



MINUTES

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, JUNE 24, 2013 - 6:00 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	
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 (Chair)
Councillor Nando Iannicca	Ward 7
Councillor Katie Mahoney	Ward 8
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

Members Absent

Councillor Chris Fonseca	Ward 3 (personal business)
Councillor Pat Saito	Ward 9 (other municipal business)

Mumtaz Alikhan, Legislative Coordinator, Office of the City Clerk

905-615-3200 ext. 5425 / Fax 905-615-4181

email: mumtaz.alikhan@mississauga.ca

STAFF PRESENT: Mr. E. Sajecki, Commissioner, Planning and Building
Ms. Marilyn Ball, Director, Development and Design Division
Mr. John Calvert, Director, Policy Planning Division
Ms. Heather MacDonald, Director, Strategic Housing Initiatives & Business Services
Mr. Mickey Frost, Director, Enforcement
Mr. David Marcucci, Manager, Park Planning, Community Services
Mr. Steve Barrett, Manager, Transportation and Works
Mr. Ray Poitras, Manager, Development and Design Division
Mr. Eric Lucic, Planner, Community Services
Mr. John Hardcastle, Planner, Development and Design Division
Ms. Sharon Mittmann, Urban Designer, Development and Design Division
Ms. Katherine Mahoney, Planner, Development and Design Division
Ms. Emily Irvine, Planner, Policy Planning Division
Mr. Darren Bryan, Supervisor, Sign Unit
Mr. Douglas Meehan, Manager, Transportation and Works
Mr. David Breveglieri, Planner, Development and Design Division
Mr. Ben Phillips, Planner, Development and Design Division
Mr. Ken Franklin, Service Agreement Coordinator, Transportation and Works
Ms. Mumtaz Alikhan, Legislative Coordinator
Ms. Carmen Radice, Legislative Coordinator

PLANNING & DEVELOPMENT COMMITTEE – JUNE 24, 2013**CALL TO ORDER**

Councillor Starr called the meeting to order at 6:01 p.m.

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST

Nil

MATTERS TO BE CONSIDERED

- 1(a) Sign Variance Applications – Sign By-law 0054-2002 as amended.
File: BL.03-SIG (2011)

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

PDC-0045-2013

That the report dated June 4, 2013 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested six (6) Sign Variance Applications described in the Appendices of the report, be adopted in accordance with the following:

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

- (a) Sign Variance Application 09-05081
Ward 2
Shaw
2055 Flavelle Boulevard

To permit the following:

- (i) Two (2) fascia signs attached to a structural arch located at the south elevation of the building.

- (b) Sign Variance Application 12-03539
Ward 2
Rona
1692 Lakeshore Rd. W.

To permit the following:

- (i) One (1) fascia sign on the side (west elevation) of the building that faces another property.

- (c) Sign Variance Application 13-04125
Ward 5
Mississauga Entertainment CENTRUM
40 Annagem Blvd.

To permit the following:

- (i) One (1) ground sign with a sign area of 17.5 sq. m. (188.41 sq.ft.)

- (d) Sign Variance Application 12-03540
Ward 6
Rona
1133 Dundas St. W.

- (i) One (1) fascia sign on the side (east elevation) of the building that faces another property.

- (e) Sign Variance Application 13-03883
Ward 7
Pizza Pizza
2500 Hurontario St.

- (i) A second fascia sign located on the front elevation of the unit creating a total sign area equal to 22.2% of the building façade.

- (f) Sign Variance Application 12-03509
Ward 9
Loblaw Properties Limited
2805 Eglinton Ave. W.

- (i) Fascia signs on the east elevation of the building having an area equal to 23% of the building façade.

- (ii) Three (3) fascia signs attached to the garbage enclosure.

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

- 1(b) Additional Sign Variance Applications – Sign by-law 0054-2002
File: BL.03-SIG (2011)

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

PDC-0046-2013

The report from the Commissioner of Planning and Building dated June 7, 2013 was prepared and finalized in advance of receiving a request from the applicant referred by Councillor McFadden's office.

