



Corporate Report

Clerk's Files

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Files CD.21.SIT

DATE: April 10, 2006

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 30, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Site Plan Control By-law
Consistency with Mississauga Zoning By-law
City of Mississauga
ADDENDUM REPORT**

RECOMMENDATION:

1. That the report dated April 10, 2007, from the Commissioner of Planning and Building recommending approval of an amending by-law to the Site Plan Control By-law, be adopted; and,
2. That the amending by-law to the Site Plan Control By-law, attached in draft form as Appendix II to the report from the Commissioner of Planning and Building dated April 10, 2007, only be enacted following the passage of the new Mississauga Zoning By-law by City Council.

BACKGROUND: On September 18, 2006, a report titled "Site Plan Control By-law" (Appendix I) was scheduled for Planning and Development Committee, however the matter was deferred. Since that time, two additional items have been identified for inclusion in the amending By-law.

COMMENTS:

The first item is with respect to lands zoned “RM7”. Although this zone permits single and semi-detached residential uses, which are not generally subject to site plan control, it also permits duplex and triplex dwellings. It is desirable for these two types of development to be subject to site plan control due to the intensity of the use and built form. Therefore it is proposed that all properties with the “RM7” zone, with the exception of detached and semi-detached dwellings, be subject to site plan control.

The second change is with respect to a site located on Mississauga Road, north of Featherstone Court. In June 1998, under files T-93023 W8 and OZ 93/056 W8, the property was rezoned to “R1-2303” and “R2-2304” and “G-1908”. One of the conditions of Draft Plan Approval was that each of the 14 residential lots created through the draft plan would be subject to site plan approval. Recent changes to the Building Code require lots subject to site plan approval be included in the “Site Plan Control By-law” rather than just the Servicing Agreement. Given that the houses have not been built, the issues with respect to transition to the greenbelt and building envelopes still apply today, therefore, it is appropriate that the whole plan of subdivision be subject to Site Plan Control. This proposed amendment applies to the lots zoned “R2-35” under the new Zoning By-law.

The amending by-law to the Site Plan Control By-law is only to be passed by Council once the Mississauga Zoning By-law has been adopted. Transition clauses are included in the amending by-law to allow for gradual implementation pending any appeals.

COMMUNITY ISSUES

No community or public meetings are required to be held under the provisions of the *Planning Act*, R.S.O. 1990, c.P.13.

CONCLUSION:

The City of Mississauga’s Site Plan Control By-law must be amended to achieve consistency with the zone categories in the City’s new Zoning By-law. This report addresses two new changes which are appropriate to include in the by-law to amend Site Plan Control By-law 0293-2006. The addition of duplex and triplex dwellings in the “RM7” zone and the inclusion of the properties in

the “R2-35” zone, for consistency with the draft Conditions of Approval for the related subdivision, are appropriate.

ATTACHMENTS:

Appendix 1 – Report from the Commissioner of Planning and Building, dated August 29, 2006
Appendix II – Draft Amending By-law to the Site Plan Control By-law

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lisa Christie, Development Planner



Corporate Report

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PDC SEP 18 2006

DATE: August 29, 2006

TO: Chair and Members of Planning and Development Committee
Meeting Date: September 18, 2006

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Site Plan Control By-law
Consistency with Mississauga Zoning By-law
City of Mississauga**

RECOMMENDATION:

1. That Site Plan Control By-law 0293-2006 be amended to achieve consistency with the new Mississauga Zoning By-law;
2. That the amending draft by-law to the Site Plan Control By-law, attached as Appendix 1 to the report from the Commissioner of Planning and Building dated August 29, 2006, only be enacted as a by-law in conformity with the new Mississauga Zoning By-law following the passage of the Zoning By-law by City Council.

BACKGROUND: In July, 2006, Council passed Site Plan Control By-law 0293-2006, which consolidated amendments to the By-law, and provided updated text and graphics for ease of use and interpretation.

COMMENTS: Site Plan Control By-law 0293-2006 was adopted in conformity with the provisions of the City of Mississauga Zoning By-law 5500, and the Streetsville and Port Credit Zoning By-laws. If Council adopts the new Mississauga Zoning By-law, the existing Site Plan Control By-law must be amended to conform with the provisions and zone categories of the new Zoning By-law.

