



MINUTES

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, MARCH 18, 2013 - 7:00 P.M.

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

<http://www.mississauga.ca>

Members Present

Mayor Hazel McCallion	(Arrived 7:06pm)
Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2 (Arrived 7:02pm)
Councillor Chris Fonseca	Ward 3
Councillor Bonnie Crombie	Ward 5
Councillor Frank Dale	Ward 4
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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Mumtaz Alikhan, Legislative Coordinator, Office of the City Clerk
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STAFF PRESENT:

Mr. E. Sajecki, Commissioner, Planning and Building
Ms. M. Ball, Director, Development and Design
Mr. J. Calvert, Director, Policy Planning
Ms. M. Taggert, Legal Services
Mr. S. Czajka, Manager, Information Planning
Mr. D. Marcucci, Manager, Park Planning
Mr. D. Morita, Manager, Development Engineering
Mr. S. Barrett, Manager, Transportation Asset Management
Ms. L. Eramo-Russo, Committee of Adjustment Planner
Mr. E. Lucic, Planner, Community Services
Ms. Katherine Mahoney, Development Planner
Ms. Mumtaz Alikhan, Legislative Coordinator
Ms. Sacha Smith, Legislative Coordinator

PLANNING & DEVELOPMENT COMMITTEE – March 18, 2013**CALL TO ORDER**

Councillor Carlson, Chair, called the meeting to order at 7:00p.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)

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

PDC-0013-2013

That the report dated March 4, 2013 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 Appendices of the Report, be adopted in accordance with the following:

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

- (a) Sign Variance Application 12-03068
Ward 1
W.E. Oughtred & Associates/Churchill Property Management
1310 Dundas St. E.

To permit the following:

- (i) Twelve (12) fascia signs installed above the upper limit of the first storey.

- (b) Sign Variance Application 12-01809
Ward 1
Creekside Crossing
1500 Dundas Street East

To permit the following:

- (i) Two (2) ground signs each with an area of 38.55 m. sq. (414.97 sq. ft.) located approximately 135 m (442.91 ft.) apart.

- (c) Sign Variance Application 12-03093
Ward 4
Sheridan College
4180 Duke of York Blvd.

To permit the following:

- (i) Three (3) roof signs.

- (d) Sign Variance Application 12-03002
Ward 5
Mantella Corporation
5455 Dixie Road

To permit the following:

- (i) One (1) temporary sign facing Provincial Highway 401 for a period of one (1) year.

- (e) Sign Variance Application 12-03003
Ward 5
Mantella Corporation
5503 Dixie Road

To permit the following:

- (i) One (1) temporary sign facing Provincial Highway 401 for a period of one (1) year.

- (f) Sign Variance Application 12-03355
Ward 9
A&W
2920 Argentia Road

To permit the following:

- (i) One (1) gateway drive-thru pylon structure.

- (g) Sign Variance Application 12-03195
Ward 11
Fionn MacCool's
825 Britannia Rd. W.

To permit the following:

- (i) The proposed sign area of the signs located on the south elevation is 24.75% of the building façade whereas 20% is permitted.

- (ii) The proposed sign area of the signs located on the east elevation is 19.4% of the building façade whereas 15% is permitted.

ADOPTED – (Councillor S. McFadden)
File: BL.03-SIG (2011)

2. 2013 Employment Profile, 2013 Vacant Lands Profile and 2013 Existing Land Use Profile
File: CD.15.MIS

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

PDC-0014-2013

That the report titled “*2013 Employment Profile*”, “*2013 Vacant Lands Profile*” and “*2013 Existing Land Use Profile*” dated March 18, 2013, from the Commissioner of Planning and Building, be received for information and circulated, by the Planning and Building Department, to the Mississauga Board of Trade, the Building Industry and Land Development Association (BILD), Economic Development Advisory Council, Peel Halton Dufferin Training Board and the University of Toronto Mississauga.

RECEIVED – (Councillor N. Iannicca)
File: CD.15.MIS

At this point, the agenda was modified to deal with Item 3 last.