It is recommended that the additional Sign Variance Application described in Appendix 7 attached, be adopted in accordance with the following:

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

- a) Sign Variance Application 13-05046
Ward 10
L. Cofini
5170 Ninth Line

To permit the following:

- (i) No permit is required for a sign advertising the sale of produce from the property during the season in which it was grown provide the sign does not exceed 3.0 sq. m. (32 sq. ft.) in area.
- (ii) One (1) portable sign with a maximum area of 3.0 sq. m. (32 sq. ft.) displayed from July to the end of October each year to advertise produce grown on the property with a minimum setback of 3.0m (9.8 ft.) from the property line.

This variance will cease when the property is rezoned in accordance with the City of Mississauga Zoning By-law and all signs must comply with the City of Mississauga Sign By-law applicable at the time of rezoning.

ADOPTED – (Councillor Iannicca)

File: BL.03-SIG (2011)

2. Information Status Report

Removal of "H" Holding Symbol Application

To permit Phase 2 of the Pinnacle Grand Park Development, Part of Lot 20, Concession 1, N.D.S., 3975 Grand Park Drive and 565 Webb Drive, Northeast corner of Webb Drive and Grand Park Drive

Owner/Applicant: Pinnacle International (Grand Park) Land Ltd., **Bill 51**, (Ward 7)

File: H-OZ 12/004 W7

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

PDC-0047-2013

That the report dated June 4, 2013, from the Commissioner of Planning and Building outlining the details of the proposed development concerning the Removal of the "H" Holding Symbol Application under file H-OZ 12/004 W7, Pinnacle International (Grand Park) Land Ltd., 3975 Grand Park Drive and 565 Webb Drive, be received for information.

RECEIVED – (Councillor N. Iannicca)

File: H-OZ 12/004 W7

3. Mississauga Parking Strategy – Phase II: Port Credit and Lakeview
File: CD.07-MIS

Teresa Kerr, Planner, Policy Division, and Ralph Bond, Consultant, BA Group Transportation Consultants, presented an overview of the parking strategy in Port Credit and Lakeview. Ms. Kerr detailed the parking management strategy and the parking policies for the Lakeshore Road corridor and that the next steps in the process include input from the community and key stakeholders in the fall, with a report on comments to follow.

Mr. Bond provided an overview of the recommendations from the study he undertook for the City.

Councillor Mullin questioned the desirability of aesthetics of parking garages, especially at the Port Credit Library or the Imperial Oil lands.

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

PDC-0048-2013

1. That the report titled *Mississauga Parking Strategy – Phase II: Port Credit and Lakeview* dated June 4, 2013, from the Commissioner of Planning and Building, be circulated to stakeholders within the Port Credit and Lakeview communities for comment.
2. That the Transportation and Works Department undertake feasibility studies to confirm future public parking garage locations in Port Credit.
3. That the Transportation and Works Department initiate the development of a business plan for existing and future parking development and operations; including a capitalization, financial and implementation plan, for Port Credit and Lakeview.

APPROVED (Councillor J. Tovey)
File CD.07-MIS

4. **SUPPLEMENTARY REPORT**

Proposed Amendments to Mississauga Official Plan and Zoning By-law 0225-2007 for Lakeshore Road West – Clarkson Village Study, **Bill 51**, (Ward 2)
File: CD.04.CLA

Sharon Mittman, Urban Designer, Development and Design Division, reviewed the proposed amendments to the Official Plan and Zoning By-law in order to create a

shared vision for the Clarkson community node and establish a long-term pedestrian friendly environment.

Councillor Mullin noted that she had amendments to the recommendation limiting building height to 3-storeys along the north side of Lakeshore Road West within the Core Area, and 4-storeys in other areas to ensure that the village character is retained.

Boyd Upper, Resident and Past President of the Lorne Park Community Association, noted that the community agrees with sensible planning, but in order to retain the character of Clarkson Village, he requested the Committee to consider reducing heights from 6-storeys to 4-storeys.

Sue Shanly, Vice-President, Meadow Wood Rattray Association, agreed with Mr. Upper and noted that 6-storey buildings are too high and will overshadow the adjacent established residential areas.

Councillor Mullin noted that buildings on most main streets are restricted to 3 or 4-storeys in other villages, and although there is potential for major redevelopment in the Village, it was important that it be pedestrian friendly and in the character with Clarkson Village.

Councillor Mahoney requested staff to comment on the rationale used for the proposed building heights. Ed Sajecki, Commissioner, Planning and Development Department, responded that limiting the heights to less than 6-storeys may not be an incentive for redevelopment.

