



## DECLARATION

### Section 17 of the Planning Act

**Applicant:** City of Mississauga

**Municipality** City of Mississauga

**Our File:** OPA 126

I, Sacha Smith, Deputy Clerk, solemnly declare,

1. That the decision in respect of the above-noted matter was made on June 22, 2022 when By-law Number 0146-2022 was enacted and that notice as required by Section 17 of the Planning Act was given on June 30, 2022.
2. That no appeal to the Ontario Land Tribunal of the decision in respect of the above-noted matter was received under Section 17 of the Planning Act within the time specified for submitting an appeal.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me

at the City of Mississauga

in the Regional Municipality of Peel

This 21<sup>st</sup> day of July, 2022.

Commissioner of Oaths

Karolina Surowiec, a Commissioner, etc.,  
Province of Ontario, for the  
Corporation of the City of Mississauga.  
Expires January 12, 2025.

Declarant

Sacha Smith



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## Notice of Passing of a Zoning By-law and an Official Plan Amendment (OPA 126)

### City-Initiated By-law affecting all lands zoned "D" in the City of Mississauga

**Date of Decision:** June 22, 2022  
**Date of Notice:** June 30, 2022  
**Last Date of Appeal:** **July 20, 2022**

**TAKE NOTICE** that on June 22, 2022, the Council of the Corporation of the City of Mississauga passed Official Plan Amendment 126 (By-law 0146-2022) and Zoning By-law 0147-2022, to amend Zoning By-law 0225-2007, under Sections 17 or 21, and 34 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 introduce policies outlining the criteria for the assessment of a minor variance application on properties with a "D" zone (Development).

The purpose of the Zoning By-law is to amend the "D" zone (Development) regulations to provide additional regulations for the maximum enlargement of existing buildings, minimum yards and maximum height. The "D" zone only permits building(s) or structure(s) legally existing on the date of passing of By-law 0225-2007 and the existing legal use of such building or structure. The "D" zone (revised) will permit a building or structure legally existing on the date of passing of By-law 0225-2007 and the existing legal use of such building or structure. The amendment will also permit the enlargement of existing building(s) and structure(s) to a maximum of 10% of the gross floor area that legally existed on the date of the passing of By-law 0225-2007, and to a maximum building height of 10.7 m. A description of the lands to which the By-law applies and/or a key map showing the location of the lands to which the By-law applies are attached.

**The Zoning By-law shall not come into force until Mississauga Official Plan Amendment Number 126 is in full force and effect.**

**The decision of Council is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.**

**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 **July 20, 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 and Zoning By-law in their entirety can be found at [www.mississauga.ca/portal/cityhall/publicnotices](http://www.mississauga.ca/portal/cityhall/publicnotices), or from **Stephen Stirling** of the City of Mississauga, Planning and Building Department at (905) 615-3200 X5529.

### **Mailing Address for Filing a Notice of Appeal**

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

**Amendment No. 126**

**to**

**Mississauga Official Plan**

By-law No. 0146-2022

A by-law to Adopt Mississauga Official Plan Amendment No. 126

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. 126, 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 to the Development (D) Zone.

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

1. The document attached hereto, constituting Amendment No. 126 to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this 22<sup>nd</sup> day of June, 2022.

Signed   
ACTING MAYOR

Signed   
CLERK

**Amendment No. 126**  
**to**  
**Mississauga Official Plan**

The following text attached constitutes Amendment No. 126.

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 April 14, 2022, pertaining to this Amendment.

## **PURPOSE**

The purpose of this Amendment is to introduce policies outlining the criteria for the assessment of a minor variance application on properties with a "D" zone (Development).

## **LOCATION**

The lands affected by this Amendment are all properties zoned "D" (Development) under the City of Mississauga's Zoning By-law 0225-2007.

## **BASIS**

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

The proposed amendments to the Development Zone policies will allow for minor changes to be made on lands zoned "D" (Development) without compromising the long-term intention of the Official Plan. The proposed amendments will allow lands zoned "D" (Development) to continue to be viable by allowing minor expansions of existing buildings and structures and the addition of temporary uses without jeopardizing the future vision for the neighbourhood.

