

Issued: July, 9 2012



## MINUTES

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### PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

**MONDAY, JUNE 25, 2012 - 7:00 P.M.**

COUNCIL CHAMBER, 2<sup>ND</sup> FLOOR - CIVIC CENTRE  
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1  
<http://www.mississauga.ca>

#### Members

Mayor Hazel McCallion	
Councillor Pat Mullin	Ward 2 (Chair)
Councillor Chris Fonseca	Ward 3
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7 (Arrived 7:15 p.m.)
Councillor Katie Mahoney	Ward 8
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

#### Members Absent

Councillor Jim Tovey	Ward 1
Councillor Frank Dale	Ward 4
Councillor Bonnie Crombie	Ward 5
Councillor Pat Saito	Ward 9

Diana Haas for Laura Wilson, Legislative Coordinator, Office of the City Clerk  
905-615-3200 ext. 5425 or 4915 / Fax 905-615-4181  
email: [laura.wilson@mississauga.ca](mailto:laura.wilson@mississauga.ca)

STAFF PRESENT:

Mr. E. Sajeki, Commissioner, Planning and Building  
Ms. M. Ball, Director, Development and Design  
Mr. D. Marcucci, Manager, Park Planning  
Mr. S. Barrett, Manager, Transportation and Asset  
Management  
Mr. D. Morita, Manager, Development Engineering  
Ms. M. Taggart, Legal Counsel  
Mr. R. Poitras, Planner  
Mr. B. Phillips, Planner  
Ms. K. Crouse, Planner  
Ms. S. Smith, Legislative Coordinator  
Ms. L. Wilson, Legislative Coordinator

## **PLANNING & DEVELOPMENT COMMITTEE – JUNE 25, 2012**

### **CALL TO ORDER**

Councillor Mullin called the meeting to order at 7:00 p.m.

### **DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST**

NIL

### **MATTERS TO BE CONSIDERED**

The Planning and Development Committee adjusted the order of the Agenda and the items were dealt with in the following order:

2. Report on Comments for City Initiated Official Plan Amendment and Rezoning - Fieldgate Drive and Audubon Boulevard, (Ward 3).

Gus Nasr, 1285 Saginaw Crescent, on behalf of Beverly Homes Holding Corp., addressed the Planning and Development Committee (the committee) and noted that the company was the successful bidder for the subject lands and requested that the matter be deferred to give time for the company to review the Official Plan Amendment and rezoning.

Simi Kapur, 1735 Chalkdene Grove and President of the Rockwood Homeowner's Association addressed the committee and requested that the matter not be deferred as the community was satisfied with the rezoning.

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

PDC-0042-2012

That the report dated June 5, 2012 recommending approval of the City-Initiated Official Plan Amendment and Rezoning for the lands on Fieldgate Drive and Audubon Boulevard, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the City-Initiated Official Plan Amendment and rezoning 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, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That Schedule 4 of Mississauga Plan (2003), Urban Form Concept, be amended for the subject lands from Parkway Belt West to Residential.

3. That the City-initiated Official Plan Amendment to amend Mississauga Plan (2003) from "Parkway Belt West" to "Residential Low Density I- Special Site" to introduce a special site policy to permit only detached dwellings, be approved.
4. That the City-initiated Rezoning to change the existing zoning from "PB1" (Parkway Belt West) to H-R3-Exception" (Detached Dwellings- Exception) to permit detached dwellings and subject to the fulfillment of the holding zone provisions be approved.
5. That the "H" Holding provision is to be removed from the whole or any part of the lands zoned "H-R3-Exception" (Detached Dwellings-Exception), by a future amendment, upon satisfaction of specific conditions.
6. That the letter dated June 25, 2012 from James Lethbridge, Planning Consultant, James Lethbridge Planning Inc. and a letter dated June 21, 2012 from Nicole King, Legal Counsel, Infrastructure Ontario be received.

**APPROVED** – (Councillor C. Fonseca)  
File: CD.04.FOR

3. Mississauga Urban Design Advisory Panel - Revised Terms of Reference and Protocol.

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

PDC-0043-2012

1. That the Report dated June 5, 2012 from the Commissioner of Planning and Building entitled "Mississauga Urban Design Advisory Panel - Revised Terms of Reference and Protocol", be received for information.
2. That the Mississauga Urban Design Advisory Panel continue to operate under the direction of the Commissioner of Planning and Building, in accordance with the Revised Terms of Reference.

