

Amendment No. 182

to

Mississauga Official Plan

By-law No. _____

A by-law to Adopt Mississauga Official Plan Amendment No. 182

WHEREAS in accordance with the provisions of sections 17 or 21 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, ("*Planning Act*") Council may adopt an official plan amendment thereto;

AND WHEREAS in accordance with O Reg 525/97, an official plan amendment is exempt from the approval of the Minister of Municipal Affairs and Housing;

AND WHEREAS in accordance with sections 1 and 70.13 of the *Planning Act*, the City of Mississauga has assumed full planning responsibilities as of July 1, 2024 and the portions of the Region of Peel Official Plan that are in effect immediately before this date are deemed to constitute an official plan of the City;

AND WHEREAS, Council desires to adopt certain amendments to Region of Peel Official Plan and Mississauga Official Plan regarding policy changes for lands that constitute an "area of employment" in accordance with the *Planning Act*;

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

1. The document attached hereto, constituting Amendment No. 182 to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this _____ day of _____, 2024.

Signed _____
MAYOR

Signed _____
CLERK

Amendment No. 182
to
Mississauga Official Plan

The following text constitutes Amendment No. 182.

Also attached but not constituting part of the Amendment are Appendices I and II.

Appendix I is a description of the Public Meeting held in connection with this Amendment.

Appendix II is a copy of the Planning and Building Department report dated September 18, 2024, pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to update Mississauga Official Plan to align with the new definition of "area of employment" in the *Planning Act* and the Provincial Planning Statement (PPS, 2024) to take effect on October 20, 2024. As the City has become the authority for administering the Region of Peel Official Plan (ROP), parallel changes to that Plan are also proposed.

LOCATION

The lands affected by this Amendment are located in the Employment Area and Corporate Centre Character Areas, as identified in Mississauga Official Plan to the extent that these lands are shown in Schedule E-4 of Region of Peel Official Plan.

BASIS

Mississauga Official Plan came into effect on November 14, 2012, save and except for the outstanding site specific appeals to the Ontario Land Tribunal.

The proposed Amendment is required to update the Region of Peel Official Plan and Mississauga Official Plan in accordance with the *Planning Act* to be consistent and not conflict with policy direction in PPS, 2024. It will add a new definition of "area of employment" and new policies to Employment Area and Corporate Centre Character Areas.

The proposed Amendment is acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposed Amendment adds a new definition for an "area of employment" to the Region of Peel Official Plan and Mississauga Official Plan, in accordance with the definition of "area of employment" set out in the *Planning Act*.
2. The proposed Amendment identifies Corporate Centre and Employment Area Character Areas as an "area of employment" as of October 20, 2024.
3. The proposed Amendment allows for the continuation of lawfully established uses that are excluded from being in an "area of employment" pursuant to subsections 1(1.1) and (1.2) of the *Planning Act*.
4. The proposed Amendment allows parcels of land to be an "area of employment" even if they contain lawfully established excluded uses.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 5.8, Employment Areas, of Region of Peel Official Plan, is hereby amended by adding policies 5.8.17 and 5.8.18, and renumbering existing policies accordingly as follows:

5.8.17 *Employment Areas* include Corporate Centres and Employment Areas in Mississauga Official Plan to the extent that lands in these areas are shown on Schedule E-4.

5.8.18 Lands described in Policy 5.8.17 are *Employment Areas* even if they include one or more parcels of land that are subject to Mississauga Official Plan policies authorizing the continuation of a use that is excluded from the definition of *Employment Area*, provided that the use was lawfully established on the parcel of land before October 20, 2024.

2. Glossary, of Region of Peel Official Plan, is hereby amended by deleting and replacing the term "Employment Area" as follows:

Employment Area: an area of land designated in this Plan for clusters of business and economic uses, those being uses that meet the following criteria:

1. The uses consist of business and economic uses, other than uses referred to in paragraph 2, including any of the following:
 - a. manufacturing;
 - b. research and development in connection with manufacturing anything;
 - c. warehousing and goods movement;
 - d. retail and office associated with uses set out in a. to c. above;
 - e. facilities that are ancillary to uses set out in a. to d. above; and
 - f. any other prescribed business and economic uses under the *Planning Act*.
2. The uses are not any of the following uses:
 - a. institutional uses; and
 - b. commercial uses, including retail and office uses not referred to in subparagraph 1d.
3. Section 15.1.1, General, Corporate Centres, of Mississauga Official Plan, is hereby amended by adding policy 15.1.1.5 as follows:

15.1.1.5 Within an **area of employment**, a land use that is excluded from the list of permitted uses for an **area of employment** is authorized to continue, provided the use has been lawfully established on the parcel of land before October 20, 2024.

