



## MINUTES

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### PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

**TUESDAY, APRIL 2, 2013 - 7:01 P.M.**

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

#### Members Present

Mayor Hazel McCallion	
Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2 <b>(Chair)</b>
Councillor Chris Fonseca	Ward 3
Councillor Bonnie Crombie	Ward 5
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
Councillor George Carlson	Ward 11

#### Members Absent

Councillor Frank Dale	Ward 4
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Mumtaz Alikhan, Legislative Coordinator, Office of the City Clerk  
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email: [mumtaz.alikhan@mississauga.ca](mailto:mumtaz.alikhan@mississauga.ca)

STAFF PRESENT:

Mr. Ed Sajecki, Commissioner, Planning and Building  
Ms. Marilyn Ball, Director, Development and Design  
Mr. John Calvert, Director, Policy Planning  
Ms. Kelly Yerxa, Legal Services  
Mr. Steve Czajka, Manager, Information Planning  
Mr. Dave Marcucci, Manager, Park Planning  
Mr. D. Morita, Manager, Development Engineering  
Mr. Steve Barrett, Manager, Transportation Asset Management  
Ms. Lauren Eramo-Russo, Committee of Adjustment Planner  
Mr. Paul Stewart, Policy Planner  
Ms. Stephanie Segreti, Development Planner  
Mr. Jonathan Famme, Development Planner  
Mr. Chris Rouse, Acting Manager, Development North  
Mr. John Hardcastle, Development Planner  
Ms. Mumtaz Alikhan, Legislative Coordinator  
Ms. Julie Lavertu, Legislative Coordinator

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

Councillor Mullin took the Chair at Councillor Tovey's request and called the meeting to order at 7:01p.m.

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

Nil

**MATTERS TO BE CONSIDERED**

The agenda was modified to deal with items as follows:

7. **SUPPLEMENTARY REPORT**

Official Plan Amendment and Rezoning Applications to permit a two-storey motor vehicle repair facility, Part of Lot 11, Concession 1, W.H.S. designated as Parts 1& 2, Plan 43R-13493, Northwest corner of Derry Road West and Hurontario Street  
Owner: Antorisa Investments Ltd.

Applicant: Bousfields Inc., **Bill 51**, (Ward 5)

File: OZ 11/018 W5

Councillor Crombie stated that a letter had been received from the applicant requesting a deferral and she was in agreement with the request.

Madam Mayor noted her concern about the upcoming Ontario Municipal Board hearing and that the deferral should be conditional upon the hearing date being extended by the applicant.

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

PDC-0019-2013

1. That the Report dated March 12, 2013, from the Commissioner of Planning and Building recommending refusal of the applications under File OZ 11/018 W5, Antorisa Investments Ltd., Part of Lot 11, Concession 1, W.H.S., designated as Parts 1& 2, Plan 43R-13493, northwest corner of Derry Road West and Hurontario Street, be deferred pending further review between the applicant and City staff.
2. That the following correspondence be received:
  - (a) Letter dated April 2, 2013 from Claudio Brutto, President, Brutto Planning Consultants.

**ADOPTED** – (Councillor B. Crombie)

File: OZ 11/018 W5

1. DEFERRED REPORT

Appeal to the Ontario Municipal Board – Committee of Adjustment Decision on Consent Application 'B' 5/13 W1 and Minor Variance Applications 'A' 9/13 and 'A' 10/13, Frieda and Emma Fischer, 1238 Strathy Avenue, North of Lakeshore Road East, east of Cawthra Road (W1)

File: 'B' 5/13 W1, 'A' 9/13 & 'A' 10/13 W1

Councillor Mullin, Chair, noted amendments on page 3 of the report dated February 26, 2013, from the Commissioner of Planning and Building to the details on page 3 under sub-title Official Plan relating to the frontage and lot areas should be changed as follows:

*Average Lot Frontage = approximately 19.12 m (62.72 ft.)*

*Average Lot Area = approximately 629.79 m<sup>2</sup> (6,779.22 sq.ft.)*

Councillor Tovey noted he did not support the matter proceeding to the Ontario Municipal Board.

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

PDC-0020-2013

That the appeal of the decisions of the Committee of Adjustment under files 'B' 5/13 W1, 'A' 9/13 and 'A' 10/13 W1 regarding the property at 1238 Strathy Avenue not be filed with the Ontario Municipal Board.