Councillor Iannicca noted his support for the recommendations in the report.

Councillor Mullin noted that the area in question was a very small part of the Clarkson Village Corridor and it was not identified for intensification. She reiterated the importance of maintaining its character.

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

PDC-0049-2013

1. That the report dated June 4, 2013, from the Commissioner of Planning and Building, recommending amendments to Mississauga Official Plan and Zoning By-law 0225-2007 for the Lakeshore Road West – Clarkson Village Study area, be received.
2. That notwithstanding that subsequent to the public meeting, revisions to the proposed amendments are being recommended, 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 amendments is hereby waived.
3. That the proposed amendments to Mississauga Official Plan for the Lakeshore Road West-Clarkson Village Study area be approved in accordance with the January 24, 2012 Public Meeting Report (attached as

Appendix S-1 of this report) with the exception that the maximum building height for lands within the Outer Core Area and on the south side of Lakeshore Road West within the Core Area be reduced from 6 storeys to 4 storeys; and that the maximum building height for lands on the north side of Lakeshore Road West within the Core Area be reduced from 4 storeys to 3 storeys.

4. That the proposed amendments to Zoning By-law 0225-2007 for the Lakeshore Road West-Clarkson Village Study area be approved in accordance with the Appendix S-3 of this report with the exception that the maximum building height for lands within the Outer Core Area and on the south side of Lakeshore Road West within the Core Area be reduced from 6 storeys to 4 storeys; and that the maximum building height for lands on the north side of Lakeshore Road West within the Core Area be reduced from 4 storeys to 3 storeys.
5. That the implementing Official Plan and Zoning By-law Amendments be brought to a future City Council meeting upon resolution of the outstanding appeal to the "Mixed Use" designation and policies of Mississauga Official Plan.
6. That staff be directed to complete Built Form Standards for Lakeshore Road West – Clarkson Village with the appropriate revisions to reflect the reduced building heights in recommendations 3 and 4 above, and bring them forward to be endorsed at a future City Council meeting.
7. That the following correspondence be received:
 - (a) Letter dated June 20, 2013 from Bruno and Laura Rinaldo;
 - (b) Letter dated June 20, 2013 from Margaret Grant and Geoff McIlroy
 - (c) Letter dated June 21, 2013 from Joel D. Farber, Fogler, Rubinoff LLP, representing RioCan (Clarkson) Inc.
 - (d) Letter dated June 23, 2013, from John Pegram, Member "Visioning discussion group"

RECEIVED (Councillor P. Mullin)
File: CD.04.CLA

5. PUBLIC MEETING – 6:51 pm
Information Report on Official Plan Amendment and Rezoning Applications to permit a Motor Vehicle Dealership, Part of Lots 6 and 7, Concession 2, W.H.S., Southeast corner of Bancroft Drive and Ivandale Drive
Owner: 2356860 Ontario Inc. (AutoPlanet Group of Companies)
Applicant: Weston Consulting, **Bill 51**, (Ward 11)
File: OZ 11/002 W11

Councillor Carlson moved the following motion with a notwithstanding clause which was voted on and carried:

PDC-0050-2013

That the Report dated June 4, 2013, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Convenience Retail Commercial – Special Site 7" to "Business Employment – Special Site" and to change the Zoning from "C1-2" (Convenience Commercial) to "E2- Exception" (Employment), to permit a motor vehicle dealership under file OZ 11/002 W11, 2356860 Ontario Inc., Part of Lots 6 and 7, Concession 2, W.H.S. be received for information, subject to the notwithstanding clause.

RECEIVED (Councillor G. Carlson)

File: OZ 11/002 W11

6. Report on Comments - Housing Choices: Second Units Implementation Strategy
File: CD 06 AFF

Councillor Mullin expressed concern with respect to licensing requirements for investment dwellings since recourse for tenants and neighbours can become very difficult if there are several people investing in the property. Heather MacDonald, Director, Strategic Housing Initiatives and Business Services, responded that licenses would be issued to the property owner so there would be a record and the City was also considering regular check every 3 months to ensure conformity with of the licensing requirements.

Mickey Frost, Director, Enforcement, advised that enforcement efforts will be directed at the owners named on the license.

