

Green = text to be added

Red Strikethrough = text to be deleted

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

AND WHEREAS pursuant to section 35.2 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass one or more by-laws to give effect to inclusionary zoning Official Plan policies;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by adding the following Definition to Section 1.2:

Affordable Ownership Housing Unit	means a dwelling unit for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for moderate-income households , as follows: <ol style="list-style-type: none"> (1) one-bedroom units priced at or below the fourth income decile for Mississauga households; (2) two-bedroom units priced at or below the fifth income decile for Mississauga households; and, (3) three-bedroom units priced at or below the sixth income decile for Mississauga households.
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2. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Affordable Rental Housing Unit

means a **dwelling unit** where total monthly shelter costs are the least expensive of: a unit for which the rent is at or below the average market rent of a unit in the regional market area, or a unit for which the rent does not exceed 30 percent of gross annual household income for **moderate-income households** as follows:

- (1) one-bedroom units priced at or below the fourth income decile for Mississauga renter households;
- (2) two-bedroom units priced at or below the fifth income decile for Mississauga renter households; and,
- (3) three-bedroom units priced at or below the sixth income decile for Mississauga renter households.

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3. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Gross Floor Area - Inclusionary Zoning	means the sum of all areas of a building , measured from the exterior of outside walls of the building including floor area occupied by interior walls, but shall only include area dedicated for a dwelling unit , and excludes any area dedicated to rental replacement units required under Rental Housing Protection By-law 0121-2018.
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4. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Low-Income Households	means in the case of an affordable ownership housing unit , households with incomes in the lowest 30 percent of the income distribution for households in the City of Mississauga; or in the case of an affordable rental housing unit , households with incomes in the lowest 30 percent of the income distribution for renter households in the City of Mississauga.
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5. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Moderate-Income Households	means in the case of an affordable ownership housing unit , households with incomes between 30 to 60 percent of the income distribution for households in the City of Mississauga; or in the case of an affordable rental housing unit , households with incomes between 30 to 60 percent of the income distribution for renter households in the City of Mississauga.
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6. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Non-profit Housing Provider	<p>means:</p> <ul style="list-style-type: none"> (1) a corporation to which the <i>Not-for-Profit Corporations Act, 2010</i> applies that is in good standing under that Act and whose primary object is to provide housing; (2) a corporation without share capital to which the <i>Canada Business Corporations Act</i> applies, that is in good standing under that Act and whose primary object is to provide housing; (3) a non-profit housing co-operative that is in good standing under the <i>Co-operative Corporations Act</i>; or (4) an organization that is a registered charity within the meaning of the <i>Income Tax Act</i> (Canada) or a non-profit organization exempt from tax under paragraph 149(1)(l) of that Act, and whose land is owned by the organization, all or part of which is to be used as affordable housing.
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7. By-law Number 0225-2007, as amended, is further amended by changing the term “Not-for-Profit Housing Provider” to “Non-Profit Housing Provider” where it appears throughout By-law 0225-2007.
8. By-law Number 0225-2007, as amended, is further amended by bolding the term "**Non-Profit Housing Provider**" where it appears throughout By-law 0225-2007.
9. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Purpose-Built Rental Housing	<p>means a building:</p> <ul style="list-style-type: none"> (1) containing dwelling units where a minimum of 80% of the dwelling units are owned by a single owner and available for rent; and (2) which is not organized as a life lease project where the right to occupy the dwelling units is based on a life lease interest.
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10. By-law Number 0225-2007, as amended, is further amended by adding Subsection 2.1.34 to Section 2.1 as follows:

2.1.34 Inclusionary Zoning

The following regulations shall apply to lands located in the Inclusionary Zoning Overlay boundaries identified as IZ-1, IZ-2, IZ-3A, IZ-3B, and IZ-4 on Schedule B of Part 13 of this By-law.

2.1.34.1 Subsection 2.1.34 of this By-law shall not apply to:

- (1) development or redevelopment of less than 50 units and less than 3 600 m² of **gross floor area - inclusionary zoning**;
- (2) **retirement buildings, staff/student residences, long-term care buildings, hospices, group homes**;
- (3) Region of Peel or Peel Housing Corporation projects;
- (4) a **building** which will be owned and operated by a **non-profit housing provider** where the **non-profit housing provider** has 100 percent interest;
- (5) development as approved pursuant to the following:
 - (1) up to 8 050 units approved by Mississauga City Council through OZ 19/003 W1 for the lands located at 800 and 985 Hydro Road and 1082 Lakeshore Road East;
 - (2) up to 122 units approved by Mississauga City Council through OZ 19/018 W10 and T-M19006 W10 for lands located at 5150 Ninth Line;
 - (3) up to 1 365 units approved by Mississauga City Council through OZ 20/015 W7 for lands located at 24 to 64 Elm Drive West and 3528 to 3563 Hurontario Street;
 - (4) up to 2 995 units approved by Mississauga City Council through OZ/OPA 17/012 W1 and T-M17004 W1 for lands located at 70 Mississauga Road South and 181 Lakeshore Road West;
 - (5) up to 2 500 units approved by Mississauga City Council through OZ 18/016 W5 for lands located at 91 Eglinton Avenue East and 5055 Hurontario Street;
 - (6) up to 1 869 units approved by Mississauga City Council through OZ 18/011 W5 for lands located at 0 and 5044 Hurontario Street;
 - (7) up to 361 units approved by Mississauga City Council through OZ 19/008 W1 and SP 20/051 W1 for lands located at 78 Park Street East and 22 Ann Street;
 - (8) lands located at 1 Fairview Street East, where maximum building height permissions were approved by Mississauga City Council through OZ 20/001 W4;
 - (9) lands located at 4116 and 4128 Parkside Village Drive, where maximum building height permissions were approved through Committee of Adjustment file 'A' 124/22; and
 - (10) up to 1 265 units approved by Mississauga City Council through OZ 20/020 W5 for lands located at 5081 Hurontario Street.
- (6) development or redevelopment where the following application types are filed on or before the later of January 1, 2023 or the date the applicable protected Major Transit Station Area identified in the Region

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of Peel Official Plan is approved by the Minister of Municipal Affairs
and Housing:

- (1) a complete application for a site plan or building permit;
- (2) a complete application for a rezoning, provided that a subsequent complete application for a site plan is filed within two years of the date the rezoning application was deemed complete; or
- (3) an application for a lifting of a holding H symbol, provided that a subsequent complete application for a site plan is filed within two years of the date the lifting of a holding H symbol application was submitted;

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- (7) legally **existing building** established prior to January 1, 2023, except where any addition or extension to, or change of **use** within, a legally **existing building** results in 50 or more new **dwelling units** or 3 600 m² or more of new **gross floor area - inclusionary zoning**.
 - (8) exemptions in accordance with the *Planning Act* and associated regulations.
- 2.1.34.1.1 Notwithstanding Sentence 2.1.34.1(1) of this By-law, in no case will the Inclusionary Zoning requirements of this By-law apply to developments of less than 10 residential units.
- 2.1.34.1.2 Notwithstanding Sentence 2.1.34.1(5) of this By-law, Inclusionary Zoning requirements apply to the lands described in Sentence 2.1.34.1(5) of this By-law if additional development permissions are applied for.
- 2.1.34.2 The minimum required percentage of **gross floor area - inclusionary zoning** to be provided as affordable housing is identified in Table 2.1.34.2 – Minimum Required Percentage of Gross Floor Area - Inclusionary Zoning to be Provided as Affordable Housing.

