



Notice of Passing of an Official Plan Amendment (OPA 139)

City-Initiated By-law affecting all lands within the City of Mississauga that are subject to site plan control.

Date of Decision: July 6, 2022
Date of Notice: July 14, 2022
Last Date of Appeal: August 3, 2022

TAKE NOTICE that on July 6, 2022, the Council of the Corporation of the City of Mississauga passed By-law 0159-2022, to amend the Official Plan, under Sections 17 or 21 of the Planning Act, R.S.O., 1990, c.P.13 as amended. Council has considered the written and oral submissions from the public on this matter.

THE PURPOSE AND EFFECT of the Official Plan Amendment is to amend implementation policies as they relate to complete application requirements in Chapter 19 of Mississauga Official Plan.

IF YOU WISH TO APPEAL to the Ontario Land Tribunal, a copy of an appeal form is available from the OLT website at <https://olt.gov.on.ca/>. An appeal may be filed by registered mail or courier addressed to the Clerk of the City of Mississauga, Attention: Diana Rusnov, 300 City Centre Drive, Mississauga, ON L5B 3C1, no later than **August 3, 2022**.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the official plan amendment and/or by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council c/o the Planning and Building Department or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

The Notice of Appeal must:

- 1) set out reasons for the appeal;
- 2) be accompanied by the fee prescribed under the *Ontario Land Tribunal Act* in the amount of \$1,100.00 per application, payable by certified cheque or money order to the Minister of Finance. A copy of the Ontario Land Tribunal Fee Schedule may be found at <https://olt.gov.on.ca/appeals-process/fee-chart/>
- 3) be accompanied by a fee in the amount of \$300.00, payable to the City of Mississauga.

MORE INFORMATION: A copy of the Official Plan Amendment in its entirety can be found at www.mississauga.ca/portal/cityhall/publicnotices, or from **Jordan Lee** of the City of Mississauga, Planning and Building Department at (905) 615-3200 X5732.

Mailing Address for Filing a Notice of Appeal

City of Mississauga
Office of the City Clerk,
300 City Centre Drive, 2nd Floor,
Mississauga ON L5B 3C1



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0159-2022

A by-law to Adopt Mississauga Official Plan Amendment No. 139

WHEREAS in accordance with the provisions of sections 17 or 21 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, ("*Planning Act*") Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing authorized the Regional Municipality of Peel, ("Region" or "Regional"), an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region has advised that, with regard to Amendment No. 139, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

AND WHEREAS, Council desires to adopt certain amendments to Mississauga Official Plan regarding policy changes for implementation of planning applications;

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

1. The document attached hereto, constituting Amendment No. 139 to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this 6th day of July, 2022.

Approved by Legal Services City Solicitor City of Mississauga
MEM
Michal E. Minkowski
Date: June 23, 2022
File: CD.21-SIT

Bonnie Crombie
MAYOR

W. D. Rusm
CLERK

Amendment No. 139

to

Mississauga Official Plan

By-law No. 0159-2022

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Signed Bonnie Gourbi Signed W.D. Burtin
MAYOR CLERK

Amendment No. 139
to
Mississauga Official Plan

The following text attached constitutes Amendment No. 139.

Also attached but not constituting part of the Amendment are Appendices I and II.

Appendix I is a description of the Public Meeting held in connection with this Amendment.

Appendix II is a copy of the Planning and Building Department report dated May 27, 2022, pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to amend implementation policies as they relate to complete application requirements in Chapter 19 of Mississauga Official Plan.

LOCATION

The lands affected by this Amendment are all lands in the City of Mississauga that are subject to site plan control.

BASIS

Mississauga Official Plan came into effect on November 14, 2012, save and except for the outstanding site specific appeals to the Ontario Land Tribunal.

The proposed Amendments are required to comply with Bill 109, *More Homes for Everyone Act*, 2022, which requires that municipalities respond to the completeness of site plan applications. Current Mississauga Official Plan policies only provide the complete application submission requirements for official plan amendments, rezonings, draft plans of subdivision, draft plans of condominium and consents.

The proposed Amendment is acceptable from a planning standpoint and should be approved for the following reasons:

1. In order to comply with Bill 109, Mississauga Official Plan policies must be amended to include site plan applications in the list of development applications which have submission requirements.
2. Clarity is being provided to applicants and City staff in regards to the materials required (e.g. plans and drawings) to deem applications for site plan approval complete.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 19.4, Development Applications, of Mississauga Official Plan, is hereby amended by deleting the first sentence of Policy 19.4.5 and replacing with the following:

Some or all of the following studies, reports, plans, drawings and/or documents may be required as part of a complete application submission for an official plan amendment, rezoning, draft plan of subdivision, draft plan of condominium, consent or site plan application, dependent on the type of application, the property location and adequacy of services.