The proposed amendments are acceptable from a planning standpoint and should be approved to ensure clear direction on lands zoned "D" (Development). The proposed amendments will promote the efficient use of land by providing flexibility for property owners to utilize these lands until they are ultimately redeveloped in accordance with the long-term vision of Mississauga Official Plan.

## **DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO**

1. Section 19.11, Development Zone, of Mississauga Official Plan, is hereby amended by adding Section 19.11.2 as follows:

19.11.2 Notwithstanding policy 19.11.1, lands with a D zone (Development) in the Zoning By-law may be considered for a minor variance if the proposed use/alteration meets all of the following criteria:

  - a. where a new use is proposed, the proposed use is temporary/seasonal;
  - b. the proposed use is compatible with the planned function and character of the Character Area, and will not have an adverse effect on the surrounding properties;
  - c. any proposed building additions and/or alterations are limited in scope;  
and
  - d. the site is not on lands designated Greenlands and/or any proposed development will not impact any environmental feature that has been identified on the lands by the City or Conservation Authority.



## **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 October 19, 2020, in connection with this proposed Amendment.

Comments received from committee members during the public meeting included questions on the impact of the proposed policies on specific properties zoned "D" (Development).

These comments were addressed at the Public Meeting on October 19, 2020 and also in the Planning and Building Department report dated April 14, 2022, attached to this Amendment as Appendix II.

# City of Mississauga

# Corporate Report



Date: April 14, 2022  To: Chair and Members of Planning and Development Committee	Originator's file: CD.02-MIS
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: May 9, 2022

## Subject

### **RECOMMENDATION REPORT (WARDS 1-11)**

**City Initiated Amendments for D (Development) Zone policies and zoning regulations**

**File: CD.02-MIS**

## Recommendation

1. That the proposed amendments to the Mississauga Official Plan and Zoning By-law 0225-2007, as detailed in Appendix 2 of the corporate report dated April 14, 2022 from the Commissioner of Planning and Building entitled "City Initiated Amendments for D (Development) Zone policies and zoning regulations", be approved.
2. That an implementing Zoning By-law and Official Plan Amendment be brought forward to a future City Council meeting.

## Background

A public meeting was held by the Planning and Development Committee on October 19, 2020, at which time, an Information Report was received. Recommendation PDC-0037-2020 was then adopted by Council on October 28, 2020:

1. That the report dated September 25, 2020 from the Commissioner of Planning and Building regarding proposed amendments to the Development "D" Zone provisions and policies in Section 19.11 of Mississauga Official Plan and Section 12.3 of Zoning By-law 0225-2007, be received for information.

The Information Report can be accessed at the following link: <https://pub-mississauga.escribemeetings.com/FileStream.ashx?DocumentId=5408>

## Comments

Mississauga Official Plan (MOP) policies and D (Development) Zone regulations currently recognize and regulate lands that are not yet developed in accordance with their MOP land use designation. Current D (Development) Zone regulations only permit a building or structure that

is legally existing on the date of the passing of the zoning by-law and the existing legal use of such building or structure. The regulations also prohibit the erection of new buildings or structures and the enlargement or replacement of existing buildings and structures. There are approximately 301 properties in the City that are zoned **D**.

The current **D** (Development) zone regulations effectively restrict the permitted use(s) on lands which may take years to redevelop in accordance with MOP, thereby only allowing a single permitted use. If a property owner is not able to secure a tenant providing that specific permitted use, the lands and/or building typically remain vacant and underutilized. City staff are of the opinion that some flexibility is warranted so that property owners have the ability to use their lands until they are ultimately able to redevelop in accordance with the long term land use envisioned by the MOP.

Amending MOP to include criteria will allow the Committee of Adjustment to consider and assess minor variance applications for temporary and/or seasonal uses and minor deviations from required performance regulations on properties with a **D** (Development) zone without compromising the long term intent of MOP policies.

