

PLANNING & DEVELOPMENT COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, June 24, 2013 - 6:00 P.M.

COUNCIL CHAMBER, 2ND FLOOR - CIVIC CENTRE 300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1 http://www.mississauga.ca

Members

Mayor Hazel McCallion	
Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor Frank Dale	Ward 4
Councillor Bonnie Crombie	Ward 5
Councillor Ron Starr	Ward 6 (Chair)
Councillor Nando Iannicca	Ward 7
Councillor Katie Mahoney	Ward 8
Councillor Katle Mahoney Councillor Pat Saito	Ward 8 Ward 9
•	
Councillor Pat Saito	Ward 9

Mumtaz Alikhan, Legislative Coordinator, Office of the City Clerk 905-615-3200 ext. 5425 / Fax 905-615-4181 email: mumtaz.alikhan@mississauga.ca



Please note that the Planning and Development Committee meetings will be streamed live and archived at http://www.mississauga.ca/videos

PLANNING & DEVELOPMENT COMMITTEE - JUNE 24, 2013

CALL TO ORDER

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST

MATTERS TO BE CONSIDERED

- 1(a) Sign Variance Applications Sign By-law 0054-2002, as amended File: BL.03-SIG (2011) Report dated June 4, 2013
- 1(b) Additional Sign Variance Applications Sign by-law 0054-2002, as amended File: BL.03-SIG (2011) Report dated June 7, 2013
- Information Status Report
 Removal of "H" Holding Symbol Application
 To permit Phase 2 of the Pinnacle Grand Park Development, Part of Lot 20,
 Concession 1, N.D.S., 3975 Grand Park Drive and 565 Webb Drive, Northeast
 corner of Webb Drive and Grand Park Drive
 Owner/Applicant: Pinnacle International (Grand Park) Land Ltd., Bill 51, (Ward 7)
 File: H-OZ 12/004 W7
- Mississauga Parking Strategy Phase II: Port Credit and Lakeview File: CD.07-MIS
- 4. SUPPLEMENTARY REPORT

Proposed Amendments to Mississauga Official Plan and Zoning By-law 0225-2007 for Lakeshore Road West – Clarkson Village Study, **Bill 51**, (Ward 2) File: CD.04.CLA

5. PUBLIC MEETING

Information Report on Official Plan Amendment and Rezoning Applications to permit a Motor Vehicle Dealership, Part of Lots 6 and 7, Concession 2, W.H.S., Southeast corner of Bancroft Drive and Ivandale Drive

Owner: 2356860 Ontario Inc. (AutoPlanet Group of Companies)

Applicant: Weston Consulting, Bill 51, (Ward 11)

File: OZ 11/002 W11

- 6. Report on Comments Housing Choices: Second Units Implementation Strategy File: CD 06 AFF
- 7. Licensing of Second Units

8. SUPPLEMENTARY REPORT

Official Plan Amendment, Rezoning and Draft Plan of Subdivision Applications to permit 118 townhouse units and 15 live/work units on a common element condominium private road, 565 Lakeshore Road East, north side of Lakeshore Road East, west of Cawthra Road

Owner: 2025214 Ontario Limited

Applicant: Glen Schnarr and Associates Inc., Bill 20, (Ward 1)

File: OZ 03/038 W1 and T-M06006 W1

9. SUPPLEMENTARY REPORT

Official Plan Amendment and Rezoning Applications to permit eighteen (18) 4-storey townhouse dwellings on a common element condominium private road, 375 Lakeshore Road West and the rear portion of 14 Ben Machree Drive, Southeast corner of Lakeshore Road West and Godfrey's Lane

Owners: 375 Lakeshore Developments Inc. and Christopher Boyd

Applicant: Zelinka Priamo Ltd., Bill 51, (Ward 1)

File: OZ 12/008 W1

10. SUPPLEMENTARY REPORT

Official Plan Amendment and Rezoning Applications to permit a 140 unit, 22 storey condominium apartment building with 180 m^2 (1,937 sq. ft.) of commercial uses at street level - 6, 8 and 10 Ann Street, southwest corner of Ann Street and High Street East

Owners: Scott and Deanna Insley and Home Alone Property Management Services Limited

Applicant: F.S. 6810 Limited Partnership (FRAM Building Group), Bill 51,

(Ward 1)

File: OZ 11/014 W1

11. CLOSED SESSION

- (a) Pursuant to the *Municipal Act*, Section 239 (2)
 - (i) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose re: **Second Units Implementation Strategy Owner Occupancy.**

<u>ADJOURNMENT</u>



Originator's Files

BL.03-SIG (2011)

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Sign By-law 0054-2002, as amended

Sign Variance Applications

RECOMMENDATION: That the report dated June 4, 2013 from the Commissioner of Planning and Building regarding Sign By-law 0054-2002, as amended, and the requested six (6) Sign Variance Applications described in the Appendices of the report, be adopted in accordance with the following:

- 1. That the following Sign Variances be granted:
 - Sign Variance Application 09-05081 (a)

Ward 2

Shaw

2055 Flavelle Boulevard

To permit the following:

Two (2) fascia signs attached to a structural (i) arch located at the south elevation of the building.

(b) Sign Variance Application 12-03539

Ward 2

Rona

1692 Lakeshore Rd. W.

To permit the following:

- (i) One (1) fascia sign on the side (west elevation) of the building that faces another property.
- (c) Sign Variance Application 13-04125
 Ward 5
 Mississauga Entertainment CENTRUM
 40 Annagem Blvd.

To permit the following:

- (i) One (1) ground sign with a sign area of 17.5 sq. m. (188.41 sq. ft.).
- (d) Sign Variance Application 12-03540
 Ward 6
 Rona
 1133 Dundas St. W.
 - (i) One (1) fascia sign on the side (east elevation) of the building that faces another property.
- (e) Sign Variance Application 13-03883Ward 7Pizza Pizza2500 Hurontario St.
 - (i) A second fascia sign located on the front elevation of the unit creating a total sign area equal to 22.2% of the building façade.

- (f) Sign Variance Application 12-03509
 Ward 9
 Loblaw Properties Limited
 2805 Eglinton Ave. W.
 - (i) Fascia signs on the east elevation of the building having an area equal to 23% of the building façade.
 - (ii) Three (3) fascia signs attached to the garbage enclosure.

BACKGROUND:

The *Municipal Act* states that Council may, upon the application of any person, authorize minor variances from the Sign By-law if in the opinion of Council the general intent and purpose of the By-law is maintained.

COMMENTS:

The Planning and Building Department has received six (6) Sign Variance Applications (see Appendices 1 to 6) for approval by Council. The applications are each accompanied by a summary page prepared by the Planning and Building Department which includes information pertaining to the site location; the applicant's proposal; the variance required; an assessment of the merits (or otherwise) of the application; and a recommendation on whether the variance should or should not be granted.

FINANCIAL IMPACT: Not applicable.

CONCLUSION:

Council may authorize minor variances from Sign By-law 0054-2002, as amended, if in the opinion of Council, the general intent and purpose of the By-law is maintained. Sign By-law 0054-2002, as amended, was passed pursuant to the *Municipal Act*. In this respect, there is no process to appeal the decision of Council to the Ontario Municipal Board, as in a development application under the *Planning Act*.

ATTACHMENTS: APPENDIX 1: Shaw

Appendix 1-1 to 1-7

APPENDIX 2: Rona

Appendix 2-1 to 2-5

APPENDIX 3: Mississauga Entertainment CENTRUM

Appendix 3-1 to 3-6

APPENDIX 4: Rona

Appendix 4-1 to 4-5

APPENDIX 5: Pizza Pizza

Appendix 5-1 to 5-6

APPENDIX 6: Loblaw Properties Limited

Appendix 6-1 to 6-9

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Darren Bryan, Supervisor, Sign Unit



SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 4, 2013

FILE:

09-05081

RE:

Shaw

2055 Flavelle Boulevard - Ward 2

The applicant requests the following variance to section 17 of Sign By-law 0054-2002, as amended.

Section 17(2)	Proposed
A fascia sign shall be attached to the	Two (2) fascia signs attached to a structural arch
building façade facing a street or containing	located at the south elevation of the building.
the main entrance for the public.	

COMMENTS:

This application is to replace the existing signage with the new corporate logo. The proposed signage is consistent in size to the existing and will be placed in the same location. A variance was approved for the original signage under Sign application 03-8454. The Planning and Building Department therefore finds the variance acceptable from a design perspective.

Shaw)

3/19/2013

City of Mississauga 300 City Centre Drive. 10th Floor Mississauga, ON. L5B 3C1

Attn: Sign Permit Department

Re: Shaw - 2055 Flavelle Blvd, Mississauga, Ontario, L5K 1Z8

The proposal is for two new sets of illuminated channel letters to be attached to an existing architectural structure - essentially an arch that also functions as an underpass. Due to the unique design of the building, having large glass walls that are curved, there is little option to have any sign placed directly on the building wall. The building wall provides no sturdy structural components that the signs could easily and safely fasten to. Covering the glass panes, the signs would also block visibility from the inside.

The City of Mississauga's Sign Bylaw 0054-2002 requires that any fascia sign be located on a building façade. It would be unfair to deny Shaw the right to advertise to customers and motorists by prohibiting wall signs to be placed on our premise simply because the architecture of the main building doesn't suitably accommodate it nor because the arch feature is not considered a building wall element.

The arch feature is designed particularly for the purpose of providing advertisement and exposure. It is situated to face Queen Elizabeth Parkway in both directions and provides adequate visibility to passerby.

Other than this, it doesn't serve any structural purpose other than projecting closer to the highway. By limiting wall signage to the curved building face only, also restricts exposure as the wall is set further back and its curved nature restricts a direct line-of-sight to the signage letters

Shaw currently has signage here and would simply like to replace it with our new corporate logo. It appears that signage was allowed in this location previously.

Furthermore, the signage will not adversely affect adjacent properties or businesses nor will it jeopardize public safety. The signage is consistent with the essential character of the area. For these reasons, we ask that a variance be allowed for signage placement on this feature.

We appreciate your attention to this matter.

Sincerely,

Elaine Wong-West

Project Manager-Special Projects, Facilities & Design Shaw Communications Inc.

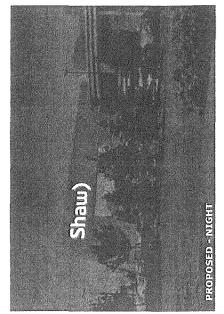
Suite 400- 2421, 37th Ave NE, Calgary, AB, T2E 6Y7

T: 403.538.5265 C: 403.619.1725

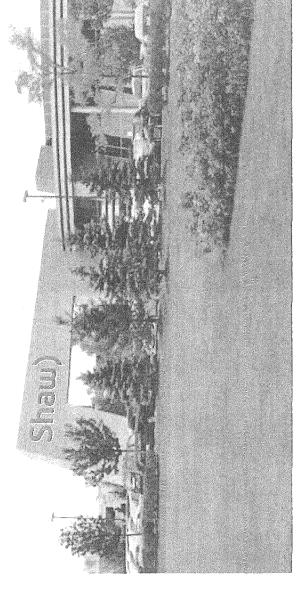
E: elaine.wong-west@sjrb.ca

JF YOU CASS READ THIS YOUR POF PRINTOUT IS NOT IN SCALE, CHANGE PAGE SCALING TO (NONE)

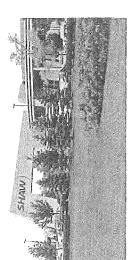
ii E M



PROPOSED



PLEAGE NOTE, SIZE OF SIGNAGE IS 111 RELATION TO SURROUNDINGS IS APPROXIMATE. THE OVERLAY IS UTTENDED FOR LOCATION NOROGES ONLY AND NAY NOT ACCURATELY REFLECT THE SCALE OF THE PROPOSED SIGN TO SURROUNDINGS, A SITE SURVEY IS REQUIRED FOR EACH PROPOSITIONS.



EXISTING

0AT6: Jan. 23, 2013 (ETCH: V12-565-SYTER2 PATTISON SIGN GROUP

SALES Warren Perrott ARTST. Mada SCALE. NTS VOLKAGE: 120 V / required PAGE: 1 of 2

The design arguing herein is the sale property of Patricon Sign Graup and may not be regardenced in whole or in Dam Android prior withen behaves from the company. Actual calours, letter sizes and proprie. Byour may vary slightly due to the proposition of materials. Landlord Approval

Of the same of the

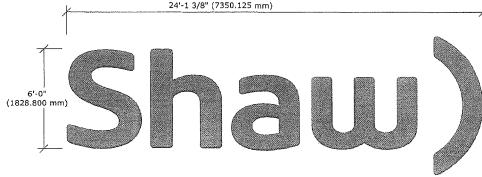
Nonressent, Neon and MID Langs contain Mercury, Dispose of these langs according to Local, Provincial, State or Endered Laws.

ja.

Mississauga ON

120 - 7855 Horth Freser Way Surnaby BC Canada VS2 5M7

Tel (604) 215-5526 Fax (604) 215-0656 www.pattisonsign.com of am Pattison Induxtries Ltd.



8'-3 3/4" (2533.650mm) (1371,600 mm) 1/08/13 REVIEWED BY:

MANUFACTURE AND INSTALL...EXTERIOR

TWO (2) SETS OF LED ILLUMINATED CHANNEL LETTERS

- · REMOTE POWER SUPPLY
- . EXISTING LETTERS TO BE REMOVED & CRATED FOR FUTURE USE
- · EXISTING HOLES TO BE SILICONED AS REQUIRED

CONSTRUCTION:

SUBSTRATE: 3/16" WHITE POLYCARBONATE

*SHAW TO SUPPLY CUSTOM BLUE VINYL TO BE APPLIED 1ST. SURFACE FILM TO SHOW BLUE DURING THE DAY & WHITE COPY AT NIGHT

TRIM CAPS: WHITE

RETURNS: 5" DEPTH...WHITE

ILLUMINATION: WHITE LED'S

ADD A PHOTO SENSOR TO THE LETTERS

... SET TO CONTROL THE ON/OFF SETTINGS.

GRAPHICS

SHAW: SHAW BLUE - DAY / WHITE - NIGHT

CRESCENT MOON LOGO: SHAW BLUE - DAY / WHITE - NIGHT



IRC McCAVOUR ENGINEERING GROUP INC.

MISSISSAUGA, ONTARIO, L5N 6P9 WEB SITE: www.ircgroup.com

TEL: (905) 607-7244 FAX: (905) 607-7288 EMAIL: mccdvour∯ivegroup.com

W/N: AE13-021P\$-14116

DATE: 02/08/2013

REVISION HISTORY (PRIOR TO MASTER PRINT)

COLOUR DATA

VINYL: CUSTOM BLUE VINYL TO MATCH PMS 640 c



BLUE: PMS 640

WHITE: SUBSTRATE

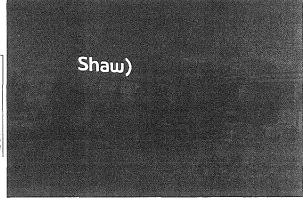
DESIGN WIND LOADS AS PER ONTARIO BUILDING CODE 2006 FOR MISSISSAUGA, ON 5s = 1.1 kPa

Sr = 0.4 kPaq 1/50 = 0.49 kPa

DRAWINGS REVIEWED FOR CONNECTION DESIGN ONLY. BASE BUILDING ENGINEER TO CONFIRM BASE BUILDING CAPABLE OF RESISTING ADDITIONAL DEAD LOAD AND WIND LOAD IMPACT.



PROPOSED - DAY



PROPOSED - Night (BLUE FACES - Day / WHITE FACES - Night)

PLEASE NOTE: SIZE OF SIGNAGE IS IN RELATION TO SURROUNDINGS IS APPROXIMATE. THIS OVERLAY IS INTENDED FOR LOCATION PURPOSES ONLY AND MAY NOT ACCURATELY REFLECT THE SCALE OF THE PROPOSED SIGN TO SURROUNDINGS. A SITE SURVEY IS REQUIRED FOR EXACT PROPORTIONS.



120 - 7885 North Fraser Way Burnaby BC Canada V5J 5M7 Tel (604) 215-5526 Fax (604) 215-0696 www.pattlsonsign.com

A Division of Jim Pattison Industries Ltd.

DATE: Jan. 23, 2013 SKETCH: V12-565-A R2 SALES: Warren Perrott

ARTIST: Marla SCALE: 1/4" = 1'-0"

VOLTAGE: 120 V / required PAGE: 2 of 2

Customer Approval

Landlord Approval

The design depicted herein is the sole property of Pattison Sign Group and may not be reproduced in whole or in part without prior written consent from the company. Actual colours, letter sizes and graphic layout may vary slightly due to the properties of materials.

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Fluorescent, Neon and HID lamps contain Mercury, Dispose of these lamps according to Local, Provincial, State or Federal Laws.

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Shaw?	
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Mississauga ON



SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 4, 2013

FILE:

12-03539

RE:

Rona

1692 Lakeshore Rd. W. - Ward 2

The applicant requests the following variance to section 13 of Sign By-law 0054-2002, as amended.

Section 13	Proposed
A fascia sign for a commercial undertaking	A fascia sign on the side (west elevation) of the
is permitted a sign on the side or rear of the	building that faces another property.
building provided that portion of the	
building faces a driveway or parking area.	

COMMENTS:

The proposed sign variance is located on a building which is sited on front lot line of the property, whereas all adjacent buildings are set further back on their respective lots.

There is an existing sign for the business located on the front face of the building but is not visible from the oncoming eastbound lanes due to an existing coniferous tree.

The proposed sign placement would not impact the adjacent properties, as such, the Planning and Building Department finds the requested variance acceptable from a design perspective.



525 Southgate Drive, Guelph, ON N1G 3W6 Phone: 519-822-9558 Fax: 519-822-2075 Toll: 866-855-8278



VARIANCE RATIONAL

Proposal Created exclusively For: The City of Mississauga

Property Address: 1692 Lakeshore

Intended use of property: Retail Commercial Center

Re: Application for variance requesting additional allowance of Signage area.

To: City Variance Committee

Date: 18/03/2013

Pursuant to your request for a letter of rational to the sign user, please allow consideration for the strict application of the current city of Mississauga sign code, specifically, the bylaw that restricts the installation of signage on the east elevation due to the fact it is facing another building. However this specific building in with regards to the location of the sign on the building, is not facing a building at all but a road currently into the parking lot of the complex.

This specific parcel and the use intended requires that the existing building signage be visible and clear to the community for its purpose of retail sales. Without providing clear identification and awareness the end user of the signage will be left with less than adequate information to proceed deliberately with the business the sign user chooses to conduct on the parcel.

This sign is detrimental to the store due to its position on a very important elevation for attracting customers. It is located on the west elevation, at a corner of the building that has full view of oncoming traffic. The sign's specific function is to attract the attention of drivers coming east along Lakeshore, as well as pedestrians walking along the sidewalk. Although there is a sign located on the north side of the building, this sign is important to attract the attention of drivers and pedestrians alike. In addition, having adequate visibility from the west elevation will help to eliminate traffic confusion for people approaching from east please consider high traffic roadway as part of a pertinent rationale for the necessary function of directional awareness.

The proposed hardship will not be damaging to other owners in the area; the code currently does not address this specific type of use and is therefore a hardship to the end user. Finally, the consideration of this hardship will not be contrary any one of codes objectives to moderate sizes, placement of signage and signage clutter.

Please see the variance request for other issues to consider in this matter.

Thank you in advance for your consideration

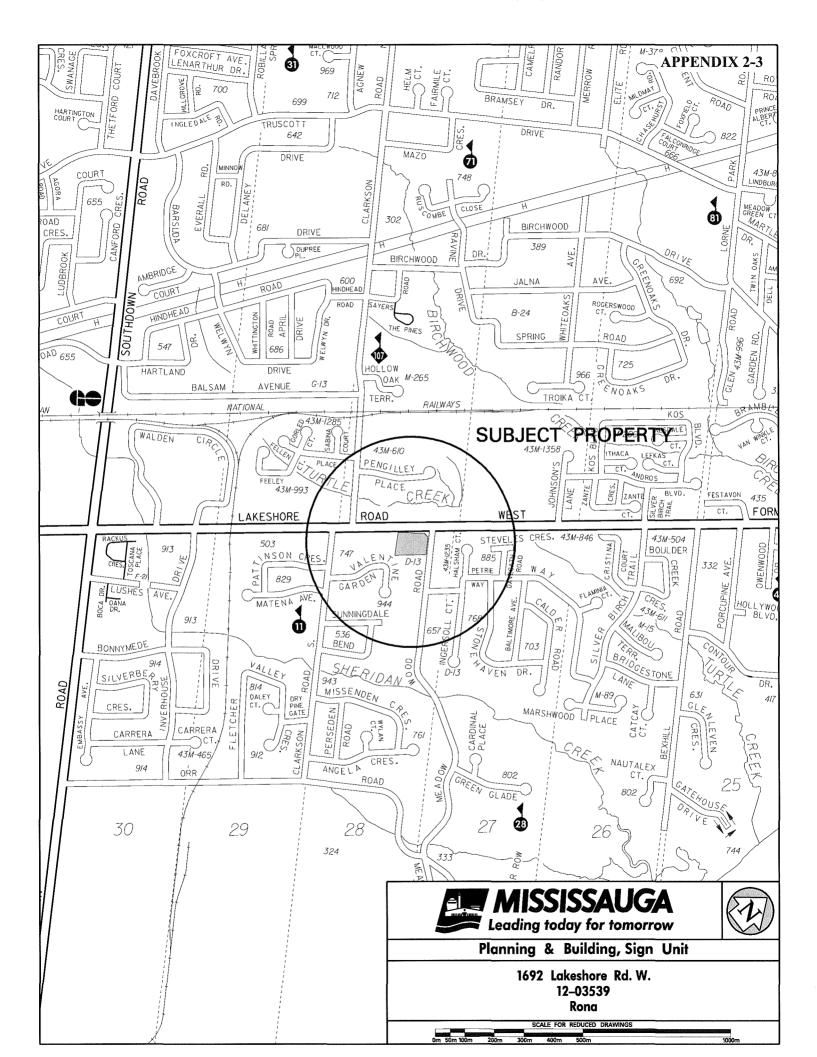
Nicole Davis

Permit Specialist

Lovett Signs and Neon

519.242.4245

ndavis@lovettsigns.ca





Client: RONA Location: Lakeshore Mississuaga ON Signage Type: Signage Proposal

SIGN



Signage Weight: 180 lbs Signage Sq Footage: 117.5 sq ft / 10.91 sq m Total Building Area: 2909.9 sq ft / 270.33 sq m



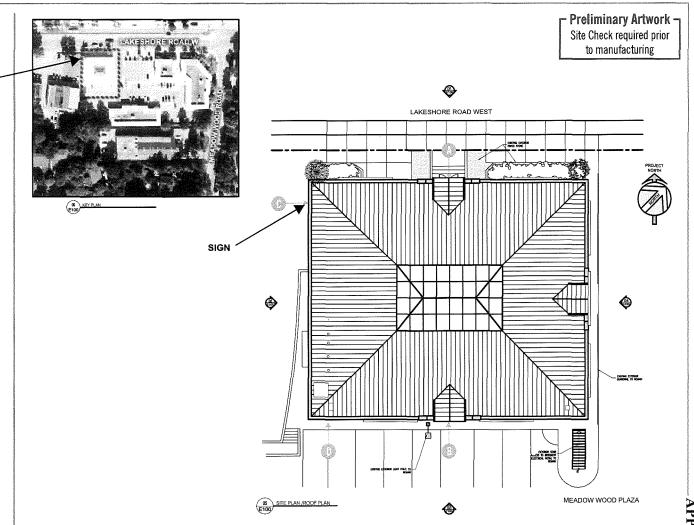
Signage Weight: 150 lbs Signage Sq Footage: 117.5 sq ft / 10.91 sq m Total Building Area: 2909.9 sq ft / 270.33 sq m



Signage Weight: 140 lbs Signage Sq Footage: 77.5 sq ft / 7.19 sq m Total Building Area: 2506.9 sq ft / 232.89 sq m

Receiving

Signage Weight: 20 lbs Signage Sq Footage: 7.08 sq ft / 0.65 sq m Total Building Area: 2909.9 sq ft /270.33 sq m



Lovet Signs 75



www.lovettsigns.ca 525 Southgate Dr. Guelph ON T_519 822 9558 F_519 822 2075 E_sales@lovettsigns.ca

Client RONA 1692 Lakeshore Rd. West Address Mississauga ON, L5J 1J5 Saleperson Mike Kurlicki Designer JE Drawing # | Rona_Mississauga_Lakeshore_D_110212.cdr Vinyl Illumination yes __ no __ Start Date 11 • 02 • 12 Revision Date 11 • 23 • 12

Blue 3M 3630-36 Block-out 3M 3635-20B Colour Paint

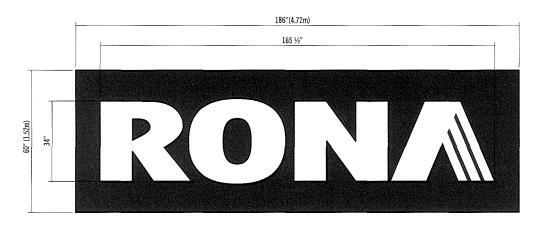


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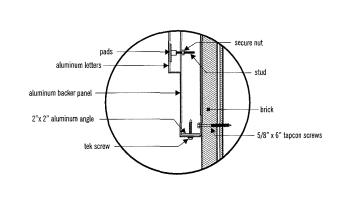
RONA

Client: RONA Location: Lakeshore Mississuaga ON Signage Type: Signage Proposal

Preliminary Artwork Site Check required prior to manufacturing

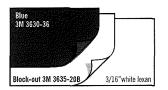


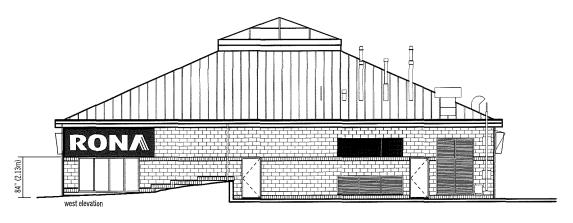




New Non Illuminated Individual Letters

- . Router cut aluminum letters with 1" returns to be painted white
- . Vinyl graphics applied to 1st surface of letter "A"
- . Letters to be pin mounted flush to backer panel
- Aluminum constructed backer panel with 2" returns to be painted blue (pms#3025c)





Love Signs



www.lovettsigns.ca 525 Southgate Dr. Guelph ON T_519 822 9558 F_519 822 2075 E_sales@lovettsigns.ca

Client RONA Address Mississauga ON. L5J 1J5 Saleperson | Mike Kurlicki Designer JE

Drawing # Rona_Mississauga_Lakeshore_D_110212.cdr Illumination yes __ no IIII

Start Date 11 • 02 • 12 Revision Date

Blue 3M 3630-36 Block-out 3M 3635-20B Ö Paint O



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SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 4, 2013

FILE:

13-04125

RE:

Mississauga Entertainment CENTRUM

40 Annagem Blvd. - Ward 5

The applicant requests the following variance to section 13 of Sign By-law 0054-2002, as amended.

Section 13	Proposed
A ground sign shall a have a maximum sign	One (1) ground sign with a sign area of 17.5
area of 15 sq. m. (161.45 sq. ft.).	sq. m. (188.41 sq. ft.).

COMMENTS:

The proposed ground sign is located along Hurontario Street. The additional sign area proposed is minor in this instance. In this regard, the Planning and Building Department finds the variance acceptable from a design perspective.

K:\pbdivision\WPDATA\PDC-Signs\2013 PDC Signs\13-04125\01-report.doc



255 PINEBUSH ROAD, CAMBRIDGE ONTARIO CANADA N1T 189

City of Mississauga 300 City Centre Drive Mississauga ON L5B 3C1

Attn: Planning and Development

Re: 40 Annagem Blvd - Freestanding Sign Variance

BUIL DULDING CEPT. FLG.	DING DIVI	SION
DATE REC'O	MAR 2 1 201	
AOUTS TO:	RECO 67.	DATE:
en des Para se promonente en entre de la Princia Principal (de Serie Serie Principal) (de Serie Serie Anna Amb Anna Anna Anna Anna Anna Anna Anna Anna		

To whom it may concern,

Please accept this letter as part of the package for a request to allow for a freestanding sign with an overall area above and beyond what the by-law allows. The proposal is for a sign with an overall area of 17.51m2/side where only 15m2 is permitted. The site is currently occupied by a large multi-purpose fitness facility and gym.

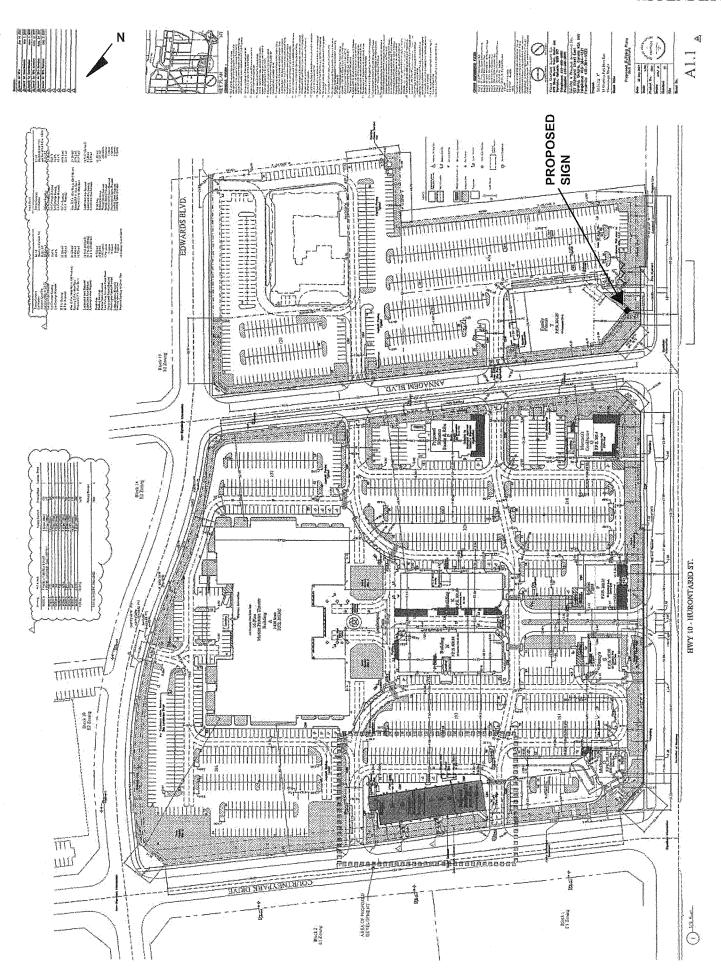
The site is located at the South-East corner of Annagem Blvd and Hurontario St. There are currently no signs on site, however one sign would be permitted on each frontage to a maximum sign area of 15m2/face per sign. We have proposed one sign at an overall area of 17.51m2. The total area of the actual sign face, being the portion which would feature acrylic paneling is a mere 13.71m2 which is within the by-law constraints. The area of the property identifying panel at the top of the sign is what results in the area increase above the by-law regulations. The identifying header adds a great element of aesthetic design, and helps the sign tie in well with the architectural features located on site.

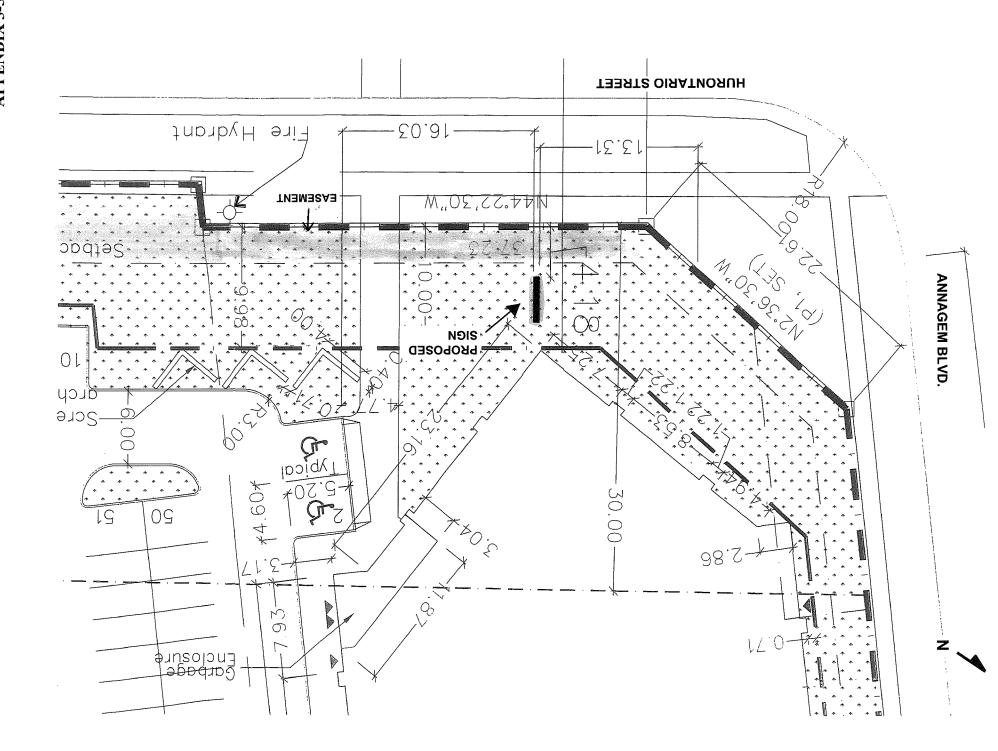
The business on site is a fitness facility which includes elements not typical to most gyms including a juice bar, and kids club which allows parents to have their children left in a safe and supervised environment while they attend the club. It would be beneficial to have these displayed on the sign as most gyms do not have features like this. The increased area used for the header allows for a unique design which helps enhance the streetscape while not appearing overbearing when compared to surrounding businesses or other signs along the Hurontario street frontage.

Based on the above I would ask for your support and approval of this application. The signage fits the character of the area, and the actual advertising area is well within the restrictions of the by-law. The decretive header increases the sign area to beyond what the by-law permits, but is designed in a way to harmonize well with the architectural features on site and enhance the character and aesthetic appeal of the site as a whole. For any questions regarding this proposal please contact the undersigned.

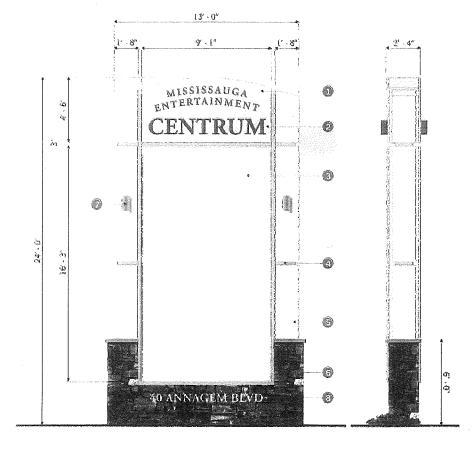
Nathan Dart

T: 519-622-4040 x274 - F:519-622-4031 - E: ndart@pridesigns.com





D/S Illuminated Pylon Sign Scale, N.T.S



Material Specifications

Moader

. . 125 router out aluminum face to be painted trushed alumnoum

- "Mississauga Entertainment" to be backed up 3/16" white acrylic with red 3rd #3630-43 applied to first surface
- . T12 exica long life illumination

Centrum

- · Aluminum constructed pre-finished bright red returns
- 3/16° white LD #2447 acrylic faces with translucent red 3m #3630-43 applied to first surface
- 1" jewelite red trimcap
- * Red L.E.D illumination

Tenant Sign Box

- · Pride aluminum brake formed filter and retainers to be painted brustred aluminum
- Pride aluminum constructed h-dividers to be painted brushed aluminum
- * 3/16" white LD #2447 acrylic faces
- . F12 extra tong life illumination

Reveat

• 3" aluminum constructed reveal to be painted brushed aluminum

Posts Wraps

Aluminum constructed post wraps to be painted brushed aluminum.

Brick Base

- * Decorative brick base to be completed by others (Not in pride signs scope of world)
- Contoured light lixture (up and down light) supplied and installed by Pride Signs.
- 1.25 moder cut flat aluminum letters (7" High) to be painted broshed aluminum.

PERC-PYL5T2Y3.392D1

Total Sq. Footage =

Electrical Requirements

Control of the Contro

*ppe con y testime.

Preficiency Actuals

Approved for Psychiation

CLIENT APPROVAL REVISION DATES:

DRAWN BY: 1. Lemb DATE: Felmany 6, 2013

Mississauga, Ontario





SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 4, 2013

FILE:

12-03540

RE:

Rona

1133 Dundas St. W. - Ward 6

The applicant requests the following variance to section 13 of the Sign By-law 0054-2002, as amended.

Section 13	Proposed
A fascia sign for a commercial undertaking	A fascia sign on the side (east elevation) of the
is permitted a sign on the side or rear of the	building that faces another property.
building provided that portion of the	
building faces a driveway or parking area.	

COMMENTS:

The placement of the proposed signage on the east elevation is consistent with signage which was approved for the previous tenant in this building. The proposed sign placement will not impact the adjacent properties, as such, the Planning and Building Department finds the requested variance acceptable from a design perspective.



525 Southgate Drive, Guelph, ON N1G 3W6 Phone: 519-822-9558 Fax: 519-822-2075 Toll: 866-855-8278



VARIANCE RATIONAL

Proposal Created exclusively For: The City of Mississauga

Property Address: 1133 Dundas Street West Intended use of property: Retail Commercial Center

Re: Application for variance requesting additional allowance of Signage area.

To: City Variance Committee

Date: 18/03/2013

Pursuant to your request for a letter of rational to the sign user, please allow consideration for the strict application of the current city of Mississauga sign code, specifically, the bylaw that restricts the installation of signage on the east elevation due to the fact it is facing another building. However this specific building in with regards to the location of the sign on the building, is not facing a building at all but a road currently into the parking lot of the complex.

This specific parcel and the use intended requires that the existing building signage be visible and clear to the community for its purpose of retail sales. Without providing clear identification and awareness the end user of the signage will be left with less than adequate information to proceed deliberately with the business the sign user chooses to conduct on the parcel.

This sign is detrimental to the store due to its position on a very important elevation for attracting customers. It is located on the east elevation, at a corner of the building that has full view of oncoming traffic. The sign's specific function is to attract the attention of drivers coming west along Dundas Street West, as well as pedestrians walking along the sidewalk. Although there is a sign located on the north side of the building, this sign is important to attract the attention of drivers and pedestrians alike. In addition, having adequate visibility from the east elevation will help to eliminate traffic confusion for people approaching from east please consider high traffic roadway as part of a pertinent rationale for the necessary function of directional awareness.

The proposed hardship will not be damaging to other owners in the area; the code currently does not address this specific type of use and is therefore a hardship to the end user. Finally, the consideration of this hardship will not be contrary any one of codes objectives to moderate sizes, placement of signage and signage clutter.

Please see the variance request for other issues to consider in this matter.

Thank you in advance for your consideration

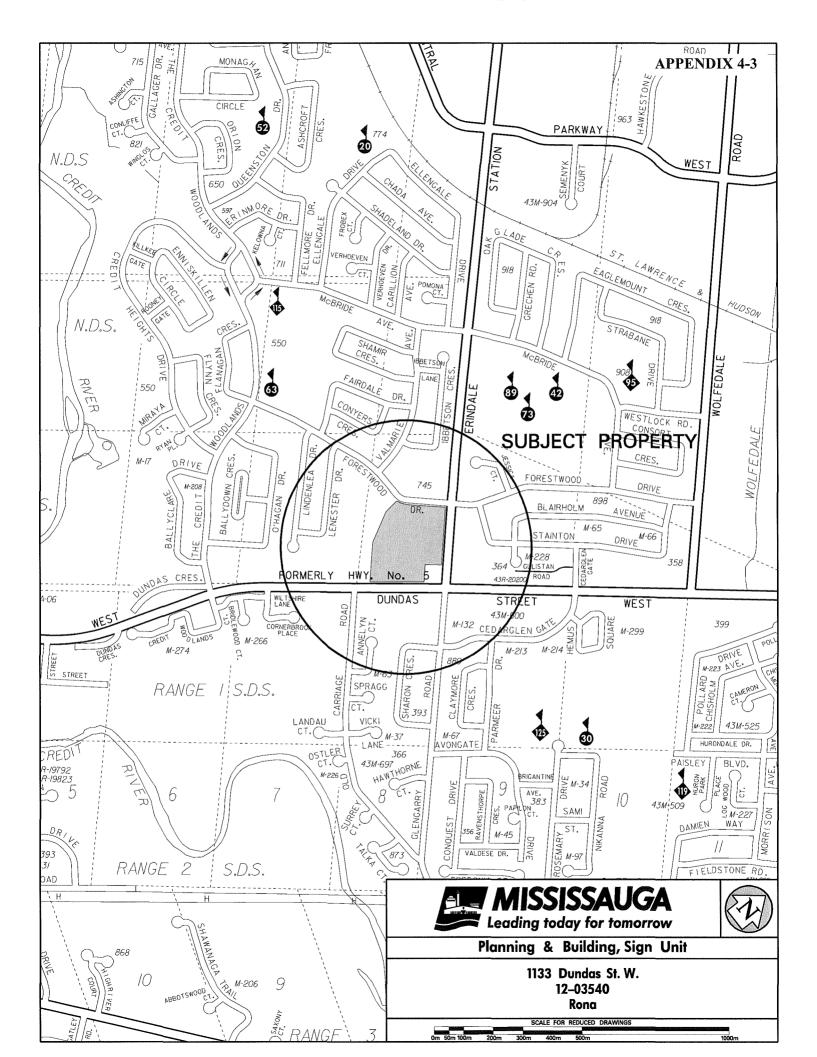
Nicole Davis

Permit Specialist

Lovett Signs and Neon

519.242.4245

ndavis@lovettsigns.ca



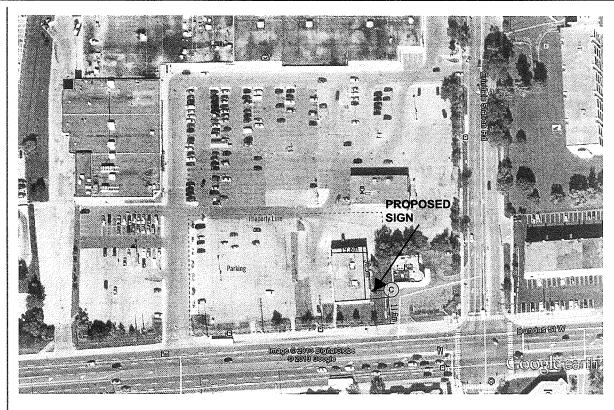


Client: RONA Location: Westdale Mississuaga ON Signage Type: Signage Proposal Option: 1.01

182" (4.62m)

60" (1.52m) RONA

Signage Weight: 120 lbs Signage Sq Footage: 75.83 sq ft / 7.04 sq m East Elevation: 1850.00 sq ft / 171.87 sq m Signage % to Elevation: 4.10%



Site Plan



Lovet Signs 75



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	E	ales	@love	ettsig	ns.ca	1

Client	RONA		Drawing # Rona_Mississauga_Westdale_D_112812	2.cdr	Vinyl	(i) Blue	O Black-out	Colour
Address	1151 Dundas Street West Mississauga ON		Illumination yes 📓 no 🗌		Paint 1	3M 3630-36	3M 3635-20B	code
Saleperson	Mike Kurlicki Desig	er JE	Start Date 11 • 20 • 12 Revision Date 12 • 13	• 12	rami	code	colour	colour



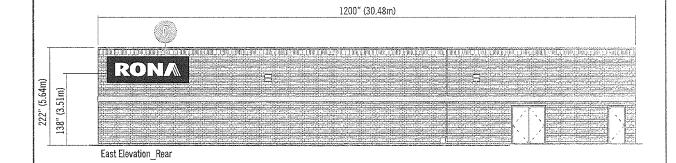


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LovetSigns 75



	NAME OF	Overre	Alle'c	g _i
525	Southa	ate Dr.	Guelpi	101
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Client	RONA		Drawing # Rona_	Mississauga_Westdale_	D_011813.cdr	Vinyl Blue	O Block-out	Coleur	
Address	1151 Dundas Street W Mississauga ON	est	Illumination yes 🎬	™ no □		3M 3630-36	3M 3635-20B	code	
Saleperson	Mike Kurlicki I	Designer JE	Start Date 11 • 20	0 • 12 Revision Date	01-18-13	cogs	suelos ebes	colour code	





SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 4, 2013

FILE:

13-03883

RE:

Pizza Pizza

2500 Hurontario St. - Ward 7

The applicant requests the following variance to section 13 of Sign By-law 0054-2002, as amended.

Section 13	Proposed
The total area fascia signs for a commercial	A second fascia sign located on the front
undertaking in the Cooksville Special Sign	elevation of the unit creating a total sign area
District are not to exceed 15% of the building	equal to 22.2% of the building façade.
façade.	

COMMENTS:

The application is to allow a second fascia sign on the upper parapet of the building façade to increase visibility from Hurontario Street. The placement, scale and design of the proposed sign is consistent with other signage in this plaza. The Planning and Building Department therefore finds the variance acceptable form a design perspective.



88 Sheppard Avenue W, Suite 200 Toronto ON M2N 1M5 tel 416.250.5858 fax 416.250.5860

April 11, 2013

Building Division Planning & Building Department City of Mississauga 300 City Centre Drive Mississauga ON L5B 3C1

Attention: Mr. Jeffery Grech, Sign By-law Plan Examiner

Dear Mr. Grech:

Re: Sign Variance Application

Pizza Pizza - 2500 Hurontario Street

Embee Properties Limited is the registered owner of the above-noted property.

We have been asked by our tenant, Pizza Pizza, to provide a letter to the City outlining the rationale for the requested sign.

We have previously written to Pizza Pizza to authorize and approve their proposed signage (see attached letter).

Pizza Pizza is a long-standing and well-regarded tenant in our centre. Their proposed signage is consistent with other signs in this centre and the surrounding commercial centres as well.

Their storefront is approximately 200 feet (60m) from Hurontario Street, separated by six rows of parking. The proposed signage will have no negative impact on the area.

We would also note that the lower sign box is recessed under the extended upper parapet. As a result, the overall sign package is to scale and well suited to this type of building elevation.

We trust the City will find this proposal to be acceptable.

Yours truly,

EMBEE PROPERTIES LIMITED

Michael Baker

Director

MB:bk Att.

FILES\HSQ\12-13-PIZZA PIZZA\CITY OF MISS.-BLDG. DEPT.\SIGN VARIANCE APPLICATION



88 Sheppard Avenue W, Suite 200 Toronto ON M2N 1M5 tel 416.250.5858 fax 416.250.5860

November 20, 2012

Meteor Sign Works Ltd. 55 Industrial Road Unit 7 Tottenham ON L0G 1W0

Attention: Hayden Dent

Dear Hayden,

Re: Pizza Pizza

2500 Hurontario Street, Units 12 & 13, Mississauga ON

This letter hereby authorizes Meteor Sign Works Ltd. to proceed with the acquisition of necessary sign permits and to complete the proposed sign installation for the above noted tenant at the above noted location.

Pizza Pizza exterior/interior signage is approved as per the attached drawing.

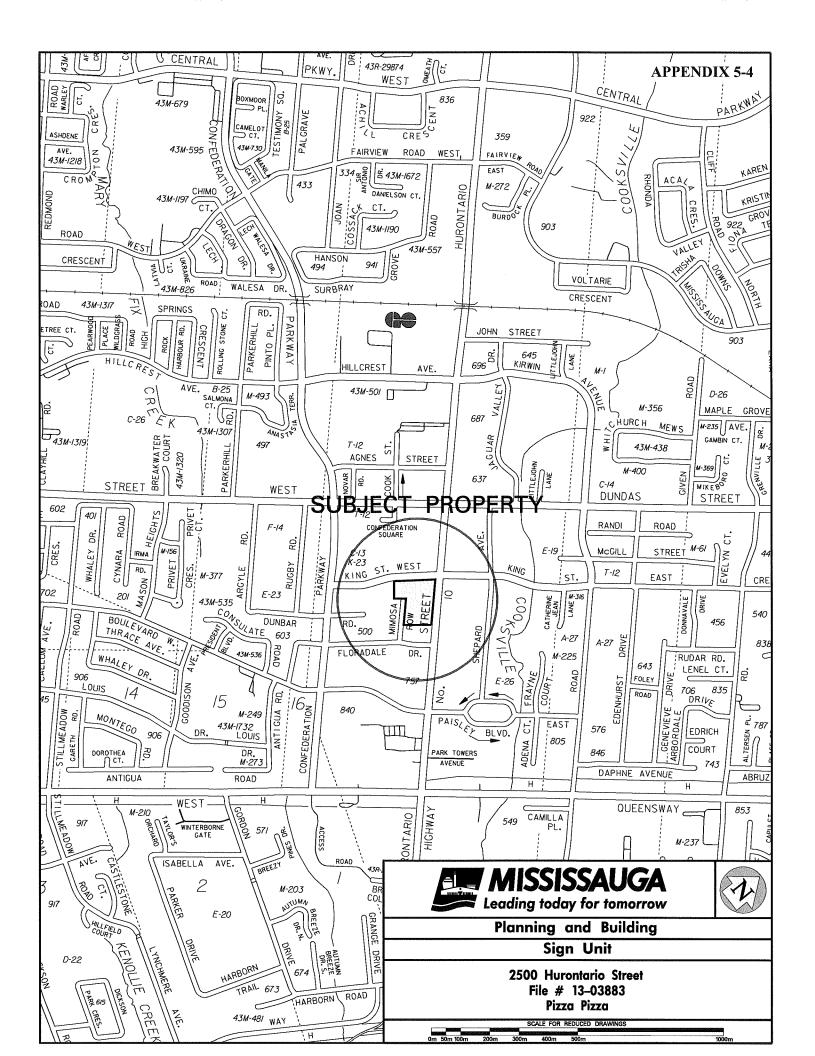
Yours truly,

EMBEE PROPERTIES LIMITED

Michael Baker

MB:bk

Att.



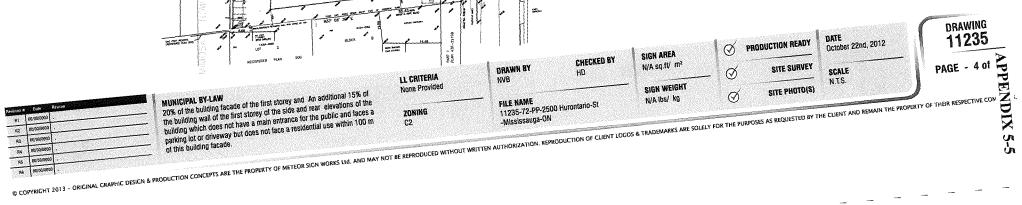




PROJECT PIZZA PIZZA - Store #72 2500 Hurontario Street Mississauga, Ontario







MUNICIPAL BY-LAW

20% of the building facade of the first storey and An additional 15% of the building wall of the first storey of the side and rear elevations of the building which does not have a main entrance for the public and faces a building which does not have a main entrance for the public and faces a public plat or divisions but does not face a residential use within 100 m.

EXISTING BRICK BUILDING (PRICE CHOPPER)

Q)

₫ O]

> LL CRITERIA None Provided

PLAN

PIN 13354-0063

CHECKED BY DRAWN BY NVB

PROPOSED SIGN

> SIGN AREA N/A sq.ft/ m2 SIGN WEIGHT

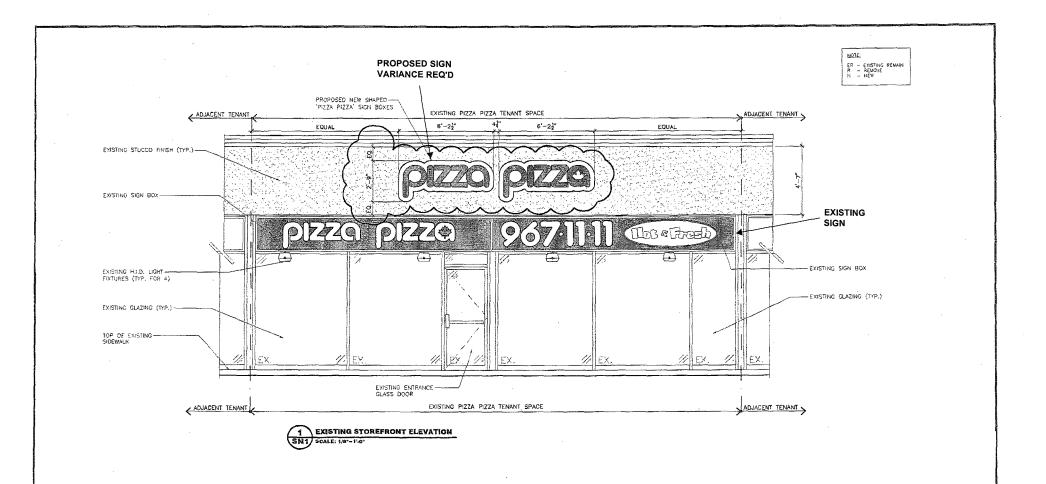
DATE PRODUCTION READY October 22nd, 2012 SITE SURVEY SCALE \bigcirc N.T.S. SITE PHOTO(S)

DRAWING 11235

PAGE - 4 of

ONE BALDING

13354-0029



							Market Company of the
General Notes	No. Date	Description	Seal	01777001777A	Designed by	Project Name	
DRAWINGS MUST NOT BE SCALED.	1. NOV. 14, 2012	ISSUED FOR APPROVAL		PULLAGU PULLAGO	CHRIS DAWOOD, ext. 583	PIZZA PIZZA #72	1
CONTRACTOR MUST CHECK AND SITE VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE DESIGNER PRIOR TO	2. NOV. 20, 2012	REVISED TO CENTRE SIGNAGE	1	U U	Checked by		
PROCEEDING WITH THE WORK.			1	500 Kipling Avenue	Scole: 1/4"==1'-0"	Project Location Sheet No. 2500 HURONTARIO STREET	
ALL WORK SHALL COMPLY WITH THE LAWS AND REGULATION OF AUTHORITIES HAVING JURISDICTION TO THIS SITE.	· · · · · ·			Toronto, Ontario	Store Area (Gross):	The state of the s	Ø AR
ALL WORK SHALL CONFORM TO PIZZA PIZZA SPECIFICATIONS FOR GENERAL CONDITIONS, MATERIALS AND WORKMANSHIP.		ļ		M8Z ,5E5	Store Area (Gross):	MISSISSAUGA, ONTARIO	
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER				Tel. (416) 967-1010	Store Area (Net):	Drawing's Title	
DRAWINGS AND THE TENANT/LANDLORD AGREEMENT WITH REFERENCE TO THIS STORE.				Fax. (416) 967-6449	_		
The state of the state	ſ	(('		Date: NOV. 14, 2012	EXTERIOR ELEVATION	



SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 4, 2013

FILE:

12-03509

RE:

Loblaw Properties Limited

2805 Eglinton Ave. W. - Ward 9

The applicant requests the following variances to sections 13 and 17 of Sign By-law 0054-2002, as amended.

Section 13	Proposed
Fascia signs are permitted to have a	Fascia signs on the east elevation of the building
maximum sign area equal to 20% of the	having an area equal to 23% of the building
building façade of the first storey.	façade.
Section 17(2)	Proposed
A fascia sign shall be attached to the	Three (3) fascia signs attached to the garbage
building façade.	enclosure.

COMMENTS:

The increased sign area is as a result of four poster signs located on the east elevation of the gas bar kiosk. No other signage is located on the east elevation. The increased sign area is minor and the proposal has design merit.

The proposed fascia signs on the west elevation are located on the garbage enclosure which spans the entire west elevation of the gas bar kiosk. The garbage enclosure is clad in the same materials as the kiosk. No other signage is located on the west elevation.

The Planning and Building Department therefore finds the variances acceptable from a design perspective.



loblaw.ca

Loblaw Properties Limited

1 President's Choice Circle Brampton, Ontario L6Y 5S5 tel 905.459.2500 fax 905.861.2617

City of Mississauga Planning and Building Department, Sign Unit 300 City Centre Drive Mississauga, Ontario L5B 3C1 April 4, 2013

RE: Application for Sign Variance 2805 Eglinton Ave. W. at Glen Erin Drive Mississauga

Dear Sir or Madame;

Our company has requested the variance to install the prototypical signage package that we use at all of our gas bar locations. The sign package is mainly used to inform our customers in the store's parking lot of the services and pricing at the gas bar. Unlike many of the standard service stations our locations are situated in the parking lot of our grocery store.

The signs are broken down into three particular information packages, Pricing, SuperBuck (Discount), and Specials. The Special signs are changed to reflect weekly or monthly offerings. This sign package is very important to our operation and the connection with the customers who also shop in our main store. Our discount offering is tied directly back onto our main store operation, and loyalty program.

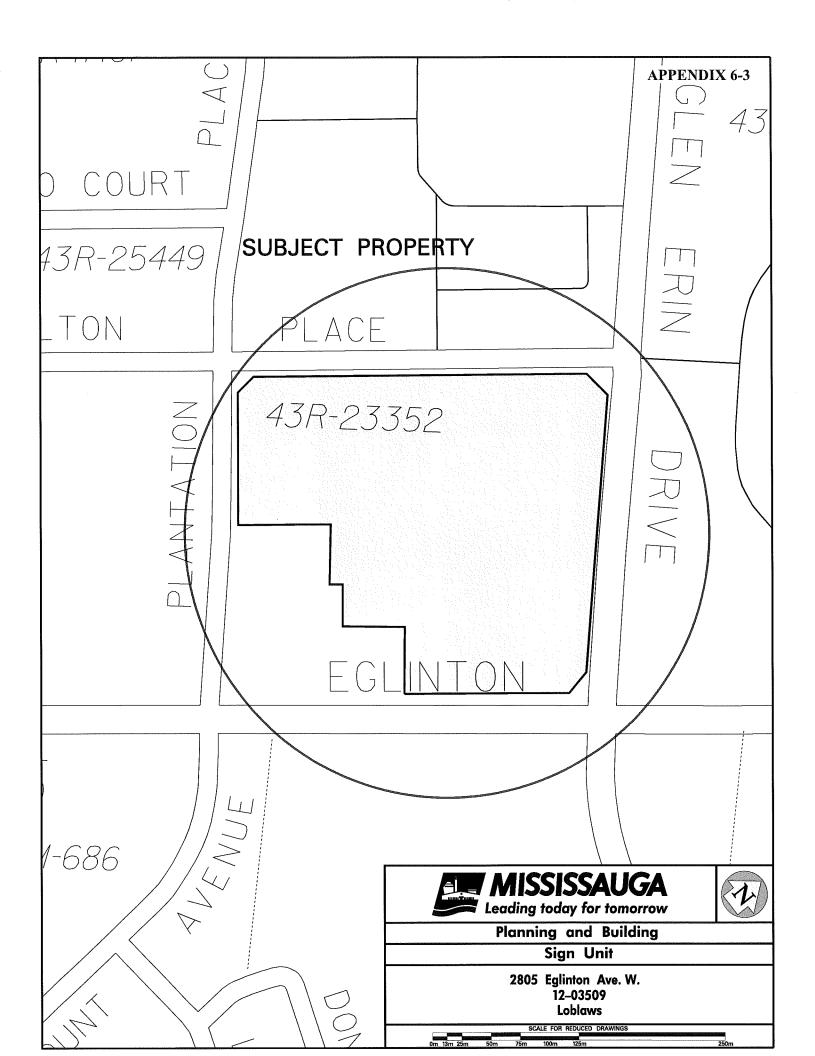
We request that the City of Mississauga grant our sign variance.

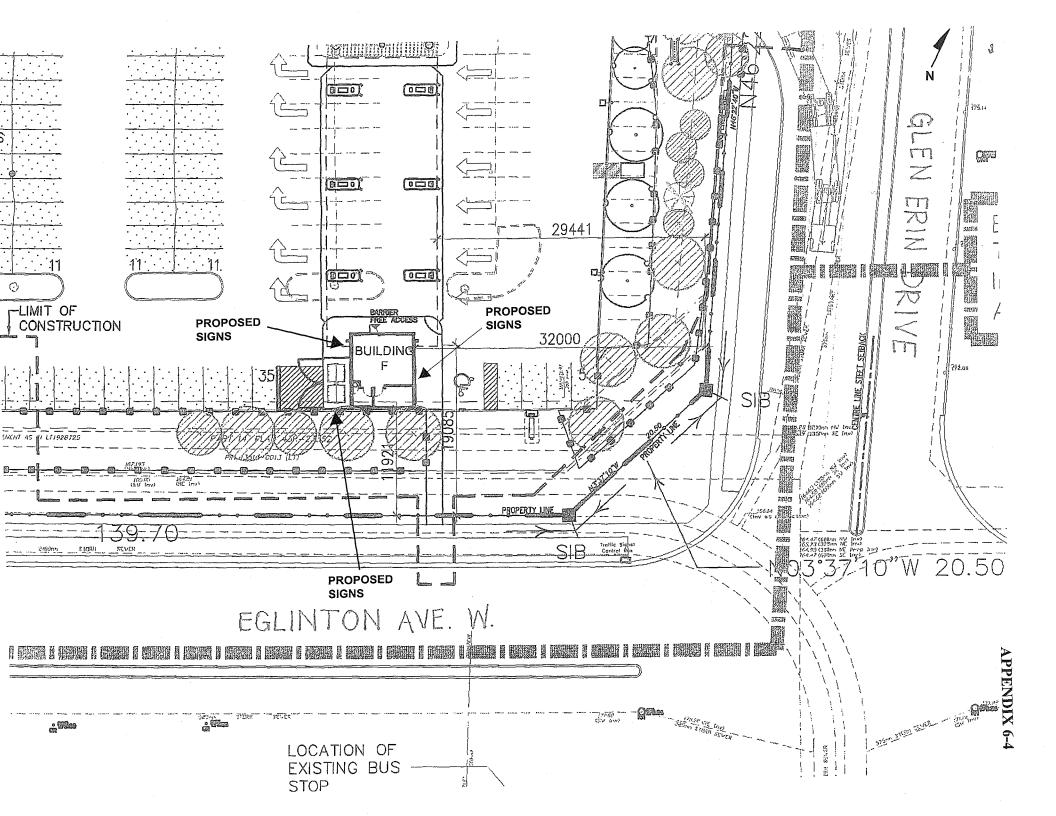
Yours Truly,

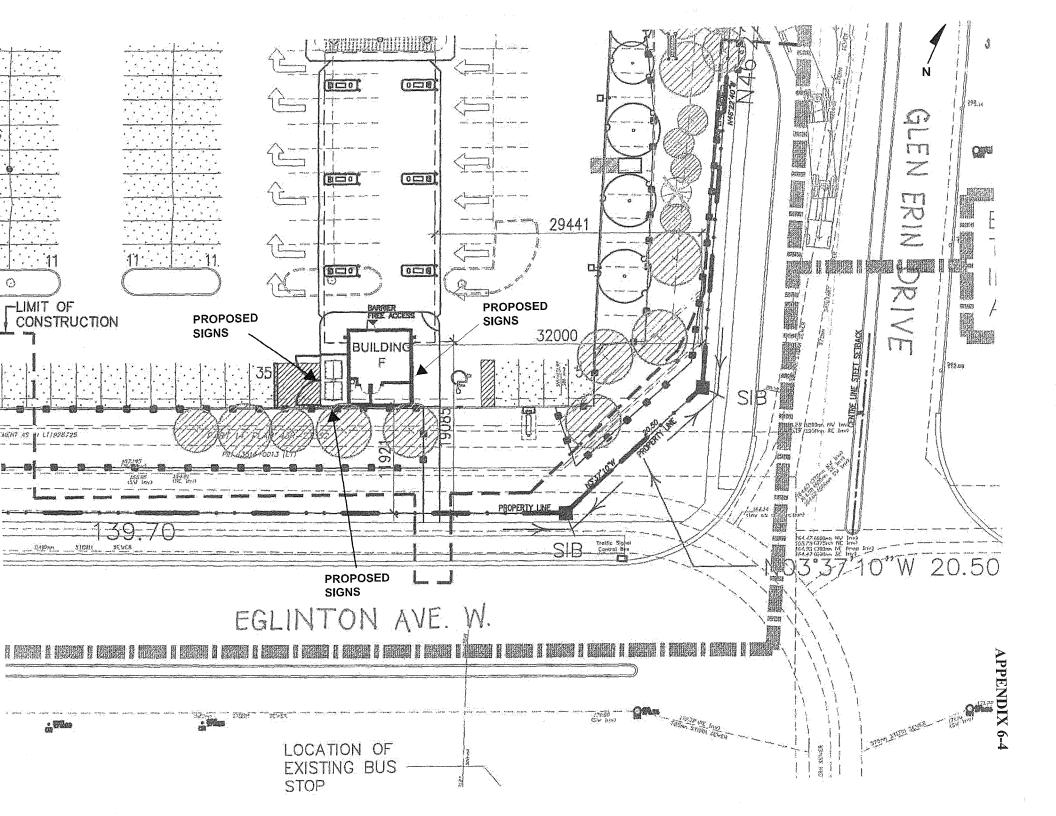
Mace Blundell

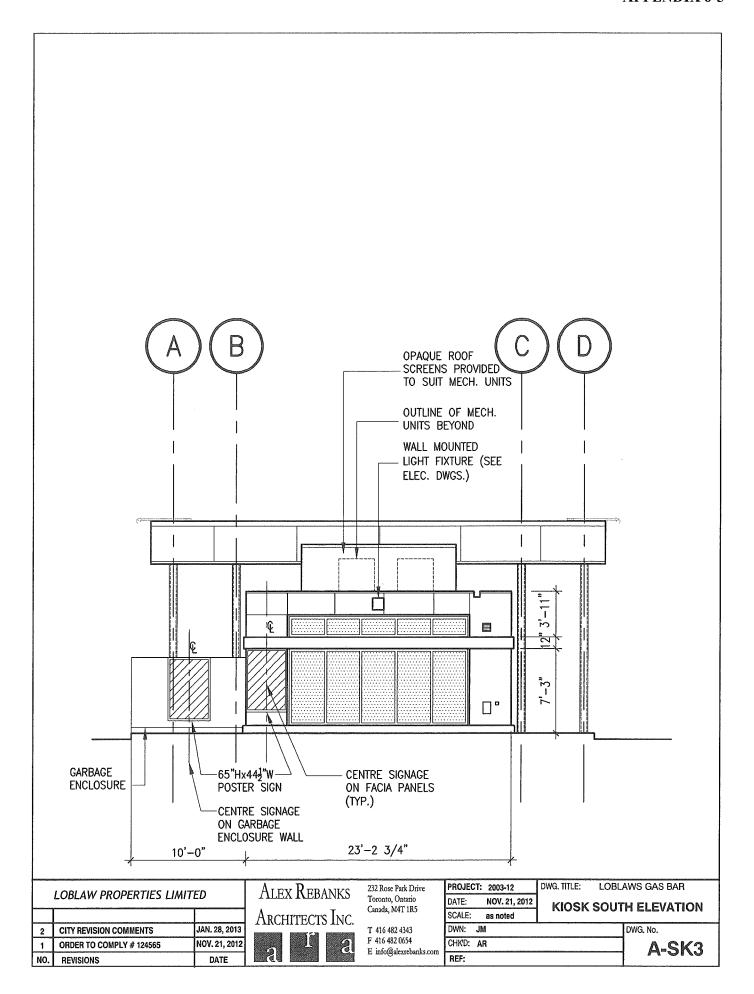
Director of Construction

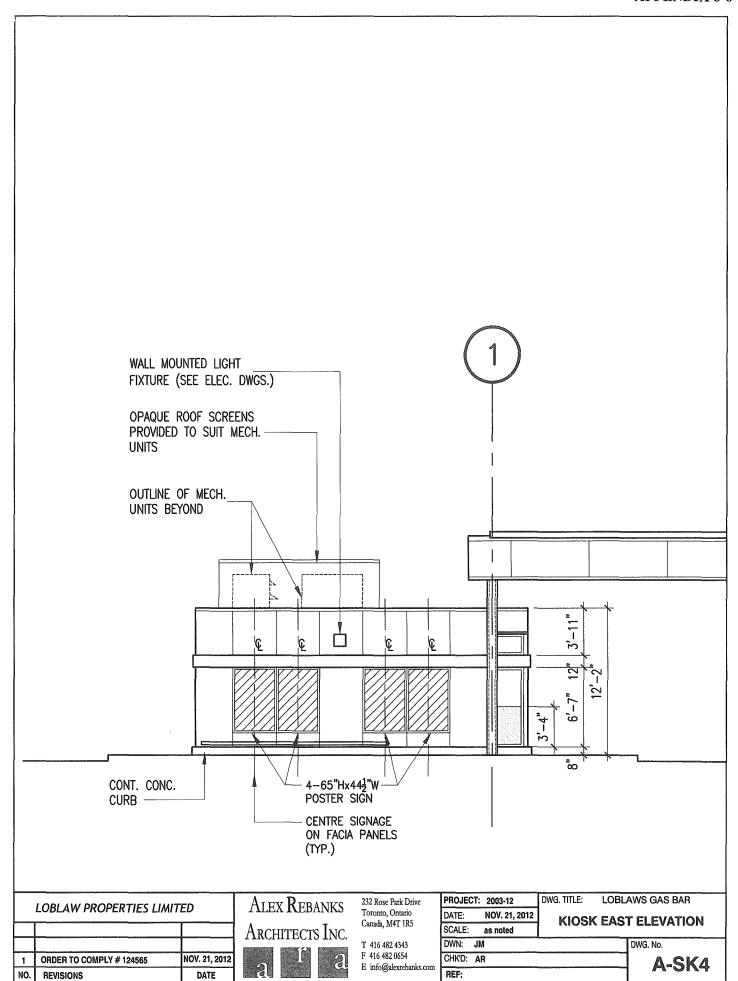
Loblaw Properties Limited.

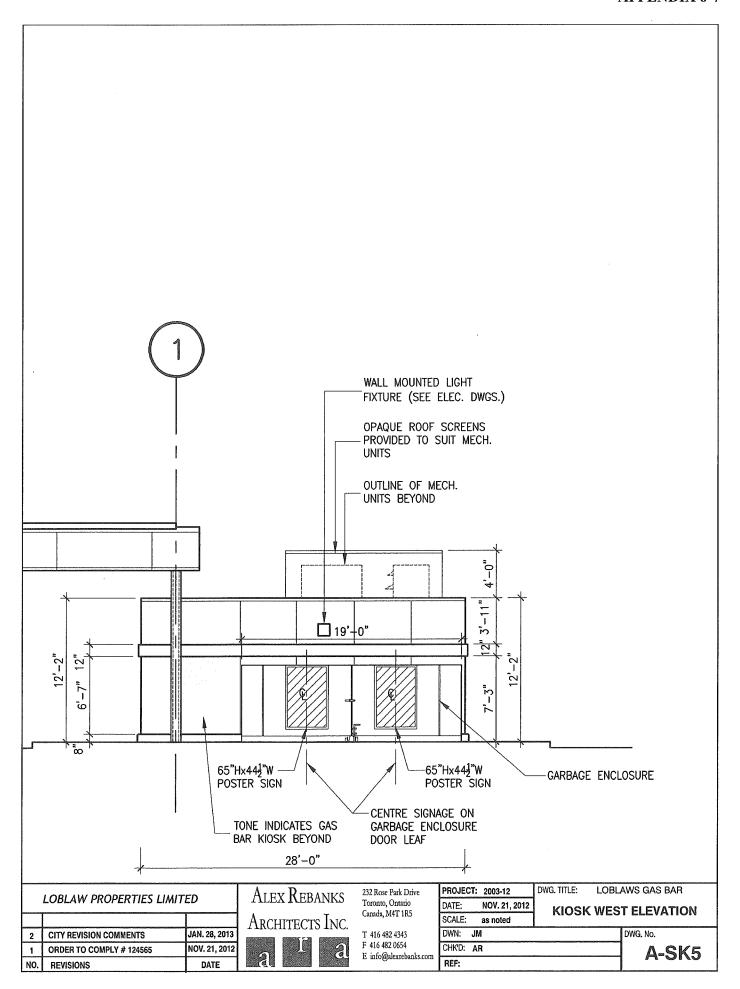












APPENDIX 6-8



2805 EGLINTON AVENUE WEST WEST ELEVATION



2805 EGLINTON AVENUE WEST SOUTH ELEVATION



2805 EGLINTON AVENUE WEST EAST ELEVATION



Memorandum

Planning and Building Department

DATE:

June 7, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

RE:

Additional Item

Sign By-law 54-2002, as amended

Sign Variance Application

The report from the Commissioner of Planning and Building dated June 7, 2013 was prepared and finalized in advance of receiving a request from the applicant referred by Councillor McFadden's office.

