

City of Mississauga Corporate Report



<p>Date: August 13, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's file: H-OZ 19/010 W2</p> <hr/> <p>Meeting date: September 7, 2021</p>
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Subject

REMOVAL OF THE "H" HOLDING PROVISION FROM ZONING BY-LAW 0225-2007 REPORT (WARD 2)

Application to remove the "H" holding provision to permit two single storey office buildings, 2495 and 2505 Speakman Drive, north side of Speakman Drive, northwest of Flavelle Boulevard

Owner: Magnum Integrated Properties Inc.

File: H-OZ 19/010 W2

Recommendation

That the report dated August 13, 2021, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding provision application from the text of By-law 0225-2007 and the "H" symbol from the zoning map, under File H-OZ 19/010 W2, Magnum Integrated Properties Inc., 2495 and 2505 Speakman Drive, be adopted and that the Planning and Building Department be authorized to prepare the by-law for Council's passage.

Background

On May 11, 2016, City Council passed By-law 0097-2016 which zoned the subject property **H-E2-5** (Employment – Exception with a Holding Provision), **G1** (Greenlands – Natural Hazards) and **G2** (Greenlands – Natural Features). The by-law was subsequently appealed by the property owner to the Ontario Municipal Board. On July 18, 2017 at a settlement hearing, the Ontario Municipal Board approved the zoning and the use of an "H" holding provision.

An application to lift the "H" holding provision was received by the Planning and Building Department on October 11, 2019. Upon removal of the "H" holding provision, the by-law will allow for the development of a range of employment uses on the portion of the property zoned **E2-5** (Employment Exception). The applicant is currently proposing to develop on the southern portion of the site, two single storey office buildings with a combined gross floor area of 10 190 m² (109,688 ft²). The northern portion of the property will be developed in the future and

is intended to accommodate an additional two office buildings; however, specific plans will be submitted at a later date when the issue of road access to the buildings has been addressed.

Appendices 1 and 2 identify the lands to which the by-law applies and the underlying zoning.

The "H" holding provision was to remain in effect until the following was completed:

1. Delivery of an Environmental Impact Study (EIS) to the satisfaction of the City Transportation and Works and Community Services Departments and the Credit Valley Conservation Authority (CVC);
2. Delivery of a complete site plan application for the lands which are the subject of the EIS; and
3. Completion of actions or works or entering into an agreement for such works to implement the findings of the EIS.

Comments

Section 36 of the *Planning Act* provides the legislative framework for a municipality to add and remove an "H" holding provision. A formal public meeting is not required; however notice of Council's intention to pass the amending by-law must be given to all landowners within 120 m (400 ft.) to which the proposed amending by-law would apply. Notice was given to all affected landowners by pre-paid first class mail for this application.

The conditions for removing the "H" holding provision has been fulfilled as follows:

- An EIS was prepared by Dillon Consulting, dated March 2020 which concluded that setbacks from Sheridan Creek and from the staked woodland dripline protect the Significant Natural Area and Natural Green spaces within the subject property. The EIS was found to be acceptable by City departments and the CVC.
- A site plan application was submitted and is currently being processed by the City for the subject lands. Development and site alterations are within the limits of the developable area as confirmed by the EIS.
- The EIS did not identify any specific actions or agreements necessary to implement the findings of the study. The applicant, however, may be required to enter into a site plan agreement to address typical development issues.

A small portion of land at the northeast corner of the property will retain its H-E2-5 zoning as it is not included in the site plan application.

Financial Impact

All fees paid by developers are strictly governed by legislation, regulation and City by-laws. Fees are required to be paid prior to application approval, except where otherwise may be prescribed. These include those due to the City of Mississauga as well as any other external agency.

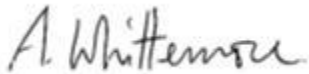
Conclusion

The conditions to remove the "H" holding provision have now been satisfied. The "H" holding provision can be removed from the by-law and the "H" holding symbol can be removed from the zoning map.

Attachments

Appendix 1: Aerial Photograph

Appendix 2: Existing Zoning and General Context Map



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Paul Stewart, Development Planner