



MISSISSAUGA

October 14, 2015

Mr. Ryan Vandenburg
Acting Manager, Development Services, Public Works
Region of Peel
10 Peel Centre Drive, Suite A, 6th Floor, Room 601
BRAMPTON ON L6T 4B9

Dear Mr. Vandenburg:

RE: (Mississauga) Plan Amendment No. 21
North Side of Dundas Street East, east of Cawthra Rd.
OPA 21 - Ward 3

This is further to the Notice of Decision given on September 24, 2015 under subsection 17(23) of the Planning Act with respect to City of Mississauga Official Plan Amendment Number 21.

Since no appeals were received during the prescribed period within which appeals could be made, Amendment Number 21 came into force on October 14, 2015.

Enclosed for your records is an executed Declaration to be inserted in your duplicate original copy of the amendment.

Yours truly,

Diana Rusnov, Deputy Clerk
Legislative Services, Corporate Services Department
905-615-3200 X 5421
300 City Centre Drive,
Mississauga, Ontario L5B 3C1

:mj

cc:

Michael Hynes, Planner, Planning & Building (via email)
Farah Sharib, Planning & Building (Duplicate Original Amendment & remaining books)
Applicant: - Incumbent & Church Wardens of St. John the Baptist Anglican Church, 737
Dundas St. E. Mississauga, ON L4Y 2B5
Planning Notification Distribution - Via e-mail

Enclosure

DECLARATION

Subsection 17 of the Planning Act

Applicant: Incumbent & Church Wardens of St. John the Baptist Anglican Church
Municipality City of Mississauga
Our File: OPA 21

I, Diana Rusnov, Deputy Clerk, solemnly declare,

1. That the decision in respect of the above-noted matter was made on September 16, 2015, when By-law Number O221-2015 was enacted and that notice as required by subsection 17 of the Planning Act was given on September 24, 2015.
2. That no appeal to the Ontario Municipal Board of the decision in respect of the above-noted matter was received under subsection 17 of the Planning Act within the time specified for submitting an appeal.

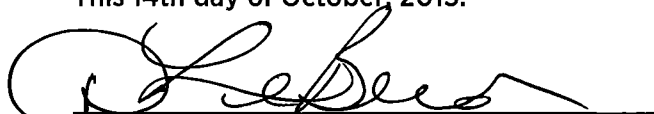
And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me

at the City of Mississauga

in the Regional Municipality of Peel

This 14th day of October, 2015.



Commissioner of Oaths



Declarant

DONNA RAE LEBRETON, a Commissioner, etc.,
Regional Municipality of Peel, for the
Corporation of the City of Mississauga.
Expires May 3, 2016.



MISSISSAUGA

September 24, 2015

Mr. Ryan Vandenburg
Acting Manager, Development Services, Public Works
Region of Peel
10 Peel Centre Drive, Suite A, 6th Floor, Room 601
BRAMPTON ON L6T 4B9

Dear Mr. Vandenburg:

RE: Official Plan Amendment No. 21
North Side of Dundas Street East, east of Cawthra Rd.
File: OPA 21 - Ward 3

Please find enclosed the Notice of Decision for Official Plan Amendment 21, and duplicate original copy of the amendment. This amendment was adopted by Council on September 16, 2015, by By-law 0221-2015. The Mississauga Plan (Official Plan) Amendment has been prepared in accordance with PDC Recommendation 0044-2015, adopted by City Council on June 24, 2015.

Also enclosed for your records is a copy of the Certificate of Public Meeting and Notification, Record of Written Submissions, and minutes of the Planning & Development Committee meeting of June 22, 2015.

