

Planning and Development Committee

Date

2019/03/18

Time

1:30 PM

Location

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

Members Present

Councillor George Carlson	Ward 11 (Chair)
Mayor Bonnie Crombie	
Councillor Stephen Dasko	Ward 1
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Dipika Damerla	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9

Members Absent

Councillor Karen Ras	Ward 2	(Personal)
Councillor Sue McFadden	Ward 10	(Personal)

Find it online

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

Staff Present

Mr. Andrew Whittlemore, Commissioner, Planning & Building
Ms. Lesley Pavan, Director, Development & Design Division
Mr. Jason Bevan, Director, City Planning Strategies
Mr. Graham Walsh, Deputy City Solicitor, Legal Services
Mr. Jeremy Blair, Manager, Transportation & Asset Management
Ms. Emma Calvert, Manager, Development Engineering, Transportation & Infrastructure
Planning Division
Ms. Sangita Manandhar, Team Leader, Parks & Forestry Division
Mr. Chris Rouse, Manager, Development North
Ms. Marianne Cassin, Manager, Development Central
Mr. Robert Ruggiero, Development Planner
Mr. David Ferro, Development Planner
Ms. Chantal Fung, Administrative Assistant, Legislative Services
Ms. Krystal Christopher, Legislative Coordinator
Ms. Angie Melo, Legislative Coordinator

Contact

Angie Melo, Legislative Coordinator, Legislative Services
905-615-3200 ext. 5423
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PUBLIC MEETING STATEMENT: In accordance with the *Ontario Planning Act*, if you do not make a verbal submission to the Committee or Council, or make a written submission prior to City Council making a decision on the proposal, you will not be entitled to appeal the decision of the City of Mississauga to the Local Planning and Appeals Tribunal (LPAT), and may not be added as a party to the hearing of an appeal before the LPAT.

Send written submissions or request notification of future meetings to:

Mississauga City Council Att: Development Assistant
c/o Planning and Building Department – 6th Floor
300 City Centre Drive, Mississauga, ON, L5B 3C1
Or Email: application.info@mississauga.ca

1. CALL TO ORDER - 1:30 PM

2. DECLARATION OF CONFLICT OF INTEREST - Nil

3. MINUTES OF PREVIOUS MEETING

Approval of Minutes of March 4, 2019

Approved (Councillor R. Starr)

4. MATTERS CONSIDERED

4.1. PUBLIC MEETING INFORMATION REPORT (WARD 11)

Applications to permit 155 stacked back-to-back townhouses within seven blocks

51 and 57 Tannery Street and 208 Emby Drive, northwest of the intersection of Queen Street South and Thomas Street

Owner: NYX Capital Corp.

File: OZ 18/12 W11

Sabrina Sgotta, Senior Consultant, Weston Consulting Planning and Urban Design, provided an overview of the application on behalf of the applicant.

The following person made oral submission:

1. Julie Daly, Resident, expressed concern that the proposed development will eliminate pre-existing affordable housing. Ms. Daly emphasized the need for the City of Mississauga to ensure that current rental stock of affordable housing is maintained, and further, that all available city land be used for building affordable housing.

Andrew Whittemore, Commissioner of Planning and Building, advised that all the policies on affordable housing, rental protection and demolition by-laws will be considered and that staff will address these issues in its report back to the Planning and Development Committee.

2. Greg McIntosh, Resident, spoke regarding preserving continuity and the history of Streetsville. Mr. McIntosh noted that this site is unique with lovely old houses; old trees and that it would be incongruous to yank it out and replace with ultra-modern townhouses. Mr. McIntosh is opposed to the development.
3. Cliff Tam, Resident expressed concern that this development will increase traffic congestion as there are many single lane streets in the area, which will become dangerous especially during school entry and dismissal times for school children.

Councillor Carlson spoke to the population analysis for Streetsville, noting that the study showed that the population should increase by 2000 in order to make the local businesses more viable. Councillor Carlson advised that this development is designated medium density and that this development is small density in comparison to other locations throughout the city.

4. Lesly burrows Resident; expressed concerned about the increase of traffic congestion in the area, noting that there is a GO station on the south side of the proposed development, as well as the approval of other developments that will add approximately 360 units, with approximately 600 more cars in a very small area.

Jeremy Blair, Manager, Transportation & Asset Management spoke regarding the traffic impact study and advised that staff consider certain growth within the surrounding developments that have been approved, and further that developers are required to submit proposed numbers in their traffic study.

