



# Corporate Report

Clerk's Files

Originator's  
Files BL.09-COM W6

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**DATE:** December 9, 2008

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: January 12, 2009

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Information Report**  
**Proposed Official Plan Amendment and**  
**Proposed Amendment to Zoning By-law 0225-2007**  
**To permit an increased floor space index (FSI) for apartment**  
**dwellings and apartment dwellings on lands previously zoned**  
**for a walkway**  
**Southwest corner of Eglinton Avenue West and**  
**Creditview Road**  
**Owner: Wintor Equities Inc.**  
**Applicant: Glen Schnarr & Associates Inc.**  
**Bill 51**

**Public Meeting** **Ward 6**

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**RECOMMENDATION:** That the Report dated December 9, 2008, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Residential - High Density I, Special Site 12" to "Residential - High Density I, Special Site 12", amended, and to change the Zoning from "RA3-28" (Apartment Dwellings - Exception) to "RA3-28" (Apartment Dwellings - Exception), amended, in By-law 0225-2007, to permit a maximum floor space index (FSI) of 1.77; and to amend the Official Plan from "Public Open Space" to "Residential - High Density I, Special Site 12", amended, and to change the Zoning from "OS1" (Open Space) to "RA3-28" (Apartment Dwellings - Exception), amended, in By-law 0225-2007, to delete the Open Space block and permit a walkway to be accommodated through an easement on the RA3-28

lands, under file BL.09-COM W6, southwest corner of Eglinton Avenue West and Creditview Road, Wintor Equities Inc., be received for information.

**BACKGROUND:**

On June 20, 2007, Council approved Official Plan Amendment No. 25 to Mississauga Plan and passed a new comprehensive zoning by-law for the City, referred to as Mississauga Zoning By-law 0225-2007. Wintor Equities Inc. appealed Zoning By-law 0225-2007, on a site specific basis, opposing the introduction of a minimum FSI of 1.0 and a maximum FSI of 1.5 in the RA3-28 zone which affects the subject property.

On October 22, 2008, City Council adopted Resolution 0263-2008 directing staff to prepare an amendment to the East Credit District Special Site 12 Policies in Mississauga Plan to permit a maximum FSI of 1.77 and an amending by-law to By-law 0225-2007 for consideration at a public meeting in accordance with the *Planning Act*, to permit a maximum FSI of 1.77 in the RA3-28 Exception Zone, and to redesignate a portion of the lands from Public Open Space to Residential - High Density I and rezone this portion from OS1 to RA3-28 to permit a walkway to be accommodated through an easement on the RA3-28 lands, for lands located at the southwest corner of Eglinton Avenue West and Creditview Road (see Appendix I-1).

The purpose of this report is to provide preliminary information on the application and to seek comments from the community.

**COMMENTS:**

Details of the proposal are as follows:

**Current Mississauga Plan Designation and Policies for East Credit District (May 5, 2003)**

**"Residential - High Density I"** which permits apartment dwellings at a FSI of 1.0 to 1.5.

**"Special Site 12"** of the East Credit District Policies applies to the subject lands and contains the following policies:

"Notwithstanding the provisions of the Residential - High Density I designation, the following additional policies will apply:

- a. townhouse dwellings will be permitted;
- b. the maximum apartment building height will be twelve (12) storeys."

**"Public Open Space"** which permits public parkland or a public cemetery.

The proposed development of this site is not in conformity with the maximum FSI of 1.5 in the "Residential - High Density I " designation and thus the applicant seeks to add a policy to Special Site 12 to permit a maximum FSI of 1.77. It has also been determined by the Community Services Department that the Open Space block proposed for a walkway extending across the subject property can be accommodated through an easement on the "Residential - High Density I" lands and thus the applicant seeks to amend the designation on the walkway from "Public Open Space" to "Residential - High Density I".

### **Proposed Mississauga Plan Designation and Policies**

**"Residential - High Density I"** designation to apply to the entire property including the open space block proposed for a walkway.

**"Special Site 12"**, as amended, to add the following policy:

- "c. a maximum Floor Space Index (FSI) of 1.77 will be permitted."

### **Existing Zoning**

**"RA3-28" (Apartment Dwellings - Exception)**, which permits apartment dwellings, long-term care dwellings and retirement dwellings with a minimum FSI of 1.0 and a maximum FSI of 1.5. The lands were previously zoned RM7D5-2244 in Zoning By-law 5500, which did not include a minimum or maximum FSI, in conformity with the Official Plan at that time. A minimum FSI of 1.0 and a maximum FSI of 1.5 were added to the RA3-28 zone in

By-law 0225-2007, in conformity with the East Credit District Policies in Mississauga Plan.

