

City of Mississauga

Corporate Report



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| <p>Date: December 18, 2020</p> <p>To: Mayor and Members of Council</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p> | <p>Originator's file: H-OZ 19/009 W3</p> |
| | <p>Meeting date: January 11, 2021</p> |

Subject

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

Application to remove the "H" provision to permit two detached dwellings and 32 townhomes 3111 and 3123 Cawthra Road, east side of Cawthra Road, north of Dundas Street East

Owner: Maple Valley Development Corporation Inc.

File: H-OZ 19/009 W3

Recommendation

That the report dated December 18, 2020, from the Commissioner of Planning and Building outlining the details of the proposed development and recommending approval of the removal of the "H" provision application, under File H-OZ 19/009 W3, Maple Valley Development Corporation Inc., 3111 and 3112 Cawthra Road, be received for information, 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-R5-49** (Detached Dwellings - Typical Lots) and **H-RM8-15** (Back to Back and/or Stacked Townhouses). Upon removal of the "H" holding provision, the by-law will allow the development of two detached dwellings and 32 common element condominium townhomes.

The applicant is currently satisfying conditions of draft plan approval to create two detached dwelling lots and six blocks under File T-M16001 W3. A site plan application is currently under review for the townhome dwellings under File SP 18/133 W3.

Comments

Section 36 of the Planning Act provides the legislative framework for the removal of the "H" holding provision and allows municipalities to amend a by-law to remove the "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 land owners within 120 m (400 ft.) to which the proposed amending by-law would apply. Notice was given to all affected land owners by pre-paid first class mail.

The conditions for removing the "H" holding provision are in the process of being fulfilled as follows:

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 noise impact study;
4. Updated shadow study;
5. Provision of noise, servicing, access and right-of-way requirements to the Region;
6. Confirmation that the lands to be dedicated to the City meet applicable Ministry of Environment, Conservation and Parks requirements; and,
7. Establishment of satisfactory access and interconnection arrangements with the proposed development at 3105 Cawthra Road.

The applicant has submitted the required reports/studies to the satisfaction of the City and will enter into a subdivision agreement.

If approved, staff will table the removal of the "H" provision by-law for Council's consideration at the same time that a by-law authorizing staff to enter into a subdivision agreement with the applicant will be 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 once the subdivision agreement has been executed.

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: Adam Lucas, Development Planner