



# Corporate Report

Clerk's Files

Originator's  
Files BL.09-COM W6

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**DATE:** March 10, 2009

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: March 30, 2009

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

**SUBJECT:** **Proposed Official Plan Amendment and Rezoning Applications  
To permit an increased floor space index (FSI) for apartment  
dwellings and apartment dwellings on lands previously zoned  
for a walkway  
Part of Lot 6, Range 5, North of Dundas Street and  
Blocks 1, 6, 8, 9, 10 and Part of Block 2,  
Registered Plan 43M-1237  
Southwest corner of Eglinton Avenue West and  
Creditview Road  
Owner: Wintor Equities Inc.  
Applicant: Glen Schnarr & Associates Inc.  
Bill 51**

**Supplementary Report** **Ward 6**

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**RECOMMENDATION:** That the Report dated March 10, 2009, from the Commissioner of Planning and Building recommending approval of the applications under File BL.09-COM W6, Wintor Equities Inc., Part of Lot 6, Range 5, North of Dundas Street and Blocks 1, 6, 8, 9, 10 and Part of Block 2, Registered Plan 43M-1237, southwest corner of Eglinton Avenue West and Creditview Road, be adopted in accordance with the following:

1. That the application to amend Mississauga Plan from "Residential - High Density I, Special Site 12" to "Residential - High Density I, Special Site 12", amended, and

to amend Mississauga Plan from "Public Open Space" to "Residential - High Density I, Special Site 12", amended, to permit a maximum floor space index (FSI) of 1.77 and delete the Open Space block and permit apartment dwellings, be approved.

2. That the application to change the Zoning from "RA3-28" (Apartment Dwellings - Exception) to "RA3-28", amended (Apartment Dwellings - Exception, amended) to permit a maximum floor space index (FSI) of 1.77; and to change the zoning from "OS1" (Open Space) to "RA3-28", amended (Apartment Dwellings - Exception, amended) in accordance with the proposed zoning standards described in the Information Report, be approved in principle and that the by-law be submitted to the Ontario Municipal Board for approval with respect to the outstanding appeal to By-law 0225-2007.

**BACKGROUND:**

A public meeting was held by the Planning and Development Committee on January 12, 2009, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0010-2009 which was subsequently adopted by Council and is attached as Appendix S-2.

**COMMENTS:**

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

**COMMUNITY ISSUES****Comment**

A concern was raised about the access road proposed through the townhouse development to the south; how it could accommodate the traffic from the proposed apartment dwellings.

**Response**

The Transportation and Works Department has indicated that with the right-in, right-out access being permitted to Creditview Road, a large percentage of vehicles destined to the south, southwest and southeast and those from the north, northwest and northeast will utilize the proposed access to Creditview Road. In doing so, this limits the use of the existing townhouse access from South Parade Court to the subject lands. Based on estimates carried out by the Transportation and Works Department, it is assumed that just over one (1) additional vehicle per minute will utilize the existing townhouse block driveway to access this site during each of the a.m. peak hours and the p.m. peak hours.

During the original rezoning that implemented the zoning for the 250 apartment units and 38 townhouses, a number of intersection improvements were recommended for Creditview and Eglinton and these have been carried out.

**Comment**

A question was raised about who would be responsible for the maintenance and any improvements required to the existing condo road in the townhouse development.

**Response**

The requirement for access through the townhouse complex on South Parade Court to the lands to the north, is registered on title on the townhouse units. It would be up to the developer of the Wintor Equities site to enter into an agreement with Peel Condominium Corporation 607 with respect to mutual access arrangements and any improvements/long-term maintenance required for the townhouse condo access road. As a condition of site plan approval, the City will review and approve all documents pertaining to the mutual access arrangement between the two properties.

**Comment**

A question was raised about the location of garbage storage on the proposed development.

**Response**

Garbage storage will be determined through the site plan approval process, however, storage for apartments should be incorporated inside the buildings. Any exterior waste storage facilities should only be for a temporary period and indicated as such on the site plan.

**Comment**

A concern was raised about the maintenance of parks and streets in the local neighbourhood.

**Response**

The Community Services Department has advised that the parks in this neighbourhood are provided with a comparable level of maintenance to other parks in the City. Any increased park use resulting from the development on the subject lands would be monitored to determine if additional garbage receptacles/recycling containers and pick-up of litter is required.

