

## HOW THIS BY-LAW WORKS

### INTRODUCTION

This preamble explains the various components of this Zoning By-law and how it works as a whole. This preamble does not form part of the Zoning By-law.

### PURPOSE OF THIS BY-LAW

The purpose of this Zoning By-law is to regulate the **use** of land, **buildings** and **structures** and to implement Mississauga Official Plan.

### AUTHORITY

The statutory authority to zone land is granted by the Ontario *Planning Act*, R.S.O. 1990, c.P.13, as amended.

### PARTS OF THE BY-LAW

This By-law contains 13 Parts which together provide the permitted **uses** and zoning regulations for all lands in the City of Mississauga. These Parts are as follows:

- Part 1 - Administration, Interpretation, Enforcement and Definitions
- Part 2 - General Provisions
- Part 3 - Parking, Loading, Stacking Lane and Bicycle Parking Regulations
- Part 4 - Residential Zones
- Part 5 - Office Zones
- Part 6 - Commercial Zones
- Part 7 - Downtown Core Zones
- Part 8 - Employment Zones
- Part 9 - Open Space Zones
- Part 10 - Greenlands Zones
- Part 11 - Parkway Belt Zones
- Part 12 - Other - Utility, Institutional, Development, Buffer and Airport Zones
- Part 13 - Zoning Maps

### ZONE PROVISION STRUCTURE

Zone provisions are structured in the following order:

- 5 Part
- 5.3 Section
- 5.3.2 Subsection
- 5.3.2.4 Article
- 5.3.2.4.2 Sentence
- 5.3.2.4.2(1) Clause
- 5.3.2.4.2(1.1) Subclause

### DEFINED WORDS

Words that are **bolded** throughout the text of the By-law are defined in Part 1 of this By-law. Definitions provide clarity in the By-law and ensures that the intent of the By-law is applied consistently but are not to be used to avoid any obligation imposed by the Zoning By-law or any requirement enacted in a substantive provision of the Zoning By-law.

### ILLUSTRATIONS

Section 1.3 of this By-law contains illustrations that provide diagrammatic explanations for clarification purposes but do not form part of this By-law.

## GENERAL PROVISIONS

Part 2 of this By-law comprises the General Provisions which are **uses** and regulations that apply to all zones or groupings thereof. These provisions are in the form of exemptions, restrictions and permissions or are simply for clarification purposes. General provisions can be superceded or nullified by either a zone category general provision or the provisions within a Base Zone or an Exception Zone. The provision remains applicable to the subject zone unless a general provision contains the phrase "Notwithstanding any other provisions within this By-law...." or a similar phrase.

## ZONES

All lands within the City's jurisdiction are zoned with either a Base Zone or an Exception Zone and are identified by a zoning symbol (e.g. "R1-1"). Each zone symbol represents either a Base Zone or an Exception Zone.

## ZONE CATEGORY

A zone category is a collection of zones of similar use. For example, the Residential Zone category includes all of the Residential Base Zones and Exception Zones.

## GENERAL PROVISIONS FOR ZONE CATEGORIES

In addition to the applicability of the General Provisions, many of the zone categories also include zone category general provisions. For example, Part 6 - Commercial Zones of this By-law contains the General Provisions for Commercial Zones which stipulate several provisions that are applicable to all of the Commercial Zones.

## BASE ZONES

Base Zones identify a permitted **use(s)** and regulations for the development of individual properties. The permitted **uses** and regulations of each Base Zone are identified in Tables and accompanying text throughout Parts 4 to 12 of this By-law. Permitted **uses** are those **uses** allowed on the subject property. The accompanying regulations are the rules and/or standards governing the permitted land **uses**. For example, lands zoned "R1" primarily permit a **detached dwelling** and are subject to a number of regulations such as minimum **lot frontage**, minimum **lot area**, minimum **yards** and a **height** restriction in addition to other requirements. In a Base Zone, all general provisions, definitions and specific **uses** and regulations remain applicable unless otherwise stated.

