

Issued May 24, 2012



MINUTES

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, May 14, 2012 - 7:00 P.M.

COUNCIL CHAMBER, 2ND 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 Frank Dale	Ward 4
Councillor Bonnie Crombie	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Pat Saito	Ward 9 (Chair)
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

Absent

Mayor Hazel McCallion	
Councillor Chris Fonseca	Ward 3
Councillor Katie Mahoney	Ward 8

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
Mr. J. Calvert, Director, Policy Planning
Ms. M. Ball, Director, Development and Design
Ms. H. MacDonald, Director, Strategic Housing Initiative and
business Services
Mr. G. Smith, Team Leader, Park Assets Planning
Mr. S. Barrett, Manager, Transportation and Asset Management
Mr. D. Morita, Manager, Development Engineering
Ms. A. Wilson-Peebles, Legal Counsel
Mr. D. Bryan, Supervisor, Sign Unit
Ms. P. Mikicich, Planner
Mr. H. Yeghouchian, Planner
Ms. C. Radice, Legislative Coordinator
Ms. L. Wilson, Legislative Coordinator

PLANNING & DEVELOPMENT COMMITTEE – May 14, 2012**CALL TO ORDER**

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

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST**MATTERS TO BE CONSIDERED**

Following a discussion with respect to the order of the Agenda, Councillor George Carlson moved a motion to deal with the Agenda in the following order: item one, three, four and two.

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

Councillor George Carlson, requested that the Sign Variance Application 11-03917 be granted and the fees be considered paid. Councillor Sue McFadden requested that Sign Variance Application 12-00238 be deferred to a future Planning and Development Committee meeting.

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

PDC-0031-2012

That the Report dated April 24, 2012 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested seven (7) Sign Variance Applications described in Appendix 1 and 7 of the Report, be adopted in accordance with the following:

1. That the following Sign Variances be granted:

- (a) Sign Variance Application 11-07139
Ward 1
Pioneer
150 Lakeshore Rd. E.

To permit the following:

- i) One (1) gas bar canopy with a 50% copy area.
- ii) One (1) fascia sign located on the east building elevation which does not face a street line or gas pumps.

- (b) Sign Variance Application 11-00285
Ward 5
401 Dixie Automall
5500 Dixie Rd.

To permit the following:

- i) Two (2) ground signs with a setback of 0.6m (2.0 ft.) from a driveway entrance or exit.

- (c) Sign Variance Application 12-00185
Ward 5
Target
5570 Explorer Dr.

To permit the following:

- i) A third fascia sign located on the south elevation between the limits of the top floor and the parapet.

- (d) Sign Variance Application 12-00475
Ward 9
1215 Meadowpine Blvd.
Meadowpine Blvd.

To permit the following:

- i) Three (3) additional ground signs fronting Meadowpine Blvd.

- (e) Sign Variance Application 11-07100
Ward 10
Sherwood Park Management
3375 Thomas St.

To permit the following:

- i) Sixteen (16) non-illuminated projecting signs.
- ii) Two (2) fascia signs located above the upper limits of the first storey.
- iii) Two (2) fascia signs per business with a total sign area of 0.8m² (8.7 ft²).
- iv) Two (2) ground signs located at the complex entrances each with a sign area of 1.3m² (14.4 sq. ft.).

2. That the following Sign Variance be granted and that the fees be considered paid:

- (a) Sign Variance Application 11-03917
Ward 11
T-Zone Vibration Health Technology
13 Main St.

To permit the following:

- i) One (1) fascia sign with a sign area equal to 22.7% of the building face, 57 sq. m. (60 sq. ft.).

3. That the following Sign Variance be deferred to a future Planning and Development Committee meeting:

- (a) Sign Variance Application 12-00238
Ward 10
Viva Retirement Communities
5575 Bonnie St.

To permit the following:

- i) Four (4) banner signs attached to the fence fronting Thomas St.

File: BL.03-SIG (2012)
APPROVED – (Councillor G. Carlson)

2. PUBLIC MEETING

Proposed Mississauga Official Plan and Zoning By-law Respecting Crematoriums
File: CD.02.CRE

Councillor Pat Saito called this public meeting to order at approximately 8:03 p.m.

