

# City of Mississauga

# Corporate Report



Date: May 6, 2022  To: Chair and Members of Planning and Development Committee	Originator's file: H-OZ 20/007 W3
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: May 30, 2022

## Subject

### **REMOVAL OF THE "H" HOLDING PROVISION FROM ZONING BY-LAW 0225-2007 REPORT (WARD 3)**

**Application to remove the "H" holding provision to permit six, three storey townhomes on a common element condominium road**

**3105 Cawthra Road, East side of Cawthra Road, south of Silver Creek Boulevard**

**Owner: Sky Cawthra Developments Inc.**

**File: H-OZ 20/007 W3**

## Recommendation

That the application under File H-OZ 20/007 W3, Sky Cawthra Developments Inc., 3105 Cawthra Road, to remove the "H" holding provision application from the text of By-law 0225-2007 and the "H" symbol from the zoning map, be approved, as outlined in the report dated May 6, 2022 from the Commissioner of Planning and Building and that the Planning and Building Department be authorized to prepare the by-law for Council's passage.

## Background

On March 26, 2019, the Local Planning Appeal Tribunal issued an order approving the rezoning of the subject lands to **H-RM6-21** (Townhomes on a CEC – Road – Exception with a Holding Provision). Upon removal of the "H" holding provision, the by-law will allow the development of six townhomes on a common element condominium road.

The applicant is currently satisfying conditions of draft plan approval to create two blocks of land under File T-M17001 W3. A site plan application is currently under review for the townhomes under File SP 20/101 W3.

Appendices 1, 2, and 3 identify the lands to which the by-law applies, the underlying zoning, the proposed site plan.

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

The provision of any outstanding technical plans, studies and reports to the satisfaction of the City of Mississauga ("City") and Region of Peel ("Region") including:

1. Updated functional servicing report including grading and servicing plan;
2. Current Environmental Site Screening Questionnaire and Declaration (ESSQD);
3. Updated Phase I Environmental Site Assessment;
4. Updated noise impact study;
5. Updated shadow study;
6. Updated tree preservation plan and arborist report;
7. Archaeological assessment and associated letters from the Ministry of Tourism and Culture;
8. Provision of noise, servicing, access and right-of-way requirements to the Region;
9. Establishment of satisfactory access and interconnection arrangements with the proposed development at 3111 and 3123 Cawthra Road; and,
10. Establishment of satisfactory arrangements for the provision of visitor parking spaces on the adjacent lands zoned RM8-15.

## 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:

- The applicant has submitted the required reports/studies to the satisfaction of the City and will enter into a subdivision agreement; and,
- The applicant has entered into an easement and cost sharing agreement regarding access, interconnection arrangement and the provision of visitor parking spaces with the adjacent lands municipally known as 3111 and 3123 Cawthra Road.

If approved, and once all other remaining conditions are satisfied, staff will schedule the removal of the "H" provision by-law for Council's consideration at the same meeting that the by-law authorizing staff to enter into a subdivision agreement with the applicant is considered.

## 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 subdivision agreement has been executed.

## Attachments

Appendix 1: Aerial Photograph

Appendix 2: Existing Zoning and General Context Map

Appendix 3: Proposed Site Plan



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

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