4. Appeal to the Ontario Municipal Board - Committee of Adjustment Decision on Minor Variance Application ‘A’ 040/13 W2, Darval Holdings, 2213 North Sheridan Way, North of Queen Elizabeth Way and west of Erin Mills Parkway (Ward 2)
File: ‘A’ 040/13 W2

Mr. David Culham, resident, spoke in support of the application. He noted that the zoo takes on the role of an educational, research, and training facility for people dealing with reptiles. He cited a letter dated February 27, 2013 from Mr. Brian Child, President of Reptilia Inc., outlining a number of uses such as training Wildlife Officers for Environment Canada, graduating teachers from York University, University of Toronto and OISE learn how to teach the Life Strands Section of Science and Technology curriculum as well as providing work for graduating veterinarians from University of Guelph and other colleges. Mr. Culham stated that this facility would have a positive impact on the City. He said that 27% of the land within the business park has remained empty since the 1950s and should be utilized. He further stated that land use permissions are too tight and impossible which is the reason there is empty space. He requested that the appeal not be forwarded to the Ontario Municipal Board.

Councillor Mullin spoke of a recent meeting with the applicant at which she had requested details on the research component of the facility that should have been the main part of the application. A response referred to a small component for research. Councillor Mullin also spoke of a visit to the owner’s Vaughan facility which clearly

looked like a zoo with a retail component but no laboratories for research. Councillor Mullin noted that this was not a minor variance and should go through the Official Plan Amendment, Zoning By-law and full planning process. The report noted a 75% reduction in parking which was omitted from the application and again should have been addressed by the Committee of Adjustment application. Councillor Saito had written in support of the application from a tourist perspective and Councillor Mullin agreed but felt it would be inappropriate in a research park and would set a precedent. Councillor Mullin requested comments from Ms. M. Ball, Director of Development and Design on Mr. Culham's comments.

Ms. M. Ball, Director of Development and Design, noted that the Planning and Building Department does see this application as a significant departure from the intent of the Official Plan. The Official Plan for the Sheridan Research Park is significantly different than other business parks in the City. The principal use for the Park is for research and technology. The policy referencing education facilities is obsolete and does not align with the Official Plan or the Zoning By-law. Ms. Ball commented that the Park Association wishes to see the area revitalized. She noted that most of the vacant land in the Park is owned by existing facilities that have chosen not to redevelop as the park-like setting adds to their business profile. Those businesses who wish to intensify in the area are doing so in alignment with policies. With respect to the restrictive zoning requirements, the City is looking at expanding the policy as long as it maintains the original intent for a research and technology park. She further stated that permitting the application would be departure from the intent of the Policy.

Madam Mayor spoke in support of staff recommendation. She said that the owner of Reptilia, Mr. Brian Child, had met with her to outline his concerns. She noted that a number of applications have been turned down because they did not meet the Park's research component. Staff had indicated that the owner was not interested in any other site in the city. Madam Mayor said she would be willing to work to have such a facility elsewhere in the City as it would be an ideal tourist attraction.

Councillor Crombie asked if there was another area in Mississauga where this facility could be accommodated. Ms. Ball said there were currently no by-laws permitting such a facility anywhere in the City.

Councillor Starr said this would be a good facility for the area as it needs exposure. He noted that during a recent visit to the area, parking lots were half empty and felt there was not enough activity from existing businesses to encourage them to expand. He asked if the existing businesses were conducting research. Ms. Ball responded that a number of them were doing research. She stated that the City was in the midst of a review of the Sheridan Park policies and working with the land owners and the Sheridan Park Association to revitalize the area. Councillor Starr noted that Sheridan Park should be a high priority. He felt it was time to encourage expansion in the area and asked when the new policy and guidelines will be in place. Ms. Ball responded that the intent was to come back before the end of 2013 with a recommendation for the zoning.

Madam Mayor noted that a lot has been done to promote the research park.

Councillor Mullin agreed with Madam Mayor's comments and noted that it was worth looking at making the policy less restrictive to help revamp the park but reiterated that a zoo would set a precedent.

