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## Planning and Development Committee

### Date

2017/09/25

### Time

6:30 PM

### Location

Civic Centre, Council Chamber,  
300 City Centre Drive, Mississauga, Ontario, L5B 3C1 Ontario

### Members

Councillor George Carlson	Ward 11 (Chair)
Mayor Bonnie Crombie	
Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor John Kovac	Ward 4
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10

### Contact

Mumtaz Alikhan, Legislative Coordinator, Legislative Services  
905-615-3200 ext. 5425  
[mumtaz.alikhan@mississauga.ca](mailto:mumtaz.alikhan@mississauga.ca)

### Find it Online

<http://www.mississauga.ca/portal/cityhall/planninganddevelopment>

**PUBLIC MEETING STATEMENT:** In accordance with the *Ontario Planning Act*, if you do not make a verbal submission to the Committee or Council, or make a written submission prior to City Council making a decision on the proposal, you will not be entitled to appeal the decision of the City of Mississauga to the Ontario Municipal Board (OMB), and may not be added as a party to the hearing of an appeal before the OMB.

***Send written submissions or request notification of future meetings to:***

Mississauga City Council  
c/o Planning and Building Department – 6<sup>th</sup> Floor  
Att: Development Assistant  
300 City Centre Drive, Mississauga, ON, L5B 3C1  
Or Email: [application.info@mississauga.ca](mailto:application.info@mississauga.ca)

1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. MINUTES OF PREVIOUS MEETING - June 26, 2017
4. MATTERS TO BE CONSIDERED
  - 4.1. 3D Visualization Products and Services Launch Video
  - 4.2. Sign Variance Applications 16-03821, 17-04319, 17-04329 - (Ward 9) - Sign By-law 0054-2002, as amended
  - 4.3. RECOMMENDATION REPORT TO REMOVE AN "H" HOLDING SYMBOL (WARD 5)  
Application to remove the "H" Holding Symbol to permit a one storey warehouse building with accessory office spaces, 75 Skyway Drive, east side of Maritz Drive, north of Skyway Drive  
Owner: Fremato Canada Ltd.  
File: H-OZ 16/003 W5
  - 4.4. RECOMMENDATION REPORT (WARDS 1-11)  
Revised Proposed City Initiated Official Plan and Rezoning Amendments to Mississauga Official Plan and Mississauga Zoning By-law 0225-2007  
File: BL.09-COM (Wards 1-11)
  - 4.5. RECOMMENDATION REPORT (Ward 3)  
Imagining Ward 3 - Mississauga Official Plan Amendment - Applewood and Rathwood Neighbourhood Character Area Policies  
File: CD.04.WAR



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- 4.6. RECOMMENDATION REPORT (WARD 1)  
Lakeview Local Area Plan – Mississauga Official Plan Amendment and Implementing Zoning  
File: CD.03-LAK
- 4.7. PUBLIC MEETING INFORMATION REPORT (All Wards)  
Proposed Zoning By-law Amendments and Urban Design Guidelines for Back to Back and Stacked Townhouses  
File: CD.06 HOR
- 4.8. RECOMMENDATION REPORT (WARD 2)  
Applications to permit 4 two storey detached homes on a private condominium road, 1260 Kane Road, west side of Kane Road, south of Indian Road, north of the CN Railway  
Owner: 1854290 Ontario Ltd.  
File: OZ 16/007 and T-M16002 W2
- 4.9. RECOMMENDATION REPORT (ALL WARDS)  
Update on Bill 139, an Act to enact the Local Planning Appeal Tribunal Act, 2017 and the Local Planning Appeal Support Centre Act, 2017 and to amend the Planning Act, the Conservation Authorities Act and various other Acts  
File: LA.07.139
5. ADJOURNMENT

City of Mississauga

# Corporate Report



Date: 2017/08/21

To: Chair and Members of Planning and Development Committee

From: Ezio Savini, P. Eng, Chief Building Official

Originator's files:  
BL.03-SIG (2017)Meeting date:  
2017/09/25

## Subject

**Sign Variance Applications 16-03821, 17-04319, 17-04329 - (Ward 9) - Sign By-law 0054-2002, as amended**

## Recommendation

That the following Sign Variances **not be granted**:

Sign Variance Applications 16-03821, 17-04319, 17-04329 (Ward 9)  
CVL Group  
6599 Glen Erin Dr. & 2757 Battleford Rd.

To permit the following:

- (a) Two (2) ground signs located on the property of 2757 Battleford Rd., both fronting Battleford Rd.
- (b) Three (3) ground signs displaying the municipal addresses and commercial advertising.
- (c) One (1) ground sign with a 2.5m (8.2ft) setback from a driveway.
- (d) Three (3) ground signs having sign areas of 1.9 sq. m. (21 sq. ft.) and 4.74 sq. m. (51 sq. ft.).

## Report Highlights

- None

## Background

The applicant has requested a variance to the Sign By-law to permit the display of numerous ground signs on two residential properties. The Planning and Building Department staff has reviewed the applications and cannot support the request. As outlined in Sign By-law 54-2002, the applicant has requested the variance decision be appealed to Planning and Development Committee.

## Present Status

Not applicable

## Comments

The properties are located on the northeast corner of the Glen Erin Dr. and Battleford Rd. and consist of multi-unit residential buildings.

The applicant is proposing numerous signs on the two properties to identify and market the residential units. Although staff recognizes the need to market rental units, the Sign By-law places emphasis on esthetics in residential zones, to maintain a “residential character”. It also emphasises municipal identification for emergency services and the public and limits the number ground signs per street front to control the city’s streetscape.

The applicant is proposing a ground sign at the intersection of Glen Erin Dr. and Battleford Rd., Sign “A”, to identify the residential complex as a whole. The residential complex consists of two separate properties with two municipal address. There is no vehicular access from one property to the other, to travel between the properties, vehicles exit from the property and use the municipal street. As such, including the address of 6599 Glen Erin Dr. on the property of 2757 Battleford Rd. is misleading and could delay a response by emergency services.

As stated, the Sign By-law limits the number of ground signs per property line. Staff recommend the installation of identification signs adjacent to the entrance to property to clearly define the access to the property.

The Sign By-law states a ground sign must be located a minimum of 3.0m from a driveway. This requirement is to create an acceptable sight triangle to observe oncoming street traffic when exiting the property. There are no obstructions on the north side of the entrance to 6599 Glen Erin Dr. which prohibits the installation of the sign 3.0m from the driveway, creating an acceptable sight triangle.

The ground signs exceed the permitted area by 27% to 216%. The information on these signs can be proportionally reduced to 3.5m<sup>2</sup> without compromising the visibility or legibility of the signs. This is consistent with previously approved variances for similar type properties.

## Options

None

## Strategic Plan

Not applicable

## Financial Impact

None

## Conclusion

Allowing the requested variances would set an undesirable precedent for other signs and deviate from the intent of the Sign By-law 54-2002, as amended, in controlling the character of residential areas.

## Attachments

Appendix 1: Sign Variance Application Report

Appendix 2: Sign Variance Request

Appendix 3: Sign Design Details

Appendix 4: Sign Site Plan Details



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Ezio Savini, P. Eng, Chief Building Official

Prepared by: Darren Bryan



**SIGN VARIANCE APPLICATION REPORT**  
**Planning and Building Department**

July 25, 2017

**FILES:** 16-03821  
 17-04319  
 17-04329

**RE: CVL Group**  
**6599 Glen Erin Drive & 2757 Battleford Road - Ward 9**

**The applicant requests the following variance to Section 12 of Sign By-law 0054-2002, as amended.**

<b>Section 12</b>	<b>Proposed</b>
Permits one (1) ground sign per property zoned residential.	Two (2) ground signs located on the property of 2757 Battleford Rd., both fronting Battleford Rd.
A ground sign in a residential zone must display the municipal address only.	Three (3) ground signs displaying the municipal address and commercial advertising.
A ground sign shall have a minimum setback of 3m (9.84ft) from a driveway.	One ground sign with a 2.5m (8.2ft) setback from a driveway.
A ground sign is permitted a maximum sign area of 1.5 sq. m. (16.15sq. ft.).	Three (3) ground signs having sign areas of 1.9 sq. m. (21 sq. ft.) and 4.74 sq. m. (51 sq. ft.).

**COMMENTS:**

The proposed sign located on the corner of Glen Erin Dr. and Battleford Rd. displays two municipal addresses. There is no access to 6599 Glen Erin Dr. through the property of 2757 Battleford Rd. We have concerns that this could be misleading for emergency services and the public.

1. Two proposed ground signs located on 2757 Battleford Road, fronting Battleford Road

We are willing to consider a maximum of one ground sign per street frontage of each property. This means, one ground sign facing Battleford Road for the property located at 2757 Battleford Road, and one ground sign facing Glen Erin Drive for the property located at 6599 Glen Erin Drive. Alternatively, one ground sign only for the property at 2757 Battleford road can be located to face the intersection of Battleford Road and Glen Erin Drive.

We recommend refusal of the sign variance.

2. Three Ground Signs used as advertising for the owner.

The applicant has not demonstrated any compelling reason to include advertising on the ground signs.

We recommend refusal of the sign variance.

3. One ground sign with a 2.5m (8.2ft.) setback from driveway

There is sufficient space to accommodate the required minimum setback of 3m.

We recommend refusal of the sign variance.

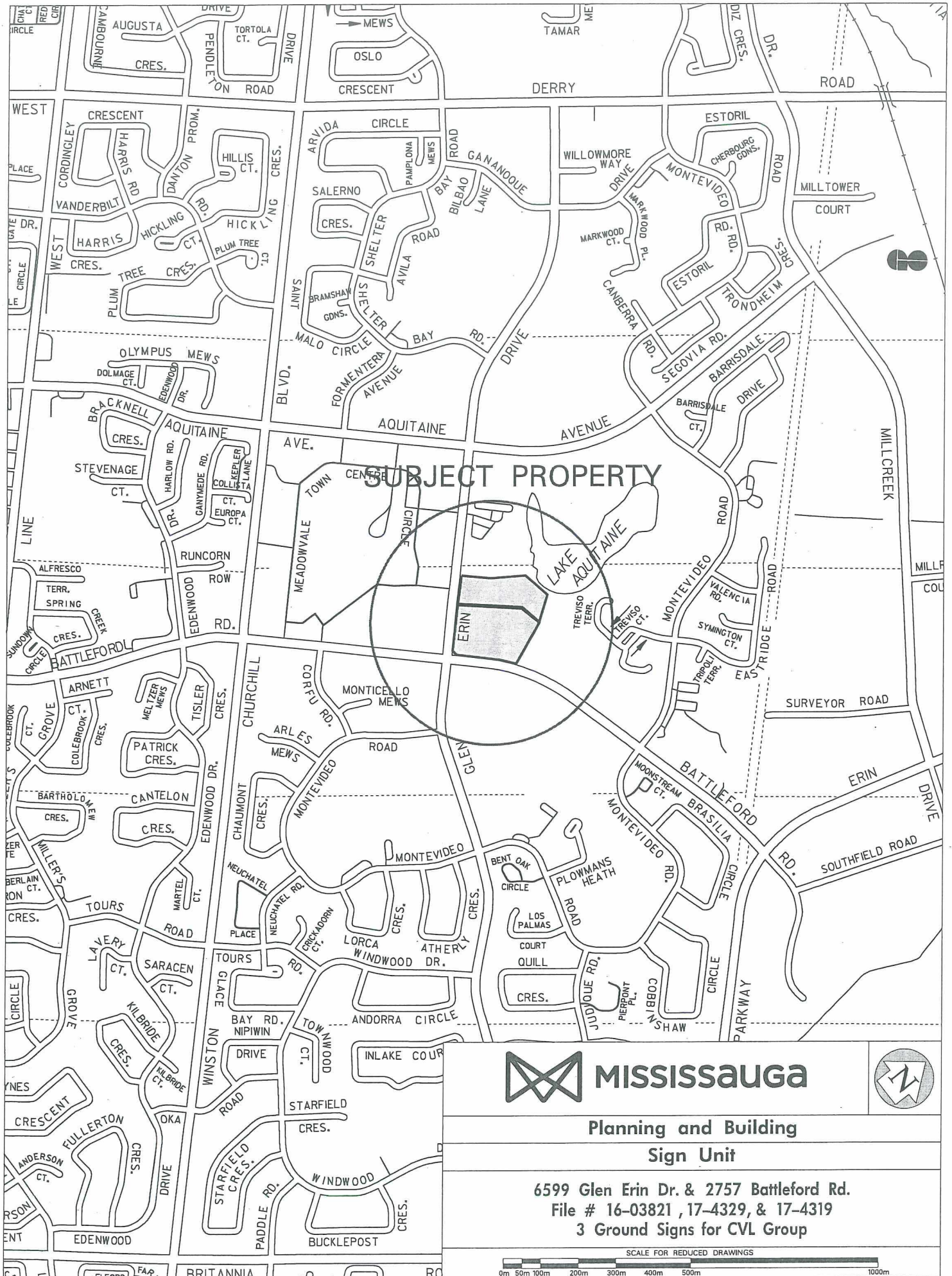
4. Two ground signs with a total sign area of 1.9 sq. m each one ground sign with a total sign area of 4.74 sq. m.

The two ground signs each with a sign area of 1.9 sq. m can be proportionally reduced to achieve a maximum sign area of 1.5 sq. m each without compromising the visibility of the information on the signs.

The ground sign with a total sign face area of 4.74 sq. m. can be proportionally reduced to a maximum sign face area of 3.5 sq. m without compromising the visibility or legibility of the sign. This will be consistent with a recently approved sign variance application for a ground sign with a total sign face area of 3.44 sq. m, and associated with a residential property at 28 Helene Street North, File No. 15-05762.

We recommend refusal of the sign variance.









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info@clvgroup.com  
www.clvgroup.com

January 19th, 2017

City of Mississauga - Planning & Building Department, Sign Unit  
300 City Centre Drive  
Mississauga, ON  
L5B 3C1

**Re: Sign variance request for 6599 Glen Erin Dr. (SGNBLD 17-4329 & SGNBLD 16-3821) and 2757 Battleford Rd. (SGNBLD 16-4319) for CLV Group Inc. and InterRent REIT**

To Whom It May Concern:

Please accept this letter as formal rationale for the requested variance on the three above noted applications. Please note that these three applications fully replace and supersede any prior sign permit requests for the above noted addresses.

CLV Group Inc. and InterRent REIT have been dedicated members of the Mississauga community landscape for over seven years. Over 500 families and households in Mississauga call a CLV/InterRent apartment 'home'. We take great pride in providing clean, safe and high-quality homes that offer tremendous value to all residents. Needless to say the pride we feel in our properties extends all the way to the signs that greet residents and guests when the first arrive home.

We wish to bring to your attention five key reasons for requiring the proposed variance:

- 1) Pedestrians, cyclists and drivers (especially those not familiar with the area) require a three sign layout when accessing the site: One sign is needed at each of the two entrances to this site, 6599 Glen Erin and 2757 Battleford, while a third sign is required at the intersection in order to 'unify' and clearly identify the property (especially for those travelling north or east through the intersection, as the driveway entrances are 180m and 116m away, respectively, making it impossible to see the smaller signs from the intersection.)
- 2) There is a clearly established precedent for this type of signage at the three other properties facing the Battleford/Glen Erin intersection: The property at the NW corner has a total of three permanent signs with varying degrees of advertising. The property at the SW corner has three permanent signs with logos and phone numbers and the property at the SE corner has two permanent signs, once again with corporate branding and information. In each case the properties are "anchored" by a large corner sign facing the intersection, exactly as we are proposing. Additionally several other properties in the near proximity have multiple signs per civic address, for example 2645 Battleford which has two permanent signs with branding and contact information for a single civic address. (See attached for photos of the immediately neighbouring property signs.)
- 3) The signs are proportional to the size of the property. The combined area of the two lots (6599 Glen Erin and 2757 Battleford) is 9.659 acres (over 39,000 sq.m.). Our signs are 2.1 sq.m. for the driveway signs and 4.23 sq.m. for the corner sign. The properties in question contain two mid-rise towers and hundreds of apartments, requiring signage of a certain presence. Many of the neighbouring properties' signs are of a similar size (ie. bigger than what is stated in by-law 265-91), and with all these factors considered we believe the signs proposed in our application are reasonable and in proportion to both our property and the neighbourhood as a whole.
- 4) From a practical perspective the placement of the sign in SGNBLD 17-4329 (with respect to by-law 240-07) is required to be as such due to the fact that a) That is the only space available at the entrance of the parking lot b) Power/Electrical conduits are already in place and c) It's the best location for visibility without blocking the view for oncoming/exiting traffic.
- 5) The proposed signs are part of a companywide standard design, which has already been approved and installed in a number of large and small municipalities in Ontario including London, Ottawa and Burlington. The signs are made of high quality materials, are backlit for visibility at night and the corner sign even includes an elegant stone base. Both our contractor and our designer have invested significant time, money and effort in





creating something beautiful and we believe the end result will be a pleasing and positive addition to the area.  
(See attached for photos of actual installs.)

It is for these reasons that we respectfully ask for approval on all variances requested in order to allow our contractor to complete their job and to allow for the overall file to be completed and closed once and for all.

We thank you in advance and look forward to continuing a productive and collaborative relationship with the City of Mississauga. Should you have any questions please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Gordon'.

Jeffrey G. Gordon  
Quality Control and Safety Manager  
CLV Group Inc./InterRent REIT

Attached Documents: 1 – Neighbouring Properties:

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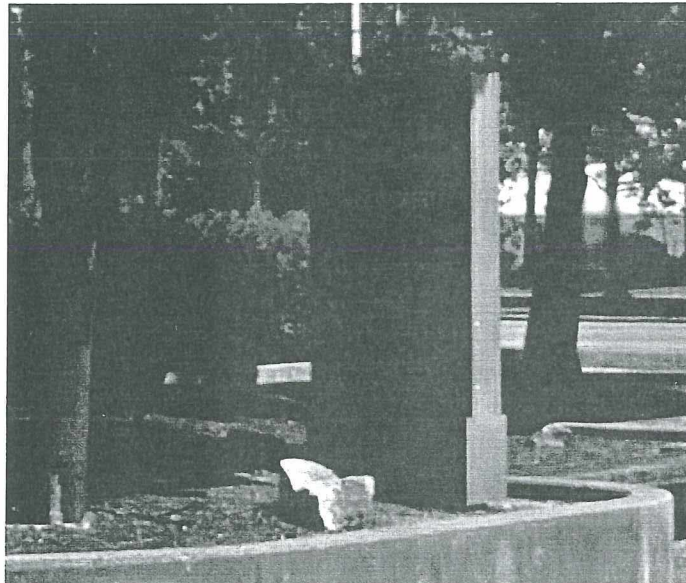
info@clvgroup.com  
www.clvgroup.com

NW Corner, intersection of Glen Erin and Battleford:

Sign along Battleford:



Intersection of Battleford and Glen Erin:





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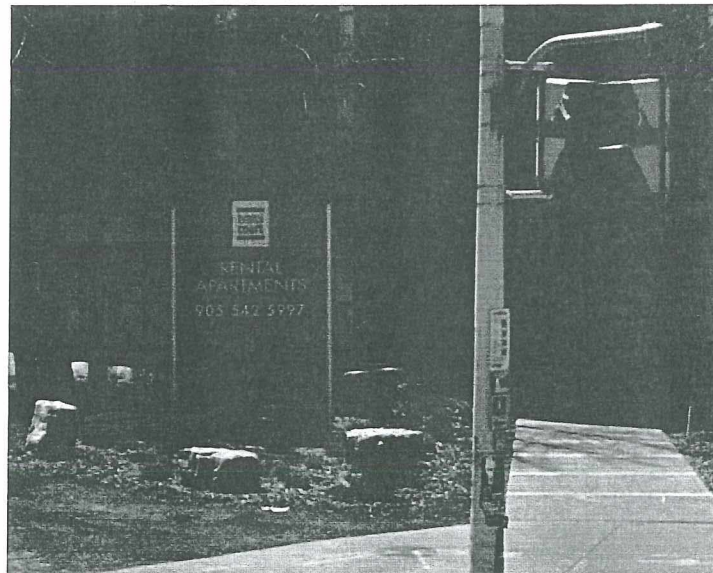
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Intersection of Battleford and Glen Erin:



SW Corner, intersection of Glen Erin and Battleford:

Intersection of Battleford and Glen Erin:







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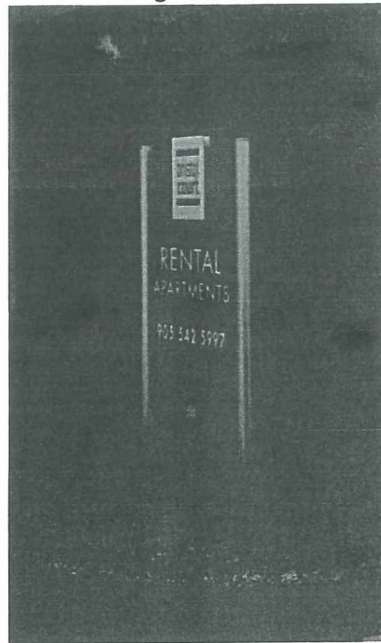
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Along Battleford:



Along Glen Erin:





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F 613-728-2978

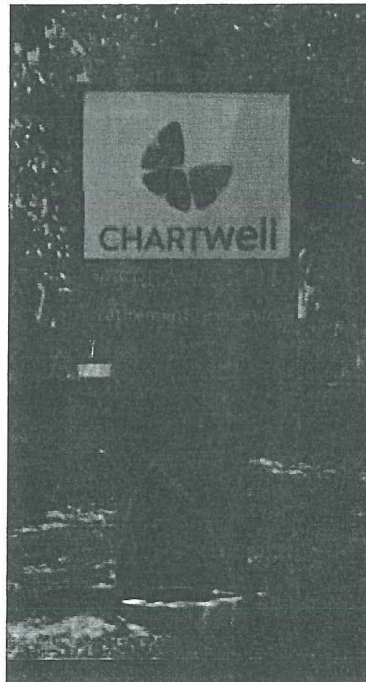
info@clvgroup.com  
www.clvgroup.com

SE Corner, intersection of Glen Erin and Battleford:

Along Glen Erin:



Intersection of Glen Erin and Battleford:







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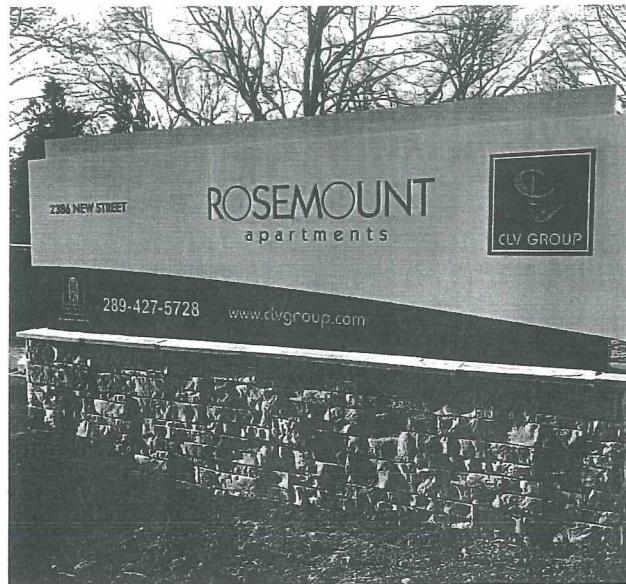
T 613-728-2000  
F 613-728-2978

info@clvgroup.com  
www.clvgroup.com

Attached Documents: 2 – Recent CLV/InterRent installations in other Ontario Municipalities:

**Intersection Style Sign:**

**2386 New Street – Burlington:**



**Intersection Style Sign:**

**939 Western – London:**





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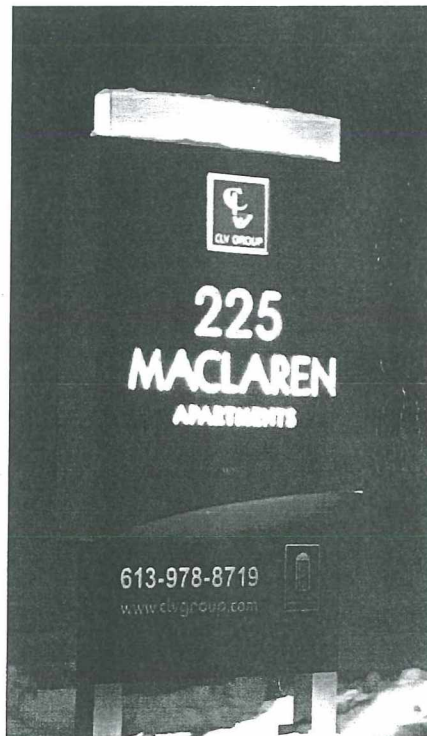
info@clvgroup.com  
www.clvgroup.com

**Driveway Entrance Style Sign:**

**225 Maclaren – Ottawa (Day):**



**225 Maclaren – Ottawa (Night):**

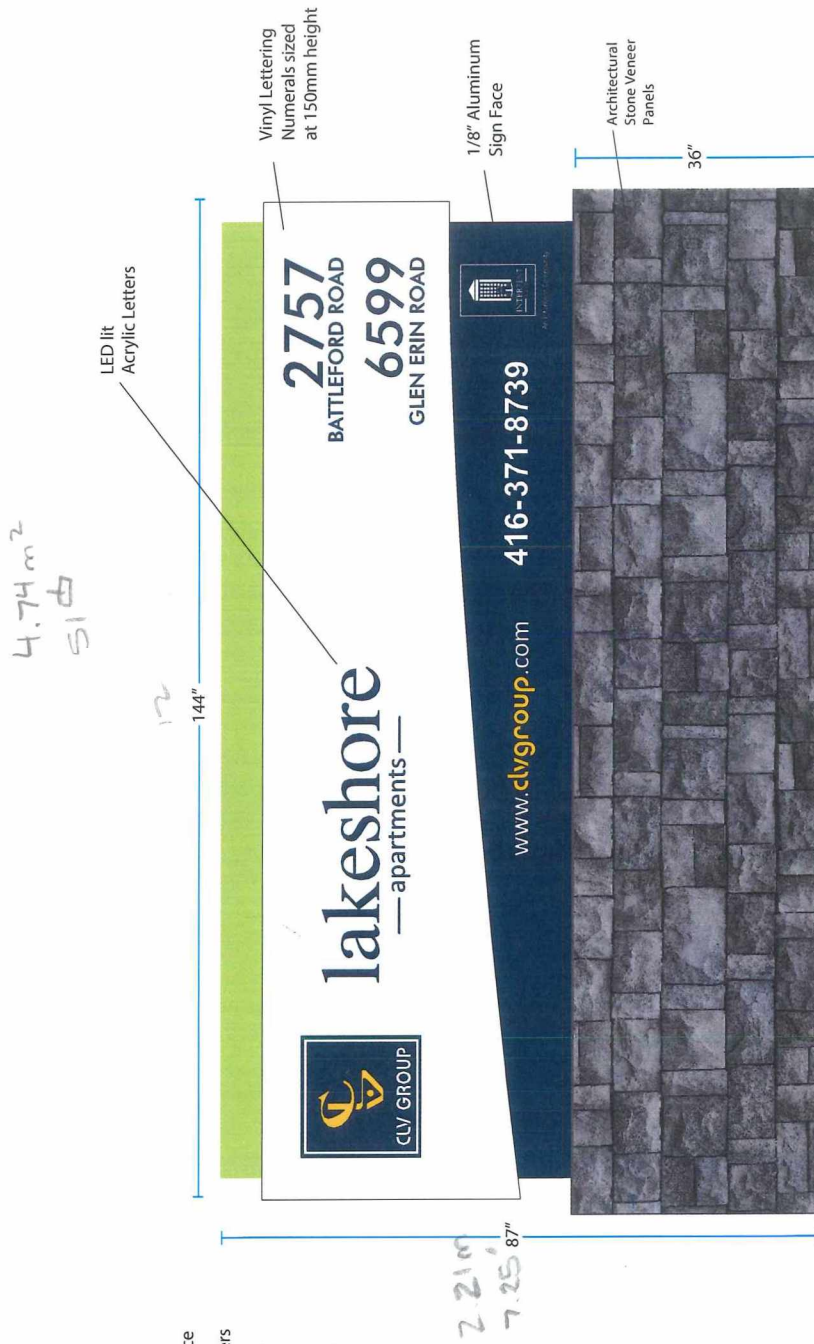




## DESIGN DETAILS

## PROJECT:

- Replace Existing Pylon Sign
- Existing Power
- Monument Base
- Double Sided
- Aluminum Sign Face
- LED lit Acrylic Letters
- Welded Aluminum Internal Frame
- Architectural Stone Veneer Base



## LOCATION:

6599 Glen Erin Road.  
Mississauga, ON L5N 3A8

## OWNER:

CLV Group  
485 Bank Street, Suite 200  
Ottawa, ON K2P 1Z2 613-728-2000  
Contact: Jeff Gordon



613.822.7092  
www.hawleysigns.ca  
12 Grenfell Cres., Unit C  
Ottawa, ON K2G 0G2

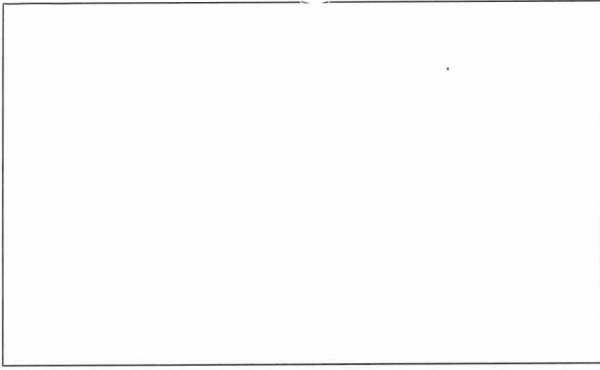


# Sign B

## DESIGN DETAILS

### PROJECT:

- Replace Existing Pylon Sign
- Existing Power
- Post Mount
- Double Sided
- Aluminum Sign Face
- LED lit Acrylic Letters
- Welded Aluminum Internal Frame



### LOCATION:

6599 Glen Erin Road.  
Mississauga, ON L5N 3A8

### OWNER:

CLV Group  
485 Bank Street, Suite 200  
Ottawa, ON K2P 1Z2 613-728-2000  
Contact: Jeff Gordon



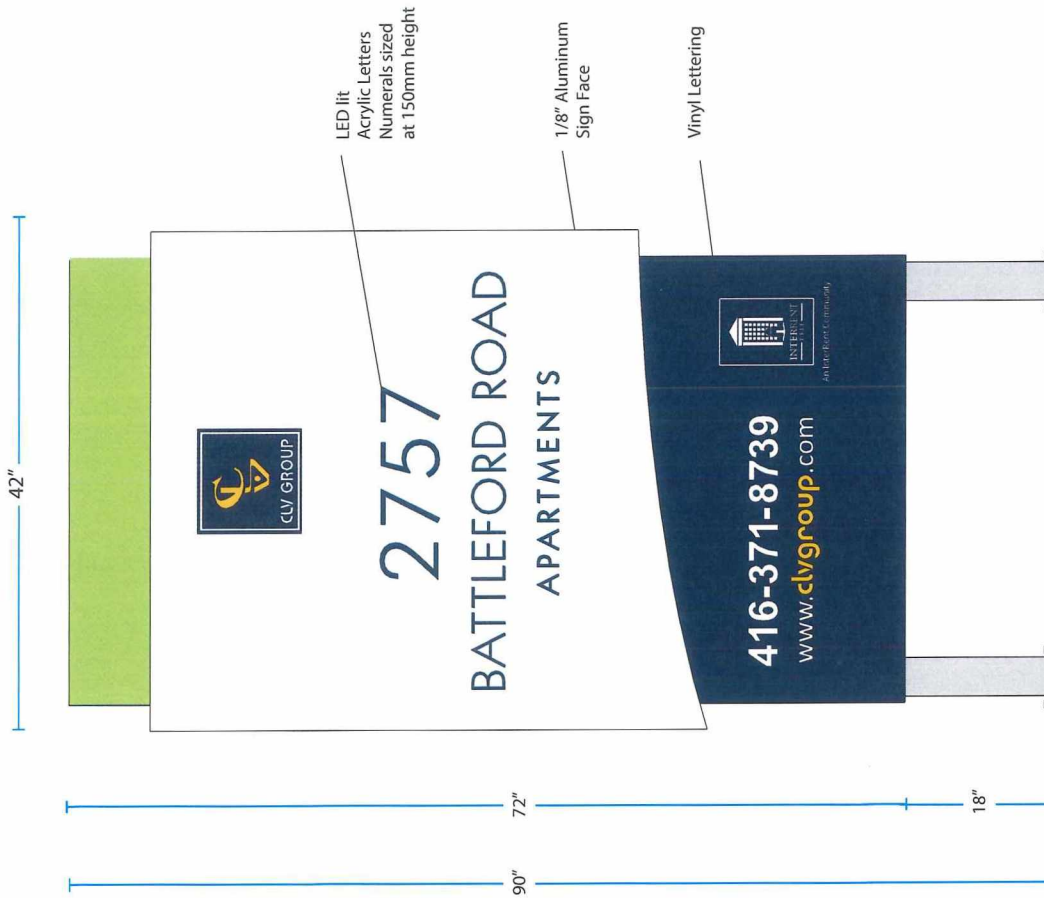
613-822-7092  
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Ottawa, ON K2G 0G2

Signage

## DESIGN DETAILS

### PROJECT:

- Replace Existing Pylon Sign
- Existing Power
- Post Mount
- Double Sided
- Aluminum Sign Face
- LED lit Acrylic Letters
- Welded Aluminum Internal Frame



### LOCATION:

2757 Battleford Road.  
Mississauga, ON L5N 3A8

### OWNER:

CLV Group  
485 Bank Street, Suite 200  
Ottawa, ON K2P 1Z2 613-728-2000  
Contact: Jeff Gordon



613.822.7092  
www.hawleysigns.ca  
12 Grenfell Cres., Unit C  
Ottawa, ON K2G 0G2

# Sign A

## SITE PLAN DETAILS

**PROJECT:**  
6599 Glen Erin Road, Mississauga, ON L5N 3A8  
Corner of Glen Erin Rd and Battleford Rd.

Parallel to Triangle of Sidewalk.  
Property line indicated in yellow



**PROJECT:**  
Replace Existing  
Pylon Sign  
Existing Power  
Monument Base  
Double Sided  
Aluminum Sign Face  
LED lit Acrylic Letters  
Welded Aluminum  
Internal Frame  
Architectural  
Stone Veneer Base

### LOCATION:

6599 Glen Erin Road.  
Mississauga, ON L5N 3A8

### OWNER:

CLV Group  
485 Bank Street, Suite 200  
Ottawa, ON K2P 1Z2 613-728-2000  
Contact: Jeff Gordon



613.822.7092  
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12 Grenfell Cres., Unit C  
Ottawa, ON K2G 0G2



# Sign B

## SITE PLAN DETAILS

**PROJECT:** 6599 Glen Erin Road. Mississauga, ON L5N 3A8

Replace Existing Pylon Sign  
Existing Power  
Post Mount  
Double Sided  
Aluminum Sign Face  
LED lit Acrylic Letters  
Welded Aluminum Internal Frame

Parallel to driveway entrance.  
Property line indicated in yellow



### LOCATION:

6599 Glen Erin Road.  
Mississauga, ON L5N 3A8

### OWNER:

CLV Group  
485 Bank Street, Suite 200  
Ottawa, ON K2P 1Z2 613-728-2000  
Contact: Jeff Gordon



613.822.7092  
www.hawleysigns.ca  
12 Grenfell Cres., Unit C  
Ottawa, ON K2G 0G2

Sign c

## SITE PLAN DETAILS

**PROJECT:** 2757 Battleford Road, Mississauga, ON L5N 3A8

Replace Existing  
Pylon Sign

Existing Power

Post Mount

Double Sided

Aluminum Sign Face

LED lit Acrylic Letters

Welded Aluminum  
Internal Frame

Parallel to driveway entrance.  
Property line indicated in yellow



**LOCATION:**

2757 Battleford Road.  
Mississauga, ON L5N 3A8

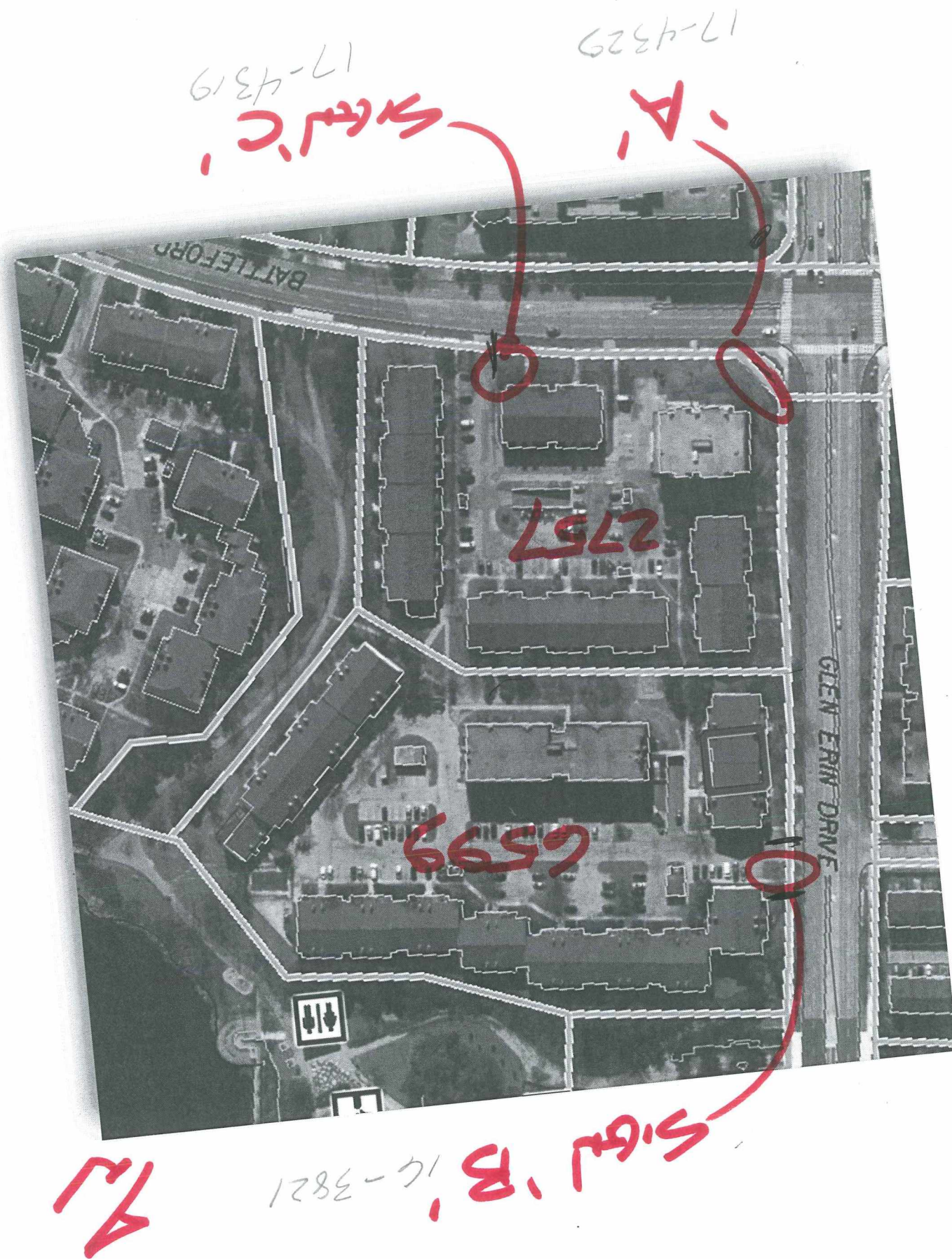
**OWNER:**

CLV Group  
485 Bank Street, Suite 200  
Ottawa, ON K2P 1Z2 613-728-2000  
Contact: Jeff Gordon



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12 Grenfell Cres., Unit C  
Ottawa, ON K2G 0G2





City of Mississauga

# Corporate Report



Date: September 1, 2017

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:  
H-OZ 16/003 W5

Meeting date:  
2017/09/25

## Subject

**REMOVAL OF THE "H" HOLDING SYMBOL FROM ZONING BY-LAW 0225-2007 (WARD 5)**  
**Application to remove the "H" Holding Symbol to permit a one storey warehouse building with accessory office space**  
**75 Skyway Drive, east side of Maritz Drive, north of Skyway Drive**  
**Owner: Fremato Canada Ltd.**  
**File: H-OZ 16/003 W5**

## Recommendation

That the report dated September 1, 2017, from the Commissioner of Planning and Building recommending approval of the removal of the "H" holding symbol application, under File H-OZ 16/003 W5, Fremato Canada Ltd., 75 Skyway Drive, east side of Maritz Drive, north of Skyway Drive, be adopted and that the Planning and Building Department be authorized to prepare the by-law for Council's passage.