4. Section 17.1.1, General, Employment Areas, of Mississauga Official Plan, is hereby amended by adding policy 17.1.1.2 as follows:

17.1.1.2 Within an **area of employment**, a land use that is excluded from the list of permitted uses for an **area of employment** is authorized to continue, provided the use has been lawfully established on the parcel of land before October 20, 2024.

5. Chapter 20, Glossary, of Mississauga Official Plan, is hereby amended by adding a term for "Area of Employment" as follows:

AREA OF EMPLOYMENT

means an area of land designated in the Region of Peel Official Plan as an Employment Area for clusters of business and economic uses, those being uses that meet the following criteria:

1. The uses consist of business and economic uses, other than uses referred to in paragraph 2, including any of the following:
 - a. manufacturing;
 - b. research and development in connection with manufacturing anything;
 - c. warehousing and goods movement;
 - d. retail and office associated with uses set out in a. to c. above;
 - e. facilities that are ancillary to uses set out in a. to d. above; and
 - f. any other prescribed business and economic uses under the *Planning Act*.
2. The uses are not any of the following uses:
 - a. institutional uses; and
 - b. commercial uses, including retail and office uses not referred to in subparagraph 1d.

IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, Mississauga Official Plan and Region of Peel Official Plan, as applicable to the City, will be amended in accordance with this Amendment.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated March 4, 2024 and the Region of Peel Official Plan approved by the *Official Plan Adjustments Act, 2023*.

INTERPRETATION

The provisions of Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply in regard to this Amendment.

This Amendment supplements the intent and policies of Mississauga Official Plan.

<http://teamsites.mississauga.ca/sites/18/MOPA/LA.07-PRO.MOPA182.cb.fs.docx>

APPENDIX I

PUBLIC MEETING

All property owners and residents within the City of Mississauga were invited to attend a Public Meeting of the Planning and Development Committee held on October 7, 2024 in connection with this proposed Amendment. No oral submissions were made at the meeting. Written comments were provided regarding lawfully established institutional and commercial uses remaining in Employment Areas.

City of Mississauga
Corporate Report



<p>Date: September 18, 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 file: LA.07-PRO</p>
	<p>Meeting date: October 7, 2024</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (ALL WARDS)

Official Plan Amendment 182 – Changes to Employment Area Policies

Recommendation

1. That the amendments to the Region of Peel Official Plan and Mississauga Official Plan proposed in Appendix 2 of the report titled “Official Plan Amendment 182 – Changes to Employment Area Policies” dated September 18, 2024, from the Commissioner of Planning and Building, be approved.
2. That subsequent to the October 7, 2024 public meeting, Staff be directed to incorporate any further changes to Appendix 2 of the report titled “Official Plan Amendment 182 – Changes to Employment Area Policies” dated September 18, 2024, from the Commissioner of Planning and Building, and further notice not be required.
3. That the Mayor or designate be authorized to submit comments to the Ministry of Municipal Affairs and Housing on the new policies and legislation related to Employment Areas.

Executive Summary

- Mississauga’s Employment Areas are vital to the economic well-being of the city. They contain a mix of businesses and jobs that contribute to a complete and diverse economy. Uses currently permitted in Employment Areas include manufacturing, warehousing, research and development, office, retail, institutional and public service facilities.
- Provincial legislative and policy changes have been made to Employment Areas. The changes amend the definition of Employment Areas and provide municipalities with the

authority to continue allowing lawfully established uses excluded in the definition. With this authority, sites that have lawfully established excluded uses can remain part of an Employment Area. The changes also allow private applications proposing to remove Employment Area lands to be submitted at any time, known as “employment conversions”.