'B' 5/13 W1, 'A' 9/13 and 'A' 10/13 W1

**ADOPTED** – (Councillor J. Tovey)

File: 'B' 5/13 W1, 'A' 9/13 & 'A' 10/13 W1

2. PUBLIC MEETING

Information Report - Rezoning Application to permit eight (8) detached dwellings on a CEC Private Road, 2167 Gordon Drive, East side of Gordon Drive, south of Queensway West

Owner: Raffi Konialian

Applicant: Weston Consulting Group Inc., **Bill 51**, (Ward 7)

File: OZ 12/002 W7

Jim Levac, Western Consulting Group Inc. reviewed the subject application and noted that one (1) ha. of the site was developable and the .78 ha. would be deeded to the City as greenbelt.

At this point in the presentation, a fire emergency necessitated an adjournment of the meeting at 7:17pm and an evacuation of the Council Chamber.

The Chair re-called the meeting to order at 7:26 pm.

Mr. Levac continued with his presentation. He advised that the application proposed retaining one lot within "R1-7" zoning and the rest of the lots are proposed to be zoned as "R16 Exception". He reviewed architectural designs and elevations and noted that the models will be built around stands of trees.

Councillor Iannicca noted that the report would be received and that a further communication meeting will be held prior to the matter coming back to the Planning and Development Committee and to Council. He noted that this was in the core of Gordon Woods and not a peripheral site. He had proposed a compromise to eliminate one lot on both sides of the road which would bring the land closer to the "R1-7" zoning for Gordon Woods, but the applicant turned this down. He highlighted the four (4) letters received from Anderson, Sohi, Davis, Byman and Bertolo that spoke well to the planning issues

Andy Tafler, Vice President, Gordon Woods Homeowners Association, addressed the Committee. He noted that the neighbourhood supported development as long as it kept within appropriate height and density. He said that substantial changes in density is being proposed by the applicant and would not be in keeping with the character of the neighbourhood and the natural environment as well as being in conflict with the Official Plan. Mr. Tafler cited environmental, storm sewage run off, traffic, parking, noise pollution, erosion and privacy concerns should the change to the zoning be permitted. Mr. Tafler requested that the City keep to the "R1-7" zoning consistent with the surrounding streets, considerably fewer homes and of reasonable heights, as well as careful road and home footprint planning to aggressively minimize tree loss.

Gerald Swinkin, Blake Cassles and Graydon, LLP, representing Dr. Edrian Savin, owner of a property on Gordon Drive, addressed the Committee. He said that the application must be understood in the context of the Official Plan relating to the woodland policy which seeks the protection, enhancement, restoration and expansion of the existing eco system. He believes the proposed development falls short of the Official Plan Policies and should be refused.

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

PDC-0020-2013

- (a) That the Report dated March 12, 2013, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R1-7" (Detached Dwellings – Typical Lots to "R 16 – Exception" (Detached Dwellings on a CEC Private Road) and "G1" (Greenbelt – Natural Hazards), to permit eight (8) detached dwellings on a CEC Private Road under file OZ 12/002 W7, Raffi Konialian, 2167 Gordon Drive, east side of Gordon Drive, south of Queensway West, be received for information.
- (b) That the following correspondence be received:
  - 1. Email dated March 28, 2013 from Stella Anderson, Resident
  - 2. Email dated March 28, 2013 from Paul and Carolyn Davis
  - 3. Letter dated April 1, 2013 from Shelly Byman and Bert Bertolo, Residents

4. Letter dated May 15, 2012 from Marcia Taggart, Legal Counsel, City of Mississauga

**RECEIVED** – (Councillor N. Iannicca)  
File: OZ 12/002 W7

3. PUBLIC MEETING

Information Report - Official Plan Amendment and Rezoning Applications to permit retail commercial and office uses fronting Lakeshore Road East, apartment and townhouse dwellings to the rear and public greenspace bordering Cooksville Creek, 447, 453, 501 Lakeshore Road East and 1021, 1027, 1077 Enola Avenue, Northeast corner of Lakeshore Road East and Enola Avenue  
Owner: 501 Lakeshore Inc., Trinity Properties Lakeshore Inc. & 1716336 Ontario Inc.  
Applicant: Korsiak and Company Inc., **Bill 51**, (Ward 1)  
File: OZ 11/017 W1

John Keyser, Solicitor to Trinity Properties Lakeshore Inc., introduced Terry Korsiak, Urban Planner, and John Clifford of Perkin Eastman Architects. Mr. Keyser provided a brief overview of the application.