## Background

Appendices 1 and 2 identify the subject property in the context of the surrounding lands and the existing zoning.

On September 10, 2014, the rezoning application submitted by Derry-Ten Limited, under File OZ 13/002 W5, for the two blocks of land north and south of Skyway Drive, between Hurontario Street and Maritz Drive, was approved. City Council passed Zoning By-law 0242-2014 which zoned the portion of the lands fronting onto Hurontario Street **H-E1-28 (Employment – Exception)** and the remainder of the lands **H-E2-126 (Employment – Exception)**. In order to remove the "H" holding symbol from all or a portion of the lands, a number of conditions need to be fulfilled, including:

- the submission of technical plans, studies, executed agreements and
- the payment of required securities and fees to the satisfaction of the City and Region of Peel

On March 31, 2016, provisional consent was granted by the Committee of Adjustment to create the subject property, having an area of approximately 1.82 ha (4.50 acres), under File 'B' 26/16. As a condition of consent, public easements were registered to permit shared access and driveways with the adjacent lands in order to create an internal road system within the larger block. As the conditions of provisional consent were fulfilled by the required date, a consent certificate was issued on August 4, 2016.

The new owner of the subject property, Fremato Canada Ltd., has submitted an application to remove the "H" holding symbol from their property. This will allow for a one storey warehouse building with accessory office space to be permitted on the subject property. The "H" holding symbol will remain on the balance of the larger block.

## Comments

Section 36 of the *Planning Act* provides the legislative framework for the removal of the "H" holding symbol and allows municipalities to amend a by-law to remove the "H" holding symbol. A formal public meeting is not required; however notice of Council's intention to pass the amending by-law must be given to all land owners within 120 m (400 ft.) to which the proposed amending by-law would apply. Notice was given to all affected land owners by pre-paid first class mail.

The Development Agreement has been executed and will guide the development of the property, including securing for the interim and final layout of the private mid-block driveways with public easements. The other "H" conditions have been fulfilled through the submission of outstanding technical plans and studies and the payment of required securities and fees.

The site development plans under File SP 16/152 W5 (Appendices 3 and 4) are considered acceptable for the purpose of removing the "H" holding symbol from the **H-E2-126** zoning on the subject property.

## Financial Impact

Development charges will be payable in keeping with the requirements of the Development Charges By-law of the City. Also, financial requirements of any other commenting agency must be met prior to development.

## Conclusion

Given that the conditions to remove the "H" holding symbol have now been satisfied, the "H" holding symbol can be removed.



**Attachments**

- Appendix 1: Aerial Photograph
- Appendix 2: Excerpt of Existing Zoning Map
- Appendix 3: Site Plan
- Appendix 4: Elevations

A handwritten signature in black ink, appearing to read "E. R. Sajecki". The signature is fluid and cursive, with a large initial "E" and "S".

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Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Stephanie Segreti-Gray, Development Planner

2017/08/18  
sancam



**LEGEND:**



SUBJECT LANDS

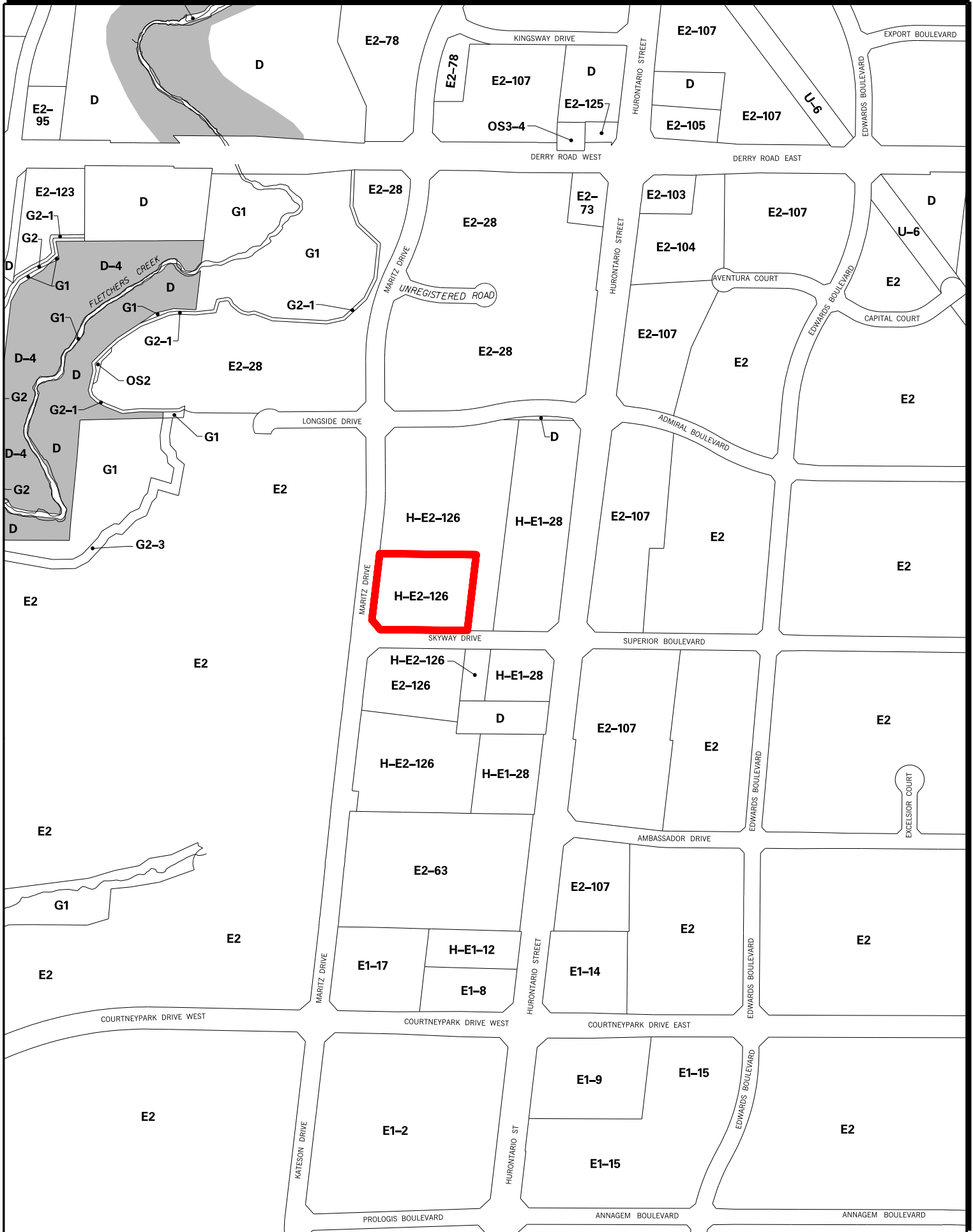
DATE OF AERIAL IMAGERY: SPRING 2017

**TITLE:** FREMATO CANADA LTD.

**FILE NO:** H OZ 16/003 W5



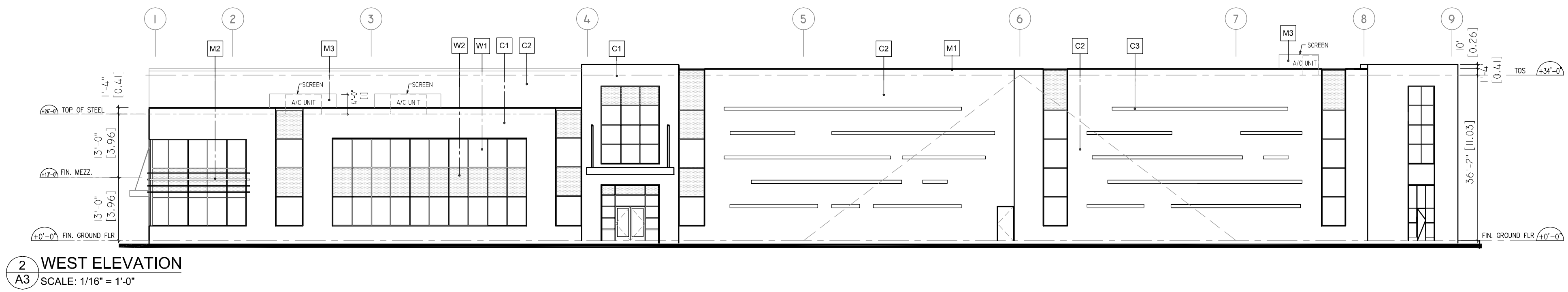
Produced by  
T&W, Geomatics



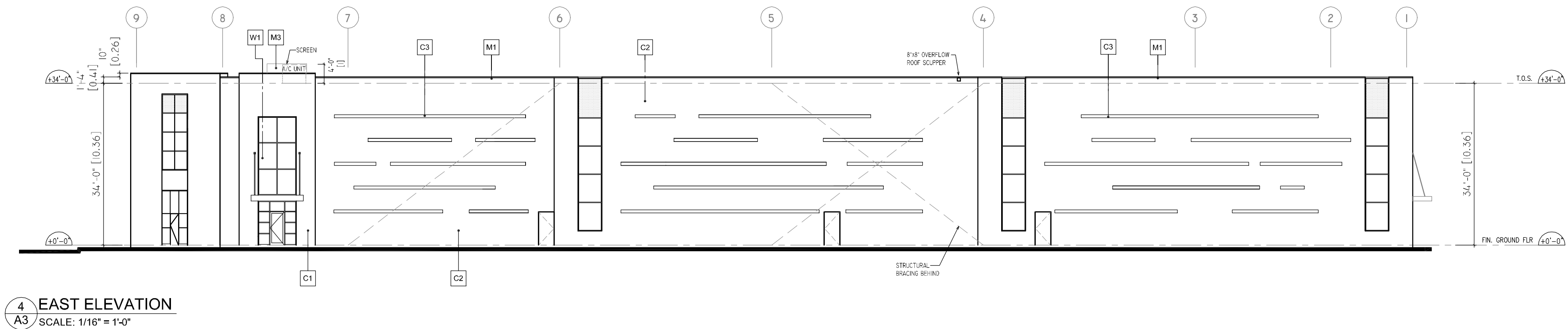
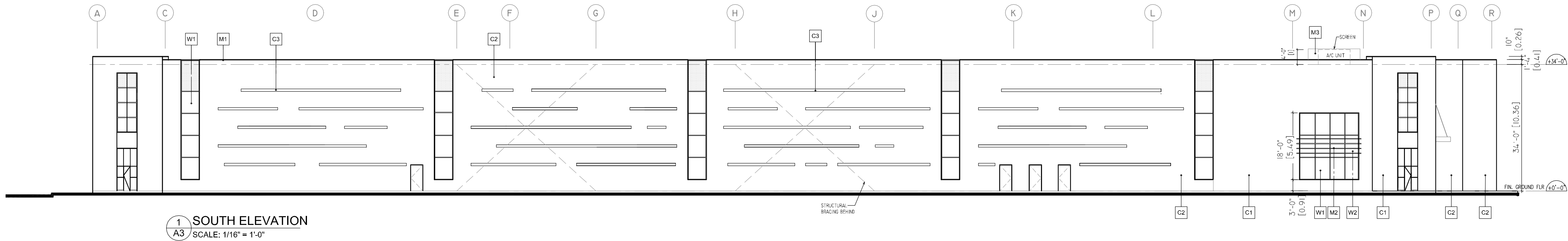








MATERIAL AND COLOUR LEGEND	
C1	ARCHITECTURAL PRECAST CONCRETE PANEL, COLOUR: WHITE
C2	RIBBED INSULATED PRECAST CONC. COLOR: LIGHT GREY
C3	SMOOTH FINISH BANDS
W1	DOUBLE CLEAR GLAZING WITH PRE-FINISHED ANODIZED ALUMINUM FRAME
W2	SPANDREL PANEL WITH PRE-FINISHED ANODIZED ALUMINUM FRAME COLOUR
M1	2" METAL FLASHING COLOUR: LIGHT GREY
M2	LOUVRES
M3	METAL SIDING FOR RTU SCREENING FOR FIN. VIEW ONLY



CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE USED WITHOUT HIS PERMISSION. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED BY THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED.

NO.	DATE	REVISION/ISSUED FOR	BY
7	JULY 7/17	RESUBMISSION FOR SPA & H-REMOVAL	
6	JULY 11/17	REVISIONS AS PER CITY COMMENTS	
5	MAY 11/17	RESUBMISSION FOR SPA & H-REMOVAL	
4	MAY 6/17	REVISIONS AS PER CITY COMMENTS	
3	SEPT. 7/16	SPA & H-REMOVAL APPLICATION	
2	JULY 8/16	PRE-CONSULTATION MEETING	
1	FEB. 16/16	CLIENT'S REVIEW	

PROJECT NAME:  
**PROPOSED ONE-STOREY INDUSTRIAL BUILDING**  
75 SKYWAY DRIVE  
MISSISSAUGA, ONTARIO

CONSTRUCTION NORTH	

**WES SURDYKA**  
architect inc

3645 KEELE STREET, 2nd FLOOR, STE 108  
TORONTO, ONTARIO M3J 1M8  
TEL (416) 630-2254 FAX (416) 630-5741

DRAWING TITLE:  
**ELEVATIONS**

DRAWN BY	DRAWING NO.
PLOTTED: JUL 19, 2017 SCALE: 1/16" = 1'-0" START DATE: JUNE 2015 PROJECT NO. 15-19	<b>A3.0</b> OF

City of Mississauga  
**Corporate Report**



Date: September 1, 2017

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:  
BL.09-COM

Meeting date:  
2017/09/25

## Subject

### **PUBLIC MEETING RECOMMENDATION REPORT (WARDS 1-11)**

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

## Recommendation

That the Report dated September 1, 2017, from the Commissioner of Planning and Building regarding the revised proposed City initiated amendments to Mississauga Official Plan and Zoning By-law 0225-2007, be adopted in accordance with the following:

1. That notwithstanding the planning protocol, the proposed City initiated amendments to Mississauga Official Plan, as detailed in Appendix 3 and the revisions to the proposed City initiated changes to Zoning By-law 0225-2007, as detailed in Appendix 4, be approved.

## Background

A public meeting was held by the Planning and Development Committee on June 12, 2017, at which time an Information Report (Appendix 1) was received for information. Recommendation PDC-0032-2017 was then adopted by Council on June 21, 2017.

That the Report dated May 19, 2017, from the Commissioner of Planning and Building regarding proposed City initiated amendments to the Official Plan and Zoning By-law 0225-2007, be received for information.

As there have been changes to the proposed amendments, full notification was provided in accordance with the *Planning Act*.

## Comments

### Comment

Councillor Saito raised a concern with the proposed driveway width regulations, noting that they may take away existing property rights from residents. She also commented that with the permission for second units, parking is an issue for some areas in the City and the proposed regulations may make matters worse.

### Response

Staff has removed the proposed driveway width amendments, and will revisit the issue when the Parking Master Plan is complete and City wide strategies for parking are in place.

### Comment

The proposed amendment to require a setback from rooftop balconies to the building edge was questioned, especially as it would pertain to horizontal multiple dwelling projects.

### Response

Staff noted that later this year, regulations with respect to rooftop terraces on back to back and stacked townhouse developments will be introduced. These will supersede the general regulations being proposed at this time and will not impact applications in process.

### Comment

A resident spoke with respect to the proposed change to the definition for a sloped roof, specifically adding the 60° angle to differentiate a wall from a roof. The concern was that it would negate the provisions of the previous flat roof by-law.

### Response

Staff has reviewed the concern and note that the proposed change supplements the existing residential zoning regulations, including the flat roof by-law. There have been a number of Zoning By-law amendments to add more restrictive zoning standards for detached dwellings. Three amendments regulated infill housing in specific neighbourhoods, and the "flat roof" and "sloped roof" by-laws applied to all of Ward 1. The proposed change would apply City-wide, and is another tool to control the use of "mansard style" roofs to achieve extra storeys in any type of new development. It is also consistent with the Ontario Building Code regulations.

## PLANNING COMMENTS

In addition to the change noted above, three additional amendments are proposed to the original chart that was before Planning and Development Committee. The revised chart is attached as Appendix 3, and the changes are as follows:

1. Permit a transit terminal and/or transit corridor in the H-CC1, H-CC2, H-CC3 and D zones to allow the development of transit facilities through City Centre prior to the H provision being lifted or D zoning replaced for development (Item #22).

2. Add a second regulation to rooftop balconies to reduce the setback to 0.0.m (0 ft.) where they are located in a non-residential zone (Item #23).
3. Replace "minimum" with "maximum" in the C4-8 zone to correct a drafting mistake in the original by-law with respect to the percentage of a building streetwall that can be used to access residential uses above the first storey (Item #33).

As the changes from the Information Report are minor in nature and a full circulation notice has been given, notwithstanding the planning protocol, staff recommends approval of the City initiated amendments to Mississauga Official Plan and Zoning By-law 0225-2007.

## Financial Impact

Not applicable.

## Conclusion

The proposed City initiated amendments to Mississauga Official Plan and Zoning By-law 0225-2007, as revised, are acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposed land use designations are consistent with the current or planned future uses of the subject properties.
2. The proposed amendments to Zoning By-law 0225-2007 clarify the definitions and regulations in certain sections of the by-law, remove regulations that are no longer relevant and ensure that conformity with Mississauga Official Plan is maintained.

Should the proposed amendments be approved by Council, the implementing official plan amendment and zoning by-law will be brought forward to Council at a future date.

## Attachments

Appendix 1: Information Report - May 19, 2017

Appendix 2: Location of Properties for Proposed Official Plan and/or Rezoning Amendments

Appendix 3: Proposed City Initiated Amendments to Mississauga Official Plan and/or Zoning By-law

Appendix 4: Revised Chart - Proposed City Initiated Amendments (#11) to



Zoning By-law 0225-2007

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Edward R. Sajecki, Commissioner of Planning and Building  
Prepared by: Lisa Christie, Planner

# City of Mississauga

## Corporate Report



Date: May 19, 2017

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:  
BL.09-COM

Meeting date:  
2017/06/12

### Subject

#### **PUBLIC MEETING INFORMATION REPORT (WARDS 1-11)**

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

### Recommendation

That the Report dated May 19, 2017, from the Commissioner of Planning and Building regarding proposed City initiated amendments to the Official Plan and Zoning By-law 0225-2007, be received for information.

### Background

The purpose of this report is to present proposed Official Plan and Zoning By-law Amendments for a number of regulations and for some properties in the City of Mississauga; to present recommended City initiated amendments to the Zoning By-law; and, to hear comments from the public on the proposed changes.

### Comments

The proposed Official Plan Amendments affect the property at 1385 Dixie Road located in Ward 1, a property in the vicinity of Fieldgate Drive and Audubon Boulevard located in Ward 3, and a property at Longside Drive and Hurontario Street in Ward 5. The proposed Zoning By-law Amendments affect six properties located in Wards 1, 3, 4, 5, 7 and 8. In total, six properties are affected and are illustrated on the Location Map included as Appendix 1. Appendix 2 contains a summary of the proposed Official Plan and/or Zoning By-law Amendments.

In addition to the changes outlined in Appendix 2, it has been determined that a number of Zoning By-law sections need to be revised to clarify wording. Zoning By-law Amendments are proposed to modify the following sections:

- Definition Section
- Parking and Loading Section

- Residential Zones
- City Centre (Celebration Square) Zoning

The details of these amendments are outlined in Appendix 3 to this report. Of note are items outlined below, which are cross-referenced with Appendix 3 in parenthesis:

- Definitions (Items 1-16)  
The majority of the proposed amendments to the definitions are to clarify between the terms dwelling, building and/or unit. This is in preparation for amendments and new definitions that will be proposed as part of the work being done to define and regulate stacked and back to back townhouses. Once these amendments are approved by Council, the remainder of the By-law can be updated as a technical amendment for consistency.
- Sloped Roof (Item 16)  
Staff was directed to recommend a solution to regulate the height of mansard roofs for residential properties. To address this issue, the definition of "Sloped Roof" is being updated to reflect regulations contained in the Ontario Building Code. Any part of a roof that is greater than 60° above the horizontal shall be deemed to be a wall, and the eave heights and roof heights will be measured accordingly.
- Rooftop Balcony (Item 21)  
To address overlook and privacy concerns from rooftop balconies on buildings with flat roofs, a new general regulation is being added to the Zoning By-law requiring that a rooftop balcony be set back 1.2 m from the edges of a building.
- Parking and Loading (Items 9, 22 & 23)  
A definition of "food court" is being added to the Zoning By-law (Item 9), which will be included in the regulation for how parking is calculated for enclosed malls (Item 22). The seating area for a food court will be deducted from the gross floor area of a mall as it is not deemed to create demand for additional parking.

The last City initiated rezoning report recommended changes to the standards for accessible parking based on the *Accessibility for Ontarians with Disabilities Act, 2006*. An additional regulation, containing provisions for parallel accessible parking spaces, is being added to the existing regulations (Item 23). The corresponding Illustration No. 15 is also being updated, however it is not part of the Zoning By-law and is for reference purposes only.

- Landscaped Soft Area and Driveway Widths (Items 27 - 29)  
In the June 2014 City Initiated Rezoning report, regulations regarding landscaped soft areas and driveway widths for the R1 to R5 (detached dwellings) residential zones were approved. It has been noted that these regulations are also relevant for the detached dwellings zones R8 to R11 and R15 to R16, especially when widened driveways are being

Planning and Development Committee

2017/05/19

3

Originator's file: BL.09-COM

considered at the Committee of Adjustment. The corresponding Illustration No. 14 is also being updated, however it is not part of the Zoning By-law and is for reference purposes only.

- Celebration Square (Items 35 & 37)

The success of Celebration Square as a venue for public events has resulted in the need to amend the Zoning By-law to allow temporary tents to be installed for longer durations than the current regulations allow. In addition, the use of Celebration Square has grown beyond simply having a weekly Farmers' Market, therefore regulations to allow other types of outdoor markets, outdoor sales and restaurants are appropriate.

## Financial Impact

Not applicable.

## Conclusion

Once the public meeting has been held, the Planning and Building Department will be in a position to make a recommendation regarding these amendments. Given the nature of proposed City initiated amendments to the Official Plan and the Zoning By-law, it is recommended that notwithstanding planning protocol, the Recommendation Report be brought directly to a future Council meeting.

## Attachments

Appendix 1: Location of Properties for Proposed Official Plan and/or Rezoning Amendments

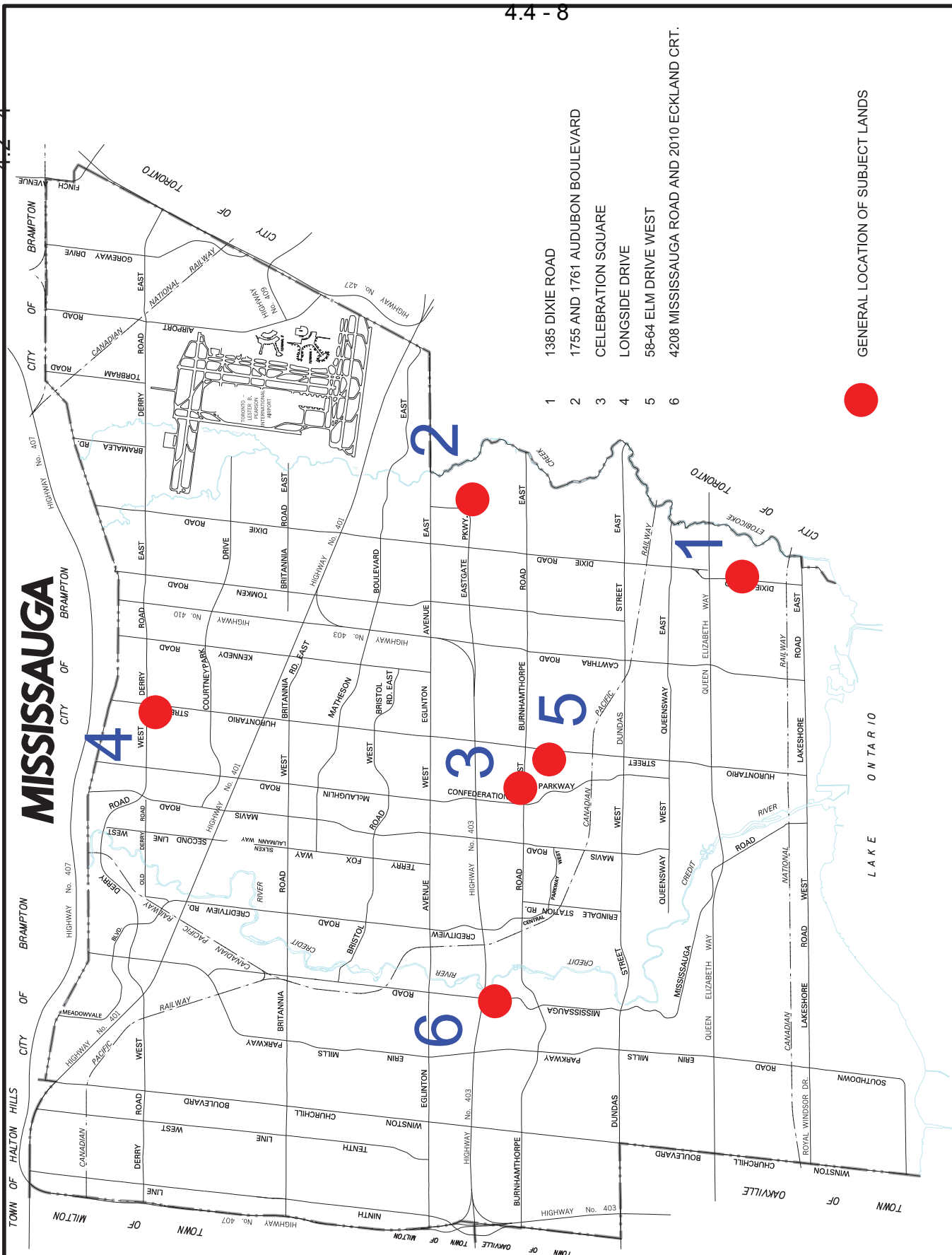
Appendix 2: Proposed City Initiated Amendments to Mississauga Official Plan and/or Zoning By-law

Appendix 3: Proposed City Initiated Amendments (#11) to Zoning By-law 0225-2007



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Lisa Christie, Planner



# LOCATION OF PROPERTIES FOR PROPOSED OFFICIAL PLAN AND/OR REZONING AMENDMENTS



Produced by  
T&W, Geomatics



**Proposed City Initiated Amendments to Mississauga Official Plan and/or Zoning By-law**

<b>Site Location</b>	<b>Ward</b>	<b>Current Use</b>	<b>Ownership</b>	<b>Current MOP Designation</b>	<b>Proposed MOP Designation</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>	<b>Comments</b>
1) 1385 Dixie Road	1	Single detached dwelling	The Toronto Golf Club	Residential Low Density I	Private Open Space	R3-75 (Detached Dwellings – Typical Lots – Exception)	OS2-5 (Open Space - City Park - Exception)	Rear of property severed for future golf course use.
2) Rear of 1755 and 1761 Audubon Boulevard	3	Vacant land	Province of Ontario	Parkway Belt West	Residential Low Density I	PB1 (Parkway Belt)	R3 (Detached Dwellings - Typical Lots)	Redesignate and rezone remnant parcel removed from the Parkway Belt by the Province.
3) 300 City Centre Drive - Celebration Square	4	Public square	City Ownership	Open Space	N/A	CCOS (City Centre - Open Space) and CC2(1) (City Centre – Mixed Use)	CCOS-2 (City Centre - Open Space - Exception) and CC2-6 (City Centre – Mixed Use - Exception)	Add to the uses in Celebration Square to reflect the increase in programming and number/duration of events now held in the Square.
4) Longside Drive at Hurontario Street	5	Vacant land	Private ownership	No designation	Office	D (Development)	H-E1-28 (Employment in Nodes – Exception with a Holding Provision)	Designate and rezone a small parcel that was not needed for the road right-of-way and will be transferred back to the original landowner.
5) 58 -64 Elm Drive West	7	Vacant – under development	Private ownership	Open Space	N/A	OS2 (Open Space - City Park)	OS1 (Open Space – Community Park)	Correct mapping error.

Site Location	Ward	Current Use	Ownership	Current MOP Designation	Proposed MOP Designation	Current Zoning	Proposed Zoning	Comments
6) 4208 Mississauga Road and 2010 Eckland Court	8	Vacant - under develop- ment	Private ownership	Residential Low Density I	N/A	H-R2-33 (Detached Dwellings – Typical Lots – Exception and Holding Provision)	R1 (Detached Dwellings – Typical Lots)	Recognize land severance and construction of two detached dwellings.

K:\pbd\division\ZBR\2 Housekeeping Amendments\City Initiated Rezoning # 11\WOPA.ZBL Chart1.docx

## Proposed City Initiated Amendments (#11) to Zoning By-law 0225-2007

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
<b>Part 1: Administration, Interpretation, Enforcement and Definitions</b>			
1	Section 1.2 - Definitions	<b>Apartment Dwelling</b> means a <b>building</b> or part thereof, other than a <b>horizontal multiple dwelling</b> or a <b>townhouse dwelling</b> , containing more than three (3) <b>dwelling units</b> , and with shared entrance and exit facilities through a common vestibule(s). (0325-2008)	Update terminology to differentiate between an apartment building and an apartment unit.
2	Section 1.2 - Definitions	<b>Duplex Dwelling</b> means a <b>building</b> that is divided horizontally into two (2) attached <b>dwelling units</b> , each of which has an independent entrance either directly or through a common vestibule.	Update terminology to differentiate between a duplex building and an individual unit therein.
3	Section 1.2 - Definitions	<b>Dwelling Unit</b>	Move in alphabetical order in Definitions and make dwelling unit a unique defined term and not the heading of the residential housing types section.
4	Section 1.2 - Definitions	<b>Long-Term Care Dwelling Building</b>	Update terminology to differentiate between a long term care building and a unit therein.
5	Section 1.2 - Definitions	<b>Retirement Dwelling Building</b> means a <b>building</b> or part thereof, containing <b>retirement dwelling units</b> where common facilities are provided for the preparation and consumption of food and where housekeeping services and on-site medical services are provided, as required. A retirement <b>dwelling building</b> may contain accessory <b>personal service establishment</b> , retail and recreational <b>uses</b> for the residents. <del>A retirement dwelling is intended to be occupied by persons who are retired from the work force, or by reason of age or infirmity require the services provided in a semi-independent living environment, but who do not require the services and support provided in a long-term care dwelling.</del>	Update terminology to differentiate between a retirement building and a unit therein.
6	Section 1.2 - Definitions	<b>Retirement Dwelling Unit</b> means one (1) or more <b>habitable rooms</b> in a <b>retirement dwelling building</b> , designed or intended for the lodging of not more than two (2) persons, with a separate entrance from a common hall, in which separate sanitary facilities are provided. A retirement dwelling unit may contain limited culinary facilities but shall not include a stove top and/or oven.	Update definition based on name change for retirement building.
7	Section 1.2 - Definitions	<b>Semi-Detached Dwelling</b> means a <b>building with one of two (2) attached dwelling units</b> that are divided vertically above grade by a <b>party wall</b> at least 5.0 m in length and at least 2.0 m in height.	Update terminology to differentiate between a semi-detached building and a semi-detached unit.



#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
8	Section 1.2 - Definitions	<b>Triplex Dwelling</b> means a <b>building</b> that is divided horizontally and/or vertically into three (3) separate <b>dwelling units</b> , each with an entrance that is either independent or through a common vestibule.	Update terminology to differentiate between a triplex building and a unit therein.
9	Section 1.2 - Definitions	<b>Food Court</b> means a communal seating area for more than one <b>take-out restaurant</b> in an enclosed <b>pedestrian mall</b> , but does not include the gross floor area of the <b>take-out restaurants</b> .	Add a new definition for food court to clarify enclosed mall parking regulations - see also #22.
10	Section 1.2 - Definitions	<b>Floor Space Index (FSI) - Apartment Dwelling Zone</b> means the ratio of the <b>gross floor area</b> - <b>apartment dwelling zone</b> of all <b>buildings and structures</b> to the <b>lot area</b> .	Amend to reflect new definition for Apartment.
11	Section 1.2 - Definitions	<b>Gross Floor Area (GFA) - Apartment Dwelling Zone</b>	Amend to reflect new definition for Apartment.
12	Section 1.2 - Definitions	<b>Gross Floor Area (GFA) - Infill Residential</b> means the sum of the areas of each <b>storey</b> of a <b>building</b> above <b>average grade</b> , measured from the exterior of outside walls, including an attached <b>garage</b> <u>and</u> or any part of the <b>building</b> , <u>above and below grade</u> used for <b>motor vehicle</b> parking.	Add "above and below grade" when referring to the part of a building used for motor vehicle parking to clarify that underground parking on residential lots is included in gross floor area - infill residential.
13	Section 1.2 - Definitions	<b>Hospice Dwelling</b>	Clarify that the definition for a hospice refers to the entire building and not a bed/room within.
14	Section 1.2 - Definitions	<b>Podium</b> means a portion of the first two (2) <b>storeys</b> of a <b>building</b> , excluding a <b>parking structure</b> , <b>mechanical floor area</b> , storage area, service room and/or refuse and loading area, that is permitted to encroach into a required front and/or <b>exterior side yard</b> . (0212-2015)	Delete definition for podium and utilize regulations in the RA1-RA5 zone categories for building setbacks and design.
15	Section 1.2 - Definitions	<b>Flat Roof</b> means a roof <u>where 50% or more of the total roof area has</u> with a roof angle of less than 15° above the horizontal.	Clarify definition of flat roof for dwellings with varying roof styles.
16	Section 1.2 - Definitions	<b>Sloped Roof</b> means a roof with a roof angle greater than or equal to 15° <u>and less than 60°</u> above the horizontal.	Clarify the definition of sloped roof to differentiate between what is considered a roof and what is a wall - especially with respect to mansard roof styles.
17	Section 1.3 - Illustrations	Replace Illustration No. 2	Reflect new terminology for Duplex, Semi-Detached and Triplex.
18	Section 1.3 - Illustrations	Replace Illustration No. 4	Reflect new terminology for Apartments and Townhouses.
19	Section 1.3 - Illustrations	Replace Illustration No. 14	Amend the diagram for clarity and update the zone categories to which Landscape Soft Area regulations apply.

