



MINUTES

Approved June 8, 2015

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, MAY 25, 2015

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 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 (Chair)
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

Members Absent

Mumtaz Alikhan, Legislative Coordinator, Office of the City Clerk
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email: mumtaz.alikhan@mississauga.ca

STAFF PRESENT: Mr. E. Sajecki, Commissioner, Planning & Building
Ms. Lesley Pavan, Director, Development & Design Division
Mr. Andrew Whittemore, Director, Policy Planning Division
Ms. Angela Dietrich, Manager, City Wide Planning, Policy Planning
Division
Ms. Marcia Taggart, Legal Services
Mr. Ezio Savini, Director, Building Division
Mr. Mickey Frost, Director, Enforcement Division
Ms. Angela Dietrich, Manager, Policy Planning Division
Mr. Steve Barrett, Manager, Transportation & Asset Management,
Mr. Darren Morita, Manager, Development Engineering,
Transportation & Infrastructure Planning Division
Ms. Marianne Cassin, Manager, Planning & Development Central
Mr. Eric Lucic, Team Leader, Parks & Forestry Division
Ms. Lisa Christie, Zoning By-law Review Planner
Ms. Shahada Khan, Policy Planner
Ms. Aiden Stanley, Development Planner
Ms. Emily Irvine, Policy Planner
Ms. Mumtaz Alikhan, Legislative Coordinator
Ms. Carmela Radice, Legislative Coordinator

PLANNING & DEVELOPMENT COMMITTEE – May 25, 2015**CALL TO ORDER**

Councillor Saito called the meeting to order at 7:01p.m.

DECLARATIONS OF CONFLICT OF INTEREST

Nil

APPROVAL OF MINUTES

The Minutes of the Planning and Development Committee Meeting held on May 4, 2015, were approved as presented.

APPROVED (Councillor R. Starr)

Councillor Saito noted that any written submissions pertaining to this evening'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.

MATTERS TO BE CONSIDERED

1. Sign Variance Application - Sign Variance By-law 0054-2002, as amended
File: BL.03-SIG (2015)

Gilda Collins, Permit World Inc., reviewed the essentials of third party digital billboards. She said that the application is for a third party billboard in an industrial area. She noted that digital signs have been around for 30 years and various studies have shown no negative impact on driver distraction. Ms. Collins requested the Committee to consider the application favourably.

Councillor Parrish supported the application with the proviso that the billboards adhere to the standards set for the Celebration Square billboards facing oncoming traffic on Burnhamthorpe Road for dwell times, illumination standards and other technical issues, and that the applicant agree to sign a waiver releasing the City from any and all liabilities.

Mayor Crombie, Councillors Iannicca, Starr, Tovey and Saito supported Councillor Parrish's amendment to permit the billboard application in this instance.

In response to concerns about safety that these signs could cause by distracting the travelling public, Mr. Ezio Savini, Director, Building Division, advised that the Transportation Association of Canada study in March 2015 notes that these types of signs do have a distracting impact on drivers, but also provides guidelines on how to mitigate those distractions. Mr. Ed Sajecki, Commissioner of Planning and Building stated that future such applications will be considered on a case by case basis.

In response to Councillor Starr's question regarding the types of messages on the billboard, the Owner of the Billboard, Mr. Eric Jain and Ms. Collins, advised that the signs are static without moving images on the screen.

Councillor Parrish moved the following motion, as amended, which was voted on and carried:

PDC-0027-2015

That the report dated May 5, 2015 from the Director of the Building Division regarding Sign By-law 0054-2002, as amended, and the requested one (1) Sign Variance Applications described in Appendix 1, be adopted, as amended, in accordance with the following;

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

- (a) Sign Variance Application 15-04866
Ward 5
2215296 Ontario Inc.
7280 Dixie Rd.

To permit the following:

- (i) Two (2) billboards each with changing copy sign faces.
- (ii) The billboards adhere to the standards set for the Celebration Square billboards facing oncoming traffic on Burnhamthorpe Road for dwell times, illumination standards and other technical issues.
- (iii) That the applicant agree to sign a waiver that releases the City from any and all liabilities.

ADOPTED – (Councillor C. Parrish)
File: BL.03-SIG (2015)

2. **PUBLIC MEETING**
Information Report on Official Plan Amendment and Rezoning Proposals - Special Site and Mapping Conformity (Wards 1-11)
File: BL.09-MOP

Councillor Starr expressed confusion regarding changes being made to the property at 3092 Mavis Road outlined under Item 11 of Appendix I-2 entitled *Summary Chart of Proposed Amendments*) and requested that it be deferred pending further discussions with staff for clarity.

