



Corporate Report

Clerk's Files

Originator's
Files H-OZ 09/003 W4

DATE: August 18, 2009

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 8, 2009

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Removal of the "H" Holding Symbol
from Zoning By-law 0225-2007, as amended
Civic and Library Square Improvements
300 City Centre Drive and
275-301 Burnhamthorpe Road West
West side of Duke of York Boulevard,
north of Burnhamthorpe Road West
Owner/Applicant: City of Mississauga
Bill 51**

Ward 4

RECOMMENDATION: That the Report dated August 18, 2009, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under file H-OZ 09/003 W4, Civic and Library Square Improvements, City of Mississauga, 300 City Centre Drive and 275-301 Burnhamthorpe Road West, Part of Lot 18, Concession 2, 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 January 17, 2001, City Council enacted and passed By-law 0005-2001, known as the City Centre Zoning By-law, which proposed an "H-CC2" and "CCOS" zoning on the subject lands, with the civic square and library square zoned "CCOS" and

the remainder of the lands comprising the Civic Centre and library zoned "H-CC2".

By-law 0005-2001 was appealed to the Ontario Municipal Board (OMB). The Ontario Municipal Board approved Zoning By-law 0005-2001 on all of the unappealed balance of lands, including the subject lands, within the City Centre Planning District, pursuant to an Ontario Municipal Board (OMB) Order dated June 3, 2002.

The City's new Zoning By-law (By-law 0225-2007) was approved by Council on June 20, 2007, which zoned the lands "H-CC2(1)" and "CCOS", and no appeals were filed for the subject lands.

Upon removal of the "H" holding symbol the by-law will allow for a wide variety and mix of uses including apartment dwellings, offices, restaurants, retail and service commercial uses, entertainment establishments, hotels, conference centres, centre for the performing arts, active and passive recreational uses and parking, subject to the development standards contained within the "CC2(1)" zone.

The proposed development consists of improvements to the civic and library square which include a permanent stage, media wall, landscaping and improved accessibility, visibility and functionality, along with upgrades to the underground parking.

Appendix 1 shows an aerial view of the subject lands.

The By-law requires that the "H" holding symbol remain in effect until the following is completed:

1. delivery of an executed Servicing Agreement and/or Development Agreement in a form satisfactory to The Corporation of the City of Mississauga, addressing and agreeing to the installation or placement of all required municipal works, including municipal walkways, the provision of land dedication for future public road widenings, and transit right-of-way and easements, including the provision of parkland, the provisions of required securities, and related provisions provided that the Servicing and Development agreement will not require the gratuitous dedication of land for new public roads, including realignment of roads, where not

otherwise permitted under the Planning Act, or impose an obligation upon a landowner to construct, or pay for the construction of a new road.

However, the subject lands are municipally owned and are being redeveloped for municipal purposes, therefore no Servicing or Development Agreements are required, and no further conditions must be fulfilled prior to removal of the "H" Holding Provision.

COMMENTS:

The subject lands are designated "Mixed Use" and "Open Space" in the City Centre District of Mississauga Plan (Official Plan) (see Appendix 2).

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 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.

The standard condition requiring a Servicing or Development Agreement to be executed prior to removing the "H" holding provision is not applicable and therefore the "H" may be lifted. Appendix 3 shows the existing land use and the underlying zoning.

FINANCIAL IMPACT: Not applicable.

CONCLUSION:

The proposed improvements to the civic and library square do not require Servicing or Development Agreements, and no further conditions must be fulfilled prior to removal of the "H" Holding Provision.

ATTACHMENTS:

Appendix 1 - Aerial Photograph

Appendix 2 - Excerpt of City Centre District Land Use Map

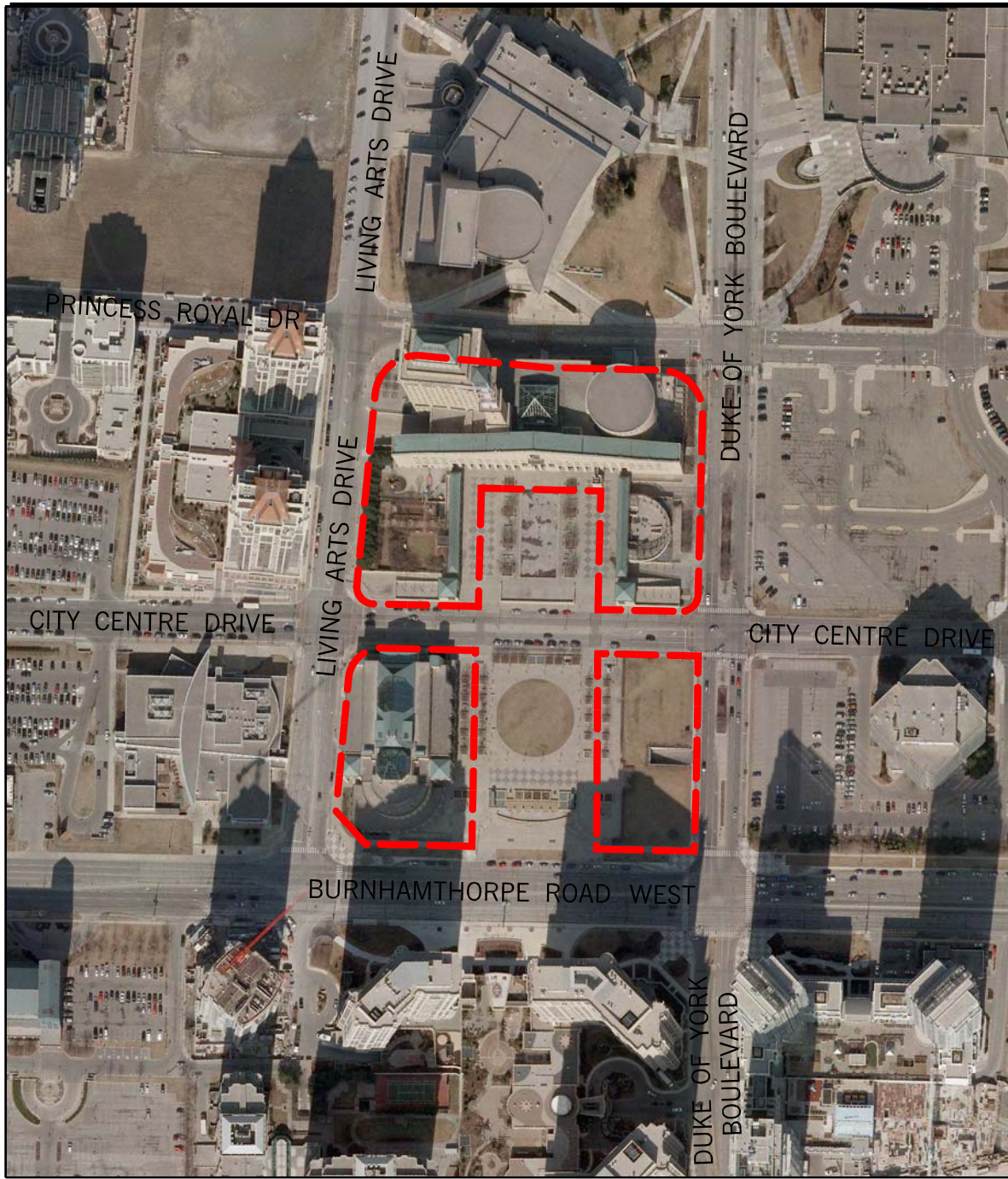
Appendix 3 - Excerpt of Existing Land Use Map

Appendix 4 - General Context Map

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Jonathan Famme, Development Planner



LEGEND:



DATE OF AERIAL PHOTO: 03 2009



SUBJECT:
CITY OF MISSISSAUGA



FILE NO:
H-OZ 09/003W4

DWG. NO:
H09003A

SCALE:
1:3000

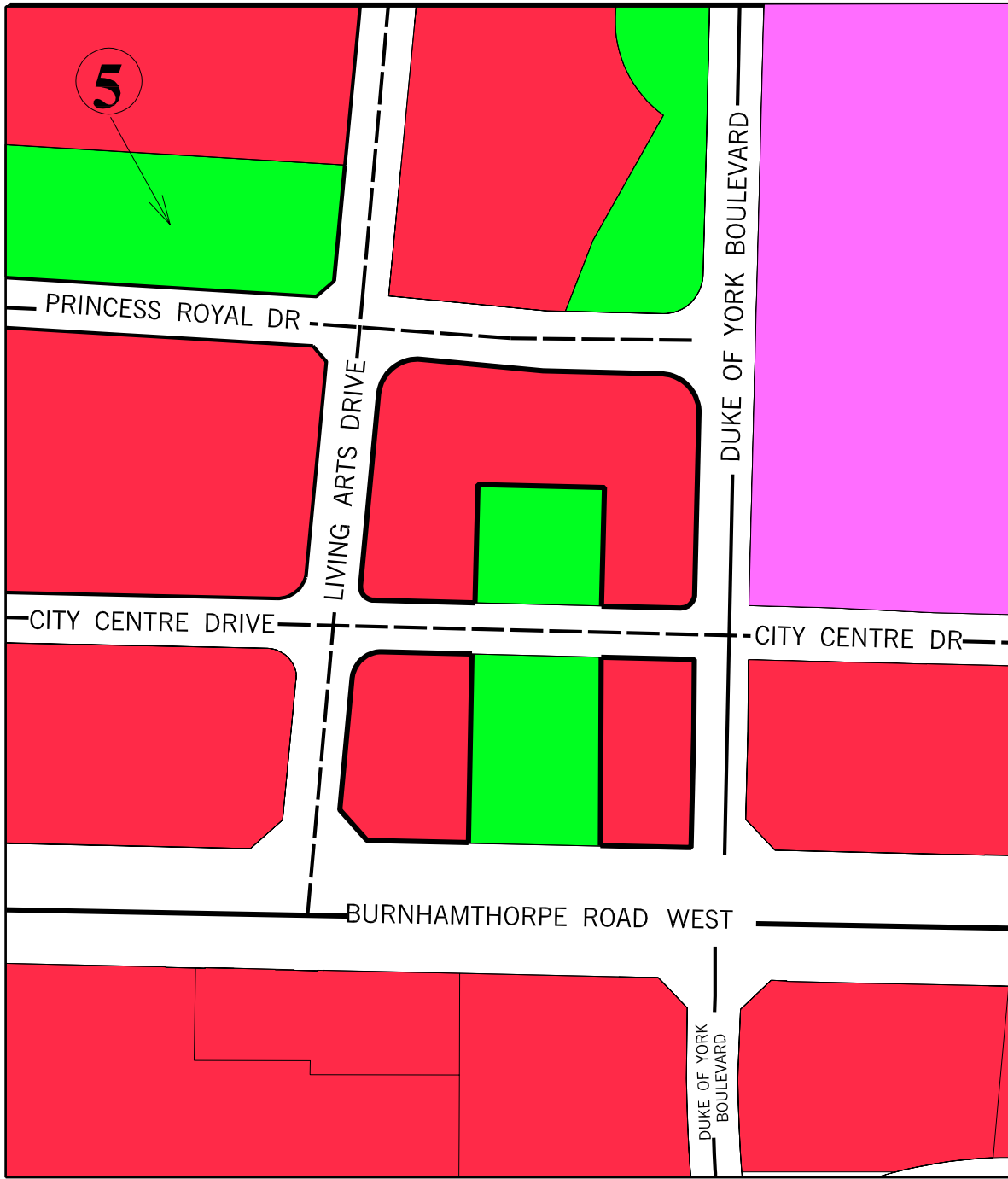
PDC DATE:
2009 09 08

DRAWN BY:
K. PROKOP

APPENDIX 1

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



**PART OF CITY CENTRE DISTRICT LAND USE MAP
CITY CENTRE DISTRICT POLICIES OF MISSISSAUGA PLAN**

LAND USE DESIGNATIONS

- Mixed Use
- Retail Core Commercial
- Public Open Space
- Greenbelt
- Parkway Belt West

TRANSPORTATION LEGEND

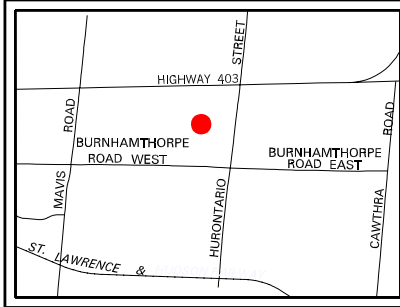
- Provincial Highway and Interchange
- Arterial
- Major Collector
- Minor Collector
- Local Road
- Bus Rapid Transit Corridor
- Bus Rapid Transit Station
- City Centre Transit Terminal
- Major Transit Corridor
- Proposed Grade Separation
- 1996 NEP /2000 NEF Composite Noise Contours
- Planning District
- Special Site Areas (See Special Site Policies)

Option 1:
 ① Conceptual Centre View Drive connection to EB Hwy. 403 concept.
 ② Conceptual N-W ramp terminal relocation

