



MINUTES

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, MAY 12, 2008
AFTERNOON SESSION – Cancelled
EVENING SESSION – 7:00 P.M.

COUNCIL CHAMBER, 2ND FLOOR - CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1

<http://www.mississauga.ca>

MEMBERS PRESENT: Councillor Carmen Corbasson (Ward 1)
Councillor Pat Mullin (Ward 2) (Chair)
Councillor Frank Dale (Ward 4)
Councillor Eve Adams (Ward 5)
Councillor Carolyn Parrish (Ward 6)
Councillor Nando Iannicca (Ward 7)
Councillor Katie Mahoney (Ward 8)
Councillor Sue McFadden (Ward 10)
Councillor George Carlson (Ward 11)
Mayor Hazel McCallion

MEMBERS ABSENT: Councillor Maja Prentice (Ward 3) (Regional Business)
Councillor Pat Saito (Ward 9)

Contact: Debbie Sheffield, Legislative Coordinator, Office of the City Clerk
905-615-3200 ext. 3795 / Fax 905-615-4181
E-Mail: debbie.sheffield@mississauga.ca

STAFF PRESENT: Mr. E. Sajecki, Commissioner of Planning & Building
Ms. M. Ball, Director, Development & Design
Mr. R. Poitras, Manager, Development Team South
Mr. J. Hardcastle, Planner, Development & Design
Ms. S. Mittmann, Urban Designer, Development & Design
Ms. A. Dietrich, Manager, Research & Special Projects
Mr. D. Bryan, Supervisor Sign Unit
Mr. O Terminesi, Manager, Development Engineering
Mr. D. Marcucci, Manager, Planning & Heritage
Mr. M. Minkowski, Legal Counsel, Litigation
Ms. D. Sheffield, Legislative Coordinator, Office of the City Clerk

INDEX - PLANNING & DEVELOPMENT COMMITTEE – MAY 12, 2008

CALL TO ORDER

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST

MATTERS CONSIDERED

AFTERNOON SESSION – CANCELLED

EVENING SESSION – 7:00 P.M.

1. Sign Variance Applications, Sign By-law 0054-2002, as amended
2. Growth Plan for the Greater Golden Horseshoe – The Built Boundary and the Mississauga Urban Growth Centre
3. PUBLIC MEETING AND SUPPLEMENTARY REPORT – Rezoning Application – 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road, Queenscorp (Lakeshore) Inc. (John D. Rogers and Associates Inc.), Bill 51, OZ 08/003 Ward 1.

ADJOURNMENT

PLANNING & DEVELOPMENT COMMITTEE – MAY 12, 2008

CALL TO ORDER @ 7:00 p.m.

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST

MATTERS CONSIDERED

AFTERNOON SESSION – CANCELLED

EVENING SESSION – 7:00 P.M.

1. **Sign Variance Applications, Sign By-law 0054-2002, as amended**

Report dated April 22, 2008 from the Commissioner of Planning and Building with respect to Sign Variance Applications, Sign By-law 0054-2002, as amended.

RECOMMENDATION:

That the Report dated April 22, 2008 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested five (5) Sign Variance Applications described in Appendices 1 to 5 to the Report, be adopted in accordance with the following:

1. That the following Sign Variances **be granted**:

- (a) Sign Variance Application 08-00491
Ward 4
Amacon
465 Burnhamthorpe Road West

To permit the following:

- (i) Twelve (12) banner signs.

- (b) Sign Variance Application 07-06930
Ward 5
RSC Equipment Rental
5888 Shawson Drive

To permit the following:

- (i) One (1) proposed sign projecting 90 cm (3 feet) from the building wall.
- (ii) One (1) proposed fascia sign located on the second storey of the building.

- (c) Sign Variance Application 08-00579
Ward 8
Dare Marketing Inc.
4050B Sladeview Crescent

To permit the following:

- (i) One (1) fascia sign erected above the upper limits of the first storey.

2. That the following Sign Variance **not be granted**:

- (a) Sign Variance Application 07-06930
Ward 5
RSC Equipment Rental
5888 Shawson Drive

To permit the following:

- (i) One (1) ground sign located in the rear of the lot in an employment zone located adjacent to Highway 401.