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
20	Section 1.3 - Illustrations	Replace Illustration No. 15	Illustration updated to add reference to parallel accessible parking.
<b>Part 2: General Provisions</b>			
21	Subsection 2.1.30	<b>2.1.30 Rooftop Balcony</b> 2.1.30.1 A rooftop <b>balcony</b> shall be set back 1.2 m from all exterior edges of a <b>building</b> or <b>structure</b> .	Add regulation for rooftop balconies to be set back from building edges for privacy/overlook control.
<b>Part 3: Parking and Loading</b>			
22	Sentence 3.1.1.10.2	For the calculation of required parking for a retail centre, in addition to any deductions permitted by the definition of <b>gross floor area - non-residential</b> , an <b>enclosed pedestrian mall</b> , a <b>food court</b> , and any corridor not open to the public and used by more than one (1) tenant of the <b>building</b> may be deducted from the total <b>gross floor area - non-residential</b> prior to calculating required parking. (0379-2009)	Add food courts to the list of deductions for the calculation of required parking for an enclosed mall – see also #9.
23	Article 3.1.4.6	<u>Parallel accessible parking spaces with a parking angle not exceeding 15°, shall have an unobstructed rectangular area with a minimum width of 4.6 m and a minimum length of 5.75 m, and maintain a 1.5 m width access aisle abutting the entire width of each accessible parking space.</u>	Add new regulation and illustration with respect to parallel accessible parking spaces.
<b>Part 4: Residential Zones</b>			
24	Article 4.2.3.33	Amend Schedule R2-33	Part of the land subject to the R2-33 Exception Zone was severed to create two building lots, therefore the Exception Schedule, the maximum dwelling units and visitor parking numbers are no longer accurate.
25	Sentence 4.2.3.33.1	Maximum number of <b>dwelling units</b> on all lands zoned R2-33	
26	Sentence 4.2.3.33.12	Minimum number of visitor <b>parking spaces</b>	

#	SECTION NUMBER	PROPOSED REVISION					COMMENT/EXPLANATION
27	Subsection 4.4.1 Table 4.4.1	Table 4.4.1 - R8 to R11 Permitted Uses and Zone Regulations					
		Line	ZONES	R8	R9	R10	R11
		13.0	ATTACHED GARAGE, PARKING, DRIVEWAY, AND <u>LANDSCAPED SOFT AREA</u>				
		13.3	Maximum driveway width	<u>Width of garage door opening(s) plus 2.0 m up to a maximum of 6.0 m; if no garage door, maximum width of 6.0 m</u>	<u>Width of garage door opening(s) plus 2.0 m up to a maximum of 6.0 m; if no garage door, maximum width of 6.0 m</u>	<u>Width of garage door opening(s) plus 2.0 m up to a maximum of 6.0 m; if no garage door, maximum width of 6.0 m</u>	<u>Width of garage door opening(s) plus 2.0 m up to a maximum of 6.0 m; if no garage door, maximum width of 6.0 m</u>
							Clarify the intent to have a landscaped area in a front yard that is not a paved area.
		13.4	<u>Minimum landscaped soft area in the yard containing the driveway</u>	<u>40% of the front yard and/or exterior side yard</u>	<u>30% of the front yard and/or exterior side yard</u>	<u>30% of the front yard and/or exterior side yard</u>	<u>25% of the front yard and/or exterior side yard</u>

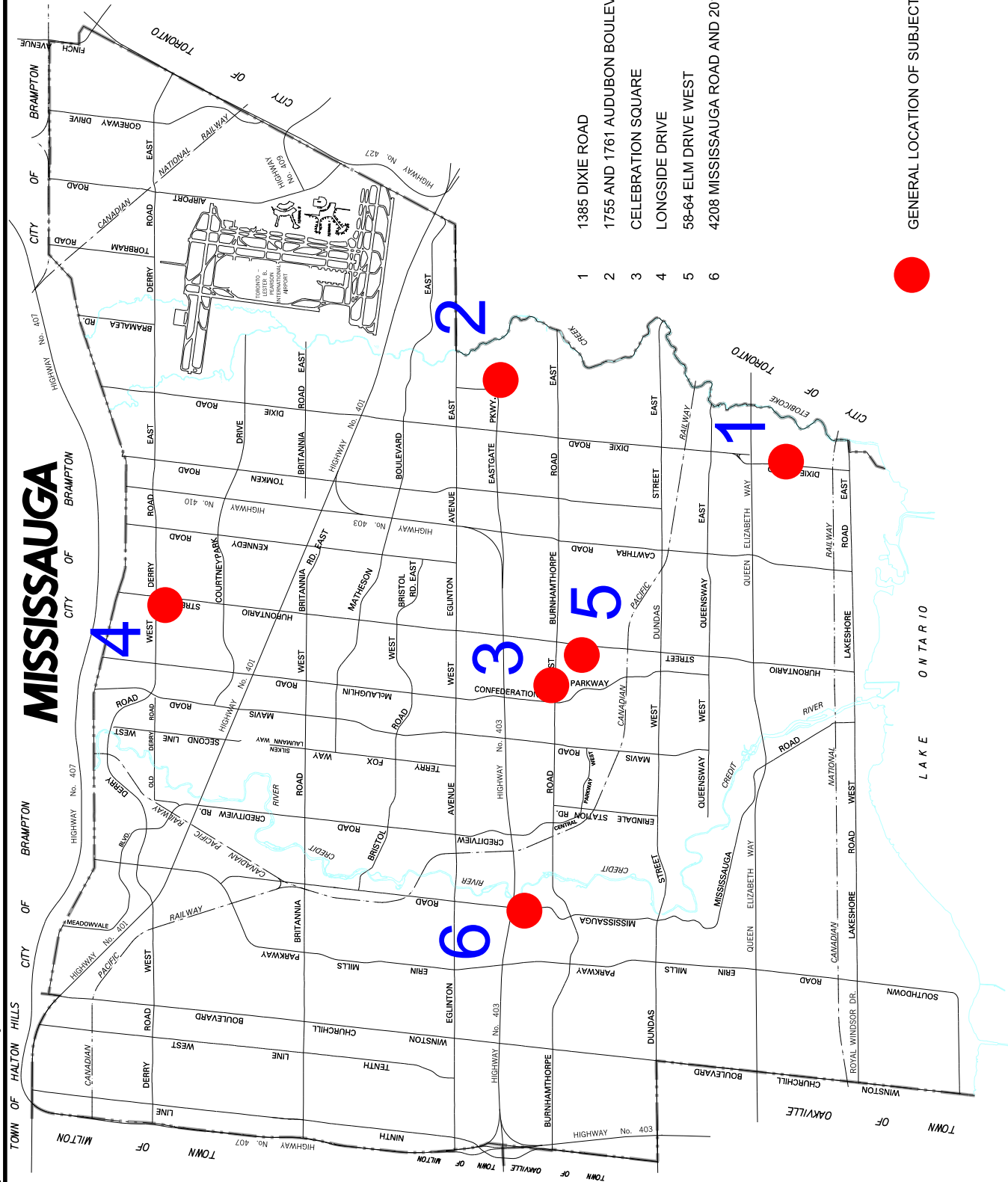
#	SECTION NUMBER	PROPOSED REVISION		COMMENT/EXPLANATION
28	Subsection 4.6.1 Table 4.6.1	Table 4.6.1 - R15 Permitted Uses and Zone Regulations		Clarify the intent to have a landscaped area in a front yard that is not a paved area.
		Line	ZONE	
		11.0	ATTACHED GARAGE, PARKING, DRIVEWAY, AND LANDSCAPED SOFT AREA	
		11.3	Maximum driveway width	
29	Subsection 4.7.1 Table 4.7.1	Table 4.7.1 - R16 Permitted Uses and Zone Regulations		Clarify the intent to have a landscaped area in a front yard that is not a paved area.
		Line	ZONE	
		12.0	ATTACHED GARAGE, PARKING, DRIVEWAY, AND LANDSCAPED SOFT AREA	
		12.5	Maximum driveway width	
30	Table 4.10.1 Line 10.0	Table 4.10.1 - R15 Permitted Uses and Zone Regulations		Add "and 3 storeys" to the RM4, RM5 and RM6 height regulations to be consistent with height regulations in other multiple unit zone categories. Delete "dwelling" to be consistent with other zone categories.
		Line	ZONE	
		12.0	ATTACHED GARAGE, PARKING, DRIVEWAY, AND LANDSCAPED SOFT AREA	
		12.5	Maximum driveway width	
31	Table 4.11.1 Line 9.0	Table 4.11.1 - R16 Permitted Uses and Zone Regulations		Delete entire Line as the definition of podium is being deleted, and the regulations are no longer relevant
		Line	ZONE	
		12.0	ATTACHED GARAGE, PARKING, DRIVEWAY, AND LANDSCAPED SOFT AREA	
		12.5	Maximum driveway width	
32	Table 4.12.1 Line 10.0	Table 4.12.1 - R15 Permitted Uses and Zone Regulations		Delete entire Line as the definition of podium is being deleted, and the regulations are no longer relevant
		Line	ZONE	
		12.0	ATTACHED GARAGE, PARKING, DRIVEWAY, AND LANDSCAPED SOFT AREA	
		12.5	Maximum driveway width	
33	Table 4.15.1 Line 11.1	Table 4.15.1 - R16 Permitted Uses and Zone Regulations		Delete entire Line as the definition of podium is being deleted, and the regulations are no longer relevant
		Line	ZONE	
		12.0	ATTACHED GARAGE, PARKING, DRIVEWAY, AND LANDSCAPED SOFT AREA	
		12.5	Maximum driveway width	



#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
<b>Part 7: City Centre Zones</b>			
34	Article 7.1.1.1	<del>(4) Amusement Arcade</del>	Delete this restriction to allow more flexibility for City Centre redevelopment.
35	Article 7.2.3.6	In a CC2-6 zone the permitted <b>uses</b> and applicable regulations shall be as specified for a CC2 zone except that the following <b>uses/regulations</b> shall apply: <b>Additional Permitted Uses</b> 7.2.3.6.1 Outdoor markets' and other outdoor sales <b>Regulations</b> 7.2.3.6.2 The provisions of Lines 4.0 and 5.0 in Table 2.1.9.7 shall not apply	Add a new exception zone for the easterly portion of Celebration Square to permit the area under the trellis to be used for outdoor vendors, and to allow flexibility with respect to the temporary tent regulations.
36	Sentence 7.2.5.4.11	Minimum setback from the exterior face of a <b>podium</b> podium of <b>buildings</b> and <b>structures</b> , or parts thereof, located above the podium structure for Parcel Blocks 4E to 4H inclusive identified on Schedule CC4-4	Remove bold from podium as it will no longer be a defined term.
37	Article 7.2.6.2	In a CCOS-2 zone the permitted <b>uses</b> and applicable regulations shall be as specified for a CCOS zone except that the following <b>uses/regulations</b> shall apply: <b>Additional Permitted Uses</b> 7.2.6.2.1 <b>Restaurant</b> 7.2.6.2.2 <b>Take-out Restaurant</b> 7.2.6.2.3 Outdoor patio accessory to a <b>restaurant</b> or <b>take-out restaurant</b> 7.2.6.2.4 Outdoor markets' and other outdoor sales <b>Regulations</b> 7.2.6.2.6 The provisions of Lines 4.0 and 5.0 in Table 2.1.9.7 shall not apply 7.2.6.2.7 Maximum <b>gross floor area – non-residential</b> used for a <b>restaurant</b> and/or <b>take-out restaurant</b>	Add a new exception zone for Celebration Square to recognize the various types of uses in the Square, and to allow flexibility with respect to the temporary tent regulations.

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
<b>Part 13: Zoning Maps</b>			
38	Map 5	Change R3-75 to OS2-5	To reflect the use of the rear of the residential lot as part of the adjacent golf course. [See Appendix 2, Item 1]
39	Map 22	Change OS2 to OS1	The new park is intended to serve the local neighbourhood (Community Park), therefore OS1 is the more appropriate zone. [See Appendix 2, Item 5]
40	Map 26	Change PB1 to R3	To reflect the removal of this parcel from the Parkway Belt West by the Province. [See Appendix 2, Item 2]
41	Map 29	Change CCOS to CCOS-2 and CC2(1) to CC2-6	Add Exception Zones to Celebration Square. [See Appendix 2, Item 3]
42	Map 31	Change H-R2-33 to R1 for part of the zone	Change schedule to reflect severance applications - see also #24-26 [See Appendix 2, Item 6]
43	Map 44E	Change D to H-E1-28	Change the zone of a parcel that was not needed for the road right-of-way and is being transferred back to the original landowner. [See Appendix 2, Item 4]

# LOCATION OF PROPERTIES FOR PROPOSED OFFICIAL PLAN AND/OR REZONING AMENDMENTS



**Proposed City Initiated Amendments to Mississauga Official Plan and/or Zoning By-law**

<b>Site Location</b>	<b>Ward</b>	<b>Current Use</b>	<b>Ownership</b>	<b>Current MOP Designation</b>	<b>Proposed MOP Designation</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>	<b>Comments</b>
1) 1385 Dixie Road	1	Single detached dwelling	The Toronto Golf Club	Residential Low Density I	Private Open Space	R3-75 (Detached Dwellings – Typical Lots – Exception)	OS2-5 (Open Space - City Park - Exception)	Rear of property severed for future golf course use.
2) Rear of 1755 and 1761 Audubon Boulevard	3	Vacant land	Province of Ontario	Parkway Belt West	Residential Low Density I	PB1 (Parkway Belt)	R3 (Detached Dwellings - Typical Lots)	Redesignate and rezone remnant parcel removed from the Parkway Belt by the Province.
3) 300 City Centre Drive - Celebration Square	4	Public square	City Ownership	Open Space	N/A	CCOS (City Centre - Open Space) and CC2(1) (City Centre – Mixed Use)	CCOS-2 (City Centre - Open Space - Exception) and CC2-6 (City Centre – Mixed Use - Exception)	Add to the uses in Celebration Square to reflect the increase in programming and number/duration of events now held in the Square.
4) Longside Drive at Hurontario Street	5	Vacant land	Private ownership	No designation	Office	D (Development)	H-E1-28 (Employment in Nodes – Exception with a Holding Provision)	Designate and rezone a small parcel that was not needed for the road right-of-way and will be transferred back to the original landowner.
5) 58 -64 Elm Drive West	7	Vacant – under development	Private ownership	Open Space	N/A	OS2 (Open Space - City Park)	OS1 (Open Space – Community Park)	Correct mapping error.



Site Location	Ward	Current Use	Ownership	Current MOP Designation	Proposed MOP Designation	Current Zoning	Proposed Zoning	Comments
6) 4208 Mississauga Road and 2010 Eckland Court	8	Vacant - under development	Private ownership	Residential Low Density I	N/A	H-R2-33 (Detached Dwellings – Typical Lots – Exception and Holding Provision)	R1 (Detached Dwellings – Typical Lots)	Recognize land severance and construction of two detached dwellings.

K:\pdivision\ZBR\2 Housekeeping Amendments\City Initiated Rezoning # 1\WOPA.ZBL Chart1.docx

Revised Chart - Proposed City Initiated Amendments (#11) to Zoning By-law 0225-2007

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
<b>Part 1: Administration, Interpretation, Enforcement and Definitions</b>			
1	Section 1.2 - Definitions	<del>Apartment Dwelling</del> means a <b>building</b> or part thereof, <del>other than a horizontal multiple dwelling or a townhouse dwelling</del> , containing more than three <del>(3)</del> <b>dwelling units</b> , and with shared entrance and exit facilities through a common vestibule(s). (0325-2008)	Update terminology to differentiate between an apartment building and an apartment unit.
2	Section 1.2 - Definitions	<b>Duplex Dwelling</b> means a <b>building</b> that is divided horizontally into two <del>(2)</del> attached <b>dwelling units</b> , each of which has an independent entrance either directly or through a common vestibule.	Update terminology to differentiate between a duplex building and an individual unit therein.
3	Section 1.2 - Definitions	<b>Dwelling Unit</b>	Move in alphabetical order in Definitions and make dwelling unit a unique defined term and not the heading of the residential housing types section.
4	Section 1.2 - Definitions	<b>Long-Term Care Dwelling Building</b>	Update terminology to differentiate between a long term care building and a unit therein.
5	Section 1.2 - Definitions	<b>Retirement Dwelling Building</b> means a <b>building</b> or part thereof, containing <b>retirement dwelling units</b> where common facilities are provided for the preparation and consumption of food and where housekeeping services and on-site medical services are provided, as required. A retirement <b>dwelling building</b> may contain accessory <b>personal service establishment</b> , retail and recreational <b>uses</b> for the residents. <del>A retirement dwelling is intended to be occupied by persons who are retired from the work force, or by reason of age or infirmity require the services provided in a semi-independent living environment, but who do not require the services and support provided in a long-term care dwelling.</del>	Update terminology to differentiate between a retirement building and a unit therein.
6	Section 1.2 - Definitions	<b>Retirement Dwelling Unit</b> means one <del>(1)</del> or more <b>habitable rooms</b> in a <b>retirement dwelling building</b> , designed or intended for the lodging of not more than two <del>(2)</del> persons, with a separate entrance from a common hall, in which separate sanitary facilities are provided. A retirement dwelling unit may contain limited culinary facilities but shall not include a stove top and/or oven.	Update definition based on name change for retirement building.
7	Section 1.2 - Definitions	<b>Semi-Detached Dwelling</b> means a <del>building with one of two (2)</del> attached <b>dwelling units</b> that are divided vertically above grade by a <b>party wall</b> at least 5.0 m in length and at least 2.0 m in height.	Update terminology to differentiate between a semi-detached building and a semi-detached unit.

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
8	Section 1.2 - Definitions	<b>Triplex Dwelling</b> means a <b>building</b> that is divided horizontally and/or vertically into three (3) separate <b>dwelling units</b> , each with an entrance that is either independent or through a common vestibule.	Update terminology to differentiate between a triplex building and a unit therein.
9	Section 1.2 - Definitions	<b>Food Court</b> means a communal seating area for more than one <b>take-out restaurant</b> in an enclosed <b>pedestrian mall</b> , but does not include the gross floor area of the <b>take-out restaurants</b> .	Add a new definition for food court to clarify enclosed mall parking regulations - see also #24.
10	Section 1.2 - Definitions	<b>Floor Space Index (FSI) - Apartment Dwelling Zone</b> means the ratio of the <b>gross floor area</b> - <b>apartment dwelling zone</b> of all <b>buildings</b> and <b>structures</b> to the <b>lot area</b> .	Amend to reflect new definition for Apartment.
11	Section 1.2 - Definitions	<b>Gross Floor Area (GFA) - Apartment Dwelling Zone</b>	Amend to reflect new definition for Apartment.
12	Section 1.2 - Definitions	<b>Gross Floor Area (GFA) - Infill Residential</b> means the sum of the areas of each <b>storey</b> of a <b>building</b> above <b>average grade</b> , measured from the exterior of outside walls, including an attached <b>garage</b> <u>and</u> <u>or</u> any part of the <b>building</b> , <u>above and below grade</u> used for <b>motor vehicle</b> parking.	Add "above and below grade" when referring to the part of a building used for motor vehicle parking to clarify that underground parking on residential lots is included in gross floor area - infill residential.
13	Section 1.2 - Definitions	<b>Hospice Dwelling</b>	Clarify that the definition for a hospice refers to the entire building and not a bed/room within.
14	Section 1.2 - Definitions	<b>Podium</b> means a portion of the first two (2) <b>storeys</b> of a <b>building</b> , excluding a <b>parking structure</b> , <b>mechanical floor area</b> , storage area, service room and/or refuse and loading area, that is permitted to encroach into a required front and/or <b>exterior side yard</b> . (02/12/2015)	Delete definition for podium and utilize regulations in the RA 1-RA5 zone categories for building setbacks and design.
15	Section 1.2 - Definitions	<b>Flat Roof</b> means a roof <u>where 50% or more of the total roof area has</u> with a roof angle of less than 15° above the horizontal.	Clarify definition of flat roof for dwellings with varying roof styles.
16	Section 1.2 - Definitions	<b>Sloped Roof</b> means a roof with a roof angle greater than or equal to 15° <u>and less than 60°</u> above the horizontal.	Clarify the definition of sloped roof to differentiate between what is considered a roof and what is a wall - especially with respect to mansard roof styles.
17	Section 1.3 - Illustrations	Replace Illustration No. 2	Reflect new terminology for Duplex, Semi-Detached and Triplex.
18	Section 1.3 - Illustrations	Replace Illustration No. 4	Reflect new terminology for Apartments and Townhouses.
19	Section 1.3 - Illustrations	Replace Illustration No. 14	Amend the diagram for clarity and update the zone categories to which Landscape Soft Area regulations apply.

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION		
20	Section 1.3 - Illustrations	Replace Illustration No. 15	Illustration updated to add reference to parallel accessible parking.		
21	Section 1.3 - Illustrations	Add Illustration No. 16	Add illustration to clarify how to calculate what part of a roof area is flat and what part is sloped.		
Part 2: General Provisions					
22	Table 2.1.9.10	Line 1.0	A transit terminal and/or transit corridor is permitted only in these zones	RM4 to RM6, RM9 and RA1 to RA5, O, C1 to C5, CC1 to CC4, <u>H-CC1</u> , <u>H-CC2</u> , <u>H-CC3</u> , CCOS, E1 to E3, OS1, OS2, PB1, PB2, I and <u>D</u> zones	Add the City Centre zones with a holding provision and Development zones to the list of zones that permit a Transit Terminal and/or Transit Corridor to correspond with the proposed LRT route through City Centre.
23	Subsection 2.1.30	2.1.30 Rooftop Balcony 2.1.30.1 A rooftop <b>balcony</b> shall be set back 1.2 m from all exterior edges of a <b>building or structure</b> . 2.1.30.2 Notwithstanding Article 2.1.30.1, a setback for a rooftop <b>balcony</b> may be 0.0 m where the exterior edge of the <b>building or structure</b> faces a <b>street</b> and the building is located in a non-residential zone.	Add regulations for rooftop balconies to be set back from building edges for privacy/overlook control.		
Part 3: Parking and Loading					
24	Sentence 3.1.1.10.2	For the calculation of required parking for a retail centre, in addition to any deductions permitted by the definition of <b>gross floor area</b> - non-residential, an <b>enclosed pedestrian mall</b> , a <b>food court</b> , and any corridor not open to the public and used by more than one (1) tenant of the <b>building</b> may be deducted from the total <b>gross floor area</b> - non-residential prior to calculating required parking. (0379-2009)	Add food courts to the list of deductions for the calculation of required parking for an enclosed mall – see also #9.		
25	Article 3.1.4.6	<u>Parallel accessible parking spaces with a parking angle not exceeding 15°, shall have an unobstructed rectangular area with a minimum width of 4.6 m and a minimum length of 5.75 m, and maintain a 1.5 m width access aisle abutting the entire width of each accessible parking space.</u>	Add new regulation and Illustration with respect to parallel accessible parking spaces.		
See Illustration No. 15 - Section 1.3 - Illustrations					



#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
<b>Part 4: Residential Zones</b>			
26	Article 4.2.3.33	Amend Schedule R2-33	Part of the land subject to the R2-33 Exception Zone was severed to create two building lots, therefore the Exception Schedule, the maximum dwelling units and visitor parking numbers are no longer accurate.
27	Sentence 4.2.3.33.1	Maximum number of <b>dwelling units</b> on all lands zoned R2-33	
28	Sentence 4.2.3.33.12	Minimum number of visitor <b>parking spaces</b>	
29	Table 4.10.1 <b>Line 10.0</b>	<del>MAXIMUM DWELLING HEIGHT</del>	Add "and 3 storeys" to the RM4, RM5 and RM6 height regulations to be consistent with height regulations in other multiple unit zone categories. Delete "dwelling" to be consistent with other zone categories.
30	Table 4.11.1 <b>Line 9.0</b>	MAXIMUM HEIGHT	
31	Table 4.12.1 <b>Line 10.0</b>	MAXIMUM HEIGHT	
32	Table 4.15.1 <b>Line 11.1</b>	<del>Maximum encroachment of a podium into required front or exterior side yard</del>	Delete entire Line as the definition of podium is being deleted, and the regulations are no longer relevant
<b>Part 6: Commercial Zones</b>			
33	Sentence 6.2.5.8.6	<del>Maximum Minimum</del> length of a <b>building streetwall</b> on the <b>first storey</b> that may be used for accessing residential <b>uses</b> above the <b>first storey</b>	Correct a drafting mistake from original implementing by-law

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
<b>Part 7: City Centre Zones</b>			
34	Article 7.1.1.1	<b>(4) Amusement Arcade</b>	Delete this restriction to allow more flexibility for City Centre redevelopment.
35	Article 7.2.3.6	<u>In a CC2-6 zone the permitted <b>uses</b> and applicable regulations shall be as specified for a CC2 zone except that the following <b>uses/regulations</b> shall apply:</u> <b><u>Additional Permitted Uses</u></b> <u>7.2.3.6.1 Outdoor markets and other outdoor sales</u> <b><u>Regulations</u></b> <u>7.2.3.6.2 The provisions of Lines 4.0 and 5.0 in Table 2.1.9.7 shall not apply</u>	Add a new exception zone for the easterly portion of Celebration Square to permit the area under the trellis to be used for outdoor vendors, and to allow flexibility with respect to the temporary tent regulations.
36	Sentence 7.2.5.4.11	Minimum setback from the exterior face of a <b>podium</b> <u>podium of buildings</u> and <b>structures</b> , or parts thereof, located above the podium structure for Parcel Blocks 4E to 4H inclusive identified on Schedule CC4-4	Remove bold from podium as it will no longer be a defined term.
37	Article 7.2.6.2	In a CCOS-2 zone the permitted <b>uses</b> and applicable regulations shall be as specified for a CCOS zone except that the following <b>uses/regulations</b> shall apply: <b><u>Additional Permitted Uses</u></b> <u>7.2.6.2.1 Restaurant</u> <u>7.2.6.2.2 Take-out Restaurant</u> <u>7.2.6.2.3 Outdoor patio accessory to a restaurant or take-out restaurant</u> <u>7.2.6.2.4 Outdoor markets' and other outdoor sales</u> <b><u>Regulations</u></b> <u>7.2.6.2.6 The provisions of Lines 4.0 and 5.0 in Table 2.1.9.7 shall not apply</u> <u>7.2.6.2.7 Maximum gross floor area – non-residential used for a restaurant and/or take-out restaurant</u>	Add a new exception zone for Celebration Square to recognize the various types of uses in the Square, and to allow flexibility with respect to the temporary tent regulations.

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
<b>Part 13: Zoning Maps</b>			
38	Map 5	Change R3-75 to OS2-5	To reflect the use of the rear of the residential lot as part of the adjacent golf course. [See Appendix 3, Item 1]
39	Map 22	Change OS2 to OS1	The new park is intended to serve the local neighbourhood (Community Park), therefore OS1 is the more appropriate zone. [See Appendix 3, Item 5]
40	Map 26	Change PB1 to R3	To reflect the removal of this parcel from the Parkway Belt West by the Province. [See Appendix 3, Item 2]
41	Map 29	Change CCOS to CCOS-2 and CC2(1) to CC2-6	Add Exception Zones to Celebration Square. [See Appendix 3, Item 3]
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43	Map 44E	Change D to H-E1-28	Change the zone of a parcel that was not needed for the road right-of-way and is being transferred back to the original landowner. [See Appendix 3, Item 4]

City of Mississauga

# Corporate Report



Date: 2017/09/01

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:  
CD.04.WARMeeting date:  
2017/09/25

## Subject

**Recommendation Report (Ward 3)****Imagining Ward 3 - Mississauga Official Plan Amendment - Applewood and Rathwood Neighbourhood Character Area Policies****File: CD.04.WAR**

## Recommendation

That the amendment to Mississauga Official Plan proposed in the report titled "Recommendation Report (Ward 3) Imagining Ward 3 – Mississauga Official Plan Amendment – Applewood and Rathwood Neighbourhood Character Area Policies" dated September 1, 2017, from the Commissioner of Planning and Building, be adopted in accordance with the report.

## Background

In 2016, the Planning and Building Department initiated a pilot project for Ward 3 as a new approach to neighbourhood planning. Staff worked collaboratively with residents to examine and understand the factors driving change in their neighbourhoods and to identify opportunities for them to have some influence on how to manage and proactively respond to these changes. The result was the creation of an information brochure and proposed land use policies that would provide language detailing the distinct characters of the Applewood and Rathwood neighbourhoods.

A public meeting was held on June 13, 2017 to consider changes to Mississauga Official Plan to add additional policies detailing the characters of both of these neighbourhoods. The report (Appendix 1) was received for information.

## Comments

The proposed Official Plan Amendment is intended to provide additional neighbourhood character policies for both the Applewood and Rathwood neighbourhoods based on the findings of the Imagining Ward 3 pilot project and educational brochure. Through the pilot project it was



identified that new development should be guided by key policies related to housing and built form, streetscapes and urban design, parks and open spaces and future redevelopment opportunities.

The proposed policies were received positively and no comments were received through the public process. The policies meet the overall intent, goals and objectives of the Official Plan and implement the priorities for change identified through the pilot project.

## Financial Impact

Not applicable.

## Conclusion

As no submissions and no concerns were raised at the public meeting regarding the proposed amendment, the report titled “Recommendation Report (Ward 3) Imagining Ward 3 – Mississauga Official Plan Amendment – Applewood and Rathwood Neighbourhood Character Area Policies” dated September 1, 2017, from the Commissioner of Planning and Building recommending approval of the Official Plan Amendment should be adopted in accordance with the recommendations specified in the public meeting report (Appendix 1).

## Attachments

Appendix 1: Public Meeting (Ward3) Imagining Ward 3 – Proposed Applewood and Rathwood Neighbourhood Character Area Policies




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Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Karen Crouse, Manager, Projects

City of Mississauga  
**Corporate Report**

**PDC** MAY 29 2017



MISSISSAUGA

Date: 2017/05/2017	Originator's files: CD.04-WAR
To: Chair and Members of Planning and Development Committee	
From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date: 2017/05/29

## Subject

PUBLIC MEETING (WARD 3)

Imagining Ward 3 – Proposed Applewood and Rathwood Neighbourhood Character Area Policies

CD.04- WAR

## Recommendation

That the report titled *Imagining Ward 3 – Mississauga Official Plan Amendment -Applewood and Rathwood Neighbourhood Character Areas* dated May 5, 2017, from the Commissioner of Planning and Building, be received for information.

That the submissions made at the public meeting held on May 29, 2017 to consider the report titled *Imagining Ward 3 – Mississauga Official Plan Amendment -Applewood and Rathwood Neighbourhood Character Areas* dated May 5, 2017 from the Commissioner of Planning and Building, be received.

## Background

On March 8, 2017, City Council considered the report titled *Imagining Ward 3 – A Pilot Project for Neighbourhood Planning* dated February 3, 2017 (attached as Appendix 1) and directed a public meeting be held.

The purpose of the public meeting is to receive comments on the proposed amendment to Mississauga Official Plan, attached as Appendix 2.

The amendment is the result of a new engagement program piloted in Ward 3. The purpose was to define neighbourhood character.

## Comments

Appendix 2 outlines the proposed policies to be added to both the Applewood Neighbourhood Character Area and Rathwood Neighbourhood Character Area policies in Mississauga Official Plan. Taken together, the policies provide overviews of the existing neighbourhood character within Applewood and Rathwood. The policies will also provide direction for new development specifically within Ward 3.

The policies, based on the outcomes of the Imagining Ward 3 pilot project, generally address:

- Housing and built form;
- Streetscapes and urban design;
- Parks and open spaces; and
- Redevelopment Sites (including Rockwood Mall and the Community Node)

## Financial Impact

Not applicable

## Conclusion

Through the Imagining Ward 3 pilot project that focused on managing change in the Applewood and Rathwood neighbourhoods, new official plan policies have been proposed. The policies will recognize the existing character of these neighbourhoods and direct future growth and development within Applewood and Rathwood. Subsequent to the public meeting, a report will be prepared for consideration by the Planning and Development Committee which will address comments received and where appropriate will recommend changes.

## Attachments

- Appendix 1: Report titled Imagining Ward 3 – A Pilot Project for Neighbourhood Planning dated February 3, 2017
- 2: Proposed Mississauga Official Plan policies for the Applewood and Rathwood Character Areas



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Frank Marzo, Planner



P1000 FEB 27 2017

# City of Mississauga Corporate Report



Date: 2017/02/03	Originator's files: CD.04- WAR
To: Chair and Members of Planning and Development Committee	Meeting date: 2017-02-27
From: Edward R. Sajecki, Commissioner of Planning and Building	

## Subject

Imagining Ward 3- A Pilot Project for Neighbourhood Planning

## Recommendation

1. That the report entitled *Imagining Ward 3 -- A Pilot Project for Neighbourhood Planning* dated February 3, 2017, from the Commissioner of Planning and Building, be received for information.
2. That a public meeting be held to consider proposed amendments to the Applewood Neighbourhood and Rathwood Neighbourhood Character Area Policies of Mississauga Official Plan as outlined in the report entitled *Imagining Ward 3 -- A Pilot Project for Neighbourhood Planning* dated February 3, 2017, from the Commissioner of Planning and Building.

## Background

The Imagining Ward 3 pilot project, launched in 2016, enabled residents of the Applewood and Rathwood neighbourhoods to proactively engage in a new approach to neighbourhood planning that focused on helping residents manage physical changes in their communities.

The dialogue with resident members resulted in a successful engagement process. Residents explored key issues and opportunities within their communities; and learned about the official plan and planning tools which could assist with managing local change (see Appendix 1).

The key findings from that community dialogue have been used to develop an educational brochure titled *Imagining Ward 3* (See appendix 2). In addition, a clear definition of neighbourhood character was established, which staff will form into plan policy through amendments to Mississauga Official Plan (MOP).

## Comments

Neighbourhoods evolve and change over time. However, change is often perceived negatively in that it is viewed by residents as contrary to their established neighbourhood character, or something that will impact their existing quality of life.

Therefore, good neighbourhood planning requires a focus on two key elements: (1) proactive community engagement, and (2) a supportive regulatory planning framework (i.e. Official Plan policy).

#### Proactive Community Engagement & Local Neighbourhood Capacity Building

Proactive community engagement is an essential component of the neighbourhood planning process. As part of the Ward 3 pilot project, staff began talking to the residents on the planning process and the Official Plan policy intent. This helped to build knowledge and capacity of area residents, positioning them to proactively engage and influence future change.

An important deliverable of the Imagining Ward 3 process is a brochure highlighting the vision for the Rathwood and Applewood neighbourhoods, key priorities for change and the current policy direction of MOP. It is intended to better inform residents about the planning process, where infill and redevelopment opportunities may occur, and how best to ensure it is sensitively integrated to the respect the neighbourhood character.

Briefly, the themes of the brochure are as follows:



Housing and Built Form

Protect existing neighbourhoods from overdevelopment by considering appropriate, context-sensitive development



Streetscapes and Urban Design

Improve the existing streetscapes, where appropriate, through additional landscaping, wider sidewalks, and street furniture



Parks and Open Space

Retain and enhance the existing parks and open space system



Redevelopment Sites

Direct intensification to appropriate areas while reinforcing appropriate development that is sensitive to core neighbourhood areas



### Supportive Regulatory Framework

In order to protect neighbourhood character, the current policy planning context was identified as needing enhancement. While Applewood and Rathwood are not identified in MOP as areas for major intensification, growth is expected through future redevelopment and infill development.

At present MOP policies generally speak to appropriate redevelopment and infill development that respects the existing and planned neighbourhood character within these neighbourhoods. It does not, however, specifically define a neighbourhood's existing character. Therefore, to effectively manage change, neighbourhood character policies should be added to the Applewood and Rathwood character areas in the Official Plan. Such changes would guide future development applications in Ward 3.

### *What will the New Policies Aim to Do?*

New policies should reflect the 'principles for change' identified in the pilot project, as highlighted in the educational brochure. Specifically, the proposed MOP policies will aim to:

- Recognize the Applewood and Rathwood neighbourhoods as well-established, stable residential areas with a mix of dwelling types, community infrastructure and services
- Ensure new development in these neighbourhoods consider transitions in built form, density and scale
- Require a range of housing types and tenure be provided to meet the housing needs and preferences of all residents
- Recognize and reference the existing neighbourhood character to ensure future development is compatible with existing land uses while encouraging higher densities on and adjacent to corridors and the Rathwood-Applewood Community Node

### *What will the Policies Include?*

It is proposed that Applewood and Rathwood Neighbourhood Character Area policies make specific reference to the following:

- In the neighbourhood cores, within areas like Rockwood Village and Applewood Heights, existing housing is mainly single-detached homes built primarily between 1960 and 1980
- Semi-detached units are dispersed throughout the neighbourhoods
- Medium density townhouse and high density apartment development is primarily located along Rathburn Road and portions of Ponytrail Drive, Tomken Road and Dixie Road
- Apartment dwellings are predominantly located along existing corridors and major streets – Bloor Street, Burnhamthorpe Road, Dixie Road and some areas on Dundas Street
- Areas like the East Bloor neighbourhood have established "tower in the park" apartment sites that were generally built in the 1960s and 1970s. These existing apartment sites are an important component of the neighbourhood housing stock and should be protected

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Originators files: CD.04-WAR

- The existing parks and open space system consists of areas such as Garnetwood Park, Applewood Hills Park, Applewood Heights Park, Fleetwood Park, Cherrywood Park, and the Applewood Trail. Opportunities for additional community programming and improvements to site furnishings should be explored
- Higher density developments should be directed to corridors such as Burnhamthorpe Road, Cawthra Road, Tomken Road and Dixie Road, as well as Fieldgate Drive and Ponytrail Drive
- Lands within and surrounding the Rockwood Mall that form part of the Rathwood-Applewood Community Node are identified for intensification. These lands should be encouraged to develop as a high-density, mixed use focal point to create a central hub and destination for the community
- Dundas Street is identified as an Intensification Corridor where higher densities and a greater mix of uses are encouraged to support the future vision of this corridor as a high-order transit corridor. The vision will be further refined through the Dundas Connects planning initiative.

## Financial Impact

None

## Conclusion

Imagining Ward 3: A Pilot Project for Neighbourhood Planning was a new approach to assist the community in managing local change. Through a focused dialogue about physical change in the Applewood and Rathwood Neighbourhoods, an educational brochure was produced and the need for new character area policies identified. A public meeting to consider the new policies will be held upon Committee's receipt of this report.

## Attachments

Appendix 1: *Imagining Ward 3: A Pilot Project for Neighbourhood Planning: Information Report*, dated May 24, 2016

Appendix 2: Brochure titled *Imagining Ward 3*



Edward R. Sajecki, Commissioner of Planning and Building

Planning and Development Committee

2017/02/03

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Originators files: CD,04-WAR

Prepared by: Frank Marzo, Policy Planning



# City of Mississauga Corporate Report



Date: 2016/05/24

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:  
CD.04-WAR

Meeting date:  
2016/06/13

## Subject

Imagining Ward 3: A Pilot Project for Neighbourhood Planning Information Report

## Recommendation

That the report entitled "Imagining Ward 3: A Pilot Project for Neighbourhood Planning", dated May 24, 2016, from the Commissioner of Planning and Building, be received for information.

## Background

The Mississauga Official Plan (2011) (MOP) envisions within Ward 3 a community node surrounded by a number of residential neighbourhoods. Specifically, the MOP identifies the Rathwood-Applewood Community Node, as an area where intensification should be directed. A community node is viewed as providing access to a multitude of uses that are required for daily living -- local shops and restaurants, community facilities, cultural, heritage and entertainment uses, schools, parks, open space as well as a diverse housing stock that meets the housing needs of the adjacent population as they move through their lifecycle. They contain a variety of community infrastructure such as, recreational facilities, libraries, police stations and places of religious assembly.

Surrounding the Community Node are a variety of neighbourhoods reflecting different stages of the city's development. Neighbourhoods are characterized as physically stable areas with a character that is to be protected. Therefore, they are not appropriate areas for significant intensification. This does not mean that they will remain static or that new development must imitate previous development patterns, but rather that when development does occur it should be sensitive to the neighbourhood's existing character.



