



AGENDA

SESSION 20

SPECIAL MEETING OF

THE COUNCIL OF

THE CORPORATION OF THE CITY OF MISSISSAUGA

(www.mississauga.ca)

WEDNESDAY, December 4, 2013 – 9:00 A.M.

COUNCIL CHAMBER
300 CITY CENTRE DRIVE
MISSISSAUGA, ONTARIO L5B 3C1

Contact: Carmela Radice, Legislative Coordinator, Office of the City Clerk
Telephone: 905-615-3200 Ext. 5426; carmela.radice@mississauga.ca



Meetings of Council streamed
live and archived at mississauga.ca/videos

1. **CALL TO ORDER**

2. **APPROVAL OF AGENDA**

3. **DECLARATIONS OF CONFLICT OF INTEREST**

4. **PUBLIC QUESTION PERIOD – 15 Minute Limit**

(in accordance with Section 36 of the City of Mississauga Procedure By-law 0139-2013 - Council may grant permission to a person who is present and at Council and wishes to address Council on a matter on the Agenda. Public Question Period is limited to a total of 15 minutes. Persons addressing Council with a question should limit preamble to a maximum of two statements sufficient to establish the context for the question. For any other matter, leave must be granted by Council to deal with a matter not on the agenda).

5. **CLOSED SESSION**

(a) Pursuant to the *Municipal Act*, Section 239 (2)

- (i) Litigation or potential, including matters before administrative tribunals, affecting the municipality or local board re: Update and **Legal Advice Regarding Official Plan Amendment No. 8 and Zoning By-law 0050-2013 Appeals and Proposed Partial Settlement with OMERS Realty Management Corporation and 156 Square One Limited.**

6. **MATTERS ARISING OUT OF CLOSED SESSION**

R-1 A report dated December 2, 2013, from the Commissioner of Planning and Building re: **Information Status and Removal of “H” Holding Symbol Report To permit the southwest addition to Square One Mall, private open space plaza with public access easement and new public road network, 100 City Centre Drive, Northeast of City Centre Drive and Duke of York Boulevard Owner/Applicant: OMERS Realty Management Corp. and 156 Square One Limited Bill 51, (HOZ 13/004 W4) (Ward 4).**

Recommendation

That the Report dated December 2, 2013, from the Commissioner of Planning and Building outlining the details of the proposed development and recommending approval of the removal of the "H" holding symbol application, to permit the southwest addition to Square One Mall and new road network under file H-OZ 13/004 W4, OMERS Realty Management Corp. and 156 Square One Limited, 100 City Centre Drive, be received for information, and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.

Motion

7. MOTIONS

- (a) To approve the Report dated December 2, 2013, from the Commissioner of Planning and Building outlining the details of the proposed development and recommending approval of the removal of the "H" holding symbol application, to permit the southwest addition to Square One Mall and new road network under file H-OZ 13/004 W4, OMERS Realty Management Corp. and 156 Square One Limited, 100 City Centre Drive, be received for information, and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.

Corporate Report R-1

8. INTRODUCTION AND CONSIDERATION OF BY-LAWS

- B-1 A By-law to authorize the execution of a Development Agreement between OMERS Realty Management Corp & 156 Square One Limited and the Corporation of the City of Mississauga North of City Centre Drive between Duke of York Boulevard and Kariya Gate (H-OZ 13/004 W4) Owner/Applicant: OMERS Realty Management Corp & 156 Square One Limited (Ward 4).

Corporate Report R-1

- B-2 A by-law to amend the Zoning By-law 0225-2007 to remove the 'H' Holding symbol for the lands located at 100 City Centre Drive for the lands in the northeast corner of City Centre Drive and Duke of York Boulevard, OMERS Realty Management Corp. and 156 Square One Limited (Ward 4).

Corporate Report R-1

9. CONFIRMATORY BILL

A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on December 4, 2013.

11. ADJOURNMENT

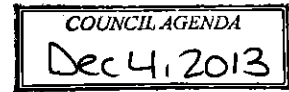


Corporate Report

Clerk's Files

R-1

Originator's
Files H-OZ 13/004 W4



DATE: December 2, 2013

TO: Mayor and Members of Council
Meeting Date: December 4, 2013

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Status and Removal of "H" Holding
Symbol Report
To permit the southwest addition to Square One Mall, private
open space plaza with public access easement and new public
road network
100 City Centre Drive
Northeast of City Centre Drive and Duke of York Boulevard
Owner/Applicant: OMERS Realty Management Corp and
156 Square One Limited
Bill 51**

Ward 4

RECOMMENDATION: That the Report dated December 2, 2013, from the Commissioner of Planning and Building outlining the details of the proposed development and recommending approval of the removal of the "H" holding symbol application, to permit the southwest addition to Square One Mall and new road network under file H-OZ 13/004 W4, OMERS Realty Management Corp. and 156 Square One Limited, 100 City Centre Drive, be received for information, and that the Planning and Building Department be authorized to prepare the necessary by-law for Council's passage.