Councillor Mullin also expressed concern that there is still no right to enter if the property is unlicensed. Mr. Frost advised that the licensing requirements will include the right to enter, but if a property remains unlicensed, Enforcement staff do not have the ability to enter the unit unless the owner allows access.

Councillor Iannicca commented that this was provincial legislation forced upon municipalities to implement.

Councillor McFadden expressed concern with respect to the detrimental impact on tax payers in order to implement the Province's mandate. This should be brought to the attention of the local MPPs.

Councillor Mahoney noted that there is no mechanism to ensure that the income from for profit investment properties is reported to the Canada Revenue Agency.

Councillor Tovey said that from a safety perspective, there would be more control on licensed units, but he was doubtful that the problem of affordable rental units will be alleviated.

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

PDC-0051-2013

That the Report titled "*Report on Comments – Housing Choices: Second Unit Implementation Strategy*" dated June 4, 2013 from the Commissioner of Planning and Building, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting changes to the zoning by-law 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 amended Second Units Implementation Strategy, as outlined in the report titled "*Report on Comments – Housing Choices: Second Unit Implementation Strategy*" dated June 4, 2013 from the Commissioner of Planning and Building, be endorsed.
3. That the Official Plan and Zoning By-law amendments, as outlined in the report titled "*Report on Comments – Housing Choices: Second Unit Implementation Strategy*" dated June 4, 2013 from the Commissioner of Planning and Building, be approved.

ADOPTED (Councillor S. McFadden)

File: CD 06 AFF

7. Licensing of Second Units

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

PDC-0052-2013

That Council enact a By-law to allow for the licensing and regulatory scheme for Second Units as outlined in the report to the Planning and Development Committee dated June 12, 2013 from the Commissioner of Transportation and Works, and titled "Licensing of Second Units", as amended.

APPROVED (Councillor S. McFadden)

8. SUPPLEMENTARY REPORT

Official Plan Amendment, Rezoning and Draft Plan of Subdivision Applications to permit 118 townhouse units and 15 live/work units on a common element condominium private road, 565 Lakeshore Road East, north side of Lakeshore Road East, west of Cawthra Road

Owner: 2025214 Ontario Limited

Applicant: Glen Schnarr and Associates Inc., **Bill 20**, (Ward 1)

File: OZ 03/038 W1 and T-M06006 W1

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

PDC-0053-2013

That the Report dated June 4, 2013, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 03/038 W1 and T-M06006 W1, 2025214 Ontario Limited, 565 Lakeshore Road East, north side of Lakeshore Road East, west of Cawthra Road, 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 amend Mississauga Official Plan from "Business Employment - Special Site 19" to "Residential Medium Density", "Mixed Use" and "Greenbelt" to permit 118 townhouse units and 15 live/work units on a common element condominium private road, be approved. Should the appeal to Mississauga Official Plan not be resolved, that an amendment to Mississauga Plan (2003), be approved.
3. That the application to change the Zoning from "E2" (Employment) to "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road), "C4-Exception" (Mainstreet Commercial), "B" (Buffer) and "G1" (Greenbelt - Natural Hazards) to permit 118 townhouse units and 15 live/work units on a common element condominium private road in accordance with the proposed revised zoning standards described in Appendix S-6 of this report, be approved subject to the following conditions:
 - (a) That the draft plan of subdivision be approved;
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development; and
 - (c) 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.

4. That the Plan of Subdivision under File T-M06006 W1, be recommended for approval subject to the conditions contained in Appendix S-5, attached to the report dated June 4, 2013, from the Commissioner of Planning and Building.
5. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 36 months of the Council decision.

ADOPTED (Councillor J. Tovey)

File: OZ 03/038 W1 and T-M06006 W1

9. **SUPPLEMENTARY REPORT**

Official Plan Amendment and Rezoning Applications to permit eighteen (18) 4-storey townhouse dwellings on a common element condominium private road, 375 Lakeshore Road West and the rear portion of 14 Ben Machree Drive, Southeast corner of Lakeshore Road West and Godfrey's Lane
Owners: 375 Lakeshore Developments Inc. and Christopher Boyd
Applicant: Zelinka Priamo Ltd., **Bill 51**, (Ward 1)
File: OZ 12/008 W1

David Brevlegieri, Planner, Development and Design Division, outlined the proposed Official Plan and Rezoning amendments. The application calls for an amendment to the Official Plan from "Residential Medium Density" and "Residential Low Density 1" to "Residential Medium Density – Special Site" and a Zoning change from "RA1-25" (Apartment Dwellings) and "R15" (Detached Dwellings – Port Credit) to "RM6-Exception" (Townhouse Dwellings on a CEC – Private Road), to permit eighteen (18) 4-storey townhouse dwellings on a common element condominium private road.