Figure 1

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Originators files: CD.04-WAR

Scope of Pilot Project

Recognizing that change will occur within neighbourhoods, a neighbourhood planning initiative to engage the Ward 3 community in a forward thinking dialogue about the future of their neighbourhoods was developed. The project specifically focused on the Rathwood and Apploewood Neighbourhoods, which have been the subject of several recent development applications. The process engaged local residents around how best to manage neighbourhood change effectively. Figure 1 identifies the six steps involved in the Imagining pilot project.

Comments

The Imagining Ward 3 process was initiated to pilot a new approach to neighbourhood planning. Specifically, the process is founded on a principle of working collaboratively with local residents to examine and understand the factors driving change (e.g., demographics, development trends, and market conditions) and to identify opportunities through land use policy and other city service to assist in managing potential impacts. In doing so, as the change process occurs and development applications are considered, the neighbourhood is in a better position to proactively guide versus respond to change.

Critical to success of this initiative is building positive relationships with residents, and educating and informing them of the existing land use planning framework. The process aimed to educate residents on what they can do to inform and guide future plan policy, specifically on matters related to, but not limited to:

- Housing choices and land uses
- Neighbourhood built form
- Streetscapes, parks and open spaces
- Greyfield and redevelopment sites

a) The Engagement Process

An initial kick-off meeting for the Imagining process was held in January 2016. This meeting outlined the purpose of the new engagement process. Staff emphasized the importance of facilitating an open two-way dialog around existing plan policy as it pertains to Ward 3 and to clarify and address questions about potential development pressures in Ward 3.

Volunteer Working Group

From the launch meeting, staff solicited a group of community volunteers to participate in a protracted dialogue about their neighbourhoods. The group would represent the demographics and views of the community while representing the individual views of their respective neighbourhoods. While not a large number of volunteers registered for this process, those that did actively participated and provided great insight.



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Originators files: CD.04-WAR

Workshops

Consultants from Brook Mellroy led the working group through workshop-style meetings. The meetings engaged residents in a discussion about the future of their neighbourhoods over the next 15-20 years. The group discussed how best to manage and respond to change and identified planning tools which could be used to help produce positive change. A list of potential recommended policy amendments, as well as improvements to existing city programs and services were identified. The following summarizes the key discussion points at each of the three group meetings:

- *Community Focus Group Meeting #1:*  
Discuss and obtain feedback on key opportunities to enhance their community and identify areas of concern.
- *Community Focus Group Meeting #2:*  
A detailed, focused discussion around key themes that emerged from the first session. A discussion on the establishment of a set of guiding principles to inform future plan policy or service changes to better manage change in Ward 3.
- *Community Focus Group Meeting #3:*  
A discussion on opportunities and constraints within the neighbourhoods, and the potential planning tools to manage change.

b) Key Issues & Opportunities In Managing Neighbourhood Change

The Imagining pilot project provided a forum to share information and hear from local residents. Some of the themes emerging through the process include:

1. Housing and Built Form

- The neighbourhoods and sub-neighbourhoods of Applewood and Rathwood are primarily characterized by single-detached homes with moderate to wide lot frontages of at least 50 feet (15 metres) that front on to local roads which should be protected from over-development to ensure that there is appropriate form, massing and density of any new development to enhance neighbourhood pride and identity;
- Existing higher density apartment sites within the neighbourhood should be well-kept and any new development on these sites should be respectful of the neighbourhood character and consider green development standards.

2. Redevelopment Sites

- Lands within and surrounding the Rathwood-Applewood Community Node (e.g. Rockwood Mall site) may be appropriate for mid-rise mixed use, residential apartment buildings and street-related retail to create a sense of vibrancy and animation;
- New development should be directed along major arterial roads to establish a sense of place and more 'village-like' character with the buildings.

3. Streetscapes & Urban Design

- Consider wider sidewalks and landscaped boulevards and incorporating multi-use trails along arterial roads;

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Originators files: CD,04-WAR

- Consider improving the safety of crossings, lighting and wayfinding signage;
- Arterial roads could benefit from additional street furniture, pedestrian-scaled lighting, street trees, wider sidewalks, and landscaped boulevards which can create a more improved pedestrian-oriented streetscape;
- Consider softening the appearance of existing noise walls through improved landscape buffers.

#### 4. Parks and Open Spaces

- Retain and enhance the existing network of parks, open spaces and natural heritage features within Applewood and Rathwood.
- Promote additional community recreational activities within the existing park network and consider basketball courts, soccer fields, ultimate Frisbee and playgrounds, among others to foster an active, healthy community and prioritize community building.
- Consider barrier-free access, new park furniture and enhanced recreational activities in parks for seniors.
- Consider incorporating traffic calming measures and increase pedestrian crossings.

#### c) Preferred Tools For Managing Neighbourhood Change

This pilot project created an open forum to better understand the character of these neighbourhoods. Translating this feedback into policy or services to ensure future development is effective and sensitive to this is important. The following tools were identified as opportunities to manage change within the Applewood and Rathwood neighbourhoods:

##### 1. Plan Policy Amendments:

Consider updating Mississauga Official Plan policies in both Section 14: Community Nodes (14.8 Rathwood- Applewood) and Section 16: Neighbourhoods (16.1 Applewood and 16.21 Rathwood) to reflect the individual character of these neighbourhoods.

##### 2. Zoning Amendments:

Consider site and area-specific zoning regulations for the Applewood and Rathwood neighbourhoods to regulate appropriate infill.

##### 3. Design Guidelines:

Consider urban design guidelines specifically for Ward 3 neighbourhoods that might address how to appropriately integrate new buildings into the existing character.

##### 4. Incentives:

Identify financial incentives or program funding which may be available to retain and facilitate needed improvements to existing affordable housing stock.

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Originators files: CD.04-WAR

## Financial Impact

No financial implications at this time.

## Conclusion

The Imagining Ward 3 pilot is a new way of engaging local residents. While significant development is not intended for stable residential neighbourhoods, some infill and redevelopment is. Traditionally, residents often find they are in a reactive position to proposed projects. The pilot process aimed to educate local residents and stakeholders on planning, equip them with the knowledge on planning applications, and identify tools available to manage change in their neighbourhoods.

In the fall, staff will table a final Imagining Ward 3 Report with detailed summaries of the meetings and key recommendations.

Overall, the Imagining Ward 3 pilot has been a success in facilitating a conversation about change and providing an avenue for staff and residents to build respectful collaborative working relationships.

With any Pilot project, improvements can be made. However, staff believe this approach to neighbourhood planning is valuable, and should be used elsewhere in Mississauga where neighbourhoods are facing similar issues.

## Attachments

Appendix 1: Rathwood-Applewood Map

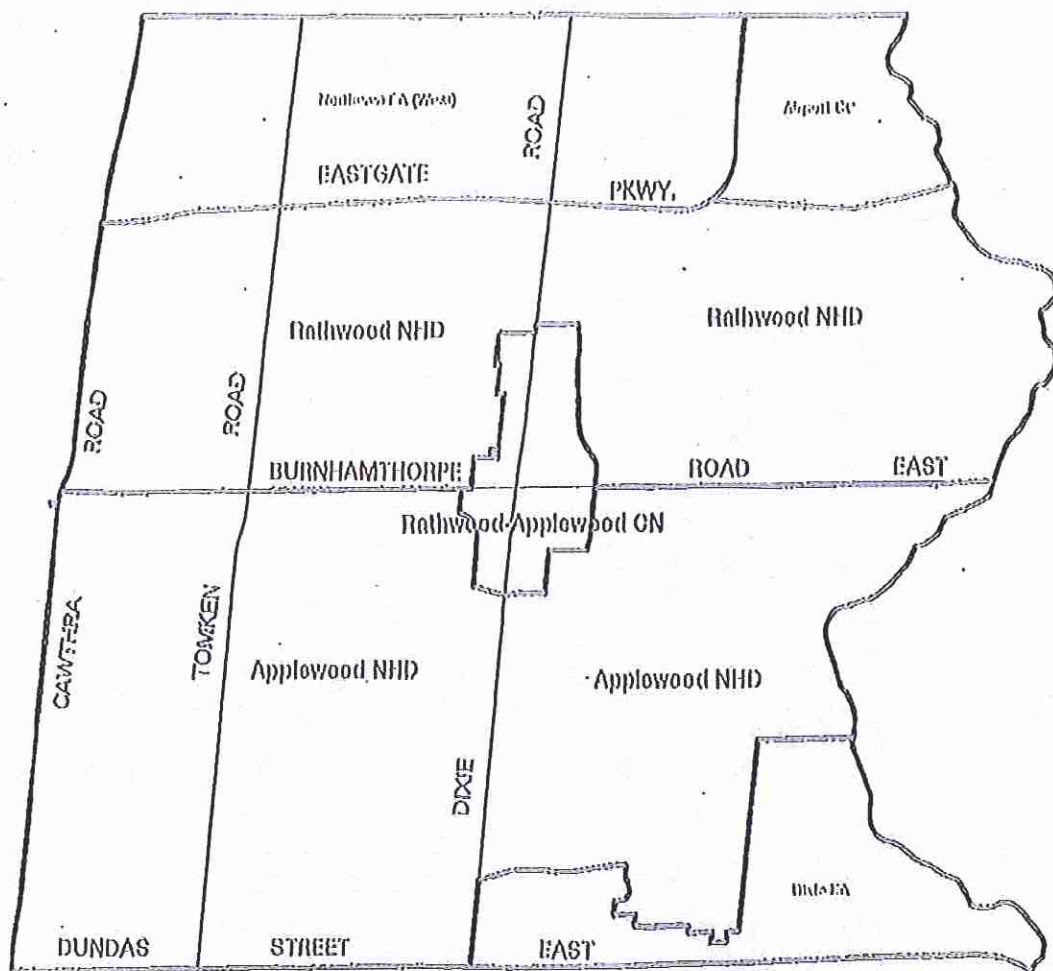


Edward R. Sajeck, Commissioner of Planning and Building

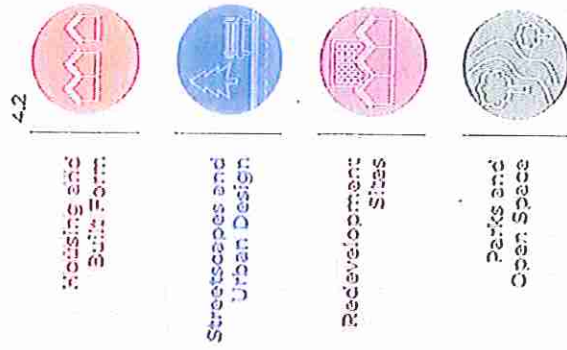
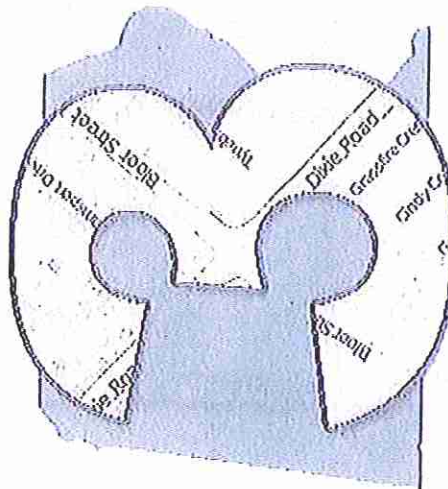
Prepared by: Frank Marzo, Policy Planning



## APPENDIX I



# IMAGINING WARD





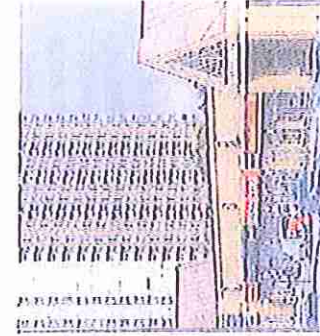
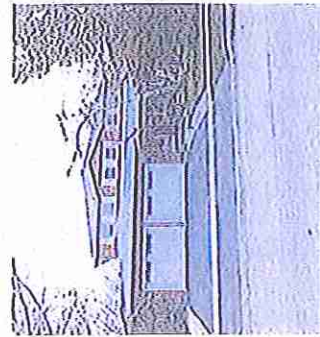
## Planning for Change in Ward 3

Managing change is integral to Mississauga's continued success and prosperity. As Mississauga is now at the end of its greenfield growth phase, new growth is to be accommodated through redevelopment and intensification within the city's already developed areas. This new era in development has generated the need to review goals, objectives and development growth strategies, which will continue to provide places to live and work and meet services and amenities to meet the needs of daily living. The City promotes sustainable development to create healthy and complete communities.

### Creating a Community Dialogue

Critical to managing change is building relationships within the community and informing residents and business owners about the existing land use planning framework. To accomplish this, the City's Planning and Building Department initiated Imagining Ward 3: *A Pilot Project for Neighbourhood Planning*.

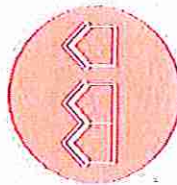
The Imagining Ward 3 engagement process was launched in January 2016 and focused on how change can impact a neighbourhood's character, specifically within the Rathwood and Applewood Neighbourhoods. Through a community dialogue, residents helped create a vision to manage change and direct future growth within their community.



## Emerging Vision for Neighbourhood Character

Ward 3's Appiewood and Rathwood Neighbourhoods are well-established, stable residential areas with a mix of dwelling types, community infrastructure and services. They are primarily characterized by single-detached homes built between 1960 and 1980, with moderate to wide frontages of (eg. 15 meters, 45 feet). Additionally, semi-detached houses, townhomes, and apartment buildings are dispersed throughout. Streets are moderate to wide, and typically have sidewalk space on at least one side of the road. Various parks and open space create a network of "green gems" for passive and active recreation.

### How can we maintain this character while planning for the future?



#### Housing and Built Form

- Ensure appropriate form, massing and density of new development, as well as an appropriate mix of uses
- Protect existing neighbourhoods from over-development



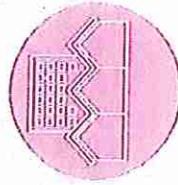
#### Streetscapes and Urban Design

- Improve the public realm by widening sidewalks and including landscaping and street furniture
- Activate street frontages along main roads



#### Parks and Open Space

- Retain and enhance the existing network of parks, open spaces and natural heritage features
- Create pocket parks and spaces for social encounters



#### Redevelopment Sites

- Create a sense of vibrancy and identity
- Promote cultural and built heritage
- Determine and reinforce a sense of livable density on a neighbourhood-wide basis

## Priorities for Change

4.2

### Housing and Built Form

Neighbourhood core areas, like Rockwood Village and Applewood Hills/Heights, are not intended for significant intensification and are protected from over-development. However, where appropriate development opportunities exist, development should respect the existing lotting and street pattern, height, scale and typology of the area.



### Parks and Open Space

Parks such as Fleetwood Park, Garnetwood Park, Rathwood Park, and Applewood Trail network are important to the neighbourhood. As such, opportunities should be explored to enhance access, programming and facilities.



### Streetscapes and Urban Design

Busy roads, like Cawthra Road, Dixie Road, Rathburn Road, and Bloor Street could benefit from streetscape improvements such as landscaping, wider sidewalks, street trees, and multi-use trails, to improve public realm.



### Redevelopment Sites

New development should be directed to Rockwood Mall, as well as streets like Tomken Road, Dixie Road, Bloor Street, Cawthra Road, Burnhamthorpe Road, and Dundas Street. These areas are appropriate for low to mid-rise mixed use development with a mix of commercial, office, and residential uses.









## Our Official Plan

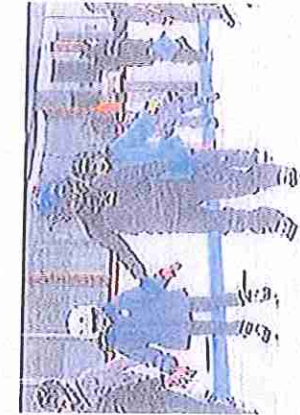
While the Applewood and Rathwood neighbourhoods are not identified in Mississauga's Official Plan as specific areas for major intensification, some growth is expected through redevelopment and infill development. However, Mississauga Official Plan identifies Applewood-Rathwood Community Node (i.e. Rockwood Mall), Intensification Corridors like Dundas Street, and Corridors like Burnhamthorpe Road and Cawthra Road as areas where new growth should be directed. These areas should include a mix of uses to further support the daily needs of residents of all ages and abilities. The following summarizes the themes and current policy direction of Mississauga Official Plan as it applies within the Rathwood and Applewood communities:

### 1. Build a Desirable Urban City

- Create a strong sense of place with uses that are culturally vibrant, attractive, liveable and of a high quality design
- Appropriate redevelopment and infill development will revitalize local neighbourhoods but also 'fit' into the surrounding community; it does not have to be exactly the same as what exists but will respect the existing and planned neighbourhood character

### 2. Direct Growth

- Residential intensification within Neighbourhoods will generally occur through infilling and the redevelopment of existing commercial sites as mixed use areas
- Higher density development should be located along corridors or on existing apartment sites
- Significant intensification is to be directed to Rockwood Mall and provide a mix of uses



#### 5. Complete Communities

- Create communities that enable people to not only live and work, but also thrive. Consider opportunities to improve community amenities such as public art, affordable housing, daycare, and parks and open spaces
- Significant new development may be required to provide a Community Infrastructure Impact Study that will review existing community services to ensure increased demand caused by proposed intensification can be met

#### 4. Neighbourhood Character Area

- For medium and high density development, new development should not exceed the height of any existing buildings on the property
- Heights greater than 4 storeys in neighbourhood areas must appropriately transition to the surrounding area and enhance the existing/ planned community

### Continuing the Conversation

Interested in learning more about managing change in Ward 3, and other areas of the City? Visit the [City's Planning Hub](#).

For more information, please go to: [mississauga.ca/portal/residents/cityplanning](https://mississauga.ca/portal/residents/cityplanning)

or visit us at :

Planning Services Counter 3rd floor  
City of Mississauga, 300 City Centre Drive,  
Mississauga ON L5B 3C1

4.5 - 24

4.2 - 22



Proposed Mississauga Official Plan policies for the Applewood and  
Rathwood Character Areas

	Recommendations to Mississauga Official Plan (MOP)
16.2.1 Context – Applewood Neighbourhood	<p><i>Applewood is a mature and well-established mixed-residential neighbourhood. The neighbourhood includes a mixture of detached, semi-detached, as well as townhouse and apartment dwellings predominantly located along the arterials and major roads. A well-developed park system weaves throughout the neighbourhood providing important pedestrian connections and gathering spaces. Retail and service uses are dispersed throughout the neighbourhood.</i></p> <p><i>Apartments primarily exist along Bloor Street, Dixie Road and areas on Dundas Street and Rathburn Road. The apartments along Bloor Street were built in the 1960s and 1970s in park-like settings.</i></p> <p><i>New development within the neighbourhood will be sensitive to existing form by respecting the existing lotting and street pattern, height, scale, and building typology. Existing apartment sites are an important component of the neighbourhood housing stock and should be retained to provide housing options for varying lifestyle and economic needs.</i></p> <p><i>Burnamthorpe Road, Dixie Road, Cawthra Road and Dundas Street - and Major Collectors such as Bloor Street, and Tomken Road will be the focus of future low-rise and mid-rise mixed use development. New apartment dwellings will be directed to these arterial roads. New retail, service, office and residential uses will be directed to these streets to reinforce a sense of place and complete, healthy communities. Dundas Street is an Intensification Corridor. Higher densities and a greater mix of uses are encouraged along and surrounding Dundas Street to support its function as a higher-order transit corridor.</i></p> <p><i>Streetscape improvements for portions of Cawthra Road and Dixie Road are encouraged to improve the pedestrian realm. This may be achieved through landscaping, wider sidewalks, street trees or multi-use trails.</i></p> <p><i>Lands within and surrounding the Rockwood Mall on either side of Dixie Road, are part of the Rathwood-Applewood Community Node. The node will be encouraged to develop as a mixed use focal point for intensification, creating a central hub and destination for the community.</i></p> <p><i>The existing parks and open space system are important to the neighbourhood. Opportunities for additional community programming and site improvement should be explored to benefit people of all ages and abilities.</i></p>

<p>16.21.1 Context – Rathwood Neighbourhood</p>	<p><i>Rathwood is a mature and well-established mixed-residential neighbourhood. The neighbourhood mainly consists of single-detached homes with large lot frontages, built primarily between 1960 and 1980. There is also a mixture of semi-detached, townhouse and apartment dwellings predominantly located along the arterials and major roads. A well-developed park system weaves throughout the neighbourhood providing important pedestrian connections and gathering spaces. Retail and service uses are dispersed throughout the neighbourhood, with Rockwood Mall as its focal point.</i></p> <p><i>New development within the neighbourhood will be designed to be sensitive to the existing form by respecting the existing lotting and street pattern. As well as the height, scale, and building typologies of the existing development within the immediate area.</i></p> <p><i>Burnamthorpe Road, Cawthra Road, Tomken Road and Dixie Road, and Major Collectors such as Fieldgate Drive and Ponytrail Drive will be the focus for future low-rise and mid-rise mixed use development. New apartment dwellings will be directed to these roads. New retail, service, office and residential uses will be directed to these roads to reinforce a sense of place and a healthy, complete community.</i></p> <p><i>Lands within and surrounding the Rockwood Mall on either side of Dixie Road, is part of the Rathwood-Applewood Community Node. The node will be encouraged to develop as a mixed use focal point for intensification, creating a central hub and destination for the community.</i></p> <p><i>The existing parks and open space system are important to the Rathwood Neighbourhood. Opportunities for additional community programming and site improvement should be explored to benefit people of all ages and abilities.</i></p> <p><i>Streetscape improvements for portions of Cawthra Road, Rathburn Road and Dixie Road are encouraged to improve the pedestrian realm. This may be achieved through landscaping, wider sidewalks, street trees or multi-use trails.</i></p>
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City of Mississauga  
**Corporate Report**



Date: 2017/09/01

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:  
 CD.03-LAK

Meeting date:  
 2017/09/25

## Subject

### **RECOMMENDATION REPORT (WARD 1)**

**Lakeview Local Area Plan – Mississauga Official Plan Amendment and Implementing Zoning**

## Recommendation

1. That the report titled "*Recommendation Report - Lakeview Local Area Plan – Mississauga Official Plan Amendment and Implementing Zoning*" dated September 1, 2017 from the Commissioner of Planning and Building recommending approval of the official plan and zoning by-law amendments, be adopted.
2. That subsequent to the public meeting an Official Plan Amendment to Mississauga Official Plan be prepared to amend the Lakeview Local Area Plan in accordance with the proposed changes contained in Appendix 1 to this report and in accordance with the revisions in the "Recommendation Report."
3. That the zoning by-law be amended, in accordance with the proposed zoning changes contained in Appendix 1 to this report and the revisions in the "Recommendation Report."

## Background

In September 2015, a planning review for the Lakeview area was completed and resulted in the adoption of Amendment No. 32 (Lakeview Local Area Plan official plan policies) by City Council.

Amendments to the zoning by-law are required to be updated in order to conform to official plan policies. An information report was prepared and received by the Planning and Development Committee outlining the proposed zoning by-law changes and two additional amendments to the Lakeview Local Area Plan (Appendix 1).

On March 20, 2017, a public meeting was held by the Planning and Development Committee to hear any concerns regarding the proposed changes.

## Comments

At the public meeting, there were no submissions or issues raised by the public or stakeholders. Prior to the meeting, staff received various general inquiries primarily concerning the proposed type of dwellings and land uses identified in the official plan and zoning by-law amendments, as well as clarification of landowners' property rights.

Subsequent to the public meeting, based on feedback received, the following additional changes to the zoning and policy were identified:

- Revise Sites 1 and 2 (363 Lakeshore Road East, 1015 Roosevelt Road) to maintain the minimum and maximum floor space indexes (FSI) of 1.0 and 1.8, respectively; and
- Revise Site 6 (1352 Lakeshore Road East) to permit a "retail store", including an indoor market. A retail store in the Zoning By-law allows for an indoor market/indoor farmer's market.

## Financial Impact

Not applicable.

## Conclusion

Given the absence of public submissions and concerns raised regarding the proposed amendments, these should be adopted in accordance with the recommendations specified in the report.

## Attachments

Appendix 1: Public Meeting Information Report – Lakeview Local Area Plan – Mississauga  
Official Plan Amendment and Implementing Zoning



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Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Karin Phuong, Planner



# City of Mississauga

## Corporate Report



Date: 2017/02/24  To: Chair and Members of Planning and Development Committee	Originator's files: CD.03-LAK
From: Edward R. Sajecki, Commissioner of Planning and Building	Meeting date: 2017/03/20

## Subject

### **PUBLIC MEETING INFORMATION REPORT (WARD 1)**

**Lakeview Local Area Plan - Mississauga Official Plan Amendment and Implementing Zoning**

## Recommendation

1. That the report titled "Lakeview Local Area Plan – Mississauga Official Plan Amendment and Implementing Zoning," dated February 24, 2017 from the Commissioner of Planning and Building, be received for information.
2. That following the Public Meeting, staff report back to Planning and Development Committee on any submissions made.

## Background

A planning review conducted for the Lakeview area resulted in the adoption of the new Lakeview Local Area Plan. The Local Area Plan forms part of Mississauga Official Plan and provides goals and policies to guide the development of the Lakeview area. At its meeting on September 16, 2015, City Council adopted By-law 0213-2015 which approved Amendment No. 32 to Mississauga Official Plan (Official Plan).

With the approval of Amendment No. 32, it is necessary to establish a zoning by-law that conforms to the amended official plan. A zoning by-law implements the goals and policies of an official plan and provides a legal tool for managing land use and development. Zoning contains regulations that control development and specific requirements.

The lands subject to Amendment No. 32 are as shown in Appendix 1. The majority of properties do not need to be rezoned. The existing zone conforms to the new Lakeview Local Area Plan. However, there are five sites where zoning changes are proposed.

In addition to the zoning changes, the Arsenal Lands and the area at Lakeshore and Cawthra as noted above will require both an official plan amendment and rezoning. The proposed changes are detailed in the following section and in Appendix 2.

## Comments

There are four sites along Lakeshore Road East (Appendix 1 – sites 1, 2, 3, and 5) which are designated Mixed Use. The proposed zoning changes from RA (Residential Apartment) to a C4 zone (Mainstreet Commercial) would allow, for example, an apartment building with commercial uses on the ground floor and residential units above.

Site 4 – Adamson Estate currently permits a specialty hospital (amongst other uses). This specialty hospital no longer exists and was deleted with the approval of Amendment 32. Accordingly, the zoning should be modified to reflect this, and this use is proposed to be deleted from the zoning by-law.

Since the adoption of the amendment, the City has initiated a review of the opportunities for the Small Arms Building located on the Arsenal Lands (site 6). The City is developing a building program to convert the facility into a community cultural hub. Additional uses have been identified that were not included in the approved special site policies and include an indoor market (that may include a farmer's market) and a sports facility. Therefore an official plan amendment to revise the special site policies is being proposed.

Additionally, the lands located between Lakeshore Road East and CN Railway, on both sides of Cawthra Road (site 7) are designated Residential Medium Density. At the time that the Local Area Plan was approved, Metrolinx was considering a new GO Station at Cawthra. Metrolinx has now confirmed that this is no longer being considered.

Both Lakeshore and Cawthra Roads are arterials and identified as Corridors in Mississauga Official Plan. Higher density development is encouraged along Corridors, and it is appropriate to maintain the Residential Medium Density designation. The proposed official plan amendment would also allow existing low density forms of housing (i.e. detached and semi-detached) to continue and rebuild.

## Financial Impact

Not applicable.

## Conclusion

Subsequent to the approval of Amendment No. 32, the Planning Act requires that revisions to the zoning by-law conform to the official plan policies. The proposed changes to the zoning by-law are contained in Appendices 1 and 2 of this report. Two additional modifications to Mississauga Official Plan are proposed. One amendment is for the Arsenal Lands to allow for

additional uses including a farmer's market (indoor market) and an indoor sports club/centre (entertainment, recreation and sports facilities). A second amendment is proposed for lands between Lakeshore Road East and the CN Railway, on both sides of Cawthra Road which will allow for a variety of residential dwelling types (detached, semi-detached, duplex, triplex, street townhouses).

## Attachments

Appendix 1: Location of Properties for Proposed Mississauga Official Plan Amendment and/or Proposed Rezoning

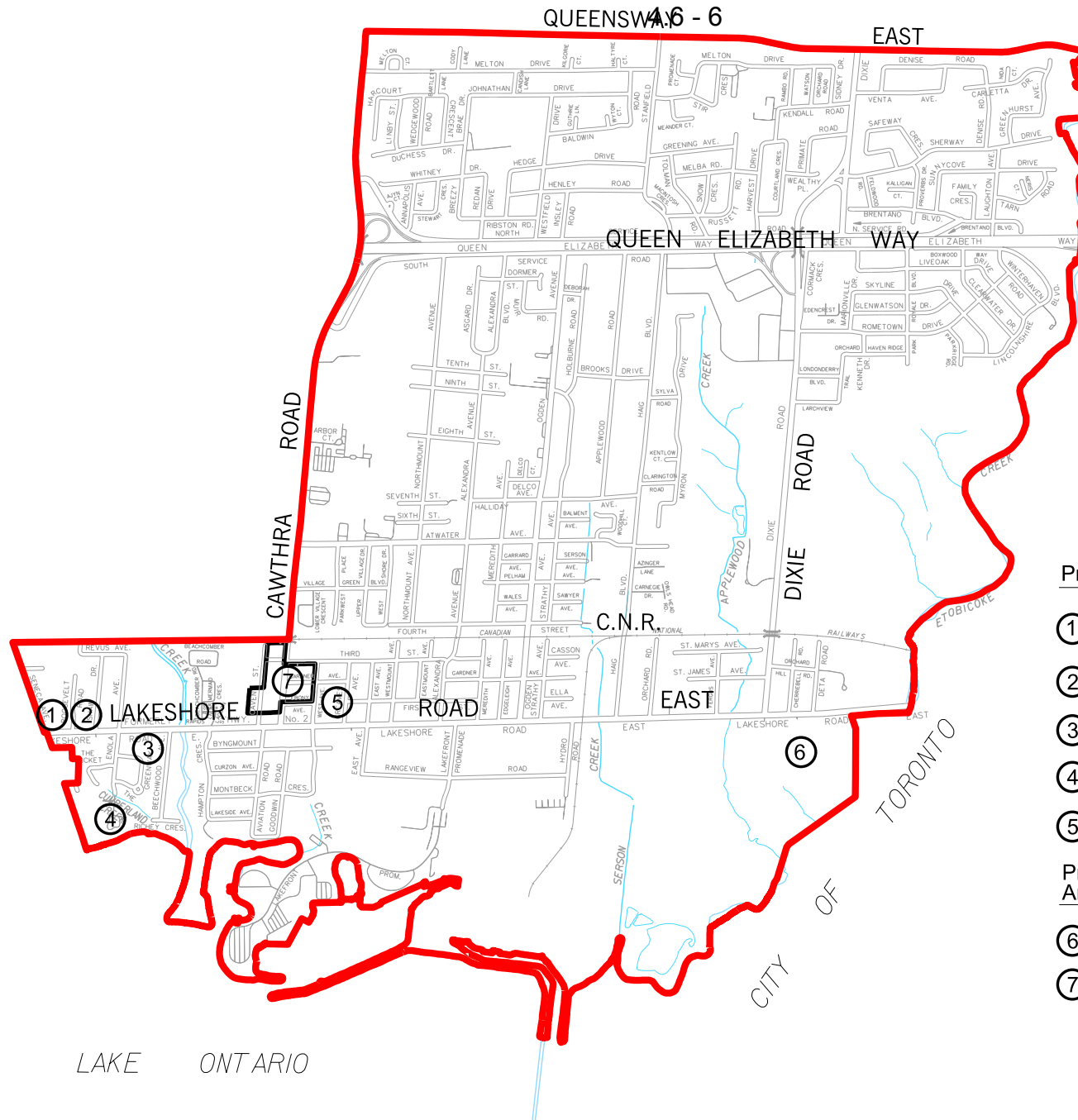
Appendix 2: Summary of Proposed Mississauga Official Plan and/or Zoning By-law Amendments



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Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Karin Phuong, Planner



## LAKEVIEW AREA

### Proposed Rezoning

- ① 363 LAKESHORE ROAD EAST
- ② 1015 ROOSEVELT ROAD
- ③ 480 LAKESHORE ROAD EAST
- ④ 850 AND 875 ENOLA AVENUE
- ⑤ 1022 AND 1030 GREAVES AVENUE

### Proposed Mississauga Official Plan Amendment and Rezoning

- ⑥ 1352 LAKESHORE ROAD EAST
- ⑦ SUBJECT LANDS LOCATED BETWEEN LAKESHORE ROAD EAST AND THE CN RAILWAY, ON BOTH SIDES OF CAWTHRA ROAD

## LOCATION OF PROPERTIES FOR PROPOSED MISSISSAUGA OFFICIAL PLAN AMENDMENT AND/OR PROPOSED REZONING

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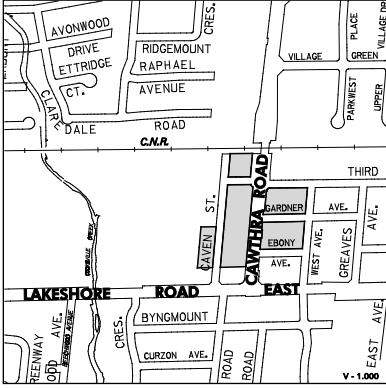


### Summary of Proposed Mississauga Official Plan and/or Zoning By-law Amendments

Site No.	Site Location	Current MOP <sup>1</sup> Designation	Proposed MOP Amendment	Current Zoning	Proposed Zoning Amendment	Explanation
1	363 Lakeshore Road East	Mixed Use	No change to the land use designation (remains Mixed Use).	RA2-6 (Apartment Dwellings – Exception)	C4-## (Mainstreet Commercial – Exception)	<p>In addition to the C4 regulations, the C4-## (Mainstreet Commercial Exception) will allow for RA2 uses not permitted in a C4 zone. Minimum and maximum FSIs<sup>2</sup> will not be carried over.</p> <p>The proposed changes would permit an 8-storey apartment building with commercial uses on the ground floor and residential above. Uses carried from the RA2 zone would also allow for long-term care and retirement dwellings.</p>
2	1015 Roosevelt Road	Mixed Use	No change to the land use designation (remains Mixed Use).	RA2-6 (Apartment Dwellings – Exception)	C4-## (Mainstreet Commercial – Exception)	<p>In addition to the C4 regulations, the C4-## (Mainstreet Commercial Exception) will allow for RA2 uses not permitted in a C4 zone. Minimum and maximum FSIs will not be carried over.</p> <p>The proposed changes would permit an 8-storey apartment building with commercial uses on the ground floor and residential above. Uses carried from the RA2 zone would also allow for long-term care and retirement dwellings.</p>

3	480 Lakeshore Road East	Mixed Use	No change to the land use designation (remains Mixed Use).	RA2 (Apartment Dwellings)	C4-## (Mainstreet Commercial – Exception)	<p>In addition to the C4 regulations, the C4-## (Mainstreet Commercial Exception) will allow for RA2 uses not permitted in a C4 zone.</p> <p>The proposed changes would permit an 8-storey apartment building with commercial uses on the ground floor and residential above. Uses carried from the RA2 zone would also allow for long-term care and retirement dwellings.</p>
4	850 and 875 Enola Avenue	Public Open Space, Lakeview Local Area Plan Special Site 2	No change to the land use designation (remains Public Open Space, Lakeview Local Area Plan Special Site 2)	OS2-10 (Open Space – City Park - Exception)	OS2-10 (Open Space – City Park - Exception)	The use/regulation change being proposed is to delete the specialty hospital which no longer exists, and to add a banquet hall/conference centre/convention centre which will be in conformity with Special Site 2 as identified in the Lakeview Local Area Plan.
5	1022 and 1030 Greaves Avenue	Mixed Use	No change to the land use designations (remains Mixed Use).	RA2-15 (Apartment Dwellings – Exception)	C4-## (Mainstreet Commercial – Exception)	<p>In addition to the C4 regulations, the C4-## (Mainstreet Commercial Exception) will allow for the current regulations for RA2-15 zone.</p> <p>The proposed changes would permit a 7-storey apartment building with commercial uses on the ground floor and residential above. Uses carried from the RA2 zone would also allow for long-term care and retirement dwellings.</p>

6	1352 Lakeshore Road East	Public Open Space, Lakeview Local Area Plan, Special Site 9	<p>That policy 13.1.9.4 be deleted and replaced with the following:</p> <p>13.1.9.4 Notwithstanding the policies of this Plan, the following additional uses will be permitted:</p> <ul style="list-style-type: none"> <li>a. commercial schools</li> <li>b. community facilities, including art studios, art galleries, and an indoor market</li> <li>c. a conference centre</li> <li>d. entertainment, recreation and sports facilities</li> <li>e. restaurants</li> <li>f. <b>secondary offices</b></li> </ul>	OS2 (Open Space – City Park)	OS2-## (Open Space – City Park - Exception)	<p>The proposed MOP amendment will allow for a range of uses at the Arsenal Lands to help revitalize the site. Two additional uses are proposed to allow for a farmer’s market (indoor market) and an indoor sports club/centre (entertainment, recreation and sports facilities).</p> <p>The OS2-## (Open Space – City Park – Exception) will allow for uses/regulations to conform to Special Site 9 identified in the Lakeview Local Area Plan, and include the following: office, banquet hall/conference centre/convention centre, academy for the performing arts, art gallery or studio, commercial school, indoor market, recreational establishment, take-out restaurant and restaurant.</p>
7	Subject lands located north of Lakeshore Road East between Cooksville Creek and West Avenue	Residential Medium Density, Lakeview Local Area Plan Exempt Site 6	<p>That policy 13.2.6 Site 6 of the Lakeview Local Area Plan be deleted (as an Exempt Site) and that a new policy be added as a Special Site as follows:</p> <p><i>See next page</i></p>	R3-75	RM7-## (Detached, Semi-detached, Duplex, Triplex Dwelling - Exception)	<p>An Exempt Site allows the existing lands to be redeveloped with the underlying designation. The proposed MOP amendment to a Special Site allows flexibility for other dwelling types. Detached, semi-detached, duplex, triplex and street townhouse dwellings will also be allowed in addition to the uses permitted in the Residential Medium Density designation.</p>

			<p><b>13.1.## Site ##</b></p>  <p><b>13.1.##.1</b> The lands identified as Special Site ## are located north of Lakeshore Road East between Cookville Creek and West Avenue.</p> <p><b>13.1.##.2</b> Notwithstanding the policies of this Plan, the following uses will be permitted:</p> <ul style="list-style-type: none"> <li>a. detached dwelling</li> <li>b. semi-detached dwelling</li> <li>c. duplex dwelling</li> <li>d. triplex dwelling</li> <li>e. street townhouses</li> </ul>			<p>In addition to the RM7 regulations, the RM7-## (Detached, Semi-detached, Duplex, and Triplex - Exception) will allow for detached, semi-detached, duplex, triplex and street townhouse dwellings. Detached and semi-detached dwellings shall comply with the R3-75 and RM1-26 zone regulations, respectively. Street townhouse dwellings shall comply with the RM5 zone regulations.</p>
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<sup>1</sup> Mississauga Official Plan (MOP)

<sup>2</sup> FSI is the floor space index and means the ratio of the gross floor area of all buildings and structures to the lot area.