- (b) Sign Variance Application 08-00057
Ward 7
Sussex Centre
50 Burnhamthorpe Road West

To permit the following:

- (i) One (1) ground sign located on the road allowance.

- (c) Sign Variance Application 08-00056
Ward 7
Sussex Centre
90 Burnhamthorpe Road West

- (i) One (1) ground sign located on the road allowance.

A verbal motion by Councillor Sue McFadden to approve the recommendation as outlined in the Corporate Report from the Commissioner of Planning and Building for Items 1 (a), (b) and (c) and 2 (b) and (c) was voted on and carried.

A verbal motion by Councillor Katie Mahoney to defer Item 2 (a), Sign Variance Application 07-06930, RSC Equipment Rental, 5888 Shawson Drive, Ward 5 (as requested by the applicant) pending discussion with the Ward Councillor, was voted on and carried.

APPROVED/AMENDED

Recommendation PDC-0033-2008/Councillor Sue McFadden and

Councillor Katie Mahoney

BL.03-SIG (2008)

2. Growth Plan for the Greater Golden Horseshoe – The Built Boundary and the Mississauga Urban Growth Centre

Report dated April 22, 2008 from the Commissioner of Planning and Building with respect to the Growth Plan for the Greater Golden Horseshoe – The Built Boundary and the Mississauga Urban Growth Centre.

RECOMMENDATION:

1. That the document titled *Built Boundary for the Growth Plan for the Greater Golden Horseshoe, 2006* dated April 2, 2008 by the Ministry of Public Infrastructure Renewal, be received for information.
2. That the Ministry of Public Infrastructure Renewal be requested to revise the boundary of the Mississauga Urban Growth Centre as per the map shown in Appendix 4 in the report titled "*Growth Plan for the Greater Golden Horseshoe – The Built Boundary and the Mississauga Urban Growth Centre*" dated April 22, 2008, from the Commissioner of Planning and Building.
3. That the report titled "*Growth Plan for the Greater Golden Horseshoe – The Built Boundary and the Mississauga Urban Growth Centre*" dated April 22, 2008, from the Commissioner of Planning and Building, be forwarded by the City Clerk to the Ministry of Public Infrastructure Renewal and the Region of Peel.

Councillor Pat Mullin indicated the importance of looking at highly intensified areas in Mississauga and felt the areas where intensification and growth should occur have been identified. She felt the message to developers has been reinforced and states the City of Mississauga has done their homework in this regard.

Edward Sajecki, Commissioner of Planning and Building advised that interim policies have been put in place to establish our position. He also noted that work is underway to review nodes and quarters for an Official Plan Amendment.

A verbal motion by Councillor Katie Mahoney to approve the recommendation in the Corporate Report from the Commissioner of Planning and Building was voted on and carried.

APPROVED

Recommendation PDC 0034-2008/Councillor Katie Mahoney

CD.03.MIS

3. PUBLIC MEETING AND SUPPLEMENTARY REPORT – Rezoning Application – 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road, Northeast corner of Lakeshore Road East and Deta Road, Queenscorp (Lakeshore) Inc. (John D. Rogers and Associates Inc.)

Report dated April 22, 2008 from the Commissioner of Planning and Building with respect to the Rezoning Application – 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road.

RECOMMENDATION:

That the Report dated April 22, 2008, from the Commissioner of Planning and Building regarding the application under File OZ 08/003 W1, Queenscorp (Lakeshore) Inc., 1439, 1451 Lakeshore Road East and 1013, 1017 Deta Road, be adopted in accordance with the following:

1. That the application to change the Zoning from "R3" (Detached Dwelling - Typical Lot) and "C5" (Motor Vehicle Commercial) to "RA5-Exception" (Apartment Dwellings) to permit a 18 storey, 266 unit condominium apartment building and 7 row dwellings, be refused.
2. That City Council endorse the principles for an alternative development outlined in this report.
3. That in accordance with the provisions of Section 37 of the *Planning Act*, an agreement between Queenscorp (Lakeshore) Inc. and the City shall be executed in the event that applications for Official Plan Amendment and Rezoning are approved. This agreement shall be consistent with the recommendations contained within this report.
4. That City Council direct Legal Services, representatives from the appropriate City Departments and any necessary consultants to attend any Ontario Municipal Board proceedings which may take place in connection with this application, in support of the recommendations outlined in the report dated April 22, 2008.
5. That the fee appeal be resolved in accordance with the recommendations contained in this report.