**PLANNING COMMENTS**

The subject lands were the subject of a rezoning application under By-law 5500 to permit townhouse and apartment dwellings with a maximum number of 38 townhouse and 250 apartment dwellings and a height limit of 12 storeys. The lands were zoned prior to the inclusion of a maximum floor space index (FSI) in the Official Plan. When the new Zoning By-law 0225-2007 was passed, the zoning was brought into conformity with Mississauga Plan by including a maximum FSI of 1.5 on the site. The owner of the subject lands appealed the new Zoning By-law to the Ontario Municipal Board because of the maximum FSI limit.

A portion of the lands is city-owned and is proposed to be combined with lands owned by Wintor Equities to realize the proposed development for apartments. Staff have no objection to the development applications as noted in the recommendations, as the amendments recognize a prior approval and will accommodate

a walkway connection between Bedford Park and the intersection of Creditview and Eglinton.

### **Official Plan**

The proposal requires an amendment to the Mississauga Plan Policies for the East Credit District. As outlined in the Information Report, 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 the applicant is proposing an amendment to the Special Site 12 policy to permit a maximum FSI of 1.77. Staff have no objection to the proposed amendment as the development was approved prior to the inclusion of a FSI maximum in the Official Plan and the same number of units and building heights are proposed.

In addition, it is proposed that a block of land intended for a walkway that is designated Open Space be redesignated to "Residential - High Density I, Special Site 12". The proposed amendment is acceptable given that the Community Services Department has indicated that the proposed walkway connection can be accommodated through an easement on the "Residential - High Density I" lands. In addition, it would have been difficult to develop the lands as one (1) parcel with a park block dissecting the property in a diagonal manner.

### **Zoning**

The proposed "RA3-28", amended (Apartment Dwellings - Exception, amended) zone category is appropriate to accommodate apartments and townhouses with a maximum floor space index (FSI) of 1.77.

### **FINANCIAL IMPACT:**

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

**CONCLUSION:**

The proposed Official Plan Amendment and Rezoning Applications are acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal for an increased FSI of 1.77 is appropriate given that it accommodates the height and maximum unit provisions granted through a rezoning process under the previous Zoning By-law 5500 and are in accordance with Resolution 0010-2009;
2. The proposal for the removal of the Open Space block and replacement of townhouses and apartments is appropriate since the proposed walkway can be accommodated through an easement on the west side of the property and provide connection between Bedford Park and the intersection of Creditview Road and Eglinton Avenue West.

**ATTACHMENTS:**

Appendix S-1 - Information Report

Appendix S-2 - Recommendation PDC-0010-2009

*original signed by*

Edward R. Sajecki

Commissioner of Planning and Building

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



# Corporate Report

Clerk's Files

 Originator's  
Files BL.09-COM W6

**PDC JAN 12 2009**

**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**  
**dwelling and apartment dwelling on lands previously zoned**  
**for a walkway**  
**Southwest corner of Eglinton Avenue West and**  
**Creditview Road**  
**Owner: Winton Equities Inc.**  
**Applicant: Glen Schnarr & Associates Inc.**  
**Bill 51**