SUBJECT LANDS



SUBJECT:
CITY OF MISSISSAUGA



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H-OZ 09003 W4

DWG. NO:
H09003R

SCALE:
1:3000

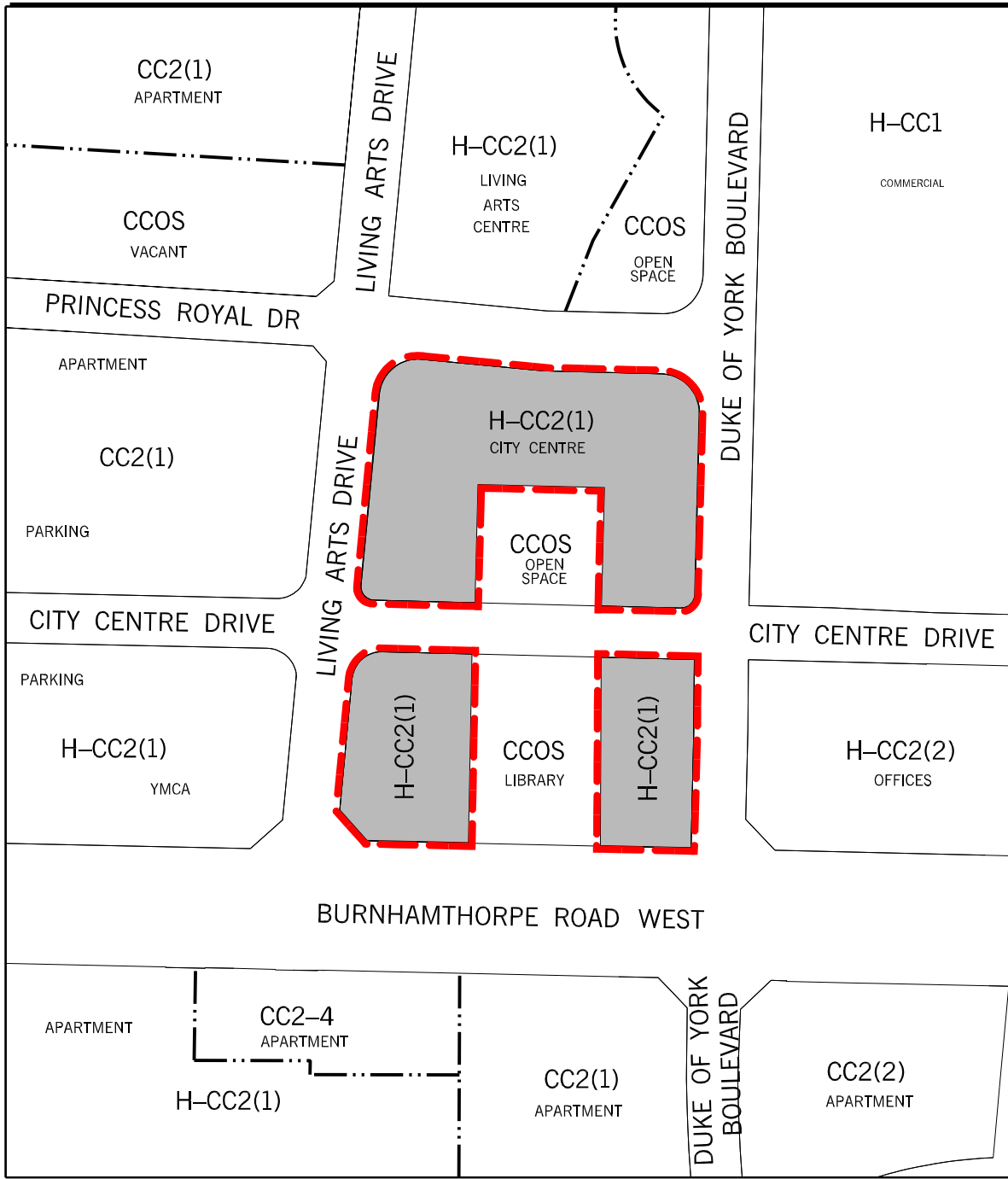
PDC DATE:
2009 09 08

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K. PROKOP

MISSISSAUGA
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APPENDIX 2



LEGEND:

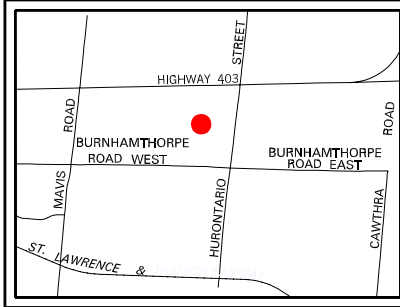


LANDS AFFECTED BY THE REMOVAL OF THE "H" HOLDING SYMBOL.

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



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