



MINUTES

**PLANNING & DEVELOPMENT COMMITTEE
THE CORPORATION OF THE CITY OF MISSISSAUGA**

MONDAY, SEPTEMBER 29, 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 Frank Dale (Ward 4)
 - Councillor Carolyn Parrish (Ward 6)
 - Councillor Nando Iannicca (Ward 7)
 - Councillor Katie Mahoney (Ward 8)
 - Councillor Pat Saito (Ward 9)
 - Councillor Sue McFadden (Ward 10)
 - Councillor George Carlson (Ward 11) (Chair)
- MEMBERS ABSENT:**
- Councillor Pat Mullin (Ward 2) (other municipal business)
 - Councillor Maja Prentice (Ward 3)
 - Councillor Eve Adams (Ward 5)
 - Mayor Hazel McCallion

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. J. Calvert, Director, Policy Planning
Ms. E. Irvine, Planner, Policy Planning
Mr. C. Rouse, Acting Manager, Development Team Central
Ms. L. Christie, Planner, Development & Design
Mr. O. Terminisi, 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
Ms. Diana Haas, Council Committee Support Assistant

INDEX - PLANNING & DEVELOPMENT COMMITTEE – SEPTEMBER 29, 2008

CALL TO ORDER

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST

MATTERS CONSIDERED

AFTERNOON SESSION – Cancelled

EVENING SESSION – 7:00 P.M.

1. Report on Comments – Community Uses – Mississauga Plan Review
2. PUBLIC MEETING – Rezoning and Draft Plan of Subdivision Applications, Part of Lot 10, Plan A-24, East of Wilcox Road, north of Rathburn Road East, Owner: Dan-Con Developments Ltd., Applicant: Larkin and Associates., Bill 51, OZ 07/005 and T-M07002, Ward 4.
3. PUBLIC MEETING – Rezoning and Draft Plan of Subdivision Applications, 2249 Derry Road West and 7050 Terragar Boulevard, Northwest corner of Derry Road West and Terragar Boulevard, Owner: Bremont Homes Corporation, Applicant: Deanlee Management Inc., Bill 51, OZ 08/006 and T-M08002, Ward 10.

ADJOURNMENT

PLANNING & DEVELOPMENT COMMITTEE – SEPTEMBER 29, 2008**CALL TO ORDER****DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST****MATTERS CONSIDERED****AFTERNOON SESSION – Cancelled****EVENING SESSION – 7:00 P.M.**1. **Report on Comments – Community Uses – Mississauga Plan Review**

Report dated September 9, 2008 from the Commissioner of Planning and Building with respect to "Report on Comments – Community Uses – Mississauga Plan Review" recommending that the new Official Plan incorporate new and revised definitions, symbols and location criteria for community uses as proposed in Option 2, as amended.

RECOMMENDATION:

That the report titled “Report on Comments - Community Uses - Mississauga Plan Review,” dated September 9, 2008 from the Commissioner of Planning and Building recommending that the new Official Plan incorporate new and revised definitions, symbols and location criteria for community uses as proposed in Option 2, as amended, be adopted.

John Calvert, Director, Policy Planning addressed Committee and advised that staff were prepared with a presentation if desired. He explained that the Corporate Report currently before Committee is a component of the background studies being conducted with respect to the Official Plan Review. He advised that comments from stakeholders have been reviewed and discussed with Council.

Committee indicated that a presentation was not required.

A verbal motion by Councillor Nando Iannicca to approve the recommendation outlined in the Corporate Report dated September 9, 2008 from the Commissioner of Planning and Building with respect to "Report on Comments – Community Uses – Mississauga Plan Review" was voted on and carried.

APPROVED

Recommendation PDC-0070-2008 (Councillor Nando Iannicca)
CD.02.COM

2. PUBLIC MEETING – Rezoning and Draft Plan of Subdivision Applications, Part of Lot 10, Plan A-24, East of Wilcox Road, north of Rathburn Road East, Owner: Dan-Con Developments Ltd., Applicant: Larkin and Associates., Bill 51, OZ 07/005 and T-M07002, Ward 4.

