**THE CORPORATION OF THE CITY OF MISSISSAUGA**

**Municipal Servicing**
**By-law 0083-2006**

**WHEREAS** it is considered desirable for the control of development within the City of Mississauga to prohibit the use of land or the erection or use of buildings or structures as part of a plan of subdivision, condominium development or severance application, unless such municipal services as may be set out in the By-law are now available to service such land, buildings or structures, as the case may be, in accordance with the provisions of subsection 34(5) of the *Planning Act,* R.S.O 1990, c. P. 13, as amended.

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

## PART I - DEFINITIONS

1. For the purposes of this By-law, the following definitions and interpretations shall govern:

   "Building Code" means regulations made under section 34 of the *Building Code Act,* S.O. 1992, c.23, as amended

   "City" means The Corporation of the City of Mississauga;

   "Multiple-Unit Building" means a building containing three or more Residential Units;

   "Residential Units" means a unit that:

   (a) consists of a self-contained set or rooms located in a building or structure;

   (b) is used or has the capability of being used as a residential premise

   (c) contains a kitchen and bathroom facilities designated for the exclusive use of its occupants; and

   (d) has a means of egress to the outside of the building, which may be a means of egress through another residential unit;

   "Region" means The Regional Municipality of Peel

   "Subdivision" means:

   (a) a plan of subdivision, draft approved or registered in accordance with section 51 of the *Planning Act,* R.S.O 1990, c. P. 13, as amended or similar

legislation, where the public highways and lanes within the plan have not been assumed by the authority having jurisdiction;

(b) a description within the meaning of the *Condominium Act, 1998* S.O. 1998 c.19, as amended, draft approved or registered in accordance with section 9 of the *Condominium Act, 1998*; and

(c) a lot or block which has been created by a consent in accordance with section 53 of the *Planning Act,* R.S.O. 1990 c.P.13, as amended, and including any retained lot or block.

2. Terms not defined in this By-law shall have the meaning ascribed to them in the *Planning Act*, R.S.O. 1990 c.P.13, as amended or the Building Code, as amended.

**PART II - GENERAL PROVISIONS**

3. Notwithstanding the provisions of any other by-law hereinbefore or hereinafter enacted pursuant to s. 34 of the *Planning Act*, or any predecessor thereof, no land shall be used and no building or structure shall be erected or used for the purpose of any new or additional Residential Units in or as part of a Subdivision unless the City has confirmed that municipal services are available in accordance with Section 4 of this By-law.

4. For the purposes of this By-law, municipal services are deemed to be available to Residential Units within a Subdivision when the roads, water, storm sewer, sanitary sewer and stormwater management facilities required to service the Residential Units satisfy all of the following requirements:

(a) the public highways and lanes in the Subdivision have been constructed to base course asphalt and approved by the City;

(b) the watermains, sanitary sewers, storm sewers and stormwater management facilities necessary to service the Residential Units have been constructed to municipal standards and are operational;

(c) the watermain and any required service connections 100mm in diameter or greater in size have been disinfected in accordance with Ontario Provincial Standards Specification 701 and American Water Works Association Standard C651-99, and the water meets Provincial quality standards and such other standards as are adopted by the Region;

(d) the watermain and any required service connections 100mm in diameter or greater in size have been hydrostatically tested in accordance with the Ontario Provincial Standard Specification 701 and American Water Works Association Standards C600-99 and C605-94 or such other standards adopted by the Region;

(e) a water flow test has been conducted in accordance with NFPA Standard 921 and at no point in the system are the following flow standards for firefighting purposes not met: 5,000 1/m at 140 kpa for detached Residential Units and 7,000 1/m at 140 kpa for Multi-Unit Buildings,

triplexes, fourplexes and townhouses or such other standard adopted by the Region;

(f) all street names and traffic signs have been installed to the satisfaction of the City; and

(g) the City has received a certificate from the Consulting Engineer stating that rear yard catchbasin leads have been installed to the satisfaction of the City.

5. Nothing in this By-law shall prevent:

(a) the erection of buildings for uses incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other building or structure incidental to construction only for so long as the same are necessary for work in progress which has neither been finished nor abandoned; and

(b) the erection of model homes and sales offices:

(i) in compliance with and subject to such terms and conditions as established by the City; and

(ii) for which an access route for use by Fire & Emergency Services personnel, equipment and motor vehicles has been provided which is in accordance with the Building Code, as amended.

**PART III – ADMINISTRATION**

6. The Commissioner of Transportation and Works and/or his or her designate shall be responsible for the administration and enforcement of this By-law.

**PART IV- SHORT TITLE**

7. This By-law shall be known and may be cited as the “Municipal Servicing By-law”.

ENACTED AND PASSED this 8TH day of February, 2006.
Signed by Hazel McCallion, Mayor and Crystal Greer, City Clerk