

Approved: March 9, 2020

Planning and Development Committee

Date: February 24, 2020
Time: 6:00 PM
Location: Civic Centre, Council Chamber
300 City Centre Drive, Mississauga, Ontario, L5B 3C1

Members Present

Mayor Bonnie Crombie	
Councillor Stephen Dasko	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Ron Starr	Ward 6
Councillor Dipika Damerla	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor George Carlson	Ward 11 (Chair)
Councillor Carolyn Parrish	Ward 5 (ex-officio)

Members Absent

Councillor Sue McFadden (Resolution 0299-2019)	Ward 10
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Others Present

Mr. Andrew Whitemore, Commissioner, Planning & Building
Ms. Lesley Pavan, Director, Development & Design Division
Mr. Michal Minkowski, Solicitor
Ms. Sangita Manandhar, Team Leader Parks
Ms. Lin Rogers, Manager, Transportation Projects,
Ms. Emma Calvert, Manager, Engineering and Construction,
Transportation and Works, Development Engineer,
Mr. Hugh Lynch, Manager, Development South
Mr. Chris Rouse, Manager, Development South
Ms. Marianne Cassin, Manager, Development Central
Mr. Jonathan Famme, Development Planner
Mr. Robert Ruggiero, Development Planner
Mr. David Ferro, Development Planner
Ms. Caleigh McInnes, Development Planner
Ms. Angie Melo, Legislative Coordinator

Contact

Angie Melo, Legislative Coordinator, Legislative Services
905-615-3200 ext. 5423
angie.melo@mississauga.ca

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1. CALL TO ORDER - 6:00 PM

The order of Matters to be Considered was amended

2. DECLARATION OF CONFLICT OF INTEREST- Nil

3. MINUTES OF PREVIOUS MEETING

Approval of the February 3, 2020 Planning and Development Committee Meeting Minutes

Approved (Councillor J. Kovac)

4. MATTERS CONSIDERED

4.1 SECTION 37 COMMUNITY BENEFITS REPORT (WARD 11)

Community Benefits contribution under Section 37 to permit 4 detached and 2 semi-detached homes, 14 condominium townhomes and 4 back to back condominium dwelling units within the existing heritage building (Old Barber House)

5155 Mississauga Road, Northeast corner of Mississauga Road and Barbertown Road

Owner: City Park (Old Barber) Homes Inc.

Files: OZ 16/011 W11 and T-M16003 W11

There was no discussion on this matter.

RECOMMENDATION

PDC-0011-2020

That the report dated January 31, 2020, from the Commissioner of Planning and Building outlining the recommended Section 37 Community Benefits under File OZ 16/011 W11, City Park (Old Barber) Homes Inc., 5155 Mississauga Road, be adopted and that a Section 37 agreement be executed in accordance with the following:

1. That the sum of \$700,000 be approved as the amount for the Section 37 Community Benefits contribution.
2. That City Council enact a by-law under Section 37 of the Planning Act to authorize the Commissioner of Planning and Building and the City Clerk to execute the Section 37 agreement with City Park (Old Barber) Homes Inc., and that the agreement be registered on title to the lands in a manner satisfactory to the City Solicitor to secure the community benefits contribution.

YES (9): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac, Councillor R. Starr, Councillor M. Mahoney, Councillor G. Carlson , and Councillor Carolyn Parrish

ABSENT (2): Councillor D. Damerla, and Councillor S. McFadden

Approved (Councillor C. Parrish)

4.2 REMOVAL OF THE "H" HOLDING SYMBOL FROM ZONING BY-LAW 0225-2007 REPORT (WARD 5)

Application to remove the "H" Holding Symbol to permit three apartment buildings containing 1,077 units with heights of 21, 27 and 33 storeys with accessory retail and office commercial uses in the first three storeys

5081 Hurontario Street, east side of Hurontario Street between Nahani Way and Preston Meadow Avenue

Owner: 5018 Hurontario Limited Partnership (Liberty)

File: H-OZ 19/006 W5

There was no discussion on this matter.

RECOMMENDATION

PDC-0012-2020

That the report dated January 31, 2020, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under File H-OZ 19/006 W5, 5081 Hurontario Limited Partnership, 5081 Hurontario Street, be adopted and that the Planning and Building Department be authorized to prepare the by-law for Council's passage.