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

PDC-0015-2013

(a) That the Report dated February 26, 2013 from the Commissioner of Planning and Building regarding the appeal filed by Legal Services by letter be adopted, and that Legal Services, together with other appropriate City staff, attend the Ontario Municipal Board hearing in support of the appeal of the decision of the Committee of Adjustment under file 'A' 040/13 W2.

(b) That the following correspondence be received:

1. Letter dated February 27, 2013 from Mr. Brian Child, President, Reptilia Inc.
2. Letter dated March 18, 2013, from Mr. Tom Pope, Darval Holdings Ltd.

ADOPTED – (Councillor P. Mullin)

File: 'A' 040/13 W2

5. Appeal to the Ontario Municipal Board – Committee of Adjustment Decision on Consent Application "B" 6/13 W1 and Minor Variance Applications 'A' 11/13 and 'A' 12/13 W1, Delfim and Maria Fernandes, 372 South Service Road, South of Queen Elizabeth Way, east of Hurontario Street (Ward 1)
File: B '6'/13 W1, 'A' 11/13 & 'A' 12/13 W1

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

PDC-0016-2013

That the Report dated February 26, 2013, from the Commissioner of Planning and Building regarding the appeal filed by Legal Services by letter be adopted, and that Legal Services, together with other appropriate City staff attend the Ontario Municipal Board hearing in support of the appeal of the decisions of the Committee of Adjustment under files 'B' 6/13 W1, and 'A' 12/13 W1, regarding the property at 372 South Service Road.

ADOPTED – (Councillor J. Tovey)

File: B'6'/13 W1, 'A' 11/13 & 'A' 12/13 W1

Mr. Bill Dolan, Planner representing the owners, came forward to state he was here for this item. He noted that the application is relatively straight forward and that the City had overly interpreted the Official Plan and not given it the flexibility it deserves. The only variance sought is for lot frontage and in all other respects the application met with the Zoning By-law. Mr. Dolan said the application conforms with the intent of the Official Plan Policy which is to work towards new lots in keeping with the established

character of the area. He requested that the Committee not pursue this matter to the Ontario Municipal Board.

Councillor Tovey asked for staff comment. Ms. Ball, Director of Development and Design, commented that decisions are made based on the Official Plan policies related to severances.

Councillor Carlson, Chair, noted that the motion was already voted on and asked if a re-vote was required.

Councillor Tovey reiterated his support for the recommendation in the report and stood by his earlier vote.

6. 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, Freida and Emma Fischer, 1238 Strathy Avenue, North of Lakeshore Road East, east of Cawthra Road (Ward 1)
File: 'B' 5/13 W1, 'A' 9/13 & 'A' 10/13 W1

Mr. Paul Seguro, agent to the owner, addressed the Committee. He requested that this matter not be sent to the Ontario Municipal Board and asked for a deferral from the Committee until the owner has had another opportunity to meet with staff to resolve the issues.

Upon confirmation from staff that a deferral was possible, Councillor Tovey moved the following motion which was voted on and carried:

PDC-0017-2013

- (a) That the Report dated February 26, 2013, from the Commissioner of Planning and Building regarding the appeal filed by Legal Services by letter be deferred pending a meeting with the land owner and appropriate City staff with respect to files 'B' 5/13 W1, 'A' 9/13 and 'A' 10/13 W1, regarding the property at 1238 Strathy Avenue.

- (b) That the following correspondence be received:

1. Letter dated March 18, 2013 from Mr. P.K. Chee, MiKo Urban Consulting Inc.

RECEIVED – (Councillor J. Tovey)

File: B'6'/13 W1, 'A' 11/13 & 'A' 12/13 W1

3. PUBLIC MEETING

Information Report - Rezoning Application to permit a Private Elementary School, 935 Eglinton Avenue West and Block 127, 43M-1034, North side of Eglinton Avenue West, West of Terry Fox Way

Owners: Masjid-e Farooq-e Azam Mississauga & Makkah Holdings Inc.