- The updated definition narrows the list of permitted uses. It excludes institutional and commercial uses (office and retail) that are not associated with manufacturing, warehousing, and research and development, unless they have been lawfully established and recognized as such in an official plan.
- The provincial changes will come into effect on October 20, 2024. The Province has advised that municipalities should make timely amendments to their official plans to ensure that they are aligned with the amended definition of Employment Areas.
- Official Plan Amendment 182 (OPA 182) will align employment area policies in the Regional Official Plan (ROP) and Mississauga Official Plan (MOP) with the new Employment Area definition. OPA 182 will also authorize institutional and commercial uses that were lawfully established before October 20, 2024 to continue.
- OPA 182 is an interim measure to address provincial Employment Area changes until comprehensive policy updates are undertaken as part of the Official Plan Review. It is intended to maintain the long-term viability of the city's Employment Areas, prevent fragmentation and ensure lands in these areas continue to be subject to employment policies and protections.

Background

Past provincial legislation and policies have supported the long-term protection of employment lands to meet Ontario's current and future economic needs. This involved a comprehensive analysis of non-residential and residential land needs that was typically undertaken every 5-10 years as part of a municipal-led process.

The Province has approved new legislation and policies that will change how employment lands are planned moving forward with implications for sites that contain uses excluded in the definition of Employment Areas. The most visible change relates to landowners' ability to submit development applications proposing residential uses in an Employment Area at any time.

The Role and Function of Mississauga's Employment Areas

Mississauga's Employment Areas are places of business and economic activity that are vital to maintain a healthy economy and accommodate future jobs and economic opportunities. They accommodate a broad range of uses including manufacturing, warehousing, research and development, institutional, office and retail. Sensitive land uses such as residential are not permitted in these areas.

The City delineates Employment Areas in its Official Plan to:

- provide land use policy and land value certainty for businesses to operate and invest in the city;
- allow for the separation of heavier employment uses from sensitive land uses (e.g. residential); and
- provide investment-ready sites to support employment growth and attract business.

Employment Areas comprise land within Corporate Centres and Employment Areas (referred collectively herein as Employment Areas). Corporate Centres represent major employment concentrations outside of Downtown. They contain a mix of high density employment uses with a focus on major office development. In comparison, Employment Areas contain diverse industrial and business employment operations (e.g. manufacturing, logistics, warehousing, storage yards, research and development, etc.). In key locations, such as those with excellent transportation services, they also contain large office developments.

Mississauga's Employment Areas have experienced steady employment growth of 21% over the past 10 years. Over two thirds of Mississauga's jobs are in Employment Areas. A large portion of these areas are strategically located adjacent to Lester B. Pearson Airport, while others are historic industrial areas.

Changes to Employment Areas to take effect on October 20, 2024

The Province has approved legislative and policy changes that will take effect on October 20, 2024. Changes are being implemented through the *Planning Act* and a new Provincial Planning Statement, 2024 (PPS, 2024). Notable changes are described below and further summarized in Appendix 1.

Employment Areas are being redefined to exclude institutional and commercial uses (i.e., office and retail) that are not associated with a primary employment use such as manufacturing, warehousing, and research and development. Municipalities can introduce policies in their official plan authorizing the continuation of excluded institutional and commercial uses if the use was lawfully established on October 20, 2024. This would keep sites with lawfully established excluded uses in an Employment Area.

The new policies also allow private amendment requests to remove lands from an Employment Area at any time. Previously, requests to remove land from an Employment Area could only be made through a municipal comprehensive review (MCR) process. This allowed for a broad

assessment of multiple conversion requests that considered the cumulative economic impacts to the city and its Employment Areas. No changes have been made to *Planning Act* provisions that protect Council's decisions and non-decisions on employment conversion requests from appeal.

Transfer of Region of Peel Planning Responsibilities

On July 1, 2024, Region of Peel planning responsibilities were transferred to the local municipalities. The City of Mississauga is now the approval authority for employment area policy changes. As part of these changes, the Region of Peel Official Plan (ROP) was deemed to be an official plan of the City of Mississauga, with the ROP prevailing in the event of a conflict with MOP. Amendments to both official plans are required to avoid conflicts between policies.

Comments

Staff are recommending amendments to the Region of Peel Official Plan (ROP) and Mississauga Official Plan (MOP) through OPA 182 attached as Appendix 2. These changes are an interim measure that are intended to provide clarity on commercial and institutional uses in Employment Areas. If OPA 182 is not adopted, stand-alone restaurants, hotels, offices and fire stations, among many other commercial and institutional uses, will no longer be permitted in Employment Areas.

