

City of Mississauga

Corporate Report



<p>Date: March 5, 2021</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's file: BL.09-CIT (All Wards)</p> <hr/> <p>Meeting date: March 29, 2021</p>
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Subject

PUBLIC MEETING INFORMATION REPORT (ALL WARDS)

Proposed City Initiated Amendments to Zoning By-law 0225-2007

File: BL.09-CIT (All Wards)

Recommendation

That the report dated March 5, 2021, from the Commissioner of Planning and Building regarding proposed City initiated amendments to Zoning By-law 0225-2007, under File BL.09-CIT, be received for information.

Background

The purpose of this report is to present proposed amendments to the zoning by-law with respect to definitions and general provisions as they relate to transit terminal and/or transit corridor; proposed amendments to seven site-specific properties in the City; and to hear comments from the public on the proposed changes.

Comments

Staff are considering amendments to the definition of a transit terminal and to the general provisions that apply to a transit terminal and/or transit corridor. The current definition of transit terminal only includes a station for the transfer of transit riders. This definition does not accurately capture all of the necessary infrastructure that may be associated with a higher order transit line. In addition, staff are considering including a reference to a public authority in the definition for transit terminal, similar to the definitions for community centre, sewage treatment plant and library. This would allow the definition to apply only to municipally and provincially operated transit lines.

Further, the zoning provisions that apply to a transit terminal and/or transit corridor only permit their use in certain zones and require compliance with other general provisions. Due to the nature of a transit terminal and/or transit corridor requiring different types of structures and buildings, greater flexibility is required to avoid delays associated with zoning non-compliance. Therefore, staff are considering permitting the use in all zones other than Greenlands and Parkway Belt zones, as well as exempting them from general parking regulations, setbacks to Greenlands zones, setbacks to a Provincial highway right-of-way and the requirement of a Certificate of Occupancy. Review of site plan matters such as landscaped buffers, screening and setbacks would still occur to ensure that any negative impacts are mitigated.

The details of these amendments are outlined in Appendix 1, Part 2 of this report.

Additional amendments are being considered for seven properties on the east side of Kelly Road, south of Truscott Drive in Ward 2. The properties are currently zoned **R1-39** (Detached Dwellings – Typical Lots – Exception). The existing long term care facility (Sheridan Villa) on the adjacent property is also zoned **R1-39**. At the time Zoning By-law 0225-2007 was approved in 2007, Sheridan Villa was rezoned to only permit the long term care facility use. At the same time, the adjacent properties with detached homes on Kelly Road were inadvertently included in the R1-39 zone. Therefore, the adjacent homes are currently in a state of legal non-conforming status under the zoning by-law. To rectify the zoning and restore the original intent, the following properties on Kelly Road are being considered for the **R3** zone (Detached Dwellings – Typical Lots): 1319, 1323, 1329, 1333, 1339, 1343 and 1349 Kelly Road. This zone is consistent with their previous **R4** (Detached Dwelling) zoning under By-law 5500.

Appendix 1, Part 1 contains a location map identifying all of the sites proposed to be rezoned.

LAND USE POLICIES AND REGULATIONS

The relevant policies of Mississauga Official Plan are consistent with the *Provincial Policy Statement* (PPS), *Growth Plan for the Golden Horseshoe* (Growth Plan) and Region of Peel Official Plan (ROP). The *Greenbelt Plan* and *Parkway Belt West Plan* policies do not apply. The proposed amendments to Zoning By-law 0225-2007 are consistent with the PPS and conform to the Growth Plan and the ROP. Appendix 1 contains a detailed analysis of consistency and conformity with Provincial regulations.

Financial Impact

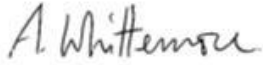
There is no financial impact.

Conclusion

Once the public meeting has been held, the Planning and Building Department will make a recommendation regarding these amendments.

Attachments

Appendix 1: Detailed Information and Preliminary Planning Analysis



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

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Detailed Information and Preliminary Planning Analysis
City Initiated Zoning By-law Amendment

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1. Locations of Properties for Proposed Zoning By-law Amendments



2. Summary of Proposed Zoning By-law Amendments

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
Section 1.2: Definitions			
1	Transit Terminal	Add “and/or related infrastructure” Add “operated on or behalf of a public authority ”	Includes other infrastructure components necessary for transit lines; Clarifies that transit terminals will be operated by a public authority including municipal and provincial bodies.
Part 2: General Provisions			
2	2.1.9.10 Transit Terminal and/or Transit Corridor	Amend to remove Part 3	General parking regulations would no longer apply.
3	Table 2.1.9.10 - Transit Terminal and/or Transit Corridor; Line 1.0	Add all zones currently not included in Line 1.0 with the exception of ‘Greenlands’ or ‘Parkway Belt’ zones	Transit facilities and transportation infrastructure are permitted in all land use designations other than Greenlands and Parkway Belt West.
4	Table 2.1.9.10 - Transit Terminal and/or Transit Corridor; Line 2.0	Add 1.1.13, 2.1.17 and 2.1.20	The requirement for a Certificate of Occupancy and the setbacks to Greenlands zones and Provincial highway right-of-way would no longer apply.
Part 13: Zoning Maps			
5	Map 11	R1-39 to R3	Reinstate the original intent of permitting detached homes – 1319, 1323, 1329, 1333, 1339, 1343 and 1349 Kelly Road.