It is recommended that the additional Sign Variance Application described in Appendix 7 attached, be adopted in accordance with the following:

- 1. That the following Sign Variances **be granted**:
 - b) Sign Variance Application 13-05046
 Ward 10
 L. Cofini
 5170 Ninth Line Ward 10

To permit the following:

(i) No permit is required for a sign advertising the sale of produce from the property during the season in which it was grown provide the sign does not exceed 3.0 sq. m. (32 sq. ft.) in area.

(ii) One (1) portable sign with a maximum area of 3.0 sq. m. (32 sq. ft.) displayed from July to the end of October each year to advertise produce grown on the property with a minimum setback of 3.0m (9.8 ft.) from the property line.

This variance will cease when the property is rezoned in accordance with the City of Mississauga Zoning By-law and all signs must comply with the City of Mississauga Sign By-law applicable at the time of rezoning.

Edward R. Sajecki

Commissioner of Planning and Building

Prepared by: Darren Bryan, Supervisor Sign Unit



SIGN VARIANCE APPLICATION REPORT Planning and Building Department

June 7, 2013

FILE:

13-05046

RE:

L. Cofini

5170 Ninth Line - Ward 10

The applicant requests the following variances to section 4 of Sign By-law 0054-2002, as amended.

Section 4(1)	Proposed
No person shall erect, display, alter or allow	No permit is required for a sign advertising the
or cause the erection, display, or	sale of produce from the property during the
alteration of any sign within the City on	season in which it was grown.
publicly or privately owned lands without	
obtaining a permit under this By-law.	
Section 4(6)	Proposed
A sign not expressly permitted is prohibited.	One (1) portable signs with a maximum area of
	3.0 sq. m. (32 sq. ft.) displayed from July to the
	end of October each year to advertise produce
	grown on the property.

COMMENTS:

The applicant requests a variance to display a portable sign from July to October each year to advertise the sale of produce grown on the property. Prior to the Annexation of the property from the Town of Milton, Town of Milton Sign By-law 086-2009 permitted the applicant to display a sign with a maximum area of 3.0 sq. m. (32 sq. ft.) on the property to advertise the sale of seasonal produce from the agricultural lands on which they were grown, during the appropriate growing season for the produce advertised. In addition, the Town of Milton did not require a permit for this type of sign.

The Annexation Agreement regarding the applicant's property authorizes the City of Mississauga to allow the agricultural zoning and permitted uses until such time as the property is rezoned in accordance with City of Mississauga Zoning By-law 0225-2007. Unfortunately, the

Annexation Agreement does not include provisions regarding signs which may be displayed on these lands. As such, the applicant is requesting a variance to permit a portable sign to advertise produce grown on the property, as permitted by the Town of Milton prior to the Annexation. This variance will cease when the property is rezoned in accordance with the City of Mississauga Zoning By-law and all signs must comply with the City of Mississauga Sign By-law applicable at the time of rezoning.

The Planning and Building Department has no objection to the request provided a banner sign is not displayed and the sign is set back a minimum of 3.0m (9.8 ft.) from the property line.

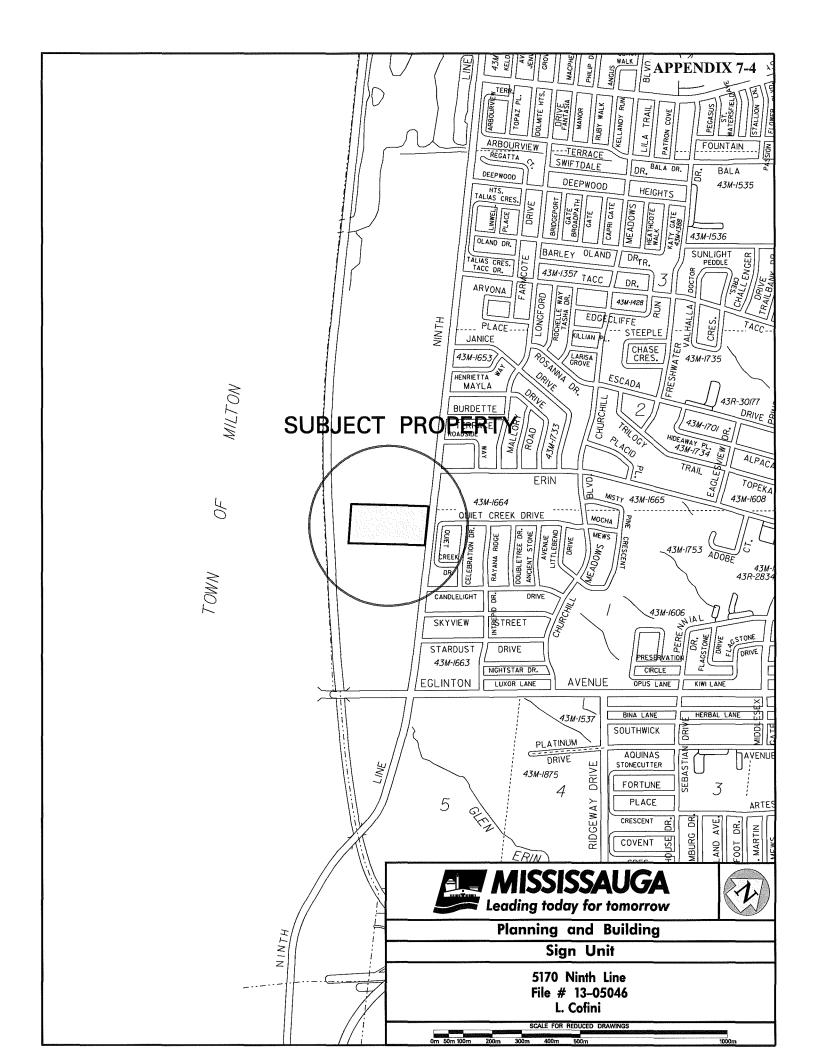
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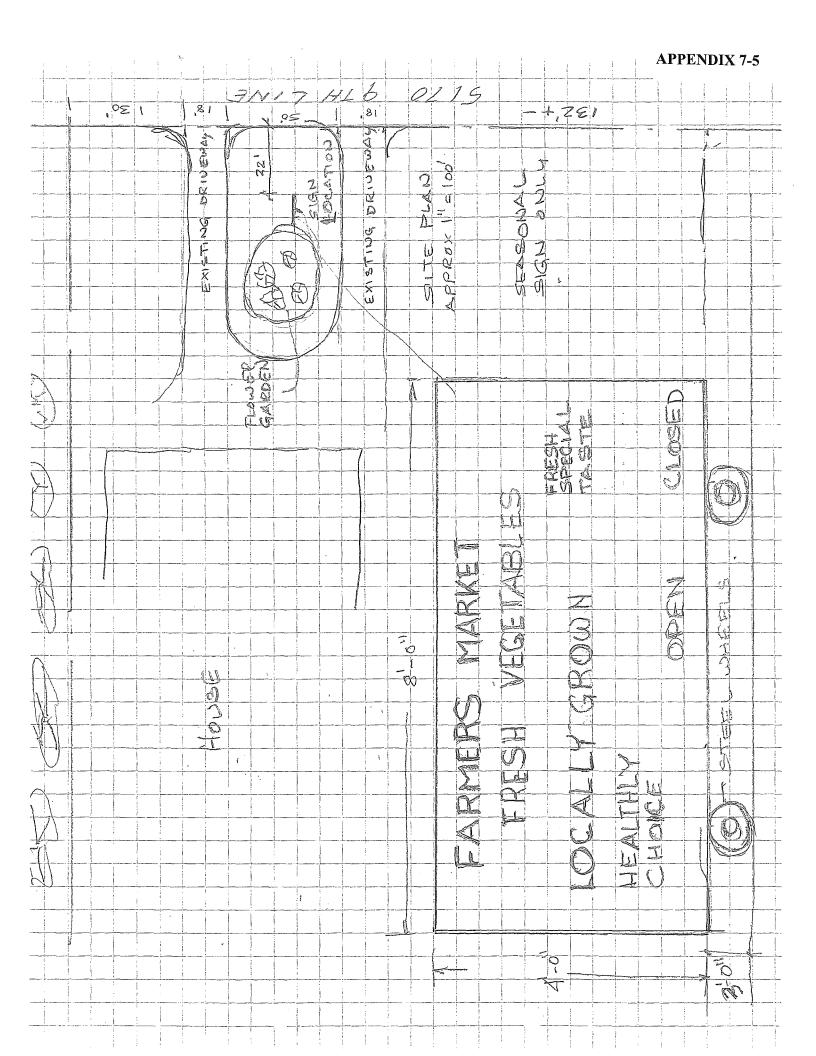
Planning and Development Committee,

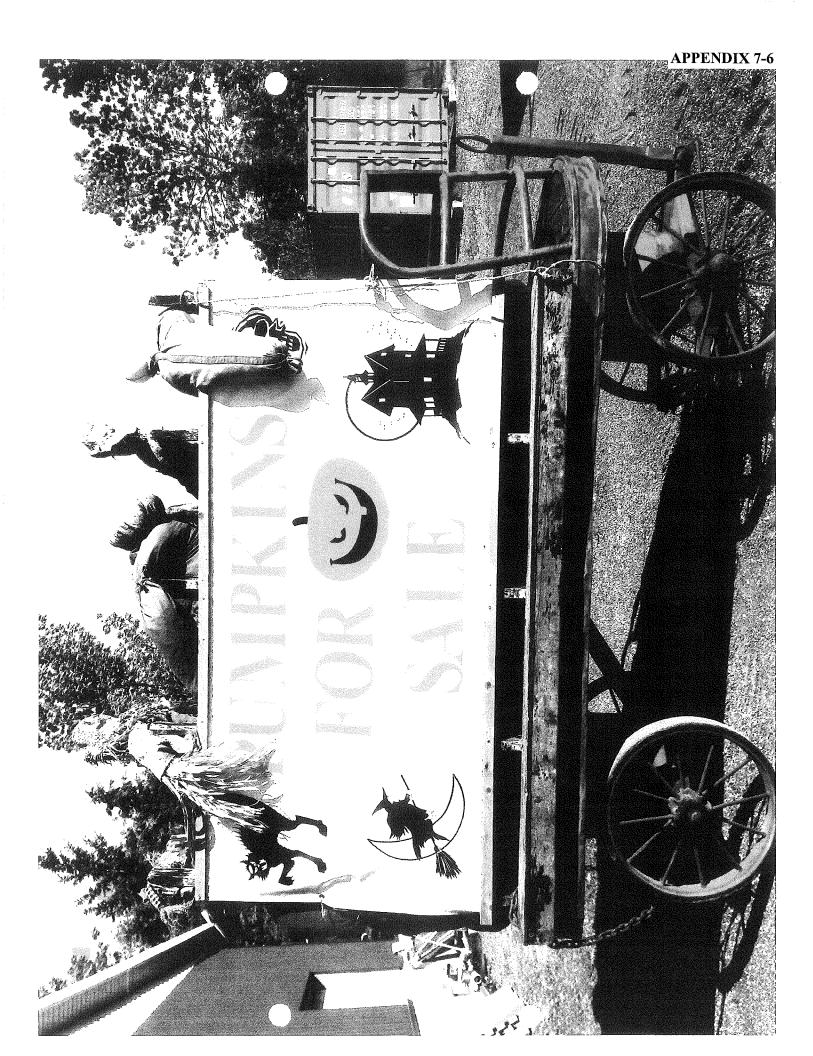
I have been selling produce from my farm at 5170 Ninth Line for the past 27 years. I need a sign to advertise my vegetables and pumpkins from July to the end of October. Since our farm products are seasonal we would like to have a sign which we would put out only during such times and not all year round.

Thank you,

MR. Luigi Cofini 5170 Ninth Line Mississauga, ON 25M ORS







THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 086-2009

A BY-LAW TO REGULATE THE SIZE, USE, LOCATION AND MAINTENANCE OF SIGNS AND ADVERTISING DEVICES ON PRIVATE PROPERTY WITHIN THE CORPORATION OF THE TOWN OF MILTON, AND TO REPEAL BY-LAW NO. 146-2002 AND BY-LAW NO.162-2005.

WHEREAS Section 11(3)7 of the Municipal Act, S.O. 2001, c.25 as amended, provides that a municipality may pass by-laws respecting signs;

AND WHEREAS the Council of the Corporation of the Town of Milton adopted Bylaw No. 146-2002 on October 28, 2002 and amending By-law No. 162-2005 on December 19, 2005, and is now desirous of repealing said By-laws and replacing them with By-law No. 086-2009;

NOW THEREFORE the Council of the Corporation of the Town or Milton hereby enacts as follows:

1. TITLE



2. INTERPRETATION

- 2.1 The provisions of this By-law shall apply to all lands within the municipal limits of the Town, save and except lands within road allowances.
- 2.2 This By-law shall be read with such changes of gender and number as the context may require.

INTENT

- 3.1 The purpose of this by-law is to regulate signs in the Town of Milton with the intent of authorizing signs that:
 - (a) are appropriate in size, number and location to the type of activity or use to which they pertain.
 - (b) provide reasonable and appropriate means for the public to locate and identify facilities, businesses and services without difficulty or confusion.
 - (c) Are compatible with their surroundings.

- (d) Protect and enhance the aesthetic and visual character of the Town of Milton.
- (e) Are consistent with the planning, urban design and heritage objectives of The Town of Milton.
- (f) Do not create a distraction or safety hazard for pedestrians or motorists.
- (g) Are regulated in a manner that balances the public's right to expression with the purpose of the By-law.

4. **DEFINITIONS**

In this By-law:

- **4.1** "Advertising Device" means any device or object erected, located or displayed so as to attract public attention to any goods, services, facilities or events and includes flags, banners, pennants and lights.
- **4.2** "Agricultural related sales" means the sale of produce, trees or plants grown on the property.
- 4.3 "Alter" means, when used in reference to a Sign or Sign structure, to change any one or more external dimensions and/or construction material but shall not include the rearrangement of numerals, letters or copy applied directly to the face of the Sign and specifically designed and intended to be periodically rearranged; the replacement of a plastic face; the painting, repainting, cleaning or other normal maintenance and repair of a Sign not involving structural changes.
- **4.4** "Animated Sign" means a Sign which includes flashing, action or motion whether electronic action, mechanical action, colour or message change by way of a prearranged electronic or mechanical means.
- **4.5** "Awning" means an ornamental roof like structure that is either retractable or fixed to a building or structure, but not forming an integral part thereof and includes structures commonly known as a marquee or canopy.
- **4.6** "Banner" means a Sign composed of lightweight, flexible material such as cloth, plastic, canvas or other similar material and which is mounted so as to allow movement by atmospheric conditions.
- **4.7 "Billboard Sign"** means an outdoor Sign maintained by a person engaged in the sale or rental of space on the sign to a client, upon which advertising of a business, activity, goods, products, services or facilities not located or offered on the premises.

Rates, Fees and Charges By-law as may be amended from time to time.

- 6.3 Where a request for a refund of a permit fee is made, a refund shall be made in accordance with Municipal By-law 74-2005 (Building By-law for The Town of Milton) as may be amended from time to time.
- 6.4 Expiry, renewal and revocation issues shall be determined in accordance with the processes set out in the Municipal By-law 74-2005 (Building By-law for The Town of Milton), as amended from time to time.

7. SIGNS NOT REQUIRING A PERMIT

- 7.1 The following Signs do not require a permit but shall comply with all other requirements of this By-law unless otherwise noted:
 - (a) Signs erected by or for any federal or provincial government agency located on its own lands and which are used solely for identification of that agency or other Signs erected within its mandate. Such Signs are not subject to this By-law;
 - (b) Public Information Sign (Refer to Section 4.34);
 - (c) Merchandise Poster Sign (Refer to Section 9.8);
 - (d) a Banner Sign with a maximum material dimension of 5m x 1m (16ft.x3ft.) erected by a Non-profit/Charitable organization which advertises a special event and is located with permission of the property owner on fencing adjacent to a street (Refer to Section 8.7);
 - (e) Election Sign;
 - (f) Incidental Sign. The provisions of this by-law shall not apply to these Signs save and except that such Signs shall not be located on public property without the necessary approvals (Refer to Section 4.22);
 - (g) Signs having a composite of plants, shrubbery or landscaping material deigned as a decorative feature;
 - (h) Contractor's Identification Sign (Refer to Section 9.10);
 - (i) Menu Board Sign having a maximum Sign area of not more than 3.0m² (32 sq.ft.) (Refer to Section 4.24);

- (j) Window Signs painted or posted on the interior surface of any window or door glass in any building, or the installation of any Sign or advertising device in the interior of a building;
- (k) Temporary Personal Sign (Refer to Section 9.11);
- A wall Sign or Sign painted on the roof of an agricultural building in an Agricultural Zone identifying the name and/or proprietor of the farm operation;
- (m) A non illuminated Sign, not exceeding 0.5m² (5sq.ft.) in area per face indicating; no trespassing, private property, safety or hunting Signs, or other regulatory Signs;
- (n) A non-illuminated real estate point of sale Sign advertising the sale or lease of a building or property, provided such Sign does not exceed 1.1m² (12sq.ft.) in area per face and is actually located on such building or property;
- (o) Residential street numbering, home identification and mailbox Signs not exceeding 0.3m² (3.2sq.ft.) in area per face;
- (p) Traffic Directional Signs not exceeding 0.74m² (8sq.ft.) in area per face. (Refer to Section 9.7);
- (q) A Sign having a maximum Sign area of 3.0m² (32sq.ft.) per face advertising the sale of seasonal produce from the agricultural lands on which they were grown, during the appropriate growing season for the produce advertised;
- (r) Sign erected on a temporary sales office or trailer used for Nonprofit/Charitable organization purposes. Such Sign, shall not be located on the roof of such office or trailer;
- (s) A Sign having a maximum Sign area of 3.0m² (32sq.ft.) per face advertising the seasonal sale of Christmas trees, on lands in compliance with land use regulations in effect in the Town;
- (t) A Sign advertising a home occupation or cottage industry conducted from a property used as a residence not exceeding 0.2m² (2sq.ft.) in area per face indicating the name and profession of a physician, dentist, chiropractor or other professional person having his office and residence on the lot on which the Sign is located, in any zone, provided such occupancy and land use is

- 9.2 Notwithstanding subsection 9.1, the followings Signs shall be permitted subject to set back provisions noted in Section 9.4.3 of this By-law as applicable.
 - (a) A wall Sign or Sign painted on the roof of an agricultural building in an Agricultural Zone identifying the name and/or proprietor of the farm operation;
 - (b) A Sign having a maximum Sign area of 3.0m² (32sq.ft.) per face advertising the sale of seasonal produce from the agricultural lands on which they were grown, during the appropriate growing season for the produce advertised;
 - (c) A Sign not exceeding 0.2m² (2sq.ft.) in area per face indicating the name and profession of a physician, dentist, chiropractor or other professional person having his/her office and residence on the lot on which the Sign is located, or any home occupation or cottage industry conducted from a property used as a residence, provided such occupancy and land use is permitted by the Zoning By-law or other regulatory agency;
 - (d) A Sign in an Agricultural, Rural or Greenlands zone identifying the name and/or proprietor of the farm operation not exceeding 3.0m (32sq.ft.) per face;
 - (e) Bed and Breakfast and Farm Vacation Home identification Sign provided there shall be a limit of one Sign having a maximum Sign area of 0.83m² (9sq.ft.) per face and located on the same property as the use;
 - (f) Home Industry identification Sign having a maximum Sign area of 2.2m² (24sq.ft.) per face.
 - (g) Signs located on a property proposed or under development which advertises the name of the development, the owner/occupant, builder, consultant and/or real estate agent shall not exceed 15.3m² (165 sq.ft.) per face. Such Signs shall be removed within thirty (30) days of occupancy;
 - (h) Election signs are permitted in any zone and shall be removed within forty-eight (48) hours of the close of the election for which the sign was erected.
 - 9.3 In the case of a shopping centre, plaza or mall or any other multi-tenant user property, it is the responsibility of the owner and/or the owners agent,

if any, to allocate an appropriate Sign area for each store, office or other floor area.

9.4 GROUND SIGN

Unless specifically expressed elsewhere in this By-law, the following regulations shall apply to all ground Signs:

- **9.4.1** The total area of all ground Signs on any property shall not exceed 70% of the frontage for the property. A 0.30m reserve shall be considered frontage for the purpose of this calculation.
- 9.4.2 Not more that two (2) ground Signs shall be permitted on any one property and such Signs shall not be located closer than 45.7m (150ft.) to each other.
- - **9.4.3** Ground Sign Size, Height and Setback Criteria:

	n Area (sq. m.) per face Maximum Height		Minimum Setback (m) from		
		(iii)	Property Line (street)	Property Line abutting Industrial, Commercial Zone	Property Line abutting any Other Zone
	OTHER THAN CENTRAL BUSINESS DISTRICT, BUSINESS IMPROVEMENT AREA AND CHARACTER AREA			Zone	
	Less than 3.0m ² (32sq.ft.)	4.57m (15ft.)	1.0m (3ft.)	3.0m (10ft.)	6.0m (20ft.)
ı	Equal to 3.0m ² (32sq.ft.) and less than 7.4m ² (80sq.ft.)	7.6m (25ft.)	3.0m (10ft.)	3.0m (10ft.)	6.0m (20ft.)
	Equal to 7.4m (80sq.ft.) and to maximum 15.3m (165sq.ft.)	10.7m (35ft.)	3.0m (10ft.)	3.0m (10ft.)	6.0m (20ft.)
	CENTRAL BUSINESS DISTRICT (AS SHOWN ON SCHEDULE "A" OF THIS BY-LAW) OTHER THAN THE BUSINESS IMPROVEMENT AREA AND CHARACTER AREA				
	Less than 3.0m ² (32sq.ft.)	3.0m (10ft.)	1.0m (3ft.)	1.0m (3ft.)	3.0m (10ft.)
	Equal to 3.0m ² (32sq.ft.) and to <u>maximum</u> 14.9m ² (160sq.ft.)	7.6m (25ft.)	3.0m (10ft.)	1.0m (3ft.)	3.0m (10ft.)
	BUSINESS IMPROVEMENT AREA, CHARACTER AREA (AS SHOWN ON SCHEDULE "A" OF THIS BY- LAW)and DOWNTOWN CAMPBELLVILLE (AS SHOWN ON SCHEDULE "C") OF THIS BY-LAW				
	To a <u>maximum</u> of 4.6m ² (50sq.ft.)	3.0m (10ft.)	1.0m (3ft.)	1.0m (3ft.)	3.0m (10ft.)

9.4.4 Notwithstanding Section 9.4.3 herein, a legally existing Sign located on lands expropriated or acquired by the Town or the Regional Municipality of



Originator's

Files H-OZ 12/004 W7

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Information Status Report

Removal of the "H" Holding Symbol Application

To permit Phase 2 of the Pinnacle Grand Park development

Part of Lot 20, Concession 1, N.D.S.

3975 Grand Park Drive and 565 Webb Drive

Northeast corner of Webb Drive and Grand Park Drive Owner/Applicant: Pinnacle International (Grand Park)

Land Ltd.

Bill 51 Ward 7

RECOMMENDATION:

That the Report dated June 4, 2013, from the Commissioner of Planning and Building outlining the details of the proposed

development concerning the Removal of the "H" Holding Symbol

Application to permit Phase 2 of the Pinnacle Grand Park

development under file H-OZ 12/004 W7, Pinnacle International (Grand Park) Land Ltd., 3975 Grand Park Drive and 565 Webb

Drive, be received for information.

REPORT HIGHLIGHTS:

• The "H" Holding Symbol is proposed to be removed from Phase 2 of the Pinnacle Grand Park development upon execution of the Phase 2 Development and Servicing Agreements;

- A Site Plan Application has been received and is currently under review (SP 12/101 W7);
- This report is provided as information for Planning and Development Committee and Council to outline the details of the proposal in advance of a future report and by-law to remove the "H" Holding Symbol to allow for development of the subject lands.

BACKGROUND:

The subject lands represent Phase 2 of the Pinnacle Grand Park development, comprising approximately 0.37 ha (0.91 ac.) at the northeast corner of Webb Drive and Grand Park Drive. (See Appendices I-1 to I-3).

The Context Plan for the entire development, is shown in Appendix I-4 and the Concept Plan for the subject lands is shown in Appendix I-5.

The "H" Holding Symbol for Phase 1 of the development, a 28 storey condominium apartment building with street related commercial uses, which is presently under construction, was approved by Council on August 4, 2010 under file H-OZ 08/001 W7. A related site plan application for Phase 1 of the development was approved on September 14, 2011.

The Site Plan Application, under file SP 12/101 W7, and the subject application which were submitted concurrently, have been circulated for technical comments and once the Phase 2 Development and Servicing Agreements have been approved, the requirements for removal of the "H" Holding Symbol will have been met.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Application	
submitted:	April 30, 2012
Height:	4 storey podium
	48 storey tower

Development Proposal				
Lot Coverage:	60.4%			
Floor Space				
Index:	12.01			
Landscaped				
Area:	24.8%			
Net Density:	1,268 units/ha (513 units/acre)			
Gross Floor				
Area:	44 030 m ² (473,944 sq. ft.)			
Number of	·			
units:	469 units			
Anticipated				
Population:	1,147 people*			
	*Average household sizes for all units			
	(by type) for the year 2011 (city average)			
	based on the 2008 Growth Forecasts for			
	the City of Mississauga.			
	·			
Parking				
Required:	539 spaces			
Parking				
Provided:	566 spaces			

Site Characteristics		
Frontage:	86.5 m (284 ft.) on Grand Park Dr.	
Depth:	Irregular	
Lot Area:	0.37 ha (0.91 ac.)	
Existing Use:	vacant with sales centre	

Neighbourhood Context

The subject property is located within the Downtown Core and is presently occupied by a temporary sales centre and associated parking.

The surrounding land uses are described as follows:

File: H-OZ 12/004 W7 June 4, 2013

North: A partially constructed 28 storey condominium

apartment building with street related retail commercial

uses (Phase 1 Pinnacle Grand Park)

East: Vacant future mixed use development (Rogers

Garden City)

South: Webb Drive, a hydro substation and high-rise

apartment building

Retail commercial shopping plaza West:

Current Mississauga Official Plan Designation and Policies for the Downtown Core (November 14, 2012)

"Downtown Mixed Use" which permits a wide range of land uses grouped either within a development parcel or an individual building. Specific uses include all forms of high density residential development, offices, civic and cultural facilities, hotels, conference facilities, all types of restaurants, entertainment facilities, retail commercial uses, community facilities and open space.

City Council approved amendments to the Downtown Core Local Area Plan and Zoning By-law 0225-2007 on March 6, 2013 to implement new Built Form Standards for the Downtown Core, which were also endorsed at that time. The entirety of the amendments have been appealed to the Ontario Municipal Board and as such the amendments are not yet in effect.

It should be noted that owners/developers will be encouraged to advise all prospective purchasers or tenants occupying new residential units within the 600 m (1,969 ft.) influence area of a chemical plant located on Mavis Road, south of Burnhamthorpe Road West, of the possibility of adverse odour emissions.

Existing Zoning

"H-CC2(1)" (City Centre Mixed Use), which permits a wide variety and mix of uses including apartment dwellings, offices, long-term care and retirement dwellings, banquet halls and conference centres, hospitals, schools, recreational uses, parking

June 4, 2013

lots and structures, overnight accommodation, centres for the performing arts, financial institutions, personal service establishments, repair establishments, restaurants, entertainment, retail and motor vehicle rental subject to specified development requirements.

COMMUNITY ISSUES

The removal of the "H" Holding Symbol is not a public process and only requires the delivery of executed Servicing and Development Agreements in a form satisfactory to the Corporation of the City of Mississauga, addressing and agreeing to the installation of municipal works, gratuitous dedication of roads, parkland, and easements, and the provision of required securities.

Site Plan

The concurrent site plan application under file SP 12/101 W7 proposes a 48 storey tower at the northeast corner of Grand Park Drive and Webb Drive. A new public road is proposed to be gratuitously dedicated between the subject lands and Phase 1 development to the north transecting the block depth from Burnhamthorpe Road West to Webb Drive approximately in half. A covered service lane is proposed along the east property boundary connecting Webb Drive and the new public road, which will provide vehicular and pedestrian access to the site. A four storey podium with roof top landscaped terrace on the fifth floor is also proposed (see Appendix I-5 and I-6).

FINANCIAL IMPACT:

Not applicable.

CONCLUSION:

The details regarding the proposed future development of Phase 2 of the Pinnacle Grand Park development, northeast corner of Webb Drive and Grand Park Drive, have been outlined through this report in order to provide Planning and Development Committee with information about the development prior to seeking authorization to prepare the by-law to remove the "H" Holding Symbol.

File: H-OZ 12/004 W7

Planning and Development Committee - 6 -

June 4, 2013

ATTACHMENTS:

Appendix I-1: Aerial Photograph

Appendix I-2: Excerpt of Downtown Core Land Use Map

Appendix I-3: Excerpt of Existing Land Use Map

Appendix I-4: Context Plan Appendix I-5: Concept Plan Appendix I-6: Elevations

Appendix I-7: General Context Map

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: John Hardcastle, Development Planner

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LEGEND:



SUBJECT LANDS

NOTE: DATE OF AERIAL PHOTO 3/20/2010.



APPENDIX

SUBJECT:

PINNACLE INTERNATIONAL (GRAND PARK) LAND LTD.



FILE NO: H-OZ 12/004 W7

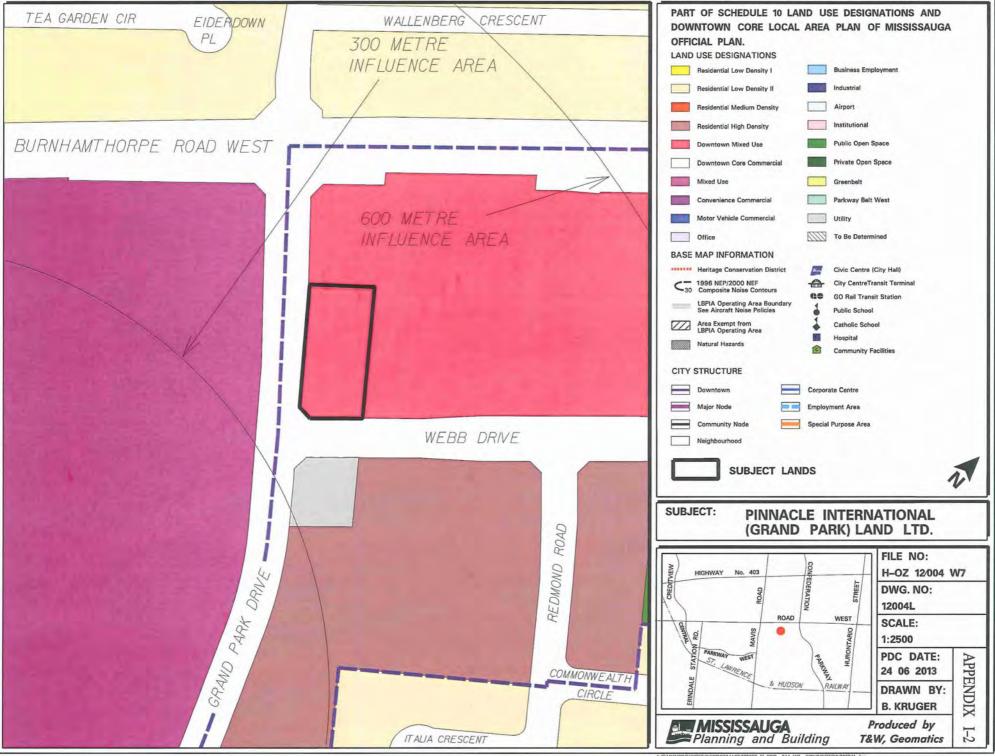
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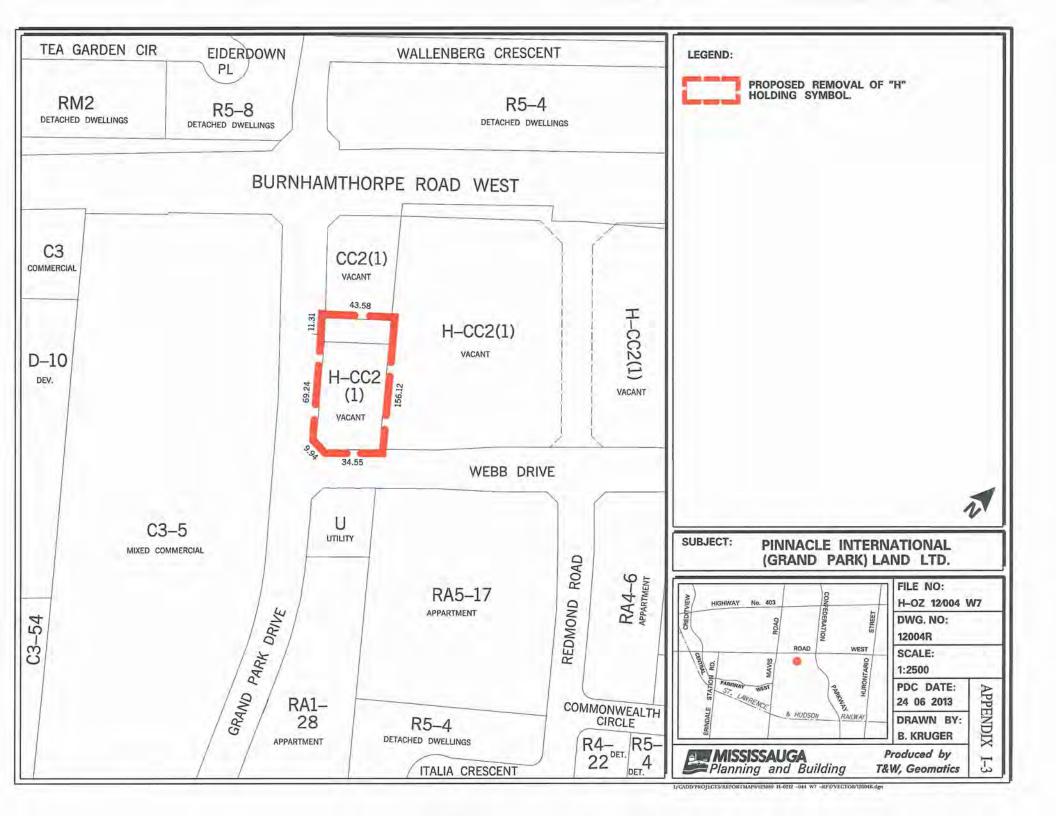
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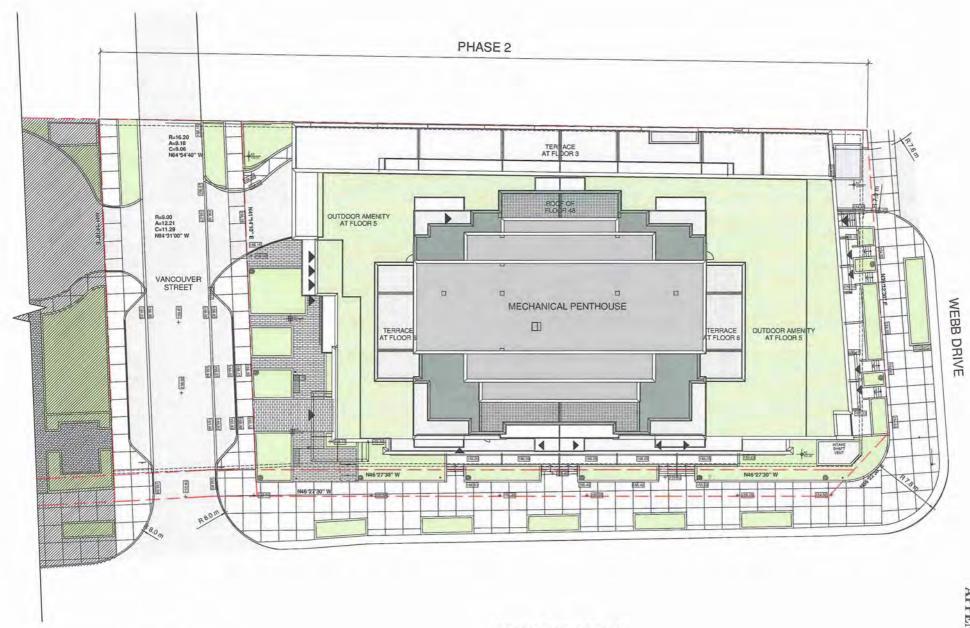
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DRAWN BY: B. KRUGER

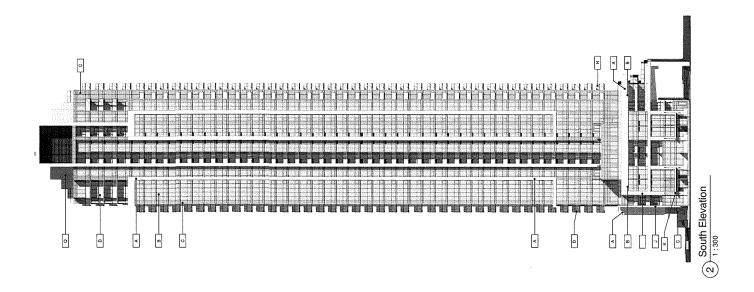
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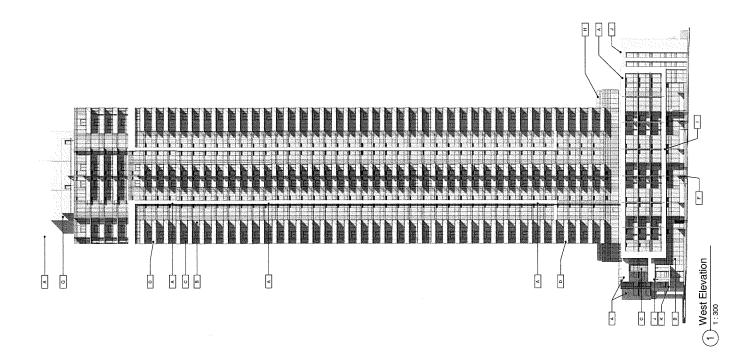


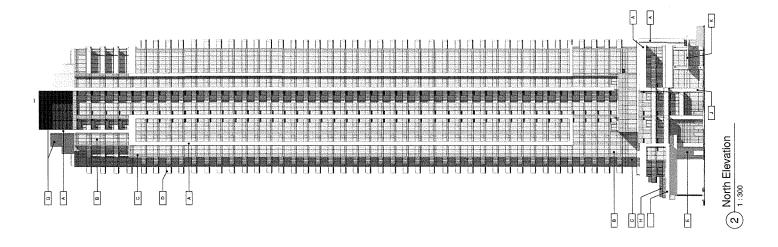


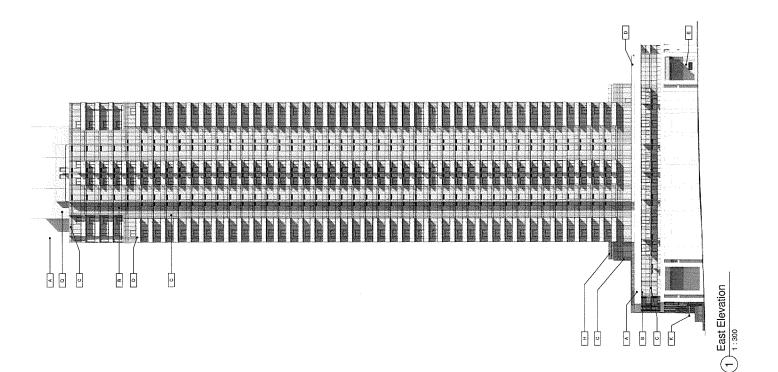


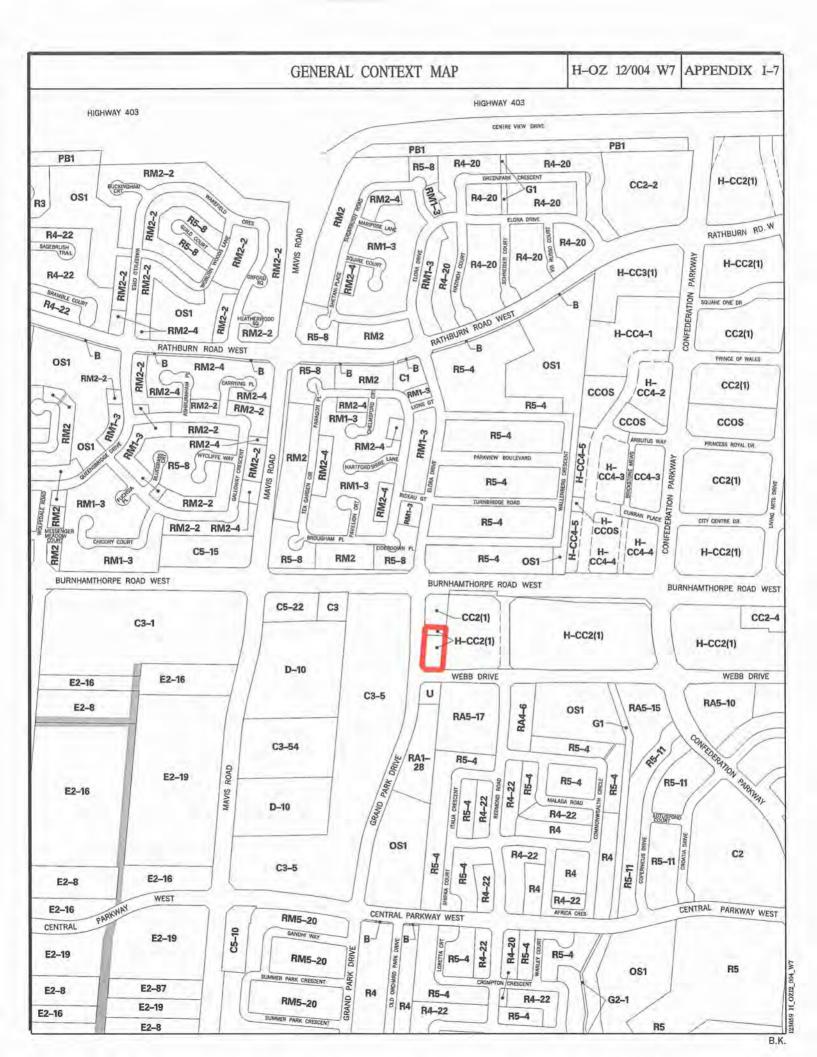
GRAND PARK DRIVE













Originator's Files

CD.07-MIS

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Mississauga Parking Strategy - Phase II: Port Credit and

Lakeview

- **RECOMMENDATION:** 1. That the report titled *Mississauga Parking Strategy Phase II*: Port Credit and Lakeview dated June 4, 2013, from the Commissioner of Planning and Building, be circulated to stakeholders within the Port Credit and Lakeview communities for comment.
 - 2. That the Transportation and Works Department undertake feasibility studies to confirm future public parking garage locations in Port Credit.
 - 3. That the Transportation and Works Department initiate the development of a business plan for existing and future parking development and operations; including a capitalization, financial and implementation plan, for Port Credit and Lakeview.

REPORT HIGHLIGHTS:

Phase II of the Mississauga Parking Strategy was completed for Port Credit and the Lakeshore Road East corridor in Lakeview. Phase II builds upon the results of Phase I and supports the City's parking goals of good urban design, economic development and sustainable transportation;

- A key component in both the Phase I and II Strategies is to create economic value for the use of parking facilities, by establishing a pay for parking environment. A self-sustaining parking management system, whereby capital costs and operating costs are covered by the fees collected, is the long term goal;
- For Port Credit, the strategy recommends providing an additional 100-200 parking spaces with the logical first garage location on the Port Credit Public Library site. The study identifies potential for a new public garage in the eastern area and consideration for public parking on the Imperial Oil site. Changes to the parking management and operational system are also recommended;
- For the Lakeshore Road East corridor, the strategy recommends
 the City take on a more active role in providing future commercial
 parking supply to foster the emerging mainstreet. A reasonable
 long term goal is to achieve 40% of the future commercial parking
 supply as public parking or approximately 660 spaces (on-street
 and off-street spaces);
- To provide a parking garage in Port Credit and take a more active role in the provision of public parking in Lakeview, there will be significant financial impacts to the City. In order to proactively plan for these undertakings, the City will need to undertake feasibility studies and increase parking revenues (e.g. the introduction of paid parking in municipal off-street lots in Port Credit and an increase to on-street parking fees) and use other tools (i.e. utilizing PIL funds to purchase properties; partnering with the private sector as part of development requirements; and through Section 37 Bonusing provisions) to achieve additional municipal parking;
- Reduced Zoning By-law parking requirements are recommended for mainstreet type commercial uses in Port Credit and Lakeview, and for apartments around the Port Credit GO station. New bicycle, shower and change room provisions are also recommended:

- To encourage the adaptive reuse of historic buildings, it is recommended that buildings on properties designated historically significant under the *Ontario Heritage Act*, be exempt from parking requirements, if certain criteria are met. In addition, reduced Zoning By-law requirements for cultural uses such as art galleries, museums and offices for cultural organizations are recommended;
- The strategy outlines recommendations related to the effective planning and delivery of parking services such as modifying existing City practices to ensure more proactive financial planning and ensuring all off-street paid parking lots are under the management of the Transportation and Works Department.

BACKGROUND:

Mississauga recognizes that parking policy and management can help shape communities and achieve a variety of city-building objectives. Phase I of the Mississauga Parking Strategy, adopted by City Council in early 2009, explained how parking policy can contribute to creating a 21st Century City and established the following goals:

- To support good urban design by contributing to the creation of a walkable environment with a compact urban form;
- To foster economic development through strategic public investment; and
- To implement Transportation Demand Management (TDM) policies and techniques which influence commuter mode choice and support existing and future transit investment.

In addition, based on recommendations in Phase I, new policies were incorporated into Mississauga Official Plan to set the context for the city's parking philosophy, transitioning from a suburban to an urban parking paradigm. A key component of this paradigm shift is to create economic value for the use of parking facilities by establishing a pay for parking environment. A self-sustaining parking management system, whereby capital costs and operating costs are covered by the fees collected, is the long term goal.

Although Phase I focused on the Downtown area, the new policies and management solutions also set a framework for parking policy to

ensure the continued success and creation of vibrant, mixed-use pedestrian-oriented mainstreet areas such as Port Credit and Lakeview.

Mississauga Parking Strategy – Phase II: Port Credit and Lakeview (attached under separate cover) continues to implement the new parking policies and management solutions, including pay for parking, established in Phase I.

The purpose of Phase II is as follows:

- To bring forward a detailed parking management plan for Port Credit that recognizes the area's unique characteristics and contributes to realizing the "Evolving Urban Village" vision developed through the draft Local Area Plan;
- To provide strategic parking policies that will set the parking framework and help to foster the emerging mainstreet for the Lakeshore Road East corridor; and
- Address an action item identified in the *Mississauga Culture Master Plan* "to understand the barriers to cultural development created by parking and how they can be addressed by more flexible parking strategies".

BA Group was retained to undertake Phase II. Various community stakeholder groups were consulted early in the process to explain the purpose and objectives of the strategy, gather preliminary information, and to identify key parking concerns. These groups included the Port Credit Business Improvement Association, Port Credit and Lakeview Local Advisory Panels, and cultural groups with representation from Mississauga Arts Council, Mississauga Waterfront Festivals, Visual Arts Mississauga, Mississauga Choral Society, various artists, architects and ratepayer groups.

In addition, cross-departmental working and steering committees were established.

Staff are requesting permission to:

- formally circulate the strategy to stakeholders within the Port Credit and Lakeview communities for comment;
- initiate feasibility studies to evaluate the potential to construct parking garages and lots at specific locations; and
- initiate a business plan for the entire Port Credit and Lakeview parking program including existing and future parking and operations.

COMMENTS:

Summary of Conclusions and Recommendations

This report presents the key conclusions and recommendations of the *Mississauga Parking Strategy – Phase II: Port Credit and Lakeview*, prepared by BA Group. Appendix A provides a detailed list of the conclusions and recommendations.

Port Credit

The existing public parking supply in Port Credit is sufficient to meet the current daily parking demand in the area, however, due to a variety of initiatives and redevelopment proposal, there is a potential need to provide an additional 100 - 200 public parking spaces. The strategy identifies potential public parking garage locations for consideration, with the first logical location on the Port Credit Library parking lot. Feasibility studies need to be undertaken to confirm future parking garage locations.

The strategy also recommends introducing on-street paid parking on additional streets and in existing public parking lots to better manage the existing supply and to generate additional revenue to fund future parking improvements. The implementation of this recommendation should be considered immediately to ensure the City is financially prepared to address future parking needs.

Lakeview

There is minimal public parking within the Lakeshore Road East corridor. To foster the emerging mainstreet, the City should take on a more active role in providing future commercial parking supply. A

reasonable long term goal is to achieve 40% (roughly the equivalent of the proportion in Port Credit) of the future commercial parking supply as public parking. This can be achieved by implementing on-street parking along Lakeshore Road East in the short term and in the long term acquiring two to three strategically located sites for public parking lots.

Zoning By-law Considerations

Parking surveys undertaken by BA Group in the Port Credit commercial area confirm that the existing Zoning By-law parking requirements are excessive. The strategy recommends reducing existing parking standards for mainstreet type commercial uses in Port Credit and Lakeview (see Appendix A for a detailed list). The strategy also recommends a reduction in the parking standards for apartments within the vicinity of the Port Credit GO station and a revised shared parking schedule.

Cultural Use Considerations

To help encourage cultural development and the location of cultural uses, the strategy recommends reduced parking standards for art galleries, museums and offices for cultural organizations. In addition, to support the adaptive reuse of historic buildings, it is recommended that buildings on designated heritage properties be exempt from parking requirements, subject to certain criteria.

Bicycle Parking Considerations

To encourage the use of other modes of transportation, bicycle parking standards and shower and change room requirements should be added to the Zoning By-law for Port Credit and Lakeview.

Financial Considerations for Port Credit

The approximate cost of a 200 space parking structure in Port Credit is \$7.0 million, assuming it is an above grade garage with grade level commercial space. Given the capital budget does not include funding for a parking structure, and the balance in the Port Credit PIL account will not cover this cost, the strategy recommends increasing parking

revenues. These increased revenues will also help in funding future capital repair and operating costs for existing parking facilities and support TDM initiatives.

Payment-in-Lieu of Off-Street Parking Considerations

To foster and provide municipal parking, additional revenue generated through the recommended increases in the paid parking program should be deposited in the Port Credit PIL account. A separate PIL account should be established for the Lakeview area given the expected increase in development in the Lakeshore Road East corridor.

General Management and Parking Operation Considerations

The strategy suggests short and long term recommendations to improve the management and delivery of municipal parking. For example, in the short term, practices should be modified to ensure more proactive financial planning and confirm all off-street paid parking lots are under the management of the Transportation and Works Department. In the longer term, an organizational structure such as a Transportation Management Association (TMA) may become desirable. TMAs not only own, develop and operate parking facilities but also develop and implement TDM strategies and programs.

Action Plan

An Action Plan has been prepared outlining the timing for the various recommendations to assist in the implementation (Appendix B: *Figure 14, Action Plan*).

Coordination With Other Studies

There are a number of other studies, such as the Waterfront Parks Strategy, Inspiration Lakeview, Inspiration Port Credit and the Hurontario-Main Street Light Rail Transit Project that will be reviewed as part of the implementation of the recommendations.

Next Steps

Stakeholder Consultation

A meeting will be arranged with the Port Credit BIA, Port Credit and Lakeview Advisory Panels and the culture groups, where BA Group will present the strategy and answer questions. An open house will also be organized for the general Port Credit and Lakeview communities. The public engagement is anticipated in September, 2013. Stakeholders will also be directed to the following web site to view the full parking strategy:

http://www.mississauga.ca/portal/residents/planningreports2013

After public input is obtained and reviewed, a report on comments and the final strategy will be presented to City Council for endorsement.

Feasibility Studies and Business Plan

The recommendations will be validated through site specific feasibility studies and the development of business plans for parking operations in Port Credit and Lakeview. The target for completion of the feasibility studies and business plan is the end of 2014 as indicated in the Action Plan (Appendix B).

The Transportation and Works Department will provide a preliminary cost estimate for the construction of site specific parking facilities, at the conclusion of stakeholder consultations.

Mississauga Parking Strategy – Phase III

Phase III of the *Mississauga Parking Strategy: Zoning By-law Parking Standards Review* is accommodated in the 2013 budget approved by City Council and is scheduled to commence in the Fall of 2013. The purpose of Phase III is twofold: to move to a more urban context with respect to parking requirements by aligning required parking with the new urban hierarchy in Mississauga Official Plan; and to implement a gradual reduction in parking supply requirements as transit increases in areas such as Nodes and Intensification Corridors.

STRATEGIC PLAN:

The conclusions and recommendations of the Mississauga Parking Strategy – Phase II: Port Credit and Lakeview are consistent with and respond to four of the Strategic Pillars for Change in the City's Strategic Plan: namely, Developing a Transit-Orientated City; Completing Our Neighbourhoods; Cultivating Creative and Innovative Businesses; and, Living Green.

FINANCIAL IMPACT: Recommendations resulting from Phase II of the *Parking Strategy*: Port Credit and Lakeview could have a significant financial impact, depending on future City Council decisions.

> The strategy presents two key recommendations for financing the Port Credit parking operation. The first is to set a monetary goal to fund a future parking garage; and, second to increase parking revenues to help finance existing and future parking and TDM initiatives. Immediate consideration should be given to implementing the revenue generating recommendations, most importantly, the introduction of paid parking in all municipal off-street lots that service the main commercial area. Given that the capital budget does not include funding for a parking structure in Port Credit, this proactive approach will help to ensure the City is financially prepared to address future parking needs.

> The Lakeview area has minimal public parking, thus there is limited opportunity for revenue generation through paid parking to help in funding future municipal parking. The City should begin to look for opportunities to provide new off-street parking by: utilizing PIL funds to purchase properties; partnering with the private sector as part of development requirements; and through Section 37 Bonusing provisions.

The feasibility studies and business plan will be a component of this process and will validate the revenue and cost assumptions.

CONCLUSION:

Mississauga Parking Strategy – Phase II: Port Credit and Lakeview recommend new parking policies and management approaches for Port Credit and for Lakeshore Road East. In addition, there are recommendations for: Zoning By-law amendments related to parking standards including, cultural uses and bicycle parking; financial considerations; and general management and operational approaches. From a financial perspective, the strategy provides a basis for the creation of a business plan for implementing the recommendations related to Port Credit; and strategic guidance for the implementation of municipal shared parking resources in Lakeview.

Prior to finalizing the strategy, feedback from Planning and Development Committee and from community stakeholders will be obtained and reported on at a future meeting in early 2014. During the consultation period, the Transportation and Works Department will begin preparing detailed business plans for the creation of future parking, existing parking and operations. This will include capitalization, financial and implementation plans, for both Port Credit and Lakeview.

ATTACHMENTS:

Under separate cover: *Mississauga Parking Strategy* – *Phase II: Port Credit and Lakeview*, dated April, 2013, prepared by BA Group Transportation Consultants.

APPENDIX A: Key Conclusions and
Recommendations - Phase II Parking
Strategy for Port Credit and
Lakeview

APPENDIX B: Figure 14, Phase II Parking Strategy
Action Plan

APPENDIX C: Figure 11, Potential Opportunities for New Municipal Parking

APPENDIX D1 & D2: Figures 6a and 6b, Municipal Off-Street Parking Supply

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Teresa Kerr, Policy Planner

K:\PLAN\POLICY\GROUP\2013 Parking\Parking Strategy - Port Credit_Lakeview\Corporate Report - Request for Public Meeting PDC June 24.doc

Key Co	Key Conclusions and Recommendations - Phase II Parking Strategy for Port Credit and Lakeview				
Subject Area	Conclusions and Recommendations				
Port Credit – Parking Supply	Currently, the existing public parking supply in Port Credit is sufficient to meet the regular peak demand in the area;				
	• In the longer term, due to a variety of initiatives and redevelopment proposals, some public parking spaces may be eliminated and new parking demand added. The City should proactively plan to provide additional public parking and establish an initial goal of 100-200 new public spaces in the Port Credit Primary Node Commercial Area to offset future changes to the parking supply;				
	• The first and most crucial step in developing the plan is to review the feasibility of new public parking garages and lots. Potential locations (Appendix C: Figure 11, Potential Opportunities for New Municipal Parking) include:				
	 a parking garage on the existing Port Credit Public Library parking lot; a parking garage on the existing J.J. Plaus Park municipal parking lot; a potential public parking garage along the south side of Port Street in joint venture with the redevelopment of the Port Credit Harbour Marina lands; a parking lot and potential future garage on the Imperial Oil lands near Lakeshore Road West; a parking garage under the Riverside Public School playground area; a parking garage on the existing Elmwood Avenue public parking lot and adjacent LCBO site; an expanded surface parking lot at Cayuga Avenue; and a reconfiguration of several on-street parallel parking areas to perpendicular or angled parking; A logical first garage location is on the Port Credit Public Library parking lot. The City already owns the property, the site is well located in the centre of the node, and the location can provide the required number of spaces and grade-related commercial space along Lakeshore Road; 				

Key Conclusions and Recommendations - Phase II Parking Strategy for Port Credit and Lakeview						
Subject Area	Conclusions and Recommendations					
	 Minimal change is expected to the parking situation east of Rosewood Avenue in the short to medium term. If public parking is lost in this area, the City should investigate opportunities to replace it to maintain a good level of service. A new public parking garage could be constructed on the Elmwood surface lot and adjacent LCBO store site in conjunction with new grade-related commercial space; 					
	The City should consider developing a new surface lot on the Imperial Oil lands in the vicinity of Port Street and Mississauga Road to provide parking for Clarke Hall and J.C. Saddington Park and provide land for a potential future garage; and					
	The City should convert the following existing free on-street parking areas into paid parking:					
	 - the high-density area north of Lakeshore Road East; - along Front Street north and south; - along Queen Street in the vicinity of Mentor College; and 					
	- along Rosewood Avenue.					
Lakeview - Parking Supply	 The City should seek to play a significant role in the provision of shared public parking resources in the Lakeshore Road corridor. A reasonable long-term goal for Lakeview would be to achieve a 40% share of the commercial parking supply which is roughly equivalent to the current proportion of public parking in Port Credit. To meet this long term goal, the City should create approximately 660 public parking spaces (275 on- street and 385 off-street) in the area; 					
	A short term goal should be to implement on-street parking along Lakeshore Road East and on side streets;					
	 Two to three strategically located sites should be identified along the Lakeshore Road East corridor that could provide at least 100 surface parking spaces but also have the potential to expand to include future above or below grade garages with grade-related commercial space; 					

Key Conclusions and Recommendations - Phase II Parking Strategy for Port Credit and Lakeview					
Subject Area	Conclusions and Recommendations				
	To achieve the off-street parking, use the payment-in-lieu (PIL) of off-street parking funds, partner with the private sector and utilize Section 37; and				
	• In the Inspiration Lakeview area, ensure all new public streets are carefully assessed to optimize on-street parking.				
Zoning By-law Considerations	Observed peak commercial parking demand is below current Zoning By-law requirements. It is recommended that the City reduce parking standards in the Zoning By-law for mainstreet type commercial uses in "C4 zones" in Port Credit and Lakeview as follows:				
	 - 3.0 spaces/100 m2 GFA for retail, personal service, repair establishments, art galleries and museums; - 4.85 spaces/100 m2 GFA for financial institutions, real estate offices and medical offices; and - 3.0 spaces/100 m2 GFA for office uses; 				
	 Reduced Zoning By-law parking requirements are recommended for apartments near the Port Credit Mobility Hub within an approximate 500 metre (1,640 ft.) radius or ten-minute walking distance from the GO Station. The reduced requirements should match those used in Downtown Mississauga: a minimum 1.0 space/unit for residents; and 0.15 space/unit for visitors. The reduced parking supply rate zone should be extended in the future once the LRT is in operation; and 				
	A revised shared parking schedule in the Zoning By-law is recommended to better reflect the variations in demand found in mainstreet areas at different times of the day.				
Cultural Use Considerations	 Reduced Zoning By-law requirements are recommended for art galleries, museums and offices for cultural organizations (see Zoning By-law Considerations); 				

Key Cor	Key Conclusions and Recommendations - Phase II Parking Strategy for Port Credit and Lakeview					
Subject Area	Conclusions and Recommendations					
	 The reuse of heritage buildings is currently supported by allowing PIL to be utilized. To further encourage the adaptive reuse of heritage sites, a parking and PIL exemption could be implemented for buildings that are on properties designated historically significant under the <i>Ontario Heritage Act</i>, with certain restrictions e.g. new floor area added through an addition, alteration or extension; or if the existing floor area is replaced, would not be considered for an exemption to parking; Special events should continue to be supported by effectively managing the parking supply outside of the 					
	Primary Node Commercial Area. To promote the use of periphery lots, the City or BIA, could offer a free shuttle to/from these lots in order to ensure access is convenient; and					
	The Transformative On-street Parking Space project should continue to be supported, allowing the conversion of on-street parking spaces to be used for alternative uses, such as; patios, public art and bicycle parking, in the summer months.					
Bicycle Parking Considerations	 Bicycle parking standards should be added to the Zoning By-law for Port Credit and Lakeview as follows: Office Uses – 0.17 spaces/100 m2 GFA for staff parking plus 0.03 spaces/100 m2 GFA for visitor parking; Retail Uses – 0.085 spaces/100 m2 GFA for staff parking plus 0.25 spaces/100 m2 GFA for visitor parking; Other Uses – 4% for staff and 4% for visitors; and Apartments – 0.60 resident spaces/unit and 0.15 visitor spaces/unit; For smaller renovations and redevelopments (offices less than 2,500 m2 (26, 910 sq.ft.) and retail developments less than 1,500 m2 (16,150 sq.ft.)), a bicycle parking exemption is recommended; 					

Key Conclusions and Recommendations - Phase II Parking Strategy for Port Credit and Lakeview				
Subject Area	Conclusions and Recommendations			
	For smaller developments, a cash payment option for visitor bicycle parking should be permitted. This will allow the City to deploy visitor bicycle parking in strategic areas, rather than having each development provide a small number of spaces in an uncoordinated fashion;			
	 Shower and change room requirements for non-residential uses should be added to the Zoning By-law for Port Credit and Lakeview. The recommended standard relates to the number of employee bicycle spaces required. e.g. if less than 4 employee bicycle spaces are required no shower stall is required, if 5-29 employee bicycle spaces are required, 2 shower stalls are required; and 			
	• In order to provide bicycle parking facilities for existing development in Port Credit, approximately 180 spaces should be provided by the City, including an initial allocation of 120 visitor spaces and 60 staff spaces.			
Financial Considerations for Port Credit	• A review of both the revenues and expenses associated with municipal public parking in Port Credit indicates that the City's on-street parking operates at a surplus of approximately \$145,000/year while the off-street parking operates at a deficiency of approximately \$125,000/year. These figures do not account for the initial capital investment;			
	• The medium to long term need for a 200 space parking garage in Port Credit will likely cost in the order of \$7.0 million, assuming it is an above grade garage with grade level commercial space at a cost of \$35,000/space. (This figure does not include potential additional costs associated with the site requirements of specific locations.) The Port Credit PIL account balance (\$2.5 million) is not sufficient to cover this cost. A feasibility plan and business case should be developed to finance the portion of the garage (approximately \$4.5 million) that cannot be covered by the PIL account;			

Key Conclusions and Recommendations - Phase II Parking Strategy for Port Credit and Lakeview					
Subject Area	Conclusions and Recommendations				
	The current net surplus generated by the municipal parking operation is not sufficient to cover the estimated \$400,000 in annual costs associated with financing and operating the recommended parking garage, without a significant contribution from another source in the City's budget. Therefore, parking revenues in Port Credit will need to increase in order to fund the future garage on a break even basis;				
	• To plan for future parking facilities, generate revenue to fund future capital repair costs for existing parking facilities and fund Transportation Demand Management initiatives in Port Credit, the following should be implemented as soon as possible:				
	 increase existing on-street parking rates from \$1.00 to \$1.50/hour; implement paid parking in off-street lots serving the main commercial area, at a rate of \$1.00/hour (Appendix D1 and D2: Figures 6a and 6b, Municipal Off-Street Parking Supply); implement monthly parking in the off-street lots at \$120/month; add more on-street pay for parking zones as previously described; introduce paid parking, at a rate of \$2.00/day, on the City-owned unopened road allowance adjacent to the Port Credit GO Station, when the lease of this land to Metrolinx expires in 2016; and expand the time periods for paid parking to include weekday evenings to 9 pm and Sundays from 10 am to 6 pm; and 				
	• A revenue analysis undertaken by BA Group suggests that approximately \$400,000/year can be raised by the above noted recommendations. This estimate will need to be confirmed through the development of a business plan for the Port Credit parking program.				
Payment-in-Lieu of Off-Street Parking Considerations	The additional revenue noted above should be deposited into the Port Credit payment-in-lieu (PIL) of off-street parking account;				

Key Conclusions and Recommendations - Phase II Parking Strategy for Port Credit and Lakeview						
Subject Area	Conclusions and Recommendations					
	It is recommended that the PIL program continue to be supported and encouraged in Port Credit and Lakeview in order to foster and provide municipal parking. Given the expected increase in development in the Lakeshore Road East corridor, it is recommended that a separate PIL account be established for Lakeview; and					
	PIL values should reflect the estimated cost incurred by the City to provide shared public parking resources including surface, above and below grade spaces.					
General Management and Parking Operation Considerations	If pay for parking is introduced at the Port Credit Library parking lot, as per the Corporate Policy on Employee Paid Parking and Commuter Options, the City should implement paid parking for the Port Credit Library staff; Short town recommendations for the effective planning and delivery of parking comics include:					
	 Short term recommendations for the effective planning and delivery of parking services include: modify existing practices to ensure a more proactive financial planning and reporting approach for each of the areas where there are public parking resources; ensure all off-street paid parking lots are under the management of the Transportation and Works Department; develop a regular communications and marketing program for each area; and develop a business plan for future parking development and operations, including a capitalization and financial plan; and 					
	• In the long term, a distinct organizational structure, such as a Transportation Management Association (TMA), may become desirable to manage the City's public parking operation. More sophisticated TMAs not only own, develop and operate parking facilities (functions typically associated with a Parking Authority), but also develop and implement TDM strategies and programs.					

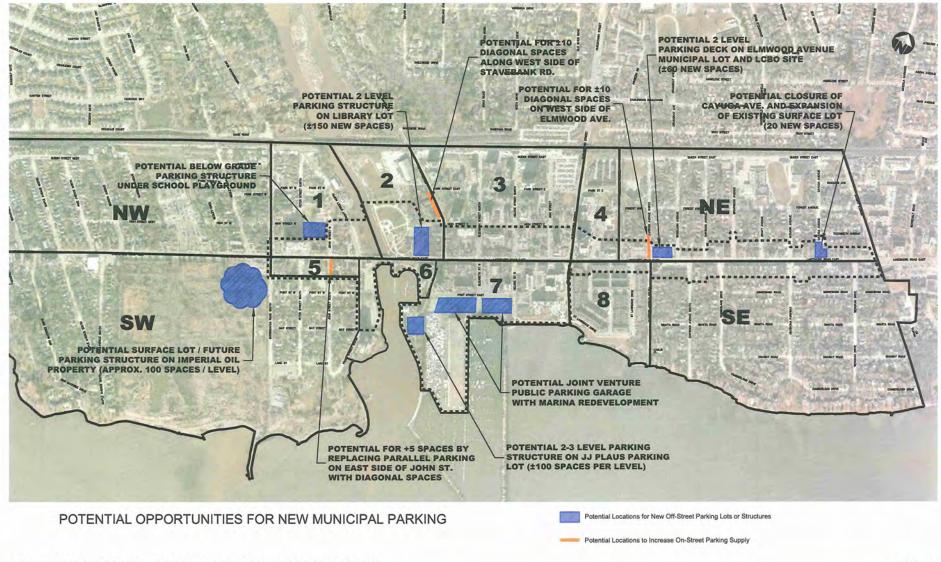
	ey Conclusions and Recommendations - Phase II Parking Strategy for Port Credit and Lakeview		
Subject Area	Conclusions and Recommendations		
Action Plan	An Action Plan has been prepared outlining the timing for the various recommendations to assist the City in implementation. (Appendix B: Figure 14, Action Plan)		

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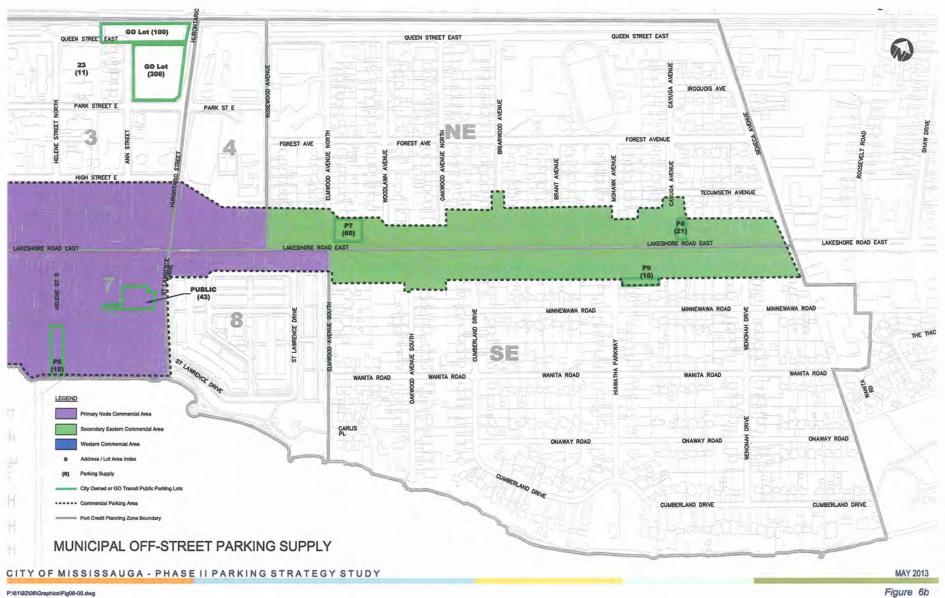
FIGURE 14: PHASE II PARKING STRATEGY ACTION PLAN

APPENDIX B

		2013	2014	2015	2016	2017÷
	Port Credit Parking Strategy					
.1	Implement additional on-street paid parking.	PLAN	IMPLEMENT			
1.2	Develop a plan to provide additional new municipal parking in the Primary Port Credit Commerical Area to support future development.	PL	AN	ON-G	SOING IMPLEMENTAT	ION
.3	Undertake a feasibility plan for a parking garage at the Port Credit Library and / or J.J. Plaus Park.	PLAN	IMPLEMENT			
1.4	Review potential of constructing a new parking lot on the Imperial Oil lands adjacent to Port Street to support redevelopment on Lakeshore Road West, provide additional parking for Clarke Hall and support Waterfront Parks Master Plan objectives.	PĹ	AN	IMPLEME	NT WHEN FEASIBLE	
. 1	Lakeview Parking Strategy					-
2.1	Implement on-street parking along Lakeshore Road East.	IMPLI	EMENT			
2.2	Develop a plan to provide approximately 385 new off-street municipal parking spaces in Lakeview to achieve a target of approximately 40% of the total parking supply municipally.	PL	AN	ON-	GOING IMPLEMENTA	TION
2,3	Develop a policy framework for future redevelopment of OPG lands that requires on-street parking and supports overall parking goals of Lakeview area.	PL	AN	ON-	GOING IMPLEMENTA	TION
3.	Cultural Considerations					
3.1	Reduce Zoning-By Law requirement for Art Galleries, Museums and Cultural association offices as recommended in Section 5.0.	IMPLEMENT				
3,2	Implement a heritage exemption into the Zoning By-Law to support redevelopment of heritage sites.	IMPLEMENT				
3,3	Support events and festivals through parking management. Develop a communications plan for residents that informs people of where additional parking areas (e.g. GO Transit lots) are located and a finanical business plan to fund a free shuttle bus during events.	PLAN		0	NGOING	
3.4	Support the transformative parking space project.			ONGOING		
4.	Zoning By-Law Considerations					
4.1	Implement reduced parking requirements for commercial and apartment uses into Zoning By-law for Port Credit and Lakeview consistent with Section 5.0.	IMPLEMENT				
1.2	Implement new bicycle parking requirement and shower / change room requirements into Zoning By-Law.	IMPLEMENT				
4.3	Implement heritage building exemption and reduce parking requirement for some cultural uses consistent with items 3.1 and 3.2 above.	IMPLEMENT				
5.	Financial Considerations					
5.1	Develop a business plan to finance and construct new parking facilities in Port Credit.	IMPL	EMENT			
5.2	Increase parking revenues to fund future parking resources, TDM initiatives and establish reserve fund.	PLAN	IMPLE	MENT	4	
5.3	Create a separate PIL account for Lakeview.	IMPLEMENT				
5.4	Change Corporate PIL Policy to reflect the cost to the City of providing shared public parking resources.	IMPLEMENT				
5.5	Revise internal accounting practices to better track expenses associated with parking operations in Port Credit and Lakeview with information being reported to the parking manager.	IMPLEMENT				
ò.	General Management & Operational Considerations					
.1	Parking Manager engagement with the Port Credit BIA			ONGOING		
5.2	Develop a parking communications and marketing program for both Lakeview and Port Credit.	IMPLE	MENT			
5.3	Develop a business plan for future parking development and operations.	IMPLE	MENT			
6.4	Eliminate time limits for on-street parking if rates increased to \$1.50 per hour or introduce \$2.00 for third hour.	IMPLEMENT				
3.5	Implement municipal bicyle parking development recommendations in Port Credit as per Section 7.2.	IMPLEM	ENT			
6,6	Place nine to ten off-street parking facilities in Port Credit under the management of Transportation & Works Dept.	IMPLEMENT				



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Clerk's Files

Originator's

Files CD.04.CLA

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Proposed Amendments to Mississauga Official Plan and

Zoning By-law 0225-2007 for Lakeshore Road West -

Clarkson Village Study

Bill 51

Supplementary Report

Ward 2

RECOMMENDATION:

That the report dated June 4, 2013, from the Commissioner of Planning and Building, recommending amendments to Mississauga Official Plan and Zoning By-law 0225-2007 for the Lakeshore Road West – Clarkson Village Study area, be adopted in accordance with the following:

- 1. That notwithstanding that subsequent to the public meeting, revisions to the proposed amendments are being recommended, Council considers that changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendments is hereby waived.
- 2. That the proposed amendments to Mississauga Official Plan for the Lakeshore Road West Clarkson Village Study area be approved in accordance with the January 24, 2012 Public Meeting Report (attached as Appendix S-1 of this report).