City of Mississauga  
**Corporate Report**



Date: September 1, 2017

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's file:  
CD.06 HOR

Meeting date:  
2017/09/25

## Subject

### **PUBLIC MEETING INFORMATION REPORT (ALL WARDS)**

**Proposed Zoning By-law Amendments and Urban Design Guidelines for Back to Back and Stacked Townhouses**

**File: CD.06 HOR**

## Recommendation

That the report dated September 1, 2017, from the Commissioner of Planning and Building regarding the proposed Zoning By-law Amendments and Urban Design Guidelines for Back to Back and Stacked Townhouses under File CD.06 HOR (All Wards), be received for information.

## Report Highlights

- This report has been prepared for a public meeting to hear from the community
- Draft Zoning By-law regulations and Urban Design Guidelines for Back to Back and Stacked Townhouses were made available on the City's website on March 3, 2017
- Planning staff have held stakeholder engagement sessions with the development industry, the public, City Departments and external agencies, to get their input on the proposed regulations and guidelines for Back to Back and Stacked Townhouses
- Feedback received to date includes, but is not limited to, the flexibility of the guidelines, block length, below grade units, outdoor amenity area requirements, angular planes, building separation distances and setbacks, and utilities
- Based on the feedback received, modifications to the draft Zoning By-law regulations and Urban Design Guidelines are proposed
- Prior to the next report, staff will compile all feedback received and make additional amendments to the draft documents, where appropriate

## Background

On September 19, 2016, the Planning and Development Committee (PDC) directed Planning staff to prepare Urban Design Guidelines and to review the current zoning terminology and zone regulations for Back to Back and Stacked Townhouses (formerly Horizontal Multiple Dwellings) ([https://www7.mississauga.ca/documents/committees/pdc/2016/09\\_19\\_16\\_-\\_PDC\\_Agenda.pdf](https://www7.mississauga.ca/documents/committees/pdc/2016/09_19_16_-_PDC_Agenda.pdf)).

On February 27, 2017, the Planning and Development Committee (PDC) received a report titled "Back to Back and Stacked Townhouses (formerly Horizontal Multiple Dwellings) – Proposed Zoning By-law Amendments and Urban Design Guidelines (All Wards)"

([https://www7.mississauga.ca/documents/committees/pdc/2017/2017\\_02\\_17\\_-\\_REVISED\\_PDC\\_Agenda.pdf](https://www7.mississauga.ca/documents/committees/pdc/2017/2017_02_17_-_REVISED_PDC_Agenda.pdf)).

PDC passed Recommendation PDC-0005-2017 which was adopted by Council as follows:

1. That the report dated February 3, 2017, from the Commissioner of Planning and Building titled "Back to Back and Stacked Townhouses (formerly Horizontal Multiple Dwellings) – Proposed Zoning By-law Amendments and Urban Design Guidelines (All Wards)", be received for information.
2. That staff report back to Planning and Development Committee at a future statutory public meeting with the results of the consultation on the proposed Zoning By-law amendments and Urban Design Guidelines for Back to Back and Stacked Townhouses.

On March 3, 2017, the proposed Zoning By-law regulations and Urban Design Guidelines for Back to Back and Stacked Townhouses were made available on the City's website.

The purpose of this report is to:

1. Outline the stakeholder engagement sessions that have occurred
2. Summarize the feedback received to date on the proposed Zoning By-law regulations and Urban Design Guidelines
3. Provide the latest drafts of the Zoning By-law regulations and Urban Design Guidelines, which include some modifications based on feedback received to date
4. Seek comments from the community

## Comments

Since receiving direction from PDC on September 19, 2016 to prepare Urban Design Guidelines and review the current Zoning By-law regulations for Back to Back and Stacked Townhouses, Planning staff have held the following stakeholder engagement sessions:

- November 29, 2016      Presentation and discussion at the Building Industry Liaison Team (BILT) meeting

Planning and Development Committee	2017/09/01	3
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Originator's file: CD.06 HOR

- March 29, 2017 Open House attended by developers, development industry professionals (planners and architects), and members of the public
- May 16, 2017 Presentation and discussion at the Building Industry and Land Development Association (BILD) Peel Chapter meeting
- June 20, 2017 Draft Urban Design Guidelines and Zoning By-law regulations considered by the Mississauga Urban Design Advisory Panel (MUDAP)

Planning staff have also consulted with various City departments and external agencies, including:

- March 30, 2017 Comment letter from Bell Canada
- June 28, 2017 Discussion with Enbridge Gas
- July 20, 2017 Discussion with the City's Chief Building Official and Acting Assistant Chief of Fire Prevention and Life Safety
- July 25, 2017 Discussion with Alectra Utilities

In addition to the above sessions, staff visited a number of existing Back to Back and Stacked Townhouse developments in other municipalities, including Toronto (Etobicoke and North York), Milton, and Markham (Cornell), to gain a better understanding of the complexities of this form of housing. Staff also met developers and their architects individually to discuss their successes and challenges with this built form.

## FEEDBACK RECEIVED

Comments received by various stakeholders on the draft Zoning By-law regulations and Urban Design Guidelines through our engagement sessions are summarized below and are grouped by issue. Some comments have been addressed through modifications to the proposed documents. All comments received, including those raised at the public meeting will be addressed in the Recommendation Report, which will come at a later date.

- The guidelines should allow for greater flexibility in their application
- Greater consideration should be given to how the guidelines will apply to smaller sites
- The proposed maximum block length of 41 m (134.5 ft.) is too restrictive and should be evaluated on a case by case basis
- The guidelines pertaining to partially below grade units are confusing. Greater clarity is required
- The requirement for common outdoor amenity area on all new multi-unit residential developments is excessive and impacts affordability and the ability for the developer to maximize unit yield
- The use of angular planes is not appropriate for this type of low-rise built form and more appropriately applied to taller buildings

- The proposed separation distances between buildings and setbacks are excessive and should relate to building heights
- Utility companies are generally happy to work with the City to appropriately locate their infrastructure and agree with the guidelines' direction to consider the location of these services in the early stages of site design

### **URBAN DESIGN REVIEW PANEL**

The Urban Design Review Panel reviewed the draft Urban Design Guidelines and Zoning By-law regulations on June 20, 2017. Comments from the panel include the following:

- The Panel acknowledged the clarity and comprehensiveness of the guidelines, but suggests that the documents allow for flexibility, innovation and uniqueness depending on the site context
- Proposed minimum lot frontage, separation distances between blocks and interior side yard setbacks should be reviewed in greater detail
- The Panel agreed with the proposed minimum requirements for common outdoor and private outdoor amenity areas
- Consideration should be given to how "storey" is defined as it is key to assessing this built form and manipulation of site grades. Many buildings appear to be 5 storeys with below grade units and roof top amenity areas
- The guidelines should ensure a variation in built form, material and colour to avoid repetitiveness and monotony

### **MODIFICATIONS TO PROPOSED DRAFT GUIDELINES AND ZONING REGULATIONS**

Although staff continue to review and refine the draft Zoning By-law regulations and Urban Design Guidelines based on the input received thus far, the following modifications have been made to the updated document in Appendices 1 and 2:

- The minimum lot frontage regulation in the Zoning By-law has been reduced to 38.0 m (124.7 ft.) from 42.0 m (137.8 ft.)
- The maximum 41 m (134.5 ft.) block length has been removed from the draft Zoning By-law regulations. The parameter remains in the draft Guidelines only
- Guidelines and regulations pertaining to below grade units and basement units have been clarified. Basement units will no longer be prohibited. Additional regulations will be added to the Zoning By-law to ensure below grade units are designed to allow for adequate light and air into units and private outdoor spaces
- The definition of Context Grade has been modified to recognize the permissions for basement units with private outdoor space



- The Guidelines recommend a limit of 3 to 7 risers to a unit entrance, whereas 3 to 5 risers were previously recommended. This change reflects Ontario Building Code (OBC) restrictions on the maximum height of a porch
- Minimum interior side yard regulations have been reduced where the side lot line abuts a zone permitting detached and/or semi-detached dwellings and where the front wall of a proposed building faces the interior side lot line. The minimum rear yard regulations have similarly been reduced
- The minimum front wall to side wall separation distance has been reduced
- The Zoning By-law regulation requiring an additional 1.0 m (3.2 ft.) setback where below grade units are proposed has been removed. The minimum front wall to front wall separation distance now ranges from 12.0 m (39.4 ft.) to 15.0 m (49.2 ft.) depending on building height
- The minimum width of a sidewalk has been adjusted. A 2.0 m (6.6 ft.) sidewalk is proposed only where the sidewalk is traversed by a driveway. Where the sidewalk is not traversed by a driveway, a 1.8 m (5.9 ft.) wide sidewalk is proposed. The minimum width of a walkway internal to the site has been reduced to 1.5 m (4.9 ft.)
- The Guidelines recommend a sidewalk on only one side of a condominium road (except for large developments), whereas a sidewalk on both sides of a condominium road was previously recommended
- Reference to Fire Route By-law 1036-81
- Consideration of OBC requirements
- Consideration of Enbridge Gas and Alectra Utilities requirements

Planning staff continue to review comments and feedback received by stakeholders. Additional modifications may be made to these documents. A final version of the draft Zoning By-law and Urban Design Guidelines will be presented in the Recommendation Report at a later date.

## Financial Impact

Not applicable.

## Conclusion

The Planning and Building Department will consider all comments and feedback received and after the public meeting will make changes, as appropriate, to the draft Zoning By-law regulations and Urban Design Guidelines. A Recommendation Report will be brought to a future PDC meeting for consideration.

## Attachments

Appendix 1: Draft Urban Design Guidelines for Back to Back and Stacked Townhouses,  
September 2017

Appendix 2: Proposed Zoning By-law Regulations and New and Amended Definitions,  
September 2017

A handwritten signature in black ink, appearing to read "E. R. Sajecki", enclosed within a thin black rectangular border.

Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Ashlee Rivet, Development Planner

## Urban Design Guidelines



DRAFT September 2017

## Back to Back and Stacked Townhouses

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# Introduction

The City of Mississauga is at the end of its greenfield development phase. New growth is being accommodated through infill and development on vacant and underutilized sites. Development patterns are becoming more compact, using land and resources more efficiently, while maximizing existing infrastructure and community facilities, and promoting alternative modes of transportation. Traditional forms of housing are becoming less common, as land values rise and market demands shift. Back to Back Townhouses (BBT) and Stacked Townhouses (ST) are becoming increasingly popular throughout the GTA for several reasons:

- Achieve increased densities in a low-rise form of housing
- A sensitive way to transition between low-density and high-density built forms
- Contribute to a diversity of housing choices to meet different needs and preferences
- Less expensive construction methods and reduced maintenance fees allow for a more affordable form of housing
- Viewed as being grade related, with a front door directly to the outside

## 1.1 Purpose

The purpose of these guidelines is to ensure that new developments that include BBTs and STs are designed to be compatible with and sensitive to the established context and to minimize undue impacts on adjacent properties. The guidelines are intended to establish a design expectation for landowners, the development industry and the public, to ensure high quality of development that meets the City of Mississauga's minimum development standards. These guidelines shall be read in conjunction with Mississauga Official Plan, the City Zoning By-law, and other City guidelines and standards.

## 1.2 Urban Design Objectives

The following objectives provide the framework for the design guidelines:

- Ensure compatibility with the existing and planned context
- Design to meet the needs of people of all ages, abilities and incomes
- Balance functional design and aesthetics with long-term sustainability
- Protect and enhance natural features
- Connect streets and provide pedestrian linkages
- Provide high quality private and common amenity areas

### 1.3 Building Types

BBTs and STs are typically

- 3 to 4 storeys tall
- Comprised of units that are stacked vertically and/or horizontally with access from grade
- Front onto a public street, condominium road, pedestrian mews or open space
- Include surface and/or underground parking

These are illustrated in Figure 1.1 and Figure 1.2

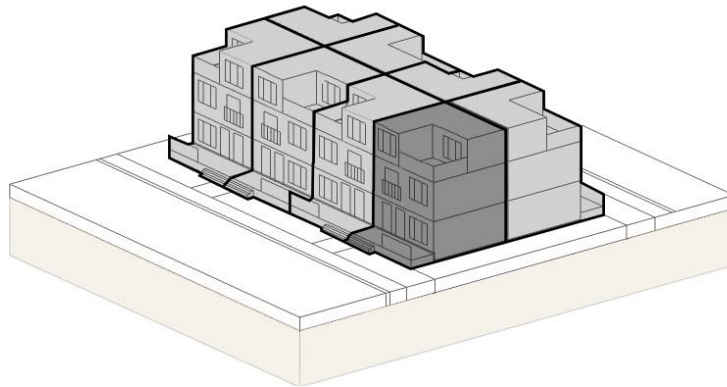


Figure 1.1: Example of Back to Back Townhouse

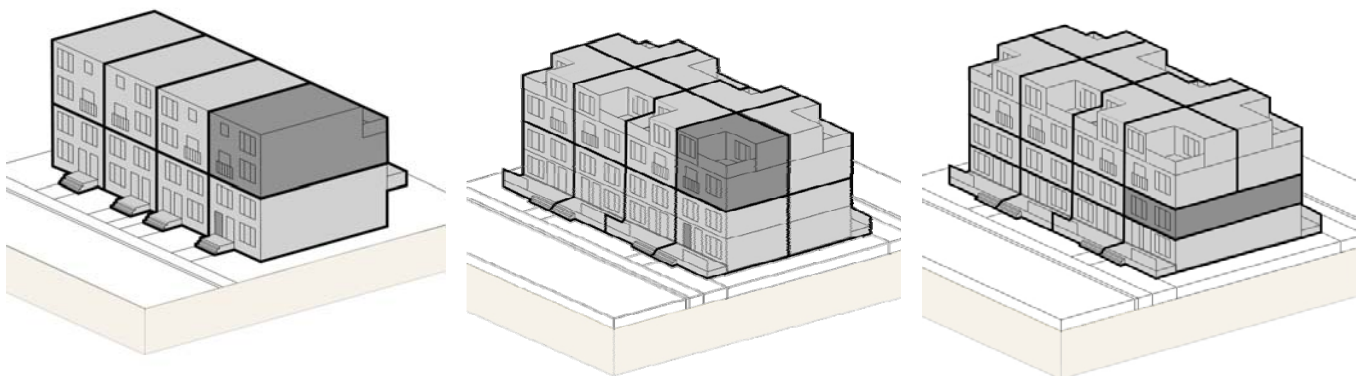


Figure 1.2: Examples of Stacked Townhouse

# Checklist of Principles

The following principles are to be considered when designing a development that includes BBTs and/or STs. These principles are intended to ensure that new developments are compatible with and respect the existing and/or planned context through appropriate setbacks, tree preservation and landscape buffers. Consideration shall be given to site design, building massing, orientation, height and grading relative to the street to ensure new developments are compatible with and sensitive to the surrounding context.

This checklist is to be used as a guide for developers, design professionals, property owners and the public to ensure they have considered key issues associated with this residential built form.

Review and check each principle when complete ----- ☒

## 2.1 Zoning By-law ----- ☐

- Refer to the Zoning By-law regulations that apply to the proposed built form. Generally BBT's and ST's are zoned RM9, RM10, RM11 and RM12 or in combination with other zones



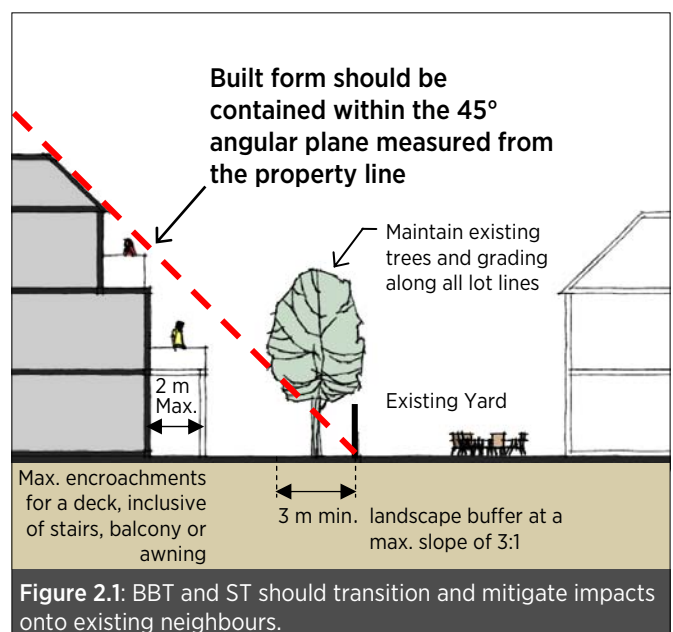
## 2.2 Building Height ----- ☐

- New developments will be required to demonstrate an appropriate transition in building heights

- Buildings heights shall be contained within a 45° angular plane, measured from the property line (See Figure 2.1)
- Maximum building heights of 3 storeys for BBTs and 4 storeys for STs

## 2.3 Building Setbacks ----- ☐

- When existing adjacent front yard setbacks vary, new buildings should align with the average setback between the two adjacent properties or the minimum zoning requirement, whichever is greater

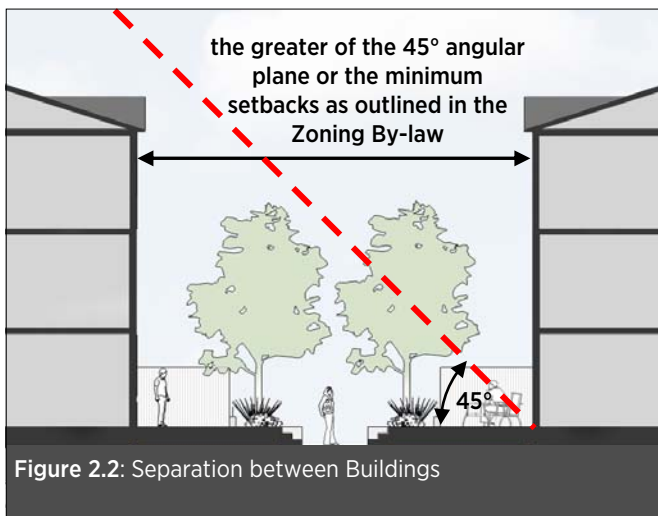


**2.4 Separation between Buildings** ..... ☐

- Separation distance between buildings should be the minimum setbacks as outlined in the Zoning By-law
- In the case of a front wall to front wall condition, the separation distance should be the greater of the 45° angular plane or the minimum setbacks as outlined in the Zoning By-law (See Figure 2.2)
- Where a basement unit forms part of a 3 storey development the minimum separation distance will be 15 m

**2.5 Block Length** ..... ☐

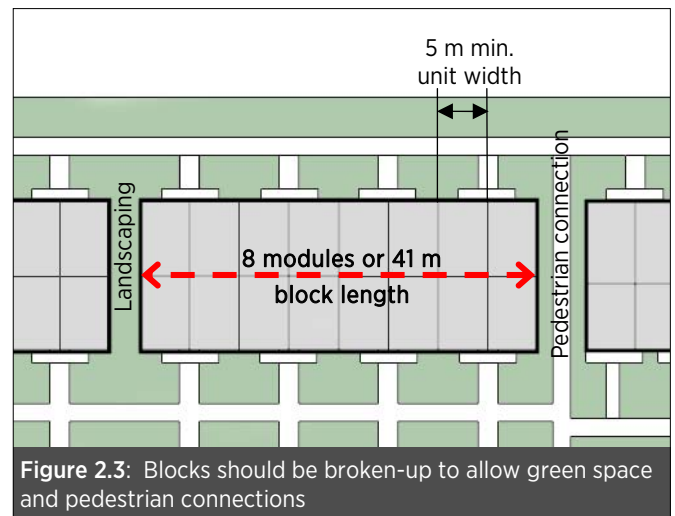
- Excessively long blocks should be avoided
- The maximum length of a block should generally not exceed the greater of 41 m or 8 linear modules to promote pedestrian connections, allow for landscaping and provide a break in the massing (See Figure 2.3)

**2.6 Natural Features** ..... ☐

- New developments should preserve and enhance natural heritage features; including, trees, woodlands, valleys and wetlands
- Appropriate setbacks and buffers should be provided to existing and proposed natural features to ensure their health and continued growth

**2.7 Grading and Retaining Walls** ..... ☐

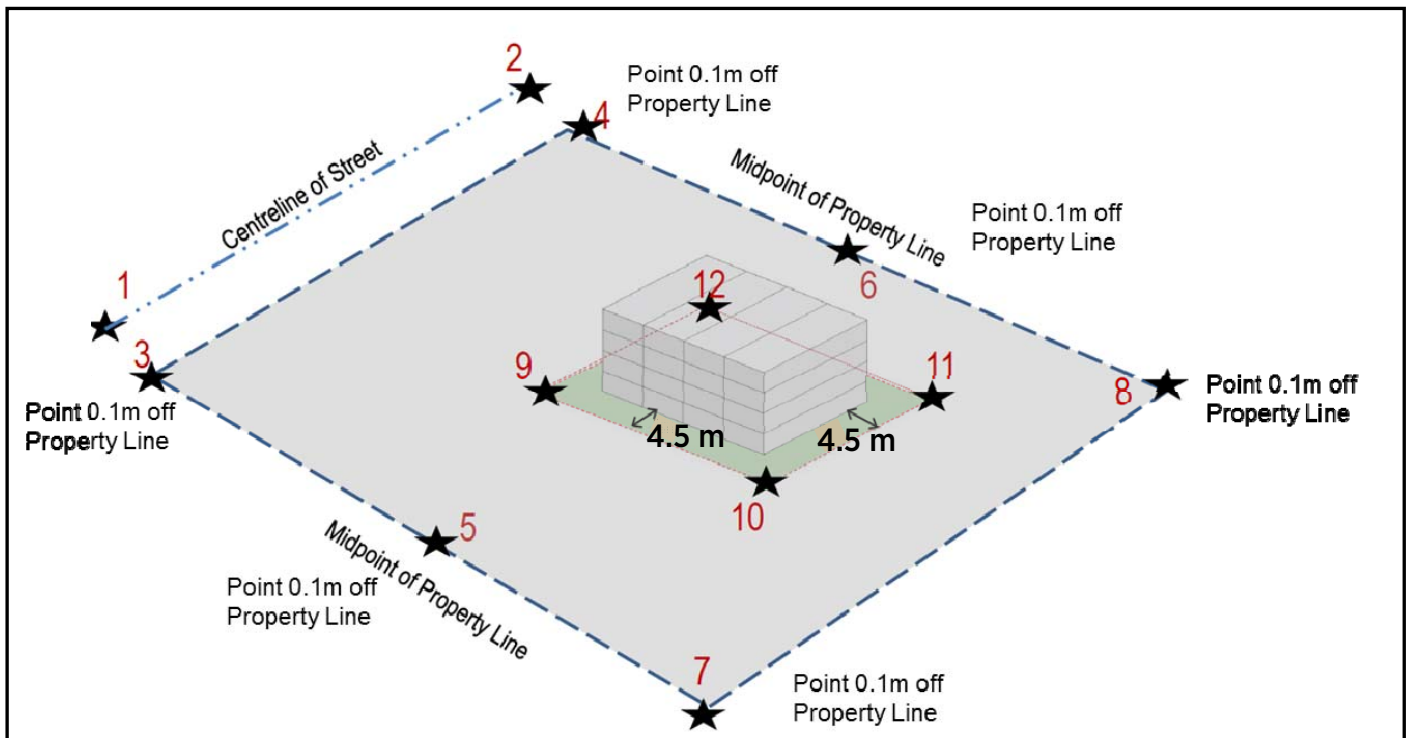
- Manipulation of site grades should be avoided
- Match existing grades and provide a minimum 3 m wide landscape buffer around the property
- The landscape buffer should be unencumbered by below grade parking structures, easements, retaining walls, utilities, severe grade changes and hard surface areas





## Checklist of Principles

- Each individual building will establish a grade elevation based on 'Context Grade'. Context Grade means the average of 12 points, 8 of which are taken around the perimeter of the site and 4 of which are taken around each individual building (See Figure 2.4)
- The first storey means a storey of a building that has its floor closest to the context grade and its ceiling more than 1.8 m above the context grade (See Figure 2.5)
- The use of retaining walls should be avoided. Where retaining walls are required, their height should be limited to a maximum of 0.6 m to eliminate the need for railings and to reduce long-term maintenance costs (See Figure 2.6)



**Figure 2.4:** Context Grade: The average of 12 Points. 8 of which are around the perimeter of the site and 4 points located 4.5 m around each building

## 2.8 Below Grade Units ..... ☐

- Below grade units should be avoided
- Manipulation of site grades requiring retaining walls to accommodate below grade units is discouraged
- If a below grade unit is proposed, it must be a through-unit that has windows on both the front and rear of the building (See Figure 2.7) or a double wide (i.e. 10 m wide) back to back unit
- Below grade units require a minimum of 6 m<sup>2</sup> of private outdoor space located at the unit's floor level with unobstructed views and access to daylight (See Figure 2.7)

- All building projections, including balconies and porches located over private outdoor spaces or windows of below grade units should not obstruct access to daylight. See the Zoning By-law for the overhang regulations (See Figure 2.7)

## 2.9 Building Elevations ..... ☐

- New development should be compatible with the existing context in terms of height, scale, massing and materials
- Where appropriate, incorporate sloped roofs and half-storeys with dormer windows on upper levels to reduce perceived heights, scale and massing
- Ensure new developments have a variety of facade articulation, building materials and colours for visual interest

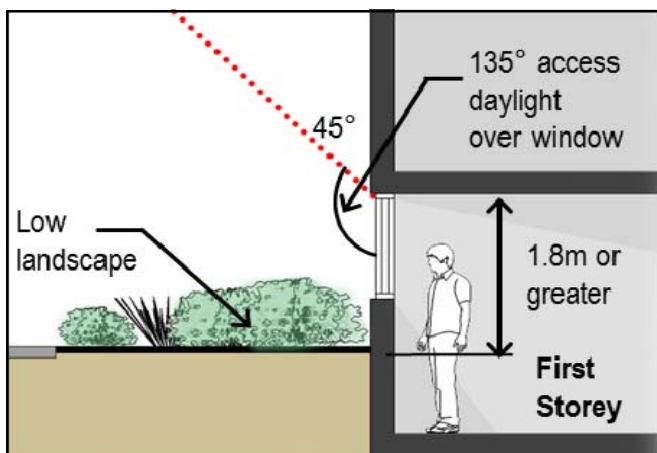


Figure 2.5: Definition of First Storey

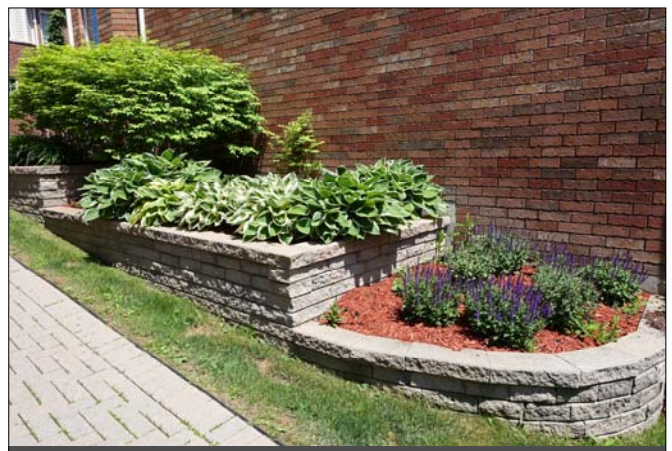


Figure 2.6: Landscape retaining walls should not be higher than 0.6 m

## Checklist of Principles

- Blank facades on the visible end unit elevation are unacceptable. End units that are visible should have entrances, windows and architectural interest to animate the elevation
- Buildings should be designed with high quality and durable materials to avoid long term maintenance costs. Stone and brick is preferred. Stucco and wood are discouraged
- Stepback roof top mechanical rooms 3 m from the exterior edges of the building to reduce their visual impact
- The mechanical floor area located on a unit roof top should not be greater than 20 m<sup>2</sup>, inclusive of stair

### 2.10 Exposed Parking Structures ..... ☐

- Exposed parking structures should be avoided. Where portions of the underground parking structure are exposed, they should match the building materials
- Consolidate the entrances to underground parking structures within the same development to minimize the number of overhead doors
- Maintain the minimum soil volume over the parking structure to support the growth of the vegetation. Minimum soil volume varies based on the type of vegetation

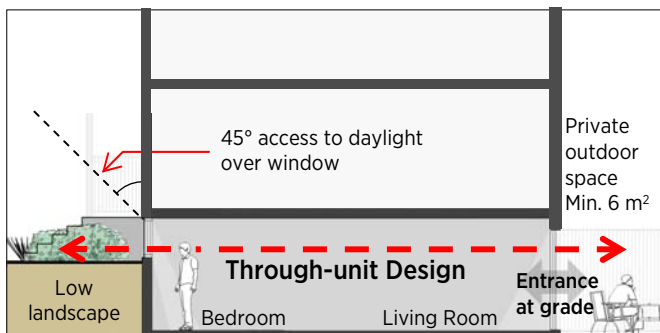


Figure 2.7: Below Grade Units

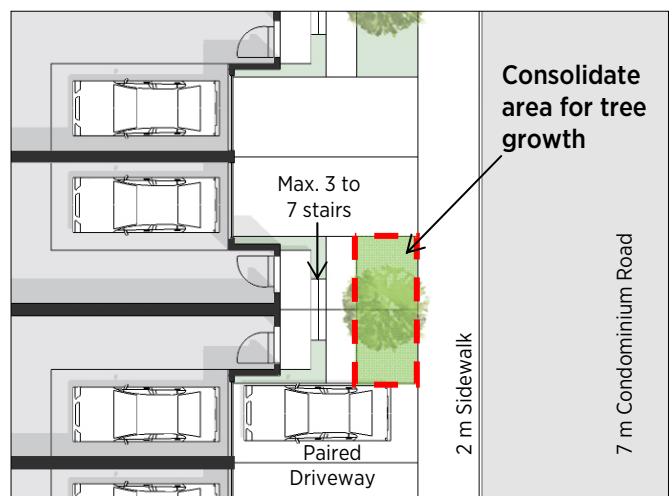


Figure 2.8: Combine landscaped soft areas for tree growth

### 2.11 Landscaped Soft Areas ..... ☐

- Landscaped soft areas are required adjacent to paved areas and around the perimeter of the site. To provide relief between buildings landscaped soft areas should be distributed throughout the development
- Landscaped soft areas should be provided between entrances to individual units and sidewalks, walkways, public streets and condominium roads
- Pair individual landscaped soft areas to increase soil volume for tree growth particularly where there is a driveway (See Figure 2.8)
- Limit the number of stairs to a unit entrance to 3 to 7 risers to maximize landscaped soft area, mitigate safety issues in the winter and reduce maintenance costs

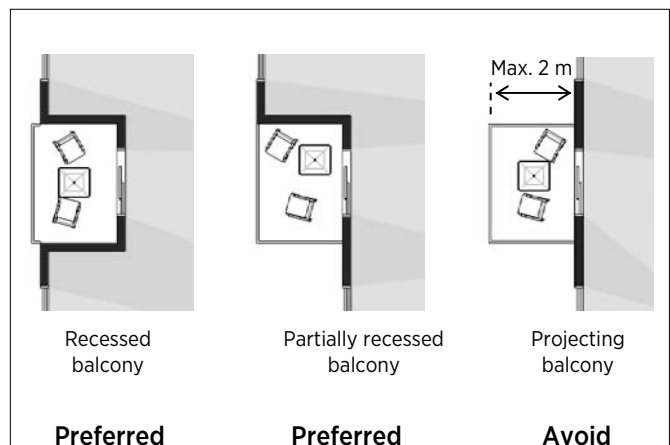


**Figure 2.9:** Common Outdoor Amenity Areas should be centrally located, accessible and highly visible.

- All stairs should be poured-in-place concrete. Precast stairs are not permitted

### 2.12 Common Outdoor Amenity Area ..... ☐

- A common outdoor amenity area is required for all new multi-unit residential developments
- The total space required is the greater of 5.6 m<sup>2</sup> per dwelling unit or 10% of the site area
- Common outdoor amenity areas should be centrally located, highly visible and accessible by all residents (See Figure 2.9)
- A minimum of 50% of the required common outdoor amenity area shall be provided in one contiguous area
- A mews will not be considered a common outdoor amenity area



**Figure 2.10:** Balconies as Private Outdoor Space

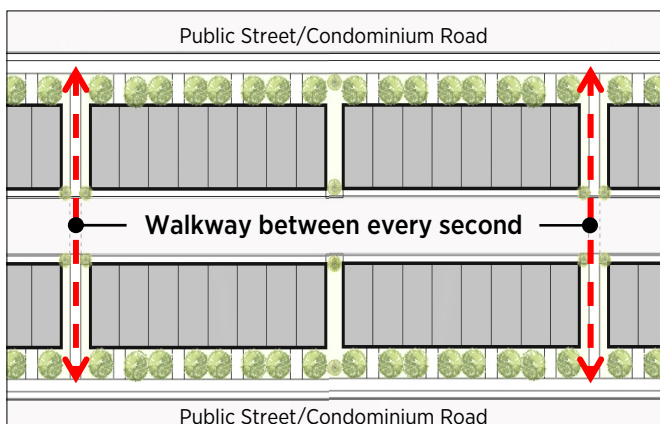


## Checklist of Principles

- Refer to the Outdoor Amenity Area Design Reference Note for additional detail  
[http://www7.mississauga.ca/documents/pb/main/2015/Amenity\\_Space\\_Reference.pdf](http://www7.mississauga.ca/documents/pb/main/2015/Amenity_Space_Reference.pdf)

### 2.13 Private Outdoor Space ☐

- Each unit requires a private outdoor space with a minimum contiguous area of 6 m<sup>2</sup>
- The private outdoor space may be located at grade, on a balcony, deck, porch or on a roof top
- Recessed or partially recessed balconies are preferred. Projecting balcony shall be avoided (See Figure 2.10). If a projecting balcony is proposed, it may project a maximum of 2 m beyond any building façade and should be designed with solid or opaque materials or tinted glass



**Figure 2.11:** Pedestrian connections should be located after every second block

- Mechanical equipment, including air conditioning units and the storage of personal items are discouraged in private outdoor spaces

### 2.14 Pedestrian Connectivity ☐

- Provide a walkway between every second block to allow connectivity (See Figure 2.11)
- Sidewalks will be located on one side of a road. Sidewalks on both sides of the street maybe required for large developments
- The following sidewalk widths will be required:
  - Sidewalks abutting a road minimum 1.8 m
  - Sidewalks abutting a road, where traversed by a driveway minimum 2 m
  - Walkways in all other areas minimum 1.5 m
- There should be at least one barrier-free path of travel that meets AODA (Accessibility for Ontarians with Disability Act) standards throughout the site

### 2.15 Waste Collection and Storage ☐

- Waste storage rooms, drop-off locations (i.e. garbage chutes) and waste collection points (temporary pick-up) should be considered early in the site design stage to ensure appropriate placement and functionality

- The waste storage rooms and the waste collection point should be located internal to the site and should not be visible from a public street or impact residential units or adjacent properties (See Figure 2.12)
- Above grade waste storage rooms/enclosures should be well screened and appropriately setback from existing uses and proposed dwelling units to minimize undesirable noise, odour and visual impacts
- The waste collection facility should consider the space requirements for the waste, recycling and green bins, along with bulky items
- Waste drop-off areas should be easily accessible by the residents via a sidewalk or walkway and distributed throughout the site
- Waste collection points (pick-up areas) should not encumber parking stalls or access to other elements of the development (e.g. fire route, entry to the underground parking garage, mailboxes, etc.)
- Waste collection points should be made of durable concrete and be at the same level as the road
- Refer to the Region of Peel's Waste Collection Design Standards Manual for more information  
<https://www.peelregion.ca/pw/standards/design/waste-collection-design-manual-2016.pdf>

## 2.16 Surface Parking ..... ☐

- Surface parking should be centrally located within the site and accessed by a sidewalk or walkway



**Figure 2.12:** Waste storage room and waste collection areas should be constructed of durable materials.



**Figure 2.13:** Community mailboxes covered and in a central location

## Checklist of Principles

- Parking lots should be setback a minimum of 3 m from a lot line and not located between the front face of a building and the street
- A minimum 3 m setback should be provided between the side wall of a building and a surface parking space

### 2.17 Utilities and Services ..... ☐

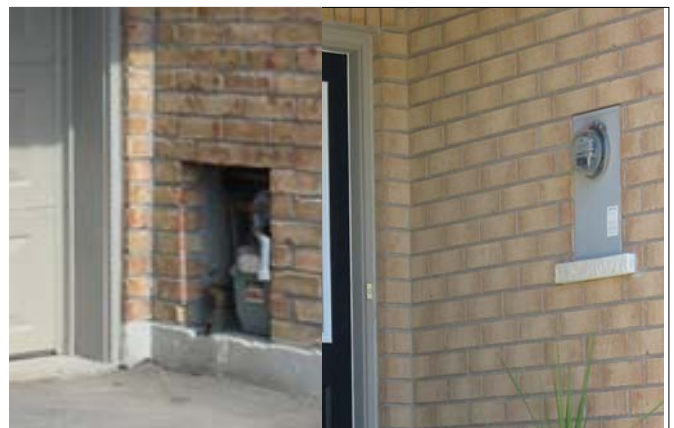
- The location of above and below grade utilities and services should be considered early in the site design stage to ensure they meet utility requirements and that any visual impacts from the public street are mitigated
- Through the development process provide the locations of above and below grade utilities, easements, etc. to ensure sufficient unencumbered space is provided for public and private trees, and landscaped soft areas
- Transformer vaults are typically located on a streetline and generally on a serviceable pad (i.e. minimum 3 m x 3 m pad for smaller developments). Contact Alectra Utilities for further requirements
- Community mailboxes should be centrally located and accessed by a sidewalk or walkway (See Figure 2.13)
- Conceal or recess hydro and gas meters into the building's exterior walls (See Figure 2.14)

### 2.18 Property Management and Maintenance ☐

- Long term maintenance and property management should be considered early in the development process to avoid costly maintenance issues
- Use durable and high quality building and site materials. Stucco is discouraged on the first 2 storeys of a building

### 2.19 Other Considerations ..... ☐

- Review Mississauga's Fire Route By-law 1036-81 early in the site design stage for the fire route design, building access requirements, etc.
- Review the Ontario Building Code to ensure that site and building designs comply with the relevant requirements



**Figure 2.14:** Place Hydro and Gas Meters and other utilities in concealed or recessed locations.

**Minimum lot frontage 38.0 m**

**Multi-Unit Residential**

- Min. interior side yard: 4.5 m
- Min. Unit Width: 5.0 m
- Side wall to condominium road: 3.0 m
- Rear wall to side wall: 12.0 m
- Min. side yard where rear wall abuts any RM4 to RM12 zone: 7.5 m
- Min. setback for partially above grade parking structure: 6.0 m
- Min. width of a condominium road: 7.0 m
- Min. side yard where front wall abuts any RM4 to RM12 zone: 9.0 m
- Porch to walkway: 2.5 m
- Min. rear yard: 7.5 m
- Side wall to side wall with a walkway: 1.5 m
- Min. rear yard where the front wall abuts the rear lot line: 9.0 m

**Detached and/or Semi-Detached Dwellings**

- Min. front yard: 7.5 m
- Side wall to side wall without walkway: 3.0 m
- Front wall to side wall: 9.0 m
- Front wall to front wall in a 4 storey building: 15.0 m
- Front wall to walkway: 4.5 m
- Min. width of a sidewalk: 1.8 m
- Min. width of a walkway: 1.5 m
- Rear wall to rear wall: 15.0 m
- Front face of garage at rear to a condominium road: 1.0 m
- Limit of underground parking garage: 3.0 m
- Min. landscape buffer: 3.0 m
- Underground garage to any lot line: 3.0 m
- Max. block length: 41.0 m (8 modules)
- Side wall to side wall with a walkway: 4.5 m
- Min. rear yard where any portion of rear lot line abuts a zone permitting detached and/or semi-detached dwellings: 9.0 m

**PROPERTY LINE**

Figure 2.13: Standard Dimensions for Stacked Townhouses (RM9). For Additional Standards refer to the Zoning By-Law. The above drawing is for illustration purpose only and not to scale.