Chris Mackie, President, Cranberry Cove Port Credit Ratepayers' Association, noted that there was support for the townhouse development but the proposal is controversial because of the height of the units and the impact on adjacent properties. He said that the rezoning will result in a precedent for 14 Ben Machree Drive which is currently zoned for detached single family dwellings. Mr. Mackie said there was no need to destroy the mature maple trees which were a community asset. He noted that 3-storey townhouses would be supported by the Association, and requested that the trees not be destroyed.

Helen Butcher, Resident, spoke against the development citing that the proposed rezoning of 14 Ben Machree Drive is excessive and over-reaching and will establish a precedent. She requested the Committee to reject the severance and rezoning of the rear portion of 14 Ben Machree Drive.

Carol Stahl, Resident, spoke against the severance of 14 Ben Machree Drive and the height of the townhouses resulting in the loss of her privacy, as well as the lack of green space and loss of trees. She requested the Committee to reject the application.

Ian Marshall, Resident, spoke against the development and noted that he had renovated his house to keep within the character of the neighbourhood, but the proposed development will change it. He noted that the proposal would be more than 4-storeys, as it will be raised up almost half a storey to accommodate drainage for the property. He said there was an opportunity for attractive townhouses and urged the Committee to reject the severance of one lot and to request a reduction in height.

Councillor Iannicca said that the argument from residents about the rear portion of 14 Ben Machree Drive has merit and asked staff for the rationale for its inclusion. David Brevlegieri responded that from the point of functionality the development worked better with its inclusion.

Monica MacArthur, Resident, noted that she was pleased that there was a plan for the lot behind her house on 14 Ben Machree Drive, but the proposed severance of the property was a major concern and will change the character of the area as well as set a precedence.

Councillor Carlson commented that he liked the design and noted that the residents wished for redevelopment of the site. The proponent could reduce the height to 3-storeys for the end unit.

Marilyn Ball, Director of Development and Design Division, commented that some improvements could be made through the site plan process but the built form does meet minimum requirements for setback, form, and density.

Scott Bagby, Resident, said that the existing by-law for 3-storey townhouses should be applied, and that he is against the rezoning. He noted that the view and character of Godfrey's Lane will be changed due to the long wall of the proposed development.

Richard Attard, Resident, said he was not objecting to the development but was opposed to the rezoning of the property on 14 Ben Machree Drive. This will create a dangerous precedent and could cause others to do the same in the future.

Gavin Clark, Resident, agreed with Councillor Carlson's suggestion for a 3-storey unit at the southern end.

Greg Priamo, Zelinka Priamo Ltd., Planning Consultant for the Developer, addressed the Committee noting that the site is designated and zoned for an apartment building which would be built on the same grade as the townhouses. There is no berm involved in the application but the property needs to be filled to achieve grades for servicing, and would be required regardless of the form of development. The developer reduced the height of the building and eliminated retaining walls to produce a streetscape. Mr. Priamo said that the trees on the property are diseased and will be replaced. He requested the Committee give favourable consideration to the application.

Councillor Tovey was in favour of the reduction to 3-storeys of the one unit at the end of the site fronting onto Godfrey's Lane, subject to site plan approval.

Councillor Mullin expressed support for the development and noted that through the site plan process a good compromise can be achieved.

Councillor Iannicca noted that one 3-storey unit in a 4-storey development may not look right but that the redevelopment had a lot of merit and supported it.