An amending draft by-law to the Site Plan Control By-law, which contains housekeeping amendments to reflect the new zoning categories, is attached as Appendix 1 to this report. The key amendments include:

- replacing all references from “Industrial” zones to “Employment” zones;
- replacing all site specific zone references;
- adding references to the new zone category “D” (Development) as it applies to sites with existing non-residential uses;
- adding a requirement that power generating facilities, as defined in the Mississauga Zoning By-law, be subject to site plan control; and,
- adding transitional clauses to allow for gradual implementation in the event that there are appeals to the new Mississauga Zoning By-law.

Sites in the new “D” (Development) zone that have an existing non-residential use are to be subject to the provisions of site plan control due to their transitional nature. These sites did not have zoning provisions under City of Mississauga Zoning By-law 5500 that were in conformity with their Official Plan designation, and are anticipated to redevelop in the future. Redevelopment of these sites will require an application for rezoning, and will require site plan review and approval at that time.

Power generating facilities are permitted in the “E3” (Employment) zone, which can be located away from major roads, greenbelt/open space/parkway belt zones and residential zones and would therefore not be captured by the existing provisions of the Site Plan Control By-law. Therefore, due to both the nature of the use and the zone category in which they are permitted, power generating facilities will be subject to site plan control.

The amending by-law to the Site Plan Control By-law is only to be passed by Council once the Mississauga Zoning By-law has been adopted. Transition clauses are included in the amending by-law to allow for gradual implementation pending any appeals.

COMMUNITY ISSUES

No community or public meetings are required to be held under the provisions of the *Planning Act*, R.S.O. 1990, c.P.13.

CONCLUSION:

The City of Mississauga's Site Plan Control By-law must be amended to achieve consistency with the zone categories in the City's new Zoning By-law, since many of the zone categories will no longer exist. The housekeeping amendments that are included in the by-law to amend Site Plan Control By-law 0293-2006 include: updating zone category names, updating references to site specific zones and adding requirements for the new "D" (Development) zone and power generating facilities to be subject to site plan control, as well as providing transitional clauses for implementation purposes.

ATTACHMENTS:

Appendix I – Draft Amending By-law to the Site Plan Control By-law

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lisa Christie, Development Planner

A By-law to amend the Site Plan Control By-law for the City of Mississauga,
being By-law 0293-2006.

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 the Corporation of the City of Mississauga enacted By-law 0293-2006, being a Site Plan Control By-law;

AND WHEREAS the Council of the Corporation of the City of Mississauga has enacted Mississauga Zoning By-law, as a result of which certain technical changes are required to the Site Plan Control By-law;

1. (a) Subsection 4 (c) of By-law 0293-2006 is repealed and the following is substituted therefor:

(c) Lands with an Employment zone;

(b) Subsection 4 (d) of By-law 0293-2006 is repealed and the following is substituted therefor:

(d) All development on lands zoned “RM5-45” and “RM5-46”.

2. (a) Subsection 5 (a) of By-law 0293-2006 is repealed and the following substituted therefor:

(a) All development and redevelopment on lands zoned “R1-29”, “R2-32”, “R2-33”, “R3-54”, "R3-60", "R4-14", "R9-1", "U-4", “O-9”, “D-6”, “D-7”, "C5-19";

(b) Subsection 5 (b) of By-law 0293-2006 is amended by adding the word “resident” immediately preceding the word “physician”;

(c) Subsection 5 (d) of By-law 0293-2006 is repealed and the following substituted therefor:

(d) all buildings and structures on lands zoned “U” (Utility) having a floor area greater than 10 m²;

(d) Subsection 5 (e) of By-law 0293-2006 is repealed and the following substituted therefor:

(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;

(e) Subsection 5 (h) of By-law 0293-2006 is repealed and the following substituted therefor:

(h) All development or redevelopment on lands zoned for detached dwellings on the lands shown on Schedule “5” attached to this By-law;

(f) Subsection 5 (m) of By-law 0293-2006 is repealed and the following substituted therefor:

(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;

(ii) Employment which abut lands zoned greenbelt, open space and parkway belt; and,

(iii) "D" (Development) which are used for a non-residential use;

(g) That Section 5 of By-Law 0293-2006 be amended by adding the following subsection:

(o) All power generating facilities.

