

Planning and Development Committee

Date

September 21, 2015

Time

7:00 p.m.

Location

Council Chambers

Members Present

Councillor George Carlson	Ward 11 (Chair)
Mayor Bonnie Crombie	
Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10

Members Absent

None

Find it online

<http://www.mississauga.ca/portal/cityhall/planninganddevelopment>

Staff Present

Mr. E. Sajecki, Commissioner, Planning & Building
Ms. Lesley Pavan, Director, Development & Design Division
Ms. Diana Rusnov, Deputy City Clerk
Mr. Ray Poitras, Manager, Development South
Mr. Hugh Lynch, Acting Manager, Development & Design North
Mr. Raj Kehar, Legal Counsel, Legal Services
Mr. Husein Panju, Legal Counsel, Legal Services
Mr. Steve Barrett, Manager, Transportation & Asset Management
Mr. Darren Morita, Manager, Development Engineering, Transportation & Infrastructure Planning Division
Ms. Antonia Krijan, Development Planner
Ms. Leslie Green, Manager, Transportation Projects, Transportation and Works
Ms. Mumtaz Alikhan, Legislative Coordinator
Ms. Carmela Radice, Legislative Coordinator
Ms. Diana Haas, Council Support Services Assistant

1. CALL TO ORDER

Councillor Carlson called the meeting to order at 7:00 p.m. He advised that overflow rooms have been set up with live streaming of the meeting outside of the Council Chamber.

Councillor Carlson noted that any written submissions pertaining to today's agenda have been submitted to the Planning and Building Department and are now part of the Public Record and preserves the right to appeal at the Ontario Municipal Board.

2. DECLARATION OF CONFLICT OF INTEREST - Nil.

3. MINUTES OF PREVIOUS MEETING

The Minutes of the Planning and Development Committee Meeting held on September 8, 2015, were approved as presented.

APPROVED (Councillor M. Mahoney)

4. MATTERS TO BE CONSIDERED

4.1 **RECOMMENDATION REPORT**

Application to permit a 2 storey PLACE OF RELIGIOUS ASSEMBLY AND ASSOCIATED REQUIRED PARKING, 6496 AND 6508 Winston Churchill Boulevard, North of Battleford Road, west side of Winston Churchill Boulevard
Applicant: Meadowvale Islamic Centre
File: OZ 13/009 W9

Correspondence received by Councillor Saito from over 245 residents in opposition of the proposed application was distributed to Members of the Committee.

Antonia Krijan, Development Planner, provided an overview of the Application.

In response to Councillor Saito's question regarding mitigation plans for the parking deficiency of between 45 and 204, Brian Hollingworth, Director, IBI Group, advised that parking surveys indicate a deficiency of 45 to 66 parking spaces based on existing observed activity. He said the higher number quoted of 204 is based on a linear calculation which is conservatively high to show a potential upper range.

Councillor Saito asked for confirmation from the applicant of permanent mitigation measures for the parking deficiency that will be experienced during services.

Glen Broll, Partner, Glen Schnarr & Associates Inc., responded that the high prayer time is Friday afternoon when the identified deficiency would be experienced during a 30 minute window. The proponent is willing to consider staggering services into two or three sessions, promote the use of transit and carpooling, walking or cycling to the facility. He noted that on-street parking is not appropriate for this site as recommended in the IBI Group Report. Mr. Broll advised that the proponent has signed an agreement with the Meadowvale West Church to provide some of the overflow parking in the event it is needed. Councillor Saito stated that it is not a long term contract, and there is no guarantee that after one or two years the property will continue to be available for overflow parking and therefore will not be binding on any future owner. Mr. Broll said that the proponent is meeting three of the four mitigation measures recommended by the IBI Group. He noted that the proponent meets the City's parking requirements and the mitigation measures are being placed in response to the community's concerns.

Councillor Saito said that the Management of the Meadowvale Town Centre have advised that overflow parking will not be permitted on their lands and will be monitored.