YES (10): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor G. Carlson , and Councillor Carolyn Parrish

ABSENT (1): Councillor S. McFadden

Approved (Councillor C. Parrish)

4.3 PUBLIC MEETING INFORMATION REPORT (WARD 8)

Official Plan amendment and rezoning applications to permit a convent and six storey complex consisting of 166 seniors' apartments, 156 assisted living suites, and 26 convent units 1720 Sherwood Forrest Circle, southwest corner of Mississauga Road and Dundas Street West

Owner: Carmelite Sisters of Canada

File: OZ 19/015 W8

Councillor Mahoney, spoke affirming that the meeting is to consider the land use planning issue and to provide residents an opportunity to share their views on the topic.

Michael Spaziani, Michael Spaziani Architects Inc. (MSAi) provided an overview of the application and the concepts presented to the community.

In response to Councillor Mahoney's inquiry regarding what the applicant has submitted to the City regarding solutions for the Dundas Street access, Mr. Spaziani advised that nothing has been submitted. Councillor Mahoney further spoke of the challenges regarding lack of communication between the applicant/consultant and City staff.

In response to Councillor Parrish's inquiry regarding the views residents will have once the development is built, Mr. Spaziani advised that he would make the images available.

In response to Councillor Kovac's inquiry regarding the origin of the restricted Dundas Street access, Hugh Lynch, Manager, Development South, advised that Legal is reviewing whether there is a bylaw restricting access. Mr. Lynch further advised that the engineering review being undertaken as part of the development review of the application to determine whether that access point is suitable.

In response to the Mayor's inquiry regarding whether agreements between the Carmelite Sisters of Canada and the developer to ensure that what is being proposed will be built, John Keyser, Keyser Mason Ball LLP, explained the agreement between the Carmelite Sisters of Canada to build the convent and acquire the footprint to build a retirement home and independent living residence, and further explained the concept of life leases.

In response to Councillor Parrish's inquiry regarding obtaining written details explaining ownership and life leases before the recommendation report, Michal Minkowski, advised that the applicant would need to provide details of what they are proposing in order for staff to provide an explanation/details of concept.

In response to Councillor Parrish's inquiry regarding Dundas Street access and regulations on minimum distance to an intersection, Lin Rogers, Manager, Transportation advised staff are not satisfied with what the applicant has provided and have raised concerns with the applicant and have asked them to resubmit further details, and further Ms. Rogers advised that there are regulations regarding minimum distances to intersections.

In response to Councillor Carlson's inquiry regarding the model of Life Leases, Michal Minkowski noted that this concept is not common in Mississauga, and that based on what was presented, it appears complex from a Real-estate ownership perspective.

Councillor Ras provided a brief explanation of Life Leases.

The following persons spoke:

1. Rudy Fernandes, Resident, spoke on the merits of the Carmelite Sisters convent project and in support of the proposal.

Councillor Mahoney and Mayor Crombie reiterated that there is a lot of support for the Carmelite Sisters, and reminded residents that the issue is regarding the land use, and that there is not a lot of documentation for staff to analyze. Mayor Crombie inquired whether a traffic study has been conducted. Lin Rogers, Manager, Transportation Projects, advised that a traffic study has been provided on the original proposal; however, a revised traffic study, addressing the concerns staff have raised, has not been submitted.

In response to Mayor Crombie's inquiry regarding the care provided to residents on the site, Mr. Fernandes, spoke on behalf of Sister Veronica who assures that there would be a governance structure in place and that the Sisters would oversee the management.