RECOMMENDATION

1. That the report dated February 22, 2019, from the Commissioner of Planning and Building regarding the applications by NYX Capital Corp. to permit 155 back to back stacked condominium townhomes in seven blocks on public and private road, to extend Emby Drive, and to amend the limits of the Greenlands, under File OZ 18/012 W11, 51 and 57 Tannery Street and 208 Emby Drive, be received for information.
2. That four oral submissions be received.

Received (Councillor R. Starr)

Recorded Vote	YES	NO	ABSENT	ABSTAIN
Mayor B. Crombie	X			
Councillor S. Dasko	X			
Councillor K. Ras			X	
Councillor C. Fonseca	X			
Councillor J. Kovac	X			
Councillor C. Parrish	X			
Councillor R. Starr	X			
Councillor D. Damerla	X			
Councillor M. Mahoney	X			
Councillor P. Saito	X			
Councillor S. McFadden			X	
Councillor G. Carlson	X			

Carried (10-0-2- Absent)

4.2. PUBLIC MEETING INFORMATION REPORT (WARD 1)

Applications to permit a ten storey condominium apartment building with 35 units and one level of underground parking

55 Port Street East, east of Helene Street South

Owner: Fram Building Group

File: OZ 18/007 W1

Bill 139

Ralph Giannone, Giannone Petricone Associates, provided an overview of the application on behalf of the applicant.

1. Michael Cry, Resident, spoke regarding the stated vision for the City of Mississauga as outlined in the Corporate Report and the impact of not maintaining the current zoning. Mr. Cry commented on the height of neighbouring buildings, noting that it has been reported incorrectly on the Corporate Report. Mr. Cry further spoke on the impact of shadowing to residents and public areas.
2. Carla Fink and Julie Farewell, Residents advised that petitions have been submitted opposing the proposed zoning amendments, noting the proposed development does not compliment the community, does not preserve the vision of the Port Credit village, and will have an impact on future development in the area.
4. James Chestnutt, Resident, expressed concern that the proposed zoning amendment will impact the future planning of Port Credit's waterfront. Mr. Chestnutt further expressed concerns with shadowing, wind and traffic congestion.
5. Rob Male, Resident; inquired on the development approvals for 1 Port Street and potential development for the area.

David Ferro, Development Planner noted that the Inspiration Port Credit Master Plan was approved in 2016, and the Official Plan Amendment was approved in 2017. Mr. Ferro advised that there has been no applications received for the development of those lands located at 1 Port Street.

6. Eleanor Chestnutt, Resident, sought clarification on the amount of units being proposed. Ms. Chestnutt expressed concern that the all glass building would result in more dead birds, as this development is in the direct flight path of many migrating birds.

Ralph Giannone, Giannone Petricone Associates provided clarity regarding the number of units, noting that the units are much larger. Mr. Giannone advised that the issue regarding bird migration will be addressed.

7. Robert Denhollander, Resident, expressed concerns with the proposed development of a 10 storey urban glass and steel building, which would set a precedent and impact the intention of the Port Credit vision.
8. Christine Ichiyen, Resident, spoke opposing the zoning amendment to permit a 10 storey building.
9. Donna Brookes, Resident spoke in support of the proposed zoning amendment to permit a 10 storey building. Ms. Brookes commented on the work Fram has done for the Port Credit community.
10. John Pappas, Owner, Crooked Cue Restaurant, spoke in support of the proposed zoning amendment to permit a 10 storey building. Mr. Pappas commented on the community benefit for the Port Credit residents with this proposed development. Mr. Pappas also commented on the exceptional work that Fram has done for the community.
11. Andrew Beattiek, Resident spoke in support of the proposed zoning amendment to permit a 10 storey building.

Frank, Giannone, President, Fram, provided clarification on various comments by previous speakers. Mr. Giannone noted that Fram has been very respectful of the direction of the community.

In response to Councillor Damerla's inquiry regarding the additional number of vehicles forecasted, Frank Giannone, President, Fram advised that the traffic consultants provide the calculation and is reviewed by City staff.

RECOMMENDATION

1. That the report dated February 22, 2019, from the Commissioner of Planning and Building regarding the applications by Maple Brown Investments to permit a ten storey condominium apartment building with 35 units and one level of underground parking, under File OZ 18/007 W1, 55 Port Street East, be received for information.

