

SITE PLAN CONTROL BY-LAW

THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NO. 0293-2006

NOTE:

This is an "OFFICE CONSOLIDATION" of By-law No. 0293-2006, City of Mississauga Site Plan Control By-law, approved by City Council, 2006 July 05, and came into force and effect, 2006 July 05, and incorporates all amendments made to the said By-law.

For accurate reference the "ORIGINAL" of the individual By-laws should be consulted. Copies of "ORIGINAL" By-laws are available at the Corporate Services Department, Office of the City Clerk(3rd Floor Facade, City Hall). Copies of the "OFFICE CONSOLIDATION" are available from the Planning and Building Department, Strategic Planning and Business Services Division (10th Floor Tower, City Hall).

The number in brackets and italics, eg. (*1234-2006*), at the end of a section, subsection, paragraph, subparagraph, etc., is the number of the By-law amending By-law No. 0293-2006 that implemented or amended that section, subsection, paragraph, or subparagraph, etc.

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Date of updates to the "Office Consolidation" and latest By-law in force:			
Amending By-law No.	Amends	Enacted and Passed	In Force
0080 - 2007	Section 5(n) and Schedule 10	Feb 28 2007	Feb 28 2007
0162 – 2007	Section 5(a)	Apr 25 2007	Apr 25 2007
0238 - 2007	Repeals and Replaces Sections 4(c), (d), 5 (a),(b),(d),(e),(h),(m) Adds Section 5(o)	Jun 20 2007	Jun 20 2007
0359 - 2007	Section 5(p)	Sep 26 2007	Sep 26 2007
0146 - 2008	Section 5(q) and Schedule 11	May 07 2008	May 07 2008
0185 - 2010	Section 5(a) Repeals and Replaces Section 5(m)(ii), Schedules 1, 2, 3, 7 and 7B	Jun 23 2010	Jun 23, 2010

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THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NO. 0293-2006

A By-law to provide for Site Plan Control in the City of Mississauga
and to repeal By-law 1127-85, as amended, and By-law 314-89.

WHEREAS section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, permits the Council of a municipality to designate the whole or any part of the municipality as a Site Plan Control Area, where in the Official Plan the area is shown or described as a proposed Site Plan Control Area;

AND WHEREAS section 5.3.6 of the Official Plan for the City of Mississauga (Mississauga Plan) designates all lands in the City of Mississauga as a Site Plan Control Area;

AND WHEREAS subsection 41(11) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, refers to section 427 of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, which permits a municipality to direct or require that a matter or thing be done at the person's expense and may recover the costs by action of doing said thing or matter from the person directed or required to do it;

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

1. For the purposes of this By-law:
 - (a) "CITY" means the Corporation of the City of Mississauga;
 - (b) "COMMISSIONER" means the Commissioner of the Planning and Building Department, including his or her designate as identified by the Commissioner in writing from time to time;
 - (c) "COUNCIL" means the Council of The Corporation of the City of Mississauga;
 - (d) "DEVELOPMENT" has the same meaning as in subsection 41(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended;
 - (e) "OWNER" means any owner of land as identified in the records of the proper Land Registry Office or Land Titles Office and includes a purchaser under a valid Agreement of Purchase and Sale, and the authorized agent of any such purchaser or owner of land;
 - (f) "REDEVELOPMENT" means the removal of buildings or structures from land and the construction or erection of other buildings or structures thereon and "REDEVELOP" has a corresponding meaning;
 - (g) "SITE PLAN" means those plans and/or drawings as contemplated by subsection 41(4) of the *Planning Act*, R.S.O. 1990, c.P.13., as amended;
 - (h) "SITE PLAN UNDERTAKING" means an agreement as contemplated by subsection 41(7)(c) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, regarding matters pertaining to the development or redevelopment of a property subject to site plan control, and which may appear in the form of a document called a Site Plan Undertaking or as a Site Plan Development Agreement, as approved by the Commissioner, and signed by both the owner and the Commissioner;
 - (i) "SITE WORKS" means all of those requirements made by the Commissioner as identified on a site plan for land which is to be developed or redeveloped, drawn to a suitable scale and showing thereon the following:
 - (i) the location, size and design of all matters provided for under subsections 41(4), (7) and (8) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended;
 - (ii) the dimensions and area of land and the boundary lines of all lots that comprise the land, certified by or taken from a drawing prepared by an Ontario Land Surveyor;
 - (iii) buildings and structures which are to remain on the land and all setback measurements related thereto;
 - (iv) landscaping works, including location, size and description of all hedges, trees, shrubs and other landscaping, and detailed tree replacement and tree planting information; and,
 - (v) such other data as may be required by the Commissioner consistent with the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.
2. All the lands within the municipal boundaries of the City are hereby designated as a Site Plan Control Area, and no person shall undertake development on the lands without the approval of a site plan by Council.

