

City of Mississauga

Corporate Report



Date: February 11, 2022 To: Chair and Members of Planning and Development Committee	Originator's file: H-OZ 21-1 W11
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: March 7, 2022

Subject

REMOVAL OF THE "H" HOLDING PROVISION FROM ZONING BY-LAW 0225-2007 REPORT (WARD 11)

Application to remove the "H" holding provision to permit seven freehold townhomes and 19 condominium townhomes

36, 38, 40, 44 and 46 Main Street, northeast corner of Main Street and Wyndham Street

Owner: City Park (Main Street) Inc.

File: H-OZ 21-1 W11

Recommendation

That the report dated February 11, 2022, 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 21-1 W11, City Park (Main Street) Inc., 36, 38, 40, 44 and 46 Main Street, be adopted and that the Planning and Building Department be authorized to prepare the by-law for Council's passage.

Background

On February 3, 2021, Council passed zoning by-law number 0029-2021 with a holding provision. Upon removal of the "H" holding provision the by-law will allow for 7 freehold townhomes and 19 condominium townhomes on a condominium road and to add lands to the adjacent greenlands.

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 the applicant to enter into a Section 37 Community Benefits Agreement with the City. The "H" holding provision was to remain in effect until the following was completed:

1. Delivery of an executed agreement for community benefits pursuant to section 37 of the *Planning Act*, as amended, in a form and on terms satisfactory to the City.

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

- On February 14, 2022 a recommendation report was presented to Planning and Development Committee recommending approval of a community benefit contribution in the amount of \$185,000 to be used towards lifecycle repairs and upgrades to the Streetsville Village Square electrical infrastructure, with any remaining funding used towards lighting of recently installed gateway signage on Main Street as well as the execution of a corresponding Section 37 agreement.
- On March 2, 2022 the Section 37 Agreement was brought to Council for enactment.

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 now be removed from the zoning map.

Attachments

Appendix 1: Aerial Photograph

Appendix 2: Existing Zoning and General Context Map

Appendix 3: Proposed Site Plan



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

Prepared by: Matthew Shilton, Development Planner