Applicant: Macaulay Shiomi Howson Ltd., **Bill 51** (Ward 6)

File: OZ 09/009 W6

Ms. Angela Sciberras, Planner, Macaulay Shiomi Howson Ltd., presented an overview of the application for a zoning amendment and site plan approval for a private elementary school. The property is in conjunction with an existing mosque. Ms. Sciberras advised that underground parking would be located under the school and surface parking to the west of the mosque. She noted that at a community information meeting hosted by Councillor Starr on March 5, 2013, the community's primary concern focused on parking involving the mosque.

Ms. Sciberras advised that the subject lands are designated Medium Density Residential and the proposed school is permitted within that designation. The school will be the same height as the mosque with architectural features. She spoke to the proposed landscaping plan and the increase in parking spaces to 167 (76 surface and 91 underground) from the current 93. The City's Zoning By-law requires 122 spaces for both the mosque and school use. She outlined the maximum capacity of the school is 300.

In response to a query from Councillor Mullin to increase the landscape space from the proposed 19% to meet the 40% standard, Ms. Sciberras advised that parking was felt to be more valuable in this instance, and that the traditional outdoor activities for the children would be held in the gym as opposed to a typical playground, hence landscaping was forfeited.

Madam Mayor asked about the separation of the land ownership. Ms. Sciberras responded that she did not have the specifics but that a meeting with City staff and the City's Legal Department had resulted in an agreement in perpetuity to be registered and the westerly lands would not be permitted for any other development except parking. Madam Mayor said that the site needs improvement and that there can be no compromise on the landscaping. She noted that the mosque is very popular but it does not have sufficient parking to accommodate the number of people who use it resulting in illegal parking and that this must be addressed. Madam Mayor requested to see the minutes of the community meeting held on March 5, 2013 and the landscaping plan for the Eglinton Avenue frontage of the property. She stated that a school was an excellent idea.

Councillor Crombie commented that she had the privilege of attending the mosque and that the school was a good idea but echoed Madam Mayor's concerns about the parking issue. She hoped for a solution without compromising the school, the landscaping or a playground. Ms. Sciberras noted that additional underground parking was not an option due to storm easement restrictions.

Councillor Crombie asked staff to comment on the sufficiency of parking spaces. Ms. M. Ball, Director, Development and Design, responded that the by-law requirements were met, but the issue was the ability to meet the needs of the congregation. The City has made arrangements with other religious assemblies for parking on GO parking sites and shuttling the attendees back and forth. Ms. Ball noted that By-law Enforcement would monitor the situation, and that there were means to put in place with the congregation to find other ways to help people get to the mosque. Ms. Sciberras advised that the applicant was willing to work with staff to come up with viable options.

Councillor McFadden noted that there was an obvious need for more mosques and private Muslim schools in the City, and noted that she was working with Councillor Mahoney and the community to build a mosque on Ninth Line so that residents of Wards 8, 9 and 10 were represented. Councillor McFadden expressed her support for the mosque.

Councillor Starr stated that the overall concept is good but expressed concern with the parking and traffic issues. He noted that the neighbourhood is seeking a good relationship with controls. During Eid and Ramadhan, parking is very difficult and the suggestion of one-sided street parking will move it further into the community. He advised that staff were committed to working with the applicant to resolve the parking and landscaping issues but that a decision will not be made tonight.

Mr. Sabahattin Kaderli, resident, addressed the Committee. He advised that the proposal of the school is a phenomenal opportunity for families and allows for certain morals and Islamic foundations to be taught. He spoke of anxiously waiting for the school for his children and appealed that the application not be delayed. He said that he had difficulty understanding the parking situation as more spaces than the City standard were being provided. This school will add to the menagerie and cultural fabric of the city.

Mr. Bashir Abdiladif, resident, addressed the Committee. He spoke of his excitement at the prospect of a school and gym and noted that when the mosque was developed, it added to the real estate value. He believed property values will rise once the school and gymnasium are built. He stated that the empty space would no longer be an eyesore and looked forward to seeing the project approved.

