



# Corporate Report

Clerk's Files

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Files LA.07 (Bill 51)  
Mandatory Pre-  
application Meetings

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**DATE:** March 18, 2008

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: March 31, 2008

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **By-law for Mandatory Pre-application Meetings  
City of Mississauga  
Bill 51**

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**RECOMMENDATION:** That a new by-law requiring pre-application meetings for development applications in the City of Mississauga be enacted in accordance with the draft By-law attached as Appendix I to the report dated March 18, 2008, from the Commissioner of Planning and Building.

**BACKGROUND:** The provisions of Sections 22, 34, 41, 51 and 53 of the Planning Act were amended by Bill 51 (the Planning and Conservation Land Statute Law Amendment Act). A Council may now require development proponents to consult with a municipality before submitting applications for an official plan amendment, zoning by-law amendment, site plan, draft plan of subdivision, draft plan of condominium and/or consent.

The Development and Design Division of the Planning and Building Department currently holds weekly Development Application Review Committee (DARC) meetings to discuss development proposals. These meetings are attended by the proponent, Planning staff, and staff from other departments and agencies, including Transportation and Works, Community Services, Region of Peel and relevant conservation authorities, as

required. Although attendance at DARC is strongly encouraged, these meetings are not required by by-law.

The experience of the Development and Design Division has been that these meetings are beneficial to both the applicant and City departments. They provide an informal atmosphere in which to discuss a proposal, allow all parties to understand the plan, submission requirements and the general timelines and milestones that the process will follow.

**COMMENTS:**

The purpose of a pre-application meeting is to discuss the merits of a development proposal, and to identify the supporting documentation, reports and other information that is required from the proponent as part of their development application submission. This information will then be required with the application submission in order for the application to be deemed complete. Confirmation of the information required will be provided through a "DARC checklist" given to the proponent subsequent to the meeting.

The proposed By-law (see Appendix I) requires that pre-application meetings take place for official plan amendment, zoning by-law amendment, site plan, draft plan of subdivision, draft plan of condominium and/or consent applications. It also allows the Commissioner of Planning and Building, or his designate, and the Secretary-Treasurer of the Land Division Committee for consent applications, the discretion to waive the requirement for a formal meeting. Waiving the requirement may occur for instance when the proposed application is tied to another application being processed by the City.

Neighbouring municipalities, including the Cities of Burlington and Brampton and the Town of Oakville, have already passed mandatory pre-application meeting by-laws, and the Town of Caledon is in the process of preparing a similar by-law.

Finally, it should be noted that Official Plan Amendment 73, which is also before Planning and Development Committee for approval, includes a new Section 5.3.1.4, which will include the pre-application meeting requirement in Mississauga Plan, and implement the provisions of the attached proposed By-law.

**COMMUNITY ISSUES**

No community meeting was required to be held and no written comments were received by the Planning and Building Department.

**FINANCIAL IMPACT:** Not applicable.

**CONCLUSION:** Relevant City departments were requested to provide comments on the content of this By-law, and they have been incorporated, where relevant, into the proposed By-law. As such, the Planning and Building Department is in a position to recommend approval of the document.

**ATTACHMENTS:** Appendix I-1 – By-law for Mandatory Pre-application Meetings

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Lisa Christie, Development Planner*

A By-law to provide for mandatory pre-application meetings  
in the City of Mississauga for certain types of development applications.

WHEREAS sections 22, 34, 41, 51 and 53 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, permit the Council of a municipality to require applicants to consult with the municipality before submitting certain types of development applications;

AND WHEREAS Council agrees that this is appropriate for applications for official plan amendments, zoning by-law amendments, plans of subdivision, site plan applications and applications for consent;

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

1. For the purposes of this By-law:
  - (a) "APPLICANT" includes a property owner or their authorized agent, and a person who intends to submit an application to the City, but shall exclude the City;
  - (b) "APPLICATION" means a proposal to amend either or both the official plan or zoning by-law, divide land, either by way of a plan of subdivision, plan of condominium or consent, or to develop lands which are subject to site plan control, in the City;
  - (c) "CITY" means the Corporation of the City of Mississauga;
  - (d) "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;
  - (e) "COMMITTEE" means the Committee of Adjustment for the Corporation of the City of Mississauga;

- (f) "COUNCIL" means the Council of The Corporation of the City of Mississauga;
  - (g) "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;
  - (h) "PRE-APPLICATION MEETING" means a meeting held prior to the submission of an application to the Planning and Building Department of the City or an application to the Committee; and,
  - (i) "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.
2. Each applicant who intends to submit an application to the City or the Committee shall be required to attend a pre-application meeting.
  3. The City or the Committee shall not accept an application where the applicant has failed or refused to attend a pre-application meeting.
  4. The Commissioner will determine a meeting schedule and submissions process for pre-application meetings.
  5.
    - (a) The purpose of the pre-application meeting, other than in the case of an application to the Committee, is for consultation between the applicant and City staff to discuss the merits of a proposal for development, and to identify information deemed necessary by City staff for the submission of a complete application;
    - (b) In the case of an application to the Committee, the purpose of the pre-application meeting is for consultation between the applicant and the Secretary-Treasurer of the Committee, or their designate, to discuss the requirements for the submission of a complete application for a division of land.

6. Notwithstanding Sections 2 and 5 of this By-law, the following matters are not subject to this By-law:
  - (a) applications for consent to the Committee that do not seek to create one or more new lots or blocks;
  - (b) applications for exemption from part lot control in accordance with Section 50(7) of the *Planning Act*; and,
  - (c) any other application exempted at the discretion of the Commissioner.
7. If an application is not submitted to the City or the Committee within one year of the date of the pre-application meeting, another pre-application meeting must be convened.
8. The Commissioner is hereby delegated the authority to determine and direct the appropriate action to be taken in the administration of this By-law.

ENACTED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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MAYOR

\_\_\_\_\_  
CLERK