**APPROVED** – (Councillor S. McFadden)  
File: MG.11.URB

4. **PUBLIC MEETING**  
Information Report - Official Plan Amendment and Rezoning Applications - To permit the development of four multi-storey office buildings and six single storey free-standing restaurant buildings, 5100 Satellite Drive, north of Eglinton Avenue East, between Spectrum Way and Satellite Drive.  
Owner: Skymark Square Lands Inc. (HOOPP Realty Inc.)  
Applicant: John D. Rogers & Associates Inc. **Bill 51** (Ward 5)  
File: OZ 12/005 W5

Councillor Pat Mullin called this public meeting to order at 7:07 p.m.

No members of the public wished to address the Planning and Development Committee with respect to the application and the committee did not require a staff presentation.

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

PDC-0044-2012

That the Report dated June 5, 2012, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Business Employment – Special Site 1" to "Business Employment – Special Site" and to change the Zoning from "E1-19" (Employment in Nodes) to "E1-Exception" (Employment in Nodes), to permit the development of four (4) multiple storey office buildings and six (6) single storey free-standing restaurant buildings, under file OZ 12/005 W5, Skymark Square Lands Inc. (HOOPP Realty Inc.), 5100 Satellite Drive, be received for information and notwithstanding Planning Protocol, that the Supplementary Report be brought directly to a future Council meeting.

FILE: OZ 12/005

**APPROVED** – (Councillor R. Starr)

FILE: OZ 12/005

This Public Meeting closed at 7:10 p.m.

5. PUBLIC MEETING

Information Report - Zoning By-law Amendment Application - To permit 60 townhouse dwellings and 8 semi-detached dwellings under standard condominium tenure 4390 Mississauga Road, west side of Mississauga Road, north of Highway 403.

Owner: 1598607 Ontario Corp. (Dunpar Developments Inc.)

Applicant: McMillan LLP, **Bill 51** (Ward 8)

File: OZ11/013 W8

Councillor Pat Mullin called this public meeting to order at 7:10 p.m.

Councillor Iannicca arrived at 7:15 p.m.

Mary Flynn Giulietti, Solicitor Representative for the Applicant made a deputation with respect to the proposal. She outlined the location and characteristics of the subject lands and spoke to the background of the application. Ms. Flynn Giulietti detailed the proposal, the studies that had completed in relation to the proposal, the concept plan, the size of the proposed units, the landscape restoration plan and the outdoor amenity area. She also spoke to the possible installation of a left hand turning lane along Mississauga Road into the complex to ensure that traffic is not negatively impacted in the vicinity of the subject lands.

At 7:25 p.m. the committee temporarily suspended this public meeting and moved to item number one as the Ward Councillor had arrived to speak to the matter.

1. Report on Comments - Proposed Amendments to the Cooksville Neighbourhood Character Area Policies of Mississauga Official Plan (2011) (Ward 7)

Councillor Iannicca outlined the background of the project.

Joseph Fedel (sp), 2135 Parker Drive addressed the committee and noted his concern that the proposed amendments to the Cooksville Neighbourhood Character Area Policies limited infill development. Councillor Iannicca noted that infill and intensification would be possible with the proposed amendments as long as the proposed development conformed to the new standards.

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

PDC-0041-2012

That the report titled "Report on Comments - Proposed Amendments to the Cooksville neighbourhood Character Area Policies of Mississauga Official Plan (2011)" dated June 5, 2012 from the Commissioner of Planning and Building, be adopted in accordance with the following:

1. That the City-initiated Official Plan Amendment to Mississauga Official Plan (2011), Cooksville Neighbourhood policies, to add additional policies to existing Special Site 4, be approved.
2. That the City-initiated Official Plan Amendment to Mississauga Official Plan (2011), Cooksville Neighbourhood policies, to add new Special Site 7, be approved.
3. That the City-initiated Official Plan Amendment to Mississauga Official Plan (2011), Map 16-6: Cooksville Neighbourhood Character Area, to add a reference to Special Site 7, be approved.
4. That the following correspondences be received:
  - a. Letter dated June 22, 2012 from Philip Levine, IBI Group
  - b. Letters dated June 25, 2012 and September 30, 2011 from Jim Levac, Weston Consulting Group
  - c. Letter dated June 25, 2012 from Walter Miller and Sylwia Partyka, Residents