Yours truly,

Diana Rusnov, Deputy Clerk and
Manager Legislative Services
Corporate Services Department
905-615-3200 X 5421

: mj

cc:

Michael Hynes, Planning and Building (Working copy of Amendment)
Farah Sharib, Planning and Building (Viewing copy of Amendment)
Applicant - Incumbent & Church Wardens of St. John the Baptist Anglican Church, 737
Dundas St. E. Mississauga, ON L4Y 2B5 (Certified working copy of Amendment)



**PLANNING ACT
NOTICE OF THE PASSING OF AN OFFICIAL PLAN AMENDMENT AND
A ZONING BY-LAW BY
THE CORPORATION OF THE CITY OF MISSISSAUGA
BILL 51**

DATE OF NOTICE	September 24, 2015	
OPA NUMBER	OPA 21 (By-law 0221-2015)	
ZONING BY-LAW NUMBER	0222-2015	
DATE PASSED BY COUNCIL	September 16, 2015	
LAST DATE TO FILE APPEAL	October 13, 2015	
FILE NUMBER	OZ 11/004	Ward 3
APPLICANT	Incumbent & Church Wardens of St. John the Baptist Anglican Church	
PROPERTY LOCATION	North Side of Dundas Street East, east of Cawthra Rd.	

TAKE NOTICE that the Council of the Corporation of the City of Mississauga passed the above noted Official Plan Amendment and Zoning By-law, under Sections 17 and 34 of the Planning Act, R.S.O., 1990, c.P.13, as amended.

An explanation of the Purpose and Effect of the Official Plan Amendment and Zoning By-law, a description of the lands to which it applies, and/or a key map showing the location of the lands to which it applies, are attached.

To view the Official Plan Amendment and Zoning By-law in their entirety please visit:

www.mississauga.ca/portal/cityhall/publicnotices, or in person at the Office of the City Clerk, 300 City Centre Drive, 2nd Floor, Mississauga, Ontario.

The Zoning by law shall not come into force until Mississauga Plan (Official Plan) Amendment Number 21 is in full force and effect. A notice of appeal to the Ontario Municipal Board in respect of the by-law must be filed with the Clerk of the City of Mississauga, Attention: Crystal Greer, 300 City Centre Drive, Mississauga, Ontario L5B 3C1, no later than **October 13, 2015**.

The Notice of Appeal must:

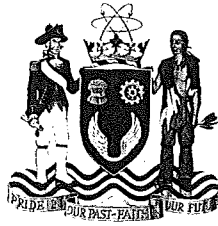
- 1) set out reasons for the appeal; and,
- 2) be accompanied by the fee required by the Ontario Municipal Board in the amount of \$125.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario, and
- 3) be accompanied by an administration fee of \$150.00, payable by Certified Cheque to the Treasurer of City of Mississauga.
- 4) Four (4) copies of the appeal package.

IF YOU WISH TO APPEAL to the OMB a copy of an appeal form is available from the OMB website at www.omb.gov.on.ca.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the City of Mississauga Council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

Diana Rusnov, Deputy Clerk
Legislative Services,
Corporate Services Department
905-615-3200 X 5421



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0221-2015

A by-law to Adopt Mississauga Official Plan Amendment No. 21

WHEREAS in accordance with the provisions of sections 17 or 22 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, (the "*Planning Act*") Council may adopt an Official Plan or an amendment thereto;

AND WHEREAS, pursuant to subsection 17(10) of the *Planning Act*, the Ministry of Municipal Affairs and Housing ("MMAH") authorized the Regional Municipality of Peel (the "Region") an approval authority, to exempt from its approval any or all proposed Local Municipal Official Plan Amendments;

AND WHEREAS, Regional Council passed By-law Number 1-2000 which exempted all Local Municipal Official Plan Amendments adopted by local councils in the Region after March 1, 2000, provided that they conform with the Regional Official Plan and comply with conditions of exemption;

AND WHEREAS, the Commissioner of Public Works for the Region of Peel has advised that, with regard to Amendment No. 21, in his or her opinion the amendment conforms with the Regional Official Plan and is exempt;

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

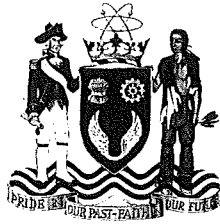
1. The attached maps designated as Maps "A", "B", "C" and "D" constitute Amendment No. 21 to Mississauga Official Plan, of the City of Mississauga Planning Area, are adopted.

ENACTED and PASSED this 16 day of September, 2015.