Paulina Mikicich addressed the Planning and Development Committee with respect to the Corporate Report dated April 2, 2012 titled Proposed Mississauga Official Plan and Zoning By-law Respecting Crematoriums. She outlined the study that had been used, the study considerations and observations and detailed the proposed Mississauga Official Plan Amendment, the zoning by-law amendment and the next steps.

Councillor Ron Starr asked for a definition for the term “sensitive land use” and asked if the term would be clearly defined. Ms. Mikicich noted that the term “sensitive land use” included residential zones, parks, day cares, schools and employment areas and stipulated that the term would be clearly defined in the zoning by-law.

Councillor Jim Tovey asked if crematoriums were required to report on emissions. Ms. Mikicich responded that there was little information regarding the matter but that the question could be investigated. Richard Evans, General Manager of St. John's Dixie noted that when the crematorium requested permission for a third crematorium, stack testing had been required. He further noted that the crematorium utilized an emissions monitoring system and that pollutants were listed on the crematorium's Certificate of Air. He further noted that the emission measures were minimal and therefore reporting was not required.

Councillor Bonnie Crombie asked if creeks and rivers would be considered "sensitive land uses" and requested information regarding the impact of scattering human remains and possible contaminants released during the cremation process. She further sought clarification regarding the number of funeral parlours in the City of Mississauga.

Ms. Mikicich responded to Councillor Crombie's questions and noted that it was a possibility for creeks and rivers to be designated as "sensitive land uses" but specified that "sensitive land uses" typically included residential and outdoor amenity areas. She also specified that the Province of Ontario allows the scattering of remains on a property with the owner's permission but that there was a concern with the potential sterilization of areas where remains had been scattered. Ms. Mikicich confirmed that some materials must be removed prior to the cremation process to mitigate the release of contaminants and noted that there are many funeral parlours operating in the City.

Councillor Pat Saito requested confirmation from staff that City Council had passed a by-law prohibiting the scattering of remains certain areas. Ms. Mikicich noted that she did not believe that ashes could be scattered on City owned land but that Credit Valley Conservation allowed the scattering of ashes in the Credit River but that there was a concern with paraphernalia associated with the scattering of ashes. Councillor Starr noted that as the practice of cremation becomes more widely utilized, the concerns associated with the scattering of remains must be dealt with. Councillor Pat Mullin noted that there would be a motion brought forward regarding the issue.

Councillor Pat Saito asked if currently operating crematoriums, which did not meet the separation distance, would be approved for expansions. Ms. Mikicich noted that expansions would not be supported for currently operating crematoriums which did not meet the separation distance.

John Keyser, Keyser Mason Ball, LLP, representing St. John's Dixie Anglican Church noted that the Province of Ontario had approved the church's expansion of their cremation operation to include a third crematorium. Mr. Keyser spoke to environmental concerns and noted that consideration had been given to the possibility that the high heat used during cremation eliminated the release of harmful emissions. He further noted that crematoriums were not permitted to deal with human remains which contained certain contaminants. Mr. Keyser stipulated that the General Manager of St. John's Dixie Crematory had never received a complaint with respect to the operation of the crematory since its opening in 1990 and that the environmental standards established by the Ministry of the Environment were the highest in North America. He then outlined the cremation services offered by the church and stipulated that there is a considerable setback for the church's purposes. Mr. Keyser requested that St. John's Dixie Anglican Church's crematorium be considered a special site.

Glen Broll, Glen Schnarr and Associates Inc., representing Benisasia Funeral Home addressed the Planning and Development Committee and suggested a peer review of the matter and encouraged communication between City of Mississauga staff and the industry. He further noted that he would like to meet with staff to address the concerns raised. Mr. Broll sought clarification regarding the impacts of crematoriums that were being considered and it was noted that these concerns could be addressed in the final report.

Charles Barkley, 6974 Justine Drive, representing the Concerned Citizens of Malton noted that the organization supported the by-law. He further noted his belief that crematoriums were not compatible with residential areas and outlined his concerns with the respect to the operation of crematoriums including concerns surrounding the fact that crematoriums are not required to investigate remains for anything that could cause harmful emissions during the cremation process. He further conveyed his hope that City Council would support the by-law.