3. Council hereby delegates to the Commissioner the powers and authority conferred upon the Council under section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, except the authority to define any class of or classes of development that may be undertaken without the approval of a site plan.
4. Section 2 of this By-law shall not apply to the following classes of development:
 - (a) Detached dwellings having direct frontage on a public road;
 - (b) Semi-detached dwellings having direct frontage on a public road;
 - (c) Lands with an Employment zone; (0238-2007)
 - (d) All development on lands zoned "RM5-45" and "RM5-46". (0238-2007)
5. Notwithstanding section 4 of this By-law, section 2 of this By-law shall apply to the following classes of development:
 - (a) All development and redevelopment on lands zoned "R1-29", "R2-32", "R2-33", "R3-54", "R3-60", "R4-14", "R4-57", "R9-1", "RM2-48", "U-4", "O-9", "D-6", "D-7", "C5-19"; (0162-2007), (0238-2007) (0185-2010)
 - (b) All development or redevelopment on lands used for the office of a resident physician, dentist, drugless practitioner or health professional in a detached dwelling; (0238-2007)
 - (c) All development or redevelopment on lands with the municipal address 1355 Aerowood Road;
 - (d) All buildings and structures on lands zoned "U" (Utility) having a floor area greater than 10m²; (0238-2007)
 - (e) All development or redevelopment on lands with an Employment zone which abut the roads shown on Schedules "1" and "2" attached to this By-law; (0238-2007)
 - (f) All development or redevelopment on the lands shown on Schedule "3" attached to this By-law;
 - (g) All development or redevelopment on the lands shown on Schedule "4" attached to this By-law;
 - (h) All development or redevelopment on lands zoned for detached dwellings on the lands shown on Schedule "5" attached to this By-law; (0238-2007)
 - (i) All development or redevelopment on the lands shown on Schedule "6" attached to this By-law;
 - (j) All development or redevelopment on the lands shown on Schedule "7" (lands fronting, flanking and/or abutting Mississauga Road), attached to this By-law;
 - (k) All development or redevelopment on the lands shown on Schedule "8" (the Port Credit Heritage Conservation District) attached to this By-law;
 - (l) All development or redevelopment on the lands shown on Schedule "9" attached to this By-law;
 - (m) All development or redevelopment on lands zoned:
 - (i) Employment which are within 60 m of lands zoned residential and not otherwise subject to site plan control through other sections of this By-law; (0238-2007)
 - (ii) Employment which abut or include lands zoned greenbelt, open space, parkway belt and greenbelt overlay; (0238-2007), (0185-2010)
 - (iii) "D" (Development) which are used for a non-residential use; and (0238-2007)
 - (iv) "RM7", with the exception of detached and semi-detached dwellings; (0238-2007)
 - (n) All development or redevelopment of the lands shown on Schedule "10" attached to this By-law; (0080 – 2007)
 - (o) All power generating facilities; (0238-2007)
 - (p) All development or redevelopment of lands for a vehicle pound facility; (0359 – 2007)
 - (q) All development or redevelopment of lands shown on Schedule "11" attached to this By-law. (0146 - 2008)
6. The Commissioner may require that securities be posted by the owner, in such amount as the Commissioner deems necessary and appropriate, to ensure the provision and maintenance of the site works as shown on an approved site plan. Securities are to be submitted in a form deemed acceptable to the Commissioner.
7. The Commissioner may require an owner to provide and execute a site plan undertaking to ensure compliance with the conditions to provide, maintain or complete the site works as required by the Commissioner.
8. If an owner is in default of carrying out site works by failing to comply with the conditions to provide, maintain or complete the site works as required by the Commissioner, then the City, its authorized agents, servants or employees may enter upon the owner's land or into the owner's structures with reasonable notice to complete the site works at the owner's expense.

9. The City may recover any costs incurred by the City, including interest and administration expenses, to provide, maintain or complete site works by deducting from or drawing upon securities that have been provided to the City by the owner. If there are no securities, or if the amount of securities held by the City are not sufficient to cover the costs incurred by the City, then without limiting the City's remedies the costs incurred by the City which can not be reimbursed or recovered from securities will be added to the tax roll of the property that is the subject of the site works and will be collected in the same manner as taxes.
10. The Commissioner is hereby delegated the authority to determine and direct the appropriate action to be taken in the administration of this By-law, including any remedial action to be taken where an owner defaults in the carrying out of the site works.
11. Should a court of competent jurisdiction declare any section or part of a section of this By-law invalid, it is the stated intention of Council that the remainder of this By-law shall continue in force unless the court makes an order to the contrary.
12.
 - (a) By-law 1127-85, and amending By-laws 171-86, 267-86, 996-86, 1042-86, 1099-86, 16-87, 865-87, 214-88, 66-89, 112-89, 191-89, 257-89, 268-89, 319-89, 437-89, 487-89, 543-89, 622-89, 100-90, 120-90, 188-90, 443-90, 489-90, 11-91, 24-91, 83-91, 188-91, 332-91, 464-91, 126-92, 311-92, 361-92, 462-92, 552-92, 554-92, 286-94, 370-95, 268-96, 401-96, 164-97, 533-97, 628-97, 630-97, 58-98, 410-98, 424-98, 512-98, 23-99, 54-99, 158-99, 363-99, 369-99, 479-99, 0095-2000, 0333-2000, 0349-2000, 0405-2000, 0492-2000, 0577-2000, 0584-2000, 0073-2001, 0183-2001, 0288-2001, 0314-2001, 0347-2001, 0406-2001, 0486-2001, 0504-2001, 0015-2002, 0452-2002, 0086-2003, 0364-2003, 0476-2003, 0229-2004, 0275-2004, 0338-2005, 0054-2006 are hereby repealed.
 - (b) By-law 314-89 is hereby repealed.

ENACTED and PASSED this 5th day of July 2006.

"HAZEL McCALLION"

MAYOR

"CRYSTAL GREER"

CLERK





