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

PDC-0028-2015

That the Report dated May 5, 2015, from the Commissioner of Planning and Building regarding proposed amendments to Mississauga Official Plan (MOP) and/or the Zoning By-law, to bring the zoning and land use designations into conformity for various properties, be received for information, and notwithstanding planning protocol, that the Recommendation Report be brought directly to a future Council meeting with the possible exception of the property located at 3092 Mavis Road as outlined in Appendix I-2 entitled *Summary Chart of Proposed Amendments* pending further discussion with the Ward Councillor.

ADOPTED – (Councillor R. Starr)
File: BL.09-MOP (Wards 1-11)

3. **Provincial Coordinated Land Use Planning Review**
File: LA.07.PRO

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

PDC-0029-2015

- (a) That the report titled “Provincial Coordinated Land Use Planning Review”, dated May 5, 2015, from the Commissioner of Planning and Building, be approved and forwarded, by the City Clerk, to the Ministry of Municipal Affairs and Housing, the Association of Municipalities of Ontario (AMO), the Region of Peel, the City of Brampton and Town of Caledon.
- (b) That the letter dated May 21, 2015 from the Building Industry and Land Development Association (BILD) be received.

APPROVED – (Councillor J. Tovey)
File: LA.07.PRO

4. Provincial Bill 73 – Smart Growth for Our Communities Act, 2015
File: LA.07.PRO

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

PDC-0030-2015

That the report titled “Provincial Bill 73 – *Smart Growth for Our Communities Act, 2015*”, dated May 5, 2015, from the Commissioner of Planning and Building, be approved and forwarded, by the City Clerk, to the Ministry of Municipal Affairs and Housing (EBR Registry Number: 012-3651), the Association of Municipalities of Ontario (AMO) and the Region of Peel.

APPROVED - (Councillor N. Iannicca)
File: LA.07.PRO

5. PUBLIC MEETING
Information Report on applications to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings, 1850 Rathburn Road East and 4100 Ponytrail Drive, Northwest of Burnhamthorpe Road East and Ponytrail Drive
Owner: Forest Park Circle Ltd.
File: OZ 12/009 W3

Glen Broll, Glen Schnarr & Associates reviewed the proposed Applications.

Councillor McFadden asked if the development will have permeable paving and an underground storage facility to collect storm water. Mr. Broll advised there will not be permeable paving but there will be an underground storage facility so that water can exit out of the property at a controlled rate.

The following persons expressed opposition to the proposed development citing concerns with the level of density outside of a designated intensification zone; the parcel of land is inadequate for such a proposal; the Official Plan Policies should be upheld as they have been for over 40 years; negative social and financial impact on the neighbourhood; the loss of healthy trees and protection of green space; the current buildings are not being maintained; the buildings do not conform with the character of the area; storm water run-off issues; traffic congestion on Ponytrail Drive, both vehicular and pedestrian; added traffic will increase noise levels and the loss of mature trees will visually change the character of the neighbourhood; proximity of the development to the utility corridor; pedestrian safety crossing to Shaver Trail area; significant impact on the aesthetics of Shaver Trail; the logistics of shared amenities, including visitor parking, between the proposed condominium buildings and the existing rental buildings is of paramount concern; loss of privacy for adjacent townhomes; safety

and security of the park area; disruption of a quiet neighbourhood and a negative impact on property values; increased demand on already strained utilities; over capacity at the Glen Forest Public School; incompatible with the surrounding neighbourhood; increase in hard surface area; triple the number of residents in the area; disruption to the community from years of construction; shadowing; the traffic study is flawed as it was conducted during a period of lane closures; will the new development create more wind tunnels; children's safety with a driveway cut through the property; Rockwood neighbourhood has taken its fair share of density; will create a precedence for the City and it is not smart development in an established neighbourhood:

- (a) Gord MacLean, Ponytrail Development Opposition Committee (PDOC) and the Rockwood Homeowners' Association;
- (b) Simi Kapur and Joe Silva, Rockwood Homeowners' Association;
- (c) Sandi Hester, Ponytrail Development Opposition Committee (PDOC);
- (d) Frank Medoro, Resident;
- (e) Lorne Swan, Resident;
- (f) Linda Collins, Resident;
- (g) Randy Rason, Resident;
- (h) Joan Covert, Resident;
- (i) Lee Dukeshire, Resident;
- (j) Fatima Yamnu(?), Resident;
- (k) Robert Miller, Resident;
- (l) Scott Morris, Resident

In response to Mayor Crombie's question regarding the land use permissions, Lesley Pavan, Director of Development and Design, advised that they are very restrictive although the Official Plan provides criteria to evaluate amendments.

