
Planning and Development Committee

Date

2019/05/21

Time

1:30 PM

Location

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

Members

Councillor George Carlson	Ward 11 (Chair)
Mayor Bonnie Crombie	
Councillor Stephen Dasko	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 Dipika Damerla	Ward 7
Councillor Matt Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10

Contact

Angie Melo, Legislative Coordinator, Legislative Services
905-615-3200 ext. 5423
angie.melo@mississauga.ca

Find it Online

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

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

Send written submissions or request notification of future meetings to:

Mississauga City Council Att: Development Assistant
c/o Planning and Building Department – 6th Floor
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
Approval of April 29, 2019
4. MATTERS TO BE CONSIDERED
 - 4.1. Rental Housing Protection By-law Guidelines
 - 4.2. Sign By-law 0054-2002, as amended
Proposed Amendments for Real Estate Related Signs
5. ADJOURNMENT

City of Mississauga

Corporate Report



Date: 2019/04/30

To: Chair and Members of Planning and Development Committee

From: Andrew Whittemore, M.U.R.P., Commissioner of Planning and Building

Originator's files:
CD.06 REN

Meeting date:
2019/05/21

Subject

Rental Housing Protection By-law Guidelines

Recommendation

That the guidelines contained in the Report titled "Rental Housing Protection By-law Guidelines" dated April 30, 2019 from the Commissioner of Planning and Building, be endorsed.

Report Highlights

- Protection of the existing affordable housing supply is an important component of the city's Housing Strategy.
- This report outlines the guidelines to obtain a permit under the Rental Housing Protection By-law which comes into effect on June 1, 2019.
- When purpose-built rental units are proposed for demolition or conversion, the applicant may replace the units either on-site, off-site in a comparable location, or in limited circumstances through a cash-in-lieu payment.
- Council is the approval authority for applications to demolish or convert rental units and for the use of the reserve funds.

Background

Mississauga's Housing Strategy *Making Room for the Middle* considered three approaches to address housing affordability:

- *Retain* the existing affordable housing supply
- *Encourage* the creation of new units by the private sector and non-profit housing providers
- *Partner* with other orders of government to increase supply

The Rental Housing Protection By-law, enacted by Council in June 2018, is a key tool to address the *retain* objective. Additional policies to help encourage the creation of new units will be brought forward to Council later in 2019.

The by-law aims to protect the City's existing supply of 30,000 purpose-built rental units. Protection is important because a significant proportion of these units are older and more affordable than the comparatively newer private condominium rental stock. Additionally, Mississauga's current rental vacancy rate of 0.8% (2018) is much lower than a balanced market level of approximately 3%. New affordable rental buildings are not being created at a sufficient rate to satisfy demand.

The Rental Housing Protection By-law protects the existing rental supply by requiring the replacement of rental units until the market is balanced. The effective date of the by-law was delayed to June 1, 2019 to allow affected stakeholders to adjust to the new requirement and allow time for city staff to prepare the guidelines outlined in this report.

Comments

The Rental Housing Protection By-law will reduce the economic incentive to redevelop rental buildings as condominiums, thereby protecting the existing affordable rental housing supply. Applicants can still redevelop their properties as long as the replacement provisions are addressed. This report provides an overview of how staff will administer the Rental Housing Protection By-law and issue Section 99.1 permits.

When does the By-law apply?

The guidelines apply to both tenure conversion and the demolition of affordable purpose-built rental units.

Tenure conversions involve rental units being converted to condominium units without demolition. The city has received applications to convert approximately 40 units per year on average (apartments and townhouses) over the last 10 years.

Demolition applications involve the removal of rental units to facilitate the redevelopment of the property. On average, fewer than 10 purpose-built rental units are proposed for demolition annually.

All applications captured by the by-law will be brought forward to Council for approval.

What conditions are to be imposed to replace rental units?

When an application to convert or demolish six or more purpose-built rental units occurs the following conditions apply:

- Each removed unit with rent under 1.75 times average market rent must be replaced with a new unit that remains rental for 20 years.
 - For the first 10 years the rental rates must be similar to the removed unit¹. Rent in years 11-20 can be adjusted upward if the unit becomes vacant.
- The replacement units must have the same number of bedrooms as the removed units.
- Units can be replaced on-site, off-site or through a cash-in-lieu payment provided that:
 - off-site replacement is to be in a comparable location (proximity to transit, amenities and unit type as defined in the By-law).
 - cash-in-lieu payments are not permitted when rental units are located where major transit investments are planned (Huron Corridor and Dundas Corridor) or in a Major Transit Station Area. Replacement is required in these cases

When does the By-law not apply?