6. That City Council provide the Planning and Building Department with the authority to instruct Legal Services staff on any modifications deemed necessary, where required, through the Ontario Municipal Board hearing process.

Councillor Pat Mullin called this public meeting to order at approximately 7:10 p.m. and read the above recommendation from the Corporate Report.

The following individuals addressed Committee regarding the proposed applications:

John Hardcastle, Planner, Planning & Building Department addressed Committee and advised that at the January 14, 2008 Planning and Development Committee Meeting applications received from Queenscorp for an Official Plan Amendment and Rezoning for a similar proposal were presented. At that time, Mr. Hardcastle noted, the applications were recommended for refusal by the Planning and Development Committee which was ratified by Council at its meeting of January 30, 2008, and staff were directed to attend the Ontario Municipal Board (OMB) Hearing. An OMB Pre-Hearing Conference was held on February 14, 2008 where it was determined that Queenscorp (Lakeshore) Inc. would proceed with a new rezoning application as they had failed to appeal the new City-wide By-law 0225-2007. Therefore, this public meeting was necessary to fulfil the statutory public meeting requirements. Mr. Hardcastle pointed out that an Urban Design Planning Rationale Report provided by Queenscorp was distributed to Committee members for consideration, and the technical materials from the previous application continue to apply to the application being presented today.

Mr. Hardcastle proceeded to describe the subject lands as being located within the Lakeview Planning District with a Twinkle Car Wash to the east, detached dwellings and the Orchard Hill Community Park to the north, a gas bar and detached dwellings across Deta Road and to the West, and a 12 storey apartment building located to the northeast. He advised that the Longbranch GO Train Station is located within 620 metres of the subject lands.

Mr. Hardcastle explained that the applicant has modified the proposed development application for consideration by reducing the height of the tower component from 21 to 18 storeys and increasing the height of the façade component from 6 to 9 storeys, with the FSI remaining consistent at 3.9. Also, he advised, the modified proposal has an increase in units from 266 to 273 and other site layout changes proposed as illustrated on the concept plan. Mr. Hardcastle noted that the deployment of buildings on the site is similar to that of the applicant's proposal previously presented to Planning and Development Committee. Further, he explained, the proposed development fails to address the revised

lot area necessary to provide for a required 7.5 m road widening with a 7.5 m sight triangle, and the impact on FSI, net density and lot depth.

The subject lands were described by Mr. Hardcastle as currently designated "Residential Low Density I" with minimum lot frontages of 15.0 m and "Motor Vehicle Commercial". He advised that the Official Plan Amendment is not being considered by Committee as the previous decision for refusal stands and staff will support this decision at the upcoming OMB Hearing in June 2008. Mr. Hardcastle described the current application to rezone to an "RA5- Exception" designation which is necessary to accommodate the higher FSI.

Design principles for an alternative development, created by Planning and Building staff, were referred to by Mr. Hardcastle as Appendix S-8 in the Corporate Report. He described the main points to be considered as maximum building heights of 6 storeys, maximum FSI of 1.8 and a below grade underground parking structure.

Mr. Hardcastle described the evaluation of the application with respect to Bill 51 *Planning Act* requirements, OPA 25 and OPA 58, as well as Zoning By-law 0225-2007. He advised that the proposed development application does not represent good planning, does not demonstrate full regard for the Growth Plan and does not contribute to the overall intent and policies of Mississauga Plan. He noted that the proposed built form is not compatible with the vision for Lakeshore Road East and represents an inappropriate built form transition. The proposal, he added, includes an encroachment of the parking structure above grade, located in close proximity to the sidewalk, creating an unacceptable pedestrian realm and inhospitable streetscape.