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

**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:*

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*

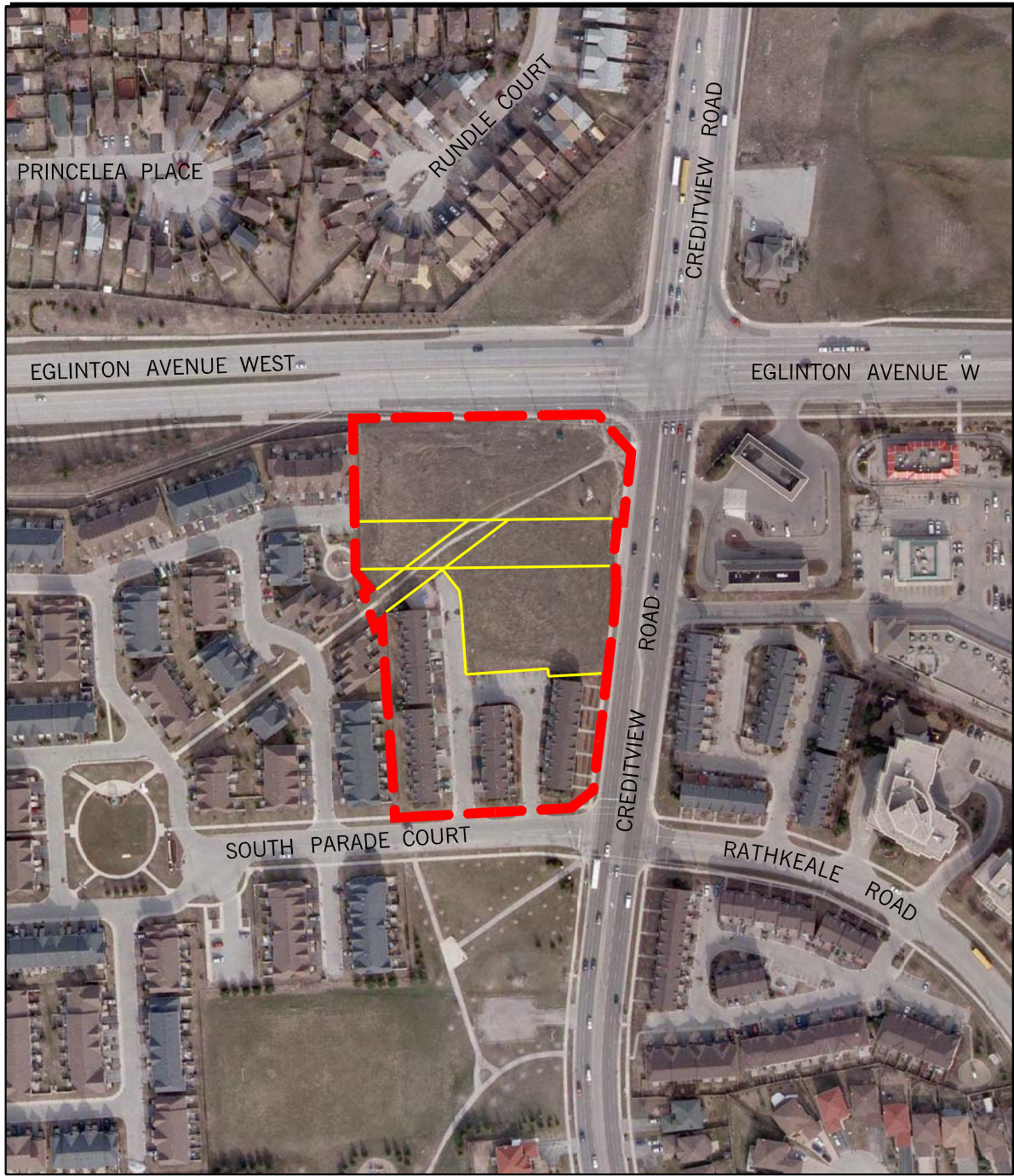
AND WHEREAS Wintor Equities Inc. had requested revisions to the RA3-28 zone to permit an FSI in excess of the maximum 1.5 FSI, prior to the one year time limit;