**"OS1" (Open Space)**, which permits passive and active recreational uses, including a walkway, and a stormwater management facility.

### **Proposed Zoning By-law Amendment**

**"RA3-28" (Apartment Dwellings - Exception)**, amended, to permit a maximum FSI of 1.77, to rezone the walkway from "OS1" to "RA3-28" and to permit a walkway in the "RA3-28" zone. The proposed amendments to the "RA3-28" zone and the proposed rezoning of the walkway to "RA3-28" are in conformity with the proposed amendments to the East Credit District Land Use Plan and the amendments to the East Credit Special Site 12 policies.

### **Other Information**

**"City-owned Lands"** - The northerly portion of the subject lands and the open space block are currently owned by the City. The proposed development of the site would require the conveyance of these lands to the owner.

No community meetings were held and no written comments were received by the Planning and Building Department.

### **CONCLUSION:**

After the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding this application.

### **ATTACHMENTS:**

Appendix I-1 - Council Resolution 0263-2008

Appendix I-2 - Site History

Appendix I-3 - Aerial Photograph

Appendix I-4 - Excerpt of East Credit District Land Use Map

Appendix I-5 - Excerpt of Existing Land Use Map

Appendix I-6 - General Context Map

*Original signed by:*

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Edward R. Sajecki

Commissioner of Planning and Building

*Prepared By: Marianne Cassin, Manager Zoning By-law Review*



RESOLUTION NO: 0263-2008 Page 1 of 2

Date: October 22, 2008

File: CD.01/M-1237

Moved by: C. Parrish

Seconded by: George Austin

WHEREAS pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, on June 20, 2007, Council adopted By-law 0225-2007, being a new Mississauga Zoning By-law for all of the City of Mississauga;

AND WHEREAS upon the coming into force and effect of the Mississauga Zoning By-law or any portion thereof, the previous Zoning By-laws: By-law 5500, as amended, (Town of Mississauga Zoning By-law) or any portion thereof; By-law 1227, as amended, (Town of Port Credit Zoning By-law) or any portion thereof; By-law 65-30, as amended, (Town of Streetsville Zoning By-law) or any portion thereof; and By-law 1965-136, as amended, (Town of Oakville Zoning By-law covering lands in the City of Mississauga) or any portion thereof, were repealed;

AND WHEREAS lands located at the southwest corner of Eglinton Avenue West and Creditview Road (Part of Lot 6, Range 5, North of Dundas Street, and Blocks 1, 6, 8, 9, 10 and Part of Block 2, Plan 43M-1237), Winton Equities Inc., were previously zoned RM7D5-2244 in Zoning By-law 5500, which did not include either a minimum or maximum Floor Space Index (FSI);

AND WHEREAS the new Zoning By-law 0225-2007 zoned the lands RA3-28 and added a minimum Floor Space Index (FSI) of 1.0 and a maximum Floor Space Index (FSI) of 1.5, in accordance with the East Credit District Policies in Mississauga Plan;

AND WHEREAS a portion of the site is designated Public Open Space in the East Credit District Policies of Mississauga Plan and zoned OS1 (Open Space) in Zoning By-law 0225-2007 for a walkway and it has been determined that the walkway can be accommodated through an easement on the subject lands designated Residential - High Density I and zoned RA3-28;

AND WHEREAS Council adopted Resolution 0136-2007, which included, "That any landowner with a prior approval may request Council to authorize an Exception Zone that would recognize a prior approval, as long as the request is received within one (1) year of passing of the new Zoning By-law";



RESOLUTION NO: 0263-2008 Page 2 of 2

Date: October 22, 2008

File: \_\_\_\_\_

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

*C. Parrish*  
*Michelle Carson*

AND WHEREAS Wintor Equities Inc. had requested revisions to the RA3-28 zone to permit an FSI in excess of the maximum 1.5 FSI, prior to the one year time limit;