3. Summary of Applicable Policies, Regulations and Proposed Amendments

The *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Policy Statement and conform with the applicable provincial plans and Regional Official Plan. The policy and regulatory documents that affect these proposed amendments have been reviewed and summarized in the table below. Only key policies relevant to the proposed amendments have been included. The table should be

considered a general summary of the intent of the policies and should not be considered exhaustive. In the sub-section that follows, the relevant policies of Mississauga Official Plan are summarized. The proposed amendments will be evaluated based on these policies in the subsequent recommendation report.

Policy Document	Legislative Authority/Applicability	Key Policies
Provincial Policy Statement (PPS)	<p>The fundamental principles set out in the PPS apply throughout Ontario. (PPS Part IV)</p> <p>Decisions of the council of a municipality shall be consistent with PPS. (PPS 4.1)</p> <p>The Official Plan is the most important vehicle for implementation of the Provincial Policy Statement (PPS 4.6)</p>	<p>Healthy, liveable and safe communities are sustained by: promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs. (PPS 1.1.1 e, f)</p> <p>Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. (PPS 1.1.3.3)</p> <p>A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including: infrastructure, multimodal transportation systems, public service facilities and waste management systems. (PPS 1.2.1 d)</p> <p>Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs. (PPS</p>

Policy Document	Legislative Authority/Applicability	Key Policies
		<p>1.6.8.1) When planning for corridors and rights-of-way for significant transportation, electricity transmission, and infrastructure facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources. (PPS 1.6.8.6)</p> <p>Long-term economic prosperity should be supported by: optimizing the long-term availability and use of land, resources, infrastructure and public service facilities; providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people. (PPS 1.7.1 c, g)</p>
Growth Plan for the Greater Golden Horseshoe (Growth Plan)	The Growth Plan applies to the area designated as the Greater Golden Horseshoe growth plan area. All decisions made on or after May 16, 2019 in respect of the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise. (Growth Plan 1.2.2)	<p>Complete communities will feature a diverse mix of land uses; improve social equity and quality of life; provide a range and mix of housing options; provide convenient access to a range of transportation options, public service facilities, open spaces and parks, and healthy, local and affordable food options; provide a more compact built form; mitigate and adapt to climate change impacts; and, integrate green infrastructure. (Growth Plan 2.2.1.4)</p> <p>Transit is the first priority for transportation planning and investment. (Growth Plan 3.1)</p> <p>Infrastructure planning, land use planning and infrastructure investment will be co-ordinated to implement this Plan. (Growth Plan 3.2.1.1)</p> <p>Priority will be given to infrastructure investments made by the Province that support the policies and schedules of this Plan. (Growth Plan 3.2.1.3)</p> <p>Public transit will be the first priority for transportation infrastructure planning and major transportation investments. (Growth Plan 3.2.3.1)</p> <p>In planning for the development, optimization, or expansion of existing and planned corridors and supporting facilities, the Province, other public agencies and upper- and single-tier municipalities will: ensure that existing and planned corridors are protected to meet current and projected needs in accordance with the transportation and infrastructure corridor protection policies in the PPS. (Growth Plan 3.2.5.1 b)</p>
Region of Peel Official Plan (ROP)	The Region of Peel approved MOP on September 22, 2011, which is the primary instrument used to evaluate development applications. The proposed development applications were circulated to the Region who has advised that in its current state, the applications meet the requirements for	<p>The ROP identifies the subject lands as being located within Peel's Urban System.</p> <p>To promote and encourage the increased use of public transit and other sustainable modes of transportation (ROP 5.9.1 General Objectives)</p>

Policy Document	Legislative Authority/Applicability	Key Policies
	<p>exemption from Regional approval. Local official plan amendments are generally exempt from approval where they have had regard for the <i>Provincial Policy Statement</i> and applicable Provincial Plans, where the City Clerk has certified that processing was completed in accordance with the <i>Planning Act</i> and where the Region has advised that no Regional official plan amendment is required to accommodate the local official plan amendment. The Region provided additional comments which are discussed in Section 8 of this Appendix.</p>	<p>Work with Metrolinx, other Provincial agencies and ministries, area municipalities, and other regions and municipalities in the Greater Toronto and Hamilton Area to implement the Metrolinx Regional Transportation Plan (RTP) and contribute to the ongoing development of the RTP. (ROP 5.9.2.15)</p> <p>Support the implementation and protection of rapid transit corridors, as shown on Schedule G, as well as those additional higher order transit, bus rapid transit or priority transit corridors proposed on Regional roads by the area municipalities or Provincial transit authorities. (ROP 5.9.5.2.1)</p> <p>Work with Metrolinx, other Provincial agencies and ministries, the area municipalities, and adjacent municipalities in the planning and implementation of an inter-regional transit system. (ROP 5.9.5.2.2)</p>