Terry Korsiak provided a brief overview of the site. He outlined the proposed re-designation of the land from business employment, mixed use and residential low density to mixed use and residential high density with 2.5 ac. dedicated to green space.

John Clifford, Perkins Eastman Architects, detailed the specifics of the site plan. He noted that in addition to the approximately 2.5 ac. reserved for the greenbelt along Cooksville Creek, there were two primary zones - commercial mixed use in the front and high density residential at the rear.

In response to Madam Mayor's question, Mr. Korsiak advised that this development would result in 1000 construction jobs and 440 full time and part time jobs.

Councillor Crombie asked about the moving of the sewage pumping station and the plans for the clean-up of the site. Mr. Keyser responded that he could not comment on the applicant's negotiations with the Region of Peel on the sewage pumping station at this time, and with respect to the clean-up, problems are not anticipated with troublesome materials.

In response to Councillor Tovey's question to staff regarding the migration of contamination from the site, John Hardcastle, Development Planner, responded that there is a Risk Assessment underway by the City which the Ministry of Environment is presently reviewing and the results will be outlined in the Supplementary Report.

Councillor Tovey advised that that he will receive the report but will not accept the comments from the Economic Development Office as a more detailed analysis on the kind of impact this development will have on the Lakeshore corridor needs to be conducted.

Madam Mayor hoped that the sewage pumping station would be moved. In regard to the economic impact analysis, Madam Mayor said that the Economic Development Office was not equipped to undertake such a study and suggested that the developer be requested to provide the funding to the City for a qualified consultant to undertake the study.

Councillor Mullin, Chair, said that the Economic Development Office comments clearly stated that there will not be an impact.

In response to Councillor Iannicca's question regarding the value of the findings of such a study, Councillor Tovey responded that it was the will of the community and as part of the master planning it was critical to have a good assessment on how the development will influence the current and future planning of the area.

Madam Mayor noted that Inspiration Lakeview is underway, however this application must be dealt with because of the Ontario Municipal Board hearing.

Chris Mackie, representing the Cranberry Cove Ratepayer's Association, addressed the Committee in opposition of the application. He noted that the Association had been granted party status before the Ontario Municipal Board for this application. He outlined issues regarding the compliance with the Official Plan, the socio-economic impact on the existing business community, ingress/egress to Lakeview Road East, the traffic impact on the adjacent residential community and the environmental rehabilitation of the site. He also spoke against the suitability of the existing location of the sewage pumping station.

Dorothy Tomiuk, representing the Town of Port Credit Association, spoke in opposition of the development. She noted that the development will undermine over 400 existing retail stores within the Lakeview and Port Credit communities and the Association wishes to ensure that the market impact is on the issues list along with environmental and transportation concerns at the Ontario Municipal Board hearing. She spoke of the Association's market analysis of square footage burst which this development would virtually double the amount of retail space in Port Credit. She said that on a main street environment, the street is the anchor and the whole livelihood and vitality of Lakeshore Road depends on the main street retail.

Marion Morewood, representing the Port Credit Business Improvement Association, noted the support of the Association for development along the Lakeshore corridor believing it to be beneficial to the area. However, they do not support large format retail of over 50,000 sq.ft. and have advised the developer accordingly.

Frank Giannone, Resident, spoke in support of the development and said that it provided an opportunity to further the City's Strategic Pillars and increase the population targets as well as jobs. There is no reason why the current retail stores cannot complement large form retailers. This proposal will act as an anchor for Port Credit and Lakeview. Currently those that have cars travel for big box shoppers and this proposal will keep shopping in Port Credit and bring other people to the area to access its services.

John Bozzo, owner of a small business on Lakeshore Road East, spoke in support of the application and noted it will have positive economic impact on the community and more jobs will be created. He noted that big box stores will not close down small stores in Port Credit as most are serving a niche market. He noted that the area is decayed and wished to see it improved now and that developers should be encouraged.