Table 2.1.34.2 - Minimum Required Percentage of Gross Floor Area - Inclusionary Zoning to be Provided as Affordable Housing

Column A		B	C	D	E
Line 1.0	IZ AREA	TYPE OF AFFORDABLE HOUSING PROVIDED	APPLICABLE JANUDARY 1, 2023 TO DECEMBER 31, 2023	APPLICABLE JANUARY 1, 2024 to DECEMBER 31, 2024	APPLICABLE AS OF January 1, 2025
2.0	IZ-1	Affordable ownership housing units for moderate-income households	4%	7%	10%
3.0	IZ-1	Affordable rental housing units for moderate-income households	2%	3.5%	5%
4.0	IZ-2	Affordable ownership housing units for moderate-income households	3%	5%	7%
5.0	IZ-2	Affordable rental housing units for moderate-income households	1.5%	2.5%	3.5%

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Column A		B	C	D	E
Line 1.0	IZ AREA	TYPE OF AFFORDABLE HOUSING PROVIDED	APPLICABLE JANUDARY 1, 2023 TO DECEMBER 31, 2023	APPLICABLE JANUARY 1, 2024 to DECEMBER 31, 2024	APPLICABLE AS OF January 1, 2025
6.0	IZ-3A and IZ-3B	Affordable ownership housing units for moderate-income households	3%	4%	5%
7.0	IZ-3A and IZ-3B	Affordable rental housing units for moderate-income households	1.5%	2%	2.5%
8.0	IZ-4	Affordable ownership housing units for moderate-income households	10%	10%	10%
9.0	IZ-4	Affordable rental housing units for moderate-income households	5%	5%	5%

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- 2.1.34.2.1 Notwithstanding Article 2.1.34.2 of this By-law, rental replacement units secured under Rental Housing Protection By-law 0121-2018 are not counted towards the minimum required **gross floor area - inclusionary zoning** to be set aside as affordable housing outlined in Table 2.1.34.2 of this By-law.
- 2.1.34.2.2 Notwithstanding Article 2.1.34.2 of this By-law, the minimum required percentage of **gross floor area - inclusionary zoning** to be affordable housing is not applicable to **purpose-built rental housing**.
- 2.1.34.3 **Affordable ownership housing units** or **affordable rental housing units** required in Article 2.1.34.2 of this By-law shall be maintained at affordable rents or prices commencing upon execution of an agreement referred to in Article 2.1.34.6 of this By-law for a minimum period of:
- (1) ~~25~~ 30 years calculated from the date of first occupancy of an **affordable rental housing unit**.
 - (2) ~~50~~ 99 years calculated from the later of the date of first occupancy or first closing of an **affordable ownership housing unit**.
- 2.1.34.3.1 Notwithstanding Article 2.1.34.3(1), after the last day of the 25th year of the affordability period, the affordability requirements of Subsection 2.1.34 of this By-law no longer apply to an **affordable rental housing unit** if that **affordable rental housing unit** is vacated in accordance with a notice of termination from the tenant or an agreement between the landlord and the tenant to terminate.
- 2.1.34.4 The permitted resale price for **affordable ownership housing units** and annual increases to the rates for **existing affordable rental housing units** required in Article 2.1.34.3 of this By-law shall be as determined on an annual basis by the City, in coordination with the Region, and in accordance with Inclusionary Zoning Implementation Guidelines.
- 2.1.34.5 On a **lot** which is subject to the requirements of Article 2.1.34.2 and Sentence 2.1.34.3(2) of this By-law, the City shall receive a portion of the net proceeds from the sale of an **affordable ownership housing unit** as follows:
- (1) the City will receive no more than 20% of the net proceeds of the sale of an **affordable ownership housing unit** sold during the ~~50~~ 99 year affordability period, equivalent to no more than 2% of the sale price, for administration fees, where net proceeds are the difference between the purchase price and the resale price of the **affordable ownership unit**; and
 - (2) the City will receive 50% of the net proceeds of the first sale of an **affordable ownership housing unit** at market price after the ~~50~~ 99 year affordability period, to be reinvested in affordable housing, where net proceeds are the difference between the purchase price and the resale price of the **affordable ownership unit**, less any legal, administration or real estate commission fees.

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- 2.1.34.6 For development or re-development of lands subject to the regulations of Articles 2.1.34.2 and 2.1.34.3 of this By-law, the owner of such lands shall enter into one or more legal agreements with the City, to be registered on title to the lands, securing the Inclusionary Zoning requirements outlined in Subsection 2.1.34 of this By-law and the following, to the satisfaction of the City Solicitor and the Commissioner of Planning and Building:
- (1) requirements ensuring occupants of **affordable ownership housing units** and **affordable rental housing units** have the same **building** and amenity access as occupants of market units;
 - (2) requirements for eligibility to purchase an **affordable ownership housing unit** or to rent an **affordable rental housing unit**;
 - (3) requirements for ongoing administration, reporting and monitoring of **affordable ownership housing units** and **affordable rental housing units**.
- 2.1.34.7 Subject to Article 2.1.34.2 of this By-law, where **purpose-built rental housing** ceases to meet the definition of **purpose-built rental housing**, the requirements of Subsection 2.1.34 of this By-law will then apply to the **building**.
- 2.1.34.8 Notwithstanding Sentence 2.1.34.2.2 of this By-law, the owner of lands proposing **purpose-built rental housing** in a condominium registered under section 2 of the *Condominium Act, 1998*, or a predecessor of that section, shall enter into one or more legal agreements with the City, to be registered on title to the lands, securing Inclusionary Zoning requirements outlined in Subsection 2.1.34 of this By-law, including Article 2.1.34.6 of this By-law, that would be applicable if the **purpose-built rental housing** ceases to meet the definition of **purpose-built rental housing**.
11. By-law Number 0225-2007, as amended, is further amended by adding Sentence 3.1.2.1.4 to Article 3.1.2.1 as follows:
- 3.1.2.1.4 Notwithstanding the regulations contained in Table 3.1.2.1 of this By-law, the required number of off-street **parking spaces** for **dwelling units** that are **affordable ownership housing units** or **affordable rental housing units** located within the Inclusionary Zoning Overlay Area boundaries identified on Schedule B of Part 13 this By-law shall be subject to a parking rate of:
- (1) Precinct 1: 50% of the required number of **parking spaces** for the corresponding residential **uses** as otherwise required pursuant to this By-law;
 - (2) Precincts 2, 3 and 4: 70% of the required number of **parking spaces** for the corresponding residential **use** as otherwise required pursuant to this By-law.
12. Map Numbers 01, 03 to 08, 10 to 25, 28, 29, 36W, 37E, 55 (55b), 56 (56a, 56b), 57 (57a), and 59 of Schedule "B" to By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, are amended by adding the Inclusionary Zoning Overlay Areas identified by a grey dashed outline and grey hatching as shown on the attached Schedules "A1" to "A35", which are deemed to be an integral part of this By-law.

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- 13. This By-law shall not come into force until Mississauga Official Plan Amendment Number 140 is in full force and effect.

ENACTED and PASSED this _____ day of _____, 2022.