Purpose-built rental units do not need to be replaced if any of the situations below are met:

- When under 6 units are converted/demolished
- When the city-wide vacancy rate is 3% or higher
- When the units proposed to be converted/demolished are not rented at an affordable rate (over 1.75 times Average Market Rent)

How much is the cash-in-lieu payment?

The Rental Housing Protection By-law states that cash-in-lieu payments are for the replacement value of the rental units. This includes the cost to acquire land and construct the unit. Any cash-in-lieu funds collected would be allocated to the Housing Reserve Fund.

Set values have been determined through a market assessment by N. Barry Lyon Consultants. The value for each unit type has been determined based on land and construction cost as follows:

- Bachelor/One-Bedroom \$225,000 before parking
- Two-Bedroom \$255,000 before parking
- Three-Bedroom \$280,000 before parking

The requirement to include parking costs will be defined on an individual case-by-case basis and can range from \$40,000 to \$70,000 per parking space. These values will be reviewed periodically and updated in the guidelines.

¹ Similar rents are defined as the last rent paid by the tenant with an increase no higher than the annual Provincial Guideline and a one-time capital allowance of 3%.

As an example, an application to demolish 20 purpose-built affordable rental units could expect to contribute in the order of \$5-\$6 million to the reserve fund. If the proposed redevelopment contains 200 condominium units, this cost would represent about \$25,000 to \$30,000 per new unit.

The Housing Reserve Fund will be formally established through an upcoming report by Finance staff. Funds collected under this by-law are not considered Section 37 contributions under the *Planning Act*.

How can the premature demolition of a residential building be prevented?

The City's Property Standards By-law contains provisions to prevent the run-down of existing buildings and the City's Demolition Control By-law prevents the premature demolition of buildings before plans to redevelop are in place.

How will the Housing Reserve Fund be used?

The funds collected from cash-in-lieu will be allocated for the development of new rental units supporting the objectives of the Housing Strategy. This may involve a partnership with the Region. Council will approve any proposed use of the Reserve Funds.

How will tenants be informed of an application?

Applicants will be required to provide a tenant engagement plan which will inform tenants about the application, the process, the opportunity to make submissions to Council and staff, and their tenant rights under the *Residential Tenancies Act, 2006*. Tenants who return to the replaced units will benefit from the requirement that those units be offered at similar rents for up to 10 years.

Financial Impact

Any cash-in-lieu of replacement housing payments will be collected in the Housing Reserve Fund and used to support the objectives of the Rental Housing Protection By-law. Any proposed use of the Reserve Funds will be presented to Council for approval.

Conclusion

The guidelines in this report address a key component of the City's Housing Strategy: the retention of affordable rental units. The replacement and cash-in-lieu provisions of the by-law reduce the economic incentive to redevelop rental buildings as condominiums, thereby protecting the existing affordable units. Applicants can still redevelop their properties as long as the replacement provisions are addressed.

PDC

2019/04/30

5

Originators files: File names



Andrew Whitemore, M.U.R.P., Commissioner of Planning and Building

Prepared by: Emily Irvine, MCIP, RPP, Planner, City Planning Strategies

City of Mississauga

Corporate Report



Date: 2019/04/25

To: Chair and Members of Planning and Development Committee

From: Andrew Whittemore, M.U.R.P., Commissioner of Planning and Building

Originator's files:
BL.03-SIG (2019)

Meeting date:
2019/05/21

Subject

Sign By-law 0054-2002, as amended
Proposed Amendments for Real Estate Related Signs

Recommendation

1. That the report dated April 23, 2019 from the Commissioner of Planning and Building regarding proposed amendment to Sign by-law 0054-2002 as amended, pertaining to Real Estate Related Signs, be received for information.
2. That this Planning and Development Committee Meeting serve as public meeting required to amend Sign By-law 0054-2002, as amended.
3. That Sign By-law 0054-2002 as amended, be further amended as described in this report.

Background

At the April 11, 2018 Council meeting, Council directed staff to review Sign By-law 54-2002, as amended (the "Sign By-law") pertaining to real estate related signs. A review of the Sign By-law in 2017 by Martin Rendl, did not identify any significant areas of concern and the Sign by-law was found to be comparable with our neighbouring municipalities.

However, due to concerns expressed by residents, real estate agents and the City's Transportation and Works Department-sign removal staff, an additional review of the provisions regarding real estate related signs was warranted.

