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1.1 ADMINISTRATION, INTERPRETATION AND ENFORCEMENT

1.1.1 Within The Planning Area

1.1.1.1 Title

This By-law shall be cited as "Mississauga Zoning By-law".

1.1.1.2 Municipal Boundaries

All the lands within the municipal boundaries of the City of Mississauga are hereby designated as the Planning Area to which this By-law applies and are outlined on the Zoning Key Map which is Schedule A in Part 13 of this By-law.

1.1.1.3 Scope and Effect

No land shall be used and no **building** or **structure** shall be constructed, altered, expanded or used within the Planning Area except in conformity with the provisions of this By-law. (0325-2008)

1.1.2 Zones

Zones are comprised of Base Zones and Exception Zones. Unless otherwise stated, a zone shall mean a Base Zone and all related Exception Zones.

1.1.2.1 Zoning Maps

Detailed maps indicating the Base Zones and Exception Zones of the Planning Area are attached hereto and marked as Schedule B to this By-law.

1.1.2.2 Base Zone Symbols

The Base Zones are referred to by the symbols contained in Table 1.1.2.2 - Base Zone Symbols, and are identified on Schedule B by such symbols.

Table 1.1.2.2 - Base Zone Symbols

(0174-2017), (0181-2018/LPAT Order 2019 February 15), (0050-2013/LPAT Order 2020 June 08), (0121-2020/LPAT Order 2021 March 11)

| Categories | | Base Zone Symbols |
|---------------------|--|--|
| Residential Zones | Detached Dwelling Zones | R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16, RM7 |
| | Semi-Detached Zones | RM1, RM2, RM3, RM7 |
| | Townhouse Zones | RM4, RM5, RM6 |
| | Back to Back and/or Stacked Townhouses Zone (former Horizontal Multiple Zone) | RM8 |
| | Stacked Townhouse Zone | RM9 |
| | Back to Back Townhouse Zones | RM10, RM11, RM12 |
| | Apartment Zones | RA1, RA2, RA3, RA4, RA5 |
| Office Zones | | O1, O2, O3 |
| Commercial Zones | | C1, C2, C3, C4, C5 |
| Downtown Core Zones | | CC1, CC2, CC3, CC4, CCO, CCOS |
| Employment Zones | | E1, E2, E3 |
| Open Space Zones | | OS1, OS2, OS3 |
| Greenlands Zones | | G1, G2 |
| Parkway Belt Zones | | PB1, PB2 |
| Other Zones | Utility Zone | U |
| | Institutional Zone | I |
| | Development Zone | D |
| | Buffer Zone | B |
| | Airport Zone | AP |

1.1.2.3 Exception Zones and Exception Zone Schedules

1.1.2.3.1 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. The Base Zone Provisions, Zone Category General Provisions, General Zone Provisions and/or Definitions shall apply to all **buildings** and **structures** and the **use** of a subject property unless otherwise stated. (0325-2008)

1.1.2.3.2 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 Provisions, Zone Category General Provisions, General Zone Provisions and/or Definitions unless otherwise stated. Where dimensions are not indicated on an Exception Zone Schedule, the regulations of the Exception Zone, Base Zone Provisions, Zone Category General Provisions, General Zone Provisions and/or Definitions shall apply. (0379-2009)

1.1.2.4 Zones Subject to a Holding Provision

When a Base Zone or Exception Zone is preceded by a "H" symbol and a dash (e.g. H-R1-26), the lands to which it refers on the Zoning Maps (Schedule B of Part 13 of this By-law) shall be subject to a holding provision. Lands with a holding provision shall only be used for a **use** legally **existing** on the date of passing of this By-law. The erection of new **buildings** or **structures** and the enlargement or replacement of **existing buildings** and **structures** shall not be permitted. In order to remove the holding provision, **Council** must pass a By-law authorizing its removal which is done when conditions specified in the By-law implementing the holding provision have been met.

1.1.3 Reduction of Lot Area

No reduction of a **lot** in area, either by the conveyance or alienation of any portion thereof or otherwise, is permitted so that the area covered by **buildings** or **structures** on the **lot** exceeds the maximum permitted by this By-law and the **yards** provided are less than the minimum permitted by this By-law for the zone in which the **lot** is situated.