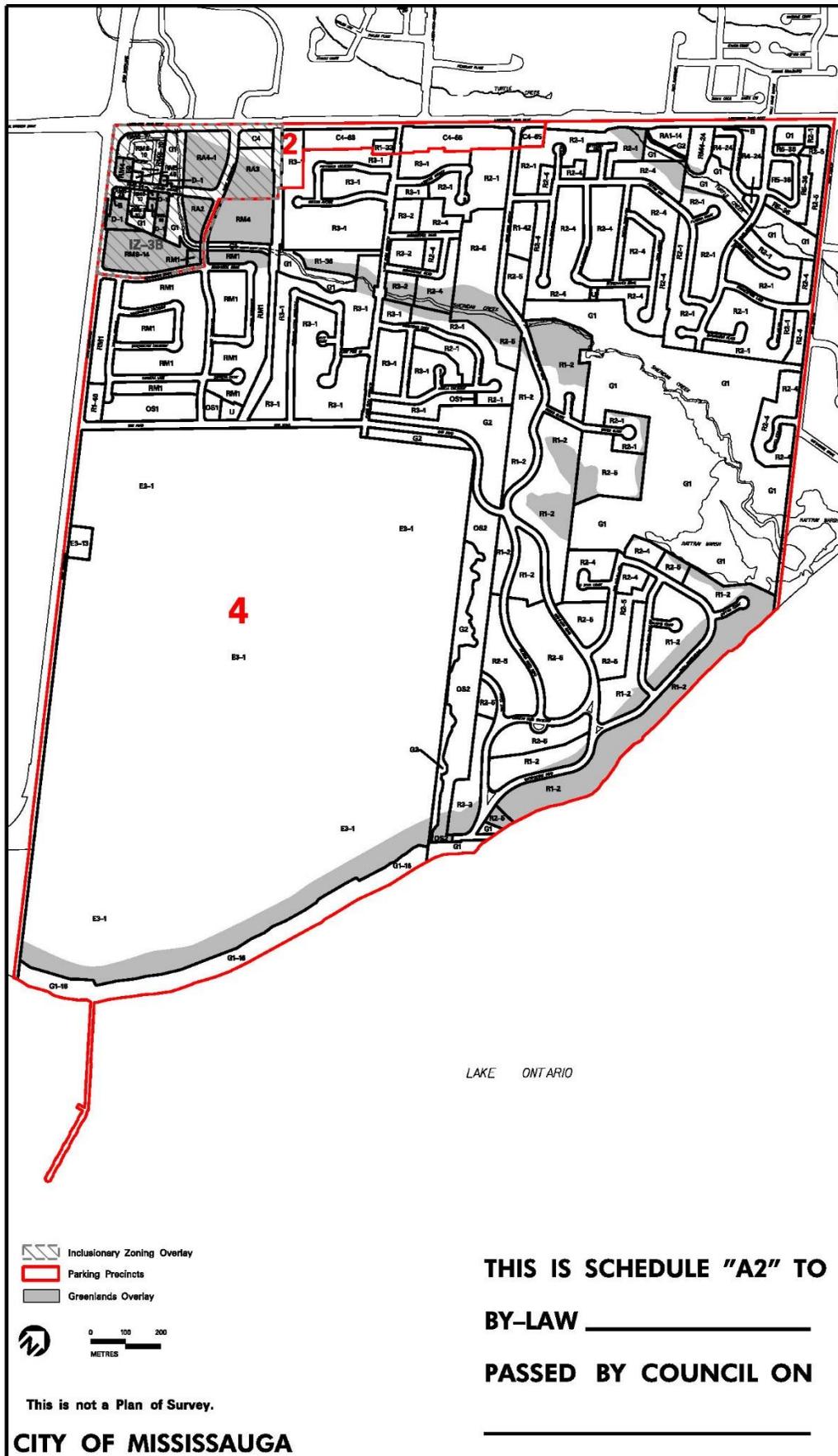
MAYOR

CLERK

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Draft Schedule "A2"

Appendix 2



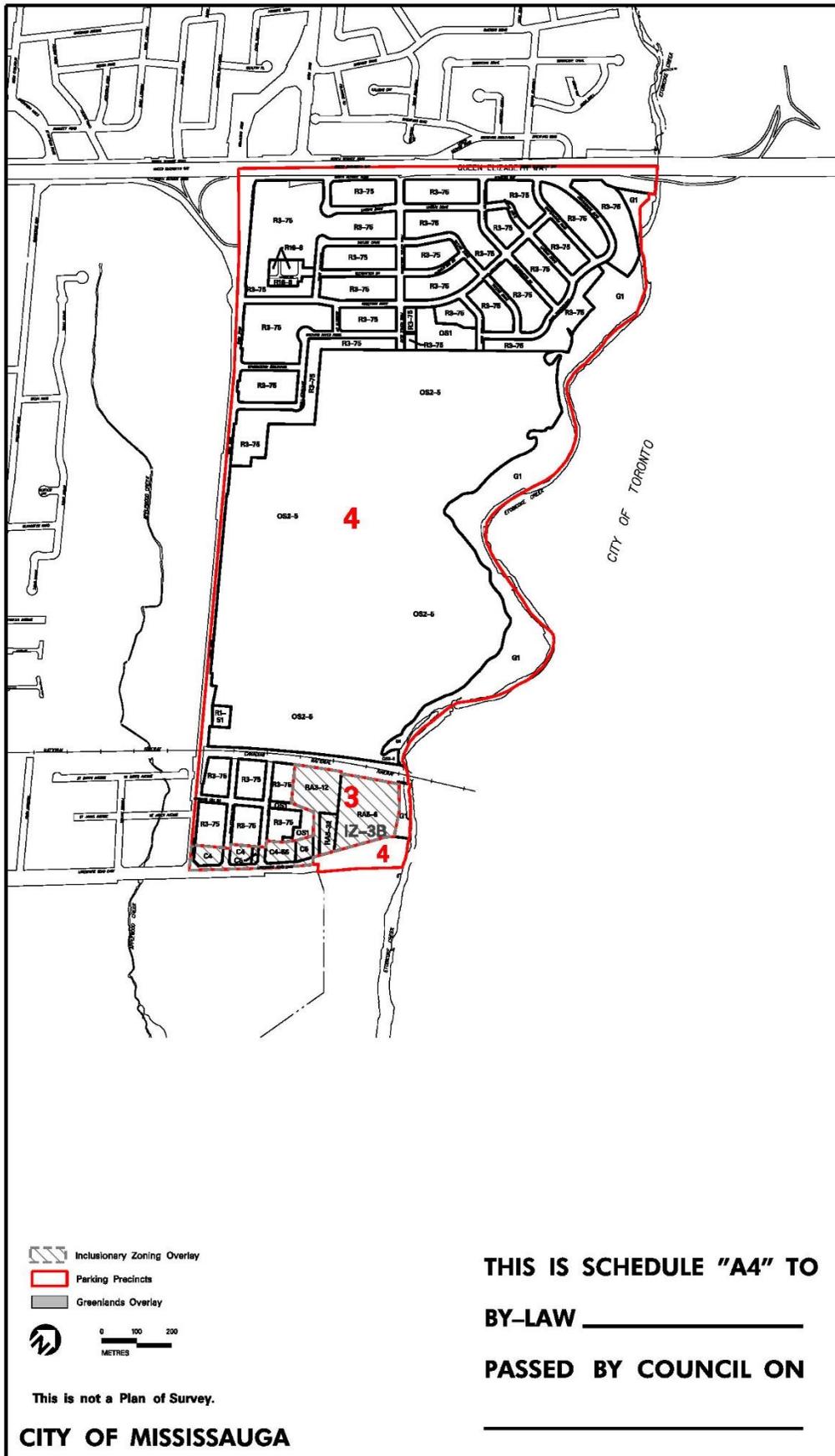
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Appendix 2