**REPORT
HIGHLIGHTS:**

- The "H" holding symbol is proposed to be removed from the southwest side of Square One mall and the lands north of City Centre Drive and east of Duke of York Boulevard in order to permit an addition to the mall, private open space plaza with public access easement and allow for the construction of a new public road network upon execution of a Development Agreement;
- The "H" holding symbol is to be re-instated over the undeveloped blocks once the road network is constructed and the surface parking lots are re-configured accordingly;
- A Site Plan application (SP 12/218 W4) has been received and is currently under review for an addition to the southwest portion of the mall, between Old Navy and Hudson's Bay, to include a Holt Renfrew store, retail shops, a private open space plaza with public access easement, and a grand entrance to the mall, along with the new network of public roads;
- This report is provided as information for Council to outline the details of the proposal and to seek Council's permission to prepare the by-law to lift the "H" holding symbol to allow for development of the subject lands.

BACKGROUND:

On July 2, 2008, City Council adopted PDC Recommendation PDC-0053-2008 which requires that prior to approval of an application to remove the "H" holding symbol for all lands located within the downtown, the Planning and Building Department prepare an Information Status Report for consideration by Planning and Development Committee and Council, outlining the details of the development proposal.

The proposal is for an addition to the southwest portion of Square One mall (between the existing Old Navy and Hudson's Bay) which includes a Holt Renfrew store, retail shops, a private open space plaza with public access easement, and a grand entrance to the mall. Also forming part of this application are the lands north of City Centre Drive and east of Duke of York Boulevard, of

which portions will be gratuitously dedicated to the City for a new network of public roads (See Appendices I-1 to I-7).

The Site Plan (SP 12/218 W4) for the proposed southwest mall addition was submitted December 21, 2012 and the current proposed site plan is shown in Appendix I-5, with the elevations shown in Appendix I-6. The Downtown Interim Control By-law was in effect upon submission of the site plan. The Interim Control By-law Amendments (MOPA 8, By-law 0050-2013, and the Downtown Built Form Standards) which sought to implement the vision within the Downtown21 Master Plan were approved by Council on March 6, 2013 and were subsequently appealed by a number of the Downtown landowners including OMERS Realty Management Corp. and 156 Square One Limited on April 9, 2013. There have been on-going discussions between the City of Mississauga and Oxford Properties (OMERS Realty Management Corp. and 156 Square One Limited) to attempt to resolve their proposal with the amendments.

The Removal of the "H" Holding Provision application (H-OZ 13/004 W4) was submitted on October 29, 2013. This application has been circulated for technical comments and once the Development Agreement has been approved and executed, the requirements for lifting of the "H" holding symbol will have been met.

Typically the Information Status Report is prepared in advance of the report to seek permission to prepare the by-law to lift the "H" holding symbol, however, due to the timing of a related Ontario Municipal Board pre-hearing on December 10th, the two reports have been combined herein.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Application submitted:	October 29, 2013
Height:	1 and 2 storeys (tallest point is 18.5 m (60 ft.) appearing as 3 storeys)

Development Proposal	
Landscaped Area:	3,177 m ² (34,197 sq. ft.)
Gross Floor Area:	Existing Mall 159,599 m ² (1,717,905 sq. ft.) Northwest Addition (under construction) 5,952 m ² (64,067 sq. ft.) Proposed Southwest Addition 9,762 m ² (105,077 sq. ft.) Total mall area after both additions 174,380 m ² (1,877,010 sq. ft.)
Parking Required:	Total = 7,969 spaces
Parking Provided:	Total = 7,930 spaces

Site Characteristics	
Frontage:	310 m (1,017 ft.) – City Centre Drive 152 m (499 ft.) – Duke of York Blvd.
Depth:	irregular
Net Area:	5.371 ha (13.27 ac.)
Existing Use:	surface parking lots and Old Navy/mall

Neighbourhood Context

The subject property is currently comprised of surface parking lots, Square One Mall with the Old Navy store to be re-located to the northwest mall addition, and private access roads for Square One Mall.

The surrounding land uses are described as follows:

North: Square One Mall
 East: Hudson's Bay store (Square One Mall), parking structure
 South: City Centre Drive, office building (201 City Centre Dr.), surface parking

West: Duke of York Boulevard, Mississauga Civic Centre,
Celebration Square

Mississauga Official Plan (2012)

"Downtown Core Commercial" which permits retail commercial uses (except for those with a drive-through facility, motor vehicle sales, motor vehicle repair, motor vehicle wrecking and truck washes), restaurants, major and secondary offices, residential apartments, hotel and conference facilities, entertainment facilities, recreational facilities, parkland, and civic and cultural facilities (see Appendix I-2).

MOPA 8 was approved by Council on March 6, 2013 and is currently under appeal, but designates the lands **"Mixed Use"**, **"Public Open Space"**, and new **"Minor Collector"** roads with both **"A - Frontage"** and **"B - Frontage"** designations (see Appendix I-3). MOPA 8 was appealed by a number of the Downtown landowners including OMERS Realty Management Corp. and 156 Square One Limited on April 9, 2013.

While MOPA 8 is under appeal, Mississauga Official Plan (2012) is in force.

