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(Approved April 11, 2016)

## Planning and Development Committee

### Date

2016/03/21

### Time

7:00 PM

### Location

Civic Centre, Council Chamber,  
300 City Centre Drive, Mississauga, Ontario, L5B 3C1 Ontario

### Members Present

Councillor George Carlson	Ward 11 (Chair)
Mayor Bonnie Crombie	(Left at 8:06 pm)
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

### Members Absent

Councillor Pat Saito	Ward 9 (personal)
Councillor Sue McFadden	Ward 10 (personal)

### Find it online

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

**Staff Present**

Mr. Ed 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  
Mr. Ray Poitras, Manager, Development South  
Mr. Chris Rouse, Manager, Development North  
Mr. Raj Kehar, Legal Services  
Ms. Marianne Cassin, Manager, Development & Design Central  
Mr. Steve Barrett, Manager, Transportation & Asset Management  
Mr. Lincoln Kan, Manager, Development Engineering, Transportation & Infrastructure Planning  
Mr. Eric Lucic, Team Leader, Parks & Forestry Division  
Mr. Michael Hynes, Development Planner  
Mr. David Ferro, Development Planner  
Mr. David Brevleglieri, Development Planner  
Mr. Ben Phillips, Development Planner  
Ms. Shahada Khan, Policy Planner  
Ms. Sharleen Bayovo, Policy Planner  
Ms. Mumtaz Alikhan, Legislative Coordinator  
Ms. Sacha Smith, Legislative Coordinator

1. CALL TO ORDER – 7:03 pm

Mayor Crombie noted that she had to leave early for other municipal business.

2. DECLARATION OF CONFLICT OF INTEREST - Nil

3. MINUTES OF PREVIOUS MEETING - February 22, 2016  
**APPROVED** (Councillor J.Tovey)

4. MATTERS TO BE CONSIDERED

**The order of the agenda was changed as follows:**

4.1. Payment-in-Lieu of Parking (PIL) Application, 1041 Lakeshore Road East, north of Lakeshore Road, west of Ogden Road.  
Owner: Dunsire (1041 Lakeshore) Inc. - File: F.A.31 15/002 (Ward 1)

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

**RECOMMENDATION**

PDC-0013-2016

That the Report dated March 1, 2016, from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Parking (PIL) application under file FA.31.15/002 W1, Dunsire (1041 Lakeshore) Inc., 1041 Lakeshore Road East, north of Lakeshore Road East, between Ogden Avenue and Strathy Avenue, be adopted in accordance with the following for “Lump Sum” agreements:

1. That the sum of \$21,312.00 be approved as the amount for the payment-in-lieu of 3 parking spaces and that the owner/occupant enter into an agreement with the City of Mississauga for the payment of the full amount owing in a single, “Lump Sum” payment.
2. That City Council enact a by-law under Section 40 of the *Planning Act* to authorize the execution of the PIL agreement with Dunsire (1041 Lakeshore) Inc.
3. That the execution of the PIL agreement and payment be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of Council approval, and/or the PIL payment is not made within 90 days of Council approval, then the approval will lapse and a new PIL application along with the application fee will be required.

File: F.A.31.15/002 W1

**ADOPTED** (Councillor J. Tovey)

- 4.2. Payment-in-Lieu of Parking (PIL) Application), 52 Lakeshore Road East, north side of Lakeshore Road East, east of Stavebank Road  
Owner: Ryan Long File: F.A.31 11/003 (Ward 1)

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

**RECOMMENDATION**

PDC-0014-2016

That the Report dated March 1, 2016 from the Commissioner of Planning and Building recommending approval of the Payment-in-Lieu of Parking (PIL) application under file FA.31.11/003 W1, Ryan Long, 52 Lakeshore Road East, north side of Lakeshore Road East, east of Stavebank Road, be adopted in accordance with the following for "Lump Sum" agreements:

1. That the sum of \$42,800.00 be approved as the amount for the payment in lieu of 8 parking spaces and that the owner/occupant enter into an agreement with the City of Mississauga for the payment of the full amount owing in a single, "Lump Sum" payment.
2. That City Council enact a by-law under Section 40 of the *Planning Act* to authorize the execution of the PIL agreement with Ryan Long for a proposed occupancy of the second floor as event space/banquet hall.
3. That the execution of the PIL agreement and payment must be finalized within 90 days of the Council approval of the PIL application. If the proposed PIL agreement is not executed by both parties within 90 days of Council approval, and/or the PIL payment is not made within 90 days of Council approval then the approval will lapse and a new PIL application along with the application fee will be required.