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File: CD.04.CLA June 4, 2013

3. That the proposed amendments to Zoning By-law 0225-2007 for the Lakeshore Road West – Clarkson Village Study area, be approved in accordance with Appendix S-3 of this report.

- 4. That the implementing Official Plan and Zoning By-law
 Amendments be brought to a future City Council meeting upon
 resolution of the outstanding appeal to the "Mixed Use"
 designation and policies of Mississauga Official Plan.
- 5. That staff be directed to complete Built Form Standards for Lakeshore Road West Clarkson Village and bring them forward to be endorsed at a future City Council meeting.

REPORT HIGHLIGHTS:

- A Public Meeting was held on February 13, 2012 to hear comments regarding the proposed amendments to Mississauga Official Plan (MOP) and Zoning By-law 0225-2007 for the Lakeshore Road West - Clarkson Village Study;
- The proposed amendments include changes to the Clarkson Village Community Node Character Area policies by introducing new Land Use, Urban Design, Transportation, Access and Parking Policies; and to amend specific Special Site policies to direct the form of future development; and to modify the "C4" (Mainstreet Commercial) zoning within Clarkson Village to include new requirements with respect to the form and relationship of buildings to adjacent lands;
- Revisions to the proposed Zoning provisions are recommended in response to comments received from Credit Valley Conservation for lands adjacent to Turtle Creek; and for lands that are subject to current development applications;
- Responses are provided to written and verbal comments received; and,
- The recommendation is to approve the proposed amendments as revised, and to forward the implementing documents to Council for adoption once the relevant appeal to MOP is resolved.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on February 13, 2012 at which time a Corporate Report (Appendix S-1) was presented and received for information.

At the Public Meeting, the Planning and Development Committee passed Recommendation PDC-0010-2012 which was subsequently adopted by Council and is attached as Appendix S-2.

Update on Clarkson Village Developments

Reichmann Seniors Housing (1907 Lakeshore Road West)

On October 26, 2012, subsequent to the Public Meeting, a full building permit was issued for the construction of an 8 storey retirement dwelling with 126 dwelling units. Construction is now nearing completion. Revisions to the proposed Official Plan and Zoning By-law amendments outlined in the January 24, 2012 Public Meeting report are not required to accommodate the ongoing construction of this building.

2286974 Ontario Inc. (Vandyk Group of Companies) formerly Clarkson Manors Inc. (1571, 1575 and 1601 Lakeshore Road West)

Official Plan Amendment and Rezoning applications for these lands were received under file OZ 12/010 W2 on August 10, 2012 and deemed complete on September 25, 2012. These applications are to permit a 324 unit condominium apartment building ranging in height from 4 to 6 storeys with limited ground floor commercial uses and to complete the partially constructed 3-storey building at the southwest corner of the site for commercial/office uses. A Public Meeting on the proposed development was recently held by Planning and Development Committee at its May 27, 2013 meeting. It is recommended that Mississauga Official Plan be modified in accordance with the draft policies contained in the January 24, 2012 Public Meeting report, however, that the Zoning By-law provisions, as previously set out in Appendices 4 and 5 of the Public Meeting report, not be changed through this process, allowing for the current application process to address any site specific zoning requirements for the development.

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607074 Ontario Limited (Satellite Restaurant and Spoon and Fork Restaurant sites, 1969 and 1971 Lakeshore Road West)

Subsequent to the August 25, 2011 Ontario Municipal Board (OMB) decision, which allowed the developer's appeal to permit a 15 storey, 124 unit apartment building with ground level commercial uses, City staff and the developer have been working toward a resolution of the appropriate community benefit payment under Section 37 of the *Planning Act*. City Council recently directed the City Solicitor to prepare a Section 37 Agreement, execute Minutes of Settlement and if required, attend at the OMB in support of the Agreement and the approval of the Official Plan and Zoning By-law amendments to implement the Board's decision. Any applicable Official Plan and Zoning By-law provisions to accommodate the development would best be addressed through the OMB's Order enacting the site specific amendments.

COMMENTS:

COMMUNITY ISSUES

In addition to the Public Meeting held on February 13, 2012, community and open house meetings were held on May 2, 2007 and March 27, 2008. Several stakeholder focus group meetings have been held since April of 2006, the most recent meeting being on April 4, 2012. The following is a summary of comments and responses to issues identified:

Comment

Concerns were identified with regard to the limited opportunities for residents to participate in the process, review the proposed amendments and provide formal comments for the Clarkson Village Study.

Response

An extensive community engagement process was undertaken with community stakeholders, including representatives from active ratepayers groups in the area, interested individuals, property owners, developers and the Clarkson BIA, prior to the commencement of the formal public consultation process.

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June 4, 2013

Community meetings and open houses have been held, with public notification to the broader Clarkson area through formal mailings; newspaper notifications; the posting of the Phase 2 Analysis and Recommendations Report for the Study, updates on

the City's Planning and Building website, and the placement of

mobile signs along Lakeshore Road West.

Although the January 24, 2012 Corporate report was publicly available only 1 week in advance of the formal Public Meeting, a three month commenting period was allotted on the City's Clarkson Village Study website following the Public Meeting to allow for public input. During this period, written comments were received from 4 individuals. From January 2012 to April 30, 2013, the website has been accessed 330 times. Relevant concerns and comments received prior to and during this period have been outlined and addressed within the Comments section of this report.

Comment

A concern was raised regarding the lack of vision for Clarkson Village, which would be a reference for the community and developers when considering new development proposals in the area.

Response

The Terms of Reference for the Clarkson Village Study required that the stakeholders group create a shared vision for the area. Collaboration resulted in the vision statement, as stated on pg. 1 of Appendix 4 of the Public Meeting report (attached to this report as Appendix S-1). It is proposed that the Shared Community Vision and Focus form part of the new policies for the area, directing new development.

Comment

Concerns were raised with regard to proposed building heights, the impact of permitting additional building height beyond that which is currently permitted, on the character of the Village and adjacent established residential areas from a shadow and overlook perspective.

Response

Comments regarding height and character are included in the Planning Comments section of this Report.

Comment

The policies should consider greater density and height given the location of the Village relative to higher order transit.

Response

As noted in the previous response, comments regarding height and character are included in the Planning Comments section of this Report.

Comment

A comment was received in regard to 972 Clarkson Road South, situated on the west side, one property south of Lakeshore Road West, that the site is located partially within two character areas, the Village Core and the Outer Village Core. The lands should be contained only within one character area.

Response

Appendix 6 attached to the Public Meeting report (Appendix S-1) includes the entirety of this site within the Outer Village Core area of the Historic Village Precinct. It is proposed that final Official Plan mapping be prepared in accordance with this schedule.

Comment

The Study is recommending site specific Official Plan policies for the Stonebrook Properties lands located on the east side of Southdown Road, north of Lakeshore Road West. As there have been additional approvals granted through the Committee of Adjustment which have exceeded the site specific permissions, the proposed Official Plan amendment for the Study Area should add these provisions.

Response

The noted lands are presently identified as Special Site 2 to the Clarkson Village Community Node (see Appendix 5 of the Public Meeting report) and have provisions to allow for a maximum floor

Space Index of 4.5, a maximum of 424 apartment dwelling units, and a maximum building height of 18 storeys, notwithstanding the provisions of the "Residential High Density" designation. There is no change recommended to these Council approved provisions or to the existing zoning of these lands. Accordingly, the minor variances granted to permit an increase in the maximum permitted number of apartment dwelling units will continue to apply without change to the amendments proposed through this report.

Comment

The policies should focus on the core of the Village and not include the Gateway areas.

Response

The study establishes three distinct precincts, the Historic Village Precinct, East Gateway Precinct and West Gateway Precinct. The Historic Village Precinct is further divided into the Core and Outer Core Character Areas. The entire area, made up of all three precincts, does and will continue to function as the Clarkson Village Community Node. The identification of sub-areas is not intended to influence the functioning or role of the area, but to recognize and address differences in built form and lot fabric.

Comment

The policies should incorporate and address lands adjacent to the Clarkson GO Station.

Response

The Clarkson Village Study considered lands adjacent to the Clarkson GO Station in terms of their impact on the Study Area, but does not propose amendments to the Official Plan or Zoning for those lands. As recommended in the Phase 2 Report, any changes to the land use for the area in the vicinity of the GO Station should be undertaken as part of any future detailed station area plan.

Comment

Concerns were expressed that a 3.0 m (9.8 ft.) landscape buffer adjacent to residential lands would be inadequate to accommodate

transitional buffering and that 4.5 m (14.7 ft.) would be more appropriate.

Response

Modifications to the landscaped buffer requirements of the "C4" (Mainstreet Commercial) zone category are not proposed. Where lands abut a residential zone, a minimum 4.5 m (14.7 ft.) landscape buffer is required; where abutting most non-residential zones 3.0 m (9.8 ft.) is required; and where abutting another "C4" zone or a street line, a landscaped buffer is not required.

Comment

The policies should require a higher standard of sustainability.

Response

Mississauga Official Plan has new City-wide policies regarding sustainability which are comprehensive and intended to be applied across the entire City. Localized policies are not necessary to achieve the goals of the Clarkson Village Study in terms of sustainability.

PLANNING COMMENTS

Official Plan

Mississauga Official Plan was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 22, 2011. The Plan was appealed in its entirety, however, on November 14, 2012, the OMB issued a Notice of Decision approving Mississauga Official Plan, save and except certain appeals.

The "Mixed Use" Policies of Mississauga Official Plan have been appealed to the OMB in their entirety. As the majority of the lands within the study area are designated "Mixed Use", the proposed Official Plan amendments cannot be enacted at this time. Accordingly, the proposed amendments will be withheld until such time as this outstanding appeal has been resolved. As appropriate,

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File: CD.04.CLA June 4, 2013

an Addendum report will accompany the amendments to address any changes made through the resolution of this appeal.

Building Heights

Feedback was provided during the February 13, 2012 Public Meeting with regards to proposed building heights and their impact upon adjacent sensitive neighbourhoods and creating a desirable character for the area. Based upon the general themes expressed during the Public Meeting, it is important to recall the Terms of Reference for the Clarkson Village Study which set out 8 goals for the study. In addition to the creation of a shared stakeholders vision statement and implementation plan to achieve the shared vision, the goals call for the creation of a pedestrian oriented community, promoting a transit-oriented community, and creating a vibrant mainstreet. These goals rely to some degree on achieving a higher built form than presently exists within the Village.

The Canadian Urban Institute (CUI) participated in the Clarkson Village Study and peer reviewed the early portions of the public engagement process, providing feedback on the process and built form options in establishing a vision. The feedback on the process was positive, citing an effective engagement strategy to obtain feedback and establish a shared vision. The CUI also advised that there were three general options to consider in terms of built form typology, status quo (no change), mid-rise development (5 to 12 storeys) and high-rise development (12+ storeys). An evaluation of the three options in accordance with the goals of the study and stakeholder input overwhelmingly supported the concept of a midrise built form.

Building heights in the upper end of the mid-rise range were not well received by stakeholders who generally felt that the upper limit was too tall and not a desirable character. Given the stated desires of the stakeholders to create a 'Village', to minimize the impact of development on existing established neighbourhoods abutting the Village and to maintain sunlight and view corridors on the public sidewalks, additional evaluation of the individual sites within the Village was undertaken to determine what heights and

setbacks could be accommodated without impacts. It was determined that buildings should generally be no greater than 6 storeys and in some cases 4 storeys in height and that building step-backs beyond the 2nd or 3rd storey would be necessary to maintain sky views and minimize shadowing on public sidewalks.

To test the viability of the built form recommendations, Barry J. Lyon and Associates were engaged to review conditions in the Village. It was generally concluded that additional height and density were necessary to encourage redevelopment. Without additional as-of-right permission, changes to the economic conditions in the area would be necessary before redevelopment would occur. Without policy change, there would be no incentive to redevelop existing strip retail plazas in the Village that are currently dominated with parking areas located between the buildings and the street line.

The City's Official Plan has identified the Clarkson Village area as a Node for more than a decade; an area which is intended to be developed more intensely and diversely than surrounding lands. With the onset of the Growth Plan for the Greater Golden Horseshoe and the new Mississauga Official Plan identifying the western portion of the Village within a Major Transit Station Area, the rationale for additional density in the Village has become stronger. A reasonable approach to accommodating density, which considers the role of the Village within the Clarkson Neighbourhood, the broader City of Mississauga and the GTA, is necessary to ensure a defensible policy framework under increasing demands to redevelop.

Zoning

Subsequent to the Public Meeting, updated comments were received from Credit Valley Conservation (CVC) stating that they no longer supports the proposed use of a "H" Holding Symbol for lands which are encumbered by slope stability issues associated with Turtle Creek, within the Village Core Area. CVC are concerned that minor redevelopment proposals may trigger the requirement to remove the "H" Holding Provision, which may be

more onerous than the proposal warrants. CVC, however, continues to support the proposed Official Plan policies for Special Site 3, (see Appendix 4, Pg. 5 and Appendix 5 of the Public Meeting report), which require the submission of satisfactory technical reports prior to any development of these lands.

In view of the preceding, it is recommended that the "H" Holding Symbol previously proposed for these lands be deleted and the zoning be changed to "C4-Exception 2" (Core Area). The revised zoning provisions and mapping are attached as Appendices S-3 and S-4. CVC has also requested that minor revisions be undertaken to the Greenbelt Overlay in the Zoning By-law to reflect current and updated CVC mapping. Current CVC mapping will be utilized in the final Zoning By-law amendments forwarded for Council's enactment.

Further, as noted in the section at the beginning of the report titled "Update on Clarkson Village Developments", it is recommended that the "H-C4-Exception 5" (East Gateway – Holding) zoning previously proposed for the residential portion of the "Vandyk" lands at 1571, 1575 and 1601 Lakeshore Road West be deleted and that the current "H-RA2-46" (Apartment and Townhouse Dwellings with Holding Symbol) zoning be retained on these lands. The revised zoning provisions and mapping are attached as Appendices S-3 and S-4.

Section 37 – Bonus Zoning

On September 26, 2012, subsequent to the Public Meeting report, Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted development are deemed good planning by Council through the approval of a development application.

Where applicable, should an application be approved in principle by Council, or through the OMB, the City will report back to

File: CD.04.CLA June 4, 2013

Planning and Development Committee on the provision of community benefits as a condition of approval.

Where a proposed development within Clarkson Village is deemed

Where a proposed development within Clarkson Village is deemed appropriate and meets the criteria for a Section 37 contribution, funds should, where possible, be directed towards works outlined within the Lakeshore Road West – Clarkson Village Study Phase 2 Report.

FINANCIAL IMPACT:

Not applicable.

CONCLUSION:

In accordance with subsection 34 (17) of the *Planning Act*, R.S.O. 1991, c.P.13, as amended, Council is given the authority to determine if further public notice is required. The proposed revisions to the Zoning By-law consist of the elimination of a "H" Holding Symbol proposed for lands abutting the Turtle Creek and the retention of the current residential zoning on lands which are subject to active development applications. These revisions are considered minor. Therefore, it is recommended that no further public notice be required regarding these proposed changes.

The proposed Official Plan and Zoning By-law amendments, as revised, should be approved for the following reasons:

- 1. The proposed amendments to Mississauga Official Plan Clarkson Village Community Node Character Area policies; and those to Zoning By-law 0225-2007, as revised, meet the overall intent, goals, objectives and policies of Mississauga Official Plan and will help to direct the form of future development for Clarkson Village.
- 2. The proposed "C4-Exception" (Mainstreet Commercial) zone categories are appropriate and compatible with the surrounding land uses.
- 3. The proposed amendments will establish a vision for the study area and address compatibility and shadow concerns on adjacent residential lands and public sidewalks.

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ATTACHMENTS: Appendix S-1: Public Meeting Report

Appendix S-2: Recommendation PDC-0010-2012

Appendix S-3: Proposed Zoning Amendments Clarkson Village

Community Node (Revised)

Appendix S-4

Proposed Zoning – Clarkson Village Community

Node (Revised)

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Sharon Mittmann, Urban Designer

John Hardcastle, Development Planner



Clerk's Files

Originator's

Files CD.04.CLA

PDC FEB 13 2012

DATE:

January 24, 2012

TO:

Chair and Members of Planning and Development Committee

Meeting Date: February 13, 2012

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Proposed Amendments to Mississauga Official Plan and

Zoning By-law 0225-2007: Lakeshore Road West -

Clarkson Village Study

Bill 51

Public Meeting

Ward 2

RECOMMENDATION:

- 1. That the report titled "Proposed Amendments to Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West Clarkson Village Study," dated January 24, 2012 from the Commissioner of Planning and Building be received for information.
- 2. That staff report back to Planning and Development Committee on any submissions made with respect to the January 24, 2012 report.

BACKGROUND:

At its meeting on September 20, 2010, Planning and Development Committee considered a report titled "Proposed Amendments to the City of Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West — Clarkson Village Study", dated August 31, 2010 from the Commissioner of Planning and Building (Appendix 1) giving direction to hold a Public Meeting to consider recommended Official Plan and Zoning By-law amendments for Clarkson Village. Recommendation

PDC-0048-2010 was subsequently adopted by Council on September 29, 2010 and is attached as Appendix 2.

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. Mississauga Official Plan (2011) has been appealed in its entirety and, as such, the existing Mississauga Plan (2003) remains in effect. Accordingly, while the public engagement process for the proposed Official Plan and Zoning By-law amendments for the Lakeshore Road West – Clarkson Village Study can continue, the proposed amendments cannot be considered by City Council until such time as the outstanding appeals to Mississauga Official Plan (2011) have either been scoped or resolved.

This Public Meeting of the Planning and Development Committee fulfills the statutory *Planning Act* requirements and provides opportunity for the public to make submissions to the Planning and Development Committee on the proposed Official Plan and Zoning By-law amendments for the Lakeshore Road West – Clarkson Village Study (hereinafter referred to as the Study) as contained in Appendices 4 through 9 inclusive to this report.

COMMENTS:

Appendix 3 contains a summary of the policy framework and rationale for the proposed amendments to Mississauga Official Plan – Clarkson Village Community Node.

The Study was undertaken to establish a community based vision for the Village and create a planning framework from which the mainstreet along Lakeshore Road West in Clarkson Village can become the 'heart' of the community by creating a desirable, functional, attractive and identifiable 'place'.

Based on the recommendations contained in the Phase 2 – Analysis and Recommendations Report of the Study, dated August 2010 and as generally outlined in the previous report dated August 31, 2010, from the Commissioner of Planning and Building, (see Appendix 1), the intent of the proposed amendments to Mississauga Official Plan are to:

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- identify the new refined character precincts within the Node that specifically speak to the contextual character of the immediate area;
- identify an appropriate built form to frame Lakeshore Road West within Clarkson Village while ensuring the adjacent stable, low density neighbourhoods have minimal impact;
- develop a conceptual streetscape plan for Lakeshore Road
 West, to provide direction for new development applications;
- introduce a long term plan for pedestrian, cycling and automobile traffic within Clarkson Village;
- ensure that vehicular access and parking areas are consolidated through new development by eliminating and consolidating access points from Lakeshore Road West into a continuous and coordinated laneway system, and
- suggest a number of sustainable initiatives.

Since September 20, 2010, the Phase 2 – Analysis and Recommendations Report for the Study has been posted on the City's Planning and Building Department website. The document has been accessed 711 times. In addition, further meetings have been held with the Stakeholders Group and with the Clarkson BIA, as outlined below.

Meetings with Stakeholders Group and Clarkson BIA and correspondence received to date

Meetings with the Stakeholders Group were held on January 18, 2011 and with the Clarkson BIA on October 5, 2011, where the Phase 2 report for the Study was presented along with the proposed amendments to Mississauga Official Plan – Clarkson Village Community Node and proposed Zoning provisions to implement the established Vision for the Village. Feedback received through these meetings and through correspondence received during this time is summarized below:

• The policies should focus on the core of the Village and not include the Gateway areas;

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- Additional height permissions of 6 storeys within the Core and Outer Core areas will negatively impact the character of the village;
- The policies should consider greater density and height given the location of the Village relative to higher order transit;
- The policies should incorporate and address lands adjacent to the Clarkson GO Station; and
- The policies should require a higher standard of sustainability.

Update on Clarkson Village Developments and City Initiatives

To provide additional context to the Study, the status of proposed developments in the Clarkson Village area and City policy initiatives have progressed as noted below:

RioCan Plaza Redevelopment (1829 and 1865 Lakeshore Road West)

At the time of the preparation of the Phase 2 report for the Study, an Ontario Municipal Board (OMB) decision based upon minutes of settlement executed by the City and RioCan had just been issued. Negotiations which resulted in the settlement agreement regarding the applications for an 8 storey, retirement residence with at grade retail commercial and a free standing convenience restaurant with a drive through were carried out on the basis of achieving principles of the Clarkson Village Study identified through the process to date. The intent was to create special site policies which implemented the OMB decision. Subsequent to that time, RioCan advised the City and ultimately the OMB that the development proposal would not be going forward as the operator of the retirement dwelling had withdrawn from the project and another suitable operator could not be found. Accordingly, the OMB appeals were withdrawn and the decisions were rescinded.

As a result, it is proposed that the lands be subject to the Historic Village Precinct Policies contained within Appendix 4, with no special site policies.

607074 Ontario Limited (Satellite Restaurant and Fork and Spoon Restaurant sites, 1969 and 1971 Lakeshore Road West)

The Ontario Municipal Board, through an August 25, 2011 decision, approved the proposed 15 storey apartment dwelling with ground level commercial uses. At this time, implementing amendments to the Official Plan and Zoning By-law have not been approved by the Board pending the completion of Section 37 Public Benefits negotiations with the developer. The development generally conforms to the proposed West Gateway Precinct policies, however, would ultimately require Special Site provisions.

Reichmann Seniors Housing (1907 Lakeshore Road West)

Subsequent to the release of the Phase 2 report, a conditional foundation-to-roof building permit and site plan approval have been issued to permit construction of the 8 storey retirement dwelling.

Clarkson Manors Inc. (1571, 1575 and 1601 Lakeshore Road West)

At the time of preparation of the Phase 2 report, applications for Removal of the (H) Holding Provision and Site Plan approval for the row dwelling component of the development and to permit a temporary sales office were being processed by the City. Subsequent to the report being issued, the lands have been sold and the development applications related to the row dwellings were cancelled due to inactivity.

The new landowner, Vandyk Group of Companies, has approached the City on a preliminary basis to discuss the development of the property and is presently considering the removal of the existing, partially completed structure to make way for three, 4 storey apartment buildings on the site, with ground floor commercial uses in one of the buildings facing Lakeshore Road West. Development applications have not been received by the City and the details of

the proposal have not yet been refined. Additional information should be forthcoming in the near future.

Amendments to Mississauga Plan and By-law 0225-2007 had previously been put in place allowing for the development of a 6 storey apartment building, 32 townhouse dwellings and 4 live/work townhouse dwellings, and were carried over into the new Mississauga Official Plan. Notwithstanding the cancellation of the applications and change in ownership, the existing special site policies contained within Mississauga Plan will be continued, with only technical revisions in terms of format, thereby maintaining the original intent.

Streetscape Improvements

A Streetscape Committee comprised of staff from all development related departments has been established with the express purpose of establishing processes and procedures for the review of streetscape improvements required through the development application review process.

The Phase 2 Report identifies streetscape details which should ultimately be incorporated into Built Form standards for Clarkson Village. These details will be forwarded to the Streetscape Committee to assist in informing on process and procedures for the review of development applications within Clarkson Village with streetscape improvement requirements.

Section 37 Planning Tools

Throughout much of the time the Clarkson Village Study has been ongoing, a separate process has been underway to evaluate the use of and determine appropriate policies for the implementation of certain planning tools permitted under the *Planning Act*, including Section 37, Public Benefits. The Planning and Building Department will be reporting on establishing a Corporate Policy and Procedure with respect to the administration of Section 37, Public Benefits later this Spring.

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Parking Management Strategy

The Phase 2 report for the Study recommended that the parking standard for restaurants be reduced within the Village. A review of parking standards in mainstreet areas (Port Credit and Lakeview) has demonstrated that the parking demand for restaurants is consistently lower than that elsewhere in the City and the City's minimum requirement of 16 spaces/100 m² (1,076.4 sq. ft.) GFA. Accordingly, through a housekeeping amendment to By-law 0225-2007, approved by Council on December 14, 2011, the standard was reduced to 9.0 spaces/100 m² (1,076.4 sq. ft.) GFA.

A comprehensive review of parking standards throughout the City is proposed to be undertaken by the Department in 2013 which may result in further changes for Clarkson Village.

STRATEGIC PLAN:

The proposed amendments to Mississauga Official Plan – Clarkson Village Community Node Character Area policies; as well as those to Zoning By-law 0225-2007, as envisioned through the Study advance the following Strategic Pillars for change and goals and actions of the City's Strategic Plan:

Move:

Develop a Transit oriented City

Belong:

Ensuring Youth, Older Adults and New Immigrants

Thrive

Connect:

Complete Our Neighbourhoods

Prosper:

Cultivating Creative and Innovative Business

Green:

Living Green

FINANCIAL IMPACTS:

Not applicable

CONCLUSION:

Subsequent to the Public Meeting, a report on comments will be prepared for consideration by the Planning and Development Committee, which will address comments received from the public and the Committee members and, where necessary, recommend modifications to the proposed amendments to the new Mississauga

Official Plan and Zoning By-law 0225-2007.

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ATTACHMENTS:	Appendix 1:	Report titled "Proposed Amendments to City of
		Mississauga Official Plan and Zoning By-law
•		0225-2007: Lakeshore Road West - Clarkson
		Village Study", dated August 31, 2010, from the
		Commissioner of Planning and Building
	Appendix 2:	Resolution PDC-0048-2010
	Appendix 3:	Policy Framework and Rationale for Changes to the
		Clarkson Village Community Node
	Appendix 4:	Proposed Amendments to Mississauga Official Plan
•	٠.	 Clarkson Village Community Node Policies;
		Amended Clarkson Village Node Boundary and
	•	Special Sites
	Appendix 5:	Proposed Clarkson Village Community Node
	Appendix 6:	Precinct Area - Clarkson Village Community Node
	Appendix 7:	Access Management Plan - Clarkson Village
		Community Node
	Appendix 8:	Proposed Zoning Amendments – Clarkson Village
		Community Node
	Appendix 9:	Proposed Zoning – Clarkson Village Community
		Node

Appendix 10: General Context Map

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: John Hardcastle, Development Planner and Sharon Mittmann, Urban Designer





Clerk's Files.

Originator's Files CD.04.CLA



SEP 2 0 2010

DATE:

August 31, 2010

TO:

Chair and Members of Planning and Development Committee

Meeting Date: September 20, 2010

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Proposed Amendments to City of Mississauga Official Plan and

Zoning By-law 0225-2007: Lakeshore Road West -

Clarkson Village Study

RECOMMENDATION:

That a public meeting be held by the Planning and Development Committee to consider the recommendations contained in the Phase 2 – Analysis and Recommendations Report of the Lakeshore Road West – Clarkson Village Study, dated August 2010 and as generally outlined in Appendix 2 of the report titled "Proposed Amendments to City of Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West – Clarkson Village Study", dated August 31, 2010, from the Commissioner of Planning and Building.

BACKGROUND:

The Clarkson Village Study was initiated in 2005, pursuant to a request from Ward 2 Councillor Patricia Mullin for an updated vision for Clarkson Village. The study has involved an extensive public engagement process, technical review and evaluation of findings towards the preparation of recommendations for amendments to the City of Mississauga Official Plan and Zoning By-law 0225-2007, the creation of design guidelines, as well as ongoing initiatives to address issues that were identified but fell outside of the scope of the initial study.

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COMMENTS:

Study Area

The Clarkson Village Study Area, as depicted on Appendix 1, generally includes lands fronting onto Lakeshore Road West from Southdown Road to Johnson's Lane. The Study area includes portions of the Clarkson Node and all of the Clarkson Village Mainstreet Retail Commercial Area as identified in Mississauga Plan.

Purpose of Study

The purpose of the Clarkson Village Study is to establish a community based vision for the Village and create a planning framework from which the mainstreet along Lakeshore Road West in Clarkson Village can become the 'heart' of the community by creating a desirable, functional, attractive and identifiable 'place'.

Clarkson Village Study Shared Vision

A stakeholders group was established at the study's inception to work with City staff, external agencies and consultants to establish a shared vision, determine core objectives and ultimately set in place a direction for the Village. The shared vision states that "Clarkson Village will transition into a pedestrian friendly and transit supportive community full of activity places and gathering spaces, with a mainstreet atmosphere found amidst new, contemporary, mixed-use, development paying tribute to the Village's heritage and character."

Phase 1 - Background and Public Engagement

Phase 1 of the Study outlines the various stages and elements of the public engagement process, including the creation of a shared vision. Towards the achievement of the shared vision, stakeholders provided feedback through; various workshops, open houses, emails, comment drop boxes and through the Clarkson Village Study website, about the appropriate mix of uses, built form typology, streetscape conditions and general character that should be achieved in the Village. This phase of the Study also

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articulates feedback received and the findings of two separate substudies, namely the Canadian Urban Institute (CUI) Peer Review and the iTRANS Report. The CUI was retained as a consultant to: assist in one of the workshops, peer review the consultation process and make recommendations on appropriate built form types for the Village. In addition, iTRANS Consulting was retained as a consultant to assist in one meeting and to make short term and long term recommendations on transportation and streetscape issues in the Village. The final reports of both consultants are appended to the Phase 1 report. The Phase 1 document was presented to stakeholders, relevant internal departments and external agencies in March of 2009 for feedback and was subsequently finalized and endorsed by the stakeholders, relevant internal departments and external agencies in April 2009.

Phase 2 – Analysis and Recommendations

The Phase 2 Report focuses on an analysis of the area and the feedback obtained through Phase 1 work concluding with implementation recommendations. The Phase 2 Report is broken down into six main sections.

Directions

This section of the report broadly lays out the analytical framework of the study concluding that Clarkson Village is made up of 4 distinct character areas (see Appendix 1) which should be reflected in the implementation of the study findings. The Village Core character area is an area of typical mainstreet development with a comfortable pedestrian realm and low scale built form that is worthy of protection and should form the basis of character for the rest of the Village. The Outer Village Core character area is characterized by larger lot sizes and as such can comfortably accommodate additional building height and density, while maintaining the general character established within the Village Core. The East and West Village Gateway character areas serve transitional purposes to the surrounding lands. The East Village Gateway transitions to lower and less dense built forms. The West Village Gateway is adjacent to the Clarkson GO Transit Station and is developed predominately for medium and high density

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residential uses. Redevelopment in this area should maintain existing trends while addressing the areas proximity to higher order transit.

Built Form

This section of the report concludes that buildings throughout the Village should be located at or near the front property line, with a 2 to 3 storey streetwall. Where additional height can be accommodated without negative impact, it is to be 'stepped back' from the street wall to ensure that sun lighting and shadowing impacts are not present on Lakeshore Road West. Built forms are to be detailed through façade articulation, storefront spacing and materials to ensure a visually interesting and attractive street edge condition through the Village.

Vehicular Movement: Access and Parking

This section articulates that pedestrian and vehicle conflicts must be minimized and better controls over access locations implemented. To this end, access consolidation is being proposed along with the implementation of a centre median along Lakeshore Road West and a publicly accessible laneway system running parallel to it. The implementation of three concurrent measures is intended to reduce vehicle access locations, minimize conflicts and improve traffic flow dynamics along Lakeshore Road West while maintaining property access rights. The pedestrian realm is also to be improved through the creation and acknowledgement of several distinct and independent public spaces.

In addition, parking is addressed, by proposing reduced standards for small scale restaurants and retail operations, discouraging surface parking, prohibiting parking between the street wall and the public streets and providing opportunities for lay-by on-street parking.

Public Realm

This section of the report identifies the general treatment of the space between private property lines and the edge of the road. This section sets out appropriate streetscape and landscape

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concepts and how they are to be addressed through individual development applications.

Sustainability

In this section, numerous strategies for sustainability are detailed. The Council endorsed Green Development Strategy will provide the framework for implementation of these and other strategies through the development review process.

<u>Implementation</u>

The last section of the Report includes recommendations on how the shared vision can best be achieved through amendments to the City's Official Plan, Zoning By-law 0225-2007, the creation of design guidelines and various other initiatives to fully implement the findings of the study. A summary of proposed amendments to the Mississauga Official Plan and Zoning By-law 0225-2007 is attached as Appendix 2. Both the Phase 1 and Phase 2 reports of the Clarkson Village Study have been provided to Planning and Development Committee under separate cover.

New Mississauga Official Plan

At the June 28, 2010 Planning and Development Committee (PDC) meeting, a report titled "Report on Comments – Draft Mississauga Official Plan" outlining comments received during the public consultation program along with suggested changes to the draft Mississauga Official Plan was approved by PDC and subsequently adopted by City Council on July 7, 2010. A by-law to adopt the new Mississauga Official Plan and a report on the transition process between approval by City Council and the Region will be considered by City Council in September 2010. As a result, amendments proposed through the Clarkson Village Study will have to be made to the new Official Plan, subject to any appeals which may affect the entire document or the Clarkson Village Community Node Policies.

FINANCIAL IMPACT:

Not applicable.

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CONCLUSION:

The Clarkson Village Community Node policies will require amendment to achieve the shared community vision and implement the findings of the Clarkson Village study. In addition, new zoning categories will need to be created to address the findings and implement the proposed policy changes addressed in the Phase 2 report.

A statutory public meeting in accordance with the *Planning Act* is required to be held to consider the proposed amendments to the City of Mississauga Official Plan and to Zoning By-law 0225-2007.

ATTACHMENTS:

Appendix 1 - Clarkson Village Study Area

Appendix 2 - Summary of proposed amendments to Mississauga Official Plan and Zoning By-law 0225-2007

Under Separate Cover - Lakeshore Road West -

Clarkson Village Study (Phases 1 and 2)

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: John Hardcastle, Development Planner

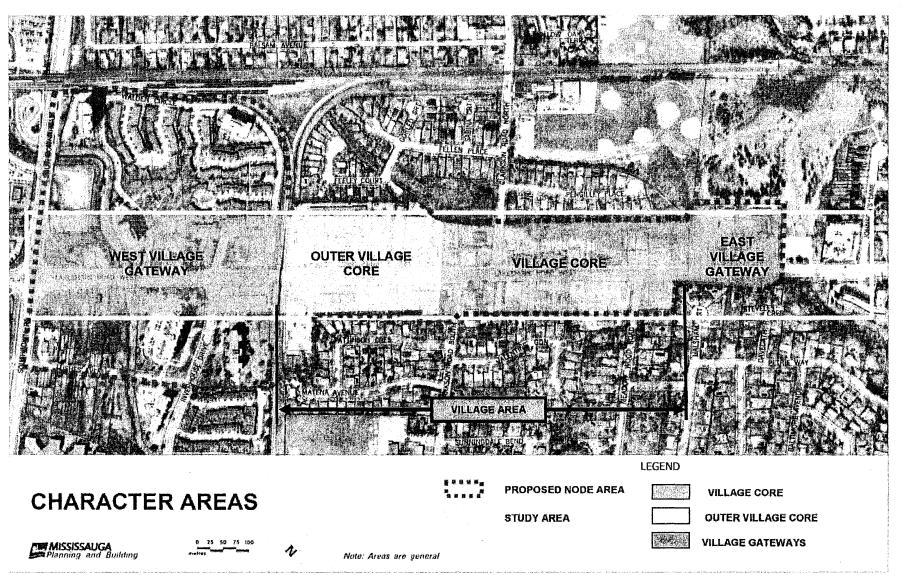


Figure C2.15—Character Areas

Proposed Amendments to Existing Official Plan Policies Proposed Zoning By-law Amendments

Clarkson Village Recommended Amendments — Lakeshore Road West, Clarkson Village Study

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway	
Uses	 At grade, street related, retail, commercial, restaurant or office uses are required within any building. Exclusively residential buildings (apartment dwellings) will not be permitted. Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will be discouraged. At grade, street related, retail, commercial, restaurant and office uses are required within any building. To permit dwelling units within a mixed use building where permitted non-residential uses are located at the streetwall within the ground floor. Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will not be permitted. Exclusively residential buildings (apartment dwellings) will not be permitted. 		 At grade, street related, retail, commercial, restaurant and office uses are encouraged within any building. Exclusively residential buildings (apartment dwellings) will be permitted. Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will be discouraged. To permit dwelling units within a mixed use building where the permitted non-residential uses are located at the streetwall within the ground floor. Exclusively residential buildings (apartment dwellings) will be permitted. Individual large format retail commercial uses 600 m² (6,458 sq. ft.) GFA or greater will not be permitted. 		
Special Site Considerations	 Lands abutting Turtle Creek on the north side of Lakeshore Road West between Clarkson Road North and Birchwood Park are subject to slope stability issues necessitating the submission of satisfactory technical reports prior to redevelopment. Holding Provisions shall be incorporated into zoning and an application for removal of (H) Holding Symbol required prior to any physical site alterations. 	Lands on the northwest corner of Lakeshore Road West and Clarkson Road North, Clarkson Commons, are encouraged to redevelop as a focal centre piece of the Village, taking advantage of the visual prominence and significance of the site within the Village. A high standard of architecture, building materials and landscaping will be required.			

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Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway		
Residential FSI	• 1.5 FSI/ 1.5 FSI	• 2.0 FSI/ <i>2.0 FSI</i>	• 2.5 FSI/ <i>2.5 FSI</i>	• 2.0 FSI/ <i>2.0 FSI</i>		
	 Mixed use buildings may exclude any gross floor area exclusively devoted towards non-residential uses from the calculation of Residential Floor Space Index. Add the following definition to general provisions of By-law 0225-2007: Residential Floor Space Index (FSI) means the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area – non-residential, to the lot are 					
Building Heights	 Minimum 2 storeys and maximum 3 storeys on the north side of Lakeshore Road West. Minimum 2 storeys and maximum 6 storeys on the south side of Lakeshore Road West. Section 37 – Public Benefits will not be considered favourably. Buildings shall be stepped back after the 3rd storey to maintain the village character. Minimum 2 storeys and maximum 3 storeys on the north side of Lakeshore Road West. Minimum 2 storeys and maximum 6 storeys on the south side of Lakeshore Road West. Where building height exceeds 3 storeys, the upper streetwall shall be set back at least 6.0 m (19.68 ft.) from the 3rd storey streetwall. 	 Minimum 2 storeys and maximum 6 storeys. Section 37 – Public Benefits may be considered subject to an Urban Design Study. Buildings shall be stepped back after the 3rd storey to maintain the village character. Minimum 2 storeys and maximum 6 storeys. Where building height exceeds 3 storeys, the upper streetwall shall be set back at least 6.0 m (19.68 ft.) from the 3rd storey streetwall. 	 Minimum 2 storeys and maximum 15 storeys with a general downward trend from Southdown Road to the Outer Village Core Area as outlined in Figure C2.16 of the Phase 2 report. Special Site policies shall be incorporated to recognize existing built form and/or to accommodate the general downward trend in maximum building height as follows: Maximum 15 storeys – 1271 Walden Circle. Maximum 15 storeys – 1969/1971 Lakeshore Road West (*Official Plan and Zoning By-law Amendments pertaining to these lands should be withheld pending the resolution of ongoing OMB proceedings). Maximum 8 storeys – 1907/1913 Lakeshore Road West. 	 Minimum 2 storeys and maximum 6 storeys. Section 37 – Public Benefits may be considered subject to an Urban Design Study. Buildings shall be stepped back after the 3rd storey to maintain the village character. Minimum 2 storeys and a maximum 6 storeys. Where building height exceeds 3 storeys, the upper streetwall shall be set back at least 6.0 m (19.68 ft.) from the 3rd storey streetwall. 		

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Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway
Building Height Cont'd			 ➤ Maximum 4 storeys — 1998-2039 Lakeshore Road West and 2004-2012 Lushes Avenue (also to permit townhouse and detached dwellings) ➤ Maximum 17 storeys — 966 Inverhouse Road. ➤ Maximum 11 storeys — 965 Inverhouse Road ➤ Maximum 9 storeys — 1901/1948 Lakeshore Road West. • Section 37 — Public Benefits may be considered subject to an Urban Design Study. • Minimum 2 storeys and maximum of 15 storeys to recognize existing built form and/or to accommodate the general downward trend in maximum building height as follows: ➤ Maximum 15 storeys — 1271 Walden Circle. ➤ Maximum 15 storeys — 1969/1971 Lakeshore Road West (*Official Plan and Zoning By-law Amendments pertaining to these lands should be withheld pending the resolution of ongoing OMB proceedings). 	

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway
Building Height Cont'd			 ➢ Maximum 8 storeys – 1907/1913 Lakeshore Road West ➢ Maximum 4 storeys – 1998- 2039 Lakeshore Road West and 2004-2012 Lushes Avenue (also to permit townhouse and detached dwellings) ➢ Maximum 17 storeys – 966 Inverhouse Road. ➢ Maximum 11 storeys – 965 Inverhouse Road ➢ Maximum 9 storeys – 1901/1948 Lakeshore Road West. 	
Building Setbacks Front Yard	• Minimum front yard of 0.0 3.0 m (9.8 ft).	6 m (2 ft.) to maximum of	 Minimum front yard of 0.6 m (2 (9.8 ft.). Minimum front yard of 4.5 m (1-6.0 m (19.68 ft.) for exclusively 	4.76 ft.) to maximum of
Side Yard	first 10.0 m (32.8 ft.) of the each additional 1.0 m (3 portion thereof, exceeding	, of 7.5 m (24.6 ft.) for the neight plus 1.0 m (3.3 ft.) for ft.) of building height, or g 10.0 m (32.8 ft.).	 Minimum interior side yard, when zone category, of 7.5 m (24.6 ft.) (32.8 ft.) of height plus 1.0 m (3.1.0 m (3.3 ft.) of building height exceeding 10.0 m (32.8 ft.). Minimum exterior side of 0.6 (2.1 (9.8 ft.) for commercial and 4.5 (6.0 m (19.68 ft) for residential.) for the first 10.0 m 2.3 ft.) for each additional t, or portion thereof, ft.) to maximum 3.0 m
Rear Yard			al zone category, of 7.5 m (24.6 ft.) m (3.3 ft.) of building height, or po	

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway	
Access Management Plan	• An Access Management Plan will constitute part of the amendments to the Clarkson Village Character Area policies, dealing with integrated parking; site access and off-street vehicular movements; the location of a continuous centre median on Lakeshore Road West, interrupted at signalized intersections. Implementation provisions consistent with Section 2.5 shall be incorporated in the proposed Official Plan Amendments. The general location of shared site access, internal public access and the private laneway system will be outlined generally as shown in Figure C2.34 of the Phase 2 report.				
Parking Structures	 Structured above ground parking is not permitted. Underground parking is required where the Residential FSI is 1.0 or greater. Parking will not be permitted between the streetwall of the building(s) closest to the street and the front property line. 	greater. • Where structured, above g and the streetwall shall inc grade, interrupted only wh active, grade related non-re	w grade parking is required where rade parking is provided, it shall r orporate active retail, commercial, ere access to the parking structur esidential uses shall be a minimur ed between the streetwall of the l	not exceed 2 storeys in height , restaurant or office uses at re is required. The depth of m of 10 m (32.8 ft.).	
Parking/Loading	 Reductions in parking and loading space requirements for retail commercial, office and restaurant with a gross floor area of 300 m² (3,229 sq. ft.), or less, will be considered. Parking for retail commercial and office uses of 300 m² (3,229 sq ft.) GFA, or less, shall be provided at 3.0 spaces per 100m² (1,076.4 sq. ft.) GFA. Parking for restaurant uses of 300 m² (3,229 sq ft.) GFA or less shall be provided at 9.0 spaces per 100m² (1,076.4 sq. ft.) GFA. Parking for retail commercial uses of 600m² (6,459 sq ft.) GFA or more shall be provided at 5.4 spaces per 100 m² (1,076.4 sq. ft.) GFA. 				
Landscape Buffer			14.76 ft.) shall be provided abutti buildings greater than 3 storeys.		

Proposed Amendments	Village Core Area	Outer Village Core Area	West Village Gateway	East Village Gateway			
Building Detail Elements <i>Frontage</i>	• A minimum of 70% of the length of lot frontage shall be occupied by a streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property.						
Glazing for Non- Residential uses	• A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass.						
Front Door Grading for Non-Residential Uses	(0.66 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance						
Ground Floor Height of Non- Residential Uses	• A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of						
Main Entrance	 Main pedestrian building e Main pedestrian building e Main pedestrian building e 	entrances shall face the public entrances shall face the public entrances for mixed use build I entrances may face the seco	road. ings on corner lots, commercial e	ntrance(s) shall face Lakeshore			

Appendix 2

Lakeshore Road West - Clarkson Village Study

File: CD.04.CLA

PDC-0048-2010

That a public meeting be held by the Planning and Development Committee to consider the recommendations contained in the Phase 2 - Analysis and Recommendations Report of the Lakeshore Road West - Clarkson Village Study, dated August 2010 and as generally outlined in Appendix 2 of the report titled 'Proposed Amendments to City of Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West - Clarkson Village Study', dated August 31, 2010, from the Commissioner of Planning and Building.

Lakeshore Road West - Clarkson Village Study

Policy Framework and Rationale for Changes to the Clarkson Village Community Node

Mississauga Official Plan

The proposed revisions and new Special Site policies for the subject lands under review in the Clarkson Village Community Node are supported by the following sections of Mississauga Official Plan (MOP):

Structure Elements

The Clarkson Village Community Node is considered an Intensification Area in MOP. Section 5.3.3, Community Nodes, states:

- Community Nodes are Intensification Areas;
- Community Nodes will develop as centres for surrounding Neighbourhoods and be a location for mixed use development;
- Development in Community Nodes will be in a form and density that complements the existing character of historical Nodes or that achieves a high quality urban environment within more recent developed Nodes;
- Community Nodes will be served by frequent transit services that provide city wide connections. Some Community Nodes will be served by higher order transit facilities, which provide connections to neighbouring municipalities;
- Community nodes will be developed to support and encourage active transportation as a mode of transportation.

Green System

The Clarkson Village Node contains 2 significant Natural Hazards and is on the edge of an area subject to Two Zone Flood Regulations. Section 6.3.2 indicates that Natural Hazard Lands are to conserve the stability and quality of land, soil and water. A priority for development and site alteration is to protect life and property and restore the health and stability of soil and land where is it compromised.

Natural Hazard Lands are generally unsafe for development and site alterations will generally not be permitted due to the naturally occurring processes of erosion and flooding associated with river and stream corridors and the Lake Ontario Shoreline.

Lakeshore Road West - Clarkson Village Study

Land Use Designation - Community Node

Lands within the Clarkson Village Community Node are designated "Mixed Use", "Residential Medium Density", "Residential High Density" and "Residential Low Density I".

Section 14.1.2, Community Nodes, Residential, states that The Residential Low Density I and Residential Low Density II designations will not be permitted, except for lands designated Low Density I and Residential Low Density II at the time this plan comes into effect.

Section 14.2.1.1 indicates that The Clarkson Village Node will be the focus of activity for surrounding Neighbourhoods, combining residential uses, cultural activities, shopping, dining, commerce and recreation. Section 14.2.1.2 outlines that Developments should be compatible with and enhance the character of Clarkson-Lorne Park as a diverse established community by integrating with the surrounding area. Section 14.2.1.3 states that Development should be designed to reflect and enhance the Clarkson Village Mixed Use area streetscape.

Clarkson Village Node Character Areas Policies

Map 14-2: Clarkson Village Community Node Character Area, identifies the boundaries of the Clarkson Village Node, Special Sites and FSI ranges. The boundaries of the Node are proposed to be modified as illustrated on Appendix 5 to include the following:

- The lands recently developed for townhouses on the southeast corner of Lakeshore Road West and Southdown Road;
- The lands located south of Lakeshore Road West to the rear of the Chartwell Baptist Church, known as 1884 Lakeshore Road West;
- The lands north of Lakeshore Road West which represent the physical limits of the valley features associated with Turtle Creek; and
- The eastern boundary of the Village along the north side of Lakeshore Road West to include the lands just west of Birchwood Park.

In addition, a new Precinct Schedule has been created to identify the location of 3 character precincts as recommended in the Lakeshore Road West, Clarkson Village Study, Phase 2 - Analysis and Recommendations Report (see Appendix 6).

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Lakeshore Road West - Clarkson Village Study

Historic Village Precinct (Core and Outer Core)

This precinct is experiencing redevelopment pressures and, therefore, the intent of the Character Area Policies is to establish a shared community vision which: recognizes the unique character of the area; puts in place a policy framework to ensure the implementation of the vision over the long term; ensures that new development is respectful of the character of the existing building fabric as well as transitions appropriately to the adjacent stable neighbourhoods.

Maximum buildings heights will range from 2 to 6 storeys in this precinct and will accommodate step-backs beyond the third storey to maintain the Village character, minimize shadow impacts, maximize skyviews and create a desirable pedestrian and built form environment. Heights will be restricted to 4 storeys on the north side of Lakeshore Road West to maintain the character of the area as established by the existing built form.

In the Outer Core, the maximum Floor Space Index (FSI) shall be 2.0, where the properties are deeper and larger and can accommodate additional height and density without undue impact. The maximum FSI shall not exceed 1.5 in the Core, which is impacted by Turtle Creek north of Lakeshore Road West and abuts residential neighbourhoods south of Lakeshore Road West. Gross Floor Area devoted exclusively to non-residential uses shall not be included in the FSI calculation.

Development and redevelopment will be mixed use and include retail, commercial, office and restaurant uses with flush entrances at the street level. Residential amenities will be secondary and will not dominate the Lakeshore Road West street level street wall. A high standard of architecture, building materials and landscaping will be required for all development and redevelopment along the Lakeshore Road West corridor in Clarkson Village. Individual large format retail and commercial uses will be prohibited.

In conjunction with development and redevelopment, improved and controlled vehicular access to Lakeshore Road West is required. The goal is to provide full moves access to Lakeshore Road West at key locations and where traffic signals exist and to construct a centre median along Lakeshore Road West. This will require the creation of a publicly accessible laneway system as identified on Appendix 7.

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In order to achieve the ultimate ROW cross-section, all development and redevelopment proposals will be subject to financial contributions to the City to be held and used for the reconstruction of Lakeshore Road West.

Lands on the northwest corner of Lakeshore Road West and Clarkson Road North, (Clarkson Commons), are encouraged to redevelop as a focal centre piece of the Historic Village Precinct, taking advantage of the visual prominence and centralized location within the Village.

Structured parking will be required, below grade where the FSI exceeds 1.0 within the Historic Village Precinct – Core Area west of Clarkson Road South. Below grade or above grade structured parking will be required where the FSI exceeds 1.0 in the remainder of the Historic Village Precinct. Where above grade structure parking is permitted, it shall not exceed 2 storeys in height and the street wall shall incorporate active uses. Where on-site surface parking is provided, it will not be permitted between the street wall of the building(s) closest to the street and the front property line and will be encouraged to utilize the publicly accessible private laneway system within a shared configuration.

West Gateway Precinct

This precinct is also receiving development pressure and has had a number of recent applications for higher density developments. A downward transition in terms of apartment building heights has been established with the tallest, 21 storey apartment building, located closest to the Clarkson GO Station on the east side of Southdown Road and the lowest, 8 retirement dwelling (under construction), furthest from the GO Station on the north side of Lakeshore Road West, adjacent to the CN Rail overpass. It is proposed that the existing building heights be acknowledged and that new apartment development in this precinct respect the established trend and not exceed 15 storeys. The maximum FSI for this area will be 2.5.

Mixed use buildings fronting onto Lakeshore Road West are encouraged. At grade, street related retail, commercial, restaurants and office uses are encouraged within any building. Mixed use buildings shall be located close to the street to ensure a pedestrian oriented environment. Individual large format retail uses will be discouraged.

A symbolic entry feature at the Intersection of Lakeshore Road West and Southdown Road is encouraged.

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East Gateway Precinct

This precinct should act as the eastern gateway into the Clarkson Village Community Node. A symbolic gateway is encouraged to define the entry and exit from Clarkson Village.

The minimum height for any building or structure shall be 2 storeys and the maximum height shall be 6 storeys. Buildings shall be stepped back from the street after the third storey to promote a pedestrian friendly environment, minimize shadow impact and ensure new development is consistent and compatible with the existing building fabric.

Mixed use buildings fronting onto Lakeshore Road West are encouraged. At grade, street related retail, commercial, restaurants and office uses are encouraged within any building. Individual large format retail uses will be discouraged. Mixed use buildings shall be located close to the street to ensure a pedestrian oriented environment. Gross Floor Area devoted exclusively to non-residential uses shall not be included in the FSI calculation.

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Proposed Amendments to Mississauga Official Plan – Clarkson Village Community Node

- 1. Map 14-2: Clarkson Village Community Node Character Area is hereby deleted and replaced with Appendix 5.
- 2. Section 14.2, Clarkson Village is hereby amended by adding Map 14-2.1: Precinct Areas Clarkson Village Community Node Character Area attached as Appendix 6.
- 3. Section 14.2 Clarkson Village is hereby amended by adding the following:
 - 14.2.1 Land Use Policies
 - 14.2.1.1 Notwithstanding the provisions of the Mixed Use designation; drive-through facilities will not be permitted.
- 4. Section 14.2.1 Urban Design Policies is hereby deleted and replaced by the following:
 - 14.2.2 Urban Design Policies

Shared Community Vision and Focus

- 14.2.2.1 Clarkson Village Community Node is to transition into a pedestrian friendly and transit supportive community full of activity places and gathering spaces, with a mainstreet atmosphere found amidst new, contemporary, mixed-use, development paying tribute to the Village's heritage and character.
- 14.2.2.2 The Clarkson Village Community Node will be the focus of activity for the surrounding Clarkson-Lorne Park Neighbourhood, combining residential uses, cultural activities, shopping, dining, commerce and recreation.
- Development will be compatible with and enhance the Village character as a distinct established community by integrating with and transitioning to the adjacent Clarkson-Lorne Park Neighbourhood.
- Development will incorporate a high level of urban design, pedestrian amenity, landscaping and will be of a compact form to ensure a strong sense of place, a high quality streetscape and reinforce the Clarkson Village Community Node as the centre of activity for the area.
- 14.2.2.5 Development will be in accordance with minimum and maximum height limits as shown on Map 14-2.1 (Appendix 6).

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- Built form will be located close to the street, with a two to three storey streetwall. Where additional height is permitted, it will be stepped back from the streetwall to minimize shadowing, maximize skyviews, maintain a desirable streetscape and ensure new development is consistent and
- 14.2.2.7 Where mixed use buildings are proposed, non-residential floor space will be excluded from the calculation of FSI.

compatible with the existing building fabric.

- 14.2.2.8 New development along Lakeshore Road West will be located close to the street and promote a continuous street wall.
- 14.2.2.9 On-site parking will not be permitted between the streetwall and the street.
- 14.2.2.10 Mississauga will encourage on-street lay-by parking and the provision of well-lit, on-site parking located at the rear of buildings with clear visibility and site lines through to Lakeshore Road West.

Historic Village Precinct

- 14.2.2.11 Development will respect the character of the existing building fabric as well as transition appropriately to the adjacent Clarkson-Lorne Park Neighbourhood. New development will encourage a pedestrian oriented streetscape and a walkable community, preserve elements along the edge of Turtle Creek to connect to the parking areas and the shopping street and to encourage the visual enjoyment and surveillance of this natural creek feature.
- 14.2.2.12 Residential uses will not be permitted on the ground floor adjacent to Lakeshore Road West.
- 14.2.2.13 Large format retail development will be discouraged.
- 14.2.2.14 Lands located at the northwest corner of Lakeshore Road West and Clarkson Road North are encouraged to redevelop as a focal point of the Clarkson Village Community Node.
- 14.2.2.15 Within the Core area, as shown on Map 14-2.1 (Appendix 6), required parking for new development with a FSI greater than 1.0 will be within an underground structure.
- 14.2.2.16 Within the Outer Core area, as shown on Map 14-2.1 (Appendix 6), required parking for new development with a FSI greater than 1.0 will be within a

Lakeshore Road West - Clarkson Village Study

architectural quality.

parking structure located either above or below grade. Where an above grade structure is provided, it will be located to the rear of an active building façade, will be no more than two storeys in height and will not be visible from public roads. Where above grade parking structures are visible from adjacent lands, they will utilize appropriate finish materials and be of a high

West Gateway Precinct

- 14.2.2.17 New development will maintain the existing height transition with the highest built form at the west end, closest to the Clarkson GO Transit Station, and lowest building heights at the east end, adjacent to the CN Rail overpass and the Historic Village Precinct.
- 14.2.2.18 Mixed use buildings will be located close to the street to ensure a pedestrian oriented environment.
- 14.2.2.19 Mississauga will encourage a symbolic gateway feature on Lakeshore Road West, east of Southdown Road to define the entry and exit from Clarkson Village Community Node.

East Gateway Precinct

- 14.2.2.20 Mississauga will encourage a symbolic gateway feature on Lakeshore Road West, west of Johnson's Lane to define the entry and exit from Clarkson Village Community Node.
- 14.2.2.21 At grade, street related retail, commercial, restaurants and office uses are encouraged. Mixed use buildings will be located close to the street to ensure a pedestrian oriented environment.
- 5. Section 14.2, Clarkson Village is hereby amended by adding Map 14-2.2: Access Management Plan Clarkson Village Community Node, attached as Appendix 7.
- 6. Section 14.2.2, Transportation, is hereby deleted and replaced with the following:
 - 14.2.3 Transportation, Access and Parking
 - 14.2.3.1 No major changes to Clarkson Road will be undertaken except minor channelization, reconstruction, bus-bay construction, and improvements of a similar nature.

Lakeshore Road West - Clarkson Village Study

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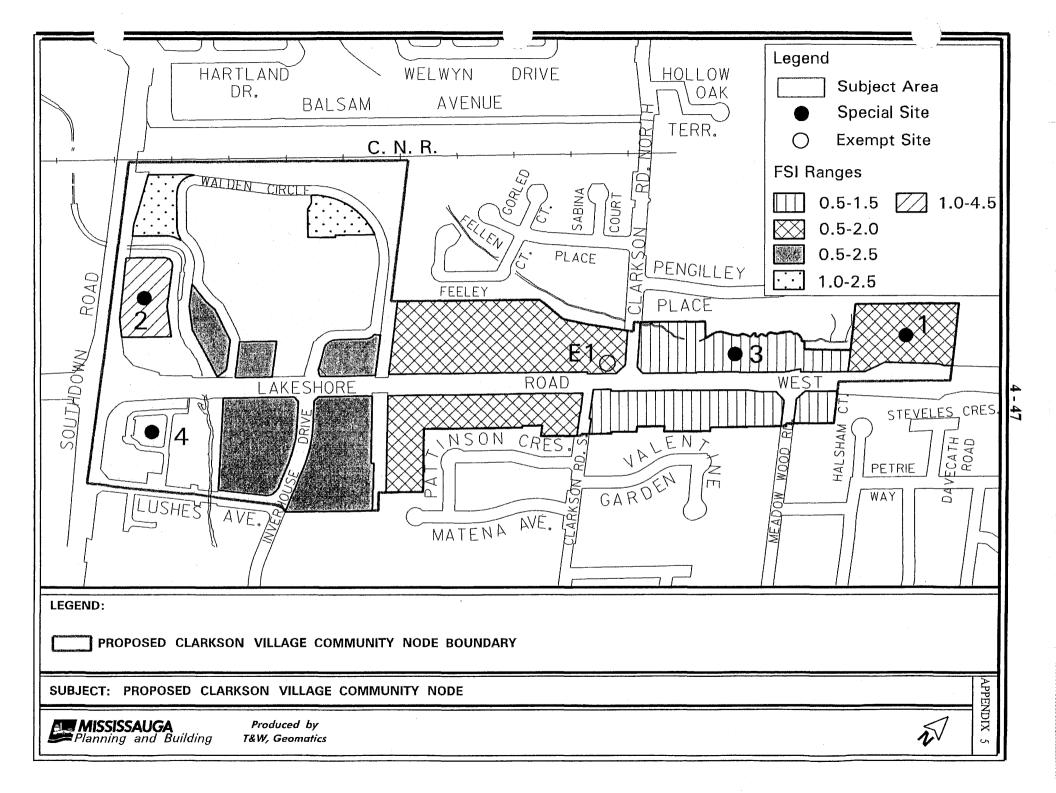
- 14.2.3.2 Notwithstanding the classification of Clarkson Road, this road will be limited to no more than two through lanes.
- 14.2.3.3 Mississauga will encourage and promote better utilization of the existing parking inventory within the Clarkson Village Community Node through discussions with the members of the Clarkson Village Business Improvement Area.
- 14.2.3.4 Development within the Clarkson Village Community Node will implement the general intent of the Access Management Plan Clarkson Village Community Node (Appendix 7) and will:
 - eliminate and/or consolidate vehicular access connections to and from Lakeshore Road West to reduce vehicle turning movements onto and direct traffic towards signalized intersections;
 - b. facilitate the creation of a formal publicly accessible laneway system by granting public use easements over internal driveways to facilitate access to and from abutting lands to the east and west and to consolidated vehicular access connections to Lakeshore Road West;
 - c. contribute a proportionate share towards the construction of a continuous centre median along Lakeshore Road West; and,
 - d. where the ultimate condition cannot be accommodated, interim solutions will be accommodated to ensure that vehicular access rights are maintained and appropriate interim agreements will be executed to ensure the ultimate condition will be achieved.
- 14.2.3.5 Where surface parking is being provided to the rear of buildings, communal parking spaces accessed from the formal publicly accessible laneway system will be encouraged.
- 14.2.3.6 Through the development review and approval process, developers will be responsible for the construction of on-street lay-by parking in accordance with the Clarkson Village Transportation/Urban Design Study Final Report.
- 14.2.3.7 The Mississauga Cycling Master Plan proposes on-road bicycle lanes on Lakeshore Road West.

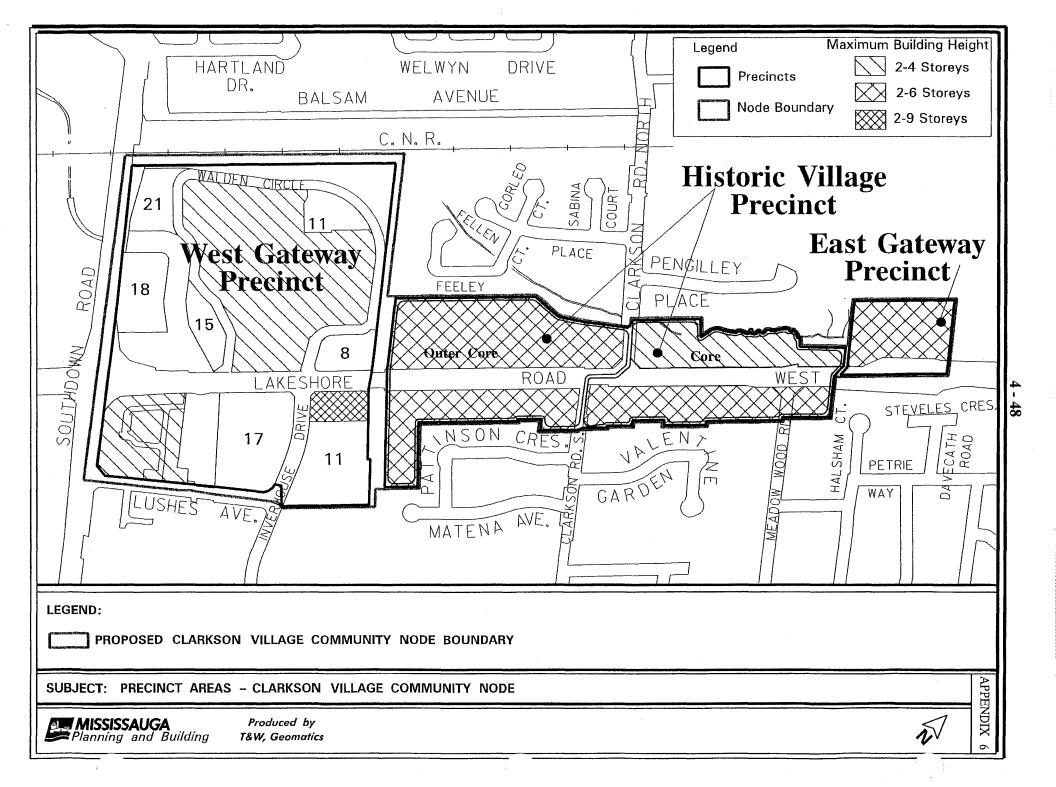
Lakeshore Road West - Clarkson Village Study

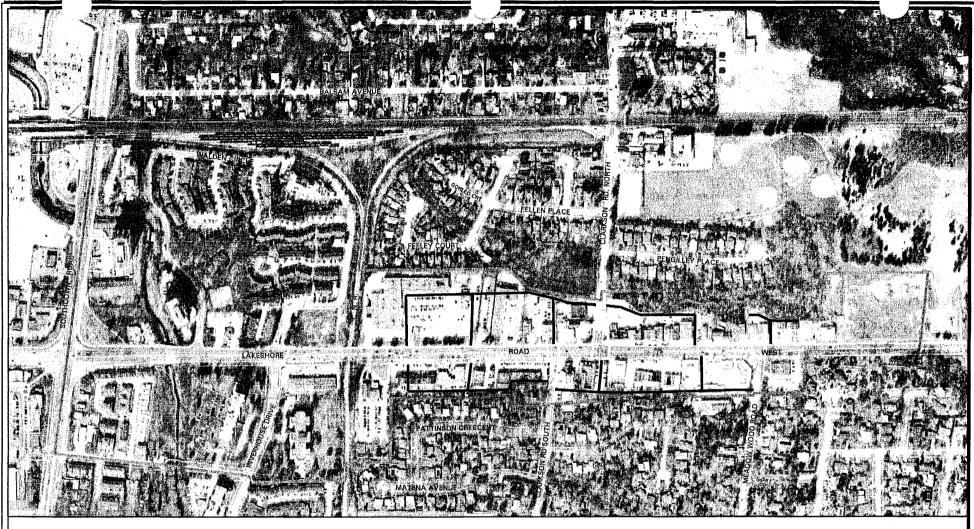
- File: CD.04.CLA
- 7. Section 14.2.3.1 is hereby deleted and replaced with the following:
 - 14.2.4.1 Special Site 1
 - 14.2.4.1.1 The lands identified as Special Site 1 are located on the north side of Lakeshore Road West, east of Clarkson Road.
 - 14.2.4.1.2 Notwithstanding the provisions of the Residential High Density designation, the maximum number of residential dwelling units permitted will be 246.
- 8. Section 14.2.3.2.2 is hereby deleted and replaced with the following:
 - 14.2.3.2.2 Notwithstanding the Residential High Density designation, the maximum permitted number of apartment dwelling units shall be 424.
- 9. Section 14.2.3.3 is hereby deleted and replaced with the following:
 - 14.2.3.3 Special Site 3
 - 14.2.3.3.1 The lands identified as Special Site 3 are located on the north side of Lakeshore Road West between Birchwood Park and Clarkson Road North.
 - 14.2.3.3.2 The lands are encumbered by slope stability issues associated with Turtle Creek. Satisfactory technical reports addressing these issues are required prior to any development of these lands.
- 10. Section 14.2.3.4 is hereby amended by adding the following:
 - 14.2.3.4 Special Site 4
 - 14.2.3.4.1 The lands identified as Special Site 4 are located on the southeast corner of Lakeshore Road West and Southdown Road.
 - 14.2.3.4.2 Notwithstanding the provisions of the Residential Medium Density designation, a maximum of two detached dwellings will be permitted.
- 11. Schedule 1 Urban System is hereby amended by changing the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
- 12. Schedule 1b Urban System City Structure is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).

Lakeshore Road West - Clarkson Village Study

- 13. Schedule 2 Intensification Areas is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
- 14. Schedule 9 Character Areas 'G' is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
- 15. Schedule 10 Land Use Designations is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
- 16. Map 14-1: City Structure Community Nodes is hereby amended by modifying the boundaries of the Clarkson Village Community Node to incorporate additional lands (See Appendices 5 and 6).
- 17. Map 16-1: City Structure Neighbourhoods is hereby amended by removing lands from the Clarkson-Lorne Park Neighbourhood to be incorporated into the Clarkson Village Community Node (See Appendices 5 and 6).
- 18. Map 16-5: Clarkson-Lorne Park Neighbourhood Character Area is hereby deleted and replaced. (See Appendices 5 and 6).
- 19. Section 16.5.5.6 Special Site 6, is hereby deleted.
- 20. Section 16.5.5.10 Special Site 10, is hereby deleted.







LEGEND

NODE BOUNDARY

CONSOLIDATED ACCESS AND FUTURE LANE WAYS

EXISTING LANE WAYS

SUBJECT: ACCESS MANAGEMENT PLAN - CLARKSON VILLAGE COMMUNITY NODE

MISSISSAUGA
Planning and Building

Produced by T&W, Geomatics



Lakeshore Road West - Clarkson Village Study

Proposed Zoning Amendments - Clarkson Village Community Node

Notwithstanding the existing "C4" (Mainstreet Commercial) zone provisions, the following additional zone provisions are proposed. The below-noted Exceptions correspond with zones shown on Appendix 9 – Proposed Zoning - Clarkson Village Community Node:

C4-Exception 1 (Outer Core)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24. 6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;
- Floor Space Index Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;

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- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

H-C4- Exception 2 (Core - Holding, North side of Lakeshore Road West)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;
- Floor Space Index Residential shall not exceed 1.5;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for commercial uses located on the first storey shall be located in the streetwall facing a public right of way;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance and have a pedestrian access if not level with the public sidewalk closest to the entrance that is accessed by a ramp which has a maximum slope of 4%;

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- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located below grade; and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

"H" Holding Provision

- The lands identified with an "H" Holding provision may be used for any of the permitted uses prior to the removal of the Holding provision provided that no physical site alterations are undertaken; and,
- The "H" Holding Provision is to be removed from the whole or any part of these lands by further amendment to this By-law prior to any form of physical site alteration, upon satisfaction of the following requirements:
 - o Technical studies, assessing and defining the slope hazard associated with Turtle Creek to the satisfaction of the City and Credit Valley Conservation.

C4- Exception 3 (Core – South side of Lakeshore Road West)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;
- Floor Space Index Residential shall not exceed 1.5;
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;

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- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located below grade; and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

C4-Exception 4 (Northwest corner of Lakeshore Road West and Clarkson Road North)

Uses

- Motor vehicle service station and motor vehicle wash facility restricted legally existing on the date of passing of this by-law continue to be permitted;
- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;

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- Floor Space Index Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

H-C4-Exception 5 (East Gateway – Holding)

Uses

- Horizontal multiple dwellings shall be permitted;
- Large format retail store greater than 600 m² (6,458.6 sq. ft.)GFA-non-residential shall not be permitted; and,
- Townhouse Dwelling Units.