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

PDC-0054-2013

That the Report dated June 4, 2013, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 12/008 W1, 375 Lakeshore Developments Inc. and Christopher Boyd, 375 Lakeshore Road West and the rear portion of 14 Ben Machree Drive, southeast corner of Lakeshore Road West and Godfrey's Lane, be adopted, as amended, 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 amend Mississauga Official Plan from "Residential Medium Density" and "Residential Low Density I" to "Residential Medium Density - Special Site" to permit seventeen (17) 4-storey townhouse dwellings and (1) one, 3-storey townhouse dwelling unit at the southern end of the site fronting onto Godfrey's Lane, on a common element condominium private road, be approved.
3. That the application to change the Zoning from "RA1-25" (Apartment Dwellings) and "R15" (Detached Dwellings - Port Credit) to "RM6-Exception" (Townhouse Dwellings on a CEC - Private Road) to permit seventeen (17) 4-storey townhouse dwellings and (1) one, 3-storey townhouse dwelling unit at the southern end of the site fronting onto Godfrey's Lane, on a common element condominium private road, in accordance with the proposed revised zoning standards described in Appendix S-5 of this report, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development;
 - (b) That 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.

4. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

ADOPTED (Councillor J. Tovey)

File: OZ 12/008 W1

10. **SUPPLEMENTARY REPORT**

Official Plan Amendment and Rezoning Applications to permit a 140 unit, 22 storey condominium apartment building with 180 m² (1,937 sq. ft.) of commercial uses at street level - 6, 8 and 10 Ann Street, Southwest corner of Ann Street and High Street East

Owners: Scott and Deanna Insley and Home Alone Property Management Services Limited

Applicant: F.S. 6810 Limited Partnership (FRAM Building Group), **Bill 51**, (Ward 1)

File: OZ 11/014 W1

Ben Phillips, Planner, Development and Design Division, outlined that the proposal requires an amendment to the Official Plan from "Mainstreet Retail Commercial" to "Residential – High Density – Special Site" to permit a 140 unit, 22-storey apartment building. The proposed development also requires an amendment to rezone the site from "C4" (Mainstreet Commercial) to "RA5 – Exception" to recognize development standards including building height, FSI, number of units, parking and setbacks. He noted that the community was concerned that the proposed building is too tall, that there will be excessive density inconsistent with the Official Plan, resulting in traffic and parking issues. The proponent has appealed the applications to the Ontario Municipal Board. Mr. Phillips stated that the site is too small for such an intensive development, the visual impact and transitioning will be significant, and that it is not consistent for a community node. Parking will also be an issue, especially for the Skinner and Middlebrook Funeral Home whose parking will not be replaced.

Councillor Tovey said that although it was a great looking building, 22-storeys is far greater than the maximum height allowed of 15-storeys.

In response to a question from Madam Mayor with respect to the role of the Urban Design Panel, Ms. Ball responded that it is an advisory panel that reviews and provides comments on proposals to staff only.

Mr. Phillips clarified to Madam Mayor that the new Official Plan has been appealed by the applicant notwithstanding the fact that they submitted their applications before the Mississauga Official Plan was approved.

Madam Mayor said that it is not acceptable for the funeral home to expect the proponent to provide parking, nor should there be an obligation for them to do so.

Councillor Mahoney expressed concern that the Urban Design Panel's minutes supporting the proposal could be submitted to the Ontario Municipal Board as an argument in favour of the application, and its decision could be influenced by this rather than the Official Plan. She suggested that staff bring back a report on the rationale of the Urban Design Panel.

In response to Councillor Crombie's question, Ms. Ball responded that the project would be eligible for Section 37.

Councillor Iannicca said notwithstanding all the great work the FRAM family has done to revitalize the waterfront, he could not support the development as the site is too small and the density excessive.

Peter Smith, Urban Planner, Bousfields Inc., spoke to the land use, the process and the planning merits. He said that it is important to recognize that the site is located within an apartment neighbourhood with a mix of different heights and built-forms. FRAM conducted an extensive consultation process prior to submitting the applications and Mr. Smith emphasized that at the request of City staff, the developer went to the Urban Design Panel who commented that the proposal was well designed from an architectural perspective, and also that the 22-storey height was appropriate for the site given the context of the area. The key consideration is that the site is located within an intensification area and a mobility hub as recognized by Metrolinx. He said a more flexible approach to built-form relationships are necessary to promote planned intensification.