## Design Standard Diagrams



## 3.2 RM10 Back to Back Townhouses on Condominium Road Design Standards

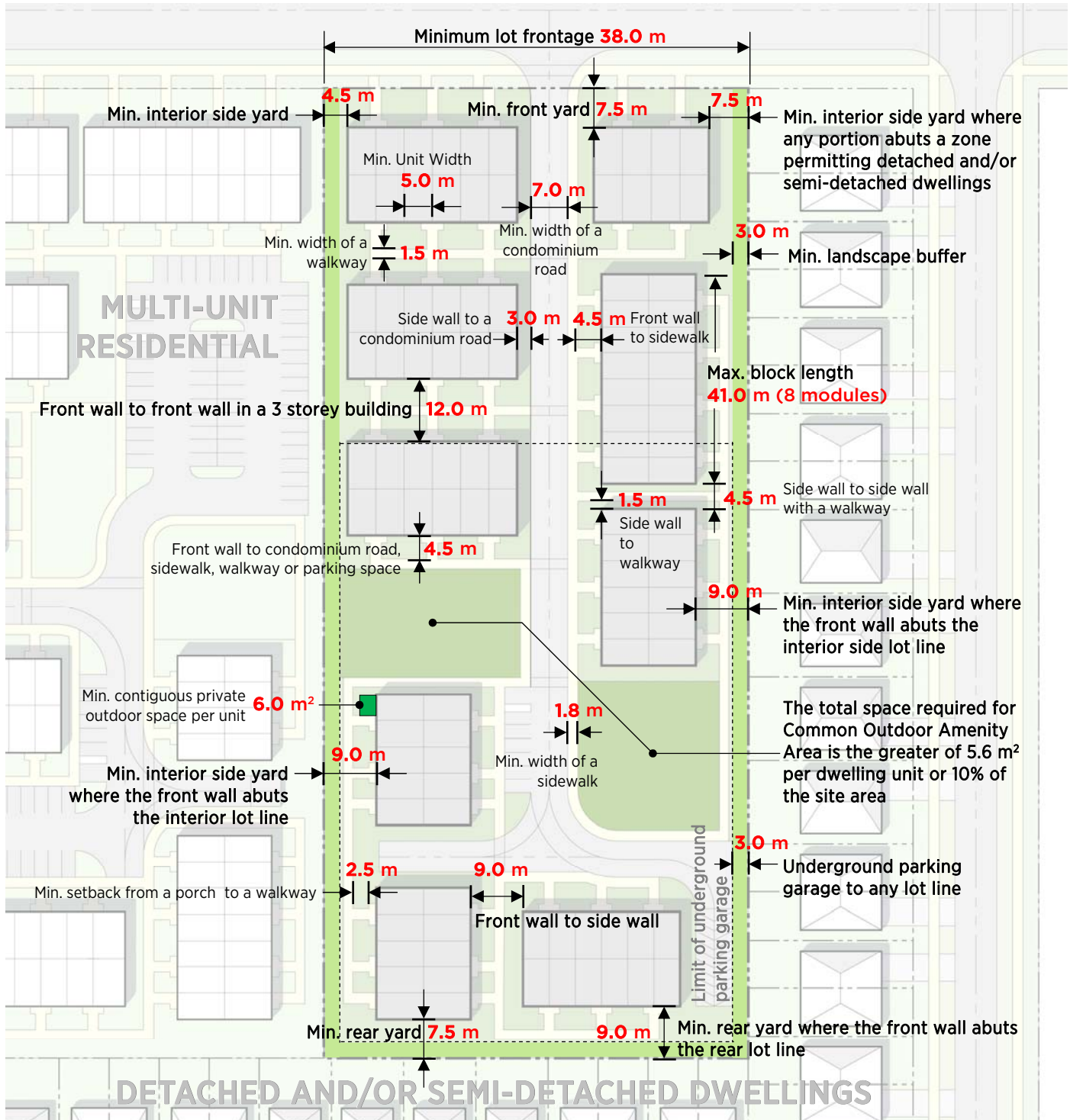


Figure 2.14: Standard Dimensions for Back to Back Townhouses (RM10). For Additional Standards refer to the Zoning By-Law. The above drawing is for illustration purpose only and not to scale.

### 3.3 RM11 Back to Back Townhouses on a CEC-Road Design Standards

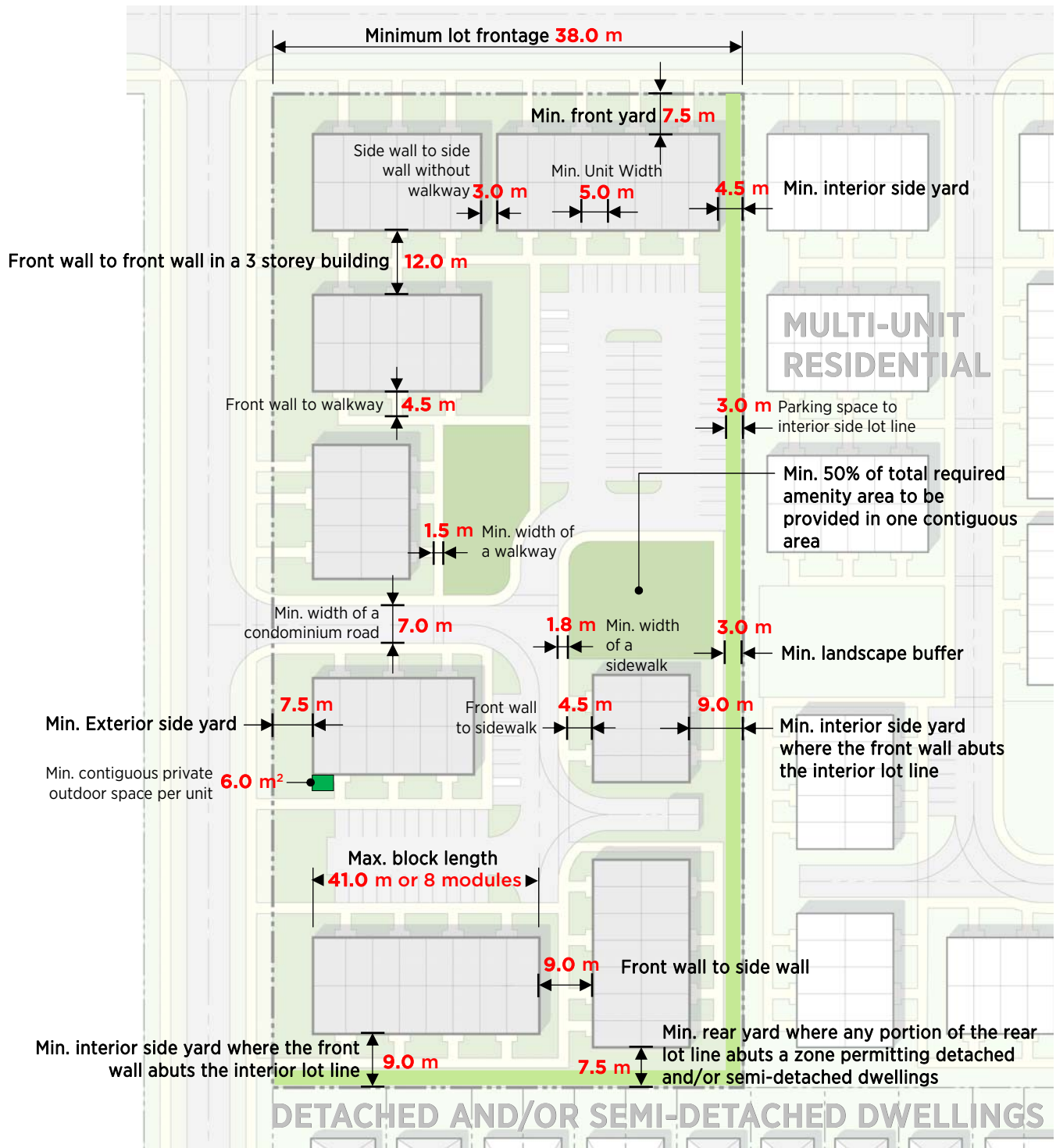


Figure 2.14: Standard Dimensions for Back to Back Townhouses (RM11). For Additional Standards refer to the Zoning By-Law. The above drawing is for illustration purpose only and not to scale.

## Design Standard Diagrams







Proposed RM9, RM10 and RM11 Zone Regulations, September 2017

Column A		B	C	D
Line 1.0	ZONES	RM9	RM10	RM11
<b>PERMITTED USES</b>				
<b>2.0</b>	RESIDENTIAL			
<b>2.1</b>	Stacked Townhouse	✓		
<b>2.2</b>	Back to Back Townhouse on a Condominium Road		✓	
<b>2.3</b>	Back to Back Townhouse on a CEC-Road			✓
<b>ZONE REGULATIONS</b>				
<b>3.0</b>	MINIMUM LOT FRONTAGE	<del>4238.0</del> m	<del>4238.0</del> m	<del>4238.0</del> m
<b>4.0</b>	MINIMUM DWELLING UNIT WIDTH	5.0 m	5.0 m	5.0 m
<del>6.0</del>	<del>MAXIMUM LENGTH OF A STACKED TOWNHOUSE AND A BACK-TO-BACK TOWNHOUSE</del>	<del>41.0 m<sup>(4)</sup></del>	<del>41.0 m<sup>(4)</sup></del>	<del>41.0 m<sup>(4)</sup></del>
<del>65.0</del>	MAXIMUM DWELLING HEIGHT			
<del>65.1</del>	Flat roof	13.0 m and 4 storeys	11.0 m and 3 storeys	11.0 m and 3 storeys
<del>65.2</del>	Sloped roof	17.0 m <sup>(2)</sup> and 4 storeys	15.0 m <sup>(2)</sup> and 3 storeys	15.0 m <sup>(2)</sup> and 3 storeys
<del>76.0</del>	MINIMUM FRONT YARD	7.5 m <sup>(3)</sup>	7.5 m <sup>(3)</sup>	7.5 m <sup>(3)</sup>
<del>87.0</del>	MINIMUM EXTERIOR SIDE YARD	7.5 m <sup>(3)</sup>	7.5 m <sup>(3)</sup>	7.5 m <sup>(3)</sup>
<del>98.0</del>	MINIMUM INTERIOR SIDE YARD	4.5 m <sup>(3)</sup>	4.5 m <sup>(3)</sup>	4.5 m <sup>(3)</sup>
<del>98.1</del>	Where any portion of the interior side lot line abuts a zone permitting <b>detached</b> and/or <b>semi-detached dwellings</b>	<del>40.00.0</del> m <sup>(3)</sup>	7.5 m <sup>(3)</sup>	7.5 m <sup>(3)</sup>
<del>98.2</del>	Where the interior side lot line abuts a RM4, RM5, RM6, RM7, RM8, RM9, RM10, RM11, or RM12 zone and the rear wall of the building abuts the interior side lot line	7.5 m <sup>(3)(4)</sup>	n/a	n/a

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Proposed RM9, RM10 and RM11 Zone Regulations, September 2017

Column Line 1.0	A		B	C	D
	ZONES		RM9	RM10	RM11
<del>98.3</del>	Where the front wall of a <b>building</b> abuts the <b>interior side lot line</b>		<del>409.0 m</del> <sup>(3)</sup>	<del>409.0 m</del> <sup>(3)</sup>	<del>409.0 m</del> <sup>(3)</sup>
<del>409.0</del>	MINIMUM REAR YARD		7.5 m <sup>(3)</sup>	7.5 m <sup>(3)</sup>	7.5 m <sup>(3)</sup>
<del>409.1</del>	Where any portion of the <b>rear lot line</b> abuts a zone permitting <b>detached</b> and/or <b>semi-detached dwellings</b>		<del>409.0 m</del> <sup>(3)</sup>	7.5 m <sup>(3)</sup>	7.5 m <sup>(3)</sup>
<del>409.2</del>	Where a front wall of a <b>building</b> abuts the <b>rear lot line</b>		<del>409.0 m</del> <sup>(3)</sup>	<del>409.0 m</del> <sup>(3)</sup>	<del>409.0 m</del> <sup>(3)</sup>
<del>4410.0</del>	MAXIMUM ENCROACHMENT OF A <b>DECK</b> INCLUSIVE OF STAIRS, <b>BALCONY</b> OR AWNING, ATTACHED TO A REAR OR FRONT WALL, INTO A REQUIRED <b>YARD</b>		2.0 m	2.0 m	2.0 m
<del>4421.0</del>	MINIMUM INTERNAL SETBACKS				
<del>4421.1</del>	From a <b>front garage face</b> to a <b>condominium road</b> or <b>sidewalk</b>		6.0 m	6.0 m	6.0 m
<del>4421.2</del>	From a <b>front garage face</b> to a <b>condominium road</b> or <b>sidewalk</b> , where the <b>garage</b> and <b>driveway</b> are accessed at the rear of the <b>dwelling unit</b>		1.0 m	n/a	n/a
<del>4421.3</del>	From a front wall of a <b>building</b> to a <b>condominium road</b> , <b>sidewalk</b> , <b>walkway</b> or <b>parking space</b>		4.5 m	4.5 m	4.5 m
<del>4421.4</del>	From a <b>porch</b> , exclusive of stairs, <u>located at and accessible from the first storey or below the first storey</u> to a <b>condominium road</b> , <b>sidewalk</b> , <b>walkway</b> or <b>parking space</b>		2.5 m	2.5 m	2.5 m
<del>4421.5</del>	From a rear wall of a <b>building</b> containing a <b>dwelling unit</b> to a side wall of another <b>building</b> containing a <b>dwelling unit</b> on the same lot		12.0 m	n/a	n/a
<del>4421.6</del>	From a rear wall of a <b>building</b> containing a <b>dwelling unit</b> to a rear wall of another <b>building</b> containing a <b>dwelling unit</b> on the same lot		15.0 m	n/a	n/a

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subject to change

Proposed RM9, RM10 and RM11 Zone Regulations, September 2017

Column A		B	C	D
Line 1.0	ZONES	RM9	RM10	RM11
<del>4211.7</del>	From a side wall of a <b>building</b> containing a <b>dwelling unit</b> to a side wall of another <b>building</b> containing a <b>dwelling unit</b> on the same lot	3.0 m	3.0 m	3.0 m
<del>4211.8</del>	From a side wall of any <b>building</b> to a <b>walkway</b>	1.5 m	1.5 m	1.5 m
<del>4211.9</del>	From a side wall of a <b>building</b> to a <b>condominium road, sidewalk, or parking space</b>	3.0 m	3.0 m	3.0 m
<del>4211.10</del>	From a front wall of a <b>building</b> containing a <b>dwelling unit</b> to a front wall of another <b>building</b> containing a <b>dwelling unit</b> on the same lot, where the <b>building</b> is less than or equal to three storeys	12.0 m <sup>(5)</sup>	12.0 m	12.0 m
<del>11.11</del>	<del>From a front wall of a <b>building</b> containing a <b>dwelling unit</b> to a front wall of another <b>building</b> containing a <b>dwelling unit</b> on the same lot, where the <b>building</b> is less than or equal to three storeys and contains a <b>dwelling unit</b> in the <b>basement</b></del>	<del>15.0 m <sup>(6)</sup></del>	<del>n/a</del>	<del>n/a</del>
<del>4211.124</del>	From a front wall of a <b>building</b> containing a <b>dwelling unit</b> to a front wall of another <b>building</b> containing a <b>dwelling unit</b> on the same lot, where the <b>building</b> is four storeys	15.0 m <sup>(6)</sup>	n/a	n/a
<del>4211.132</del>	From a front wall of a <b>building</b> containing a <b>dwelling unit</b> to a side wall of another <b>building</b> containing a <b>dwelling unit</b> on the same lot	<del>40.0 m</del>	<del>40.0 m</del>	<del>40.0 m</del>
<del>42.13</del>	<del>Increase in required setback identified in Lines 12.10, 12.11 and 12.12 where a front wall of a <b>building</b> contains stairs, stairwells or retaining walls to facilitate below grade access to a <b>dwelling unit</b></del>	<del>4.0 m</del>	<del>n/a</del>	<del>n/a</del>
<del>4312.0</del>	ATTACHED GARAGE, PARKING AND DRIVEWAY			
<del>4312.1</del>	Attached garage	Permitted <sup>(6)</sup>	Permitted <sup>(6)</sup>	Permitted <sup>(6)</sup>
<del>4312.2</del>	Minimum parking spaces	✓ <sup>(7)(8)</sup>	✓ <sup>(7)(8)</sup>	✓ <sup>(7)(8)</sup>
<del>4312.3</del>	Minimum visitor parking spaces	✓ <sup>(7)</sup>	✓ <sup>(7)</sup>	✓ <sup>(7)</sup>

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Proposed RM9, RM10 and RM11 Zone Regulations, September 2017

Column A		B	C	D
Line 1.0	ZONES	RM9	RM10	RM11
<del>44</del> 12.4	Maximum driveway width	2.6 m <sup>(8)</sup>	2.6 m <sup>(8)</sup>	2.6 m <sup>(8)</sup>
<del>44</del> 13.0	<b>PARKING AREAS AND PARKING STRUCTURE SETBACKS</b>			
<del>44</del> 13.1	Minimum setback between a <b>parking space</b> and an <b>interior side lot line</b> and/or <b>rear lot line</b>	3.0 m	3.0 m	3.0 m
<del>44</del> 13.2	Minimum setback of a <b>parking structure</b> constructed above or partially above finished grade to any <b>lot line</b>	6.0 m	6.0 m	6.0 m
<del>44</del> 13.3	Minimum setback of a <b>parking structure</b> constructed completely below finished grade to any <b>lot line</b>	3.0 m	3.0 m	3.0 m
<del>44</del> 14.0	<b>INTERNAL ROADS AND SIDEWALKS</b>			
<del>44</del> 14.1	Minimum width of a <b>condominium road</b>	7.0 m	7.0 m	7.0 m
<del>44</del> 14.2	<b>Condominium roads</b> are permitted to be shared with abutting lands zoned to permit <b>stacked townhouse, back to back townhouse, townhouse or apartment dwelling</b> , or any combination of dwellings thereof	✓	✓	✓
<del>44</del> 15.0	<b>MINIMUM WIDTH OF SIDEWALKS AND WALKWAYS</b>			
<del>15</del> .1	<u>Minimum width of a sidewalk traversed by a driveway</u>	<u>2.0 m</u>	<u>2.0 m</u>	<u>2.0 m</u>
<del>15</del> .2	<u>Minimum width of a sidewalk not traversed by a driveway</u>	<u>1.8 m</u>	<u>1.8 m</u>	<u>1.8 m</u>
<del>15</del> .3,4	Minimum width of a <b>walkway</b>	<u>1.5</u> <del>1.8</del> m	<u>1.5</u> <del>1.8</del> m	<u>1.5</u> <del>1.8</del> m
<b>16.0</b>	<b>MINIMUM AMENITY AREA AND LANDSCAPED AREA</b>			
16.1	Minimum landscaped area	40% of lot area	40% of lot area	40% of lot area
16.2	Minimum landscaped soft area per parcel of tied land	n/a	n/a	7.5 m <sup>2</sup>
16.3	Minimum landscape buffer abutting any side and rear lot line	3.0 m	3.0 m	3.0 m

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**Proposed RM9, RM10 and RM11 Zone Regulations, September 2017**

Column	A		B	C	D
	ZONES				
Line 1.0			RM9	RM10	RM11
16.4	Minimum amenity area		The greater of 5.6 m <sup>2</sup> per dwelling unit or 10% of the lot area <sup>(9)</sup>	The greater of 5.6 m <sup>2</sup> per dwelling unit or 10% of the lot area <sup>(9)</sup>	The greater of 5.6 m <sup>2</sup> per dwelling unit or 10% of the lot area <sup>(9)</sup>
16.5	Minimum percentage of total required amenity area to be provided in one contiguous area		50%	50%	50%
16.6	Minimum contiguous private outdoor space per unit		6.0 m <sup>2</sup>	6.0 m <sup>2</sup>	6.0 m <sup>2</sup>
16.7	Minimum setback of a rooftop amenity space from all exterior edges of a building		1.2 m	1.2 m	1.2 m
17.0	ACCESSORY BUILDINGS AND STRUCTURES		✓ <sup>(10)</sup>	✓ <sup>(10)</sup>	✓ <sup>(10)</sup>

**NOTES:**

- (1) Exclusive of wing walls, utility service walls, and garbage rooms.
- (2) Measured to the highest ridge of a sloped roof.
- (3) See also Subsections 4.1.7 and 4.1.8 of this By-law.
- (4) Only applies to lands zoned RM7 if used for Duplex and/or Triplex.
- (5) Where there are buildings with different heights on one lot, the average of the required setbacks shall be used.
- (6) See also Subsection 4.1.12 of this By-law.
- (7) See also Part 3 of this By-law.
- (8) See also Subsection 4.1.9 of this By-law.
- (9) Excludes private amenity space.
- (10) See also subsection 4.1.2 of this By-law.

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**Proposed RM12 Zone Regulations**

Column A		B
Line 1.0	ZONES	RM12
<b>PERMITTED USES</b>		
2.0	RESIDENTIAL	
2.1	Back to Back Townhouse on a Street	✓
<b>ZONE REGULATIONS</b>		
3.0	MINIMUM LOT FRONTAGE	
3.1	Interior Lot	6.0 m
3.3	Corner Lot	10.5 m
4.0	MAXIMUM NUMBER OF DWELLING UNITS IN A BACK TO BACK TOWNHOUSE BLOCK	12
5.0	MAXIMUM DWELLING HEIGHT	
5.1	Flat roof	11.0 m and 3 storeys
5.2	Sloped roof	15.0 m <sup>(1)</sup> and 3 storeys
6.0	MINIMUM FRONT YARD	4.5 m <sup>(2)(3)</sup>
6.1	Front garage face	6.0 m
7.0	MINIMUM EXTERIOR SIDE YARD	4.5 m <sup>(2)(3)</sup>
7.1	Front garage face	6.0 m
8.0	MINIMUM INTERIOR SIDE YARD	
8.1	Attached Side	0.0 m
8.2	Unattached Side	1.5 m <sup>(2)</sup>
8.3	Where any portion of the interior lot line abuts a zone permitting detached and/or semi-detached dwellings	7.5 m <sup>(2)</sup>
9.0	MINIMUM REAR YARD	0.0 m
10.0	MAXIMUM ENCROACHMENT OF A BALCONY ATTACHED TO A FRONT WALL	3.0 m
11.0	MINIMUM SETBACK FROM A PORCH, EXCLUSIVE OF STAIRS	2.0 m
12.0	ATTACHED GARAGE, PARKING AND DRIVEWAY	
12.1	Attached garage	Permitted <sup>(4)</sup>
12.2	Minimum parking spaces	✓ <sup>(5) (6)</sup>
12.3	Maximum driveway width	2.6 m <sup>(6)</sup>

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**Proposed RM12 Zone Regulations**

<b>13.0</b>	<b>MINIMUM LANDSCAPED AREA</b>	
13.1	Minimum landscaped area	6.5 m <sup>2</sup>
13.2	Minimum percentage of required front yard landscaped area to be landscaped soft area	75%
<b>14.0</b>	<b>AMENITY SPACE</b>	
14.1	Minimum contiguous private outdoor amenity space	6.0 m <sup>2</sup> (7)
14.2	Maximum encroachment of a balcony attached to a front wall	2.5 m

**NOTES:**

- (1) Measured to the highest ridge of a sloped roof.
- (2) See also Subsections 4.1.7 and 4.1.8 of this By-law.
- (3) Air conditioning equipment is permitted in the required front yard, provided it is located on a balcony.
- (4) See also Subsection 4.1.12 of this By-law.
- (5) See also Part 3 of this By-law.
- (6) See also Subsection 4.1.9 of this By-law.
- (7) Exclusive of landscaped area at-grade.

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**Proposed New and Amended Definitions**

<b>CEC - Road</b>	means a private right-of-way for vehicular travel over common elements that are maintained by a common element condominium corporation.
<b>CEC - Parcel of Tied Land</b>	means an area of land associated with a common element condominium.
<b>Context Grade</b>	<p>Means, with reference to a townhouse, back to back townhouse or stacked townhouse, the average of 12 grade points, eight of which are taken around the perimeter of the site and four of which are based on the location of the proposed building(s):</p> <ul style="list-style-type: none"> <li>-2 points at the centreline of the street extending from the side property lines</li> <li>-2 points located 10 cm outside the subject site from where the side property lines meet the front property line</li> <li>-2 points located 10 cm outside the subject site at the midpoint of the side property lines</li> <li>-2 points located 10 cm outside the subject site, measured out from the side property lines, from where the side and rear property lines meet</li> <li>-4 points taken <u>34.5</u> m from the corners of the proposed buildings</li> </ul>
<b>Driveway</b>	means an internal roadway that is not a street, private road, CEC - road, condominium road or lane, which provides vehicular access from a street, private road, CEC - road, condominium road or lane to parking or loading spaces.
<b>Back to Back Townhouse</b>	means a building that has four or more dwelling units divided vertically, including a common rear wall, each with an independent entrance and has a yard abutting at least one exterior wall of each dwelling unit.
<b>Stacked Townhouse</b>	means a building that has four or more dwelling units divided horizontally and/or vertically, each with an entrance that is independent or through a shared landing and/or external stairwell. Units may also be divided vertically by a common rear wall.
<b>Townhouse</b>	means a building that has three or more attached dwelling units divided vertically above grade by a party wall at least 5.0 m in

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	length and at least 2.0 m in height, and has a yard abutting at least two (2) exterior walls of each dwelling unit.
<b>Condominium Road</b>	means a private right-of-way over private property for vehicular travel which provides access to buildings and/or dwelling units on the same property, is not maintained by a public body, and includes CEC-Road.
<b>Sidewalk</b>	means an area for pedestrian travel that is abutting a street, condominium road or private road.
<b>Walkway</b>	means an area for pedestrian travel that provides access within or to a property that is not abutting a street, condominium road or private road.

City of Mississauga

# Corporate Report



Date: September 1, 2017

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:  
OZ 16/007 W2  
T-M16002 W2

Meeting date:  
2017/09/25

## Subject

### RECOMMENDATION REPORT (WARD 2)

**Applications to permit 4 two storey detached homes on a private condominium road  
1260 Kane Road, west side of Kane Road, south of Indian Road, north of the CN Railway  
Owner: 1854290 Ontario Ltd.**

**Files: OZ 16/007 W2 & T-M16002 W2**

## Recommendation

1. That the applications under Files OZ 16/007 W2 & T-M16002 W2, 1854290 Ontario Ltd., 1260 Kane Road to change the zoning to **R16-Exception (Detached Dwellings on a CEC – Private Road)** and for approval of a draft plan of subdivision to permit 4 detached homes on a private condominium road, be refused.
2. That City Council direct the City Solicitor, representatives from the appropriate City Departments and any necessary consultants to attend any possible Ontario Municipal Board (OMB) hearing on the subject applications in support of the recommendations outlined in the report dated September 1, 2017, that concludes that the proposed rezoning and draft plan of subdivision are not acceptable from a planning standpoint and should not be approved.
3. That City Council provide the Planning and Building Department with the authority to instruct the City Solicitor on modifications to the position deemed necessary during or before any OMB hearing process, however if there is a potential for settlement then a report shall be brought back to Council by the City Solicitor.

## Report Highlights

- Comments and concerns were raised by the public regarding impacts to the surrounding area and streetscape and compatibility with the adjacent detached homes
- The applicant has made a minor revision to the proposal by adding a portion of the



property to the north (1262 Kane Road) as part of the subject applications in order to increase the private condominium road width

- It has been concluded that the proposed development is not supportable from a planning perspective
- Staff are seeking direction from Council to attend any possible OMB 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 May 1, 2017, at which time an Information Report (Appendix 1) was received for information. Recommendation PDC-0020-2017 was then adopted by Council on May 10, 2017.

That the report dated April 7, 2017, from the Commissioner of Planning and Building regarding the applications by 1854290 Ontario Ltd. to permit 4, two storey detached homes on a private condominium road under files OZ 16/007 W2 and T-M16002 W2, 1260 Kane Road, be received for information.

## Comments

### REVISED DEVELOPMENT PROPOSAL

The applicant has made a minor modification to the proposed concept plan to include a portion of the property to the north (1262 Kane Road) that was initially subject to a proposed easement to form part of the 6.2 m (20.3 ft.) roadway width. This parcel is now proposed to be included as part of the subject lands and is reflected in the revised draft plan of subdivision submitted by the applicant (see Appendix 2).

### COMMUNITY COMMENTS

The issues below were raised by residents at the community meeting held on March 2, 2017, by Ward 2 Councillor Karen Ras and at the May 1, 2017 public meeting.

#### Comment

There is a concern regarding the potential for the development to destabilize the character of the area.

#### Response

While the proposal for detached homes is consistent with the existing neighbourhood context, the introduction of detached homes on a private condominium road is foreign to the immediate area. The “key” lot configuration results in the proposed detached homes being located away from the street line and in behind the homes that front onto Kane Road. There are certain aspects of the proposal that negatively impact the immediate area, as detailed in the Planning Comments section of the report.

**Comment**

A concern was raised regarding the property owner removing trees on the property and disturbing the existing grades on site which may have an impact on drainage.

**Response**

Forestry staff have confirmed that a Tree Permit was issued in 2002 to remove 9 trees to accommodate a proposed detached home at that time. There are currently no outstanding infractions related to tree destruction or removal for the site. In addition, By-law Enforcement staff tended to a complaint on March 6, 2013, regarding the placing of fill on site. By-law Enforcement required the removal of the fill and noted that it was removed on March 8, 2013. Should the applications be approved, the applicant will be required to go through the Site Plan approval process. On-site grading and drainage will be reviewed by Transportation and Works staff through that process.

**Comment**

There is a concern with the potential impact on the rear yards of the adjacent properties to the west located on Vermillion Court.

**Response**

Staff agree that the minimal setback provided to the homes on Vermillion Court will create a negative impact on the rear yards of these adjacent properties. See the Planning Comments section of this report for additional comments.

**Comment**

There is a concern with the adequacy of the landscape buffers along the proposed private condominium road to the adjacent properties fronting onto Kane Road and the rear yards of the properties fronting onto Vermillion Court.

**Response**

Staff agree that the lack of landscape buffers adjacent to the existing detached homes on Kane Road and Vermillion Court do not provide for appropriate buffering and transition to the adjacent existing dwellings both at the easterly and westerly portions of the site. See the Planning Comments section of this report for additional comments.

**Comment**

There is a concern with the functionality and viability of the proposed private roadway and how it impacts the streetscape and surrounding character of the area.

**Response**

The proposed private roadway is insufficient in width and does not conform to the City's standard development requirements for private condominium roads. See the Planning

Comments and Transportation and Works Comments section of this report for additional comments.

## **UPDATED AGENCY AND CITY DEPARTMENT COMMENTS**

### **City Transportation and Works Department**

Comments updated August 11, 2017, state that the applicant is required to address a number of items to ensure the proposal is feasible, including the following:

- Further additional lands are required to satisfy the City's standard cross section for a private condominium road, which includes a 7.0 m (23.0 ft.) wide roadway, a 0.2 m (0.65 ft.) curb on each side, a 2.0 m (6.5 ft.) sidewalk and a 3.0 m (9.8 ft.) utility corridor, among other requirements
- The submitted engineering drawings are to be revised to add additional technical detail to ensure the proposal conforms to Common Element Condominium standards, including the necessary buffer details and utility corridor easement, as described above
- The applicant needs to address access and turnaround details to ensure they are adequate for Fire and Waste Collection vehicles, including the requirement for a 13.0 m (42.6 ft.) turning radius at the Kane Road frontage
- The applicant is required to enter into a Development/Subdivision Agreement with the City

Transportation and Works Department staff are not in a position to confirm if the proposal is feasible and is not in favour of these applications proceeding until the outstanding matters have been satisfactorily resolved. In addition to the above comments, the Additional Development Issues section of the report contains information that has yet to be submitted and addressed by the applicant.

## **PLANNING COMMENTS**

### **Provincial Policy Statement (PPS)**

The Provincial Policy Statement (PPS) contains the Province's policies concerning land use planning for Ontario. All planning decisions are required to be consistent with these policies.

The PPS states that "planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites," and "appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety."

Areas for intensification have been identified in Mississauga Official Plan (MOP). The property does not front onto an intensification corridor and is not located within an intensification area identified in the Official Plan hierarchy. Although intensification is also contemplated outside of intensification corridors and areas, MOP also includes a number of policies that are to be met when developing in stable neighbourhoods. These policies are addressed and detailed further in the report. Achieving appropriate development standards is critical for intensification projects to be successful and ultimately fulfilling the PPS.

### **Growth Plan for the Greater Golden Horseshoe**

The Growth Plan encourages intensification generally throughout built-up areas while recognizing that intensification must be of an appropriate type and scale. The proposal for detached dwellings on a private condominium road is a use and built form that is generally deemed appropriate in the context of the Growth Plan. The applicant, however, has not satisfied many outstanding technical and design matters required in order to demonstrate that the site can support the proposed concept.

### **Official Plan**

The applications are in conformity with the current **Residential Low Density I** designation of the MOP policies for the Clarkson-Lorne Park Neighbourhood Character Area. In evaluating the proposed development, staff have identified elements of the proposal that do not appropriately address general Official Plan policies, as articulated in the Planning Concerns section below.

### **Zoning**

Staff has identified issues with certain requested zoning regulations of the proposed **R16-Exception (Detached Dwellings on a CEC – Private Road)** zone that are reinforced by corresponding general Official Plan policies, as articulated below.

### **Planning Concerns**

As outlined in the Information Report, there are a number of MOP policies that are relevant in the evaluation of these applications, including Sections 9.2.2.3 and 9.5.1.2 in particular. These policies speak to the need for new developments in Neighbourhoods to be compatible by enhancing the existing streetscape and providing appropriate transition to existing and planned development by respecting the continuity of front, rear and side yard setbacks and respecting the scale and character of the surrounding area.

Based on the above policies, it is clear in MOP that while modest intensification is to be accommodated within Neighbourhoods, compatibility with the surrounding area by way of respecting, relating and enhancing the existing context is a crucial test to determining the appropriateness of new development.

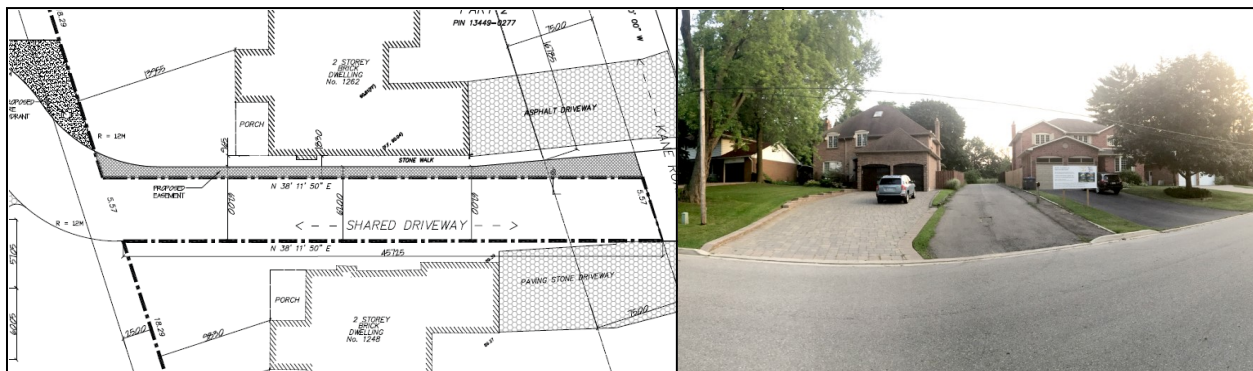
#### *Impacts on Kane Road Properties and Streetscape*

Access to the site on Kane Road has been modified by adding a portion of the property to the north (1262 Kane Road) in order to increase the private roadway width to 6.2 m (20.3 ft.). This would bring the edge of the asphalt within approximately 0.6 m (2.0 ft.) to the existing house at 1262 Kane Road, which is an unacceptable condition and could potentially create conflicts with snow plowing. In addition, the width still does not conform to the private roadway cross section standards as noted in Transportation and Works comments, which requires a width of 12.4 m (40.7 ft.) to accommodate engineering and buffering components. Further, the private roadway does not provide an adequate setback to the adjacent properties to the north and south and

affords no opportunity for landscaping between the edge of the private roadway and the property lines. This condition, which spans the depth of the adjacent lots, creates an unacceptable transition between this portion of the road and the adjacent properties fronting Kane Road. In order to mitigate any adverse impacts, a landscape buffer having a minimum width of 4.5 m (14.8 ft.) on either side of the roadway is required to allow for tree planting. Given the proposed intensification of the site, it is important that any redevelopment provide appropriate transition and buffering, especially in instances when a private roadway is located between two existing detached homes.