## **AMENDMENTS TO THE OFFICIAL PLAN AND ZONING BY-LAW**

The proposed amendments to MOP include:

- A new official plan policy that allows a minor variance on lands within a **D** (Development) Zone to be considered if the proposed use/alteration meets the following criteria:
  - Where a new use is proposed, the proposed use is temporary and/or seasonal
  - The proposed use is compatible with the planned function and character of the Character Area, and will not have an adverse effect on surrounding properties
  - Any proposed building additions and/or alterations are limited in scope
  - The proposed use is not on lands designated **Greenlands** and/or any proposed development will not impact any environmental feature on adjacent lands

Staff also recommend the introduction of some additional **D** (Development) zone regulations including minimum setbacks and a maximum height in order to properly regulate and assess development proposals. The proposed zoning changes will allow for minor building expansions and permit temporary uses.

Minor deviations of up to 10% of zoning regulations are generally accepted as maintaining the general intent and purpose of the regulations. Permitting as a right the ability to expand or enlarge an existing building by up to 10% on a property zoned **D** (Development) maintains the generally acceptable range of alteration. However, should the situation warrant the consideration of a greater increase, the Committee of Adjustment would have the ability to evaluate and approve larger increases based upon the appropriateness of the proposal.

The proposed amendments to the Zoning By-law include:

- Adding Line 4.0 to Table 12.3.2 of the Zoning By-law to allow the enlargement of existing buildings and structures to a maximum of 10% of the gross floor area (gfa) legally existing on the date of the passing of By-law 0225-2007
- Adding Lines 5.0 to 9.0 to Table 12.3.2 of the Zoning By-law specifying minimum yard setbacks and maximum building height

The proposed zoning changes can be found in Appendix 2 of this report.

### **COMMUNITY ENGAGEMENT**

The public meeting was held on October 18, 2020. No deputations were made from members of the public regarding the proposed amendments to MOP and/or Zoning By-law 0225-2007.

Three Councillors raised questions about the impact of the proposed amendments on specific properties that were addressed by staff at the meeting.

### **Financial Impact**

There is no financial impact associated with the proposed amendments to the MOP or the zoning by-law.

### **Conclusion**

In summary, the proposed amendments to MOP and Zoning By-law 0225-2007 represent good planning. The new policies establish criteria to assess minor variance applications and will provide property owners with additional flexibility to use their property for intensified and/or temporary uses. The addition of zoning by-law regulations under the **D** (Development) Zone will provide a basis on which to assess development proposals and associated minor variance applications.

### **Attachments**

Appendix 1: Information Report

Appendix 2: Detailed Information and Preliminary Planning Analysis



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

Prepared by: Stephen Stirling, Manager, Development and Design Initiatives

# City of Mississauga

# Corporate Report



Date: September 25, 2020  To: Chair and Members of Planning and Development Committee	Originator's file: CD.02-MIS
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: October 19, 2020

## Subject

### **PUBLIC MEETING INFORMATION REPORT (WARDS 1-11)**

**City Initiated Amendments for D (Development) Policies and Zone**

**File: CD.02-MIS**

## Recommendation

That the report dated September 25, 2020 from the Commissioner of Planning and Building regarding proposed amendments to Development Zone Provisions and Policies in Section 19.11 of Mississauga Official Plan and Section 12.3 of Zoning By-law 0225-2007, be received for information.

## Background

The purpose of this report is to receive comments on proposed amendments to the official plan and zoning by-law to provide policy and regulatory guidance for Committee of Adjustment applications for lands zoned **D** (Development) in the Zoning By-law. Once a public meeting has been held and comments received, a final report with recommendations on the matter will be brought forward.

### **Origin of the D-zone and D-zone Official Plan Policies**

There are a number of properties in the City with uses that had been established before the current zoning regulations and/or the City's first official plan were adopted. Over the years, the City has undertaken a number of official plan reviews to update the vision and/or to respond to provincial requirements. As a result, a number of these properties and their uses are no longer consistent with the future vision for the city. It is assumed that over time market conditions will be such that interest in redevelopment alternatives will be more compatible with the neighbourhood and official plan.