APPROVED AS TO FORM City Solicitor MISSISSAUGA	
Date	04/09/15

MAYOR

CLERK



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0222-2015

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

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

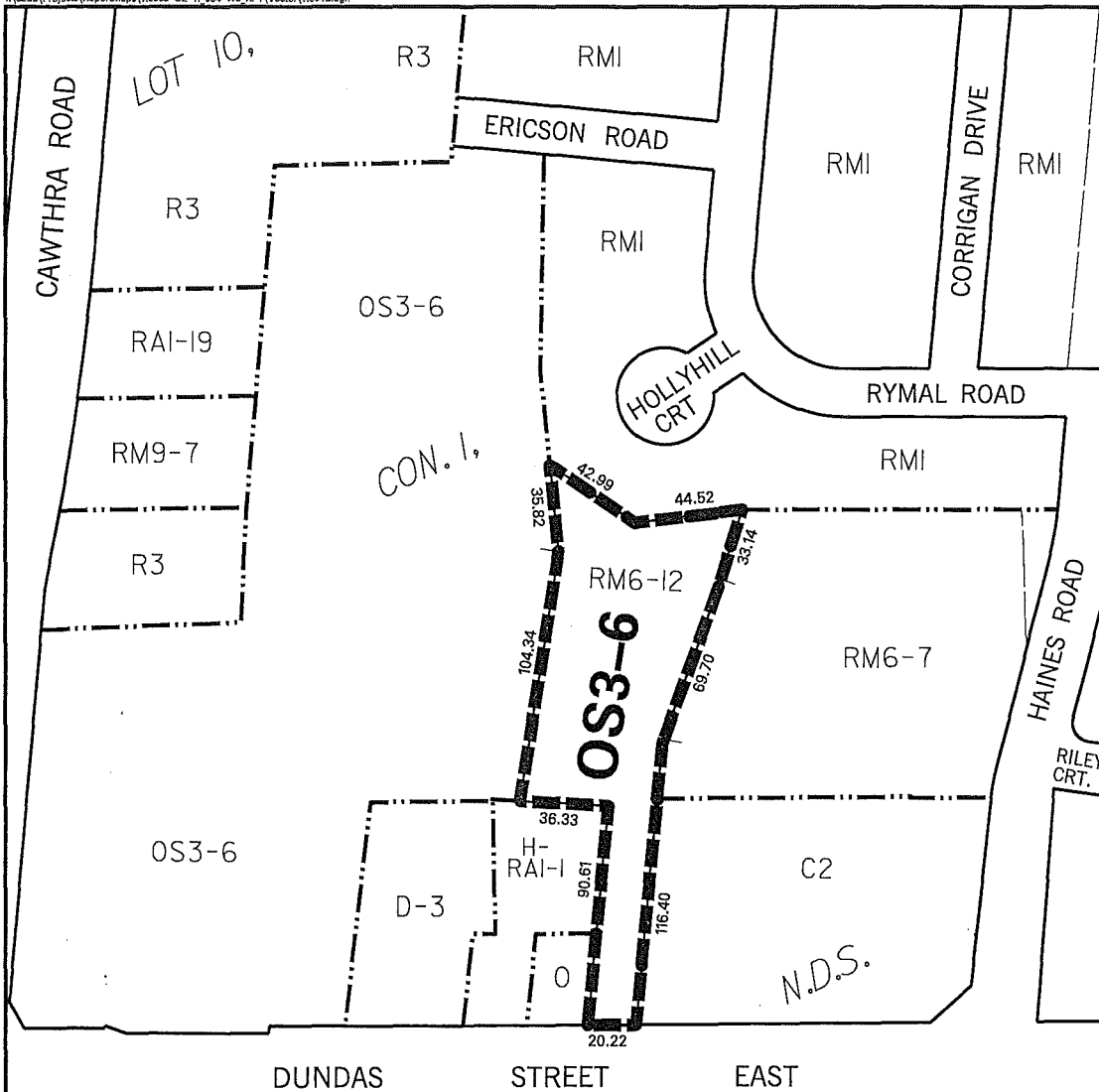
1. Map Number 20 of Schedule "B" to By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by changing thereon from "RM6-12" to "OS3-6", the zoning of Block C, Registered Plan 830, in the City of Mississauga, PROVIDED HOWEVER THAT the "OS3-6" zoning shall only apply to the lands which are shown on the attached Schedule "A", which is deemed to be an integral part of this By-law, outlined in the heaviest broken line with the "OS3-6" zoning indicated thereon.

