

City of Mississauga
Corporate Report



<p>Date: August 28, 2024</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's files: BL.09-CIT (All Wards)</p>
	<p>Meeting date: September 16, 2024</p>

Subject

PUBLIC MEETING INFORMATION REPORT (ALL WARDS)

Proposed City-Initiated Amendments to Mississauga Official Plan and Zoning By-law 0225-2007

File: BL.09-CIT (All Wards)

Recommendation

That the report dated August 28, 2024 from the Commissioner of Planning and Building regarding the proposed City initiated amendments to Mississauga Official Plan and Zoning By-law 0225-2007, as detailed in Appendix 1, be received for information.

Executive Summary

- Several City-initiated amendments to the Zoning By-law are being proposed, which will: update definitions and regulations; address zoning interpretation issues; and respond to new industry trends.
- New regulations are proposed to allow Transitional Housing in zones that currently permit Overnight Accommodation, including Major and General Office, General Commercial, Downtown Core and Employment zones, and in the Residential Apartment and Minor Office zones.
- New definition and regulations are proposed for Ancillary Crisis Shelter to address shelter gaps during extreme weather events and natural emergencies. This use will be permitted in community centres, libraries and places of religious assembly.
- An amendment to the regulations for Retail Store is proposed to increase the permitted seating for food consumption from six to 25 seats.

Background

Due to global unrest, Canada, including Peel Region, has experienced an unprecedented increase in the number of asylum claimants needing emergency shelter since June 2023, putting a strain on public services. In response, the Region of Peel is seeking a coordinated approach to implement sustainable solutions, including the establishment of dedicated shelter sites and a Regional Reception Centre for asylum claimants, which is currently in progress (see Appendix 2 for further details).

These uses would currently fall under the definition of Transitional Housing in the City's Zoning By-law, which refers to a building or structure, or part thereof, comprising of dwelling units or rooms intended for sleeping or accommodation. They must be owned and/or operated by or on behalf of a public authority or a non-profit housing provider and serve as an emergency shelter or temporary accommodation with included support services. This definition was established in the Zoning By-law through By-law 0117-2022, which also introduced reduced parking regulations for the use. However, By-law 0117-2022 did not include specific operational zoning criteria for Transitional Housing, leaving it broadly defined but not explicitly permitted in any particular zone.

Consequently, to deal with the current influx of asylum claimants, Council Resolution 0052-2024, as detailed in Appendix 3, designated the provision of shelter and support services for asylum claimants by third-party organizations, operating under the Region of Peel's emergency housing program, as an Essential Emergency Service within the City of Mississauga. This action allowed these facilities to operate in the interim until the City amends the Zoning By-law to permit the use in certain zones.

The purpose of this report is to present staff considerations for various amendments to the City's Official Plan and Zoning By-law to address issues, trends, and operational needs, including Transitional Housing.

Comments

There are a number of proposed Official Plan and Zoning By-law changes from different sections of the by-law. The following is an overview of the most notable amendments. A detailed list of all proposed amendments is included in Appendix 1.

TRANSITIONAL HOUSING

As previously stated, Transitional Housing for asylum claimants was designated as an Essential Emergency Service, until such time that the City determines the appropriate permissions for the use. An Essential Emergency Service use is permitted in multiple zones city-wide, including Residential, Office, Commercial, Downtown Core, Employment, Institutional, and Airport zones.

Peel's proposed Regional Reception Centre is intended to serve as an intake centre and temporary housing facility where asylum claimants receive immediate support, including shelter, food, and settlement services such as immigration orientation, legal aid, language learning, and mental health support, in a safe and culturally sensitive environment while they prepare for

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integration into the community. The site is located in an **E1-19 - Employment in Nodes Exception** zone and is optimally located near the airport to provide convenient access for asylum claimants. Staff conducted a site visit to the proposed Regional Reception Centre to better understand the proposed use and support services.

Staff have reviewed existing shelters in the City and found that most are located in Employment, Commercial, and Residential Apartment zones. Many of these shelters operate in hotels and motels, which are classified as Overnight Accommodation in the Zoning By-law. Therefore, staff are considering adding regulations to permit Transitional Housing in the same zones where Overnight Accommodation is permitted, specifically:

- **O2 – Major Office**
- **O3 – General Office**
- **C3 – General Commercial**
- **C4 – Mainstreet Commercial**
- **CC1 – Downtown Core - Core Commercial**
- **CC2 – Downtown Core - Mixed Use**
- **CC3 – Downtown Core - Mixed Use Transition Area**
- **CC4 – Downtown Core - Mixed Use**
- **CCO – Downtown Core – Office**
- **E1 – Employment in Nodes**
- **E2 – Employment**
- **E3 – Industrial.**

Staff are considering the above noted zones because they offer significant advantages for their specific clientele such as enhanced access to essential services like public transportation, healthcare, and employment opportunities, while encouraging the efficient repurposing of existing and underutilized infrastructure. This approach makes it more likely that shelters will not concentrate in one particular location.

Additionally, staff are considering permitting the Transitional Housing use in both the Residential Apartment zones (**RA1 to RA5**) and the **O1- Minor Office** zone. Transitional Housing is categorized under the Community Infrastructure land use designation of the Official Plan, which is permitted citywide. This approach supports the City's goals of creating complete communities and accessible essential services.

It should be noted that even if permitted in residential apartment and mixed-use zones, the higher land values associated with these areas can make it difficult to locate non-profit or Regional facilities in residential areas, despite the advantages of better services.