On January 14, 2018, Members of the Planning and Development Committee reviewed a Corporate Report regarding recommended amendments. After consideration the Committee directed staff to further consult with the real estate industry. The feedback obtained has been incorporated into this report, including feedback from representatives of the Mississauga Real Estate Board at a meeting on March 27, 2019.

Comments

The existing provisions regarding Real Estate and Open House signs have been included in the Sign By-law since its enactment in 2002. Although these provisions are to enable the advertising of properties for sale, and direct prospective clients to properties during open house hours, some agents have been using these signs as a common source of advertising to promote their business. In addition, the real estate industry has adopted the use of “Coming Soon” signs to advertise future listings, however they too have been used excessively to promote their business, which are currently prohibited in the Sign By-law.

One of the main purposes of enacting a Sign By-law is to control the proliferation of signs displayed throughout the city and on city road allowances. The display of Open House signs contributes to this proliferation. The proposed amendments will provide clarity and address the concerns raised regarding these signs. The amendments will also protect the aesthetic qualities and visual character of the city.

In order to support this revision, a review of Sign By-laws from neighbouring municipalities was conducted (Appendix 1) and used to evaluate our current provisions and develop recommendations. As a result of the review, staff identified the following areas of concerns:

- The number of Open House signs displayed
- The display period for Open House signs
- The display of Sold signs
- The number of Real Estate signs displayed on a property
- The display of “Coming Soon” signs on a property

To address these areas of concern, it is recommended that Sign By-law be amended by adding the following:

- Open House signs must display hours of the Open House
- Open House signs must only be displayed 45 minutes before, during and 45 minutes after the open house hours posted on the sign
- Open House signs are only permitted to be displayed between the hours of 10am and 6pm
- No more than six (6) Open House signs are permitted per open house location.
- Sold signs must be removed within thirty (30) days following sale of the property

As part of the initial review, staff also considered written requests from the Mississauga Real Estate Board (MRB) (Appendix 2). Staff do not support two (2) of the three (3) requests as outlined below.

- **Number of Real Estate / (For Sale) signs on a premise**
The MRB has requested to display up to six (6) Real Estate signs per premise. Allowing this many Real Estate signs per property would create visual clutter along city streets and is not recommended. The current Sign By-law permits one Real Estate sign per street frontage which is consistent with neighbouring municipalities.

- **Permitting “Coming Soon” signs**

During the development of the Sign By-law, the amount of commercial advertising permitted in residential areas was limited in order to maintain the overall character. Permitting “Coming Soon” signs (as shown in Appendix 3) deviates from this direction and creates additional commercial advertising in residential areas. In addition, it is difficult to clearly define the term “Coming Soon” for the purposes of enforcement. Provisions that cannot be well defined or enforced in a consistent manner should not be included in the Sign By-law. No neighbouring municipalities permit “Coming Soon” signs.

Strategic Plan

Not Applicable

Financial Impact

The recommendation contained herein does not have any financial impact to the City of Mississauga.

Conclusion

That the Sign By-law be amended to incorporate the above recommendations in order to address the concerns regarding real estate related signs.

Attachments

Appendix 1: Appendix 1: Summary of provisions from neighbouring municipalities

Appendix 2: Appendix 2: Letter from Mississauga Real Estate Board

Appendix 3: Appendix 3: Example of a “Coming Soon” sign



Andrew Whitemore, M.U.R.P., Commissioner of Planning and Building

Prepared by: Darren Bryan, Supervisor Sign Unit

Comparison of Neighbouring Municipalities

Real Estate and Open House Signs

<u>Sign Type</u>	<u>Mississauga</u>	<u>Milton</u>	<u>Oakville</u>	<u>Brampton</u>	<u>Toronto</u>
Open House	“open house directional sign” means a temporary portable sign intended to direct traffic to a residence for sale or lease, but shall not include a new home development sign;	No provisions listed in By-law	“Open House Directional Sign” means a temporary portable sign intended to direct traffic to a residence for resale or lease but shall not include a new home development sign	“Open House Directional Sign” shall mean a temporary portable sign intended to direct the public to an open house for a residence that is for sale or lease, but shall not include signs for production home builders;	A rigid free-standing moveable sign not fastened by any means to the ground or any structure or building, utilized for the sole purpose of directing traffic to a residential premises or residential property for sale or lease.
	An open house directional sign shall have a maximum height of 1 metre and a maximum sign area of 0.8 m2 per sign face.	No provisions listed in By-law	For the resale of residential properties only Signs no larger than 0.6 m by 0.6 m (2 ft by 2 ft)	The signs shall consist of A-frame signs not exceeding 0.35 m2 (3.75 ft2) in sign area and 0.6 m (2 ft) in height ; and	Each open house directional sign shall not contain more than two sign faces Each open house directional sign shall not exceed a maximum height of 1.0 metre nor be less than a minimum height of 0.5 metre Each open house directional sign shall not exceed a maximum width of 0.6 metre Each open house directional sign shall have a maximum sign face area of 0.5 square metre