**APPROVED** – (Councillor N. Iannicca)  
FILE: CD.03.COO

5. PUBLIC MEETING

Information Report - Zoning By-law Amendment Application - To permit 60 townhouse dwellings and 8 semi-detached dwellings under standard condominium tenure 4390 Mississauga Road, west side of Mississauga Road, north of Highway 403.

Owner: 1598607 Ontario Corp. (Dunpar Developments Inc.)

Applicant: McMillan LLP, **Bill 51** (Ward 8)

File: OZ11/013 W8

The committee re-opened this public meeting at 7:35 p.m.

Madam Mayor inquired as to why Dunpar Developments Inc. was requesting a change to the plan that had previously been approved by the Ontario Municipal Board (OMB). Ms. Flynn Giulietti noted that the OMB approved units were not marketable and therefore Dunpar Developments were asking for a mix of unit sizes in the hopes that the development would be more marketable. Madam Mayor also inquired as to how long a product would be marketed before it was determined un-saleable. Ms. Flynn Giulietti outlined the marketing initiatives implemented and noted that many products are determined not to be marketable. She further noted that originally Dunpar Developments Inc. had intended to seek a change to the proposal through a minor variance but had been informed by City of Mississauga staff that the proposed changes would have to go through the Planning and Development Committee (the committee). Discussion ensued with respect to the marketing of the units and there were questions and concerns raised with respect to how the marketability of the units was determined. Councillor Katie Mahoney inquired as to the implication of the unit price points noting that it was unusual for homes to be un-saleable in the City of Mississauga. Ms. Flynn Giulietti noted that the unit pricing and size did affect the marketability of the homes. Councillor Sue McFadden suggested that as the units were determined un-marketable, the developer should consider that the development is not fitting for the community.

Councillor Katie Mahoney noted that she would be bringing forward a recommendation to refuse the application.

Councillor Pat Mullin invited members of the public to make comment with respect to the application.

Mike Maiola, 4464 Moorevale Court addressed the committee in opposition of the development. He spoke to the scenic and historical value of Mississauga Road and noted that other builders in the area were building luxury homes that were more fitting for the area and that homes similar to those proposed by Dunpar Developments did not exist along Mississauga Road. He asked if Council was prepared to defend the position of the community in opposition to the proposed development.

Mike McDermott, Woodchuck Lane, addressed the committee in opposition of the development and expressed concern regarding future development.

Paul Catania, 3708 Mississauga Road, addressed the committee in opposition of the development and spoke to the insufficiency of the marketing tools employed by Dunpar Developments Inc. when selling the units. He noted that due to the lack of marketing, he felt there was no excuse for Dunpar Developments Inc. not selling the units.

Fawad Shaikh, 4470 Moorevale Court addressed the committee with respect to Dunpar Development's lack of marketing when attempting to sell the units along Mississauga Road. He noted that his mother in law had been interested in purchasing one of the units from Dunpar Developments Inc. and had tried to call the number provided but had received no response.

Vince Tersingi, Mullet Creek addressed the committee in opposition of the development. He noted that the proposal would drastically change the neighbourhood with density and traffic. He noted that the proposed development did not fit with the character of the neighbourhood and further noted that the type of development was not appropriate for the target market of seniors. He requested that the committee stop the development.

Mike Henderson, 4636 Badminton Drive, addressed the committee in opposition of the development. He questioned how the developer could not know the value of the property and what type of development would be marketable. Mr. Henderson also raised questions with respect to the traffic study and raised concerns regarding the increase in traffic should the development be approved. He further noted that the long term care facility along Mississauga Road was not an apartment as suggested by Ms. Flynn Giulietti and spoke to the preservation of heritage and the forested area.

Ben Matuso, 4046 Mississauga Road, addressed the committee in opposition of the development noting the administrative difficulty he had with the City when adding a garage to his home, further noting that he hoped that the developer would have an equally difficult time getting the proposal approved.