- Maximum number of residential dwelling units 236;
- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.) for mixed use or non-residential buildings;
- Minimum front and exterior side yard shall be 4.5 m (14.8 ft.) to a maximum of 6.0 m (19.7 ft.) for exclusively residential buildings;
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);

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- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;
- Floor Space Index Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

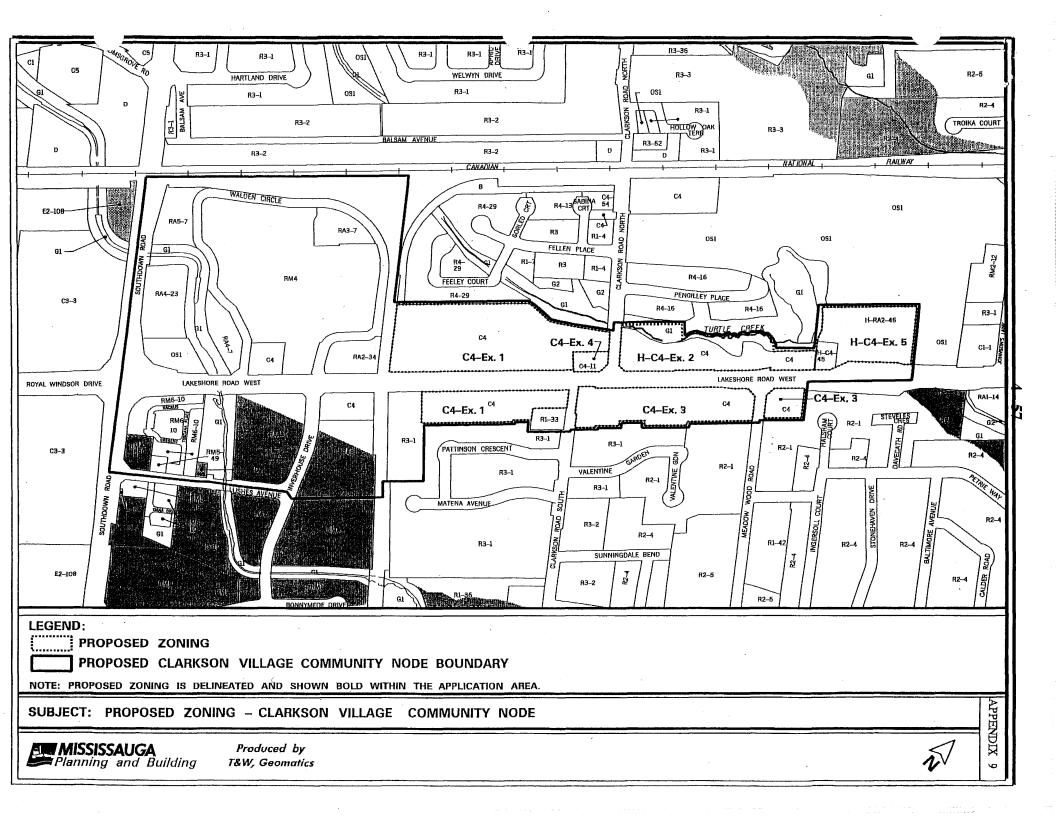
"H" Holding Provision

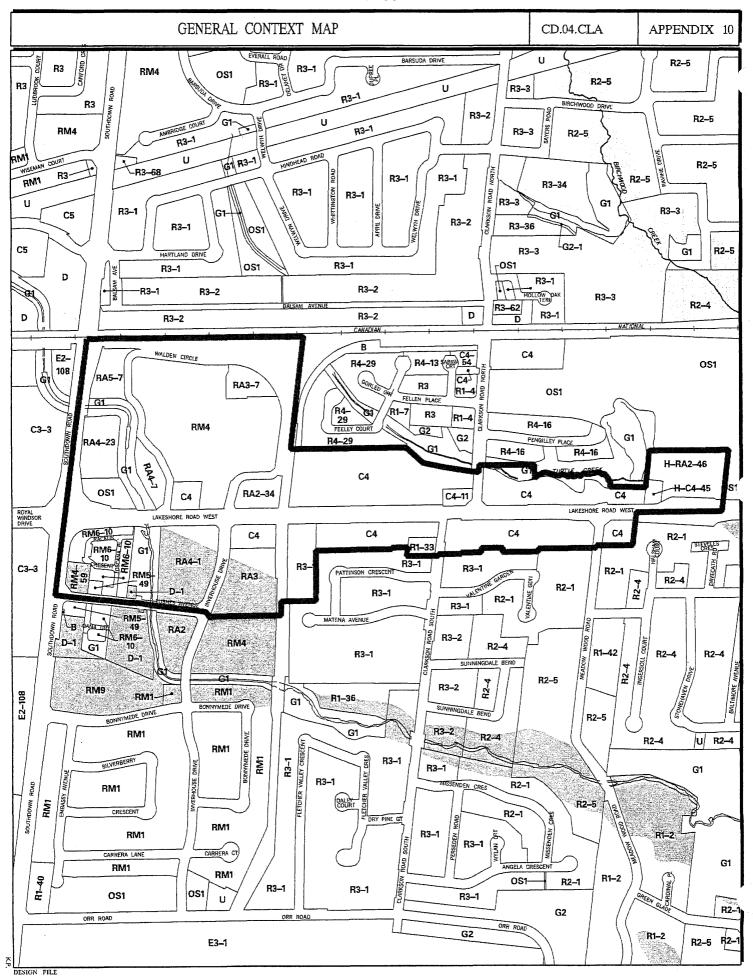
- The "H" Holding provision is to be removed from the whole or any part of these lands by further amendment to this By-law, upon satisfaction of the following requirements:
 - o submission of a satisfactory site plan, acoustical report, functional servicing report, grading plan, tree preservation plan and servicing plans;
 - o issuance of any required tree permit(s) in accordance with By-law No. 0474-2005;
 - o payment in an amount satisfactory to the City of Mississauga for street tree plantings along Lakeshore Road West;
 - o receipt of clearance from the Ministry of Culture with respect to the archaeological assessment;
 - o gratuitous transfer and dedication of Lakeshore Road West right-of-way widening to the City of Mississauga;
 - o gratuitous transfer and dedication of all lands zoned "G1" (Greenbelt) to the City of Mississauga;

Lakeshore Road West - Clarkson Village Study

File: CD.04.CLA

- o provision of securities satisfactory to the City of Mississauga for parkland and greenbelt protection and reinstatement, tree protection hoarding and chain link fencing for the adjacent park and greenbelt lands;
- o issuance of a permit from the Credit Valley Conservation for the installation of the required Turtle Creek culvert;
- o installation of the required Turtle Creek culvert works to the satisfaction of the Credit Valley Conservation;
- o delivery of an executed development and/or servicing agreement in a form satisfactory to the City of Mississauga, including the implementation of all requirements and warning clauses outlined in any outstanding technical studies or reports, in addition to warning clauses advising prospective purchasers of the range of facilities within the abutting Birchwood Park; and
- o confirmation that satisfactory arrangements have been made with the Region of Peel Public Works Department with respect to both the provision of municipal services (water and sanitary sewer) and the adequacy of services to the proposed development.





Appendix S-2

File: CD.04.CLA

Lakeshore Road West - Clarkson Village Study

Recommendation PDC-0010-2012

- "1. That the report titled "Proposed Amendments to Mississauga Official Plan and Zoning By-law 0225-2007: Lakeshore Road West Clarkson Village Study," dated January 24, 2012 from the Commissioner of Planning and Building be received for information.
- 2. That staff report back to Planning and Development Committee on any submissions made with respect to the January 24, 2012 report.
- 3. That the following correspondences be received:
 - (a) Email dated January 28, 2012, from Robert Nash
 - (b) Facsimile dated February 13, 2013, from Michael Garvey of Garvey and Garvey LLP
 - (c) Email and attachments dated February 13, 2012, from Joel Farber of Folger, Rubinoff LLP
 - (d) Email and attachments dated February 13, 2012, from Glen Broll of Glen Schnarr & Associates Inc."

Lakeshore Road West - Clarkson Village Study

Proposed Zoning Amendments - Clarkson Village Community Node - Revised

Notwithstanding the existing "C4" (Mainstreet Commercial) zone provisions, the following additional zone provisions are proposed. The below-noted Exceptions correspond with zones shown on Appendix S-4 – Proposed Zoning - Clarkson Village Community Node (Revised):

C4-Exception 1 (Outer Core Area)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses);
 and
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24. 6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building façade;
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;
- Floor Space Index Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;

Lakeshore Road West - Clarkson Village Study

- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

C4- Exception 2 (Core Area - North side of Lakeshore Road West)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;
- Floor Space Index Residential shall not exceed 1.5;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;

Lakeshore Road West - Clarkson Village Study

- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located below grade; and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

C4- Exception 3 (Core Area – South side of Lakeshore Road West)

Uses

- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and.
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;
- Floor Space Index Residential shall not exceed 1.5;
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building facade;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;
- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;

Lakeshore Road West - Clarkson Village Study

- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located below grade; and,
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.

C4-Exception 4 (Outer Core Area - Northwest corner of Lakeshore Road West and Clarkson Road North)

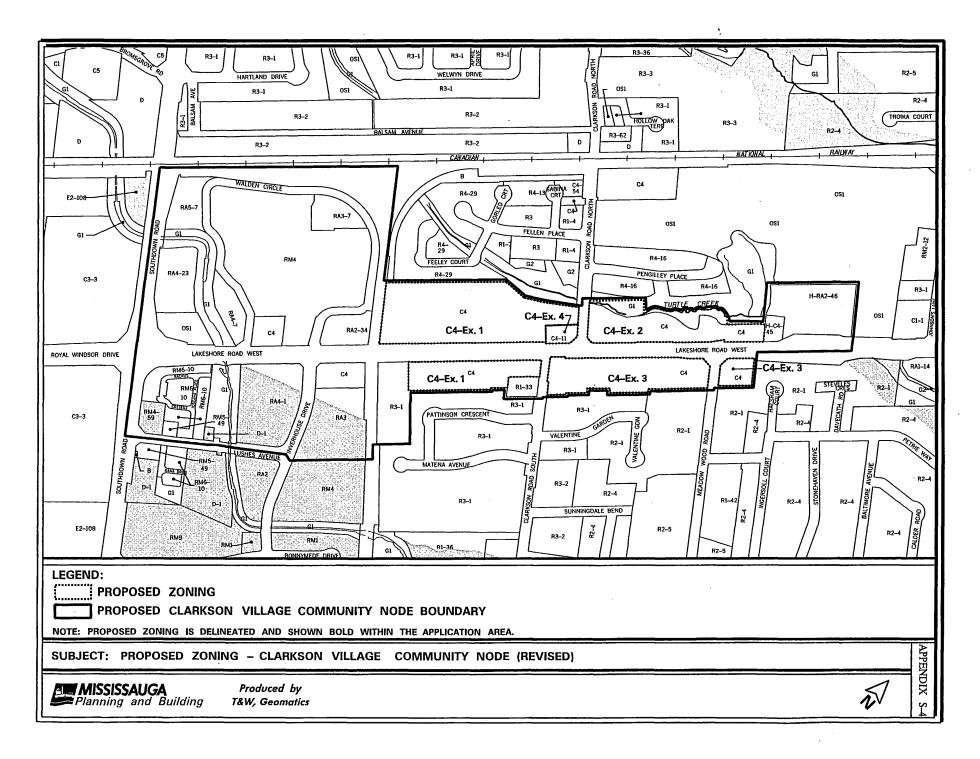
Uses

- Motor vehicle service station and motor vehicle wash facility restricted legally existing on the date of passing of this by-law continue to be permitted;
- Non-residential uses permitted in accordance with the C4 general provisions shall be required on the first storey of any building or structure;
- Horizontal multiple dwellings shall be permitted (with ground floor non-residential uses); and,
- Large format retail store greater than 600 m² (6,458.6 sq. ft.) GFA-non-residential shall not be permitted.

- A minimum of 75% of the ground floor GFA shall be occupied by permitted non-residential uses within apartment and horizontal multiple dwellings;
- Minimum front and exterior side yard shall be 0.61 m (2 ft.);
- Minimum interior side and rear yard abutting a non-commercial zone category shall be 7.5 m (24.6 ft.), plus 1.0 m (3.3 ft.) for each additional 1.0 m (3.3 ft.) of building height, or portion thereof, exceeding 10.0 m (32.8 ft.);
- Maximum building height shall be 6 storeys;
- The building facade of the 4th storey shall be stepped back a minimum of 6.0 m (19.7 ft.) from the 3rd storey building facade;
- Floor Space Index Residential shall mean the ratio of the gross floor area of all buildings and structures, exclusive of gross floor area non-residential, to the lot area;
- Floor Space Index Residential shall not exceed 2.0;
- A minimum of 70% of the length of the lot frontage shall be occupied by streetwall where a driveway access to a public road exists and 90% where a driveway access to a public road does not exist or is shared with another property;
- A minimum of 60% of the ground floor streetwall shall be glazed with clear vision glass;

Lakeshore Road West - Clarkson Village Study

- A minimum ground floor height of 4.5 m (14.8 ft.), as measured from the finished floor elevation to the underside of the 2nd floor, shall be provided;
- The main front entrance for non-residential uses located on the first storey shall be located in the streetwall facing Lakeshore Road West;
- For any permitted non-residential use located on the ground floor, the finished floor elevation shall be within 0.2 m (0.7 ft.) of the grade of the public sidewalk as measured at the streetwall directly opposite each pedestrian entrance;
- Parking for repair establishment, personal service establishment, animal care establishment, office and retail store uses which are 300 m² (3,229.3 sq. ft.) or less shall be provided at a rate of 3.0 spaces/100 m² (1,076.4 sq. ft.) GFA;
- Where Floor Space Index Residential exceeds 1.0, required parking shall be provided within a parking structure located either above or below grade;
- Above grade parking structures shall not exceed 2 storeys in height;
- The streetwall of above grade parking structures adjacent to a public street shall incorporate permitted residential and non-residential uses to a minimum depth of 10 m (32.8 ft.); and
- Parking will not be permitted between the streetwall of the buildings located closest to a public street and the front property line.





Originator's

Files OZ 11/002 W11

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Information Report

Official Plan Amendment and Rezoning Applications

To permit a Motor Vehicle Dealership

Part of Lots 6 and 7, Concession 2, W.H.S.

Southeast corner of Bancroft Drive and Ivandale Drive

Owner: 2356860 Ontario Inc. (AutoPlanet Group of Companies) Applicant: Weston Consulting

Bill 51

Public Meeting

Ward 11

RECOMMENDATION:

That the Report dated June 4, 2013, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Convenience Retail Commercial – Special Site 7" to "Business Employment – Special Site" and to change the Zoning from "C1-2" (Convenience Commercial) to "E2 – Exception" (Employment), to permit a motor vehicle dealership under file OZ 11/002 W11, 2356860 Ontario Inc., Part of Lots 6 and 7, Concession 2, W.H.S. be received for information.

Community concerns include increased traffic, safety, noise and general compatibility of the proposed land use with the existing neighbourhood. The concept plan has been updated to address concerns regarding the proposed access location. Prior to the preparation of the Supplementary Report, satisfactory arrangements regarding the following matters shall be made: grading, landscaping, lighting, noise, reliance letter for the Phase 1 Environmental Site Assessment, and appropriately addressing the interface to the residential community.

BACKGROUND:

The above-noted applications have been circulated for technical comments and community meetings have been held.

The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal		
Applications	February 14, 2011 (received)	
submitted:	March 9, 2011 (deemed complete)	
	October 3, 2011 (1 st resubmission)	
	April 12, 2013 (2 nd resubmission)	
Height:	2 storeys	
Lot Coverage:	25%	
Landscaped	18%	
Area:		
Total Gross	2,787 m ² (30,000 sq. ft.)	
Floor Area:	2,767 III (50,000 Sq. 1t.)	
Parking	120	
Required:		
Parking	123	
Provided:		
Supporting	Planning Justification Report	
Documents:	Concept Plan	
	Floor Plans and Site Sections	

Development Proposal	
	Rendering Drawings
	Phase 1 Environmental Site Assessment
	Acoustical Impact Analysis

Site Characteristics	
Frontage:	99.0 m (325 ft.)
Depth:	122.0 m (400 ft.)
Net Lot Area:	1.01 ha (2.50 ac.)
Existing Use:	Vacant

Green Development Initiatives

At this time, the applicant is not proposing any green development initiatives. However, the applicant has indicated that this matter would be addressed through the site plan approval process.

Neighbourhood Context

The subject property is located between a low density residential neighbourhood and a commercial and employment area. The site forms part of a larger block, with a private north/south road connecting Bancroft Drive with Boyer Boulevard. There are five motor vehicle dealerships within the immediate area. The site is currently vacant and has minimal vegetation. Information regarding the history of the site can be found in Appendix I-1.

The surrounding land uses are described as follows:

North: Detached dwellings and motor vehicle dealerships

East: Gas bar, car wash and restaurant establishments

South: Vacant lands and further south, motor vehicle dealerships

West: Detached dwellings

Mississauga Official Plan Designation and Policies for East Credit (November 14, 2012)

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 22, 2011. The Plan was appealed in its entirety, however on November 14, 2012, the Ontario Municipal Board (OMB) issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals.

The subject lands are located within the **East Credit**Neighbourhood Character Area and are designated as

"Convenience Commercial" which permits the following uses:
commercial parking facility; entertainment; recreation and sports
facilities; financial institution; gas bar; personal services
establishment; residential; restaurant; retail store; and secondary
office. The city wide Convenience Commercial policies under
Mississauga Official Plan (2012) are currently subject to an OMB
appeal. The subject lands have also been identified as Special Site
2 under Section 16.8.3.2 of the East Credit Neighbourhood Policies
which outlines the following:

- a) the total gross leasable area of all buildings and structures will not exceed 2,200 m^2 (23,681 sq. ft.);
- b) noise-sensitive land uses, as defined in the Provincial Policy Statement and this Plan will not be permitted.

Mississauga Plan Designation and Policies for East Credit (May 5, 2003)

The subject lands are designated as "Convenience Retail Commercial" in the East Credit District policies. The lands have also been identified as Special Site 7 under Section 4.11.6.8. The special site and urban design policies noted under Mississauga Official Plan are also included in Mississauga Plan.

There are other policies in the Official Plan which also are applicable in the review of these applications including urban design policies (See Appendix I-9).

June 4, 2013

Proposed Official Plan Designation and Policies

"Business Employment - Special Site" (East Credit District), which would permit a motor vehicle sales, service, rental and minor repair establishment under Mississauga Plan.

A "Mixed Use – Special Site" (East Credit Neighbourhood), designation to permit a motor vehicle sales, service, rental and minor repair establishment under Mississauga Official Plan (2012) will also be required.

Existing Zoning

"C1-2" (Convenience Commercial), which permits commercial retail, service and office uses, and a private club.

Proposed Zoning By-law Amendment

"E2- Exception" (Employment), to permit a motor vehicle sales, leasing and/or rental facility – restricted. As part of the rezoning, the applicant is proposing that the following standards be applied:

	Required Zoning	Proposed Standard
	By-law Standard	
Maximum		$2,787 \text{ m}^2$
Gross Floor Area	n/a	(30,000 sq. ft.)
Minimum		
Front Yard Setback	30 m (98.4 ft.)	7.0 m (23.0 ft.)
Minimum Exterior		
Side Yard Setback	15 m (49.2 ft.)	4.5 m (14.8 ft.)

COMMUNITY ISSUES

A community meeting was held by Ward 11 Councillor Carlson on September 29, 2011 and one has been scheduled for June 3, 2013.

The following is a summary of the issues raised by the community:

June 4, 2013

- Increased traffic volumes;
- Proposed access off Bancroft Drive;
- General concern with the introduction of an additional motor vehicle sales dealership in the area.

In addition, written correspondence and a petition has been received expressing concerns regarding safety, noise, pollution, and general compatibility with the proposed land use and the existing residential neighbourhood.

Since the first community meeting, the concept plan has been revised to relocate the access driveway from Bancroft Drive to an internal private north/south road.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-8. Based on the comments received and the applicable Mississauga Plan and Mississauga Official Plan policies, the following matters will have to be addressed:

- Relationship of the proposed use with the adjacent residential neighbourhood;
- Resolution of design details and zoning standards, specifically, satisfactory building elevations and streetscape conditions;
- Resolution of potential noise and light impacts and the provision of appropriate mitigation measures.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters, with respect to grading, servicing and noise which will require the applicant to enter into appropriate agreements with the City. In addition, the applicant will be required to provide a comprehensive plan, which incorporates the

June 4, 2013

vacant lands to the south, and demonstrates how these lands could be developed in the future.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

All agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this applications.

ATTACHMENTS:

Appendix I-1: Site History

Appendix I-2: Aerial Photograph

Appendix I-3: Excerpt of East Credit Land Use Map Appendix I-4: Land Use Map – Mississauga Official Plan

Appendix I-5: Land Use Map - Mississauga Plan

Appendix I-6: Concept Plan

Appendix I-7: Building Rendering Appendix I-8: Agency Comments Appendix 1-9: Official Plan Policies Appendix I-10: General Context Map

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Katherine Mahoney, Development Planner

File: OZ 11/002 W11

Site History

- October 10, 2001 City Plan Amendment No. 110, specifically, the East Credit
 District Policies, pursuant to file OZ 00/066, was adopted, and the lands were
 designated as "Retail and Service Commercial Convenience Centre –
 Special Site 13".
- November 14, 2001 Pursuant to file OZ 00/066, the lands were rezoned to "DC-2576" (District Commercial Special Site).
- May 5, 2003 The East Credit District Policies and Land Use Map of Mississauga Plan were partially approved, with modifications and appeals to the OMB, designating the lands to "Convenience Retail Commercial – Special Site 7"
- June 20, 2007 Zoning By-law 0225-2007 came into force except for those sites which have been appealed. The subject lands are zoned "C1-2" (Convenience Commercial).
- November 10, 2011 the Committee of Adjustment approved a land severance (File 'B' 48/11), in order to create a new lot to accommodate the expansion of an abutting automobile dealership.
- November 14, 2012 The Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals. The subject lands are designated as "Convenience Commercial Special Site 2".



LEGEND:



SUBJECT LANDS

DATE OF AERIAL PHOTO: SPRING 2012



APPENDIX

SUBJECT:

2356860 ONTARIO INC.



FILE NO: OZ 11/002 W11

DWG. NO: 11002A

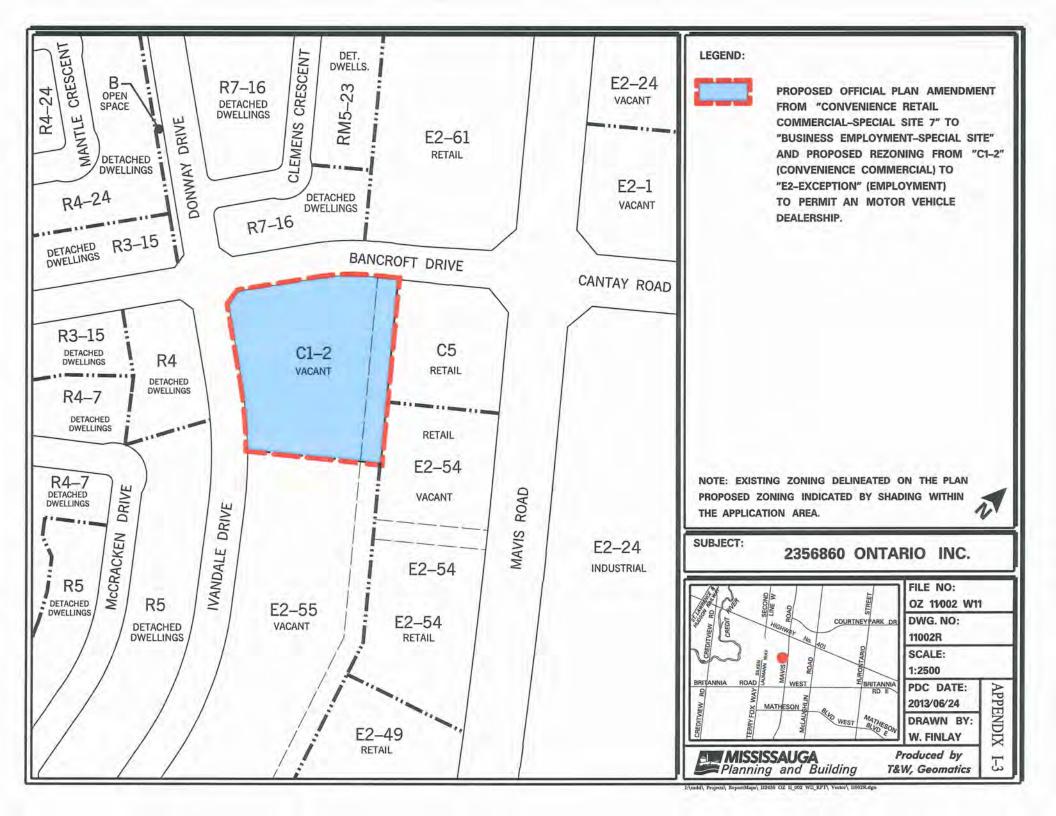
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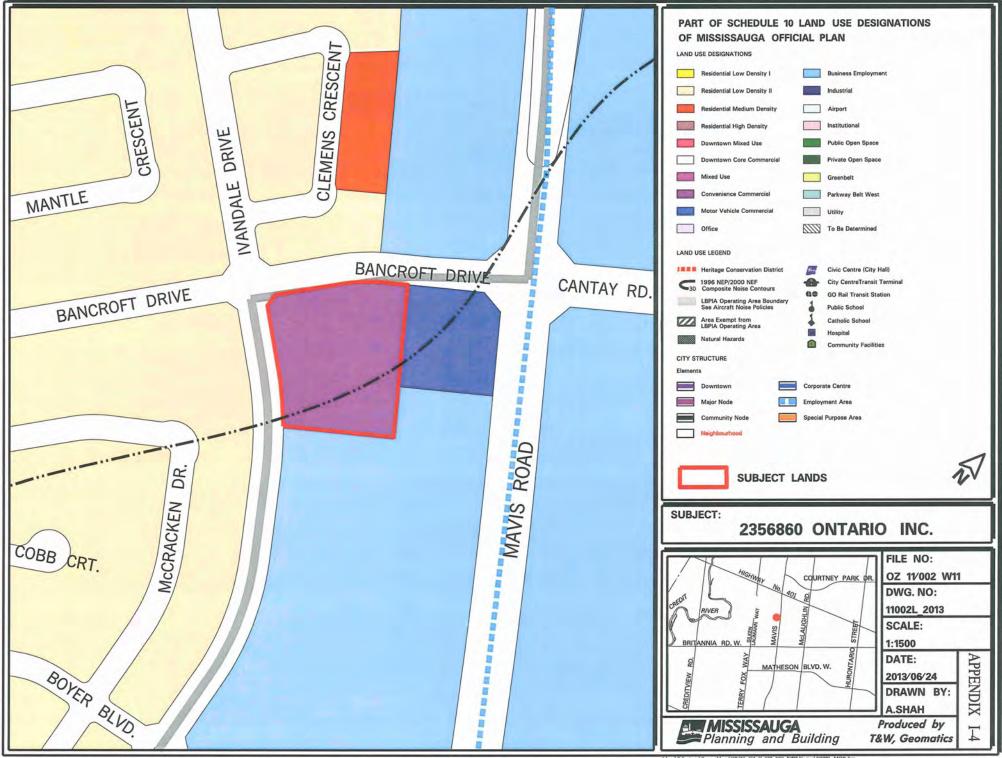
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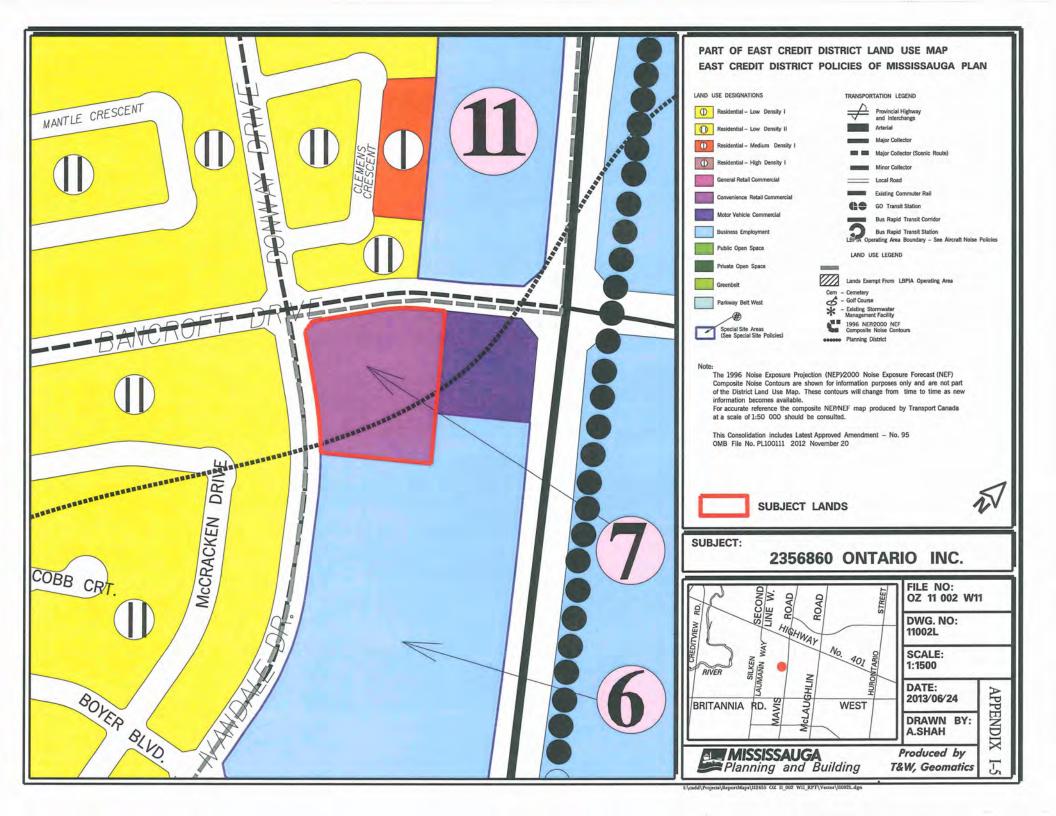
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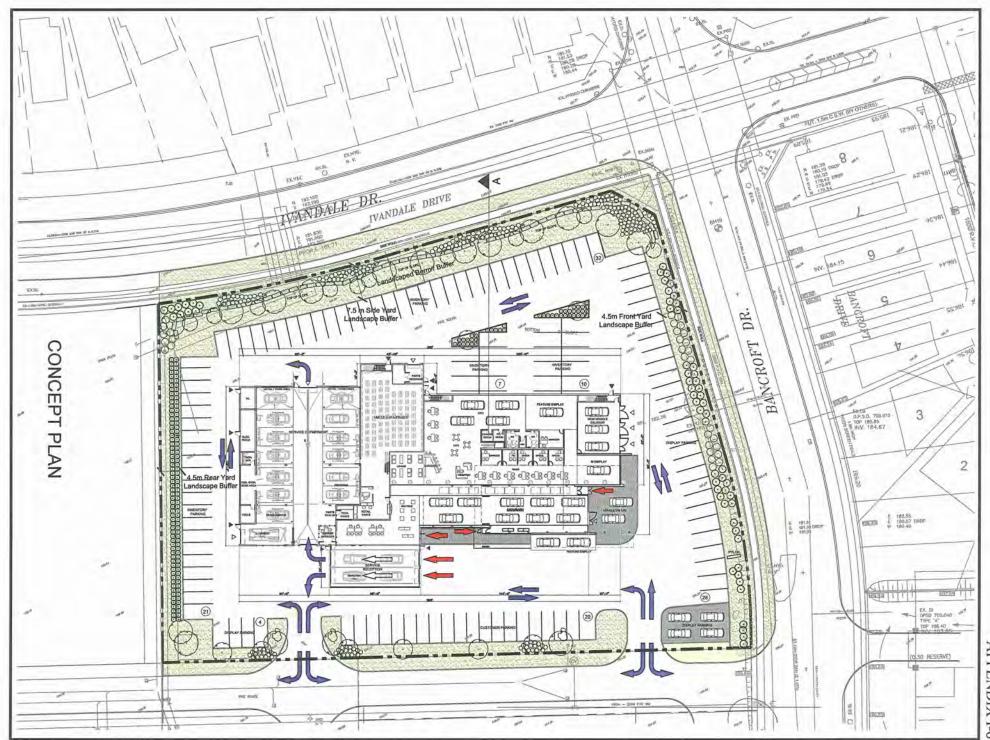
MISSISSAUGA
Planning and Building

Produced by T&W, Geomatics









APPENDIX I-7



BUILDING RENDERING

2030445 Ontario Inc.

File: OZ 11/002 W11

Agency Comments

The following is a summary of comments from agencies and departments regarding the applications.

Agency / Comment Date	Comment
Region of Peel (April 8, 2013)	Regional Planning staff note that the subject land is located within the Airport Operating Area (AOA) and is within the 30 Noise Exposure Forecast (NEF) Contour. Policy 5.9.6.2.3 protects the long-term operational role of the Toronto Lester B Pearson International Airport by ensuring that development and redevelopment adjacent to the Airport is compatible with airport operations and the needs of area residents. Regional staff requests that the applicant incorporate the City's comments in this regard.
	The subject site is not within the vicinity of a landfill site and on-site waste collection will be required through a private waste hauler.
City Community Services Department – Parks and Forestry Division/Park Planning Section	In the event that the application is approved, the Community Services Department - Park Planning note the following conditions:
(April 9, 2013)	In comments dated May 11, 2011 and updated on April 9, 2013 this Department indicated that prior to the issuance of building permits for each lot or block cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the Planning Act (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws. Further, prior to by-law enactment, cash contribution for street tree planting on Ivandale Drive and Bancroft Drive will be required.
City Transportation and Works Department (May 7, 2013)	In comments dated May 7, 2013, this department confirmed receipt of the revised Site Plan, Landscape Plan, Sections, and Phase 1 Environmental Site Assessment to address the Department's comments.

Aganay / Comment Data	Comment
Agency / Comment Date	
	Prior to the Supplementary Report Meeting, the applicant has
	been requested to ensure that there are no discrepancies
	between the plans and to validate the Phase 1 Environmental Site Assessment. Further detailed comments/conditions will
	be provided pending receipt and review of the foregoing.
Bell Canada	A detailed review of the Official Plan Amendment and Zoning
(May 7, 2013)	By-Law Amendment application has been completed and an
	easement may be required to service the subject property,
	depending on a more detailed review.
Greater Toronto Airport	Airport Zoning Restrictions:
Authority	
(May 2, 2013)	According to the Airport Zoning Regulations for Toronto
	Pearson International Airport, development elevations on the
, 1	subject property are affected by the Approach Surface for
	Runway 06R and the Approach Surface for Runway 06L. The
	maximum allowable development elevation under the greater
	restriction (Approach Surface for Runway 06R) ranges from
	approximately 318 metres A.S.L. (Above Sea Level) at the
	eastern boundary to approximately 320 metres A.S.L. at the
	western boundary.
	western boundary.
	Based on the information provided by you on R.H. Carter
	Architects Inc. Drawing package dated April 11, 2013, the
	proposed motor vehicle sales facility would be within the
	allowable height limits associated with the Regulations.
·	Noise Impacts:
	The subject property lies within both the 28-30 and 30-35
	NEF/NEP of the composite contour map for Toronto Pearson
	International Airport and within the Airport Operating Area
	(AOA). Noise contours depicting the Noise Exposure Forecast
	(NEF) and Noise Exposure Projection (NEP) are produced to
	encourage compatible land use planning in the vicinity of
	airports. Acoustic design features should be incorporated in
	the building components to the satisfaction of the City
	of Mississauga.

2030445 Ontario Inc.

File: OZ 11/002 W11

Agency / Comment Date	Comment
Other City Departments and	The following City Departments and external agencies offered
External Agencies	no objection to these applications provided that all technical
	matters are addressed in a satisfactory manner:
	City Community Services Department – Culture Division
	City Community Services Department – Fire and Emergency
	Services Division
	Canada Post Corporation
	Enersource Hydro Mississauga
	Ministry of Transportation
	The following City Departments and external agencies were
	circulated the applications but provided no comments:
	City's Economic Development Office
	City's Realty Services
	Hydro One Networks Inc.

File: OZ 11/002 W11

2356860 Ontario Inc.

Official Plan Policies

Relevant official plan policies include, but are not limited to, the following:

Urban Design Policies

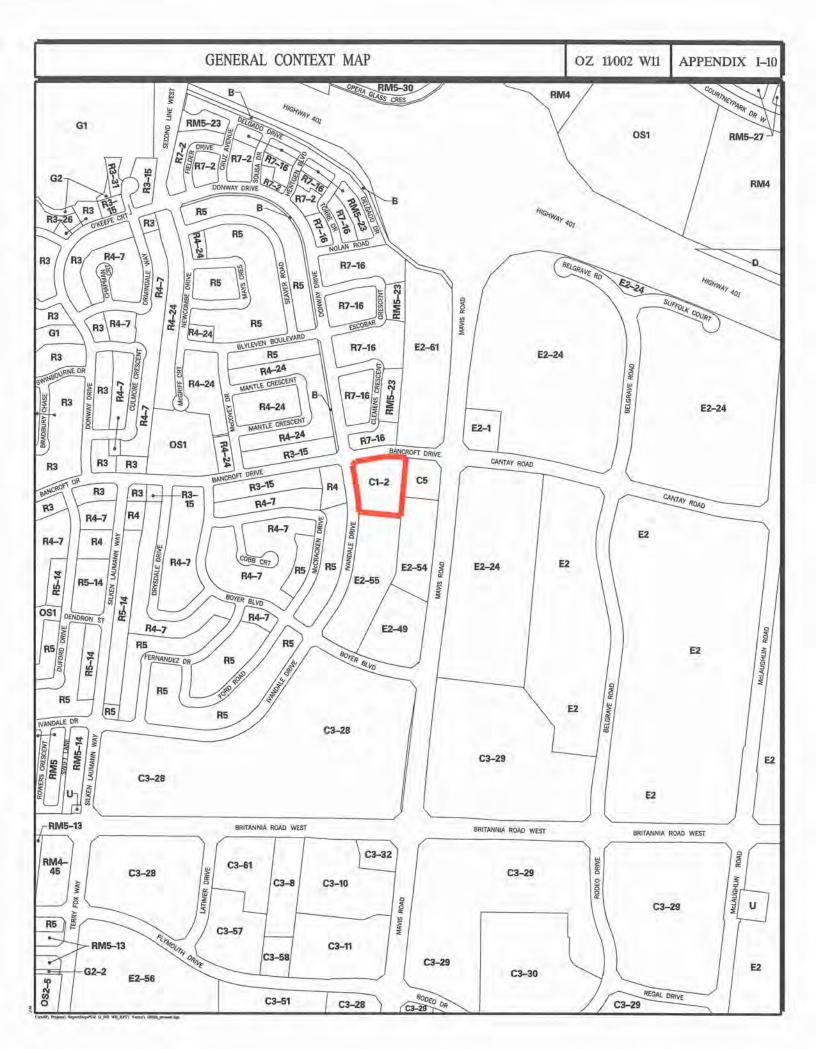
Mississauga Plan – Section 4.11.3.1 Mississauga Official Plan - Section 16.8.1

- a) For the lands with direct exposure to Ivandale Drive and Bancroft Drive, upgraded building elevations will be required;
- b) loading bays and waste collection areas should not face onto Ivandale Drive or Bancroft Drive;
- c) outdoor storage and display areas should not face onto Ivandale Drive or Bancroft Drive.

Criteria for Site Specific Official Plan Amendments

Section 19.5 of Mississauga Official Plan and Section 5.3.2 of Mississauga Plan contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed applications;
- a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation has been provided by the applicant.





Originator's Files

CD 06 AFF

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

REPORT ON COMMENTS

Housing Choices: Second Units Implementation Strategy

RECOMMENDATION: That the report titled "REPORT ON COMMENTS Housing Choices: Second Unit Implementation Strategy" dated June 4, 2013 from the Commissioner of Planning and Building, be adopted in accordance with the following:

- 1. That notwithstanding that subsequent to the public meeting changes to the zoning by-law have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the Planning Act, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.
- 2. That the amended Second Units Implementation Strategy, as outlined in the report titled "REPORT ON COMMENTS" Housing Choices: Second Unit Implementation Strategy" dated June 4, 2013 from the Commissioner of Planning and Building, be endorsed.

3. That the Official Plan and Zoning By-law amendments, as outlined in the report titled "REPORT ON COMMENTS Housing Choices: Second Unit Implementation Strategy" dated June 4, 2013 from the Commissioner of Planning and Building, be approved.

REPORT HIGHTLIGHTS:

- Legalizing second units will assist in addressing existing unsafe second units in the City.
- Provincial legislation requires municipalities to have official plan policies and zoning by-laws to permit second units.
- Second units are one component of *Housing Choices*:

 Mississauga's Affordable Housing Strategy and Action Plan.
- Legal second units will add to the City's housing choices and be a source of safe, affordable, rental housing for both owners and tenants.
- A Statutory Public Meeting was held on February 25, 2013 to receive comments on the proposed Second Unit Implementation Strategy.
- Public comments were generally in support of second units with concerns centred on second units in condominium townhouses, owner occupancy, and neighbourhood impact.
- Planning and Development Committee comments focussed on pressure on infrastructure and services, and the lack of Provincial funding to address financial impacts.
- The requirement for owner occupancy is proposed to be included in licensing requirements rather than through zoning regulations.
- Annual licensing of second units is proposed.
- The Second Unit Implementation Strategy will be monitored and a report will be brought back in one year.

BACKGROUND:

Legalizing second units will assist in addressing existing unsafe second units in the City.

Provincial legislation requires municipalities to have official plan policies and zoning by-laws permitting second units in detached, semidetached and townhouse dwellings. Second units are one component of *Housing Choices: Mississauga's Affordable Housing Strategy and Action Plan* being undertaken to address the challenges related to the increasing need for affordable housing. They are self-contained living units in dwellings which are also referred to as secondary suites, basement apartments, in-law suites, or accessory dwelling units.

Second units meet the housing needs of households facing financial challenges. They can assist first time home buyers with limited equity in carrying a mortgage; older adults to remain in their homes and age in place; or youth to stay in their communities.

The Second Unit Implementation Strategy was proposed at the December 3, 2012 meeting of the Planning and Development Committee including:

- Official Plan policies;
- Zoning By-law regulations;
- Licensing requirements;
- Education program; and,
- Partnerships with key stakeholders.

The statutory public meeting to fulfill the requirements of the *Planning Act* was held by the Planning and Development Committee at its meeting on February 25, 2013. The meeting was attended by stakeholders and residents. There were nine delegations at this meeting and eleven pieces of correspondence were received. There were also a number of inquiries from Planning and Development Committee on the Strategy.

On March 6, 2013 City Council considered the report titled "PUBLIC MEETING, Housing Choices: Second Unit Implementation Strategy" dated February 5, 2013 from the Commissioner of Planning and Building (Appendix 1) and adopted the following recommendations:

1. That the report titled "PUBLIC MEETING Housing Choices: Second Units Implementation Strategy" dated February 5, 2013 from the Commissioner of Planning and Building be received for information.

- 2. That the submissions made at the public meeting held at the Planning and Development Committee meeting on February 25, 2013 to consider the Second Units Implementation Strategy be received.
- 3. That Planning and Building Department staff report back on the submissions made with respect to the Second Unit Implementation Strategy in the report titled "Housing Choices: Second Units Implementation Strategy" attached as Appendix 1.

COMMENTS:

This report summarizes and responds to the comments received from the public and Planning and Development Committee and recommends Official Plan and Zoning By-law amendments (Appendix 2 and Appendix 3). It is accompanied by an In Camera report from Legal Services on owner occupancy and a report from the Transportation and Works Department on licensing.

1. Comments from the Public

The comments received from the public were generally in support of legalizing second units. Concerns from the public centred around:

- second units in condominium townhouses;
- owner occupancy; and
- neighbourhood impact.

Comments from the public are summarized in Appendix 4.

Condominium Townhouses

Concerns were raised regarding permitting second units in condominium townhouses. Municipalities are required to permit second units in townhouses. In addition to zoning and licensing requirements, a second unit in a condominium townhouse would need to comply with applicable requirements of the condominium corporation. The *Condominium Act* places restrictions on owners of condominium units. A provision where the condominium unit could not be leased without the condominium corporation's prior approval has been upheld by the Courts. A letter with permission of the condominium corporation will be required before a Building Permit/Licence is issued for a second unit in a condominium townhouse.

Owner Occupancy

The proposed Second Unit Zoning By-law presented at the Statutory Public Meeting on February 25, 2013 included a regulation requiring owner occupancy for dwellings with second units. This regulation received considerable support from the public as a way to assist in protecting the character of existing neighbourhoods.

Requiring owner occupancy was also recommended because it can assist both the owner to enter the home ownership market and/or remain in their home, and the renter to afford rental housing. If a dwelling with a second unit is not owner occupied, it is an investment dwelling where the owner is more likely to be an investor benefitting from the business of renting out two units.

An owner occupied zoning regulation would allow the City to address community concerns with investment dwellings on a case-by-case basis through the minor variance process, as is currently done for home occupations.

Objections to the owner occupancy regulation in the Zoning By-law were received from BILD (Toronto GTA Building Industry and Land Development Association) and the Mississauga Real Estate Board (MREB). They have stated that requiring owner occupancy is discriminatory and runs contrary to the *Planning Act*, Section 35 (2). Legal Services was asked to comment on this matter.

Upon further review, it is proposed that owner occupancy be removed from the proposed Zoning By-law. It is recommended that owner occupancy be included instead as a licensing requirement with two types of licences, one for owner occupied dwellings and one for investment dwellings. Including owner occupancy as a licensing requirement does not require investment dwellings to obtain a minor variance; however, this process will allow Enforcement Staff to consider City and community concerns on a case-by-case basis. Specific requirements can be established for owners and investors. Requirements that can be established to provide safeguards to address concerns include:

- conformity with any applicable law (Zoning By-law, Property Standards By-law, Noise By-law);
- outstanding fines/complaints;
- proof of insurance; and,
- right-of-entry for inspections.

Neighbourhood Impact

Concerns around parking, noise, garbage and traffic were raised. The proposed Zoning By-law for second units includes a number of regulations intended to protect neighbourhood character including the requirement for one on-site parking space for the second unit. In addition, second units will require a licence. Licensing will depend on compliance with applicable City by-laws including noise and property standards.

2. Comments from Planning and Development Committee

The comments from Planning and Development Committee focussed on:

- infrastructure, services and financial impacts; and,
- fees to address impacts on public services.

Comments from Planning and Development Committee are summarized in Appendix 5.

Infrastructure and Financial Impacts of Second Units

Planning and Development Committee expressed concern regarding the pressure on infrastructure and services resulting from second units, and the lack of Provincial funding to address financial impacts.

The impact of existing and additional second units on services was discussed with service providers, including Community Services, Transportation and Works and the School Boards (Appendix 6 includes correspondence received from the School Boards). It was indicated that second units do not significantly burden public services beyond the original design capacity and that public services are planned with some flexibility for demand fluctuations. Some service providers also indicated that permitting second units would provide information on their locations so that public services can be more accurately planned.

The information on the impacts of second units is limited. A study by Canada Mortgage and Housing Corporation (CMHC) concludes that second units do not "double load" services but can result in between 35-65% more demand than a dwelling without a second unit. The City is currently absorbing the public service needs of second unit households.

In addition, a survey of other municipalities found that legalization of second units does not result in a significant increase of new legal second units created with building permits.

Planning and Development Committee suggested introducing a business tax for second units as a way of covering costs of supporting infrastructure. Municipalities do not have the authority to impose such a tax under the current *Municipal Act*, 2001. If the *Municipal Act* was amended to be in line with the taxation authority in *The City of Toronto Act*, municipalities could consider additional taxation options such as a business tax for second units.

Another legislative change which could allow for obtaining funding would be amending the *Development Charges Act* to include a category for second units in existing dwellings. Currently, the

Development Charges Act only allows municipalities to collect development charges for developments that have more than six units, so second units in existing dwellings are not eligible. A legislative change would be required should Council wish to pursue this option.

Fees for Impacts on Public Services

Planning and Development Committee also commented that proposed licensing fees for second units were too low and requested additional information on possible annual licensing to provide more revenue to address impacts on public services.

Higher fees are not recommended. If the licensing fees are set too high, they will likely act as a deterrent to legalizing second units when added to building permit fees, fire inspection fees and renovation costs.

Legal Services has advised that licensing fees are required to be tied to the administrative costs of the licensing process. Revenues from licensing fees cannot be used to support or upgrade infrastructure.

Additional review of licensing practices in other municipalities found different approaches with approximately half of the municipalities requiring some type of renewal for the registration or licensing of second units. It is recommended that the proposed requirement for licensing be revised from one-time licensing to annual licensing for second units. Initial fees of \$500 for second units within owner occupied dwellings and \$1,000 for investment dwellings continue to be recommended. The fees should be reduced in subsequent years to \$250 for second units within owner occupied dwellings and \$500 for investment dwellings.

STRATEGIC PLAN:

The need for an affordable housing strategy is identified in the City's Strategic Plan as part of the *Belong Pillar: Ensuring Youth, Older Adults and Immigrants Thrive*. Legalizing second units is identified as Action Item 7 "Legalize Accessory Units".

FINANCIAL IMPACT:

The full extent of the number of licence applications that may be received is unknown. If the number of licence applications received is substantial, and staff are unable to process applications and/or investigate complaints in a timely manner, staff will bring forward a report to Council identifying any increased resources that may be required to effectively administer and enforce the by-law.

CONCLUSION:

The Province has required municipalities to permit second units and, more importantly, Mississauga needs to take action to address the issue of the existing unsafe second units. The recommended Second Unit Implementation Strategy includes Official Plan policies, Zoning By-law regulations, licensing requirements, an education program and partnerships with stakeholders. Its success will be monitored and reported on in one year.

ATTACHMENTS:

Appendix 1: PUBLIC MEETING Housing Choices: Second Units

Implementation Strategy

Appendix 2: Proposed Official Plan Amendment

Appendix 3: Proposed Zoning By-law Amendment

Appendix 4: Comments from the Public

Appendix 5: Comments from Planning and Development

Committee

Appendix 6: Correspondence from the School Boards

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Emily Irvine, Planner

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Clerk's Files

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DATE:

February 5, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: February 25, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

PUBLIC MEETING

Housing Choices: Second Units Implementation Strategy

RECOMMENDATION:

- 1. That the report titled "PUBLIC MEETING Housing Choices: Second Units Implementation Strategy" dated February 5, 2013 from the Commissioner of Planning and Building be received for information.
- 2. That the submissions made at the public meeting held at the Planning and Development Committee meeting on February 25, 2013 to consider the Second Units Implementation Strategy be received.
- 3. That Planning and Building Department staff report back on the submissions made with respect to the Second Unit Implementation Strategy in the report titled "Housing Choices: Second Units Implementation Strategy" attached as Appendix 1.

REPORT HIGHTLIGHTS:

- Housing Choices: Second Units Implementation Strategy in the report attached as Appendix 1 includes an Official Plan amendment; Zoning By-law regulations; Licensing requirements; an education program; and, partnerships with key stakeholders.
- On December 3, 2012 Planning and Development Committee authorized that a statutory public meeting be held on the Second Unit Implementation Strategy, which is the next step in the process to expand permissions for second units in the official plan and amend the Zoning By-law to permit second units (Appendix 2 and Appendix 3).

BACKGROUND:

A statutory public meeting on the Second Units Implementation Strategy, as proposed in *Housing Choices: Second Unit Implementation Strategy* (Appendix 1), was authorized by Planning and Development Committee, at its meeting on December 3, 2012. This was subsequently approved by Council Resolution 0281-2012 on December 11, 2012.

COMMENTS:

 Purpose and Description of Second Unit Policies and Zoning By-law

Second units are one component of *Housing Choices: Mississauga's Affordable Housing Strategy and Action Plan* being undertaken to address the challenges related to the increasing need for affordable housing. Second units are self-contained living units in dwellings which are also referred to as secondary suites, basement apartments, in-law suites, or accessory dwelling units.

Provincial legislation requires municipalities to have official plan policies and zoning by-laws permitting second units in detached, semidetached and townhouse dwellings.

Research and a comprehensive consultation program have been completed. A Second Units Implementation Strategy that addresses the issues and concerns identified through research and the input received was developed and includes:

- Official Plan policies;
- Zoning By-law regulations;
- Licensing requirements;
- Education program; and,
- Partnerships with key stakeholders.

A statutory public meeting is the next step in the process to expand permissions for second units in the official plan and amend the Zoning By-law to permit second units (Appendix 2 and Appendix 3).

2. Circulation and Public Consultation

The report Housing Choices: Second Unit Implementation Strategy was circulated to:

- participants and contacts from the consultation program including the Stakeholder Forum, the five Public Consultation Workshops and the Design Workshop;
- ratepayer associations and community groups; and,
- municipal and public sector contacts.

Staff has also held discussions with various stakeholders including City Departments, Region of Peel, the School Boards and representatives of the real estate industry.

In addition, staff has used Facebook and Twitter to engage others that may not have participated in the public consultation program.

The public meeting of the Planning and Development Committee on February 25, 2013 is the statutory public meeting to fulfill the requirements of the *Planning Act*. The purpose is to obtain comments from the public regarding the proposed official plan policies and zoning by-law amendments.

STRATEGIC PLAN:

The need for an affordable housing strategy is identified in the City's Strategic Plan as part of the *Belong Pillar: Ensuring Youth, Older Adults and Immigrants Thrive*. Legalizing second units is identified as Action Item 7 for this pillar.

FINANCIAL IMPACT:

Not applicable.

CONCLUSION:

Following the statutory public meeting, a report on comments will be prepared for consideration by Planning and Development Committee, which will address the comments received from the public and from the circulation of the Second Units Implementation Strategy.

ATTACHMENTS:

Appendix 1: Housing Choices: Second Units Implementation

Strategy

-4-

Appendix 2: Proposed Mississauga Official Plan (2011)

Amendment for Second Units

Appendix 3: Proposed Zoning By-law 022-2007 Amendment for

Second Units

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Emily Irvine, Planner

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Clerk's Files

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CD 06 AFF

DATE:

November 13, 2012

TO:

Chair and Members of Planning and Development Committee

Meeting Date: December 3, 2012

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Housing Choices: Second Units Implementation Strategy

RECOMMENDATION: That the report titled "Housing Choices: Second Units Implementation Strategy" dated November 13, 2012 from the Commissioner of Planning and Building be received for information and that a statutory public meeting be scheduled.

REPORT **HIGHTLIGHTS:**

- Second units are one component of Housing Choices: Mississauga's Affordable Housing Strategy and Action Plan being undertaken to address the challenges related to the increasing need for affordable housing.
- Provincial legislation requires municipalities to have official plan policies and zoning provisions in place permitting second units.
- Research, including a review of practices in other municipalities has been completed.
- A comprehensive consultation program was undertaken to gather thoughts and ideas on issues to be considered and how to permit second units.

This report recommends an implementation strategy that addresses
the issues and concerns identified through research and the input
received. It includes an Official Plan amendment; Zoning By-law
regulations; Licensing requirements; an education program; and,
partnerships with key stakeholders.

BACKGROUND:

Second units are one component of *Housing Choices: Mississauga's Affordable Housing Strategy and Action Plan* being undertaken to address the challenges related to the increasing need for affordable housing. The need for an affordable housing strategy is identified in the City's Strategic Plan under the Belong Pillar to enable youth, seniors and immigrants to thrive.

Second units are self-contained living units in dwellings which are also referred to as secondary suites, basement apartments, in-law suites, or accessory dwelling units. Provincial legislation requires municipalities to have official plan policies and zoning by-laws permitting second units in detached, semi-detached and townhouse dwellings. Provincial regulations did not accompany this Legislation. Municipalities are to develop their own regulations based on local conditions.

Research, including a review of practices in other municipalities, has been completed. In addition, a comprehensive consultation program was undertaken to gather thoughts and ideas on issues to be considered and how to permit second units.

Full documentation of what was learned and what was heard is included in *Housing Choices: Second Units Review* attached as Appendix 1.

PRESENT STATUS:

The Mississauga Official Plan permits second units in detached dwellings. They are not a permitted use in the City of Mississauga Zoning By-law.

COMMENTS:

This report summarizes the research findings, presents the consultation input and proposes an implementation strategy for permitting second units in the City.

Research Findings

The benefits of second units are well documented. Second units meet the housing needs of households facing financial challenges. They can also assist first time home buyers with limited equity in carrying a mortgage; older adults to remain in their homes and age in place; or, families to provide housing for adult children or other relatives in need.

They provide affordable housing choices using the existing housing stock and can sustain communities that have experienced population declines. Although there are many benefits, there are also the following challenges associated with second units.

- Impacts on neighbourhoods The most common concerns regarding second units relate to their potential impact on the character of neighbourhoods including parking, dwelling appearance and property maintenance and noise. Zoning regulations and licensing are used by municipalities to address these matters.
- Safety Safety of second units is regularly identified as a concern. Many second units are set up illegally and do not meet Ontario Building Code (Building Code) and Ontario Fire Code (Fire Code) requirements. Legalizing second units through a licensing process is identified by other municipalities as a way to ensure that second units are safe for tenants and occupants.
- Providing services and infrastructure The impact of second units on municipal services and infrastructure is not well documented. A Canada Mortgage and Housing Corporation Study (CMHC) found that half of second units are occupied by single persons and one-third of occupants have a

close personal relationship with the owner. CMHC also found that dwellings with second units do not double the impact on services. In many municipalities, neighbourhoods have been designed to support more people than currently live in them. Second units can serve to offset population declines where the average persons per dwelling has been decreasing.

- Funding for second units The Provincial requirement to permit second units in Bill 140 came with no implementation funding. Mechanisms to generate additional revenues from second units are limited. Municipalities have been providing services to second units with no additional revenue. Under new Provincial requirements, they will continue to do so.
- Number of second units Limited data is available on existing second units in the absence of them being permitted and licensed. By permitting second units, municipalities such as Toronto and Ottawa are able to report that between 20 and 50 new units are being established each year.

Consultation Input

Many of the concerns in the research were echoed in the City's consultation meetings. These sessions provided valuable input on the issues and gathered thoughts and ideas on how to permit second units in Mississauga. The following summarizes what was heard.

- The Stakeholder Forum The Stakeholder Forum focused on gathering information about the need for second units. The stakeholders, including social service agencies, advocacy groups, and other municipalities and levels of government, stated second units can help revitalize a neighbourhood and allow older adults, immigrants, students and people with disabilities to live in established communities. A key message was that legalizing second units allows for better information and understanding and helps enforce safety standards to reduce the risk of unsafe housing.
- Extended Leadership Team, City Staff and Service

Provider meetings – These meetings focused on issues relating to potential impact on infrastructure and services such as schools, libraries, community centres and emergency services. Service providers indicated that demand for services and infrastructure is difficult to determine without information about the location and number of second units. It is not anticipated that second units will place a burden on public services beyond the original design capacity. Many communities are experiencing population decline and were originally planned to accommodate larger households than are common today. It was acknowledged that the City has numerous illegal second units which are already using City services.

- Five Public Consultation Workshops Five public consultation workshops were held across the City in February and March 2012 to discuss second units. During this time an online survey was also available for public input. Three principles were developed to provide a framework for the discussions:
 - o protecting neighbourhood character;
 - o ensuring safety; and,
 - o maintaining public services.

This consultation found that there is support for legalizing second units in Mississauga. It also found that rules are necessary to protect neighbourhood character and licensing is needed to ensure health and safety standards are met. Enforcement of the applicable by-laws and education on second units is critical. Incentives and a simple affordable process would encourage homeowners to legalize their second units. User fees would help the City with the cost of increased demand for services.

 Design Workshop – The Design Workshop focused on best practices and information for education materials. Key outputs included information on the upgrades often required for second units and the fact that they vary depending on the age of the dwelling and the date the second unit was established. It was concluded that partnerships should be pursued with real estate professionals and building industry representatives to improve understanding and information. Education should focus on the benefits of legal second units and should provide information about renovating and establishing second units.

Implementation Strategy

An implementation strategy is required to comply with Provincial legislation and to address the issues and concerns identified through research and the input received from an extensive consultation program. The proposed strategy includes:

- Official Plan policies;
- Zoning By-law regulations;
- Licensing requirements;
- Education program; and,
- Partnerships with key stakeholders.

Official Plan Policies

Mississauga Official Plan permits second units in detached dwellings, where appropriate. A new policy is proposed to permit second units in detached, semi-detached and townhouse dwellings.

Zoning By-law Regulations

Second units are not currently permitted in Mississauga's Zoning Bylaw. An amendment to the Zoning By-law is proposed that defines second units, permits them in detached, semi-detached and townhouse dwellings and introduces regulations for them.

Second units are proposed to be defined as:

An accessory dwelling unit with its own kitchen, sanitary facilities and bedroom(s)/sleeping area

The following proposed Zoning By-law regulations are intended to regulate second units where the dwelling and property can accommodate them:

- require that the dwelling with a second unit be the principal residence of the owner;
- require one on-site parking space for the second unit in addition to the required parking for the dwelling;
- permit one second unit in detached, semi-detached, townhouse, street townhouse and linked dwellings (anywhere in the dwelling);
- establish a maximum and minimum gross floor area for a second unit;
- require a minimum setback of 1.2 m (4 ft.) for new entrances, stairs, stairwells and retaining walls in interior side yards or rear yards;
- prohibit new entrances facing a street for a second unit;
- prohibit stairs, stairwells and retaining walls for entrances below grade facing a street;
- prohibit exterior entrances for a second unit above the first floor (by way of prohibiting decks and exterior stairs above the first floor);
- require a minimum setback of 1.2 m (4 ft.) for porches or decks in interior side yards at or below the first floor;
- the addition of a second unit cannot change the existing use of the dwelling;
- prohibit second units in lodging houses and group homes or dwellings that contain an accessory non-residential use; and,
- permit one and only one driveway on a lot with a second unit (the driveway should not exceed permitted maximum driveway widths).

In cases where the zoning regulations cannot be satisfied, a minor variance will be required. Minor variances will be addressed on a case-by-case basis allowing the opportunity for public input, comments and review on the appropriateness of a second unit that does not meet the proposed regulations.

• Licensing Requirements

Licensing will assist in providing safe living conditions for owners and tenants of second units by requiring conformity with Building and Fire Codes. Licensing requirements and enforcement can also address neighbourhood impacts related to parking, property standards and noise.

A two-tiered licensing regime is proposed which acknowledges the different types of second units:

- owner-occupied; and,
- investment dwellings.

Owner-occupied dwellings that meet all zoning regulations will require a licence for a legal second unit. Dwellings that are not owner-occupied are investment dwellings. A condition of a licence being issued for an investment property will be approval of a minor variance to allow a second unit in a dwelling that is not the principal residence of the owner. This would allow input and comments from the public. Compliance with all other zoning regulations will be required.

A report and by-law from the Enforcement Division of the Transportation and Works Department will establish the licensing process. Licensing requirements will include compliance with:

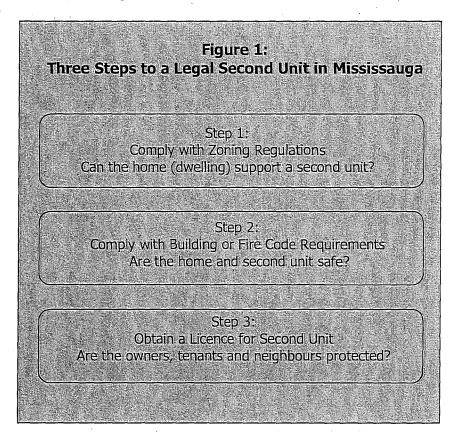
- Zoning By-law regulations;
- Ontario Building Code;
- Ontario Fire Code; and,
- Other applicable municipal by-laws.

Licensing fees proposed:

- \$500 for owner-occupied dwellings; and,
- \$1,000 for investment dwellings.

This does not include other permit and inspection fees.

A summary of the steps that will be required to legalize a second unit are outlined in Figure 1.



Education Program

A comprehensive education program is key to the success of the implementation strategy. This will include information on:

- why it is beneficial for homeowners to obtain a licence;
- what the risks are to homeowners if they do not obtain a licence;
- information on tenant's rights and the benefits of renting a legal second unit;
- requirements and steps to obtain a licence; and,
- possible sources of financial assistance.

Partnerships with Key Stakeholders

Ongoing partnerships with key stakeholders will assist with implementation. The Region of Peel is designated by Provincial legislation as Service System Manager for providing assisted housing. Discussions with the Region have identified the following opportunities to partner in this initiative.

- Peel Renovates Renovation funding for low income residents was formerly available through the CMHC Residential Renovation Assistance Program (RRAP) program. The Region has administered this program since March 2012. The Region is considering providing funding to City home owners to assist in meeting Building and Fire Code requirements subject to a number of conditions being met.
- Rent subsidies The Region administers rent subsidies for households in need. These subsidies could be used to support tenants living in legal second units.
- Applicant referrals Region staff could assist in referring prospective tenants to second units.
- Property management support Given the Region's extensive experience in property management, it could assist with the development of educational materials to help advise homeowners about good landlord business practices and to facilitate stable tenancies, with potential referral to community agencies where additional supports may be useful.

There are issues around property taxes, Building Code requirements, right-of-entry and funding for second units. Senior levels of government could address the following issues.

• **Property taxes** – A distinct property class could be identified by MPAC for dwellings with second units to generate additional revenues to address infrastructure and service needs;

- Building Code Existing Ontario Building Code requirements for second units in new dwellings, can be onerous, and could be reviewed by the Province to determine if alternative requirements could be developed.
- Right of Entry The effectiveness of enforcement efforts are
 frustrated by the legislation that requires consent of
 owner/occupant and/or search warrant to enter a dwelling to
 determine if a second unit exists. The Province could review
 the legislation to consider how admissible evidence could be
 obtained more easily.
- Financial support for affordable housing Senior levels of government could direct more funding toward affordable housing in communities where needs are highest.

Finally, private sector professional groups can play an important role in ensuring that existing second units are made safe and legal. Real estate agents, insurance professionals, mortgage agents and building industry representatives are some of the groups which can be involved in the process.

It will be important to monitor the success of the implementation strategy and modify it as required based on experience.

STRATEGIC PLAN:

The need for an affordable housing strategy is identified in the City's Strategic Plan as part of the *Belong Pillar: Ensuring Youth, Older Adults and Immigrants Thrive*. Legalizing second units is identified as Action Item 7 for this pillar.

FINANCIAL IMPACT:

At this time, it is anticipated that legalizing second units will be revenue neutral with staffing costs recovered through applicable permit, inspection and licensing fees.

CONCLUSION:

The proposed official plan policies, zoning regulations and licensing requirements to permit second units, aim to balance the various stakeholder interests. Although the number of existing illegal second units in the City is unknown, it is believed that the number is in the thousands. This indicates that second units are how people with affordability issues are finding a way to live in Mississauga. It is not expected that permitting second units will lead to a great increase in the number of new units. What permitting them will do, is allow the City to know where they are and take steps to ensure compliance with the Ontario Building and Fire Codes. The result will be an increase in safe, affordable housing choices in Mississauga.

ATTACHMENTS:

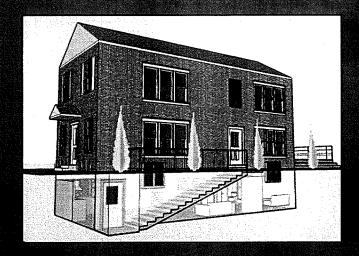
Appendix 1: Housing Choices: Second Units Review

Edward R. Sajecki

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City of Mississauga

Housing Choices

Second Units Review







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1.0 Introduction

Housing is an essential building block of strong, sustainable communities. Having a place to live is a fundamental contributor to physical health and well-being. Mississauga strives to be a community that provides housing choices to meet the needs of its residents.

Second units are self-contained living units in dwellings which are also referred to as basement apartments, in-law suites, secondary suites or accessory dwelling units. Second units are a market driven solution to the unmet demand for affordable housing. They can offer affordable housing choices within the existing housing stock in established communities to assist both owners and tenants.

1.1 Purpose

Second Units are one component of *Housing Choices: Mississauga's Affordable Housing Strategy and Action Plan*. The need for an affordable housing strategy is identified in the City's Strategic Plan as part of the Belong Pillar. This pillar focuses on the needs of youth, seniors and immigrants. In addition to the City's Strategic Plan, Provincial legislation requires municipalities to permit second units. This report summarizes the information and issues which have been identified and proposes an implementation strategy to permit second units in the City.

1.2 Legislation and Policy Framework

Provincial direction regarding second units has changed over time. For a short time in the 1990s, *Bill 120: The Resident's Rights Act* permitted second units in dwellings which met health and safety standards. During this time, approximately 400 second units were established in Mississauga. Second units established after this legislation was rescinded are not permitted under the City of Mississauga Zoning By-law.

Bill 140: Strong Communities through Affordable Housing Act, 2010 (Bill 140) was part of the Province's Building Foundations: Building Futures, Ontario's Long-Term Affordable Housing Strategy (LTHAS). Bill 140 amended the Planning Act to require municipalities to establish second unit policies in detached, semi-detached or townhouse dwelling or structures ancillary to detached, semi-detached and townhouse dwellings. This amendment came into force January 1, 2012. No regulations accompanied this legislation. Municipalities are to permit second units based on local conditions.

Policies permitting second units in detached dwellings were included in Mississauga's Official Plan Amendment 95 (OPA 95) that was approved in December 2009. The new Mississauga Official Plan also permits second units in detached dwellings. Amendments to these policies are required to conform to Bill 140 requirements. ¹

¹ Official Plan policies are required to permit second units in additional dwelling types. Zoning regulations must be brought forward to implement the second unit policies by December 13, 2014.

1.3 Organization of this Report

This report is organized as follows:

- Section 2: Research and Comparative Municipal Review;
- Section 3: Second Units Consultation; and,
- Section 4: Implementation Strategy.

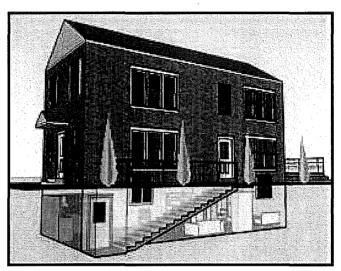


Figure 1.1: Two Residential Units

2.0 Research and Comparative Municipal Review

This section reviews the most common benefits and concerns identified in the research and from other municipalities on second units (Appendix 1).

2.1 Benefits of Second Units

The research highlights a number of benefits of second units.

- Addressing the need for affordable housing The Region of Peel has one of the longest waiting lists for affordable housing in the Province. Second units provide a solution to meet some of the demand for affordable rental housing from:
 - o households facing financial challenges such as youth, older adults; new immigrants and lone-parent families;
 - o home buyers with limited equity, particularly for first time buyers, requiring assistance in carrying a mortgage to make home ownership viable;
 - o homeowners on fixed incomes needing additional income to help cover costs;
 - o older adults requiring assistance to remain in their homes and age in place; and,
 - o families wanting to provide housing for adult children or other relatives in need.
- Providing increased housing choices within the existing housing stock Second units increase the supply of affordable rental housing within established residential neighbourhoods. They have less impact on neighbourhoods and cost less than a public sector funded assisted housing often developed as multi-unit buildings. They add to the housing choices in areas with limited intensification potential.
- Revitalizing and sustaining the community Second units can reinvigorate communities by allowing neighbourhoods to accommodate the number of people they were planned for instead of the smaller households that currently prevail in many mature communities. New residents from second units can help increase the demand for facilities and services that might have declined in use with changing neighbourhood demographics. They can also contribute to social diversity by allowing people from a wide range of economic levels and age groups to live in the community.

2.2 Concerns with Second Units

There are a number of common concerns regarding potential impacts of second units. The key issues found in the research and the comparative municipal review are outlined in this section along with approaches that have been taken to address them. The major areas of concern are as follows:

- impacts on neighbourhoods;
- ensuring safety;
- providing services and infrastructure;
- occupants and owners of second units;

- funding for second units; and,
- determining the number of second units.

2.2.1 Impacts on Neighbourhoods

Residents want stability in their neighbourhood. Impacts of second units on the character of neighbourhoods are the most common concerns raised. Concerns are related to matters such as changes in the appearance of the exterior of dwellings, parking, property maintenance, garbage and noise. The issues and potential means to address them are below.