ENACTED and PASSED this 16 day of September 2015.

APPROVED AS TO FORM City Solicitor MISSISSAUGA		
Date	04	09/15

Bonnie Crombie
MAYOR

Crystal Green
CLERK



This is not a Plan of Survey. For accurate boundary information refer to Plan 43R-33183.

CITY OF MISSISSAUGA

THIS IS SCHEDULE "A" TO

BY-LAW 0222-2015

PASSED BY COUNCIL ON

September 16, 2015

APPENDIX "A" TO BY-LAW NUMBER 0222-2015

Explanation of the Purpose and Effect of the By-law

The purpose of this By-law is to permit the expansion of the cemetery use to the subject property.

This By-law amends the zoning of the property outlined on the attached Schedule "A" from "RM6-12" (Townhouse Dwellings on a Common Element Condominium - Private Road - Exception) to "OS3-6" (Open Space - Cemetery - Exception).

"RM6-12" permits 29 townhouse-dwellings.

"OS3-6" permits a cemetery and a place of religious assembly.

Location of Lands Affected

North side of Dundas Street East, east of Cawthra Road, in the City of Mississauga, as shown on the attached Map designated as Schedule "A".

Further information regarding this By-law may be obtained from Michael Hynes of the City Planning and Building Department at 905-615-3200 ext. 5525.

K:\PLANDEV\CONTL\GROUP\WPDATA\BYLAWS\OZ 11 04.mh.jmcc.docx

Amendment No. 21

to

Mississauga Official Plan

for the

City of Mississauga Planning Area

Amendment No. 21
to
Mississauga Official Plan
for the
City of Mississauga Planning Area

The following text and Maps "A", "B", "C" and "D" attached constitute Amendment No. 21.

Also attached but not constituting part of the Amendment are Appendices I and II.

Appendix I is a description of the Public Meeting held in connection with this Amendment.

Appendix II is a copy of the Planning and Building Department report dated June 22, 2015, pertaining to this Amendment.

PURPOSE

The purpose of this Amendment is to change the land use designation of the subject lands from Residential Medium Density to Private Open Space.

LOCATION

The lands affected by this Amendment are located on the north side of Dundas Street East, east of Cawthra Road. The subject lands are located in the Applewood Neighbourhood Character Area, as identified in Mississauga Official Plan.

BASIS

Mississauga Official Plan came into effect on November 14, 2012, save and except for those policies and land use designations which have been appealed to the Ontario Municipal Board.

The subject lands are designated Residential Medium Density which permits townhouse dwellings and all forms of horizontal multiple dwellings.

The proposed Amendment is acceptable from a planning standpoint and should be approved, as the expansion to the existing cemetery will not impact the development and functioning of the neighbouring lands.

DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Schedule 1 - Urban System of Mississauga Official Plan is hereby amended by adding the "Green System" to the subject lands, as shown on Map "A" of this Amendment.
2. Schedule 1a - Urban System - Green System of Mississauga Official Plan is hereby amended by adding the subject lands to the "Green System", as shown on Map "B" of this Amendment.
3. Schedule 4 - Parks and Open Spaces of Mississauga Official Plan is hereby amended by adding the subject lands as "Public and Private Open Spaces", as shown on Map "C" of this Amendment.
4. Schedule 10 - Land Use Designations of Mississauga Official Plan is hereby amended by changing the land use designation of the subject lands from "Residential Medium Density" to "Private Open Space", as shown on Map "D" of this Amendment.

IMPLEMENTATION

Upon the approval of this Amendment by the Council of the Corporation of the City of Mississauga, Mississauga Official Plan will be amended in accordance with this Amendment, and thereafter forms part of the Mississauga Official Plan.