The Zoning By-law requires a minimum width of 7.0 m (23.0 ft.) for a private roadway in an **R16 (Detached Dwellings on a CEC – Private Road)** zone. Even with the addition of a portion of the northerly property (1262 Kane Road), as noted above, the proposed width of the roadway falls short of the Zoning By-law requirement. With the Region of Peel's requirement for a 13.0 m (42.6 ft.) turning radius to be provided at the Kane Road entrance and the need to satisfy the City's standard cross section for a private roadway, the current concept plan cannot satisfactorily accommodate these requirements.

The proposed private roadway configuration in conjunction with the existing driveways on the adjacent properties, as illustrated below, would also result in an undesirable and excessive amount of hard surface paving along Kane Road that would not maintain or enhance the existing streetscape and would negatively impact the adjacent properties.



Concept Plan and image showing the location of the private road access at Kane Road.

(Note: applicant has already increased roadway width paving to 6.2 m (20.35 ft.) as shown in image)

In summary, the proposed private roadway does not satisfy engineering standards detailed in comments from the City's Transportation and Works Department and from the Region of Peel. In addition, it does not address the compatibility policies noted above. There are negative impacts on both the adjacent northerly and southerly properties as well as on the Kane Road streetscape.

One way to address the concerns regarding the private roadway would be to include the property located north of the private roadway, known as 1262 Kane Road, which is also owned by the applicant. This would provide for an appropriate frontage onto Kane Road in order to address compatibility concerns and would achieve adequate transition and buffering.



### *Setback to Westerly Property Line*

The applicant is proposing a setback and landscape buffer of 1.5 m (4.9 ft.) from the westerly property line to the edge of the “hammerhead” portion of the private roadway, which includes visitor parking spaces. Immediately to the west are detached homes that front onto Vermillion Court that are part of the "Watercolours" subdivision. The rear yard setbacks of these homes range between 20.0 m (65.6 ft.) to 23.0 m (75.4 ft.).

Based on the applicant's Arborist Report, the removal of several mature trees located on the westerly portion of the site is required to accommodate the hammerhead portion of the private roadway. While replicating the rear yard setbacks of the Vermillion Court homes would be unnecessarily onerous, an increase of the proposed setback to the hammerhead portion of the roadway to achieve appropriate buffering and planting to reduce the impact on the rear yard amenity areas of the existing homes is recommended. In addition, the easterly portion of the rear yards of the homes that front onto Vermillion Court are zoned **G2-2 (Greenlands – Natural Features)** to allow for a natural protection area to recognize the existing mature trees. The Zoning By-law contains general provisions that require a minimum 5.0 m (16.4 ft.) setback to an area zoned Greenlands and is applicable in this case, whereas the applicant is proposing a 1.50 m (4.92 ft.) setback.



Aerial Image showing lots on Vermillion Court with concept plan and 3D Image (Source: Google Maps)

In summary, the proposed setback and landscape buffer of the “hammerhead portion” of the private roadway to the westerly property line is not acceptable as it does not provide for adequate buffering, tree preservation and transition to the existing homes to the west.

### **Additional Development Issues**

The applicant has yet to address the following outstanding items at the request of staff:

- Submission of a Tree Preservation Plan
- Submission of a Stage III Archaeological Assessment
- Submission of a Phase II Environment Site Assessment Report and a letter of reliance

- Region of Peel requirement of a 13.0 m (42.6 ft.) turning radius for the private road at the Kane Road access point
- Revisions and updates to the Stormwater Management Report, Functional Servicing Report, Noise Attenuation Report, Grading and Site Servicing Plans

### **Site Plan**

Should the applications be approved, the applicant will be required to obtain Site Plan approval. A site plan application has not been submitted for the proposed development to date.

### **Draft Plan of Subdivision**

The lands are the subject of a draft plan of subdivision. Development would be subject to the completion of services and registration of the plan if approved.

### **Financial Impact**

Development charges will be payable in keeping with the requirements of the Development Charges By-law of the City. Also, the financial requirements of any other commenting agency must be met.

### **Conclusion**

In summary, since the applications were submitted in August, 2016, staff has consistently communicated a number of concerns to the applicant, as detailed in this report, that currently remain outstanding. The proposed 6.2 m (2.0 ft.) private roadway width at the Kane Road entrance does not meet the private roadway cross sections which require a 12.4 m (40.7 ft.) width, among other issues. Also, the proposed westerly setback to the hammerhead portion of the private roadway is inappropriate in providing for acceptable buffering and transition. While the proposed land use and built form are generally acceptable, without resolution of these outstanding matters, staff cannot support the proposed development in its current form.

The proposed Rezoning and Draft Plan of Subdivision are not acceptable from a planning standpoint and should be refused for the following reasons:

1. The proposed development does not appropriately address certain general policies in Mississauga Official Plan related to compatibility and transition with the surrounding area.
2. It has not been demonstrated that the proposed zoning standards are appropriate to accommodate the proposed development based on the applicant's concept plan.
3. Numerous outstanding technical and design concerns have not been addressed at the time of the preparation of this report.

## Attachments

Appendix 1: Information Report

Appendix 2: Revised Draft Plan of Subdivision

A handwritten signature in black ink, appearing to read "E. R. Sajecki". The signature is fluid and cursive, with a large initial "E" and "S".

Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: David Ferro, Development Planner

City of Mississauga  
**Corporate Report**



Date: April 7, 2017

To: Chair and Members of Planning and Development Committee

From: Edward R. Sajecki, Commissioner of Planning and Building

Originator's files:  
 OZ 16/007 W2 &  
 T-M16002 W2

Meeting date:  
 2017/05/01

## Subject

### **PUBLIC MEETING INFORMATION REPORT (WARD 2)**

**Applications to permit 4 two storey detached homes on a private condominium road 1260 Kane Road, west side of Kane Road, south of Indian Road, north of the CN Railway**

**Owner: 1854290 Ontario Ltd.**

**Files: OZ 16/007 W2 & T-M16002 W2**

## Recommendation

That the report dated April 7, 2017, from the Commissioner of Planning and Building regarding the applications by 1854290 Ontario Ltd. to permit 4, two storey detached homes on a private condominium road under files OZ 16/007 W2 and T-M16002 W2, 1260 Kane Road, be received for information.

## Report Highlights

- This report has been prepared for a public meeting to hear from the community
- The project requires an amendment to the zoning by-law and a draft plan of subdivision
- Community concerns to date relate to impacts on adjacent residential properties, site design, character and landscaping
- Prior to the next report, matters to be addressed include an evaluation of the compatibility of the proposed development with the surrounding neighbourhood, the appropriateness of the proposed private roadway width and the resolution of technical requirements

## Background

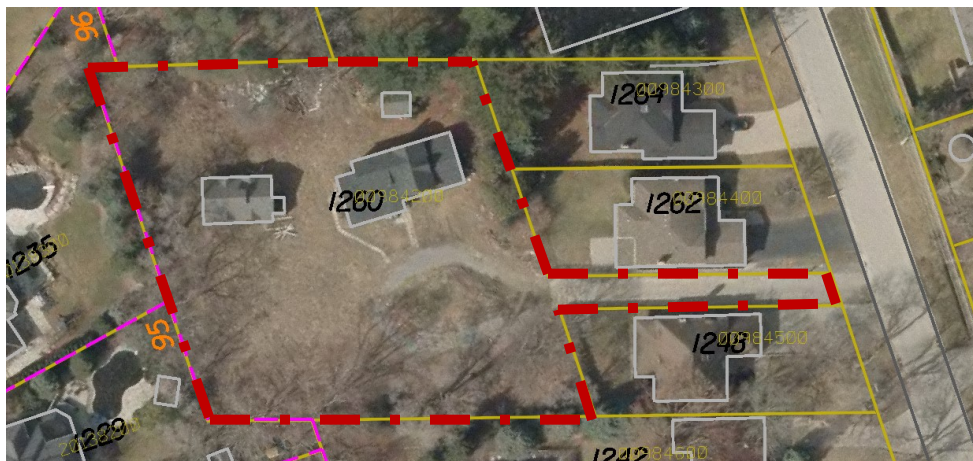
The applications have been circulated for technical comments and a community meeting was held on March 2, 2017. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

## Comments

### THE PROPERTY AND THE NEIGHBOURHOOD

Size and Use	
Frontage:	5.57 m (18.27 ft.) on Kane Road
Depth:	108.0 m (354.3 ft.)
Gross Lot Area:	0.38 ha (0.94 ac.)
Existing Uses:	Two storey detached home and two accessory buildings

The property is located in the Clarkson-Lorne Park Neighbourhood Character Area, which is an established neighbourhood characterized by detached homes on moderate to larger sized lots. The site can be described as a "key" lot with only its paved driveway having frontage onto Kane Road. Detached homes fronting onto Kane Road flank the existing driveway on either side. Both sides of Kane Road contain detached homes on large lots with mature vegetation. Some lots on the east side of the street are through lots with their frontage and driveways on Mississauga Road, which runs parallel to Kane Road. Immediately west of the site is the "Watercolours" residential development. This site was rezoned and a plan of subdivision approved in June 2001.



Aerial image of  
1260 Kane Road

The surrounding land uses are:

- North: Detached homes
- East: Detached homes
- South: Detached homes
- West: Detached homes in "Watercolours" subdivision



Information regarding the history of the site is found in Appendix 1.

### DETAILS OF THE PROJECT

The applications are to permit 4 two storey detached homes on a private condominium road with access onto Kane Road. Each home will have a two car garage, and two visitor parking spaces are proposed on the southwestern portion of the private condominium road (see Appendix 5).

The applicant is proposing to achieve a private road width of 6.00 m (19.69 ft.) by adding an easement along the southerly limit of the property to the north, (1262 Kane Road). Staff will evaluate the viability and appropriateness of this approach prior to the Recommendation Report. It is also noted that the property owner has paved the area subject to the proposed easement without City approval. The City's By-law Enforcement Division has been advised of the issue, as the paving on 1262 Kane Road appears to contravene a provision of the Zoning By-law that requires the nearest part of a driveway to be a minimum of 0.6 m (2.0 ft.) from a side lot line. This paving results in a 0.0 m (0.0 ft.) setback to the lot line.

Development Proposal		
Applications submitted:	Received: August 4, 2016 Deemed complete: September 13, 2016	
Developer Owner:	1854290 Ontario Ltd.	
Applicant:	Nick Dell Greg Dell & Associates	
Number of units:	4 detached homes	
Height:	2 storeys; 9.0 m (29.5 ft.)	
Landscaped Area (total):	45%	
Gross Floor Area (range):	320 m <sup>2</sup> (3,444 ft <sup>2</sup> ) – 356 m <sup>2</sup> (3,831 ft <sup>2</sup> )	
Road type:	Common element condominium (CEC) private road	
Anticipated Population:	15.6* *Average household sizes for all units (by type) for the year 2011 (city average) based on the 2013 Growth Forecasts for the City of Mississauga.	
Parking:	Required	Proposed
resident spaces	8	8
visitor spaces	1	2
Total	9	10

Additional information is provided in Appendices 1 to 11.



Image of site access onto Kane Road looking into subject lands



Image of existing two storey dwelling internal to subject lands

Image of existing conditions



Applicant's rendering of proposed 4 detached homes

## LAND USE CONTROLS

The subject lands are located within the Clarkson-Lorne Park Neighbourhood Character Area and are designated **Residential Low Density I** which permits detached dwellings. The applications are in conformity with the land use designation.

A rezoning is proposed from **R2-3** (Detached Dwellings – Typical Lots) to **R16-Exception** (Detached Dwellings on a CEC – Private Road) to permit four detached homes on private condominium road in accordance with the proposed zone standards contained within Appendix 10.

Detailed information regarding the Official Plan and Zoning is in Appendices 9 and 10.

A draft plan of subdivision is required in order to permit the creation of the 4 residential lots on a private condominium road.

### **WHAT DID THE COMMUNITY SAY?**

A community meeting was held by Ward 2 Councillor, Karen Ras on March 2, 2017.

Comments made by the community are listed below. They will be addressed along with comments raised at the public meeting in the Recommendation Report, which will come at a later date.

- The potential for the proposed development to destabilize the character of the area
- The potential impact on the rear yards of the adjacent properties to the west located on Vermillion Court
- The adequacy of landscape buffers along the proposed private condominium road to the adjacent residential properties, including the hammerhead portion at the western portion of the site.
- The functionality and viability of the proposed private roadway and how it impacts the streetscape and surrounding character of the area

### **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix 7 and school accommodation information is contained in Appendix 8. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Are the policies and principles of Mississauga Official Plan maintained?
- Is the proposal compatible with the character of the area?
- Are the proposed zoning standards appropriate?
- Have all of the technical requirements and studies related to the project been submitted and found to be acceptable?
- Is there sufficient buffering between the proposed development and the adjacent detached homes?
- Is the proposed private road appropriate and compatible with the streetscape and surrounding context?

### **OTHER INFORMATION**

The applicant has submitted the following information in support of the applications:

- Planning Justification Report
- Acoustic Feasibility Study
- Stage 1 & 2 Archaeological Assessment
- Arborist Report
- Environmental Site Screening Questionnaire and Declaration

- Stormwater Management Report
- Functional Servicing Report
- Servicing and Grading Plans
- Lighting Plan
- Concept Plan

### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering and conservation matters with respect to servicing, utility location and grading 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. Prior to any development proceeding on site, the City will require the submission and review of an application for site plan approval.

### **Financial Impact**

Development charges will be payable as required by the Development Charges By-law of the City. Also the financial requirements of any other external commenting agency must be met.

### **Conclusion**

All agency and City department comments have been received. The Planning and Building Department will make a recommendation on this project after the public meeting has been held and the issues have been resolved.

### **Attachments**

- Appendix 1: Site History
- Appendix 2: Aerial Photograph
- Appendix 3: Excerpt of Clarkson-Lorne Park Neighbourhood Character Area Land Use Map
- Appendix 4: Zoning and General Context Map
- Appendix 5: Concept Plan
- Appendix 6: Elevations
- Appendix 7: Agency Comments
- Appendix 8: School Accommodation
- Appendix 9: Summary of Existing and Proposed Mississauga Official Plan Policies and Relevant Mississauga Official Plan Policies
- Appendix 10: Summary of Existing and Proposed Zoning Provisions



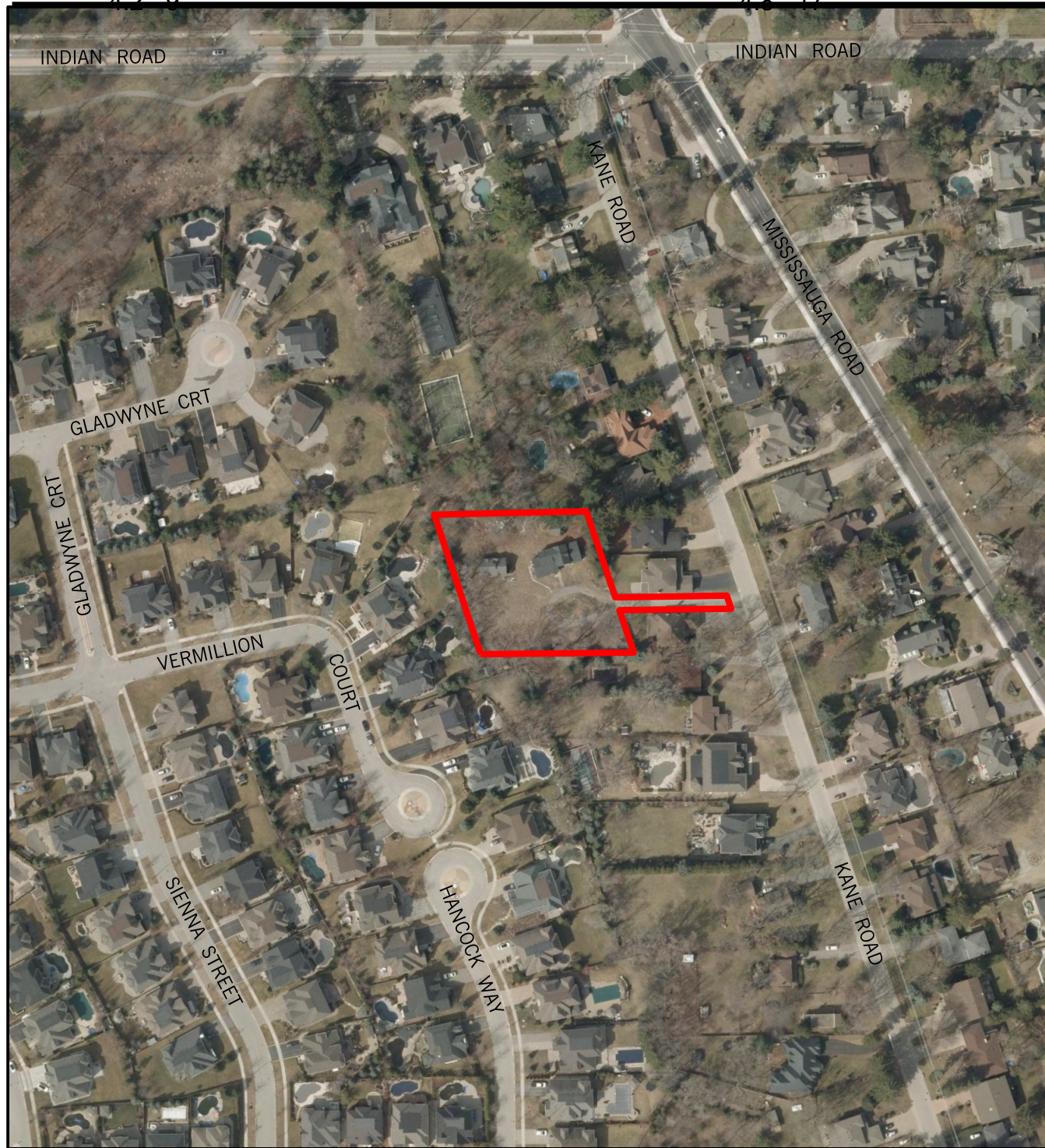
Edward R. Sajecki, Commissioner, Planning and Building

Prepared By David Ferro, Development Planner

**1854290 Ontario Ltd.****Files: OZ 16/007 W2 & T-M16002 W2****Site History**

- July 13, 1983 – Rezoning application under file OZ80/088 W2 was approved by the Ontario Municipal Board (OMB) to permit the creation of three lots for residential purposes fronting onto Kane Road resulting in the key lot configuration that exists today
- November 22, 2001 – Site Plan application submitted under file SPI 01/434 W2 to permit a replacement detached dwelling on the subject site
- February 12, 2002 – Minor variance application under file 'A' 143/02 associated with SPI 01/434 W2 to permit the construction of a two storey detached dwelling on the subject property having a reduced lot area and frontage and proposing a roof and eave height and driveway width in excess of the by-law requirements approved by Committee of Adjustment
- July 30, 2002 – Tree Permit issued in association with SPI 01/434 W2 to remove nine trees to accommodate proposed replacement detached dwelling
- January 4, 2005 – Site Plan application under file SPI 01/434 W2 cancelled
- April 11, 2007 – Site Plan application submitted under file SPM 07/087 W2 to permit a replacement barn on the subject site
- January 9, 2008 – Minor Variance application under file 'A' 435/07 associated with SPM 07/087 W2 to permit two accessory structures (garden shed and barn) with the proposed barn having excessive floor area size and height approved by the Committee of Adjustment
- October 7, 2008 – Site Plan application under file SPM 07/087 W2 cancelled





**LEGEND:**

 SUBJECT LANDS

DATE OF AERIAL IMAGERY: SPRING 2016

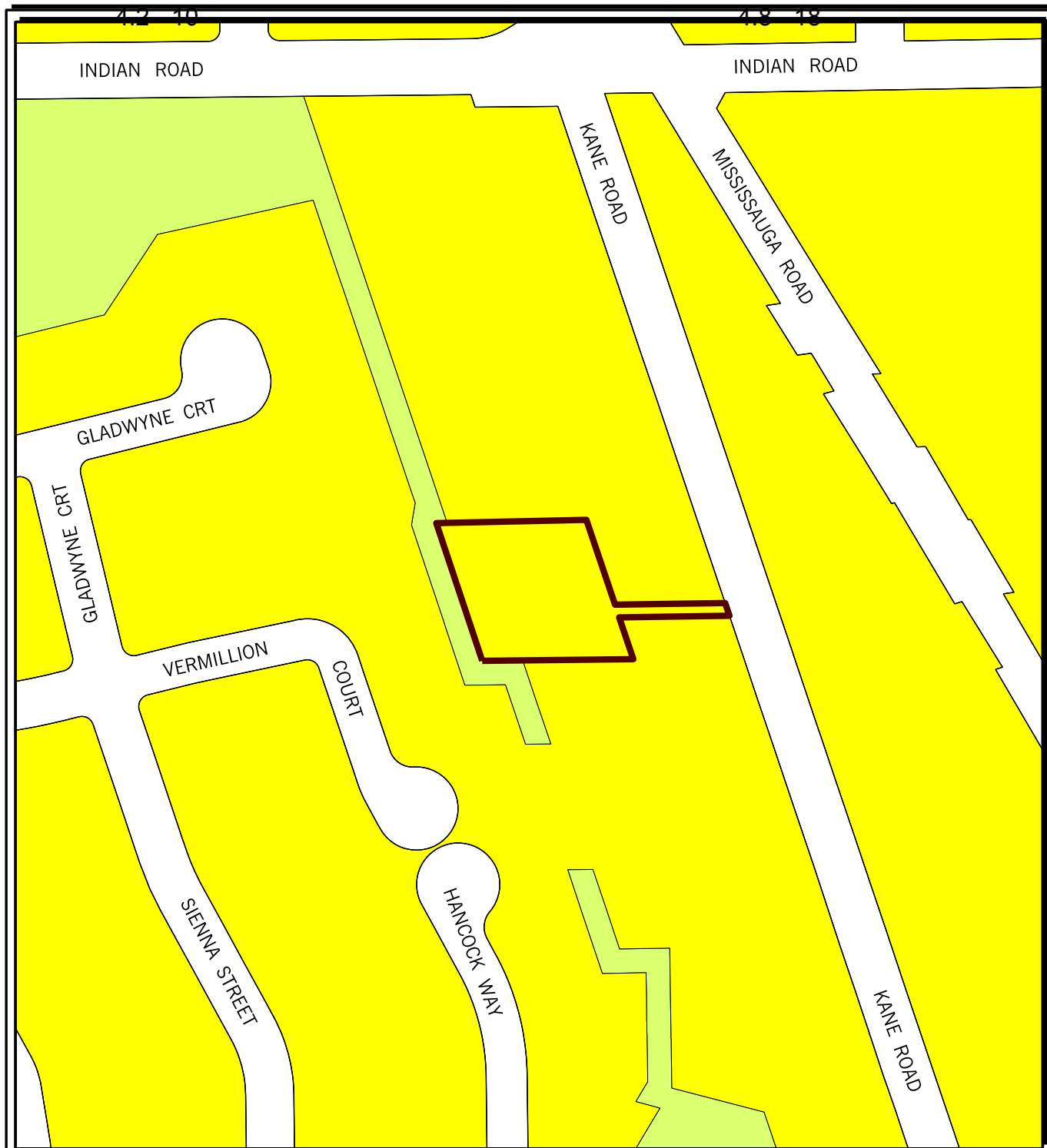


**TITLE:** 1854290 Ontario Ltd.

**FILE NO:** OZ 16/007 W2 & T-M16002 W2

 **MISSISSAUGA**

Produced by  
T&W, Geomatics



**PART OF SCHEDULE 10 LAND USE DESIGNATIONS  
OF MISSISSAUGA OFFICIAL PLAN**

- LAND USE DESIGNATIONS**
- |                            |                       |
|----------------------------|-----------------------|
| Residential Low Density I  | Airport               |
| Residential Low Density II | Institutional         |
| Residential Medium Density | Public Open Space     |
| Residential High Density   | Private Open Space    |
| Mixed Use                  | Greenlands            |
| Convenience Commercial     | Parkway Belt West     |
| Motor Vehicle Commercial   | Utility               |
| Office                     | Special Waterfront    |
| Business Employment        | Partial Approval Area |
| Industrial                 |                       |

- BASE MAP INFORMATION**
- |   |                              |
|---|------------------------------|
| Heritage Conservation District                            | Civic Centre (City Hall)     |
| 1996 NEP/2000 NEF Composite Noise Contours                | City Centre Transit Terminal |
| LBPIA Operating Area Boundary See Aircraft Noise Policies | GO Rail Transit Station      |
| Area Exempt from LBPIA Operating Area                     | Public School                |
| Natural Hazards   | Catholic School              |
|   | Hospital                     |
|   | Community Facilities         |

- City Structure**
- |                |                      |
|----------------|----------------------|
| Downtown       | Corporate Centre     |
| Major Node     | Employment Area      |
| Community Node | Special Purpose Area |
| Neighbourhood  |                      |

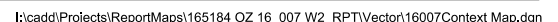
**SUBJECT LANDS**



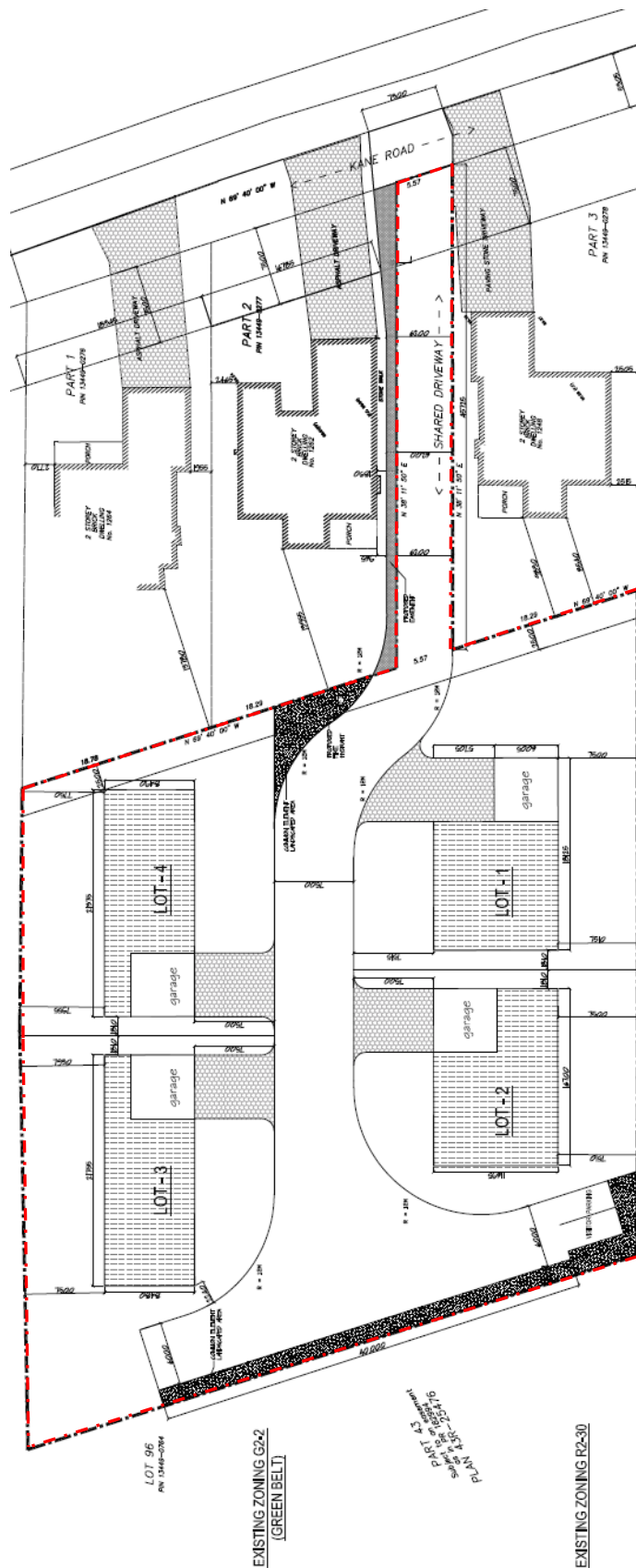
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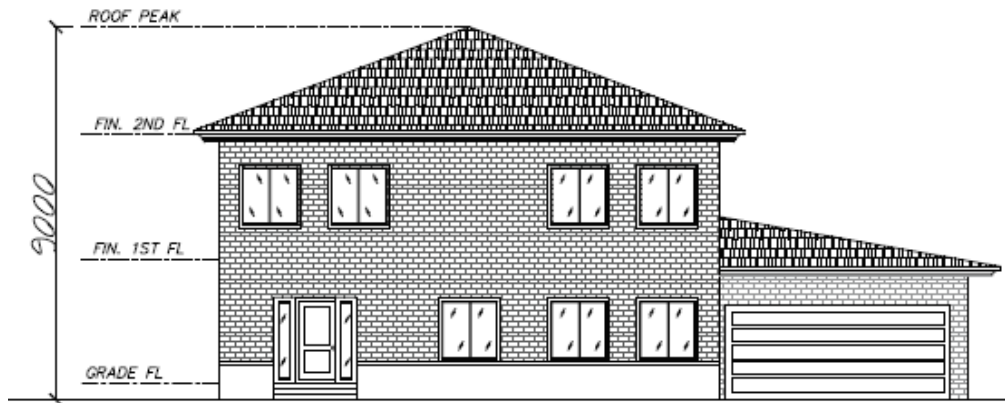


## Concept Plan



1854290 Ontario Ltd.

Files: OZ 16/007 W2 &amp; T-M16002 W2

**Proposed Elevations**



1854290 Ontario Ltd.

Files: OZ 16/007 W2 &amp; T-M16002 W2

**Agency Comments**

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

Agency / Comment Date	Comment
<p>Region of Peel (October 25, 2016)</p>	<p>Municipal sanitary sewer facilities consist of a 250 mm (10 in.) sewer on Kane Road. External easements and construction may be required.</p> <p>The lands are located in Water Pressure Zone 1. Existing infrastructure consists of a 400 mm (16 in.) watermain on Kane Road. External easements and construction may be required.</p> <p>At the Draft Plan of Condominium stage, the Region will require the applicant to enter into a Condominium Water Servicing Agreement and will need to review and approve the draft Declaration and Description with completed Schedule A for the future Common Elements Condominium (Block 5).</p> <p>The Developer acknowledges that the lands are subject to the current Regional Development Charges By-law. The applicable development charges shall be paid in the manner and at the times provided by this By-law.</p> <p>The Region of Peel will provide curbside collection of garbage, recyclable materials, household organics and yard waste subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• The turning radius from the centre line must be a minimum of 13 m (42.6 ft.) on all turns</li> <li>• All roads must have a minimum width of 6 m (19.7 ft.)</li> <li>• The waste set out location is to be as close as possible to the travelled portion of the roadway, directly adjacent to the private property of the unit occupier/owner, directly accessible to the waste collection vehicle and free of obstructions (i.e. parked cars)</li> </ul>
<p>Dufferin-Peel Catholic District School Board and the Peel District School Board (September 19, 2016)</p>	<p>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.</p>

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Agency / Comment Date	Comment
City Community Services Department – Park Planning Section (February 24, 2017)	<p>The subject site is located within 195 m (640 ft.) of Palette Park (P-440) which contains a play site. This site is also located within 340 m (1,115 ft.) of Vanessa Park which contains an outdoor ice rink and play site.</p> <p>Prior to the issuance of the building permit 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> and in accordance with City Policies and By-laws.</p>
City Community Services Department – Culture Division/Heritage Planning (October 18, 2016)	<p>The property has archaeological potential due to its proximity to a watercourse or known archaeological resource. The proponent shall carry out an archaeological assessment of the subject property 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 property 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. Letters to this effect from said Ministry corresponding to each archaeological assessment report and activity are required to be submitted to the Culture Division for review.</p>
City Transportation and Works Department (T&W) (March 1, 2017)	<p>The applicant has been requested to address the following:</p> <ul style="list-style-type: none"> <li>• Update and sign the Noise Report to reflect the current proposal</li> <li>• Revise the engineering drawings to add additional technical details and ensure the proposal conforms to Common Element Condominium standards</li> <li>• Update the Stormwater Management (SWM) Report</li> <li>• Acquisition of additional lands are required from the adjacent lot to ensure adequate driveway width and access on Kane Road</li> <li>• Confirm access and turnaround is adequate for Fire and Waste Collection vehicles</li> <li>• Complete the required Environmental Site Screening Questionnaire and Declaration (ESSQD) form and submit a Phase I Environmental Assessment, including a Letter of Reliance</li> </ul> <p>As the above noted items and additional specific technical details requested remain outstanding, T&amp;W is not in a position to confirm if the proposal is feasible and is not in favour of this application proceeding to a Recommendation Report until the outstanding matters have been satisfactorily resolved.</p>

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Files: OZ 16/007 W2 &amp; T-M16002 W2

Agency / Comment Date	Comment
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <ul style="list-style-type: none"><li>• Fire</li><li>• Canada Post</li><li>• Alectra</li><li>• Rogers Cable</li><li>• Enbridge Gas</li></ul>
	<p>The following external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"><li>• Bell Canada</li><li>• Trillium Health Partners</li></ul>

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Files: OZ 16/007 W2 &amp; T-M16002 W2

**School Accommodation**

The Peel District School Board	The Dufferin-Peel Catholic District School Board
<ul style="list-style-type: none"> <li>Student Yield: <ul style="list-style-type: none"> <li>1 Kindergarten to Grade 8</li> <li>1 Grade 9 to Grade 12</li> </ul> </li> <li>School Accommodation: <ul style="list-style-type: none"> <li>Riverside P.S. <ul style="list-style-type: none"> <li>Enrolment: 302</li> <li>Capacity: 452</li> <li>Portables: 0</li> </ul> </li> <li>Lorne Park S.S. <ul style="list-style-type: none"> <li>Enrolment: 994</li> <li>Capacity: 1,236</li> <li>Portables: 0</li> </ul> </li> </ul> </li> </ul> <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p>	<ul style="list-style-type: none"> <li>Student Yield: <ul style="list-style-type: none"> <li>1 Junior Kindergarten to Grade 8</li> <li>1 Grade 9 to Grade 12</li> </ul> </li> <li>School Accommodation: <ul style="list-style-type: none"> <li>Iona Catholic S.S. <ul style="list-style-type: none"> <li>Enrolment: 723</li> <li>Capacity: 968</li> <li>Portables: 15</li> </ul> </li> </ul> </li> </ul>

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Files: OZ 16/007 W2 &amp; T-M16002 W2

### Summary of Existing and Proposed Mississauga Official Plan Policies and Relevant Mississauga Official Plan Policies

The subject property is designated **Residential Low Density I** which permits only detached dwellings.