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2. Dr. Colin Saldanha, Resident, spoke in support of the development and identified strategies for elder care.
3. Rita Audrey Nichols, Resident, spoke in support of the development and the importance of senior housing.
4. Rahul Sharma, Resident, raised concerns regarding the Dundas Street access and objects to opening access to Dundas Street.
5. McKenzie Edwards, Resident, raised concern regarding volume of traffic and Dundas Street access.
6. Teresa Pamalat, Resident, spoke of the history of the communities support of the Carmelite Sisters, and support the Sisters' wishes that the developer build a 120 to 150 unit modest 3 storey, 1 building complex with provisions for the Sisters.
7. Harry Henderson, Resident, spoke regarding the Mississauga Official Plan policy regarding the character and sensitivity of the neighbourhood, and raised concern with insufficient onsite parking that would overflow to adjacent streets.
8. Bruce Desmond, Resident, spoke regarding Council making its decision based on good planning principles and commented on protecting neighbourhoods such as Sherwood Forrest from significant intensification and density.
9. Bruno Galle, resident, raised concern regarding the volume of traffic and the size of the development's impact on the cultural landscape.
10. Mary Zizek, Resident spoke to the traffic safety issues as there are many school buses dropping picking up and dropping off children, and raised concern regarding overflow of parking on adjacent streets.
11. Stephen Mazur, Resident, spoke regarding ownership issues raised by Mayor Crombie and raised concerns regarding high density, street access, parking issues, logistics of construction, size of project and improper studies conducted.
12. Lorita Young, Resident, raised concern that the proposed development does not complement the existing neighbourhood and raised concern on whether the developer has contingency insurance coverage should there be any damage during construction.
13. Al Zizek, Resident, raised concern that the development does not adhere to policies, principles of the Official Plan, contemplated character of the neighbourhood and zoning bylaw standards.
14. Nelson Furtado, Resident, spoke regarding the principles of the development and whether it meets the criteria of the planning and building standards and appreciation for the developer scaling down their proposal, and the concerns of the Sherwood Forrest resident's regarding the Dundas Street access.
15. Charles Cheltaham, Resident, raised concern regarding high density being proposed for the area, maintaining the character of the neighbourhood and the volume of traffic.

16. Michael Quinn, Resident, raised concern with appropriate land use, volume of traffic, too much density and not understanding the ownership and suggests that Council ensures the proper documents are submitted regarding ownership before considering this application.
17. Michael Lear, Resident, raised concern for the volume of traffic, the Dundas Street access and understanding of the footprint/acquisition of the property.
18. Jonathan Giggs, Resident, raised concern regarding measuring density and very little information regarding traffic and parking studies conducted.
19. Art Williams, Resident, requested Council listen to the resident's concerns and review the application thoroughly before making a decision.
20. Joe Edwards Sherwood Forrest Circle, Resident, raised concern about the appropriateness of this development noting that Mississauga Road is not an area for intensification, suggests the developer work with the community and that Council be provided with all the information about this development before making its final decision.
21. Mary Kim Chichocki-Beaudry, Resident, as a friend of the Sisters and a retired Planner, Ms. Chichocki-Beaudry reviewed the proposed development and made suggestions to present options to the community which include reduced height and density and a built form that maintains the character of the neighbourhood.
22. Monsignor, Owen Keenan, Merciful Redeemer, Resident, spoke to the adequate community care for seniors, and consideration for the needs of seniors the poor and those who do not have anyone to look after them.
23. Michael Corrado, Developer, Micor Development Inc., advised that over twenty studies conducted have been submitted to the City and that there have been changes made and are prepared to make further changes to address resident's concerns. Mr. Corrado spoke to the density in relation to the land value.

In response to Councillor Carlson's inquiry regarding confirmation of the applicant's submission of a completed application, Hugh Lynch confirmed that the applicant has submitted a complete application for a land use change and that studies have been filed and reviewed; however, staff have raised concerns and requested further data from the applicant in order to conduct a full review.

Councillor Mahoney reiterated the applicant/consultant's lack of communication or consultation with him, city staff and the community and suggests the applicant conduct a further review and take into consideration the resident's concerns and resubmit their plans.

RECOMMENDATION

PDC-0015-2020

1. That the report dated January 31, 2020, from the Commissioner of Planning and Building regarding the applications by the Carmelite Sisters of Canada to permit a convent and six storey complex consisting of 166 seniors' apartments, 156 assisted living suites and 26 convent units, under File OZ 19/015 W8, 1720 Sherwood Forrest Circle, be received for information.
2. That twenty-three oral submissions be received

YES (10): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor G. Carlson , and Councillor Carolyn Parrish

ABSENT (1): Councillor S. McFadden

Received (Councillor M. Mahoney)

4.4 PUBLIC MEETING RECOMMENDATION REPORT (WARD 7)

Applications to permit 101 back to back stacked townhomes 2512, 2522 and 2532 Argyle Road, south of Dundas Street West, west of Confederation Parkway

Owner: Plazacorp Properties Limited (by Agreement of Purchase and Sale)

File: OZ 18/017 W7

Jonathan Famme, Developer, provided an overview of the recommendation report.