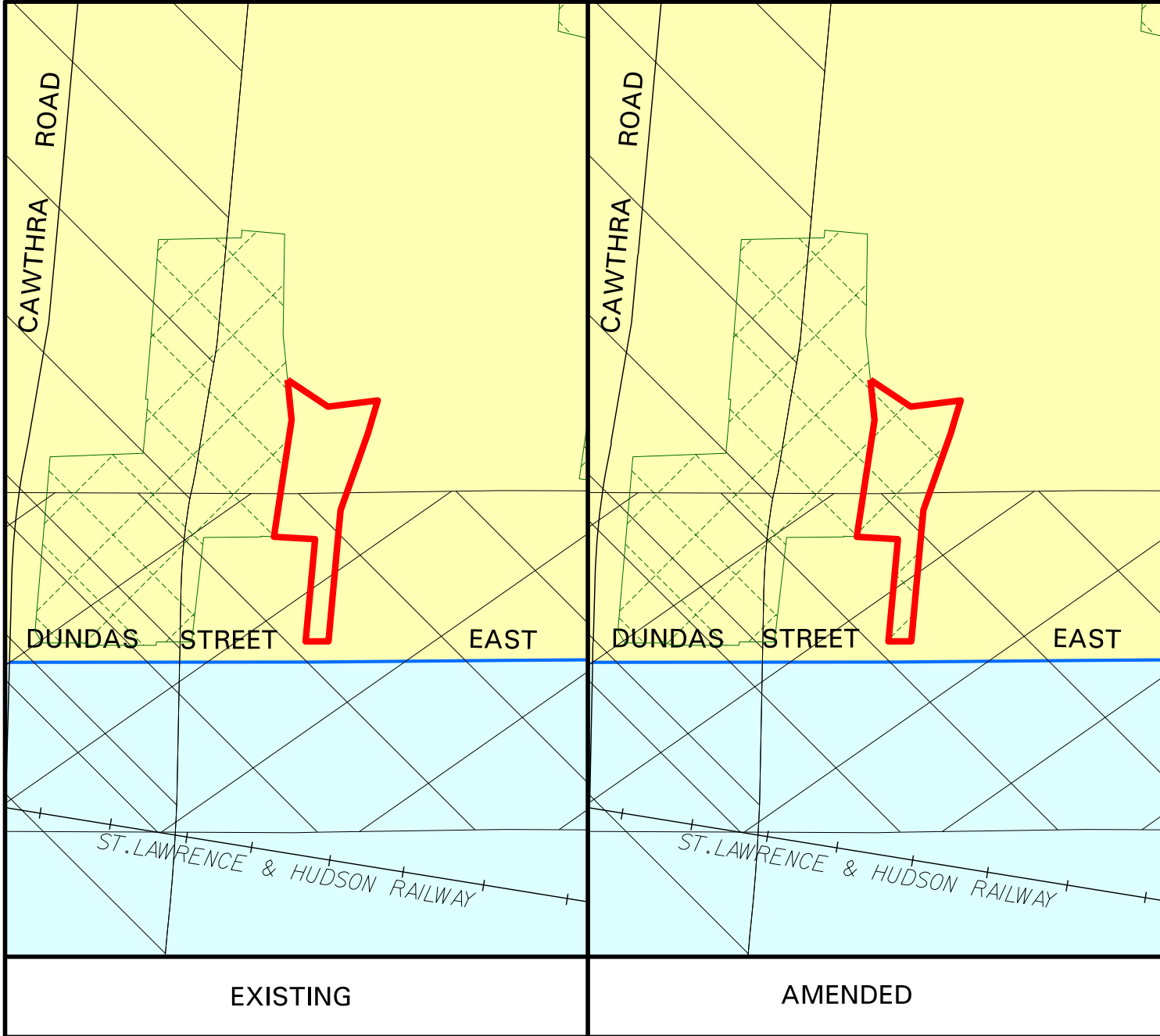
The lands will be rezoned to implement this Amendment.

This Amendment has been prepared based on the Office Consolidation of Mississauga Official Plan dated July 30, 2014.

INTERPRETATION

The provisions of Mississauga Official Plan, as amended from time to time regarding the interpretation of that Plan, will apply in regard to this Amendment.

This Amendment supplements the intent and policies of Mississauga Official Plan.