Impacts to the City's Employment Areas

The City's Official Plan currently permits a diverse range of employment uses such as commercial and institutional uses that are excluded in the Province's new definition of Employment Areas. These uses provide access to services and amenities that support the wider employment area – e.g. restaurants, print shops, banks, courier services, etc. – and make Mississauga's Employment Areas attractive to businesses. Where there are commercial uses along the edges of employment lands, they create an important buffer between heavier employment uses such as manufacturing, and nearby residential neighbourhoods.

Mississauga's Employment Areas have benefitted from flexible land use policies contributing to their growth and ability to attract and retain investment. If the lawfully established excluded uses are not authorized to continue, it could result in a fragmented Employment Area. The new definition is estimated to exclude approximately 30% of businesses in Mississauga's Employment Areas, representing 1,200 properties (25% of the land in employment areas) – unless those uses are recognized as lawfully established and authorized to continue as part of an Employment Area.

During the recent Region of Peel MCR process, Council approved the conversion of 239 hectares (591 acres) of employment land. This included Staff-initiated conversions along the Dundas Street corridor and in Rangeview. The converted lands could conservatively accommodate hundreds of new mid- and high-rise residential or mixed use buildings.

Office, retail and institutional uses are located throughout the city's Employment Areas as shown on Figure 1.

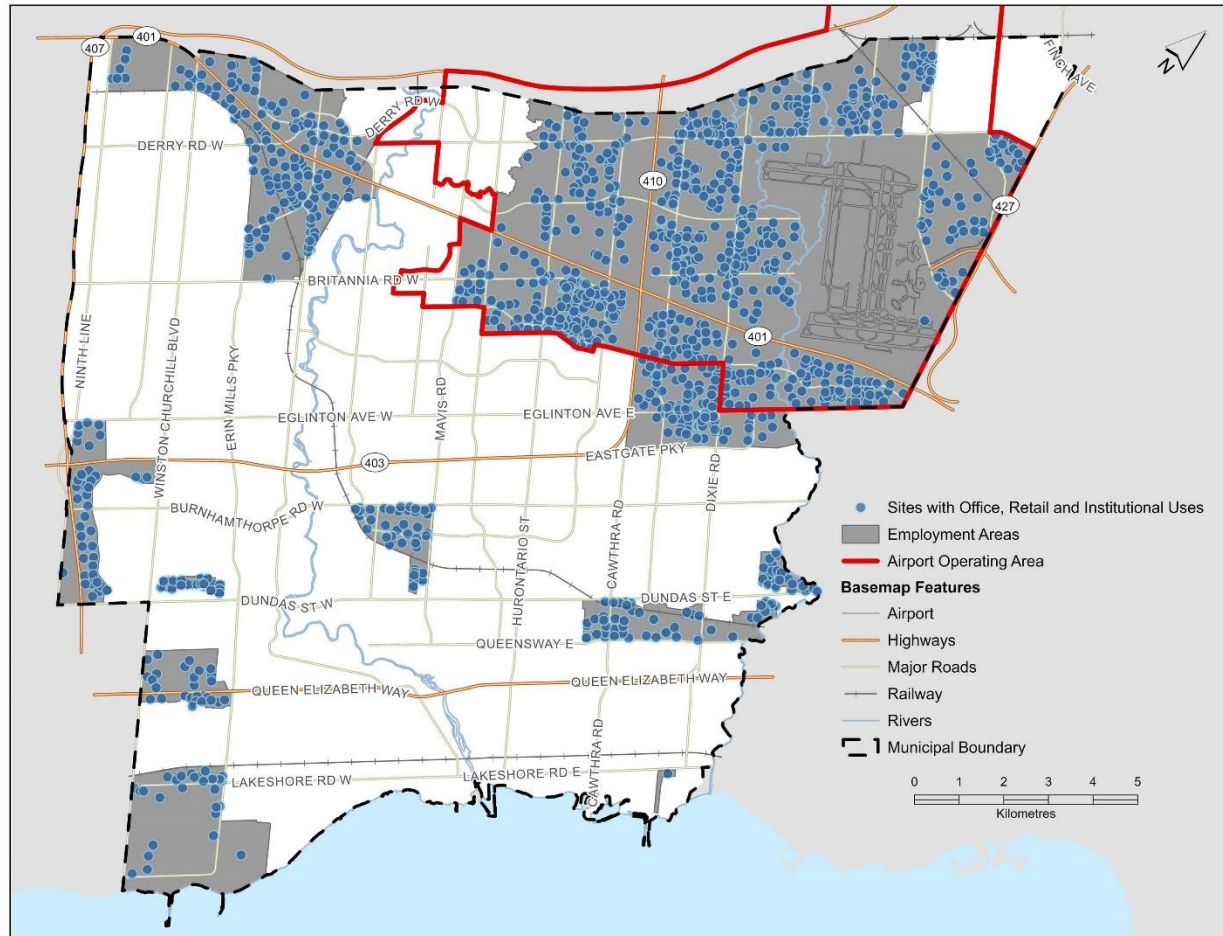


Figure 1 – Location of commercial, institutional and public service facility uses in Employment Areas