## EXCEPTION ZONES

An Exception Zone is expressed as a hyphenated numeric suffix to a Base Zone, such as "R1-12" or "G2-4(1)". An Exception Zone is a Base Zone that has been modified by adding or deleting one or more permitted **uses** and/or regulations. The **uses** and/or regulations stipulated in an Exception Zone take precedence. An Exception Zone may stipulate that some, none or all of the Base Zone permitted **uses** and/or regulations and/or General Provisions and/or Definitions apply to a subject property or that specific **uses**, regulations, provisions and/or definitions may apply. In an Exception Zone, all general provisions, definitions and specific **uses** and regulations in a Base Zone remain applicable unless otherwise stated.

## EXCEPTION ZONE SCHEDULES

An Exception Zone Schedule, where used, contains details such as the boundaries of the subject property, **building** envelopes, required setbacks and **height** limitations amongst other regulations. The provisions of an Exception Zone Schedule take precedence over the provisions of the Exception Zone, Base Zone, Zone Category General Provisions, General Zone Provisions and/or Definitions unless otherwise stated in the Exception Zone.

## PERMITTED USES

Where a permitted **use** is specified, it shall be permitted only within the identified zone. Where a **use** is defined to include one or more specific **uses**, the **use** shall not include any **uses** that are otherwise defined in this By-law. For example, **service establishment** does not include a **body-rub establishment**.

**TABLES**

In this By-law, tables have been used to identify permitted **uses**, permitted **uses** and regulations or just regulations pertaining to a particular zone, subject or property. Tables are composed of horizontal lines and vertical columns. In the following example "Column A" identifies the first component of the zone regulation and "Column B" identifies the second corresponding zoning requirement. A cell represents where a column and line intersect. Individual columns may be referenced by an alphabetical symbol along the top of the table. Individual lines may be referenced by the number in the first column of the table. A cell represents where a column and line intersect and may be referenced by combining the applicable column letter followed by the applicable line number. For example, Cell A2.0 identifies the corresponding textual zone regulation for the setback of **parking areas** to lands zoned "G1" and Cell B2.0 identifies the numerical zoning requirement as the greater of 5.0 m or the required **yard/setback**. The words "shall be" between the use and/or zone regulation and the corresponding numerical value are implicit rather than written. Tables used for Exception Zones do not use the Column and Line identification system but the relationship between the zone provisions and corresponding numerical values remains the same.

**Table 2.1.17.1 - Minimum Setback to Greenlands Zones - Non-Residential**

Column	A	B
Line		
1.0	Minimum setback of all <b>buildings</b> and <b>structures</b> in a non-residential zone to all lands zoned G1 or G2 Base Zone, or G1 Exception Zones	the greater of 5.0 m or the required <b>yard/setback</b>
2.0	Minimum setback of <b>parking areas, driveways, loading spaces</b> , other paved areas and an area used for <b>outdoor storage</b> in a non-residential zone to all lands zoned G1 or G2 Base Zone (0297-2013)	the greater of 5.0 m or the required <b>yard/setback</b>

**DEVELOPMENT AND DEVELOPMENT EXCEPTION ZONES**

When a property is zoned "D" (Development), it is to recognize vacant lands not yet developed, or to recognize the legal **use** of a property on the date of passing of this By-law and to allow the legally **existing use** of a legally **existing building** or **structure** to continue although it may not conform to Mississauga Official Plan. The **use, building** or **structure** is not to be expanded or altered in any way without the approval of a minor variance application by the Committee of Adjustment. Properties with a "D" (Development) Exception Zone are subject to additional zone provisions that permit some additional **uses** and/or further regulate the development of the subject property.

**HOLDING PROVISIONS**

Lands subject to a holding provision are identified by an upper case "H" holding symbol prefix to a Zone symbol (e.g. "H-RM4-30"). Lands with a holding provision shall not be used, nor any **building** and/or **structure** be constructed, altered or enlarged, other than for a **use, building** or **structure** that existed prior to imposition of the holding provision. Lands subject to a holding provision cannot be used for the **use(s)** indicated by the underlying zone until specified requirements have been met (e.g. resolution of site servicing issues). **Council** must approve a By-law authorizing the removal of the "H" holding symbol prefix in order for the lands to be developed for the **use(s)** permitted by the provisions of the underlying zone.

**MINOR VARIANCES**

Minor variances granted by the Committee of Adjustment pursuant to section 45 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, do not amend this or previous Zoning By-laws. Variances exempt or modify the requirements of a specific zone provision of the Zoning By-law (e.g. minimum side **yard**).