<u>Sign Type</u>	<u>Mississauga</u>	<u>Milton</u>	<u>Oakville</u>	<u>Brampton</u>	<u>Toronto</u>
					Each open house directional sign shall include the address of the property for sale or lease and the date of the open house to which the open house directional sign relates
	An open house directional sign may be erected on that portion of a street located between the curb or edge of the travelled roadway and the sidewalk, or where no curb exists, such sign may be erected on the untravelled portion of the right-of-way closest to the outer edge of the travelled roadway.	No provisions listed in By-law	Maximum of 3 signs per property for sale Not to be displayed prior to 9 am or after 9 pm	No sign shall be located on a centre median of a roadway. The signs shall be located a minimum distance of 1 m (3.3 ft) from the curb, asphalt or gravel shoulder of a roadway; The signs shall be located a minimum distance of 0.3 m (1 ft) from a sidewalk; The signs shall be placed only during the hours of the open house	The open house directional sign is placed on the public road allowance, but not any centre median, traffic island or centre boulevard within the road allowance not located within less than 0.3 metre of the vehicular travelled portion of the road not located within less than 0.3 metre of the pedestrian sidewalk An open house directional sign may only be displayed

<u>Sign Type</u>	<u>Mississauga</u>	<u>Milton</u>	<u>Oakville</u>	<u>Brampton</u>	<u>Toronto</u>
					<p>during the hours that the open house to which the sign relates is open and operating.</p> <p>Open house directional sign may only be displayed during the period between sunrise and sunset</p>
				The signs shall not be located so as to obstruct or interfere with highway maintenance, impede movement of pedestrian or vehicular traffic, impede the use of utilities or bus stops or otherwise create a hazard	An open house directional sign shall not be erected or displayed in such a manner as to impede a pedestrian's or driver's view of any vehicular access point
Real Estate Signs	<p>“real estate sign” means a temporary non-illuminated sign installed, erected or displayed on a property for the notification that a building, premises or portion thereof is offered for sale, rent or lease;</p>	<p>“Real Estate Sign” means a sign that is not permanently installed or affixed to the ground or any structure or building, utilized for the sole purpose of</p>	<p>“Temporary Real Estate Sign” means any sign which is not permanently attached to or affixed into the ground or to a building for the purpose of advertising the sale, lease or rental of</p>	<p>By-law makes reference to: “A property for sale or lease sign”</p>	

<u>Sign Type</u>	<u>Mississauga</u>	<u>Milton</u>	<u>Oakville</u>	<u>Brampton</u>	<u>Toronto</u>
		advertising the sale, rent or lease of the premises, in whole or in part, upon which the sign is located	existing buildings located on the property but does not include a New Home Development Sign;		
	One (1) real estate sign shall be permitted for each street line of the property on which the sign is erected.	Non-illuminated Real Estate Signs shall be permitted on any property, including vacant land, where the property, building, or a portion thereof, is currently available for sale, rent, or lease	One per lot.	One per lot	No more than one real estate sign advertising the sale or lease of a property, or unit of a building or condominium shall be permitted to be located facing each street line of the premises to which the real estate sign relates
	Max. 1m ² residential zone Max. 4 m ² non-residential zone	Max. 1.1m ² residential zone Max. 6 m ² non-residential zone Max. height 4m.	Max. 0.56m ² Max. 4.65 m ² non-residential zone	Max. 1m ² residential zone Max. 1.5m high Max. 2 m ² non-residential zone Max 3.6m high	Max. 1m ² residential zone Max. 4m ² non-residential zone

<u>Sign Type</u>	<u>Mississauga</u>	<u>Milton</u>	<u>Oakville</u>	<u>Brampton</u>	<u>Toronto</u>
Sold Signs	No provisions - prohibited	No provisions - prohibited	Remove 14 days after sale	Removed within 30 days from delisting or sold	Removed within 30 days from no longer for sale or lease
Coming Soon Signs	No provisions - prohibited	No provisions – prohibited	No provisions - prohibited	No provisions - prohibited	No provisions