2. That 11 oral submissions be received.

Received (Councillor S. Dasko)

Recorded Vote	YES	NO	ABSENT	ABSTAIN
Mayor B. Crombie			X	
Councillor S. Dasko	X			
Councillor K. Ras			X	
Councillor C. Fonseca	X			
Councillor J. Kovac	X			
Councillor C. Parrish	X			
Councillor R. Starr	X			
Councillor D. Damerla	X			
Councillor M. Mahoney	X			
Councillor P. Saito	X			
Councillor S. McFadden			X	
Councillor G. Carlson	X			

Carried (9-0-3- Absent)

- 4.3. **PUBLIC MEETING RECOMMENDATION REPORT (WARD 7)**
Applications to permit a 25 storey, 272 unit apartment building
with retail commercial uses on the ground floor
3900-3980 Grand Park Drive, southwest corner of Burnhamthorpe Road West and
Grand Park Drive
Owner: RioTrin Properties (Burnhamthorpe) Inc.
File: OZ 15/006 W7
Bill 139

Marianne Cassin, Manager, Development Central, provided an overview of the application.

Councillor Saito spoke regarding similar phasing developments in Ward 8 and Ward 9 and inquired whether this application was reviewed based on what was learned from the recommendation policies of the past on how a mall should be reimaged.

Andrew Whittemore, Commissioner, Planning and Building clarified that in the past, mixed use policies were not being implemented and that is why there were a lot of stacked townhouses with very little commercial spaces, and that moving forward new policies will make things look different.

In response to Councillor Parrish's inquiry regarding whether the concerns from Fielding Environmental have all been address, Marianne Cassin, Manager, Development Central advised that the planning concerns have been addressed; however Fielding Environmental have expressed other concerns.

Lesley Pavan, Director, Development and Design, advised that Fielding Environmental has expressed concern with having a resident building too close to their operations.

Councillor Parrish noted that Fielding Environmental had purchased additional lands north of their property and inquired from which point of Fielding Environmental's lands is the 300 meter distance being measured. Ms. Cassin advised that the distance measure is taken from Fielding Environmental's central property in accordance to the D-6 guidelines.

In response to Councillor Parrish's inquiry regarding fire safety, Fire Chief, Tim Beckett, advised that they have reviewed the plan as it relates to the application and have also considered past incidents at Fielding Environmental, which the last incident was a fire in 1998, which did not require any evacuation, and further that the current safety plan, which he noted is current and in compliance with all fire codes.

Councillor Starr sought clarification on the measured central point and commented on the D-6 guidelines, which he noted are old and needs to be updated.

The following persons made oral submission:

1. Brad Butt, Vice-President, Government & Stakeholder spoke on behalf of the Mississauga Board of Trade expressing concerns of residential developments encroaching on commercial properties. Mr. Butt noted that Fielding Environmental has been a long standing corporate citizen of the City of Mississauga and leader in clean technology. Mr. Butt noted that the close proximity of this proposed residential tower to the Fielding property is not appropriate and the application for residential uses should be refused.
2. Meaghan McDermid, Davies Howe, expressed concerns relating to health and safety risks of a residential building too close to Field Environmental's property and the future viability of Fielding Environmental's operation. Ms. McDermid spoke regarding D-6 guidelines with respect to measuring points and noted that Fielding Environmental stores its chemicals throughout its entire property not just from the central location and recommends that the application be refused.

3. Cryil Hare, Consultant, spoke regarding emergency response guidelines and the strain on the City's emergency resources and greater risk to residents should there be an incident. Mr. Hare spoke in opposition to the approval of this development.
4. Ellen McGregor, Principal Owner and CEO, Fielding Environmental spoke in opposition to the approval of the residential development. Ms. McGregor emphasized risk mitigation, the City's respect of the Ministry of Environment's guidelines provision for buffers, which she emphasized are there to protect the City, its residents and businesses. Ms. McGregor further emphasized that the Ministry of Environment issues permits to the site and not to the company, therefore, Fielding Environmental cannot move its operations elsewhere.

In response to Councillor Saito's inquiry regarding the impact to Fielding Environmental, should the application be approved, Ms. McGregor advised that Fielding Environmental can't control whether there are elevate risks and noted that the more people, the higher the risk.

In response to Councillor Kovac's inquiry regarding whether Fielding Environmental expressed concerns regarding the development of the residential buildings to the east of the proposed development, Ms. McGregor advised that Fielding Environmental did not express concern at that time, as the development was outside of the 300 metre buffer.

5. Glen Broll, Glen Schnarr and Associates, noted that the developer visited Fielding Environmental's site and were educated on the history, vision and operations of the company. Mr. Broll provided an overview and clarification of the amendments to the Official Plan on behalf of the applicant. Mr. Broll requested a copy of the written submission provided to the Planning and Development Committee from Davies Howe, on behalf of Fielding Environmental.