#### Relevant Mississauga Official Plan Policies

	Specific Policies	General Intent
Chapter 5 - Direct Growth	Section 5.1.7	Mississauga will protect and conserve the character of stable residential Neighbourhoods.
	Section 5.3.5.5 - Neighbourhoods	Intensification within Neighbourhoods 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.
	Section 5.3.5.6	Development will be sensitive to the existing and planned context and will include appropriate transitions in use, built form, density and scale.
Chapter 9 - Build a Desirable Urban Form	Section 9.2.2.3 - Non-Intensification Areas	While new development need not mirror existing development, new development in neighbourhoods will: <ul style="list-style-type: none"> <li>b. Respect the continuity of front, rear and side yard setbacks</li> <li>c. Respect the scale and character of the surrounding area</li> <li>g. Be designed to respect the existing scale, massing, character and grades of the surrounding area</li> </ul>
	Section 9.3.1.7	Streetscape 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 and surrounding landscape of the existing or planned character of the area.
	Section 9.5.1.2 – Site Development & Buildings	Developments should be compatible and provide appropriate transition to existing and planned development by having regard for the following elements: <ul style="list-style-type: none"> <li>a. Streets and block patterns</li> <li>b. The size and configuration of properties along a street, including lot frontages and areas</li> <li>c. Continuity and enhancements of Streetscape</li> <li>d. Front, side and rear yard</li> </ul>



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	Specific Policies	General Intent
Chapter 11 – Land Use Designations	Section 11.2.5.3 - Residential	Lands designated Residential Low Density I will permit the following uses: <ul style="list-style-type: none"><li>a. detached dwelling</li><li>b. semi-detached dwelling</li><li>c. duplex dwelling</li></ul>

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Files: OZ 16/007 W2 &amp; T-M16002 W2

	Specific Policies	General Intent
Chapter 16 – Neighbourhoods	16.1.2 Residential	<p>16.1.2.1 To preserve the character of lands designated Residential Low Density I and Residential Low Density II, the minimum frontage and area of new lots created by land division or units or parcels of tied land (POTLs) created by condominium will generally represent the greater of:</p> <p>a. The average frontage and area of residential lots, units or POTLs on both sides of the same street within 120 m of the subject property. In the case of corner development lots, units or POTLs on both streets within 120 m will be considered; or</p> <p>b. the requirements of the Zoning By-law.</p>
	16.5.1 Urban Design Policies	16.5.1.1 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 16.5.1.4 - Infill Housing	<p>For development of all detached dwellings on lands identified in the Site Plan Control By-law, the following will apply:</p> <p>a. preserve and enhance the generous front, rear and side yard setbacks</p> <p>b. ensure that existing grades and drainage conditions are preserved</p> <p>c. encourage new housing to fit the scale and character of the area</p> <p>d. ensure that new development has minimal impact on its adjacent neighbours with respect to overshadowing and overlook</p> <p>e. encourage buildings to be one to two storeys in height. The design of the building should de-emphasize the height of the house and be designed as a composition of small architectural elements, i.e. projecting dormers and bay windows</p> <p>f. reduce the hard surface areas in the front yard</p> <p>g. preserve existing mature high quality trees to maintain the existing mature nature of these areas</p> <p>h. house designs which fit with the scale and character of the local area, and take advantage of the particular site are encouraged. The use of standard, repeat designs is strongly discouraged</p> <p>i. the building mass, side yards and rear yards should respect and relate to those of adjacent lots</p>
	Section 16.5.2.1 – Land Use	Notwithstanding the Residential Low Density I policies of this Plan, the Residential Low Density I designation permits only detached dwellings

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Files: OZ 16/007 W2 &amp; T-M16002 W2

**Summary of Existing and Proposed Zoning Provisions****Existing Zoning By-law Provisions****R2-3** (Detached Dwellings – Typical Lots), which permits detached dwellings.**Proposed Zoning Standards**

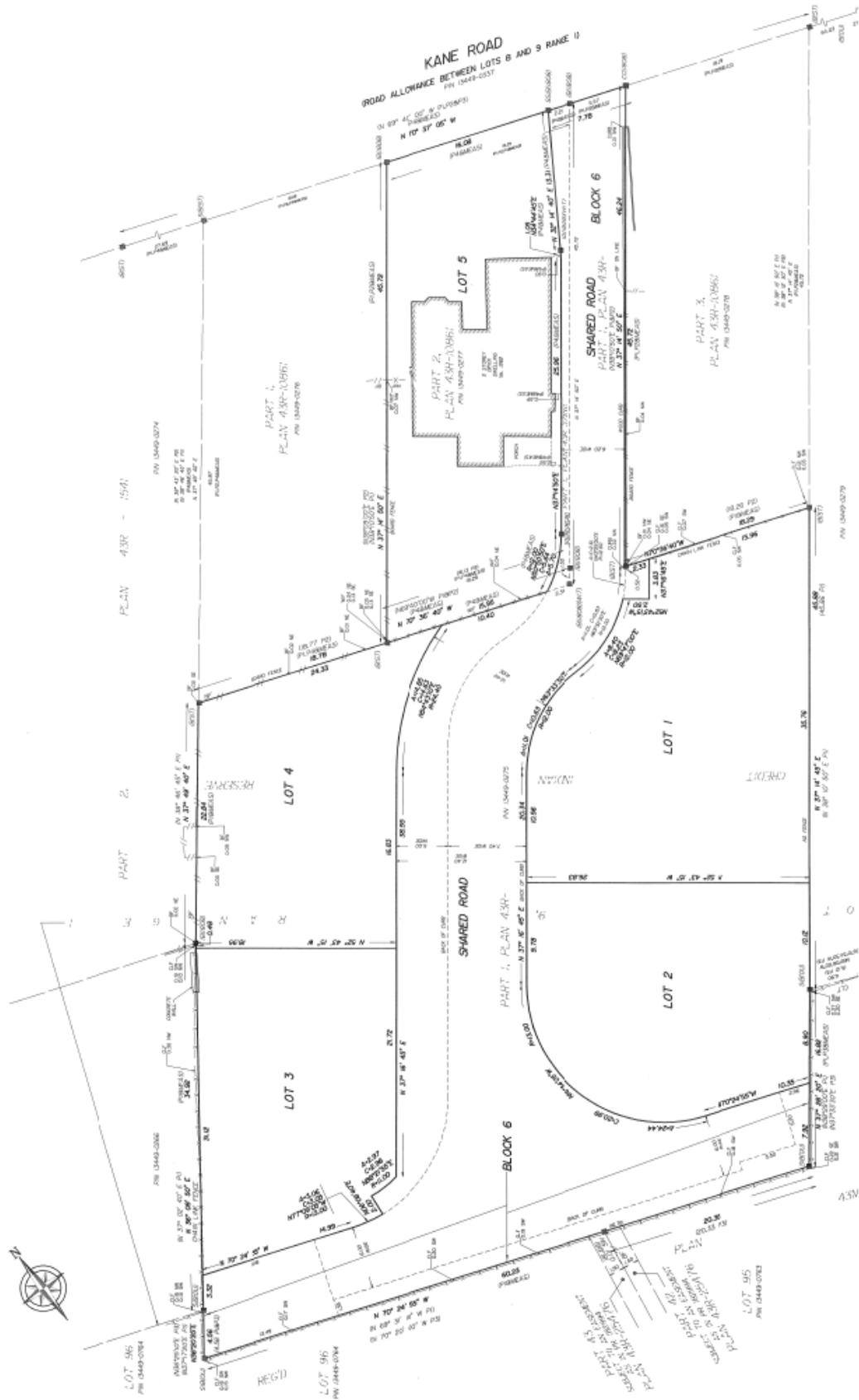
The applicant is proposing to rezone the subject lands from **R2-3** (Detached Dwellings – Typical Lots) to **R16-Exception** (Detached Dwellings on a CEC – Private Road)

	<b>Existing R2-3 Zoning By-law Standards</b>	<b>Required General R16 Zoning By-law Standards</b>	<b>Proposed R16 - Exception Zoning By-law Standards</b>
Use	Detached Dwelling	Detached Dwelling on a CEC – private road	Detached Dwelling on a CEC – private road
Minimum Lot Area – Interior Lot	3 865 m <sup>2</sup> (41, 602 ft <sup>2</sup> )	550 m <sup>2</sup> (5,920 ft <sup>2</sup> )	560 m <sup>2</sup> (6,027 ft <sup>2</sup> )
Minimum Lot Area – Corner Lot	810 m <sup>2</sup> (8, 718 ft <sup>2</sup> )	720 m <sup>2</sup> (7,750 ft <sup>2</sup> .)	560 m <sup>2</sup> (6,027 ft <sup>2</sup> .)
Minimum Lot Frontage – Interior Lot	5.50 m (18.0 ft.)	15.0 (49.2 ft.)	21.0 m (68.9 ft.)
Minimum Lot Frontage – Corner Lot	21.0 m (68.9 ft.)	19.5 m (64.0 ft.)	21.0 m (68.9 ft.)
Maximum Height – Highest Ridge (sloped roof)	Lot Frontage greater than 22.5 m (73.8 ft.): 9.5 m (31.2 ft.)  Lot Frontage less than 22.5 m (73.8 ft.): 9.0 m (29.5 ft.)	10.7 m (35.1 ft.)	9.0 m (29.5 ft.)
Maximum Height – (flat roof)	7.5 m (24.6 ft.)	-	7.5 m (24.6 ft.)
Maximum Height of Eaves	6.4 m (21 ft.)	-	-
Minimum width of a CEC – private road	-	7.0 m (23.0 ft.)	6.0 m (19.7 ft.)
Maximum Lot Coverage	30%	35%	28%
Minimum Interior Side Yard	1.81 m (5.9 ft.) + 0.61 m (2.0 ft.) for each additional storey	1.20 m (3.93 ft.) + 0.61 m (2.0 ft.) for each additional storey	1.20 m (3.93 ft.) + 0.61 m (2.0 ft.) for each additional storey
Minimum Side Yard – abutting rear yard	-	2.5 m (8.2 ft.)	2.5 m (8.2 ft.)
Maximum Gross Floor Area	190 m <sup>2</sup> (2, 045 ft <sup>2</sup> ) + 0.20 times the lot area	-	190 m <sup>2</sup> (2, 045 ft <sup>2</sup> ) + 0.20 times the lot area

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File: OZ 16/007 W2 &amp; T-M 16/002 W2

## Revised Draft Plan of Subdivision



# City of Mississauga

## Corporate Report



Date: September 11, 2017

To: Chair and Members of Planning and Development Committee

From: Mary Ellen Bench, BA, JD, CS, CIC.C, City Solicitor

Originator's files:  
LA.07.139

Meeting date:  
2017/09/25

### Subject

**Update on Bill 139, an Act to enact the Local Planning Appeal Tribunal Act, 2017 and the Local Planning Appeal Support Centre Act, 2017 and to amend the Planning Act, the Conservation Authorities Act and various other Acts**

### Recommendation

That the Mayor or her designate be authorized to make submissions to the Standing Committee in support of Bill 139 and with respect to the issues raised in this report of the City Solicitor dated September 11, 2017 titled "Update on Bill 139, an Act to enact the Local Planning Appeal Tribunal Act, 2017 and the Local Planning Appeal Support Centre Act, 2017 and to amend the Planning Act, the Conservation Authorities Act and various other Acts", or to otherwise provide comments in writing as part of the Ministry's public consultation process..

### Report Highlights

- Bill 139, an Act to enact the Local Planning Appeal Tribunal Act, 2017 and the Local Planning Appeal Support Centre Act, 2017 and to amend the Planning Act, the Conservation Authorities Act and various other Acts ("Bill 139") received first reading on May 30, 2017 and includes a number of significant changes to the land use planning appeal system in Ontario.
- Legal Services staff have undertaken consultation meetings with Members of Council and affected City departments to obtain feedback and comments on the changes being proposed by the Bill. This Report addresses the comments and questions raised in those consultations.
- It is recommended that the Mayor or her designate make submissions to the Standing Committee to communicate the City's support for the Bill, and to provide comments as outlined in this Report.



## Background

In 2016 the Province initiated a review of the Ontario Municipal Board's scope and effectiveness to determine improvements with respect to how the Board works within Ontario's broader land use planning system. City Council endorsed recommendations for changes and provided a submission to the Province as part of its review. The result is Bill 139, which received first reading on May 30, 2017. It includes significant amendments to the land use planning appeal system in Ontario to give communities a stronger voice in land use planning.

Bill 139 enacts the Local Planning Appeal Tribunal Act, 2017, the Local Planning Appeal Support Centre Act, 2017 which establishes the Local Planning Appeal Support Centre, and includes amendments to the *Planning Act*, the *Conservation Authorities Act* and various other Acts, and repeals the *Ontario Municipal Board Act*.

At the time of the writing of this Report, Second Reading of the Bill had been scheduled for September 11, 2017, however no Standing Committee dates have been scheduled to consider the Bill and no further information has been released related to the implications of this new legislation.

On June 12, 2017 Legal Services brought a Report forward (attached as Appendix 1) to Planning and Development Committee ("PDC") outlining the most significant changes to land use planning appeals proposed by Bill 139. PDC amended the recommendations in that Report, to allow that the report be received, and that a supplementary report be brought back once staff have reviewed the implications of the proposed amendments by the Province of Ontario to replace the Ontario Municipal Board Act (Resolution PDC-0036-2017).

## Comments

Over the course of the summer recess, Legal Services staff have met with Members of Council and with staff from various affected City departments to consult on the position of the City with respect to the proposed amendments.

As a result of these consultations, it is recommended that the City participate in the Standing Committee hearings, once scheduled. The primary position of the City would be to emphasize the City's support for Bill 139 and for the reforms that are being proposed to the OMB. As outlined in the previous Report at Appendix 1, overall the proposed changes to the Planning Act and the land use planning appeal process are in keeping with the purpose of previous submissions put forward by Council and help to strengthen the authority of municipalities to make local land use planning decisions. In general, staff have indicated that they have no substantive concerns with the amendments proposed to the Conservation Authorities Act. In addition to the City's support for the Bill, it is recommended that the following comments be submitted:

- 1) That the Province confirm or clarify how the new test for conformity will apply to appeals for non-decisions under the Planning Act.

One of the key amendments to the Planning Act being proposed by Bill 139 is to eliminate “de novo” hearings for the majority of planning appeals. Appeals to the Tribunal would only be allowed where it is shown that the Council decision is inconsistent with a policy statement or fails to conform or conflicts with a provincial plan or upper tier plan (the “conformity test”). What is not clear from the current version of the Bill is how the conformity test will be applied where an appeal has been filed under those sections of the Planning Act which allow an appeal to be filed where the approval authority has failed to make a decision within the statutory timeframe. In such a scenario, there is no Council “decision” that may be assessed by the Tribunal. The Bill does expand the timelines for making decisions, to 150 days in the case of zoning by-law amendment applications, and up to 210 days where the zoning amendment application is filed along with an official plan amendment application. It does however appear from the current wording of the Bill that appeals for non-decisions continue as they currently exist before the OMB which would have the effect of undermining the proposed conformity test. There may often be good reasons why the City has not been able to make a decision within the statutory timeframe (i.e, lack of necessary information) and the proposed legislation needs to ensure that the test is applied consistently in such cases.

- 2) That the Province impose stringent transition provisions to prevent an unmanageable influx of appeals to be filed once the amendments come into force.

There is a concern with appeals being filed for strategic reasons by parties seeking to enter their applications into the appeal stream before the OMB reform comes into effect. In particular there may be appeals filed for non-decision at a stage in the process where there was not sufficient information available for Council to make a decision. In order to ensure a smooth transition and to avoid unnecessary appeals, the Province should impose a transition provision that would only permit appeals filed prior to first reading (May 30, 2017) to be heard by the OMB. All other appeals would transition into the new Tribunal process. A second position would be to provide a transition provision that would only permit appeals filed prior to the date of Royal Assent. Any applications filed prior to this date which have not been appealed to the OMB would be subject to the amended process.

- 3) Clarify what the requirements are for climate change policies and how appeals of these policies would be dealt with.

Bill 139 proposes to amend Section 16 of the Planning Act to require official plans to contain policies relating to climate change. In the City’s submission more information is required as to the nature of these policies, what types of issues they should address and how they should be implemented. It is also recommended that policies that are included related to climate change should not be subject to appeal, similarly to policies related to transit station areas. If climate change policies are appealable, the legislation needs to specify what standard of review would be applied by the Tribunal.

- 4) The Province should provide better communication to residents regarding how the conformity test will be applied and what the impact will be for municipal decisions.

There is a concern that the Province has not effectively communicated to residents that Council will continue to be required to adhere to provincial and upper-tier plans and policies in making decisions related to development applications. While the proposed reforms will significantly alter the way in which OMB hearings are conducted and the grounds upon which appeals may be filed, it is important for residents to understand that the intention of the reforms is not to minimize development or to allow municipalities to make decisions unilaterally in the absence of Provincially mandated requirements for density targets and other matters. It is suggested that the Province should prepare community information materials for the public that make clear what the amendments will achieve.

- 5) Section 37 benefits and appeals of Community Improvement Plans should be added to the list of items that are not appealable to the OMB.

Bill 139 proposed to exempt from appeal to the Tribunal a number of matters where the final decision is more appropriately made at the local level. These include policies to support growth in major transit areas, and applications to amend new secondary plans (for a period of two years, unless permitted by Council). The Bill also provides that only the Minister may appeal an interim control-by-law when it is first passed. In the City's view, these exemptions should be expanded to include decisions by the municipality with respect to Section 37 benefits and Community Improvement Plans (CIP's). Currently the Planning Act provides both Section 37 benefits and CIP's as effective tools for municipalities to facilitate and direct land use intensification, and to stimulate economic recovery in the case of CIP's, however the Act does not provide a clear standard of review for Council decisions over these matters. Given the Province's proposal that the Tribunal's mandate be limited, it is appropriate that the final decision with respect these tools be held by the local municipality.

- 6) There are a number of other technical issues that raise concerns and staff propose should be raised as part of the submissions on Bill 139. These include:
  - There is an anomaly in the current statutory provisions between when an official plan amendment comes into force and effect on the one hand (after appeals are resolved), and when a new zoning by-law comes into force and effect (retroactive to the date of enactment). This creates implementation challenges for municipalities and it is proposed that the two should be coordinated.
  - There is a concern as to how the new test for conformity will be applied. In particular, it is not clear whether the Tribunal will make a determination of conformity almost on a "de novo" standard, which is the current and historic standard of review, or whether there will be deference to the municipal decision. If there is to be deference, then a standard of "reasonableness" should apply when the Tribunal is required to determine whether the municipal decision meets

the conformity test. This needs to be clearly stated in the legislation to avoid lengthy and costly appeals to the court.

## Financial Impact

It is not known the extent of the future potential impact on City resources, including the need for additional staffing on behalf of Legal Services, Planning and Building and other affected City departments.

## Conclusion

Bill 139 is an Act which amends the land use planning appeal system in Ontario to give communities a stronger voice and ensures that people have access to faster, fairer and more affordable hearings.

In its previous Report, Legal Services identifies the most significant changes to land use planning appeals proposed by Bill 139. Following consultations with Members of Council and staff on the proposed Bill, it is recommended that Council authorize the Mayor or her designate to make submissions at the Standing Committee in support of Bill 139, or to otherwise provide comments in writing as part of the Province's public consultation process, in keeping with the comments outlined in this Report.

## Attachments

Appendix 1: Bill 139 Corporate Report dated June 6, 2017



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Mary Ellen Bench, BA, JD, CS, CIC.C, City Solicitor

Prepared by: Marcia Taggart, Deputy City Solicitor

# City of Mississauga

## Corporate Report



Date: 2017/06/06  To: Chair and Members of Planning and Development Committee	Originator's files: LA.07.OMB
From: Mary Ellen Bench, BA, JD, CS, CIC.C, City Solicitor	Meeting date:  June 12, 2017

### Subject

**Bill 139, an Act to enact the Local Planning Appeal Tribunal Act, 2017 and the Local Planning Appeal Support Centre Act, 2017 and to amend the Planning Act, the Conservation Authorities Act and various other Acts.**

### Recommendation

That the Mayor or her designate be authorized to make submissions to the Standing Committee with respect to the issues raised in this report of the City Solicitor dated June 6, 2017 titled "Bill 139, an Act to enact the Local Planning Appeal Tribunal Act, 2017 and the Local Planning Appeal Support Centre Act, 2017 and to amend the Planning Act, the Conservation Authorities Act and various other Acts", or to otherwise provide comments in writing as part of the Ministry's public consultation process..

### Report Highlights

- Bill 139, an Act to enact the Local Planning Appeal Tribunal Act, 2017 and the Local Planning Appeal Support Centre Act, 2017 and to amend the Planning Act, the Conservation Authorities Act and various other Acts ("Bill 139") received first reading on May 30, 2017 and includes a number of significant changes to the land use planning appeal system in Ontario.
- Of central importance is the proposal to replace the Ontario Municipal Board (the "OMB") with a new body, the Local Planning Appeal Tribunal (the "Tribunal"), which will give greater weight to the decision of local communities.
- The Bill proposes to amend the *Planning Act* to eliminate "de novo" hearings for the majority of planning appeals and would instead allow appeals to the Tribunal only where the Council decision is inconsistent with a policy statement or fails to conform or conflicts with a provincial plan or upper-tier plan.
- Decisions of the new Tribunal would be returned to Council for its consideration and



for Council to make a new decision on the application.

- A new “Local Planning Appeal Support Centre” agency would be created to provide free information and support for citizens who want to participate in the appeal process.
- The Bill is the result of an extensive public consultation process in which the City participated and provided a detailed submission containing recommendations endorsed by Council.

## Background

In 2016 the Province initiated a review of the Ontario Municipal Board's scope and effectiveness to determine improvements with respect to how the Board works within Ontario's broader land use planning system. By Resolution 0238-2016, which is attached as Appendix 1, on December 5, 2016 Council endorsed key recommendations for changes to the land use planning and appeal system. This formed part of the submission made to the Province on behalf of the City in response to its review process.

The result of the Province's review is Bill 139, which received first reading on May 30, 2017. It includes significant amendments to the land use planning appeal system in Ontario to give communities a stronger voice in land use planning.

Bill 139 enacts the Local Planning Appeal Tribunal Act, 2017, the Local Planning Appeal Support Centre Act, 2017 which establishes the Local Planning Appeal Support Centre, and includes amendments to the *Planning Act*, the *Conservation Authorities Act* and various other Acts, and repeals the *Ontario Municipal Board Act*. To date no education sessions have been held by the Province or further information released related to the implications of this new legislation.

## Comments

The purpose of this report is to identify the most significant changes to land use planning appeals proposed by Bill 139 and to request Council to authorize the Mayor or her designate to make submissions to the Standing Committee with respect to issues with the proposed legislation, or to otherwise provide comments as part of the Ministry's public consultation process. While currently there are no Standing Committee dates scheduled, it is anticipated that this process will begin during the summer months. With respect to issues around transition, the Bill currently provides that the Minister is charged with preparing regulations at some future date to address how matters will be resolved that were commenced before the date that the new legislation takes effect.

Local Planning Appeal Tribunal Act, 2017

Bill 139 repeals the *Ontario Municipal Board Act* and replaces the Ontario Municipal Board with a new tribunal to be known as the Local Planning Appeal Tribunal under the new *Local Planning Appeal Tribunal Act, 2017* (the “LPT Act”). The purpose of this Act, in contrast to the *Planning Act*, is that it is largely procedural in nature and functions primarily to establish the its general jurisdiction and powers, as well as a framework for practice and procedure. Like the OMB, the Tribunal would be an independent tribunal that would make decisions at arms’ length from the government. The Tribunal is also separate and distinct from the ability of the City under the current provisions of the *Planning Act* to establish by by-law a local appeal body for certain local land use planning matters.

Many provisions in the *Ontario Municipal Board Act* and the new LPT Act are substantively the same. The primary difference between the OMB and the new Tribunal rests with its appellate jurisdiction, which is introduced through amendments to the *Planning Act*, as outlined below. The new LPT Act contains changes to the practices and procedures applicable to proceedings before the Tribunal and the LPT Act lists types of rules that the Tribunal may make governing its practices and procedures, such as the ability to require a case management conference to be held in all appeals to identify issues and discuss opportunities for settlement, including the possible use of mediation. The Tribunal may also provide for and require the use of hearings or of practices and procedures that are alternatives to traditional adjudicative or adversarial procedures.

The LPT Act provides the Minister with new authority to make regulations which could considerably change the manner in which planning appeals are conducted by reducing the length of hearings and the way in which evidence is introduced. This includes the ability to make regulations governing the conduct and format of hearings and admission of evidence, providing for multi-member panels to hear proceedings, and prescribing applicable timelines. Currently these rules and regulations have not been released and so it is not possible to comment on their exact substance.

Local Planning Appeal Support Centre Act, 2017

Bill 139 also enacts the *Local Planning Appeal Support Centre Act, 2017*, which establishes the Local Planning Appeal Support Centre (“the Centre”), a new provincial agency mandated to provide free and independent advice and representation to the public on land use planning appeals. The objectives of the new Centre are:

- (a) to establish and administer a cost-effective and efficient system for providing support services to eligible persons respecting matters governed by the *Planning Act* that are under the jurisdiction of the Tribunal; and

- (b) to establish policies and priorities for the provision of the support services based on its financial resources.

In order to achieve its objectives, the Centre will provide support services related to information on land use planning, guidance on Tribunal procedures, advice or representation, and any other services prescribed by the regulations. The Centre shall establish criteria for determining the eligibility of persons to receive support services from the Centre.

#### Amendments to the *Planning Act*

Bill 139 also makes certain amendments to the Planning Act. The general purpose of the proposed amendments is to eliminate “de novo” hearings for the majority of land use planning appeals. Instead, the Tribunal would function as a true appeals body for major land use planning decisions and in doing so strengthens the decision-making powers of local communities. Mississauga, the Association of Municipalities of Ontario (“AMO”) and many others asked for this clarification of role. Local decision making is achieved in a number of ways, including:

- (a) Currently the “standard of review” for land use planning appeals allows that the OMB may overturn a municipal decision whenever it finds that the municipality did not reach the “best” decision. Under the proposed changes, for complex land use planning appeals, the Tribunal would only be able to overturn a municipal decision if it does not follow provincial policies or upper-tier municipal plans. In these cases, the Tribunal would be required to return the matter to the municipality with written reasons. The municipality would then be provided with 90 days to make a new decision on the application. If that decision is appealed and the Tribunal again determines that it did not meet the new standard of review, the Tribunal would make another decision.
- (b) These restrictions on the Tribunal's powers would not apply where the Tribunal is advised by the Minister not later than 30 days before the hearing of the matter that a matter of provincial interest is, or is likely to be, adversely affected by an official plan or zoning matter appealed to the Tribunal.
- (c) The proposed new legislation would exempt from appeal plans to support growth in major transit areas. Where a municipality elects to include policies related to areas surrounding existing or planned high order transit stations, there is no appeal with respect to these policies, with some exceptions (i.e. appeals with respect to maximum building height are permitted in circumstances where the maximum authorized height for a building or structure on a particular parcel of land would not satisfy the minimum density authorized for that parcel).
- (d) Applications to amend new secondary (i.e. neighbourhood plans) would be restricted for a period of two years, unless permitted by Council.

- (e) Amendments are made to expand those matters which a local appeal body can deal with to include appeals and motions for directions related to site plan control and motions for directions related to consents. The ability of Council to establish a local appeal body is currently provided for in the *Planning Act* to deal with certain local land use planning matters, including appeals of decisions of the Committee of Adjustment related to minor variances and consents.
- (f) New provisions are added requiring official plans to contain policies relating to climate change. These provisions are appealable under the proposed changes.
- (g) New provisions provide that there is no appeal in respect of an official plan or an official plan amendment adopted if the approval authority is the Minister.
- (h) Timelines for making decisions related to official plan amendments and zoning by-laws are extended by 30 days. For applications to amend zoning by-laws submitted concurrently with requests to amend a local municipality's official plans, the timeline is extended to 210 days. It is expected that this changes will have little impact on the City's planning process.
- (i) Currently the Planning Act allows anyone who is given notice of the passing of an interim control by-law ("ICB") to appeal the by-law within 60 after it is passed. Amendments are made to allow only the Minister to appeal an interim control by-law when it is first passed. Any person or public body who is given notice of the extension of the by-law can appeal the extension only. The result is that an ICB can only be appealed by the Minister in its first year of operation.

In general it is difficult to predict with certainty how these amendments will impact the City's procedures. It is likely that changes will be required to Official Plan policies to reflect the new standard of review and that the Zoning By-law will need to be reviewed to ensure conformity. Greater scrutiny will have to be placed on ensuring that Provincial plans and policies are complied with. Any internal documents or policies related to the OMB will need to be updated to reflect its repeal and replacement with the new Tribunal. It is anticipated that greater direction and clarification will be provided by the Province in the coming months.

#### Amendments to the *Conservation Authorities Act*

There are a number of amendments proposed to the *Conservation Authorities Act*, both significant and of a housekeeping nature. In general the Bill proposes changing the role of conservation authorities in Ontario. The amendments would require greater public notice and permit public involvement in the processes of the authorities by introducing changes such as requiring that all meetings of authorities to be open to the public unless the authority adopts a by-law creating an exception. The Bill also introduces substantive changes to the role and responsibilities of the authorities and the activities that may be carried out in the areas over

which they have jurisdiction. One proposed change is to specifically prohibit altering a watercourse, interfering with wetlands, or developing within specified sensitive areas, thereby removing this discretion from the authorities. Authorities would still be permitted to issue a permit to engage in such prohibited activity, as in the current legislation.

A new section proposed to be added to the Act sets out the types of programs and services that an authority is required or permitted to provide. This includes the municipal programs and services that it provides on behalf of municipalities. The municipal role in appointing authority members and paying for the costs of the authority is also impacted. New sections are introduced which allow authorities to recover their capital costs with respect to projects that they undertake and their operating expenses from their participating municipalities, with apportionment to be determined in accordance with the regulations. Currently the apportionment of those costs and expenses is based on a determination of the benefit each participating municipality receives from a project or an authority.

#### Council's Position on Reforms

On December 5, 2016 by Resolution 0238-2016, which is attached as Appendix 1, Council endorsed key recommendations for changes to the land use planning and appeal system in response to the Province of Ontario's public consultation on the OMB's scope and effectiveness.

The following are the key recommendations that were endorsed by Council:

- (a) If a municipality has an in-effect official plan that has been reviewed and updated in accordance with Provincially established timeframes, there should be no right of appeal to a Council's refusal of an application to amend the official plan;
- (b) There should be no appeal to official plan amendments that have been brought forward to conform to Provincial policy or legislation or an upper-tiered municipal plan;
- (c) A statutory amendment should be implemented in order to establish "reasonableness" as the standard of review to define and limit the Board's appellate jurisdiction, in the place of the current practice of hearings de novo or hearing all evidence fresh, whether presented to Council or not;
- (d) The mediation stream should be strengthened and more emphasis placed on pre-screening appeals to allow for early dispute resolution.

These key recommendations, along with a response to the issues raised by the Province as part of its Public Consultation Document, were submitted to the Province on behalf of the City to form part of the Province's review of the OMB. Attached at Appendix 2 is a chart setting out the



City's recommendations at the time of the Province's public consultation process compared with what the Province is now proposing as part of Bill 139.

Overall the proposed changes to the *Planning Act* and the land use planning appeal process being proposed by the Province are in keeping with the purpose of submissions put forward by Council; to strengthen the authority of municipalities to make local land use planning decisions. In particular, the ability of the Tribunal to make rules regarding its practice and procedure as well as the authority of the Minister to make regulations provide for broad discretion which could have significant implications for how proceedings are conducted. In addition, the new emphasis on conformity with policy statements and provincial and upper-tier plans may have broader implications for the City's overall policy regime and approach to zoning. More information on the implication of the new legislation is needed before it can be fully understood what the impact will be on municipalities.

## Financial Impact

Not applicable.

## Conclusion

Bill 139 is an Act which amends the land use planning appeal system in Ontario to give communities a stronger voice and ensures that people have access to faster, fairer and more affordable hearings.

This report identifies the most significant changes to land use planning appeals proposed by Bill 139 and requests Council to authorize the Mayor or her designate to make submissions at the Standing Committee, or to otherwise provide comments in writing as part of the Province's public consultation process.

## Attachments

Appendix 1: Council Resolution No. 0238-2016

Appendix 2: Comparison of City Submissions and Bill 139 Sections



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Mary Ellen Bench, BA, JD, CS, CIC.C

Prepared by: Marcia Taggart, Deputy City Solicitor

Resolution 0238-2016

1. That the Report titled "Ontario Municipal Board (OMB) Review: Consultation Submission to the Ministry of Municipal Affairs (MAH)" be approved by Council for submission to the Ministry of Municipal Affairs (MAH) for consideration during the Ontario Municipal Board (OMB) Review.
2. That Council endorse the following key recommendations for changes to the Provincial land use planning and appeal system:
  - a) If a municipality has an in-effect official plan that has been reviewed and updated in accordance with Provincially established timeframes, there should be no right of appeal to a Council's refusal of an application to amend the official plan;
  - b) There should be no appeal to official plan amendments that have been brought forward to conform to Provincial policy or legislation or an upper-tiered municipal plan;
  - c) A statutory amendment should be implemented in order to establish "reasonableness" as the standard of review to define and limit the Board's appellate jurisdiction, in the place of the current practice of hearings de novo or hearing all evidence fresh, whether presented to Council or not;
  - d) The mediation stream should be strengthened and more emphasis placed on pre-screening appeals to allow for early dispute resolution.

File: LA.07.OMB  
(PDC-0092-2016)

### Comparison of City Submissions and Bill 139 Sections

Public Consultation Theme	City's Prior Submissions	Proposed by new Legislation
<b>OMB Jurisdiction and Powers</b> 1) Protect Public Interests	<ul style="list-style-type: none"> <li>There should be no right of appeal to Council's refusal to amend its official plan where an in-effect official plan has been reviewed and updated in accordance with provincially established timeframes</li> <li>Appeals should be limited to disputes over site specific planning applications</li> </ul>	<ul style="list-style-type: none"> <li>New <i>Planning Act</i> provisions provide that appeals concerning the adoption or approval of an official plan, official plan amendment, zoning by-laws or plans of subdivision are restricted to issues of consistency or conformity with provincial plans and policy statements and, as applicable, conformity with official plan policies of upper-tier municipalities</li> </ul>
2) Bring Transit to More People	<ul style="list-style-type: none"> <li>Appeals of municipal official plans, amendments to these plans and zoning by-laws for development that supports provincially funded transit infrastructure and bus stations should be restricted</li> </ul>	<ul style="list-style-type: none"> <li>Official plans may include policies relating to development around higher order transit stations and stops and would require approval by an approval authority; decisions on these policies cannot be appealed except by the Minister and requests to amend the policies can only be made with Council approval; when these policies are in place, zoning by-laws that establish permitted uses, minimum and maximum densities and, except in certain circumstances, minimum and maximum heights cannot be appealed except by the Minister</li> </ul>
3) Stronger Voice for Communities	<ul style="list-style-type: none"> <li>There should be no appeal of a municipality's refusal to amend a new secondary plan for two years</li> <li>Interim control by-laws should not be subject to appeal</li> <li>The OMB should only deal with matters that are part of municipal Council's decision</li> </ul>	<ul style="list-style-type: none"> <li>During the two year period following the adoption of a secondary plan, applications for amendment are permitted only with Council approval</li> <li>Only the Minister can appeal an interim control by-law when it is first passed; any person or public body who is given notice of the extension of the by-law can appeal the extension</li> </ul>
4) "De Novo" Hearings	<ul style="list-style-type: none"> <li>The OMB should function as a true appellate body only</li> <li>A statutory amendment should be implemented to establish "reasonableness" as the standard of</li> </ul>	<ul style="list-style-type: none"> <li>"De Novo" hearings are eliminated for most planning appeals. Appeals concerning the adoption or approval of an official plan, refusals and non-decisions of official plan amendments</li> </ul>

	<p>review to define the limit the OMB's appellate jurisdiction</p> <ul style="list-style-type: none"> <li>As an appeal body, the OMB's jurisdiction should be limited to hearing evidence presented to the municipality and determining if Council's decision was reasonable</li> </ul>	<p>and appeals related to zoning by-laws are restricted to issues of consistency or conformity with provincial plans and policy statements and, as applicable, conformity with official plan policies of upper-tier municipalities. Where an appeal is allowed by the Tribunal, the municipality has a second opportunity to make a decision. If that decision is appealed and the Tribunal again determines that it did not meet the new standard of review, the Tribunal would make a final decision and could modify and approve as modified, or refuse to approve that second decision.</p> <ul style="list-style-type: none"> <li>An initial review of the proposed changes does not indicate that any amendments have been introduced directly related to this issue</li> </ul>
5) Transition and use of new planning rules	<ul style="list-style-type: none"> <li>Current planning policies should be applied when considering a planning application to provide for greater certainty in decision making</li> <li>Applications made before 2007 must be tested against current standards</li> </ul>	<ul style="list-style-type: none"> <li>The new Local Planning Appeal Support Centre Act, 2017 establishes a centre to provide support services to eligible persons respecting matters governed by the Planning Act that are under the jurisdiction of the new Local Planning Appeal Tribunal.</li> <li>The new Local Planning Appeal Tribunal has authority to make rules governing alternative practices and procedures including mediation</li> <li>Mandatory case conferences may be established for complex hearings.</li> <li>The new Local Planning Appeal Tribunal provides that the Minister may make regulations providing for multi-member panels to hear proceedings</li> </ul>
<b>Citizen Participation and Local Perspective</b>	<ul style="list-style-type: none"> <li>Residents should have access to information to better understand planning documents and the appeal process</li> <li>Tools to support resident participation may help to streamline the appeal process and possibly prevent unnecessary appeals</li> <li>The mediation stream should be strengthened to create a more efficient system that does not promote an adversarial approach</li> </ul>	
<b>Clear and Predictable Decision Making</b>	<ul style="list-style-type: none"> <li>Increasing the number of panel members may help shorten timeframes for hearing dates and move appeals along more quickly</li> <li>Consideration should be given for multi-member panels in complex matters as a multi-member panel may provide a balance of expertise that could be beneficial to the decision making process</li> </ul>	
<b>Modern Procedures and Faster Decisions</b>	<ul style="list-style-type: none"> <li>If active adjudication were to be introduced, there would need to be clear rules on how it could function such that if Board members are</li> </ul>	<ul style="list-style-type: none"> <li>The new Local Planning Appeal Tribunal may direct the parties to participate in a case management conference prior to a</li> </ul>

	<p>given too much authority over the process, parties may be constrained from having their full case heard</p> <ul style="list-style-type: none"> <li>• Procedural fairness would need to be protected to ensure that active adjudication is not applied inconsistently depending on the Board member</li> <li>• Timelines for decisions should be set to allow for planning instruments to be put in place more efficiently and removes uncertainty on lands that can linger for long periods</li> <li>• Clear rules for issues lists should be established to ensure that matters are sufficiently scoped prior to a hearing</li> <li>• The level of detail required for issues lists should be applied consistently by all Board members</li> <li>• The use of written hearings should only be used for minor hearings and appropriate pre-screening should be required by OMB staff to evaluate and determine whether a written hearing is appropriate</li> <li>• The parties should be consulted on whether they agree to a written hearing and a written hearing should only occur if all parties agree</li> </ul>	<p>hearing to:</p> <ol style="list-style-type: none"> <li>1. identify additional parties to the proceeding</li> <li>2. identify, define or narrow the issues raised by the proceeding</li> <li>3. identify facts or evidence that may be agreed upon by the parties</li> <li>4. provide directions for disclosure of information</li> <li>5. discuss opportunities for settlement, including the possible use of mediation or other dispute resolution processes</li> <li>6. establish dates by which any steps in the proceeding are to be taken or begun</li> <li>7. determine the length, schedule and location of a hearing, if any</li> <li>8. determine the order of presentation of submissions</li> <li>9. deal with any other matter that may assist in the fair, just and expeditious resolution of the issues</li> </ol> <ul style="list-style-type: none"> <li>• Oral hearings of appeals are no longer as of right. Instead the Tribunal has the authority to make rules governing its practice and procedures, including rules that may provide for practices and procedures that are alternatives to traditional adjudicative or adversarial procedures, or that may authorize that hearings be held in writing or by any electronic or automated means.</li> <li>• The new Local Appeal Tribunal Act provides the Minister with the authority to make regulations governing the practice and procedure of the Tribunal, including prescribing the conduct and format of hearings, practices regarding the admission of evidence and format of</li> </ul>
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<p><b>Alternative Dispute Resolution and Fewer Hearings</b></p>	<ul style="list-style-type: none"> <li>• More resources should be given to the Board to build a mediation stream as mediation is less costly than a hearing and it encourages working relationships between the parties</li> <li>• Mediation should not take place prior to a Council decision as it would interfere with the municipal process and undermine the ability of planning staff to plan appropriately</li> <li>• There should be a procedural change for consultation with the community when settling matters through mediation or arbitration to provide transparency and ensure appropriate public input</li> <li>• Case managers should play a greater role in pre-screening appeals before hearings are scheduled, appellants should be required to provide specific land use planning justification for the policies that have been appealed and the OMB should screen out invalid appeals from proceeding</li> </ul>	<p>decisions and prescribing timelines applicable to proceedings on appeal.</p> <ul style="list-style-type: none"> <li>• The new Local Planning Appeal Tribunal may require practices and procedures that are alternatives to traditional adjudicative or adversarial procedures including mediation and mandatory case management conferences on appeals regarding official plans, zoning by-laws and plans of subdivision.</li> <li>• The new Local Planning Appeal Tribunal has authority to prescribe timelines applicable to proceedings on appeals.</li> </ul>
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