Existing Zoning (By-law 0225-2007)

"H-CC1" (City Centre – Retail Core Commercial), which permits a wide variety and mix of uses including retail and service commercial uses, offices, restaurants, entertainment establishments, apartment dwellings, hotels and conference centres subject to specified development requirements.

On March 6, 2013 an amending by-law, By-law 0050-2013, was passed to zone the subject lands:

"H-CC1" (Downtown Core – Core Commercial), which permits a wide variety and mix of uses including retail and service commercial uses, offices, restaurants, entertainment establishments, apartment dwellings, hotels and conference centres

subject to specified development requirements including design requirements and a minimum building height of 3 storeys.

"H-CCOS" (Downtown Core – Open Space), which permits only active and passive recreational uses, and below grade parking structures.

The By-law also zones the lands with **"A Street Frontage"**, **"B Street Frontage"**, **"75% Retail Activation Frontage"**, and **"50% Retail Activation Frontage"** requirements and **"Build-to Areas"**.

This By-law is currently under appeal.

A minor variance application has been submitted under file 'A' 454/13 to permit the construction of a one and two storey addition extending from the site of the existing Old Navy to Hudson's Bay. The variance is scheduled to the December 5, 2013 Committee of Adjustment.

The application is seeking variances for the following:

- Reduced building height;
- To permit retail uses in the CCOS Open Space zone;
- Reduction in the amount of first storey streetwall glazing;
- Increased width of a retail unit within a retail activation area;
- Encroachment of an underground parking structure below a street; and,
- Reduction in the amount of parking required

The variances will accommodate the proposed development.

Site Plan

The site plan for the southwest expansion of Square One mall (SP 12/218 W4) proposes an addition between the existing Old Navy store (to be re-located) and Hudson's Bay on the south side of the mall within 1 and 2 storeys. The addition will contain a Holt

Renfrew store, retail stores, grand entrance to the mall, and a private open space plaza with public access easement and new public road network (see Appendices I-5 and I-6).

The "H" holding symbol must be removed prior to the issuance of site plan approval for any building permit.

Removal of Holding Symbol

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.

The conditions for removing the "H" holding provision will be fulfilled as follows:

1. The owner will execute and enter into a Development Agreement, satisfactory to The Corporation of the City of Mississauga, addressing and agreeing to, amongst other things, the installation or placement of all required municipal works, municipal walkways, land dedications and the provision of required securities. This agreement must be complete and approved by Council prior to Council's approval of the By-law to remove the "H" holding symbol.
2. The lands comprising the future road network will be constructed by OMERS Realty Management Corp. and 156 Square One Limited to municipal standards and gratuitously dedicated to the City of Mississauga and assumed as Public Highway. Some of the roads will be stratified (eastern portion of Princess Royal Drive and the future Main Street) with the City owning the surface road, and OMERS Realty Management Corp. and 156 Square One Limited owning the below grade portion to be used for private

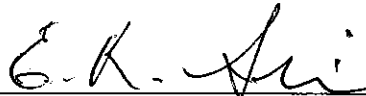
underground parking. The design of the new roads will be determined through a future Environmental Assessment process undertaken by the City.

Upon completion of construction of the roads and the alterations to the remaining surface parking, the applicant has agreed in the Development Agreement to have the "H" holding symbol reinstated upon the undeveloped lands (surface parking lots), and these lands will require a separate application to remove the "H" holding symbol upon there being a proposal for a Phase 2 redevelopment consistent with the approved policies, zoning, and vision for the Main Street District.

FINANCIAL IMPACT: Not applicable.

CONCLUSION: The conditions to remove the "H" holding symbol are anticipated to be fulfilled through the approval of the Development Agreement at this same special meeting of Council. These items must be completed prior to enactment of the By-law to lift the "H" holding symbol, and the by-law shall only be approved after the Development Agreement is approved.

- ATTACHMENTS:**
- Appendix I-1: Aerial Photograph
 - Appendix I-2: Excerpt of Downtown Core Land Use Map (Mississauga Official Plan – In Effect)
 - Appendix I-3: Excerpt of Downtown Core Land Use Map (MOPA 8 – Under Appeal)
 - Appendix I-4: Excerpt of Existing Land Use Map
 - Appendix I-5: Proposed Site Plan
 - Appendix I-6: Elevations
 - Appendix I-7: General Context Map



Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Jonathan Famme, Development Planner



LEGEND:

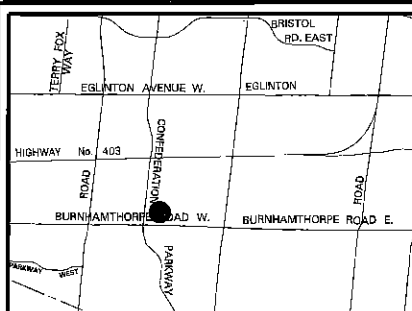


SUBJECT LANDS

DATE OF AERIAL IMAGERY: SPRING 2013



**SUBJECT: OMERS Realty Management Corp.
& 156 Square One Limited**



FILE NO:
H-OZ 13/004 W4

DWG. NO:
13004A

SCALE:
1:3500

DATE:
2013/12/02

DRAWN BY:
A.SHAH

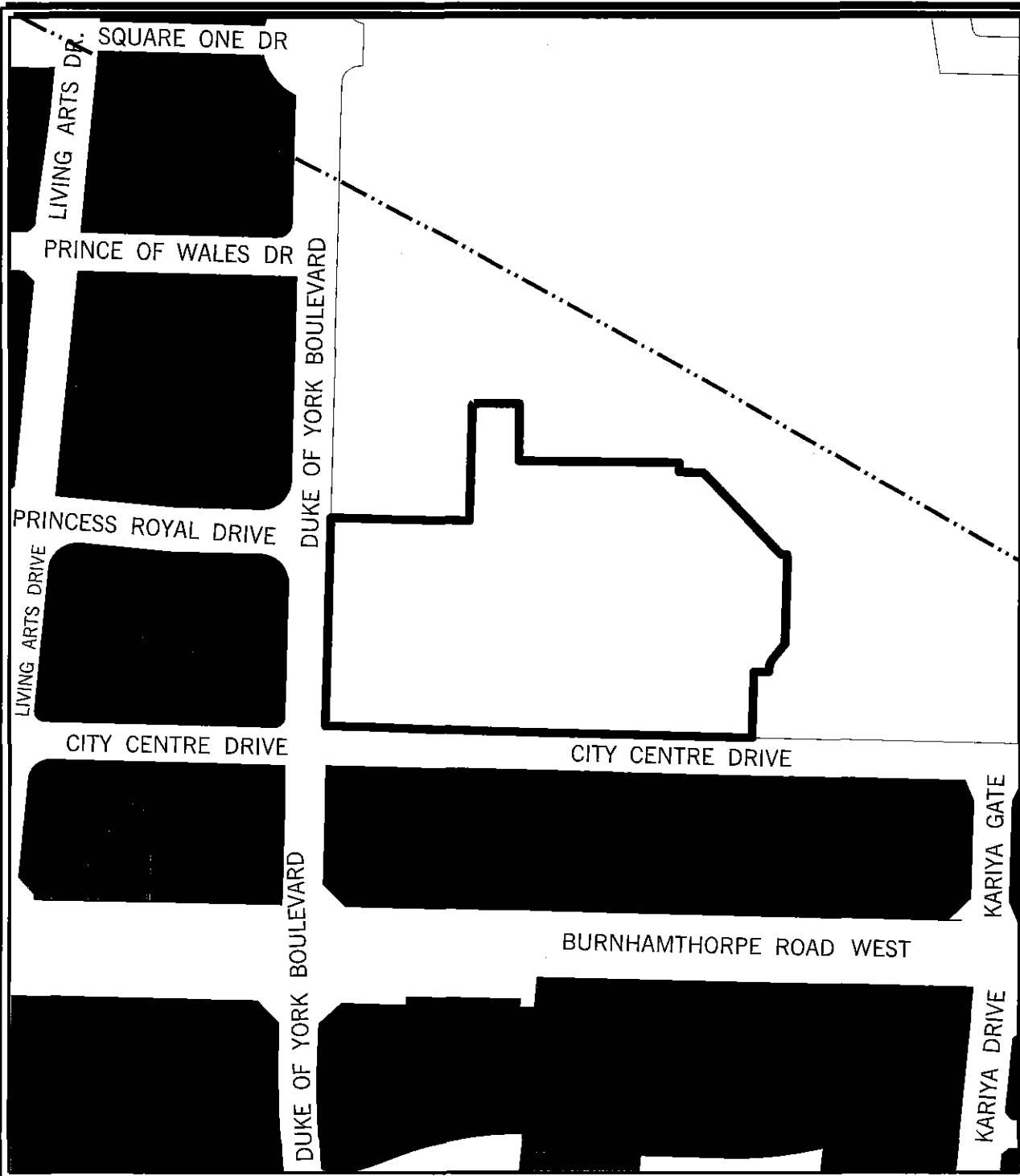
APPENDIX I-1

2-1157

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics

2-1(1)



PART OF SCHEDULE 10 LAND USE DESIGNATIONS OF MISSISSAUGA OFFICIAL PLAN (IN EFFECT)

- LAND USE DESIGNATIONS**
- | | |
|----------------------------|---------------------|
| Residential Low Density I | Business Employment |
| Residential Low Density II | Industrial |
| Residential Medium Density | Airport |
| Residential High Density | Institutional |
| Downtown Mixed Use | Public Open Space |
| Downtown Core Commercial | Private Open Space |
| Mixed Use | Greenbelt |
| Convenience Commercial | Parkway Belt West |
| Motor Vehicle Commercial | Utility |
| Office | To Be Determined |