Mr. Hardcastle concluded his presentation by stating that the proposed development cannot be supported from a planning perspective and therefore the rezoning should be refused, and the recommendation outlined in the Corporate Report be adopted. Mr. Hardcastle advised that, as indicated in the letter from Aird & Berlis to the Planning and Development Committee dated April 22, 2008, the applicant's representatives would not be attending this evening's meeting to make a presentation

Councillor Carmen Corbasson complimented John Hardcastle on a well written and articulate report. She discussed the height concern of the proposed development which the developer compares to 1515 and 1535 Lakeshore Road East.

Mayor Hazel McCallion commended the Planning and Building Department on an excellent planning report that she hoped would assist in discouraging the developer from going to the OMB.

Tony Rizzuto, co-owner of Crystal Auto addressed Committee with reference to his establishment located at 1459 Lakeshore Road East, adjacent to the subject property. He purchased the car wash in February 2008 and wanted to guarantee his rights to operate a car wash now and in the future. In the event the proposal was approved, Mr. Rizzuto wanted to clarify that his operation is a 24 hour car wash with noise generated from vacuums etc., and the lights are on 24 hours a day, 7 days a week. Mr. Rizzuto requested to have status at the OMB if necessary.

Councillor Carmen Corbasson confirmed that Mr. Rizzuto had not attended the OMB Pre-Hearing Conference and that he had taken possession of the car wash at the beginning of February. Councillor Corbasson stated that typically parties requiring OMB status must appear in that capacity at the Pre-Hearing Conference which took place on February 14, 2008. Mr. Rizzuto advised that he was unaware of a conflict as he had not received notification. Councillor Corbasson suggested Mr. Rizzuto contact Mike Minkowski, Legal Counsel to obtain the date of the OMB Hearing.

Mike Minkowski, Legal Counsel advised that a timing issue may have occurred with respect to the acquiring of the property and the date of the pre-hearing conference, and noted that the previous owners may have received notification. He stated that the Hearing has been set for June 16, 2008 and the list of participants has been fixed. Mr. Minkowski advised Mr. Rizzuto that if he wished to acquire status, either he or his legal counsel would have to bring a motion forward 10 days prior to the Hearing and the OMB Chair would make a determination.

Jim Judge, resident, addressed Committee and introduced Barry Conroy as the first speaker representing community issues.

Barry Conroy, resident, addressed Committee and advised of his decision to purchase a condominium in the area based on the view of the Lake from his unit and the information received from the City's Planning and Building Department that surrounding properties were zoned low-level commercial. He described the various views currently available from his condo unit and the enjoyment of watching the sunrises over the Lake. Mr. Conroy expressed concern with respect to the value of his condo if the view is impacted by the proposed development application. He stated that four storeys would be an acceptable height for development in the area. Mr. Conroy mentioned that Queenscorp are advertising "selling views for life" to perspective buyers. His concern was that Queenscorp would be selling his view to somebody else. Mr. Conroy described traffic issues during rush hour on Lakeshore Road and mentioned the back-up of traffic at Dixie Road. He reiterated his concern with respect to the impact on resale values, privacy and the enjoyment of his home.

Brent Date, resident, provided background on his decision to purchase a small two bedroom bungalow on Deta Road. He indicated his passion for the neighbourhood, trees etc. and subsequent decision to build a 2,000 square foot addition onto his home. Prior to making this large investment, Mr. Date advised that he consulted with the City's Planning and Building Department with respect to the zoning for the surrounding properties to ensure enjoyment of his home would be sustained. He noted the impact on the character of the neighbourhood, and in particular property values, if an 18 storey building with a 3.9 FSI is approved. Mr. Date pointed out the close proximity of the proposed apartment building and podium to his house, and indicated that the development will dominate his house to the north. He also spoke about the lack of transition, an obscured skyline and the resulting shadowing affect that will be particularly significant in the winter months. Mr. Date displayed renderings of the potential impact to his home showing views from his front and back yards and the scale and mass of the proposed development compared to his home. Mr. Date understood the necessity for development but felt the proposal was excessive and inconsistent with the character of the existing neighbourhood and demonstrated a lack of transition. Mr. Date stated that the proposal does not meet the regulations outlined in the OPA and Zoning By-law and felt a balance with respect to Smart Growth is necessary.

