

City of Mississauga

Corporate Report



Date: December 18, 2020 To: Chair and Members of Planning and Development Committee	Originator's file: H-OZ 20/003 W9
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: January 11, 2021

Subject

REMOVAL OF THE "H" HOLDING PROVISION FROM ZONING BY-LAW (WARD 9)

Application to remove the holding provision to permit an apartment building

6550 Glen Erin Drive

Owner: BCIMC Realty Corporation (QuadReal)

File: H-OZ 20/003 W9

Bill 139

Recommendation

That the report dated December 18, 2020, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding provision from the text of By-law 0225-2020 and the "H" symbol from the zoning maps, under File H-OZ 20/003 W9, BCIMC Realty Corporation (QuadReal), 6550 Glen Erin Drive, be adopted and that the Planning and Building Department be authorized to prepare the by-law for Council's passage.

Background

On July 3, 2019, Council adopted Resolution 0166-2019 to approve official plan amendment and rezoning applications submitted by BCIMC Realty Corporation, under file OZ 17/10 W9. On April 22, 2020, Council adopted Resolution 0113-2020 to amend the recommendation report in order to add an "H" holding provision within the implementing zoning by-law. By-law 0116-2020 was further passed by Council on May 20, 2020 zoning the subject property H-RA4-49. Upon removal of the "H" holding provision the by-law will permit a 12 storey apartment building with a floor space index of 2.12.

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

As part of this approval, Council required the "H" holding provision be added to the zone to allow time for the development agreement and Section 37 agreement to be executed.

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

1. Execution of a Development Agreement in a form and on terms satisfactory to the City of Mississauga
2. Fulfil the Section 37 bonus zoning requirement for the approved development

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 land owners 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 development agreement, which includes the Section 37 community benefit provision, has been executed
- The Section 37 community benefit has been paid

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 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 Whittemore, M.U.R.P., Commissioner of Planning & Building

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