Mississauga Official Plan

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS and conforms with the Growth Plan, Greenbelt Plan, PBWP and ROP. An update to MOP is currently underway to ensure MOP is consistent with and conform to changes resulting from the recently released Growth Plan, 2019 and Amendment No. 1 (2020).

Existing Designation

The lands subject to the site-specific rezonings are located within the Clarkson-Lorne Park Neighbourhood Character

Area and are designated **Residential Low Density II**. The **Residential Low Density II** designation permits detached, semi-detached, duplex and triplex dwellings, as well as street townhouses and other forms of low-rise dwellings with individual frontages.

Relevant Mississauga Official Plan Policies

The following policies are applicable in the review of these proposed amendments. In some cases the description of the general intent summarizes multiple policies.

	General Intent
Chapter 4 Vision	Mississauga will create a multi-modal city by: promoting transit as a priority for moving people. (Section 4.5)
Chapter 5 Direct Growth	Transit services infrastructure will utilize Corridors to connect Intensification Areas. (Section 5.4.9)
Chapter 8 Create a Multi-Modal City	<p>Much of the transportation system serving Mississauga is under the jurisdiction of other levels of government and agencies. This includes the Federal Government, the Province, Metrolinx, the Region, the Greater Toronto Airports Authority (GTAA) and private agencies, such as Canadian National Railway and the St. Lawrence and Hudson Railway. As such, Mississauga must coordinate and partner with others to create a multi-modal transportation system. (Section 8.1)</p> <p>Mississauga will ensure that transportation corridors are identified and protected to meet current and projected needs for various travel modes. (Section 8.1.9)</p> <p>Transit will be a priority for transportation infrastructure planning and major transportation initiatives. (Section 8.1.11)</p> <p>Mississauga will work with other municipalities, levels of government and agencies to create a well connected, efficient, accessible, multi-modal transportation system (Section 8.1.14)</p> <p>The policies of Mississauga Official Plan apply to all transportation infrastructure under the jurisdiction of the City. Other levels of government and agencies should support the policies of this Plan through their transportation infrastructure investment decisions. (Section 8.1.15)</p> <p>Mississauga will seek to develop and maintain a system of transit services aimed at providing a competitive alternative to the automobile, for access throughout the city and neighbouring municipalities. (Section 8.2.3.1)</p>

	General Intent
	Light rail transit is planned on Hurontario Street as the main north-south spine in Mississauga including service within the Downtown Core area. (Section 8.2.3.5)
Chapter 9 Build a Desirable Urban Form	New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize adverse impacts on and from the corridor and transportation facilities. (Section 9.1.15)
Chapter 10 Foster a Strong Economy	In cooperation with other levels of government, appropriate agencies and the private sector, Mississauga will ensure that all development will have adequate infrastructure and utilities. (Section 10.6.1) Mississauga will work with utility providers to ensure that networks are established and phased to serve new development in a timely and efficient manner. (Section 10.6.2)
Chapter 11 General Land Use Designations	The following uses will be permitted in all land use designations, except Greenlands and Parkway Belt West unless specifically allowed: j. transit facilities; k. transportation infrastructure. (Section 11.2.1.1) Lands designated Residential Low Density II will permit the following uses: detached dwelling; semi-detached dwelling; duplex dwelling; and triplexes, street townhouses and other forms of low-rise dwellings with individual frontages. (Section 11.2.5.4)
Chapter 19 Implementation	The use of land or a building or structure that does not comply with Zoning By-law but which lawfully existed prior to the approval of the Zoning By-law is a legal non-conforming use. (Section 19.16.1)

Mississauga Zoning By-law

Existing Zoning

The lands subject to the site-specific rezonings are currently zoned **R1-39** (Detached Dwellings – Typical Lots - Exception), which only permits a long-term care building.

Proposed Zoning

Staff are proposing to zone the properties **R3** (Detached Dwellings – Typical Lots) to permit detached dwellings with minimum frontages of 15.0 m (49.2 ft.).

4. Next Steps

Based on the comments received and the applicable Mississauga Official Plan policies, the Planning and Building Department will bring forward a recommendation report to a future Planning and Development Committee (or Council) meeting. It is at this meeting that the members of the Committee (or Council) will make a decision on the proposed amendments.

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