Report dated September 9, 2008 from the Commissioner of Planning and Building with respect to the application to change the Zoning from "R3" (Detached Dwellings) to "R4 - Exception" (Detached Dwellings) and a Draft Plan of Subdivision under files OZ 07/005 W4 and T-M07002 W4 respectively, to permit five (5) detached dwellings, Dan-Con Developments Ltd., Part of Lot 10, Plan A-24.

RECOMMENDATION:

That the Report dated September 9, 2008, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R3" (Detached Dwellings) to "R4 - Exception" (Detached Dwellings) and a Draft Plan of Subdivision under files OZ 07/005 W4 and T-M07002 W4 respectively, to permit five (5) detached dwellings, Dan-Con Developments Ltd., Part of Lot 10, Plan A-24, be received for information.

Councillor George Carlson called this public meeting to order at approximately 7:05 p.m. and read the above recommendation from the Corporate Report.

There were people in the audience who expressed interest in the subject matter.

Aaron Gillard from Larkin and Associates, addressed Committee on behalf of the owner, Dan-Con Developments Ltd. He proceeded to describe the subject lands located east of Wilcox Road, north of Rathburn Road East and the proposal to rezone the lands from "R3" (Detached Dwellings) to "R4 – Exception" (Detached Dwellings) allowing for a reduction to the front yard setback from 6 metres to 4.2 metres, with all other "R4" zone provisions being maintained. Mr. Gillard advised that the application is in keeping with the surrounding detached dwelling land uses and proposes a five lot infill subdivision.

The temporary lot and permanent lot scenarios were discussed. Mr. Gillard stated that the reduced frontages allow for full access right-of-way to the Court. An elevation concept was displayed, similar to the one provided in the Corporate Report.

Councillor Frank Dale clarified that a decision with respect to the proposed application would not be made this evening and that tonight's meeting was for the purpose of receiving comments from the community and Committee. He advised that a community meeting was held on June 25, 2008 with a follow-up meeting on July 4, 2008.

Tom Robic, co-owner of a residence on Cawthra Road which faces Kozel Court, addressed Committee. He expressed opposition to the proposed development application as he felt it would prevent future development on lands further south of Kozel Court. He also stated his concerns with respect to the effect of the proposal on property values. Mr. Robic advised of his discussions with neighbours in the area who indicated interest in getting together with respect to this matter. He felt that it was in the best interests of the community if the road was extended straight through versus what the applicant was proposing. Mr. Robic inquired if alternative possibilities with respect to the subject property had been exhausted.

Councillor Frank Dale clarified that this application is a continuation of an existing infill development that began back in 1992. He explained that lands were assembled to continue the development and turn it into a court. Councillor Dale asked Transportation and Works staff to comment on the restrictions that exist and engineering challenges faced with respect to extending the road.

Ozzie Terminisi, Manager, Development Engineering advised that Kozel was originally planned as a cul-de-sac. He explained that drainage can only accommodate a certain amount of area due to land contours and that split drainage would make a straight road connection to Rathburn Road East prohibitive. He discussed the need to provide cover over the sanitary sewer and difficulty associated with grading.

Councillor Dale stated that over the past 20 years a number of attempts were made to assemble some of the lands in the area and that it has taken a lot of effort to propose the application being presented today. He mentioned the numerous concept plans previously proposed for the area. Councillor Dale noted his determination and success during the Rathburn District Plan review, to keep the area designated low versus medium density. He expressed his pleasure in representing the community and felt the application being presented would prove to be an upgrade to the neighbourhood due to the type of development being proposed. He noted that the subject property was planned as a cul-de-sac, which is what is being presented today, and the proposal is in conformity.

Councillor Dale stated the residents have not been able to get together to support their requests. He described the meeting held with the majority of affected land owners and the developer who was willing to work with the community to devise another plan. In speaking with the developer, Councillor Dale was advised that a response from the community had not been received with respect to this matter. Councillor Dale expressed his commitment to work with the community to develop another application if the residents are able to get together. He clarified that the proposed development would not preclude any future development.