At the time of the comprehensive zoning review in the 2000's, properties with non-conforming uses in the new by-law were not zoned as the City did not want to pre-zone the lands in the absence of detailed studies and community consultation.

The City had to strike a balance of allowing existing, non-conforming uses to continue, but discourage any expansions without the completion of a detailed planning review process. As a result, the use of the **D** (Development) Zone was introduced to allow property owners to continue to use their property as they had at the time of the passage of the zoning by-law, provided the use and the building legally existed. The Zone restricted the use and size of the buildings to align with the uses and building sizes that existed on the date of passage of the new by-law.

The **D** zone was also applied to vacant sites to ensure any rezoning of these lands went through a detailed review and public consultation process.

## COMMENTS

Since the **D** zone was enacted, property owners who seek to undertake additions or to change uses, but are not ready for a comprehensive redevelopment, have applied for minor variances at the Committee of Adjustment (the "Committee"). Many of these applications do not pass the four tests of a minor variance under Section 45 of the *Planning Act*, which are:

- Is the application minor in nature?
- Is it desirable for the appropriate development or use of the land, building or structure?
- Is it in keeping with the general intent and purpose of the zoning by-law?
- Is it in keeping with the general intent and purpose of the official plan?

Therefore due to the fact that the **D** zones were designed to only recognize existing uses and buildings, regulations for matters such as setbacks, coverage, parking, and gross floor area were not included in the by-law. As a result, there are no regulations against which proposals can be assessed.

Given the complexity of undertaking a comprehensive redevelopment, consideration should be given to how to allow sites with **D** zones to continue to be viable by allowing minor expansions and similar uses without jeopardizing the future vision for the neighbourhood.

## PROPOSED MISSISSAUGA OFFICIAL PLAN AMENDMENTS

To address situations where it is appropriate to consider minor changes or expansions to the **D** Zone properties, it is proposed that a set of criteria be added to MOP. This will allow planning staff to evaluate applications and provide comments to the Committee of Adjustment regarding conformity with the four tests. A list of criteria is attached as Appendix 1.

The intention of the list is to identify circumstances where a new, similar use, or minor expansion/alteration to a building or structure is acceptable and would neither preclude the future, comprehensive redevelopment of the property, nor create a negative impact on the local area.

### **PROPOSED ZONING BY-LAW AMENDMENTS**

In addition to the official plan policies, a set of regulations for minimum lot frontage, setbacks, height and size of addition is proposed to be added to the zoning by-law. This will give staff and members of the Committee of Adjustment a basis on which to assess proposed building alterations, including use under Section 45 (2) of the *Planning Act*. It will also give applicants guidance when seeking a minor variance for changes to the property. These proposed regulations are attached as Appendix 2.

### **Financial Impact**

There is no financial impact associated with the proposed amendments to MOP or the Zoning By-law.

### **Conclusion**

The proposed amendments are seeking to establish policies to apply to those sites where landowners are seeking minor expansions or minor changes in land use for lands zoned **D**. After the public meeting has been held, the Planning and Building Department will be in a position to make recommendations regarding the proposed amendments.

### **Attachments**

- Appendix 1: Proposed Criteria for Section 19.11 (MOP) Development Zone
- Appendix 2: Proposed Criteria for Section 12.3 (By-law) Development Zone



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

Prepared by: Stephen Stirling, Manager, Special Projects



## Proposed New Policies for Section 19.11 Development Zones

Criteria for the assessment of a minor variance application on properties with a "D" (Development) zone:

### NEW POLICY

**19.11.2** Lands with a "D" (Development) zone in the zoning by-law may be considered for a minor variance if the proposed use/alteration meets one or more of the following criteria:

- a. the proposed use is temporary/seasonal
- b. the proposed use is complementary to a concurrent rezoning application
- c. building additions and/or alterations are limited in scope
- d. the proposed use is compatible with adjacent land uses on and off the subject site, and will not have an adverse effect on the surrounding properties
- e. the site is not subject to environmental constraints
- f. the lands are not vacant

