d. Parking and Servicing; "In cases of lots with multiple street frontages, priority will be given to not allowing parking along the BRT corridor and Commerce Boulevard".*
- 3. That the proposed amendments to change the Zoning from "E1" (Employment in Nodes) to "E1-18" (Employment in Nodes - Exception) to encourage transit supportive development in accordance with the proposed zoning standards attached as Appendix S-4, be approved.*

Please note that recommendation PDC-0092-2009 was amended by Council on October 28, 2009 (see Committee Reports section of Council Minutes).

Approved (Councillor Eve Adams)
TS.14.REN W5

8. REPORT ON COMMENTS - Proposed Official Plan Amendments and Zoning By-law Amendments Airport Corporate District - Spectrum and Orbitor Bus Rapid Transit Station Areas

PDC-0093-2009

That the Report dated September 29, 2009, from the Commissioner of Planning and Building titled "Report on Comments – Proposed Official Plan Amendments and Zoning By-law Amendments Airport Corporate District – Spectrum and Orbitor Bus Rapid Transit Station Areas", be adopted in accordance with the following:

- 1. That notwithstanding that subsequent to the public meeting, changes 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 proposed amendments to change the Zoning from "E1" (Employment in Nodes) to "E1-19 (Employment in Nodes – Exception) to encourage transit*

supportive developments in accordance with the proposed zoning standards attached as Appendix S-3, be approved.

Approved (Councillor Eve Adams)
TS.14.SPE W5

ADJOURNMENT - 7:54 P.M.