Trevor Baker, resident, addressed Committee and advised that he moved into the Lakeview area approximately 3 ½ years ago. He indicated his optimism for improvements to the area when he heard of the future development but was shocked about the proposal. Mr. Baker noted his concern for loss of privacy and displayed renderings of the impact of the proposed application on the community. He noted the close proximity of the proposed development to the edge of the sidewalk and lack of setback for a building of this magnitude. Mr. Baker pointed out the lack of transition to the existing residential area. He mentioned the existing condominium buildings in the neighbourhood that are set well back from Lakeshore Road. Mr. Baker concluded by stating his desire to have development that enhances the sense of community and thanked Committee for the opportunity to share his concerns.

Jim Judge, resident, spoke on behalf of a resident who could not attend the meeting and made the following points. There will be a 230% increase in motor vehicular traffic in the area and safety will be affected due to the proposed density and built form. Right hand turns onto Lakeshore Road will be difficult and pedestrian traffic will be forced to use a narrow sidewalk adjacent to a concrete wall. Parking on the street will be increased, he noted, resulting from a lack of visitor parking spaces proposed above ground, which will impact the response time of emergency vehicles. He noted the existing narrow roads, currently with no sidewalks, that will be impacted by non-local drivers.

Jim Judge commented on the community's cooperation with the developer. He advised that Queenscorp attended a meeting initiated and scheduled by the residents. Mr. Judge indicated an issue with the height proposed and stated that four storeys is more appropriate for development on the north side of Lakeshore Road, and would provide a suitable transition to the residential area while meeting the goals of intensification. He displayed renderings of Lakeshore Road with developments of varying heights for visual comparison. Mr. Judge noted his concern that the proposed development application, if approved, could be precedent setting. He referred to the potential of the alternate development concept provided in the Corporate Report and felt that well planned setbacks could be a viable solution for the community. Mr. Judge commended John Hardcastle on his efforts with respect to the development application.

Jim Tovey, resident and representative of the Lakeview Ratepayers Association, addressed Committee and acknowledged the positive efforts of Council with respect to the proposal, and indicated his appreciation for the tenacity and vision of the Ward Councillor, Carmen Corbasson. Mr. Tovey showed enthusiasm for the Lakeview Plan going forward next year which should assist in avoiding inappropriate applications. He complimented Planning staff, in particular Edward Sajecki and John Hardcastle, on the amount of detail provided in the Corporate Report and noted his support for the staff recommendation.

Councillor Carmen Corbasson advised that this was the third meeting held with respect to the proposed development. She felt the proposal was the most ridiculous application she had seen in her 30 years with the City of Mississauga. She noted her disappointment that three applications have been received by Queenscorp for the subject property with increased density in each instance. She felt a rare opportunity existed to take a blank slate and apply design principles and standards. Councillor Corbasson complimented the residents on their willingness, from the beginning, to accept intensification. She stated that the applicant is proposing density that compares to City Centre and is higher than any major node in Mississauga. She stated the Corporate Report was all inclusive and felt positive about staff defending their position at the OMB. Councillor Corbasson thanked residents for their cooperation.

Mayor McCallion advised of her meeting with Councillor Corbasson and the developer. At that time, she noted, a request was made to the developer to postpone their application until the Lakeview Plan came forward within the next year. Mayor McCallion commented that the Corporate Report was very thorough. She stated the proposal does not meet the Smart Growth policies and the OMB adheres to principles of the strategic plan for intensification. Mayor McCallion recommended the residents strengthen their presentation to the OMB, making it a concise report with structured opposition. Mayor

McCallion noted the desire of staff and the Ward Councillor to take the Lakeview Plan in the right direction and stated her support for the recommendation as outlined in the Corporate Report.

A verbal motion by Councillor Carmen Corbasson to approve the staff recommendation as outlined in the Corporate Report by the Commissioner of Planning and Building, to receive the correspondence from Kim Kovar of Aird & Berlis advising they would not be in attendance at the Planning and Development Committee of May 12, 2008, and to receive the correspondence from Richard Trejgo, Jacek and Jolanta Mostowicz Szulewski and Marianne Clarke in opposition to the above noted development application, was voted on and carried.