Tom Robic inquired what the furthest possible point could be for the sewage system. Ozzie Terminisi noted that the applicant's consultant has produced a service report and determined the storm sewage area proposed is the limit, with the remaining drainage required to flow south.

Gerry Macera, resident, addressed Committee and referred to a City-initiated concept plan developed for the area. He noted his desire to have the cul-de-sac bulb extended further south by approximately 150 – 200 feet. Mr. Macera stated his concern with respect to lot frontages.

Councillor Dale reiterated that the developer provided an opportunity for the community to develop an alternative application and to date had received no written response. He stated that the proposed development before the Committee is the first real application submitted for the extension of Kozel Court. Councillor Dale stated once again that he is willing to work with the community with respect to another plan, provided the community can assemble the associated lands. He clarified that the plan being referred to by Mr. Macera was a concept plan that did not indicate exact lot locations.

Councillor George Carlson emphasized that at some point the associated costs become prohibitive, and noted that the developer does not own the property and is not obligated to organize servicing. He advised that a final decision was not being made this evening and that residents had a couple of weeks before a supplementary report with recommendations comes forward to Committee for consideration. Councillor Carlson explained that the Planning and Development Committee had a legal obligation to deal with the application being presented.

Chris Rouse, Acting Manager, Development Team Central clarified that the lot frontages are 39.4 feet. Mr. Rouse confirmed that no other development application had been previously approved for the subject lands.

Susan Savva, resident, stated her concerns that the Committee is permitting the developer to make decisions without allowing the community ample time to organize. She noted

that some residents are uncertain as to what they want to do at this time. Ms. Savva felt the proposed Court creates a dead end for any development beyond that point and that a straight through road would allow residents to make decisions into the future. She indicated that many other residents will also be impacted waiting for Rathburn Road to open, which could be a substantial amount of time.

Councillor Katie Mahoney referenced the community meeting organized by Councillor Dale on June 25th and asked if the community had since formalized a plan. She reiterated the fact that the City is bound by law to process the application and does not possess the authority to delay its processing. She urged the community to develop a formal application with a legal agreement from all neighbours and encouraged them to engage the assistance of a lawyer and planner to lead them through the process of presenting an application to the City. Councillor Mahoney explained the need for a professional to certify that the desired servicing can be achieved.

In response to Councillor Mahoney's inquiry, Ms. Savva advised that a plan had not been developed by the community as not everyone could be assembled, in particular one neighbour that has been consistently unavailable.

Councillor Dale expressed his appreciation for the comments received and advised that the purpose of the public meeting process is to allow the community to voice issues and concerns. He advised that the next meeting of the Planning and Development Committee will be to review recommendations brought forward by Planning and Building staff. He noted that if staff support the application with strong arguments, and if Council were to refuse the application, it would more than likely be approved by the Ontario Municipal Board. He noted that the supplementary report with recommendations will probably be presented to Committee sometime in December 2008. Councillor Dale again noted that the proposed application is in conformity.

Councillor Pat Saito explained that the option for a straight through road was extremely problematic and costly. She noted that the plan of subdivision clearly indicates that their land would not be cut off from future development. Councillor Saito advised that with respect to infill developments, consideration is always given to issues related to precluding development on either side of a subject property. She felt the land owners might lose additional land with the straight through road scenario versus the cul-de-sac, as the required easements would be greater which might not maximize potential.

Councillor Dale thanked the community for their participation and attendance at the meeting. He acknowledged that change is a difficult challenge to face but felt the proposal is in keeping with the existing neighbourhood. He asked that residents sign the register in order to be notified of the next meeting where a recommendation will be

coming forward to be voted on by Committee.

A verbal motion by Councillor Frank Dale to approve the recommendation as outlined in the Corporate Report dated September 9, 2008 from the Commissioner of Planning and Building with respect to the Rezoning and Draft Plan of Subdivision Applications for Part of Lot 10, Plan A-24 located east of Wilcox Road, north of Rathburn Road East, was voted on and carried.

The public meeting closed at approximately 7:40 p.m.