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:**



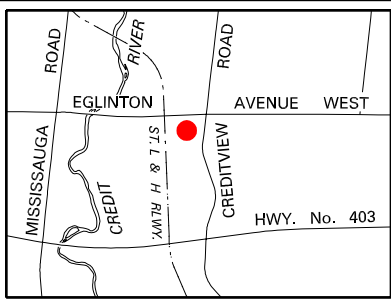
**SUBJECT LANDS**

DATE OF AERIAL PHOTO: 03 2008

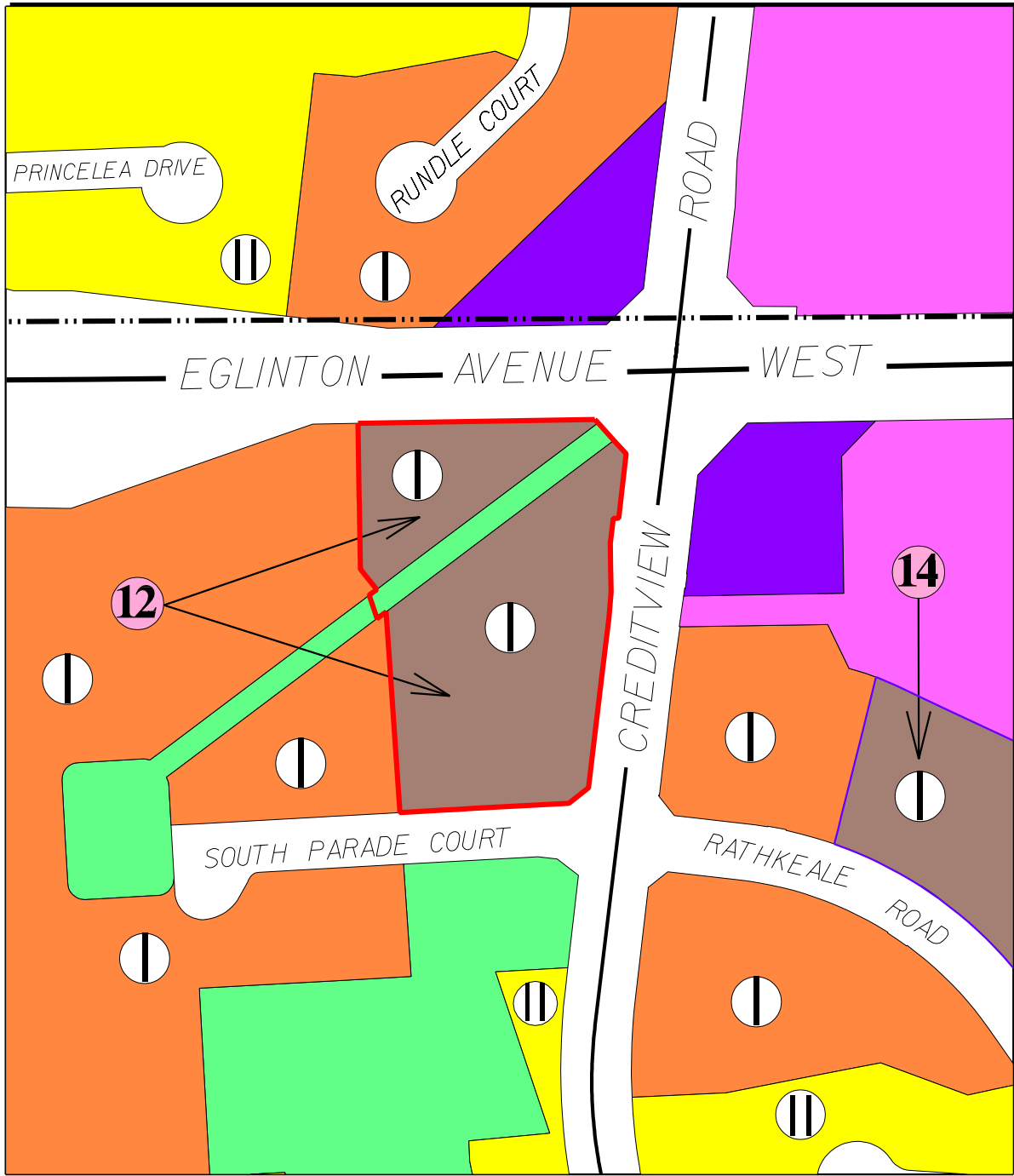


**SUBJECT:**

**WINTOR EQUITIES INC.**



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



**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.**

	<p><b>FILE NO:</b> BL.09-COM</p>	APPENDIX I-4
	<p><b>DWG. NO:</b> BL09COMWINTEQL</p>	
	<p><b>SCALE:</b> 1:25000</p>	
	<p><b>PDC DATE:</b> 2008 09 12</p>	
	<p><b>DRAWN BY:</b> N.BISKARIS</p>	
<p><b>MISSISSAUGA</b> Planning and Building</p>		<p>Produced by T&amp;W, Geomatics</p>



# 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.



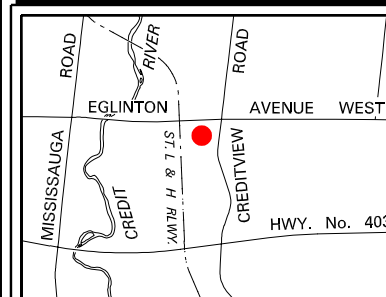
PROPOSED OFFICIAL PLAN AMENDMENT FROM 'PUBLIC OPEN SPACE' TO 'RESIDENTIAL HIGH DENSITY I, SPECIAL SITE 12', AMENDED, AND PROPOSED REZONING FROM 'OS1' TO 'RA3-28', AMENDED, TO PERMIT APARTMENT DWELLINGS WITH A MAXIMUM FLOOR SPACE INDEX (FSI) OF 1.77.