File: F.A.31.11/003 W1

**APPROVED** (Councillor J. Tovey)

- 4.4. **RECOMMENDATION REPORT**  
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 - Owner: Forest Park Circle Ltd. - File: OZ 12/009 W3

Aiden Stanley, Development Planner, gave an overview of the proposed development.

Councillor Fonseca stated she is not in support of the proposed development, and should the Committee approve staff recommendations, that they be conditional upon an exemption to the requirement for a fence adjacent to the Shaver Trail. She also stated that the approval of the applications be subject to improvements to the existing buildings as listed in Schedule F of the Draft Development Agreement.

The following persons spoke in opposition of the proposed development citing that it is

in conflict with the City's Official Plan Policies; the proposed plan to combine rental and condominium unit amenities is not feasible; concerns with the wind studies; applicant has demonstrated that he is not a good landlord or neighbour; overcrowded schools; if approved any development should be conditional upon input from residents and tenants as development agreement is too vague and enforceable assurances are needed to ensure the owner will address property standard issues with existing buildings; Schedule F of the development agreement sets no timelines or guarantees nor does it address the many complaints from the tenants; traffic study based on 2012 data; smells and noise from excessive traffic; sewage flow and stormwater management; gaps and errors in the shadow studies; black mold and other infestations the tenant buildings and work orders are ignored; a tenant association is needed to communicate directly with the owners; high voltage power lines emitting magnetic field which has proven to cause health problems in the long term; high pressure gas line only 30 metres away; the developer needs to be held accountable during construction:

Sandy Hester, Ponytrail Development Opposition Committee;  
Dale Biason, Rockwood Homeowners' Association;  
Andrew Parker, Resident;  
Gordon M. MacLean, President and Director, PCC 180;  
Ed Markoulakis, Resident;  
Randy Rason and Marylee Farrugia, Residents;  
James Fieldhouse, Resident;  
Christina Sief (ph); Resident;  
Janice Greener, Resident;  
Joe Silva, Resident;  
Robert Smith; Resident

Ed Sajecki, Commissioner of Planning and Building, stated that there are here are statutory rules laid out in the Planning Act as well as the Official Plan whose framework calls for a comprehensive review of any application that exceeds zoning bylaws. He noted that Forest Park Circle Ltd. has been a willing participant. He also said that there are performance requirements to get existing buildings upgraded to modern standards and those are handled through development agreements.

Lincoln Kan, Manager, Development Engineering, Transportation and Infrastructure Planning, responded that sewage management is a Region of Peel responsibility, however, the City's requirements are stringent with respect to stormwater management.

Lesley Pavan, Director, Development and Design, and Raj Kehar, Legal Counsel, spoke to the City's Property Standards by-laws, as well as site plan undertakings, to ensure enforcement beyond development agreements.

Steve Barrett, Manager, Transportation & Asset Management, spoke to the traffic study, and cited that the infrastructure can accommodate the traffic.

Erinma Chibututu, Urban Designer, Development and Design Division spoke to the shadow studies, based on the City's Terms of Reference, which showed no significant impacts.

Councillor Ras spoke in opposition and agreed with Councillor Fonseca that the proposed development is not appropriate for the 9 acre site, and focus should remain on the areas that are designated for intensification.

Councillor Fonseca stated that it is important for Council to recognize and advocate its Official Plan Policies and noted that Ward 3 has taken its fair share of urbanization and intensification. She said that the subject property is not an appropriate type of development for this neighbourhood and is not in an intensification zone. Councillor Fonseca noted that residents rely on Official Plan Policies without a Local Area Plan, which is needed for the area.

With respect to the community's concerns regarding Schedule F in the draft development agreement, Glen Broll, Glen Schnarr & Associates Inc., advised that it is a binding agreement executed by the City. He stated that the Applicant will work with the tenants to address concerns. Mr. Broll also advised that the site plan process will address the design flaws. He noted that the developer has met the Official Plan Policies, and that the development is warranted on a nine (9) acre site.

Councillor Parrish and Councillor Iannicca expressed support for the staff recommendations as it would be a costly and losing battle for the City if the matter went to the Ontario Municipal Board for a resolution.