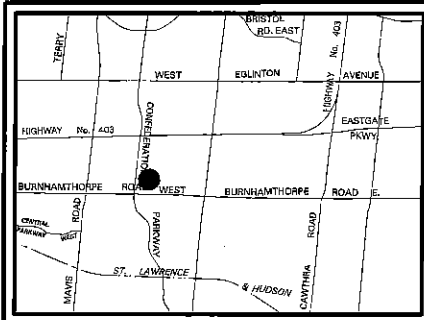
- LAND USE LEGEND**
- | | |
|---|------------------------------|
| Heritage Conservation District | Civic Centre (City Hall) |
| 1996 NEP/2000 NEF Composite Noise Contours | City Centre Transit Terminal |
| LBPIA Operating Area Boundary See Aircraft Noise Policies | GO Rail Transit Station |
| Area Exempt from LBPIA Operating Area | Public School |
| Natural Hazards | Catholic School |
| | Hospital |
| | Community Facilities |

- CITY STRUCTURE**
- Elements
- | | |
|----------------|----------------------|
| Downtown | Corporate Centre |
| Major Node | Employment Area |
| Community Node | Special Purpose Area |
| Neighbourhood | |
- ND2 Region of Peel Non-Decision

SUBJECT LANDS



SUBJECT: OMERS Realty Management Corp. & 156 Square One Limited



FILE NO:
HOZ 13/004 W4

DWG. NO:
13004L_MOP

SCALE:
1:2000

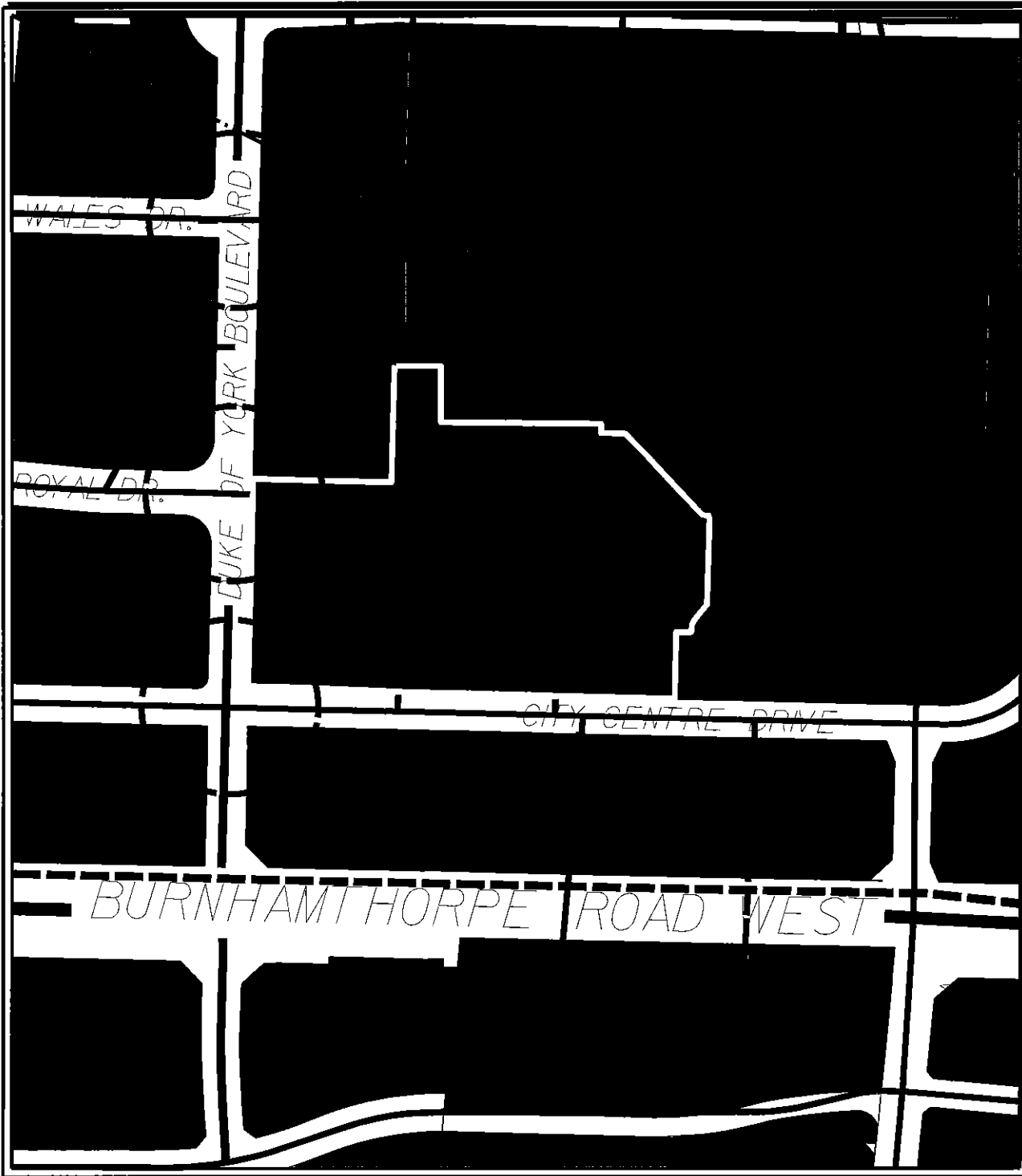
DATE:
2013/12/02

DRAWN BY:
A.SHAH

APPENDIX I-2

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



**PART OF SCHEDULE 10 LAND USE DESIGNATIONS
DOWNTOWN CORE LOCAL AREA PLAN
OF MISSISSAUGA OFFICIAL PLAN
(MOPA#8 - UNDER APPEAL)**