## Proposed New Zone Regulations for Section 12.3 Development Zone

Built form regulations for properties with a D zone:

Table 12.3.2 – D Zone Permitted Uses and Zone Regulations

Column A		B
Line	ZONE	D
1.0		
<b>PERMITTED USE</b>		
2.0	DEVELOPMENT	
2.1	A <b>building</b> or <b>structure</b> legally <b>existing</b> on the date of passing of this By-law and the <b>existing</b> legal <b>use</b> of such <b>building</b> or <b>structure</b>	✓
<b>ZONE REGULATIONS</b>		
3.0	The erection of new <b>buildings</b> or <b>structures</b> and the enlargement or replacement of <b>existing buildings</b> and <b>structures</b> shall not be permitted	✓
4.0	The maximum <del>erection of new buildings or structures</del> and the enlargement or replacement of <b>existing buildings</b> and <b>structures</b> shall <del>not</del> be permitted to a maximum of 10% of the <b>gross floor area</b> legally <b>existing</b> on the date of the passing of this By-law	
5.0	MINIMUM FRONT YARD	7.5 m
6.0	MINIMUM INTERIOR SIDE YARD	7.5 m
7.0	MINIMUM EXTERIOR SIDE YARD	7.5 m
8.0	MINIMUM REAR YARD	7.5 m
9.0	MAXIMUM BUILDING HEIGHT	10.7 m

**Recommendation Report  
Detailed Planning Analysis**

**City Initiated Amendments for D (Development) Policies and Zone**

**City of Mississauga**

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## **1. Community Comments**

The City held a public meeting on October 28, 2020 regarding the proposed application. No comments were provided by the public. Some members of Council did provide a few comments and asked a few property specific questions. Below is a summary and response to the specific comments heard.

### **Comment**

Councillor Ras asked whether the amendments would apply to a property located at Clarkson Road and Balsam Avenue currently zoned D and containing vacant buildings.

### **Response**

Staff advised that proposed policy changes would not apply to the property and further explained that there are environmental issues impacting the development of the property.

### **Comment**

Councillor Damerla asked if the proposed amendments would impact the placement of a sign on a property in her ward that is zoned D.

### **Response**

Staff advised that sign variance applications would not be impacted by the proposed amendments.

### **Comment**

Councillor Dasko asked about a specific property zoned D in his ward that is adjacent to residential and commercial properties.

### **Response**

Staff advised that the proposed policy changes would allow staff and the Committee of Adjustment to properly assess a future development proposal.

## 2. Summary of Applicable Policies

The *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform to the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect the proposed amendments have been reviewed and are summarized in the table below. Only key policies relevant to the amendments have

been included. The table should be considered a general summary of the intent of the policies and should not be considered exhaustive. In the sub-section that follows, the relevant policies of Mississauga Official Plan are summarized. The proposed amendments will be evaluated based on these policies in the subsequent recommendation report.

Policy Document	Legislative Authority/Applicability	Key Policies
<b>Provincial Policy Statement (PPS)</b>	<p>The fundamental principles set out in the PPS apply throughout Ontario. (PPS Part IV)</p> <p>Decisions of the council of a municipality shall be consistent with PPS. (PPS 4.1)</p> <p>The Official Plan is the most important vehicle for implementation of the Provincial Policy Statement (PPS 4.6)</p>	The lands affected by the proposed zoning amendment are located within a settlement area, as identified by the PPS. The proposed amendments would be consistent with the PPS, which states that the Official Plan is the most important vehicle for implementation of the PPS in building strong communities.
<b>Growth Plan for the Greater Golden Horseshoe (Growth Plan)</b>	The Growth Plan applies to the area designated as the Greater Golden Horseshoe Growth Plan Area. All decisions made on or after May 16, 2019 in respect of the exercise of any authority that affects a planning matter will conform to this Plan, subject to any legislative or regulatory provisions providing otherwise. (Growth Plan 1.2.2)	The lands identified by the proposed zoning amendment are located in the delineated built-up area, identified by the Growth Plan. The proposed amendments conform to the Growth Plan, which addresses planning for intensification. The proposed amendments do not address matters of intensification.
<b>Greenbelt Plan</b>	Mississauga is not located within the Greenbelt Area and therefore the <i>Greenbelt Act</i> , 2005 does not apply in Mississauga. However, the Greenbelt Plan does recognize natural heritage systems contained within the Greenbelt which are connected to systems beyond the Greenbelt, including the Credit River.	The proposed amendment would not affect any natural heritage system.
<b>Parkway Belt West Plan (PBWP)</b>	The policies of MOP generally conform to the PBWP. Lands within the PBWP are within the City's Green System and are therefore intended to be preserved and enhanced through public acquisition.	The proposed amendment would not affect any lands within the Green System.
<b>Region of Peel Official Plan (ROP)</b>	The Region of Peel approved MOP on September 22, 2011, which is the primary instrument used to	The lands affected by the proposed amendments are located in the urban system and the built-up area, as identified by the ROP. The proposed

