

# City of Mississauga Corporate Report



<p>Date: February 14, 2020</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning &amp; Building</p>	<p>Originator's file: BL.09-ZON (All Wards)</p>
	<p>Meeting date: March 9, 2020</p>

## Subject

### **PUBLIC MEETING INFORMATION REPORT (ALL WARDS)**

#### **Proposed Zoning By-law Amendments for Notes**

**File: BL.09-ZON**

## Recommendation

1. That the report dated February 14, 2020, from the Commissioner of Planning and Building regarding proposed zoning by-law amendments for Notes under File BL.09-ZON, be received for information.
2. That following the public meeting, staff report back to Planning and Development Committee on any submissions made.

## Background

The zoning by-law currently contains Notes that serve different functions. Some of the Notes are used to provide additional information by referring the reader to other relevant sections of the by-law. Other Notes function as by-law regulations.

To see examples of the different types of Notes in the by-law, see Appendix 1.

There are multiple benefits to clarifying Notes versus regulations in the by-law:

1. There will be less confusion for the public and for staff. Using the terminology "Notes" does not make it clear that they are enforceable regulations.
2. Informational Notes would not form part of the by-law, which means that any changes required in the future can be done without the need for a public process. Illustrations and examples are already treated this way in the by-law.

3. Some Notes should be removed from the by-law as they are redundant, no longer relevant or create conflicts with regulations. Removing them will create a more efficient and straightforward zoning by-law.

The purpose of this report is to present proposed zoning by-law amendments to: relocate those Notes that function as regulations into appropriate sections of the by-law; to remove Notes that are no longer relevant, and to hear comments from the public on the proposed changes.

## Comments

The intent of the proposed zoning amendments is to generally keep the content of the Notes as they currently exist, but relocate those that function as regulations. There are some exceptions, and they are as follows:

1. Some Notes will remain due to special circumstances. In Section 4.5, which contains the regulations for detached dwellings on modular lots (R12 to R14), all Notes will remain even though some of them function as regulations. The reason for this is that these are infrequently used zones with unusual lotting patterns and are subject to complex regulations. In addition, some Notes will remain as they are currently subject to an appeal before the Local Planning Appeal Tribunal (LPAT) or other by-laws currently in process.
2. Some Notes will be deleted as they are redundant or no longer relevant. For example, there are several Notes that permit common elements as part of a common element condominium. However, the definition of common element in the by-law already states that they are part of a common element condominium.
3. Some Notes create conflicts with existing regulations. For example, in Section 4.3, which contains regulations for detached dwellings on shallow lots (R6 and R7), an attached garage is required. However, there are also Notes that refer to a detached garage, and properties are not permitted to have both.

These proposed amendments will have no impact to people's property rights.

In summary, the proposed changes will provide clarification for the public and staff, reduce the need for city-initiated amendments, while not changing any of the regulations that apply to people's properties.

For a list of each amendment being contemplated, see Appendix 2.

## Financial Impact

Not applicable.


## Conclusion

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

## Attachments

Appendix 1: Examples of Notes in the Zoning By-law

Appendix 2: Proposed Zoning By-law Amendments for Notes



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

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