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

### **RECOMMENDATION**

PDC-0015-2016

That the Report dated February 2, 2016 from the Commissioner of Planning and Building recommending approval of the applications under File OZ 12/009 W3, Forest Park Circle Ltd., 1850 Rathburn Road East and 4100 Ponytrail Drive, west side of Ponytrail Drive, north of Burnhamthorpe Road East, be adopted in accordance with the following:

1. That the application to amend Mississauga Official Plan from **Residential High Density** to **Residential High Density – Special Site** to permit additional apartment buildings with a floor space index (FSI) of 1.6 be approved.
2. That the application to change the Zoning from **RA4-1 (Apartment Dwellings)** to **RA4-Exception (Apartment Dwellings)** to permit two new apartment buildings of 12 and 15 storeys with an FSI of 1.6 in accordance with the proposed zoning standards described in the Information Report, be approved subject to the following conditions:
  - (a) That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development;
  - (b) In accordance with Council Resolution 152-98:

Prior to the passing of an implementing zoning by-law for residential development, the City of Mississauga shall be advised by the Peel District School Board that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the Peel District School Board for the subject development.

- (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 Dufferin-Peel Catholic District School Board not apply to the subject lands.
3. In the event these applications are approved by Council, that staff be directed to hold discussions with the applicant to secure community benefits, in accordance with Section 37 of the *Planning Act* and the Corporate Policy and Procedure on Bonus Zoning, and to return to Council with a Section 37 report outlining the recommended community benefits upon conclusion of the discussions.
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.
5. To maintain the existing unique neighbourhood character, the requirement for fencing in the Green System Fencing Policy 05-02-01, be waived for this development.
6. That the approval of the applications be subject to the improvements to the existing buildings as listed in Schedule F of the Draft Development Agreement.

File: OZ 12/009 W3

**ADOPTED** (Councillor C. Parrish)

4.3. **PUBLIC MEETING/INFORMATION REPORT**

Application to permit a 32 storey residential apartment building containing 321 units and over 800 square metres of commercial uses,

3920-3980 Grand Park Drive, southwest corner of Burnhamthorpe Road West and Grand Park Drive

Owner: RioTrin Properties (Burnhamthorpe) Inc. - File: OZ 15/006 (Ward 7)

Glen Broll, Glen Schnarr & Associates Inc., reviewed the Application.

Councillors Iannicca and Kovac advised that this is a preliminary meeting and no decisions are being made tonight. They stated that there are problems with context and transition as well as the removal of a key amenity in the community being Shoppers Drug Mart.

Teresa Buryta, speaking on behalf of PCC 221 (550 Webb Drive), cited safety concerns for pedestrians; the loss of Shoppers Drug Mart, especially for the elderly; lack of traffic flow studies; construction noise and vibration very stressful for the residents in the area as it goes on even during the weekends and ignores the City's Noise By-law; impedes views; vagueness of the proposed plan; Webb Drive and Grand Park intersection is unsafe.

Councillor Iannicca noted that Webb Drive and Grand Park will be signalized and that Webb Drive will be opened up to Kariya Drive which will help to deflect traffic.

Mr. Broll advised that the comments have been noted and that he will be happy to meet with condominiums boards and residents to address concerns.

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

**RECOMMENDATION**

PDC-0016-2016

That the report dated March 1, 2016, from the Commissioner of Planning and Building regarding the applications by RioTrin Properties (Burnhamthorpe) Inc. to permit a 32 storey, 321 unit apartment building and retail commercial uses on the ground floor under File OZ 15/006 W7, 3900-3980 Grand Park Drive, be received for information.  
File: OZ 15/006 W7

**RECEIVED** (Councillor N. Iannicca)

4.5.

**RECOMMENDATION REPORT**

Applications to permit 23 townhouses on a private condominium road, 1640 Crestview Avenue, southwest corner of South Service Road and Crestview Avenue  
Owner: Carlyle Communities Crestview Inc. - File: OZ 14/004 W1

Ben Phillips, Development Planner, reviewed the Applications.

Councillor Tovey advised that the City has tried to work with the owner to address issues but they chose to take the matter to the Ontario Municipal Board (OMB).

Jim Levac, Glen Schnarr & Associates Inc., on behalf of Carlyle Communities Crestview Inc., stated that everybody wishes for the empty plaza to be redeveloped and that issues such as lowering the massing and lowering the roof form, could be addressed through the site plan process. Mr. Levac noted that his client has made three submissions for rezoning which resulted in more changes being requested each time, hence the frustration. He said that his client would be willing to settle this through an OMB assisted mediation. Mr. Kehar advised that the City could be open to exploring this possibility if it was felt it was an appropriate mechanism.