Mr. Gamel Ibrahim, resident, addressed the Committee and spoke of his reasons for moving to Mississauga as a great city to raise a family even though there were very few mosques. He spoke of his involvement in assisting with parking and the Police officers directing the traffic expressing their appreciation on how well the space was run and organized despite restrictions with just surface parking. He felt that lack of clear signage may be a contributing factor. Mr. Ibrahim noted that people tend to park for convenience. He did not feel there was a parking issue. He also spoke of children in the neighbourhood using their volunteer hours to help the mosque and that families are looking for ways to encourage a good neighbourhood.

Frank Marcese, resident, addressed the Committee and stated he had no concern with the school provided there was adequate parking space. On Fridays there are over 200 vehicles on the lot and another 150 outside. He submitted photographs illustrating the situation. He felt this was not safe for children and that if there was a fire or a medical emergency, fire trucks and ambulances would have difficulty accessing the area. He also noted a concern that children at the school would not be able to go outside for recess.

Andy Vammus, representing City Centre Baptist Church, addressed the Committee. He said that there was no issue with the school but agreed with Madam Mayor regarding the aesthetics of the site as the Baptist Church was required to adhere to the landscaping standards and paid parking, which are both missing in this instance. The Church was also concerned about parking at different festival times and Fridays, especially when they coincide with other religion festival days such as Good Friday. Concern was also expressed regarding the gymnasium being used for overflow.

Mohamed Qazi, President of the Mosque, addressed the Committee and noted that the real issue is illegal parking and providing more parking will not solve this problem. The mosque has no control over this issue on the back streets. He cited that this was a systemic issue and spoke of cars parked on fire routes outside of mosque hours such as on Felicity Crescent. In the mosque he personally ensures fire routes are never blocked. He spoke of the requirements that had been put in place to accommodate standards including underground parking. The community is very passionate about this project. Efforts have been made since 2009 to foster better understanding with the neighbourhood via open houses, but were unsuccessful. The neighbourhood is also kept informed of festival days via a hotline. Mr. Qazi said the Mosque was willing to work towards a solution but if the project is not approved, the property will remain underdeveloped.

Madam Mayor noted that the mosque is very successful and drawing people from a wider area. The illegal parking problem would however persist even if the school was not built. She also noted that parking was a major problem at a mosque in Clarkson. Madam Mayor suggested that services held at different times of the day might help alleviate the parking problem. Illegal parking was a major cost to the City and cannot be monitored every day. She asked how the Mosque could deal with the parking. Mr. Qazi responded that through discussions, a solution could be found. Madam Mayor reiterated that landscaping standards must be observed.

Councillor Dale noted that the challenge is the parking. He spoke of a retrofit done at another place of religious assembly to help create more parking and requested staff to review the placement of fire hydrants as the fire routes may not need to be as wide. He said emergency vehicles generally use the fire hydrant on the street and not on the property.

Councillor Tovey spoke of his support of the school but the parking issue must be addressed. He expressed concern with respect to fire capacity in the building and staff confirmed that the worship room could hold 339 people. Mr. Qazi said that 300 people generally attend prayers and that the school would operate outside of prayer times.

Saleem Deshmukh, resident addressed the Committee. He spoke on the matter of illegal parking and suggested that the City consider stricter by-laws to enforce stronger punishment for the few people who park illegally.

Councillor Starr reiterated that no decision will be made tonight and that the report will be received. He said that the staff will work with the Mosque to address the challenges raised.

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

PDC-0018-2013

1. That the Report dated February 26, 2013 from the Commissioner of Planning and Building regarding the application to change the Zoning from "RM4-58" (Residential) and "RM5-3" (Residential), to "'RM4-Exception" (Residential) to permit a private elementary school in conjunction with a place of religious assembly, under file OZ 09/009 W6, Masjid-e Farooq-e Azam Mississauga and Makkah Holdings Inc., 935 Eglinton Avenue West and Block 127, 43M-1034, be received for information.
2. That the following correspondence be received:
 - (a) Correspondence of over 300 in support of the Rezoning Application
 - (b) Correspondence in opposition of the Rezoning Application

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RECEIVED – (Councillor R. Starr)
File: OZ 09/009 W6

ADJOURNMENT – 9:19 p.m.
(Councillor R. Starr)