2. Section 19.4, Development Applications, of Mississauga Official Plan, is hereby amended by adding the following to the list contained in Policy 19.4.5:
 - Plans and drawings as necessary including but not limited to: site plan; elevation plan; grading plan; servicing plan; landscape plan; and floor plan for the purpose of evaluating exterior design.

IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, Mississauga Official Plan will be amended in accordance with this Amendment.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan October 21, 2021.

INTERPRETATION

The provisions of Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply in regard to this Amendment.

This Amendment supplements the intent and policies of Mississauga Official Plan.

APPENDIX I
PUBLIC MEETING

All property owners and residents within the City of Mississauga were invited to attend a Public Meeting of the Planning and Development Committee held on June 20, 2022 in connection with this proposed Amendment.

No deputations were made and no comments were received by the Planning and Building Department.

City of Mississauga

Corporate Report



Date: May 27, 2022 To: Chair and Members of Planning and Development Committee	Originator's file: CD.21-SIT
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: June 20, 2022

Subject

PUBLIC MEETING INFORMATION/RECOMMENDATION REPORT (ALL WARDS)
Proposed Amendments to Mississauga Official Plan, Site Plan Control By-law and Mandatory Pre-Application Meetings By-law
File: CD.21-SIT

Recommendation

That the proposed amendments to Mississauga Official Plan, Site Plan Control By-law 0293-2006 and the Mandatory Pre-Application Meetings By-law 0128-2008 contained in the report dated May 27, 2022, from the Commissioner of Planning and Building be approved, and that implementing by-laws be brought to a future City Council meeting.

Background

Bill 109, *More Homes for Everyone Act*, 2022, received Royal Assent on April 14, 2022. Changes introduced through Bill 109 include amendments to Section 41 of the *Planning Act* which deals with site plan approval. One of the changes includes a requirement that municipalities respond to the completeness of an application for site plan approval within 30 days of any fees being paid. Prior to Bill 109, there was no requirement that municipalities deem an application for site plan approval complete.

In addition, in June 2006, the City of Mississauga's Site Plan Control By-law was consolidated and updated. As permitted by the *Planning Act*, all lands in the City are designated as a site plan control area, and no person can undertake development without site plan approval. To focus development and design review on higher priority proposals and areas within Mississauga, the City has exempted certain types of development (e.g. most low density housing) and certain areas from site plan control. Matters relating to exterior design may be regulated through site plan control, provided that provisions related to such matters are contained within the Official Plan and the Site Plan Control By-law.

The purpose of this report is to identify required updates to Mississauga Official Plan, the Site Plan Control By-law and the Mandatory Pre-Application Meetings By-law resulting from Bill 109 and other necessary amendments.

Comments

The following amendments are required to Mississauga Official Plan, the Site Plan Control By-law and the Mandatory Pre-Application Meetings By-law:

Mississauga Official Plan

Chapter 19 – Implementation of Mississauga Official Plan contains policies pertaining to complete application requirements for development applications. Currently the policy references complete application requirements for official plan amendment, rezoning, draft plan of subdivision, draft plan of condominium or consent applications, but does not include site plan applications.

As a result of Bill 109, staff are proposing that Section 19.4.5 of Mississauga Official Plan be amended to reference site plan applications and to add the plans and drawings normally associated with a site plan application to the list of required information.

Site Plan Control By-law

As permitted by the *Planning Act*, exterior design elements and streetscape may be regulated through site plan approval, provided that the Site Plan Control By-law and the Official Plan contain such provisions. Mississauga Official Plan already contains the necessary policies, and so staff are proposing to make the Site Plan Control By-law consistent with the Official Plan.

In addition, staff are proposing to exempt duplexes having frontage on a public road from site plan control. With the introduction of second units into the Zoning By-law, there is only a minor distinction between a duplex and a detached dwelling with a second unit. However, in the Site Plan Control By-law, detached dwellings are currently exempt from site plan control, but duplexes are not. These exemptions do not apply to the site plan infill areas of the City, and any other areas identified in the by-law. To maintain equity and consistency, staff propose that duplexes be treated similarly as detached dwellings in the Site Plan Control By-law.