July 3, 2018

Ezio Savini
 Director Building & Chief Building Official
 City of Mississauga
 300 City Centre Drive
 Mississauga, ON
 L5B 3C1

BUILDING DIVISION		
CITY OF MISSISSAUGA		
DATE REC'D	JUL 06 2018	
ROUTE TO:	REC'D BY:	DATE:

Dear Mr. Savini,

The Mississauga Real Estate Board is in receipt of an email notice from your signs department regarding changes in real estate sign rules. A copy of this email dated April 30, 2018 is included for your ease of reference.

The matter was initially brought up for discussion with Darren Bryan, Supervisor Sign Unit and we argued that the arbitrary changes in the By-Law were unreasonable and could be construed as restraint of trade. Mr. Bryan was amiable to our recommendations and suggested that the same be sent in writing for consideration. We have now found out that he is away on a long term medical leave.

The changes in the sign By-Law were discussed at a recent Broker Meeting held on June 18, 2018. Jeff Grech, a signs inspector attended this meeting and explained the changes in the By-Laws. Brokers recommended changes, in fairness, which were noted by him.

As a local Board, one of our Past Presidents', served on the sign By-Law Committee acting as a conduit between Mississauga REALTORS® and the City. The Mississauga Real Estate Board has a volunteer, willing to assist the city to help facilitate and address the current challenges faced by the Board and the City.

As a Board representing Mississauga REALTORS; We respectfully recommend the following changes/amendments to the By-Laws:

1. ***No More than six (06) real estate signs be displayed on a premises, either a residential or commercial property.***
2. ***Sold signs be removed within 30 days after the premises are no longer available for lease/sale.***
3. ***Coming Soon to MLS® signs be permitted.***

The Mississauga Real Estate Board
 1-3450 Ridgeway Drive
 Mississauga, ON L5L0A2
 Tel: 905.608.6732
 www.mreb.ca

The changes, as suggested, are similar to By-Laws from neighboring cities.

Considering the above, we sincerely hope that the necessary changes as recommended would be implemented by your office as soon as possible. Should you require any further clarification, the Mississauga Real Estate Board welcomes the opportunity to discuss this matter further.

Thanking you.

Respectfully,



Tehreem Kamal
President & Chair, Government Relations



Ray Dubash
Executive Officer

Ray Dubash | MREB Executive Officer

From: Darren Bryan <Darren.Bryan@mississauga.ca>
Sent: Monday, April 30, 2018 11:24 AM
To: complaints@trebnet.com; publicfeedback@trebnet.com; Ray Dubash | MREB Executive Officer; msponder@omdreb.on.ca; info@breb.org
Cc: Karen Ras; Ezio Savini; Leo Cusumano
Subject: Real Estate Signs - City of Mississauga

Dear Sir/Madam,

With the onset of spring weather, the City of Mississauga is receiving numerous complaints regarding the installation of real estate type signs.

Can you please advise your members that sign displayed in the City of Mississauga are regulated by [Sign By-law 54-2002](#). Signs displayed in contravention of the By-law will be removed by City staff and/or charges laid against the agent, broker and property owner pursuant to the *Provincial Offences Act* without further notice.

By-law provisions include, but not limited to:

- Real estate signs are not permitted to be displayed on public property, including public fences between municipal streets.
- Directional "house for sale" signs are not permitted.
- Real estate signs cannot exceed 1 m² in area on residential zoned properties and 4m² on non-residential zoned properties.
- Only one (1) real estate sign is permitted to be displayed per street line.
- Banner signs are prohibited.
- The display of a sign or advertisement on a vehicle or trailer parked or located for the primary purpose of displaying the sign or advertisement is prohibited.
- Open house signs are not permitted to be displayed on traffic islands or medians.
- Open house signs are only permitted to be displayed during the hours of the open house.
- "Coming Soon" signs are not permitted
- "Sold" signs are not permitted

For comprehensive requirements regarding real estate and open house signs, your members can refer to the Sign By-law at: http://www7.mississauga.ca/documents/bylaws/Sign_By-Law.pdf

Please direct any questions to the City of Mississauga at 311 or (905) 615-4311 outside the City limits.

Thank you for your cooperation.

Regards,



Darren Bryan, CBCO
Supervisor, Sign Unit
T 905 615-3200 ext. 5697 | F 905 896-5686
darren.bryan@mississauga.ca