3. (a) Subsection 1 (a) of this By-law shall come into force and effect when the applicable zone category identified in Mississauga Zoning By-law has come into force and effect;

(b) Subsection 1 (b) of this By-law shall come into force and effect when the zone categories pertaining to the subject properties in Mississauga Zoning By-law are in force and effect;

(c) Subsection 2 (a) of this By-law shall come into force and effect when the zone categories pertaining to the subject properties in Mississauga Zoning By-law are in force and effect;

- (d) Subsection 2 (b) of this By-law shall come into force and effect when the applicable Section of Mississauga Zoning By-law comes into force and effect;
- (e) Subsection 2 (c) of this By-law shall come into force and effect when the applicable zone identified in Mississauga Zoning By-law has come into force and effect;
- (f) Subsection 2 (d) of this By-law shall come into force and effect when the applicable zone category identified in Mississauga Zoning By-law has come into force and effect;
- (g) Subsection 2 (e) of this By-law shall come into force and effect when the applicable zone category identified in Mississauga Zoning By-law has come into force and effect;
- (h) Subsection 2 (f) of this By-law shall come into force and effect when the applicable zone categories identified in Mississauga Zoning By-law have come into force and effect;
- (i) Subsection 2 (g) of this By-law shall come into force and effect when the use identified in this section under Mississauga Zoning By-law, is in force and effect.

ENACTED and PASSED this _____ th day of _____ 2006.

MAYOR

CLERK

A By-law to amend the Site Plan Control By-law for the City of Mississauga,
being By-law 0293-2006.

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 the Corporation of the City of Mississauga enacted By-law 0293-2006, being a Site Plan Control By-law;

AND WHEREAS the Council of the Corporation of the City of Mississauga has enacted Mississauga Zoning By-law, as a result of which certain technical changes are required to the Site Plan Control By-law;

1. (a) Subsection 4 (c) of By-law 0293-2006 is repealed and the following is substituted therefor:
 - (c) Lands with an Employment zone;
- (b) Subsection 4 (d) of By-law 0293-2006 is repealed and the following is substituted therefor:
 - (d) All development on lands zoned “RM5-45” and “RM5-46”.

2. (a) Subsection 5 (a) of By-law 0293-2006 is repealed and the following substituted therefor:

(a) All development and redevelopment on lands zoned “R1-29”, “R2-32”, “R2-33”, “R2-35”, “R3-54”, "R3-60", "R4-14", “R9-1”, “U-4”, “O-9”, “D-6”, “D-7”, “C5-19”;

(b) Subsection 5 (b) of By-law 0293-2006 is amended by adding the word “resident” immediately preceding the word “physician”;

(c) Subsection 5 (d) of By-law 0293-2006 is repealed and the following substituted therefor:

(d) all buildings and structures on lands zoned “U” (Utility) having a floor area greater than 10 m²;

(d) Subsection 5 (e) of By-law 0293-2006 is repealed and the following substituted therefor:

(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;

(e) Subsection 5 (h) of By-law 0293-2006 is repealed and the following substituted therefor:

(h) All development or redevelopment on lands zoned for detached dwellings on the lands shown on Schedule “5” attached to this By-law;

(f) Subsection 5 (m) of By-law 0293-2006 is repealed and the following substituted therefor:

- (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;
 - (ii) Employment which abut lands zoned greenbelt, open space and parkway belt; and,
 - (iii) “D” (Development) which are used for a non-residential use;
 - (iv) “RM7”, with the exception of detached and semi-detached dwellings;
- (g) That Section 5 of By-Law 0293-2006 be amended by adding the following subsection:
 - (o) All power generating facilities.
- 3. (a) Subsection 1 (a) of this By-law shall come into force and effect when the applicable zone category identified in Mississauga Zoning By-law has come into force and effect;
- (b) Subsection 1 (b) of this By-law shall come into force and effect when the zone categories pertaining to the subject properties in Mississauga Zoning By-law are in force and effect;
- (c) Subsection 2 (a) of this By-law shall come into force and effect when the zone categories pertaining to the subject properties in Mississauga Zoning By-law are in force and effect;

- (d) Subsection 2 (b) of this By-law shall come into force and effect when the applicable Section of Mississauga Zoning By-law comes into force and effect;
- (e) Subsection 2 (c) of this By-law shall come into force and effect when the applicable zone identified in Mississauga Zoning By-law has come into force and effect;
- (f) Subsection 2 (d) of this By-law shall come into force and effect when the applicable zone category identified in Mississauga Zoning By-law has come into force and effect;
- (g) Subsection 2 (e) of this By-law shall come into force and effect when the applicable zone category identified in Mississauga Zoning By-law has come into force and effect;
- (h) Subsection 2 (f) of this By-law shall come into force and effect when the applicable zone categories identified in Mississauga Zoning By-law have come into force and effect;
- (i) Subsection 2 (g) of this By-law shall come into force and effect when the use identified in this section under Mississauga Zoning By-law, is in force and effect.

ENACTED and PASSED this _____ th day of _____ 2007.

MAYOR

CLERK