LEGEND

GREEN SYSTEM

Green System

CITY STRUCTURE

Downtown

Major Node

Community Node

Neighbourhood

Corporate Centre

Employment Area

Special Purpose Area

CORRIDORS

Corridor

Intensification Corridor

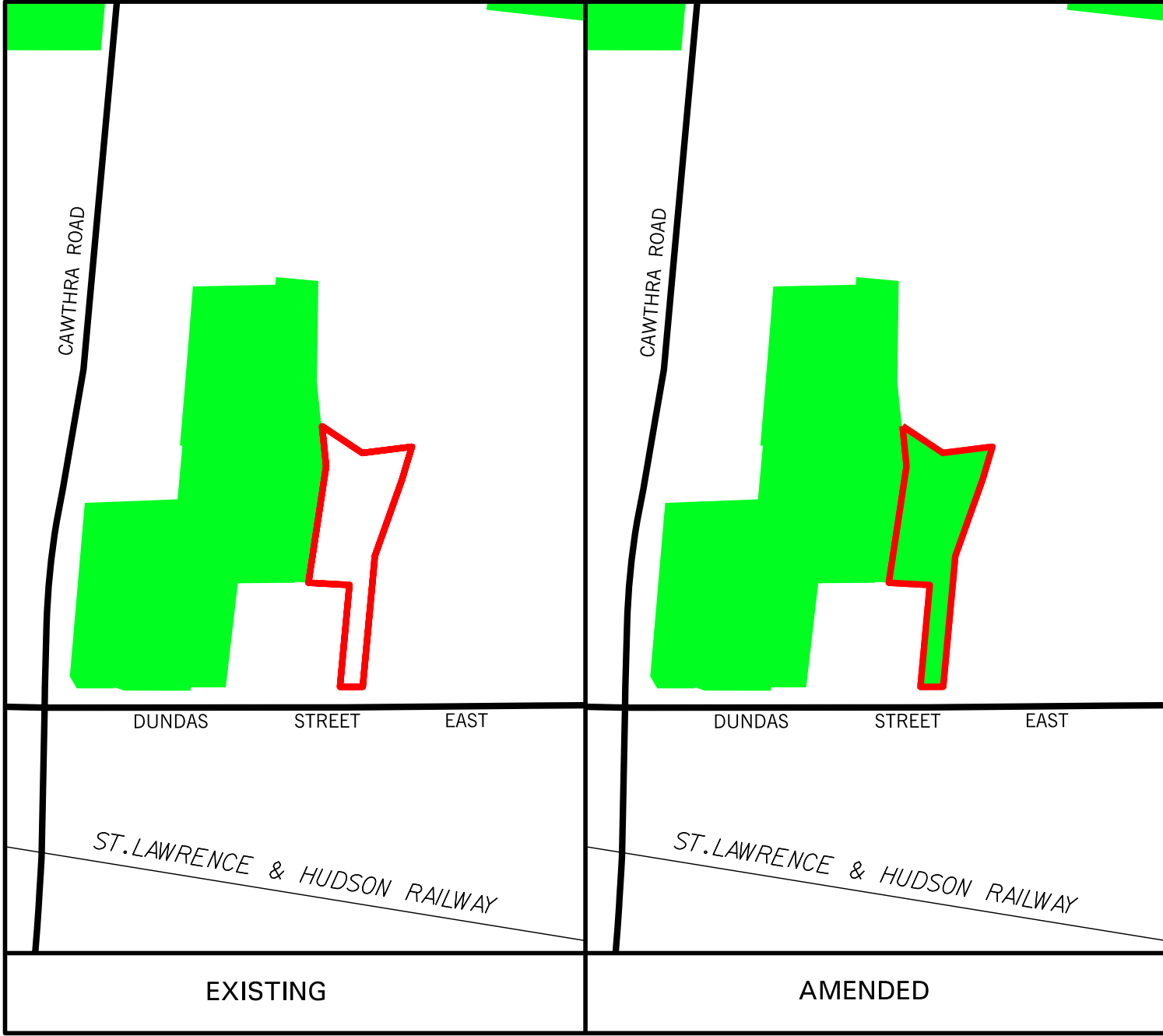
AMENDED AREA

Note:

Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.