- Parking On street parking associated with second units is the most common concern.
 This issue has been addressed in many municipalities through the introduction of parking standards for dwellings with second units which require accommodation of parking on site. Another approach is using a permit system for on-street parking. A permit system can be used to control parking and can act as a source of revenue.
- Neighbourhood Appearance Exterior alterations to dwellings are commonly associated with changing neighbourhood character. Second units are most accepted when they do not impact a neighbourhood's look and feel. Zoning by-laws in other municipalities include regulations to restrict changes to dwelling facades.
- **Property Maintenance** Properties that fall into disrepair and where garbage is not properly stored can negatively impact the character of a neighbourhood. A common belief is that dwellings with second units are not kept in a state of good repair particularly if the owner does not live on the property. Investigation shows that property maintenance issues are as prevalent in dwellings with second units as they are in dwellings without them and that accountability for property maintenance is generally greater when the owner resides on the property. These concerns are addressed though enforcement of property standards by-laws in other municipalities. Adherence to the property standards by-law can be tied with licensing of second units.
- Noise Excessive noise is often associated with second units. This association has been
 difficult to confirm in case studies. Municipal noise by-laws are intended to address noise
 concerns.
- **Property Values** The presence of second units is believed to result in declines to property values in the surrounding neighbourhood. Property values may be impacted when the property or dwelling is poorly maintained. Research indicates, however, that these conditions are not exclusively associated with properties that have a second unit. Renovations to include second units generally increase property values.

2.2.2 Ensuring Safety

Safety is regularly identified as a concern by public and emergency service providers regarding second units. Many second units are set up illegally. It is unlikely that these second units meet applicable requirements in the Ontario Building Code (Building Code) and Ontario Fire Code

(Fire Code) and there is no mechanism in place to ensure that they are safe for occupants. Legalizing second units is often identified as a remedy to this situation. Legalization grants second units the right to exist and sets up procedures to bring them up to health and safety standards.

2.2.3 Providing Services and Infrastructure

The service needs of the population in second units, the impacts of these needs on the existing capacity of public services, and the costs associated with this additional demand are not well documented.

An accurate assessment of these impacts is difficult as the number of second units is unknown and not directly accounted for in infrastructure planning. The fact that they are not legal means that the occupants of second units are not likely to respond to inquiries on the services they need. Canada Mortgage and Housing Corporation (CMHC) has undertaken studies on second units. The results of this work, combined with interviews of City, Region and School Board staff and independent research, provide some information on the public service needs of second unit occupants.

A CMHC study found the addition of a second unit does not double the amount of municipal services the household consumes. It found that dwellings with second units consumed on average between 35-65% more than a dwelling without a second unit.²

Other research provided some information on the public service needs of two types of second unit households in Mississauga. At one end of the spectrum, the needs of single person households were reviewed. For single person households, it was found that public transit is the principal public service used. At the other end of the spectrum, a study of new immigrant families of four people or more was conducted. This study found that schools, parks and public transit were critical public service needs for new immigrant households. Community recreation programs proved financially inaccessible. This group also needed social and settlement services. Second units were a preferred accommodation as they provided access to neighbourhood networks that aid the transition to Canada.³

Other reviews conclude that second units can serve to offset population declines in some areas and sustain neighbourhoods where the average persons per dwelling have been decreasing. In many municipalities, neighbourhoods have been designed to support more people than currently live in them.

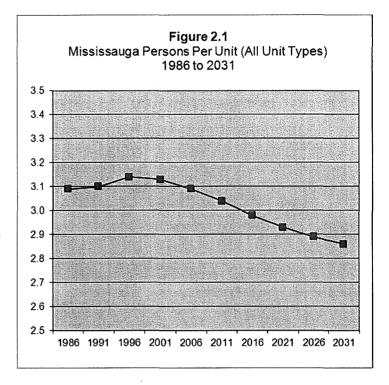
² CMHC. <u>The Impact of Municipal User Fees on Secondary Suites</u>. Socioeconomic Series 91. October 2001. This study looked at municipal water, sewer and garbage collection.

³ Discussions with Peel Region staff. Ali, Nadia. <u>Second Units: Means of Socio-Economic Integration of New Immigrants in Mississauga</u>. Ryerson University: Major Research Paper, 2012.

This is occurring in parts of Mississauga where household sizes have been getting smaller due mainly to the age structure of the population. During the City's rapid growth period, the City was dominated by young families with children, peaking in the late 1990s. With the shift in demographics, the population is aging in areas of the City and, as a result, household sizes are smaller. This is illustrated in the historic and projected persons per unit in Figure 2.1.

2.2.4 Occupants and Owners of Second Units

Research shows that there are a number of preconceptions around occupants of second units which



result in community concerns. These include ideas regarding household size, the "fit" of new residents in the community or that neighbourhood safety will be a greater issue as second units are established. The most reliable data on second unit occupants finds:

- over half of second units were occupied by a single person;
- across the country just under half of second unit occupants were a relative or close friend of the second unit owner;
- in Toronto one-third of occupants had a close personal relationship with owners (a summary table is included in Appendix 2); and,
- they are categorized as the working poor. 4

This information can assist dispelling common misconceptions about second unit occupants.

Studies found that nearly one in five Canadian households rent out part of their home. Financial reasons (paying mortgage, increasing income, retirement income) are listed by three quarters of owners as the reason for renting a unit. In addition to financial reasons, many owners identified the following reasons for renting part of their residence:

- to avoid living alone;
- to provide a home for adult children or elderly relatives; and,
- for assistance with home maintenance services.⁵

⁴ CMHC. <u>Housing Facts</u> (Volume 8, Number 10) October 2003. pp. 4-5, PMB 2002 Fall RTS and The Corporation of the District of North Vancouver. <u>Secondary Suites</u>. 1989.

Finally, it should be noted that many of the preconceptions regarding owners and occupants of second units relate to the larger issue of discrimination. The Ontario Human Rights Commission recently released *In the Zone: Housing, Human Rights and Municipal Planning*. It is a guide that offers an overview of the human rights responsibilities of municipalities with regard to housing. It reiterates the fact that that official plan policies and zoning by-laws can only deal with land use and built form and not occupants. The Human Rights Code is quasi-constitutional and as a result takes precedence over provincial and municipal legislation.

2.2.5 Funding for Second Units

The Provincial requirement to permit second units in Bill 140 came with no implementation funding. Earlier discussion in this section identified the concern regarding the costs associated with the provision of services and infrastructure for second units. Mechanisms to generate additional revenues from second units for service demands are limited.

- Property Taxes Property taxes are based on property value and not number of occupants. They are paid directly by owners of rental properties and included in rents. Municipal Property Assessment Corporation (MPAC) has advised that a second unit adds approximately \$140 per square metre (\$13 per sq. ft.) in value to the assessment. MPAC does not have a distinct classification for dwellings with second units. It has advised that no new category is being considered.
- Licensing and Building Permits Fees Fees can be charged to review plans and administer a licensing regime for second units.
- **User Fees** User fees are used to partially recover some public services such as hydro, water, sewer, garbage and recreation programs. Second units are subject to user fees based on consumption.
- **Development Charges** The City collects development charges for growth related infrastructure and services. Second units are exempt from development charges.

Municipalities have been providing services to second units with no additional revenue. Under new Provincial requirements, they will continue to do so.

⁵ The Corporation of the District of North Vancouver. <u>Secondary Suites</u>. 1989.

2.2.6 Determining the Number of Second Units

The number of second units in Mississauga at this time is unknown. Based on limited information, approximately 400 units were established before 1994 under previous Provincial legislation. The City is aware of approximately 3,500 possible additional second units identified through complaints. (See Figure 2.2)

Speculation and research have not been able to yield reliable information on existing illegal second units. A CMHC report found that the number of second units in municipalities can range from between 6% to 25% of the existing housing stock. A report by the Region of Peel states second units can be found in between 4% and 6% of the residential dwellings in the Region.

Permitting second units does not typically result in a large influx of new units and residents. A review of municipalities where second units are permitted, including Toronto and Ottawa, found that between 20 and 50 new second units are established each year.⁶

Figure 2.2 Second Units in M	
Unit Type	# of Second Units (Approx.)
Existing second units	400
established with Building	
Permits	
Existing units	3,500
(information from residents)	
Other second units in the City	unknown
(illegal)	

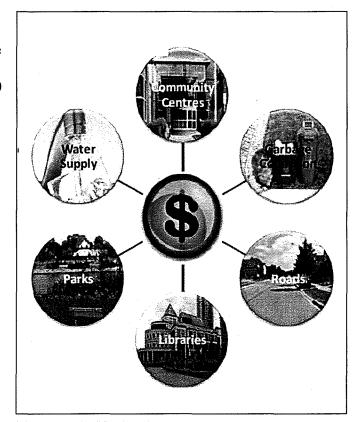


Figure 2.3: Public Services

⁶ Selected smaller rural municipalities have below 20 units a year.

3.0 Second Units Consultation

A consultation program was undertaken to gather thoughts and ideas on second units and contribute to a "made in Mississauga" approach to permit second units as required by the Province. This program consisted of a Stakeholder Forum; Extended Leadership Team, City staff and service providers meetings; five Public Consultation Workshops; and a Design Workshop. Three principles were developed to provide a framework for the discussions:

- protecting neighbourhood character;
- ensuring safety; and,
- maintaining public services.

Different parts of the consultation focused on different issues, however; these principles were carried through all of the consultation sessions. Many of the same themes and conclusions were heard in different meetings. (Appendix 3 lists the consultation sessions and the attendance.) The following summarizes what was heard.

3.1 Stakeholder Forum

The Stakeholder Forum focused on the need for second units. This forum also provided an opportunity to share information on effective implementation practices in other municipalities. This forum was attended by over 70 stakeholders from social service, advocacy groups, other municipalities and levels of government.

The stakeholders identified both homeowners and tenants as benefiting from legal second units. They also stated second units can help revitalize an area. It was agreed that second units will allow people such as older adults, immigrants, students and people with disabilities to live in established communities. Stakeholders stated that legalizing second units can allow monitoring, help enforce safety standards and reduce risks of unsafe housing.

The stakeholders cautioned against excessive fees and regulations as this will lead to enforcement challenges and result in second units staying underground.

3.2 Extended Leadership Team, City Staff and Service Providers

The consultation with the City's Extended Leadership Team focused on issues relating to providing and maintaining public services while permitting second units. The possible impacts explored included congestion on roads, transit use and school accommodation as well as the need for emergency services such as fire and ambulance.

Maintaining infrastructure and delivery of services is one of the most critical issues for the City moving forward. Although no significant infrastructure pressures were identified during this consultation, it was suggested that localized pressures could exist in individual neighbourhoods. These pressures are difficult to determine without information on the location of second units.

It is not anticipated that second units will place a burden on public services beyond the original design capacity as many communities are experiencing population decline and planned to accommodate larger households than are common today.

It was acknowledged that the City has numerous illegal second units which are already using City services.

Service Providers Review

Discussions with providers of local and regional services and the school boards serving Peel Region were conducted to explore the issue of pressure on existing services and infrastructure.

No serious issues regarding capacity were raised. It is not anticipated that second units will place a burden on municipal infrastructure or services beyond the original design capacity. This is related to the fact that many communities are experiencing population declines and, as services were planned to accommodate larger households, there is service and infrastructure capacity.

Another common theme in these discussions was that second units could only be serviced properly with information on where they were located. It was acknowledged that there are thousands of existing second units using services.

3.3 Public Consultation Workshops

Five public consultation workshops were held across the City in February and March 2012 to discuss second units. The final workshop held at the Civic Centre was broadcasted live by Rogers Cable. A survey was used to guide the table discussions and participants could fill out the survey individually. The survey was also available online. There were approximately 200 participants at the workshops and approximately 300 surveys were completed. (Appendix 4 includes the invitation and survey.) The survey discussion was divided into four segments and included the second unit principles:

- who benefits from second units;
- protecting neighbourhood character;
- ensuring safety; and,
- maintaining public services.

3.3.1 Who Benefits from Second Units

The public consultation sessions began with a discussion on who benefits from legal second units. The following groups were identified:

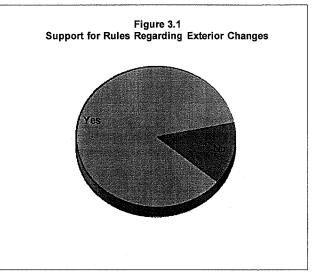
- homeowners provides additional income;
- tenants affordable rental housing options;
- older adults allows them to stay in their community;
- investor/realtors and contractors investment in homes; and,
- municipal government increasing tax revenues while providing affordable housing.

3.3.2 Protecting Neighbourhood Character

Maintaining neighbourhood character is one of the most important issues relating to second units. Many people choose to live in Mississauga because of the character of the neighbourhood. They want this character maintained as well as stability in their neighbourhood. Second units should not impact the look and feel of the neighbourhood. Changes to the exterior of dwellings, property standards, parking and noise can impact neighbourhoods. These issues were discussed at the workshops.

Exterior of Dwellings

Regulations to protect for the exterior of dwellings emerged as a critical part of maintaining neighbourhood character as second units are generally most accepted when they are not immediately apparent from the street. Over 80% of participants agree (Figure 3.1) that the exterior of dwellings should be protected as an important part of neighbourhood character.



Property Standards

The impacts of poor property maintenance, the removal of landscaping and presence of garbage on properties can change the character of neighbourhoods and detract from the streetscape.

Owner occupancy was widely supported as a means to address these issues. Three-quarters of participants supported this strategy. Some participants suggested that this issue might be addressed differently if there was another way to maintain accountability.

Parking

On-street parking is one of the major issues identified relating to neighbourhood character. Generally, the workshop group discussions and the majority of surveys supported on-site parking. There were, however, concerns regarding driveway widening and removal of landscaping to accommodate parking.

Some participants were also open to on-street parking if the street was wide enough and suggested the City should investigate permit parking.

Noise

Excessive noise was raised as a concern associated with second units. This was identified as an issue to be addressed through by-law enforcement.

3.3.3 Ensuring Safety

Ensuring safety of second units was recognized as a critical issue for the people that live in them, the homeowners and the community. Licensing and inspections of units were seen as ways to ensure safety standards were met with nearly three-quarter of workshop participants supporting these strategies.

Information and education for the public on Building and Fire Code requirements, self-assessment checklists and contact information at the City were suggested to ensure this principle is maintained. Other ideas that emerged were:

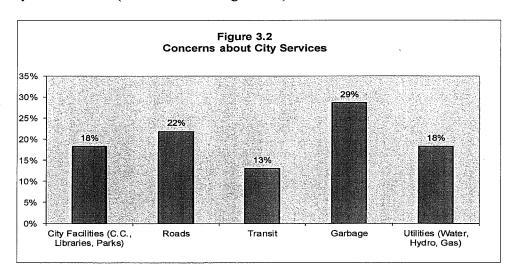
- reduced fees;
- a simple legalization process;
- fines and penalties; and,
- issuing certificates that could be displayed for legal second units.

3.3.4 Maintaining Public Services

Maintaining the City's excellent quality of life and current levels of service is one of the Mississauga's core values. As the City's population grows, the City must find ways to provide the same services to more people at a reasonable cost. Given that the number of second units is unknown, it is difficult to plan for the services they require. The following comments were provided in relation to public services:

- communities were planned to accommodate larger populations than they currently support so capacity should exist to support the population in second units; and,
- illegal second units already exist in the City and a large increase in population should not be anticipated.

Participants identified schools, police, emergency and health care as services that would be impacted by second units (summarized in Figure 3.2).



3.3.5 Key Messages from Public Consultation Workshops

The following are the key messages that were heard throughout the five public consultation workshops:

- There is considerable support for legalizing second units in Mississauga;
- Rules are necessary to ensure that the neighbourhood character is preserved;
- Licensing of second unit should be used to ensure that safety standards are met;
- Enforcement of rules is vital;
- Education is key including information in libraries, community centres and hosting public information sessions;
- Incentives, and a simple affordable process would encourage homeowners to legalize their second units; and,
- User fees would help the City with the cost of increased demand on services.

3.4 Design Workshop

A Design Workshop was held to obtain information on best practices and information which could contribute to the development of education materials for second units. Professionals and volunteers from a variety of backgrounds were assembled to review the following issues.

- Exterior design The exterior design team was asked to consider external aspects of homes including entrances, parking and property maintenance;
- **Interior design** This team focused on the designs within dwellings looking at living space, safety requirements and universal design elements; and,
- Communications and education This team looked at the benefits and challenges of second units, pursuing partnerships with other professionals and experts involved and the design of an education program.

3.4.1 Recommendations from Design Workshop

The following are the conclusions that emerged from the Design Workshop:

- existing side or rear entrances accommodate second entrances affordably;
- driveways should not expand beyond existing maximum permission and use permeable pavements to address surface water runoff;
- garbage should be screened from the street;
- upgrades to meet Fire and Building Code requirements depend on the age of the dwelling and the date the second unit was established;
- renovations are an opportunity to incorporate energy efficient and universal design elements;
- partnerships with professionals and industry representatives such as real estate and building industry professionals could assist in delivering key messages;

- education should focus on benefits of legal second units for various stakeholders including homeowners and tenants; and,
- a comprehensive education outreach program should be undertaken to provide assistance and information on renovating or establishing second units.



Figure 3.3: Side Entrance

4.0 Implementation Strategy

Second units can provide housing choices that address affordability issues and meet the housing needs of a number of households. This implementation strategy aims to balance various stakeholder interests while addressing the Provincial requirement for permitting second units and supports their development where appropriate. The strategy involves:

- official plan policies to permit them;
- zoning regulations to identify where they are appropriate;
- licensing requirements to ensure health, safety and property standards are met;
- an education program; and,
- support from key stakeholders/partners.

4.1 Official Plan Policies

Mississauga Official Plan guides development of the City, identifies the land uses that are permitted and sets parameters as to where these uses are permitted.

Mississauga Official Plan permits second units in detached dwellings, where appropriate. Provincial direction now requires that second units be permitted in detached, semi-detached and townhouses. The existing policies state:

- 7.2.10. Regulations for secondary suites will be determined through the preparation of an affordable housing strategy. The affordable housing strategy will be developed in consultation with the community and will consider, among other matters, zoning provisions, licensing requirements and health, safety and property standards.
- 11.2.5.2 In addition to the Uses Permitted in all Designations, residential designations will also permit the following uses:
- 11.2.5.9 Secondary suites within detached dwellings will be permitted, where appropriate.

Policy 7.2.10 is proposed to be removed as this has been completed. Policy 11.2.5.9 is proposed to be replaced with the following:

11.2.5.9 Second units within detached dwellings, semi-detached dwellings and townhouse dwellings, where appropriate.

At this time second units are proposed to be located within dwellings and not in accessory structures. Given the smaller lots that dominate the City's property fabric and the fact that Mississauga is nearly built out, it is anticipated that demand to establish second units in accessory units will be limited.

4.2 Zoning By-law Regulations

Second units are not currently permitted in Mississauga's Zoning By-law. A review of policies and regulations from over twenty municipalities was conducted to obtain information on practices. (Appendix 1 summarizes regulations in selected comparable municipalities.) Despite diverse municipal contexts, there are a number of similarities in second unit regulations:

- one second unit per dwelling;
- minimum and maximum size regulations;
- restrictions on modifications to dwelling exterior;
- parking provisions; and,
- driveway width or landscaping requirements.

Where permissions exist for second units, they are generally permitted across the whole municipality. Consistency across the municipal jurisdiction not only creates a sense of equity and fairness, but is simpler and easier to implement.

This implementation strategy proposes the following amendments to the Zoning By-law that define second units, permit them in detached, semi-detached and townhouse dwellings, and introduce regulations for them.

Definition for Second Units

A second unit is defined as:

An accessory **dwelling unit** with its own kitchen, sanitary facilities and bedroom(s)/sleeping area

Regulations for Second Units

Second units may not be appropriate everywhere. The regulations proposed in the Zoning Bylaw are intended to regulate second units where the dwelling and property can support them. If these regulations cannot be met, it may not be appropriate to have a second unit.

The regulations are also intended to protect neighbourhoods. Mississauga's existing neighbourhoods are amongst the City's most valued assets. Maintaining neighbourhood character emerged as one of the biggest concerns in the public consultation regarding second units. While neighbourhoods evolve over time, the addition of second units needs to maintain the look and feel of neighbourhoods. The regulations proposed are intended to maintain stability in neighbourhoods while allowing them to accommodate second units.

⁷ The majority of these were in the Greater Toronto Area and Hamilton (GTAH), although research on municipalities in the Province and in other Provinces was undertaken for additional strategies to address common challenges.

The regulations proposed are as follows:

- require that the dwelling with a second unit be the principal residence of the owner
- require one on-site parking space for the second unit in addition to the parking for the dwelling;
- permit one and only one second unit in detached, semi-detached, townhouse, street townhouse and linked dwellings;
- permit second units anywhere in the dwelling;
- establish a maximum and minimum gross floor area for a second unit;
- the addition of a second unit cannot change the existing use of the dwelling in which it is located;
- prohibit new entrances facing a street for a second unit;
- prohibit stairs stairwells and retaining walls for entrances below grade facing a street;
- require a minimum setback of 1.2 m (4 ft.) for new entrances, stairs, stairwells and retaining walls in interior side yards or rear yards;
- require a minimum setback of 1.2 m (4 ft.) for porches or decks in interior side yards at or below the first floor;
- prohibit exterior entrances for a second unit above the first floor (by way of prohibiting decks and exterior stairs above the first floor);
- prohibit second units in lodging houses and group homes or dwellings that contain an accessory non-residential use; and,
- permit one and only one driveway, existing maximum driveway widths are already specified in the Zoning By-law.

An application for a minor variance will be required to establish a second unit in a dwelling that cannot support these regulations. These will be addressed on a case-by-case basis allowing the opportunity to provide input and comments.

4.3 Licensing Requirements

To ensure that dwellings with second units meet health, safety and property standards, many municipalities have introduced licensing for second units. Licensing can ensure safe living conditions are established for tenants of second units. Licensing can also address commonly identified neighbourhood impacts such as property standards violations and excessive noise. Finally, licensing provides a list of legal second units within the City.

This strategy proposes the licensing of second units to protect second unit owners, tenants and the neighbourhoods within which they are located. Before a licence can be issued, the second unit must comply with Zoning By-law regulations as well as Building and Fire Code requirements. This may require a Fire Inspection and/or an application for a building permit and payment of applicable fees.

Licensing is proposed to ensure dwellings with second units are safe, have met applicable Building and Fire Code requirements, as well as meeting standards in the City's other applicable by-laws including:

- Debris and Anti Littering;
- Encroachment;
- Fence;
- Noise Control:
- Nuisance Type Noise;
- Property Standards; and,
- Swimming Pool Enclosure.

A licence could be revoked for non-compliance with these by-laws requiring removal of the second unit.

The proposed licensing strategy for second units acknowledges the two types of second units. In response to community support for owner occupancy of second units, a regulation for owner occupancy is introduced in the zoning regulations. The two types of second units are:

- **Owner-occupied dwellings** Those dwellings where the dwelling is the residence of the property owner and a portion of the dwelling that is the second unit is rented; and,
- **Investment Dwellings** Those dwellings where the property owner does not reside in the dwelling, rents both the dwelling and one and only one second unit in the dwelling as a business investment.⁸

Owner-occupied dwellings that meet all zoning regulations will require a licence for a legal second unit. Dwellings where the owner does not live in dwelling will be considered investment dwellings. A condition of a licence being issued for an investment property will be approval of a minor variance to allow a second unit in a dwelling that is not the principal residence of the owner. This process would allow input and comments from the public before a decision is made. Compliance with all other zoning regulations will also be required.

⁸ Residences that contain more than two dwelling units are not second units but may be lodging units and are not the subject of this work.

A licence fee of \$500 is proposed. This is in line with the costs of a home inspection. In relation to investment dwellings, two units are inspected and therefore a licensing fee of \$1,000 is proposed. (This does not include other applicable permit and inspection fees.) This is summarized in Figure 4.1.

Figure 4.1 Licensing Framework for Second Units, Owner Occupied and Investment Dwellings							
Types of Dwellings where Second Units are Located	Owner Occupied Dwellings with Second Units	Investment Dwelling with Second Units					
Compliance with Zoning	Required	Minor Variance Required					
Compliance with applicable	Required	Required					
Building and Fire Codes	Subject to applicable permit and inspection fees	Subject to applicable permit and inspection fees					
Licence Fee	\$500	\$1,000					
Requirements for	Ongoing compliance with	Ongoing compliance with property					
Maintenance of Licence	property standards,	standards,					
	Building and Fire Codes	Building and Fire Codes					

The licensing process will be administered through:

- self-identification;
- responding to new complaints; and,
- mail-out to dwellings with existing complaint files.

4.3.1 Implementation Timeline

The timeline envisioned to implement a full licensing strategy for second units is outlined in Figure 4.2. It is based on approval of the Official Plan, Zoning By-laws and Licensing By-law and these being in full force and effect.

	Figure 4.2 Second Unit Implementation Timetable							
Rollout	Tentative							
Timeline Event	Timeline	Phase	Staff Actions/Response					
Official Plan and Zoning and Licensing in Force and Effect	Spring 2013	Education Campaign	Provide information online and brochures about process to legalize in Mississauga, staff from Planning, Enforcement, Fire, Zoning involved. A mailout to units with complaints regarding second units explaining the risks of illegal units and providing information on licensing process. Information brochures widely available and distributed by Fire Prevention and Enforcement staff.					
Licensing and Inspections	Spring 2013	Licensing	Licensing of second units begins, different process for owner-occupants and investors. Licensing involves: compliance with the Zoning By-law, Building and Fire Codes and other applicable by-laws. Owners are given a certificate for proof of legal second unit.					
Ongoing	2014	Licensing/Monitoring	Once licenced, owners are required to continue to meet the conditions of the licence. A licence can be revoked and fines imposed for breaching the conditions of the licence. Fees and resource requirements to be reviewed.					

4.3.2 Enforcement and Compliance Issues

The right to enter into a dwelling unit is required to determine if a second unit exists. This is a major challenge for staff. Under existing legislation, Enforcement staff cannot enter a dwelling unless permitted to do so by the owner or occupant. This will continue to be a challenge even with regulations to permit second units; however, it is expected that when second units are permitted, tenants will be more likely to allow entry. It should also be noted that neighbourhood concerns regarding property standards and maintenance, garbage and parking issues do not

require entry into the unit. These can be enforced independent of the determination if the second unit exists. These are investigated on a complaint basis.

4.4 Education Program

A comprehensive education program is key to the success of the implementation strategy. This will include information on:

- why it is beneficial for homeowners to come forward and obtain a licence;
- what the risks are to homeowners if they do not come forward and obtain a licence;
- requirements and steps to be followed to obtain a licence; and,
- possible sources of financial assistance.

4.4.1 Benefits of a Legal Second Unit

- **Healthy and Safe** A legal second unit is healthy and safe for the owner and tenant allowing all involved peace of mind;
- **Financing** Owners may qualify for additional mortgage financing to help with costs and upgrades to legal second units;
- **Taxation** The additional revenue to be declared can be by the tax deductions available to owners of legal second units;
- **Empowerment** Owners and tenants of legal second units are empowered in their dealings with each other, neighbours and the municipality;
- **Right thing to do** Legalizing a second unit is the right thing to do; and,
- **Peace of Mind** Tenants will know their rights and be confident they are renting a safe unit.

4.4.2 Risks with Illegal Second Units

There are also risks associated with illegal second units which will be highlighted in information provided to the public.

- **Responsibility** Homeowners are responsible for meeting health and safety standards in homes and complying with applicable laws and codes;
- **Insurance** Failure to report a legal second unit could result in the inability to recover the costs in the event of an insurance claim;
- Liability The homeowner may be liable for damages if there is an accident involving an illegal second unit;

- **Prosecution** Charges can be issued resulting in fines being imposed for failing to meet applicable Building and Fire Codes, City regulations and licensing requirements; and,
- **Tenant insurance** Tenants should be aware that homeowner's insurance will not cover property of a tenant of an unauthorized unit. Tenants should also obtain insurance for furniture, equipment and personal possessions.

4.4.3 Requirements and Steps to a Legal Second Unit

An education campaign will need to clearly outline the requirements and steps for a new legal second unit. Figure 4.3 is a proposed graphic that outlines the steps.

Figure 4.3 Three Steps to a Legal Second Unit in Mississauga

Step 1:

Comply with Zoning Regulations
Can the home (dwelling) support a second unit?

Step 2: Comply with Building or Fire Code Requirements

Are the home and second unit safe?

Step 3:
Obtain a Licence for Second Unit
Are the owners, tenants and neighbours protected?

4.4.4 Possible Sources of Financial Assistance

The costs of upgrades required to meet Building and Fire Codes can be a deterrent to establishing a legal second unit. Some key typical safety upgrades include:

- installation of fire separation barriers;
- creation of separate means of exit for the second unit;

- enlargement/installation of windows for rooms intended as bedrooms; and,
- installation of smoke/carbon monoxide detectors.

The required upgrades for a second unit vary depending on the age of the dwelling and the date the second unit was established. The requirements depend on whether there is an:

- existing second unit (permitted under former legislation and previously inspected or approved by the City);
- existing second unit (not previously inspected or approved by City);
 - o second unit existed before July 14, 1994
 - o second unit existed after July 14, 1994
- a new second unit in a dwelling; and,
- the intent to build a new home with a second unit.

The costs to establish a second unit are linked with the current state of the dwelling and the choice of materials for the upgrades.

4.4.5 Other Elements of the Education Campaign

Other initiatives that could be included in an education campaign include the following.

- **Webpage** Updated information on the Housing Choices web page consisting of downloadable brochures and fact sheets on regulations and processes for legal second units in the City.
- **Mail-out** Mail-out to residents which may have a second unit informing of the change in regulations and the requirements for a legal second unit in the City and offering to assist with these changes.
- Media News releases and articles with information on the City's initiative.
- **Information Sessions** Information evenings with City staff on hand to provide information on requirements.
- **Printed Material** Information made available in community facilities such as libraries and community centres and, with permission, in building and home renovation outlets. Materials also distributed by Fire Prevention and Enforcement Staff.

4.5 Partnerships with Key Stakeholders and Senior Levels of Government

4.5.1 Partnering with Region of Peel

An essential part of the implementation of the second unit initiative will be partnerships and support from other levels of government and the private sector. The Region of Peel is designated by the Province as the Service System Manager for housing and homelessness. As such it is delegated under the *Housing Services Act*, the same Act which has imposed obligations

regarding second units, to develop a "Housing and Homelessness Plan." This Plan, amongst other matters, will explicitly "provide for partnerships between different levels of government." Some of the opportunities for Peel to participate in this initiative follow.

- Peel Renovates Renovation funding for low income residents. This funding was formerly available through the CMHC (Residential Renovation Assistance RRAP Program). The Region has administered this program since March 2012. In the past, Mississauga residents have used this funding source for accessibility upgrades. As second units were not permitted in the City, residents have not been able to access this funding for upgrades to second units. The Region is considering providing funding to City homeowners to assist in meeting Building and Fire Code requirements subject to a number of conditions being met.
- **Rent subsidies** The Region administers rent subsidies for households in need. These subsidies could be used to support tenants living in legal second units.
- Applicant referrals Region staff could assist in referring prospective tenants to second units, possibly supporting the general marketing of second units and possibly engaging in "matchmaking" between applicants (including people on Peel's own waiting list) and suitable units, and with referrals from appropriate community agencies and enhanced use of the 2-1-1 access.
- **Property management support** Given the Region's extensive experience in property management, it could assist with the development of educational materials to help advise homeowners as to good landlord business practices and to facilitate stable tenancies, again with potential referral to community agencies where additional support may be useful.

It is recommended that the Region of Peel include partnerships such as described in its pending ten year local Housing and Homelessness Plan. Discussions are underway to explore all of these options as part of the implementation for second units.

4.5.2 Senior Levels of Government

Some implementation challenges for second units cannot be addressed as there is no municipal authority to do so. The following are supports from senior levels of government that could address these issues.

- **Property taxes** A distinct property class could be identified by MPAC for dwellings with second units to generate additional revenues to address infrastructure and service needs.
- **Building Code** Existing Ontario Building Code requirements for second units, which can be onerous, could be reviewed by the Province to determine if alternative requirements could be developed.

- Right of Entry An enforcement officer must obtain evidence that a second unit exists. The effectiveness of enforcement efforts is frustrated by the legislation that requires consent of owner/occupant and/or search warrant to enter a dwelling to determine if a second unit exists. The Province could review the legislation to consider how admissible evidence could be obtained more easily.
- **Financial support for affordable housing** Senior levels of government could direct more funding toward affordable housing in communities where needs are highest. A National Housing Strategy to affordable housing is needed.

4.5.3 Private Sector Support

Private sector professional groups can also play an important role in ensuring the existing second units in Mississauga are made safe and legal. The consultation for second units has drawn in a number of stakeholders with different interests. Real estate agents, insurance professionals, mortgage agents and building industry representatives are some the groups which can be involved in the education program. Providing them with information on the processes adopted by the City regarding second units as well as the benefits of a legal second unit will assist in converting existing second units to legal, safe, rental housing.

4.6 Conclusion and Recommendations

The proposed official plan policies, zoning regulations and licensing requirements aim to balance needs of various stakeholders' interests while meeting the Provincial requirement to permit second units. The implementation strategy reflects the research findings and ideas that were brought forth during the consultation as well as key City priorities. This approach should be reviewed to determine its success and whether modifications are required.

Second units can be a source of safe affordable housing in Mississauga. The City's objective is to establish a framework by which second units provide a choice of safe affordable housing while meeting the Provincial requirements.

⁹ Planning Act Provisions Related to Power of Entry on to Property -Section 49.(2) and into a Dwelling -Section 49.(3).

Appendix 1: Municipal Comparative Review

			Table 1			
	Regulat	ions for Second	Units from Othe	er Municipal	ities	
Municipality	Toronto	Ottawa	Caledon	Burlington	Oakville	Guelph
City Wide or Ward Specific	City Wide	City Wide (with the exception of Rockcliffe Park)	Residentially designated lands in Rural Service Centres, Villages & Hamlets, Agriculture Area, Rural Area, Rural Estate Residential Area, Policy Area 1, 2 or 3 within Palgrave Estates or Environmental Policy area	City Wide	Very limited - in selected areas by site specific by-law (regulations are subject to area where permitted)	City Wide
Dwelling Type	Singles/Semis but must be at least 5 years old	Detached dwelling, semi- detached dwelling unit, or duplex building	Singles/Semis/ Duplex/ Link	Singles	Depending on zone; singles, semis and townhouses	Singles/Semis
Min. GFA	No less than 55 m ²	No	32.5 m ²	42 m ²	55.5 m ²	32 m^2
Max. GFA	(592 sq.ft.) No – must be	At grade or	(350 sq.ft.) 30% of dwelling	(452 sq.ft.) 100 m^2	(592 sq.ft.) 40% of total floor	(344 sq.ft.) Not greater than
ATAGA, UA'A	110 musi oc	At grade or	2070 of aweiling	100 III	1070 OI total Hool	1 TOT STORES HIAD

	Table 1 Regulations for Second Units from Other Municipalities						
Municipality	Toronto	Ottawa	Caledon	Burlington	Oakville	Guelph	
	secondary in size to principal unit	above grade – 40% of dwelling, if located in basement, may occupy whole basement		(1,076 sq.ft.).Not greater than 40% of total floor area	area	45% of total floor area – Maximum 100m ² (1,076.4 sq.ft.) Maximum 2 bedrooms	
Min. Frontage	No	13.0m (42.7 ft)	Yes varies depending on residential zone 15m (49 ft) to 45m (148 ft)	15 m (49 ft)	Depending on zone	No	
Min. Lot Area	No	No	Yes range from 0.8 ha (1.97 ac) to 650 m ² (6,997 sq.ft.)	No	No	No	
Parking No. of spaces On-site/off-site	1 space per unit and where 2 parking spaces required for property 1 space can be used for second unit	The principal and secondary dwelling units must share the parking area and yards provided for the principal dwelling unit, and no new driveway may be created, except in the case of corner lots	1 parking for each 70 m ² (735 sq.ft.) maximum of 2 parking in addition parking required for dwelling	2 spaces per accessory unit, 2 spaces per principal dwelling unit	1 off-street surfaced parking space for each dwelling unit established	Principal dwelling 2 spaces plus 1 space (not tandem) for second unit	

	Regulat	Table 1 Regulations for Second Units from Other Municipalities						
Municipality	Toronto	Ottawa	Caledon	Burlington	Oakville	Guelph		
Maximum Driveway Widths	No	50%	Depending on frontage cannot exceed semi 5.2 m (17 ft) detached 6 m (20 ft) for lots 12 m (39 ft) for less, larger than 12 m (39 ft) up to 50% of lot frontage or 8.5 m (27 ft) whichever is less	7.35 m (24 ft) on 15 m (49 ft) lots	Depending on zone	Double driveway width under consideration, usually 10 m (32ft)		
Maximum Number of Driveways	No	No	2 driveway maximum and entrance separation requirement of 2.5 m (8.2 ft)	No	No	1 driveway		
Maximum Hard Surface	No	50% where parking provided	No	50%	No	No		
Minimum Landscaping	Zoning provisions in Etobicoke	50% where parking provided	Range between 30% and 50%	50%	No	No		
Separation Distance Requirements	No	No	No	No	No less than 2 m (6.6 ft)	Considering		

	Table 1 Regulations for Second Units from Other Municipalities							
Municipality	Toronto	Ottawa	Caledon	Burlington	Oakville	Guelph		
External appearance	No addition or substantial alteration to exterior appearance of front or side of the dwelling facing street.	No change in streetscape - must have a separate access that cannot be located in an exterior wall facing the front	No	Separate exterior entrance required. Separate entrance prohibited on front elevation	No exterior addition or major alteration to any such dwelling proposed so to be converted shall be made which will affect the exterior appearance and general character of the building as a private detached dwelling	Preserve front façade. Maintain single entry (ie. rear yards not to be divided)		
Registration/ Licensing	Not required	Permit required to build	Registered	No	Registered	Registration		
Registration/ Licensing fees	No	No	\$110 (registration fee)	No	\$300 (registration fee)	\$100 (registration fee)		
Amnesty period	No	First year information sessions - ongoing information online	6 months	No	No	5 year period without fee to encourage existing units to be legalized		
Financial	No	No	No	No	No	No		

incentives

Table 1 Regulations for Second Units from Other Municipalities							
Municipality	Toronto	Ottawa	Caledon	Burlington	Oakville	Guelph	
Inspections/ Enforcement	Building	Property Standards	Building /Fire/Public Works — Regulatory Services	Building/ Enforcement	Building	Building/Fire/ Zoning	
Comments	Currently the City of Toronto is attempting to harmonize regulations across the former municipalities	Development charges issues – on new home will pay double development charges		135 m ² (1,453 sq.ft.) minimum rear yard in amenity area	Must be at least 5 years old on the date of the by-laws creation in 2011 (established 2006 or earlier)	Currently under review. Consideration of renewal licensing fee and distancing requirements.	

	Table 2 Regulations for Second Units from Other Municipalities						
Municipality	Aurora	Hamilton	Richmond Hill	Waterloo	London		
City Wide or Ward Specific	City Wide	Ward Specific	City Wide	City Wide (Zones)	City Wide (Zones)		
Dwelling Type	Detached, semi- detached and link houses (3 or more)	Detached and semi-detached	Detached and semi-detached	Single detached, townhouse, duplex, converted dwelling house, semi- detached, triplex, accessory unit	Single-detached, semi-detached or row house		
Min. GFA	35m ² (376.7 sq.ft.)	65m ² (699.7 sq.ft.)	No	No	No		
Max. GFA	No	No	265m ² (2,852.4 sq.ft.)	600m ² (6,458.3 sq.ft.)	No		
Min. Frontage	12.0m (39.4 ft)	7.5m (24.6 ft)	9.0m (29.5 ft)	15.0m (49.2 ft)	12.0m (39.4 ft)		
Min. Lot Area	450m ² (4,843.8 sq.ft.)	1-3 units = 270m ² (2,906.3 sq.ft.), 3+ units = 450m ² (4, 843.8 sq.ft.)	30%	360m ² (3,875 sq.ft.)	450m ² (4,843.8 sq.ft.)		
Parking No. of spaces On-site/off-site	1 space (in addition to residential parking space requirements)	Minimum 2 on-site parking spaces must be provided	1 space (in addition to residential parking space requirements)	1 space for every two (2) lodgers plus one (1) space per proprietor if the proprietor or his/her household resides therein, 4 spaces for triplexes	Minimum of one (1) additional onsite parking space must be provided		
Maximum	Lot width less than	50% of front plot	Lot width less than	7m (22.9 ft)	Must be		
Driveway	9 m (29.5 ft) = 3.5 m	line	9 m (29.5 ft) = 3m		minimum 2.7m		

London

(8.9 ft) x 5.5m (18.0 ft)

No more than 2

for the first 100m

(328 ft) of lot

frontage, plus 1 for every 100m

(328 ft) later

40%

30%

	Regulations	Tabl s for Second Units	e 2 from Other Muni	icipalities	
Municipality	Aurora	Hamilton	Richmond Hill	Waterloo	
Widths	(11.4 ft) maximum width		(9.8 ft) maximum width	Zoning By-Law requires a minimum of 2.8m (9.2 ft) x	

No

50% of area in

front yard

50% of area in

front yard

Lot width 9m (29.5

ft) -18m (59.0 ft) =

6m (19.7 ft)

maximum width

Lot width 18m

(59.0 ft) - 30m

(98.4 ft) = 9m (29.5)

ft) maximum width

Only one driveway

apron shall be

permitted to a lot

with a frontage of

less than 18m (59.0 ft)

55% of the required

front yard and

required exterior side yard

Minimum area of

45% of the required

front yard and

required exterior

side yard shall be landscaped

5.5m (18.0 ft)

Yes

(Parking

Requirements)

70-80%

Landscaped Buffer

(20%)

(Lot Maintenance

By-Law)

Lot width 9m (29.5

ft) -18m (59.0 ft) =

6m (19.7 ft) maximum

width

Lot width 18m (59.0

ft) - 30m (98.4 ft) =

10m (32.8 ft)

maximum width

No

No

No

(By-law No.4044-99

Section 5.2 -

Maintenance of

Yards)

Maximum

Number of

Driveways

Surface

Minimum

Landscaping

Maximum Hard

	icipalities				
Municipality	Aurora	Hamilton	Richmond Hill	Waterloo	London
Separation Distance Requirements	No	No	No	Yes	No
External Appearance	Only one entrance facing streets (no alterations to external appearance permitted)	No exterior stairways or alteration to external appearance, must preserve streetscape character	Any exterior changes to the existing dwelling will be in keeping with the character of the street	Property Standards By-Law, Lot Maintenance By- Law, maintain the physical appearance (no structural changes)	Shall not alter the neighborhood character
Registration/ Licensing	Registered (By-law No. 5221-10)	Registered	License (Permit)	License/Lodging License	License
Registration/ Licensing fees	Registration fee = \$150.00, re- inspection fee = \$75.00 Permit Fees: \$3.00/m² of gross floor area (minimum fee of \$100.00)	No	No	\$68.15 - \$757.30 (depending on class of rental unit) Admin fee/annual renewal fee (Fines up to \$5,000)	No
Amnesty period	60 days	None (if existing illegally)	No	No	No
Financial incentives	No	No	No	No	No
Inspections/ Enforcement	Building, Fire, Electric Safety	Building, Fire	Building, Fire	Municipal Law Enforcement	Building (in accordance with

Table 2 Regulations for Second Units from Other Municipalities						
Municipality	Aurora	Hamilton	Richmond Hill	Waterloo	London	
	Authority			Officers, Building Inspectors, Fire, the Medical Officer of Health or a Police Officer.	section 3.2.3.8 of the OP)	
Comments	Second units occupied before November 16, 1995 are not required to register (grandfathered by the Land Use Planning and Protection Act – Bill 20), No units permitted in Oak Ridges Moraine or water course areas	Dwellings must be at least 5 years old, no roomers or boarders, units can only be divided horizontally	Discussions and work is still being done in order to develop Second Unit guidelines (many reports state that these accessory apartments "should be permitted"	No garbage storage shall be permitted in the front yard and no garbage storage shall be permitted in the side yard or rear yard unless it is screened from view from the street	Flex Housing is a new developer based initiative which incorporates flexible housing designs to possibly include second units, shall be owner occupied, no more than five (5) bedrooms total for both the principle and accessory dwelling units	

Appendix 2: Summary of Challenges with Second Units

	Appendix 2 Survey of Canadian H econdary Suite Inform	nation			
	Montreal	Toronto	Calgary	Vancouver	Canada
Total Households (millions)	1.41	1.69	.36	.79	11.57
Households Renting out (%)	23.9	16.9	22.0	22.2	16.9
Total Accessory Units (millions)	.34	.28	.08	.18	1.95
Accessory Units with own address (%)	50.0	29.0	5.6	14.1	34.4
Type of Tenant in Accessory Unit					
Single person under 60 years of age (%)	36.6	29.9	56.9	34.6	37.5
Single person over 60 years of age(%)	16.9	20.9	6.9	17.3	19.4
Couple (%)	15.5	20.9	25.0	25.9	15.3
Couple with child/children (%)	15.5	14.9	11.1	19.8	12.5
Single Parent with child/children (%)	15.5	13.4	0.0	2.5	15.3
Location of Accessory Unit					
Basement	46.7	48.3	57.4	62.0	49.2
Room with separate address	6.7	15.0	1.6	8.5	10.8
Attic	0.0	1.7	11.5	8.5	6.2
Other	46.7	35.0	29.5	21.1	33.8
Relationship of Household to Tenant		<u></u>			
Relative	22.7	23.9	59.3	10.9	24.6
Close Friend	13.6	6.5	2.2	12.5	14.5
Student	6.1	13.0	18.7	21.9	8.7
Aging Parent	4.5	2.2	0.0	4.7	8.7
Disabled	6.1	0.0	0.0	3.1	5.8
Other	47.0	54.3	19.8	46.9	37.7
Reason for renting			1		
Pay mortgage and other housing costs	22.2	40.5	13.3	49.0	35.6
Increase income	62.2	35.7	50.0	23.5	31.1
Provide low rent option for children	2.2	7.1	26.7	11.8	6.7
Use surplus space	4.4	4.8	3.3	3.9	6.7
Tight rental market	2.2	2.4	1.7	9.8	6.7
Host/Care for older parents	4.4	7.1	0.0	2.0	6.7
Tax incentives	0.0	2.4	0.0	0.0	4.4
Student Housing	2.2	0.0	5.0	0.0	2.2

Source: CMHC. Housing Facts (Volume 8, Number 10) October 2003. pp. 4-5, PMB 2002 Fall RTS.

Appendix 3: Consultation Program

	Appendix 3 Consultation Program		
Meeting	Date	Participants	Attendance (approx.)
Council Education Session	June 15, 2011	Council and Leadership Team	30
Stakeholder Forum	November 7, 2011	Community and social service agencies, federal and provincial representatives, other municipal governments, development and realtors, school boards, housing activists	70
Extended Leadership Team	January 26, 2012	Extended Leadership Team	50
Public Consultation Workshops	February 16 – Mississauga Seniors' Centre February 21 – South Common Community Centre February 23 – Malton Community Centre March 1 – Meadowvale Community Centre March 6 – Civic Centre, Council Chamber	Mississauga residents, ratepayers, representatives from other municipalities, professionals, (open to all)	200
Online Survey	February 16 to March 31, 2012	Public	300
Web Site visits	February 1 to March 6, 2012	Public	1,400
Mississauga Real Estate Board*	March 26, 2012	Real Estate Agents	70
Toronto Real Estate Board	March 27, 2012	Real Estate Agents, Planning professionals around GTA	12
Mississauga Real Estate Board*	April 11, 2012	Real Estate Agents	20
Business Connection Exchange*	April 5, 2012	Small business owners	20
Britannia Town Hall*	May 29, 2012	Mississauga residents	Na
Malton Town Hall*	May 30, 2012	Mississauga residents	40
Design Workshop	June 5, 2012 – Civic Centre	Professionals and volunteers representing the building, financing, real estate and design community	50
Ratepayer Meeting*	June 5, 2012	Mississauga ratepayers	20

^{*} Note: Request was made for consultation and presentation on second units.

Appendix 4: Public Consultation Invitation and Survey



Mississauga's Affordable Housing Strategy and Action Plan

Public Consultation Workshops - Second Units

Mississauga needs housing choices for everyone to feel they belong. Ontario laws now require municipalities to allow second units in homes. Second units are also known as basement apartments or in-law suites.

Mississauga is working on a housing strategy that includes second units. We want to discuss:

- preserving neighbourhood character
- ensuring safety
- maintaining City services

The City is holding five public consultation workshops to talk to you about it.

- February 16 Mississauga Seniors' Centre, 1389 Cawthra Road
- February 21 South Common Community Centre, 2233 South Millway
- February 23 Malton Community Centre, 3540 Morning Star Drive
- March 1 Meadowvale Community Centre, 6655 Glen Erin Drive
- March 6 Civic Centre, Council Chamber, 300 City Centre Drive

All workshops will have the same schedule.

- 6:30 7:00 p.m. Talk to City staff about second units
- 7:00 7:30 p.m. Listen to a presentation
- 7:30 8:30 p.m. Discuss second units in groups
- 8:30 9:00 p.m. Listen to a workshop wrap-up

If you are interested in participating, please register to ensure your spot. You can register online at mississauga.ca/housingchoices or call (905) 615-3200 extension 2037 between 8:30 a.m. and 4:30 p.m.

If you can't attend, watch the March 6, 2012 Civic Centre presentation on Rogers TV and go online to have your say.

Please advise if you have any accessibility requirements. Photos or video may be taken at the workshops.





Mississauga's Affordable Housing Strategy and Action Plan

Public Consultation Workshop – Second Units

Introduction

Mississauga needs housing choices for everyone to feel they belong. Recent changes to provincial laws require all municipalities in Ontario to allow second units. Second units are also known as basement apartments or in-law suites.

We are developing a Made-in-Mississauga strategy to meet our City's needs. We would like your ideas. We want to discuss:

- preserving neighbourhood character
- ensuring safety, and
- maintaining City services

To complete the survey:

At our Workshops:	Online:	Mail to:
Attend one of our workshops and participate in the group discussions or fill out your own survey before you leave.	Mississauga.ca/housingchoices	Housing Choices City of Mississauga, 7 th Floor 300 City Centre Drive Mississauga, ON, L5B 3C1

Need for Second Units

Our Strategic Plan Conversation identified a need for affordable housing in Mississauga. Our work on Housing Choices: Mississauga's Affordable Housing Strategy and Action Plan found that 1 in 3 households in Mississauga have affordability issues.

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1)	Who benefits from allowing second units and why?
	Comments:

Principle 1 – Preserving Neighbourhood Character

The reasons many people choose to live in second units are the same reasons people choose to own homes in Mississauga – the look and feel of the neighbourhood. Making sure that neighbourhoods maintain their look and feel is important to homeowners and to the people that choose to make second units their home.

Topics for discussion

To make sure the addition of second units into a neighbourhood is done in a way that keeps the look and feel of the neighbourhood, the City is considering rules for things like:

- parking
- landscaping, and
- the outside of homes

		ese are some of examples of rules that could be put in place to preserve the look and look of neighbourhoods.
	a)	Should the owner have to live in one of the units? (Please check)
		Yes No
		Comments:
	b)	Should there be rules about the changes that can be made to the outside of the home? (Please check)
		Yes No
		Comments:
1	c)	How should the parking needs of those living in second units be dealt with? (Please check)
		Required Parking on the Property Street Parking
		Other Parking to be arranged
		Comments:
	Oth	ner suggestions of rules:

<u>Principle 2 – Ensuring Safety</u>

Second units need to be safe for the people who live in them, the homeowner and the neighbourhood.

Topics for discussion

Because many of the second units in Mississauga are not legal, they are not always safe. In some cases, homes with second units require upgrading. The province sets standards in the Ontario Building Code and Fire Code that ensure a building is safe for the people who live there. Unfortunately, problems with second units are often only seen after an injury or death. Things that building code inspectors and fire investigators say can be improved include:

- fire separation barriers between units
- separate exits from each unit
- windows in bedrooms, and
- smoke/carbon monoxide detectors

How do we ensure second units are safe and legal?

Legalizing second units protects homeowners and tenants. In the event of an emergency, units which are not legal may be at risk of not having the proper insurance protection.

Homeowners with legal second units may also qualify for additional mortgage financing to help with upgrades to their homes.

Legalizing second units is the right thing to do.

Quest	ions	:	
3)	Но	w should the City enforce the rules that would make second units safer?	
	a)	Should owners have to be licensed with the City to have a legal second unit?	
		Yes No	
		Comments:	
	b)	Should units be inspected regularly?	
		Yes No	
		Comments:	
4)	Но	w could the City encourage homeowners to improve their units?	

Principle 3 – Maintaining City Services

The City of Mississauga takes pride in the services it provides to its residents. Maintaining the City's excellent quality of life and current levels of service is important to residents as the number of people increases.

Topics for discussion

When populations grow, the city must find ways to provide the same services to more people at a reasonable cost.

Questions:

5)	What impacts do you think second units would have on City Services?
	Comments:
	·
6)	What services are you most concerned about? (Check as many as apply)
	City Facilities (Community Centres, Libraries, Parks)
	Roads Transit
	Garbage Utilities (Water, Hydro, Gas)
7)	How should the City deal with impacts?
	Comments:

	you nave any	other comme	nts?		
		100	γ		
) Do	you have any	concerns abou	ut second units in	Mississauga?	(Please check)
	Yes	No			
	If ves. please	e list			
	,, p			•	
				•	
0) Hc	ow much do yo	ou support sec	ond units in Missi	ssauga? (Che	ck one)
	_				_
	1	2	3	4	5
	Don't	Little	Don't know/	•	Fully
			_	•	
	Don't	Little	Don't know/	•	Fully
4)	Don't support	Little Support	Don't know/ Neutral	Support	Fully Support
1) Ho	Don't support	Little Support	Don't know/	Support	Fully Support
	Don't support	Little Support	Don't know/ Neutral consultation on s	Support	Fully Support
Ne	Don't support ———— w did you hea	Little Support r about public	Don't know/ Neutral consultation on s City	Support econd units? (Website	Fully Support
Ne Ne	Don't support w did you hea wspaper ad wspaper artic	Little Support r about public	Don't know/ Neutral consultation on s city	Support econd units? (Website	Fully Support ——— Please check)
Ne Ne Sig	Don't support w did you hea wspaper ad wspaper artic	Little Support r about public le Boards	Don't know/ Neutral consultation on s city	Support econd units? (Website ebook/Twitter	Fully Support Please check)
Ne Ne Sig No	Don't support w did you hea wspaper ad wspaper artic	Little Support ar about public le Boards	Don't know/ Neutral consultation on s City Fac	Support econd units? (Website ebook/Twitter	Fully Support Please check)
Ne Sig No Lib	Don't support w did you hea wspaper ad wspaper artic gns/Electronic tices(Commur	Little Support ar about public le Boards nity Centres/ entre)	Don't know/ Neutral consultation on s City Fac	Support econd units? (Website ebook/Twitter Radio meone I know	Fully Support Please check)

Proposed Mississauga Official Plan (2011) Amendment for Second Units

Explanation – text to explain the changes

Strikeout – wording to be removed

Italicized – existing policy in Mississauga Official Plan (2011)

Bold italicized – proposed new wording to be added

Policy 7.2.10 is proposed to be removed as this has been completed.

7.2.10. Regulations for secondary suites will be determined through the preparation of an affordable housing strategy. The affordable housing strategy will be developed in consultation with the community and will consider, among other matters, zoning provisions, licensing requirements and health, safety and property standards.

Mississauga Official Plan permits second units in detached dwellings, where appropriate. Policy 11.2.5.2 is proposed to be retained and Policy 11.2.5.9 is proposed to be replaced as follows:

- 11.2.5.2 In addition to the Uses Permitted in all Designations, residential designations will also permit the following uses:
- 11.2.5.9 Secondary suites within detached dwellings will be permitted, where appropriate.
- 11.2.5.9 Second units within detached dwellings, semi-detached dwellings and townhouse dwellings, where appropriate.

Proposed Zoning By-law 022-2007 Amendment for Second Units

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

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

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by adding to Section 1.2 the following Definition:

Second Unit means an accessory dwelling unit with its own kitchen, sanitary facilities and bedroom(s)/sleeping area

- 2. By-law Number 0225-2007, as amended, is further amended by deleting Article 4.1.5.8 and substituting the following therefor:
 - 4.1.5.8 Notwithstanding the provisions of Article 4.1.5.5, stairs, stairwells or retaining walls to facilitate an entrance below grade at any point shall be permitted in required rear yards and interior side yards provided that the minimum setback to an interior side lot line and rear lot line shall be 1.2 m;

- 4.1.5.8.1 A porch or deck, located at and accessible from the first storey or below the first storey of the dwelling inclusive of stairs, shall be permitted in a required interior side yard provided that the minimum setback to the interior side lot line shall be 1.2 m;
- 3. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.5.10 as follows:
 - 4.1.5.10 Stairs, stairwells or retaining walls to facilitate an entrance below grade at any point shall not be permitted in **front yards** or **exterior side yards**;
- 4. By-law Number 0225-2007, as amended, is further amended by adding Subsection 4.1.20 to Section 4.1 as follows:

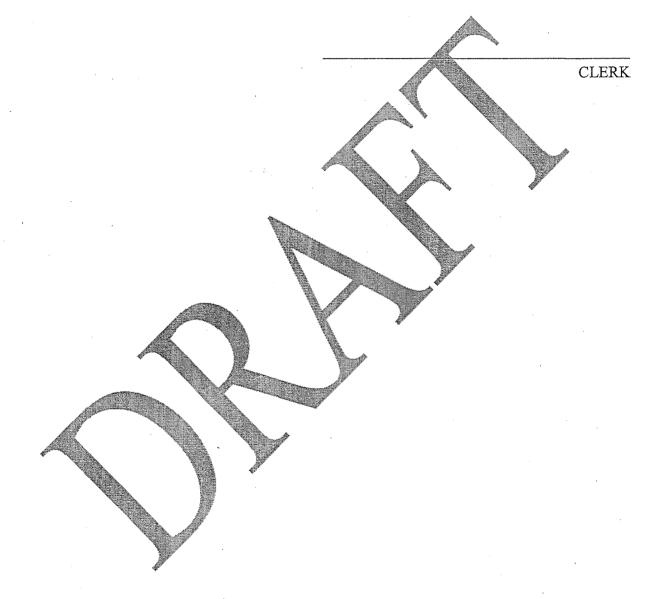
4.1.20 Second Unit

A second unit shall be permitted accessory to and located within a detached dwelling, semi-detached dwelling, townhouse dwelling unit, linked dwelling unit, street townhouse dwelling unit and a dwelling unit in a townhouse dwelling on a CEC private road in a Residential Zone subject to the following:

- 4.1.20.1 The provisions of Article 4.1.1.3 of this By-law shall not apply;
- 4.1.20.2 Notwithstanding the provisions of Article 4.1.1.1 of this By-law, a maximum of one (1) **second unit** shall be permitted;
- 4.1.20.3 A second unit shall not be permitted in a lodging house, a group home or dwelling unit containing an accessory non-residential use;

- 4.1.20.4 An addition to facilitate a **second unit** shall not alter the existing **use** of the subject dwelling as defined by this By-law;
- 4.1.20.5 Notwithstanding Subsection 4.1.13 of this By-law, the minimum gross floor area residential of a second unit shall be 35 m²;
- 4.1.20.6 A **second unit** shall not occupy more than 50% of the **gross floor area** of the dwelling within which it is located;
- 4.1.20.7 A new pedestrian entrance facing a street, a private road or a CEC private road, to facilitate a second unit, shall not be permitted;
- 4.1.20.8 A deck located above the first storey to facilitate an entrance to a second unit shall not be permitted;
- 4.1.20.9 The **dwelling unit** in which the **second unit** is located shall be the principal private residence of the subject property owner and they must not be an occasional or casual resident thereof;
- 4.1.20.10 In addition to the required number of parking spaces for the dwelling, one
 (1) parking space shall be required for a second unit;
- 4.1.20.11 Tandem parking spaces to accommodate a second unit shall be permitted;
- 4.1.20.12 A lot with a second unit shall have one (1) and not more than one (1) driveway;

MAYOR



APPENDIX "A" TO BY-LAW NUMBER

Explanation of the Purpose and Effect of the By-law

This By-law amends Mississauga Zoning By-law 0225-2007 to permit second units in detached, semi-detached, townhouse, street townhouse and linked dwelling units thereby implementing recent amendments to the *Planning Act* by *Bill: 140 Strong Communities through Affordable Housing, 2011.* Amendments include the following:

- add definition for second unit;
- permit one second unit per dwelling;
- permit one second unit within detached, semi-detached, townhouse and linked dwelling units:
- permit a second unit below the first storey;
- establish a maximum and minimum gross floor area for second unit;
- prohibit an addition for a second unit from changing the existing use of the dwelling;
- prohibit second units in dwellings that have a lodging house, a group home or any other accessory non-residential use;
- permit stairs, stairwells and retaining walls for entrances below grade in rear yards and interior side yards provided a minimum setback of 1.2 m is maintained;
- prohibit stairs, stairwells and retaining walls for entrances below grade in front yards and exterior side yards;
- prohibit new entrances facing a street for second units;
- prohibit decks above the first storey to facilitate a second unit;
- establish parking requirements for second units:
- limit the number of driveways on properties with second units; and,
- require that the dwelling with a second unit be the principal residence of the owner.

Location of Lands Affected

All Residential Zones in Mississauga where detached, semi-detached, townhouse, linked or street townhouse are permitted.

Further information regarding this By-law may be obtained from Emily Irvine of the City Planning and Building Department at 905-615-3200 ext. 5524.

June 4, 2013 Planning & Development Committee

Proposed Mississauga Official Plan (2011) Amendment for Second Units

Explanation – text to explain the changes Strikeout – existing wording to be removed *Italicized* – existing wording to remain **Bold italicized** – new wording to be added

Policy 7.2.10 is proposed to be removed as this has been completed.

7.2.10. Regulations for secondary suites will be determined through the preparation of an affordable housing strategy. The affordable housing strategy will be developed in consultation with the community and will consider, among other matters, zoning provisions, licensing requirements and health, safety and property standards.

Mississauga Official Plan permits second units in detached dwellings, where appropriate. Policy 11.2.5.2 to remain (included for context) and Policy 11.2.5.9 is proposed to be replaced as follows:

- 11.2.5.2 In addition to the Uses Permitted in all Designations, residential designations will also permit the following uses:
- 11.2.5.9 Secondary suites within detached dwellings will be permitted, where appropriate.
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subject dwelling as defined by this By-law;	
4.1.20.5 Notwithstanding Subsection 4.1.13 of this By-law, the	minimum gross floor
area – residential of a second unit shall be 35 m ² ;	
4.1.20.6 A second unit shall not occupy more than 50% of the	ne gross floor area of
the dwelling within which it is located;	
4.1.20.7 A new pedestrian entrance facing a street, a private r	oad or a CEC private
road, to facilitate a second unit, shall not be permitted	d;
4.1.20.8 A deck located above the first storey to facilitate ar	n entrance to a second
unit shall not be permitted;	
4.1.20.9 In addition to the required number of parking space	
(1) parking space shall be required for a second unit	,
	2/ 1 11 1 2// 1
4.1.20.10 Tandem parking spaces to accommodate a second u	nit shall be permitted;
112011 A lot with a good with shall have one (1) and r	est many than any (1)
4.1.20.11 A lot with a second unit shall have one (1) and r	of more than one (1)
driveway;	
ENACTED and PASSED this day of	2013.
LIVACTED and I Abbig tins day of	2015.
	MAYOR
	CLERK

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- permit stairs, stairwells and retaining walls for entrances below grade in rear yards and interior side yards provided a minimum setback of 1.2 m is maintained;
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Location of Lands Affected

All Residential Zones in Mississauga where detached, semi-detached, townhouse, linked or street townhouse are permitted.

Further information regarding this By-law may be obtained from Emily Irvine of the City Planning and Building Department at 905-615-3200 ext. 5524.

	Appendix 4 Comments from the Public		
#	Respondent	Issue/Comment	Response
1	Mississauga Real Estate Board	Minor variance would discourage investors from coming forward.	Charges could be issued resulting in monetary fines for an investment dwelling with an unlicensed second unit.
2	Mississauga Real Estate Board	Object to owner occupancy regulation because income from second unit results in positive cash flow from investment and the property. It takes the numbers from two suites in Mississauga to make the numbers work.	Upon further review, it is proposed that owner occupancy be removed from the proposed Zoning By-law. It is recommended that owner occupancy be included as a licensing requirement. The following text is proposed to be removed from the
			Zoning By-law: The dwelling unit in which the second unit is located shall be the principal private residence of the subject property owner and they must not be an occasional or casual resident thereof;
3	Mississauga Real Estate Board	Statistics on expected new units to be created are unreliable.	Statistics are based on the experience of other municipalities with creation of new legal second units with building permits.
4	Mississauga Real Estate Board	Prohibitive requirements result in unlawful second units.	Penalties will result if a second unit is unlicensed.
5	Mississauga Real Estate Board	Second units in condominium townhomes runs counter to existing condominium declaration by-laws. Freehold should be included to the definition.	For condominium townhouses, a proposed second unit would need to comply with applicable requirements of the condominium corporation. A letter with permission of the condominium corporation will be required before a Building Permit/Licensing is issued.
6	Mississauga Real Estate Board	Include standard of occupancy per square metre.	The City's Property Standards By-law includes a minimum occupancy standard (one person per nine square meters of habitable room floor area). Compliance with the Property Standard's By-law will be a condition of licensing.
7	Mississauga Real Estate Board	Concern with proposed minimum and maximum floor area requirements.	Minimum and maximum floor areas are included to manage impacts on neighbourhoods and change of use beyond what is permitted by second units.
8	Mississauga Real Estate Board	Oppose two-tiered licensing regime.	Licensing fees reflect inspection of two units in an investment dwelling with a second unit.

	Appendix 4 Comments from the Public			
#	Respondent	Issue/Comment	Response	
9	Mississauga Real Estate Board	Online mandatory course for fee could provide information and be a revenue source.	Will be considered to be incorporated in the proposed Education Program.	
10	Mississauga Real Estate Board	Distinct property class by MPAC is unwise as a legal second unit will increase the value, assessment and taxes.	MPAC has advised that an additional category for dwellings with second units is not being considered.	
11	Alice Jacques	Second dwelling units should be allowed. A private homeowner should be able to supplement their income with this revenue.	One of the benefits of second units documented in the research is that they provide an income supplement and make homeownership more affordable.	
12	Alice Jacques	Should be regulated to ensure neighbourhoods are not impacted.	The Second Unit Implementation Strategy proposes zoning regulations and licensing requirements for a legal second unit.	
13	Alice Jacques	Registration of second units should be required to ensure the safety of tenants and provide good living conditions.	Licensing will ensure second units are safe as applicable Building and Fire Codes need to be met before a license would be issued.	
14	Alice Jacques	A hot line should be set up to report suspected illegal units.	311 calls regarding complaints on second units are directed to the Enforcement Division and investigated. Callers are required to provide their contact information to register any complaint with the City. The City does not accept anonymous complaints.	
15	Alice Jacques	City services are already in place and illegal units are using these services.	Legalizing second units will provide information as to the location of these units and allow the City to better plan services.	
16	Henry and May Darmetko	Permitting second units will negatively impact the character of neighbourhoods and quality of life by increased noise and parking on streets and boulevards.	The proposed Zoning By-law for second units incorporates regulations intended to protect neighbourhood character including regulations for parking. Licensing of second units is also proposed to ensure compliance with the City's Property Standards By-law and Noise By-law.	

	Appendix 4 Comments from the Public		
#	Respondent	Issue/Comment	Response
17	Daniel Amsler Mississauga Community Legal Services	Mississauga should license larger rental properties.	This study only considers licensing for second units. Licensing of larger rental properties has significant liability issues.
18	Daniel Amsler Mississauga Community Legal Services	The requirement for an additional parking space for second units is a concern.	On street parking associated with second units is a concern. Proposed on-site parking is proposed to address this issue.
19	Daniel Amsler Mississauga Community Legal Services	Concern that a licence could be rescinded.	Zoning regulations and licensing requirements for second units are proposed to protect second unit owners, tenants and the neighbourhoods within which they are located. A license could be rescinded if a dwelling with a second unit did not meet health, safety or property standards.
20	Ben De Castro	Second units reduce home values in surrounding areas.	The proposed zoning and licensing for second units are intended to protect neighbourhood character. MPAC has indicated that a second unit can add value to a property.
21	Ben De Castro	Loss of tax revenue.	Property taxes are based on assessed value. If assessed value increases, revenues will also increase. MPAC has indicated that a second unit can add value to a property.
22	Ben De Castro	Accommodate illegal activities in second units.	The association of second units with illegal activities is prejudicial. Peel Regional Police investigate illegal activities in the City.
23	Ben De Castro	Townhomes are not designed to facilitate basement access.	It is recognized that townhouses have fewer opportunities for access. Access to a second unit can be from outside or inside the dwelling provided access meets Building and Fire Codes.
24	Paula Tenuta BILD	Objection to owner occupancy regulation based on: • Public process based on resident otherwise second units permitted as-of-right • Zoning only deal with land use and built form not user • Section 35 (2) of the Planning	Upon further review, it is proposed that owner occupancy be removed from the proposed Zoning By-law. It is recommended that owner occupancy be included as a licensing requirement.

	Appendix 4 Comments from the Public		
#	Respondent	Issue/Comment	Response
		Act prohibits a zoning by-law that distinguishes between persons who are unrelated • Zones for user not the use	
25	Paula Tenuta BILD	Owner occupancy difficult to enforce	Upon further review, it is proposed that owner occupancy be removed from the proposed Zoning By-law. It is recommended that owner occupancy be included as a licensing requirement.
26	Paula Tenuta BILD	Owner occupied requirement will deter many second units from being legally implemented and built to Code.	Upon further review, it is proposed that owner occupancy be removed from the proposed Zoning By-law. It is recommended that owner occupancy be included as a licensing requirement.
27	Paula Tenuta BILD	Owner occupancy will deter many second units from being legally implemented.	Charges could be issued resulting in monetary fines for an investment dwelling with an unlicensed second unit.
28	Paula Tenuta BILD	BILD RenoMark member will only work on legal units. Investment properties use underground operators that compromise construction and consumer protection.	The City will partner to address this issue through the education campaign.
29	Kim Wozniak	Oppose by-law that allows second units in condominium townhouses.	Municipalities are required to permit second units in detached, semi-detached and townhouse units. A proposed second unit would need to comply with applicable requirements of the condominium corporation in addition to City requirements for Building and Fire Codes, zoning and licensing. A letter with permission of the condominium corporation will be required before a Building Permit/Licensing is issued.
30	Kim Wozniak	Extra traffic in townhouse communities.	A letter with permission of the condominium corporation will be required before a Building Permit/Licensing is issued.

	Appendix 4 Comments from the Public		
#	Respondent	Issue/Comment	Response
31	Kim Wozniak	Lack of parking for second units is a concern in condominium townhouse communities.	One additional parking space for the second unit is a proposed zoning regulation for a dwelling with a second unit. A letter with permission of the condominium corporation will be required before a Building Permit/Licensing is issued.
32	Kim Wozniak	Safety concerns (more population with more issues).	The association of second units with illegal activities is prejudicial. Peel Regional Police investigate illegal activities in the City.
33	Kim Wozniak	Additional trash and pollution are a concern.	The Property Standards By-law will need to be met and maintained as a condition of licensing.
34	Kim Wozniak	Utility usage in condominium corporations are a concern. Some utilities included in condominium fees.	A letter with permission of the condominium corporation will be required before a Building Permit/Licensing is issued. If utilities are a common element in the condominium, this will need to be addressed by the individual corporation.
35	Kim Wozniak	Safety concerns if basement apartments are not property regulated and not safefire could affect neighbourhood units.	All second units will be required to meet applicable Building and Fire Codes.
36	Kim Wozniak	Existing infrastructure in older areas cannot sustain a population increase.	Legalizing second units will provide information as to the location of these units and allow the City to better plan services.
37	Kim Wozniak	Second units should be closely regulated in detached houses.	The Province requires municipalities to permit second units in detached, semi-detached and townhouses. Zoning by-law and licensing requirements will regulate second units.
38	Sherry Irwin	Concern about second units in condominium townhouses. Result in increased utility usage of condominium utilities (water) and common elements (parking).	Municipalities are required to permit second units in detached, semi-detached and townhouse units. A letter with permission of the condominium corporation will be required before a Building Permit/Licensing is issued. If utilities are a common element in the condominium, this will need to be addressed by the individual corporation.

