



Corporate Report

Clerk's Files

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LA.07 (Bill 51)

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: **Report on Comments - Amendment 73 to Mississauga Plan -
Complete Development Applications**

RECOMMENDATION:

1. That the report titled "Report on Comments - Amendment 73 to Mississauga Plan – Complete Development Applications" dated March 18, 2008 from the Commissioner of Planning and Building, be adopted.
2. That Sections 5.3.1.1 to 5.3.1.6, Development Applications, as amended, be deleted and replaced by Amendment 73, Sections 5.3.1.1 to 5.3.1.6, Development Applications (attached as Appendix 2 to the report titled "Report on Comments - Amendment 73 to Mississauga Plan – Complete Development Applications").

BACKGROUND: City Council, on December 12, 2007 considered the report titled "*Draft Policies for Complete Development Applications*" dated November 13, 2007 from the Commissioner of Planning and Building and adopted the following:

1. That the submissions made at the public meeting held at the Planning and Development Committee meeting on December 3, 2007 to consider "Amendment 73 to Mississauga Plan, Draft Policies for Complete Development Applications" dated

October 2007, be received.

2. That Planning and Building staff report back to City Council, with respect to "Amendment 73 to Mississauga Plan, Draft Policies for Complete Development Applications", dated October 2007 (see Appendix 1).
3. That the letter dated November 29, 2007 from Greg Dell and Associates with respect to his comments relating to possible interpretation and implementation of the certain policies in Amendment 73, be received.

COMMENTS:

The statutory public meeting regarding the proposed Official Plan Amendment was held by Planning and Development Committee on December 3, 2007. One person made a deputation at the meeting.

Planning and Building Department staff considered the submissions and comments received on the "Draft Policies for Complete Development Applications" and prepared recommendations to address the issues raised. The recommendations are included in Appendix 2 "Amendment 73 to Mississauga Plan Draft Policies for Complete Development Applications - Report on Comments".

The comments are in the order in which the policies appear in the proposed Development Application section of Mississauga Plan. Deletions are shown as "~~strikeouts~~" and additions are in "*italics*". The recommendations do not include editorial changes, minor matters of style or organization, or minor rewording that does not alter the intent of the proposed policies.

The major recommendations on changes to the "Draft Policies for Complete Development Applications" contained in Appendix 2 are as follows:

- clarification that the list of studies identified in Section 5.3.1.5 are not required for each development application, but that the appropriate studies will be determined as applications are reviewed at pre-application meetings;
- clarification in Section 5.3.1.5, that not all Terms of Reference will be available at the pre-application meeting, but that

appropriate staff contacts will be provided in order that Terms of Reference can be scoped specific to the application;

- removal of the requirement for a Record of Site Contamination and Transit Impact Assessment/Statement from Section 5.3.1.5, as per instructions from the Transportation and Works Department; and,
- Community Uses Needs Assessment remains on the list of required studies, pending completion of a Terms of Reference by the Policy Planning Division.

A revised version of the Development Application policies is included as Appendix 3 "Amendment 73 to Mississauga Plan – Sections 5.3.1.1 to 5.3.1.6 of Mississauga Plan, March 2008".

FINANCIAL IMPACT: Not applicable

CONCLUSION: The Development Application policies (Section 5.3 in Mississauga Plan) have been reviewed and updated to incorporate new Provincial planning legislation, known as Bill 51, which permits a municipality to prescribe information and studies required for a complete development application.

ATTACHMENTS:

APPENDIX 1: Corporate Report entitled "Amendment 73 to Mississauga Plan – Draft Policies for Complete Development Applications, October 2007"

APPENDIX 2: Amendment 73 to Mississauga Plan Draft Policies for Complete Development Applications - Report on Comments.

APPENDIX 3: Amendment 73 to Mississauga Plan Sections 5.3.1.1 to 5.3.1.6 Development Applications policies of Mississauga Plan, March 2008.

