



Corporate Report

Clerk's Files

Originator's
Files H-OZ 09/005 W11

PDC MAY 31 2010

DATE: May 11, 2010

TO: Chair and Members of Planning and Development Committee
Meeting Date: May 31, 2010

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Removal of the "H" Holding Symbol
from Zoning By-law 0225-2007, as amended
Parts of Lots 1 to 4 in the third Block East of Queen Street on
the south side of Main Street, PLAN STR-4
South side of Main Street, east of Wyndham Street
Owner: Cal-Main (Mississauga) Developments Inc.
Applicant: Dillon Consulting Limited, Allan Windrem
Bill 51** **Ward 11**

RECOMMENDATION: That the Report dated May 11, 2010, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under file H-OZ 09/005 W11, Cal-Main (Mississauga) Developments Inc., Parts of Lots 1 to 4 in the third Block East of Queen Street on the south side of Main Street, PLAN STR-4, be adopted and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.

BACKGROUND:

On March 31, 1999 Council enacted and passed By-law 135-99 amending Streetsville By-law 65-30 to allow for a maximum of 10 street row dwellings with a parking rate of 2.0 spaces per unit. The lands were zoned "H-R4 - Section 526" (Fourth Density Residential), which includes a Schedule with the allowable building envelopes. The City's new Zoning By-law (By-law 0225-2007) was approved by Council on June 20, 2007, and carried forward the uses permitted by the previous by-law under a new "H-RM5-34" (Street Townhouse Dwellings) zone category.

On February 25, 2010, the Committee of Adjustment granted minor variance applications to permit: two-car detached garages for 2 (two) internal units, which are not in accordance with the buildable area identified in the "RM5-34" Schedule; permeable paving materials instead of hard surface materials; and variances for driveway widths and setbacks for the detached garages.

Upon removal of the "H" holding symbol the by-law will allow for 10 (ten) street 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 a Servicing Agreement and Development Agreement being entered into with the City of Mississauga. The "H" holding symbol was to remain in effect until the following was completed:

1. An executed Servicing Agreement satisfactory to The Corporation of the City of Mississauga.
2. An executed Development Agreement satisfactory to The Corporation of the City of Mississauga.

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 was 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:

The condition of removing the "H" Holding provision has been fulfilled as the Servicing and Development Agreements have been executed (approved at Council May 12, 2010).

The site development plan under file SP 09/132 W11 is considered acceptable for the purposes of removing the "H" Holding provision from "H-RM5-34" zoning.

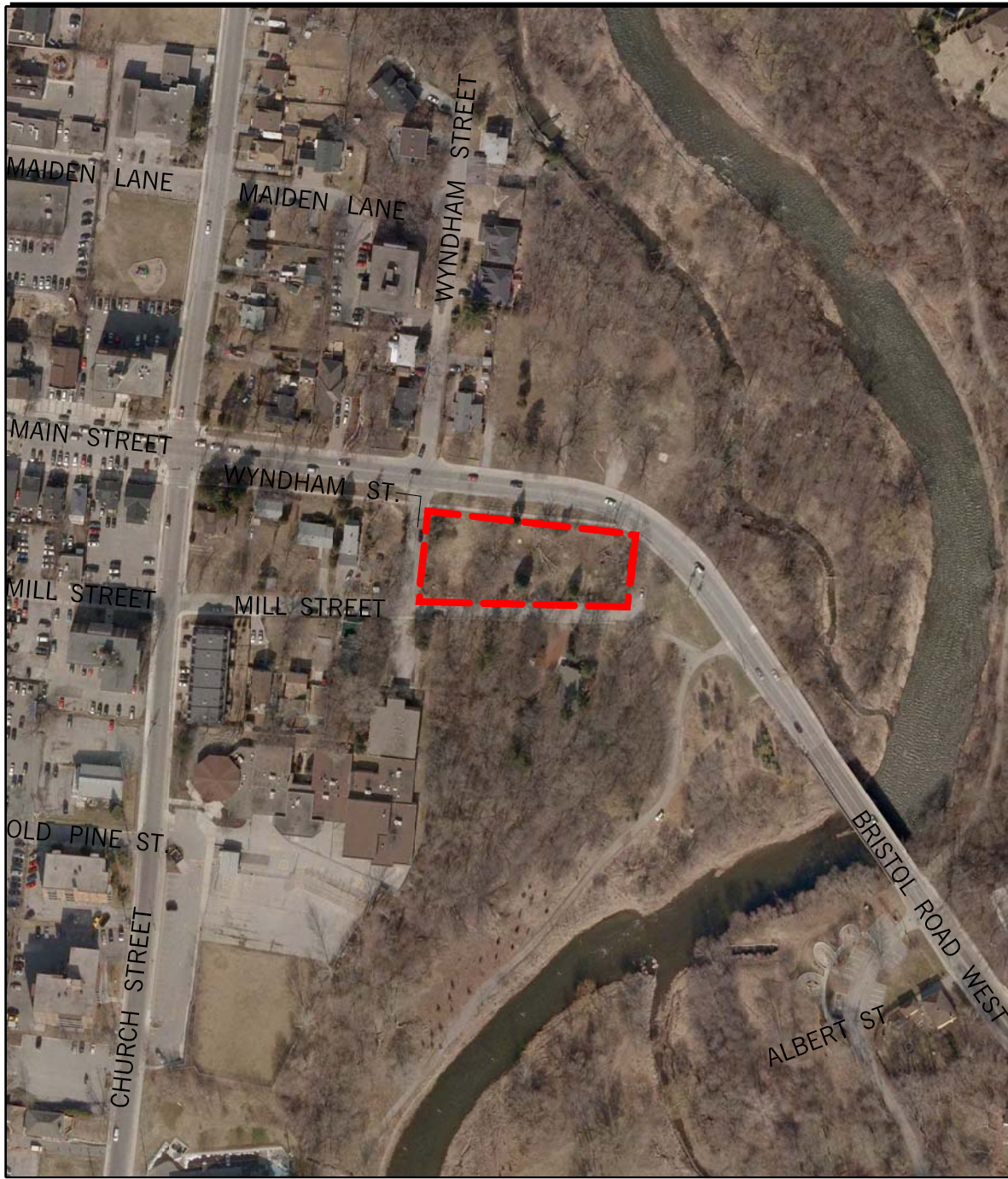
FINANCIAL IMPACT: Not applicable.

CONCLUSION: The conditions to remove the "H" holding symbol have been satisfied. The required Servicing and Development Agreements were executed by City Council on May 12, 2010. The "H" holding symbol can be removed from the "H-RM5-34" zone.

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

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Erica Pallotta, Development Planner



LEGEND:



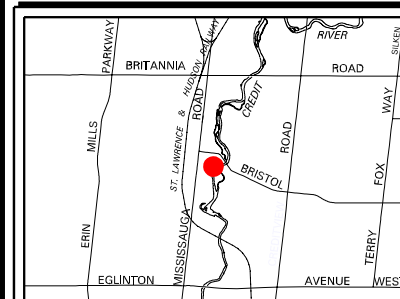
SUBJECT LANDS

DATE OF AERIAL PHOTO: 03 2009



SUBJECT:

DILLION CONSULTING LIMITED



FILE NO:
H-OZ 09005 W11

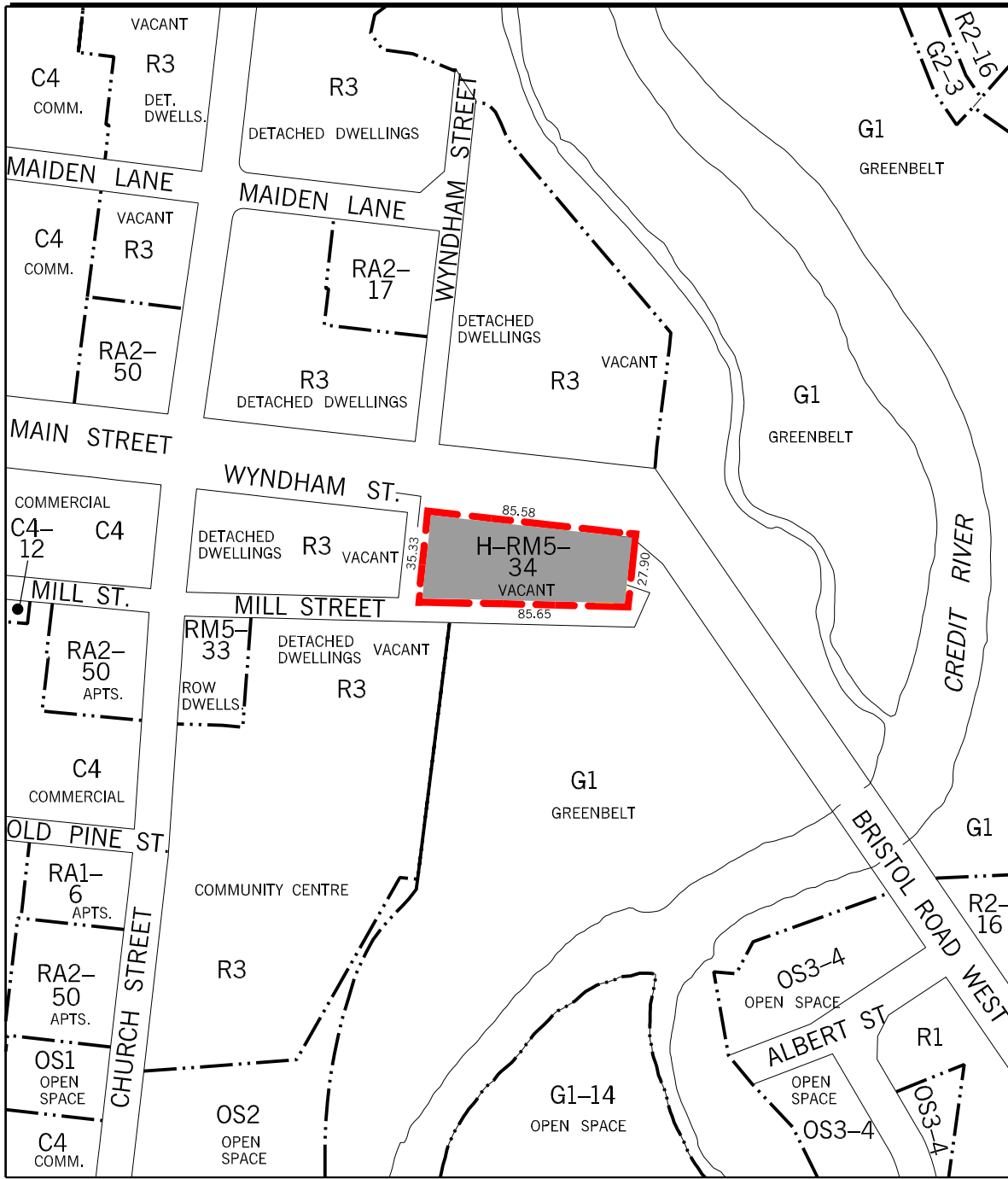
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H09005A

SCALE:
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COUNCIL
DATE:
2010 05 12

DRAWN BY:
K. PROKOP

APPENDIX
1



LEGEND:

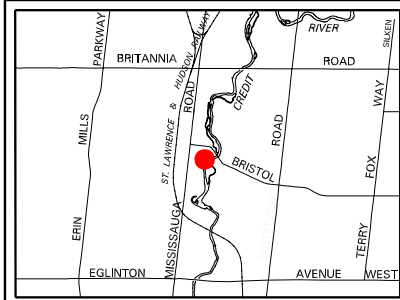


PROPOSED REMOVAL OF THE 'H' HOLDING PROVISION FROM 'H-RM5-34' TO 'RM5-34' TO ALLOW THE CONSTRUCTION OF 10 STREET TOWNHOUSE DWELLINGS.

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



SUBJECT:
DILLION CONSULTING LIMITED



FILE NO:
 H-OZ 09005 W11

DWG. NO:
 H09005R

SCALE:
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COUNCIL DATE:
 2010 05 12

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 K. PROKOP

MISSISSAUGA
 Planning and Building

Produced by
 T&W, Geomatics

APPENDIX 2