Proposed Official Plan Amendment (OPA 182)

Proposed OPA 182 adds a new Employment Area definition that aligns with the *Planning Act*. It also authorizes the continuation of commercial and institutional uses in Employment Areas that were lawfully established prior to October 20, 2024. The proposed policies would not prohibit private landowners of sites with excluded uses from submitting development applications for employment conversion. OPA 182 aims to maintain the long-term viability of the city's Employment Areas by avoiding fragmentation of these lands.

The proposed policies are intended to ensure:

- land is available for employment uses that remain an attractive location for business investment;
- greater land use policy certainty for businesses to operate and invest in the city; and
- employment area policies and protections apply to conversion requests.

Next Steps

The City is currently undertaking an Official Plan Review that will result in a new Official Plan for Mississauga. The new Official Plan will be required to be consistent and not conflict with PPS 2024. OPA 182 is proposed as an interim measure to meet the Province's October 20, 2024 date for Employment Area policy changes. The Official Plan Review process will address any further changes that may be required to these policies. This process will also provide an opportunity for the city to adapt its approach to Employment Areas in response to any emerging direction and interpretation.

Financial Impact

There are no financial impacts resulting from the recommendations in this report.

Conclusion

OPA 182 will continue to support Mississauga's Employment Areas as places for businesses to operate and invest. It is intended to allow sites with lawfully established uses to continue in an Employment Area after October 20, 2024. It also provides an interim measure to address provincial Employment Area changes until comprehensive policy updates are undertaken as part of the Official Plan Review.

Attachments

- Appendix 1: Summary Table of Provincial Employment Area Legislative and Policy Changes
Appendix 2: Proposed Official Plan Amendment 182



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

Prepared by: Christian Binette, Development Planner

Summary of Key Changes in the *Planning Act* and PPS, 2024

Change	Implications
Updated definition of Area of Employment in the <i>Planning Act</i> and PPS, 2024.	Stand-alone commercial and institutional uses (includes office and retail) are no longer permitted in employment areas. Public service facilities also prohibited (e.g. fire stations, police stations, recreational facilities, shelters).
Grandfathering clause introduced to allow lawfully established commercial and institutional uses to continue.	Municipalities can introduce policies that grandfather lawfully established uses to recognize them as part of the Employment Area.
Removal of Municipal Comprehensive Review (MCR) Process.	Privately-initiated development applications for conversion can be submitted at any time. Removes the requirement that delineating and amending employment areas require Provincial approval.
New or updated policies on land use compatibility and conversion.	Recognizes potential impacts between sensitive land uses and industry/Airport.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Section 5.8, Employment Areas, of Region of Peel Official Plan, is hereby amended by adding policies 5.8.17 and 5.8.18, and renumbering existing policies accordingly as follows:

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A by-law to Adopt Mississauga Official Plan Amendment No. 182

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AND WHEREAS in accordance with O Reg 525/97, an official plan amendment is exempt from the approval of the Minister of Municipal Affairs and Housing;

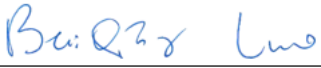
AND WHEREAS in accordance with sections 1 and 70.13 of the *Planning Act*, the City of Mississauga has assumed full planning responsibilities as of July 1, 2024 and the portions of the Region of Peel Official Plan that are in effect immediately before this date are deemed to constitute an official plan of the City;

AND WHEREAS, Council desires to adopt certain amendments to Region of Peel Official Plan and Mississauga Official Plan regarding policy changes for lands that constitute an "area of employment" in accordance with the *Planning Act*;

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

1. The document attached hereto, constituting Amendment No. 182 to Mississauga Official Plan, is hereby adopted.

ENACTED and PASSED this _____ day of _____, 2024.

Approved by Legal Services City Solicitor City of Mississauga

Baiqing Luo
Date: September 27, 2024
File: LA.25-24.106

MAYOR

CLERK