Mandatory Pre-Application Meetings By-law

An amendment is required to the Mandatory Pre-Application Meetings By-law to include site plan applications in the definition of "applications". The by-law states that one of the purposes of a pre-application meeting is to identify information deemed necessary by City staff for the submission of a complete development application. Prior to Bill 109, the *Planning Act* did not contain complete application requirements for site plan applications, so they were not included in the Mandatory Pre-Application Meetings By-law.

Appendix 1 details all of the proposed amendments to Mississauga Official Plan, the Site Plan Control By-law and the Mandatory Pre-Application Meetings By-law.

COMMUNITY ENGAGEMENT

No community or public meetings are required under the provisions of the *Planning Act* for amendments to the Site Plan Control By-law or the Mandatory Pre-Application Meetings By-law. However, amendments to Mississauga Official Plan are subject to statutory public meeting and notice requirements. The public meeting on June 20, 2022 fulfills the statutory requirements under the *Planning Act*.

Financial Impact

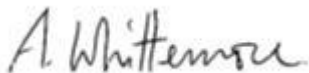
Not applicable.

Conclusion

It is recommended that the above noted changes be made to Mississauga Official Plan, the Site Plan Control By-law 0293-2006 and the Mandatory Pre-Application Meetings By-law 0128-2008. The amendments are required to comply with certain provisions in Bill 109 and to create consistency between the Official Plan, the Site Plan Control By-law and the Mandatory Pre-Application Meetings By-law.

Attachments

Appendix 1: Proposed Amendments to Mississauga Official Plan, Site Plan Control By-law and Mandatory Pre-Application Meetings By-law



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Jordan Lee, Supervisor, Zoning Services

**Proposed Amendments to Mississauga Official Plan, Site Plan Control By-law and
 Mandatory Pre-Application Meetings By-law**

	Section	Proposed Amendment(s)	Comment/Explanation
Mississauga Official Plan	19.4, Development Applications	<p>1. Add “plans, drawings” and “or site plan application” to the first sentence contained in Policy 19.4.5 as follows:</p> <p>Some or all of the following studies, reports, plans, drawings and/or documents may be required as part of a complete application submission for an official plan amendment, rezoning, draft plan of subdivision or draft plan of condominium, consent or site plan application, dependent on the type of application, the property location and adequacy of services.</p> <p>2. Add the following to the list of materials required as part of a complete application submission:</p> <ul style="list-style-type: none"> Plans and drawings as necessary including but not limited to: site plan, elevation plan, grading plan, servicing plan, floor plan and landscape plan 	<p>Bill 109 requires that municipalities shall respond to the completeness of applications for site plan approval within 30 days of any fees being paid under s. 69 of the <i>Planning Act</i>. To address this new requirement, an amendment to the implementation policies of Mississauga Official Plan is required.</p> <p>Site Plan applications and associated materials have been added to Policy 19.4.5 to address complete application submissions and include plans and drawings.</p>
Site Plan Control By-law 0293-2006	4	<p>Add a new class of development to which Section 2 of the Site Plan Control By-law would not apply:</p> <ul style="list-style-type: none"> Duplex 	Removing duplexes from site plan control will result in equitable and consistent regulation between duplexes and detached dwellings with a second unit.
	5	Amend 5 (h) to include duplexes	Duplexes that are subject to Section 5 of the Site Plan Control By-law would still require site plan approval, such as those within the site plan infill areas.
	5-12	Renumber Sections 5-12 to accommodate the insertion of a new provision regarding exterior design and streetscape	N/A

	Section	Proposed Amendment(s)	Comment/Explanation
	5 (new)	<p>Add a new Section to the by-law as follows:</p> <p>To ensure that the design provisions contained in Section 19.14 of the Official Plan for the City of Mississauga are addressed, plans, drawings and other material submitted in support of an application for site plan approval shall be required to show exterior architectural details and design features, including the following information:</p> <ul style="list-style-type: none"> • matters relating to exterior design such as, but not limited to, the character, scale, appearance and design features of all buildings, and their sustainable design; • sustainable design elements on the development site and adjoining highways under Mississauga's jurisdiction including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curbs, ramps, waste and recycling containers, and bicycle parking facilities. 	New provision required to align with Mississauga Official Plan policies regarding the scope of site plan applications, specifically in regards to exterior design elements and streetscape.
Mandatory Pre-Application Meetings By-law	1	Include the words "or obtain site plan approval" in the definition of "application"	Adding site plan approval to the definition of application will enable the City to require pre-application meetings to review complete application requirements with applicants.