ANCILLARY CRISIS SHELTER

In response to recent severe and unpredictable weather conditions affecting our region, staff are considering the introduction of an Ancillary Crisis Shelter zoning use to address shelter gaps during extreme weather events and natural emergencies. With Peel Region's existing shelters often exceeding capacity, providing safe, temporary refuge during severe weather events and natural emergencies is essential.

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The proposed Ancillary Crisis Shelter use would permit certain non-residential buildings, such as community centers, libraries, and places of religious assembly, to serve as short-term shelters during severe weather warnings or natural emergencies as declared by a public authority. Ancillary Crisis Shelters should have essential infrastructure, such as adequate sanitation, fire safety measures, and access to public transportation, to safely and effectively accommodate larger groups of people. Larger facilities are generally better suited to meet these requirements, including fire code requirements to accommodate the Ancillary Crisis Shelter use.

Therefore, the proposed Ancillary Crisis Shelter use will also include operational criteria to permit the use only as accessory uses in non-residential buildings like community centers, libraries, and places of religious assembly, and restrict this use to buildings with a gross floor area (GFA) equal to or greater than 500 square meters (approximately 5,400 square feet). The proposed Ancillary Crisis Shelter use would be accessory to a building's primary function and would operate only during declared emergencies or severe weather conditions.

Staff's intention is that the Ancillary Crisis Shelters and Transitional Housing serve complementary roles. While Transitional Housing addresses longer-term needs, Ancillary Crisis Shelters would offer emergency relief, protecting individuals from severe weather and disasters.

RETAIL STORE SEATING FOR FOOD CONSUMPTION

Staff are proposing to amend the Zoning By-law to increase the number of seats permitted for food consumption within a retail store from six seats to 25 seats which equates to approximately 38 square metres (409 sq. ft.) that would accommodate approximately six tables with four seats each. This proposed change reflects a trend in the retail food industry, where many grocery stores now offer in-store dining options to enhance the customer experience. The food consumption area would be required to be accessory to the main function of the retail store.

OTHER PROPOSED CHANGES

Other minor proposed changes to the Zoning By-law include:

- Add a definition for Auxiliary Use to distinguish them from Accessory Use in determining when a separate Certificate of Occupancy is needed for multiple uses on a lot.
- Amend the definition for Bicycle Parking Space - Class A to clarify location criteria.
- Amend the definition for Front Lot Line - Corner Lot to provide consistency with the Corner Lot definition.
- Amend the definition for Front Lot Line to provide clarity on which lot line constitutes a front lot line when there is more than one lot line.
- Amend the definition for Porch to distinguish the use as specific to the main front entrance.
- Amend the regulation for Certificate of Occupancy to ensure a valid Certificate of Occupancy is obtained and maintained.
- Amend the Public School regulation to add the Day Care use as an accessory use and add regulation to specify that the Public School regulations apply to the accessory Day Care use.
- Amend the Private School regulation to remove duplicated calculation criteria for sloped roof height.

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- Add regulation for Essential Emergency Service to ensure the Greenlands Setback provisions are captured and specify that the use is not subject to General Provisions for Residential zones.
- Remove the antiquated Sales Trailer term.
- Add regulation to specify the exclusions for Overnight Accommodation bicycle parking.
- Amend the parking regulation to allow otherwise permitted uses such as Seasonal Outdoor Patios.
- Add regulation to permit Play Equipment in all residential built forms and add location criteria for specific built forms.
- Delete redundant **G1-2 – Greenlands – Natural Hazards** and **O1-8 – Minor Office** exception zone references.
- Site specific zoning by-law amendment for City-owned lands located at 5320 Ninth Line to change the **G1 – Greenlands - Natural Hazards** zone to **OS1 - Open Space - Community Park** to permit public park uses.
- Site specific official plan amendment for City-owned lands located at 5320 Ninth Line and 376 Barondale Dr to change the land use designation from **Greenlands** (with Natural Hazards overlay) to **Public Open Space**, and from **Private Open Space** to **Public Open Space** to permit public park uses.
- Site specific zoning by-law amendment to change the lands municipally known as 5100 Spectrum Way, zoned **E1-19 - Employment in Nodes Exception** to **E1-20 - Employment in Nodes Exception** to permit an as-built, reduced drive aisle. All other existing site-specific regulations will be maintained.

Additional information and details are found in Appendix 1.

LAND USE POLICIES AND REGULATIONS

The *Planning Act* requires that municipalities' decisions regarding planning matters be consistent with the PPS and conform with the applicable provincial plans. Mississauga Official Plan is generally consistent with the PPS and conforms with the Growth Plan, the *Greenbelt Plan*, and the *Parkway Belt West Plan*.

Conformity of the proposed Zoning By-law amendments with the policies of Mississauga Official Plan is under review.

Additional information and details are found in Appendix 1.

Financial Impact

There is no financial impact.

Conclusion

The proposed amendments to the City's Official Plan and Zoning By-law are designed to address emerging social challenges, clarify definitions, and update regulations in response to evolving market trends within the City of Mississauga. Once input from the public, relevant agencies and City departments have been received, and potential issues are considered, the

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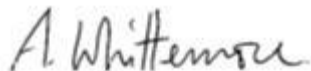
Planning and Building Department will be in a position to make recommendations regarding the proposed amendments.

Attachments

Appendix 1: Detailed Information and Preliminary Planning Analysis

Appendix 2: Asylum Claimant Response – Moving Toward a Sustainable Model - Regional Council Report

Appendix 3: Council Resolution 0052-2024



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