The public meeting closed at approximately 8:10 p.m.

APPROVED

Recommendation PDC-0035-2008 (Councillor Carmen Corbasson)

OZ 08/003 W1

REPORT 8 - 2008

TO: THE MAYOR & MEMBERS OF COUNCIL

The Planning and Development Committee presents its eighth report of 2008 and recommends:

PDC-0033-2008 That the Report dated April 22, 2008 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested five (5) Sign Variance Applications described in Appendices 1 to 5 to the Report, be adopted in accordance with the following:

1. That the following Sign Variances **be granted**:

- (a) Sign Variance Application 08-00491
Ward 4
Amacon
465 Burnhamthorpe Road West

To permit the following:

- (i) Twelve (12) banner signs.

- (b) Sign Variance Application 07-06930
Ward 5
RSC Equipment Rental
5888 Shawson Drive

To permit the following:

- (i) One (1) proposed sign projecting 90 cm (3 feet) from the building wall.
- (ii) One (1) proposed fascia sign located on the second storey of the building.

- (c) Sign Variance Application 08-00579
Ward 8
Dare Marketing Inc.
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To permit the following:

- (i) One (1) fascia sign erected above the upper limits of the first storey.

2. That the following Sign Variance **not be granted**:
- (a) Sign Variance Application 08-00057
Ward 7
Sussex Centre
50 Burnhamthorpe Road West
- To permit the following:
- (i) One (1) ground sign located on the road allowance.
- (b) Sign Variance Application 08-00056
Ward 7
Sussex Centre
90 Burnhamthorpe Road West
- (i) One (1) ground sign located on the road allowance.
3. That the following Sign Variance **be deferred** pending discussion with the Ward Councillor:
- (a) Sign Variance Application 07-06930
Ward 5
RSC Equipment Rental
5888 Shawson Drive
- To permit the following:
- (i) One (1) ground sign located in the rear of the lot in an employment zone located adjacent to Highway 401.

BL.03-SIG (2008)

- PDC-0034-2008
1. That the document titled *Built Boundary for the Growth Plan for the Greater Golden Horseshoe, 2006* dated April 2, 2008 by the Ministry of Public Infrastructure Renewal, be received for information.
2. That the Ministry of Public Infrastructure Renewal be requested to revise the boundary of the Mississauga Urban Growth Centre as per the map shown in Appendix 4 in the report titled "*Growth Plan for the Greater Golden Horseshoe – The Built Boundary and the Mississauga Urban Growth Centre*" dated April 22, 2008, from the Commissioner of Planning and Building.

3. That the report titled "*Growth Plan for the Greater Golden Horseshoe – The Built Boundary and the Mississauga Urban Growth Centre*" dated April 22, 2008, from the Commissioner of Planning and Building, be forwarded by the City Clerk to the Ministry of Public Infrastructure Renewal and the Region of Peel.

CD.03.MIS

PDC-0035-2008

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1. That the application to change the Zoning from "R3" (Detached Dwelling - Typical Lot) and "C5" (Motor Vehicle Commercial) to "RA5-Exception" (Apartment Dwellings) to permit a 18 storey, 266 unit condominium apartment building and 7 row dwellings, be refused.
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4. That City Council direct Legal Services, representatives from the appropriate City Departments and any necessary consultants to attend any Ontario Municipal Board proceedings which may take place in connection with this application, in support of the recommendations outlined in the report dated April 22, 2008.
5. That the fee appeal be resolved in accordance with the recommendations contained in this report.
6. That City Council provide the Planning and Building Department with the authority to instruct Legal Services staff on any modifications deemed necessary, where required, through the Ontario Municipal Board hearing process.

7. That the correspondence from Kim Kovar of Aird & Berlis LLP dated April 22, 2008 advising that they will not be in attendance at the Planning and Development Committee meeting of May 12, 2008, be received.
8. That the correspondence from Richard Trejgo, Jacek & Jolanta Mostowicz Szulewski and Marianne Clarke in opposition to the above noted development application, be received.

OZ 08/003 W1