Steve Barrett, Manager, Transportation and Asset Management responded that a deficiency of 204 would be an issue but a shortfall of 45 to 66 parking spaces can be mitigated. With respect to the safety of pedestrian crossing Winston Churchill Boulevard to the Meadowvale Town Centre, Mr. Barrett responded that there is no serious history of major pedestrian concerns and signal enhancements can be implemented if necessary.

With respect to the residents' concern regarding shadowing, Ms. Krijan demonstrated that there will be no shadowing on neighbouring buildings. In response to Councillor Saito's question about the compatibility of such a development in a residential neighbourhood, Ms. Krijan said that it is not uncommon for places of religious assembly to be placed in residential areas and that the City's Official Plan recommends that they be directed to corridors. She noted that Winston Churchill Boulevard is designated as a Corridor in the Official Plan. Councillor Saito expressed concern with respect to the inadequate setbacks that the residents have raised.

In response to the question from Councillor Saito with regard to the neighbourhood's concerns with the dome and the minaret, Mr. Broll advised that the original plan had

been for an 88 ft. minaret and a 61 ft. dome, but after listening to these concerns, the structures had been scaled down to 65 ft. and 50 ft. respectively. Councillor Saito noted that originally the neighbours had been shown a much smaller building with no dome or minaret which is still being shown on Meadowvale Islamic Centre's (MIC) website. Mr. Broll speculated that this may have been because the original application had been for a place of religious assembly on the north parcel only and since then MIC had purchased the parcel to the south. When his firm took over the project, rezoning signs were placed on the property. He will ensure the MIC website is updated.

Councillor Saito tabled an alternate recommendation for the Committee's consideration seeking refusal of the application because the proponent does not have a binding contract to accommodate the parking shortfall for the facility ranging from 45 to 204 spaces, the size and scale of the proposed place of religious assembly is incompatible with the adjacent single family homes and access to and from the property is by a single driveway on a busy road.

Councillor Carlson stated that the motion will be considered after the deputations have been heard.

In response to Councillor Tovey's question regarding maximum height, Ms. Krijan confirmed that the proposed building's height is 9.5 metres, lower than the regulated 10.7 metres.

Councillor McFadden asked Mr. Broll to clarify some miscommunication in the community regarding a full-time Islamic school on the site and noise pollution. Mr. Broll confirmed there is no school proposed and there will be no call to worship utilizing outdoor speakers.

Mayor Crombie stated that the Committee evaluates planning applications on their planning merit and that the Planning staff have the expertise to guide the process. She further noted that preferred locations for places of religious assembly in the Official Plan are in community nodes and corridors. In response to the Mayor's question regarding other religious organizations that do not provide the required number of parking spaces, Hugh Lynch, Manager, Development North, advised that there are a number of places of worship throughout the City which were constructed at a lower standard prior to the 2007 review. With respect to the size of the spires, steeples, etc. across the City, Mr. Lynch confirmed that the dome and minaret fall within the provisions of the Zoning By-law.

Councillor Iannicca noted that Christ the King Church in his Ward is surrounded by residential, sits on approximately 1.25 acres and accommodates 2,100 parishioners with 41 parking spaces. Ed Sajecki, Commissioner of Planning and Building, confirmed that the Mosque on South Sheridan Way, which had a similar level of controversy as the subject site and which was refused by staff, was ultimately approved by the Ontario Municipal Board.