Frank Giannone, President, FRAM Building Group, addressed the Committee. He said that there was a lot of community support for the development, from both ratepayer groups and individuals, which is not presented in the Supplementary Report. He said that he is confident that they have addressed any concerns as well as reached an agreement with the Region of Peel to replace the water service. Mr. Giannone noted that FRAM was in positive discussions with Skinner and Middlebrook to resolve their parking issues. He stated that FRAM has done good work in Port Credit and provided good precedence

John Bozzo, Resident, spoke in support of the development stating the need to create a walkable community. By refusing this application, businesses will be penalized. Density is needed in Port Credit. He requested the Committee to work with the developer and not waste tax dollars at the Ontario Municipal Board.

Neil Boland and Lisa Malara, Residents, stated that the impact on residents during construction will be significant and that it is not feasible to put up a 22-storey building on less than one half acre of land. They requested the Committee to reject the Rezoning.

Nadira and Amruddin (sp) Azizi, Residents, spoke against the developing. The site is too small and a high-rise building will create more traffic and will not transition with their property.

Dorothy Tomiuk, representing the Town of Port Credit Association, addressed the Committee and commended the report. She advised that the Association wishes to participate at the Ontario Municipal Board hearing as this development was not good planning.

John McKinnon, Chair of the Credit Reserve Association, noted that the building is too tall, dense and does not transition well on Lakeshore Road. The Association supports the staff recommendations in the report.

Elizabeth Campbell, Resident, spoke against the development citing it was too big. The traffic is impossible now, and after the building is constructed, will be a nightmare.

Councillor Mullin supported the staff recommendations. The site is too small and Section 37 should not be the reason for this kind of height to be supported. She expressed concern that the Urban Design Panel's comments will be used against the City at the Ontario Municipal Board.

Madam Mayor said that the height, scale, and massing do not fit the site and supported the recommendations in the report. She also reiterated her opposition to the reference regarding the provision of parking for the funeral home. With respect to transition, Madam Mayor said the proposal sets a precedent for the future redevelopment of the area and will test the growth plan.

Councillor Dale agreed that the site is too small for the mass and density of the development, but that transitioning will change in the future.

Councillor Tovey thanked FRAM for all the outstanding support in the community but said that the proposed development was too dense for the site and the community wished to protect the main street character. He asked FRAM to consider 15-storeys.

Madam Mayor directed staff to prepare a report with respect the role of the Urban Design Panel for discussion at General Committee.

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

PDC-0055-2013

That the Report dated June 4, 2013, from the Commissioner of Planning and Building regarding the applications under File OZ 11/014 W1, Scott and Deanna Insley and Home Alone Property Management Services Limited, 6, 8 and 10 Ann

Street, southwest corner of Ann Street and High Street East, be adopted in accordance with the following:

1. That the application to amend the Official Plan from "Mainstreet Retail Commercial" to "Residential High Density - Special Site" to permit a 140 unit, 22-storey condominium apartment building with 180 m² (1,937 sq. ft.) of commercial uses at street level, be refused.

2. That the application to change the Zoning from "C4" (Mainstreet Commercial) to "RA5-Exception" (Apartment Dwellings) to permit a 140 unit, 22 storey condominium apartment building with 180 m² (1,937 sq. ft.) of commercial uses at street level, in accordance with the proposed zoning standards described in the Information Report, be refused.
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 applications and in support of the recommendations outlined in the report dated June 4, 2013.
4. That the following correspondence be received:
 - (a) Letter dated June 9, 2013 from Margaret Soden, Resident;
 - (b) Letter dated June 10, 2013 from Skinner & Middlebrook Ltd. Funeral Home attaching FRAM Building Group letter dated May 15, 2013;
 - (c) Letter received June 14, 2013 from D. Tookey, Resident
 - (d) Letter dated June 21, 2013 from Paul and Sandra Gowan, Residents
 - (e) Letter dated June 24, 2013 from Skinner & Middlebrook Ltd. Funeral Home

ADOPTED (Councillor J. Tovey)
File: OZ 11/014 W1

11. **CLOSED SESSION**
Second Units Implementation Strategy – Owner Occupancy

This item was dealt during the public session. Councillor Mahoney moved the following motion which was voted on and carried:

PDC-0056-2013

That the confidential report from the City Solicitor dated June 12, 2013 titled "*Second Unit Implementation Strategy – Owner Occupancy*" be received for information.

RECEIVED (Councillor K. Mahoney)

ADJOURNMENT – 9:26 pm
(Councillor N. Iannicca)