Councillor Damerla expressed concern regarding the proposed development citing safety concerns, and noted that she just learned of the quantity of hazardous waste and liquids contained on Fielding Environmental's lands. Councillor Damerla summarized the arguments in favour of approving the application in that Fielding Environmental is a safe operating company; and what constitutes the minimum acceptable buffer between commercial and residential developments. Councillor Damerla emphasized that the biggest issues is safety and that just because Fielding Environment is a responsible clean technology company that takes safety very serious, you don't increase their operating risk profile, by intensifying near their lands. Councillor Damerla is not in support of this application and respectively requested Council to not support the application.

Glen Broll, Glen Schnarr and Associates proposed that Scott Penton, Noise Consultant provide an explanation of the D6 Guidelines as it relates to the sensitive and non-sensitive land uses.

The Committee agreed to hear a brief report from Mr. Penton.

Scott Penton, Noise Consultant, Novus Environmental provided an overview of the D6 Guidelines and the studies undertaken by Rio Trin.

Councillors Fonseca, Kovac and Damerla spoke regarding the D6 Guidelines, risk/safety impact, balancing residential and economic growth and conflicting reports from current Fire Chief, ex-Fire Chief, applicant and analysis study regarding potential risks.

RECOMMENDATION

1. WHEREAS RioTrin Properties (Burnhamthorpe) Inc. has submitted official plan amendment and rezoning applications to permit a 25 storey, 272 unit apartment building with retail commercial uses on the ground floor for the lands located at 3900 – 3980 Grand Park Drive (File OZ 15/006 W7);

AND WHEREAS City Council has received and considered staff's report on the proposed development along with written and oral submissions relating to this matter, including those submitted on behalf of Fielding Environmental, a chemical recycling plant located in the immediate vicinity of the proposal;

AND WHEREAS concerns regarding public health and safety and compatibility of uses, including the application of the provincial D-6 Guidelines, among other issues, have been raised;

AND WHEREAS City Council, in accordance with section 2 of the *Planning Act*, shall have regard to matters of provincial interest, including the orderly development of safe and healthy communities, the protection of public health and safety; and the appropriate location of growth and development, among other things;

AND WHEREAS subsection 3(5) of the *Planning Act* requires that City Council's decisions in respect of planning matters shall be consistent with provincial policy statements and shall conform with provincial plans;

THEREFORE BE IT RESOLVED:

1. That the applications filed under File OZ 15/006 W7 submitted by RioTrin Properties (Burnhamthorpe) Inc. for the lands located at 3900 – 3980 Grand Park Drive be refused on the basis that:

- a) the proposal is not consistent with the Provincial Policy Statement;
 - b) the proposal does not conform and conflicts with all applicable Provincial Plans;
 - c) the proposal does not conform with the Region of Peel Official Plan;
 - d) the proposal does not conform with the Mississauga Official Plan, including but not limited to policy 16.11.1.1 which states that no new residential development will be permitted within the 300m influence area of a chemical plant located on Mavis Road, south of Burnhamthorpe Road West, until the closure of the plant, or suitable cleanup of emissions has been carried out to the satisfaction of the Provincial Government;
 - e) the proposal does not have regard for matters of provincial interest; and
 - f) the proposal does not represent good planning;
2. That City Council's decision reflects that City Council has fully considered all of the written and oral submissions relating to this matter;
 3. That the City Solicitor, or her delegate, be authorized to defend City Council's decision and to retain external consultants, as required, should this matter be appealed to the Local Planning Appeal Tribunal; and
 4. That in the event that any development arising out of the subject applications is approved, City Council require the execution of all necessary agreements, satisfactory to the City of Mississauga, including but not limited to a Development Agreement and Section 37 Agreement, as well as payment of cash-in-lieu of parkland in accordance with the *Planning Act* and the City's policies and by-laws.
2. That five oral submissions be received.

Approved (Councillor D. Damerla)

Recorded Vote	YES	NO	ABSENT	ABSTAIN
Mayor B. Crombie			X	
Councillor S. Dasko	X			
Councillor K. Ras			X	
Councillor C. Fonseca	X			
Councillor J. Kovac	X			
Councillor C. Parrish	X			
Councillor R. Starr	X			
Councillor D. Damerla	X			
Councillor M. Mahoney	X			
Councillor P. Saito	X			
Councillor S. McFadden			X	
Councillor G. Carlson	X			

Carried (9-0-3- Absent)

5. ADJOURNMENT - 4:32 PM (Councillor P. Saito)