Mike Gore, Resident, raised concerns regarding the increase in traffic in an already congested environment. He said that consideration needs to be given to the traffic created by the 400 plus units of townhomes plus retail traffic and delivery trucks all coming from the same driveway. He would not be able to get out of his street.

Pat Anderson, Resident, spoke in support of the application. She has waited for 40 years for such a development and is excited about the potential growth it will bring. The development will offer a much more appealing landscape on Lakeshore Road between Cawthra Road and Hurontario, and will be good for older families and the job opportunities it will create. She hoped that this might revitalize the area and bring in the younger generation. The stakeholders should work with the developer to get the proposed project underway.

Ken Malaney (sp), Resident, spoke in support of the application and said the site is derelict and underutilized and the community is thankful that a developer has decided to invest in helping shape Port Credit's future. The side effects without this development would be suppressed home values and lack of access to services. Mr. Malaney supported large scale retailers like Walmart. He stated that the retail market has changed and customers want bulk goods at reasonable prices and turning a blind eye to this is irresponsible decision making. Big box retailers will be welcomed providing they are built within the design guidelines appropriate for the area and he believed the application does that.

Karen Bennett, Planner with Glen Schnarr and Associates Inc. spoke representing Country Homes. She noted that the current location of the pumping station is a good one and expressed concern on behalf of Country Homes that if it is moved, it will have an operational impact on their plans and timing.

John Danahy, Professor at the University of Toronto, Urban Design, Landscape Architecture and Planning, noted that the discussion seems to focus on the extreme western edge of Lakeview and not its core. He commended Council and staff for the extensive community engagement process and said that the City should look at this as a major land use issue and not a development application issue.

Andrew Beatty, President of Port Credit Village Residents Association, spoke of the mixed views of the residents he had canvassed on this development. The area draws from a mix of socio-economic groups who have different views as to where and how they shop. It is challenging for those that have to take 3 buses to other areas to do their shopping. It is important therefore that Council, City staff and the proponent work together to find a viable solution that will work for the communities of Port Credit and Lakeview.



Scott Kletke, President of Lakeview Ratepayers Association, noted that the Association supported growth in the community and the City in the fight for smart. Development of these lands can change the very essence of the City. He noted that the Lakeview community is not against large scale development but is a proponent of a more visionary style of urban planning that protects established neighbourhoods and retail stores. They do not want a condo alley as is prevalent in other waterfront areas. Inspiration Lakeview calls for smart growth and good sound urban planning.

Donald Barber spoke on behalf of the Friends of the Cawthra Bush. He cited concern that the resulting significant increase in traffic will have an immediate effect on the environment and the health of people as well as Cawthra Bush.

Daniel Linerth (sp), Resident, expressed his concern with respect to the traffic impact this development would have on the area.

Ian Gardner, Resident, noted that one factor had not been dealt with is access to transit for the 400 units. There is no GO Transit so everybody will be driving and the air quality will be diminished. Council should ensure transit accessibility.

Councillor Tovey noted that it was an attractive development, but shared the concerns of the community regarding the location of the development. He said that he will move the recommendation with the exception of comments from the Economic Development Office which he cannot accept.

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

PDC-0022-2013

- (a) That the Report dated March 12, 2013, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Business Employment", "Mixed Use" and "Residential Low Density II" to "Mixed Use – Special Site", "Residential High Density – Special Site" and "Greenbelt" and to change the Zoning from "E2" (Employment), "C4" (Mainstreet Commercial) and "R3" (Detached Dwellings – Typical Lots) to "C4 – Exception" (Mainstreet Commercial), "RA5 – Exception" (Apartment Dwellings) and "G1" (Greenbelt – Natural Hazards) to permit retail commercial and office uses fronting Lakeshore Road East, apartment and townhouse dwellings to the rear and public greenspace bordering Cooksville Creek under file OZ 11/017 W1, 501 Lakeshore Inc., Trinity Properties Lakeshore Inc. and 1716336 Ontario Inc., 447, 453, 501 Lakeshore Road East and 1021, 1027, 1077 Enola Avenue, northeast corner of Lakeshore Road East and Enola Avenue, be received for information with the exception of comments from the Economic Development Office.
- (b) That the following correspondence be received:
  - 1. Email dated April 2, 2013 from Dave Krentz, Principal, Drivers of Change & Green Passport