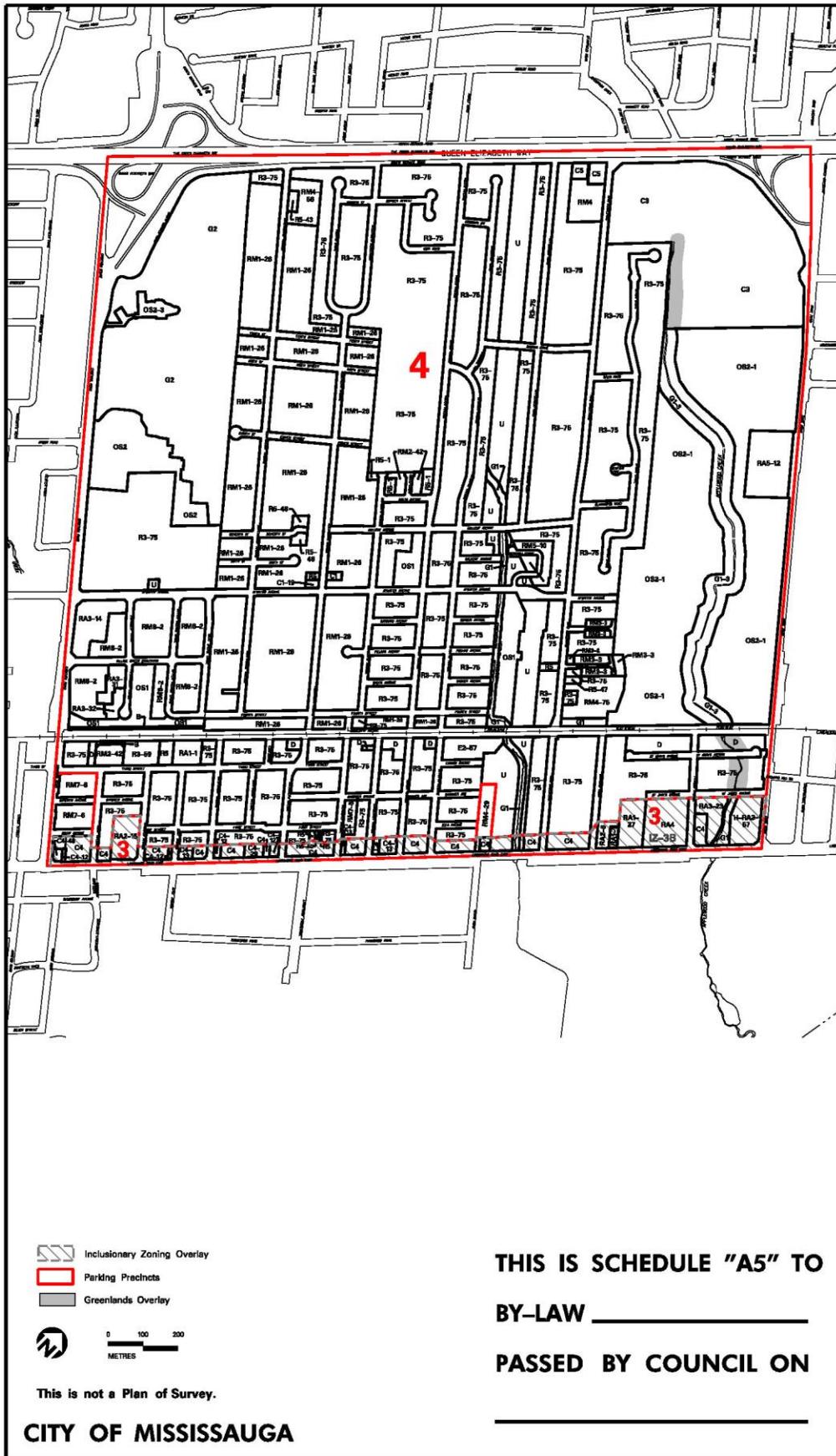
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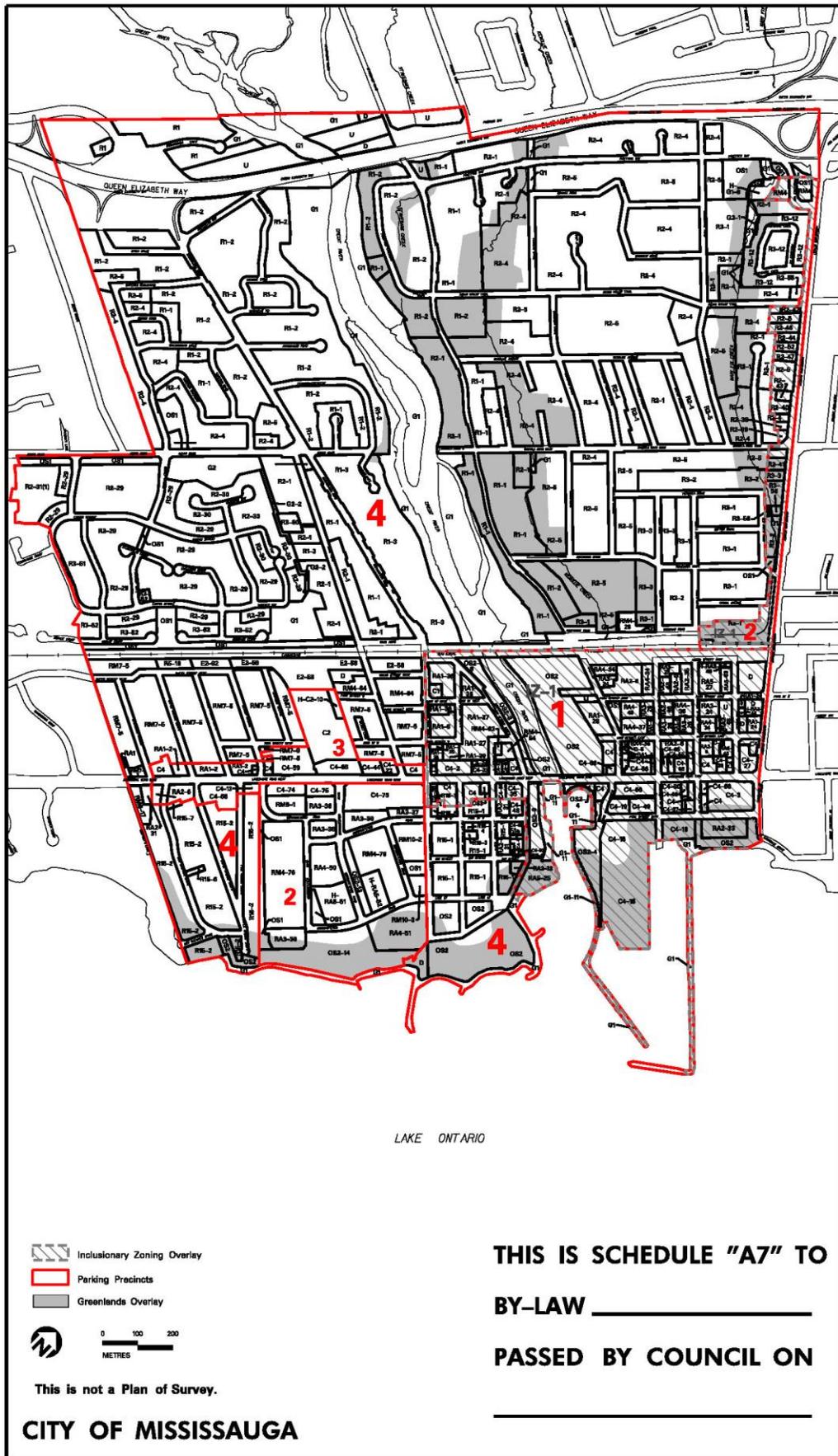


Draft Schedule "A5"

Appendix 2



Draft Schedule "A7"



Z-8 A.S.

CD.06-INC

Draft Schedule "A8"

Appendix 2



Z-10 A.S.

CD.06-INC

Draft Schedule "A9"



Z-11 A.S.

CD.06-INC

Draft Schedule "A10"

