



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER . 0136-2017

A by-law to delegate approval authority regarding incentive programs within the Downtown
Community Improvement Plan

WHEREAS Section 28 of the *Planning Act* R.S.O. 1990, C. p.13 as amended states that where a by-law has been passed to designate a community improvement project area, the Council may put in place a community improvement plan identifying measures that the municipality may take to facilitate and accelerate community improvement within the community improvement project area;

AND WHEREAS, Council has adopted a Downtown Community Improvement Plan which includes a program for Tax Increment Equivalent Grants and Development Processing Fees Grants;

AND WHEREAS, Sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (hereinafter the "*Municipal Act, 2001*") confer broad authority on municipalities, including lower-tier municipalities, governing their affairs, and to provide any service or thing that the municipality considers necessary or desirable;

AND WHEREAS, Section 23.1 of the *Municipal Act, 2001*, provides that a municipality may delegate its powers and duties under this or any other Act to a person or body;

AND WHEREAS, Council desires to delegate to the City Manager the authority to approve the granting of the Tax Increment Equivalent Grant and Development Processing Fees Grant in accordance with the Downtown Community Improvement Plan;

AND WHEREAS, Section 23.1(2)(5) of the *Municipal Act, 2001*, provides that a delegation may be subject to conditions and limits as the Council of a municipality considers appropriate;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. In this by-law,
 - (a) "Application" means an application for the granting of incentives under two programs identified in the Downtown Community Improvement Plan, those being the Tax Increment Equivalent Grant and Development Processing Fees Grant, and "Applications" has the same meaning as the singular
 - (b) "City Manager" means the Chief Administrative Officer for the Corporation
 - (c) "Corporation" means The Corporation of the City of Mississauga

(d) "Council" means the elected Council of The Corporation of the City of Mississauga

(e) "Director" means the Director of City Planning Strategies, Planning and Building Department or his/her delegate

2. Subject to Section 3 of this By-law, Council delegates to the City Manager all of Council's powers to consider, determine whether to grant approvals, and if so determined to grant the approval for any Application made pursuant to the Downtown Community Improvement Plan.
3. The City Manager's delegated approval authority shall not exceed any one or more Applications which relate to office development that cumulatively reach a total of 500,000 square feet of office gross floor area (46,452 square metres of office gross floor area).
4. If the City Manager has granted approval to one or more Applications which cumulatively total 500,000 square feet of office gross floor area (46,452 square metres of office gross floor area), any further Application shall only be considered and determined by Council.
5. Any single Application in excess of the amount specified in Section 3 of this By-law shall be considered and determined by Council.
6. Applications made pursuant to the Downtown Community Improvement Plan shall be subject to the following:
 - (a) an Application shall be filed with the Director;
 - (b) the Director may require a meeting with the applicant to discuss the Application;
 - (c) upon the Director's determination that the Application is complete and subject to the requirements specified in Section 3 of this By-law, the Director shall forward the Application along with a recommendation report to the City Manager;
 - (d) where the Application exceeds the delegated authority pursuant to Sections 4 and 5 of this By-law, the Director shall prepare a report for Council's consideration and determination.
7. The Director shall prescribe all forms necessary to implement all the incentive programs of the Downtown Community Improvement Plan and may amend such forms as the Director deems necessary.
8. The City Manager is authorized to undertake all acts necessary to carry out the authority vested in him/her under this By-law.
9. The City Manager and City Clerk are hereby authorized to affix their signature and the corporate seal to any agreement or other documents as may be required pertaining to the grant of approvals for any Application.

ENACTED and PASSED this 5 day of July, 2017.

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
MST			
Date	27	6	17

Bonnie Crombie
MAYOR

Crystal Green
CLERK