**RECEIVED** – (Councillor J. Tovey)  
File: OZ 11/017 W1

6. ADDENDUM SUPPLEMENTARY REPORT

Official Plan Amendment, Rezoning and Draft Plan of Subdivision Applications to permit apartments with ground related commercial 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 and Lawson Inc., **Bill 51**, (Ward 5)

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

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

PDC-0024-2013

That the Report dated March 12, 2013, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 09/011 W5 and T-M09004 W5, Summit Eglinton Inc., 5081 Hurontario Street, east side of Hurontario Street, north of Eglinton Avenue East, originally endorsed by Council on April 25, 2012, 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 change the Zoning from "D" (Development) to "RA2 - Exception" (Apartment Dwellings) and "RM5 - Exception" (Townhouse and Semi- Detached Dwellings) on a portion of the subject property described in recommendations of the report dated March 27, 2012 except for the two (2) zoning performance standards concerning townhouse and semi-detached dwellings and the request to not require a holding zone provision on Block 49 (Apartment Dwellings) of the proposed Draft Plan of Subdivision (see Appendix AS-4) described in this report, be approved subject to the applicant agreeing to satisfy all the requirements of the City and any other official agency concerned with the development.
3. That the following correspondence be received:
  - (a) Email dated March 25, 2013 from David Vo, Resident

**APPROVED** – (Councillor B. Crombie)

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

4. East Bloor Corridor Review – Backgrounder and Interim Strategy – Opportunities for Neighbourhood Revitalization (Ward 3)  
File: CD.04.BLO

Councillor Fonseca commented that the study illustrated a vibrant community and lays down a foundation to contribute positively to the character of the corridor.

PDC-0023-2013

That the report titled “East Bloor Corridor Review – Backgrounder and Interim Strategy – Opportunities for Neighbourhood Revitalization” dated March 12, 2013, from the Commissioner of Planning and Building be received for information and that the findings be used in the review of development applications in the study area.

**RECEIVED** – (Councillor C. Fonseca)

File: File: CD.04.BLO

5. SUPPLEMENTARY REPORT dealt with after item 4

Rezoning Application to permit ten (10) street townhouse dwellings and maintain the existing apartment building, 1440 Bloor Street, Southeast corner of Bloor Street and Dixie Road

Owner: Tapes Investments

Applicant: Peter Favot Architect Ltd., **Bill 51**, (Ward 3)

File: OZ 11/012 W3

Jonathan Famme, Development Planner, Planning and Building Department, reviewed the application. He noted that the proposal meets with the policies and objectives of the Official Plan and Phase 1 of the East Bloor Corridor Review.

In response to Councillor Fonseca’s request, Mr. Famme advised that the residents can make an appointment with the Planning and Building Department to review Phase 1 and 2 Environmental Assessments.

Mr. Robert Jarvis, Counsel for Tapes Investments, advised that his clients were pleased with the recommendations. He noted that the development has been reduced to 10 street townhouses.

Karl Sprogis, Resident, spoke against the development citing concerns with parking congestion and traffic flow. He also felt the elimination of green space should not be supported.

Councillor Iannicca and Councillor Starr both noted that the area is zoned for high density and that this application was clearly a downzoning.

Syed Afaq Sher, Resident, spoke against the application citing concerns about the loss of open space and the increased traffic, specifically at rush hour. He said he was not satisfied with the traffic assessment and had not seen the Environmental Assessment report.

Councillor Mullin responded that traffic should be looked at however she noted that the open space was not owned by the municipality. She indicated that the Environmental Assessment can be reviewed by contacting the Planning and Building Department.

Mr. Ted Green, Resident, noted that even though leakage of gas and environmental pollutants may meet the Ministry of Environment standards, he will not support any such leakage into his property and needed certainty that this will not occur. Staff noted that migration levels are low and not a concern.

Councillor Fonseca reiterated that Environmental Assessments be made available to the residents. Mr. Green also suggested that in order to alleviate traffic congestion, consideration be given to cars using Bloor Street and not Tyneburn Crescent.