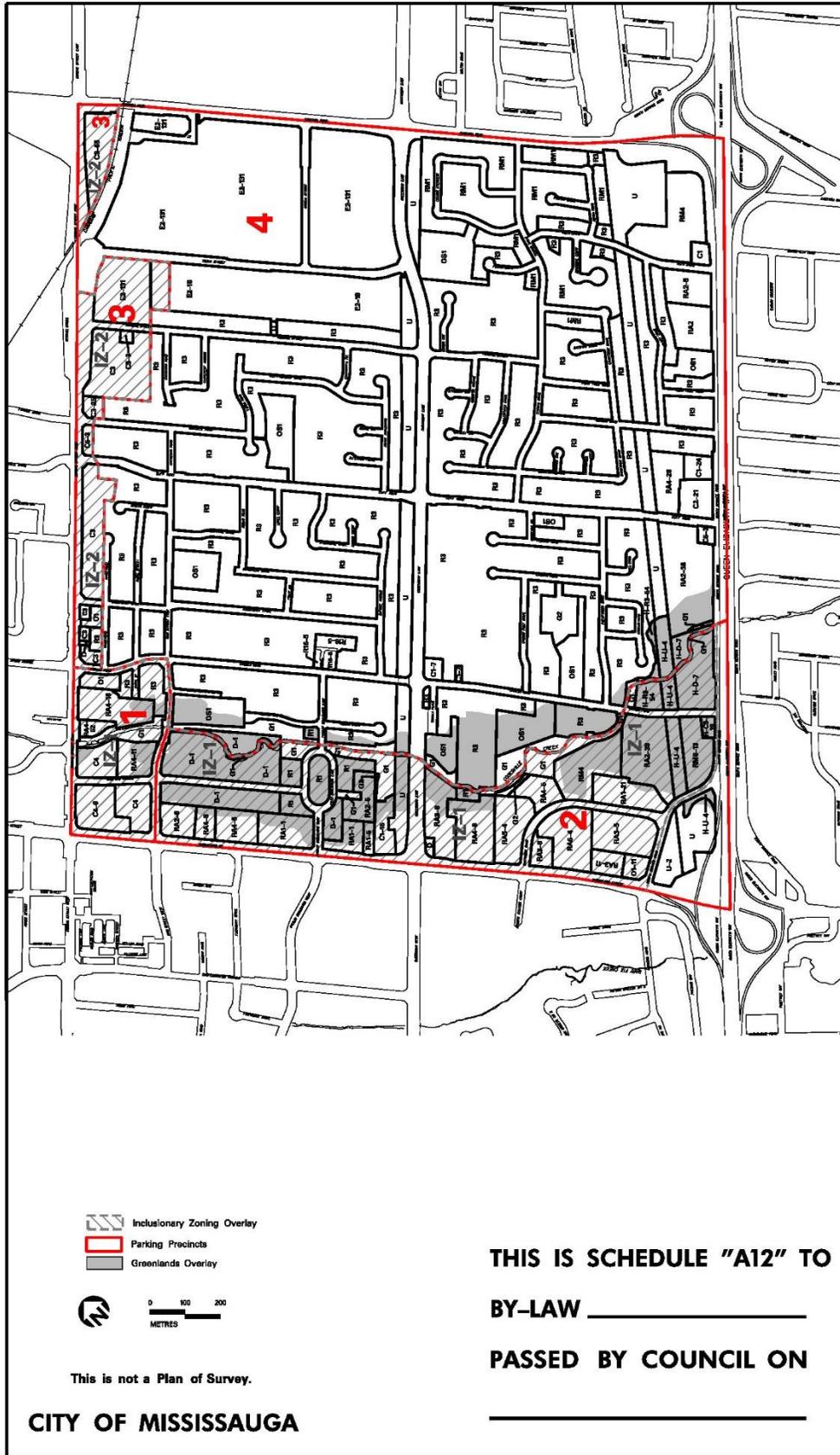
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Draft Schedule "A11"



Draft Schedule "A12"



Z-14 A.S.

CD-06-INC

Draft Schedule "A13"

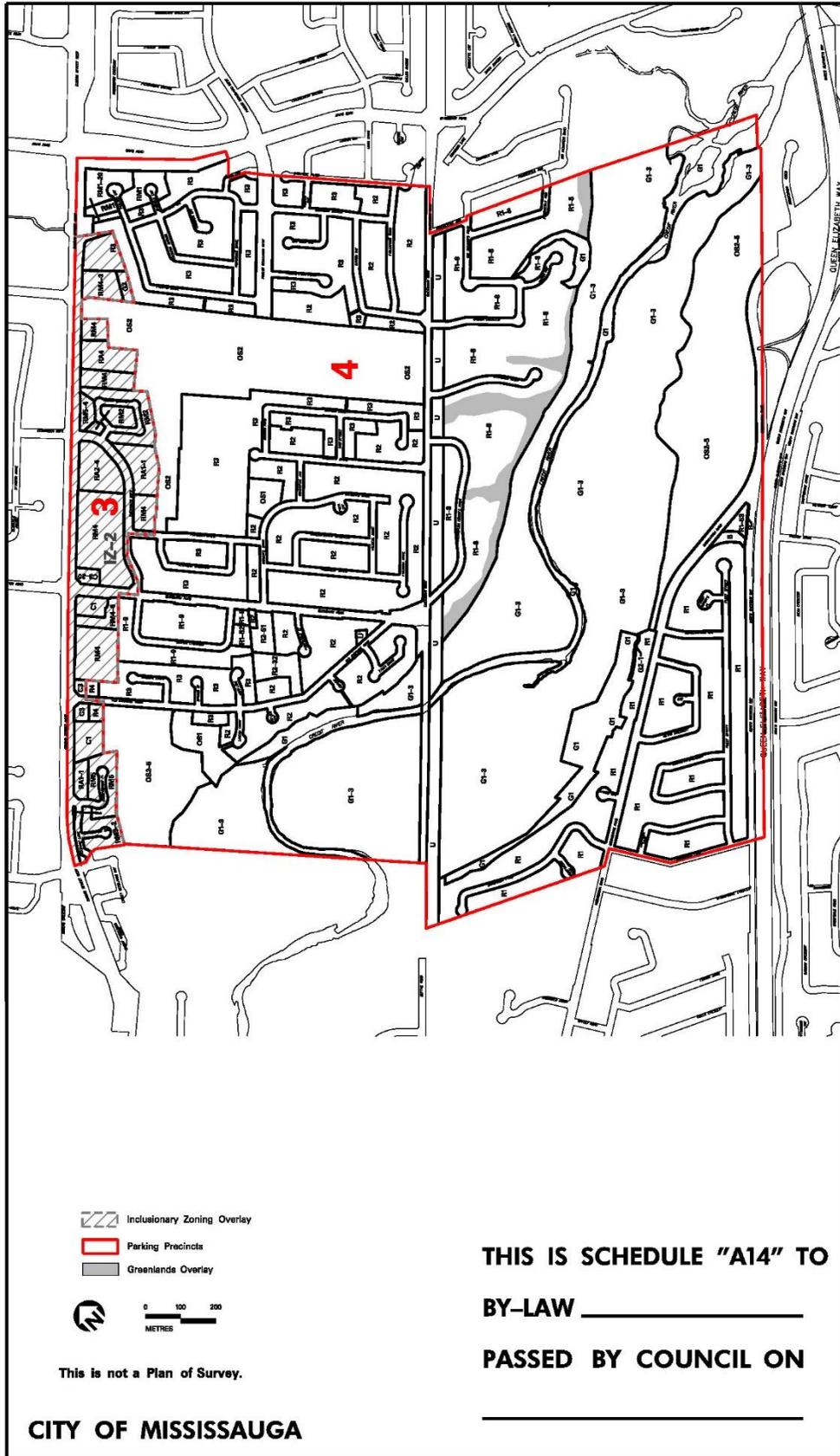


Z-16 A.S.

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Draft Schedule "A14"

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Z-16 A.S.

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Draft Schedule "A15"