The following spoke in support of the project noting that throughout the application process, MIC has been cooperative, diligent, flexible and have met all the City's requirements:

- Moid Mohammed, Trustee, Meadowvale Islamic Centre (MIC);
- Amir Syed, President, Meadowvale Islamic Centre

Councillor Saito said that there is no dispute that members of MIC are part of the community and have done a lot for it. However, she said that there is disagreement in the community with regard to the size of the building, the parking situation and the anticipated traffic. She stated that it has been observed that there is already a parking shortfall as most members participate in the first prayer service, and the overflow parking arrangement is not a guaranteed solution. Councillor Saito said that she has received thousands of emails from residents (not just those who gave permission to share the information with Council tonight) who understand that the Muslim community needs a place of worship, but a major concern is the location and the impact of the building on those residents directly abutting the property. She noted that planning is more than meeting by-laws, it is about the proposed use existing within the community. In response to her request to MIC to work with the community to alleviate their concerns, Mr. Syed said that they have been waiting for 13 years for a mosque and have met all the City by-laws. He noted that MIC is willing to consider splitting into three and even four prayer sessions on Fridays. He said there will also be off duty security guards on hand to manage parking.

The following persons made oral submissions against the development citing the following concerns:

- everyone has the right to worship but the proposed development is in the wrong location;
- the intersection at Aquitaine Avenue and Edenwood Drive is already congested and the safety of school children from the several schools in the vicinity is a major concern;

- there will be a serious impact on the quality of life for the resident directly abutting the subject site;
- garbage currently not maintained at the back of the building resulting in increased rodent issues and has a negative impact on residents with backyards abutting the proposed development;
- driveways being blocked;
- more traffic is not acceptable;
- the sudden surge of vehicles exiting from the proposed development will compromise the safety of children and any pedestrians crossing Winston Churchill Boulevard;
- improper traffic studies that have negative impact on established neighbourhoods, and the proposed site has only one exit;
- parking insufficiency is unfair to adjacent street homeowners to accommodate the overflow;
- Winston Churchill Boulevard is only two lanes and will be choked up from both the north and south from cars entering the proposed site;
- increased idling of cars and trucks right beside the backyards of residential homes:
- impact on water and sewer services;
- noise pollution with cars coming in, doors slamming, engines starting and people talking will affect homeowners with backyards adjacent to the site;
- adverse impact on property values;
- impact on the neighbourhood will not be just on Friday afternoons, but also on major religious holidays, funerals, marriages, etc.;
- currently well diversified community will become a homogeneous one;
- churches have pews which limit the number of worshippers, but this proposal has 12,000sq.ft. of usable floor space which translates into 800 to 1,400 people at any given time and at least 300 parking spaces are required;
- why is the dome and the minaret needed;
- this is a cultural centre, not just a place of worship;
- growth of the community not taken into consideration;
- dealing with human beings, not just numbers in the Zoning By-law, it is easier to park near the destination or come to a dead stop on Winston Churchill Boulevard to let passengers out causing congestion and safety issues;
- not enough room on the roads for the volume of cars;
- minaret is not compatible with surrounding neighbourhood and is twice the height of any building on the block;
- people do not obey traffic laws;
- the community and the Councillor in Ward 9 should be heard;
- the mosque needs to blend in with the area or move elsewhere;

- the parking spots are planned based on summer temperatures, but what is going to happen when there is snow;
- the luminosity at night from the mosque lighting;
- insufficient setback on two sides for emergency vehicles to access;
- the proposed development is too big for the site;
- relocate to a place where expansion can occur and be less intrusive to the neighbours.

1. Cheryl Pounder;
2. Paul Fecteau;
3. Beata Tomczyk;
4. Kevin Jackal Johnston;
5. Cor Mulder;
6. Ryan Sears;
7. Alan Munro;
8. Liz Christison;
9. Carol Cairns;
10. Catherine Cooper;
11. Jonathan D. Silbert;
12. Peter Sectakof;
13. John Tagliapietra;
14. Tony Pinchetory;
15. Dwayne Dan;
16. Diane Rogers;
17. Kim Scheick;
18. Lucasz Kawala;
19. Terry Manese;
20. J. C.;
21. Stephen Canyon;
22. Manohar Setlur;
23. Sally Richardson;
24. Unidentified Gentleman;
25. Harvey Bodach;
26. Mathew Shephard

With respect to a concern expressed by a resident on alternative routes for busses, Mr. Barrett advised that the traffic study looked primarily at Winston Churchill Boulevard and the local road network and that much of the traffic generated by the mosque will be during off peak hours. He also spoke to the accuracy when forecasting growth in the traffic models.

