

## **Detailed Information and Preliminary Planning Analysis**

### **City Initiated Zoning By-law Amendment**

#### **Table of Contents**

1. Summary of Applicable Policies, Regulations and Proposed Amendments.....	2
2. Summary of Proposed Zoning By-law Amendments .....	4
3. Next Steps .....	7

## 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 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
<b>Provincial Policy Statement (PPS)</b>	<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: c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; (PPS 1.1.1.c)</p> <p>Natural features and areas shall be protected for the long term (PPS 2.1.1)</p>
<b>Growth Plan for the Greater Golden Horseshoe (Growth Plan)</b>	<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>N/A – City's proposed amendments are not related to growth.</p>
<b>Region of Peel Official Plan (ROP)</b>	<p>The Region of Peel approved MOP on September 22, 2011, which is the primary instrument used to evaluate proposed City initiated amendments to the zoning by-law.</p>	<p>It is the policy of Regional Council to:</p> <p>Protect, maintain and enhance the quality and integrity of ecosystems, including air, water, land and biota jointly with the area municipalities, conservation authorities and provincial agencies. (ROP 2.1.3.2)</p> <p>Encourage the area municipalities, in consultation with the conservation authorities, to promote and enforce soil conservation measures on developing sites. (ROP 2.1.3.6)</p>

Policy Document	Legislative Authority/Applicability	Key Policies
		<p>General objectives: To conserve, restore and enhance integrity of Peel's air, water and land resources. (ROP 2.2.1.2)</p> <p>Objective: Identify, protect and support the restoration and rehabilitation of the Greenlands System in Peel. (ROP 2.3.1)</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 proposed amendments. In some cases the description of the general intent summarizes multiple policies.

	General Intent
<b>Chapter 6 Value The Environment</b>	<p>Mississauga will: a) protect, enhance, restore and expand the Natural Heritage System; b) encourage the stewardship and enhancement of other areas within the Green System, particularly where it contributes to the function and linkage of the Natural Heritage System (Section 6.1.1)</p> <p>The City will work with the conservation authorities to encourage restoration, enhancement, stewardship and managements of lands identified by conservation authorities as part of their natural heritage systems. (Section 6.3.4)</p> <p>The Natural Heritage System will be protected, enhanced, restored and expanded through the following measures: e) the promotion of stewardship within privately and publicly owned lands within the Natural Heritage System; f) controlling activities that may be incompatible with the retention of the Natural Heritage System and associated ecological functions. (Section 6.3.24)</p> <p>Mississauga will use a water balance approach in the management of stormwater by encouraging and supporting measures and activities that reduce stormwater runoff, improve water quality, promote evapotranspiration and infiltration, and reduce erosion using stormwater best management practices. (Section 6.4.2.1)</p> <p>Surface drainage and stormwater management facilities will be installed for the safety of residents and to protect infrastructure and</p>

	<b>General Intent</b>
	property. (Section 6.4.2.4)
<b>Chapter 9 Build A Desirable Urban Form</b>	Where surface parking is permitted, the following will apply. Parking should: b) incorporate stormwater best management practices, such as permeable paving, bio-retention areas and tree clusters; (Section 9.5.5.3)
<b>Chapter 11 General Land Use Designations</b>	<p>Lands designated Greenlands are associated with natural hazards and/or natural areas where development is restricted. (Section 11.2.3.1)</p> <p>Permitted uses on Greenlands include conservation related uses, including flood control and/or erosion management, passive recreational uses are also permitted. (Section 11.2.3.2)</p>

## 2. Summary of Proposed Zoning By-law Amendments

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
<b>Section 1.2: Definitions</b>			
1	Buildable Area	Add a new definition	Create a definition for buildable area to clarify that minimum and maximum yards are no longer applicable, therefore only the setback requirements of the exception schedule will apply. This will result in removing any encroachments since yards have been removed, and leaving only projections, if permitted through the exception zone.
2	Context Grade	Amend the definition by removing the words "on a diagonal" and replacing with "at an angle of 135°"	The inclusion of a specific angle will provide greater clarity as to how context grade is measured and will be consistent with the existing interpretation used by Building Division staff.
3	Gross Floor Area (GFA) – Infill Residential	Amend the definition to include the area of void in a floor	By including the area of void in a floor in the calculation of gross floor area, the massing of an infill house will be accurately captured.

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4	Flat Roof	Amend the percentage of flat roof area that would qualify as a flat roof	Lower the percentage of permitted flat roof area (angle less than 15 degrees) from 50% to 35%. This will result in houses that are designed to include more than 35% of the total area with flat roof components having to meet the lower flat roof height limit.
5	Lot Coverage	Amend the definition to include pergolas	Pergolas were previously not considered as part of lot coverage as they do not have a floor area, even though they are considered accessory structures.
6	Parapet	Add a new definition	Create a definition for parapet to clarify what constitutes a parapet.
7	Sight Triangle	Amend the definition to remove road allowance and replace with street	Previous definition was not clear that sight triangles only apply to public roads and not private roads.
<b>Part 2: General Provisions</b>			
8	2.1.30.2(2) Rooftop Balcony Setback Exception	Remove the words “does not abut” and replace with a specific measurement	Including a specific measurement provides clarity rather than using an interpretation of what is considered to be abutting.
<b>Part 3: Parking, Loading and Stacking Lane Regulations</b>			
9	3.1.1.8.1 Access – Parking and Loading Spaces	Remove the words “driveways and”	Clarify that parking spaces and aisles shall be provided by unobstructed on-site driveways or aisles. Driveways are not always required because there may be situations where there is only an aisle leading to a parking space.
<b>Part 4.1: General Provisions for Residential Zones</b>			
10	4.1.5 Encroachments and Projections – Window Wells	Add a new regulation that permits window wells to encroach a maximum of 1.2 m (3.9 ft.) into a required rear yard	The Ontario Building Code (OBC) requires that in some circumstances, second units with an egress window requires a window well to have a minimum depth clearance of 1.0 m

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			(3.3 ft.). The proposed amendment will accommodate the OBC requirement but only in the required rear yard, which is typically the largest yard and not visible from the street. An additional 0.2 m (0.7 ft.) has been included to consider thicker materials such as brick or armor stone for window wells.
11	4.1.12.3 Deck Restrictions on Garages	Include detached garage in the restriction of a deck on top, above or projecting from a garage	When the accessory structure/garage regulations were last updated, one regulation was inadvertently omitted.
12	4.1.21 Maximum Gross Floor Area – Infill Residential	Add a new regulation to the General Provisions for Residential Zones that exempts the void in a floor for the calculation of gross floor area – infill residential, to a maximum of 10% of the permitted gross floor area – infill residential	The intent of creating this regulation is to ensure that the gross floor area for new dwellings is reflective of the massing of the building. Some flexibility is appropriate if the areas of void in a floor are minor, and in those cases, should not contribute to the gross floor area calculation.
<b>Part 10: Greenlands Zones</b>			
13	10.1.1.4 Parking Areas in Greenlands Zones	Remove the words “shall” and replace with “may”	In consultation with Conservation Authority and Community Services staff, permeable types of materials such as permeable pavers are not always the best method for addressing environmental impacts such as increased stormwater runoff. The proposed wording allows for flexibility to address the different scenarios.
<b>Miscellaneous</b>			
14	Various sections of the by-law	Bold the word “parapet” as it exists throughout the by-law	The word “parapet” currently exists in the by-law as an undefined term. Creating a definition will create clarity to effectively interpret regulations.

### **3. 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. It is at this meeting that the members of the Committee will make a decision on the proposed amendments.