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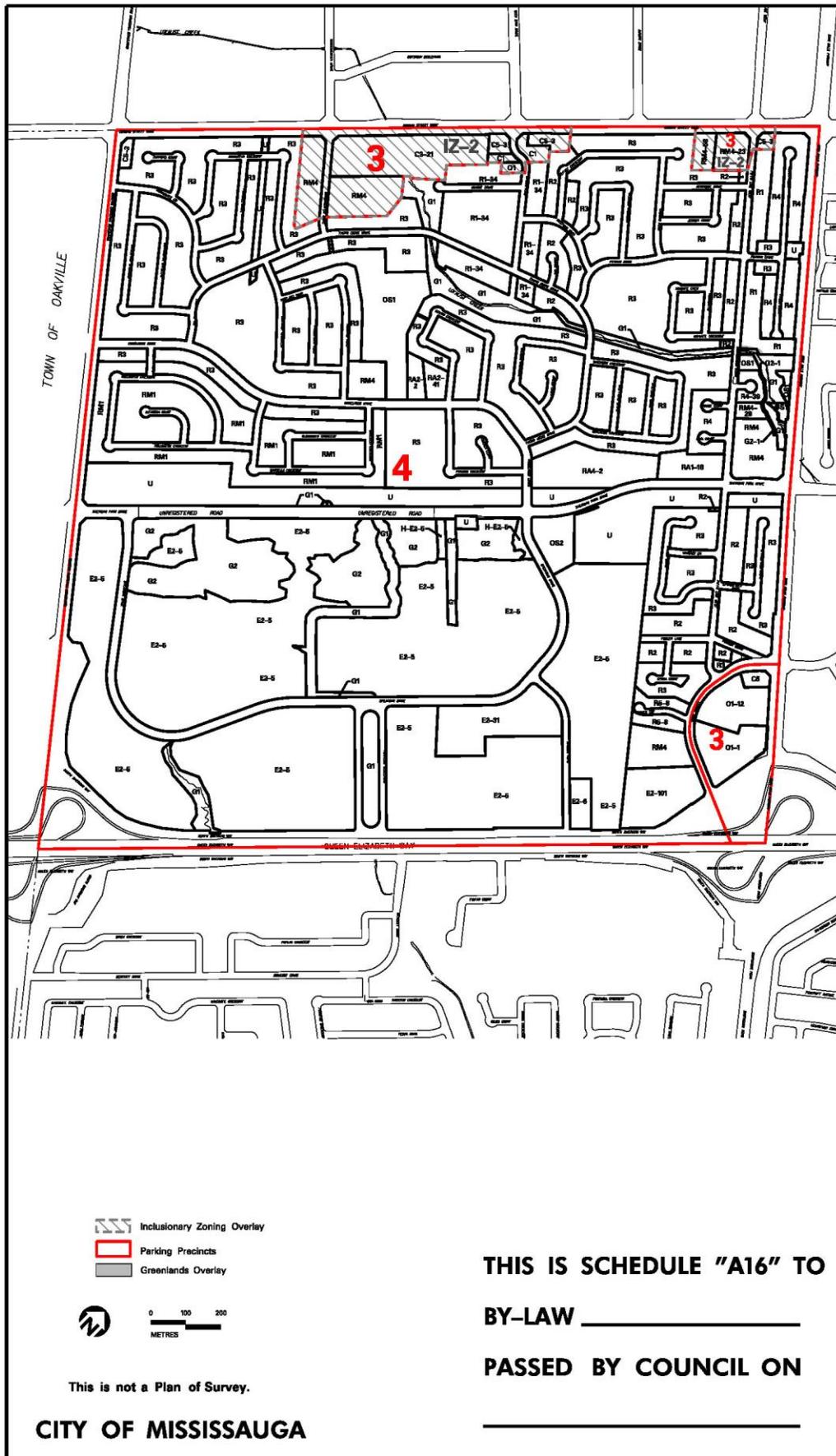


Z-17 A.S.

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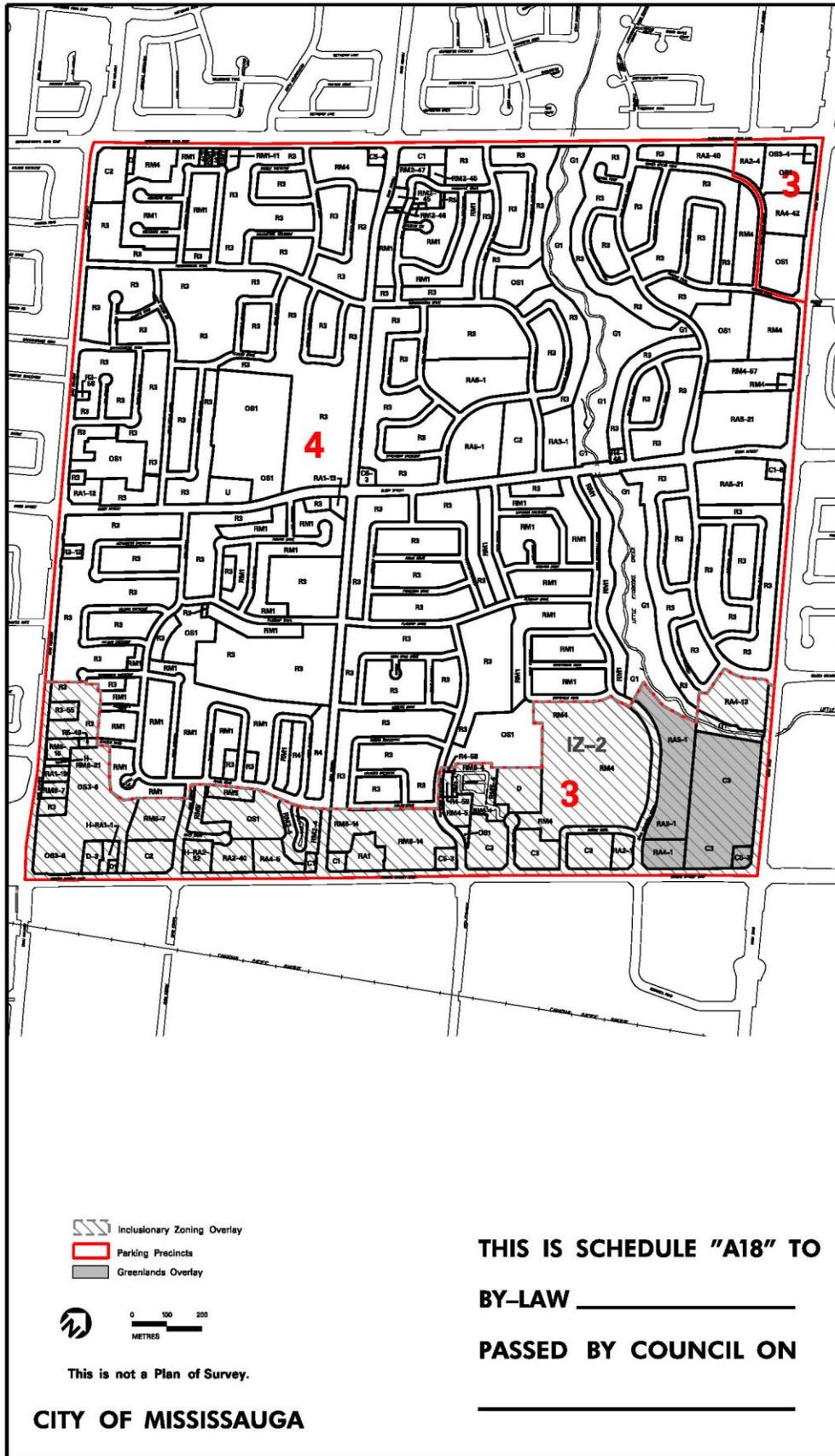
Appendix 2



