



Corporate Report

Clerk's Files

Originator's
Files H-OZ 07/001 W3

DATE: September 25, 2007

TO: Chair and Members of Planning and Development Committee
Meeting Date: October 15, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Removal of the "H" Holding Symbol
from Zoning By-law 225-2007
Part of Lot 10, Concession 1, N.D.S.
North of Dundas Street East, east of Cawthra Road
VANDYK Group of Companies
Applicant: Michael A. Gray, Vandyk Group of Companies**

Ward 3

RECOMMENDATION: That the Report dated September 25, 2007, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under file H-OZ 07/001 W3, VANDYK Group of Companies, Part of Lot 10, Concession 1, N.D.S., be adopted and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.

BACKGROUND: On March 29, 2006, City Council enacted and passed By-law 0122-2006, which proposed a "H-RM5-2736" (Multiple Residential) zoning for the lands. With the approval of portions of the new comprehensive Zoning By-law 225-2007 on September 10, 2007 by the Ontario Municipal Board, the lands are zoned "H-RM6-7" (Townhouse Dwellings on a CEC - Private Road). Upon removal of the "H" holding symbol, the by-law will allow for 71 common element condominium townhouse dwellings.

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

As part of this approval, Council required that the “H” holding symbol be applied to the zone to allow time for the transfer of a 404 m² (4,349 sq. ft.) parcel of land at the northeast corner of the site to the City, as well as the formal closure of Haines Road. The “H” holding symbol was to remain in effect until the following was completed:

1. The completion and closing of the sale of lands from the City to Arthur Blakely (Woodstock) Inc., pursuant to an agreement of sale for valuable consideration representing fair market value, or; the execution of a Maintenance Agreement to be assumed by the resultant condominium corporation providing for the complete maintenance of Block B on terms satisfactory to the City;
2. The formal closure of a portion of Haines Road, south of Riley Court, in accordance with the *Municipal Act*.

COMMENTS:

Section 36 of the *Planning Act* provides the legislative framework for the removal of the “H” holding symbol and allows municipalities to amend a by-law to remove the “H” holding symbol. 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 will be given to all affected land owners by pre-paid first class mail.

Each of the conditions for removing the “H” holding provision have been fulfilled as follows:

1. The first condition was resolved through the conveyance of land from Arthur Blakely (Woodstock) Inc. to the City, through an agreement enacted by City Council on May 10, 2006 and authorized under By-law 0186-2006.
2. The second condition will be resolved through the anticipated authorization by Council of an implementing By-law to close the road at the September 26, 2007 Council Meeting.

FINANCIAL IMPACT: Not applicable.

CONCLUSION: The formal closure of the road becomes final upon the registration of the above referenced road closure By-law. It is anticipated that this will occur prior to the implementing By law to remove the holding symbol proceeding to the October 24, 2007 Council Meeting. Arrangements will be made to provide City Council with a verbal update if the registration has not taken place prior to October 24, 2007.

ATTACHMENTS: Appendix 1 – Aerial Photograph
Appendix 2 – Excerpt of Existing Land Use Map

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Rob Hughes, Development Planner



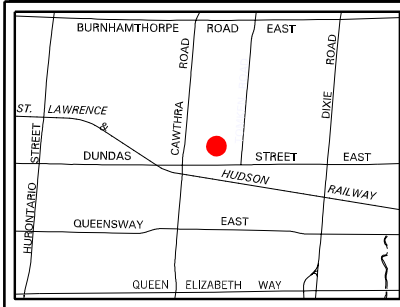
LEGEND:

 **SUBJECT LANDS**

DATE OF AERIAL PHOTO: 2007



SUBJECT:
VANDYK GROUP OF COMPANIES



FILE NO:
H-OZ 07/001 W3

DWG. NO:
07001A

SCALE:
1:2500

PDC DATE:
2007 10 15

DRAWN BY:
R.DICOSOLA

APPENDIX I-1

MISSISSAUGA
Planning and Building

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T&W, Geomatics

BY-LAW 0225-2007

LEGEND:

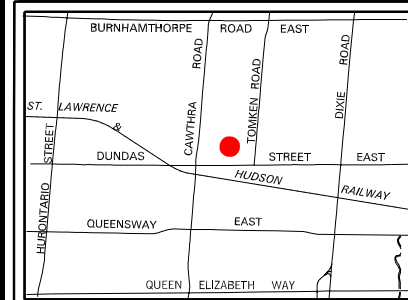


LANDS AFFECTED BY THE REQUEST FOR THE REMOVAL OF THE "H" HOLDING SYMBOL.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN
 PROPOSED ZONING INDICATED BY SHADING WITHIN
 THE APPLICATION AREA.



SUBJECT:
VANDYK GROUP OF COMPANIES



FILE NO:
 H-OZ 07/001 W3
DWG. NO:
 07001R
SCALE:
 1:2500
PDC DATE:
 2007 10 15
DRAWN BY:
 R.DICOSOLA

APPENDIX I-2

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