1.1.4 More Than One Zone

1.1.4.1 When a **lot** is divided into more than one (1) zone, each portion of the **lot** shall comply with the applicable provisions of the zone in which it is situated. Required **yards**/setbacks/buffers shall be measured from the zone boundary. (0325-2008)

1.1.4.2 Where a **building** or **structure** is constructed across two (2) or more zones, the **use** of the **building** or **structure** must be permitted in all the zones and the required **yards**/setbacks/buffers along the common zone line(s) shall not apply. (0325-2008)

1.1.5 Measurement of Setbacks

1.1.5.1 Where the regulations of a zone include a requirement for a setback to a **lot line**, the setback requirement shall be measured as indicated in the regulation.

1.1.5.2 Where the regulations of a zone include a requirement for a setback to a **street**, the use of the term "**street**" is interchangeable with the term "public highway right-of-way" and both terms are interchangeable with other terms for identifying public highway rights-of-way including proper names.

1.1.6 Measurement of Yards

1.1.6.1 Where the regulations of a zone include a requirement for a **yard** to be of a minimum size, the **yard** requirement shall be measured from the **lot line** abutting the **yard** to the nearest part of any **building** or **structure** on the **lot**. (0325-2008)

1.1.6.2 Where the regulations of a zone include a requirement for a **yard** to be of a maximum size, the **yard** requirement shall be measured from the **lot line** abutting the **yard** to the furthest part of any **building** or **structure** on the **lot**. (0325-2008)

1.1.7 Interpretation of Zone Boundaries (0325-2008)

1.1.7.1 Centreline

Where the zone boundary is shown on Schedule B as following a **street**, lane, railway right-of-way, the centreline of the **street**, lane or railway right-of-way is the boundary of the zone.

- 1.1.7.1.1 Where lands that are not zoned are located between a zone and a **street**, the zone boundary shall be the centreline of the **street**. (0297-2013)

1.1.7.2 Lot Lines

Where the zone boundary is shown on Schedule B as substantially following **lot lines**, the **lot lines** are the boundary of the zone.

1.1.7.3 Parallel to Street

Where the zone boundary is shown on Schedule B as running substantially parallel to a **street line** or lane and the distance from the **street line** or lane is not indicated, the zone boundary is parallel to the **street line** or lane and the distance from the **street line** or lane shall be determined according to the scale shown on Schedule B.

1.1.7.4 Scale

Where Articles 1.1.7.1, 1.1.7.2 and 1.1.7.3, inclusive, are not applicable, the zone boundary shall be determined on the basis of the minimum dimension measured according to the scale shown on Schedule B.

1.1.7.5 Centreline of Closed Street or Lane

Where a closed **street** or lane is the boundary between two (2) or more zones, the centreline of the closed **street** is the zone boundary.

1.1.8 Interpretation of Words

Words used in the present tense include the future; words in the singular include the plural; words in the plural include the singular and the word "used" includes "intended to be used"; the word "shall" is mandatory, not permissive; and words used in the male gender shall include the female gender and vice versa.

1.1.9 Interpretation of Symbols

- 1.1.9.1 Where a "✓" symbol appears in a table it shall mean, when associated with a **use** in a specified zone, that the **use** is permitted in that zone. When associated with a regulation it shall mean that the regulation applies to the specified zone.

- 1.1.9.2 Where a "+" symbol appears in a table it shall mean, in addition to, when associated with a regulation in a specified zone.

- 1.1.9.3 Where a "n/a" symbol appears in a table it shall mean, not applicable when associated with a regulation in a specified zone.

1.1.10 Interpretation of 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.

1.1.11 Compliance with any By-law in Force

- 1.1.11.1 Nothing in this By-law shall exempt any person from complying with the requirements of any By-law in force within the City, or from obtaining any license, permission, permit, authority or approval required by this or any other By-law of the City or by any other law in force at the time.

1.1.11.2 Any temporary **use** or special event approved by **Council** by By-law or Corporate Policy and Procedure, and not otherwise regulated by this By-law, shall not be subject to this By-law. (0115-2011)

1.1.12 Zoning Administrator

This By-law shall be administered by a person designated by **Council** as the Zoning Administrator.