	Appendix 5 Comments from Planning and Development Committee		
#	Comment/Inquiry	Response	
1	Financial assistance from the Province for second units.	Implementation funding was not provided for the Provincial requirement to permit second units in Bill 140. Municipalities have been providing services to second units with no additional revenue and are required to continue to do so to provide safe affordable housing.	
2	Opportunities to gain additional revenue.	The following actions will continue to be pursued with the Region of Peel and other partners:	
		A distinct property class could be identified by MPAC for dwellings with second units to generate additional revenues to address infrastructure and service needs.	
		Senior levels of government could direct more funding toward affordable housing in communities. A National Housing Strategy to fund affordable housing is needed.	
		• The Municipal Act could be amended to expand taxation authority to be in line with the authority in The City of Toronto Act. With this amendment municipalities could explore additional taxation options for dwellings with second units including a business tax.	
		• The <i>Development Charges Act</i> could be amended to allow municipalities to collect development charges for developments that have less than six units.	
3	Proposed licensing fee is low and should be reviewed.	Staff continue to recommend a licensing fee of \$500 for owner-occupied units and a \$1000 licensing fee for investment dwellings. This fee is in line with the costs of a home inspection. If a licensing fee is set too high, it will likely serve as a deterrent to legalize second units.	
4	One-time licensing fee vs. annual licensing.	It is difficult to compare processes for registration, licensing and inspections of second units because of the different approaches in other municipalities. Approximately half of the municipalities surveyed require some type of renewal for the registration and licensing of second units. Staff are recommending annual licensing fees for second units to be in line with other licenses issued by the City.	

	Appendix 5 Comments from Planning and Development Committee		
#	Comment/Inquiry	Response	
5	Apply a business tax.	Municipalities have no authority to impose a business tax under the current Municipal Act, 2001. The City of Toronto has been granted broader taxation authority under The City of Toronto Act as compared with the taxation authority in the Municipal Act. If the Municipal Act was amended to be in line with the taxation authority in The City of Toronto Act, municipalities could explore additional taxation options for dwellings with second units including a business tax.	
6	Licensing fee needs to reflect the increase on service demands and address financial strains on the City.	A licensing fee is required to be tied to the administrative costs related to the licensing process. As a result, revenues from a licensing fee cannot to be used to support or upgrade infrastructure.	
7	Additional information on separation distance requirements.	Separation distances have been commonly used in zoning by-laws in association with selected rental accommodation such as group homes or lodging homes. Current practice is to remove these where they exist as municipalities update zoning by-laws due, in part, to challenges by the Ontario Human Rights Commission on the grounds that they can be discriminatory and limit sites for affordable housing. The Cities of Guelph and Waterloo had incorporated separation distance regulations for various forms of rental accommodation. The City of Guelph removed the separation distance regulation through a Human Rights Commission challenge. The City of	
8	Disclosure when a home is sold.	Waterloo has made a commitment to remove separation distances. Realtors are governed a Code of Ethics which requires disclosure of information on properties to potential buyers, this would include information on whether a second unit is permitted. Information on a real estate listings are the responsibility of the real estate agent listing the property. False or misleading information in relation to real estate transactions are investigated by the Real Estate Council of Ontario on a complaint basis. There is no obligation to disclose information in relation to a property to any other party than those involved in the transaction.	
9	Inquired about the role of the Fire Marshal has for basement apartments.	The role of Fire and Emergency Services, as it relates to second units (accessory dwelling units or basement apartments), is to ensure the fire and life safety of all persons who occupy the home. Fire officials are concerned that as long as the location and existence of second units are not known to municipal officials, they are illegal, unregulated and in many cases unsafe from a fire safety standpoint. Fire and Emergency Services currently conduct fire safety inspections on <i>known</i> second units under the Ontario Fire Code ensuring compliance with the regulations and municipal by-laws.	

	Appendix 5 Comments from Planning and Development Committee		
#	Comment/Inquiry	Response	
		When second units are permitted, owners of the homes will be required to bring their buildings into compliance with fire safety regulations adopted under the Ontario Fire or Building Codes depending on the year of creation. Tenants in these buildings are entitled to live in a safe home and require that their landlords comply with fire regulations. Fire and Emergency Services will continue to ensure that fire regulations are adhered to for the safety of the residents and owners.	
10	Partnership opportunities with Peel Housing.	A number of partnership opportunities with the Region of Peel continue to be pursued as part of the Second Unit Implementation Strategy including:	
		Peel Renovates – Renovation funding for low income residents to assist in meeting Building and Fire Code requirements subject to a number of conditions being met.	
		• Rent subsidies — Rent subsidies could be used to support tenants living in legal second units.	
		Applicant referrals - Region staff could assist in referring prospective tenants to second units.	
		 Property management support — Support with educational materials to advise homeowners about good landlord business practices and to facilitate stable tenancies. 	
11	Information on licensing of multi- residential units.	Municipalities do not license multi-residential buildings due to the complexities of ensuring compliance with fire safety features in multiple unit buildings. This can result in substantial liability issues.	
12	Legal Opinion on second Units in condominium townhouses.	The Condominium Act sets up a structure with provisions restricting owners and affecting units which could include limiting the dwellings to a single residential unit. A provision where the condominium unit was only to be occupied and used as private, single-family residential dwellings and not to be leased without the corporation's prior approval has been upheld by the Courts.	

Appendix 5 Comments from Planning and Development Committee		
# Comment/Inquiry Response		
	Municipalities are <i>required</i> to permit second units in detached, semi-detached and townhouse units. For condominium townhouses, a proposed second unit would need to comply with applicable requirements of the condominium corporation in addition to the zoning and licensing requirements. A letter with permission of the condominium corporation will be required before a Building Permit/Licensing is issued.	

PLANNING & BUILDING
RECEIVED

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Division Action Into Seen

Commissions

Building

Policy Planning

Day, & Rooge

District School Board

5650 Hurontario Street Mississauga, ON, Canada L5R 1C6 t 905.890.1010 1.800.668.1146 f 905.890.6747 www.peelschools.org

January 8, 2013

Ms. Emily Irvine Policy Planning Division City of Mississauga 300 City Centre Drive Mississauga, ON L5B 3C1

Dear Ms. Irvine:

RE: Housing Choices: Second Units Implementation Strategy, November 13, 2012 City of Mississauga

Thank you for providing the Peel District School Board the opportunity to review the above noted report and strategy report.

Dus. Services

The Board is currently dealing with the need for school accommodation as students from existing and illegal second units already attend the Board's schools and are included in the Board's school enrolments and enrolment projections.

Based on the research findings presented in the report, the number of new units expected on a yearly basis is not that significant. In areas of the City where enrolment is declining and/or the Board has space the impact of second units will not be great. As well, there would be minimal impact on schools as it is anticipated that units would be spread throughout the City of Mississauga.

If you require any further information please contact me at 905-890-1010, ext. 2217.

Yours truly,

Paul Mountford, MCIP RPP Intermediate Planning Officer

Planning and Accommodation Dept.

c. S. Hare, Peel District School Board

J. Rogers, Dufferin-Peel Catholic District School Board

ISO 9001 CERTIFIED - CUSTODIAL SERVICES AND MAINTENANCE SERVICES



January 15, 2013

Emily Irvine
Policy Planning Division
City of Mississauga
300 City Centre Drive
Mississauga, ON L5B 3C1

Dear Emily Irvine:

RE:

Housing Choices: Second Units Implementation Strategy, November 13, 2012

City of Mississauga

Thank you the opportunity to review and comment on the Housing Choices: Second Units Implementation Strategy report.

In general, any students from existing second units within our jurisdiction are already being accommodated at our schools, with little impact on our infrastructure. In some neighbourhoods, we are still seeing declining enrolment, despite having additional second units within the community. It is possible that additional enrolment from second units could be slowing down this enrolment decline, but certainly, not adding enough school population to create an accommodation issue.

Each community is unique, and without knowing the actual number of second units in specific school catchment areas, it is difficult to determine the actual quantitative impact these units have on our schools. In areas of new growth, there is the potential to see an increase in our pupil yield with the legalization of second units. Of course, that would depend on the number of units proposed, the make-up of these units, and the demographic of the folks occupying such units.

If you require any further information please contact me at 905-890-0708, x. 24299.

Yours truly.

Joanne Rogers, MCIP, RPP Acting Senior Planner

- c. P. Mountford, Peel DSB
 - S. Hare, Peel DSB
 - S. Cox, Dufferin-Peel Catholic District School Board





DATE:

June 12, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Martin Powell, P.Eng.

Commissioner of Transportation and Works

SUBJECT:

Licensing of Second Units

RECOMMENDATION:

That Council enact a By-law to allow for the licensing and regulatory scheme for Second Units as outlined in the report to the Planning and Development Committee dated May 29, 2013 from the Commissioner of Transportation and Works, and titled "Licensing of Second Units".

REPORT HIGHLIGHTS:

- Proposes two classes of licensing for second units, those being owner occupied and investment dwellings.
- Outlines general licensing provisions to ensure second units meet all applicable health and safety legislation.
- Outlines licensing provisions specific to refusal to issue, suspend, revoke or impose conditions or terms on a licence.
- Outlines licensing provisions related to fees and inspections.
- Provides an Enforcement Action Plan.

BACKGROUND:

The report from the Commissioner, Planning and Building, dated June 4, 2013 and titled "Report on Comments Housing Choices: Second Units Implementation Strategy" which is also being considered by the Planning and Development Committee at its meeting on June 24,

2013, summarizes the outstanding issues related to legalizing second units. Further, it recommends that second units be regulated under a licensing scheme which provides for two classes of licences, one for owner occupied dwellings and one for investment dwellings with second units.

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This report will focus on outlining provisions which could be included in a Second Unit Licensing By-law providing for the issuance of two classes of licences to address concerns raised by Council, residents, City staff and other affected stakeholders.

COMMENTS:

Compliance and Licensing Enforcement staff suggest that a Second Unit Licensing By-law include the following provisions:

General Licensing Provisions

- Right of entry for Enforcement staff to inspect the premise based upon the application being received and during the term of the licence period to ensure compliance with the by-law.
- Proof of ownership of the premises.
- If the owner is a corporation, a copy of the Articles of Incorporation or if a registered partnership, a copy of the registered declaration of partnership and a copy of the business name registration.
- An owner must obtain a separate licence for each of the premises at which the owner carries on business.
- A floor plan of the second unit including dimensions and proposed use of each room and a site plan showing the location and dimensions of all parking spaces available on the property.
- A letter from the Fire Chief stating that an inspection has been conducted of the premises, within 30 days of the date of the application for the licence, and its compliance with all of the provisions of the *Fire Protection and Prevention Act*, S.O. 1990. For licence renewals, the letter and inspection would not be required.
- Comply with the applicable provisions of the *Ontario Building Code Act* and the Ontario Building Code.
- A general inspection report from the Electrical Safety Authority certifying that an inspection has been conducted on the location,

- within 30 days of the date of the application for the licence and that there are no visible fire or shock hazards. For licence renewals, the report and inspection would not be required.
- A requirement that a licencee shall take out and keep in full force and effect throughout the term or extended term of the license, general liability insurance for the property, including the secondary unit, against all claims for bodily injury or death, personal injury, and property damage in the amount of not less than \$2,000,000 (two million dollars) per occurrence. The City of Mississauga must be added to the general liability insurance as an additional insured and must be provide with written notice of any material change or cancellation of that insurance. Proof of Insurance must be provided to the City on the City of Mississauga Certificate of Insurance form located at www.mississauga.ca/certificateofinsurance.
- Ensure that no construction, renovation, alteration or addition is carried out on the licensed premise without first obtaining the necessary building permit as may be required.
- Notify the Licensing section of any changes of information related to the licence such as name or address changes.
- Prominently display the licence on the exterior of the licensed premise directly adjacent to the main entrance, or in such a location as approved by the Licence Manager.
- Ensure that the property owner/occupants comply with all City bylaws including the Property Standards By-law, Nuisance Weeds and Long Grass By-law, Nuisance Lighting By-law, Nuisance Noise and Noise Control By-laws and the Open Air Burning Bylaw; Zoning By-law and all other applicable law.
- Require non-owner occupied properties to conduct an inspection by the licencee every three months to ensure compliance with the by-law and any other applicable law and file an inspection report to the Licensing section including all remediation action to be taken, and a timeframe for gaining compliance where noncompliance is found.

Provisions related to Refusal to Issue, Renew, Suspend, Revoke or Impose Conditions or Terms on a Licence

The Licence Manager is authorized to impose conditions or terms on any licence at issuance, renewal or any time during the licence period. Further, the Licence Manager is authorized to refuse to issue, renew, suspend or revoke a licence for any of the following reasons:

- Providing false information on the licence application.
- Past or present conduct of the applicant or licencee affords reasonable grounds for belief that they will not carry on the activity for which they are to be licensed in accordance with any applicable law and with integrity and honesty.
- The applicant or licencee has failed to pay fines imposed by a court as a sentence arising from convictions for breach of a by-law enacted by the City.
- There are reasonable grounds to believe that the applicant or licencee does not meet all the requirements of the by-law.
- The applicant or licencee fails or refuses to comply with any requirement set out in the by-law to obtain or maintain or renew a licence issued under the by-law.
- The issuance of the licence or renewal of the licence would be contrary to public interest.

A decision by the Licence Manager to refuse or suspend a licence or to impose terms or conditions on a licence may be appealed by the applicant or licencee to the Mississauga Appeal Tribunal. In making its decision, the Mississauga Appeal Tribunal may uphold or vary the decision of the Licence Manager, or make any decision that the Licence Manager was entitled to make in the first instance.

Licence Fees and Inspection

Annual licence fees are proposed to commensurate with other City business licences and to offset costs related to administering and enforcing the by-law. Staff recommend initial fees of \$500 for second units within owner occupied dwellings and \$1,000 for investment dwellings with second units. The licence renewal fees would be \$250 for second units within owner occupied dwellings and \$500 for investment dwellings. In addition, enforcement staff believe the suggested licensing fees are appropriate and that substantially higher fees may result in fewer applicants applying for a licence.

An inspection by Enforcement staff would be required for all initial licence applications. For all subsequent licence renewals the applicants would be required to sign self-declarations that the second unit is in compliance with the by-law, other applicable City by-laws and all other applicable law. Further, Enforcement staff would conduct random audit inspections, on an annual basis, of a percentage of licensed second units.

Penalty Provisions

To encourage the licensing of second units, a minimum penalty provision will be incorporated into the by-law in accordance with the provisions of the *Ontario Municipal Act* which states a minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$100,000. Further, staff will also be recommending that a more significant penalty be implemented under the proposed Administrative Penalty System to assist in deterring non-compliance with the by-law.

Enforcement Action Plan

When Compliance and Licensing Enforcement staff investigate complaints pertaining to illegal second units they must adhere to the legislative requirements set out within the *Ontario Municipal Act* regarding entering a residential dwelling unit for the purposes of inspection. Under the *Ontario Municipal Act*, staff must obtain consent from the occupier after first having informed them that the right of entry may be refused and entry made only under the authority of a search warrant.

Once Council has approved an Enforcement Action Plan, staff from Communications and Strategic Housing Initiative and Business Services will be implementing a public communications plan. Following that, Enforcement staff recommend that the by-law be investigated and enforced in the same manner as other similar City by-laws as noted below.

Upon receipt of a complaint Enforcement staff will initiate the following action:

- First seek compliance with the by-law through education and awareness.
- Investigate the complaint by conducting an inspection of the premises, advising of the requirements of the by-law and providing a copy of it.
- Educate the contravenor of the applicable provisions of the by-law, if a contravention of the by-law is observed.
- Re-inspect the premises to determine if the by-law is being complied with. If the by-law is being complied with, the complaint file will be closed as rectified.
- If it is determined that the by-law is not being complied with, they will attempt to gather sufficient evidence to issue a charge for contravening the by-law.
- No further action will be taken if they are not able to gain access to the secondary unit or obtain sufficient evidence to issue a charge and will close the complaint file.

FINANCIAL IMPACT:

At this time, staff do not know the full extent of the number of licence applications that may be received. If the number of licence applications received is substantial, and staff are unable to process applications and/or investigate complaints, in a timely manner, staff will bring forward a report to Council identifying any increased resources that may be required to effectively administer and enforce the by-law.

CONCLUSION:

It is proposed that the by-law be enforced in accordance with the Enforcement Action Plan. Enforcement of the by-law will first be through education and awareness. Enforcement of the by-law may pose some challenges in obtaining sufficient evidence to pursue charges for contraventions of the by-law, particularly if access to inspect the interior of the dwelling is denied.

Enforcement staff are confident that the by-law can be enforced if sufficient evidence can be obtained. Further, Enforcement staff recommend that the by-law be enforced as outlined in the Enforcement Action Plan.

Martin Powell, P.Eng.

Commissioner, Transportation and Works

Prepared By: Douglas Meehan, Manager Compliance and Licensing Enforcement



Clerk's Files

Originator's

Files

OZ 03/038 W1 T-M06006 W1

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Official Plan Amendment, Rezoning and Draft Plan of

Subdivision Applications

To permit 118 townhouse units and 15 live/work units on a

common element condominium private road

565 Lakeshore Road East

North side of Lakeshore Road East, west of Cawthra Road

Owner: 2025214 Ontario Limited

Applicant: Glen Schnarr and Associates Inc.

Bill 20

Supplementary Report

Ward 1

RECOMMENDATION:

That the Report dated June 4, 2013, from the Commissioner of Planning and Building recommending approval of the applications under Files OZ 03/038 W1 and T-M06006 W1, 2025214 Ontario Limited, 565 Lakeshore Road East, north side of Lakeshore Road East, west of Cawthra Road, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any further notice regarding the proposed amendment is hereby waived.

T-M06006 W1 June 4, 2013

- 2. That the application to amend Mississauga Official Plan from "Business Employment Special Site 19" to "Residential Medium Density", "Mixed Use" and "Greenbelt" to permit 118 townhouse units and 15 live/work units on a common element condominium private road, be approved. Should the appeal to Mississauga Official Plan not be resolved, that an amendment to Mississauga Plan (2003), be approved.
- 3. That the application to change the Zoning from "E2" (Employment) to "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road), "C4-Exception" (Mainstreet Commercial), "B" (Buffer) and "G1" (Greenbelt Natural Hazards) to permit 118 townhouse units and 15 live/work units on a common element condominium private road in accordance with the proposed revised zoning standards described in Appendix S-6 of this report, be approved subject to the following conditions:
 - (a) That the draft plan of subdivision be approved;
 - (b) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development; and
 - (c) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards not apply to the subject lands.
- 4. That the Plan of Subdivision under File T-M06006 W1, be recommended for approval subject to the conditions contained in Appendix S-5, attached to the report dated June 4, 2013, from the Commissioner of Planning and Building.

June 4, 2013

5. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 36 months of the Council decision.

REPORT HIGHLIGHTS:

- The proposed conversion of the subject "Business Employment" designated lands is not in conflict with the City's employment policies and objectives;
- There were no significant concerns raised in connection with the proposed development; and
- The applications are acceptable from a planning standpoint and should be approved.

BACKGROUND:

A Public Meeting was originally held by the Planning and Development Committee on March 21, 2005. At the time, the proposal was to permit 131 townhouse units and 12 mixed use residential/commercial units under standard condominium tenure. Subsequent to this meeting, the proposal was revised to 118 townhouse units and 15 live/work units on a common element condominium private road, including the submission of a draft plan of subdivision. A second Public Meeting was held on September 20, 2011, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0048-2011 which was subsequently adopted by Council and is attached as Appendix S-2.

In addition to the Public Meetings, community meetings were held on June 22, 2004 and September 7, 2011. No significant concerns were expressed by the public at the September 7, 2011 meeting which presented the most current proposal.

COMMENTS:

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

Files: OZ 03/038 W1 T-M06006 W1

June 4, 2013

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

School Accommodation

Comments updated April 25, 2013 state that the Dufferin-Peel Catholic District School Board are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for these development applications. Comments updated April 26, 2013, state that the Peel District School Board continue to be satisfied with the current provisions of educational facilities for the catchment area.

Region of Peel

Comments updated May 24, 2013 state that in reviewing of the subject applications, Regional staff previously advised that, although water supply was available, wastewater pumping was operating near capacity in this area of Mississauga. For that reason, it was recommended that approval be withheld until the proposed Beechwood Sewage Pumping Station became operational. In November 2012, the Region secured a pumping station site and the planning approvals required for the station. Taking ownership of the site and securing the planning approvals for the proposed station allowed the Region to begin supporting development applications in this area. Provision must be made in the Development and/or Servicing agreement that the proponent must submit to the Region of Peel for approval, a revised Functional Servicing Report showing proposed water servicing plans for the development.

City Community Services Department – Parks and Forestry Division/Park Planning Section

Comments updated May 23, 2013 state that in the event these applications are approved, the following will be required:

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with Credit Valley Conservation;

Files: OZ 03/038 W1 T-M06006 W1

June 4, 2013

• Submit a Greenbelt Restoration Plan prior to Draft Plan Approval/By-law Approval. Prior to preparation of the Plan, the applicant shall provide a Terms of Reference to Community Services for review and approval in conjunction

- Provide a streetscape maintenance agreement, incorporated into the Development and Servicing Agreements to outline streetscape maintenance measures to be undertaken by the developer and inherited by the condominium corporation;
- Provide an access easement over the property to access greenbelt lands for maintenance purposes. The most recent Site and Grading Plan illustrates a gate to be located in the north western section of the Greenbelt fencing. This gate is to be removed and relocated in a location that meets the requirements for a safe and unconstrained access for municipal maintenance of the greenbelt lands.

City Transportation and Works Department (T&W)

Comments updated May 29, 2013 state that T&W confirmed the completion of the review of the technical details provided by the applicant's consulting team, including a conceptual site plan, site grading and servicing plans, acoustic mitigation requirements, environmental site assessments and external servicing requirements. Based on the review of the foregoing, the applicant has confirmed that the site is appropriate for the development of 133 common element condominium units, including the live/work units fronting onto Lakeshore Road East.

A Traffic Study, along with corresponding updates, provided by Read, Voorhees and Associates, has confirmed that the existing road network can accommodate the traffic anticipated to be generated by the proposed development, subject to proposed improvements. Flood free access to this site is now available from Lakeshore Road East, as noted in the Information Report.

Proposed improvements include a mutual access (i.e. access to this

site combined with the access to the adjacent commercial plaza to the east at 579-613 Lakeshore Road East) to be realigned as a signalized intersection with Lakeshore Road East and Hampton Crescent to the south. The owner of the commercial plaza has confirmed support of these arrangements. It is expected that these works will improve traffic operations on Lakeshore Road East and Hampton Crescent.

The applicant also proposes to realign the existing private storm sewer which currently traverses the site and outlets to Cooksville Creek. This storm sewer also serves a number of upstream properties which currently benefit from easements over the existing outlet to the creek.

In the event these applications are approved by Council, the applicant will be required to address the following matters to the satisfaction of T&W prior to registration of the plan:

- Enter into a Servicing Agreement for Municipal Works Only with the City for construction of the municipal works required to service the development, including the site access/Lakeshore Road East/ Hampton Crescent intersection realignment, construction of the storm outlet sewer, completion of the railway acoustic/crash barrier, Lakeshore Road East boulevard works/streetscape and landscaping of the greenbelt/acoustic buffer blocks;
- Convey gratuitously any lands or easements as required by the City (i.e. the Lakeshore Road East widening, the required maintenance access and the acoustic/greenbelt buffers);
- Provide the results of the confirmatory well monitoring program for the lands immediately east of Cooksville Creek and north of Lakeshore Road East, and a Record of Site Condition;
- Create the necessary mutual access agreement and private easement with the adjacent landowner to the east to

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Files: OZ 03/038 W1 T-M06006 W1 June 4, 2013

accommodate the proposed servicing modifications and joint access to Lakeshore Road East; and

• Amend the existing private storm sewer easement documentation to match the new sewer location and ensure that all current upstream beneficiaries of the easement are included; and indemnify the City with respect to these arrangements.

PLANNING COMMENTS

Official Plan

Mississauga Official Plan was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 29, 2011. The Plan was appealed in its entirety; however, on November 14, 2012 the Ontario Municipal Board (OMB) issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals. As the "Mixed Use" policies are currently under appeal, a "Mainstreet Commercial" designation under Mississauga Plan (2003) may be required. When the appeal is resolved, the OMB will be requested to incorporate the amendment into Mississauga Official Plan. While the applications were submitted under the policies of Mississauga Plan, the applicant has consented to the application being converted to amend Mississauga Official Plan.

The subject site is located within the Lakeview Local Area Plan and is within the Lakeshore Road Corridor. The site is designated "Business Employment – Special Site 19" which permits an integrated mix of business activities that operate mainly within enclosed buildings. The Special Site 19 policies indicate that ingress and egress for all new development will be such that emergency and pedestrian movement is not prevented during times of flooding.

The proposal requires an amendment to Mississauga Official Plan to change the designation of the property from "Business Employment – Special Site 19" to "Mixed Use", "Residential Medium Density", and "Greenbelt".

June 4, 2013

Section 19.5.1 of Mississauga Official Plan provides criteria for evaluating site specific Official Plan Amendments. Each criterion is summarized below along with a discussion of how the proposed applications address the intent of the criteria.

Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?

Mississauga Official Plan policies stipulate that lands designated "Business Employment" are prohibited from being converted to non-employment uses when located within Corporate Centres and Employment Areas unless where considered through a Phase 1, and potentially a Phase 2 municipal comprehensive review. The subject property is located within the Lakeview Neighbourhood Character Area and as such is not considered to be subject to this requirement, however, policies apply which encourage a range of employment opportunities and require the identification and protection of lands for a diversity of employment uses to meet current and future needs.

A 2008 Employment Lands Review Study undertaken by Hemson Consulting Ltd. as part of the Mississauga Plan Review identified the subject lands as being an area of "Managed Change Outside Existing Employment Area". Accordingly, it was indicated that these lands could make more efficient use of the urban land supply and help to achieve related City and Provincial planning goals, such as intensification, and may be suitable for a broader mix of uses because of their limited feasibility and competitiveness as industrial lands.

Given that the subject site, in conjunction with the property on the west side of Cooksville Creek, form an isolated pocket of employment lands within the Lakeview Neighbourhood Character Area, it is not expected that the conversion of the lands for mainly residential purposes would have any impact on any other lands of the same designation or the neighbouring lands.

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Files: OZ 03/038 W1 T-M06006 W1

June 4, 2013

The proposed live/work units along Lakeshore Road East will enhance the mainstreet character and will be in keeping with the Lakeshore Road Design Concept which encourages a more pedestrian environment along the street. The introduction of live/work units will also be in keeping with the Corridor policies outlined in the Plan.

Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?

Given the context of the site, the proposal does not generate unfavourable impacts on any surrounding properties within the Lakeview Neighbourhood Character Area. The portion of the western side of the subject site, which has been deemed to be hazard lands, is to be designate "Greenbelt" and dedicated to the City to form part of the Cooksville Creek natural area. At the north end of the site, a portion of land will be used as a berm for buffering against the impacts from the Canadian National railway line. Additionally, the layout of the plan provides for adequate setbacks to the residential units and orients amenity areas away from the tracks. Additionally, agreements have been made with the commercial plaza to the west to construct a shared driveway which would provide access to both properties.

To the west of Cooksville Creek, applications have been submitted to convert the "Business Employment" designated lands to allow for retail commercial and office uses along the Lakeshore Road East frontage and apartments and townhouses to the rear of the site. These applications are currently under review and have also been appealed to the Ontario Municipal Board.

Credit Valley Conservation has confirmed that the reconstruction of the Cooksville Creek culvert has resulted in updated flood lines which achieve flood free access at the proposed signalized intersection thereby satisfying the requirements of Special Site 19 policies within the Lakeview Local Area Plan.

Files: OZ 03/038 W1 T-M06006 W1 June 4, 2013

Planning and Development Committee

- 10 -

Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?

Based on the comments received from the applicable City departments and agencies, the existing infrastructure along with the proposed upgrades will be adequate to support the proposed development.

Has a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?

Staff has reviewed the applicant's Planning Justification Report, which spoke to various relevant policies and merits of the proposal, including reference to the policies contained within Mississauga Plan which were applicable at the time of original submission. The report was also reviewed against the policies contained in Mississauga Official Plan and was found to be acceptable.

Zoning

The proposed "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road), "C4-Exception" (Mainstreet Commercial), "G1" (Greenbelt-Natural Hazards) and "B" (Buffer) zones are appropriate to accommodate the proposed uses. Appendix S-6 contains the proposed revised site specific general provisions for the proposed development. The proposed provisions will be compatible with the surrounding lands for the reasons noted in the Official Plan section of this Report.

Bonus Zoning

As set out in Recommendation PDC-0048-2011 passed by the Planning and Development Committee on September 20, 2011, (see Appendix S-2), staff was directed to evaluate the appropriateness of securing public benefits under the provisions of

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Files: OZ 03/038 W1 T-M06006 W1 June 4, 2013

Section 37 of the *Planning Act*, and make appropriate recommendations within the Supplementary Report.

Subsequent to the Public Meeting on September 20, 2011, Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning on September 26, 2012. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted development are deemed good planning by Council through the approval of a development application.

Staff has reviewed the appropriateness of securing public benefits under the provisions of Section 37 of the *Planning Act* based on the above Corporate Policy and Procedure and circumstances related to these applications. It has been concluded that for the reasons set out below and in this instance, a Section 37 contribution is not appropriate:

- the proposed development does not meet the minimum threshold size requirement for additional height or density set out in the Corporate Policy and Procedure;
- the Department's practice is to inform an applicant of the
 possible requirement for a community benefit contribution at
 the preliminary stages of an application. This is done for
 reasons of transparency and fairness to the applicant. This did
 not occur in this instance as the subject applications were
 submitted in 2003 and 2006, well in advance of Council's
 adoption of the City's Corporate Policy and Procedure on
 Bonus Zoning.

Site Plan

Prior to development occurring on the lands, the applicant will be required to obtain Site Plan approval in accordance with Section 41 of the *Planning Act*. While the applicant has submitted a Site Plan under file SP 04/444 W1 and has worked with City departments to address many site plan related issues, further revisions will be

June 4, 2013

needed to address matters related to architectural elements and landscaping.

Draft Plan of Subdivision

The proposed plan of subdivision was reviewed by City Departments and agencies and is acceptable subject to certain conditions.

Since the lands are the subject of a Draft Plan of Subdivision under File T-M06006 W1, development will be subject to the completion of services and registration of the plan.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

In accordance with subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council is given authority to determine if further public notice is required. Since the proposed revisions relate to minor modifications to the site specific zoning provisions which result in no substantial changes to the proposed development, it is recommended that no further public notice be required regarding the proposed changes.

The proposed Official Plan Amendment, Rezoning and Draft Plan of Subdivision are acceptable from a planning standpoint and should be approved for the following reasons:

- 1. The conversion of the subject "Business Employment" designated lands is consistent with the City's employment policies.
- The proposal to permit townhouse units and live/work units on a common element condominium private road is compatible with the surrounding land uses, for reasons as outlined in the report.

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3. The proposed Official Plan provisions and zoning standards, as identified in the report, are appropriate to accommodate the requested uses for the lands.

ATTACHMENTS:

Appendix S-1: Information Report

Appendix S-2: Recommendation PDC-0048-2011

Appendix S-3: Existing Mississauga Official Plan and Lakeview

Local Area Plan Land Use Designation Map

Appendix S-4: Revised Except of Existing Land Use Map

Appendix S-5: Conditions of Draft Plan Approval

Appendix S-6: Proposed Zoning Standards

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: David Breveglieri, Development Planner

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Clerk's Files

Originator's

Files OZ 03/038 W1 T-M06006 W1

PDC SEP 20 2011

DATE:

August 30, 2011

TO:

Chair and Members of Planning and Development Committee

Meeting Date: September 20, 2011

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Information Report

Official Plan Amendment, Rezoning and Draft Plan of

Subdivision Applications

To permit 118 townhouse units and 15 live/work units on a

common element condominium private road

565 Lakeshore Road East

North side of Lakeshore Road East, west of Cawthra Road

Owner: 2025214 Ontario Limited

Applicant: Glen Schnarr and Associates Inc.

Bill 20

Public Meeting

Ward 1

RECOMMENDATION:

That the Report dated August 30, 2011, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Business Employment" to "Residential - Medium Density I", "Mainstreet Commercial" and "Greenbelt" and to change the Zoning from "E2" (Employment) to "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road), "C4-Exception" (Mainstreet Commercial), "B" (Buffer) and "G1" (Greenbelt - Natural Hazards) to permit 118 townhouse units and 15 live/work units on a common element condominium private road, under files OZ 03/038 W1 and T-M06006 W1, 2025214 Ontario Limited, 565 Lakeshore Road East, north side of Lakeshore Road East, west of Cawthra Road, be received for information.

T-M06006 W1 August 30, 2011

Planning and Development Committee

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BACKGROUND:

Applications for Official Plan Amendment and Rezoning were submitted in November of 2003, proposing 131 townhouse units and 15 live/work townhouse units with a standard condominium tenure. A statutory public meeting was held March 21, 2005, in fulfillment of *Planning Act* requirements for these applications. The proposed development was subsequently modified to propose 118 townhouse and 15 live/work townhouse dwellings with a common element condominium tenure.

The change in proposed tenure necessitated the submission of an application for draft plan of subdivision, for which the statutory public meeting requirements have not yet been fulfilled. The above-noted applications have been circulated for technical comments and a community meeting has been held.

The purpose of this report is to provide preliminary information on the applications, to seek comments from the community and fulfill the statutory public meeting requirements for the application for draft plan of subdivision.

COMMENTS:

Details of the proposal are as follows:

Development Proposal	
Applications	OZ 03/038 W1:
submitted:	November 24, 2003
	Revised: November 5, 2004
	T-M06006 W1:
	November 17, 2006
	Revised:
	July 6, 2009;
	March 17, 2010
	February 9, 2011
	July 27, 2011
Height:	3 and 4 storeys
Lot Coverage:	19%
Landscaped	40%
Area:	·
Net Density:	38 units/ha (Only lands designated

T-M06006 W1 August 30, 2011

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Development Proposal Residential Medium Density I) (15 3 units/acre) Gross Floor 23 844.31 m² (256,658.02 sq. ft.) Area: Number of 118 townhouse units units: 15 live/work units 133 total units 399* Anticipated Population: *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2008 Growth Forecasts for the City of Mississauga. Parking Resident: 266 spaces Required: Visitor: 33 spaces Non-residential: 40 spaces (@ 4 spaces/ 100 m^2) Total: 339 spaces Resident: 266 spaces Parking Provided: Visitor: 33 spaces Non-residential: 37 spaces Total: 336 spaces -Planning Justification Report Supporting -Phase 1 and Phase 2 Environmental Site Documents: Assessments -Environmental Noise Assessment -Railway Vibration Analysis -Traffic Impact Study -Functional Servicing -Acoustical Feasibility -Geotechnical Investigation and Archaeological -Updated Environmental Site

Assessment

-Updated Traffic Impact Study

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Site Characteristics	
Frontage:	109.24 m (358.4 ft.)
Depth:	346.85 m (1,138 ft.)
Gross Lot Area:	5.19 ha (12.8 ac.)
Net Lot Area:	3.04 ha (7.51 ac.)
Existing Use:	Vacant; previously used for industrial
	purposes

Additional information is provided in Appendices I-1 to I-11.

Neighbourhood Context

The subject property is located in the Lakeview District which is predominantly a stable established residential area. The frontage portions of the lands lie within a linear commercial area along Lakeshore Road East, whereas the rear portion of the lands lie within a residential area comprised of high rise apartments to the east and semi-detached dwellings north of the CN railway line. The site is generally flat tableland sloping from northeast to southwest. The westerly extent of the lands form the edge of Cooksville Creek valley. The front portion of the site is heavily disturbed by construction and staging activities associated with the Lakeshore Road East culvert reconstruction and Region of Peel waste water infrastructure works. Sporadic vegetation of varying condition and maturity exists predominately south of the rail line and east of the creek valley. The lands are presently vacant. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: Detached and semi-detached dwellings beyond the CNR

Mainline

East: A retail commercial plaza and high rise apartment

buildings

South: Commercial establishments beyond Lakeshore Road East

West: Multiple tenant industrial building beyond Cooksville

Creek

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Current Mississauga Plan Designation and Policies for Lakeview District (May 5, 2003)

"Business Employment" which permits an integrated mix of business activities that operate mainly within enclosed buildings. Business Employment activities along City boundaries, major roads, and adjacent to park, greenbelt or residential lands; will, through design, siting and landscaping, present a higher standard of building, landscape and streetscape design. Outdoor storage areas will be located to limit their visibility from City boundaries, major roads, and park, greenbelt and residential lands.

The subject lands are part of Special Site 21 in the Lakeview District Policies of Mississauga Plan. These policies indicate that ingress/egress for all new development will be such that emergency and pedestrian movement is not prevented during times of flooding.

The applications are not in conformity with the land use designation.

There are other policies in the Official Plan which also are applicable in the review of these applications including:

Urban Design Policies

The Lakeview District Policies indicate that the scale and character of all building and landscape designs will take into consideration the guidelines established in the Lakeshore Road Design Concept.

The general intent and purpose of the Lakeshore Road Design Concept is to reduce the automobile oriented character of the street and to develop a built form which creates an attractive pedestrian environment along the street.

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Residential Policies

Section 3.2.3 of Mississauga Plan indicates that residential design will be promoted in a form which reinforces and enhances the local community character, respects its immediate context, and creates a quality living environment. Innovative housing types and zoning standards will be encouraged.

Intensification Policies

Section 3.15.5 of Mississauga Plan indicates that residential intensification outside intensification areas will generally occur through infilling and may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan.

Criteria for Site Specific Official Plan Amendments

Section 5.3.2 of Mississauga Plan contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

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Conversion of Employment Lands

The Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe (Growth Plan) and the *Planning Act* encourage the retention of employment lands and require a comprehensive municipal review where employment lands are proposed to be converted to non-employment uses. Further, the *Planning Act* identifies the adequate provision of employment opportunities as a matter of Provincial interest.

In June 2008, an Employment Land Review Study was undertaken by Hemson Consulting Ltd. as part of the Mississauga Plan Review to ensure conformity with the Provincial initiatives and fulfill the *Planning Act* requirements. This study identified these lands as being part of an area of "Managed Change Outside Existing Employment Areas" and are defined as scattered vacant sites outside of designated Employment Districts. They include vacant sites that are "remnant" or otherwise may be constrained and unlikely to develop as employment land, and that may be suitable for other uses.

New Mississauga Official Plan

Mississauga Official Plan was adopted by City Council on September 29, 2010. Until the new Mississauga Official Plan is approved by the Region of Peel and comes into force, Mississauga Plan continues to be in effect. While the existing Official Plan is the plan of record against which the applications are being reviewed, regard should also be given to the new Mississauga Official Plan. Under the new Mississauga Official Plan, the subject lands are designated "Business Employment" and are part of Special Site 19 in the Lakeview Local Area Plan. These policies are consistent with those contained in Special Site 21 of the current Lakeview District Policies of Mississauga Plan. The proposed "Residential - Medium Density I", "Mixed Use" and "Greenbelt" designations do not conform with the land use designation contained in the new Mississauga Official Plan and associated policies. A district policy review for the Lakeview District is currently under way. Policy recommendations resulting from the review will be incorporated into the new Lakeview Local Area Plan which will form part of the new Mississauga Official Plan.

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The timing of the approval of the proposed site specific official plan amendment may be affected by the approval of the new Mississauga Official Plan and any potential appeals. A recommendation will be included in the Supplementary Report to address the status of the new Mississauga Official Plan.

Proposed Official Plan Designation and Policies

"Residential - Medium Density I" which permits detached, semidetached, duplex, townhouse dwellings and all forms of multiple dwellings within a net density range of 30 - 57 units per net residential hectare (12 to 23 units per net residential acre).

"Mainstreet Commercial" which permits establishments for the sale of goods and services, recreation, entertainment and accommodation to the general public. Residential, community and office uses will also be permitted. Compatible development is encouraged which recognizes the scale and enhances the character of Mainstreet Commercial areas.

"Greenbelt" which would identify lands reserved principally for floor and erosion management and conservation purposes; other uses which complement the principle conservation functions will be considered on their merit.

Existing Zoning

"E2" (Employment), which permits a range of industrial and manufacturing operations including accessory retail and office uses.

Proposed Zoning By-law Amendment

"RM6-Exception" (Townhouse Dwellings on a CEC-Private Road), to permit 118 townhouse dwellings. Exception provisions to accommodate specific development standards are outlined in Appendix I-10.

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"C4-Exception" (Mainstreet Commercial) to permit 15 live/work townhouse dwelling units. Exception provisions to accommodate specific development standards are outlined in Appendix I-10.

"G1" (Greenbelt - Natural Hazards) to permit flood control, stormwater management, erosion management and natural heritage features and natural areas conservation.

"B" (Buffer) to permit a noise, vibration and crash attenuation berm adjacent to the CN Rail line.

COMMUNITY ISSUES

A community meeting was held by the former Ward 1 Councillor on June 22, 2004. The meeting dealt with a previous version of the proposed development which was based upon a standard condominium tenure and predated the submission of the application for draft plan of subdivision. No concerns were identified during the community meeting.

An additional community meeting has been scheduled for September 7, 2011. A summary of any issues raised at this meeting will be outlined, as necessary, in an Addendum Report.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-8 and school accommodation information is contained in Appendix I-9. Based on the comments received and the applicable Mississauga Plan policies the following matters will have to be addressed:

- the identification of any sustainable green technology to be used in the proposed development;
- satisfactory arrangements to accommodate water system upgrades to service the proposed development;
- technical matters outlined within individual departmental and agency comments attached in Appendix I-8.

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In addition to the above noted issues, the proposed "C4 – Exception" (Mainstreet Commercial) zoning proposes a range and breadth of permitted uses which generate parking at a rate in excess of the 4.0 spaces per 100 m² GFA used to calculate and provide non-residential parking spaces on-site. The applications shall be modified to either accommodate parking for the full breadth of uses identified within the proposed "C4-Exception" zoning or scope the list of non-residential uses to conform with the quantity of parking proposed on site.

The Region Peel advises that presently there is not sufficient sanitary sewer capacity in this catchment area to service the proposed development. The Region has requested that the proposed zoning by-law amendment be modified to include an "H" Holding Provision on lands to be zoned "RM6-Exception" and "C4-Exception".

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to site servicing, warning clauses, restoration of Natural Hazard lands and vehicular access, which will require the applicant to enter into the appropriate agreements with the City, the details of which will be dealt with during the processing of the plan of subdivision.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

Most agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

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ATTACHMENTS:

Appendix I-1: Site History

Appendix I-2: Aerial Photograph

Appendix I-3: Excerpt of Lakeview District Land Use Map

Appendix I-4: Excerpt of Existing Land Use Map

Appendix I-5: Draft Plan of Subdivision

Appendix I-6: Concept Plan

Appendix I-7: Elevations

Appendix I-8: Agency Comments

Appendix I-9: School Accommodation

Appendix I-10: Proposed Zoning Standards

Appendix I-11: General Context Map

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: John Hardcastle, Development Planner

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Appendix I-1

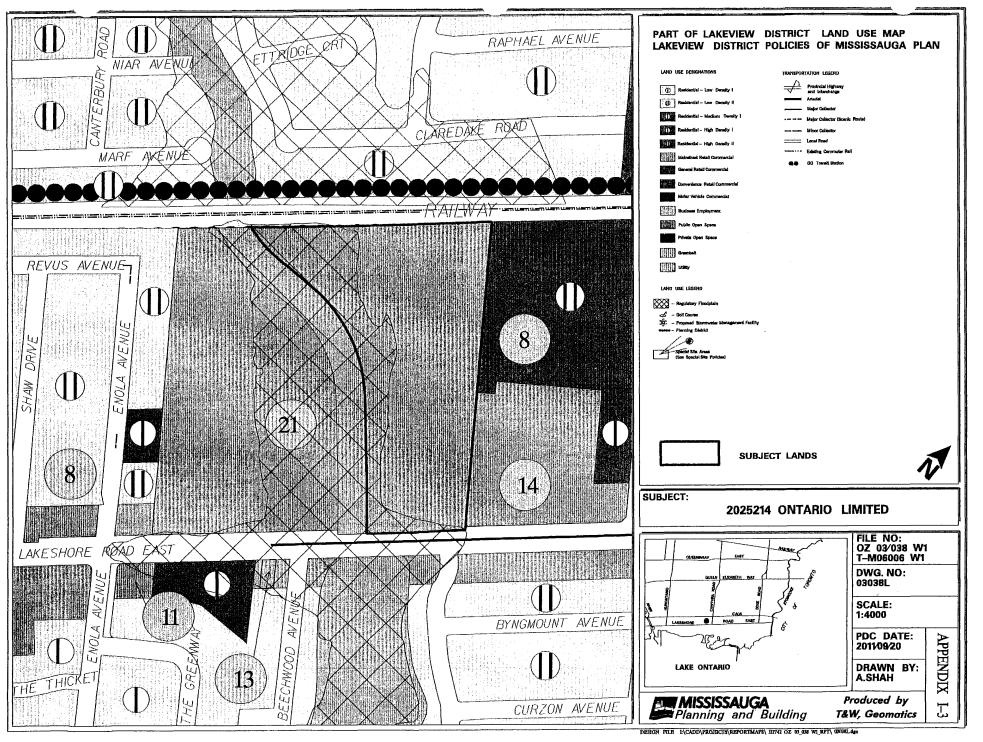
2025214 Ontario Limited

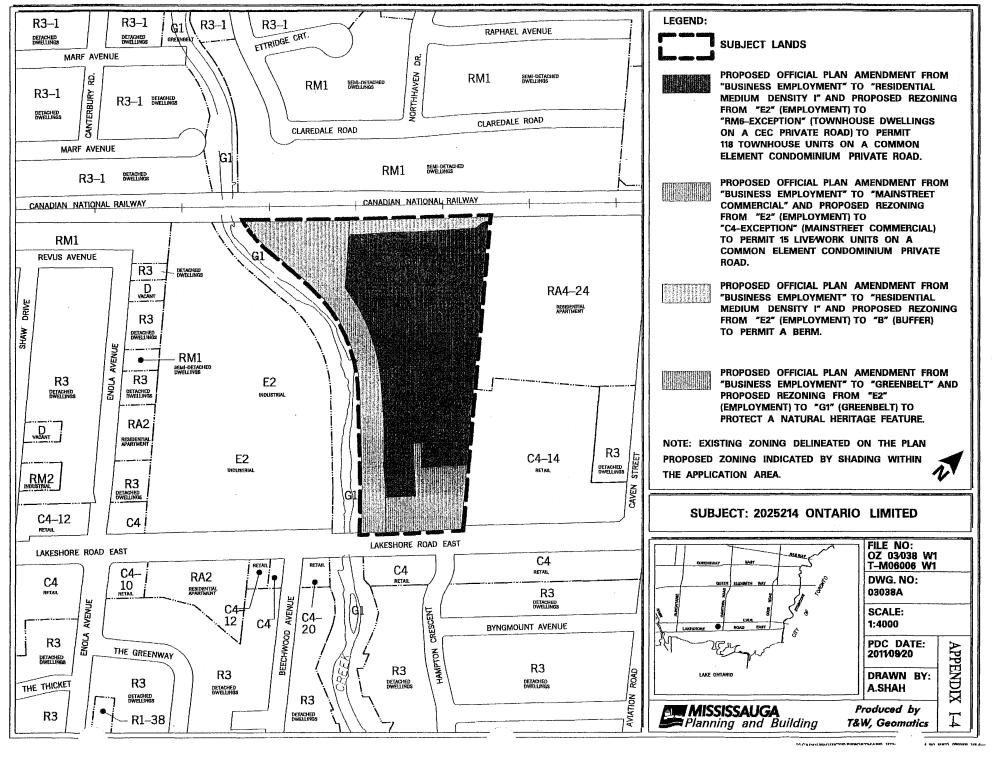
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Site History

- January 8, 1999 Region of Peel approved the Lakeview District Policies of City Plan, which designated the subject lands "Business Employment".
- May 5, 2003 Region of Peel approved the Lakeview District Policies of Mississauga Plan, which designated the subject lands "Business Employment".
- October 23, 2003 Official Plan Amendment and Rezoning applications submitted to the Department to permit 131 townhouse and 15 live/work townhouse dwelling units.
- May 26, 2004 Official Plan Amendment (OPA) #2 was approved by Council implementing the findings and recommendations of the April 2003 Special Policy Area Study for the Cooksville Creek Floodplain, prepared by Philips Engineering. OPA #2 resulted in the creation of Special Site 21 in the Lakeview District Policies of Mississauga Plan.
- June 22, 2004 OPA #2 was appealed to the Ontario Municipal Board.
- December 10, 2004 Site plan application submitted by the applicant for the proposed development under file SP 04/444 W1.
- March 4, 2005 Ontario Municipal Board (OMB) hearing date rescheduled regarding the outstanding appeal of OPA #2.
- March 10, 2005 OPA #2 (Special Site 21) approved by the OMB as modified.
- November 17, 2006 Draft plan of subdivision submitted to the Planning and Building Department to permit 118 townhouse and 15 live/work townhouse dwelling units on a common element condominium private road.
- June 20, 2007 Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "E2" (Employment).
- Summer 2009 Floodline mapping revised by CVC to reflect the reconstruction and
 upsizing of the Cooksville Creek culverts at Lakeshore Road East. Based upon revised
 mapping, the proposed development can achieve flood free access at the proposed
 signalized intersection.

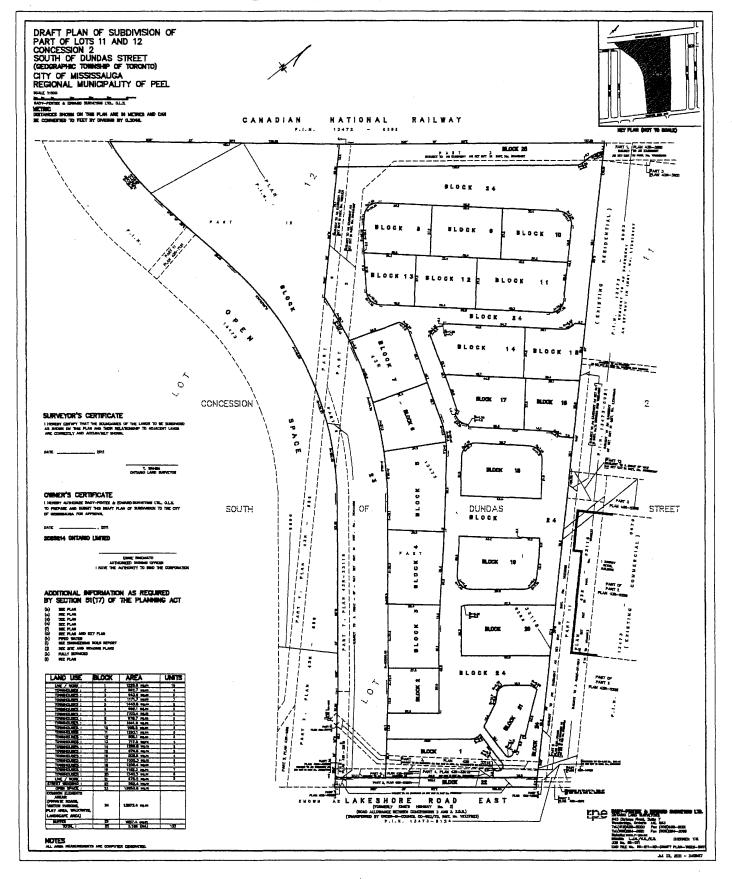


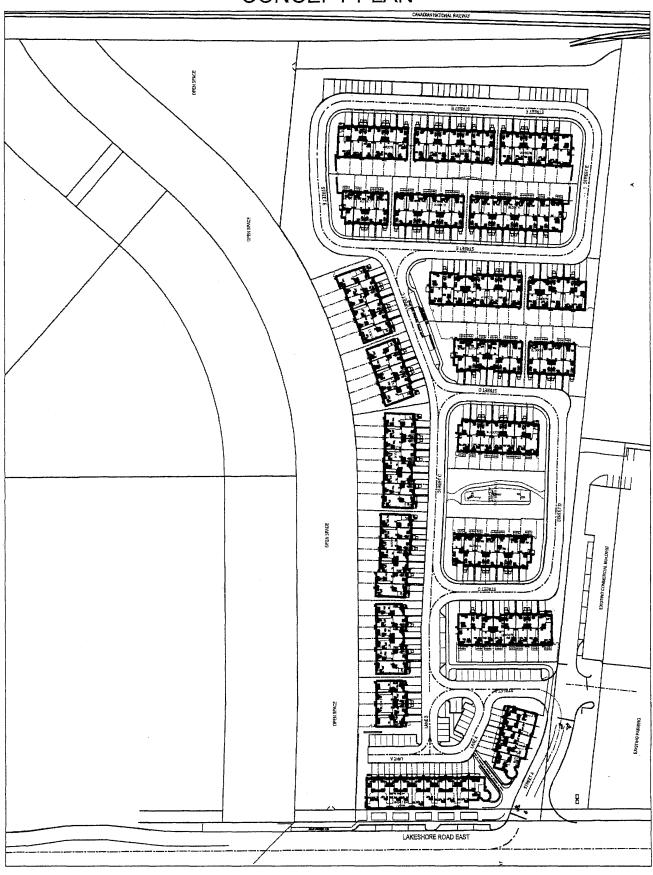




APPENDIX I-5

DRAFT PLAN OF SUBDIVISION





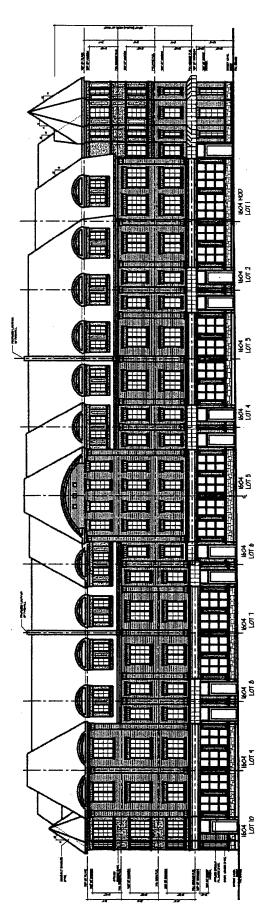
Hunt Design Associates Inc.

COUNTRY HOMES - 20633 LAKESHORE VILLAGE MISSISSAUGA ONTARIO

SITE PLAN

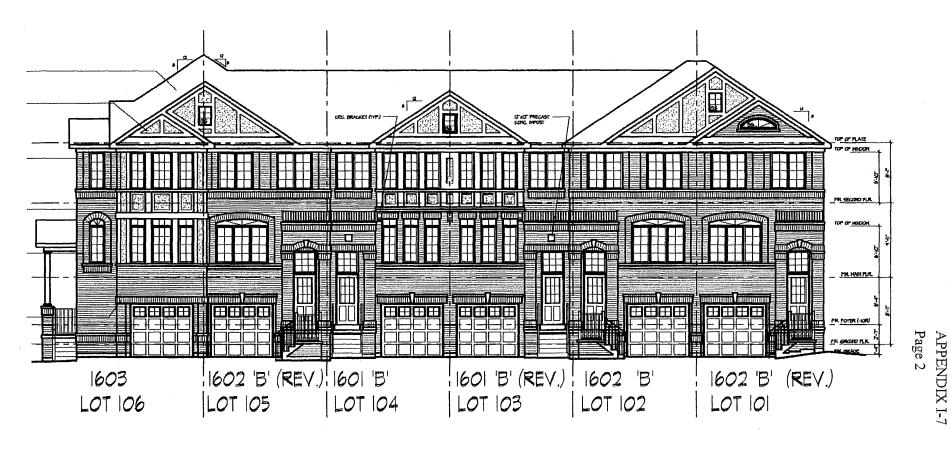
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Page 1



PROPOSED ELEVATIONS

PROPOSED ELEVATIONS



Appendix I-8 Page 1

2025214 Ontario Limited

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Agency Comments

The following is a summary of comments from agencies and departments regarding the applications.

Agency / Comment Date	Comment
Region of Peel (June 15, 2011)	There is no additional capacity within the Port Credit/ Lakeview communities sanitary sewer system until a new Beachwood Pumping Station has been constructed. Therefore, the Region of Peel, Public Works Department, will not support the applicant's proposal for this development until such time as the required upgrades to Port Credit/Lakeview Sanitary Sewer System are completed. The use of an "H" Holding Provision could be utilized to permit the continued processing of these applications in advance of the completion of the Beechwood Pumping Station.
	Existing municipal sanitary sewer facilities consist of a 250 mm (10 in.) sewer on Lakeshore Road East and on an easement within the proposed development.
	The lands are located in Water Pressure Zone 1. Existing municipal water facilities consist of both a 300 mm (12 in.) and a 600 mm (24 in.) diameter watermain on Lakeshore Road East. The water distribution system must be looped in order to provide system security.
	The proponent must submit a revised Functional Servicing Report to the Region for approval showing proposed water servicing plans for the development.
	The developer will be required to enter into a Development and/or Servicing Agreement with the City and Region for the construction of municipal sewer and water associated with the lands. These services will be in accordance with the latest Region standards and requirements.
	Provision shall be made in the Development and / or Servicing Agreement to accommodate or provide the following:
·	payment of the Region's costs for updating its electronic "as constructed" information for the infrastructure installed by the Developer;

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Agency / Comment Date	Comment
	 maintaining adequate chlorine residuals in the watermains within the subdivision, from the time the watermains are connected to the municipal system until such time as the Region issues final acceptance; submission of a revised Functional Servicing Report showing the proposed water servicing and sanitary sewer plans for the development; Restriction on transfer or charge shall be registered on title prohibiting any transfer or charge of lots and blocks without the consent of the Region until all Regional external works to service this development have been completed to the Region's satisfaction; Prior to the Region granting clearance of the draft plan conditions of this subdivision, the following must be forwarded to the Region's Legal Services Division: a) a copy of the final M-plan; b) a copy of the final 43R-plans; and c) easement and conveyance documents required per the Development and /or Servicing Agreement; Developer shall inspect, evaluate and monitor all wells within the zone of influence prior to, during and after the construction has been completed.
	The applicant/owner shall grant/obtain (at no cost to the Region) all necessary easements for Regional infrastructures, as may be required by the Region to service the proposed development and/or external lands.
	Regional staff have reviewed the Environmental Site Assessment Reports and offer the following comments:
	 The Beaverbook Homes (Lakeshore Village) Project Inc., "Lakeshore Village" Environmental Analysis Report, prepared by Dillon Consulting Limited, dated October 2003, has been reviewed by Regional staff and find the report satisfactory, however, the report could have gone further toward characterizing and planning for natural regeneration along Cooksville Creek. Regional staff also notes that Photos 3 and 4 are missing from the report. The Review of Phase II Environmental Site Assessment, by AMEC Earth & Environmental Ltd., dated May 21, 2003 has been reviewed. AMEC's lab analysis determined that the levels of arsenic exceeded Provincial criteria for

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Agency / Comment Date	Comment
	 arsenic and acetone on site. AMEC also report that asbestos has been found in a stockpile in the southwest portion of the site. Confirmation of the AMEC findings and a clean up plan for asbestos, arsenic and acetone are needed. The Test Pitting Results, (Addendum to Phase II ESAR Report dated May 2003), prepared by AMEC Earth & Environmental Ltd. has been reviewed by Regional staff and are satisfied with the methodology and findings. No further investigation of acetone is warranted. Addendum reports have been submitted to address the findings in the Review of Phase II Environmental Site Assessment, by AMEC Earth & Environmental Ltd, dated May 21, 2003. A report or an addendum to the original report is required to address the outstanding concern of arsenic on site.
Dufferin-Peel Catholic District School Board (August 4, 2011)	The School Board indicated that there is no available capacity to accommodate students generated by these applications. Accordingly, the Board has requested that in the event that the applications are approved, the standard school accommodation condition in accordance with City of Mississauga Resolution 152-98, adopted by Council on May 27, 1998 be applied. Among other things, the development applications shall include the following as a condition of approval:
	"Prior to final approval, the City of Mississauga shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities has been made between the developer/applicant and the School Boards for this plan." If the applications are approved, the School Board has also requested that warning clauses with respect to temporary school accommodation and transportation arrangements be included within the Development and Servicing agreements.
Peel District School Board (August 3, 2011)	The School Board responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be

Aganay / Comment Data	Comment
Agency / Comment Date	
	applied for these development applications.
Credit Valley Conservation (May 2, 2011)	The March 2010 Functional Servicing Report for the proposed townhouse development is satisfactory to CVC.
	Satisfactory hydraulic modeling and Floodplain Mapping based on an updated survey and the structural modifications to the culvert below Lakeshore Road East bridge has been provided.
	All hazard lands (Block 28) are to be designated "Greenbelt" in the Official Plan Amendment.
	The proposed retaining wall setback of 0.3 m (0.9 ft.) adjacent to the Greenbelt "G1" zone should be limited to Unit 11 only and not apply to any other locations within the "RM6-Exception" Zone. A notation on the site-specific schedule is to be included limiting the exception to Unit 11.
	The rear yards of Units 24 to 37 inclusive and Units 44 to 46 inclusive are located within 5 m (16.4 ft.) of the Cooksville Creek floodplain. Prior to registration of the subdivision, CVC requires an as-built survey prepared by an Ontario Land Surveyor (OLS) confirming that the finished grade is a minimum of 0.3 m (0.9 ft.) above the floodplain to meet the minimum flood proofing requirements for the above-noted units.
·	The Siltation Control Plan is to be updated prior to the submission of the engineering agreement and plans to the City. An Erosion and Sediment Control Permit and a CVC Permit are to be approved prior to any site grading or infrastructure works commencing. Solid tree hoarding with a silt barrier attached is to be shown on the Sediment Control Plan along the drip-line of the trees located on the CVC-owned Cooksville Creek corridor lands. The drip-line of the trees and barrier location are to be staked in the field by CVC staff with the applicant's surveyor.
	The following notes are to be added to the drawing: i) Additional erosion and sediment control materials (i.e. silt fence, straw bales, clear stones, etc.) are to be kept on site for

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T-M06006 W1

Agency / Comment Date	Comment
	emergencies and repairs. ii) Erosion and sediment controls methods are to be continuously evaluated and upgrades are to be implemented, when necessary. iii) An after hours contact number is to be visibly posted on-site for emergencies.
	CVC requests circulation of any development and servicing agreement in support of the proposal. Additional comments may follow review of the agreements and associated plans.
	The Existing Conditions and Removals Plan is to be revised to: indicate the private outlet north of Lakeshore Road East to be removed and the valley lands restored; indicate the restoration method and proposed restoration plant materials; remove the redundant wood utility pole; add a note to remove existing chain link fence and debris from the greenbelt; revise the note to "Restore ex. gravel driveway to the satisfaction of the City" by deleting reference to CVC; revise the note to "Fence off access to existing bridge to the satisfaction of the CVC" by deleting reference to City.
	CVC staff are consulting with the City of Mississauga staff on the appropriate restoration approach for the Cooksville Creek corridor. Additional comments will be forthcoming.
	The subject property is adjacent to/contains portions of the City's Natural Area Survey (NAS) LV5 Natural Green Space. The development proposal should provide an appropriate buffer to the system in order to preserve ecological integrity. CVC ecology staff recommends a minimum 5 m (16.4 ft.) unmanicured, vegetated buffer be provided from the limits of the NAS.
	The property is within NAS LV5SMA (Special Management Area). Mississauga Plan indicates that where appropriate SMA's should be restored into Natural Sites or Natural Green Space. For the hazard lands to be dedicated as Greenbelt to the City, CVC ecology staff recommends active restoration which could include enhancement plantings to help extend the community by strategically selecting species that would enhance function and invasive and non-native species management. Restoration should be consistent with the features of Natural Green Space (LV5) with the goal of

Agency / Comment Date	Comment
	enhancing the quality and extent of this natural area.
	CVC ecology staff support the requirement for an Edge Management and Restoration Plan be prepared for the future Greenbelt dedication. CVC staff will provide input into the terms of reference and review of the plan. Invasive and nonnative species management could be incorporated as a restoration component of this study.
	Low Impact Development (LID) stormwater management practices are recommended to protect, enhance and restore natural systems as a priority within the urban environment. CVC staff are available to assist in identifying appropriate stormwater management practices and restoration opportunities for the proposal through the Site Plan Approval process.
	CVC Subdivision Application Fees remain outstanding.
	The revised Draft Plan of Subdivision drawing dated January 11, 2011 is to be updated to include the standard notes and the block/area schedule.
	A Greenbelt restoration plan satisfactory to the City and CVC is to be approved and sufficient securities deposited to the City of Mississauga.
	The final grading plans for the Greenbelt / residential rear yard interface should have a natural rounded transition at the rear property line.
	All lands within the Cooksville Creek floodplain and erosion hazard (Block 23) are to be dedicated to the City for conservation purposes.
	CVC Lands Department staff note that existing agreements indicate that the bridge and light fixtures were installed to service the parking lot east of Cooksville Creek and it is the owner's responsibility, or any successor, to maintain this infrastructure, which is not owned by CVC. In addition, a CVC Access Permit will be required to enter the CVC lands for the removal of the fixtures and fencing-off the bridge.

Files: OZ 03/038 W1

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Agency / Comment Date	Comment
	Prior to registration, a Permit is to be received by CVC in accordance with Ontario Regulation 160/06 to address all requirements, including restoration of the Cooksville Creek corridor.
City Community Services Department – Planning, Development and Business Services Division/Park Planning Section (August 4, 2011)	Issues pertaining to access and potential for traffic signal installation in support of this development are currently under review by the Transportation and Works Department. Such an intersection would provide the future residents with access to the Waterfront Park and Trail System south of Lakeshore Road East.
(August 4, 2011)	Prior to the enactment of the implementing Zoning By-law Amendment, all greenbelt lands (within the greater of the stability and/or erosion component of the valley slope, Regional Storm Floodplain or the established top-of-bank) shall be deeded gratuitously to the City. Further, prior to the enactment of the implementing Zoning By-law Amendment, an Edge Management and Greenbelt Reinstatement Plan shall be prepared by the applicant and approved by this Department; cash contributions will be required for street tree planting and trail signage installation; securities to ensure the protection of the greenbelt and for buffer and greenbelt regeneration plantings will be required; and hoarding and fencing will be required for the greenbelt lands. Further, prior to the issuance of building permits, for each lot or block cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O.1990, c.P. 13, as amended) and in accordance with the City's Policies and By-laws.
City Community Services Department – Culture Division (August 17, 2011)	The subject property is adjacent to Cooksville Creek and is therefore of high archaeological potential. The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

Agency / Comment Date	Comment
	Clearance from the Ministry of Culture is outstanding and required before the City can clear this requirement.
City Community Services Department – Fire and Emergency Services Division (August 2, 2011)	This proposal is located within the response area of Fire Station 102. At present average travel times to emergencies in this area of the City is 1.0 minute based on normal traffic and weather conditions. Flow test data from the existing water supply system indicates the potential for an adequate supply of water for fire protection services.
City Transportation and Works Department (August 9, 2011)	The City's capital project for the Enlargement of the Cooksville Creek Culvert at Lakeshore Road (PN-05132) has been completed and flood free access is now available to the subject lands from Lakeshore Road East opposite Hampton Crescent. The applicant has paid a cash contribution to the City toward the cost of the culvert enlargement. Since the initial application in 2003, the applicant has modified
	the proposed condominium tenure to Common Element Condominium and has modified the site servicing, grading and concept plans for the internal private roads and systems to comply with the City's servicing criteria for that tenure. Staff has reviewed and provided comments on a number of renditions to the applicant's plans culminating in the most recent comments provide in April 2011. Prior to the Supplementary Report proceeding, the applicant has been requested to make the appropriate revisions and modifications to the Draft Plan, Concept Plan, Functional Servicing Plans, Grading Plans, Streetscape Plans and reports. An updated traffic study and noise report have also been submitted with the application, which are currently under review. Detailed comments with respect to these aspects will be addressed in the Supplementary Report.
	The applicant proposes a single access opposite Hampton Crescent to serve as the joint access for the development and the commercial plaza to the east. Prior to approval of the applications in principle, the developer will be required to provide written confirmation from the adjacent landowner to

Agency / Comment Date	Comment
	the east that they are agreeable to the joint access and will enter into the appropriate easements and agreements to accommodate the private access and storm drainage systems. The applicant is to provide a letter of reliance from the Geotechnical Consultant allowing the City to rely on the findings of the Phase 2 Environmental Site Assessment Report, the addendum to the Phase 2 Report, and the Asbestos Material Removal and Disposal report. Further comments/conditions will be provided pending the review of the foregoing prior to the Supplementary Report proceeding.
CN Rail (August 17, 2011)	The provided noise report has been reviewed and is satisfactory to CN Rail. Please note that if the subject applications have not been considered by Council prior to the release of updated Metrolinx commuter traffic forecasts, the noise report will require an update to accommodate the new forecasts.
	Storm drainage will not be adversely affected on the existing railway right-of-way and is therefore acceptable. The proposed safety berm does not conform to standard requirements, however, due to complications related to the location of the existing storm sewer easement, it is acceptable in this instance.
	As a noise barrier is not proposed, it is recommended that the berm be landscaped with vegetative screening to minimize the shock impact of high speed trains operating in the adjacent rail corridor. The proposed chain link fencing is acceptable.
	The developer will be required to enter into the standard form agreement along with an environmental easement being registered on title.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:
	City of Mississauga - Development Services City of Mississauga - Economic Development Office Bell Canada

Appendix I-8 Page 10

2025214 Ontario Limited

Agency / Comment Date	Comment
	Canada Post Credit Valley Hospital
	Enersource Hydro Mississauga
	The following external agencies were circulated the applications but provided no comments:
	Conseil Scolaire de District Centre-Sud-Ouest
	Conseil Scolaire de District Catholique Centre-Sud Enbridge Consumers Gas
	GO Transit
	Hydro One Networks
	Rogers Cable Trillium Health Centre

Appendix I-9

2025214 Ontario Limited

Files: OZ 03/038 W1

T-M06006 W1

The Peel District School Board		The Dufferin-Peel Catholic District School Board			
 Student Yield: 19 Kindergarten to Grade 8 11 Grade 9 to Grade 12/OAC School Accommodation: 		•	Student Yield: 9 Junior Kindergarten to Grade 8 6 Grade 9 to Grade 12/OAC School Accommodation:		
Hartsdale Public School Enrolment: 471			St. Dominic Elementary School		
	354		Enrolment:	: 297	
Capacity: Portables:	10		Capacity:	. 297 259	
1 Ortables.	10		Portables:	6	
Cawthra Park Secondary School				condary School	
Enrolment:	1,302		~		
Capacity:	1,044		Enrolment:	: 757	
Portables:	4		Capacity:	807	
			Portables:	0	

Appendix I-10

2025214 Ontario Limited

Files: OZ 03/038 W1 T-M06006 W1

Proposed Zoning Standards

"C4- Exception" Zone

Proposed Uses:

- Retail store:
- Veterinary Clinic;
- Personal Service Establishment;
- Repair Establishment;
- Office:
- Medical Office; and,
- Dwelling unit located above a commercial unit.