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:  
BL09COMWINTEQR

SCALE:  
1:25000

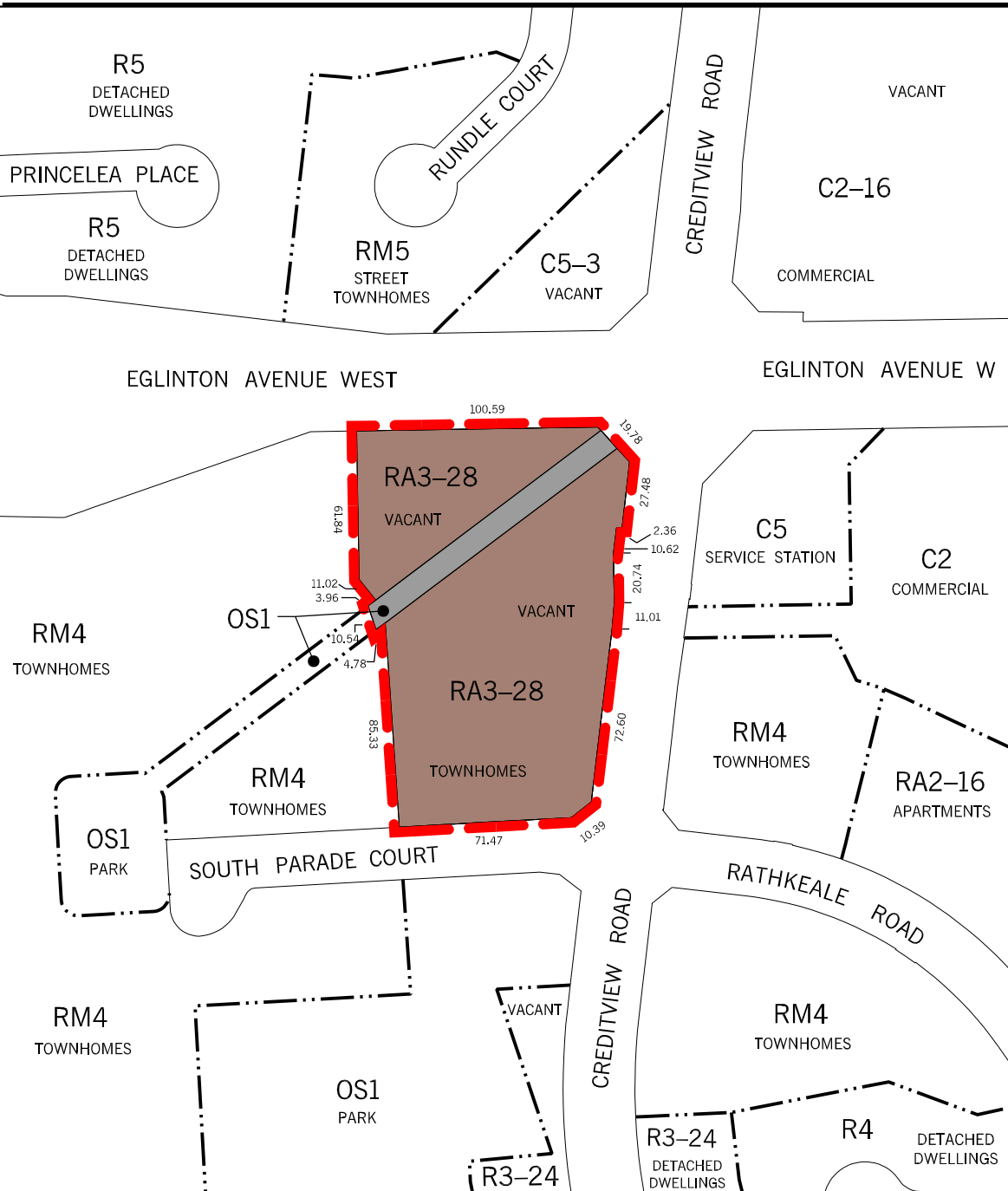
PDC DATE:  
2008 09 12

DRAWN BY:  
N.BISKARIS

APPENDIX I-5

**MISSISSAUGA**  
Planning and Building

Produced by  
T&W, Geomatics





Wintor Equities Inc.  
Southwest corner of Eglinton Avenue West  
and Creditview Road

**File: BL.09-COM W6**

**Recommendation PDC-0010-2009**

PDC-0010-2009

"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 "OSI" (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."