

Detailed Information and Preliminary Planning Analysis

City Initiated Zoning By-law Amendment

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1. 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 potential amendments have been reviewed and summarized in the table below. Only key policies relevant to the 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 potential 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: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long-term (PPS 1.1.1)</p> <p>Land use patterns within <i>settlement areas</i> shall be based on densities and a mix of land uses which: a) efficiently use land and resources (PPS 1.1.3.2)</p> <p>Planning authorities shall promote economic development and competitiveness by: b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses (PPS 1.3.1)</p> <p>Long-term economic prosperity should be supported by: a) promoting opportunities for economic development and community investment-readiness; d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; h) providing opportunities for sustainable tourism development (PPS 1.7.1)</p>
Growth Plan for the Greater Golden Horseshoe (Growth Plan)	<p>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>	<p>Within settlement areas, growth will be focused in delineated built-up areas; strategic growth areas; locations with existing or planned transit; and, areas with existing or planned public service facilities. (Growth Plan 2.2.1.2 c)</p> <p>Economic development and competitiveness in the GGH will be promoted by: d) integrating and aligning land use planning and economic development goals</p>

Policy Document	Legislative Authority/Applicability	Key Policies
		<p>and strategies to retain and attract investment and employment (Growth Plan 2.2.5.1)</p> <p>Retail and office uses will be directed to locations that support active transportation and have existing or planned transit (Growth Plan 2.2.5.3)</p>
Parkway Belt West Plan (PBWP)	The policies of MOP generally conform with the PBWP.	Public open space and buffers and uses incidental to them will be permitted in areas designated 'Public Use Area'.
Region of Peel Official Plan (ROP)	The Region of Peel approved MOP on September 22, 2011.	<p>The ROP identifies the subject lands as being located within Peel's Urban System.</p> <p>General objectives of ROP, as outlined in Section 5.3, include establishing healthy complete communities and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances, while taking into account the characteristics of existing communities and services, and achieving an urban form and densities that are pedestrian-friendly and transit supportive.</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).

Relevant Mississauga Official Plan Policies

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

	General Intent
Chapter 5 Direct Growth	<p>Mississauga will maintain an adequate supply of lands for a variety of employment uses to accommodate existing and future employment needs. (Section 5.3.6.1)</p> <p>Mississauga will maintain a sustainable, diversified, employment base by providing opportunities for a range of economic activities. (Section 5.3.6.2)</p> <p>Employment uses that support opportunities for residents to work in Mississauga will be encouraged. (Section 5.3.6.3)</p>
Chapter 7 Complete Communities	<p>When making planning decisions, Mississauga will identify, maintain and enhance the distinct identities of local communities by having regard for the built environment, natural or heritage features, and culture of the area. (Section 7.1.10)</p> <p>Mississauga will support cultural development by considering the needs of the cultural community when: c. allowing for arts and cultural uses and activities within the public realm (e.g. public art, festivals) (Section 7.5.3)</p> <p>Mississauga will strive to protect and enhance the desirable character of areas with distinct identities and encourage the development of distinct identities for other areas. (Section 7.6.1.1)</p>
Chapter 9 Build A Desirable Urban Form	<p>Mississauga will transform the public realm to create a strong sense of place and civic pride. (Section 9.1.8)</p> <p>The public realm will be planned to promote healthy, active communities that foster social connections at all stages of life and encourage built and natural settings for recreation, culture and active transportation. (Section 9.3.5.9)</p> <p>Display areas are to be an integral part of the overall site design and evaluated based on their impact on the streetscape. (Section 9.5.4.7)</p>
Chapter 10 Foster a Strong Economy	<p>Mississauga will encourage a range of employment opportunities reflective of the skills of the resident labour force. (Section 10.1.1)</p>

