

City of Mississauga

Corporate Report



<p>Date: September 10, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p>	<p>Originator's file: H-OZ 20/005 W7</p>
<p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Meeting date: October 4, 2021</p>

Subject

REMOVAL OF THE "H" HOLDING PROVISION FROM ZONING BY-LAW 0225-2007 REPORT (WARD 7)

Application to remove the "H" holding provision to permit a 16 storey apartment building with 336 dwelling units and 320.7 m² of ground floor commercial space

86-90 Dundas Street East, south side of Dundas Street East, east of Hurontario Street

Owner: Mississauga I GP Inc. (Emblem Developments)

File: H-OZ 20/005 W7

Recommendation

That the report dated September 10, 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 20/005 W7, Mississauga I GP Inc. (Emblem Developments), 86-90 Dundas Street East, be adopted and that the Planning and Building Department be authorized to prepare the by-law for Council's passage.

Executive Summary

- The application to lift the "H" holding provision can be supported and the corresponding by-law can be prepared for Council's passage
- The applicant is in the process of satisfying the conditions of the "H" holding provision.

Background

On August 5, 2020, Council originally passed zoning by-law number 0185-2020 with a holding provision. Upon removal of the "H" holding provision the by-law will allow for the development of a 16 storey apartment building with 336 dwelling units and 320.7 m² (3,451.99 ft²) of ground floor commercial space.

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

Council required the "H" holding provision be applied to the zone to allow time for technical requirements to be completed. The "H" holding provision was to remain in effect until the following were completed:

- Land dedications as required by the City of Mississauga;
- Upgraded streetscape commitments;
- Channel works along the Cooksville Creek;
- Delivery of an executed Development Agreement;
- Delivery of satisfactory comments Alectra Inc. with respect to the proposed hydro transformer location;
- Delivery of any additional technical reports, studies, drawings, to the satisfaction of the City, in support of the municipal infrastructure detailed design and site redevelopment, including but not limited to:
 - Provision of a site plan submission, including grading plans and building elevations, showing associated retaining wall heights, satisfactory to the City and CVC;
 - A revised and updated Phase II Environmental Site Assessment Report to include the description and discussion of lands to be dedicated to the City, including any required figures and reliance letter;
 - A Final Clean-up Report confirming the suitability of the lands, including land dedications, upon completion of remediation;
 - An updated Functional Servicing and Stormwater Management Report;
 - An updated Geotechnical Report/Assessment;
 - Confirmation that the Record of Site Condition has been filed with the Ministry of Environment, Conservation and Parks, together with any supporting documentation;
 - Satisfactory arrangements with the Region for Waste Collection subject to the most recent Waste Collection Design Standards;
 - Confirmation by the Region that satisfactory arrangements have been made for water and waste water services to the site.

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 are in the process of being fulfilled. It is anticipated that the Development Agreement will be finalized and brought to Council in fall 2021, and then the by-law may follow to remove the "H" holding provision. The development agreement will address the installation of the streetscape abutting the development along Dundas Street East (i.e. street trees, unit paving, benches, waste receptacles, street lighting),

the channel works along the Cooksville Creek, and the provision of securities to ensure the required works are completed. An interim lifting of 'H' may be granted for below ground works only, if appropriate securities/agreement are acquired from the applicant to the satisfaction of the Commissioner of Planning and Building.

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 are in the process of being fulfilled. The "H" holding provision can be removed from the by-law and the "H" holding symbol can be removed from the zoning map once the Development Agreement has been executed.

Attachments

- Appendix 1: Aerial Photograph
- Appendix 2: Existing Zoning and General Context Map
- Appendix 3: Proposed Site Plan
- Appendix 4: Proposed Rendering



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

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