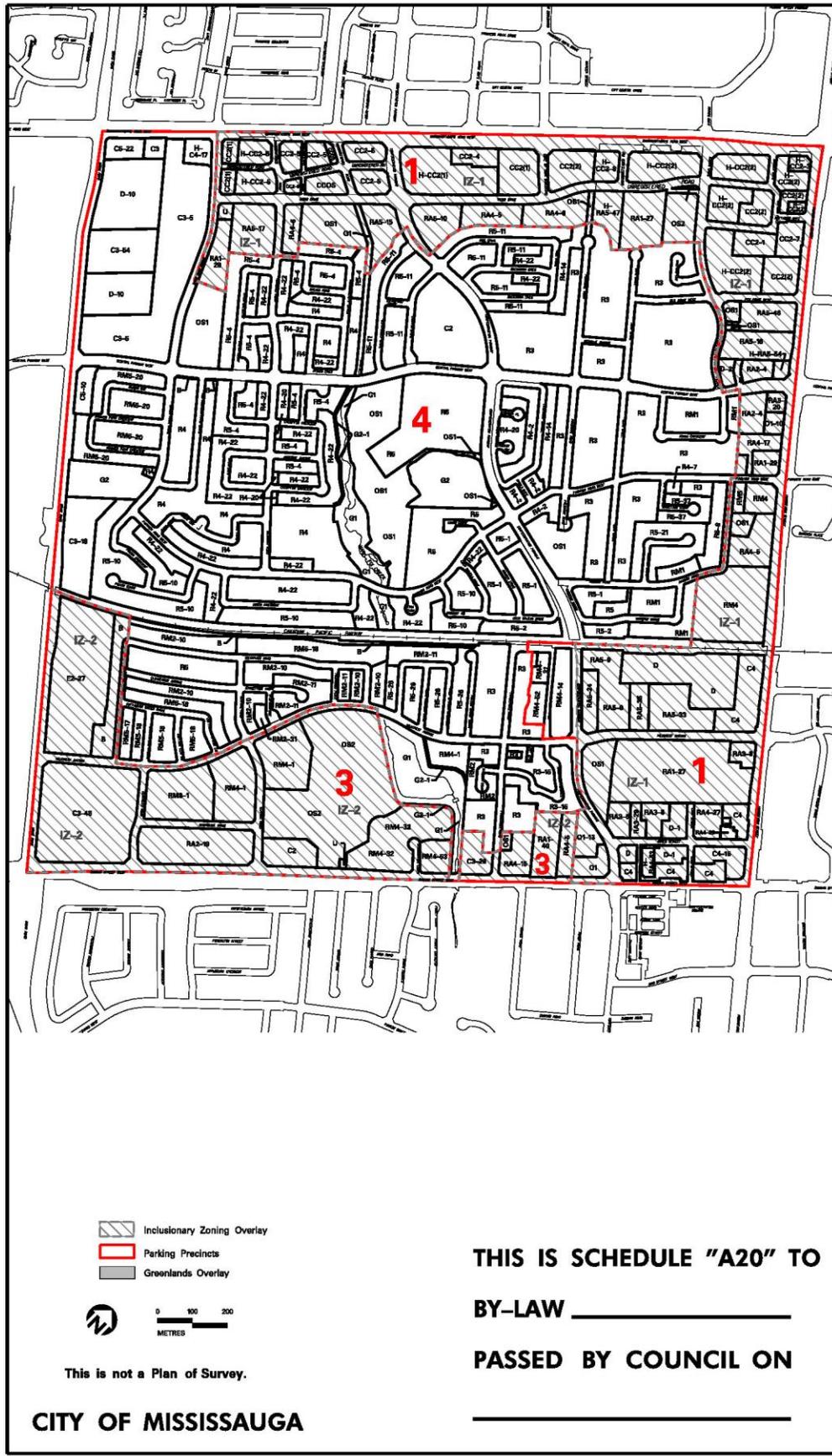
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Z-22 A.S.

CD.06-INC

Draft Schedule "A21"



Z-23 A.S.

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Draft Schedule "A22"

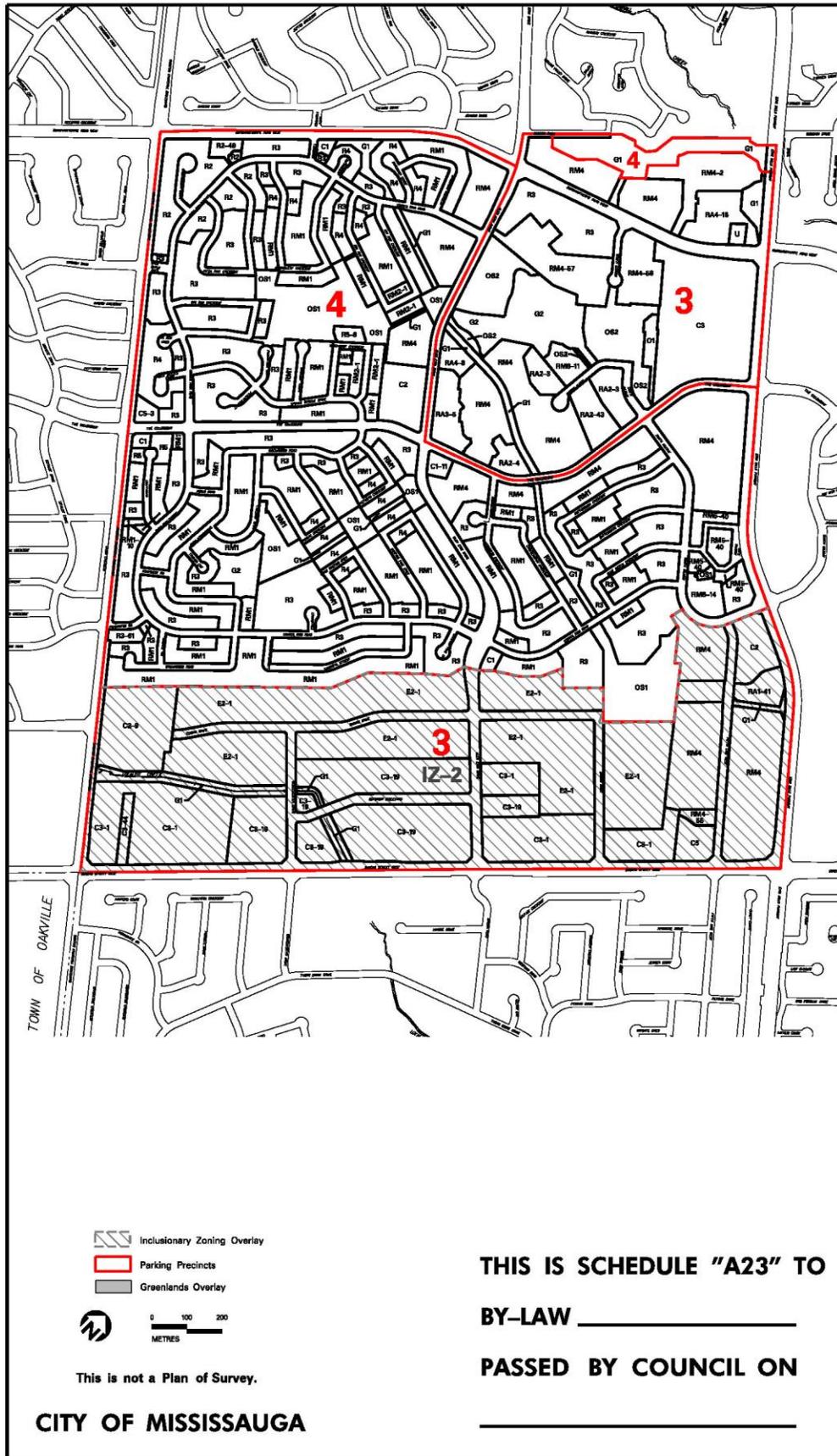


Z-24 A.S.

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Draft Schedule "A23"

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Draft Schedule "A24"

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Draft Schedule "A25"