Councillor Bonnie Crombie stipulated the importance of ensuring that crematoriums are appropriately located and Councillor Jim Tovey noted his hope that staff would look at scientific data to determine the appropriate separation distance between sensitive land uses and crematoriums.

Councillor Pat Saito reiterated the request that staff meet with stakeholders and clarified that if the staff recommendation was passed, the Planning and Development Committee would be receiving the comments made at the meeting.

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

PDC-0032-2012

1. That the submissions made at the public meeting held at the Planning and Development Committee meeting on May 14, 2012 to consider the proposed Mississauga Official Plan and Zoning By-law amendments respecting crematoriums, be received.

2. That Planning and Building Department staff report back on the submissions made with respect to the proposed Mississauga Official Plan and Zoning By-law amendments respecting crematoriums as outlined in the report attached as Appendix 1.
3. That the following correspondences be received:
 - (a) Letter dated March 23, 2012 from The Concerned Citizens of Malton
 - (b) Letter dated April 25, 2012 from Leo Klug, Barrister & Solicitor
 - (c) Letter dated May 9, 2012 and attachment dated April 2, 2012, from John B. Keyser, Barrister & Solicitor, Keyser Mason Ball, LLP
 - (d) Letter dated May 10, 2012 from Philip Stewart, Pound and Steward Planning Consultants

APPROVED (Councillor B. Crombie)

File: CD.02.CRE

This public meeting closed at approximately 9:02 p.m.

3. PUBLIC MEETING

Information Report – Rezoning Application – To permit a Motor Vehicle Repair Facility – Restricted, 2795 Argentia Road, north side of Argentia Road, east of Winston Churchill Boulevard. Owner: OPB Realty Inc. Applicant: JKO Planning Services Inc. (Jim Kostopoulos) **Bill 51** (Ward 5)

File: OZ 12/001 W9

Councillor Pat Saito called this public meeting to order at approximately 7:03 p.m.

Councillor Pat Saito addressed the audience and asked if anyone was in attendance concerning the matter. No members of the audience noted that they were in attendance to hear or make submissions with respect to the matter.

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

PCD-0033-2012

1. That the Report dated April 24, 2012, from the Commissioner of Planning and Building regarding the application to change the Zoning from “E2-24” (Employment) to “E2-Exception” (Employment), to permit a one (1) storey Motor Vehicle Repair Facility – Restricted (Master Mechanic) under file OZ 12/001 W9, OPB Realty Inc., 2795 Argentia Road, be received for information and, notwithstanding Planning Protocol, that the Supplementary Report be brought directly to a future Council meeting.

2. That the email dated February 15, 2012 from W. Asia Polus, Corridor Management Technician, Ministry of Transportation be received.

APPROVED (Councillor R. Starr)
File: OZ 12/001 W9

This public meeting closed at approximately 7:04 p.m.

4. PUBLIC MEETING AND SUPPLEMENTARY REPORT
Re-zoning Application – To permit a two storey office and medical office building, 306 Queen Street South, west side of Queen Street South, south of Princess Street. Owner: Frank Gusic, Applicant: Zelinka Priamo Ltd. **Bill 51** (Ward 11)
File: OZ 10/013 W11

Councillor Pat Saito called this public meeting to order at approximately 7:04 p.m.

Haig Yeghouchian, Development Planner addressed the Planning and Development Committee with respect to the Corporate Report dated May 1, 2012 from the Commissioner of Planning and Building with respect to the Re-zoning Application to permit a two storey office and medical office building, 306 Queen Street South, west side of Queen Street South, south of Princess Street. Mr. Yeghouchian spoke to the location and characteristics of the subject lands and the abutting land uses. He further outlined the application including the land use, the size of the proposed development and the size of the parking lot. Mr. Yeghouchian specified the issues raised by the community with respect to the proposed development which included concerns surrounding the size, loss of privacy and overlook conditions, noting that these issues had not been resolved and that the applicant had applied to the Ontario Municipal Board (OMB). Mr. Yeghouchian specified why staff were dissatisfied with the initial proposal and outlined the alternative proposal from staff which included a reduction in the size of the building to maintain the residential character and shifting the parking lot.