Fabian Tai, 4670 Beaufort Terrace addressed the committee in opposition of the development. He spoke to the fact that the area is desirable and noted concern with respect to how the development would negatively affect him as a home owner, and specified that development needs to be fitting for the area.

Yen Wing Go (sp), 1907 The Chase addressed the committee in opposition of the development noting that the type of units proposed were not appropriate for seniors or families.



Hafeez Khan, 4426 Badminton Drive addressed the committee in opposition of the development noting that due to the location of his home, he would be directly impacted by the development. He raised concerns with a lack of privacy noting that eight (8) town homes would overlook his property. He raised questions with respect to the marketing tools utilized by Dunpar Developments Inc. and noted his concerns with respect to parking, and the impact of parking on safety. Mr. Kahn requested the committee's support in stopping the development. He also expressed concern with the fact that although an agreement had been made with Dunpar Developments Inc., the community was having to oppose the development again.

Albert Amara (sp), 1697 Globe Court addressed the committee in opposition of the development and raised concern with the fact that the community was again dealing with the Dunpar Developments Inc.

Gary Richards, 4552 Badminton Drive addressed the committee in opposition of the development and noted concern with respect to the fact that residents were dealing with an application similar to the original proposal. He suggested that despite the developer's issue with selling the homes, higher density should not be permitted and further noted that development should be consistent with the character of the neighbourhood. Mr. Richards also raised concerns with respect to transition.

Brian Madigan (sp), 4005 Promontory Drive addressed the committee in opposition of the development and noted that although he often drove by the subject lands, he was unaware of the development. He raised concerns with respect to how the increase in density would destroy the neighbourhood's character and the negative impact it would have on the scenic landscape and the heritage of the area. He spoke to the fact that the marketing was inappropriate suggesting that this was deliberate as the developer intended to re-zone the subject lands and noted his intention to retain legal counsel and go before the OMB. He suggested that single family homes would be fitting for the area and that there was no area along Mississauga Road that would be appropriate for town homes.

Said Halili (sp), 4498 Badminton Drive addressed the committee in opposition of the development. He noted the types of development in the area and raised concern with respect to the precedent that the Dunpar Developments Inc's proposal would set. He further raised concern with respect to the destruction of trees.

Lucas Krist, 1822 Delderfield Crescent addressed the committee in opposition of the development. He raised concerns with respect to widening Mississauga Road, with respect to the impact the development would have on infrastructure, the lack of Mississauga transit in the area, the increase in traffic and the negative impact the development could have on the quality of life for residents.

Ms. Flynn Giulietti addressed the committee in response to the comments of residents. She noted the zoning for the long term care facility was for “seniors apartments”. She also spoke to the positive aspects of the development stipulating that there was little change to the Mississauga Road interface; that the current proposal had more space, and more outdoor amenity space compared to the previous proposal; there was much opportunity for plantings and that the developer had complied with green development strategies. Ms. Flynn Giulietti further noted that the marketing signs utilized by Dunpar Developments Inc. would have directed interested parties to the Dunpar Development on Burnhamthorpe Road.

Madam Mayor and Councillor Iannicca spoke to the matter and noted their support for the alternative recommendation. Councillor Katie Mahoney spoke in opposition of the application noting that the Mississauga Road is a Scenic Route and that the area is special.

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

**PDC-0045-2012**

WHEREAS on October 15, 1997, City Council passed Resolution 286-97, which adopted the Mississauga Road Scenic Route Study Report dated September 4, 1997 from the Commissioner of Planning and Building that required amendment to Official Plan policies to identify lands abutting Mississauga Road as a Special Site Area with related urban design guidelines in recognition of Mississauga Road from Lakeshore Road to the St. Lawrence and Hudson Railway as a Scenic Route;

AND WHEREAS the same resolution of Council stated that the impact of future development applications on the scenic route features of Mississauga Road be assessed using specific criteria, including removal or disturbance to existing vegetation and changes to the existing road alignment or width;

AND WHEREAS on August 9, 2006 applications were submitted by Dunpar Development Inc. to permit 73 townhouse dwellings under common element condominium tenure at 4390 Mississauga Road, which were subsequently, revised to permit 56 townhouse dwelling units;