1.1.13 Certificate of Occupancy

1.1.13.1 The type of **use** made of any land, **building** or **structure** within any zone category, except residential, shall not be changed to another type of **use** without first having applied for and obtained a Certificate of Occupancy from the Zoning Administrator. A Certificate of Occupancy shall also be applied for and obtained from the Zoning Administrator where the type of **use** made of any land, **building** or **structure** changes to a **lodging house** within any zone category. (0080-2009), (0379-2009), (0297-2013), (0144-2016)

1.1.13.2 A Certificate of Occupancy shall also be applied for and obtained from the Zoning Administrator where the type of **use** made of any land, **building** or **structure** changes from vacant to a **use** identified in Article 1.1.13.1. (0080-2009)

1.1.13.3 Notwithstanding the provisions of Articles 1.1.13.1 and 1.1.13.2, a Certificate of Occupancy shall not be required for a **temporary outdoor patio**, a temporary outdoor retail sales and display **use**, a temporary outdoor **recreational establishment** or a temporary outdoor **entertainment establishment**. (0163-2020), (0307-2020)

1.1.14 Inspection

Where the Zoning Administrator has reason to believe that any person has used land or erected or used any **building** or **structure** in contravention of this By-law he or any employee of the City so authorized by him, may at any reasonable hour enter and inspect the land or **building** or **structure**.

1.1.15 Contravention of this By-law

In accordance with the *Planning Act*, R.S.O. 1990, c.P.13, as amended, every person and/or corporation who contravenes this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Planning Act*. (0325-2008)

1.1.16 Conflict Between By-laws

In the event of conflict between this By-law and any general or special By-law, this By-law shall prevail.

1.1.17 By-law Continues in Force

When a court of competent jurisdiction declares any section or part of a section of this By-law invalid, the remainder of the By-law shall continue in force.

1.1.18 Examples, Illustrations and Notes

Examples, illustrations and notes, with the exception of notes from Table 4.5.1 contained in Subsection 4.5.1 of this By-law, are for the purpose of clarification and convenience, and do not form part of this By-law. (0018-2021)

1.1.19 By-laws Repealed

Upon the coming into force and effect of this By-law, By-law No. 5500, Township of Toronto Zoning By-law, now the City of Mississauga Zoning By-law; By-law No. 1227, Village of Port Credit Zoning By-law, now the City of Mississauga Zoning By-law; By-law No. 65-30, Town of Streetsville Zoning By-law, now the City of Mississauga Zoning By-law; and By-law No. 1965-136, Town of Oakville Zoning By-law, as it applies to the lands west of Winston Churchill Boulevard and east of Ninth Line, now the City of Mississauga Zoning By-law; all as amended from time to time, are hereby repealed.

1.1.20 Provisions Inclusive

Provisions include permitted **uses** and/or regulations.

1.1.21 Zone Provisions Within Tables

Where a numerical value is assigned to a zone provision (use and/or regulation) within a table, the words "shall be" between the zone provision (use and/or regulation) and the corresponding numerical value is implicit rather than written.

1.1.22 Numbers Inclusive

In this By-law, where a zone provision references a group of numbers, the group is inclusive of the numbers at the beginning and end.

1.1.23 Street Names

The use of the term "**street**" is interchangeable with the term public highway rights-of-way and both terms are interchangeable with other terms for identifying public highway rights-of-way including proper names.

1.1.24 Technical Revisions to the Zoning By-law

Provided that the purpose, effect, intent, meaning and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a zoning by-law amendment: *(0157-2010)*

- 1.1.24.1 Changes to the numbering, cross-referencing, format and arrangement of the notes, text, tables, schedules and maps; *(0018-2021)*
- 1.1.24.2 Additions to and revisions of technical information on maps and schedules including, but not limited to: infrastructure and topographic information, road right-of-way limits, notes, legends, shading and title blocks; *(0157-2010), (0179-2018)*
- 1.1.24.3 Alterations of punctuation or language;
- 1.1.24.4 Correction of grammatical, dimensional, boundary, mathematical or typographic errors.