LAND USE DESIGNATIONS

- Mixed Use
- Office
- Public Open Space
- Greenbelt
- Parkway Belt West
- Residential High Density
- Utility

LAND USE LEGEND

- 1996 NEP / 2000 NEF Composite Noise Contours
- Natural Hazards

- ① Option 1, Conceptual Centre View Drive connection to EB Hwy. 403 concept,
- ② Conceptual N-W ramp terminal relocation.
- ③ Future Road - For additional information see Schedule 5: Long Term Road Network and Table 8-2: Road Classification - Major Collectors
- ④ The Interim Bus Rapid Transit Corridor depicts the interim alignment of the Bus Rapid Transit as per 2010 Environmental Assessment Approvals.

TRANSPORTATION LEGEND

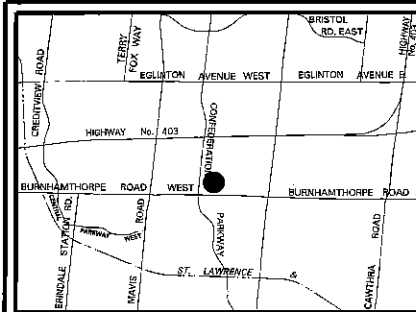
- Provincial Highway and Interchange
- Northern Distribution Road
- Arterial
- Major Collector
- Minor Collector
- Local Road
- Bus Rapid Transit Corridor
- Interim Bus Rapid Transit Corridor
- Light Rail Transit Corridor
- Proposed Grade Separated Crossing
- Proposed Roundabout
- Anchor Hub
- Civic Centre (City Hall)
- Public School
- City Centre Transit Terminal
- Community Facilities
- Local Area Plan Boundary Area of Amendment No. 8

SUBJECT LANDS

THIS IS NOT A PLAN OF SURVEY.