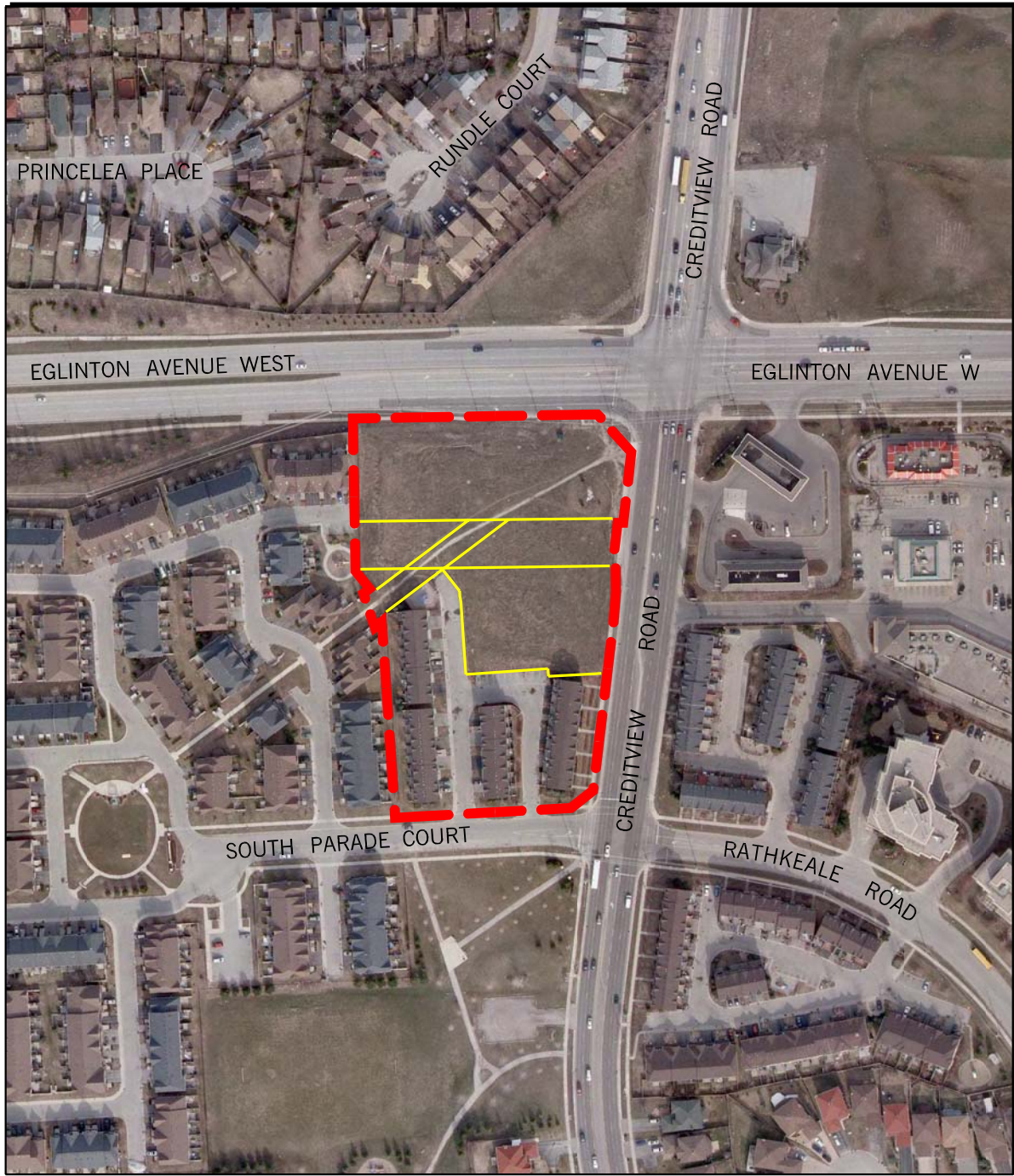
NOW THEREFORE LET IT BE RESOLVED THAT City Council direct representatives of the Planning and Building Department to prepare an amendment to the East Credit District Policies in Mississauga Plan and an amending by-law to By-law 0225-2007 to permit a maximum FSI of 1.77, and to redesignate a portion of the lands from Public Open Space to Residential – High Density I and rezone this portion from OS1 to RA3-28, for lands known as Part of Lot 6, Range 5, North of Dundas Street, and Blocks 1, 6, 8, 9, 10 and Part of Block 2, Plan 43M-1237, southwest corner of Eglinton Avenue West and Creditview Road, Wintor Equities Inc., to be brought forward to a public meeting of Planning and Development Committee and subsequent consideration by Council, all in accordance with the requirements of the Planning Act, as amended.