**ZONING MAPS**

The Zoning Key Map (Schedule A of Part 13) illustrates the geographical grid pattern of the Zoning Maps (Schedule B of Part 13), which identifies the various zone symbols on all lands within the municipality.

**GREENLANDS OVERLAY**

The **greenlands overlay** is a system to identify lands that may have a development constraint due to natural hazards but are not zoned Greenlands. The lands covered by the **greenlands overlay** have been identified in Mississauga Official Plan as areas that are generally unsuitable for development due to naturally occurring processes such as flooding and erosion. The **greenlands overlay** is shown as grey shading on the Zoning Maps, Schedule B of Part 13 of this By-law.

**HOW TO CHECK THE ZONING OF A PROPERTY**

1. Locate and identify the property on the appropriate Zoning Map (Part 13 - Schedule B) and the applicable Zone Symbol (e.g. "R5-5").
2. Determine if the property is designated either as a Base Zone or an Exception Zone.
3. If the property is a Base Zone, reference should be made to the following sections of this By-law:
  1. General Provisions (Part 2);
  2. Applicable Zone Category General Provisions (e.g. Residential General Provisions);
  3. Applicable Base Zone provisions (e.g. "R5");
  4. Administration, Interpretation, Enforcement and Definitions (Part 1);
  5. Parking, Loading, Stacking Lane and Bicycle Parking Regulations (Part 3).

First, a determination must be made if the existing and/or proposed **use** is one of the **uses** permitted by the zone. Consideration must then be given to the zone provisions as a whole to determine if some of the provisions supercede or nullify other zone provisions.

4. If the property is an Exception Zone, reference should be made to the following sections of this By-law:
  1. General Provisions (Part 2);
  2. Applicable Zone Category General Provisions (e.g. Residential General Provisions);
  3. Applicable Base Zone provisions (e.g. "R5");
  4. Administration, Interpretation, Enforcement and Definitions (Part 1);
  5. Parking, Loading, Stacking Lane and Bicycle Parking Regulations (Part 3);
  6. Exception Zone provisions;
  7. Exception Zone Schedule (if present).

First, a determination must be made if the existing and/or proposed **use** is one of the **uses** permitted by the zone. Consideration must then be given to the zone provisions as a whole to determine if some of the provisions supercede or nullify other zone provisions.

5. Minor variances to the zone provision **uses** and/or regulations of the By-law may have been granted by the Committee of Adjustment and should be verified by the Zoning Section of the Planning and Building Department and/or the Committee of Adjustment.
6. Notwithstanding any of the above directions, final interpretation of any aspect of this By-law is the responsibility of the Zoning Administrator.

**METRIC CONVERSION STANDARDS**

<b>TO CONVERT FROM METRIC INTO IMPERIAL</b>		
<b>If you know:</b>	<b>Multiply by:</b>	<b>To get:</b>
<b>LENGTH:</b>		
mm (millimetres)	0.039	in. (inches)
cm (centimetres)	0.394	in. (inches)
m (metres)	3.281	ft. (feet)
m (metres)	1.094	yd. (yards)
km (kilometres)	0.621	mi. (miles)
<b>AREA:</b>		
cm <sup>2</sup> (square centimetres)	0.155	sq.in. (square inches)
m <sup>2</sup> (square metres)	10.764	sq.ft. (square feet)
m <sup>2</sup> (square metres)	1.196	sq.yd. (square yards)
ha (hectares)	2.471	ac. (acres)
km <sup>2</sup> (square kilometres)	0.386	sq.mi. (square miles)
<b>MASS (WEIGHT):</b>		
g (grams)	0.035	oz. (ounces)
kg (kilograms)	2.205	lb. (pounds)
t (tonnes or metric tons)	1.102	tons (short)
<b>VOLUME:</b>		
mL (millilitres)	0.035	fl.oz. (fluid ounces)
L (litres)	1.76	pt. (pints)
L (litres)	0.88	qt. (quarts)
L (litres)	0.22	gal. (gallons)
cm <sup>3</sup> (cubic centimetres)	0.061	cu. in. (cubic inches)
m <sup>3</sup> (cubic metres)	35.315	cu.ft. (cubic feet)
m <sup>3</sup> (cubic metres)	1.308	cu.yd. (cubic yards)