**SUBJECT: OMERS Realty Management Corp.
& 156 Square One Limited**



**FILE NO:
HOZ 13/004 W4**

**DWG. NO:
13004 Downtown
Core LU**

**SCALE:
1:4000**

**DATE:
2013/12/02**

**DRAWN BY:
A.SHAH**

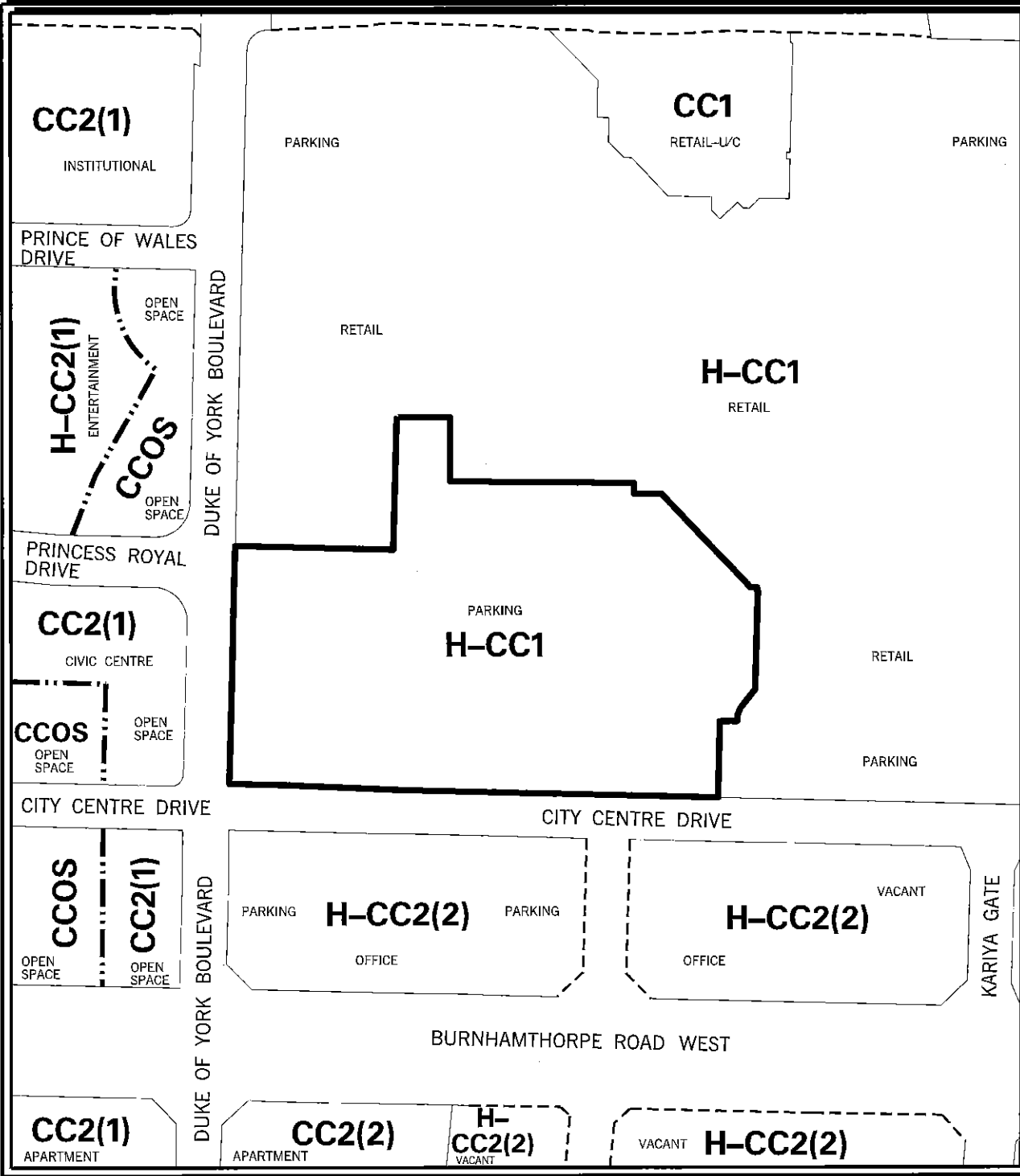
APPENDIX I-3

**MISSISSAUGA
Planning and Building**

**Produced by
T&W, Geomatics**

2-1(1)

R-1(C)



LEGEND:

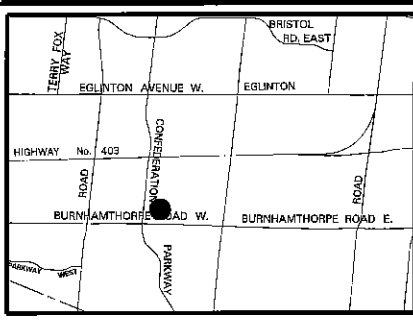


PROPOSED REZONING FROM "H-CC1"
TO "CC1" TO REMOVE THE HOLDING
ZONE

THIS IS NOT A PLAN OF SURVEY.