Councillor George Carlson addressed the Planning and Development Committee and noted that no compromise had been made between staff, the community and the applicant. Councillor Carlson noted his intention to vote against the staff proposal and discussion ensued with respect to how the Committee intended to deal with the matter.

Tom Halinski, Arid & Berlis LLP, representing the applicant outlined the concept plan and suggested that there were no concerns with respect to the design, stipulating that the issues with respect to the proposal were related to scale. Mr. Halinski stipulated that the scale was appropriate and requested that the Committee support the application but that failing support for the original proposal, that the Committee support the staff recommendation. Mr. Halinski outlined the subject lands and noted how the developer had taken the concerns of the community into account. Mr. Halinski stipulated that the applicant's proposal was adequate because there was a landscape buffer between the parking lot and the lots adjacent, a privacy fence had been proposed, there were other buildings of similar size in the area, the development proposed was modest in size for the lot and that the development would not destabilize the neighbourhood.

Councillor Mullin noted sought clarification as to why the applicant would request that the committee support the applicant's proposal and failing that, the committee support the staff alternative proposal. She further asked what size homes could be built in the area and if there was comparable development. It was noted that there were no comparable lots in the area and that most lots could be re-developed with larger homes. Councillor Carlson stipulated that because the building was commercial it would be too large for the neighbourhood and that there were no commercial buildings of the same size in the area.

Roger Wainwright, resident, 324 Queen Street raised concerns with respect to the proposal and noted that the proposed development was not in keeping with the scale and character of the neighbourhood and further noted that in the revised proposal the proposed development was eighty percent (80%) larger than the adjacent property. He stipulated that he did not recommend support of the revised proposal.

Randy Steffan, resident, 322 Queen Street South, Streetsville Community Association, presented a graph which depicted the size of the surrounding buildings compared to the proposed development, noting his concern with the scale, depth and width of the proposed building and stipulating that the façade was overbearing and did not suit the character of the community.

Dawn Pollard, resident, 336 Queen Street South noted that she was opposed to the development of a larger building with a parking lot and stipulated that it did not look like a home. She raised concerns with increased traffic resulting in pollution, noise accidents and inconvenience and reminded the committee that the road could not be widened. She further noted her concern that the development would negatively impact property values in the area and would set a precedence for development. She noted that a "small town feel" should be encouraged and that a smaller building with a smaller well landscaped parking lot would be preferable.

Discussion ensued with respect to how the Planning and Development Committee intended to deal with the matter. Councillor Nando Iannicca suggested that the application be turned down but stipulated that if the applicant agreed to the staff proposal by the Council meeting scheduled for Wednesday, May 23, 2012, he would be willing to endorse the staff recommendation. Councillor Jim Tovey noted his support for Councillor Iannicca's suggestion. Councillor Frank Dale noted that he would not support either the original application or the staff alternative.

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

PDC-0034-2012

That the Report dated May 1, 2012, from the Commissioner of Planning and Building regarding the rezoning application under File OZ 10/013 W11, Frank Gusic, 306 Queen Street South, west side of Queen Street South, south of Princess Street, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application 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 change the Zoning from "R3" (Detached Dwellings) to "R3-Exception" (Office/Medical Office) to permit a two storey office and medical office building as submitted, be refused.
3. That the Planning and Development Committee not endorse the Planning and Building Department recommended alternative proposal.
4. That Legal Services be directed to attend before the Ontario Municipal Board along with any staff and/or consultant's in support of the City of Mississauga in accordance with the recommendations in this Report from the Commissioner of Planning and Building regarding the rezoning application under File OZ 10/013, as adopted by Council on May 23, 2012.
5. That the following correspondences be received:
 - (a) Email and attachments dated May 13, 2012 from Nate Basiliko, Resident
 - (b) Email dated May 11, 2012, from Rob Ralston, President, Lakewind Transportation Inc.

APPROVED (Councillor G. Carlson)
File: OZ 10/013 W11

This public meeting closed at approximately 8:03 p.m.

ADJOURNMENT - 9:02 (Councillor Crombie)