*Carried*  
\_\_\_\_\_  
Mayor

### **Site History**

- March 26, 1997 - City Council passed By-law 158-97 to amend By-law 5500 to permit a maximum of 38 row dwellings and 250 apartment units, or any combination thereof;
- June 20, 2007 - Zoning By-law 0225-2007 was passed by Council which rezoned the subject lands "RA3-28" to permit apartment dwellings/long-term care dwellings/retirement dwellings and townhouse dwellings, with a minimum FSI of 1.0 and a maximum FSI of 1.5, in conformity with Mississauga Plan;
- July 6, 2007 - Wintor Equities Inc. appealed the introduction of a minimum FSI of 1.0 and a maximum FSI of 1.5 in the RA3-28 zone in By-law 0225-2007;
- The Ontario Municipal Board Hearing that was scheduled for October 31, 2008 was adjourned, to allow an Official Plan Amendment and Rezoning to be brought forward for Council's consideration.





**LEGEND:**



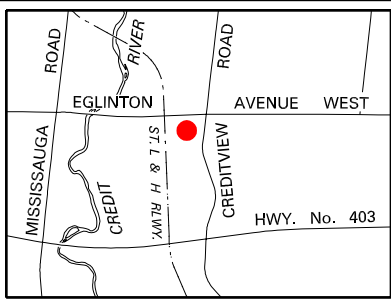
**SUBJECT LANDS**

DATE OF AERIAL PHOTO: 03 2008



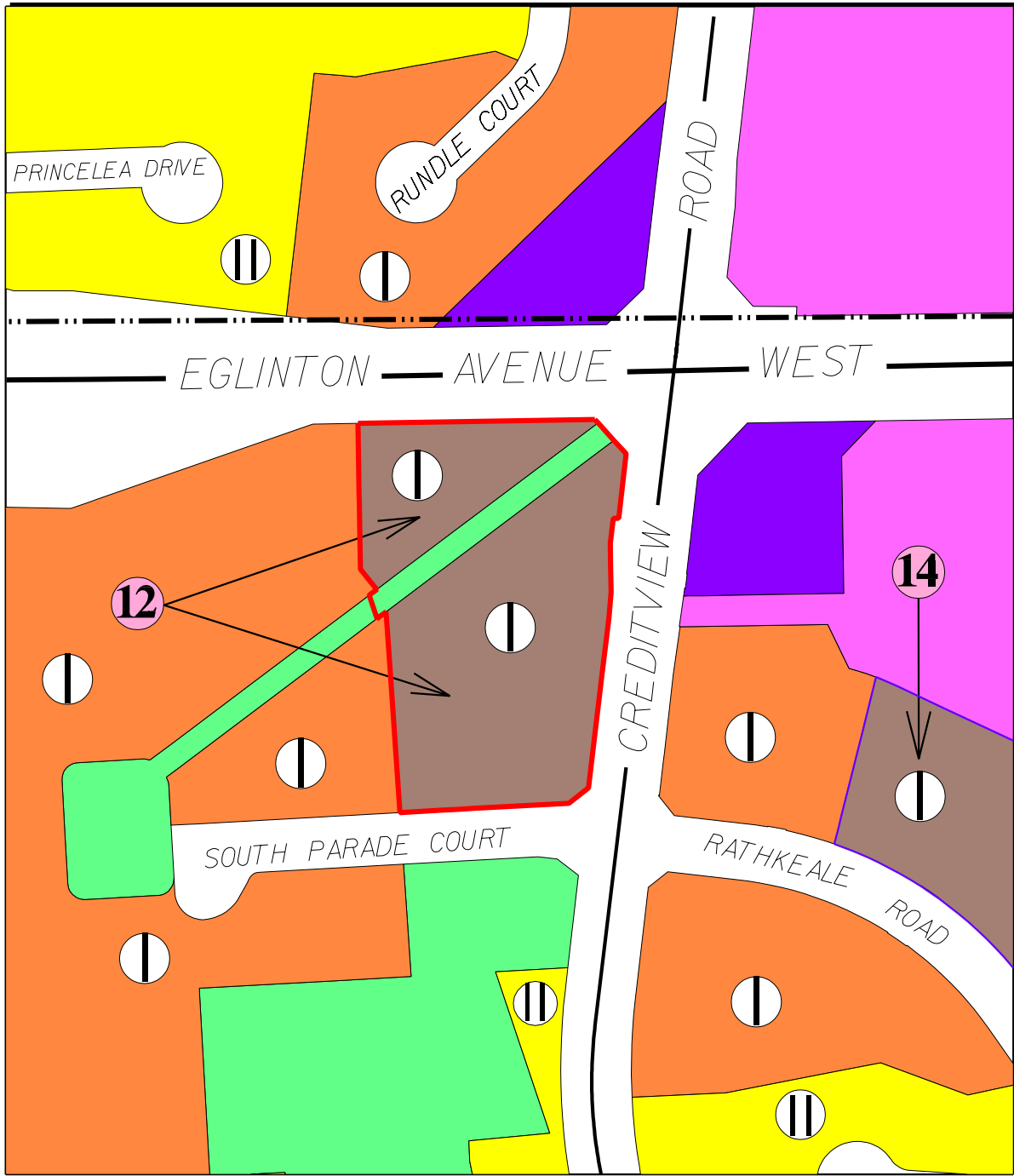
**SUBJECT:**

**WINTOR EQUITIES INC.**









FILE NO:	BL.09-COM
DWG. NO:	BL.09.COM.WINTOR.EQA.DGN
SCALE:	1:25000
PDC DATE:	2008 09 12
DRAWN BY:	N.BISKARIS

APPENDIX 1-3



**PART OF EAST CREDIT DISTRICT LAND USE MAP  
EAST CREDIT DISTRICT POLICIES OF MISSISSAUGA PLAN**

**LAND USE DESIGNATIONS**

-  Residential – Low Density II
-  Residential – Medium Density I
-  Residential – High Density I
-  General Commercial
-  Motor Vehicle Commercial
-  Public Open Space