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Lisa Christie, Development and Design



Corporate Report

Clerk's Files

Originator's
Files

LA. 07 (Bill 51)

PDC DEC 3 2007

DATE: November 13, 2007

TO: Chair and Members of Planning and Development Committee
Meeting Date: December 3, 2007

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Amendment 73 to Mississauga Plan
Draft Policies for Complete Development Applications,
October 2007**

PUBLIC MEETING

- RECOMMENDATION:**
1. That the submissions made at the public meeting held at the Planning and Development Committee meeting on December 3, 2007 to consider "Amendment 73 to Mississauga Plan, Draft Policies for Complete Development Applications" dated October 2007, be received.
 2. That Planning and Building staff report back to City Council, with respect to "Amendment 73 to Mississauga Plan, Draft Policies for Complete Development Applications", dated October 2007.

BACKGROUND: On October 1, 2007, Planning and Development Committee considered the report titled "*City Initiated Amendments to Mississauga Plan – Requirements for Complete Applications Resulting From Amendments to the Planning Act (Bill 51)*", dated September 11, 2007 from the Commissioner of Planning and Building and recommended that a public meeting be held to consider the Draft Policies for Complete Development

Applications. This recommendation was adopted by City Council on October 10, 2007.

COMMENTS:

The public meeting scheduled for Planning and Development Committee on December 3, 2007 is the statutory public meeting to fulfill the requirements of the *Planning Act*. Its purpose is to provide an opportunity for the public to make submissions to the Planning and Development Committee on “Amendment 73 to Mississauga Plan, Draft Policies for Complete Development Applications” dated October, 2007 (Appendix I). Prior to the public meeting, the draft policies were mailed to the Region of Peel and development industry organizations and liaison groups for feedback.

FINANCIAL IMPACT:

There is no financial impact to the City of Mississauga or any other official agency concerned with the proposed amendments to Mississauga Plan.

CONCLUSION:

After the public meeting is held and all the issues are addressed, the Planning and Building Department will be in a position to make recommendations with respect to “Amendment 73 to Mississauga Plan, Draft Policies for Complete Applications” dated October 2007.

ATTACHMENTS:

APPENDIX I: Amendment 73 to Mississauga Plan, Draft Policies for Complete Development Applications

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: L. Christie, Development Planner

Amendment No. 73

to

Mississauga Plan (Official Plan)

for the

City of Mississauga Planning Area

By-law No. _____

A by-law to Adopt Mississauga Plan (Official Plan) Amendment No. 73.

WHEREAS in accordance with the provisions of sections 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to section 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing may authorize an approval authority to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, the Minister of Municipal Affairs and Housing has authorized the Region of Peel to exempt Local Municipal Official Plan Amendments;

AND WHEREAS, on January 27, 2000, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Regional Commissioner of Planning has advised that, with regard to Amendment No. 73, in his opinion the amendment conforms with the Regional Official Plan and is exempted;

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

1. The attached explanatory text, constituting Amendment No. 73 to Mississauga Plan (Official Plan) of the City of Mississauga Planning Area, are hereby adopted.

ENACTED and PASSED this _____ day of _____, 2007.

Signed _____
MAYOR

Signed _____
CLERK

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law No. _____ as Enacted and Passed by the Council of the City of Mississauga on the _____ day of _____, 2007.

Signed _____
CLERK OF THE MUNICIPALITY

Amendment No. 73

to

Mississauga Plan (Official Plan)

for the

City of Mississauga Planning Area

The following text attached hereto constitutes Amendment No. 73.

Also attached hereto 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 reports dated September 11, 2007 and November 13, 2007, pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to revise parts of Section 5.3, Development Applications, to implement new Provincial legislation following the passage of Bill 51, "An Act to amend the Planning Act and the Conservation Statute Law Amendment Act, 2006". Bill 51 states that municipalities must include all required information for complete development applications in their Official Plan in order to request such information at the time of application submission.

LOCATION

The lands affected by this Amendment are located City wide.

BASIS

The subject policies form part of Mississauga Plan (Official Plan). Mississauga Plan came into effect on May 5, 2003, save and except for those policies and land use designations which have been appealed to the Ontario Municipal Board.

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

Bill 51, which was proclaimed on January 1, 2007, allows municipalities to stipulate the types of studies and other information required for a complete official plan amendment, zoning by-law amendment, plan of subdivision and consent applications “only if the official plan contains provisions relating to requirements under (the relevant) subsection.”

In order to request the information needed to properly assess a development application, Mississauga Plan (Official Plan) must be amended to include the complete list of studies and other documents that could be used in the development review process by all departments involved in land development in Mississauga.

Details regarding this Amendment to the Development Application policies of Mississauga Plan (Official Plan) are contained in the Planning and Building Reports dated September 11, 2007 and November 13, 2007, attached to this Amendment as Appendix III.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

5.3.1.1 add "... and Provincial policies." to the end of this section.

5.3.1.2 add a new subsection e. as follows "e. City of Mississauga Heritage Register;"

repeal and replace Section 5.3.1.3 with the following:

"5.3.1.3 To provide consistent application of planning and urban design principles, all development applications will address the following:

- a.** the relationship of the proposed development to adjacent land uses and the suitability of transition in height, density, and built form;
- b.** conformity with the policies in this Plan;
- c.** in circumstances where medium and high density residential uses are in proximity to developments of a lower density, measures, such as increased setback, sensitive building location and design and landscaping, may be required to ensure compatibility with the lower density designations;
- d.** the adequacy of engineering services;
- e.** the adequacy of the multi-modal transportation system;
- f.** the suitability of the site in terms of size and shape, to accommodate the necessary on-site functions, parking, landscaping, and recreational facilities; and,
- g.** the impact of the height and form of development, in terms of overshadowing and amenity loss, on neighbouring residential and park uses."

repeal and replace Section 5.3.1.4 with the following:

"5.3.1.4 A pre-application meeting between the development proponent and/or their agent and the Development Application Review Committee shall be held prior the submission of an application for an Official Plan Amendment, rezoning, draft plan of subdivision or condominium and/or a consent application, in accordance with the City's policies and procedures."

repeal and replace Section 5.3.1.5 with the following:

"5.3.1.5 The following studies, reports and/or documents are required as part of a complete application submission for an Official Plan Amendment, rezoning, draft plan of subdivision or condominium or consent application. This list is not inclusive, and other material may be requested when the application is reviewed. The list of required information will be dependent on the type of application, the property location and adequacy of services. The scope of the studies and the terms of reference will be determined at a mandatory preliminary meeting prior to application submission.

- Development Application Review Checklist, as completed at the Development Application Review Committee (pre-application) meeting
- notice signage erected on-site in accordance with the City of Mississauga's guidelines and regulations
- complete application form and required fees

- Planning Justification Report, which may include plan of survey and concept plan
- draft Official Plan Amendment
- draft Zoning By-law Amendment
- draft Plan of Subdivision or Condominium
- Urban Design Study (see also Appendix M: Built Form).
- Arborist's Report (including Tree Survey/Tree Preservation Plan)
- Parking Use Study
- Sun/Shadow/Wind Study
- Environmental Impact Study
- Slope Stability Study/Top of Bank Survey
- Downstream Erosion Impact Report/Investigation
- Functional Storm Drainage Report
- Storm Water Management Study
- Streambank Assessment
- Implementation study for Two Zone Floodplain Policies (Malton and Cooksville)
- Environmental Site Screening Questionnaire and Declaration
- Site Remediation Studies, including Phase I Environmental Site Assessment, Phase II Environmental Site Assessment, Remedial Work Plan, Site Clean-Up Report, Record of Site Condition
- Acoustical Feasibility Study (for stationary, road, rail and/or airport noise sources)
- Vibration Analysis
- Air Quality Study
- Geotechnical Report
- Traffic Impact Study (including scoped studies such as gapping, signal operations, and/or other relevant traffic issues)
- Traffic Safety Impact Study (including access review, sight lines, queuing, gapping and collisions)
- Transit Impact Assessment/Statement
- On Street Parking Analysis (including type, availability and feasibility of the on street parking arrangement)
- Park Concept Plan
- Heritage Impact Statement
- Community Uses Needs Assessment
- Above and below ground Utility Plans (existing and proposed) on City lands
- Archeological Assessment
- Restrictions on Title (where the creation of Common Element Condominium lots precedes the creation of the private road)”

5.3.1.6 add a new subsection l. to the existing text as follows:

“l. soil and groundwater quality.”

IMPLEMENTATION

Upon the approval of this Amendment by the City of Mississauga, the Mississauga Plan (Official Plan) will be amended in accordance with the intent of this Amendment.

INTERPRETATION

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

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

Upon approval of this Amendment, the various Sections, District Land Use Maps and Appendices will be amended in accordance with this Amendment, subject to technical revisions being permitted to this Amendment without official amendments with respect to: changing the numbering, cross-referencing and arrangement of the text, tables, schedules and maps; altering punctuation or language for consistency; and correcting grammatical, dimensional and boundary, mathematical or typographical errors, provided that the purpose, effect, intent, meaning and substance of this Amendment are in no way affected.

APPENDIX I

PUBLIC NOTICE

A notice inviting any interested parties to the Public Meeting was placed in the Mississauga News. Further, relevant development industry groups were invited by mail to attend a Public Meeting of the Planning and Development Committee held on December 3, 2007 in connection with this proposed Amendment.

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Public Meeting Planning and Development Committee



Property Location: City of Mississauga
Wards 1 to 11

Proposal:

- To revise parts of Section 5.3, Development Applications, of the Official Plan to identify the requirements of a complete application submission.

This application is being considered under the Bill 51 Planning Act Requirements. (See below)

Purpose of Meeting:

- To obtain comments from the public and the development industry with respect to proposed amendments to Mississauga Plan. Bill 51, "An Act to Amend the Planning Act and the Conservation Statue Law Amendment Act, 2001", allows municipalities to identify in their Official Plan, the types of document studies and other information that could be required with the submission of a development application for Official Plan Amendments, rezoning, draft plans of subdivision or condominium and/or consents, in order that they be deemed complete.
- Planning staff has prepared a draft Official Plan Amendment identifying a preliminary list of documents and information which may be required as part of a complete development application. This amendment is available for review prior to the Public Meeting through the Planning and Building Department. Comments on the contents of the amendment will be addressed in a subsequent Supplementary Report to Planning and Development Committee.

Meeting Date: Monday, December 3, 2007

Time: 7:00 pm

Meeting Place: Mississauga Civic Centre
Council Chamber,
300 City Centre Drive

File: LA.07 - Bill 51 - Complete Applications

More Information: Lisa Christie, City Planner,
Planning & Building
Department at 905-615-3200
ext. 5542 or by e-mail at
lisa.christie@mississauga.ca

Notice Date: November 7, 2007

Planning Act Requirements

Bill 51 Applications

- If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Mississauga before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Mississauga to the Ontario Municipal Board.
- If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Mississauga before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Marilyn Ball, Director
Development and Design Division
Planning and Building Department

Please contact Shalini Alleluia, Office of the Clerk, in writing by mail at 300 City Centre Drive, Mississauga ON L5B 3C1, or by fax at 905-615-4181 or by e-mail at shalini.alleluia@mississauga.ca by 12:00 p.m. on the day of the meeting if:

- You are unable to attend and would like to forward your views before the meeting. Written submissions will become part of the public record; or
- You wish to be notified of the adoption of the proposed Official Plan Amendment, Zoning By-law and/or Plan of Subdivision, as applicable and described above.

More Information

The public may view planning documents and background material at the Planning and Building Department, Mississauga Civic Centre between 8:30 a.m. and 4:30 p.m., Monday through Friday.

For residential applications, information regarding education and school accommodation is available from the Peel District School Board at 905-890-1099 or the Dufferin-Peel Catholic District School Board at 905-890-1221.

**APPENDIX 2 Amendment 73 to Mississauga Plan Draft Complete Application Policies
Report on Comments**

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT COMPLETE APPLICATION POLICIES
Development and Design Division	5.3.1.4	Revise wording to reflect the proposed by-law for mandatory pre-application meetings.	The requested revision is appropriate.	1. Revise Section 5.3.1.4 to read: "A pre-application meeting <i>may be required by the City</i> between the development proponent and/or their agent and the Development Application Review Committee, <i>and</i> shall be held prior to the submission of an application for an Official Plan Amendment, rezoning, draft plan of subdivision or condominium and/or a consent application. in accordance with the City's policies and procedures.
Greg Dell, Consultant	5.3.1.3	Guidelines should be provided to describe how items (a) to (g) should be addressed, also should each of these items be topics in one or separate reports.	The policies in the proposed Section 5.3.1.3 are very similar to those currently in Mississauga Plan and we have not had any issues with regard to what is intended.	No change recommended.
Greg Dell, Consultant/ Glen Broll, Planning Consultant/ Committee of Adjustment, Legislative Services	5.3.1.5	Clarify that the list of required studies is not inclusive, and that not all studies are required for each application.	The requested revision is appropriate.	2. That Section 5.3.1.5 be revised by changing the first paragraph to read: <i>"Some or all of the following studies, reports and/or documents may be required as part of a complete application submission... dependent on the type of application, the property location and adequacy of services."</i>
Greg Dell, Consultant	5.3.1.5	The list of required studies and information will be based on the discretion of staff at the pre-application meeting.	There is no way to prescribe a standard set of required studies for each type of application. All proposals are reviewed based on	No change recommended.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT COMPLETE APPLICATION POLICIES
			project type, site location, etc., and staff shall determine what is required to properly evaluate the proposal at the pre-application meeting.	
Greg Dell, Consultant	5.3.1.5	Staff review of applications may result in significant design changes, making the submission of some studies at the time of application submission premature.	Mandatory pre-application meetings will, among other things, ensure staff and the proponent discuss the merits of an application, site design issues and other suggestions. This should eliminate comprehensive site redesign after application submission.	No change recommended.
Development and Design Division	5.3.1.5	Ensure that the policy clearly states that not only are certain studies required, but that their content must be adequate to ensure appropriate review of the document and application.	The revision is appropriate.	That Section 5.3.1.5 be revised to add the following sentences following the words "... adequacy of services." <i>"All submitted material must be satisfactory to the City and relevant agencies, if applicable, such as conservation authorities in the case of an Environmental Impact Study. Further, the required material must be deemed satisfactory in the early stages of application review."</i>
Glen Broll, Planning Consultant	5.3.1.5	Clarify whether Terms of Reference for various studies can be provided at the pre-application meeting.	For some types of studies, Terms of Reference are available. In other cases, the applicant will be	3. That Section 5.3.1.5 be revised to add the words <i>"and/or appropriate staff contacts will be provided for scoping purposes."</i> at the end of the first paragraph.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT COMPLETE APPLICATION POLICIES
			provided a staff contact to provide/scope Terms of Reference for a particular study.	
Glen Broll, Planning Consultant	5.3.1.5	Consent applications are not received at the Development and Design Division.	Consent applications are received by Corporate Services - Committee of Adjustment – Legislative Services.	4. That the second paragraph in Section 5.3.1.5 be revised to delete the words "Development and Design Division" and replace them with " <i>City of Mississauga</i> ".
Glen Broll, Planning Consultant	5.3.1.5	Applicant cannot erect notice signage prior to application submission.	Sign wording will be determined following receipt of the application, but the application will not be deemed complete until the notice signage is erected on site by the proponent.	No change recommended.
Glen Broll, Planning Consultant	5.3.1.5	Applicant shouldn't need to submit a draft Zoning By-law at the time of application submission.	Detailed information is required to ensure the public notice and requested zoning standards are accurate. Examples of each type of zone are in the by-law, and templates are available to applicants.	No change recommended.
Glen Broll, Planning Consultant	5.3.1.5	Clarification of what comprises a Parking Use Study.	Comment noted, terminology to be updated.	5. That Section 5.3.1.5 be revised to delete the reference to a Parking Use Study and replace with Parking Utilization Study.

RESPONDENT	SECTION	ISSUE	COMMENTS	RECOMMENDATIONS TO DRAFT COMPLETE APPLICATION POLICIES	
Glen Broll, Planning Consultant	5.3.1.5	Submission of a Record of Site Condition with the application is an onerous requirement.	Transportation and Works Department concur that the requested revision is appropriate.	6.	That Section 5.3.1.5 be revised to delete "Record of Site Condition" from the bullet point that begins "Site Remediation Studies...."
Transportation and Works Department	5.3.1.5	Remove "Transit Impact Assessment/Statement" from the list of studies.	The requested revision is appropriate.	7.	Revise Section 5.3.1.5 by deleting "Transit Impact Assessment/Statement".
Glen Broll, Planning Consultant	5.3.1.5	Community Uses Needs Assessment must be defined.	The comment is noted, no change is recommended.		The Policy Planning Division is undertaking a Community Uses Review, and it is anticipated that a Terms of Reference will be prepared following the completion of this project.
Glen Broll, Planning Consultant	5.3.1.5	Define Restrictions on Title.	Comment noted.		Restrictions on title means those that are already registered, not those proposed through the development application.
Committee of Adjustment, Legislative Services	5.3.1.5	Clarification for notice signage for consent applications vs. planning applications.	The wording in the proposed policy is generic and can apply to either planning or consent signage.		No change recommended.

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Amendment No. 73

to

Mississauga Plan (Official Plan)

for the

City of Mississauga Planning Area

By-law No. _____

A by-law to Adopt Mississauga Plan (Official Plan) Amendment No. 73.

WHEREAS in accordance with the provisions of sections 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to section 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing may authorize an approval authority to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, the Minister of Municipal Affairs and Housing has authorized the Region of Peel to exempt Local Municipal Official Plan Amendments;

AND WHEREAS, on January 27, 2000, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Regional Commissioner of Planning has advised that, with regard to Amendment No. 73, in his opinion the amendment conforms with the Regional Official Plan and is exempted;

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

1. The attached explanatory text, constituting Amendment No. 73 to Mississauga Plan (Official Plan) of the City of Mississauga Planning Area, are hereby adopted.

ENACTED and PASSED this _____ day of _____, 2008.

Signed _____
MAYOR

Signed _____
CLERK

SEAL OF THE CORPORATION

Certified that the above is a true copy of By-law No. _____ as Enacted and Passed by the Council of the City of Mississauga on the _____ day of _____, 2008.

Signed _____
CLERK OF THE MUNICIPALITY

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

5.3.1.1 add "... and Provincial policies." to the end of this section.

5.3.1.2 add a new subsection e. as follows "e. City of Mississauga Heritage Register;"

repeal and replace Section 5.3.1.3 with the following:

"5.3.1.3 To provide consistent application of planning and urban design principles, all development applications will address the following:

- a.** the relationship of the proposed development to adjacent land uses and the suitability of transition in height, density, and built form;
- b.** conformity with the policies in this Plan;
- c.** in circumstances where medium and high density residential uses are in proximity to developments of a lower density, measures, such as increased setback, sensitive building location and design and landscaping, may be required to ensure compatibility with the lower density designations;
- d.** the adequacy of engineering services;
- e.** the adequacy of the multi-modal transportation system;
- f.** the suitability of the site in terms of size and shape, to accommodate the necessary on-site functions, parking, landscaping, and recreational facilities; and,
- g.** the impact of the height and form of development, in terms of overshadowing and amenity loss, on neighbouring residential and park uses."

repeal and replace Section 5.3.1.4 with the following:

"5.3.1.4 A pre-application meeting may be required by the City between the development proponent and/or their agent and the Development Application Review Committee, and shall be held prior the submission of an application for an Official Plan Amendment, rezoning, draft plan of subdivision or condominium and/or a consent application."

repeal and replace Section 5.3.1.5 with the following:

"5.3.1.5 Some or all of the following studies, reports and/or documents may be required as part of a complete application submission for an Official Plan Amendment, rezoning, draft plan of subdivision or condominium or consent application, dependent on the type of application, the property location and adequacy of services.

Submitted material must be satisfactory to the City and relevant agency, if applicable, such as conservation authorities in the case of an Environmental Impact Study. Further, the required material must be deemed satisfactory in the early stages of application review.

This list is not inclusive, and other material may be requested when the application is reviewed. The scope of the studies and the terms of reference will be determined at a mandatory pre-application meeting prior to application

submission, and/or appropriate staff contacts will be provided for scoping purposes. If the requested material is not provided, the application will be deemed incomplete by the City of Mississauga.

- Development Application Review Checklist, as completed at the Development Application Review Committee (pre-application) meeting
- notice signage erected on-site in accordance with the City of Mississauga's guidelines and regulations
- complete application form and required fees
- Planning Justification Report, which may include plan of survey and concept plan for the subject site and surrounding lands
- draft Official Plan Amendment
- draft Zoning By-law Amendment
- draft Plan of Subdivision or Condominium
- Urban Design Study (see also Appendix M: Built Form).
- Arborist's Report (including Tree Survey/Tree Preservation Plan)
- Parking Utilization Study
- Sun/Shadow/Wind Study
- Environmental Impact Study
- Slope Stability Study/Top of Bank Survey
- Downstream Erosion Impact Report/Investigation
- Functional Storm Drainage Report
- Storm Water Management Study
- Streambank Assessment
- Implementation study for Two Zone Floodplain Policies (Malton and Cooksville)
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- Vibration Analysis
- Air Quality Study
- Geotechnical Report
- Traffic Impact Study (including scoped studies such as gapping, signal operations, and/or other relevant traffic issues)
- Traffic Safety Impact Study (including access review, sight lines, queuing, gapping and collisions)
- On Street Parking Analysis (including type, availability and feasibility of the on street parking arrangement)
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- Community Uses Needs Assessment
- Above and below ground Utility Plans (existing and proposed) on City lands
- Archeological Assessment

- Restrictions on Title (where the creation of Common Element Condominium lots precedes the creation of the private road)”

5.3.1.6 add a new subsection l. to the existing text as follows:

“l. soil and groundwater quality.”

IMPLEMENTATION

Upon the approval of this Amendment by the City of Mississauga, the Mississauga Plan (Official Plan) will be amended in accordance with the intent of this Amendment.

INTERPRETATION

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

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

Upon approval of this Amendment, the various Sections, District Land Use Maps and Appendices will be amended in accordance with this Amendment, subject to technical revisions being permitted to this Amendment without official amendments with respect to: changing the numbering, cross-referencing and arrangement of the text, tables, schedules and maps; altering punctuation or language for consistency; and correcting grammatical, dimensional and boundary, mathematical or typographical errors, provided that the purpose, effect, intent, meaning and substance of this Amendment are in no way affected.

APPENDIX I

PUBLIC NOTICE

A notice inviting any interested parties to the Public Meeting was placed in the Mississauga News (attached). Further, relevant development industry groups were invited by mail to attend a Public Meeting of the Planning and Development Committee held on December 3, 2007 in connection with this proposed Amendment.

Two members of the public provided comments on the draft Official Plan Amendment, one verbally at the Public Meeting and one in writing. The comments have been addressed in the Corporate Report dated March 18, 2008.

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Amendment No. 73

to

Mississauga Plan (Official Plan)

for the

City of Mississauga Planning Area

The following text attached hereto constitutes Amendment No. 73.

Also attached hereto 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 reports dated September 11, 2007 and November 13, 2007, pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to revise parts of Section 5.3, Development Applications, to implement new Provincial legislation following the passage of Bill 51, "An Act to amend the Planning Act and the Conservation Statute Law Amendment Act, 2006". Bill 51 states that municipalities must include all required information for complete development applications in their Official Plan in order to request such information at the time of application submission.

LOCATION

The lands affected by this Amendment are located City wide.

BASIS

The subject policies form part of Mississauga Plan (Official Plan). Mississauga Plan came into effect on May 5, 2003, save and except for those policies and land use designations which have been appealed to the Ontario Municipal Board.

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

Bill 51, which was proclaimed on January 1, 2007, allows municipalities to stipulate the types of studies and other information required for a complete official plan amendment, zoning by-law amendment, plan of subdivision and consent applications “only if the official plan contains provisions relating to requirements under (the relevant) subsection.”

In order to request the information needed to properly assess a development application, Mississauga Plan (Official Plan) must be amended to include the complete list of studies and other documents that could be used in the development review process by all departments involved in land development in Mississauga.

Details regarding this Amendment to the Development Application policies of Mississauga Plan (Official Plan) are contained in the Planning and Building Reports dated September 11, 2007 and November 13, 2007, attached to this Amendment as Appendix III.

A by-law to Adopt Mississauga Plan (Official Plan) Amendment No. 73

WHEREAS in accordance with the provisions of sections 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to section 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing may authorize an approval authority to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, the Minister of Municipal Affairs and Housing has authorized the Region of Peel to exempt Local Municipal Official Plan Amendments;

AND WHEREAS, on January 27, 2000, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Regional Commissioner of Planning has advised that, with regard to Amendment No. 73, in his opinion the amendment conforms with the Regional Official Plan and is exempted;

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

1. The attached explanatory text, constituting Amendment No. 73 to Mississauga Plan (Official Plan), specifically Section 5.3 of Mississauga Plan (Official Plan), of the City of Mississauga Planning Area, are hereby adopted.

ENACTED and PASSED this _____ day of _____, 2008.

MAYOR

CLERK