The following persons spoke:

1. Manju Gupta, Resident, spoke regarding the history of accidents on the street specifically where the road turns into a sharp turn; regarding the petition that was previously submitted to the City; spoke regarding the results of the traffic study conducted and was promised that a further study would be conducted; however, none has been undertaken. Ms. Gupta further spoke regarding the City's refusal of previous developments that had lower density than this project; school children safety crossing the road, flooding in the area and the impact it would have to increasing insurance rates. Ms. Gupta suggests that more studies be conducted and reviewed thoroughly before making a decision.
2. Alvina Kiselewski, raised concerns that the results of the traffic study are outdated and that it was not conducted on Argyle Road and doesn't agree with the results. Ms. Kiselewski commented on the issues with respect to the site lines while vehicles exit Argyle Road.
3. Pawel Biernat, Resident, raised concerns regarding the density, insufficient parking which will overflow to on-street parking along adjacent streets, and the increase of traffic.
4. Javier Martinez, Resident, raised concern for the increase of density on a small street, and that the area is not suitable for intensification. Martinez further spoke regarding increased traffic especially during the construction of the LRT.

5. Joe Rack, Resident, raised concern with insufficient onsite parking which will overflow onto the adjacent streets and the existing apartment building; concerns regarding construction debris blowing into 2556 Argyle Road and causing damage to the property's infrastructure.
6. Diane Brookes, Resident, spoke regarding the community's feedback on this development and the lack of respect for the community.
7. Val Cessalli, Resident, raised concerns regarding the increased intensification on a small side street, increase of traffic and overflow of on-street parking.
8. John Braga, Resident opposed the development and raised a concern regarding the increase of on-street parking and the safety of school children crossing.
9. Lucia Nicoara, Resident, sought clarification regarding the vote on the report being considered by the Committee and the opportunity for appealing the Committee's decision, should the Committee vote in favour of the development.
10. Mila Marova, Resident, raised concerns with the increase of density for a small space; flooding in the area which would only be more problematic with the new development being proposed in the Mary Fix creek area; ignoring the communities feedback and petition opposing the development
11. Mira Laredo, Resident, raised concern that the increase of density will increase traffic which is a safety concern and requested a traffic light be installed at Argyle Road and Dundas Street, and the amount of trees being removed. Laredo spoke regarding similar sized lots that are being developed with much less density.

Councillor Ras spoke regarding the planning process and the issues in the area with flooding and density, and will not support the staff recommendation report.

Councillor Parrish spoke in support of the staff recommendation noting that the intensification is appropriate for the area. Councillor Parrish noted that there are similar sized locations in the city with high rise developments being proposed, and explained the process should the Committee reject the staff's recommendation to approve the development.

Councillor Carlson, agrees that there will be intensification throughout the City; however, he does not agree that this site is appropriate and that if the developer proposed much fewer units that he would consider supporting the development.

Councillor Damerla thanked residents for attending all the community meetings, providing feedback and their patience. Councillor Damerla, raised concerns that density is not reasonable and not suitable for this location and spoke of other developments coming to the area which is concerning, and further concerns of overflow of on-street parking and an increase in traffic volume.

Mayor Crombie inquired whether the developer would consider renegotiating and defer this matter.

Mr. T. J. Secura, Planner, on behalf of Plazacorp Development advised that they are in support of the staff recommendation and that he does not have instructions from his client to defer this matter.

In response to Councillor Parrish's inquiry regarding whether the developer would consider placing a high-rise should they have to defend this matter at LPAT, Mr. Secura, advised that the owners would consider all options available to them.

Councillor Damerla recommended that the Committee support her in not approving this development.

RECOMMENDATION

1. That the applications under File OZ 18/017 W7, Plazacorp Properties Limited (by Agreement of Purchase and Sale), 2512, 2522 and 2532 Argyle Road to amend Mississauga Official Plan to Residential Medium Density; to change the zoning to RM9 -Exception (B) stacked townhomes in conformity with the provisions outlined in Appendix 2, be approved subject to the conditions referenced in the staff report dated January 31, 2020 from the Commissioner of Planning and Building.
2. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.
3. 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.
4. Notwithstanding subsection 45.1.3 of the *Planning Act*, subsequent to Council approval of the development application, the applicant can apply for a minor variance application, provided that the height and FSI shall not increase.