The Community reiterated their concern with the sharing of amenities between the proposed development and the existing rental buildings, given the current condition and management of the existing buildings.

Councillor Iannicca commented that this application is not unprecedented, and that intensification is a reality the City has to deal with, and which is affecting the Greater Toronto Area.

Councillor Saito noted that decisions will not be made at this meeting and staff will take into consideration the feedback from residents.

Councillor Fonseca expressed opposition to the proposed development. She said that the City has gone through a process to show where intensification can occur in its Official Plan policies and this proposal is outside of an intensification zone and sets a precedent. She also noted that it is a stable residential neighbourhood and this site is at capacity.

In response to Councillor Fonseca's query about similar projects in Mississauga, Marianne Cassin, Manager, Planning and Development Central Area, advised that staff are not aware of other such arrangements but there are apartment sites which have been intensified with condominium townhouses and once approved, there are agreements placed to facilitate shared services. Councillor Fonseca noted therefore that this site is unique because it involves towers and the sharing of amenities is a concern given the condition of the current buildings. Councillor Fonseca stated that flooding in the neighbourhood is a problem and the grading and run off to the Shaver Trail is a concern, as well as the proximity of the roads to it and the hydro corridor. She said she has held multiple community meetings to address flood prevention which the owner, as a land owner in the community, has not attended. Councillor Fonseca also requested that staff obtain comments from the Greater Toronto Airport Authority (GTAA) with respect to the proposed development's highest building because of the echoing effect when planes are flying over. She emphasized the need for shadowing and traffic studies including current visitor parking issues.

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

PDC-0031-2015

That the Report dated May 5, 2015, from the Commissioner of Planning and Building regarding applications by Forest Park Circle Ltd. to permit two new condominium apartment buildings of 12 and 15 storeys in addition to the two existing rental apartment buildings under File OZ 12/009 W3, at 1850 Rathburn Road East and 4100 Ponytrail Drive, be received for information.

RECEIVED – (Councillor C. Fonseca)

File: OZ 12/009 W3

6. Second Unit Implementation Strategy – Update Report
File: CD 06 AFF

Members of Council raised the following issues and concerns:

- The Province needs to provide regulations as the current process is not working;
- A provincial fund to provide incentives to homeowners to bring their units up to the Building Code, Fire and Electrical safety standards to ensure safety for residents living in the second units;
- That, through the Association of Municipalities of Ontario (AMO), other municipalities in the Greater Toronto Area be asked to contact the Province with a similar request for regulations and funding.

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

PDC-0032-2015

1. That the next steps identified within the body of the report titled "Second Unit Implementation Strategy - Update Report" dated May 5, 2015 by the Commissioner of Planning and Building, be approved.
2. That staff prepare a Resolution for Council to be sent to the Province of Ontario advising that its mandate with respect to Second Units is difficult to implement without specific regulations and guidelines; that a fund be set up by the Province to provide incentives and a simple, affordable process to encourage homeowners to legalize their second units; that the authority of municipal law enforcement officers be expanded to include access to illegal second units; and that other municipalities in the Greater Toronto Area be requested to send similar requests to the Province through the Association of Municipalities of Ontario.

APPROVED – (Councillor N. Iannicca)
File: CD 06 AFF

7. Second Unit Licensing Update

Members of the Committee noted that it is costly for homeowners to bring their second units up to code and felt a better licensing plan would help encourage homeowners. Mickey Frost, Director of Enforcement, took this under advisement. Mayor Crombie also said that other municipalities offer incentives to encourage homeowners to bring the units up to code. Mr. Frost advised that it is difficult for municipal law enforcement officers to enforce illegal second units as they cannot enter homes without permission.

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

PDC-0033-2015

1. That the Report from the Commissioner of Transportation and Works dated May 6, 2015 entitled "Second Unit Licensing Update" be received for information.
2. That staff be directed to review the licensing of Second Units and report back to the Committee.

APPROVED – (Councillor N. Iannicca)

ADJOURNMENT – 9:41 pm (Councillor R. Starr)