Councillor Carlson advised that once the Committee has made a decision on the application tonight, it will subsequently be considered at the October 14, 2015 Council Meeting for ratification. The public or Council could then take the decision to the Ontario Municipal Board for a hearing if either side disagreed with the decision.

Mr. Lynch advised that the City will restrict the spread of light on residential properties from the subject site through the site plan process.

Mr. Broll reiterated that the proponent is meeting the City's higher parking standards and has presented three measures to mitigate any parking shortfall identified in the IBI Group study. He further stated that the proposal is a local facility not to be confused with the regional facility on South Sheridan Way. He noted that the subject lands are designated for places of religious assembly in Mississauga's Official Plan. He said that after listening to the community's concerns, an access off an arterial road was created to accommodate this place of religious assembly. Mr. Broll said that the size of the minaret and the lighting issue will be subject to the site plan process and noted that the proponent is willing to work with the resident most impacted.

Councillor Starr suggested that this matter be deferred until the October 26, 2014 Planning and Development Committee Meeting so that the proponent and the residents can reach a compromise.

Mayor Crombie stated that a resolution is needed for the community and that the concerns raised by the residents are site plan issues.

Councillor Saito noted that there are two parcels of land involved and this application is asking for a re-designation of an office designation of the south lot to permit a parking lot. Councillor Saito reiterated her request for a smaller footprint that would allow for additional parking.

Councillor Saito reiterated the reasons for refusing the application is the size and scale of the proposed building, the incompatibility within the residential community, the impact on the traffic, and the accepted and recognized shortfall of parking on the property. She said that when people are rushing for prayers, they will park closest to the mosque whether it is legal or not and Eden United Church has raised this concern from past experiences. With daylight savings time, the prayer time will be pushed forward which will coincide with lunch hours and release of students from the schools, hundreds of whom will be crossing to the Meadowvale Town Centre at the intersection daily. She said a real concern is the impact on response time for

emergency services due to traffic congestion. Councillor Saito stated that the Meadowvale Town Centre is going to be completely redeveloped with additional residential uses which will add more traffic and pedestrians. She stated that three different places of religious assembly have in the past found the property too small to support this type of use. Councillor Saito said that if this proposal goes forward, it will be a huge problem for that area of Meadowvale and is not good planning. She stated it is not fair that her residents will have to fight the City at the Ontario Municipal Board.

Councillor Saito's motion to refuse the application failed. She expressed disappointment and tabled an alternate motion outlining five conditions to be applied should the application be approved.

Councillor Starr asked for a motion for deferral until October 26, 2015 based upon the five conditions recommended by Councillor Saito. Councillor Carlson called for a vote of approval. The motion failed.

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

PDC-0055-2015

That the Report dated August 28, 2015, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 13/009 W9, Meadowvale Islamic Centre, 6496 and 6508 Winston Churchill Boulevard, west side of Winston Churchill Boulevard, north of Battleford Road, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the application have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the Planning Act, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That the City initiated Official Plan Amendment to amend Mississauga Official Plan from "Office" to "Residential - Low Density II" for 6496 Winston Churchill Boulevard, be approved.
3. That the application to change the Zoning from "R1" (Detached Dwellings - Typical Lots) and "D" (Development) to "RM2-Exception" (Place of Religious Assembly) to permit site specific zone standards to allow a two (2) storey place of religious assembly and associated required parking in

accordance with the recommended zoning standards described in Appendix 6 of this report or to permit detached and semi-detached homes in accordance with the "RM2" base zone standards, be approved subject to the following condition:

- (a) That the applicant agree to satisfy all the requirements of the City and any other commenting agency concerned with the development.
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.

RECEIVED (Councillor N. Iannicca)

File: OZ 13/009 W9

ADJOURNMENT - 11:01 pm (Councillor R. Starr)