

Information/Recommendation Report
Detailed 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 proposed amendments have been reviewed and summarized in the sections below. Only key policies relevant to the proposed

amendments have been included. The summary tables listed in the subsections below should be considered a general summary of the intent of the policies and should not be considered exhaustive. The proposed amendments have been evaluated based on these policies.

Policy Document	Legislative Authority/Applicability	Key Policies
<i>Provincial Policy Statement (PPS)</i>	<p>Zoning and development permit by-laws are also important for implementation of this Provincial Policy Statement. (PPS Part I)</p> <p>The fundamental principles set out in the PPS apply throughout Ontario. (PPS Part IV)</p> <p>Building Strong Healthy Communities (PPS Part V)</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 settlement areas 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; e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes; h) providing opportunities for sustainable tourism development (PPS 1.7.1)</p>
<i>Growth Plan for the Greater Golden Horseshoe (Growth Plan)</i>	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,	N/A – City's proposed amendments are not related to growth

Policy Document	Legislative Authority/Applicability	Key Policies
<p>Region of Peel Official Plan (ROP)</p>	<p>subject to any legislative or regulatory provisions providing otherwise. (Growth Plan 1.2.2)</p> <p>The Regional Council adopted a new ROP on April 28, 2022 and the Minister of Municipal Affairs and Housing approved the new ROP with 44 modifications on November 4, 2022.</p> <p>The Region of Peel approved MOP on September 22, 2011, which is the primary instrument used to evaluate proposed zoning by-law amendments.</p>	<p>The ROP identifies the lands affected by the proposed zoning by-law amendments as being located within Peel's Urban System.</p> <p>General objectives of ROP, as outlined in Section 5.2, include providing a diversity of complete healthy communities, offering a wide range and mix of housing, employment, and recreational and cultural activities. These communities will be served and connected by a multi-modal transportation system and provide an efficient use of land, public services, finances and infrastructure, while respecting the natural environment, hazards and resources, and the characteristics of existing communities in Peel.</p> <p>It is the policy of Regional Council to:</p> <p>To establish complete healthy communities that contain living, working and recreational opportunities, which respect the natural environment, resources and the characteristics of existing communities. (ROP 5.6.2)</p> <p>To achieve intensified and compact built form 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. (ROP 5.6.3)</p> <p>To provide for and facilitate a wide range of goods and services to meet the needs of those living and working in the Urban System. (ROP 5.6.9)</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, Parkway Belt West Plan 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).

The proposed City-initiated Zoning By-law amendments do not require an amendment to Mississauga Official Plan (MOP).

Relevant Mississauga Official Plan Policies

The following policies are applicable in the review of the proposed city initiated zoning by-law amendment. In some cases the description of the general intent summarizes multiple policies.

	General Intent
Chapter 4 Vision	<p>Mississauga will maintain and promote a strong and sustainable, diversified economy that provides a range of employment opportunities for residents and attracts lasting investment to secure financial stability. (Section 4.4.4)</p> <p>Mississauga will support the creation of distinct, vibrant and complete communities by building beautifully designed and inspiring environments that contribute to a sense of community identity, cultural expression and inclusiveness. (Section 4.4.7)</p>
Chapter 5 Direct Growth	<p>Investments in community infrastructure, as well as commercial, recreational, educational, cultural and entertainment uses, will be encouraged in Community Nodes. (Section 5.3.3.9)</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>In order to create a complete community and develop a built environment supportive of public health, the City will: c. encourage environments that foster incidental and recreational activity; (Section 7.1.3 c)</p> <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 7.6.3)</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 7.7.1.1)</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> <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>

2. Provincial Policy Statement, 2020 (PPS) and the Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2019 and Amendment No. 1 (2020)

The *Provincial Policy Statement* (PPS) and the *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) provide policy direction on matters of provincial interest related to land use planning and development and directs the provincial government's plan for growth and development that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

Both the PPS and the Growth Plan recognize that the official plan is the most important vehicle for implementation of these policies as "comprehensive, integrated and long-term planning is best achieved through official plans".

Under the *Planning Act*, all planning decisions must be consistent with the PPS and conform to the Growth Plan.

3. Consistency with PPS

The PPS includes policies that allow for a range of intensification opportunities and appropriate development standards. Several revisions to the zoning by-law are proposed, however, only the proposed amendments related to seasonal and permanent outdoor patios, seasonal retail sales and display

areas and separation distances for restaurants, convenience restaurants and take-out restaurants are influenced by the policies contained in the PPS.

Section 1.1.1.a of the PPS, as referenced above, promotes healthy, livable, and financially sustainable communities through efficient development and land use. The proposed zoning by-law amendments align with these goals as it maximizes land use and resources, encouraging businesses to thrive. By drawing in customers, bolstering safety through increased pedestrian presence, enriching public spaces, generating revenue, and offering employment opportunities, they significantly contribute to the long-term financial well-being of the Province and municipalities, ultimately fostering a secure and thriving community.

Section 1.1.3.2 speaks to the efficient use of land and resources. Permitting outdoor restaurant patios, outdoor retail sales and display areas and amending the setback requirements for restaurants, convenience restaurants and take-out restaurants, fosters efficient land use by optimizing the use of available space. This approach aligns with the policy's goal of promoting smart land use patterns, thereby making better use of land and resources within settlement areas.

The policies of Section 1.3.1 has regard to economic development and competitiveness. Similar to policy 1.1.1a, allowing outdoor restaurant patios and outdoor retail sales and display areas supports economic development and

competitiveness. They diversify the economic base by providing opportunities for a wide range of activities, thus supporting various businesses. This diversity strengthens the local economy and enhances the vitality of downtowns and mainstreets, fostering a sense of place that promotes well-designed, culturally rich environments.