Simon Marcroft, Resident, noted that there is already considerable congestion north of Tyneburn Crescent with schools and apartment buildings. He also wished consideration for a Bloor Street entrance to the development. Mr. Marcroft submitted a petition from 25 residents requesting elimination of street parking on Tyneburn Crescent.

Councillor Starr commented that eliminating street parking on Tyneburn Crescent could end up creating more problems for the residents.

Ken Tran, Resident, noted that he was not against the townhouses subject to the conditions outlined in his letter dated April 2, 2013.

Madam Mayor expressed her surprise that the residents objected to the 10 townhouses when a high density apartment building would be permitted. She said the development will be a big improvement and will set the tone for others.

Councillor Carlson moved the recommendation and echoed Madam Mayor's comments noting similar infill developments in Streetsville. He said that there is no point in going to the Ontario Municipal Board on a case like this when it is within the Official Plan and Zoning By-law parameters.

Councillor Fonseca said that she fully supports the community and will continue to work with the residents to address their concerns on the parking and traffic issues.

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

PDC-0025-2013

That the Report dated March 18, 2013, from the Commissioner of Planning and Building recommending approval of the application under file OZ 11/012 W3, Tapes Investments, 1440 Bloor Street, southeast corner of Bloor Street and Dixie Road, be adopted in accordance with the following:

1. That the application to change the Zoning from "RA2-40" (Apartment Dwellings) to "RM5-Exception" (Street Townhouse Dwellings) and "RA2-Exception" (Apartment Dwellings) to permit ten (10) street townhouse dwellings fronting onto Tyneburn Crescent and maintain the existing apartment building in accordance with the proposed zoning standards described in the Information 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 since both Boards are satisfied with the provision of educational facilities for the catchment area;
- (c) That Council Resolution 160-91, which requires 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, not apply to the subject lands since there is a sufficient parking supply for the development;
- (d) That the following clauses be included within Schedule C of the Development Agreement to be registered on title:
  - i) "Prior to Site Plan approval for any building permit clearance, the owner shall include, and secure for, within the site plan for the proposed townhouses, improvements which meet or exceed those shown on the concept plan provided under file OZ 11/012 W3 regarding streetscape, landscaping, parking and playground modifications to the retained apartment lands known as 1440 Bloor Street to the satisfaction of the Planning and Building Department";
  - ii) "Prior to Site Plan approval for any building permit clearance, the owner shall undertake and submit a Property Standards Building Audit to demonstrate compliance with the Property Standards By-law. A letter of compliance shall then be required to be issued by the City's Compliance and Licensing Enforcement Section, confirming that standards are met prior to site plan approval";
- (e) That Schedule "F" of the Development Agreement provide covenants on the part of the owner for the comprehensive provision and implementation of the required site improvements referred to in paragraph (d) above together with the development of any part of the lands including provisions which require as a condition to any severance of any part of the lands by way of a consent or exemption from part lot control that:
  - i) the transferee of the severed lands execute and register an agreement to be bound by the Development Agreement;

- ii) notwithstanding the severance, the requirement for the joint filing and implementation of one comprehensive site plan application and site plan agreement for the entire lands which provide for the required site improvements together with the townhouse development; and
  - iii) the execution and registration of such further agreements the City may require to ensure the joint provision and implementation by the separate owners of the required site improvements in conjunction with the development of any part of lands.
- 2. 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.
- 3. That Council direct Legal Services, representatives from the appropriate City Departments and necessary consultants, to attend any Ontario Municipal Board proceedings which may take place in connection with the application and in support of the recommendations outlined in the report dated March 18, 2013.
- 4. 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.
- 5. That the following correspondence be received:
  - (a) Letter dated March 26, 2013 from Bing and Kiong Kho, Residents
  - (b) Email dated March 26, 2013 from Marina De Souza, Resident
  - (c) Letter dated April 2, 2013 from Ken and Diep Tran, Residents
  - (d) Letter dated April 2, 2013 from Karl Sprogis, Resident
- 6. That a Resident Parking Petition from 25 residents of Tyneburn Crescent requesting the implementation of a parking prohibition at any time on Tyneburn Crescent between the north intersection with Havenwood Drive and Gatliff Avenue, be received.

File: OZ 11/012 W3

ADJOURNMENT – 10:38 p.m.  
(Councillor Crombie )