**TRANSPORTATION LEGEND**

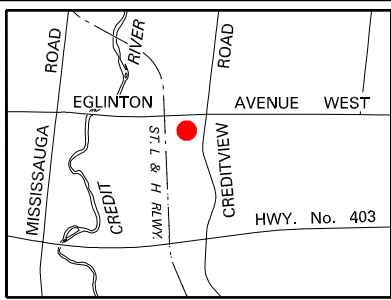
-  Arterial
-  Major Collector
-  Major Transit Corridor

 Special Site Areas  
(See Special Site Policies)

 **SUBJECT LANDS**



**SUBJECT:**  
**WINTOR EQUITIES INC.**



**FILE NO:**  
BL.09-COM

**DWG. NO:**  
BL09COMWINTQL

**SCALE:**  
1:25000

**PDC DATE:**  
2008 09 12

**DRAWN BY:**  
N.BISKARIS

**MISSISSAUGA**  
Planning and Building

Produced by  
T&W, Geomatics

APPENDIX I-4

# BY-LAW 0225-2007

## LEGEND:



SUBJECT LANDS



PROPOSED OFFICIAL PLAN AMENDMENT FROM 'RESIDENTIAL HIGH DENSITY I, SPECIAL SITE 12' TO 'RESIDENTIAL HIGH DENSITY I, SPECIAL SITE 12', AMENDED, TO PERMIT A MAXIMUM FLOOR SPACE INDEX OF 1.77 AND PROPOSED REZONING FROM 'RA3-28' (APARTMENT DWELLINGS) TO 'RA3-28', AMENDED (APARTMENT DWELLINGS), TO INCREASE THE MAXIMUM FLOOR SPACE INDEX (FSI) FROM 1.5 TO 1.77.



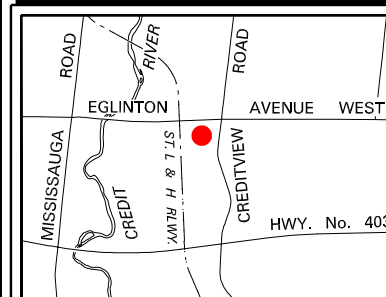
PROPOSED OFFICIAL PLAN AMENDMENT FROM 'PUBLIC OPEN SPACE' TO 'RESIDENTIAL HIGH DENSITY I, SPECIAL SITE 12', AMENDED, AND PROPOSED REZONING FROM 'OS1' TO 'RA3-28', AMENDED, TO PERMIT APARTMENT DWELLINGS WITH A MAXIMUM FLOOR SPACE INDEX (FSI) OF 1.77.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN  
PROPOSED ZONING INDICATED BY SHADING WITHIN  
THE APPLICATION AREA.



## SUBJECT:

**WINTOR EQUITIES INC.**



FILE NO:  
BL.09-COM

DWG. NO:  
BL09COMWINTOR

SCALE:  
1:25000

PDC DATE:  
2008 09 12

DRAWN BY:  
N.BISKARIS

APPENDIX I-5

**MISSISSAUGA**  
Planning and Building

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