RECEIVED

Recommendation PDC-0071-2008 (Councillor Frank Dale)

OZ 07/005 W4

T-M07002 W4

3. PUBLIC MEETING – Rezoning and Draft Plan of Subdivision Applications, 2249 Derry Road West and 7050 Terragar Boulevard, Northwest corner of Derry Road West and Terragar Boulevard, Owner: Bremont Homes Corporation, Applicant: Deanlee Management Inc., Bill 51, OZ 08/006 and T-M08002, Ward 10.

Report dated September 9, 2008 from the Commissioner of Planning and Building with respect to the applications to change the Zoning from "D" ("Development") to "RM6 - Exception" (Townhouse Dwellings on a CEC - Private Road), to permit 81 common element condominium townhouse dwellings under files OZ 08/006 W10 and T-M08002 W10, Bremont Homes, 2249 Derry Road West and 7050 Terragar Boulevard.

RECOMMENDATION:

That the Report dated September 9, 2008, from the Commissioner of Planning and Building regarding the applications to change the Zoning from "D" ("Development") to "RM6 - Exception" (Townhouse Dwellings on a CEC - Private Road), to permit 81 common element condominium townhouse dwellings under files OZ 08/006 W10 and T-M08002 W10, Bremont Homes, 2249 Derry Road West and 7050 Terragar Boulevard, be received for information.

Councillor George Carlson called this public meeting to order at approximately 7:40 p.m. and read the recommendation from the Corporate Report.

There were persons in the audience who expressed an interest in the subject matter. The applicant, Michelle Starr from Deanlee Management Inc. was also present.

Councillor Sue McFadden stated that she was not satisfied with the proposed application being brought forward at today's meeting. She advised of her meeting earlier today with Deanlee Management Inc. and her plans to meet with the architect. Councillor McFadden expressed her awareness of what the community wants, including a reduced number of units and additional amenity space, which is contrary to the proposal being brought forward today. She emphasized that her office has been in regular contact with the developer and applicant to ensure the subject lands are developed as a focal point, adding value to the community. As a result, Councillor McFadden asked that a presentation not be made by the applicant at this time and apologized to the residents in attendance.

Councillor George Carlson requested that comments be withheld with respect to the development application, pending further discussion between the Ward Councillor and applicant.

Mike Minkowski, Legal Counsel addressed Committee and stated that an additional public meeting will be required with respect to this matter.

Councillor Sue McFadden made a verbal motion to approve the recommendation as outlined in the Corporate Report dated September 9, 2008 from the Commissioner of Planning and Building with respect to the Rezoning and Draft Plan of Subdivision Applications for 2249 Derry Road West and 7050 Terragar Boulevard, which was voted on and carried.

The public meeting closed at approximately 7:45 p.m.

RECEIVED

Recommendation PDC-0072-2008 (Councillor Sue McFadden)

OZ 08/006 W10

T-M08002 W10

ADJOURNMENT@ approximately 7:45 p.m.

REPORT 14 - 2008

TO: THE MAYOR & MEMBERS OF COUNCIL

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

PDC-0070-2008

That the report titled "Report on Comments - Community Uses - Mississauga Plan Review," dated September 9, 2008 from the Commissioner of Planning and Building recommending that the new Official Plan incorporate new and revised definitions, symbols and location criteria for community uses as proposed in Option 2, as amended, be adopted.

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PDC-0071-2008

That the Report dated September 9, 2008, from the Commissioner of Planning and Building regarding the application to change the Zoning from "R3" (Detached Dwellings) to "R4 - Exception" (Detached Dwellings) and a Draft Plan of Subdivision under files OZ 07/005 W4 and T-M07002 W4 respectively, to permit five (5) detached dwellings, Dan-Con Developments Ltd., Part of Lot 10, Plan A-24, be received for information.

OZ 07/005 W4

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PDC-0072-2008

That the Report dated September 9, 2008, from the Commissioner of Planning and Building regarding the applications to change the Zoning from "D" ("Development") to "RM6 - Exception" (Townhouse Dwellings on a CEC - Private Road), to permit 81 common element condominium townhouse dwellings under files OZ 08/006 W10 and T-M08002 W10, Bremont Homes, 2249 Derry Road West and 7050 Terragar Boulevard, be received for information.

OZ 08/006 W10

T-M08002 W10