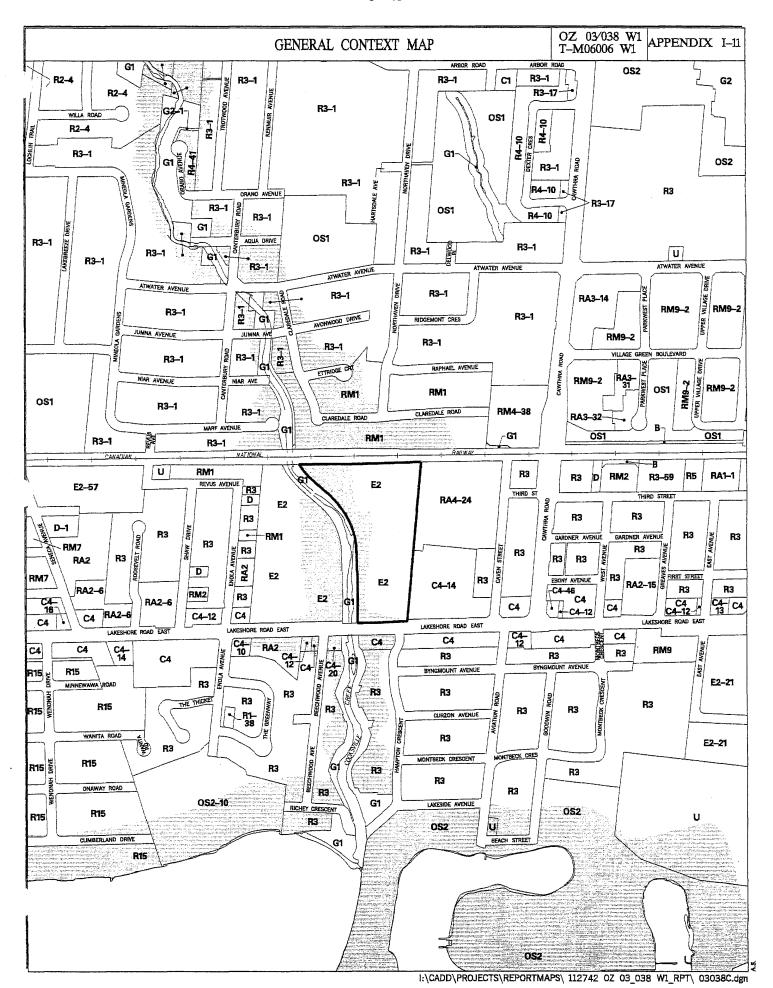
Proposed Regulations:

- Maximum number of live/work units 15;
- Maximum Gross Floor Area 3 906 m² (42,045 sq. ft.);
- Maximum Gross Floor Area Non-residential of each live/work unit 94 m² (1,011.8 sq. ft.);
- Maximum front yard 5.2 m (17 ft.);
- Maximum exterior side yard 6.5 m (21.3 ft.);
- Minimum interior side yard adjacent to a "G1" zone 4.15 m (13.6 ft.);
- Maximum building height with a sloped roof 16.0 m (52.4 ft.)
- Minimum landscaped buffer adjacent to a "G1" zone 4.15 m 13.6 ft.);
- Exclusion of provisions pertaining to the maximum length of a streetwall on the first storey which may be used to access residential uses above the first storey;
- Maximum projection of steps, balconies and porches into a required yard 1.5 m (4.9 ft.);
- Maximum projection of awnings into a required yard -0.5 m; (1.6 ft.);
- Required parking may be provided on lands zoned "RM6-Exception".

"RM6-Exception" Zone

Proposed Regulations:

- Maximum driveway width 5.0 m (16.4 ft.);
- Minimum setback of a retaining wall to a "G1" zone (for unit 11 only) 0.3 m (0.9 ft.);
- Maximum encroachment of a balcony, window projection, chimney, heating or air conditioning equipment, pilaster or corbel into a required yard -1.55 m (5.0 ft.); and,
- Required parking may be provided on lands zoned "C4-Exception".



Appendix S-2

2025214 Ontario Limited

Files: OZ 03/038 W1

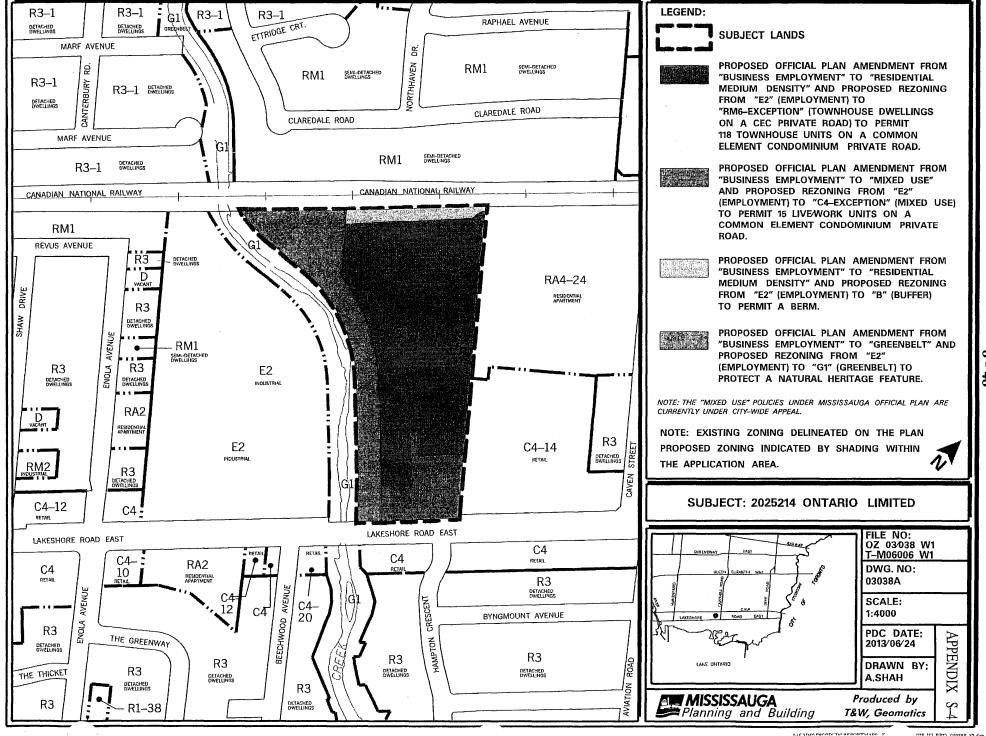
T-M06006 W1

Recommendation PDC-0048-2011

"1. That the Report dated August 30, 2011, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Business Employment" to "Residential - Medium Density I", "Mainstreet Commercial" and "Greenbelt" and to change the Zoning from "E2" (Employment) to "RM6-Exception" (Townhouse Dwellings on a CEC-Private Road), "C4-Exception" (Mainstreet Commercial), "B" (Buffer) and "G1" (Greenbelt - Natural Hazards) to permit 118 townhouse units and 15 live/work units on a common element condominium private road, under files OZ 03/038 W1 and T-M06006 W1, 2025214 Ontario Limited, 565 Lakeshore Road East, north side of Lakeshore Road East, west of Cawthra Road, be received for information.

- 2. That the correspondence dated September 19, 2011 from Zool Kassum, Bayfield Management Limited along with letter dated September 14, 2011 from M.J. Amini, Manager Trillium Inspection, Testing and Constructing Services Limited, be received.
- 3. That Planning and Building Department staff evaluate the appropriateness of securing public benefits under the provisions of Section 37 of the Planning Act, and make appropriate recommendations within the Supplementary Report."







APPENDIX S-5

SCHEDULE A CONDITIONS OF APPROVAL

FILE:

T-M06006 W1

SUBJECT:

Draft Plan of Subdivision 565 Lakeshore Road East

Part of Lots 11 and 12, Concession 2, S.D.S.

North side of Lakeshore Road East, west of Cawthra

Road

City of Mississauga 2025214 Ontario Limited

Approval of a draft plan of subdivision granted under Section 51 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, will be valid until approval is either withdrawn or the plan is registered. Approval may be withdrawn by the Commissioner, Planning and Building Department if approval of the final plan has not been given three (3) years after the date of approval of the draft plan.

NOTE: City is "The Corporation of the City of Mississauga" Region is "The Regional Municipality of Peel"

The City has not required either the dedication of land for park or other public recreational purposes, or a payment of money in lieu of such conveyance as a condition of subdivision draft approval authorized by Section 51.1 of the *Planning Act*, R.S.O. 1990, c.P13 as amended. The City will require payment of cash-in-lieu for park or other public recreational purposes as a condition of development for each lot and block, prior to the issuance of building permits pursuant to Section 42(6) of the *Planning Act*, R.S.O. 1990, c.P13, as amended, and in accordance with the City's policies and by-laws.

- 1.0 Approval of the draft plan applies to the plan dated July 13, 2011.
- 2.0 That the owner agree, in writing, to satisfy all the requirements, financial and otherwise of the City and the Region.
- 3.0 That the applicant/owner shall enter into Servicing, Development and any other necessary agreements, satisfactory to the City, Region or any other appropriate authority, prior to ANY development within the plan. These agreements may deal with matters including, but not limited to, the following: engineering matters such as municipal services, road widenings, construction and reconstruction, signals, grading, fencing, noise mitigation, and warning clauses; financial issues, such as cash contributions, levies (development charges), land dedications or reserves, securities, or letters of credit; planning matters such as residential reserve blocks, buffer blocks, site development plan and landscape

plan approvals and conservation. The details of these requirements are contained in comments in response to the circulation of the plan from authorities, agencies, and departments of the City and Region which have been forwarded to the applicant or his consultants, and which comments form part of these conditions.

- 4.0 All processing and administrative fees shall be paid prior to the registration of the plan. Such fees will be charged at prevailing rates of approved City and Regional Policies and By-laws on the day of payment.
- 5.0 The applicant/owner shall agree to convey/dedicate, gratuitously, any required road or highway widenings, 0.3 m (1 ft.) reserves, walkways, sight triangles, buffer blocks and utility or drainage easements and greenbelt lands to the satisfaction of the City, Region or other authority.
- 6.0 The applicant/owner shall provide all outstanding reports, plans or studies required by agency and departmental comments.
- 7.0 That a Zoning By-law for the development of these lands shall have been passed under Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and be in full force and effect prior to registration of the plan.
- 8.0 Prior to final approval, the Engineer is required to submit, to the satisfaction of the Region, all engineering drawings in Micro-Station format as set out in the latest version of the Region of Peel "Development Procedure Manual".
- 9.0 Prior to final approval or preservicing, the developer will be required to monitor wells, subject to the homeowner's permission, within the zone of influence, and to submit results to the satisfaction of the Region.
- 10.0 Prior to final approval, the City shall be advised by the School Boards that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for this plan.
- 11.0 That prior to signing of the final plan, the Commissioner of Planning and Building is to be advised that all of the above noted conditions have been carried out to the satisfaction of the appropriate agencies and the City.

THE REQUIREMENTS OF THE CITY WILL BE EFFECTIVE FOR THIRTY-SIX (36) MONTHS FROM THE DATE THE CONDITIONS ARE APPROVED BY THE COMMISSIONER, PLANNING AND BUILDING DEPARTMENT. AFTER THIS DATE REVISED CONDITIONS WILL BE REQUIRED. NOTWITHSTANDING THE SERVICING REQUIREMENTS MENTIONED IN SCHEDULE A, CONDITIONS OF APPROVAL, THE STANDARDS IN EFFECT AT THE TIME OF REGISTRATION OF THE PLAN WILL APPLY.

Appendix S-6, Page 1

2025214 Ontario Limited

Files: OZ 03/038 W1

T-M06006 W1

Proposed Zoning Standards

ty of hercial uses 0 ft.)	By-law Standard 15 live/work units 94 m² (1,012 sq. ft.) 50 m² (538 sq. ft.) 115 m² (1,238 sq. ft.) 190 m² (2,045 sq. ft.) 5.0 m (16.4 ft.) 8.3 m (27.2 ft.) 5.0,m (16.4 ft.) 0.7 m (2.3 ft.) 0 m (0 ft.)
o ft.)	94 m ² (1,012 sq. ft.) 50 m ² (538 sq. ft.) 115 m ² (1,238 sq. ft.) 190 m ² (2,045 sq. ft.) 5.0 m (16.4 ft.) 8.3 m (27.2 ft.) 5.0 m (16.4 ft.) 0.7 m (2.3 ft.)
	50 m ² (538 sq. ft.) 115 m ² (1,238 sq. ft.) 190 m ² (2,045 sq. ft.) 5.0 m (16.4 ft.) 8.3 m (27.2 ft.) 5.0 _, m (16.4 ft.) 0.7 m (2.3 ft.)
	115 m ² (1,238 sq. ft.) 190 m ² (2,045 sq. ft.) 5.0 m (16.4 ft.) 8.3 m (27.2 ft.) 5.0 _m (16.4 ft.) 0.7 m (2.3 ft.)
	190 m ² (2,045 sq. ft.) 5.0 m (16.4 ft.) 8.3 m (27.2 ft.) 5.0 m (16.4 ft.) 0.7 m (2.3 ft.)
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	5.0 _, m (16.4 ft.) 0.7 m (2.3 ft.)
	0.7 m (2.3 ft.)
	<u> </u>
0 ft.) - when	0 m (0 ft.)
ing a C4 zone	
0 ft.) - when ing a C4 zone	4.0 m (13.1 ft.)
	3.9 m (12.8 ft.)
	1.9 m (6.2 ft.)
1 (9.8 ft.)	n/a
	6.0 m (19.7 ft.)
	16 m (52.5 ft.)
r	n (9.8 ft.)

the Concept Plan

	Base "RM6"	Proposed "RM6-
	Zoning By-law	Exception" By-law
	Standard	Standard
Minimum Lot Area	115 m ² (1,238 sq. ft.) -	115 m ² (1,238 sq. ft.) - Interior
	Interior Lot	Lot
	190 m ² (2,045 sq. ft.) -	190 m ² (2,045 sq. ft.) - Corner
	Corner Lot	Lot
Minimum Lot Frontage – Interior	5.0 m (16.4 ft.)	5.0 m (16.4 ft.)
Lots		
Minimum Lot Frontage – Exterior	8.3 m (27.2 ft.)	8.3 m (27.2 ft.)
Lots		
Minimum Unit Width	5 m (16.4 ft.)	5 m (16.4 ft.)
Minimum Front Yard	45 (149 🚓)	4.5 (14.9.A.)
Minimum Front Yard	4.5 m (14.8 ft.)	4.5 m (14.8 ft.)
Minimum Interior Side Yard -	0 m (0 ft.)	0 m (0 ft.)
Attached Side		
Minimum Interior Side Yard -	1.5 m (4.9 ft.)	1.5 m (4.9 ft.)
Unattached Side		
Minimum exterior side yard - Lot	4.5 m (14.8 ft.)	4.5 m (14.8 ft.)
with an exterior side lot line		
abutting a CEC private road		
Minimum Rear Yard Setback	7.5 m (24.6 ft.)	7.5 m (24.6 ft.)
Minimum setback from a garage	6.0 m (19.7 ft.)	6.0 m (19.7 ft.)
face to a street, CEC-private road		
or CEC-sidewalk		
Maximum Height – highest ridge	10.7 m (35.1 ft.)	10.7 m (35.1 ft.)
Maximum driveway width	3.0 m (9.8 ft.)	3.0 m (9.8 ft.) – single car
		garage
		5.0 m (16.4 ft.) – double car
		garage

Note: The implementing Zoning By-law may require other provisions to be consistent with the Concept Plan



Originator's

Files OZ 12/008 W1

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Official Plan Amendment and Rezoning Applications

To permit eighteen (18) 4-storey townhouse dwellings on a

common element condominium private road

375 Lakeshore Road West and the rear portion of

14 Ben Machree Drive

Southeast corner of Lakeshore Road West and Godfrey's Lane

Owners: 375 Lakeshore Developments Inc.

and Christopher Boyd

Applicant: Zelinka Priamo Ltd.

Bill 51

Supplementary Report

Ward 1

RECOMMENDATION:

That the Report dated June 4, 2013, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 12/008 W1, 375 Lakeshore Developments Inc. and Christopher Boyd, 375 Lakeshore Road West and the rear portion of 14 Ben Machree Drive, southeast corner of Lakeshore Road West and Godfrey's Lane, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, any

File: OZ 12/008 W1

June 4, 2013

further notice regarding the proposed amendment is hereby waived.

- 2. That the application to amend Mississauga Official Plan from "Residential Medium Density" and "Residential Low Density I" to "Residential Medium Density Special Site" to permit eighteen (18) 4-storey townhouse dwellings on a common element condominium private road, be approved.
- 3. That the application to change the Zoning from "RA1-25" (Apartment Dwellings) and "R15" (Detached Dwellings Port Credit) to "RM6-Exception" (Townhouse Dwellings on a CEC Private Road) to permit eighteen (18) 4-storey townhouse dwellings on a common element condominium private road in accordance with the proposed revised zoning standards described in Appendix S-5 of this report, be approved subject to the following conditions:
 - (a) That the applicant agree to satisfy all the requirements of the City and any other official agency concerned with the development;
 - (b) That the school accommodation condition as outlined in City of Mississauga Council Resolution 152-98 requiring that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards not apply to the subject lands.
- 4. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

REPORT HIGHLIGHTS:

- At the Public Meeting held on January 7, 2013, comments were received regarding the height and architectural style of the development, the adequacy of visitor parking and tree preservation along Godfrey's Lane;
- Since the Public Meeting, minor revisions have been made to the project, including modifications to the proposed layout, a reduction of one unit, and the submission of additional materials to address outstanding development matters and concerns expressed;
- Staff is satisfied with the revisions and additional information provided and recommends that the applications, as revised, be approved to permit eighteen (18) 4-storey townhouse dwellings subject to certain conditions.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on January 7, 2013, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the Public Meeting, the Planning and Development Committee passed Recommendation PDC-0003-2013 which was subsequently adopted by Council and is attached as Appendix S-2.

Subsequent to the Public Meeting, the applicant has made modifications to the proposal including:

- reducing the number of units from 19 to 18;
- increasing setback to the front and rear property lines;
- realigning the private condominium road and removing the pervious stable surface area in front of the garages;
- the elongation of some of the units;
- the reduction of heights and the removal of the retaining wall along Godfrey's Lane (see Appendices S-4 and S-5).

A more detailed evaluation of the changes is provided under the "Revised Concept Plan" section.

COMMENTS:

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

COMMUNITY ISSUES

A number of issues were raised by area residents at the December 5, 2012 community meeting, the January 7, 2013 Public Meeting and through written comments sent to the City. These issues are listed below along with responses:

Comment

The architectural style of the development does not fit the Port Credit character and the appearance of the townhomes is not complementary to the character of Godfrey's Lane.

Response

Port Credit has evolved to include a variety of architectural styles and its character is not defined by a homogenous architectural aesthetic or singular style. The subject site is not situated next to a property listed or designated on the City's heritage register and as such, the compatibility of the proposal is assessed through site layout and built form with consideration given to quality of architecture. Further comments regarding the appropriateness of the proposed development are included in the Planning Comments section of this Report.

Comment

The trees along the east side of Godfrey's Lane should be preserved.

Response

The trees on the east side of Godfrey's Lane contribute to the character of the street, however, are incongruently spaced and lack a full canopy due to pruning and poor health as a result of their proximity to the overhead hydro lines. The canopy effect can be largely attributed to the trees located on the west side of Godfrey's Lane within Brueckner Rhododendron Gardens. The applicant has revised their streetscape proposal along Godfrey's Lane by relocating the private sidewalk further towards the dwellings and providing for hydro utilities to be buried within the property line. This will allow for an unencumbered landscaped area where a new row of trees will be planted and grow without the impedance of

hydro wires. The revised Landscape Plan illustrates the planting of 16 new street trees.

Comment

Concerns were raised regarding the adequacy of the number of visitor parking spaces proposed and the resultant increase in vehicle parking on adjacent streets.

Response

The applicant has not requested to reduce the visitor parking requirement and is providing 5 visitor parking spaces which meets the Zoning By-law requirement.

Comment

Concerns were raised about the height of the buildings as a result of grade differentials on the site.

Response

The property already has a 4-storey height permission under the current zoning. The southerly most 15 m (49.2 ft.) is subject to rezoning from a height of 9.2 m (30.2 ft.) to the midpoint of the roof to a maximum of 13.0 m (42.6 ft.). This change is considered minor in nature as it only affects 10% of the site and is well buffered with appropriate setbacks and landscaping as a result of the elimination of 1 unit.

Comment

Concerns were raised that the views to Brueckner Rhododendron Gardens will be blocked for certain residents.

Response

Sightlines and view corridors from private residences to natural or man-made features generally do not take precedent over development rights. The current zoning on the majority of the property permits a 4-storey apartment building and the proposal is being assessed on planning merit, including the appropriate and sensitive integration into the community.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

City Community Services Department – Parks and Forestry Division/Park Planning Section

Comments updated June 4, 2013, state that Community Services confirms receipt of a revised Site Plan, Utility/Servicing Plan, Grading Plan, Servicing Plan, Landscape Plans and Details and a Tree Preservation Report in response to previous comments provided. The revisions have addressed the Department's major concerns with respect to the interface of the proposed development with Lakeshore Road West, as well as the realigned and upgraded storm water pipe within the adjacent City Parkland.

In order to enable the replacement of mature trees on Godfrey's Lane, which the applicant wishes to remove, the applicant is proposing to relocate the existing overhead wires into an underground duct within a private easement on the subject lands. Enersource has confirmed that the proposed route is acceptable, pending detailed design and final approval. If final approval is not granted by Enersource, the applicant will be required to present an alternative solution that is satisfactory to this Department.

The revised Grading Plan submitted on May 13, 2013 is intended to allow the two existing stone columns at the entrance to Godfrey's Lane to be retained as required by Community Services.

In the event that these applications are approved by Council, prior to enactment of the Zoning By-law, the applicant will be required to enter in to a Servicing Agreement for the construction of the storm sewer outlet works within City Parkland and the construction of Streetscape Works along Lakeshore Road West and Godfrey's Lane. The applicant is advised that a Park Access Permit will be required prior to the construction of the re-routed storm water pipe within City Parkland.

Site specific details will be addressed through the processing of a future Site Plan application.

City Transportation and Works Department (T&W)

Comments updated May 22, 2013 state that T&W confirmed receipt of a revised Site Plan, Utility/Servicing Plan, Functional Stormwater Management Report, Functional Servicing Report, Grading Plan, Servicing Plan, Landscape Details and Remedial Action Plan in response to previous comments provided. The revisions have addressed the Department's comments and concerns with respect to the interface of the proposed development with Godfrey's Lane, Lakeshore Road West and the adjoining residential properties.

In the event that these applications are approved by Council, prior to enactment of the Zoning By-law, the applicant will be required to address the following:

- Enter in to a Servicing Agreement for the construction of the storm sewer outlet works;
- Convey gratuitously any lands and/or easements as required by the City (i.e. the Lakeshore Road West road widening and storm drainage easements);
- Provide securities for central air conditioning and special building measures; and
- Provide an updated Phase I ESA, a Final Clean-up/ Remediation Report and a Record of Site Condition for both properties.

Site specific details will be addressed through the processing of a future Site Plan application.

PLANNING COMMENTS

Official Plan

Mississauga Official Plan (2012) was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel

on September 29, 2011. The Plan was appealed in its entirety; however, on November 14, 2012 the Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals which have no effect on the subject applications.

While the applications were submitted under the policies of Mississauga Plan, the applicant has consented to the application being converted to amend Mississauga Official Plan (2012).

As outlined in the Information Report, the proposal requires an amendment to the Mississauga Official Plan Policies for the Port Credit Local Area Plan. Section 19.5 of Mississauga Official Plan provides criteria for evaluating site specific Official Plan Amendments. Each criterion is summarized below along with a discussion of how the proposed applications address the intent of the criteria.

Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?

The subject land is located within the South Residential Precinct of Port Credit, which is characterized as a stable residential area which should be maintained, including the one to two storey building heights, while allowing for infill which is compatible with and enhances the character of the area. The properties along Lakeshore Road West within this precinct represent a more mixed variety of built form recognized through the various land use designations ranging from "Mixed Use" to "Residential High Density".

The existing "Residential Medium Density" designation applicable to the majority of the site already permits townhouse dwellings as well as all forms of horizontal multiple dwellings and low-rise apartment dwellings with heights not exceeding three storeys. A Special Site provision is required to recognize the proposed four storey townhouses.

Additionally, a portion of the rear yard of 14 Ben Machree Drive is proposed to be incorporated into the "Medium Density – Special Site" designation, which will ensure the development of a functional layout. The integration of the rear property into this designation will not have an adverse impact on the character or function of the residential community to the south. Given the siting of the proposed townhouses relative to the abutting detached residential lots, there will be no significant sun shadow effects on these adjacent rear yards.

The site is located within the Lakeshore Road Corridor. The Plan stipulates that where higher density uses are proposed, they should be located on sites along Corridors or in conjunction with existing apartment sites or commercial centres. Where higher density uses within Neighbourhoods are directed to Corridors, development will be required to have regard for the character of the Neighbourhood and provide appropriate transition in heights, built form and density to the surrounding lands. Developments in excess of four storeys must demonstrate an appropriate transition in height and built form that respects the surrounding context.

As noted in the Information Report, the "Draft Port Credit Local Area Plan" has introduced policies that would allow developments of up to four storeys on properties facing onto Lakeshore Road West within the South Residential Precinct. Under the new Draft Plan, an Official Plan Amendment for the front potion of the lands would not be required. The Report on Comments to the Local Area Plan is expected to be brought forward to Planning and Development Committee in September this year.

The proposal enhances the Lakeshore Road Corridor by providing an attractive built form and landscaping along the street. Incorporating main entrances and windows along the street edge is in keeping with the urban design policies of the Plan. Proper integration with the surrounding uses is provided by way of adequate setbacks, landscaped buffers, tree planting, streetscape enhancements and appropriate height transition including a recessed fourth storey. The proposed redesignation will therefore

not adversely impact or destabilize the overall intent of the above referenced goals and objectives of the Plan.

Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?

The existing designation on the majority of the lands permits townhouse dwellings and given the context of the site, the proposal does not have any impact on the function of the surrounding properties within the South Residential Precinct of Port Credit. The proposed built form is compatible with the 5 storey apartment building to the east and there is no detrimental impact to the park to the west. The townhouse units are located towards the west side of the subject lot thereby maximizing the setbacks to the neighbouring detached dwellings which front onto Ben Machree Drive. Additionally, tree planting is proposed along the eastern periphery of the site, both adjacent to the apartment building and detached dwellings, further adding to the buffering of the development.

Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?

Based on the comments received from the applicable City departments and agencies, the existing infrastructure is adequate to support the proposed development.

Has a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?

Staff has reviewed the applicant's Planning Justification Report, which spoke to various relevant policies and merits of the proposal, including reference to the policies contained within Mississauga Plan which were applicable at the time of original submission as well as the policies contained in Mississauga Official Plan. The report was found to be acceptable.

Zoning

The proposed "RM6-Exception" (Townhouse Dwellings on a CEC - Private Road) zone is appropriate to accommodate the eighteen (18) 4-storey townhouse dwellings on a common element condominium private road. Appendix S-6 contains the revised site specific zoning provisions for the proposed development. The proposed provisions will be compatible with the surrounding lands for the reasons noted in the Official Plan section of this Report.

Revised Concept Plan

The applicant has made revisions to the concept plan based on feedback from City staff and the community. The reduction of one unit has allowed for an increased front and rear yard setback, providing a better transition to the street and for the rear yard of the property to the south. The removal of one unit has also allowed for the reconfiguration of the first unit such that it can now accommodate two vehicles within the garage.

The shifting of the private condominium road westward has resulted in an increased landscape buffer along the northeasterly side of the site. This provides more protection for the trees on the adjoining property. Elimination of the pervious stable surface area in front of the garages has removed the ability for this area to become a parking area for many of the units. This change also improves the view into the site from Lakeshore Road West.

The revisions along the west side of the site have significantly improved the condition along Godfrey's Lane. The retaining wall along this side has been removed allowing for a more integrated transition between the buildings and the public realm with each unit now having unencumbered access to the street. The previously proposed planter boxes which had heights approaching 2 m (6.6 ft.) and gave the effect of a second retaining wall have been significantly reduced in depth and height to be no taller than 1 m (3.3 ft.). While it is still proposed that the overhead hydro wires be buried, it is now proposed that they be buried within the property itself, allowing an acceptable area to plant 16 new street trees.

Site Plan

Prior to development occurring on the lands, the applicant will be required to obtain Site Plan approval in accordance with Section 41 of the *Planning Act*. While the applicant has worked with City departments to address many site plan related issues through review of the Rezoning concept plan, further revisions will be needed to address matters related to architectural elements and landscaping.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

In accordance with subsection 34(17) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, Council is given authority to determine if further public notice is required. The proposed revisions to the applications, which are detailed in the Background section of this report, are minor and for the betterment of the proposal, it is recommended that no further public notice be required regarding the proposed changes.

The proposed Official Plan Amendment and Rezoning are acceptable from a planning standpoint and should be approved for the following reasons:

- 1. The proposal for eighteen (18) 4-storey townhouse dwellings is compatible with the surrounding land uses based on the complementary nature of the design, which achieves appropriate built form relationships within its context.
- 2. The proposed Official Plan provisions and zoning standards, as identified in the report, are appropriate to accommodate the requested uses for the lands.

ATTACHMENTS:

Appendix S-1: Information Report

Appendix S-2: Recommendation PDC-0003-2013

Appendix S-3: Revised Except of Existing Land Use Map

Appendix S-4: Revised Concept Plan Appendix S-5: Revised Elevations

Appendix S-6: Revised Proposed Zoning Standards

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: David Breveglieri, Development Planner



Clerk's Files

Originator's

Files OZ 12/008 W1

PDG JAN 7 2013

DATE:

December 11, 2012

TO:

Chair and Members of Planning and Development Committee

Meeting Date: January 7, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Information Report

Official Plan Amendment and Rezoning Applications
To permit nineteen (19) 4-storey townhouse dwellings on a

common element condominium private road 375 Lakeshore Road West and the rear portion of

14 Ben Machree Drive

Southeast corner of Lakeshore Road West and Godfrey's Lane

Owners: 375 Lakeshore Development Inc. and

Christopher Boyd

Applicant: Zelinka Priamo Ltd.

Bill 51

Public Meeting

Ward 1

RECOMMENDATION:

That the Report dated December 11, 2012, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Medium Density" and "Residential Low Density I" to "Residential Medium Density - Special Site" and to change the Zoning from "RA1-25" (Apartment Dwellings)

and "R15" (Detached Dwellings - Port Credit) to

"RM6-Exception" (Townhouse Dwellings on a CEC - Private Road), to permit nineteen (19) 4-storey townhouse dwellings on a

common element condominium private road under file

OZ 12/008 W1, 375 Lakeshore Development Inc. and Christopher

Boyd, 375 Lakeshore Road West and the rear portion of 14 Ben Machree Drive, southeast corner of Lakeshore Road West and Godfrey's Lane, be received for information.

REPORT HIGHLIGHTS:

- The applications have been made in order to allow the development of nineteen (19) townhouse units on a common element condominium road;
- Community concerns include the height and appearance of the townhomes, the adequacy of visitor parking spaces and tree preservation;
- Prior to the Supplementary Report, matters to be addressed include the appropriateness of the proposed Official Plan and Zoning By-law amendments, resolution of design details, and submission and review of revised plans and technical materials.

BACKGROUND:

The above-noted applications have been circulated for technical comments and a community meeting was held on December 5, 2012.

The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

Details of the proposal are as follows:

Development Proposal		
Applications	May 25, 2012 (received)	
submitted:	June 15, 2012 (deemed complete)	
	November 9, 2012 (revised submission	
	received)	
Existing Gross	2 258 m ² (24,305 sq. ft.)	
Floor Area:	2 238 m (24,503 sq. 1t.)	
Height:	4 storeys	
Lot Coverage:	14%	
Floor Space	1.04	
Index:		
Net Density:	47 units/ha (19 units/ac.)	

Development Proposal		
Gross Floor Area:	4 226 m ² (45,488 sq. ft.)	
Number of	19 townhouse dwellings	
units:		
Anticipated	57*	
Population:	*Average household sizes for all units	
	(by type) for the year 2011 (city average)	
	based on the 2008 Growth Forecasts for	
	the City of Mississauga.	
Parking	38 resident parking spaces	
Required:	5 visitor parking spaces	
Parking	38 resident parking spaces	
Provided:	5 visitor parking spaces	
Supporting	- Planning Justification Report	
Documents:	- Functional Servicing Report	
	- Traffic Impact Assessment	
	- Environmental Noise Impact Study	
	- Stage 1-2 Archaeological Assessment	
	- Tree Inventory	
	- Green Development Initiatives	
	- Site Plan, Engineering Plans,	
	Elevations, Floor Plans and Survey	

Site Characteristics		
Frontage:	35.3 m (115.9 ft.) - Lakeshore Road	
	West	
	125.0 m (410.1 ft.) - Godfrey's Lane	
Lot Area:	0.41 ha (1.01 ac.)	
Existing Use:	Two vacant 3-storey apartment buildings	

Green Development Initiatives

The applicant has proposed a bio-retention area on the east side of the site and that permeable paving be incorporated into the parking areas for some of the units. Additional information is provided in Appendices I-1 to I-11.

Neighbourhood Context

The subject properties are located on the south side of Lakeshore Road West at Godfrey's Lane adjacent to Brueckner Rhododendron Gardens in the South Residential Precinct of the Port Credit Local Area Plan. The area is characterized by apartment buildings ranging in height from 3 to 8 storeys along the Lakeshore Road West frontage and detached dwellings to the north and south. Two vacant 3-storey apartment buildings, containing a total of 30 apartment units, currently exist on the northerly portion of 375 Lakeshore Road West. The rear portion of 14 Ben Machree Drive forms part of the rear yard of that residential property. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: 2 storey multi-unit residential buildings

East: 5 storey apartment building and the rear yards of detached

dwellings facing Ben Machree Drive

South: Detached dwelling lots facing Ben Machree Drive

West: Brueckner Rhododendron Gardens

Mississauga Official Plan Designation and Policies for the Port Credit Local Area Plan (November 14, 2012)

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 22, 2011. The Plan was appealed in its entirety, however, on November 14, 2012, the Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals which have no effect on the subject applications.

The subject site is located within a Neighbourhood Area (Port Credit Local Area Plan) and on a Corridor (Lakeshore Road West). The subject properties are designated "Residential Medium Density" and "Residential Low Density I".

File: OZ 12/008 W1 December 11, 2012

"Residential Medium Density" permits townhouse dwellings and all forms of horizontal multiple dwellings as well as low-rise apartment dwellings. Heights of buildings should not exceed three storeys, unless otherwise specified in the Port Credit Urban Design policies of the Plan.

"Residential Low Density I" permits detached dwellings.

The applications are not in conformity with the land use designations.

There are other policies in Mississauga Official Plan (2011) which also are applicable in the review of these applications which are found in Appendix I-9.

Draft Port Credit Local Area Plan

At the September 17, 2012 Planning and Development Committee meeting, the Planning and Building Department presented a report titled "Draft Port Credit Local Area Plan", dated August 28, 2012. The meeting constituted the statutory Public Meeting under the Planning Act for the revised Plan. The draft Plan carries forward many existing policies and land use designations found in the existing Plan and introduces a number of modifications. These include the introduction of the Vision for Port Credit and increasing the height limit for properties facing onto Lakeshore Road West for the South Residential Neighbourhood Precinct. While the subject site partially falls within this affected area, the southern portion of the site remains unaffected. It is expected that a report on comments to the Local Area Plan will be considered at a Planning and Development Committee meeting early in the new year.

Proposed Official Plan Designation and Policies

"Residential Medium Density - Special Site" to permit townhouse dwellings and all forms of horizontal multiple dwellings, as well as low rise apartment dwellings with building heights not exceeding four (4) storeys.

Existing Zoning

"RA1-25" (Apartment Dwellings), which permits apartment dwellings, long-term care dwellings and retirement dwellings up to a height of 4 storeys in accordance with the "RA1" zone except that the minimum floor space index - apartment dwelling is 0.3 and the maximum floor space index - apartment dwelling is 0.5.

"R15" (Detached Dwellings - Port Credit), which permits detached dwellings with a minimum lot area of 460 m² (4,951 sq. ft.), minimum lot frontage of 12.0 m (39.4 ft.), maximum lot coverage of 40% and maximum height of 9.2 m (30.2 ft.).

Proposed Zoning By-law Amendment

"RM6-Exception" (Townhouse Dwellings on a CEC - Private Road), to permit townhouse dwellings in accordance with the proposed zone standards contained within Appendix I-10.

COMMUNITY ISSUES

A community meeting was held by Ward 1 Councillor, Jim Tovey on December 5, 2012. Issues raised by the Community are summarized below and will be addressed in the Supplementary Report:

- The adequacy of the number of visitor parking spaces proposed;
- The appearance of the townhomes along Godfrey's Lane and the architectural style of the development;
- Tree preservation along Godfrey's Lane;
- The height of the buildings as a result of grade differentials on the site.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7 and school accommodation information is contained in Appendix I-8. Based

on the comments received and the applicable Mississauga Official Plan (2011) policies, the following matters will have to be addressed.

Site Layout

While the proposed unit 1 adjacent to Lakeshore Road West has a main entrance facing the road, consideration should be given to modifying the proposed layout to maximize the amount of built form along Lakeshore Road West. This would entail reorienting two or more of the townhomes to face towards Lakeshore Road West which would further strengthen the street edge condition and enclose the street while additionally eliminating the view of the proposed driveway area at the back of the units. Appropriate setbacks and landscaping should be provided along Lakeshore Road West.

Parking

As currently proposed, units in Block 1 (units 1 - 8) contain a permeable pavement area at the rear of the units adjacent to the proposed condominium road. While some of these areas may have the appropriate length to accommodate vehicle parking in front of the garages, the configuration of this area will result in some units not having sufficient space for this purpose. It is expected that this will lead to the parking of vehicles that will overhang into the condominium road. This concern is further exacerbated in that the proposed condominium road width is at a reduced standard of 6.0 m (19.6 ft.) rather than the required 7.0 m (22.9 ft.).

Also, the configuration of the driveways for units 1 and 2 are in conflict as the parking of a vehicle in the driveway for either unit will impede access for the other unit.

Grading

The proposed grades of the site result in a condition whereby the finished floor levels and the condominium road are elevated

relative to the grades around the perimeter of the property, particularly at the south end of the site.

The proposed grades also necessitate a retaining wall traversing the front of all units. The retaining wall along the south half of the site will be of a height that will require a railing thereby preventing direct access to Godfrey's Lane for approximately half the units.

The 1 m (3.3 ft.) apron at the rear of the units which is intended to be used for the temporary storage of garbage on collection days has a significant slope for certain units due to a discrepancy in grade between the condominium road and the garages.

Streetscape

The applicant has yet to submit a satisfactory Utility Plan which accurately illustrates the location, including depth and setback to property line, of all existing services both above and below ground within the right-of-away for Godfrey's Lane and Lakeshore Road West. Until such time that this information is submitted, the streetline setback of the building and streetscape condition associated with this development is uncertain.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to storm drainage, noise attenuation, land dedications, and boulevard improvements which will require the applicant to enter into appropriate agreements with the City.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

Most agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

Appendix I-1: Site History

Appendix I-2: Aerial Photograph

Appendix I-3: Excerpt of Port Credit District Land Use Map

Appendix I-4: Excerpt of Existing Land Use Map

Appendix I-5: Concept Plan

Appendix I-6: Elevations

Appendix I-7: Agency Comments

Appendix I-8: School Accommodation

Appendix I-9: Applicable Mississauga Official Plan Policies

Appendix I-10: Proposed Zoning Standards

Appendix I-11: General Context Map

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: David Breveglieri, Development Planner

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375 Lakeshore Development Inc. and Christopher Boyd

File: OZ 12/008 W1

Site History

- June 20, 2007 Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "RA1-25" (Apartment Dwellings) and "R15" (Detached Dwellings Port Credit).
- November 14, 2012 The Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan (2011), as modified, save and except for certain appeals which have no effect on the subject applications. The subject lands are designated "Residential Medium Density" and "Low Density I".



LEGEND:

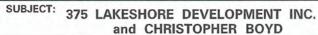


SUBJECT LANDS

DATE OF AERIAL PHOTO: 03 2012



APPENDIX





FILE NO:

OZ 12/008 W1 DWG. NO:

12008A

SCALE: 1:2500

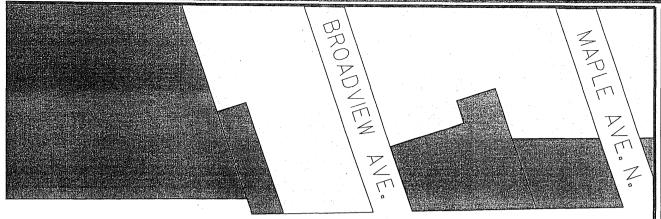
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DRAWN BY: K. PROKOP

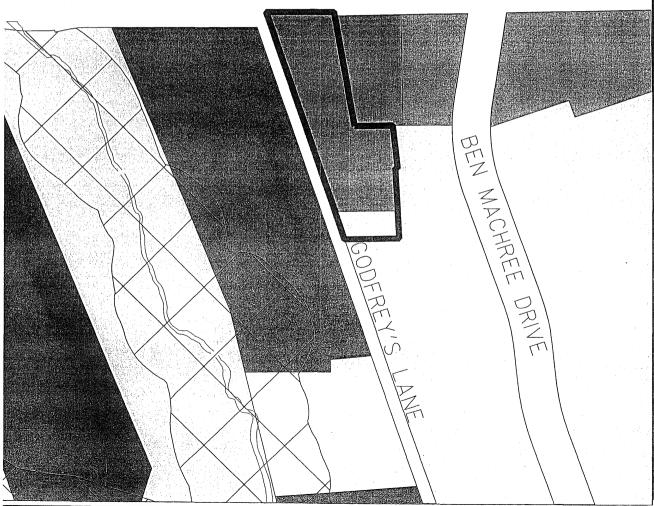
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Planning and Building

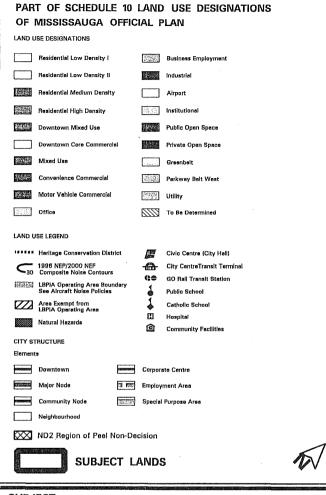
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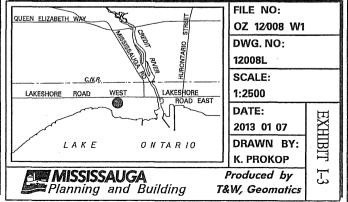


LAKESHORE ROAD WEST

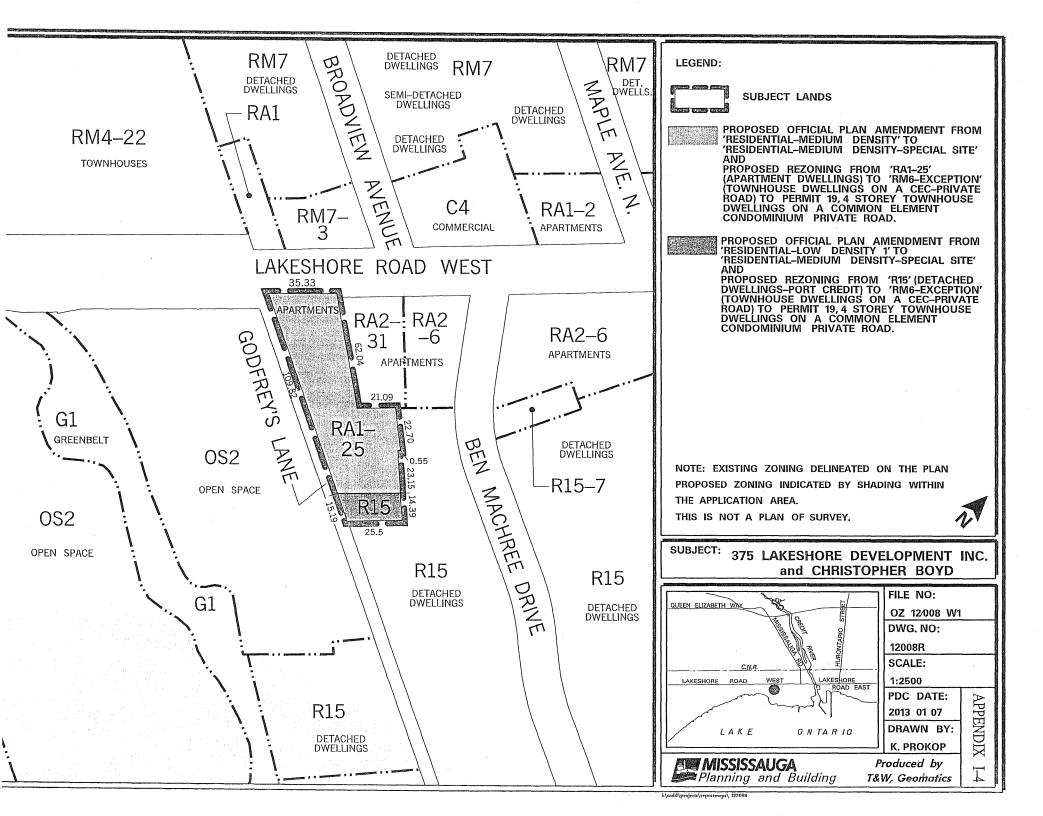


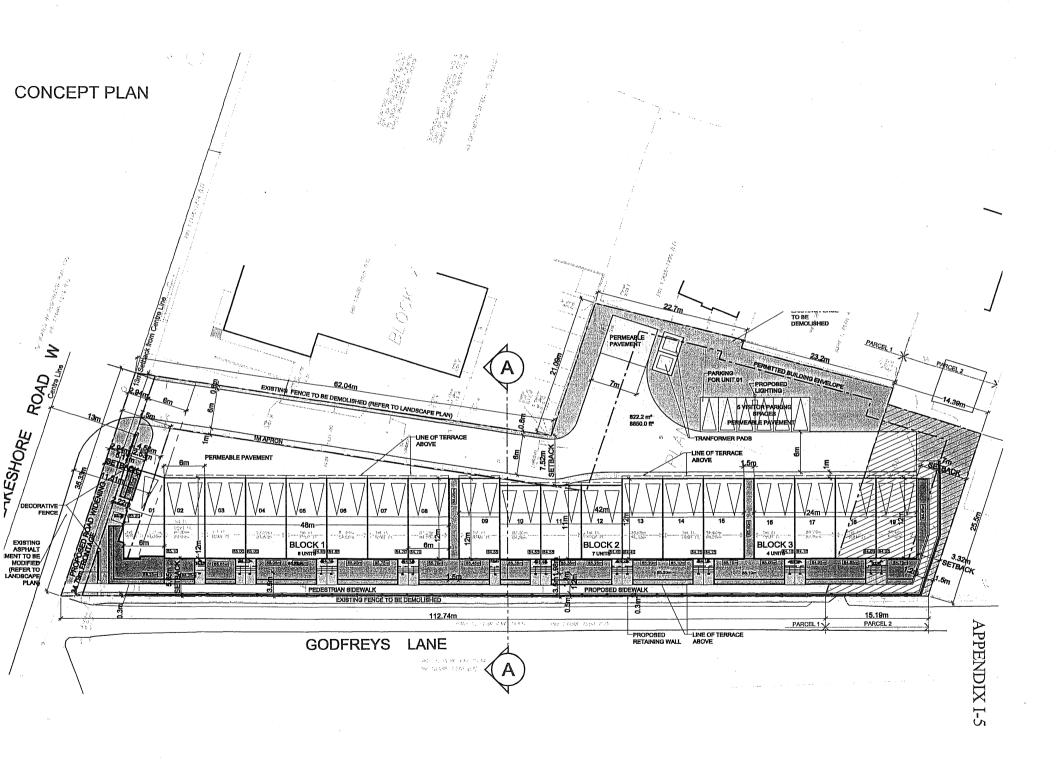


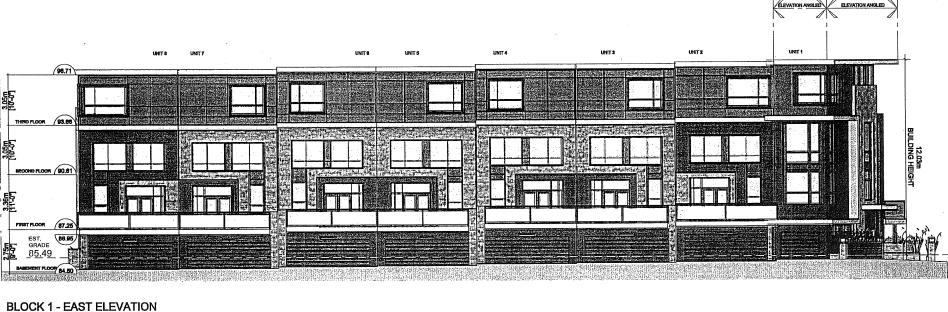
SUBJECT: 375 LAKESHORE DEVELOPMENT INC. and CHRISTOPHER BOYD



DESIGN FILE

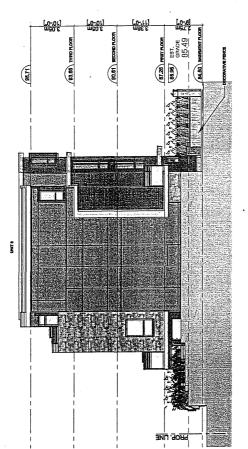




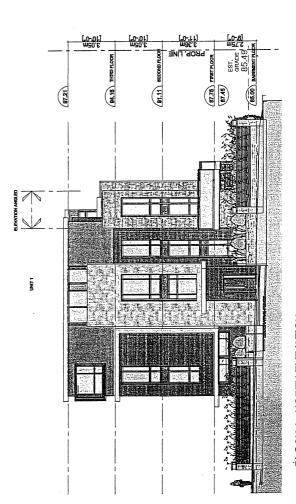




BLOCK 1 - WEST ELEVATION



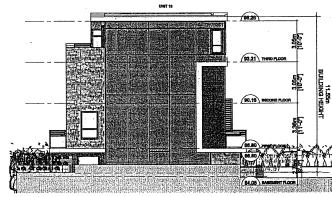
BLOCK 1 - SOUTH ELEVATION



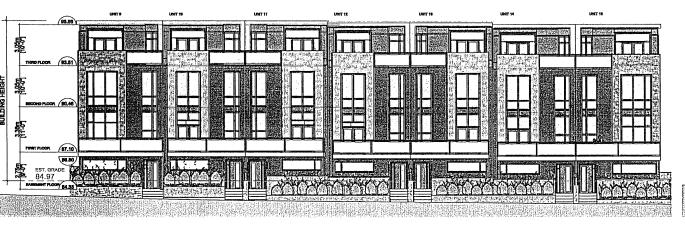
BLOCK 1 - NORTH ELEVATION



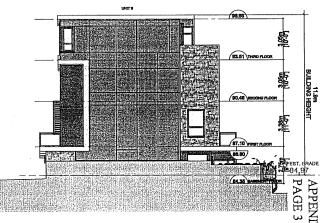
BLOCK 2 - EAST ELEVATION



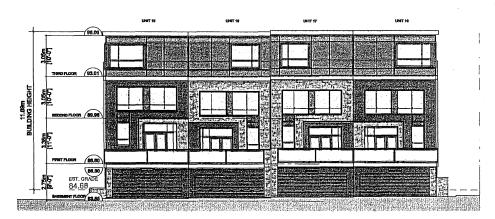
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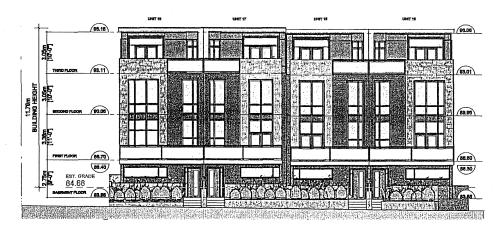
BLOCK 2 - WEST ELEVATION



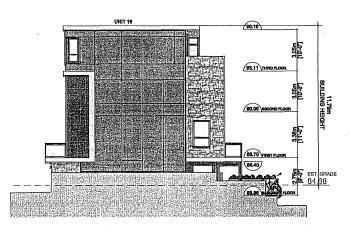
BLOCK 2 - NORTH ELEVATION



BLOCK 3 - EAST ELEVATION



BLOCK 3 - WEST ELEVATION



BLOCK 3 - NORTH ELEVATION

APPENDIX I-6 PAGE 4

375 Lakeshore Development Inc. and Christopher Boyd

File: OZ 12/008 W1

Agency Comments

The following is a summary of comments from agencies and departments regarding the applications.

Agency / Comment Date	Comment
Region of Peel (October 31, 2012)	There are existing 400 mm (16 in.) and 300 mm (12 in.) diameter watermains located on the north and south sides of Lakeshore Road West respectfully. There is also an existing 50 mm (2 in.) diameter watermain on Godfrey's Lane.
	An existing 375 mm (15 in.) diameter sanitary sewer is located on Lakeshore Road West.
	A Condominium Water Servicing Agreement will be required. Private Servicing Easements will be required.
	The Region is in receipt of site servicing drawings. Site Servicing approvals are required prior to building permit issuance.
	This property drains to the Beach Street Pumping Station which is currently at capacity. Sanitary Sewer Servicing for new services is not currently available until such time as the Beechwood Pumping Station is operational.
	The subject lands are not within the vicinity of a landfill.
	Curbside collection may be provided by the Region of Peel provided the applicant satisfies the requirements specified in section 2.2 of the Waste Collection Design Standards Manual. Collection vehicles require a minimum turning radius of 13 m (43 ft.) from the centre line on all turns.
·	

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Agency / Comment Date	Comment
Dufferin-Peel Catholic District School Board and the Peel District School Board (July 11, 2012 and November 13, 2012)	Both School Boards responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for these development applications.
	In addition, if approved, both School Boards also require that warning clauses with respect to temporary school and transportation arrangements be included in any Agreement of Purchase and Sale and the Development and/or Servicing Agreements.
City Community Services Department – Parks and Forestry Division/Park Planning Section (December 17, 2102)	The proposed development is located adjacent to Brueckner Rhododendron Gardens, a well established Destination Park on the shores of Lake Ontario that contains public gardens, bicycle/pedestrian trails, a washroom, parking lots and other park amenities. The development will also be served by Ben Machree Park, which is approximately 500 m (1,640 ft.) south of the proposed development and includes a play site in addition to other park amenities.
	In the event that the applications are approved, the e following comments and conditions will apply:
	Prior to Supplementary Report, the applicant shall work with Community Services Department and Transportation and Works Department staff to identify an acceptable alternative option for the re-alignment and upgrade of the storm sewer connection within Brueckner Rhododendron Gardens, that will not impact the significant mature trees and established gardens containing rare plant specimens within the park. Community Services met with the applicant to determine an outlet alignment that avoids the removal of trees and heritage plantings within the park. The proposed realignment appears to reflect what was explored on site, however, the bio-retention feature is significantly larger than anticipated. A Park Access Permit will be required prior to construction of the storm sewer connection and bio-retention filter.

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Agency / Comment Date	Comment
	In addition, the applicant is to submit revised tree inventory and preservation plans; provide streetscape master plans and composite utility plans for Godfrey's Lane and Lakeshore Road West; and provide cost estimates for the proposed streetscape corridor works. The applicant is to ensure that the 7 mature trees that are proposed to be removed from City Lands on Godfrey's Lane can be replanted. The currently proposed Joint-Use Trench for Hydro along Godfrey Lane does not allow these trees to be replanted.
	Prior to By-law Enactment, securities to ensure for the appropriate construction of the Streetscape Corridor will be required. Parkland dedication requirements have been satisfied through the previous development of the property.
City Community Services Department – Culture Division (June 19, 2012)	The properties have archaeological potential due to its proximity to a watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject properties and mitigate, through preservation or resource removal and documenting, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject properties prior to the approval authority and the Ministry of Tourism and Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements. An archaeological assessment has been submitted, however, Ministry clearance remains outstanding.
City Community Services Department – Fire and Emergency Services Division (November 13, 2012)	Ministry clearance remains outstanding. Fire has reviewed these applications from an emergency response perspective and has no concerns; emergency response time to the site and water supply available are acceptable. The site is to be developed in conformance with the OBC and Bylaw 1036-81. Through the site plan review process, it is to be demonstrated that access for responding emergency services is provided to the primary entrance to the dwelling units (Godfrey's Lane elevation) via either a dedicated public thoroughfare or a by-law compliant fire access route.

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Agency / Comment Date	Comment
City Transportation and Works Department (November 16, 2012)	This department confirms receipt of the revised Composite Utility Plan and Sections to verify the location of the existing services and utility locations within the affected road allowances. This information is currently under review along with the revised Site Plan, Site Grading Plan, Site Servicing Plan, Functional Servicing Report, Landscape Plans Environmental Noise Impact Study, and Phase 2 Environmental Site Assessments.
	Notwithstanding the findings of the reports and plans currently under review, additional technical details and revisions have been requested from the applicant's consulting team to confirm the feasibility of this condominium project.
	Further detailed comments/conditions will be provided prior to the Supplementary Report pending receipt and review of the foregoing.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:
·•	- Bell Canada - Canada Post
	Development Services, City of MississaugaEnersource Hydro Mississauga
	The following City Departments and external agencies were circulated the applications but provided no comments:
	 Conseil Scolaire de District Catholique Centre-Sud Conseil Scolaire de District Centre-Sud-Ouest Credit Valley Hospital Enbridge Consumers Gas Realty Services, City of Mississauga Rogers Cable The Trillium Health Centre

375 Lakeshore Development Inc. and Christopher Boyd

File: OZ 12/008 W1

School Accommodation

The Peel District School Board		The Dufferin-Peel Catholic District School Board			
•	Student Yield:		9	• Student Yield:	
		ergarten to Grade 8 e 9 to Grade 12/OAC		2 13	Junior Kindergarten to Grade 8 Grade 9 to Grade 12/OAC
6	School Accommodation:		9	School Acco	ommodation:
	Riverside P.S.			St. Luke	
	Enrolment: Capacity: Portables:	304 440 0		Enrolment: Capacity: Portables:	534 584 0
	Port Credit S.S.			Iona	
	Enrolment: Capacity: Portables:	1,199 1,203 0	-	Enrolment: Capacity: Portables:	1,248 723 17

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Applicable Mississauga Official Plan (2011) Policies

Urban Design Policies (Port Credit Local Area Plan)

Section 2.1.2.2

The property is located in the South Residential Precinct for which the policies state that the predominant characteristics of these areas should be preserved including: the one to two (1-2) storey building heights; the combination of small building masses on small lots (i.e. the scale of the neighbourhood is of modest detached dwellings); the physical and visual access to Lake Ontario; the well-landscaped streetscapes; and the irregular street grid.

Section 2.2

The design of the street right-of-way and the design of the lands along the street affect the streetscape and should have regard for the following:

a. On lands adjacent to Lakeshore Road, and in the area of south of Lakeshore Road East between the Credit River and Tall Oaks Park, an urban character is appropriate; buildings should be located close to the street and aligned with it to enclose the street space, and gaps in the street wall should be ordered in coherent fashion.

Corridors

Section 5.4.7

Land uses and building entrances will be oriented to the Corridor where possible and surrounding land use development patterns permit.

Build a Desirable Urban Form

Section 9.1.3

Infill and redevelopment within a Neighbourhood will respect the existing and planned character.

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Section 9.1.5

Development on Corridors will be consistent with existing or planned character, seek opportunities to enhance the Corridor and provide appropriate transitions to neighbouring uses.

Section 9.2.2.4

While new development need not mirror existing development, new development in Neighbourhood will:

- a. respect existing lotting patterns;
- b. respect the continuity of front, rear and side yard setbacks;
- c. respect the scale and character of the surrounding area;
- d. minimize overshadowing and overlook on adjacent neighbourhoods;
- e. incorporate stormwater best management practice;
- f. preserve mature high quality trees and ensure replacement of the tree canopy; and
- g. be designed to respect the existing scale, massing, character and grades of the surrounding area.

Section 9.2.2.7

Development on Corridors will be encouraged to:

- a. assemble small land parcels to create efficient development parcels;
- b. face the street, except where predominate development patterns dictate otherwise;
- c. not locate parking between the building and the street;
- d. site building to frame the street and where non-residential uses are proposed to create a continuous street wall;
- e. provide entrances and transparent windows facing the street for non-residential uses;
- f. support transit and active transportation modes;
- g. consolidate access points and encourage shared parking, service areas and driveway entrances; and
- h. provide concept plans that show how the site can be developed with surrounding lands.

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Section 9.3.1.7

Streetscapes will be designed to create a sense of identity through the treatment of architectural features, forms, massing, scale, site layout, orientation, landscaping, lighting and signage.

Section 9.3.1.9

Development and elements within the public realm will be designed to provide continuity of the streetscape and minimize visual clutter.

Section 9.5.1.1

Buildings and site design will be compatible with site conditions, the surrounding context, features and surrounding landscape and the intended character of the area.

Section 9.5.1.3

Site designs and buildings will create a sense of enclosure along the street edge with heights appropriate to the surrounding context.

Section 9.5.1.11

New residential development abutting major roads should be designed with a built form that mitigates traffic noises and ensures the attractiveness of the thoroughfare.

Section 9.5.3.2

Buildings must clearly address the street with principal doors and fenestrations facing the street in order to:

- a. ensure main building entrances and at grade uses are located and designed to be prominent, face the public realm and be clearly visible and directly accessible from the public sidewalk;
- b. provide strong pedestrian connections and landscape treatments that link the buildings to the street; and
- c. ensure public safety.

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Section 9.5.3.7

Buildings will be pedestrian oriented through the design and composition of their facades, including their scale, proportion, continuity, rhythms, texture, detailing and materials.

Section 9.5.4.1

Development proposals should enhance public streets and the open space system by creating a desirable street edge condition.

Section 9.5.4.4

Along Corridors where an urban character is appropriate, buildings should be located close to and aligned with the street to enclose the street.

Criteria for Site Specific Official Plan Amendments

Section 19.4.1 of Mississauga Plan contains criteria which require an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

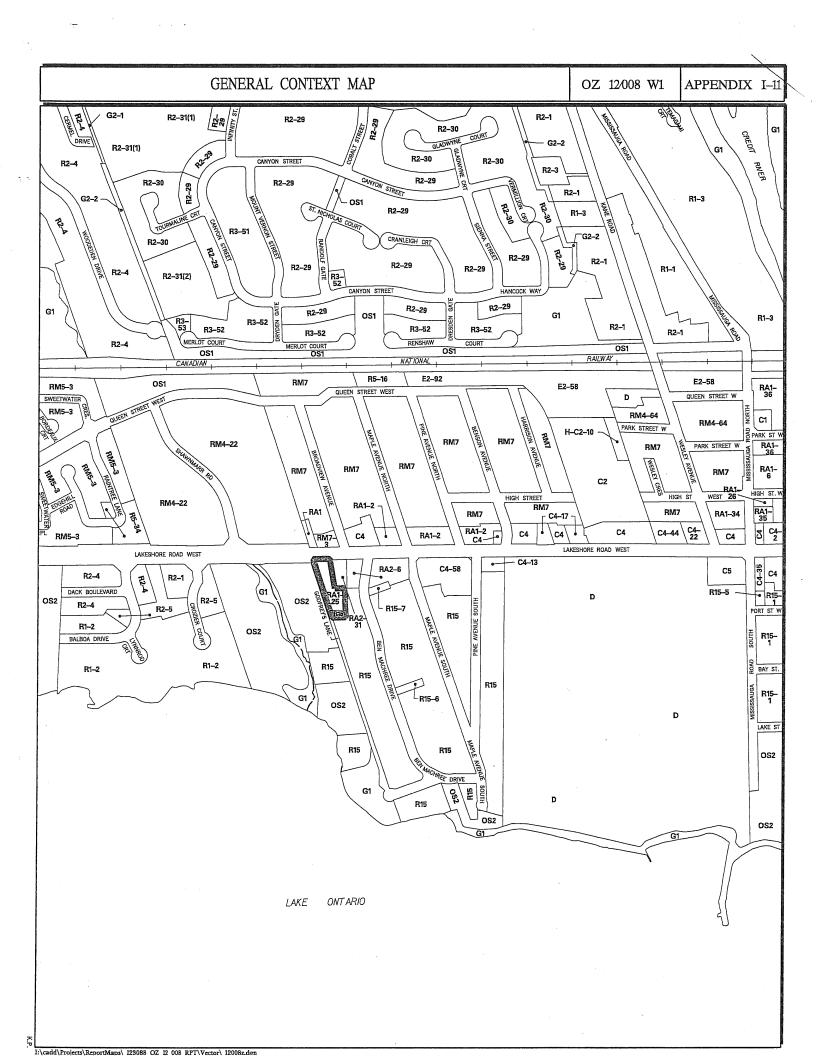
- the proposal would not adversely impact or destabilize the following: the overall intent, goals, objectives and policies of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

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File: OZ 12/008 W1

Proposed Zoning Standards

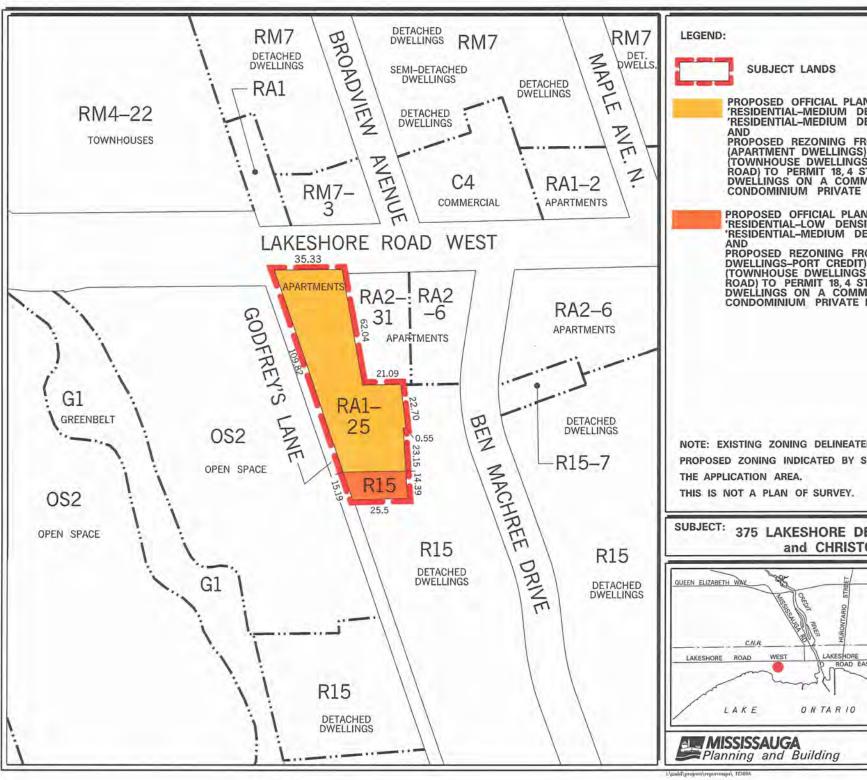
	Base "RM6"	Proposed "RM6-
	Zoning By-law	Exception" By-law
	Standard	Standard
Minimum Lot Area	115 m ² (1,238 sq. ft.)	99 m² (1,066 sq. ft.) -
	- Interior Lot	Interior Lot
	190 m ² (2,045 sq. ft.)	120 m ² (1,292 sq. ft.) -
	- Corner Lot	Corner Lot
Minimum Front Yard	4.5 m (14.8 ft.)	5.6 m (18.4 ft.)
Minimum setback from a	6.0 m (19.7 ft.)	0.0 m (0.0 ft.)
front garage face to a street,		
CEC-private road or CEC-		
sidewalk	·	
Minimum exterior side yard -	4.5 m (14.8 ft.)	2.2 m (7.2 ft.)
Lot with an exterior side lot		
line abutting a street		
Minimum Rear Yard Setback	7.5 m (24.6 ft.)	0.0 m (0.0 ft.)
Maximum Height	10.7 m (35.1 ft.)	The lesser of 13 m (42.6 ft.)
		or four storeys
Maximum encroachment of a	1.5 m (4.9 ft.)	1.2 m (3.9 ft.)
porch or deck inclusive of		
stairs located at and	•	
accessible from the first		
storey or below the first storey into the required front		
and exterior side yards		
Minimum width of a CEC -	7.0 m (23.0 ft.)	6.0 m (19.7 ft.)
private road		



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Recommendation PDC-0003-2013

"That the Report dated December 11, 2012, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Residential Medium Density" and "Residential Low Density I" to "Residential Medium Density - Special Site" and to change the Zoning from "RA1-25" (Apartment Dwellings) and "R15" (Detached Dwellings - Port Credit) to "RM6-Exception" (Townhouse Dwellings on a CEC - Private Road), to permit nineteen (19) 4-storey townhouse dwellings on a common element condominium private road under file OZ 12/008 W1, 375 Lakeshore Development Inc. and Christopher Boyd, 375 Lakeshore Road West and the rear portion of 14 Ben Machree Drive, southeast corner of Lakeshore Road West and Godfrey's Lane, be received for information."



PROPOSED OFFICIAL PLAN AMENDMENT FROM 'RESIDENTIAL-MEDIUM DENSITY' TO 'RESIDENTIAL-MEDIUM DENSITY-SPECIAL SITE' PROPOSED REZONING FROM 'RA1-25'

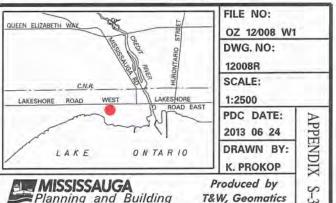
(APARTMENT DWELLINGS) TO 'RM6-EXCEPTION'
(TOWNHOUSE DWELLINGS ON A CEC-PRIVATE
ROAD) TO PERMIT 18, 4 STOREY TOWNHOUSE
DWELLINGS ON A COMMON ELEMENT CONDOMINIUM PRIVATE ROAD.

PROPOSED OFFICIAL PLAN AMENDMENT FROM RESIDENTIAL-LOW DENSITY 1'TO 'RESIDENTIAL-MEDIUM DENSITY-SPECIAL SITE' PROPOSED REZONING FROM 'R15' (DETACHED

DWELLINGS-PORT CREDIT) TO 'RM6-EXCEPTION' (TOWNHOUSE DWELLINGS ON A CEC-PRIVATE ROAD) TO PERMIT 18, 4 STOREY TOWNHOUSE DWELLINGS ON A COMMON ELEMENT CONDOMINIUM PRIVATE ROAD.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN PROPOSED ZONING INDICATED BY SHADING WITHIN

375 LAKESHORE DEVELOPMENT INC. and CHRISTOPHER BOYD



REVISED CONCEPT PLAN











12995

3048

2743

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3404





byge 3 VPPENDIX S-5

375 Lakeshore Development Inc. and Christopher Boyd

Files: OZ 12/008 W1

Revised Proposed Zoning Standards

	Base "RM6"	Proposed "RM6-
	Zoning By-law	Exception" By-law
	Standard	Standard
Minimum Lot Area	115 m ² (1,238 sq. ft.) -	81 m ² (1,066 sq. ft.) - Interior
	Interior Lot	Lot
	190 m ² (2,045 sq. ft.) -	120 m ² (2,045 sq. ft.) - Corner
	Corner Lot	Lot
Minimum Lot Frontage – Interior	5.0 m (16.4 ft.)	6.0 m (19.7 ft.)
Lots		
Minimum Lot Frontage – Exterior	8.3 m (27.2 ft.)	8.3 m (27.2 ft.)
Lots		
Minimum Unit Width	5.0 m (16.4 ft.)	6.0 m (19.7 ft.)
Minimum Front Yard	4.5 m (14.8 ft.)	3.0 m (9.8 ft.)
Minimum Interior Side Yard - Attached Side	0 m (0 ft.)	0 m (0 ft.)
Minimum Interior Side Yard - Unattached Side	1.5 m (4.9 ft.)	1.2 m (3.9 ft.)
Minimum exterior side yard on a lot with an exterior side lot line that is a street line of a designated right-of way 20.0 m or greater	7.5 m (24.6 ft.)	4.2 m (13.8 ft.)
Minimum Rear Yard Setback	7.5 m (24.6 ft.)	0 m (0 ft.)
Minimum setback from a garage	6.0 m (19.7 ft.)	1.0 m (3.2 ft.)
face to CEC-private road		
Maximum Height	10.7 m (35.1 ft.)	13 m (42.6 ft.)

Note: Actual standards in the Zoning By-law may require adjustments subject to confirmation of the lot lines and additional provisions may be required in order to be consistent with the Concept Plan



Originator's

Files

OZ 11/014 W1

DATE:

June 4, 2013

TO:

Chair and Members of Planning and Development Committee

Meeting Date: June 24, 2013

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Official Plan Amendment and Rezoning Applications To permit a 140 unit, 22 storey condominium apartment

building with 180 m² (1,937 sq. ft.) of commercial uses

at street level

6, 8 and 10 Ann Street

Southwest corner of Ann Street and High Street East

Owner: Scott and Deanna Insley and Home Alone Property

Management Services Limited

Applicant: F.S. 6810 Limited Partnership (FRAM Building

Group) **Bill 51**

Supplementary Report

Ward 1

RECOMMENDATION:

That the Report dated June 4, 2013, from the Commissioner of Planning and Building regarding the applications under File OZ 11/014 W1, Scott and Deanna Insley and Home Alone Property Management Services Limited, 6, 8 and 10 Ann Street, southwest corner of Ann Street and High Street East, be adopted in accordance with the following:

- That the application to amend the Official Plan from 1. "Mainstreet Retail Commercial" to "Residential High Density
 - Special Site" to permit a 140 unit, 22 storey condominium

File: OZ 11/014 W1 June 4, 2013

apartment building with 180 m² (1,937 sq. ft.) of commercial uses at street level, be refused.