Policy Document	Legislative Authority/Applicability	Key Policies
	<p>evaluate amendments to Mississauga Official Plan and the zoning by-law. The proposed amendments were circulated to the Region, who has advised that in its current state, the amendments meet the requirements for exemption from Regional approval. Local official plan amendments are generally exempt from approval where they have had regard for the <i>Provincial Policy Statement</i> and applicable Provincial Plans, where the City Clerk has certified that processing was completed in accordance with the <i>Planning Act</i> and where the Region has advised that no Regional official plan amendment is required to accommodate the local official plan amendment. The Region provided additional comments which are discussed in Section 8 of this Appendix.</p>	<p>amendments conform to the ROP, which directs municipalities to include policies in their official plans that support broader planning objectives such as growth management, protecting the natural environment, housing and transportation. Local issues are addressed by Mississauga Official Plan and Zoning By-law 0225-2007.</p>

## Mississauga Official Plan

### Relevant Mississauga Official Plan Policies

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms to the Growth Plan, Greenbelt Plan, PBWP and ROP. An update to MOP is currently underway to

ensure MOP is consistent with and conforms to changes resulting from the recently released Growth Plan amendments of 2019 and Amendment No. 1 (2020).

The following policies are applicable in the review of these amendments. In some cases the description of the general intent summarizes multiple policies.

	General Intent
<b>Chapter 5 Direct Growth</b>	<p>Mississauga will protect and conserve the character of stable residential Neighbourhoods. (Section 5.1.7)</p> <p>Development will be sensitive to the existing and planned context and will include appropriate transition in use, built form, density and scale. (Section 5.3.5.6)</p>
<b>Chapter 6 Value the Environment</b>	<p>Mississauga will protect, enhance, restore and expand the Natural Heritage System (Section 6.1.1)</p>
<b>Chapter 9 Build A Desirable Urban Form</b>	<p>Mississauga will develop an urban form based on the urban system and the hierarchy identified in the city structure as shown on Schedule 1: Urban System. (Section 9.1.1)</p> <p>Infill and redevelopment within Neighbourhoods will respect the existing and planned character. (Section 9.1.3)</p> <p>Development on corridors will be consistent with existing or planned character, seek opportunities to enhance the corridor and provide appropriate transitions to neighbouring uses. (Section 9.1.5)</p> <p>Neighbourhoods are stable areas where limited growth is anticipated. Where increases in density and a variety of land uses are considered in Neighbourhoods, they will be directed to corridors. Appropriate transitions to adjoining areas that respect variations in scale, massing and land uses will be required. (Section 9.2.2)</p> <p>While new development need not mirror existing development, new development in Neighbourhoods will:</p> <ol style="list-style-type: none"> <li>Respect existing lotting patterns;</li> <li>Respect the continuity of front, rear and side yard setbacks;</li> </ol>

	<ul style="list-style-type: none"> <li>c. Respect the scale and character of the surrounding area;</li> <li>d. Minimize overshadowing and overlook on adjacent neighbours;</li> <li>e. Incorporate stormwater best management practices;</li> <li>f. Preserve mature high quality trees and ensure replacement of the tree canopy; and</li> <li>g. Be designed to respect the existing scale, massing, character and grades of the surrounding area. (Section 9.2.2.3)</li> </ul> <p>Development on corridors will be encouraged to:</p> <ul style="list-style-type: none"> <li>a. Assemble small land parcels to create efficient development parcels;</li> <li>b. Face the street, except where predominate development patterns dictate otherwise;</li> <li>c. Not locate parking between the building and the street;</li> <li>d. Site buildings to frame the street;</li> <li>f. Support transit and active transportation modes;</li> <li>h. Provide concept plans that show how the site can be developed with surrounding lands. (Section 9.2.2.6)</li> </ul> <p>Developments will provide a transition in building height and form between Intensification Areas and adjacent Neighbourhoods with lower density and heights. (Section 9.5.1.5)</p> <p>Development proposals will demonstrate compatibility and integration with surrounding land uses and the public realm by ensuring adequate privacy, sunlight and sky views are maintained. (Section 9.5.1.9)</p>
<b>Chapter 10 Foster a Strong Economy</b>	Mississauga will encourage a range of employment opportunities reflective of the skills of the resident labour force. (Section 10.1.1)



### 3. Mississauga Official Plan (MOP)

An amendment to Mississauga Official Plan is required to permit a minor variance application on lands zoned **D** (Development) if the proposed use/alteration meets defined criteria.

Planning staff have undertaken an evaluation of the relevant policies of the PPS, Growth Plan and MOP, including those found in Section 19.5.1 against this proposed policy change.

The following is an analysis of the key policies and criteria:

#### *Directing Growth*

The proposed amendment will protect and conserve the character of stable residential Neighbourhoods by requiring all proposed uses/alterations on properties with a **D** (Development) zone to be compatible with the planned function and character of the surrounding area nor have an adverse effect on surrounding properties.

#### *Value the Environment*

The proposed amendment will also protect, enhance and expand the Natural Heritage system by introducing the criteria that any proposed use/alteration is not on lands designated Greenlands nor impact any environmental feature on adjacent lands. Minor variance applications will be reviewed in the context of these policy amendments.

#### *Foster a Strong Economy*

Commercial property owners may not be able to secure a tenant for the existing permitted use(s) resulting in vacant and underutilized buildings. The proposed amendment will allow minor variance applications to create employment opportunities on lands zoned **D** (Development) until the lands are redeveloped in accordance with the long term vision of the MOP.

### 4. Zoning

The amended **D** (Development) zone will allow for the enlargement of existing buildings and structures, introduce minimum setbacks and provide a maximum building height in order to properly regulate and assess development proposals.

Below is an updated summary of the proposed amendments to the **D** (Development) zone:

- Adding Line 4.0 to Table 12.3.2 of the Zoning By-law to allow the enlargement of existing buildings and structures to a maximum of 10% of the gross floor area legally existing on the date of passing of By-law 0225-2007

### Proposed Zoning Regulations

Zone Regulations	Existing D Zone Regulations	Proposed D Zone Regulations
Minimum <b>front yard</b>	n/a	7.5 m (24.6 ft.)
Minimum <b>interior side yard</b>	n/a	7.5 m (24.6 ft.)
Maximum <b>exterior side yard</b>	n/a	7.5 m (24.6 ft.)
Minimum <b>rear yard</b>	n/a	7.5 m (24.6 ft.)
Maximum <b>height</b>	n/a	10.7 m (35.1 ft.)
In addition to the regulations listed, other minor and technical variations to the implementing by-law may also apply, including changes that may take place before Council adoption of the by-law, should the application be approved.		

The proposed amendments will promote the efficient use of land by providing flexibility for owners of lands zoned **D** (Development) to utilize these lands until they are ultimately redeveloped in accordance with the long term vision of the Mississauga Official Plan.

## 5. Conclusions

City staff have evaluated the proposed amendments to the Development Zone policies in the MOP and **D** (Development) zone regulations in Zoning By-law 0225-2007 against the *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, Region of Peel Official Plan and Mississauga Official Plan.