SUBJECT: OMERS Realty Management Corp. & 156 Square One Limited



FILE NO:
HOZ 13/004 W4

DWG. NO:
13004R

SCALE:
1:3500

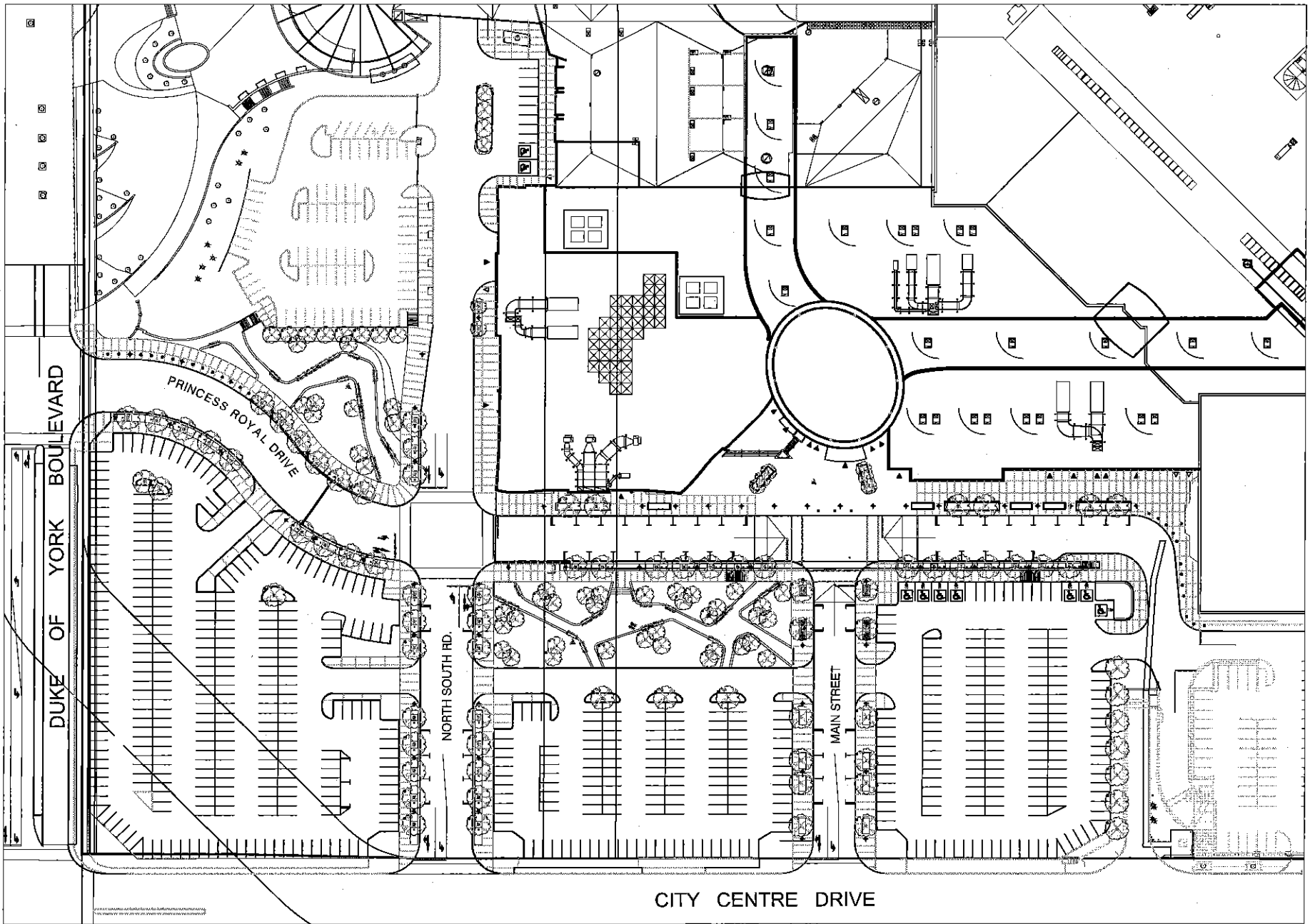
DATE:
2013/12/02

DRAWN BY:
A.SHAH

APPENDIX I-4

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics



SOUTH EXPANSION- SITE PLAN
 Square One Shopping Centre - Mississauga, Ontario

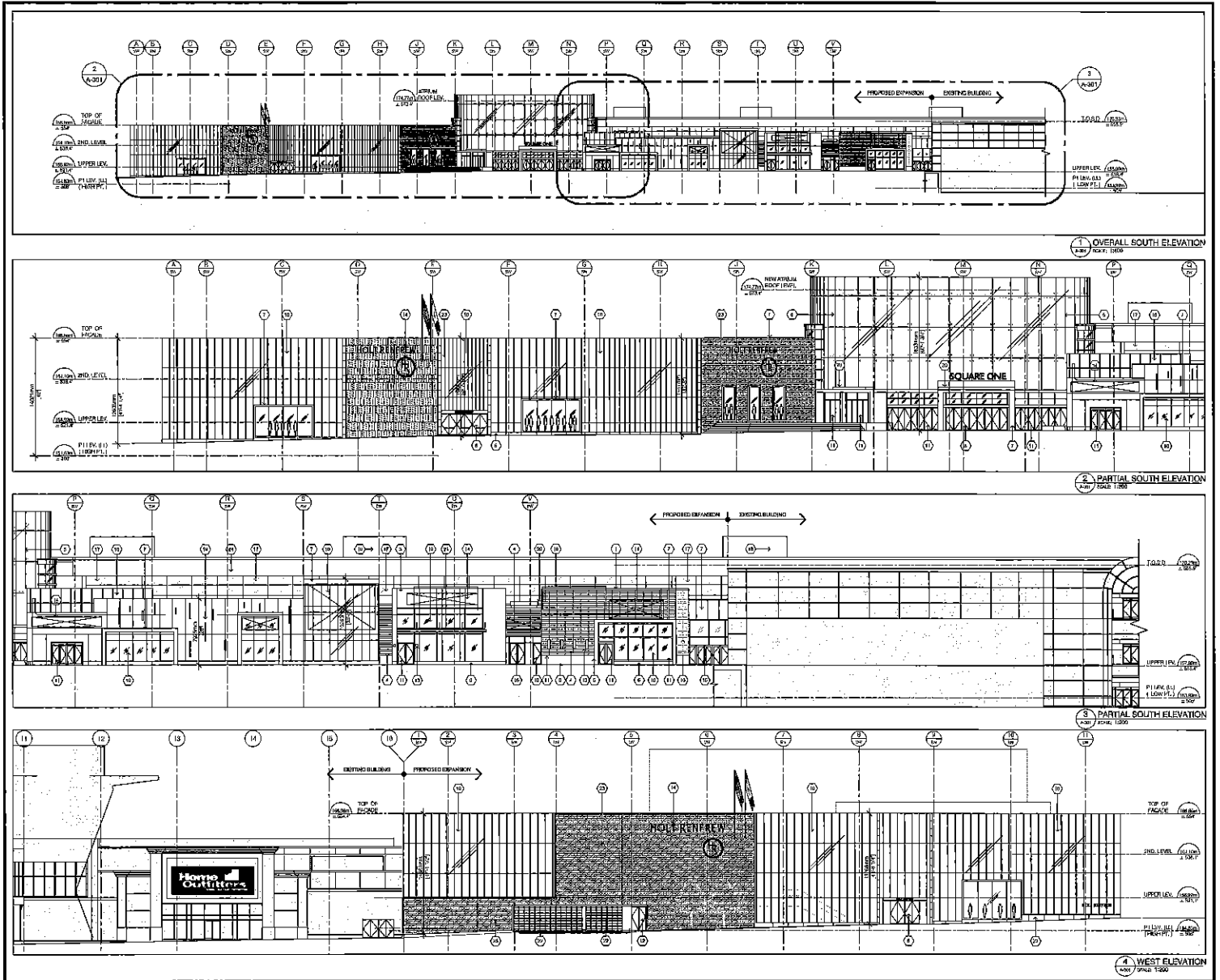
DECEMBER 02, 2013



APPENDIX I-5

2-1(1)

R-1(m)



ELEVATIONS

R-1(n)

GENERAL CONTEXT MAP

H-OZ 13004 W4

APPENDIX I-7