- 2. That the application to change the Zoning from "C4" (Mainstreet Commercial) to "RA5-Exception" (Apartment Dwellings) to permit a 140 unit, 22 storey condominium apartment building with 180 m² (1,937 sq. ft.) of commercial uses at street level, in accordance with the proposed zoning standards described in the Information Report, be refused.
- 3. That Council direct Legal Services, representatives from the appropriate City Departments and necessary consultants, to attend any Ontario Municipal Board proceedings which may take place in connection with the applications and in support of the recommendations outlined in the report dated June 4, 2013.

REPORT HIGHLIGHTS:

- The applicant has appealed the Official Plan Amendment and Rezoning applications to the Ontario Municipal Board for failure to make a decision within the prescribed timelines. The pre-hearing conference is scheduled for June 19, 2013;
- The applicant's Official Plan and Rezoning applications are recommended for refusal due to several reasons including the excessive height, scale, massing and density for the subject site;
- Staff are seeking direction from Council to attend any Ontario Municipal Board proceedings which may take place in connection with the applications and in support of the recommendations outlined in this report.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on December 3, 2012, at which time a Planning and Building Department Information Report (Appendix S-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0076-2012 which was subsequently adopted by Council and is attached as Appendix S-2.

File: OZ 11/014 W1 June 4, 2013

On February 7, 2013, the owner appealed the applications to the Ontario Municipal Board (OMB) due to the failure by Council to make a decision on the Official Plan Amendment application within 180 days and on the Rezoning application within 120 days (subsections 22 (7) and 34(11) of the *Planning Act*, respectively). The OMB pre-hearing conference is scheduled for June 19, 2013.

COMMENTS:

See Appendix S-1 - Information Report prepared by the Planning and Building Department.

COMMUNITY ISSUES

The issues below were identified by residents through written correspondence to the City and through verbal comments made at both the March 21, 2012 community meeting held by Ward 1 Councillor, Jim Tovey and the December 3, 2012 public meeting held by the Planning and Development Committee.

Comment

The proposed building is too tall, does not provide a gradual height transition down to Lakeshore Road East, will set a height precedent, represents excessive density and is not consistent with the City's Official Plan policies.

Response

Staff agree with concerns expressed by area residents, which include the proposed building height, lack of adequate built form transition, intensity of use and lack of conformity with the policies of Mississauga Official Plan. Consequently, it is recommended that these development applications be refused for the reasons outlined in the Planning Comments section of this Report.

Comment

The proposal is too close to the two storey triplex to the west, which will result in unacceptable impacts, including noise from the underground ramp, construction noise, car exhaust fumes and shadow impacts.

Response

The owner of the abutting triplex building expressed these concerns in writing and also through a deputation at the public meeting. This two storey triplex would be located only 2.3 m (7.5 ft.) from the proposed underground parking garage ramp and 8.7 m (28.5 ft.) from the façade of the proposed 22 storey, 78.0 m (256 ft.) tall tower.

The principle of ensuring a gradual height transition between low and high rise buildings is a foundational planning precept and is found in several Mississauga Official Plan policies. These include:

- Section 9.2.1.11 appropriate height and built form transitions will be required between sites and their surrounding areas;
- Section 9.5.1.2 development should be compatible and provide appropriate transition to existing and planned development by having regard for a number of elements, including the size and distribution of building mass and height, and the size and configuration of properties along a street;
- Section 9.5.1.9 development proposals will demonstrate compatibility and integration with surrounding land uses and the public realm by ensuring that adequate privacy, sunlight and sky views are maintained and that microclimatic conditions are mitigated;
- Section 2.1.2.4 of the Port Credit Local Area Plan development proposals must avoid adverse impacts on the
 surrounding areas and should maintain the existing character
 of the area.

Although the surrounding neighbourhood developed as a unique mix of low, medium and high rise residential buildings in proximity to each other, there is no other example of extreme height differences being located as close together as proposed by the applicant. Of the nine apartment buildings that are 10 storeys or more in the larger neighbourhood area (bounded by Lakeshore Road East, Hurontario Street, Queen Street East and Stavebank Road) that are near to a building of three storeys or less on the same block, the average distance between them is approximately 21.5 m (70.5 ft.). For the three tallest apartments (16, 20 and 27

storeys) in this larger neighbourhood area, the average distance to the closest low rise dwelling increases to approximately 28.7 m (94.1 ft.), with the closest being 27.0 m (88.6 ft.). These statistics demonstrate that the proposed height interface with the abutting triplex would be unprecedented within the larger neighbourhood area and about three times closer than the existing minimum found among the neighbourhood's tallest buildings. This does not represent a built form transition but a distinct and abrupt height, scale and massing contrast that is not well integrated into the existing context.

Comment

There will be insufficient parking for the abutting funeral home once its parking lot is developed as part of the subject proposal.

Response

A Revised Parking Appraisal Study (August 31, 2012), prepared by Transtech and submitted by the applicant, proposes to replace the existing 34 parking spaces currently used by the Skinner & Middlebrook Funeral Home in the following manner:

- 17 spaces provided at grade as part of the subject redevelopment proposal;
- 6 spaces reconfiguration of the funeral home on-site rear parking area;
- 2 spaces provision of surplus underground spaces owned by the applicant at 70/80 Port Street East;
- 9 spaces Payment-In-Lieu of parking (PIL) contribution to the City.

After reviewing the Study, staff agreed to the above parking solution subject to a number of conditions.

At the December 3, 2012 public meeting, two of the owners of the funeral home made a deputation indicating several concerns with the subject development proposal. These concerns included the reduction in the number of parking spaces available to the funeral home. In subsequent discussions with staff, FRAM indicated its position that it is not obligated to provide a parking solution for the

funeral home as part of its own redevelopment plans. While revised submission materials reflecting this position have not been provided to the City, the May 9, 2013 Notice of OMB Prehearing Conference circulated by FRAM's legal counsel includes a revised proposed Zoning By-law that has removed previous references to FRAM's provision of 17 parking spaces for the abutting funeral home.

Staff have a concern that there is no replacement of even a portion of the funeral home parking to be removed as part of the proposed development. Any future redevelopment of the subject lands should include cooperation between all relevant landowners to find a workable comprehensive parking solution for the funeral home and any new adjacent buildings. The funeral home will have to legalize the existing and any future off-site parking arrangement to address the City's Zoning By-law parking requirements through a planning application.

Comment

There isn't enough parking for the proposed retail component.

Response

The Revised Parking Appraisal Study proposes a residential parking rate of 0.93 spaces per unit, a visitor parking rate of 0.15 spaces per unit and a shared parking arrangement for commercial and residential visitor parking spaces. Staff reviewed the Study and determined that the proposed parking standards were acceptable subject to several conditions, including that the shared parking would be determined by the greater of 0.15 visitor parking spaces per unit or the parking required for all non-residential uses located in the same building.

Comment

The traffic impact on the local roads is a concern.

Response

A Traffic Impact Study was prepared by Transtech Consulting, dated September 2011, to assess the traffic impacts for both existing traffic and predicted future traffic volumes. The

Transportation and Works Department reviewed this study and is satisfied with its findings and the conclusion that this proposed development will not have an overtly significant impact on the level of service compared to the existing condition. However, there is a concern with the cumulative impact of additional development and re-development of properties within the Port Credit area, particularly west of Hurontario Street, which requires a more holistic consideration. Lakeshore Road currently experiences areas of "saturated flow" between Mississauga Road and Hurontario Street where it is approaching its motor vehicle carrying-capacity. Policies addressing transportation infrastructure improvements in Port Credit are currently being considered as part of the Port Credit Local Area Plan review and Inspiration Port Credit.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

Region of Peel

In comments updated May 31, 2013, the Region has indicated that their comments remain unchanged since the Information Report. There is a sanitary sewer capacity issue regarding the existing Elmwood and Beach Street Sewage Pumping Stations to service the flows. The proposed building cannot be connected to the existing sanitary system until the proposed Beechwood Sewage Pumping Station is in service and the Elmwood Sewage Pumping Station is updated. This issue and other technical servicing issues (including water service to the site) have not been adequately addressed in the applicant's Functional Servicing Report.

City Transportation and Works Department (T&W)

In comments updated April 9, 2013, T&W confirmed receipt of a revised Site Plan, Context Plan, Utility/Servicing Plan, Functional Stormwater Management Report, Functional Servicing Report, Phase 1 Environmental Site Assessment, Noise Control Feasibility Study, and a Traffic Impact Study in response to previous comments provided.

Notwithstanding the findings of these reports and drawings, the applicant was requested to provide updated information and additional technical details including cross-sectional details confirming the suitability of the High Street East and Ann Street boulevard works; however, the updated materials still remain outstanding.

The Noise Control Feasibility Study has analysed the noise and vibration impacts on the subject and the neighbouring sites and recommended mitigation measures to be implemented to achieve satisfactory noise levels consistent with City/Ministry of Environment guidelines. Additional details have been requested to confirm compliance with these guidelines.

City Community Services Department - Culture Division

In comments updated May 30, 2013, this Division stated that the applicant submitted a Heritage Impact Statement to the City on May 22, 2013 that was requested due to the proximity of listed and designated heritage properties in the immediate vicinity. The Statement found that the proposal will have no detrimental effects on the adjacent heritage buildings or their context. The Study is scheduled to be received for information by the Heritage Advisory Committee on June 18, 2013.

PLANNING COMMENTS

Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe

The PPS states that "appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety." Similarly, the Growth Plan directs municipalities to "identify the appropriate type and scale of development in intensification areas" and states that intensification areas will be planned and designed to "achieve an appropriate transition of built form to adjacent areas".

It is recognized that the subject site is appropriate for intensification given its urban context, its adjacency to a GO Transit commuter rail station and many Mississauga Official Plan policies. But both the PPS and Growth Plan explicitly indicate that development must be governed by appropriate standards, which include transition and scale of development. These provincial policy documents direct municipalities to create appropriate development standards, which Mississauga has done through its Official Plan.

The subject proposal does not conform to the development standards that have been incorporated into Mississauga Official Plan to ensure that "smart growth" does not lead to unlimited intensification without regard to context and without regard for the City's planning vision for communities. This is demonstrated in staff's responses to the Community Issues outlined above, and in the following section regarding the City's Official Plan. As such, the applications do not confirm to the intent of the PPS and Growth Plan.

Official Plan

Mississauga Official Plan was adopted by City Council on September 29, 2010 and partially approved by the Region of Peel on September 22, 2011. The Plan was appealed in its entirety, however, on November 14, 2012, the OMB issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals. As indicated in the Information Report, the applicant had requested to convert their applications to those under Mississauga Official Plan once it came into force and effect. Consequently, the subject applications will be reviewed against the policies of Mississauga Official Plan except where relevant policies are still under appeal. In these cases, the comparable Mississauga Plan (2003) policies apply, but regard shall still be had for the Council-adopted Mississauga Official Plan policies. As the "Mixed Use" policies in Mississauga Official Plan are under City-wide appeal, the policies of the "Mainstreet Retail Commercial" designation from Mississauga Plan (2003) currently apply to the subject lands.

The proposal requires a site specific amendment to the Port Credit Local Area Plan policies. Section 19.5 of Mississauga Official Plan provides criteria for evaluating site specific Official Plan Amendments. Each criterion is summarized below along with a discussion of how the proposed applications address the intent of the criteria.

Will the proposal adversely impact or destabilize the achievement of the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?

Mississauga Official Plan's City Structure policies recognize the different functions that various areas of the City perform. Land use, intensity of use and built form differ depending on these City Structure elements. These policies direct the greatest development intensity to the Downtown, with a decreasing gradation of heights and densities towards Major Nodes, Community Nodes, Corporate Centres and residential Neighbourhoods. The subject lands are within the Port Credit Community Node. One reason that the Community Node element was introduced into Mississauga Official Plan was to ensure that the form and density of new development more closely complements the existing character of historical Nodes such as Port Credit.

Although these City Structure policies are under appeal, the equivalent Mississauga Plan (2003) policies regarding Urban Form recognize a similar but broader urban hierarchy of the City Centre, Nodes and Corridors. Section 1.2 of Mississauga Plan (2003) directs that the density and height of Nodes should be less than the general levels in the City Centre. The subject proposal is inconsistent with these urban hierarchy policies, as the proposed Floor Space Index (FSI) of 7.4 and unit density of 729.3 units/ha (295.2 units/acre) far exceed what is found in the Port Credit Node but instead reflects densities found in the Downtown. The proposed height exceeds the 15 storey maximum height provisions for the subject lands found in the Port Credit Local Area Plan.

The proposed apartment building is too tall given the surrounding context. As outlined in the Community Issues section of this Report, the proposal does not provide an appropriate height and built form transition to the two storey triplex to the west, representing an adverse impact on this neighbouring property. This arises primarily from the size of the subject lands, which would be the smallest for an apartment building site in Port Credit and even in the City's Downtown. A larger site size would allow for a satisfactory site design, including sufficient common amenity and landscape areas, enhanced parking opportunities for the abutting funeral home, preferable servicing/loading options, appropriate residential setbacks for a residential use, and increased room to provide transition and buffering to adjacent lower density buildings. A comprehensive land assembly to create a viable development parcel pursuant to Section 9.2.1.5 of Mississauga Official Plan has not been undertaken.

Additionally, the proposed height would establish an undesirable precedent when viewed from Lakeshore Road East. The adjacent stretch of Lakeshore Road East from Stavebank Road to Hurontario Street represents the core of Port Credit's traditional commercial mainstreet due to its pedestrian vibrancy, health and diversity of retail stores, quality streetscape, and low rise built form. Much of Port Credit's village character and sense of place is found here. The maximum heights outlined in the Port Credit Local Area Plan protect the existing height regime found close to the mainstreet and prevent tall buildings from becoming visually intrusive and dominating the pedestrian experience. Generous sky views and a sense of openness will be eroded if buildings above 15 storeys are permitted adjacent to the mainstreet. This is not consistent with Mississauga Official Plan policies, including those which require tall buildings to have appropriate height and built form transitions to surrounding areas, siting and design to enhance an area's skyline, and create appropriate visual and functional relationships between individual buildings and groups of buildings.

The site's location does not warrant a landmark building that would match the height of FRAM's existing 22 storey apartment development (Northshore Condominium Residences) that is

currently Port Credit's tallest building at 78.3 m (256.9 ft.), including the mechanical penthouse. Located at the northeast corner of Hurontario Street and Lakeshore Road East, the reasons that make the Northshore residential tower appropriate originate in its unique location which has a number of distinct attributes. These include:

- its location as the gateway from the north into Port Credit;
- its location at the starting point of the City's and Region's most important north-south route, Hurontario Street;
- its location at Port Credit's most prominent intersection;
- its location at the corner of an Intensification Corridor/Higher Order Transit Corridor (Hurontario Street) and a Corridor/Higher Order Transit Corridor (Lakeshore Road East);
- the massing balance it establishes with the adjacent 20 storey apartment building situated just west of Hurontario Street on Lakeshore Road East.

The subject lands do not have similar locational attributes to warrant landmark building heights. If approved, the applicant's proposal could be seen as signaling planning support for other similar height building proposals on sites throughout Port Credit that do not have landmark attributes. This could have a destabilizing impact on intended development heights and densities. One result could be unacceptable cumulative traffic impacts on the local road network as densities increase beyond those planned for the community.

Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?

Residential and commercial land uses are suitable for the lands and compatible with surrounding lands. High density residential development is found in the surrounding neighbourhood and is anticipated within the Central Residential Precinct of the Port Credit Local Area Plan. The current "Mixed Use" designation encourages a mix of residential and commercial uses. On this

basis, the nature and mix of uses are appropriate, however excessive as proposed by the applicant.

Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed development?

As indicated previously in the Region of Peel's comments, there are unresolved sanitary sewer and water servicing issues related to the subject proposal.

Is a municipal comprehensive review of land use designations or a five year review required?

While Mississauga Official Plan was undertaken as a municipal comprehensive review of land use designations for the entire City, the Port Credit Local Area Plan is currently in the process of being updated. Its proposed policies give direction for future development on the subject lands. A draft document was received by the Planning and Development Committee at a statutory public meeting on September 17, 2012. The draft document proposes to retain the "Mixed Use" designation on the subject site. It also proposes a height range of 2 - 15 storeys for these lands and requires building heights to have an appropriate transition to Lakeshore Road East (see Appendix S-3). This recent study of suitable height ranges and emphasis on height transition reinforce the deficiencies of the current proposal. The study identified an area in proximity to the Port Credit GO Transit station that may have the locational attributes to support building heights up to 22 storeys (subject to Special Site policies that require studies to determine appropriate development including building heights), but the subject lands are not within this area.

The draft Built Form Guide for Port Credit that was prepared in conjunction with this Area Plan provides direction to the massing and orientation of tall buildings. The Guide highlights the importance of looking beyond floor plate size in tower design. Buildings over six storeys should be designed to be as square as possible to minimize shadows and avoid the visual impact of a

slab-like building with a bulky floor plate. The maximum length of buildings over six storeys should be 35.0 m (114.8 ft.) including balconies for buildings under 15 storeys and 30.0 m (98.4 ft.) including balconies for taller buildings. This contrasts with the proposed tower, which is approximately 43.0 m (141.1 ft.) long including balconies, with a slight narrowing in the top floors. To give context, this is longer than the Northshore 22 storey apartment building referenced earlier, which has a length of approximately 41.8 m (137.1 ft.) including balconies.

From the east and west views (which includes pedestrians walking along Lakeshore Road East), the proposed building will therefore appear to have a similar massing to that of the Northshore tower, which has a fairly substantial floor plate of approximately 964 m² (10,377 sq. ft.). Although the applicant has described their current proposal as a slender point tower, this is only true when viewed in front of its north-south orientation. Given how close the proposal is to Lakeshore Road East, the proposed height and floor plate design generates unacceptable skyview and massing impacts along this important view corridor.

The draft Built Form Guide identifies High Street East and Ann Street at this location as being residential in character and therefore requiring residential setbacks of 4.5 m (14.8 ft.) to 7.0 m (23.0 ft.). Although commercial uses are proposed at grade, the amount of commercial space requested by the applicant is permitted as-of-right in the base "RA5" (Apartment Dwellings) zone and is not a rationale for moving the building very close to the street. The proposed 1.2 m (3.9 ft.) building setback to Ann Street is insufficient and will not provide adequate room for landscaping consistent with the existing character of the community.

Zoning

The proposed "RA5-Exception" (Apartment Dwellings) zone is not acceptable for the reasons noted in the previous sections of this Report.

File: OZ 11/014 W1 June 4, 2013

Bonus Zoning

Should a rezoning of the lands that increases the height and/or density be approved at the OMB, it will be requested that as a condition of approval the applicant make a community benefits contribution in accordance with Section 37 of the *Planning Act*, policies contained in Mississauga Official Plan and Corporate Policy and Procedure 07-03-01 (Bonus Zoning).

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

The proposed Official Plan and Zoning By-law amendments are not acceptable from a planning standpoint and should not be approved for the following reasons:

- 1. The proposal does not conform to the intent of the PPS and Growth Plan.
- 2. The proposed development does not support the overall intent, goals and objectives of Mississauga Official Plan.
- 3. The proposal is of a height, scale, massing and density that is excessive for the site and does not provide an adequate height transition to adjacent low rise buildings.
- 4. The proposal would result in the removal of the parking lot used by the abutting funeral home without providing alternative parking.
- 5. Several outstanding technical details have not been addressed as of the preparation of this report, including water and wastewater site servicing.

June 4, 2013

ATTACHMENTS:

Appendix S-1: Information Report

Appendix S-2: Recommendation PDC-0076-2012

Appendix S-3: Port Credit Community Node – Draft Height

Limits

Edward R. Sajecki

Commissioner of Planning and Building

Prepared By: Ben Phillips, Development Planner

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Clerk's Files

Originator's

Files OZ 11/014 W1

PDC DEC 3 2012

DATE:

November 13, 2012

TO:

Chair and Members of Planning and Development Committee

Meeting Date: December 3, 2012

FROM:

Edward R. Sajecki

Commissioner of Planning and Building

SUBJECT:

Information Report

Official Plan Amendment and Rezoning Applications
To permit a 140 unit, 22 storey condominium apartment
building with 180 m² (1,937 sq. ft.) of commercial uses at street
level and surface parking to serve the abutting funeral home

to the south

6, 8 and 10 Ann Street

Southwest corner of Ann Street and High Street East

Owner: Scott and Deanna Insley and Home Alone Property

Management Services Limited

Applicant: F.S. 6810 Limited Partnership

(FRAM Building Group)

Bill 51

Public Meeting

Ward 1

RECOMMENDATION:

That the Report dated November 13, 2012, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Mainstreet Retail Commercial" to "Residential-High Density I-Special Site" and to change the Zoning from "C4" (Mainstreet Commercial) to "RA5-Exception" (Apartment Dwellings), to permit a 140 unit, 22 storey condominium apartment building with 180 m² (1,937 sq. ft.) of commercial uses at street level and surface parking to serve the

abutting funeral home to the south under file OZ 11/014 W1, Scott and Deanna Insley and Home Alone Property Management Services Limited, 6, 8 and 10 Ann Street, southwest corner of Ann Street and High Street East, be received for information.

REPORT HIGHLIGHTS:

- Applications have been made to permit a 140 unit, 22 storey condominium apartment building with commercial uses at street level and surface parking to serve the abutting funeral home to the south;
- Community concerns include the proposed building height, density and traffic;
- Prior to the Supplementary Report, matters to be addressed include the appropriateness of the proposed Official Plan and Zoning By-law amendments, resolution of design details and submission and review of additional requested materials.

BACKGROUND:

The above-noted applications have been circulated for technical comments and a community meeting has been held.

The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

COMMENTS:

The proposal described above incorporates a 2 storey building podium along Ann Street and High Street East from which the tower portion steps back approximately 3 m (10 ft.). Details of the proposal are as follows:

Development Proposal				
Applications	Received: October 21, 2011			
submitted:	Deemed complete: November 11, 2011			
Height:	22 storeys			
Lot Coverage:	74 %			
Floor Space	7.4			
Index:				
Landscaped	18%			
Area:				

Development Proposal				
Net Density:	729.3 units/ha			
	295.2 units/acre			
Gross Floor	Residential: 13 997 m ² (150,667 sq. ft.)			
Area:	Non-Residential: 180 m ² (1,937 sq. ft.)			
	Total: 14 177 m ² (152,604 sq. ft.)			
Number of	140			
units:				
Anticipated	343*			
Population:	*Average household sizes for all units			
	(by type) for the year 2011 (city average)			
	based on the 2008 Growth Forecasts for			
	the City of Mississauga.			
Parking	80 1-bed x 1.25 = 100 spaces			
Required:	60 2-bed x 1.40 = 84 spaces			
	$140 \times 0.2 = 28$ visitor's spaces			
	180 m ² (1,937 sq. ft.) of retail @ 6.5			
·	spaces/100 m ² (1,076 sq. ft.), which			
	assumes medical office use = 12 spaces			
	Total: 224 spaces			
	_			
	Note: This site currently provides 37			
	spaces for use by the abutting funeral			
	home.			
Parking	Resident: 130 spaces, with an additional			
Provided:	14 available for purchase by residents =			
	144			
	Visitor/Commercial: 21 spaces			
	Total: 165 spaces			
	•			
	Note: This proposal also provides 17			
	spaces for use by the abutting funeral			
	home, representing 20 spaces less than			
	the current provision of 37.			
Supporting	- Planning and Urban Design Rationale			
Documents:	and Addendum			
	- Urban Design and Streetscape Analysis			
	- Pedestrian Level Wind Study			
	2.000			

Development Proposal				
Supporting	- Functional Storm Drainage and			
Documents:	Stormwater Management Report			
(cont'd)	- Functional Servicing Report and			
	Addendum			
	- Phase 1 Environmental Site			
	Assessment and Letter of Reliance			
	- Noise Control Feasibility Study and			
	Revision			
	- Traffic Impact Study			
	- Functional Servicing Report			
	- Parking Appraisal Letter and Revision			
	- Tree Inventory/Protection Plan			
	- Composite Existing Utilities/Services			
	Plan			
	- List of Green Features			
	- Records of Site Condition			
	- Parcel Registry Documentation			
	- Site Plan, Floor Plans and Elevations			
	- Plan of Survey			

Site Characteristics				
Frontages:	Ann Street – 55.4 m (182 ft.)			
	High Street East – 28.1 m (92 ft.)			
Lot Area:	0.19 ha (0.47 ac.)			
Existing Use:	- 6 Ann Street – 1 storey dwelling			
	occupied by one of the owners of the			
	Skinner & Middlebrook Funeral Home;			
	- 8 Ann Street – surface parking lot with			
	37 spaces serving the funeral home;			
	- 10 Ann Street – 1 storey former			
	dwelling currently occupied by Home			
	Alone Property Management.			

Green Development Initiatives

The applicant has identified several green development initiatives that will be incorporated into the development, including a green

roof, on-site storm water retention, energy efficient lighting and low-flow water fixtures.

Additional information is provided in Appendices I-1 to I-12.

Neighbourhood Context

The subject property is located in an established neighbourhood with a mix of residential, retail and office uses. Building heights vary considerably, as there is a mix of older high and mid-rise apartment buildings and low-rise residential buildings, including detached dwellings. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: 2 storey Bell utility building, 2 storey detached dwelling

East: Across Ann Street, 2 storey parking structure; 2 storey

office in former dwelling

South: Skinner and Middlebrook Funeral Home and 5 storey

apartment building

West: Two 2 storey multi-unit residential buildings; 5 storey

apartment building further west

Current Mississauga Plan Designation and Policies for Port Credit (May 5, 2003)

"Mainstreet Retail Commercial" which refers to pedestrianoriented, street-related commercial areas that also permits residential, community and office uses. Compatible development is encouraged which recognizes the scale and enhances the form and character of Mainstreet Commercial areas.

The Urban Design Policies of the Port Credit District identify this site as being in the Central Residential Character Area. Policies include:

 recognition that the area has potential for infill and redevelopment and will have the highest building heights in the District;

- Proposals must avoid adverse impacts on surrounding areas and should maintain the existing character, particularly the mature trees and the well-landscaped front yards;
- Building heights should not exceed 15 storeys, subject to shadowing and overlook concerns;
- Buildings should be set back from the street to provide landscaping opportunities in order to maintain the existing street character of the area.

The applications are not in conformity with the land use designation.

There are several other policies in the Official Plan which also are applicable in the review of these applications including:

Residential Policies

If certain conditions are demonstrated, the residential intensification policies of Mississauga Plan allow for official plan amendments to be considered which increase permitted height and density on a property outside the Urban Growth Centre. These conditions are that the proposed development is compatible in built form and scale with surrounding development, enhances the existing or planned community and is consistent with the intent of Mississauga Plan. Design issues related to built form, height, massing, transition, coverage, setbacks, privacy and overview, parking and the quantity and quality of open spaces will be priorities in assessing the merits of residential development proposals.

Urban Design Policies

The urban design policies of Mississauga Plan require that building, landscaping and site design are compatible with site conditions and will create appropriate visual and functional relationships between individual buildings, groups of buildings and open spaces. These elements are also to minimize the effects of noise, unattractive views, other negative impacts and will buffer adjacent land uses.

Criteria for Site Specific Official Plan Amendments

Section 5.3.2 of Mississauga Plan contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

New Mississauga Official Plan (2011)

Mississauga Official Plan (2011) was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. Mississauga Official Plan (2011) has been appealed in its entirety; therefore, the existing Mississauga Plan (2003) remains in effect. While the existing Mississauga Plan (2003) is the plan of record against which the applications are currently being reviewed, regard should also be given to the new Mississauga Official Plan (2011). The applicant has requested to convert their application to one under Mississauga Official Plan (2011) once it comes into force and effect. Under the new Mississauga Official Plan, the subject lands are designated "Mixed Use – Special Site 38". Should Mississauga Official Plan come into effect before these applications are approved, an amendment will be required to the new Plan to change the designation to "Residential High Density – Special Site".

Proposed Official Plan Designation and Policies

"Residential - High Density I - Special Site", to permit the proposed high density residential development at a maximum Floor Space Index of 7.5, a maximum height of 22 storeys and ground floor commercial uses to a maximum gross floor area of 185 m² (1,991 sq. ft.), and 17 surface parking spaces for the abutting funeral home to the south.

Existing Zoning

"C4" (Mainstreet Commercial), which permits a range of retail, service commercial and office uses with a maximum building height of 3 storeys.

Proposed Zoning By-law Amendment

"RA5-Exception" (Apartment Dwellings), to permit the proposed uses and standards listed in Appendix I-11.

Bonus Zoning

On September 26, 2012, Council adopted Corporate Policy and Procedure 07-03-01 — Bonus Zoning. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted development are deemed good planning by Council through the approval of a development application. Should these applications be approved in principle by Council, the City may require the provision of community benefits as a condition of approval.

COMMUNITY ISSUES

A community meeting was held by Ward 1 Councillor, Jim Tovey on March 21, 2012. Additionally, several area residents have provided written and verbal comments to the City since the applications were submitted.

The following is a summary of issues raised by the community:

- the proposed building is too tall, does not provide a gradual height transition down to Lakeshore Road East and will set a height precedent;
- the proposal represents excessive density and is not in keeping with the City's Official Plan;
- the proposal is too close to the two storey multi-unit residential building to the west, which will result in unacceptable impacts;
- there will be inadequate parking for the abutting funeral home as well as for the proposed retail component;
- the traffic impact on the local roads is a concern.

The comments raised by the community will be considered in the evaluation of the applications and will be addressed as part of the Supplementary Report.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-9 and school accommodation information is contained in Appendix I-10. Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed:

- resolution of expressed concerns regarding the proposed height, massing and density, given current and proposed Official Plan policies and the neighbourhood context;
- resolution of detailed design matters, including the loading/servicing area configuration, tower floor plate proportions, overlook concerns, underground parking layout, landscape requirements, common outdoor amenity area, and building setbacks;
- the current lack of additional sanitary sewer capacity in the area:
- the submission and review of additional requested documents, including a Heritage Impact Statement, a revised Noise Study, a revised Functional Servicing Report and a revised Urban Design and Streetscape Analysis.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering and servicing matters which will require the applicant to enter into appropriate agreements with the City.

FINANCIAL IMPACT:

Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City as well as financial requirements of any other official agency concerned with the development of the lands.

CONCLUSION:

All agency and City department comments have been received and after the public meeting has been held and all issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding these applications.

ATTACHMENTS:

Appendix I-1: Site History

Appendix I-2: Aerial Photograph

Appendix I-3: Excerpt of Port Credit District Land Use Map

Appendix I-4: Excerpt of Existing Land Use Map

Appendix I-5: Site Plan
Appendix I-6: Floor Plans

Appendix I-7: Elevations and Sections

Appendix I-8: Renderings

Appendix I-9: Agency Comments

Appendix I-10: School Accommodation

Appendix I-11: Proposed Zoning Standards

Appendix I-12: General Context Map

Edward R. Sajecki

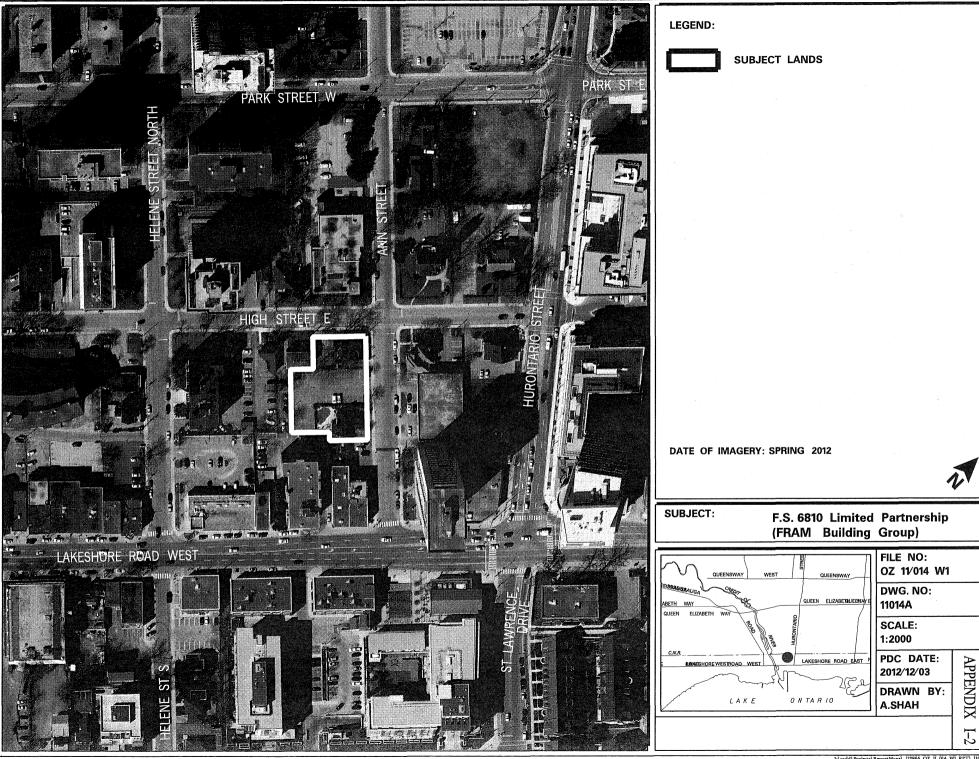
Commissioner of Planning and Building

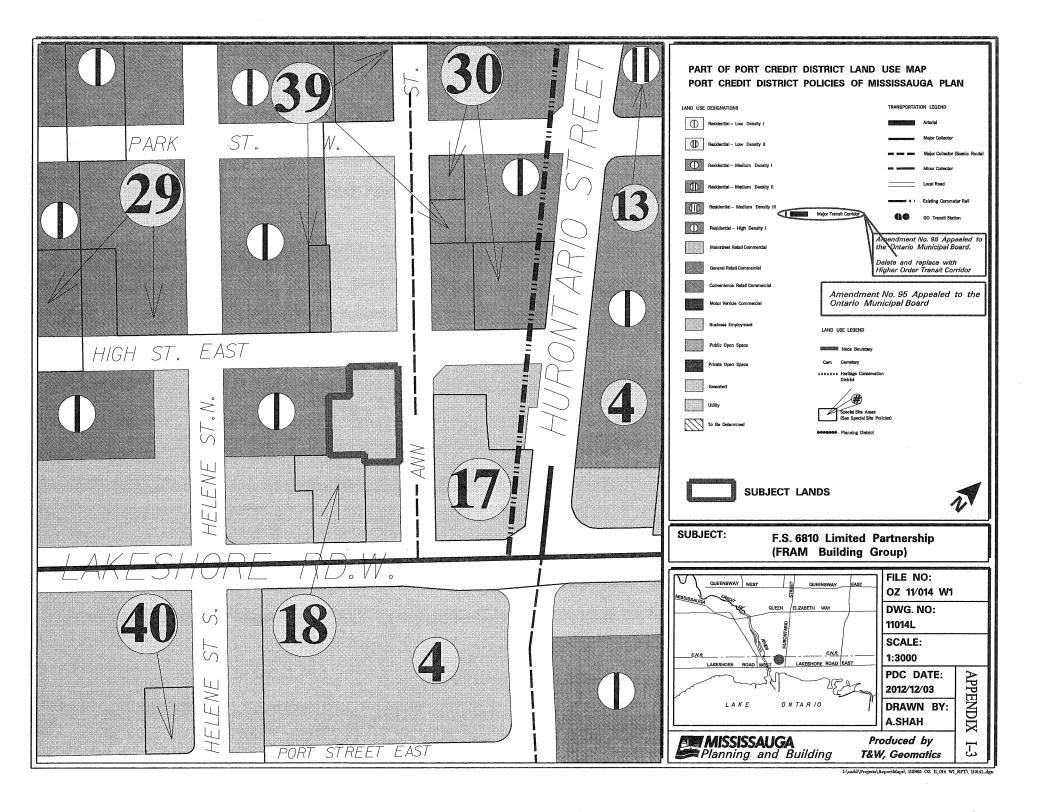
Prepared By: Ben Phillips, Development Planner

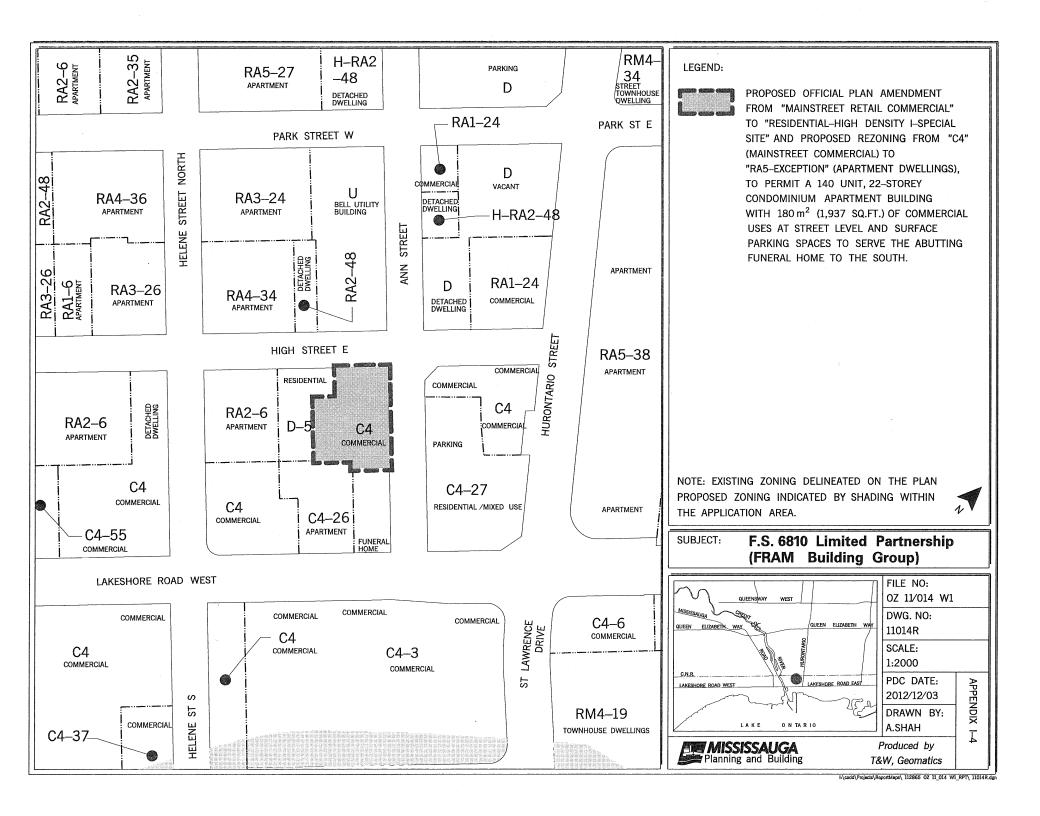
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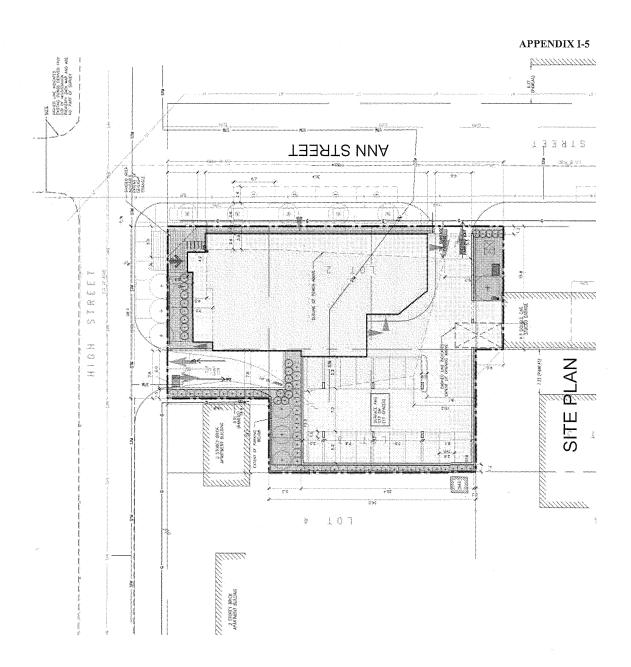
Site History

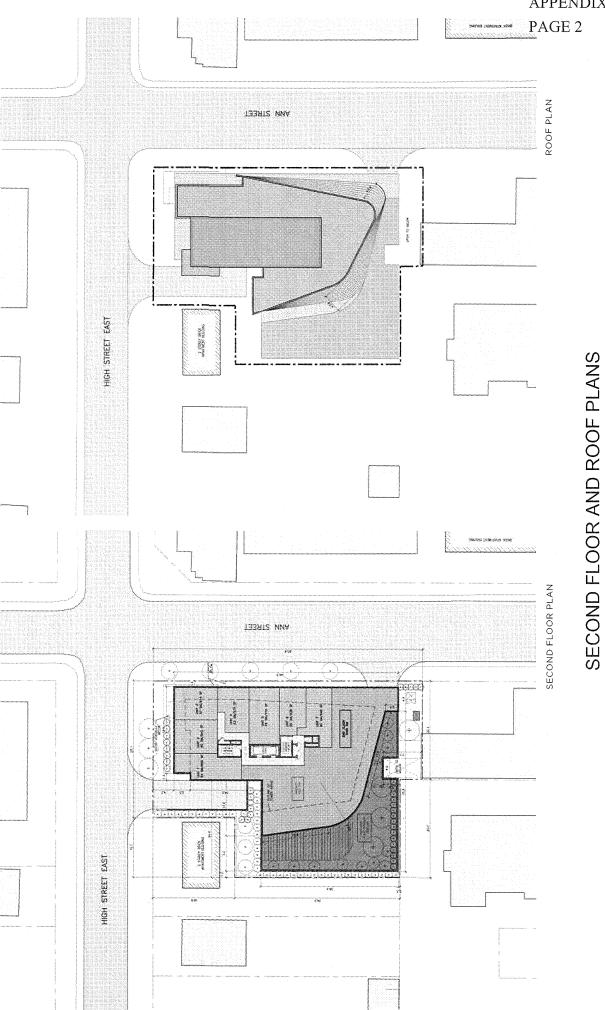
- October 25, 1990 A minor variance (file "A" 513/90) for the funeral home located at 128 Lakeshore Road East was approved, providing 34 parking spaces whereas 72 are required. These parking spaces are currently located on a portion of the subject lands, known municipally as 8 Ann Street. A variance for off-site parking was not sought at the time;
- May 5, 2003 Port Credit District Policies of Mississauga Plan approved by the Region of Peel, designating the subject lands "Mainstreet Retail Commercial" which refers to pedestrian-oriented, street-related commercial areas that also permits residential, community and office uses.
- June 20, 2007 Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed the provisions of the new By-law apply. The subject lands are zoned "C4" (Mainstreet Commercial).

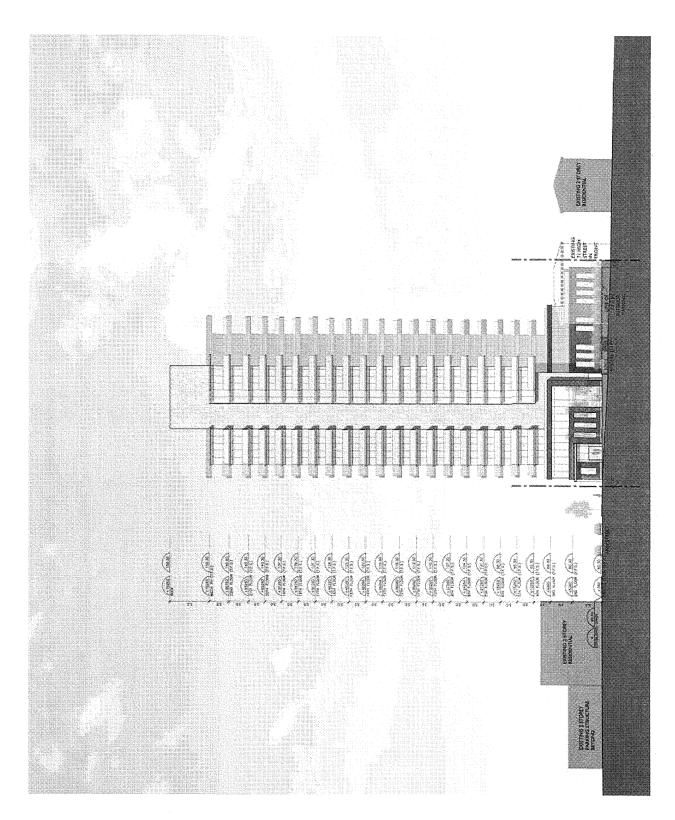


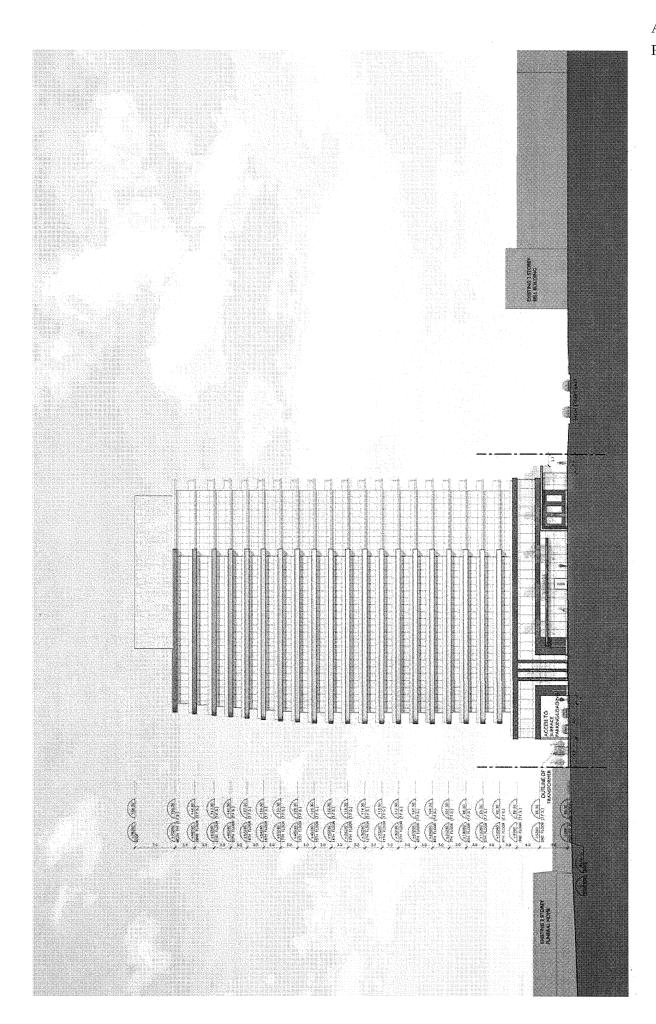


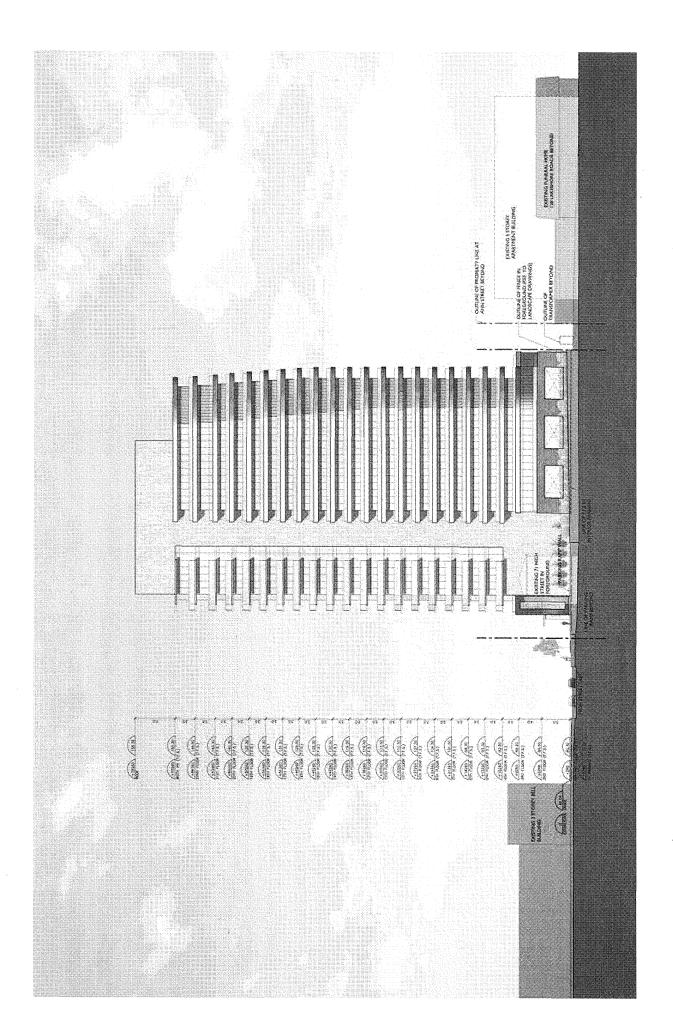


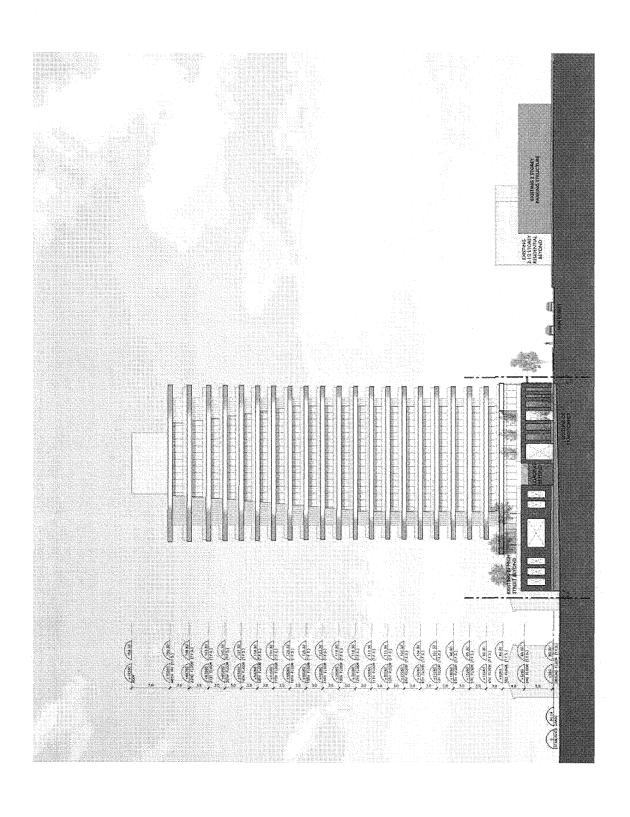














2006 - CITY OF MISSISSAUGA SKYLINE FROM LAKE ONTARIO



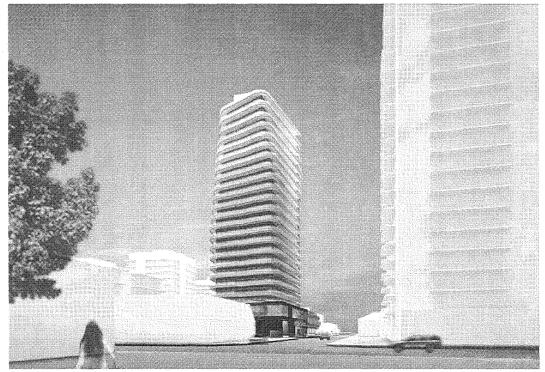
2011 - CITY OF MISSISSAUGA SKYLINE FROM LAKE ONTARIO



FUTURE - CITY OF MISSISSAUGA SKYLINE FROM LAKE ONTARIO

APPENDIX I-8 PAGE 2

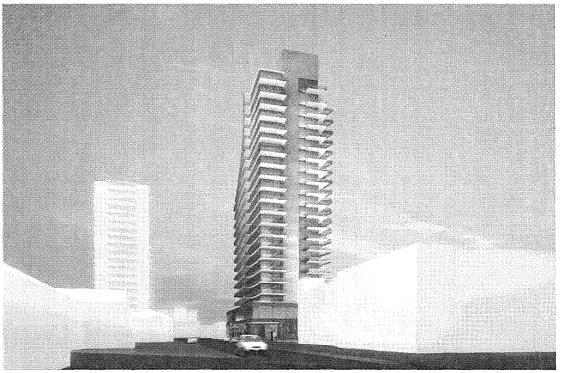




ANN STREET LOOKING NORTH

PERSPECTIVE A





ANN STREET LOOKING SOUTH

APPENDIX I-8 PAGE 3

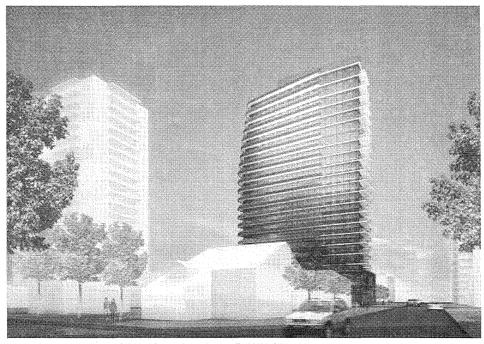




HIGH STREET EAST LOOKING EAST TOWARD ANN STREET

PERSPECTIVE C





HIGH STREET EAST LOOKING WEST TOWARD ANN STREET





File: OZ 11/014 W1

Agency Comments

The following is a summary of comments from agencies and departments regarding the applications:

Agency / Comment Date	Comment
Region of Peel (Updated November 2, 2012)	Existing 200 mm (8 in.) diameter watermains are located on High Street East and Ann Street.
2012)	Existing 250 mm (10 in.) diameter sanitary sewers are located on High Street East and Ann Street.
	The Region is in receipt of a Functional Servicing Report (FSR) prepared by Sernas, dated September 2011. With regards to water: The Region of Peel policy dictates that all connections to a high density development should be from a 300 mm (12 in.) watermain. There are no watermains of that size in the vicinity of this proposed development. External easements or construction is required at the applicant's expense. With regards to sanitary sewer: Regional records show that the existing 300 mm (12 in.) sanitary sewer on the north side of Lakeshore Road has been abandoned. Please update page 2 of the report to reflect this. The report shows that the existing 250 mm (10 in.) sanitary sewer along Ann Street flows southerly to a 300 mm (12 in.) sewer on Lakeshore Road then westerly to a 450 mm (18 in.) sewer on Helene Street. However, the existing 250 mm (10 in.) along Ann Street flows southerly and is connected to the 300 mm (12 in.) sewer on the south side of Lakeshore Road then easterly toward Hurontario Street. Please update page 2 of the report to reflect this. There is not any issue regarding the capacity of existing trunk sewers.
	There is a capacity issue regarding the Elmwood and Beach Street Sewage Pumping Stations to service the flows, especially under storm events and high inflow and infiltration conditions.
	These applications cannot be connected to the existing sanitary system until the proposed Beechwood Sewage Pumping Station is in service and Elmwood Sewage Pumping Station is

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Agency / Comment Date	Comment
	updated. The report is not satisfactory. Once the servicing proposals are confirmed, the FSR is to be updated to include the above noted revisions. Front-end garbage, front-end recycling and on-site bulky items and white goods collection (i.e. old appliances) will be provided to the residential component of the development by the Region of Peel.
Dufferin-Peel Catholic District School Board and the Peel District School Board (October 26, 2012 and October 16, 2012, respectively)	Both School Boards responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for these development applications. If approved, both School Boards require that warning clauses regarding temporary school accommodation and transportation arrangements be included in any Agreement of Purchase and Sale as well as the Development and/or Servicing Agreements. Notice signs must also be erected on site advising that students may have to be accommodated in temporary facilities or bused to schools.
City Community Services Department – Parks and Forestry Division/Park Planning Section (Updated October 9, 2012)	This Department notes that Harold E. Kennedy Park is located approximately 160 m (525 ft.) from the subject site and contains an outdoor pool, changing facilities and a children's play area. In the event that the applications are approved, a satisfactory streetscape master plan including proposed street tree planting and street tree preservation will be required. Associated securities for these works will be required and secured for through the Development Agreement. Further, prior to the issuance of building permits for each lot or block cash-in-lieu for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.

File: OZ 11/014 W1

F.S. 6810 Limited Partnership

Agency / Comment Date	Comment
City Community Services Department – Culture Division (July 26, 2012)	Per section 3.20.2.3 of Mississauga Plan, a Heritage Impact Statement is required due to the fact that the proposal might adversely affect listed and designated heritage resources in the immediate vicinity. Further comments may be forthcoming once the Heritage Impact Statement is accepted.
City Community Services Department – Fire and Emergency Services Division (Updated October 22, 2012)	Fire has reviewed the applications from an emergency response perspective and has no concerns; emergency response time to the site and water supply available are acceptable.
City Transportation and Works Department (Updated October 19, 2012)	This department confirmed receipt of a revised Site Plan, Context Plan, Utility Plan, Functional Stormwater Management Report, Phase 1 Environmental Site Assessment, Noise Control Feasibility Study, and a Traffic Impact Study, which are currently under review. Notwithstanding the findings of these reports and drawings, additional technical details have been requested, including proposed cross-sectional details confirming the suitability of the High Street East and Ann Street boulevard works. Further detailed comments/conditions will be provided prior to the Supplementary Meeting pending receipt and review of the foregoing.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: - Bell Canada - Canada Post - Development Services, City of Mississauga - Enbridge Consumers Gas Distribution - Enersource Hydro Mississauga - GO Transit/Metrolinx

File: OZ 11/014 W1

Agency / Comment Date	Comment
	The following City Departments and external agencies were circulated the applications but provided no comments:
	 Conseil Scolaire de District Catholique Centre-Sud Conseil Scolaire de District Centre-Sue-Ouest Credit Valley Hospital Realty Services, City of Mississauga Rogers Cable Trillium Health Centre

File: OZ 11/014 W1

School Accommodation

The Peel District School Board		The Dufferin-Peel Catholic District School Board			
Student Yield:		Student Yield:			
13 Kindergarten to Grade 8 6 Grade 6 to Grade 8 13 Grade 9 to Grade 1	;		3 2	Junior Kinderg Grade 9 to Gra	arten to Grade 8 de 12/OAC
School Accommodation:		•	School Acc	ommodation:	
Forest Avenue P.S.			St. Luke		
1	10 27 1		Enrolment: Capacity: Portables:		532 584 0
Riverside P.S.			Iona Cathol	lic	·
11	87 40 0		Enrolment: Capacity: Portables:		1,238 723 17
Port Credit S.S.					
Enrolment: 1,2: Capacity: 1,2: Portables: *Note: Capacity reflects the Minis: Education rated capacity, not the B	03 0 try of oard rated				
capacity, resulting in the requireme portables.	ent of				

File: OZ 11/014 W1

Proposed Zoning Standards

Standard	RA5 Zone	Proposed RA5-Exception Zone
Uses	Apartment Dwelling, Long-Term Care Dwelling, Retirement Dwelling. Accessory uses with internal access only: retail store, personal service establishment, financial institution, office and medical office - restricted	Apartment Dwelling, Long-Term Care Dwelling, Retirement Dwelling, office, medical office, retail store, financial institution, take-out restaurant, outdoor patio accessory to a take-out restaurant, personal service establishment
Maximum dwelling units	n/a	140
Maximum Floor Space Index	2.9	7.5
Maximum gross floor area (GFA) - non residential	For accessory uses, 10% of the total GFA up to the GFA of the 1st floor	185 m ² (1,991 sq. ft.)
Minimum Landscape Area	40% of the lot area	18% of the lot area
Maximum Height (not including any mechanical penthouse)	77.0 m (253 ft.) and 25 storeys	72.0 m (236 ft.) and 22 storeys
Minimum setback to an underground parking structure	3.0 m (10 ft.)	0.0 m (0 ft.)
Minimum setback to structured parking from a rear or exterior lot line	7.5 m (25 ft.)	0.0 m (0 ft.)
Minimum landscaped buffer along the west and south lot line	4.5 m (15 ft.) – west lot line 3.0 m (10 ft.) – south lot line	0.0 m (0 ft.)
Parking	- 1 bedroom x 1.25 spaces - 2 bedroom x 1.40 spaces - visitors x 0.2 spaces - no additional spaces for permitted accessory commercial uses	- 0.93 spaces per condominium apartment dwelling unit - 0.15 visitor spaces per condominium dwelling unit (can be shared with commercial uses) - 4.0 spaces per 100 m ² (1,076 sq. ft.) GFA for requested commercial uses - minimum number of additional spaces for the abutting funeral home = 17
Other setbacks and	Varies depending on height of	According to proposed by-law
encroachments	building	and Exception Schedule
	Il list of the applicant's requested an	

by-law. It is a copy of the applicant's draft by-law and was not prepared by City staff.

PREPARED BY APPLICANT

THE CORPORATION OF THE CITY OF MISSISSAUGA BY-LAW NUMBER

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

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

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by adding the following Exception Table to Section 4.15.6:

4.15.6.XX	Exception: RA5-XX Map # 08 By-	law:				
a RA5 zone e	In a RA5-XX zone the permitted uses and applicable regulations shall be as specified for a RA5 zone except that the following uses /regulations shall apply:					
Permitted Us	Ses					
4.15.6.XX.1	The following additional uses shall be permitted within an dwelling identified on Schedule RA5-XX of this Exception					
	(1) Office					
	(2) Medical Office					
	(3) Retail Store					
	(4) Financial Institution					
	(5) Take-out Restaurant					
	(6) Outdoor patio accessory to a take-out restaurant	İ				
	(7) Personal Service Establishment					
Regulations						
4.15.6.XX.2	The provisions contained in Subsection 2.1.14 and the regulations of Lines 16.0, 31.2, 33.1, 41.1, 42.2 and 42.3, contained in Table 3.1.2.2 and Lines 5.0, 8.1, 8.2, 8.3, 8.4, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 10.1, 10.2, 10.3, 10.4, 10.5, 11.1, 11.2, 11.3, 11.4, 12.1, 12.2, 12.3, 12.4, 13.4, 13.5, 13.6, 15.1,15.3 and 15.6, contained in Table 4.15.1 of this By-law shall not apply					
4.15.6.XX.3	Maximum number of dwelling units on lands identified on Schedule RA5-XX of this Exception	140				
4.15.6.XX.4	Maximum height	22 storeys and 72.0 m				
4.15.6.XX.5	Maximum floor space index	7.5				

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4.15.6.XX	Exception: RA5-XX Map # 08 By-	law:
4.15.6.XX.6	Maximum gross floor area – non-residential used for any combination of permitted uses contained in Sentence 4.15.6.XX.1	185 m ²
4.15.6.XX.7	The uses permitted in Sentence 4.15.6.XX.1, Items (1) the located on the ground floor of the apartment dwelling Schedule RA5-XX of this Exception.	
4.15.6.XX.8	Minimum landscaped area	18% of the lot area
4.15.6.XX.9	Minimum width of landscaped buffer along the south lot line	0.0 m
4.15.6.XX.10	For the purposes of this By-law, all lands zoned RA5-XX shall be considered one (1) lot	
4.15.6.XX.11	The lot line abutting High Street East shall be deemed to be the front lot line	
4.15.6.XX.12	Minimum setback to underground parking structures from all lot lines	0.0 m
4.15.6.XX.13	Minimum setback to motor vehicle structured parking and loading facilities from a rear lot line or exterior lot line	0.0 m
4.15.6.XX.14	Unless otherwise indicated on Schedule RA5-XX of this Exception, maximum projection of a canopy or balcony outside the building identified on Schedule RA5-XX of this Exception	1.8 m
4.15.6.XX.15	Minimum number of resident parking spaces per condominium apartment dwelling unit	0.93
4.15.6.XX.16	Minimum number of visitor parking spaces per condominium apartment dwelling unit	0.15
4.15.6.XX.17	Minimum number of parking spaces per 100 m ² gross floor area – non-residential for a Medical Office, Retail Store, Financial Institution, Restaurant, Take-out Restaurant, or Personal Service Establishment	4.0
4.15.6.XX.18	In addition to the minimum parking required by Sentences 4.15.6.XX.15 through 4.15.6.XX.17, the minimum number of additional parking spaces for the adjacent lands zoned C4 and provided on the lot	17
4.15.6.XX.19	A shared parking arrangement is permitted for the require residential parking on the lot , in accordance with the great visitor parking spaces per unit or parking required for all uses, located in the building or on the same lot as the residential parking arrangement is permitted for the required for the required for the required parking arrangement is permitted for the required residential parking arrangement is permitted for the residential parking arrangement is permitted for all parking arrang	ater of, 0.15 non-residential
4.15.6.XX.20	All site development plans shall comply with Schedule RA Exception	A5-XX of this

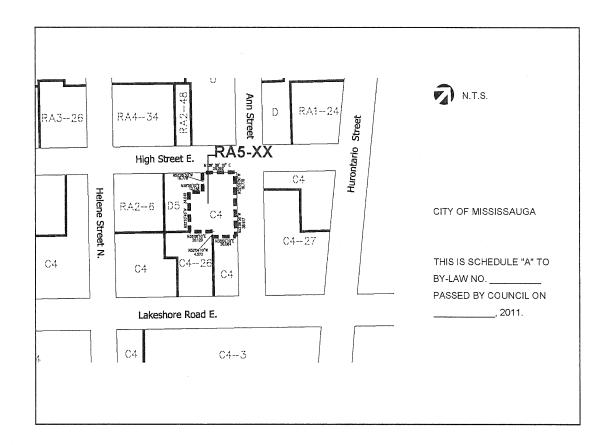
CLERK

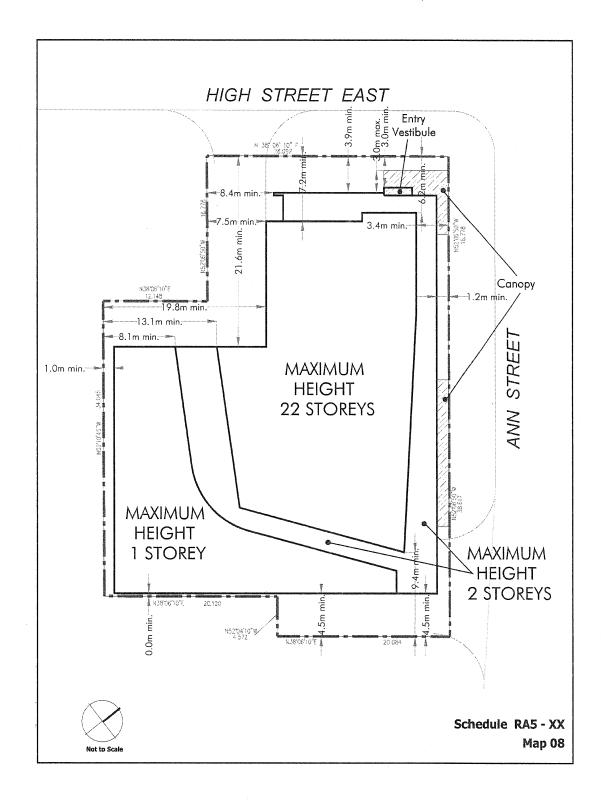
PREPARED BY APPLICANT

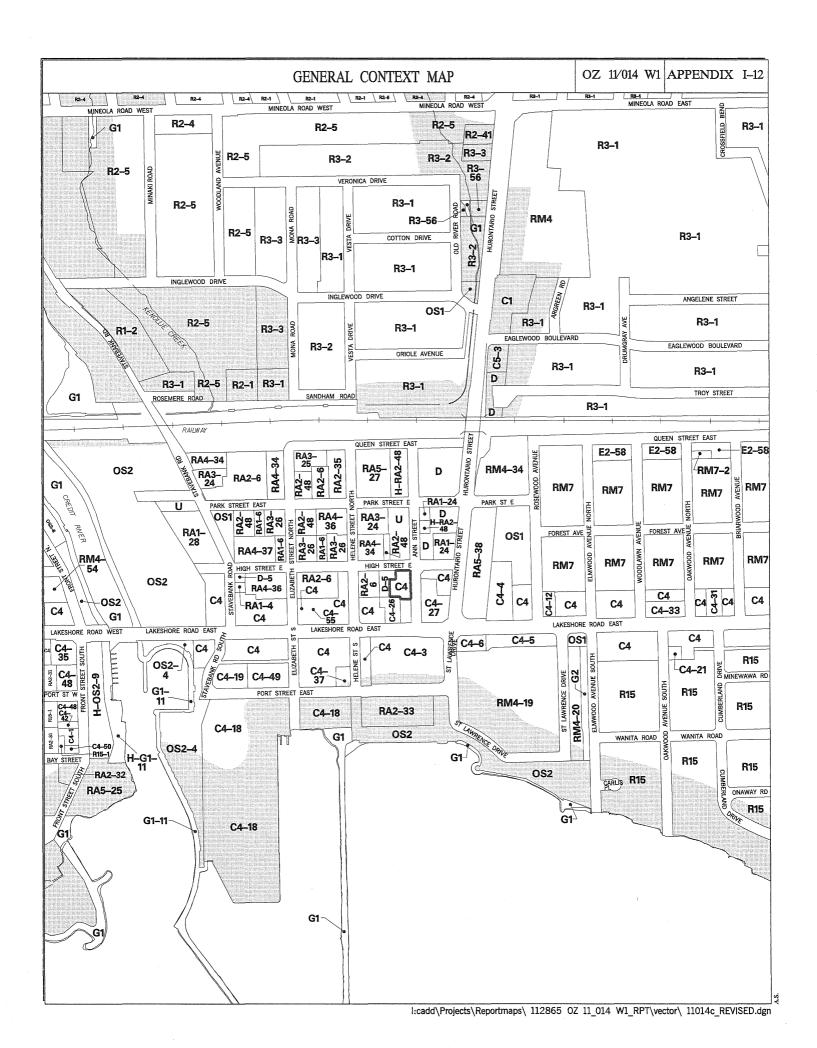
2.	Map Number 08 of Schedule "B" t	o By-law Number 0225-2007, as a	mended,
	being a City of Mississauga Zoning E	By-law, is amended by changing there	eon from
	"C4" to "RA5-XX" the zoning of 6, 8 a	and 10 Ann Street, in the City of Miss	issauga,
	PROVIDED HOWEVER THAT the "	RA5-XX" zoning shall only apply to t	he lands
	which are shown on the attached Sci	nedule "A" outlined in the heaviest bro	oken line
	with the "RA5-XX" zoning indicated the	nereon.	
3.	This By-law shall not come into a Amendment Number is in full	•	ial Plan)
ENAC	ΓED and PASSED this	day of	_2012.
		-	MAYOR

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APPENDIX "A" TO BY-LAW NUMBER
Explanation of the Purpose and Effect of the By-law
This By-law amends the zoning of the properties outlined on the attached Schedule "A" from "C4" to "RA5-XX".
"RA5-XX" permits apartment dwellings and limited non-residential uses, with increased height and gross floor area.
Location of Lands Affected
The subject lands are located on the west side of Ann Street between Lakeshore Road East and High Street East, in the City of Mississauga, as shown on the attached Map designated as Schedule "A".
Further information regarding this By-law may be obtained from of the City Planning and Building Department at 905-615-3200 ext







F.S. 6810 Limited Partnership (FRAM Building Group)

File: **OZ** 11/014 W1

Recommendation PDC-0076-2012

- "1. That the Report dated November 13, 2012, from the Commissioner of Planning and Building regarding the applications to amend the Official Plan from "Mainstreet Retail Commercial" to "Residential-High Density I-Special Site" and to change the Zoning from "C4" (Mainstreet Commercial) to "RA5-Exception" (Apartment Dwellings), to permit a 140 unit, 22 storey condominium apartment building with 180 m² (1,937 sq. ft.) of commercial uses at street level and surface parking to serve the abutting funeral home to the south under file OZ 11/014 W1, Scott and Deanna Insley and Home Alone Property Management Services Limited, 6, 8 and 10 Ann Street, southwest corner of Ann Street and High Street East, be received for information.
 - 2. That the following correspondences be received:
 - a) Email dated December 3, 2012 from Ellen Timms, General Manager, Port Credit Business Association.
 - b) Letter dated December 3, 2012 from Dr. & Mrs. A Gavin Clark, Resident.
 - c) Email dated December 3, 2012 from Jeannie Rowe Marmen, Funeral Director, Skinner and Middlebrook Funeral Home.
 - d) Letter dated December 3, 2012 from Deborah Anderson, Property Manager, Peel Condominium Corporation No. 275.
 - e) Email dated December 3, 2012 from Margaret Soden, President, Strus and Associates Inc.
 - f) Email dated December 2, 2012 from Karen O'Neil, Resident.
 - g) Email dated November 26, 2012 from Marilyn Bertrand-Lawson, Resident."