AND WHEREAS on July 15, 2007 the applicant appealed the Official Plan Amendment and Rezoning Applications to the Ontario Municipal Board for failure on the municipality's part to make a decision on the applications;

AND WHEREAS, on March 17, 2008, Council adopted a report from the Commissioner of Planning and Building recommending approval of applications under File OZ 06/017 W8, Dunpar Developments Inc., 4390 Mississauga Road, west side of Mississauga Road, south of Badminton Drive, for 43 townhouses, 8 semi-detached dwellings and greenbelt lands to be dedicated to the City, subject to a Holding Zone provision and that Legal Services and representatives from the appropriate City Department attend the Ontario Municipal Board hearing and to retain expert witnesses, if necessary, in support of the Report's recommendations;

AND WHEREAS, on April 22, 2008, the Ontario Municipal Board issued a written decision approving the applications for 43 townhouses, 8 semi-detached dwellings and greenbelt lands to be dedicated to the City, subject to a Holding Zone provision;

AND WHEREAS, on June 25, 2012, a public meeting of the City's Planning and Development Committee was held to consider a new application for the same property under File OZ 11/ 013 W8, 1598607 Ontario Corp. (Dunpar Developments Inc.), 4390 Mississauga Road, west side of Mississauga Road, south of Badminton Drive, for an additional 17 townhouses for a total of 60 townhouse dwellings, 8 semi-detached dwellings and greenbelt lands to be dedicated to the City;

AND WHEREAS the additional units will generate additional vehicles and increased pressure on the Mississauga Road Scenic Route;

AND WHEREAS the Planning and Development Committee has determined that the application does not maintain the existing character of the Scenic Route and is not consistent with the intent and provisions of the Mississauga Road Scenic Route Study and the related Official Plan policies;

AND WHEREAS the community, having noted concern with respect to parking, traffic, character, transition and infrastructure has expressed opposition to the application to change the Zoning from "H-RM4-70" (Townhouse Dwellings) and "G1" (Greenbelt - Natural Hazards) to "RM4-Exception" (Townhouse Dwellings) and "G1" (Greenbelt - Natural Hazards), to permit 60 townhouse dwellings and 8 semi-detached dwellings under standard condominium tenure under file OZ 11/013 W8, 1598607 Ontario Corp. (Dunpar Developments Inc.), 4390 Mississauga Road, west side of Mississauga Road;

NOW THEREFORE LET IT BE RESOLVED THAT:

The application to change the Zoning from "H-RM4-70" (Townhouse Dwellings) and "G1" (Greenbelt – Natural Hazards) to "RM4 – Exception" (Townhouse Dwellings and "G1" (Greenbelt – Natural Hazards), to permit 60 townhouse dwellings and 8 semi-detached dwellings under standard condominium tenure under File OZ 11/013 W8, 1598607 Ontario Corp. (Dunpar Developments Inc.), 4390 Mississauga Road, west side of Mississauga Road, south of Badminton Drive, be refused.

AND FURTHER THAT:

That the correspondences presented at the Planning and Development Committee meeting held on June 25, 2012 in opposition to the proposed development under file OZ 013 W8, 4390 Mississauga Road, west side of Mississauga Road, south of Badminton Drive, be received.

AND FURTHER THAT:

The Report dated June 5, 2012, from the Commissioner of Planning and Building regarding the application to change the Zoning from "H-RM4-70" (Townhouse Dwellings) and "G1" (Greenbelt - Natural Hazards) to "RM4-Exception" (Townhouse Dwellings) and "G1" (Greenbelt - Natural Hazards), to permit 60 townhouse dwellings and 8 semi-detached dwellings under standard condominium tenure under file OZ 11/013 W8, 1598607 Ontario Corp. (Dunpar Developments Inc.), 4390 Mississauga Road, west side of Mississauga Road, north of Highway 403, be received for information.  
FILE: OZ 11/013 W8

**APPROVED** - (Councillor K. Mahoney)  
FILE: OZ 11/013 W8

This public meeting closed at 8:53 p.m.

**ADJOURNMENT** – 8:54 p.m.  
(Councillor N. Iannicca)