YES (1): Councillor Carolyn Parrish

NO (8): Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, and Councillor G. Carlson

ABSENT (2): Mayor Crombie, and Councillor S. McFadden

Defeated (Councillor C. Parrish)

4.5 RECOMMENDATION REPORT (WARD 1)

Rezoning application to permit 22 storey condominium apartment building with 361 units, ground floor commercial space along Ann Street and four levels of underground parking 78 Park Street East and 22 - 28 Ann Street, west of Hurontario Street, north of Park Street East

Owner: Edenshaw Ann Developments Limited

File: OZ 19/008 W1

The following persons spoke:

1. Mary Simpson, Town of Port Credit Association (TOPCA) spoke regarding the amendments which include a reduced bulkier mid-section without increasing the height of the tower, and respecting the views and daylight of local residents; the progressive and welcoming approach in introducing less than one parking space, which encourages use of public transit; retail spaces should be suitable for community use, and inquired whether the eight affordable housing units is appropriate in addressing the needs.
2. Jonathan Giggs, Resident, inquired regarding the change from work/live units to commercial, commercial unit size, and tenure.

In response to Mr. Giggs inquiries, Mr. Hugh Lynch, Manager, Development South addressed the proposed zoning and commercial space size; Mr. Steve Daniels, Vice-President of Development, Edenshaw Ann Developments Ltd. explained the details of commercial tenure, commercial unit size and layout.

3. Ida Zucchet, Resident, spoke in support of the development.

Councillor Dasko, spoke in support of the development noting that the developer's collaborative approach with the community, respectful of the Official Plan with respect to building height, and the inclusion of affordable housing units.

RECOMMENDATION

PDC-0014-2020

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, any further notice regarding the proposed amendment is hereby waived.
2. That the application under File OZ 19/008 W1, Edenshaw Ann Developments Ltd., 78 Park Street East and 22 – 28 Ann Street, to change the zoning to H-RA5-Exception (Apartments) to permit a 22 storey condominium apartment building with 361 units, ground floor commercial space along Ann Street and four levels of underground parking, be approved subject to the conditions referenced in the staff report dated January 31, 2020, from the Commissioner of Planning and Building.
3. That the applicant agrees to satisfy all the requirements of the City and any other external agency concerned with the development.
4. That the "H" holding symbol is to be removed from the H-RA5-Exception (Apartments) zoning applicable to the subject lands, by further amendment upon confirmation from applicable agencies and City Departments that matters as outlined in the report dated January 31, 2020, from the Commissioner of Planning and Building have been satisfactorily addressed.

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5. Notwithstanding subsection 45.1.3 of the Planning Act, subsequent to Council approval of the development application, the applicant can apply for a minor variance application, provided that the height and FSI shall not increase.
6. That three oral submissions be received.

YES (10): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor G. Carlson , and Councillor Carolyn Parrish

ABSENT (1): Councillor S. McFadden

Approved (Councillor S. Dasko)

4.6 RECOMMENDATION REPORT (WARD 11)

Rezoning application to permit one detached home
7060 Old Mill Lane, west side of Old Mill Lane, north of Old Derry Road
Owner: Credit Valley Conservation
File OZ 18/004 W11

There was no discussion on this matter.

RECOMMENDATION

PDC-0013-2020

1. That the application under File OZ 18/004 W11, Credit Valley Conservation (CVC), 7060 Old Mill Lane to amend the PB1 (Parkway Belt) and PB1-5 (Parkway Belt – Exception) zoning to permit one detached home be approved subject to the conditions referenced in the staff report dated January 31, 2020 from the Commissioner of Planning and Building.
2. That the applicant agrees to satisfy all the requirements of the City and any other external agency concerned with the development.
3. 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.
4. Notwithstanding subsection 45.1.3 of the Planning Act, subsequent to Council approval of the development application, the applicant can apply for a minor variance application.

YES (10): Mayor Crombie, Councillor S. Dasko, Councillor K. Ras, Councillor C. Fonseca, Councillor J. Kovac, Councillor R. Starr, Councillor D. Damerla, Councillor M. Mahoney, Councillor G. Carlson , and Councillor Carolyn Parrish

ABSENT (1): Councillor S. McFadden

Approved (Councillor K. Ras)

5. ADJOURNMENT - 10:17. PM (Councillor R. Starr)