The following persons made oral submissions opposing the applications citing safety concerns as there are no sidewalks, especially in an area that has three schools, putting children and other pedestrians at risk; impact on privacy of surrounding residents;



developments should contribute positively to the existing community and the proposed design is flawed and callously disregards the community; reduce the height and number of townhomes; proposed four storeys with no elevators and lack of public space for families:

Wolfgang Lazar, Resident;  
Clement Gajarsingh (ph), Resident;  
Ian Gardner, Resident;  
Grant Fisher, Credit Reserve Ratepayers Association

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

**RECOMMENDATION**

PDC-0017-2016

That the Report dated March 1, 2016, from the Commissioner of Planning and Building regarding the applications under File OZ 14/004 W1, Carlyle Communities Crestview Inc., 1640 Crestview Avenue, southwest corner of South Service Road and Crestview Road, be adopted in accordance with the following:

1. That City Council direct the City Solicitor, representatives from the appropriate City Departments and any necessary consultants to attend the Ontario Municipal Board hearing on the subject applications in support of the recommendations outlined in the report dated March 1, 2016, that concludes that the proposed Official Plan Amendment and Rezoning are not acceptable from a planning standpoint and should not be approved.
2. That City Council provide the Planning and Building Department with the authority to instruct the City Solicitor on modifications to the position deemed necessary during or before the Ontario Municipal Board hearing process, however if there is a potential for settlement then a report shall be brought back to Council by the City Solicitor.

File: OZ 14/004 W1

**ADOPTED** (Councillor J. Tovey)

4.6. **RECOMMENDATION REPORT**

To revise the zoning for the Cranberry Cove neighbourhood in Port Credit in order to limit the impact of new infill housing development south of Lakeshore Road West, west of Imperial Oil Limited (former Texaco Refinery) lands  
Applicant: City of Mississauga - File: CD.06.POR (Ward 1)

Chris Mackie, Cranberry Cove Ratepayers Association, addressed the Committee expressing support for the recommendations.

In response to resident Anthony Martucci's opposition to any zoning changes, Councillor Tovey advised that they are only applicable to the Cranberry Cove neighbourhood.

In response to Councillor Parrish's question regarding a similar exercise for the Malton community to be expedited, Ms. Pavan advised that a Planner has been assigned to the project and work is underway.

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

**RECOMMENDATION**

PDC-0018-2016

That the Report dated March 1, 2016, from the Commissioner of Planning and Building recommending proposed amendments to the Zoning By-law for the Cranberry Cove neighbourhood in Port Credit, be adopted in accordance with the following:

1. That the existing **R15, R15-6 and R15-7 (Detached Dwellings – Port Credit)** zones within the Cranberry Cove neighbourhood be amended in accordance with the proposed zoning standards outlined in the Zoning section of this report and that an implementing Zoning By-law be brought to a future City Council meeting.

File: CD.06.POR

**ADOPTED** (Councillor J. Tovey)

4.7. Provincial Policy Statement (PPS), 2014 Implementation - Report on Comments

File: LA.07.PRO

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

**RECOMMENDATION**

PDC-0019-2016

That the amendments to Mississauga Official Plan proposed in the report titled "Provincial Policy Statement (PPS), 2014 Implementation – Report on Comments", dated March 1, 2016, from the Commissioner of Planning and Building, be approved.

File: LA.07.PRO

**APPROVED** (Councillor N. Iannicca)

4.8. Provincial Coordinated Land Use Planning Review - Advisory Panel Report

File: LA.07.PRO

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

**RECOMMENDATION**

PDC-0020-2016

That the report titled "Provincial Coordinated Land Use Planning Review – Advisory Panel Report", dated March 1, 2016, from the Commissioner of Planning and Building, be received for information.

File: LA.07.PRO

**RECEIVED** (Councillor J. Tovey)

- 4.9. Proposed amendments to Mississauga Official Plan policies, respecting updated noise and railway proximity guidelines  
File: EC.19 ENV

In response to Councillor Ras about noise abatement measures in established neighbourhoods in instances like a recent one where Transport Canada requires the service provider to sound the horn every time the trains pass through it, Mr. Sajecki advised that staff will look into this matter further.

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

**RECOMMENDATION**

PDC-0021-2016

1. That a public meeting be held to consider the proposed amendments to Mississauga Official Plan (MOP) contained in the report titled "Proposed amendments to Mississauga Official Plan policies, respecting updated noise and railway proximity guidelines" dated March 1, 2016, from the Commissioner of Planning and Building.
2. That 142-148 Queen Street South be classified as a Class 4 area in accordance with the Environmental Noise Guideline, NPC-300.

File: EC.19 ENV

**APPROVED** (Councillor R. Starr)

5. ADJOURNMENT - 10:20 pm (Councillor C. Parrish)