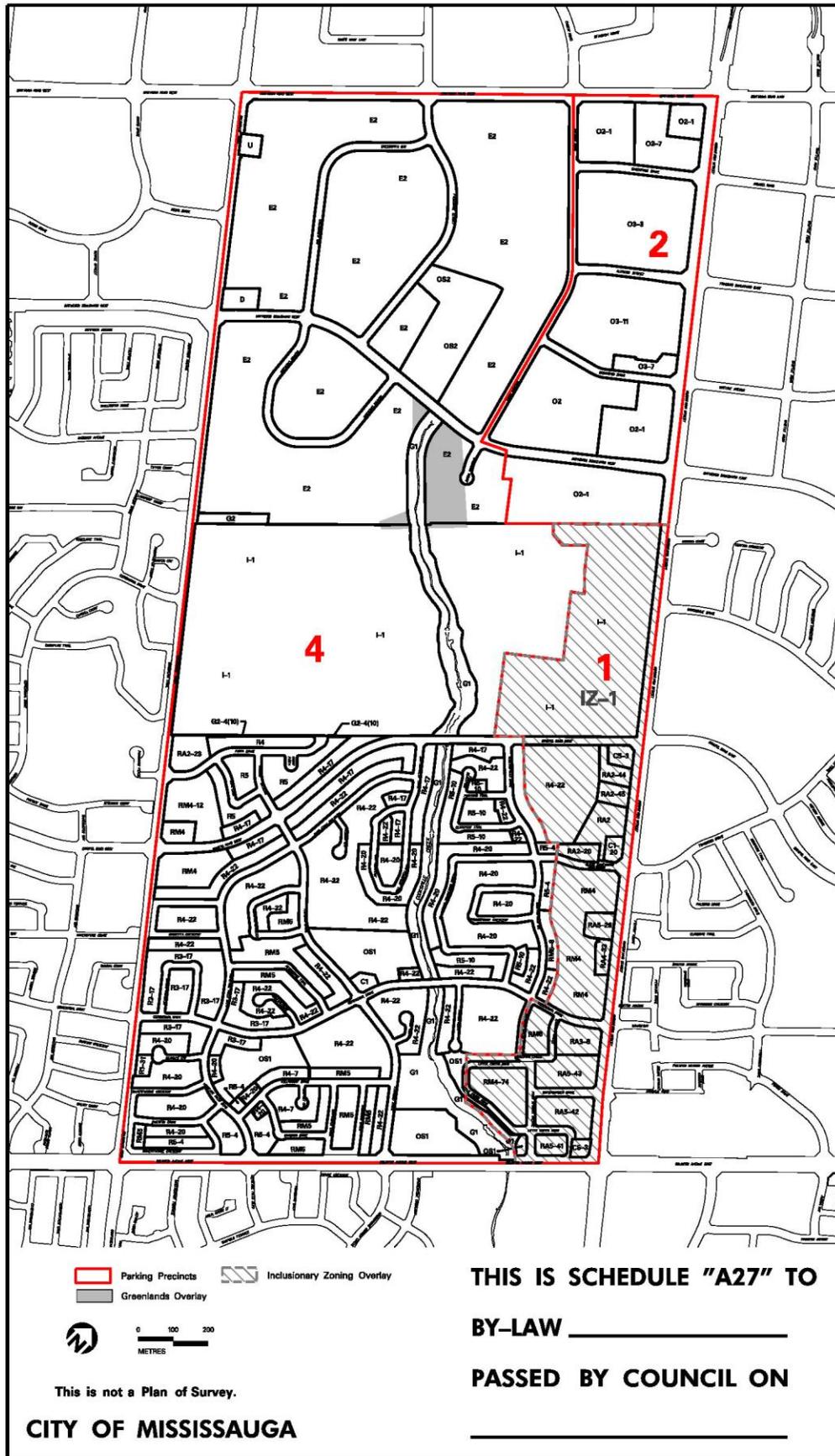


Draft Schedule "A26"



Draft Schedule "A27"

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2-37E A.S.

CD.08-INC

Draft Schedule "A28"

Appendix 2



Draft Schedule "A30"



Draft Schedule "A31"

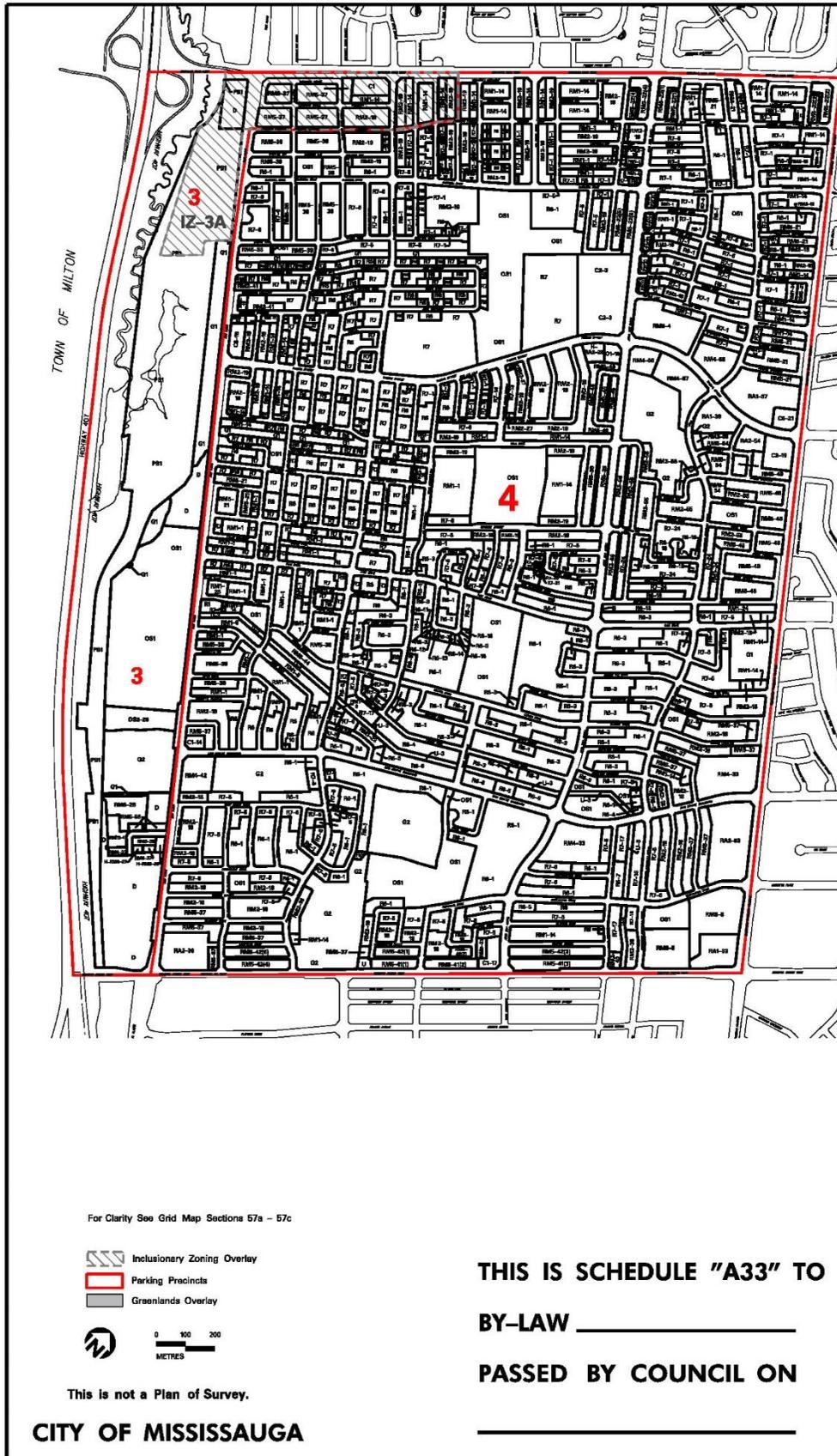


Draft Schedule "A32"



Draft Schedule "A33"

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Draft Schedule "A34"

Appendix 2



Z-57 A.S.

CD.06-INC

Draft Schedule "A35"

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APPENDIX "A" TO BY-LAW NUMBER _____

Explanation of the Purpose and Effect of the By-law

The purpose of this By-law is to introduce Inclusionary Zoning requirements for certain lands in the municipality.

This By-law amends the zoning of the properties outlined on the attached Schedules "A1 to A35" by adding an Inclusionary Zoning Overlay consisting of five Inclusionary Zoning Areas.

The proposed zoning regulations require development/re-development within the Inclusionary Zoning Overlay and meeting certain criteria to set aside a portion of the residential area as affordable housing units. The requirements are secured through a legal agreement with the City and registered on title to the lands.

Location of Lands Affected

The lands affected this amendment are generally located:

- along Hurontario Street from the southernmost point to south of Britannia Road West including the Downtown Core
 - along Dundas Street
 - along Lakeshore Road East
 - at the intersection of Ninth Line and Britannia Road West and surrounding lands
 - at the intersection of Ninth Line and Derry Road West and surrounding lands, and
 - at the intersection of Lakeshore Road West and Southdown Road and surrounding lands
- in the City of Mississauga, as shown on the attached Maps designated as Schedules "A1" to "A35".

Further information regarding this By-law may be obtained from Catherine Parsons of the City Planning and Building Department at 905-615-3200 ext. 8409.

NOTE:

PURSUANT TO SUBSECTIONS 34(19.3) AND 34(19.4) OF THE *PLANNING ACT*, THERE IS NO APPEAL WITH RESPECT TO THE CONTENTS OF THIS BY-LAW EXCEPT BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING.