
Planning and Development Committee

Date

2017/11/13

Time

7:00 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
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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 – 6th Floor
Att: Development Assistant
300 City Centre Drive, Mississauga, ON, L5B 3C1
Or Email: application.info@mississauga.ca

1. CALL TO ORDER
2. DECLARATION OF CONFLICT OF INTEREST
3. MINUTES OF PREVIOUS MEETING - October 30, 2017
4. MATTERS TO BE CONSIDERED
 - 4.1. Review of Sign By-law 54-2002, as amended
 - 4.2. **RECOMMENDATION REPORT**
Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy - CD.21.SIG
 - 4.3. **RECOMMENDATION REPORT (CITY WIDE)**
Proposed Updates to Site Plan Control By-law 0293-2006
 - 4.4. **PUBLIC MEETING INFORMATION REPORT (WARD 3)**
Applications to permit a 14 storey apartment building that steps down to 4 storeys along Dixie Road and 24 stacked townhomes, 4064, 4070 and 4078 Dixie Road, west side of Dixie Road, north of Burnhamthorpe Road East
Owner: Hazelton Development Corp. - File: OZ 17/003 W3
 - 4.5. **RECOMMENDATION REPORT (WARD 8)**
Applications to permit 144 horizontal multiple dwelling units (back to back stacked townhouses) on a private condominium road, 2277 South Millway, north of The Collegeway, west of Erin Mills Parkway
Owner: 2277 South Millway G.P. Inc. - File: OZ 16/004 W8
5. ADJOURNMENT

City of Mississauga

Corporate Report



Date: 2017/11/01

To: Chair and Members of Planning and Development Committee

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

Originator's files:
BL.03-SIG (2017)

Meeting date:
2017/11/13

Subject

Review of Sign By-law 54-2002, as amended

Recommendation

That Sign By-law 54-2002 be amended in accordance with the consultant report prepared by Martin Rendl Associates (Appendix 1).

Background

At the November 14, 2016, Planning and Development Committee meeting, it was requested that a review of Sign By-law 54-2002 be undertaken to ensure that the by-law is current, consistent with neighbouring municipalities, and addresses items of concerns identified through the sign variance process.

Comments

Staff met with Members of Council individually to determine their areas of concern. During these meetings it was agreed that a consultant would be retained to conduct a peer review of the By-law.

The provisions of Sign By-law 0054-2002, as amended, were assessed in terms of the following:

- By-law structure
- Definitions
- Types of signs regulated
- Standards for permitted signs
- Administrative provisions
- Penalties and enforcement
- Trends in signage

The best practices of other relevant municipalities formed a backdrop for the review and informed the analysis.

Martin Rendl Associates were retained to conduct this review and provided the attached report. Martin Rendl has worked extensively with cities across Canada regarding Municipal Sign By-laws.

Overall, Mr. Rendl found the current By-law to be current and no major revisions to the By-law were required. However, he does recommend amendments to definitions to provide clarity as well as review Special Sign Districts and assess need for new Special Sign Districts as well as amendments to Section 9 of the Sign By-law to remove and add certain zoning categories.

Separate reports dealing with Electronic Change Copy Billboard Signs, as well as Portable Signs on Road Allowances, are included in this PDC agenda.

Strategic Plan

Not applicable

Financial Impact

None

Conclusion

As a result of the Peer Review of Mississauga Sign By-law prepared by Martin Rendl Associates (copy attached), it is recommended that Sign By-law 54-2002 be amended in accordance with his recommendations.

Attachments

Appendix 1: Peer Review of Mississauga Sign By-Law 0054-2002



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Darren Bryan, Supervisor Sign Unit

Peer Review of Mississauga Sign By-law 0054-2002

City of Mississauga

Prepared by:

Martin Rendl Associates

July 2017

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APPENDIX 'A' SIGN BY-LAWS COMPARISON

Peer Review of Sign By-law 0054-2002

1. INTRODUCTION & PURPOSE

A Peer Review of City of Mississauga Sign By-law 0054-2002 has been completed. The purpose of the Review was to:

- Determine if any sections of the Sign By-law need to be updated or revised;
- Identify the sections to be updated or revised including the reasons for and the benefits of the update or revision;
- Develop a framework for future updates and revisions to the Sign By-law including public consultation;
- Compare Sign By-law 0054-2002 with the Sign By-laws of four Canadian municipalities.

Mississauga Sign By-law 0054-2002 was passed in 2002 following a comprehensive review of the former Sign By-law and a study of trends in signage affecting the Sign By-law's provisions. The review in 2002 included an extensive program of consultation with stakeholders including the public and sign companies.

Since 2002, Mississauga Council has amended the Sign By-law several times to update its regulations and address issues. For example, these amendments have introduced new definitions to clarify the regulations and terminology, deleted provisions no longer considered necessary, and revised standards and restrictions as necessary and appropriate.

The framework used by this Peer Review to identify sections of the Sign By-law in possible need of update or revision focused on two areas:

- Review of sign variance applications from 2015 to present to identify any trends in the number or type of sign variances requested;
- Review of the Sign By-law in relation to signage trends and municipal best practices since 2002.

Appendix A contains an overview of the sign regulations adopted by other Canadian cities including the City of Toronto.

2. REVIEW OF SIGN VARIANCE APPLICATIONS

The signs seen in different municipalities are generally similar in type (e.g., ground, fascia, billboard and portable signs) but the manner in which they are implemented across municipalities often varies with regard to matters such as sign size, number, and location. Each municipality tailors its sign regulations to its values and expectations about the proper identification of businesses and buildings, the amount of advertising visible in the community as well as the visual quality and character of the public realm.

A good sign by-law contains regulations that address the signage needs and priorities of the community to which the by-law applies. One indicator of the degree to which the sign by-law's regulations match the signage needs of the community is the number and type of applications for a variance from the sign by-law, relative to the number of sign permits issued.

Persons can apply for relief from a sign by-law provision in cases where the relief is considered by the municipality to be appropriate and have merit. A review of the sign variance applications submitted to a municipality can identify patterns of requests for relief that may indicate the need for sections of the Sign By-law to be revised or updated for example, when a number of variance applications repeatedly request the same type of relief.

APPLICATIONS FOR SIGN VARIANCES

In 2015 Mississauga Council delegated sign variance approval authority to staff, with the provision that appeals from a staff decision were to be decided by the Planning and Development Committee with a recommendation to Council.

The number and type of sign variance applications in Mississauga were reviewed for the period from 2015 to the present. Table 1 provides a summary of the number of variance requests received and approved by City staff and Council.

Table 1 Sign Variance Applications Summary						
Year	Sign Permit Applications	Variance Applications				
		Applications Received	% of Permit Applications	Total Approved	Approved by Council	Total Approved
2015	442	37	8.4%	30 (81%)	2 (5%)	32 (86%)
2016	427	41	9.6%	28 (68%)	4 (10%)	32 (78%)
2017	---	21	---	---	---	---

Table 1 shows that the total number of sign variance applications per year is generally consistent in terms of the number of applications received. In addition, the number of variance applications is generally stable when considered as a percentage of all sign permit applications.

The types of variances processed since 2015 to date in 2017 were reviewed to identify any pattern by type of variance that might indicate the need to revise or update an aspect of the Sign By-law. Table 2 provides a profile of the types of variances contained in applications submitted to the City of Mississauga since 2015.

Table 2				
Sign Variance Summary by Type				
Type of Variance		2015	2016	2017
Fascia Sign	Locate above first storey	7	12	3
	Not on exterior wall of unit	6	3	--
	Number per unit	2	2	--
	Changing copy	1	2	--
	Locate on elevation other than a building facade	7	7	1
	Project above a roof line	3	--	1
	Exceed maximum area	2	1	1
	Exceed 2 signs on top floor	2	4	2
Ground Sign	Reduce setback to property line	--	1	1
	Reduce setback to driveway	1	1	--
	Locate in sight triangle	--	1	--
	Encroach onto public property	--	1	--
	Exceed maximum height	2	--	--
	Exceed maximum area	6	9	--
	Exceed maximum number	3	2	--
	Contain advertising	3	1	--
	Address height	1	--	--
Directional Sign	Exceed maximum height	3	1	2
	Exceed maximum area	3	--	1
	Reduce setback	--	--	1
Window Sign	Exceed maximum area	--	1	--
Menu Board Sign	Exceed maximum area	3	--	1
	Exceed maximum number	1	--	--
Billboard Sign	Exceed maximum height	--	1	1
	Exceed maximum area	1	2	1
	Permit changing copy	1	2	1
	Reduced setback	1	--	--
	Reduced setback from residential zone	1	--	--
Roof Sign	Permit roof sign	3	3	--
Construction Sign	Exceed maximum area	--	--	1
	Reduced setback	--	1	--
Projecting Sign		2	1	--
Real Estate Sign	Exceed maximum area	--	--	2
Banner Sign		3	1	--
Portable Sign	Exceed maximum display period	1	--	--
Corporate Flags	Exceed maximum number	1	--	--
Other	Permit a sign not expressly permitted	10	3	1

The observed frequency and type of variances to the Sign By-law as summarized in Table 2 does not highlight any sections of the Sign By-law that are proving to be particularly problematic or suggest the need to revise any particular aspect of the current Sign By-law to address recurring requests for a particular type of variance.

The sign variance application process appears to be meeting the intent of Section 7(b) to 7(d) of the Sign By-law which provide a limited amount of flexibility to grant relief from a sign by-law provision to address a specific circumstance related to a building or property that justifies approval of a variance.

Variances for Electronic Changing Copy Signs

Section 4(6) of the Sign By-law prohibits any type of sign that is not expressly permitted by the Sign By-law. Since 2010, there have been several variance applications to permit a ground or billboard signs with electronic changing copy. Such signs are not expressly permitted and therefore prohibited.

One of the variance applications approved was for the gateway sign for the Mississauga Celebration Square. Additionally, three billboard signs with electronic changing copy have been approved and one application was refused.

The subject of signs with electronic changing copy is dealt with in Section F of this report. A separate Peer Review Report deals with billboards containing electronic changing copy.

3. REVIEW OF SIGN BY-LAW

The provisions of Sign By-law 0054-2002, as amended, was assessed in terms of the following:

- By-law structure;
- Definitions;
- Types of signs regulated
- Standards for permitted signs
- Administrative provisions;
- Penalties and enforcement;
- Trends in signage.

The best practices of other relevant municipalities formed a backdrop for the review and informed the analysis.

A. SIGN BY-LAW STRUCTURE

The organization of By-law 0054-2002 follows the conventions for the drafting of municipal by-laws. It is well organized with its major sections dealing with definitions of terms (Section 1), administrative provisions (Sections 2 – 10, Sections 32 – 37), sign regulations (Section 11 – 30), and penalties and enforcement (Section 31).

Easy reference to the applicable sign standards for a property is facilitated by the use of tables in Section 11 to quickly identify the types of signs permitted in each land use category. Additional details on specific sign types in a particular zone are contained in the tables of Sections 12 and 13. Sections 16 to 29B provide further specifics applicable to each type of sign.

This format is easy to follow and directs the user to the relevant information in a logical manner.

RECOMMENDATION

Retain the current structure of Sign By-law 0054-2002.

B. DEFINITIONS

Definitions in a by-law are the key factor in ensuring the terms in the by-law are clearly understood. This promotes both clarity for the intent of the by-law's provisions and regulations as well as effective enforcement and administration.

A review of the Sign By-law's current definitions has identified the need minor revisions to wording to improve readability or provide greater clarity of meaning and a new definition for driveway.

RECOMMENDATION

Revise the current definitions as follows (revised wording shown in shading):

Building façade means an exterior building wall facing a street and any other building wall which does not face a street but which contains the main entrance for the public is located.

Driveway means an internal roadway that is not a public street.

New home development sign means a non-illuminated sign which is a portable sign not permanently installed or affixed to the ground and where the purpose of the sign is to direct attention to the sale of new homes.

Roof sign means a sign which extends above supported entirely or partly by the roof of a building or structure and which sign projects above the roof.

Sidewalk sign means a free standing sign erected on placed upon but not permanently anchored in the ground. Without limiting the generality of the foregoing, this definition shall include signs commonly referred to as A-frame, T-frame, sandwich boards and menu boards but shall not mean or include any other sign defined in this By-law.

Sign face means the entire area of the surface of a sign including the border or frame together with any material forming an integral part of the background of the display or used to differentiate the sign from the backdrop or building against on which it is erected. Where a sign is composed of individually installed letters, numerals or shapes, the sign face shall mean the area of the smallest polygon containing a maximum of eight (8) right angle sides that enclose the groupings all of the letters, numerals or shapes.

C. TYPES OF SIGNS REGULATED

Sign By-law 0054-2002 permits a broad range of sign types that matches the range of signs found in most major municipalities. Sections 12 to 29B of By-law 0054-2002 contain provisions for 18 different types of signs including permanent and temporary signs as well as signs for identification and signs for advertising.

Appendix A compares Mississauga's Sign By-law with the Sign By-laws of other major Canadian cities. It shows the types of signs regulated by By-law 0054-2002 generally correspond with those of these other cities.

Signs containing 100% electronic changing copy are not permitted by the Mississauga Sign By-law. Section 3.G discusses electronic changing copy signs. A separate Peer Review deals with the regulation of Electronic Billboards in Mississauga.

The range of sign types currently permitted is sufficiently broad and diverse to cover the range of sign types found in a large municipality like Mississauga.

RECOMMENDATION

Retain the current range of sign types regulated by Sign By-law 0054-2002

D. STANDARDS FOR SIGNS

A review of Mississauga's current sign standards shows they provide an appropriate balance between the needs of sign owners for identification or advertising with the larger public interest to appropriately manage the appearance of building exteriors, streets and the public realm.

Section 10(1) establishes seven Special Sign Districts the limits of which are outlined in Schedules A – G to the By-law. Within these Special Sign Districts, the By-law contains sign standards specific to the context of that Sign District. They vary from the general City-wide standards in order to fit the character and planning policies of the Special Sign District.

These Special Sign Districts were established in 2002 and no other Districts have been added since then. In the interim, Mississauga's population has grown by approximately 18% or 109,000 persons along with corresponding new development as well as maturing of established areas. In view of this, it would be appropriate to:

- Review the original Special Sign Districts to determine if they should be retained or modified;
- Determine if other areas of Mississauga warrant designation as Special Sign Districts in light of their context or development policy framework.

Section 9 of the Sign By-law establishes a series of sign classes for types of signs, based on the zoning categories of Mississauga's Zoning By-law. As the core of Sign By-law 54-02 was passed in 2002, Section 9 reflects the zoning categories of the Zoning By-law that was in effect in 2002.

A new comprehensive Zoning By-law was passed in 2007. Section 7 of the Sign By-law should be updated so that the sign classes correspond with the current zoning categories of Zoning By-law 0225-2007.

RECOMMENDATION

- No change to current sign standards.
- Review existing Special Sign Districts and assess need for new Special Sign Districts.
- Amend Section 9 to remove the PB3 zoning category and add RM5, RM7, CC4, G1, G2 and AP.

E. ADMINISTRATIVE PROVISIONS

Some of the past amendments to Sign By-law 0054-2002 have updated its administrative provisions. These amendments have ensured the By-law corresponds to changes in the City's procedures or other matters related to the effective application of the By-law's provisions.

The current administrative provisions of By-law 0054-2002 do not require any revisions.

RECOMMENDATION

Retain current administrative provisions.

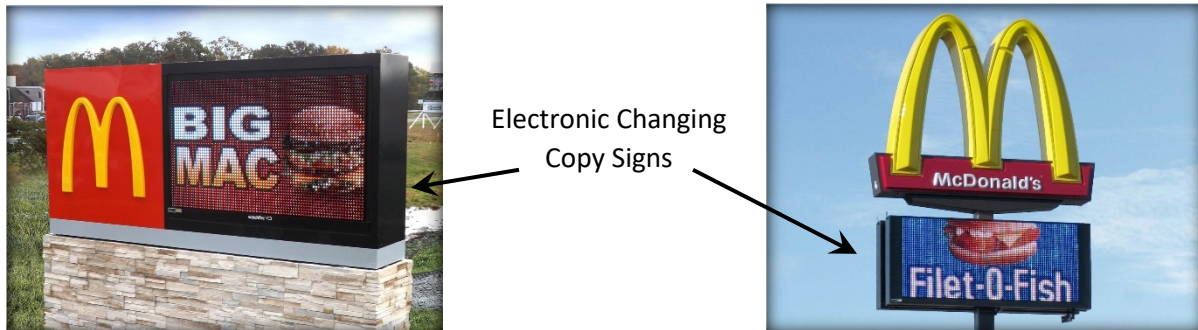
F. TRENDS IN SIGNAGE

The most significant trend of the last 10 years affecting signage has been the increased use of electronic screens in signs. Electronic screens can form a part of the sign or, as in the case of billboard, be the entire sign.

Mississauga's Sign By-law currently permits electronic signs to a limited degree. In Mississauga, the only type of electronic screen permitted in a sign is when it is a changing copy sign and part of a first party ground sign.

A changing copy sign is a sign on which "the message or copy can be changed by ... electronic ... means." A ground sign may include a changing copy sign occupying up to 50 percent of its permitted sign face.

Municipalities generally limit changing copy on first party identification signs to the changing copy portion of a ground sign as illustrated in these two examples of McDonald's signs.



In recent years, electronic changing copy signs have been implemented to the greatest degree by out-of-home advertising companies on their billboards.

These signs consist entirely of a large electronic screen displaying advertisements that change at frequent intervals. These billboards can display static sign copy (no animation or motion) or fully animated copy.

Mississauga has approved several variance applications to permit billboards that consist entirely of an electronic screen. This is the City's current process for dealing with proposals to install electronic billboards as opposed to amending the Sign By-law to add regulations for electronic first or third party signs.



Electronic Changing Copy Billboard

Billboards differ from first party signs in that a first party sign is used for identification and its copy only changes when the business or occupancy it identifies changes. By-law 0054-2002 permits up to 50% of the sign area of a ground sign to contain electronic changing copy in order to display time limited messages in addition to identifying the business.

A billboard does not have this dual purpose. It only displays advertising copy that changes on a regular basis. In some contexts, an electronic billboard may fit its surroundings and be appropriate. Mississauga's current practice to consider electronic billboards on an application by application basis provides a suitable process for considering the suitability of such digital signs.

RECOMMENDATION

That 100% electronic changing copy signs be limited to electronic billboards approved through the approval of variance applications to By-law 0054-2002.

APPENDIX A

SIGN BY-LAWS COMPARISON

The following table compares the key sign standards of Mississauga Sign By-law 0054-2002 with the standards of other comparable Canadian municipalities.

The municipalities were chosen for comparison on the basis of the size of their population and having development contexts similar to those of the City of Mississauga.

The comparative information, for reasons of space and readability, does not include every detail or variations of the many regulations for the different sign types. The focus is on the major standards regulating the size, scale and location of the particular sign type. Readers seeking greater detail are encouraged to consult the sign by-law of interest.

	Mississauga	Toronto	Ottawa	Edmonton	Winnipeg
Population	721,599	2,731,571	934,243	932,546	705,200
SIGN TYPES					
Ground Sign					
Sign Area	3.5 m ² – 28 m ²	0.3 m ² /1.0 m frontage	2.0 m ² – 25 m ²	20 m ²	0.12 m ² /98.4 m frontage
Height	3.0 m – 7.5 m	2.0 m -	1.5 m – 8.0 m	8.0 m	2.4 m - 9.1 m
Number	1 per street line	1 per frontage	1 per 14 m		---
Fascia Sign					
Sign Area	15% - 20% of building facade	50% of wall at first or second storey	10% - 25% of building facade	50%	25% of wall
Directional Sign					
Sign Area	0.75 m ²	0.5 m ²	---	---	0.55 m ²
Height	1.2 m	1.5 m	---	---	1.98 m
Window Sign					
Sign Area	25% of window	25% of window	Part of fascia sign total	---	More than 50% of window part of fascia sign area
Billboard Sign					
Sign Area	20 m ²	20 m ²	9.0 m ² – 18.6 m ²	20 m ²	18.6 m ²
Height	7.62 m	15.0 m	8.0 m	8.0 m	9.1 m
Distance from Another Billboard	92 m	100 m	150 m	45.0 m	500 m
Distance from Residential Zone	92 m	30.0 m	60 m	---	---
Duration of Permit	No expiry	5 years	5 years	Duration may be a condition of permit	No expiry

	Mississauga	Toronto	Ottawa	Edmonton	Winnipeg
Election Sign					
Sign Area	1.5 m ²	1.2 m ²	---	---	---
Posters					
Sign Area	0.06 m ²	0.06 m ²	---	---	---
Location	Poster sleeve	Poster sleeve	---	---	---
Portable Sign					
Sign Area	5 m ²	7.6 m ²	3.7 m ²	5.0 m ²	5.94 m ²
Height	2.5 m	2.5 m	2.7 m	3.0 m	3.96 m
Display Period	21 days	30 days	30 days	365 days	90 days
Number per Property	1 per street line		---	5 per roadway	1
Sidewalk Sign					
Sign Area	0.55 m ²	0.6 m ²	---	---	---
Height	1.0 m	0.75 m	---	---	---
Display Period	Sunrise to sunset		---	---	---
New Home Development Sign					
Sign Area	1.5 m ²	---	3.0 m ²	---	---
Height	1.2 m	---	5.0 m	---	---
Number	Grouping of 5	---		---	---
Display Period	Friday 5:00 p.m. to Monday 7:00 a.m.	---	---	---	---
Real Estate Sign					
Sign Area	1.0 m ² – 4.0 m ²	1.0 m ² – 4.0 m ²	1.0 m ² - 1.0 m ²	---	3.0 m ²
Number per Property	1 per street line	1	1	---	3.6 m
Construction Site Sign					
Sign Area	60 m ²	20 m ²	2.0 m ² – 22 m ²	---	10.0 m ²
Height	7.5 m	7.0 m	3.0 m – 7.0 m	---	3.6 m
Garage Sale Sign					
Sign Area	0.36 m ²	0.36 m ²	---	---	---
Display Period	5:00 p.m. the day before the sale to 7:00 a.m. the following day	5:00 p.m. the day before the sale to 7:00 a.m. the following day	---	---	---

	Mississauga	Toronto	Ottawa	Edmonton	Winnipeg
Open House Directional Sign					
Sign Area	0.8 m ²	0.5 m ²	---	---	---
Height	1.0 m	1.0 m	---	---	---

City of Mississauga

Corporate Report



Date: October 20, 2017

To: Chair and Members of Planning and Development Committee

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

Originator's file:
CD.21.SIGMeeting date:
2017/11/13

Subject

RECOMMENDATION REPORT

Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy
CD.21.SIG

Recommendation

1. That the Report dated October 20, 2017, from the Commissioner of Planning and Building regarding Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy, and the accompanying document entitled, *Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy* (Appendix 1), be approved.
2. That staff be directed to review all sign variance applications for billboard signs with electronic changing copy in accordance with the document entitled, *Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy*, prior to making recommendations on such applications and that the recommendation reports for such sign variance applications include the rationale to support each recommendation.

Background

A billboard sign with electronic changing copy (also referred to as an electronic billboard sign), is a billboard sign that is constructed so that the message or copy can be changed electronically. The changing digital display on such billboards is generally operated by software at a remote operations centre. Advances in digital display technology and the ability of such digital displays to draw attention have made this type of billboard sign a cost effective means of advertising. This has led to a steady growth in the popularity of electronic billboard signs and therefore, the number of sign variance applications to permit them.

The City of Mississauga Sign By-Law 0054-2002 regulates the types of signs permitted in the City. The Sign By-Law makes no provision for billboard signs with electronic changing copy and therefore, they are not permitted.

To date, the City has no set criteria by which to evaluate sign variance applications for billboard signs with electronic changing copy. The Planning and Building Department had developed a set of draft guidelines that establish the criteria by which sign variance applications for billboard signs with electronic changing copy will be evaluated. The document was intended to provide guidance to Staff, Council and the Sign Industry in order to mitigate the impact of this type of billboard sign on sensitive land uses, traffic safety and the character and visual image of the communities in which they are to be located.

The Planning and Building Department engaged Martin Rendl Associates as independent consultants specializing in sign by-laws, to conduct a peer review of the draft document entitled, *Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy*. As part of the peer review, Martin Rendl Associates were asked to:

- Review and recommend revisions to the document in order to ensure that it appropriately addresses its intended purpose
- Determine if the document should be incorporated into Sign By-Law 0054-2002
- Determine if the document adequately addresses traffic safety

The recommended revisions proceeding from the peer review have been incorporated into the latest version of the Guidelines document (Appendix 1). The peer review (Appendix 2), determined that the Guidelines should not be incorporated into the Sign By-Law, but should instead be implemented through the sign variance application process as this provides the flexibility for each sign variance application for an electronic billboard to be evaluated on its individual merits relative to its specific context. In addition, the peer review concluded that the Guidelines address the main aspects of electronic billboards that may affect traffic safety.

Comments

The *Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy* state that billboard signs with electronic changing copy shall only be considered where billboard signs are permitted in accordance with Sign By-Law 0054-2002. In addition to these locations, the Guidelines also provide for electronic billboard signs to be considered in the following areas of the City where billboards are currently not permitted:

- Public Squares in the Downtown Core
- Public Squares within the Cooksville Four Corners

- Public Squares within Major Nodes
- Specific areas in the City, deemed by the City to be locations in which electronic billboard signs are seen as key elements that contribute to the character and vibrancy of the area.

The Guidelines also address the following issues:

- Impact of billboard signs with electronic changing copy on the surrounding context and overall city image
- Appropriate size and scale of billboard signs with electronic changing copy
- Appropriate separation distances and views from sensitive land uses
- Visual clutter and appropriate separation distances between signs
- Brightness, illumination, message display and sequencing
- Traffic safety

In addition, the Guidelines require that the owner of the property upon which a billboard sign with electronic changing copy is installed shall execute a waiver form releasing the City and the Road Authority from liability and shall indemnify the City and the Road Authority against any claim, action or process for damage and/or injury that arises as a result of the installation or existence of the billboard sign.

Should the *Guidelines for the Review of Sign Variance applications for Billboard Signs with Electronic Changing Copy* be approved by Council, all future sign variance applications for electronic billboard signs will be brought before the Planning and Development Committee. Staff will evaluate such sign variance applications relative to the Guidelines, and make recommendations to the Planning and Development Committee to approve or refuse each sign variance application for an electronic billboard sign.

Financial Impact

There is no financial impact.

Conclusion

The Guidelines for the Review of Sign Variance Applications for Billboard Signs with electronic changing copy will provide a useful tool for staff and members of Council in evaluating the merits of sign variance applications for electronic billboard signs within the context in which they are proposed.

Attachments

Appendix 1: Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy

Planning and Development Committee

2017/10/20

4

Originator's file: CD.21.SIG

Appendix 2: Peer Review of the Draft guidelines for the Review of Sign Variance Applications
for Billboard Signs with Electronic Changing Copy by Martin Rendl Associates



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Erinma Chibututu, Urban Designer

GUIDELINES FOR THE REVIEW OF SIGN VARIANCE APPLICATIONS FOR BILLBOARD SIGNS WITH ELECTRONIC CHANGING COPY

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Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy

1. Introduction

A billboard sign with electronic changing copy is a billboard sign that is constructed so that the message or copy can be changed by electronic means. The hardware that displays the sign copy or content is operated by software located on-site or from a remote operations centre located off-site. The content or creative copy displayed on a billboard sign with electronic changing copy is fully changeable. It can be displayed in a static manner as a sequence of individual slides displayed for a fixed interval as in a slide show. The brightness of the sign copy can be set within specific limits and can be adjusted based on the time of day or night as well as ambient light conditions such as a cloudy day or bright sunlight.

The City of Mississauga Sign By-Law 0054-2002 regulates the types of signs permitted in the City. The Sign By-Law makes no provision for billboard signs with electronic changing copy (also referred to as electronic billboard signs) and presently, the City has no set criteria by which to evaluate sign variance applications for these types of signs.

2. Purpose of the Document

The purpose of this document is to establish a set of criteria by which sign variance applications for billboard signs with electronic changing copy will be evaluated. Municipalities generally establish controls to mitigate the impacts of electronic billboard signs on traffic safety, sensitive land uses and on the visual image of the communities in which they are located. Such controls may include the following:

- Identify specific locations and land uses in which billboard signs with electronic changing copy will be considered
- Control views of electronic bill boards from sensitive land uses such as residential zones
- Assess the impact of electronic billboard signs on views, the character and quality of the public realm
- Minimum separation distance between billboard signs with electronic changing copy and sensitive land uses such as residences, open spaces and institutional uses
- Maximum number of billboards with electronic changing copy per site
- Longitudinal spacing between billboard signs with electronic changing copy
- Location of billboards signs with electronic changing copy, relative to traffic control devices and important driver decision points such as intersections
- Maximum height of a billboard sign with electronic changing copy, above grade
- Maximum area of a billboard sign with electronic changing copy
- Minimum duration of message display

- Transition between successive message displays
- Message Sequencing
- Amount of information displayed
- Sign Brightness and Luminance
- Duration of illumination/ Setting times when electronic billboard signs should be turned off
- Sign Animation/motion
- Requirement for Traffic Safety Review Study

3. Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy

Sign Variance Applications for Billboard Signs with Electronic Changing Copy shall be reviewed with regard to their impact on the **character** and traffic safety of the surrounding and planned context in which they are proposed.

The following guidelines and requirements will be applied in the review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy:

3.1. Waiver

The owner of the property upon which a billboard sign with electronic changing copy is installed shall execute a waiver form releasing the City and Road Authority from liability and shall further indemnify the City and Road Authority against any claim, action or process for damage and/or injury that arises as a result of the installation or existence of the billboard sign. The City of Mississauga will provide the required wording for the waiver.

3.2. Location

Billboard Signs with Electronic Changing Copy shall only be considered wherever billboard signs are permitted in accordance with Sign By-Law 54-02 (See Table 4, Page 19 of Sign By-Law 54-02) and in the following areas of the City:

- Public Squares in the Downtown Core
- Public Squares within the Cooksville 4 Corners
- Public Squares within Major Nodes
- Specific areas of the City, deemed by the City to be locations in which electronic billboard signs are seen as key elements that contribute to the character and vibrancy of the area

3.3. Urban Design Impact Assessment

Each Sign Variance Application package for a billboard sign with electronic changing copy shall include an urban design impact assessment of the proposed sign on the

views, visual quality and character of the existing and planned surrounding context.
(See Appendix C for Terms of Reference)

3.4. Sign By-Law 54-01

The provisions of Sign By-Law 54-02 with regard to Billboards and as shown on Table 4, Page 20 of Sign By-Law 54-02, shall also apply to Billboard Signs with Electronic Changing Copy except where otherwise stated (See Appendix A).

3.5. Separation Distances, Heights, Setbacks, Maximum Sign Area

Billboard Signs with Electronic Changing Copy shall be positioned relative to one another such that not more than one electronic billboard display shall be visible to an approaching driver at the same time.

Except for 2(a), 2(b) the provisions of Sign By-Law 54-02, Section 20, shall also apply to billboard signs with electronic changing copy.

No part of a billboard sign with electronic changing copy shall:

- Exceed 7.62 m in height; (240-07)
- Be located closer than 7.5 m to the street line; (240-07)
- Be multi-faced
- The maximum sign area of a **billboard** shall be 20 m² per sign face.(240-07)

Notwithstanding the provisions of Sign By-Law 54-02, Section 20, 2(a) and 2(b), no part of a billboard sign with electronic changing copy shall be:

- Located closer than 250 m from another billboard sign on the same side of the street, but this does not apply to billboard signs on opposite sides of grade separated railway crossings
- Located closer than 250 m measured in a straight line from a residential zone

3.6. Location of billboard signs with electronic changing copy, relative to traffic control devices and important driver decision points

- Where the posted speed limit on a road is less than 80 km/hour, a billboard sign with electronic changing copy shall not be erected within 120 m of a **major traffic sign** or **driver decision point**
- Where the posted speed on a road is 80km/hour or greater, an electronic billboard sign with changing copy shall not be erected within 250 m (820.21 ft.) of a **major traffic sign** and 500 m (1,640.42 ft.) of a **driver decision point**

Driver decision points include, intersections, on ramps, off ramps, interchanges, merge areas, right/left turn lanes and close to traffic signals, toll plazas, pedestrian

crossings, rail crossings, work zones, where the cognitive demands on drivers are greatest.

3.7. Minimum Message Display Duration

Generally, bright lights and visual change, both of which are associated with **electronic billboards**, can draw the eye to a stimulus that is brighter than its surroundings. Bright lights and visual change can also draw the eye to a stimulus that exhibits movement or apparent movement. In addition, the Zeigarnik Effect suggests that drivers will focus longer on a display in which the message changes, in an effort to “complete” the viewing experience. To minimize these potentially distracting effects, the minimum display duration on an electronic billboard sign, should be set to reduce the possibility that the approaching driver will be able to see more than one display.

- The minimum display duration of a billboard sign with electronic changing copy shall be 10 seconds

3.8. Transition between successive displays

The transition between successive displays on a billboard sign with electronic changing copy shall appear seamless and imperceptible to approaching drivers.

- The maximum interval between successive displays on a **billboard sign with electronic changing copy** shall be 0.1 second.
- There shall be no visual effects or **animation** of any kind, including, but not limited to, **fading, dissolving, blinking** or the illusion of such effects, during the message transition or interval between successive displays.

3.9. Message Sequencing

When a single message or advertisement is divided into segments and presented over two or more successive display phases on a single electronic billboard or across two or more billboards, it is described as **Message Sequencing**. This objective of this type of advertising is to capture and hold the viewer’s attention throughout the time or distance required to complete the message.

- **Billboard Signs with Electronic Changing Copy** shall not use **message sequencing** or **text scrolling** of any kind, over successive display phases on a single billboard or across multiple billboards

3.10. Amount of Information displayed

It takes approximately one second for a road user to read one word. The number of words displayed on a billboard sign with electronic changing copy shall not be greater than the number of seconds required for the duration of the message display. The

height of each character on the message display shall be sufficient to ensure that the message is clearly legible over the entire viewing distance.

- Interactive billboard messages that permit, support or encourage interactive communication with drivers in real time shall not be permitted. These include **billboard signs with electronic changing copy** that respond to text messages, phone calls or e-mails from passing drivers or that request immediate response by text, phone, e-mail etc.

3.11. Sign Animation

Animation refers to any motion in the advertisement, including video, special effects within a single **frame** and transition, movement and rotation between successive **frames**.

- There shall be no **animation**, flashing movement or appearance of movement on a billboard with electronic changing copy, except where the billboard sign with electronic change copy is not visible from any vehicular road way.

3.12. Sign Brightness and Luminance

Brightness is the perceived intensity of a source of light. It is the appearance of light to the viewer. **Luminance** is the amount of light leaving a surface in a particular direction or, the amount of light that is deflected off a surface. Sign Brightness is a function of sign luminance, the background against which the sign is viewed, the driver's age, level of adaptation of the eyes, and atmospheric conditions such as fog. Brightness can be measured as luminance, in candelas per square m (cd/m^2) or illuminance in foot-candles (fc). Luminance is the amount of light that is emitted from a surface, while illuminance is the amount of light falling upon a surface. The human eye is drawn to the brightest objects in a field of view and this is generally referred to as the "moth effect". A brightly illuminated electronic billboard sign could draw a driver's attention away from the road, other vehicles and traffic devices. This is of particular concern at night time, dusk or dawn and during periods of inclement weather.

The maximum luminance level for a billboard sign with electronic changing copy shall be:

- 5000cd/m^2 from sunrise to sunset (One Nit = One Candela per m^2 (cd/m^2))
- 300cd/m^2 from sunset to sunrise (One Nit = One Candela per m^2 (cd/m^2))
- The maximum illumination level for a billboard sign with electronic change copy shall be 0.3 lux above ambient light levels (One Lux = 0.093 foot-candles (fc))
- All billboard signs with electronic changing copy shall be equipped with ambient light sensors and automatic dimmers that control the light output relative to ambient conditions

- Electronic billboards signs shall be illuminated between the hours of 5:00 a.m. and 12 mid-night only each day.

To measure **illumination**, the International Sign Association (2011) has provided the following equation to determine the distance away from the billboard sign, at which the measurement shall be taken:

- Measurement Distance = Square Root of (Sign Area (m²) x 100)

4. Definitions

Animated Sign

A sign that uses motion, the illusion of motion, light changes or colour changes achieved through mechanical, electrical or electronic means

Billboard Sign

“Billboard Sign” means an outdoor sign that advertises goods, products, or services that are not sold or offered on the property where the sign is located, and is either single faced or double faced.

Brightness

The visual sensation experienced by an observer. It is affected by the luminance of the sign, size of the sign, contrast, the viewing position and individual characteristics of the observer

Character

The aggregate of the features including the attributes of the physical, natural and social dimensions of a particular area or neighbourhood

Compatible

That which enhances an established community and coexists with existing development without unacceptable adverse impact on the surrounding area

Context

An area that is within a 250 m (820.21 ft.) radius of the centre point of the location of the proposed billboard sign with electronic changing copy

Copy

The graphic content and message of a sign surface

Double-Faced Sign

A sign having two (2) sign faces of equal area and proportions which are located exactly opposite each other on the sign structure

Driver Decision Points

Crucial areas where a driver's attention must not be distracted from the task of safely navigating the roadway, including but not limited to intersections, pedestrian crossings, rail crossings, on/off ramps, toll plazas, work zones, traffic lights, traffic signs, traffic signals and other traffic control devices etc.

Electronic Changing Copy Sign

A sign constructed so that the message or copy can be changed by electronic means

Enhance

To complement and assist in furthering the aesthetic and intrinsic value of a neighbourhood, site or structure

Frame

A complete static display screen on a billboard sign with electronic changing copy

Glance Duration

The length of time for which a driver looks at a sign

Glance Frequency

The number of glances made by a driver at a sign

Height

The vertical distance measured from the average elevation of the finished grade immediately below a sign to the highest point of the sign and includes any support structure

Illuminance

The amount of light falling upon a surface

Landmark

A building, object or feature of a landscape, neighbourhood or the City that is easily seen and recognized from a distance, especially one that enables people to establish their location

Luminance

The amount of light that is emitted by or reflected from the surface of a sign

Lux

The metric unit of measure for illuminance
One Lux = 0.093 foot-candles

Major Traffic Signs

All regulatory traffic signs

Regulatory traffic signs give directives that must be obeyed

Message Duration

The length of time that a static image or message is displayed on a digital sign face

Message Sequencing

The use of a sequence of displays and messages as part of a single advertisement

Multi-Faced Sign

A ground sign having more than two (2) sign faces up to a maximum of four (4) faces, each face being of equal area and proportion to the other

Sign

Any surface, structure and other component parts, which are used or capable of being used as a visual medium to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device or notice

Sign Area

The entire area of a sign face

Sign Face

The entire area of the surface of a sign including the border or frame together with any material forming an integral part of the background of the display or used to differentiate the sign from the backdrop or building against which it is erected

Streetscape

The character of the street, including the street right-of-way, adjacent properties between the street right-of-way and building faces. Thus, the creation of a ***streetscape*** is achieved by the development of both public and private lands and may include planting, furniture, paving, etc.

5. References

<http://www.mississauga.ca/file/COM/signcorrection2009.pdf>

By-Law 15892 – Text amendments to Edmonton Zoning By-Law for Outdoor Signs

Transportation Association of Canada: Digital and Projected Advertising Displays: Regulatory and Road Safety Assessment Guidelines, March 2015

<https://www.nanaimo.ca/assets/Departments/Current~Planning/LED~Sign~Review/2009Sep30MOTIInformationPaper.pdf>

British Columbia Ministry of Transportation Information Paper: Electronic Billboards, September 30, 2009

Planning and Design Review of Illuminated & Electronic Signs by Martin Rendl Associates, July 2013

**Safety Impacts and Regulations of Electronic Static Road Side Advertising Signs
Technical Memorandum #1 – Current Research Literature Review by CIMA for the City of Toronto**

Roadside Advertising Guide, Edition 1.2, 2 August 2013, Queensland Government
<http://creativecommons.org/licenses/by/3.0/au/>

6. Appendices

APPENDIX A

TABLE 4: BILLBOARDS, SIGN BY-LAW 54-02

Use	Maximum number	Maximum Sign Area	Maximum height	Minimum Setbacks
Shopping Centre Office Building Hotel Service Station Motor Vehicle Dealership	1 for each property where there is no ground sign	20.0 m ² per sign face	See Section 20 of Sign By-Law 54-02	See Section 20 of Sign By-Law 54-02
Individual Free-Standing Industrial Establishment 1	1 for each property where there is no ground sign	20.0 m ² per sign face	See Section 20 of Sign By-Law 54-02	See Section 20 of Sign By-Law 54-02
Vacant Industrial Property 1	1	20.0 m ² per sign face	See Section 20 of Sign By-Law 54-02	See Section 20 of Sign By-Law 54-02
Notes: 1 Notwithstanding subsection 17 (5), no person shall erect a sign in an Employment zone that is visible from any land zoned for residential uses and located between Eastgate Parkway and Rathburn Road East.				

APPENDIX B**SECTIONS 5(1), (2), (3), (4), (6) OF SIGN BY-LAW 54-02****5. APPLICATION FOR A SIGN PERMIT**

- (1) All signs shall comply with all other applicable City By-laws and all other applicable law. All signs shall be erected and designed in accordance with the requirements of the Ontario Building Code Act, as amended.
- (2) Every applicant for a sign permit shall complete a sign permit application provided by the Building Division of the Planning and Building Department, submit all necessary plans and drawings, and pay all applicable fees as set out in the Fees and Charges By-law.
- (3) Where the sign permit application meets all the requirements of this By-law and any other applicable laws, a sign permit shall be issued by the Commissioner.

(4) Sign Permit Information

All plans and drawings accompanying a sign permit application for a permanent sign shall be provided in duplicate and shall contain the following information:

- (a) a key plan showing the general location of the land on which the proposed sign is to be located and the nearest major intersection;
- (b) a plan of the premises drawn to scale showing all measurements in metric;
- (c) the municipal address and legal description of the premises;
- (d) the existing or proposed use of the premises;
- (e) the zoning category of the premises;
- (f) the location of all existing buildings and their entrances;
- (g) the location and dimensions of the frontage and all boundaries of the premises on which the sign is proposed to be erected;
- (h) the location of the proposed sign on the premises;
- (i) details of the sign drawn to scale, including dimensions, sign area and any other information as may be required to determine compliance with this By-law;

- (j) other information as determined by the Commissioner with respect to the building including architectural and structural drawings as may be necessary to determine if the building is structurally capable, under the Ontario Building Code, of supporting the sign or advertising device; and
- (k) authorization of the owner of the premises on which the sign is to be erected or displayed.

(6) Ground and Billboard Sign Permits

In addition to the information required under subsection 5 (4), all plans and drawings accompanying an application for a ground or billboard sign permit shall contain the following information:

- (a) the location of any existing structures, above ground utilities, underground utilities, underground municipal services, parking areas, walkways, driveways, loading areas, vehicular access and egress points, billboard signs and ground signs on the premises;
- (b) the identification by location, description, dimension and ownership of any existing or proposed easements or rights-of-way over the land and premises;
- (c) the location of all landscaped areas;
- (d) the location of any existing deciduous trees measuring greater than a 6 cm circumference by caliper and any existing coniferous trees measuring greater than 150 cm in height;(240-07)
- (e) identification of adjacent land uses, zoning, buildings, structures, billboard signs and ground signs;
- (f) the setback of the proposed billboard sign from the property line of adjacent residential lands;
- (g) the setback of the proposed billboard sign from other billboard signs within 200 metres of the proposed billboard sign; and (240-07)
- (h) the setback of the proposed sign from the property line.

APPENDIX C

TERMS OF REFERENCE FOR URBAN DESIGN IMPACT ASSESSMENT OF BILLBOARD SIGNS WITH ELECTRONIC CHANGING COPY

1. Purpose

The purpose of the urban design impact assessment is to evaluate the visual impact of a proposed billboard sign with electronic changing copy on the **character** of the **context** within which it is to be located. This also includes an assessment of the impact on the use of the spaces from which it will be visible and on the physical elements that make up those spaces including trees, streetscape elements, public art, sidewalks, parks and open spaces, amenity areas etc. Where applicable, the urban design impact assessment will specify mitigation measures to eliminate any negative impacts in order to achieve a billboard sign that is **compatible** with the context in which it is to be located.

2. Required Information

In addition to the information required under subsection 5 (4) and 5 (6) of Sign By-Law 54-02 (see Appendix B), the following information shall be provided as part of an urban design impact assessment:

2.1. A **context** map/plan drawn to a minimum metric scale of 1:500 that shows the **context** around the proposed sign. The **context** shall be defined as an area that is within a 250m radius of the centre point of the location of the proposed billboard sign with electronic changing copy

2.2. The **context** plan shall show all existing features including the following:

- All existing and approved developments
- Sensitive land uses including but not limited to residential buildings, residential uses within mixed use developments, schools, hospitals
- Landmark buildings and features
- Street names, roads and highways
- Street trees, landscape areas, sidewalks and all existing features on the boulevards
- Street furniture, light standards, traffic lights, bus stops and shelters
- Existing and approved billboard signs and ground signs
- Public art installations
- Cultural Heritage Resources including Heritage designated and listed buildings, parks, monuments and features of historical significance
- Public art installations
- Public and private open space and amenity areas
- Significant views and vistas where applicable

2.3. Provide accurate 3D images of the proposed billboard sign with electronic changing copy within the **context** as defined above. The images shall be taken from a minimum of four different directions identified on the context plan.

2.4. Provide an Urban Design Impact Summary which shall include the following:

2.4.1. A description of the **character** of the context including the scale and range of building heights, **character** of the **streetscape**, land uses, significant features such as heritage buildings, important views and vistas, natural features, public art, architectural style etc. This description shall be supported by images and any other illustrations.

2.4.2. A written analysis of the merits of the proposed billboard sign as it relates to the scale and **character** of the **context**, its impact on existing conditions and how it will enhance the urban design and visual image of the existing and planned **character** of the **context**. The written analysis shall also demonstrate how the proposed billboard signs with electronic changing copy satisfactorily address the guidelines especially with regard to identifying and eliminating negative impacts on sensitive land uses including residential uses within areas designated for mixed use and residential uses in mixed use developments.

Peer Review of Draft Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy

City of Mississauga

Prepared by:

Martin Rendl Associates

July 2017

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1. INTRODUCTION

The City of Mississauga's Sign By-law 54-02 regulates billboard signs. The Sign By-law makes no provision for billboards to contain electronic changing copy. This type of electronic billboard is therefore prohibited.

Applicants seeking to erect a billboard with electronic changing copy can apply to the City for approval of a variance from the Sign By-law to allow this type of billboard. The Planning and Building Department reviews the application and makes a recommendation to approve or refuse the application to City Council which makes the final decision on the sign variance application.

The Planning and Building Department has prepared draft Guidelines for the review of sign variance applications for billboard signs with electronic changing copy. The purpose of the draft Guidelines is to provide a framework for evaluating sign variance applications seeking to permit a billboard sign with electronic changing copy.

This report contains a peer review of these draft Guidelines for the purpose of determining if the Guidelines:

- Address the key considerations relevant to having billboards with electronic changing copy in the community;
- Adequately address traffic safety;
- Should be incorporated into the Sign By-law.

Appendix A provides a comparison between the criteria of Mississauga's Guidelines for electronic billboards with the practices of other municipalities.



2. SIGNS CONTAINING ELECTRONIC COPY

Signs including billboards have traditionally not incorporated hardware that is able to electronically display the copy or advertising on the sign.

Billboards usually consist of large flat surfaces onto which advertising copy printed on paper or vinyl is attached and externally illuminated. In other cases, the copy is printed on a translucent material and internally illuminated. In both instances, the billboard's advertising is manually changed on site periodically.

Advances in electronic displays together with the steadily decreasing cost of this new display hardware has led to a growth in the incorporation of electronic displays in signs. This in turn has allowed these signs to contain electronic changing copy and introduced new display options.

The copy shown on the electronic display is now continuously changeable and controlled from a remote location. Such signs with electronic changing copy are sometimes also referred to as electronic signs or digital signs. In this report for clarity and consistency, billboards with electronic changing copy are referred to as electronic billboards.

The outdoor advertising industry has been particularly attracted to installing billboards with electronic displays hosting changing copy and advertising. This growth in electronic displays in outdoor advertising includes both new billboards and the conversion of existing traditional billboards to electronic screens.

The ability to instantly change the sign's copy from a remote location and change to a different ad every few seconds are features understandably favoured by companies selling outdoor advertising with an ad based revenue model.

Most municipal sign by-laws were passed before the advent of electronic displays being incorporated into signs and billboards to display electronic changing copy.

Not all municipalities have updated their sign by-laws to address or permit digital signs or electronic billboards since each community makes choices it deems appropriate about its collective appearance and the nature of its public realm. Some municipalities continue to deal with electronic billboards on an application by application basis.



Traditional Billboard



Electronic Changing Copy Billboard



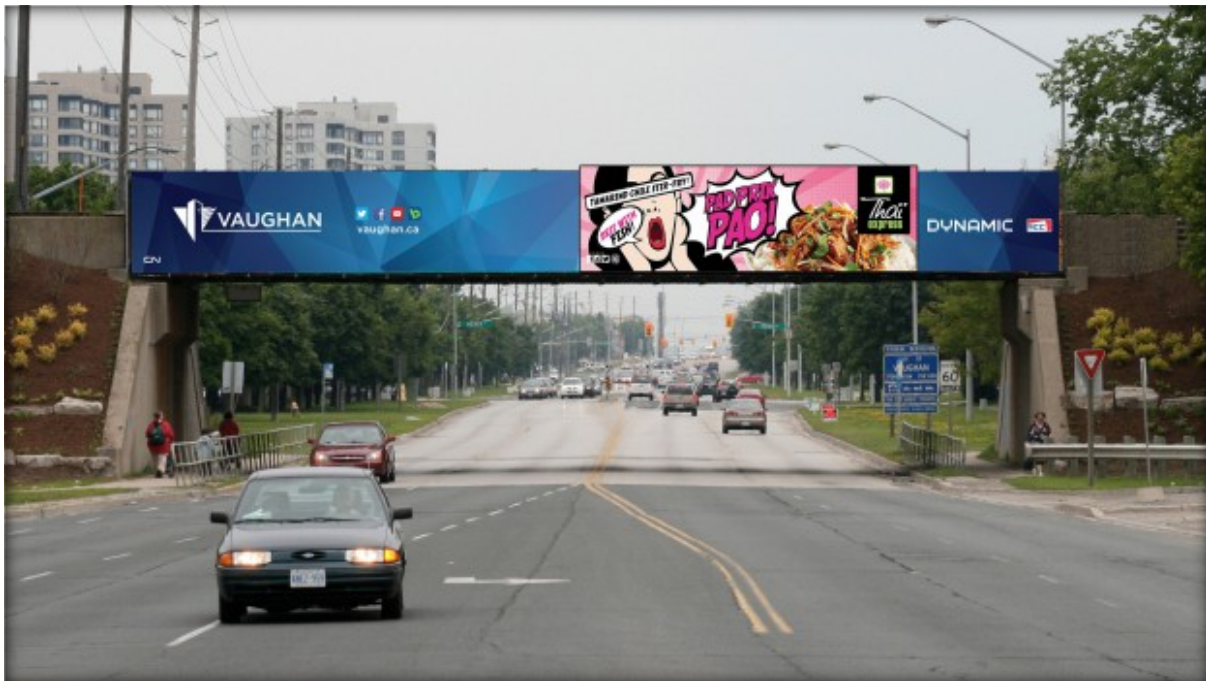
Digital signs by virtue of their new display technology are a distinct sign type. They differ from conventional signs with respect to regulatory considerations. This is because the new electronic display technology digital signs incorporate brings distinct characteristics to these signs not found in traditional signs. Municipalities that permit digital signs have acknowledged this distinction in the sign regulations they have adopted for electronic billboards.

Electronic Billboards on Railway Overpasses

Outdoor advertising companies have partnered with railway companies to locate billboards along the railways' rights-of-way. Generally, this has taken the form of billboards located alongside the railway tracks and adjacent to major roads.

Recently some companies have installed electronic billboards on railway overpasses above major roads. These installations are sometimes referred to as Gateway Signage because they are often at major entry points to the community, giving them a high degree of visibility and exposure on busy streets.

These billboards usually span the entire width of the road right-of-way. By virtue of their size and location directly in the view of motorists and pedestrians, these billboards are often the dominant visual feature along that section of road.



Electronic Billboard on Railway Overpass, Bathurst Street, City of Vaughan

In addition to displaying advertising, the billboards may also display municipal messages where the company has an agreement with the municipality, as shown in the above example in the City of Vaughan.

These types of electronic billboards share all of the characteristics of other electronic billboards and should be governed by the same considerations and provisions.

3. REVIEW OF THE DRAFT GUIDELINES FOR ELECTRONIC BILLBOARDS

Mississauga's Guidelines deal only with electronic displays in billboard signs which by definition are signs that display commercial advertising for goods, products, or services sold or offered away from the property where the billboard sign is located.

However electronic displays can also be incorporated into first party signs, i.e., signs that identify a use or business located on the property where the sign is located. The Guidelines do not deal with first party signs with electronic changing copy but aside from the difference in sign content (third party commercial advertising vs. first party identification) first party digital signs generally share the technical issues present in electronic billboards.

This section contains a review and commentary on the City's draft Guidelines for the Review of Sign Variance Applications for Billboard Signs with Electronic Changing Copy.

A. LOCATION OF ELECTRONIC BILLBOARDS (SECTION 3.1.2)

The Guidelines limit the consideration of electronic billboards to two types of locations.

In the first case, the Guidelines provides for electronic billboards to be considered in all locations where Sign By-law 54-02 currently permits conventional billboards. The private properties where billboards are permitted include a shopping centre, office building, hotel, service station, motor vehicle dealership, individual free-standing industrial establishment, and a vacant industrial property.

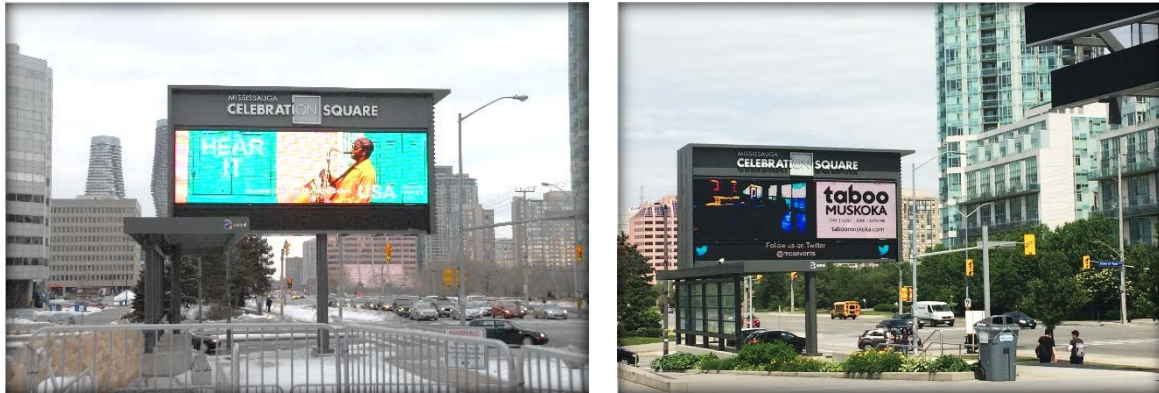
In these locations, a maximum of one billboard can be erected on a property provided there is no ground sign located on the same property.

In addition to these locations, the Guidelines provide for electronic billboards to be considered in locations where the Sign By-law does not permit billboards. These additional locations are primarily public properties and include:

- Public Squares in the Downtown Core;
- Public Squares within the Cooksville 4 Corners;
- Public Squares within Major Nodes;
- A specific area of the City deemed by the City to be a location in which electronic billboards are key elements that contribute to the character and vibrancy of the area.

The Public Squares identified in the Guidelines generally correspond with areas in Mississauga that are defined in the Official Plan. The intent is to turn these public spaces into vital community places consistent with the City's placemaking and design objectives. The Guidelines allow for consideration of how electronic billboards might contribute to these placemaking objectives for the identified Public Squares.

For example, Celebration Square adjacent to Mississauga City Hall is a Public Square in the Downtown Core. An Advertising Gateway sign is located at the corner of Burnhamthorpe Road and Duke of York Boulevard. This electronic billboard is managed by an outdoor advertising company and displays commercial advertising.



Celebration Square Advertising Gateway Electronic Billboard

The City has erected two large electronic screens and other digital screens adjacent to the permanent stage. The intent is to create a linear media wall facing Library Square. Commercial advertising is not permitted on the media wall; therefore, the screens are not considered to be electronic billboards.

These screens are used by the City to enhance events held in Celebration Square such as concerts, festivals and other community occasions. For example, Art on the Screens is an annual series that presents innovative digital screen based works by artists on the Celebration Square screens. The Celebration Square media wall is an example of broadening the current use of electronic screens outdoors from commercial advertising to cultural content as an element of urban space.

The Guidelines also allow for the consideration of areas in Mississauga that have not been pre-identified as places of significance in Mississauga's urban structure.

In such areas, the Guidelines require that the electronic billboards form a key element of the area's character and vibrancy. This placemaking objective is similar in intent to having electronic billboards play a major role in setting the urban character of spaces like Times Square in New York and Dundas Square in Toronto.



Celebration Square Media Wall



Toronto's Dundas Square

COMMENT

For the moment, due to the relatively high cost of electronic billboards it can be expected that the pressure for electronic billboards will be limited to high visibility and high traffic locations.

This is in part because a billboard's revenue and profitability is directly related to the number of persons potentially seeing the advertising copy on the billboard. Low traffic locations therefore do not generate the ad revenue of higher traffic locations thereby reducing the viability of locating higher cost electronic billboards in these low traffic areas.

Municipalities generally regulate the location of billboards carefully to minimize their potential impact on sensitive uses and avoid visual sign clutter along streets and the public realm. The characteristics of electronic billboards such as changing copy and brightness increase their potential impact on sensitive uses and the City's public realm. Accordingly, there is no basis to consider expanding the potential locations where the City will consider electronic billboards beyond those found in the draft Guidelines.

RECOMMENDATION

No change recommended to Section 3.1.2.

B. ELECTRONIC BILLBOARDS IN CONTEXT (SECTION 3.1.3)

Section 2 of the draft Guidelines states the purpose of the Guidelines is to mitigate the impacts of electronic billboards on traffic safety as well as the visual image of the communities where they are located. These are commonly the objectives of municipalities that regulate electronic signs.

The objectives of Section 2 carry forward into Section 3 of the draft Guidelines which lists the same two key considerations for the approval of a sign variance application for an electronic billboard:

- The impact of the electronic billboard on the character of an area;
- The impact of the electronic billboard on traffic safety.

The scope for potential impacts includes the considering the current and planned context for the area within a 250 m radius from the centre point of the proposed electronic billboard. The draft Guidelines describe character as "the aggregate of the features including the attributes of the physical, natural and social dimensions of a particular area or neighbourhood."

The draft Guidelines require the applicant to submit an Urban Design Impact Assessment of the proposed electronic billboard prepared in accordance with the City's Terms of Reference. The Urban Design Impact Assessment is intended to evaluate the visual impact of the electronic billboard as well as its impact on surrounding spaces. If negative impacts from the electronic billboard are foreseen, the applicant is to identify appropriate mitigation measures.

COMMENT

The requirement for an Urban Design Impact Assessment by the applicant is appropriate. It provides for a consistent assessment of electronic billboards with respect to how they fit into the existing and planned context of their surroundings. The Impact Assessment also ensures that applicants have given adequate consideration to the specific guidance contained in the draft Guidelines for matters such as billboard size, separation distances between billboards, as well as the display characteristics and brightness of the electronic billboard.

RECOMMENDATION

Add to the Terms of Reference for an Urban Design Impact Assessment the requirement that the applicant demonstrate in the Assessment how the Guidelines for billboard signs with electronic changing copy are satisfied by the proposed billboard.

C. PHYSICAL PARAMETERS OF ELECTRONIC BILLBOARDS (SECTIONS 3.1.4, 3.1.5)

The draft Guidelines' criteria for the maximum sign height, sign area, and minimum setback from a street for an electronic billboard are identical to the regulations of Sign By-law 54-02 for a conventional billboard. The maximum size and scale of electronic billboards is to be the same as conventional billboards.

The draft Guidelines increase the separation distance to another billboard from 92 m to 250 m and increase the setback from a residential zone from 92 to 250 m. This distance corresponds with area defined by a 250 m radius from a proposed electronic billboard for the urban design impact study.

COMMENT

The draft Guidelines' parameters for the size and scale of electronic billboards are consistent with the objective of having appropriate consideration for the impact of a billboard on the quality of the visual environment of the community where it is located.

Billboards are generally the largest signs permitted by a municipality and are usually located along streets with the highest traffic volumes. They are intended to be highly visible and visually prominent objects in the public realm.

In this regard, municipalities like Mississauga regulate the proximity of billboards to sensitive uses such as residential areas. Minimum separation distances between billboards are intended to reduce visual sign clutter along streets. The increased separation distances for electronic billboards acknowledges the increased potential for negative impacts arising from the changing copy of the electronic billboard.

Most of the areas listed in Section 3.1.2 of the draft Guidelines where the location of electronic billboards can be considered are also areas of Mississauga designated for mixed residential and commercial development.

The experience of other municipalities in downtowns and other mixed-use nodes has been that electronic billboards can be a source of negative impacts on the residents of nearby higher density residential buildings. For example, the brightness of electronic billboards at night, the frequent change of copy on the billboard, and the hours of operation at night can detract from the normal conditions expected in a residential setting.



The draft Guidelines do not allow electronic billboards to be located closer than 250 m to a residential zone. They refer to “residential zone” and “residential building” as the sensitive land uses to be considered in the assessment of impacts from electronic billboards. It is not clear how this separation criterion between electronic billboards and a residential dwelling unit is to be applied in an area designated as or consisting of mixed use development including residential uses.

RECOMMENDATION

Clarify the draft Guidelines to ensure the Urban Design Impact Assessment addresses the potential impact of electronic billboards on residential uses in mixed-use developments and mixed-use areas containing residential development.

D. DISPLAY CHARACTERISTICS OF ELECTRONIC BILLBOARDS (SECTIONS 3.1.7 – 3.1.11)

The draft Guidelines contain criteria commonly used by municipalities to address the unique issues associated with a sign that consists of an electronic screen. Mississauga’s draft Guidelines address:

- Minimum duration of the message displayed on the electronic billboard;
- Maximum interval for the change of electronic copy;
- Prohibition of animation, visual effects, sequential messages, interactive messages;
- The size of characters displayed on the billboard and the number of words displayed for the duration of the message displayed.

The draft Guidelines prohibit animation or the appearance of movement on an electronic billboard except where the electronic billboard is not visible from any roadway.

COMMENT

Municipalities that permit electronic billboards generally prohibit any form of animation on the screen, requiring the static display of messages, as the Guidelines provide for.

Mississauga's maximum interval between changing copy is short to minimize the perception of message change.

The draft Guidelines specify a minimum height for characters on the screen as well as limiting the number of words displayed to ten. The draft Guidelines do not include graphics in this limit however they also contribute to the amount of visual material the observer must process.

The intent of these controls in the draft Guidelines is to improve the legibility of the message for the viewer while the sign is visible to the driver and avoid presenting more information than the driver can absorb during the period the sign is visible to the driver.

Municipalities that permit electronic billboards generally do not specify the minimum height of characters on the screen or the number of words displayed. These matters are generally left to the sign companies who usually assist clients in creating advertising copy that is effective when displayed on an electronic billboard.

While height is one factor in the legibility of letters and numbers, it is also affected by the type of font, however the resolution of the screen is a major factor affecting the legibility of any information displayed on the screen.

The screen on an electronic billboard consists of thousands of individual LEDs that form the letters and characters. Low resolution screens are not able to display the greater detail of high resolution screens. Letters on a low-resolution screen will appear coarser and not as fully formed as those on a high-resolution screen. The same applies to any graphics or pictures.

The requirements for minimum letter size in the absence of accompanying requirements specifying minimum screen resolution are unlikely to achieve the intended legibility since the hardware resolution of the screen can undermine the controls on letter size and number of words of the content.

In addition, the restrictions on letter size and number of words will likely be difficult to monitor and enforce given the number of ads displayed every hour on an electronic billboard with changeable copy.

Outdoor advertising companies tend to be knowledgeable about developing advertising copy that is suitable for reading from an electronic billboard and effectively communicates the message of their advertising clients. It is in the interest of both the sign company and advertiser to display advertising that effectively communicates the message to the consumer viewing the advertising on the electronic billboard.

RECOMMENDATION

Remove from the draft Guidelines the requirements for a minimum letter size and maximum number of words in the advertising displayed on an electronic billboard.

E. BRIGHTNESS AND ILLUMINATION

Electronic billboards differ from conventional billboards because the electronic billboard is itself a light source, just like a television screen. Accordingly, the amount of brightness emitted by the electronic billboard and the impact of that light from the sign on ambient light levels in the vicinity of the electronic billboard are important matters to address.

Mississauga's draft Guidelines limit the brightness/luminance of electronic billboards (the amount of light emitted by the electronic screen) to:

- 5000 cd/m² (5,000 nits) from sunrise to sunset;
- 300 cd/m² (300 nits) from sunset to sunrise.



**Glare & Light Overspill from
an Electronic Sign**

Mississauga's Guidelines use candelas per square metre to measure sign brightness which is the metric equivalent of the imperial foot lamberts. Most municipalities have adopted candelas per square metres and foot candles to measure luminance and illuminance.

The draft Guidelines also set a limit for how much the electronic billboard can increase ambient light levels nearby. The electronic billboard should not raise the ambient light level by more than 0.3 foot candles. This is equivalent to approximately 3.2 lux and is higher than the 0.3 lux maximum used by most municipalities.

Mississauga's criteria for the brightness of electronic billboards are consistent with standards adopted by other large municipalities in their sign by-laws. The City's criteria for illuminance of 3.2 lux is higher than the 0.3 lux generally adopted by municipalities to control increases to ambient light levels created by the electronic billboard.

Some municipalities limit the hours of operation of electronic billboards, requiring that they go dark later in the evening until sunrise. Common cut off times are 11:00 p.m. or 12:00 a.m. Limiting the hours of operation of electronic billboards reduces their impact on dark sky and also limits the display of advertising at times when traffic levels are at their lowest with a correspondingly few persons likely to view the advertising.

RECOMMENDATION

Amend the draft Guidelines' criteria for ambient light levels from 0.3 foot candles to 0.3 lux.

Consider limiting the hours of operation of electronic billboards.

F. TRAFFIC SAFETY (SECTION 2.1)

A common concern about electronic billboards is that they create an increased risk to traffic safety because of a potential increase in driver distraction. While all signs aim to attract the attention of passersby, the unique visual characteristics of electronic billboards may attract more and longer views. Among other things, the electronic billboard's changing copy may lead to drivers looking away from the roadway to view the changing messages on the billboard.

The draft Guidelines require the owner of the property where an electronic billboard is installed to execute a waiver releasing the City of Mississauga and the Road Authority liability and indemnify them against any claim or action for damage or injury arising from the electronic billboard sign.

The draft Guidelines prohibit the erection of an electronic billboard within 120 m and 500 m of a major traffic sign or a driver decision point

COMMENT

Section 2.1 of the draft Guidelines states that some municipalities require the submission of a Traffic Safety Review Study with applications for electronic billboards.

Mississauga's draft Guidelines do not require applicants to submit a Traffic Safety Review Study. Such an analysis appears not necessary because the Guidelines address and prohibit most of the characteristics of electronic billboards that may promote driver distraction. Such characteristics include full animation, visual effects, short message duration, extended message transitions, and sequential messages.

In addition, the draft Guidelines prohibit the erection of an electronic billboard within 120 m and 500 m of a major traffic sign or a driver decision point. Major traffic sign is not defined in the Guidelines but likely refers to major street intersections and similar locations where the cognitive demands on a driver are the greatest. Accordingly, the potential for driver distraction at such locations along roadways should be minimized.

The criteria of the draft Guidelines for electronic billboards appear to address the main aspects of electronic billboards that may affect traffic safety. Clarification of the terms major traffic sign and driver decision points will improve understanding and application of the Guidelines.

RECOMMENDATION

Clarify the meaning of "major traffic sign" in the glossary of the draft Guidelines.

Add "driver decision points" to the glossary of the draft Guidelines.

G. ORGANIZATION OF THE GUIDELINES

The draft Guidelines contain Definitions (Section 1), Background (Section 2), Criteria (Section 3), a Glossary (Section 4) and three Appendices.

COMMENT

The draft Guidelines would benefit from a reorganization of its contents and some revisions to wording and terms. This will facilitate understanding and application of the Guidelines

The contents of the Guidelines should be reordered as: Purpose and Objectives (current Section 2); Guidelines for the Review of Sign Variance Applications (current Section 3) and Definitions (current Sections 1 and 4).

The current definitions and glossary should be combined since they have the same purpose, clearly give the meaning of words and terms.

The following are comments on specific content in the draft Guidelines.

- Electronic Changing Copy Sign definition
 - The definition states the sign changes its copy by electronic or electro-mechanical means. An electronic billboard has not moving mechanical parts. The copy change is done completely electronically. The reference to electro-mechanical change should be removed.
- Message Duration definition
 - The draft Guidelines set message duration at 10 seconds. The second sentence of the definition is not required and should be removed.
- Digital Signs definition
 - The current definition is long and more in the nature of an introduction to digital signs with details of their operation and an overview of how municipalities regulated electronic billboards. The definition should be shortened to the least amount of words needed to clearly describe what a digital sign is.
- Section 2 with modifications should become the Purpose and Objectives portion of the Guidelines
- Copy
 - The glossary refers to copy as being either permanent or removable. This description is suited to physical copy on a sign. It does not describe the copy displayed electronically on a screen on a billboard which is neither permanent or removable.
- Illuminance
 - It is not necessary to explain what units are used to measure illuminance. The type of units used to measure are stated in the Guidelines.
- Lux
 - It is not necessary to provide the factor for converting lux to foot candles.
- Nit
 - The guidelines do not rely on nits to measure luminance and including nit in the glossary is unnecessary.

- Sign Face
 - This is the definition of the Sign By-law. The second sentence dealing with a sign face composed of individually installed letters, numerals and shapes is not relevant to an electronic screen and should be removed.

RECOMMENDATION

Revise the draft Guidelines as described in the foregoing comments.

H. IMPLEMENTING THE GUIDELINES

The draft Guidelines are proposed to be implemented as an evaluative framework for City staff and Council to use when assessing the merits of variance applications to permit electronic billboards.

The alternative is to amend Sign By-law 54-02 to incorporate the provisions of the Guidelines related to the location, size and other features of electronic billboards.

At present, dealing with electronic billboards by means of an application for a variance from the Sign By-law gives Council full discretion to allow or refuse a proposed electronic billboard. The Guidelines provide both the applicant and City with a framework to evaluate the merits of the proposal as part of a very flexible decision-making process. This framework provides applicants with a clear statement of the City's expectations for any electronic billboard. This flexibility afforded by the variance process allows for applications to be evaluated on their individual merits and specific context.

This flexibility is largely lost if electronic billboards are controlled through the provisions of an amended Sign By-law. Municipal by-laws are by design inherently inflexible and commonly generic in their application, i.e., one size fits all.

While applicants would be able to apply for a variance from the Sign By-law's regulations for electronic billboards, Council's decision-making flexibility would be significantly less than with the Guidelines based variance process for electronic billboards.

The Guidelines allow the City to consider matters such as planned context and a range of urban design considerations that could not be included in the Sign By-law. The Guidelines also provide the City with the flexibility to revise and update the content of the Guidelines in the future as appropriate.

The criteria contained in the Guidelines, with modifications where appropriate, can form conditions to the approval of a variance application for an electronic billboard. This flexibility to tailor approval conditions to a specific sign proposal is not present with sign regulations contained in a Sign By-law.

RECOMMENDATION

Implement the Guidelines for electronic billboards as part of the application process for variance applications from the Sign By-law.

APPENDIX A

COMPARISON OF MISSISSAUGA'S GUIDELINES WITH OTHER MUNICIPALITIES

The table below provides a comparison between Mississauga's Guidelines for electronic billboards with the sign by-law regulations of other comparable municipalities for electronic billboards. In some cases, municipalities have amended their sign by-law to permit electronic billboards. In other cases, electronic billboards are approved either on an application by application basis as either a site-specific amendment to or a variance from a municipality's sign by-law.

The municipalities were chosen on the basis of the size of their population and having development contexts similar to those of the City of Mississauga.

	Mississauga	Toronto	Ottawa	Edmonton	Winnipeg
Population	721,599	2,731,571	934,243	932,546	705,200
Definition	<p>Billboard Sign: An outdoor sign that advertises goods, products, or services that are not sold or offered on the property where the sign is located.</p> <p>Electronic Changing Copy: A sign constructed so that the message or copy can be changed by electronic or electro-mechanical means.</p>	<p>Electronic Sign: A sign that displays in whole or in part, electronic static copy or electronic moving copy.</p>	<p>Digital Billboard Sign: A large, outdoor, off-premises advertising ground sign that displays information or images on a digital or electronic screen.</p>	<p>Digital Sign: A sign that is remotely changed on or off site and incorporates a technology or method allowing the sign to change copy without having to physically or mechanically replace the sign face or its components.</p>	<p>Billboard Static Copy: A billboard capable of changing the message or copy on the sign electronically, where all the sign copy is fixed for a set period of time, and which directs attention to a business, commodity, service, thing, message, or entertainment conducted, sold, or offered elsewhere than upon the same zoning lot on which that sign is located.</p>

	Mississauga	Toronto	Ottawa	Edmonton	Winnipeg
Permitted Locations	<ul style="list-style-type: none"> • Shopping Centre • Office Building • Hotel • Service Station • Motor Vehicle Dealership • Industrial Establishment • Vacant Industrial Property • Public Squares • Areas where the electronic billboard contributes to the character & vibrancy of the area 	<ul style="list-style-type: none"> • Dundas Square • Gardiner Gateway • Special Sign Districts • Specific locations 	<ul style="list-style-type: none"> • Commercial & Industrial Zones 	<ul style="list-style-type: none"> • Commercial & Industrial Zones as a Discretionary Use 	<ul style="list-style-type: none"> • Conditional use in Commercial Community (C2), Commercial Corridor (C3), Light Manufacturing (M1), General Manufacturing (M2), Heavy Manufacturing (M3)
Maximum Size	20 m ²	20 m ²	18.6 m ²	20 m ²	18.6 m ²
Maximum Height	7.62 m	10.0 m		8.0 m	9.1 m
Separation from Other Billboards	250 m	100 m	60 m from any other billboard facing same oncoming traffic	200 m to 300 m depending on size (20 m ² to 40 m ²)	500 m from any other billboard on the same street facing the same direction of traffic
Separation from Other Electronic Billboards	250 m on the same side of the street	100 m	300 m from another digital billboard		
Separation from Residential	250 m on the same side of the street	NA	45 m from residential zone	Not to face an abutting or adjacent residential use class	Not to face an adjacent residential use unless the billboard is not visible from the residential use
Separation from Driver Decision Points	120 m and 500 m from a major traffic sign or driver decision point	100 m to 400 m from specific roads, expressways, highways	100 m from a highway ramp 500 m from specific Parkways	Traffic Safety Study required	Cannot be located within restricted areas near intersections with traffic signals, pedestrian corridors, railway crossings

	Mississauga	Toronto	Ottawa	Edmonton	Winnipeg
Minimum Duration for Static Message	10 seconds	10 seconds	10 seconds	6 seconds	6 seconds
Maximum Transition	0.1 second	1.0 second	1.0 second	NA	0.25 seconds
Message Sequencing	Not permitted	Not permitted	Not permitted	NA	NA
Transition Effects	Not permitted	Not permitted	Not permitted	NA	NA
Limit on the amount of information displayed	Yes	No	No	No	No
Animation Permitted	No	Yes, in specific areas	No	Yes	Digital Moving Copy Billboard is defined but not a permitted use in any zone
Maximum Sign Luminance	5,000 cd/m ² between sunrise & sunset 300 cd/m ² between sunset & sunrise	5,000 nits between sunrise & sunset 300 nits between sunset & sunrise	5,000 cd/m ² between sunrise & sunset 300 cd/m ² between sunset & sunrise	400 nits between sunset & sunrise	NA
Ambient Light Controls	Maximum 0.3 foot candles above ambient light conditions	Maximum 3 lux above ambient light conditions within 10 m of all points of the sign face	Maximum 3 lux above ambient light conditions	Maximum 0.3 foot candles above ambient light conditions	Maximum 0.3 foot candles above ambient light conditions
Lighting Controlled by Sensor	Yes	Yes	Yes	Yes	Yes

City of Mississauga

Corporate Report



Date: October 24, 2017

To: Chair and Members of Planning and Development Committee

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

Originator's file:
CD.21.SIT

Meeting date:
2017/11/13

Subject

RECOMMENDATION REPORT (CITY WIDE)

Proposed Updates to Site Plan Control By-law 0293-2006

Recommendation

1. That the Report dated October 24, 2017 from the Commissioner of Planning and Building titled "Proposed Updates to Site Plan Control By-law 0293-2006" be adopted, and that Site Plan Control By-law 0293-2006, as amended, be further amended in accordance with the draft By-law attached as Appendix 1 to this report.

Background

In June 2006, the City of Mississauga's Site Plan Control By-law was consolidated and updated. It is further updated based on periodic reviews by the Planning and Building Department, plans of subdivision and other land severances, and Council adopted recommendations with respect to development applications or land use studies.

The purpose of this report is to identify required updates to the Site Plan Control By-law, along with the rationale for each amendment. A draft by-law amendment is attached as Appendix 1.

Comments

Four amendments to the Site Plan Control By-law (SPC) are proposed. In the order of the sections of the By-law, they are as follows:

Section 4 (d)

Section 4 (d) of the SPC exempts the properties with the zones "RM5-45" and "RM5-46" from site plan control. These zones apply to street townhouses located in the Churchill Meadows Neighbourhood Character Area. Typically, all multi-unit residential development is subject to site plan control, however this project was exempted at the time of approval. The townhouses are now constructed, and future redevelopment of these parcels should be subject to site plan control.

It is recommended that Section 4 (d) be deleted.

Section 5 (m) (ii)

Since the last update to the SPC, official plan and zoning by-law amendments have been adopted to change the term "greenbelt" to "greenlands". A similar amendment must be made to the section in the SPC where greenbelt is used, for consistency.

It is recommended that the term "greenbelt" be amended to "greenlands" in Section 5 (m) (ii).

Section 5 (m) (iv)

This section stipulates that properties with an "RM7" zone are subject to site plan control, with the exception of detached and semi-detached dwellings. The "RM7" zone permits single detached, semi-detached, duplex and triplex homes. Detached and semi-detached homes on a public road are already exempted from site plan control under Sections 4 (a) and (b). Duplex and triplex dwellings are automatically subject to site plan control as they are not otherwise exempted. Therefore, this requirement is redundant.

It is recommended that Section 5 (m) (iv) be deleted.

Schedules 7 and 7A

The properties at 5175, 5201 and 5215 Mississauga Road are large lots that front onto Mississauga Road and are subject to site plan control in their entirety. A recently approved Draft Plan of Subdivision, under file T-M14003, created fifteen new lots, of which, four front or flank onto Mississauga Road. The remaining lots are interior to the site, and, as they do not front onto or abut Mississauga Road they should not be subject to site plan control. Schedules 7 and 7A must be amended to reflect the smaller area (four of fifteen lots) that remains under site plan control.

It is recommended that Schedules 7 and 7A be amended to show only the area of the four lots with Mississauga Road frontage/flankage.

Community Issues

No community or public meetings are required to be held under the provisions of the *Planning Act*.

Financial Impact

Not applicable.

Conclusion

It is recommended that these changes be made to the Site Plan Control By-law to reflect regulations that are no longer required and the approval of a draft plan of subdivision. These actions ensure that the areas of the City that are appropriate for site plan review remain as such, and where unnecessary, properties are removed.

Attachments

Appendix 1: Draft Site Plan Control By-law Amendment



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Lisa Christie, Planner

A by-law to amend By-law Number 0293-2006, as amended,
being the Site Plan Control By-law.

WHEREAS pursuant to section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may by by-law, designate the whole or any part of the municipality as a Site Plan Control Area, where in the Official Plan the area is shown or described as a proposed Site Plan Control Area;

AND WHEREAS the Corporation of the City of Mississauga enacted By-law 0293-2006, as amended, being a Site Plan Control By-law;

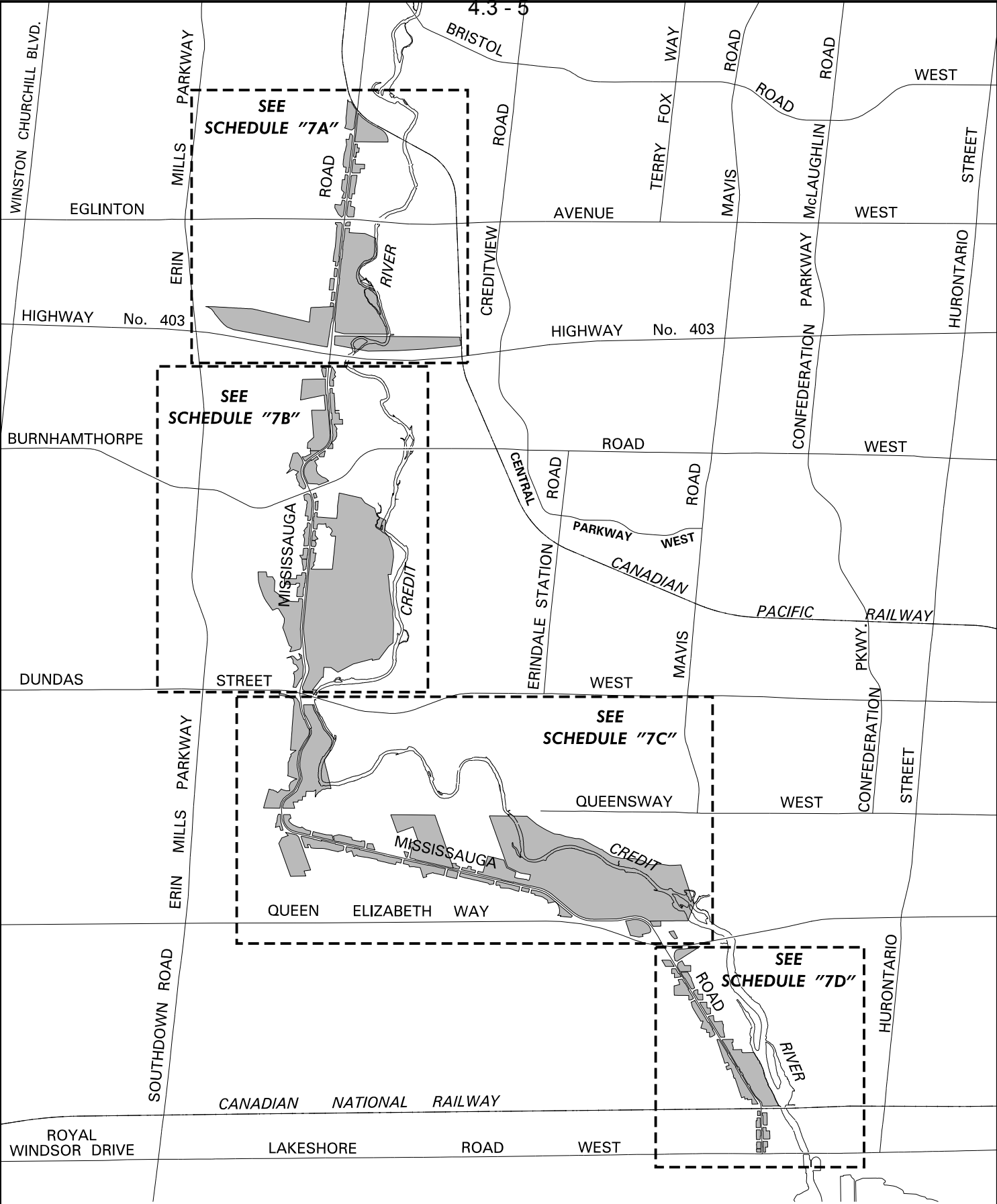
NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

- 1. By-law Number 0293-2006, as amended, is hereby amended as follows:
 - (a) Subsections 4(d) and 5(m)(iv) are deleted;
 - (b) Subsection 5(m)(ii) be amended by deleting the word "greenbelt" and substituting therefor the word "greenlands"; and,
 - (c) Schedules 7 and 7A are deleted and the attached revised Schedules 7 and 7A are substituted therefor.

ENACTED and PASSED this _____ day of _____ 2017.

MAYOR

CLERK



0 500 1000
metres



SITE PLAN CONTROL AREA

DRAFT

CITY OF MISSISSAUGA

THIS IS SCHEDULE "7" TO
BY-LAW 0293-2006
AS AMENDED BY
BY-LAW _____
PASSED BY COUNCIL ON

4.3 - 6



SITE PLAN CONTROL AREA

DRAFT

CITY OF MISSISSAUGA

THIS IS SCHEDULE "7A" TO
BY-LAW 0293-2006
AS AMENDED BY
BY-LAW _____
PASSED BY COUNCIL ON

City of Mississauga

Corporate Report



Date: October 30, 2017

To: Chair and Members of Planning and Development Committee

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

Originator's file:
OZ 17/003 W3

Meeting date:
2017/11/13

Subject

PUBLIC MEETING INFORMATION REPORT (WARD 3)

Applications to permit a 14 storey apartment building that steps down to 4 storeys along Dixie Road and 24 stacked townhomes

4064, 4070 and 4078 Dixie Road, west side of Dixie Road, north of Burnhamthorpe Road East

Owner: Hazelton Development Corp.

File: OZ 17/003 W3

Recommendation

That the report dated October 30, 2017 from the Commissioner of Planning and Building regarding the applications by Hazelton Development Corp. to permit a 14 storey apartment building that steps down to 4 storeys along Dixie Road and 24 stacked townhomes under File OZ 17/003 W3, 4064, 4070 and 4078 Dixie Road, be received for information.

Report Highlights

- This report has been prepared for a public meeting to hear from the community
- The proposed development requires amendments to the official plan and zoning by-law
- Community concerns identified to date relate to traffic, traffic safety, access, parking and number of units
- Prior to the next report, matters to be addressed include the appropriateness of the proposed amendments, access and site circulation design and the satisfactory resolution of all technical requirements

Background

The applications have been circulated for technical comments and two community meetings have been held. The purpose of this report is to provide preliminary information on the applications and to seek comments from the community.

Comments

THE PROPERTY AND THE NEIGHBOURHOOD

Size and Use	
Frontage on Dixie Road:	54.6 m (179 ft.)
Depth:	88.3 m (289.9 ft.)
Gross Lot Area:	0.56 ha (1.4 ac.)
Net Lot Area:	0.52 ha (1.3 ac.)
Existing Uses:	Partially constructed sales trailer

The property is located within the Rathwood Applewood Community Node which is centered around the intersection of Dixie Road and Burnhamthorpe Road East and Rockwood Mall. The area contains a mix of commercial, residential apartment and institutional uses. Dixie Road is a major regional arterial road, includes a multi-use trail and is served by the Dixie bus route which connects to the Dixie and Long Branch Go Stations. The site is also within walking distance to bus routes along Rathburn Road and Burnhamthorpe Road which connect to Mississauga's downtown and the Toronto subway system.



Aerial image of the subject lands

The surrounding land uses are:

- North: Risen Christ Lutheran Church, Rockcrest Plaza
 East: Rockwood Mall across Dixie Road
 South: 14 storey apartment building (International Ladies Garment Workers Union Housing Co-op) and further south, St. Apostle Andrew Romanian Orthodox Church and Shell Gas Station
 West: Detached homes fronting onto Hickory Drive

Information regarding the history of the site is found in Appendix 1. An aerial photo of the property and surrounding area is found in Appendix 2.

DETAILS OF THE PROJECT

The applications are to permit a 14 storey apartment building that steps down to 4 storeys along Dixie Road and 24 stacked townhomes. Access into the site from Dixie Road is to be shared with the 14 storey apartment building to the south through a previous agreement and a private road is proposed along the west side of the site for future access behind the Lutheran Church to the signalized intersection located north of the church on Dixie Road. Outdoor amenity space is proposed at the northwest corner of the site and on the roof of the 14 storey building.

Development Proposal	
Application(s) submitted:	Received: March 16, 2017 Deemed complete: April 26, 2017
Owner:	Hazelton Development Corp.
Applicant:	Goldberg Group
Number of units:	246 apartment units 24 stacked townhomes
Height:	Apartment building: 4 and 14 storeys Stacked townhomes: 4 storeys
Lot Coverage:	42%
Floor Space Index (FSI):	3.19
Landscaped Area:	35%
Gross Floor Area:	16,557.1 m ² (178,219 ft ²)
Anticipated Population:	689* *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.

Development Proposal		
Parking:	Required	Proposed
resident spaces	351	332
visitor spaces	56	27
Total	407	359 underground spaces
Proposed Green Initiatives:	<ul style="list-style-type: none"> • Bio-retention system • Rainwater harvesting • Fourth storey green roof • Permeable paving 	

Proposed concept plan and elevations are found in Appendix 3 and 4.



Image of existing conditions



Applicant's rendering of proposed apartment building and stacked townhomes

LAND USE CONTROLS

The subject lands are located within the Rathwood Applewood Community Node Character Area and are part of the lands that are designated **Residential High Density – Special Site 2** (see Appendix 5) which permits apartment dwellings with a FSI of 1.1-1.8. The special site policies also state that a concept plan is required to address matters related to minimizing access points onto Dixie Road through the construction of a centrally located street, west of and parallel to Dixie Road to align with the Rockwood Mall entrance. The applicant is proposing to change the designation to **Residential High Density – Special Site** to permit apartment dwellings and townhouse dwellings with a FSI of 3.19.

The lands are currently zoned **D-1 (Development)** which permits existing detached dwellings and accessory buildings. The applicant is proposing to rezone the lands to **RA5-Exception (Apartment Dwellings)** to permit a 14 storey apartment building that steps down to 4 storeys and 24 stacked four storey townhomes with a maximum FSI of 3.19 (see Appendix 6).

Detailed information regarding the existing and proposed official plan policies and proposed zone standards is found in Appendices 7 and 8.

Bonus Zoning

On September 26, 2012, Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted height and/or density are deemed to be good planning by Council through the approval of a development application. Should these applications be approved by Council, the City will report back to Planning and Development Committee on the provision of community benefits as a condition of approval.

WHAT DID THE COMMUNITY SAY

A community meeting was held by Ward 3 Councillor, Chris Fonseca on June 19, 2017. A second community meeting focused on traffic issues related to this proposal and another proposal for townhomes on Hickory Drive was held on September 28, 2017.

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

- The added traffic demand on the surrounding roads and intersections will be unacceptable
- Speeding and other traffic safety issues will worsen with additional development
- Restricted access to Dixie Road will cause traffic to route onto Hickory Drive
- The project is too dense
- The number of parking spaces proposed is insufficient—visitors to the site will park in adjacent surface parking lots

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix 9 and school accommodation information is contained in Appendix 10. 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 by this project?
- Is the proposed height, density and massing appropriate and compatible with the existing and planned character of the area?
- Is the proposed site access and internal road configuration appropriate?
- Is the design and location of the proposed amenity areas appropriate?
- Are the proposed zoning standards appropriate?
- Have all other technical requirements and studies been submitted and found to be acceptable?

Development and Design Division staff are in the process of preparing Urban Design Guidelines and revised zoning by-law regulations for back to back and stacked townhouses. Although the applications were submitted in advance of the guidelines being endorsed by Council, staff is reviewing the applications in the context of good urban design and planning principles and existing guidelines and standards.

URBAN DESIGN REVIEW PANEL

The Urban Design Review Panel reviewed the proposal on July 5, 2016. Comments from the panel include the following:

- A comprehensive master concept plan should be developed to facilitate appropriate vehicular and pedestrian traffic circulation and to incorporate a north/south access road to the existing signalized intersection at Dixie Road
- The ground floor of the site is overly crowded and the mews condition between the 14 storey building and the stacked townhomes is tight and mostly in shadow

- The layout should adequately address the interface between the building base and public realm along Dixie Road
- The number of exterior finishes should be reduced to simplify the look of the exterior elevations

OTHER INFORMATION

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

- Survey
- Draft R-plan
- Context Plan and Statistics
- Master Plan and Site Plan
- Floor Plans and Building Elevations
- Grading and Servicing Plans
- Landscape Plans
- Tree Protection Plan
- Proposed Green Development Standards
- Public Consultation Plan
- Planning Report
- Arborist Report
- Noise Control Feasibility Study
- Shadow Impact Study
- Pedestrian Level Wind Study
- Functional Servicing and Stormwater Management Report
- Phase One and Two Environmental Site Assessments
- Transportation Impact Study
- Parcel Documents
- Draft Official Plan Amendment
- Draft Zoning By-law

Development Requirements

There are engineering matters including: noise mitigation, servicing, storm water management, land dedication and access which will require the applicant to enter into agreements with the City. 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: Proposed Concept Plan
- Appendix 4: Proposed Elevations
- Appendix 5: Excerpt of Rathwood Applewood Community Node Character Area Land Use Map

- Appendix 6: Existing Zoning and General Context Map
Appendix 7: Summary of Existing and Proposed Mississauga Official Plan Policies and
Relevant Mississauga Official Plan Policies
Appendix 8: Summary of Existing and Proposed Zoning Provisions
Appendix 9: Agency Comments
Appendix 10: School Accommodation



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Aiden Stanley, Development Planner

Hazelton Development Corp.

File: OZ 17/003 W3

Site History

- May 29, 1992 – Official Plan Amendment and Rezoning OZ 90/89 W3 approved for the development of 4050 Dixie Road. The Official Plan amendment included Special Site Policies related to access control and future development of the lands on the west side of Dixie Road including 4060, 4070 and 4078 Dixie Road
- 1986-2002 – Numerous temporary minor variances were approved for home occupations in the existing dwellings
- March 29, 2000 – Site Plan SP 00/134 W3 was approved to convert the existing dwelling to a practitioners office
- February 25, 2003 – Site Plan SP 02/242 W3 was approved to convert one of the existing dwellings to a day nursery
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. The subject lands are zoned **D-1 (Development)**
- November 14, 2012 – Mississauga Official Plan came into force except for those site/policies which have been appealed. The subject lands are designated **Residential High Density – Special Site 2** in the Rathwood Applewood Community Node Character Area



LEGEND:



SUBJECT LANDS

DATE OF AERIAL IMAGERY: SPRING 2017

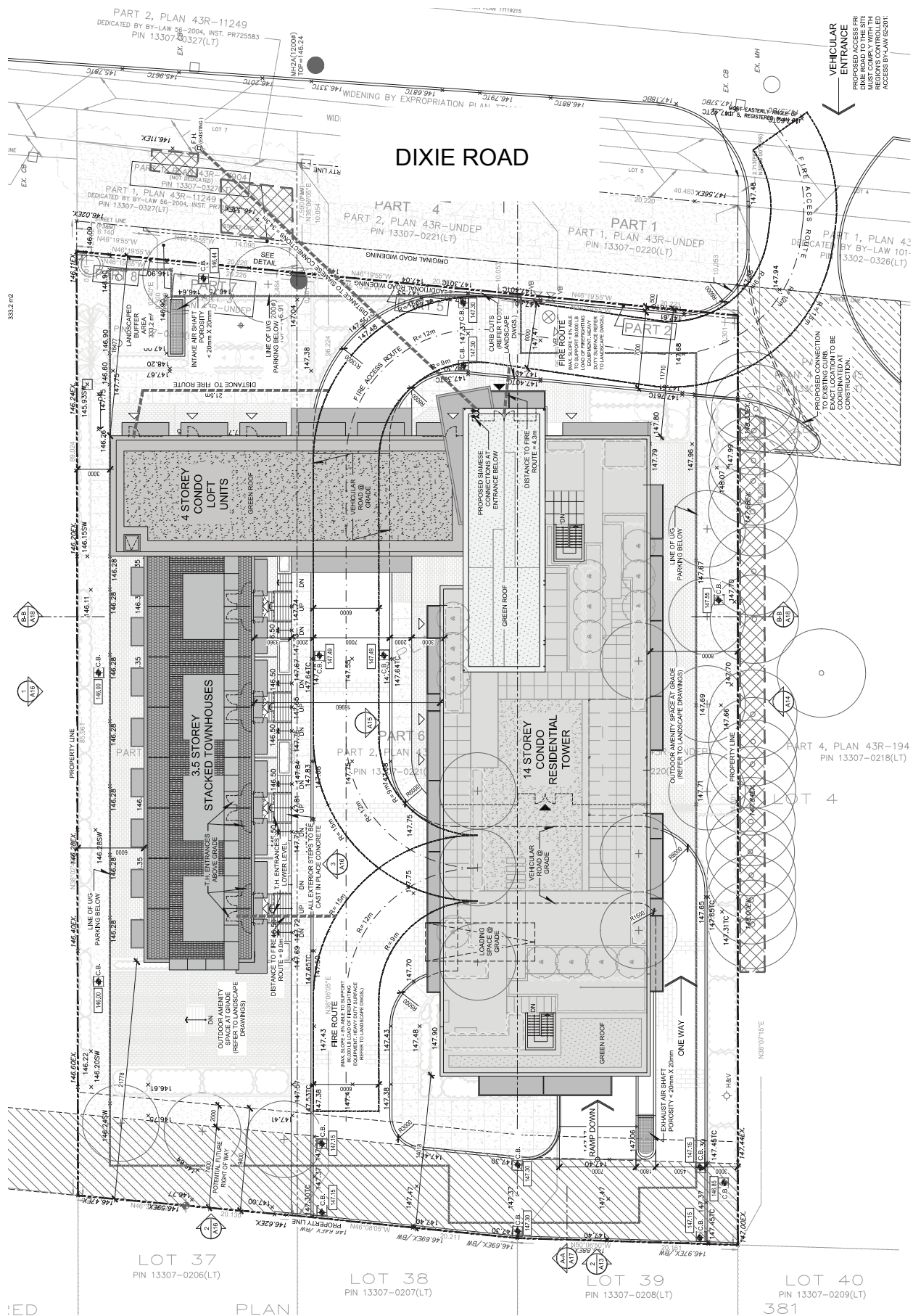


TITLE: HAZELTON DEVELOPMENT CORP.

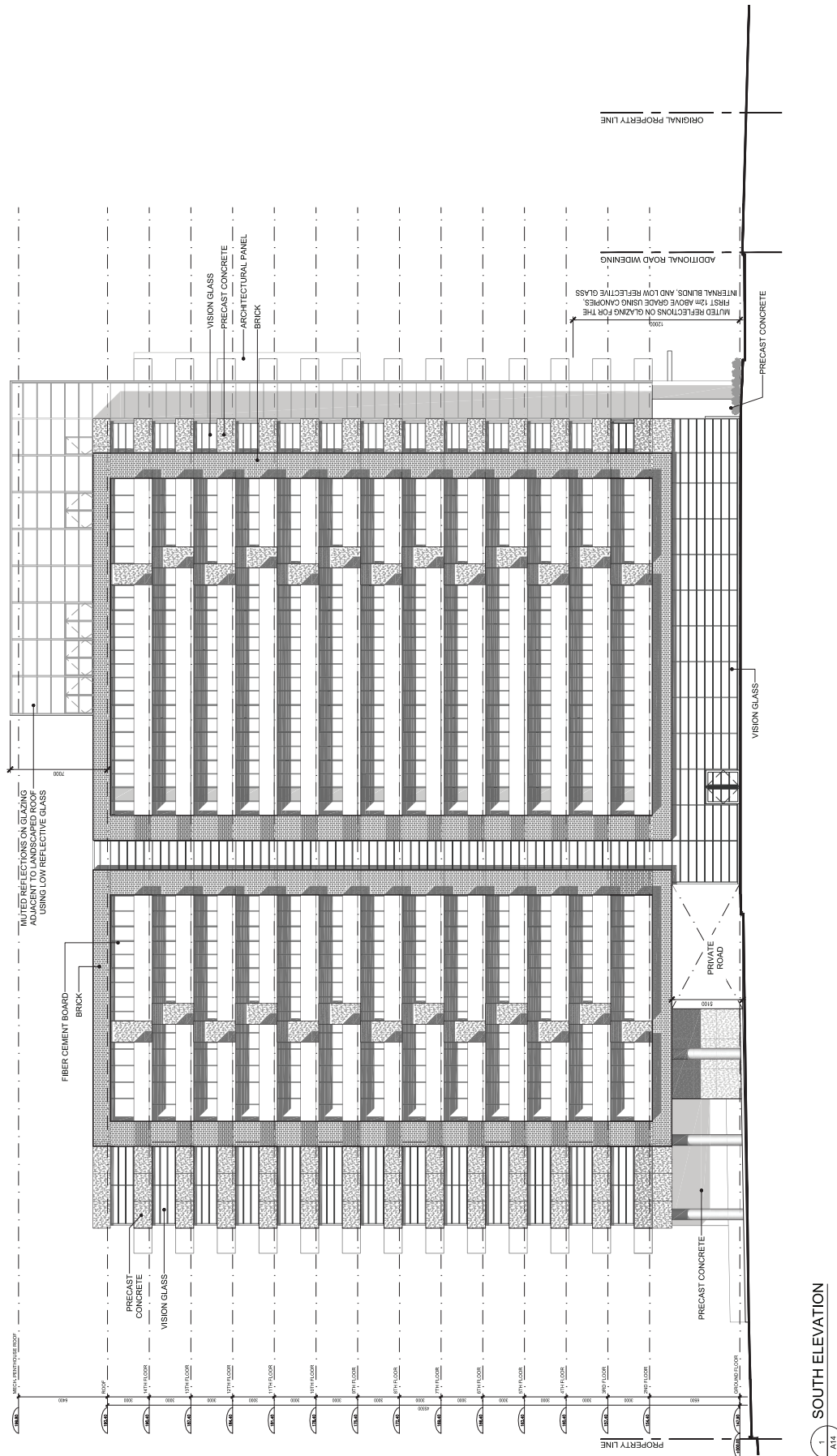
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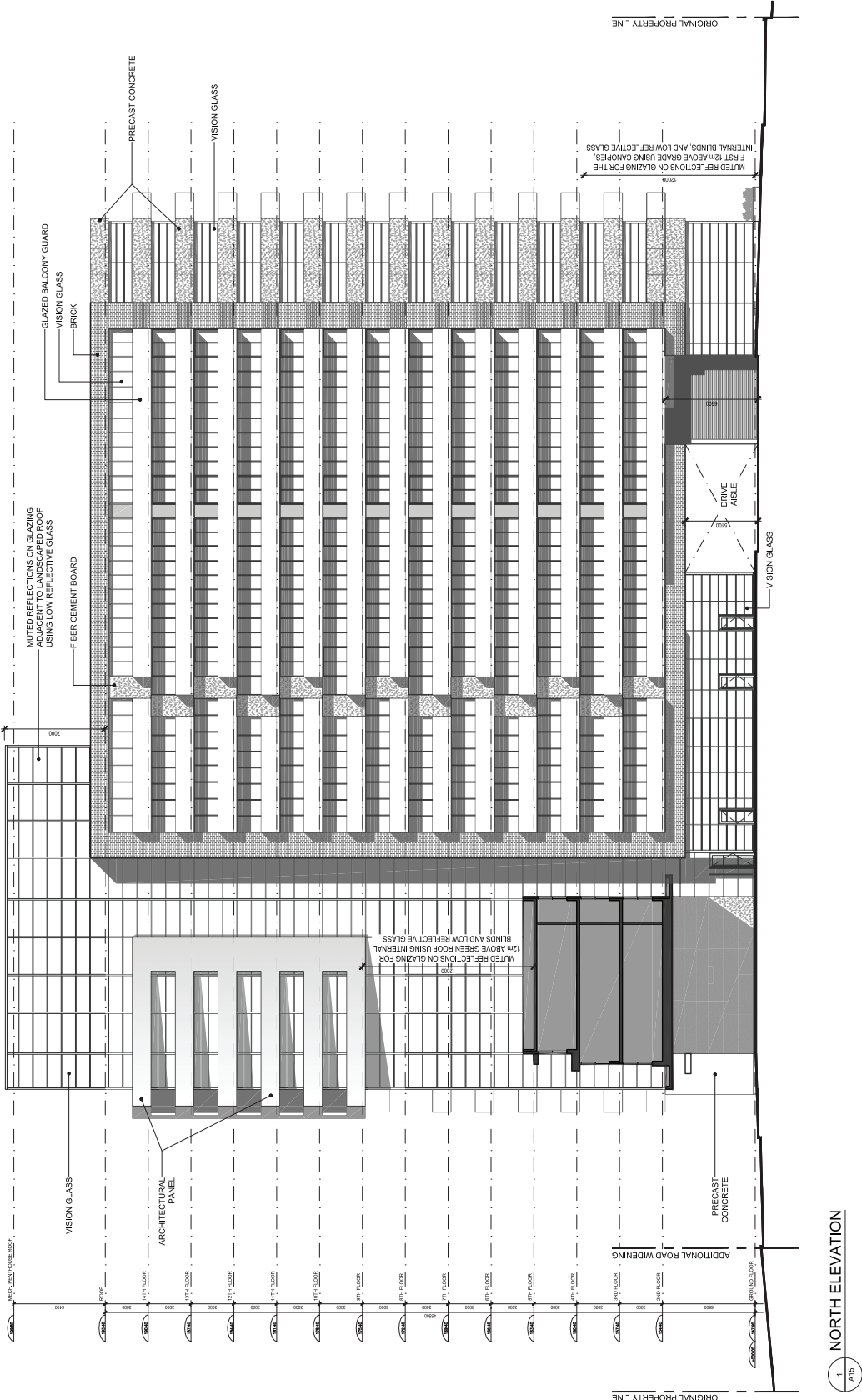


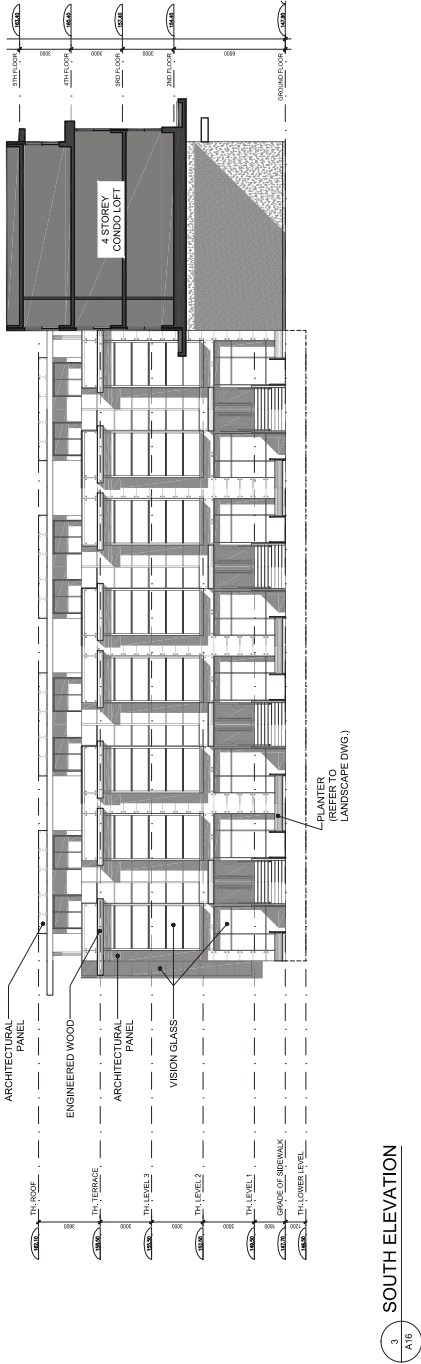
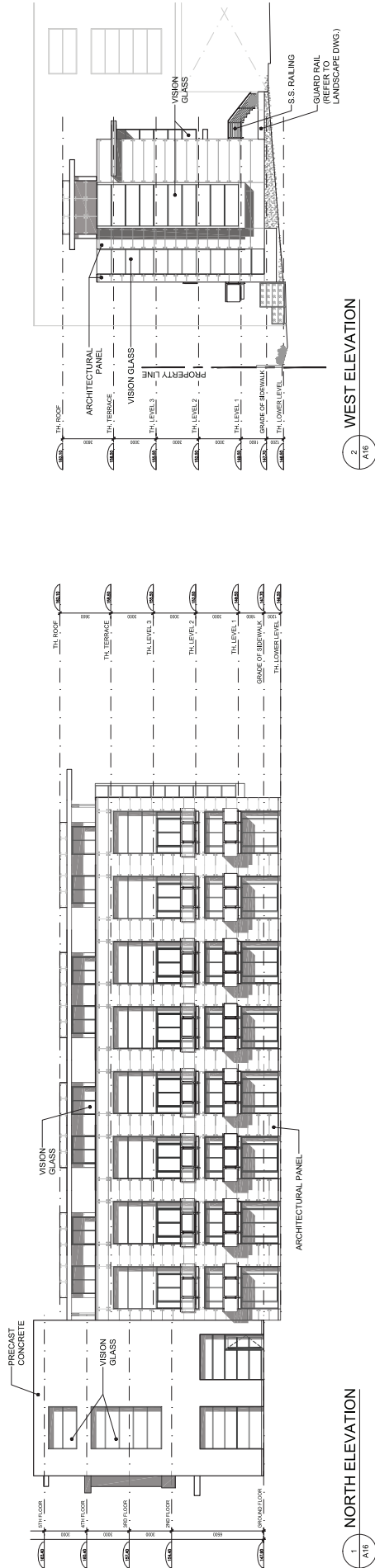
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T&W, Geomatics

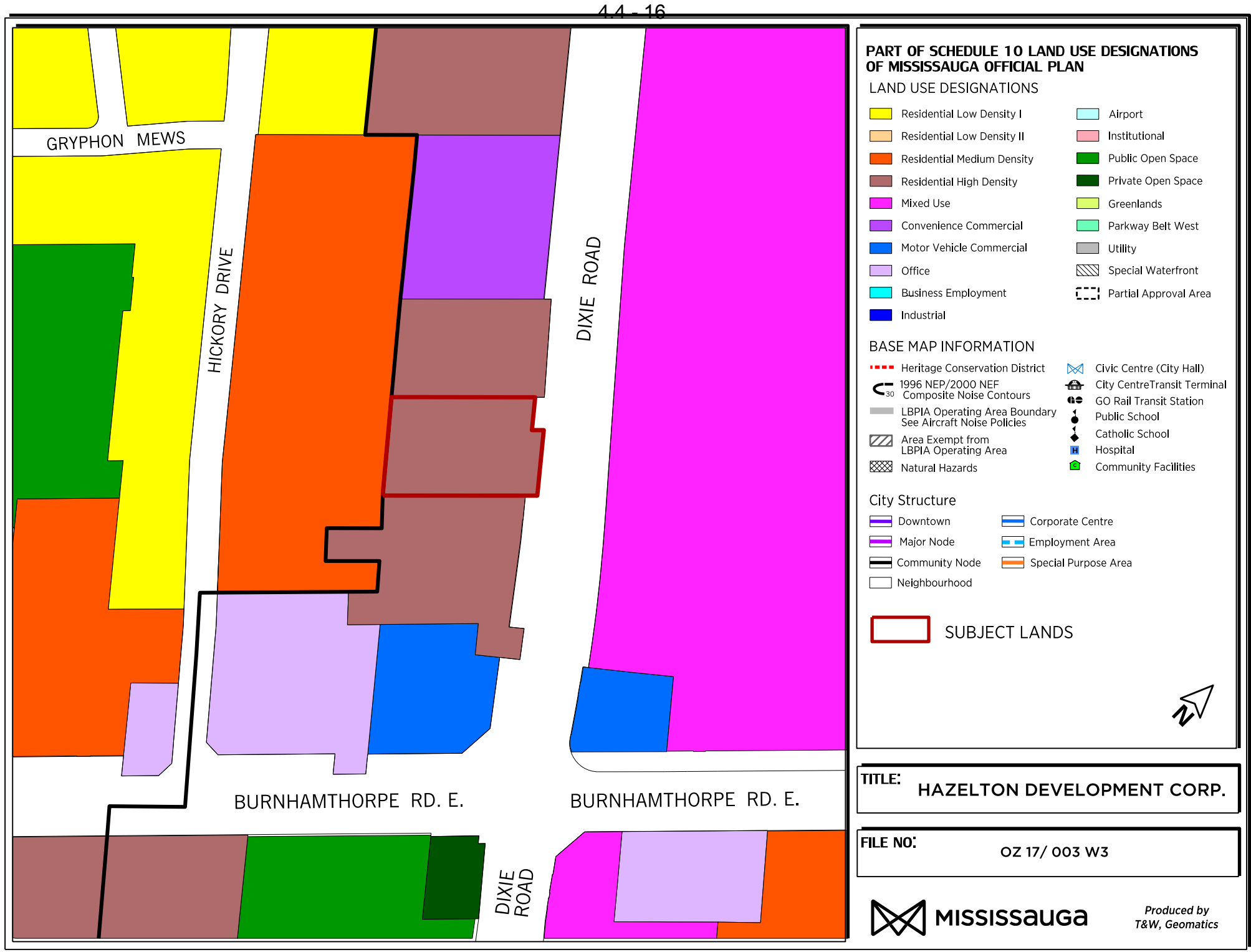












4.4 - 16

**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

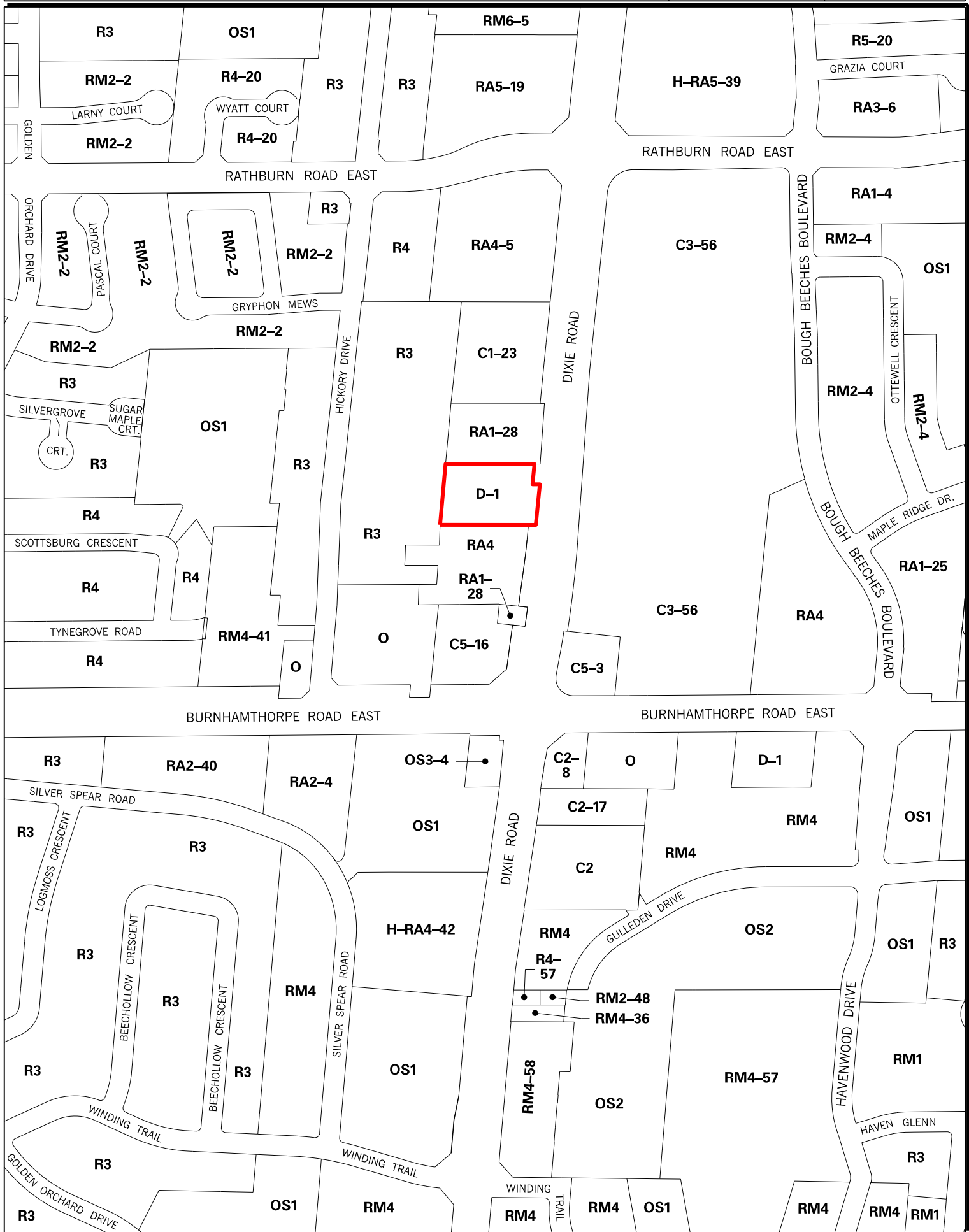


TITLE: HAZELTON DEVELOPMENT CORP.

FILE NO: OZ 17/ 003 W3



Produced by
T&W, Geomatics



Hazelton Development Corp.

File: OZ 17/003 W3

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

Current Mississauga Official Plan Designation and Policies for the Rathwood Applewood Community Node Character Area.

The property is designated **Residential High Density – Special Site 2** which permits apartment dwellings with an FSI range of 1.1-1.8.

Notwithstanding the provisions of the Residential High Density designation, the following additional policies will apply:

a. A concept plan for all or part of this site may be required and will address, among other matters, the following:

- compatibility of building form and scale with existing surrounding land uses;
- convenient pedestrian access through the site to nearby transit service on Dixie Road and Burnhamthorpe Road East; traffic generated will not adversely affect the transportation system;
- acceptable ingress and egress, off-street parking, landscaping and buffering; and preservation of all mature trees and other significant natural features

b. A concept plan will be required to address, to the satisfaction of the City of Mississauga and the Region of Peel, matters relating to transportation and access onto Dixie Road;

c. The redevelopment of this site will minimize access points to Dixie Road to preserve the integrity of Dixie Road as a major arterial roadway

d. The redevelopment of this site will allow for the construction of a centrally located street which is parallel to Hickory Drive and Dixie Road. The proposed street will connect to Dixie Road and align with the Rockwood Mall entrance on Dixie Road.

There are other policies in Mississauga Official Plan that are also applicable in the review of these applications which are found in the table below.

Proposed Official Plan Amendment Provisions

The lands are proposed to be re-designated **Residential High Density – Special Site** to permit an apartment dwelling with a maximum height of 14 storeys and stacked townhouses with a total maximum FSI of 3.19.

Note: The Special Site policies reflect the concept plan and draft official plan amendment submitted by the applicant. The policies are subject to revisions as the application is processed.

Hazelton Development Corp.

File: OZ 17/003 W3

Relevant Mississauga Official Plan Policies

	Specific Policies	General Intent
Section 5 – Direct Growth	5.0 5.3 5.3.3 5.4 5.5	<p>Community Nodes will be focus of a mix of use including commercial, residential, educational and open spaces.</p> <p>Community Nodes are Intensification Areas. Community nodes are subject to minimum building height of two storeys and a maximum building height of four storeys.</p> <p>Community Nodes will develop as centres for surrounding Neighbourhoods and be a location for mixed use development.</p> <p>Development in Community Nodes will be in a form and density that complements the existing character of historical Nodes or that achieves a high quality urban environment within more recently developed Nodes.</p> <p>Community Nodes will be served by frequent transit services that provide city wide connections.</p> <p>Community Nodes will be developed to support and encourage active transportation as a mode of transportation.</p> <p>Community Nodes will provide for a similar mix of uses as in Major Nodes, but with lower densities and heights.</p> <p>Development on Corridors should be compact, mixed use and transit friendly and appropriate to the context of the surrounding Neighbourhood.</p> <p>Intensification Areas will be attractive mixed use areas, developed at densities that are sufficiently high to support frequent transit service and a variety of services and amenities. It is expected that more efficient use of land within Intensification Areas will occur as single storey buildings and surface parking lots are replaced with multistorey developments and structured parking facilities.</p>
Section 7 – Complete Communities	7.1 7.2	<p>Mississauga will provide opportunities for the development of a range of housing choices in terms of type, tenure and price.</p> <p>The provision of housing that meets the needs of young adults, older adults and families will be encouraged in the Downtown, Major Nodes and Community Nodes</p>

Hazelton Development Corp.

File: OZ 17/003 W3

	Specific Policies	General Intent
Section 9 – Build a Desirable Urban Form	9.0 9.1 9.2.1 9.3 9.4 9.5	<p>Appropriate infill in both Intensification Areas and Non-Intensification Areas will help to revitalize existing communities. It is important that infill "fits" within the existing building urban context.</p> <p>High quality, diverse and innovative design will be promoted in a form that reinforces and enhances the local character. Development will be sited and massed to contribute to a false and comfortable environment. Site development should respect and maintain the existing grades, conserve energy, provide enhanced streetscaping and contribute to the quality and character of existing streets.</p> <p>Buildings will minimize undue physical and visual negative impacts relating to noise, sun, shadow, views, skyview and wind.</p> <p>Within Intensification Areas an urban form that promotes a diverse mix of uses and supports transit and active transportation modes will be required</p> <p>Mississauga will encourage a high quality, compact and urban built form to reduce the impact of extensive parking areas, enhance pedestrian circulation, complement adjacent uses, and distinguish the significance of the Intensification Areas from surrounding areas.</p> <p>Development proponents may be required to provide concept plans that show how a site will be developed with surrounding lands.</p> <p>Developments should be compatible and provide appropriate transition to existing and planned development.</p> <p>Developments will provide a transition in building height and form between Intensification Areas and adjacent Neighbourhoods with lower density and heights</p> <p>There are various policies within this Section that relate to development within Intensification Areas and tall buildings including built form transitions to surrounding sites, street edge, skyviews and minimizing adverse microclimatic impacts on the public realm and private amenity areas.</p>
	11.2.5 11.2.5.6	Lands designated Residential High Density will permit apartment dwellings.
Section 11 – General Land Use Designations		

Hazelton Development Corp.

File: OZ 17/003 W3

	Specific Policies	General Intent
Section 14 – Community Nodes	14.1.1 14.8	<p>For lands within a Community Node a minimum building height of two storeys to a maximum building height of four storeys will apply,</p> <p>Proposals for heights less than two storeys, more than four storeys or different than established in the Character Area policies will only be considered where it can be demonstrated to the City's satisfaction, that an appropriate transition in heights that respects the surrounding context will be achieved; the development proposal enhances the existing or planned development; the City Structure hierarchy is maintained and the development proposal is consistent with the policies of this Plan.</p>
Section 19 - Implementation	19.5.1	<p>This section contains criteria which requires an applicant to submit satisfactory planning reports to demonstrate the rationale for the proposed amendment as follows:</p> <ul style="list-style-type: none"> • the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands; • the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands; • there are adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application; • a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation has been provided by the applicant.

Hazelton Development Corp.

File: OZ 17/003 W3

Summary of Existing and Proposed Zoning Provisions**Existing Zoning By-law Provisions****D-1 (Development)** which permits legally existing detached dwellings.**Proposed Zoning Standards**

Zone Standards	Required RA5 (Apartment Dwellings) Zoning By-law Standards	Proposed RA5 – Exception (Apartment Dwellings) Zoning By-law Standards
Additional Permitted Use		Horizontal Multiple Dwelling
Maximum number of dwelling units	n/a	270
Maximum floor space index (FSI)	2.9	3.19
Maximum total gross floor area	n/a	16 900 m ² (181,910 ft ²)
Maximum total gross floor area for each storey above 12 storeys	1,000 m ² (10,763 ft ²)	Included in total
Maximum Height	25 storeys	14 storeys
Minimum setback from a surface parking space or aisle to a street line	4.5 m (14.8 ft.)	0 m (0 ft.)
Minimum setback from a parking structure below finished grade	3.0 m (9.8 ft.)	0 m (0 ft.)
Minimum setback from a waste enclosure/loading area to a zone permitting detached dwellings	10.0 m (32.8 ft.)	0 m (0 ft.)
Minimum depth of a landscaped buffer	3 m (9.8 ft.) - 4.5 m (14.8 ft.)	0 m (0 ft.)
Minimum number of parking spaces per dwelling unit	Loft: 1 1 Bedroom: 1.24 2 Bedroom: 1.4 1 Bedroom townhouse: 1.1 3 Bedroom townhouse: 1.75	1.23 for all unit types
Minimum number of visitor parking spaces per dwelling unit	Apartment unit: 0.20 Townhouse unit : 0.25	0.1 for all unit types
Minimum landscaped area	40%	35%
Minimum amenity area to be provided outside at grade	55 m ² (592 ft ²)	220 m ² (2,368.1 ft ²)
Maximum encroachment of a balcony located above the first storey	1 m (3.3 ft.)	0 m (0 ft.)

Hazelton Development Corp.

File: OZ 17/003 W3

Zone Standards	Required RA5 (Apartment Dwellings) Zoning By-law Standards	Proposed RA5 – Exception (Apartment Dwellings) Zoning By-law Standards
Maximum encroachment of a balcony above the first storey measured from the outermost face of the building	1.0 m (3.3 ft.)	1.5 m (5 ft.)
		All development plans shall comply with an exception schedule.

Note: The zoning by-law standards listed reflect the concept plan and draft zoning by-law amendment submitted by the applicant. The standards are subject to revisions as the applications are processed.

Hazelton Development Corp.

File: OZ 17/003 W3

Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (September 29, 2017)	<p>An existing 400 mm (15.7 in.) diameter water main and 2400 mm (94.5 in.) water main are located on Dixie Road. The site does not have frontage on an existing municipal sanitary sewer. A Functional Servicing and Storm Water Management Report (FSR/SWMR) was submitted that proposes to extend services from Rockwood Mall. A revised FSR/SWMR is required.</p> <p>An addendum to the Traffic Impact Study will be required along with a functional design of the access. The proposed access must comply with the Region's Controlled Access By-law and Road Characterization Study. The Region will support a single, shared, right in/right out access via Dixie Road to serve the proposed development and the development at 4050 Dixie Road.</p>
Dufferin-Peel Catholic District School Board and the Peel District School Board (May 4, 2017 and May 19, 2017)	<p>The Peel District School Board and the Dufferin-Peel Catholic District School Board responded that they are satisfied with the current provision of educational facilities for the catchment area and, as such, the school accommodation condition as required by City of Mississauga Council Resolution 152-98 pertaining to satisfactory arrangements regarding the adequate provision and distribution of educational facilities need not be applied for this development application.</p> <p>In addition, if approved, the Peel District School Board also require that the following clause be placed in any agreement of purchase and sale entered into with respect to any lots on this plan, within a period of five years from the date of registration of the agreement:</p> <p>Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bused to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the School Accommodation department of the Peel District School Board to determine the exact schools.</p>

Hazelton Development Corp.

File: OZ 17/003 W3

Agency / Comment Date	Comment
	<p>The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that the children will meet the school bus on roads presently in existence or at another designated place convenient to the Board.</p> <p>The Dufferin-Peel Catholic District School Board requires the Board requests that the following conditions be fulfilled prior to the final approval of the zoning by-law: That the applicant shall agree in the Servicing Agreement to include the following warning clauses in all offers of purchase and sale of residential lots:</p> <p>Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.</p> <p>That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.</p> <p>The developer shall agree to erect and maintain signs at the entrances to this development which shall advise prospective purchasers that due to present school facilities, some of the children from this development may have to be accommodated in temporary facilities or bused to schools, according to the Board's Transportation Policy.</p>
City Community Services Department – Parks and Forestry Division/Park Planning Section (October 11, 2017)	<p>Golden Orchard Park (P-183) and the Burnhamthorpe Public Library constitute the closest recreational facilities located approximately 300m (984.2 ft.) from the proposed development.</p> <p>Should the application be approved that cash-in-lieu for park or other public recreational purposes will be required prior to building permit pursuant to Section 42 of the <i>Planning Act</i> and in accordance with City's Policies and By-laws.</p>

Hazelton Development Corp.

File: OZ 17/003 W3

Agency / Comment Date	Comment
City Community Services Department – Fire and Emergency Services Division (June 30, 2017)	Fire has reviewed the OPA/rezoning application from an emergency response perspective to the site and has no concerns; emergency response time to the site and watersupply available are acceptable. Fire does have concerns with respect to the fire route running through the structure. A revised design is under review.
City Transportation and Works Department (October 11, 2017)	The applicant has been requested to provide additional technical details. Development matters currently under review and consideration by this department include: <ul style="list-style-type: none"> • Grading, Servicing and Site Plan; • Noise Feasibility Study; • North-South interconnection along the entire west (rear) lot line; • Traffic Impact Study, to provide details with respect to TDM measures; • Functional Servicing Report; and • Stormwater Management Report. The above aspects will be addressed in detail prior to the Recommendation Report.
Other City Departments and External Agencies	The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner: <ul style="list-style-type: none"> • City Community Services Department– Heritage • City Planning and Building Department – Development Services • City Economic Development Office • Canada Post • Rogers Cable • Greater Toronto Airport Authority • Alectra Utilities • Bell Canada
	The following City Departments and external agencies were circulated the applications but provided no comments: <ul style="list-style-type: none"> • City Community Services Department – Culture Division, Heritage • Trillium Health • City Realty Services • City Community Services Department – Culture Division, Public Art • Conseil Scolaire Viamonde • Conseil Scolaire de District Catholique Centre-Sud

Hazelton Development Corp.

File: OZ 17/003 W3

School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board																																								
<ul style="list-style-type: none"> Student Yield: <table> <tr> <td>28</td><td>Kindergarten to Grade 5</td></tr> <tr> <td>12</td><td>Grade 6 to Grade 8</td></tr> <tr> <td>12</td><td>Grade 9 to Grade 12</td></tr> </table> School Accommodation: <p>Burnhamthorpe Public School</p> <table> <tr> <td>Enrolment:</td><td>685</td></tr> <tr> <td>Capacity:</td><td>504</td></tr> <tr> <td>Portables:</td><td>9</td></tr> </table> <p>Tomken Road Middle School</p> <table> <tr> <td>Enrolment:</td><td>1,047</td></tr> <tr> <td>Capacity:</td><td>947</td></tr> <tr> <td>Portables:</td><td>7</td></tr> </table> <p>Applewood Heights Secondary School</p> <table> <tr> <td>Enrolment:</td><td>1,059</td></tr> <tr> <td>Capacity:</td><td>1,284</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> <p>* Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p> 	28	Kindergarten to Grade 5	12	Grade 6 to Grade 8	12	Grade 9 to Grade 12	Enrolment:	685	Capacity:	504	Portables:	9	Enrolment:	1,047	Capacity:	947	Portables:	7	Enrolment:	1,059	Capacity:	1,284	Portables:	0	<ul style="list-style-type: none"> Student Yield: <table> <tr> <td>5</td><td>Junior Kindergarten to Grade 8</td></tr> <tr> <td>4</td><td>Grade 9 to Grade 12</td></tr> </table> School Accommodation: <p>St. Basil Elementary School</p> <table> <tr> <td>Enrolment:</td><td>270</td></tr> <tr> <td>Capacity:</td><td>268</td></tr> <tr> <td>Portables:</td><td>8</td></tr> </table> <p>Phillip Pocock</p> <table> <tr> <td>Enrolment:</td><td>1,257</td></tr> <tr> <td>Capacity:</td><td>1,048</td></tr> <tr> <td>Portables:</td><td>5</td></tr> </table> 	5	Junior Kindergarten to Grade 8	4	Grade 9 to Grade 12	Enrolment:	270	Capacity:	268	Portables:	8	Enrolment:	1,257	Capacity:	1,048	Portables:	5
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City of Mississauga
Corporate Report



Date: October 20, 2017

To: Chair and Members of Planning and Development Committee

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

Originator's file:
 OZ 16/004 W8

Meeting date:
 2017/11/13

Subject

RECOMMENDATION REPORT (WARD 8)

Applications to permit 144 horizontal multiple dwelling units (back to back stacked townhouses) on a private condominium road

2277 South Millway, north of The Collegeway, west of Erin Mills Parkway

Owner: 2277 South Millway G.P. Inc.

File: OZ 16/004 W8

Recommendation

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, any further notice regarding the proposed amendment is hereby waived.
2. That the applications under File OZ 16/004 W8, 2277 South Millway G.P. Inc., 2277 South Millway to amend Mississauga Official Plan to **Residential High Density – Special Site** and **Greenlands** and to change the zoning to **RM9 – Exception (Horizontal Multiple Dwellings with more than 6 dwelling units)** and **OS2 (Open Space – City Park)** to permit 144 horizontal multiple dwellings units (back to back stacked townhouses) on a private condominium road on the portion of the lands outside the existing woodlot, in conformity with the provisions outlined in Appendix 4, be approved.
3. That the applicant agree to satisfy all the requirements of the City and any other external agency concerned with the development.
4. That the decision of Council for approval of the rezoning application be considered null and void, and a new development application be required unless a zoning by-law is passed within 18 months of the Council decision.

5. Notwithstanding subsection 45.1.3 of the *Planning Act*, subsequent to Council approval of the development applications, the applicant can apply for a minor variance application, provided that the height and FSI shall remain the same.

Report Highlights

- Comments were received from the public regarding tree preservation, proposed building setbacks, shadowing and overlook conditions, visitor parking, and availability of amenity space
- The applicant has made minor revisions to the proposal to address issues raised at the Public Meeting and by staff, including increased setbacks to the woodlot at the rear of the property; an increased front yard setback to Block 1; a redesigned common landscaped area and adjacent fire route stub; and reconfiguration of the garbage staging area
- Staff are satisfied with the changes to the proposal and find them to be acceptable from a planning standpoint, and recommend that the applications 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-0031-2017 was then adopted by Council on June 21, 2017.

That the report dated May 19, 2017, from the Commissioner of Planning and Building regarding the applications by 2277 South Millway G.P. Inc. to permit 144 horizontal multiple dwelling units (back to back stacked townhouses) on a private condominium road under file OZ 16/004 W8, 2277 South Millway, be received for information.

Comments

REVISED DEVELOPMENT PROPOSAL

The original development proposal has undergone a number of revisions over the course of the applications. The first significant redesign was presented at the public meeting held by the Planning and Development Committee on June 12, 2017 (see Appendix 1). Since then, the applicant has made some additional minor modifications to the proposed concept plan (see Appendix 2 and 3) including:

- Increased setbacks between the proposed buildings and edge of the underground parking garage to the dripline of the Significant Natural Area/woodlot at the rear of the property
- Modified setbacks between buildings to allow for increased setbacks to the woodlot
- Increased front yard setback to Block 1
- Redesign of the proposed common landscaped area and the adjacent fire route stub
- Reconfiguration of the garbage staging area

COMMUNITY COMMENTS

The issues below were raised by residents at the June 12, 2017 public meeting and the community meeting held on December 6, 2016 by Ward 8 Councillor Matt Mahoney.

Comment

The existing trees and woodlot on the property should be preserved. Any trees proposed to be planted would be small relative to the existing mature trees on the property.

Response

Mississauga Official Plan (MOP) contains policies regarding preservation of the City's Natural Heritage System. Refer to Planning Comments section of this report for an evaluation of these policies.

Comment

Insufficient setbacks are provided to proposed buildings, in particular setbacks to South Millway and the west lot line (abutting the existing apartment building).

Response

The applicant has increased the proposed front yard for Block 1 to provide a consistent 4.5 m (14.8 ft.) setback from South Millway. The proposed interior side yard for Blocks 6 and 7 is 3.0 m (9.8 ft.), whereas the **RM9** zone requires a minimum of 4.5 m (14.8 ft.). The reduced side yard setback is acceptable as it will have a limited impact on the existing apartment building to the west, which is set back a considerable distance from South Millway and will therefore not result in any privacy and overlook issues into the existing apartment units. The placement of Blocks 4 and 5 would have a greater impact on the existing apartment building to the west, however these Blocks are set back 7.0 m (23 ft.) from the west property line, which exceeds the minimum by-law requirement.

Refer to Planning Comments section of this report for additional discussion regarding the compatibility of the proposed development with the surrounding lands.

Comment

The proximity of the proposed buildings to the neighbouring apartment building will result in shadow impacts, overlook issues, and will restrict sky views.

Response

The applicant submitted a sun/shadow study with the applications that shows anticipated shadows cast by the proposed development on June 21, September 21 and December 21, in accordance with the City's Standards for Shadow Studies. The analysis revealed that on June 21, shadows will only cast on the property to the west before 7:07 a.m. and after 6:20 p.m. The evening shadows will impact the front portion of the property to the west and will only touch

the corner of the existing apartment building. There are no shadow impacts from the proposed development on the adjacent apartment property during the months of September or December.

Refer to Planning Comments section and above response for additional comments.

Comment

The proposed rooftop amenity areas are a concern due to possible fire and smoke from rooftop barbeques. This will impact neighbours' enjoyment of their patios and balconies.

Response

Back to back and stacked townhouses are by nature a compact built form and are appropriate for the subject site. The proposed development is even more compact to allow for preservation of the existing woodlot at the rear of the property; therefore, the ability to provide on-site amenity space is limited. An increasingly popular approach to addressing this issue is to provide amenity space on rooftops. Planning staff are supportive of this feature as it provides private amenity space for individual tenants (a newly proposed requirement stemming from the Urban Design Guidelines and Zoning By-law Regulations for back to back and stacked townhouses) while also using the rooftop, a typically underutilized space.

Comment

A community gathering space and/or play area for kids should be provided on-site, so that children do not need to travel off-site to play.

Response

The original concept plan that was presented at the community meeting did not include any on-site amenity space. Since then, the applicant has modified the concept plan (as presented at the June 12, 2017 public meeting) to include a centralized landscape area/gathering space for residents. Additionally, South Common Community Centre and Park are located immediately adjacent to the subject site, which offers further recreational opportunities.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

Region of Peel

Comments updated October 12, 2017, from the Region of Peel indicate that there is adequate water and wastewater services available for the proposed development. Through the Site Plan application process the Region of Peel will require additional information regarding the connection to the existing watermain and will assess the proposed design for garbage and recycling collection.

City Transportation and Works Department (T&W)

Comments updated October 13, 2017, from T&W confirm receipt of a revised Noise Assessment; Functional Servicing Report (FSR); Grading, Servicing and Site Plans; Transportation Impact Study (TIS) and Letter of Reliance for the Phase I Environmental Site Assessment (ESA).

The Traffic Impact Study has analysed the traffic impacts as a result of the proposed development and confirms that the predicted future traffic volumes can be accommodated within the existing road network.

In the event this application is approved by Council, prior to the enactment of the Zoning By-law, the applicant will be required to submit a final approved version of the FSR, and enter in to a Development Agreement with the City.

It should be noted that final clearances from the Region and Fire/EMS will be required with respect to internal access, travel distance and circulation. Site specific details are to be addressed through the Site Plan review and approval process.

City Community Services Department

In comments dated October 18, 2017, Community Services note that in keeping with City policies, the applicant is requested to dedicate the existing woodlot to the City for conservation purposes. The woodlot should be zoned accordingly to allow for the long term preservation of these lands. The City will take the lands at a rate of 1 ha per 300 units, per the Planning Act, in exchange for credits towards cash-in-lieu of parkland. Based on the size of the woodlot (0.28 ha), a credit will be applied to 84 units. The balance will be paid in cash-in-lieu of parkland at the time of building permit issuance. The dedication the lands is requested prior to by-law enactment.

A fence shall be installed along the common property line, on City property. Gates are prohibited.

PLANNING COMMENTS

Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe

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 encourages intensification of land within urban areas, promotes efficient use of infrastructure and public facilities, encourages mixed use developments and the support of public transit.

The *Provincial Growth Plan for the Greater Golden Horseshoe* (Growth Plan) directs municipalities to "identify the appropriate type and scale of development in intensification areas". It states that intensification areas will be planned and designed to "achieve an appropriate transition of built form to adjacent areas". Intensification and higher densities are to be prioritized in areas that "make efficient use of land and infrastructure and support transit viability." The PPS and Growth Plan indicate that development must be governed by appropriate standards including density and scale. These policies are implemented through Mississauga's Official Plan.

Both the PPS and Growth Plan include policies which require natural features and areas be protected for the long term. Where development and site alteration is proposed on lands adjacent to natural heritage features it shall be demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

The proposed development adequately takes into account the existing context and does provide an appropriate transition of built form to adjacent areas as referenced in the Official Plan section below. The proposal has been designed to be located completely outside of the existing woodlot at the rear of the property and the Environmental Impact Study submitted demonstrates that there will be no negative impacts from the proposed development on this feature and its functions.

Official Plan

The proposal requires an amendment to the Mississauga Official Plan (MOP) Policies for the South Common Community Node Character Area. Amendments to MOP are required to permit 144 horizontal multiple dwellings with a Floor Space Index (FSI) of 1.8. Section 19.5.1 of Mississauga Official Plan provides the following criteria for evaluating site specific Official Plan Amendments:

- ***Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?***
- ***Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?***
- ***Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?***
- ***Has a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?***

Planning staff have undertaken an evaluation of the criteria against these proposed development applications.

The subject site is located in the South Common Community Node Character Area, an established area with a mix of land uses, including medium and high density residential uses, commercial uses, some offices and community and recreational uses (i.e. schools, places of worship, South Common Community Centre, Library and Park). Community Nodes are identified as Intensification Areas in MOP and are therefore intended to be one of the areas to accommodate future growth within the City. Development in Community Nodes will achieve a high quality urban environment, be in a form and density that is compatible with the existing character of the Node, and will support and encourage active transportation and transit usage.

The subject site is designated **Residential High Density**, which permits apartment buildings within a FSI range of 0.8 to 1.4. Community infrastructure uses are also permitted in this designation and the site has been occupied by an institutional use (ErinoakKids for Treatment and Development) since the current building was constructed in 1978. The current designation and the location of the property are important factors in evaluating the appropriateness of the proposed development. Despite being a medium density form of housing, the proposed horizontal multiple dwellings achieve a density that is consistent with the permissions of the **Residential High Density** designation and will not adversely impact or destabilize the overall goals and objectives of MOP. With the exception of some minor infilling, the immediate area is built out and has limited potential for redevelopment. Therefore, the proposal will have no impact on the continued functioning of the adjacent lands.

The proposed back to back stacked townhouses contribute to the diversity of housing stock within the Community Node, which presently consists of apartments and traditional townhouses. The proposal is a compatible form of development for the subject site. An appropriate transition in height and built form is achieved between the proposed four storey (plus rooftop terrace) development and adjacent properties, especially the existing five storey apartment building to the immediate west. The development has been designed to be compact, which is consistent with the applicable policies for Community Nodes, while also providing adequate setbacks to the property lines to ensure shadow impacts are mitigated on adjacent lands. Additionally, tighter setbacks within the development have allowed for increased setbacks to the woodlot at the rear of the property creating additional space for compensation planting and an enhanced buffer for greater protection of the woodlot.

The back to back configuration of units, fronting onto internal mews, promotes social interaction and encourages comfortable and safe pedestrian circulation between blocks. Pedestrian connectivity is further enhanced through a continuous pedestrian sidewalk throughout the development. All parking is proposed underground and access to the underground garage is located within the site and away from South Millway. Although the proposed parking rates are reduced from what is required under the Zoning By-law, Planning staff are satisfied with the reduction given the availability of transit service in the area and the range of land uses within walking distance of the property.

The woodlot at the rear of the subject site forms part of the larger South Common Park and natural area, which is part of Mississauga's Natural Heritage System. The entirety of the woodlot is a Significant Natural Area in MOP and satisfies the criteria for a significant woodland. Development in or adjacent to the Natural Heritage System is required to protect and maintain natural heritage features and their functions through tree preservation, appropriate building placement, grading, landscaping, and parking and amenity area placement. The limits of the Natural Heritage System are to be determined through an Environmental Impact Study, which will also determine any required buffer between the feature and development. MOP encourages lands that are identified as Significant Natural Areas and their associated buffers be designated Greenlands and zoned to ensure their long term protection. Additionally, Significant Natural

Areas are to be incorporated with public parkland and managed in accordance with the Natural Heritage System policies of MOP. The existing woodlot at the front of the subject site does not form part of the larger South Common natural area.

The development has been redesigned to locate proposed buildings, parking, amenity areas and grading outside of the Significant Natural Area located at the rear of the property. Additionally, the woodlot is being dedicated to the City as part of the required parkland contribution and will be appropriately designated and zoned to ensure its long term protection. The applicant submitted an Environmental Impact Study with the applications, which evaluated the natural heritage feature, its functions and recommended a buffer. Staff are satisfied that the development will have no negative impact on the natural heritage feature or its functions. Through the Site Plan application process the applicant will be required to provide a detailed compensation/restoration plan indicating where additional planting will occur to compensate for the loss of the woodlot at the front of the property. The City's Forestry staff, in consultation with ecologists from Credit Valley Conservation, will review the compensation/restoration plan to ensure that the proposed plantings are of an appropriate species and adequate size.

Based on the comments received from the applicable City departments and external agencies, the existing infrastructure is adequate to support the proposed development.

The applicant has provided a Planning Justification Report in support of the applications that has demonstrated that the proposal represents good planning and is consistent with the intent of the MOP policies.

Zoning

The proposed **RM9-Exception (Horizontal Multiple Dwellings with more than 6 dwelling units – Exception Zone)** is appropriate to accommodate the proposed horizontal multiple dwellings on a private condominium road with an FSI of 1.8. The woodlot at the rear of the property will be dedicated to the City as part of the parkland contribution for the development and will be zoned **OS2 (Open Space – City Park)**, which is consistent with the existing zoning for the remainder of the South Common Park.

Appendix 4 contains a summary of the proposed site specific zoning provisions.

Bonus Zoning

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

In this instance, the minimum thresholds of the Corporate Policy and Procedure are satisfied; however, this is only as a result of the site's net lot area resulting from the land dedication of the woodlot at the rear of the property for parkland purposes. The gross lot area does not result in an increased density that satisfies the minimum thresholds in the Bonus Zoning Corporate Policy and Procedure. As a result, a Section 37 contribution will not be pursued for the proposed development.

Site Plan

Prior to development of the lands, the applicant will be required to obtain Site Plan approval. A site plan application has been submitted for the proposed development.

While the applicant has worked with City departments to address many site plan related issues through review of the rezoning concept plan, further revisions will be needed to address matters such as landscaping, detailed grading, the interface between the woodlot and proposed development and the placement of utilities. Through the Site Plan process further refinements are anticipated for the on-site amenity area, including a design that incorporates the adjacent hardscaped fire route stub.

Additionally, a detailed review of the proposed development from an emergency response perspective will be undertaken through the Site Plan process. This review will confirm whether the proposed fire route complies with the requirements of Fire Route By-law 1036-81. Should major revisions to the proposed development be required to achieve compliance with the Fire Route By-law 1036-81 prior to by-law enactment, an addendum Recommendation Report may be required.

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 accordance with subsection 34(17) of the *Planning Act*, Council is given authority to determine if further public notice is required. Since the requested revisions to the applications are not considered major changes to the development, it is recommended that no further public notice be required.

The proposed Official Plan Amendment and Rezoning are acceptable from a planning standpoint and should be approved for the following reasons:

1. The proposal for 144 horizontal multiple dwellings (back to back stacked townhouses) is consistent with the overall intent, goals and objectives of the Official Plan as the site is located in the South Common Community Node Character Area and will not destabilize the

surrounding mixed use neighbourhood which is intended to accommodate a range of land uses in a compact transit supportive form.

2. The proposed four storey back to back stacked townhouses are compatible with the surrounding land uses and achieve an appropriate transition in height and built form to the adjacent five storey apartment building. Building setbacks are acceptable and will not result in any undesirable impacts on adjacent properties.
3. The proposed official plan provisions and zoning standards, as identified, are appropriate to accommodate the requested uses.

Should the applications 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

Appendix 2: Revised Concept Plan

Appendix 3: Revised Elevations

Appendix 4: Revised Proposed Zoning Standards



Edward R. Sajecki, Commissioner of Planning and Building

Prepared by: Ashlee Rivet, Development 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:
OZ 16/004 W8

Meeting date:
2017/06/12

Subject

PUBLIC MEETING INFORMATION REPORT (WARD 8)

Applications to permit 144 horizontal multiple dwelling units (back to back stacked townhouses) on a private condominium road

2277 South Millway, north of The Collegeway, west of Erin Mills Parkway

Owner: 2277 South Millway G.P. Inc.

File: OZ 16/004 W8

Recommendation

That the report dated May 19, 2017, from the Commissioner of Planning and Building regarding the applications by 2277 South Millway G.P. Inc. to permit 144 horizontal multiple dwelling units (back to back stacked townhouses) on a private condominium road under File OZ 16/004 W8, 2277 South Millway, be received for information.

Report Highlights

- This report has been prepared for a public meeting to hear from the community
- The proposed development requires amendments to the Official Plan and Zoning By-law
- Community concerns identified to date relate to tree preservation, proposed building setbacks, shadowing and overlook conditions, visitor parking, and availability of amenity space
- Prior to the next report, matters to be considered include the appropriateness of the proposed amendments and the satisfactory resolution of other technical requirements and studies related to the project

Background

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

Comments

THE PROPERTY AND THE NEIGHBOURHOOD

Size and Use	
Frontage:	84 m (275.6 ft.)
Depth:	144.5 m (474.1 ft.)
Gross Lot Area:	1.2 ha (3.0 ac.)
Net Lot Area:	0.9 ha (2.2 ac.)
Existing Uses:	1 storey institutional building occupied by ErinoakKids Centre for Treatment and Development

The property is located in the South Common Community Node Character Area, north of The Collegeway, west of Erin Mills Parkway. ErinoakKids Centre for Treatment and Development currently occupies the site but will be moving their operation to a new site in Mississauga located at 1230 Central Parkway West, just south of Burnhamthorpe Road West. The immediate vicinity is a well-established mixed use area characterized by residential, office, commercial, institutional and community uses. The residential uses in the area include townhouses and 3 to 7 storey apartment buildings. South Common Mall is located east of the property and contains a range of retail and service commercial uses, including a grocery store, pharmacy and bank. South Common Community Centre and Library are also located east of the property. South Common Park abuts the property to the north and east, and contains athletic fields (soccer and baseball), open space and a playground. The park also contains a 5.6 ha (13.8 ac.) woodland feature that extends onto the subject property. The woodland feature is defined as a **Core Woodland** in the Region of Peel Official Plan and a **Significant Natural Area** (NAS) in Mississauga Official Plan. A trail network traverses the woodland and provides connections to surrounding neighbourhoods and community facilities. There is an existing trail entrance immediately east of the property from South Millway.

Approximately 23% of the property is occupied by the NAS feature. In addition to the NAS, there are a number of mature trees in the front portion of the property, adjacent to South Millway. Site grades fall from northwest to southeast, towards South Millway.



Aerial Image of
2277 South
Millway

The surrounding land uses are:

North: Woodland and South Common Park

East: Woodland, South Common Community Centre and Library, office uses and South Common Mall

South: 6 to 7 storey apartment buildings on the south side of South Millway

West: A 3 to 5 storey apartment building and townhouses

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

DETAILS OF THE PROJECT

The proposed development as presented in this report represents a revised concept plan from what was originally submitted by the owner. Although the number of units remains the same, modifications have been made to address initial concerns raised by City, Region of Peel and Credit Valley Conservation (CVC) staff. Concerns raised include: preservation of the Significant Natural Area (NAS) at the rear of the property, grade manipulation and retaining walls, lack of on-site amenity space, parking and compliance with the requested **RM9** (Horizontal Multiple Dwellings with more than 6 dwelling units) zone. Staff continue to review the revised concept plan, which is described below.

The applications are to permit 144 back to back stacked townhouses on a private condominium road (see Appendices 5 and 6). The proposed back to back stacked townhouses are 4 storeys and have a roof-top terrace. Site access is proposed from South Millway. A total of 159 resident parking spaces and 14 visitor parking spaces are proposed, all of which will be located underground. It should be noted that there is some on-street parking on South Millway.

Development Proposal		
Applications submitted:	Received: May 13, 2016 Deemed complete: June 1, 2016	
Developer Owner:	2277 South Millway G.P. Inc.	
Applicant:	Jim Levac, Glen Schnarr & Associates	
Number of units:	144 back to back stacked townhouses	
Height:	4 storeys + roof-top terrace	
Lot Coverage:	45.8%	
Floor Space Index:	2.0 (based on net lot area)	
Landscaped Area:	44.2%	
Gross Floor Area:	17 300 m ² (186,215.7 ft ²)	
Road type:	Private condominium road	
Anticipated Population:	446* *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	218	159
visitor spaces	36	14
Total	254	173

Additional information is provided in Appendices 1 to 10.



Image of existing conditions



Applicant's
rendering of
proposed
elevations

LAND USE CONTROLS

The subject lands are located within the South Common Community Node Character Area and are designated **Residential High Density**, which permits apartment buildings within a Floor Space Index (FSI) range of 0.8 to 1.4. The applications are not in conformity with the land use designation.

The proposal requires an amendment to Mississauga Official Plan from **Residential High Density to Residential High Density – Special Site** to permit horizontal multiple dwellings and to permit an increase in the maximum permitted FSI from 1.4 to 2.0. It should be noted that the FSI is calculated based on the net site area (i.e. excluding the woodlot at the rear of the property). If the FSI was calculated using the gross site area, the FSI would be 1.5.

A rezoning is proposed from **RA1-11** (Apartment Dwelling – Exception Zone) to **RM9-Exception** (Horizontal Multiple Dwellings with more than 6 dwelling units - Exception Zone) to permit 144 back to back stacked townhouses 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.

Bonus Zoning

On September 26, 2012, Council adopted Corporate Policy and Procedure 07-03-01 – Bonus Zoning. In accordance with Section 37 of the *Planning Act* and policies contained in the Official Plan, this policy enables the City to secure community benefits when increases in permitted height and/or density are deemed to be good planning by Council through the approval of a development application. Should these applications be approved by Council, the City will report back to Planning and Development Committee on the provision of community benefits as a condition of approval.

WHAT DID THE COMMUNITY SAY?

A community meeting was held by Ward 8 Councillor, Matt Mahoney on December 6, 2016.

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 existing trees and woodland on the property should be preserved. Any trees proposed to be planted would be small relative to the existing mature trees on the property
- Insufficient setbacks are provided to proposed buildings. In particular, setbacks to South Millway and the west lot line (abutting the existing apartment building)
- The proximity of the proposed buildings to the neighbouring apartment building will result in shadow impacts, overlook issues, and restrict sky views
- The proposed roof-top amenity areas are a concern due to possible fire and smoke from roof-top barbeques. This will impact neighbour's enjoyment of their patios and balconies
- A community gathering space and/or play area for kids should be provided on-site, so that children do not need to travel off-site to play

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 by this project?
- Is sufficient parking proposed to accommodate the proposed use?
- Are the setbacks to the Significant Natural Area (NAS) appropriate?
- Are the proposed zoning regulations acceptable?
- Does the proposed development comply with Fire Route By-law 1036-081?
- Have all other technical requirements and studies, including stormwater management and traffic impacts, been addressed and found to be acceptable?

Development and Design staff are in the process of preparing Urban Design Guidelines and revised Zoning By-law regulations for Horizontal Multiple Dwellings. Although the applications were submitted in advance of the guidelines being endorsed and the Zoning By-law regulations coming into effect, staff are reviewing the applications in the context of good urban design principles, existing guidelines and standards, and the existing **RM9** (Horizontal Multiple Dwellings with more than 6 dwelling units) zoning regulations.

OTHER INFORMATION

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

- Planning Justification Report
- Draft Official Plan Amendment

Planning and Development Committee

2017/05/19

7

Originator's file: OZ 16/004 W8

- Draft Zoning By-law Amendment
- Concept Plan
- Preliminary Elevations
- Building Section
- Landscape Concept Plan
- Functional Servicing Report
- Grading and Servicing Plan
- Environmental Impact Study and Tree Management Report
- Noise Feasibility Study
- Traffic Impact Study
- Phase 1 Environmental Site Assessment
- Sun/Shadow Study
- Parcel Register

Development Requirements

There are engineering matters including: grading, servicing, stormwater management and noise mitigation measures which will require the applicant to enter into agreements with the City.

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

Most 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.

Planning and Development Committee

2017/05/19

8

Originator's file: OZ 16/004 W8

Attachments

- Appendix 1: Site History
- Appendix 2: Aerial Photograph
- Appendix 3: Excerpt of South Common Community Node Character Area Land Use Map
- Appendix 4: Zoning and General Context Map
- Appendix 5: Concept Plan
- Appendix 6: Elevation and Sections
- 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 of Planning and Building

Prepared by: Ashlee Rivet, Development Planner

Appendix 1

2277 South Millway G.P. Inc.**File: OZ 16/004 W8****Site History**

- 1978 – Opening of existing building on-site, occupied by Credit Valley Association for Handicapped Children (now known as ErinoakKids Centre for Treatment and Development)
- June 20, 2007 – Zoning By-law 0225-2007 came into force. The zoning of the lands changed from **R3** (Detached Dwellings - 15 m min. lot frontages) to **RA1-11** (Apartment Dwellings – Exception Zone) which permits only a Health Care Facility on the site

LEGEND:



SUBJECT LANDS



DATE OF AERIAL IMAGERY: SPRING 2016

TITLE: 2277 SOUTH MILLWAY G.P. INC.

FILE NO: OZ 16/ 004 W8




















Produced by
T&W, Geomatics

MISSISSAUGA



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		City Centre Transit Terminal
	Composite Noise Contours		GO Rail Transit Station
	LBPIA Operating Area Boundary		Public School
	See Aircraft Noise Policies		Catholic School
	Area Exempt from LBPIA Operating Area		Hospital
	LBPIA Operating Area		Community Facilities
	Natural Hazards		

City Structure

	Corporate Centre		Special Purpose Area
	Downtown		
	Major Node		
	Community Node		
	Neighbourhood		

 **SUBJECT LANDS**



TITLE:

2277 SOUTH MILLWAY G.P. INC.

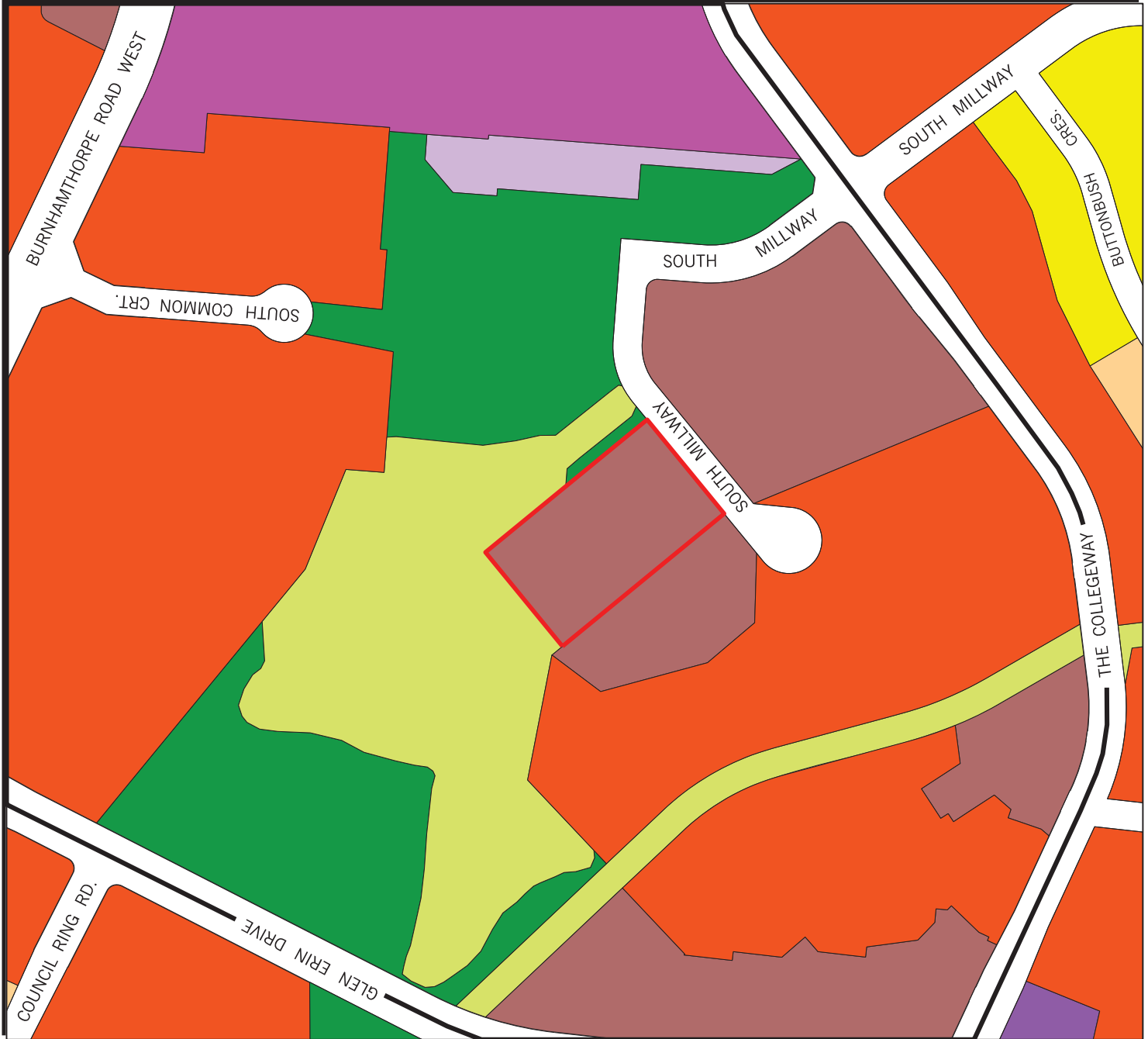
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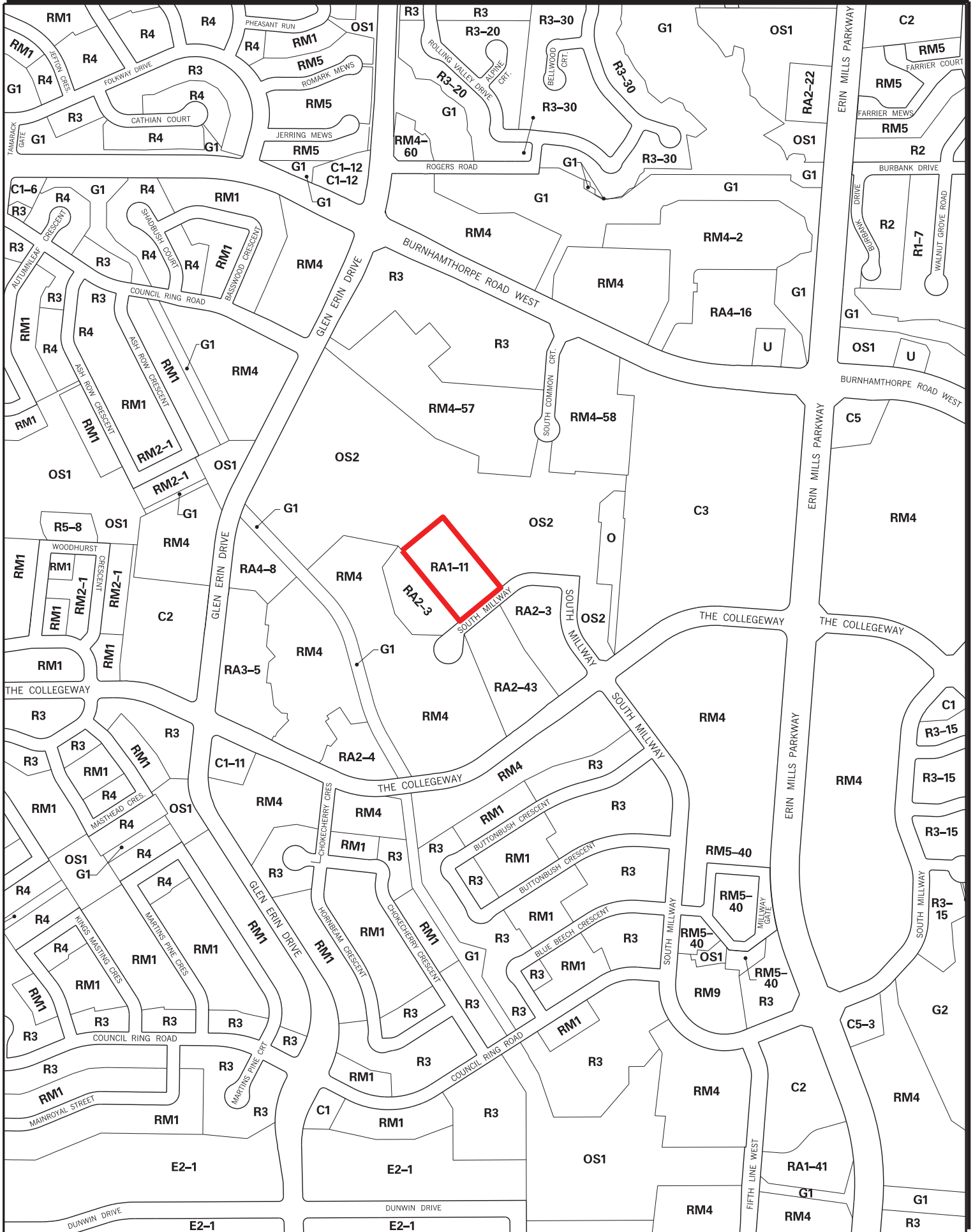
OZ 16/ 004 W8



MISSISSAUGA

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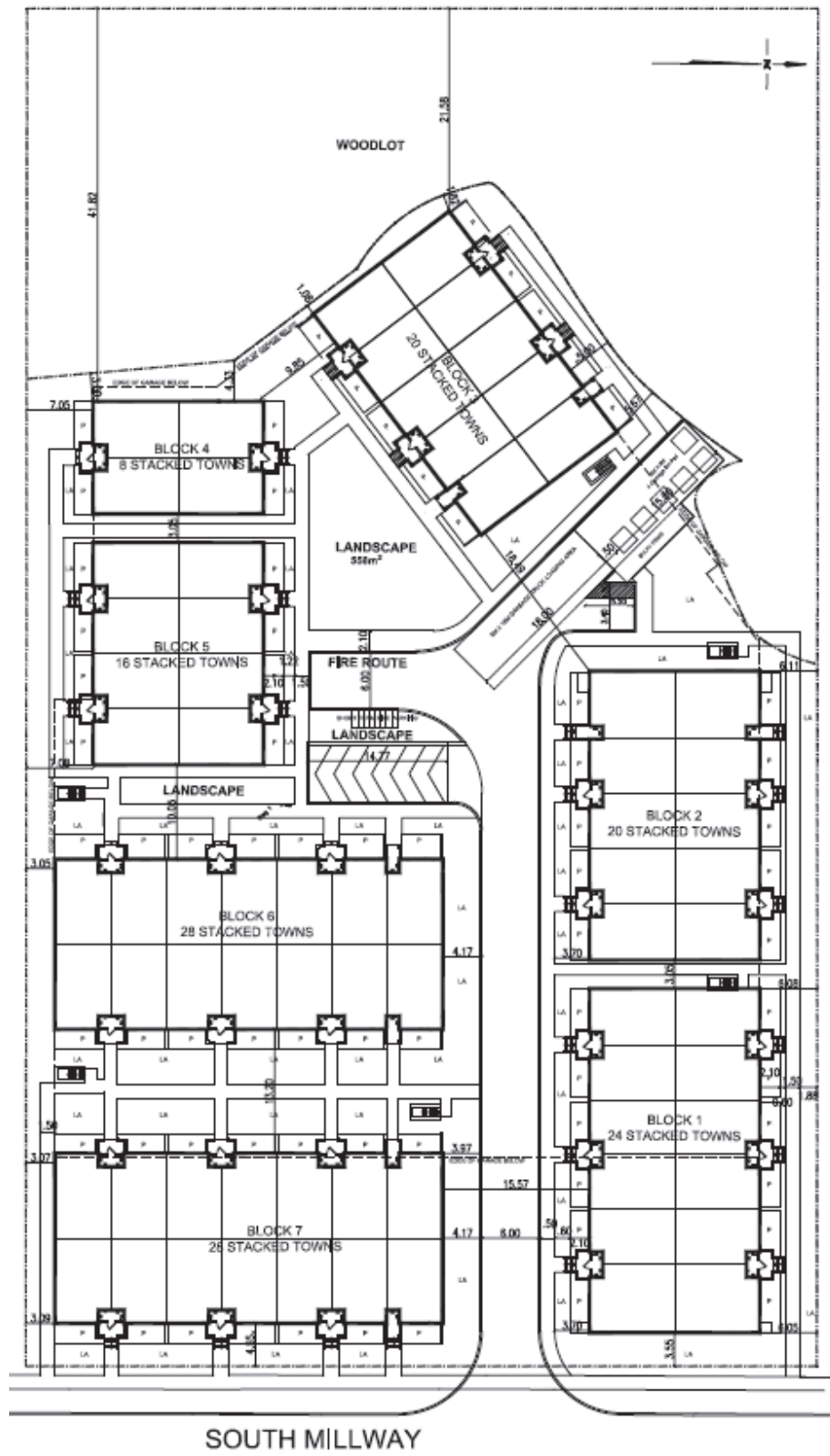




2277 South Millway G.P. Inc.

File: OZ 16/004 W8

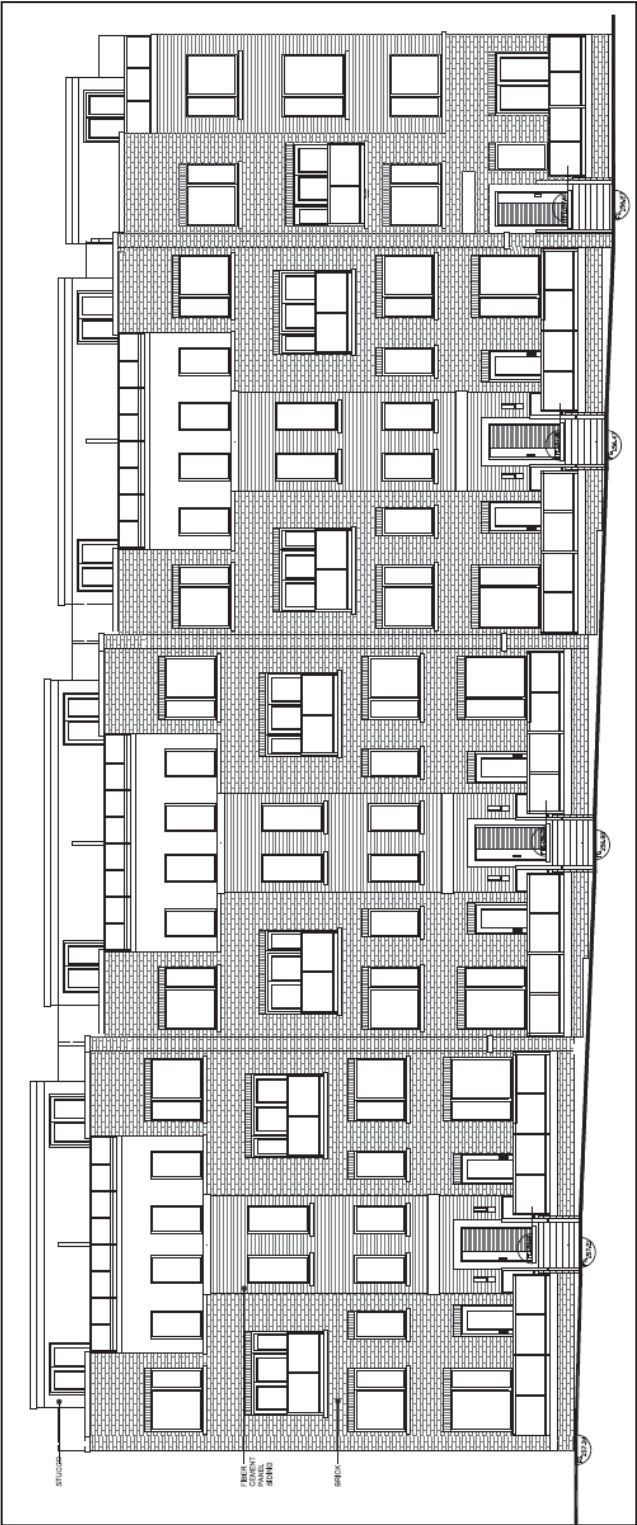
Concept Plan



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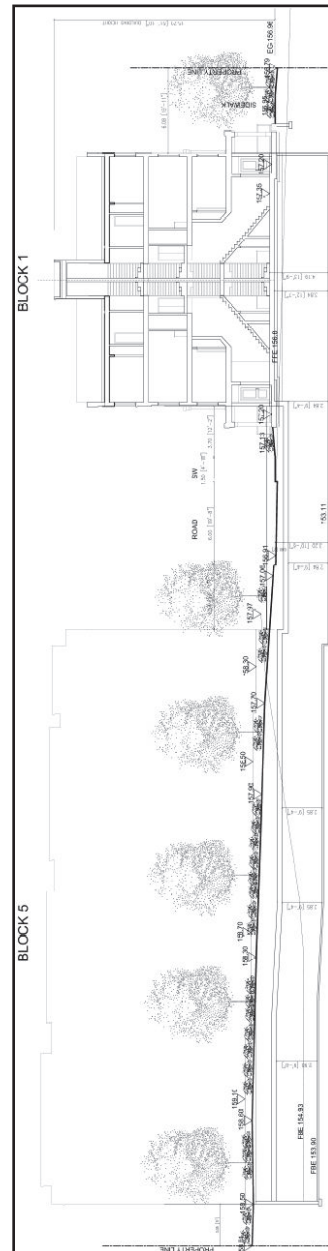
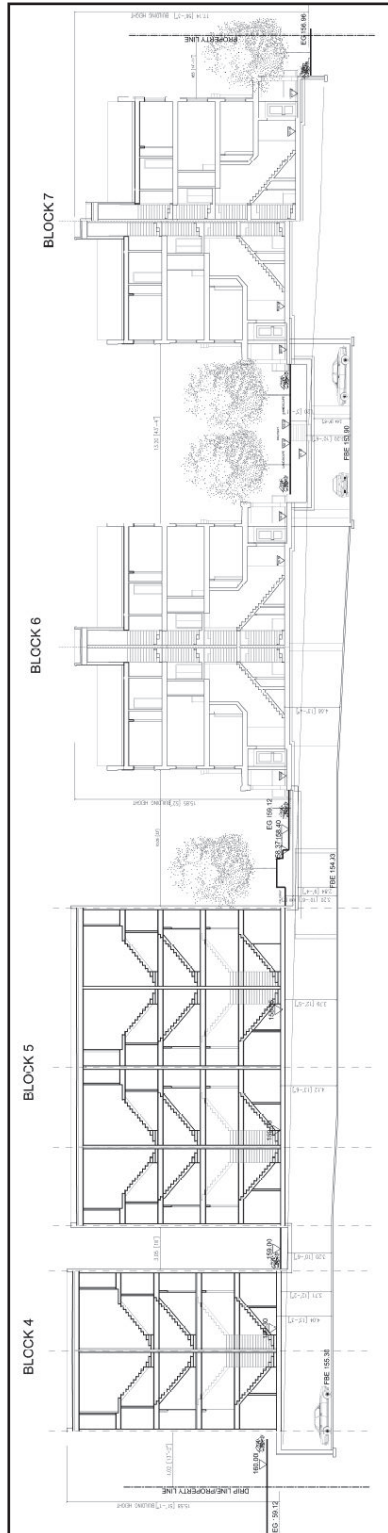
Elevation and Sections



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Elevation and Sections



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Agency Comments

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

Agency / Comment Date	Comment
Region of Peel (May 8, 2017)	<p>The Region will require a revised Environmental Impact Statement (EIS) that identifies Regional Core Areas and addresses impacts to the features/mitigations proposed. Credit Valley Conservation (CVC) is a technical advisor to the Region of Peel regarding Core areas of the Greenland System. Region staff will consult with CVC staff regarding the proposal and will require the CVC be satisfied with the EIS, impacts to the feature and mitigation measures proposed prior to providing final approval. The Region will provide front-end collection. A drawing/plan identifying waste set out to confirm adequate spacing for number of required bins and that the internal road meets the required 13 m (42.6 ft.) turning radius must be submitted.</p>
Dufferin-Peel Catholic District School Board and the Peel District School Board (April 18, 2017)	<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 the 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> <p>If approved, both School Boards require that certain warning clauses regarding transportation, signage and temporary accommodation be included in any Development/Servicing Agreement and Agreements of Purchase and Sale.</p>
City Community Services Department – Parks and Forestry Division/Park Planning Section (May 4, 2017)	<p>Community Services indicated that South Common Park and South Common Community Centre and Library are located directly adjacent to the site. The park is zoned OS2 (Open Space) and contains a baseball diamond, soccer pitch, tennis courts, skate board park, play structure, and splash pad.</p> <p>Community Services requests that the woodlot on the subject lands be dedicated to the City for conservation purposes. The</p>

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Agency / Comment Date	Comment
	<p>City will in turn credit the dedication against the requirement for cash-in-lieu of parkland. The balance owing for cash-in-lieu will be required to be paid as the time of building permit issuance.</p> <p>The applicant shall submit a cash contribution for street tree planting on South Millway.</p>
<p>City Community Services Department – Fire and Emergency Services Division (June 28, 2016)</p>	<p>Fire has reviewed the applications from an emergency response perspective and has no concerns; emergency response time to the site and watersupply available are acceptable.</p> <p>Prior to the Recommendation Report, Planning & Building staff will require the Fire and Emergency Services Division to confirm compliance of the proposed development with Fire Route By-law 1036-081.</p>
<p>City Transportation and Works Department (T&W) (May 1, 2017)</p>	<p>T&W confirms receipt of an Environmental Noise Assessment, Functional Servicing Report, Traffic Impact Study, Grading and Servicing Plans, Easement Plan, Phase I Environmental Site Assessments (ESA), and Site Plan.</p> <p>Notwithstanding the drawings and findings of these reports, the applicant has been requested to provide additional technical details. Development matters currently under review and consideration by this department include:</p> <ul style="list-style-type: none"> • Grading, Servicing and Site Plan details; • Functioning Servicing Report details; • Transportation Impact Study; • Turning movement diagram for ingress and egress, including emergency vehicles; • Submit a Letter of Reliance for Phase I ESA; • Easement documents over existing parking area; • Fire and EMS approval; and • Confirmation of condominium type <p>The above aspects will be addressed in detail prior to the Recommendation Report.</p>

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Agency / Comment Date	Comment
Mississauga Transit (July 20, 2016)	The site is located within proximity to one of MiWay's major transit hubs, the South Common Transit Terminal which will continue to be located in its present location for a considerable length of time. The site is located within a 350 m (1,148 ft.) walk of the terminal and as such as good access to transit service, 7 days a week.
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"> • Cultural Planning, Community Services Department • Heritage Planning, Community Services Department • Canada Post • Enbridge Gas Distribution Inc. • Alectra Utilities Inc. (formerly Enersource Hydro Mississauga) • Rogers Cable
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <ul style="list-style-type: none"> • Realty Services, Corporate Services Department • HydroOne Networks • Bell Canada • Conseil Scolaire de Distrique Centre-Sud • Conseil Scolaire Viamonde

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School Accommodation

The Peel District School Board	The Dufferin-Peel Catholic District School Board																																						
<ul style="list-style-type: none"> Student Yield: <table> <tr> <td>43</td><td>Kindergarten to Grade 8</td></tr> <tr> <td>23</td><td>Grade 9 to Grade 12</td></tr> </table> School Accommodation: <p>Brookmede Public School</p> <table> <tr> <td>Enrolment:</td><td>392</td></tr> <tr> <td>Capacity:</td><td>450</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> <p>Erin Mills Middle School</p> <table> <tr> <td>Enrolment:</td><td>510</td></tr> <tr> <td>Capacity:</td><td>536</td></tr> <tr> <td>Portables:</td><td>1</td></tr> </table> <p>Erindale Secondary School</p> <table> <tr> <td>Enrolment:</td><td>785</td></tr> <tr> <td>Capacity:</td><td>1,353</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> <p>*Note: Capacity reflects the Ministry of Education rated capacity, not the Board rated capacity, resulting in the requirement of portables.</p> 	43	Kindergarten to Grade 8	23	Grade 9 to Grade 12	Enrolment:	392	Capacity:	450	Portables:	0	Enrolment:	510	Capacity:	536	Portables:	1	Enrolment:	785	Capacity:	1,353	Portables:	0	<ul style="list-style-type: none"> Student Yield: <table> <tr> <td>10</td><td>Junior Kindergarten to Grade 8</td></tr> <tr> <td>8</td><td>Grade 9 to Grade 12</td></tr> </table> School Accommodation: <p>St. Margaret of Scotland</p> <table> <tr> <td>Enrolment:</td><td>592</td></tr> <tr> <td>Capacity:</td><td>685</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> <p>Loyola Secondary School</p> <table> <tr> <td>Enrolment:</td><td>1,058</td></tr> <tr> <td>Capacity:</td><td>1,080</td></tr> <tr> <td>Portables:</td><td>0</td></tr> </table> 	10	Junior Kindergarten to Grade 8	8	Grade 9 to Grade 12	Enrolment:	592	Capacity:	685	Portables:	0	Enrolment:	1,058	Capacity:	1,080	Portables:	0
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Summary of Existing and Proposed Mississauga Official Plan Policies and Relevant Mississauga Official Plan Policies

Current Mississauga Official Plan Designation and Policies for the South Common Community Node Character Area

Residential High Density which permits apartment dwellings within a Floor Space Index (FSI) range of 0.8-1.4.

According to Schedule 3 (Natural System) of Mississauga Official Plan, the rear portion of the property is designated **Significant Natural Areas and Natural Green Spaces**.

Proposed Official Plan Amendment Provisions

The lands are proposed to be designated **Residential High Density – Special Site** to permit horizontal multiple dwellings with an FSI of 2.0

Relevant Mississauga Official Plan Policies

There are numerous policies that apply in reviewing these applications. An overview of some of these policies is found below:

	Specific Policies	General Intent
Chapter 5 – Direct Growth	Section 5.3.3 – Community Nodes	5.3.3.3 Community Nodes are Intensification Areas.
		5.3.3.4 Community Nodes will achieve a gross density of between 100 and 200 residents and jobs combined per hectare.
	Section 5.5 – Intensification Areas	5.3.3.8 Community Nodes will develop as centres for surrounding Neighbourhoods and be a location for mixed use development.
		5.3.3.11 Development in Community Nodes will be in a form and density that complements the existing character of historical Nodes or that achieves a high quality urban environment within more recently developed Nodes.
		5.3.3.12 Community Nodes will be served by frequent transit services that provide city wide connections.
		5.3.3.13 Community Nodes will be developed to support and encourage active transportation as a mode of transportation.

Chapter 5 – Direct Growth		<p>5.5.5 Development will promote the qualities of complete communities.</p> <p>5.5.7 A mix of medium and high density housing, community infrastructure, employment, and commercial uses, including mixed use residential/commercial buildings and offices will be encouraged. However, not all of these uses will be permitted in all areas.</p> <p>5.5.8 Residential and employment density should be sufficiently high to support transit usage. Low density development will be discouraged.</p> <p>5.5.9 Intensification Areas will be planned to maximize the use of existing and planned infrastructure.</p> <p>5.5.11 Where there is a conflict between the Intensification Area policies and policies regarding the Natural Heritage System and heritage resources, the policies of the Natural Heritage System and heritage resources will take precedence.</p> <p>5.5.12 Development will be phased in accordance with the provision of community infrastructure and other infrastructure.</p>
Chapter 6 – Value the Environment	Section 6.3 – Green System	<p>6.3.1 Mississauga will give priority to actions that protect, enhance, restore and expand the Green System for the benefit of existing and future generations.</p> <p>6.3.7 Buffers which are vegetated protection areas that provide a physical separation of development from the limits of natural heritage features and Natural Hazard Lands, will be provided to perform the following:</p> <ul style="list-style-type: none"> • Maintenance of slope stability and reduction of erosion on valley slopes; • Attenuation of stormwater runoff; • Reduction of human intrusion into Significant Natural Areas and allowance for predation habits of pets, such as cats and dogs; • Protection of tree root zones to ensure survival of vegetation; • Provision of a safety zone for tree fall next to woodlands; • Enhancement of woodland interior and edge areas through native species plantings; • Enhanced wildlife habitat and corridors for wildlife movement; and • Opportunities for passive recreational activities, in appropriate locations.

Chapter 6 – Value the Environment		<p>6.3.8 Buffers shall be determined on a site specific basis as part of an Environmental Impact Study or other similar study, to the satisfaction of the City and appropriate conservation authority.</p> <p>6.3.9 Mississauga's Natural Heritage System is composed of the following:</p> <ul style="list-style-type: none"> • Significant Natural Areas; • Natural Green Spaces; • Special Management Areas; • Residential Woodlands; and • Linkages <p>6.3.10 The exact limit of components of the Natural Heritage System will be determined through site specific studies such as an Environmental Impact Study.</p> <p>6.3.11 Minor refinements to the boundaries of the Natural Heritage System may occur through Environmental Impact Studies, updated of the Natural Heritage System, or other appropriate studies accepted by the City without amendment to this Plan. Major boundary changes require an amendment to this Plan.</p> <p>6.3.12 Significant Natural Areas are areas that meet one or more of the following criteria:</p> <p>f. significant woodlands are those that meet one or more of the following criteria:</p> <ul style="list-style-type: none"> • Woodlands, excluding cultural savannahs, greater than or equal to four hectares; • Any woodland greater than 0.5 hectares that: <ul style="list-style-type: none"> • Supports old growth trees (greater than or equal to 100 years old); • Supports a significant linkage function as determined through an Environmental Impact Study approved by the City in consultation with the appropriate conservation authority; • Is located within 100 metres of another Significant Natural Area supporting a significant ecological relationship between the two features; • Supports significant species or communities
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Chapter 6 – Value the Environment		<p>6.3.24 The Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:</p> <ul style="list-style-type: none"> a. Ensuring that development in or adjacent to the Natural Heritage System protects and maintains natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping, and parking and amenity area locations; b. Placing those areas identified for protection, enhancement, restoration and expansion in public ownership, where feasible; d. Retaining areas in a natural condition and/or allowing them to regenerate to assume a natural state; f. Controlling activities that may be incompatible with the retention of the Natural Heritage System and associated ecological functions; and g. Regulation of encroachment into the Natural Heritage System and other public open spaces. <p>6.3.26 Lands identified as or meeting the criteria of a Significant Natural Area, as well as their associated buffers will be designated Greenlands and zoned to ensure their long term protection. Uses will be limited to conservation, flood and/or erosion control, essential infrastructure and passive recreation.</p> <p>6.3.27 Development and site alteration as permitted in accordance with the Greenlands designation within or adjacent to a Significant Natural Area will not be permitted unless all reasonable alternatives have been considered and any negative impacts minimized. Any negative impact that cannot be avoided will be mitigated through restoration and enhancement to the greatest extent possible. This will be demonstrated through a study in accordance with the requirements of the <i>Environmental Assessment Act</i>. When not subject to the <i>Environmental Assessment Act</i>, an Environmental Impact Study will be required.</p> <p>6.3.28 Notwithstanding the policies of this Plan, development and site alteration will not be permitted in the following areas:</p> <ul style="list-style-type: none"> d. Core Areas of the Greenlands System as defined in the Region of Peel Official Plan, except in accordance with Regional requirements.
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Chapter 6 – Value the Environment		<p>6.3.36 In Significant Natural Areas and Natural Green Spaces, recreation potential will be restricted to protect the natural heritage feature and its ecological function. Formalized passive recreational uses such as trails may be permitted to minimize the impacts of uncontrolled public access.</p> <p>6.3.44 Development and site alteration will demonstrate that there will be no negative impacts to the Urban Forest. An arborist report and tree inventory that demonstrates tree preservation and protection both pre and post construction, and where preservation of some trees is not feasible, identifies opportunities for replacement, will be prepared to the satisfaction of the City in compliance with the City's tree permit by-law.</p>
Chapter 7 – Complete Communities	Section 7.2 – Housing	<p>7.2.1 Mississauga will ensure that housing is provided in a manner that maximizes the use of community infrastructure and engineering services, while meeting the housing needs and preferences of Mississauga residents.</p> <p>7.2.2 Mississauga will provide opportunities for:</p> <ul style="list-style-type: none"> a. The development of a range of housing choices in terms of type, tenure and price; b. The production of a variety of affordable dwelling types for both the ownership and rental markets; and, c. The production of housing for those with special needs, such as housing for the elderly and shelters. <p>7.2.8 Design solutions that support housing affordability while maintaining appropriate functional and aesthetic quality will be encouraged.</p> <p>7.2.9 The provision of housing that meets the needs of young adults, older adults and families will be encouraged in the Downtown, Major Nodes and Community Nodes.</p>
Chapter 8 – Create a Multi-Modal City	<p>Section 8.2.3 – Transit Network</p> <p>Section 8.2.4 – Active Transportation</p> <p>Section 8.4 - Parking</p>	<p>8.2.3.8 Decisions on transit planning and investment will be made according to the following criteria:</p> <ul style="list-style-type: none"> a. Using transit infrastructure to shape growth, and planning for high residential and employment densities that ensure the efficiency and viability of existing and planned transit service levels; <p>8.2.4.7 Sidewalks or multi-use trails and pedestrian amenities will be a priority in Intensification Areas.</p>

Chapter 8 – Create a Multi-Modal City		<p>8.4.1 Off-street parking facilities for vehicles and other modes of travel, such as bicycles, will be provided in conjunction with new development and will:</p> <ul style="list-style-type: none"> a. Provide safe and efficient access from the road network so that ingress and egress movements minimize conflicts with road traffic and pedestrian movements; <p>8.4.7 Within Intensification Areas, Mississauga will give consideration to:</p> <ul style="list-style-type: none"> a. Reducing minimum parking requirements to reflect transit service levels
Section 9 – Building a Desirable Urban Form	<p>Section 9.1 – Introduction</p> <p>Section 9.2.1 – Intensification Areas</p> <p>Section 9.3.5 – Open Spaces and Amenity Areas</p> <p>Section 9.5 – Site Development and Buildings</p>	<p>9.1.2 Within Intensification Areas an urban form that promotes a diverse mix of uses and supports transit and active transportation modes will be required.</p> <p>9.2.1.10 Appropriate height and built form transitions will be required between sites and their surrounding areas.</p> <p>9.2.1.25 Buildings should have active facades characterized by features such as lobbies, entrances and display windows. Blank building walls will not be permitted facing principal street frontages and intersections.</p> <p>9.2.1.29 Development will have a compatible built, massing and scale of built form to provide an integrated streetscape.</p> <p>9.2.1.37 Developments should minimize the use of surface parking in favour of underground or aboveground structured parking.</p> <p>9.3.5.6 Residential developments of significant size, will be required to provide common outdoor on-site amenity areas that are suitable for the intended users.</p> <p>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.</p>

<p>Section 9 – Building a Desirable Urban Form</p>		<p>9.5.1.2 Developments should be compatible and provide appropriate transition to existing and planned development by having regard for the following elements:</p> <ul style="list-style-type: none"> a. Natural Heritage System; b. Natural hazards c. Natural and cultural heritage features d. Street and block patterns; e. The size and configuration of properties along a street, including lot frontages and areas; f. Continuity and enhancement of streetscapes; g. The size and distribution of building mass and height; h. Front, side and rear yards; i. The orientation of buildings, structures and landscapes on a property; j. Views, sunlight and wind conditions; k. The local vernacular and architectural character as represented by the rhythm, textures and building materials; l. Privacy and overlook; and, m. The function and use of buildings, structures and landscapes. <p>9.5.1.6 Existing vegetation patterns and preservation and or enhancement of the Urban Forest will be addressed in all new development.</p> <p>9.5.1.7 Developments adjacent to public parkland will complement the open space and minimize negative impacts.</p>
<p>Chapter 9 – Building a Desirable Urban Form</p>		<p>9.5.1.15 Development in proximity to landmark buildings or sites, to the Natural Areas System or cultural heritage resources, should be designed to:</p> <ul style="list-style-type: none"> a. Respect the prominence, character, setting and connectivity of these buildings, sites and resources; and b. Ensure an effective transition in built form through appropriate height, massing, character, architectural design, siting, setbacks, parking, amenity and open spaces. <p>9.5.2.3 Development proponents will be required to ensure that pedestrian circulation and connections are accessible, comfortable, safe and integrated into the overall system of trails and walkways.</p> <p>9.5.2.7 Site development should respect and maintain existing grades on-site.</p>

Chapter 11 – General Land Use Designations	Section 11.2.5 – Residential	11.2.5.6 Lands designated Residential High Density will permit the following use: a. Apartment dwelling
Chapter 14 – Community Nodes	Section 14.1.1 – General	14.1.1.1 For lands within a Community Node a minimum building height of two storeys to a maximum building height of four storeys will apply, unless Character Area policies specify alternative building height requirements or until such time as alternative building heights are determined through the review of Character Area policies.
Chapter 19 – Implementation	Section 19.5 – Criteria for Site Specific Official Plan Amendment	19.5.1 City Council will consider applications for site specific amendments to this Plan within the context of the policies and criteria set out throughout this Plan. The proponent of an official plan amendment will be required to submit satisfactory reports to demonstrate the rational for the amendment; including, among other matters: a. That the proposed redesignation would not adversely impact or destabilize the following: <ul style="list-style-type: none"> • The achievement of the overall intent, goals, objectives and policies of this Plan; and, • The development or functioning of the remaining lands that have the same designation, or neighbouring lands; and, b. That a municipal comprehensive review of land use designation or a five year review is not required; c. That the lands are suitable for the proposed use, and a planning rationale with reference to the policies of this Plan, other applicable policies and sound planning principles is provided, setting out the merits of the proposed amendment in comparison with the existing designation; d. Land use compatibility with the existing and future uses of surrounding lands; and, e. The adequacy of engineering services, community infrastructure and multi-modal transportation systems to support the proposed application.

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Summary of Existing Zoning By-law Provisions

RA1-11 (Apartment Dwellings – Exception), which permits a health care facility with an FSI range of 0.8 to 1.4.

Summary of Proposed Zoning By-law Provisions

Zone Standards	Base RM9 Zoning By-law Standards	Proposed RM9 Exception Zoning By-law Standards (based on Site Plan dated March 16, 2017)
Minimum lot frontage	30.0 m (98.4 ft.)	84.0 m (275.6 ft.)
Minimum floor space index	0.4	n/a
Maximum floor space index	0.9	2.0
Maximum height – flat roof	13.0 m (42.7 ft.)	18.4 m (60.4 ft.) measured to the top of the roof-top terrace
Minimum front yard setback	7.5 m (24.6 ft.)	3.5 m (11.5 ft.)
Minimum interior side yard	4.5 m (14.8 ft.)	3.0 m (9.8 ft.)
Minimum rear yard	7.5 m (24.6 ft.)	1.0 m (3.3 ft.) to NAS dripline
Maximum encroachment of a porch, inclusive of stairs, located at and accessible from the first storey or below the first storey of the horizontal multiple dwelling	1.8 m (5.9 ft.)	2.8 m (9.2 ft.)
Minimum setback from a horizontal multiple dwelling to an internal road, sidewalk or visitor parking space	4.5 m (14.8 ft.)	2.4 m (7.9 ft.)
Minimum setback from a porch or deck, inclusive of stairs to an internal road or sidewalk	2.9 m (9.5 ft.)	0.0 m (0.0 ft.) to sidewalk
Minimum setback from a side wall of a horizontal multiple dwelling to an internal walkway	1.5 m (4.9 ft.)	0.2 m (0.7 ft.)
Minimum setback from a side wall of a horizontal multiple dwelling to an internal road	4.5 m (14.8 ft.)	2.4 m (7.9 ft.)

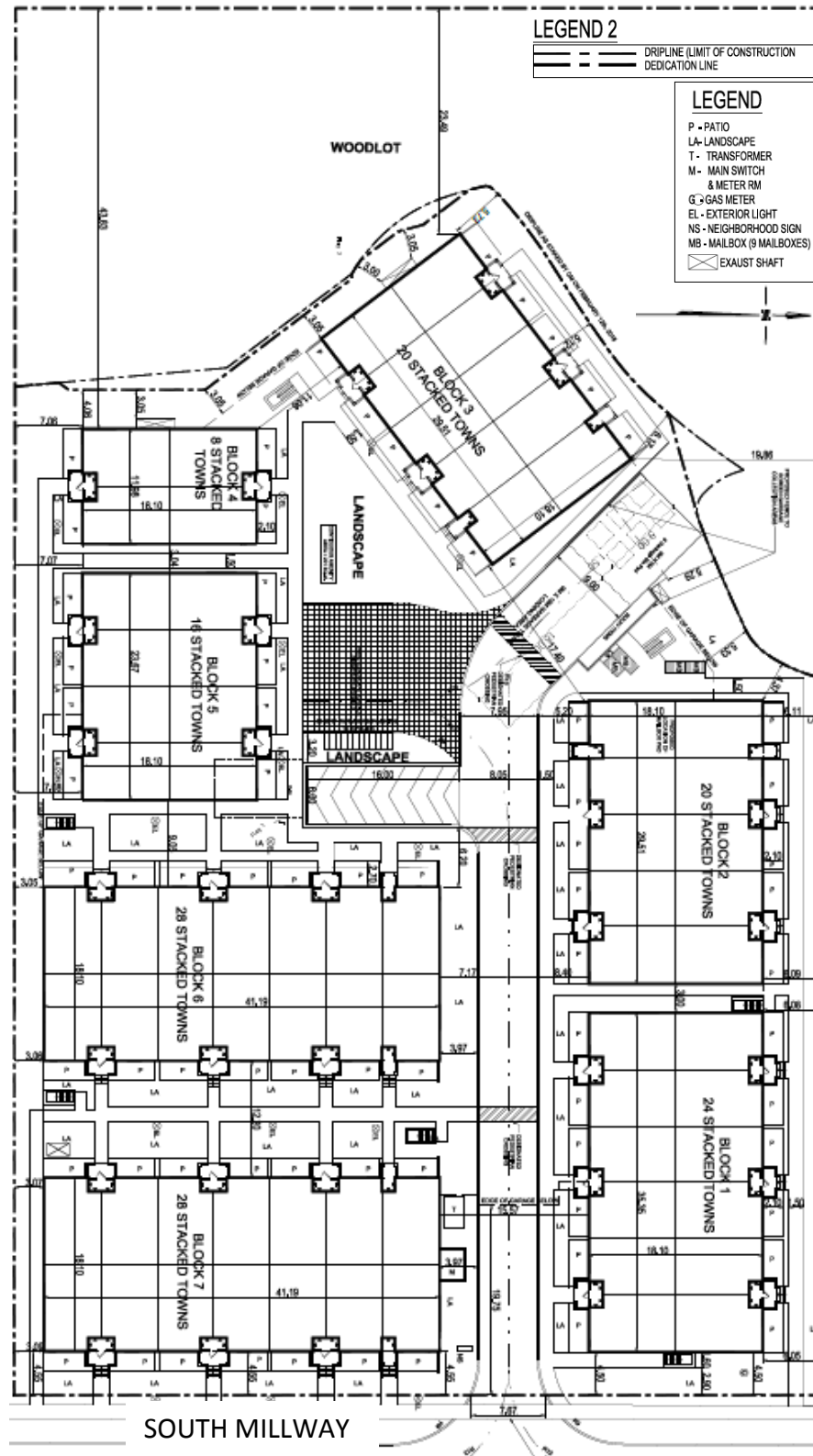
Zone Standards	Base RM9 Zoning By-law Standards	Proposed RM9 Exception Zoning By-law Standards (based on Site Plan dated March 16, 2017)
Minimum setback from a side wall of a horizontal multiple dwelling to an abutting visitor parking space	4.5 m (14.8 ft.)	4.2 m (13.8 ft.)
Minimum width of an internal road	7.0 m (23 ft.)	6.0 m (19.7 ft.)
Minimum width of a sidewalk	2.0 m (6.6 ft.)	1.5 m (4.9 ft.)
Minimum amenity area	The greater of 5.6 m ² (60.28 ft ²) per dwelling unit - 806 m ² (8,675 ft ²) or 10% of the site - 903 m ² (9,720 ft ²)	558 m ² (6,006 ft ²)
Minimum number of parking spaces	1.5 per two-bedroom unit 1.75 per three-bedroom unit 0.25 visitor spaces per unit	1.1 per two-bedroom unit 1.1 per three-bedroom unit 0.10 visitor spaces per unit

*The provisions listed are based on the preliminary concept plan and are subject to minor revisions as the plan is further refined

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Revised Concept Plan



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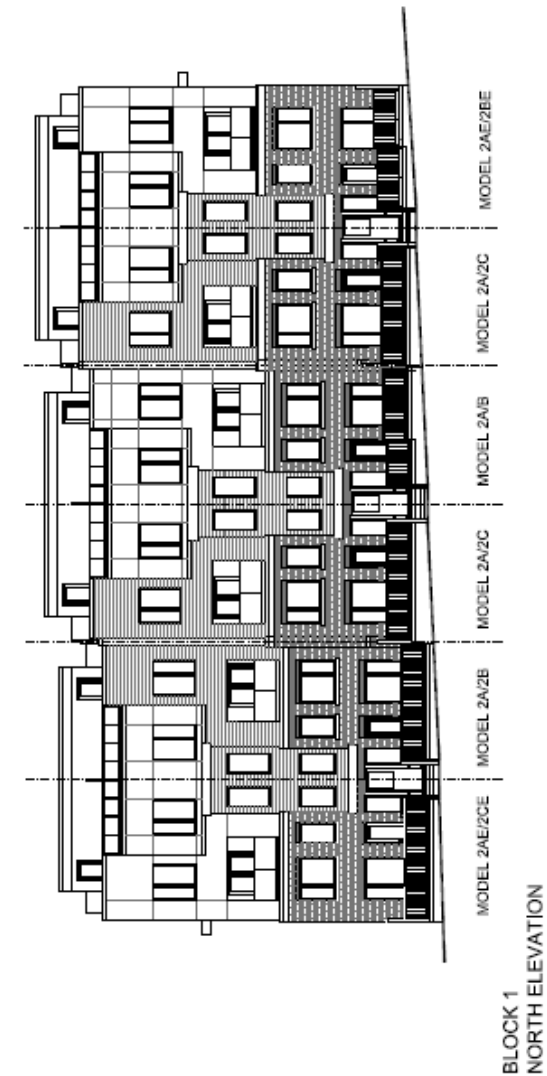
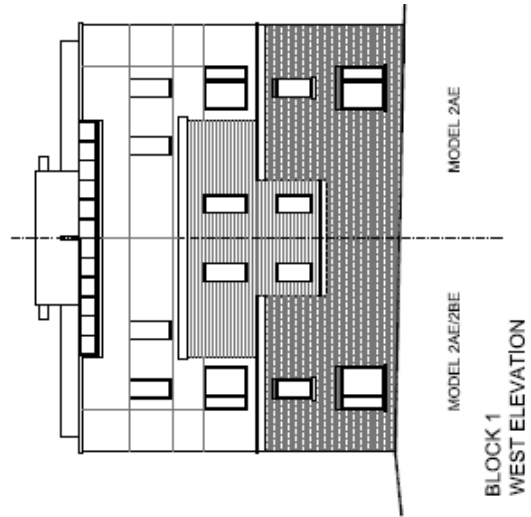
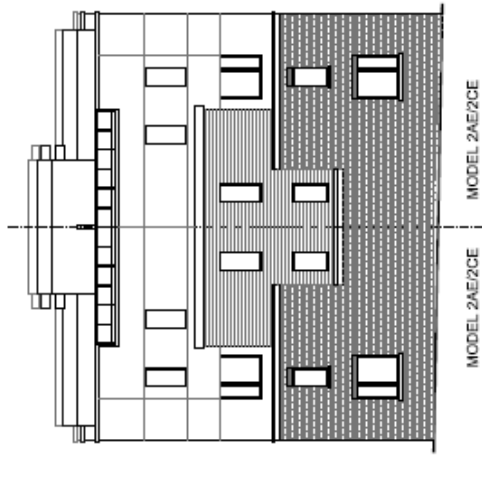
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Revised Elevation



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Summary of Existing Zoning By-law Provisions

RA1-11 (Apartment Dwellings – Exception), which permits a health care facility with an FSI range of 0.8 to 1.4.

Proposed Zoning Standards

Zone Standards	Base RM9 Zoning By-law Standards	Proposed RM9 Exception Zoning By-law Standards (based on Site Plan dated March 16, 2017)	Proposed RM9 Exception Zoning By-law Standards (based on Site Plan dated July 31, 2017)
Minimum lot frontage	30.0 m (98.4 ft.)	84.0 m (275.6 ft.)	84.0 m (275.6 ft.)
Minimum floor space index	0.4	n/a	n/a
Maximum floor space index	0.9	2.0	1.8
Maximum height – flat roof	13.0 m (42.7 ft.)	18.4 m (60.4 ft.) measured to the top of the rooftop terrace	18.5 m (60.7 ft.) measured to the top of the rooftop terrace
Minimum front yard setback	7.5 m (24.6 ft.)	3.5 m (11.5 ft.)	4.5 m (14.8 ft.)
Minimum interior side yard	4.5 m (14.8 ft.)	3.0 m (9.8 ft.)	3.0 m (9.8 ft.)
Minimum rear yard	7.5 m (24.6 ft.)	1.0 m (3.3 ft.) to NAS dripline	3.0 m (9.8 ft.) to the dedication line (note: dedication line located outside of the dripline and includes buffer to NAS)
Maximum encroachment of a porch, inclusive of stairs, located at and accessible from the first storey or below the first storey of the horizontal multiple dwelling	1.8 m (5.9 ft.)	2.8 m (9.2 ft.)	2.8 m (9.2 ft.)
Minimum setback		2.4 m (7.9 ft.)	1.6 m (5.2 ft.)

Zone Standards	Base RM9 Zoning By-law Standards	Proposed RM9 Exception Zoning By-law Standards (based on Site Plan dated March 16, 2017)	Proposed RM9 Exception Zoning By-law Standards (based on Site Plan dated July 31, 2017)
from a horizontal multiple dwelling to an internal road, sidewalk or visitor parking space	4.5 m (14.8 ft.)		
Minimum setback from a porch or deck, inclusive of stairs to an internal road or sidewalk	2.9 m (9.5 ft.)	0.0 m (0.0 ft.) to sidewalk	0.0 m (0.0 ft.) to sidewalk
Minimum setback from a side wall of a horizontal multiple dwelling to an internal walkway	1.5 m (4.9 ft.)	0.2 m (0.7 ft.)	0.0 m (0.0 ft.)
Minimum setback from a side wall of a horizontal multiple dwelling to an internal road	4.5 m (14.8 ft.)	2.4 m (7.9 ft.)	3.0 m (9.8 ft.)
Minimum setback from a side wall of a horizontal multiple dwelling to an abutting visitor parking space	4.5 m (14.8 ft.)	4.2 m (13.8 ft.)	n/a
Minimum width of an internal road	7.0 m (23 ft.)	6.0 m (19.7 ft.)	6.0 m (19.7 ft.)
Minimum width of a sidewalk	2.0 m (6.6 ft.)	1.5 m (4.9 ft.)	1.5 m (4.9 ft.)
Minimum amenity area	903 m ² (9,720 ft ²), which is the greater of 5.6 m ² (60.28 ft ²) per dwelling unit or 10% of the site	558 m ² (6,006 ft ²) (note: includes areas that are deemed to not meet the City's amenity area requirements)	201 m ² (2,164 ft ²) (note: does not include area of the fire route stub, which will be designed to integrate into proposed amenity area)
Minimum number of parking spaces	1.5 per two-bedroom unit	1.1 per two-bedroom unit	1.1 per two-bedroom unit

Zone Standards	Base RM9 Zoning By-law Standards	Proposed RM9 Exception Zoning By- law Standards (based on Site Plan dated March 16, 2017)	Proposed RM9 Exception Zoning By-law Standards (based on Site Plan dated July 31, 2017)
	1.75 per three- bedroom unit 0.25 visitor spaces per unit	1.1 per three-bedroom unit 0.10 visitor spaces per unit	1.1 per three- bedroom unit 0.15 visitor spaces per unit

*The provisions listed are based on the preliminary concept plan and are subject to minor revisions as the plan is further refined