



# Corporate Report

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**PDC** APR 18 2011

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**DATE:** March 29, 2011

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: April 18, 2011

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

**SUBJECT:** **Information Report**  
**Proposed Housekeeping Amendment -**  
**Mississauga Zoning By-law 0225-2007**  
**(Temporary Uses and Special Events)**  
**City of Mississauga**  
**Bill 51**

**Public Meeting** **Wards 1-11**

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**RECOMMENDATION:** That the Report dated March 29, 2011, from the Commissioner of Planning and Building regarding the proposed housekeeping amendment to Mississauga Zoning By-law 0225-2007, be received for information and notwithstanding planning protocol, that the supplementary report be brought directly to a future Council meeting.

**BACKGROUND:** Mississauga Zoning By-law 0225-2007 was passed by Council on June 20, 2007. Since the intent of the Comprehensive Zoning By-law review was to ensure the Zoning By-law remains up-to-date and in conformity with Mississauga Plan, regular housekeeping amendment reports and reports to deal with specific zoning issues are proposed to be dealt with by City-initiated amendments to the Zoning By-law.

The purpose of this report is to provide background information on a proposal to amend the Zoning By-law to facilitate achieving a consistent approach to dealing with temporary uses and special events in the City.

**COMMENTS:**

Mississauga Zoning By-law 0225-2007 requires that the use of all land, buildings and structures must be in conformity with the provisions of the Zoning By-law. Some temporary uses, such as temporary tents and stages (Article 2.1.9.7) and temporary buildings for construction camps, construction trailers, sales trailers, scaffolds and other structures incidental to ongoing construction (Subsection 2.1.21) are permitted uses in the Zoning By-law. Other temporary uses, however, are permitted only as an accessory use to a principal use already permitted on the lands. On public lands, uses such as community festivals, concerts, day camps and picnics are permitted as accessory uses to parks and/or community centres that are already permitted on the lands.

Some temporary uses and special events are not listed as permitted uses in the Zoning By-law, are not considered to be accessory to the principal use on the lands and are therefore not permitted. Examples of such uses are: wedding receptions in parks, temporary special events in Greenbelt zones and temporary tents and stages for a duration of more than the 14 days currently permitted in the Zoning By-law.

The Planning and Building Department has worked with staff in other Departments across the City in order to achieve a consistent approach to temporary uses that are generally associated with special events in the City. The proposal is to require that temporary uses associated with special events that are not otherwise regulated in the Zoning By-law, be approved by Council by Corporate Policy and Procedure ("Policy") or By-law under the *Municipal Act*. The uses and special events approved by Council in this manner would not be subject to the provisions of the Zoning By-law, provided that the use or event is subject to time limits and does not change the underlying use of the land, building or structure. Once a Policy has been approved for temporary tents and/or stages associated with special events, the proposal is to

delete this use from the Zoning By-law. Other types of temporary uses such as temporary buildings for construction camps, construction trailers and sales trailers will continue to be regulated by the Zoning By-law.

### **Existing Zoning**

Mississauga Zoning By-law 0225-2007, in Article 1.1.1.3, Scope and Effect, states that: no land can be used and no buildings or structures can be constructed or altered except in conformity with the provisions of the Zoning By-law. This provision applies to all uses, whether temporary or permanent. The Zoning By-law contains specific provisions for temporary tents and stages in Article 2.1.9.7 and for temporary buildings for construction and sales trailers in Subsection 2.1.21; however, other temporary uses and special events are not specifically identified in the Zoning By-law.

An amendment to the Zoning By-law is required to exempt temporary uses generally associated with special events that are approved by Council by By-law or Policy, as noted above. The proposed zoning amendment will have no effect on individual temporary uses and special events until such time as By-laws or Policies specific to those temporary uses and special events, are approved by Council.

### **Proposed Zoning By-law Amendment**

Subsection 1.1.11, Compliance with any By-law in Force, states:

"Nothing in this By-law shall exempt any person from complying with the requirements of any By-law in force within the City, or from obtaining any license, permission, permit, authority or approval required by this or any other By-law of the City or by any other law in force at the time."

The proposed amendment to the Zoning By-law is to add the following provision to Subsection 1.1.11:

*"Any temporary use or special event approved by Council by By-law or Corporate Policy and Procedure, and not otherwise regulated by this By-law, shall not be subject to this By-law."*

**FINANCIAL IMPACT:** Not applicable.

**CONCLUSION:** Since the intent and purpose of the Zoning By-law will remain the same, and the implementation of a consistent approach to the approval of temporary uses that are generally associated with special events in the City is desirable, it is not anticipated that there will be concerns from the public with the proposal to amend the Zoning By-law to identify that temporary uses associated with special events that are otherwise approved by Council by Policy or By-law under the *Municipal Act*, are not subject to the Zoning By-law. Therefore, it is recommended that, notwithstanding planning protocol, the supplementary report be brought directly to a future Council meeting.

*original signed by*

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Edward R. Sajecki  
Commissioner of Planning and Building

*Prepared By: Julie McAuliffe, Planner Zoning By-law Review*

