



# Corporate Report

Clerk's Files

Originator's  
Files H-OZ 09/004 W4

**PDC** OCT 19 2009

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**DATE:** September 29, 2009

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: October 19, 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  
4225 Living Arts Drive, 4200 Duke of York Boulevard and  
285 Prince of Wales Drive  
Blocks 9, 28 and 29, Plan 43M-1010  
Lands bounded by Prince of Wales Drive, Living Arts Drive,  
Rathburn Road West and Duke of York Boulevard  
Owner/Applicant: City of Mississauga**

**Bill 51** **Ward 4**

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**RECOMMENDATION:** That the Report dated September 29, 2009, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under file H-OZ 09/004 W4, City of Mississauga, 4225 Living Arts Drive, 4200 Duke of York Boulevard and 285 Prince of Wales Drive, Blocks 9, 28 and 29, Plan 43M-1010, be adopted and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage subject to the execution of the Ground Lease Agreement with Sheridan College.

**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" zoning on the subject lands.

By-law 0005-2001 was appealed to the Ontario Municipal Board (OMB). The OMB 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 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)". 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 offices, retail and service commercial uses, overnight accommodation, civic/cultural uses, universities/colleges, parking facilities and all forms of high density residential development, subject to the development standards contained within the "CC2(1)" zone.

On October 1, 2009, the subject lands, comprising 3.46 ha (8.5 ac.) were purchased by the City. It is anticipated that by mid-October 2009, the City will enter into a 99-year Ground Lease Agreement with the Sheridan Institute of Technology and Advanced Learning (Sheridan College) to operate the Sheridan College Downtown Mississauga Campus. Sheridan College will be proceeding with the first phase of the campus, which consists of a four storey, 10 417 m<sup>2</sup> (112,131 sq. ft.) academic building on the south block (Block 9) adjacent to Duke of York Boulevard. Interim municipal surface parking lots providing over 350 spaces will be developed by the City on both the north and south blocks as part of Phase I and will service both Sheridan College users and the public as a shared facility. As part of the ultimate campus development, a total of approximately 1.2 ha (3.0 ac.) of parkland will be created across both blocks. Approximately 0.47 ha (1.17 ac.) of parkland will be achieved as part of the south block development.

Due to their Federal-Provincial Infrastructure Stimulus Funding requirements, Sheridan College has indicated that the Phase 1 building must be completed by March 31, 2011. Future phased development of the lands includes construction of additional academic buildings, park development on the north block

(Block 29), a structured municipal parking garage containing approximately 1,000 spaces and the possible realignment of Rathburn Road West and Living Arts Drive.

Appendix 1 depicts an aerial view of the subject lands.

The By-law requires that the "H" holding symbol remains 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.

The Ground Lease Agreement will require Sheridan College to enter into a Servicing Agreement with the City. The Servicing Agreement will obligate Sheridan College to undertake the design, construction and installation of engineering works as specified in the Ground Lease Agreement. Consequently, the executed Ground Lease Agreement will fully satisfy the intent of the Servicing and Development Agreements specified in the "H" Holding Provision.

**COMMENTS:**

The subject lands are designated "Mixed Use" 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 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 on or before October 9, 2009.

The site development plan under file SP 09/165 W4 for the subject lands is considered acceptable for the purposes of removing the "H" Holding Symbol from the "H-CC2(1)" zoning.

Appendix 3 shows the existing land use and the underlying zoning. Block 28, the future extension of Square One Drive, is included in the lands for which the lifting of the "H" Holding Symbol is proposed.

**FINANCIAL IMPACT:** Not applicable.

**CONCLUSION:** The Ground Lease Agreement with Sheridan College must be executed by City Council prior to the "H" Holding Symbol being removed, as it will ensure the future execution of a Servicing Agreement with Sheridan College containing additional development and servicing requirements.

**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

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Ben Phillips, Development Planner*



**LEGEND:**



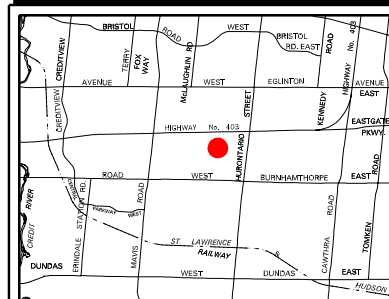
**SUBJECT LANDS**

**DATE OF AERIAL PHOTO: APRIL 2009**



**SUBJECT:**

**CITY OF MISSISSAUGA**



**FILE NO:**  
H-OZ-09004 W4

**DWG. NO:**  
H09004R

**SCALE:**  
1:3000

**PDC DATE:**  
2009/10/19

**DRAWN BY:**  
B. KRUGER

**APPENDIX 1**



PB1

CONFEDERATION PARKWAY

H-CC2(1)  
COMMERCIAL

LIVING ARTS DRIVE

H-CC2(1)

COMMERCIAL

BOULEVARD

H-CC1

COMMERCIAL

RATHBURN

ROAD WEST

H-CC2(1)  
VACANTH-CC2(1)  
VACANT  
BLOCK 29H-CC1  
COMMERCIALSQUARE ONE  
PARKINGFUTURE  
SQUARE ONE DRBL. 28 FUTURE SQUARE  
ONE DRIVEU/C  
CC2(1)  
APARTMENTS  
U/CH-CC2(1)  
VACANTH-CC2(1)  
VACANT  
BLOCK 9SQUARE ONE  
PARKING

PRINCE OF WALES DR

APARTMENTS

CC2(1) VACANT

CCOS

OPEN  
SPACE

LIVING ARTS DRIVE

H-CC2(1)

LIVING  
ARTS  
CENTREOPEN  
SPACE

DUKE OF YORK

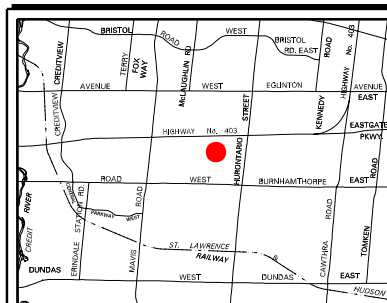
H-CC1  
COMMERCIAL

## 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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Produced by  
T&W, Geomatics

APPENDIX 3



## APPENDIX 4