Section 1.7.1 speaks to long-term economic prosperity. The zoning by-law amendments for outdoor restaurant patios, outdoor retail sales areas and reduced separations for restaurant uses adjacent to residential zones contribute to long-term economic prosperity in various ways. It enhances the liveliness and viability of downtowns and mainstreets, contributing to a sense of place by creating liveable environments for both businesses and residents. The proposed amendments are also supportive of place making destinations for sustainable tourism development, supporting long-term economic prosperity by attracting visitors and creating economic opportunities.

Overall, the proposed Zoning By-law amendment to introduce regulation for outdoor patios (both seasonal and permanent), seasonal outdoor retail sales and display areas, and reduce the separation distance requirements for restaurant uses adjacent to residential uses is consistent with the PPS' goal to foster complete communities that promote efficient development and land use patterns which sustain the financial well-being of the province and municipality. The proposed amendments enhance the overall health, livability, and safety of the community while also providing economic and social benefits that support long-term financial stability.

4. Conformity with Growth Plan

The Growth Plan was updated May 16, 2019, in order to support the "More Homes, More Choice" government action plan that addresses the needs of the region's growing population. The new plan is intended, amongst other things, to increase the housing supply and make it faster and easier to build housing. Pertinent changes to the Growth Plan include:

- The Vision for the Growth Plan now includes the statement that the Greater Golden Horseshoe will have sufficient housing supply that reflects market demand and what is needed in local communities.
- Section 2.2.2.3 requires municipalities to encourage intensification generally throughout the delineated built-up area. Previous wording referred to encouraging intensification to generally achieve the desired urban structure.
- Section 2.2.2.3 also directs municipalities to identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas.

The proposed City-initiated zoning by-law amendments are not related to growth and as such conforms to the Growth Plan.

5. Region of Peel Official Plan

The Region of Peel Official Plan is a long-term plan for managing Peel's growth and development. Several revisions to the Zoning By-law are proposed, however, only the proposed amendments related to the introduction of seasonal and

permanent outdoor patios, seasonal retail sales and display areas and separation distances for restaurants, convenience restaurants and take-out restaurants are influenced by the policies contained by ROP. The proposed amendments are located within the Urban System of the Region of Peel, however, they do not require an amendment to the Region of Peel Official Plan.

Sections 5.6.2, 5.6.3 and 5.6.9 of the Region of Peel policies, focus on the establishment of complete healthy communities, the achievement of intensified and compact built forms, and the provision of a diverse range of goods and services. Overall, the proposed amendments align with the ROP policies as they aim to enhance community vibrancy, optimize land use, and create an environment that caters to a variety of goods and services, all while showing due regard for the natural environment and the unique characteristics of existing communities. The proposed zoning by-law amendment emphasises the commitment to building more vibrant and complete communities in compliance with the Region of Peel's policy objectives.

6. Mississauga Official Plan (MOP)

The proposed City-initiated zoning by-law amendments align strongly with key policies outlined above in Mississauga's Official Plan. These zoning by-law amendments contribute to a robust and diversified local economy by generating employment opportunities, attracting investment, and promoting financial stability. Simultaneously, they enhance the community's vibrancy and uniqueness, fostering a sense of community identity, cultural expression, and inclusiveness. Outdoor dining

and outdoor retail spaces create dynamic environments that encourage social interactions and support the development of complete communities.

The proposed amendments serve to encourage investments in community nodes, as well as promote economic and commercial activities. Moreover, they support the maintenance of a sustainable and diversified employment base by generating opportunities for residents to work in Mississauga, particularly in the restaurant and retail sectors. This inclusive approach ensures that a range of economic activities is available, enhancing the city's vibrancy and economic diversity while fostering employment opportunities for local residents.

Furthermore, the proposed amendments align with the MOP's policies as they provide opportunities for the creation of complete, inclusive, and culturally rich communities. These measures foster vibrant, welcoming spaces for social interactions and community engagement. Moreover, they enhance the distinct character of areas with established identities while promoting the development of unique identities in other areas.

Further, the proposed amendments contribute to the transformation of the public realm, positively impacting the streetscape and creating a strong sense of place. By promoting outdoor dining and retail spaces, they enhance the city's vibrancy, fostering social connections and providing settings for recreation and culture. Moreover, they support healthy and active communities at all stages of life, encouraging active transportation and outdoor social engagement.

The MOP's policies are echoed in the proposed zoning by-law amendment as they serve to bolster the city's commitment to fostering a diverse range of employment opportunities. Additionally, they contribute to Mississauga's economic development and competitiveness by enhancing the built environment. In essence, the amendments facilitate the creation of an inclusive, economically vibrant, and competitive community.

7. Zoning

Please see Appendix 3: Proposed Zoning By-law Amendments in this regard.

8. Conclusions

City staff have evaluated the proposed amendments against the *Provincial Policy Statement*, Region of Peel Official Plan and Mississauga Official Plan.

Based on the above analysis, staff are of the opinion the proposed zoning by-law amendments are consistent with the *Provincial Policy Statement* and conform to the Region of Peel Official Plan. Further, staff are of the opinion the proposed amendments can be supported, as they would allow for more comprehensive by-law definitions and regulation that incorporates the changes and needs of businesses and residents of the City while at the same time ensuring that public health and safety are at the forefront of land use planning. Overall, the proposed zoning by-law amendments, which include regulation for seasonal and permanent outdoor patios,

seasonal outdoor retail sales and display areas and reduced separation distances for restaurants, convenience restaurants and take-out restaurants are all aimed at creating a vibrant, economically diverse, and inclusive city.