	General Intent
	<p>To encourage economic development and competitiveness, Mississauga will ensure the necessary infrastructure, for which it is responsible, is provided to support current and forecasted employment needs. (Section 10.1.7)</p> <p>Retail uses are encouraged to locate primarily within the Downtown, Major Nodes and Community Nodes. (Section 10.4.1)</p>
Chapter 19 Implementation	<p>City Council may pass by-laws to authorize the temporary use of land for a purpose that is otherwise prohibited by the zoning by-law, as permitted by the provisions of the <i>Planning Act</i>. (Section 19.9.1)</p> <p>A temporary use which conforms to this Plan may be permitted by a temporary use by-law to allow: a. an unfamiliar use on a trial basis (Section 19.9.2)</p> <p>The following conditions will apply to all uses permitted by a temporary use by-law (Section 19.9.3):</p> <ul style="list-style-type: none"> a. extensions of the period of temporary use may be permitted by subsequent by-laws but should generally not continue for more than three years as per the <i>Planning Act</i>; b. no new buildings or expansions of buildings, except for temporary or movable structures will be permitted; c. the temporary use permitted must be compatible with adjacent land uses, or measures to mitigate any adverse impacts must be applied; d. no adverse impacts on traffic or transportation facilities in area result, and sufficient parking must be provided on-site; g. the temporary use will not jeopardize the eventual planned use; and h. temporary buildings must conform to the property standards by-law

Potential Zoning Regulations

Options	Potential Amendments
Option 1 – Allow the temporary use by-laws to expire with no changes	<ul style="list-style-type: none"> - Outdoor patios are permitted in CC1-CC4, CCO zones accessory to a restaurant, take-out restaurant or retail store where the primary function is the sale of food
Option 2 – Allow temporary patios and/or temporary recreational/entertainment establishments to continue	<p>Patios:</p> <ul style="list-style-type: none"> - Permitted in O1-O3, C1-C4, H-CC1-H-CC4, H-CCO, CC1-CC4, CCO, E1-E3 zones - Not permitted on landscaped areas or landscaped buffers - Minimum setback from residential zones – 6.0 m (19.7 ft.) - Minimum percentage of required parking spaces that shall remain available for use – 80% - Minimum percentage of required accessible parking spaces that shall remain available for use – 100% - Minimum distance from accessible parking spaces to edge of patio – 1.0 m (3.3 ft.) - Patio shall not obstruct driveways, parking aisles and pedestrian walkways <p>Outdoor Recreational Establishment and Outdoor Entertainment Establishment:</p> <ul style="list-style-type: none"> - Permitted in C2-C4, H-CC1-H-CC4, CC1-CC4, H-CCO, CCO, H-CCOS, CCOS, E1, E2, OS1, OS2, PB1-6 zones - Maximum number of consecutive days and maximum number of days within one calendar year for temporary tent and/or stage – not applicable - Minimum distance from a Residential zone to edge of outdoor recreational establishment and outdoor entertainment establishment – 4.5 m (14.8 ft.) - Minimum percentage of required parking spaces that shall remain available for use – 80% - Minimum percentage of required accessible parking spaces that shall remain available for use – 100% - Minimum distance from accessible parking spaces to edge of outdoor recreational establishment and outdoor entertainment establishment – 1.0 m (3.3 ft.) - Outdoor recreational establishment and outdoor entertainment establishment shall not obstruct pedestrian walkways
Option 3 – Allow permanent patios	<ul style="list-style-type: none"> - Permitted in O1-O3, C1-C4, H-CC1-H-CC4, H-CCO, CC1-CC4, CCO, E1-E3 zones - Minimum separation distance to Residential zone – 60.0 m (196.9 ft.)

Options	Potential Amendments
	<ul style="list-style-type: none">- Not permitted on landscaped areas or landscaped buffers- Patio shall not obstruct driveways, parking aisles and pedestrian walkways- Minimum distance from accessible parking spaces to edge of patio – 1.0 m (3.3 ft.)

2. 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 meeting.

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