MAP A
Part of
Schedule 1-Urban System
of Mississauga Official Plan



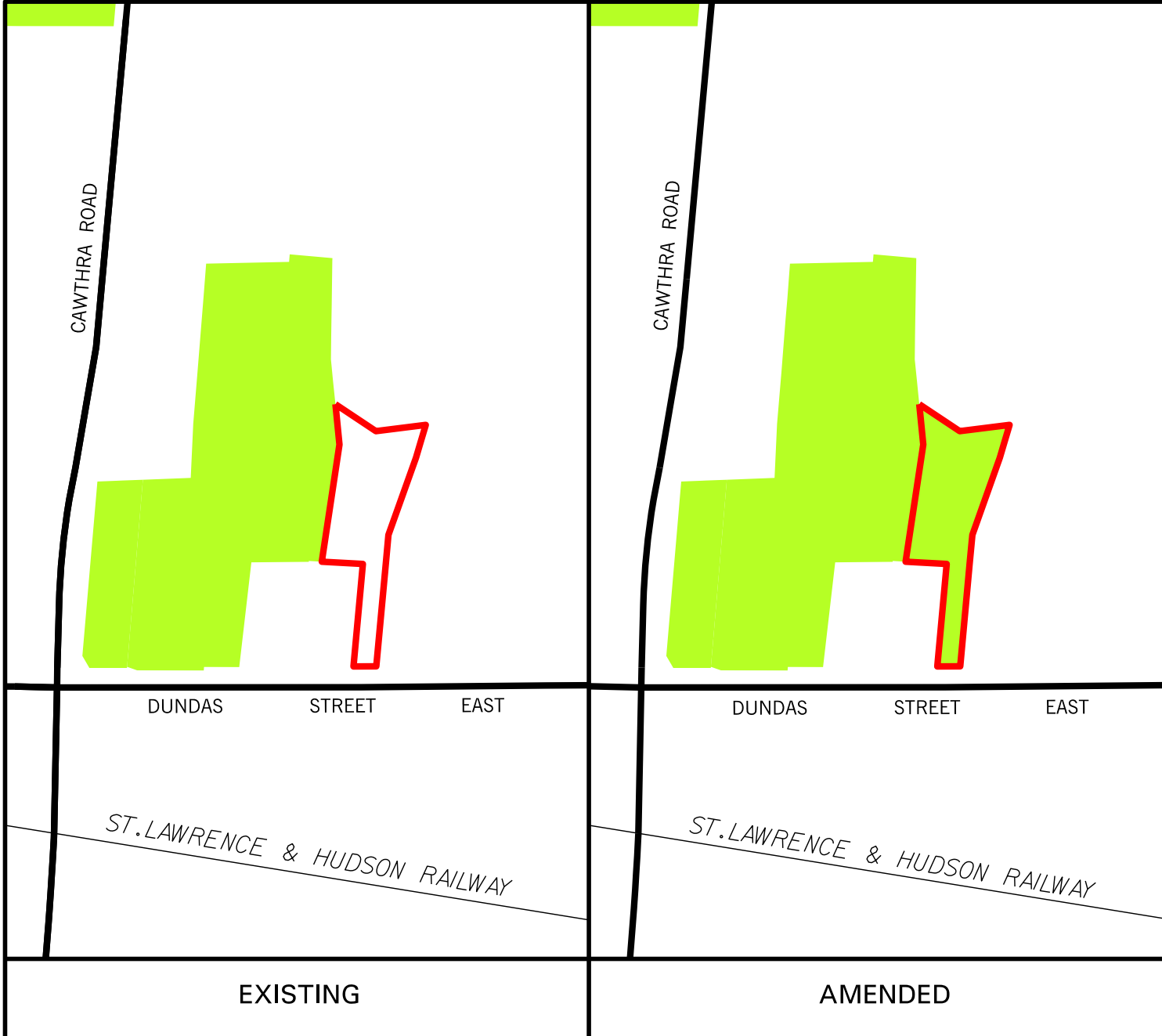
 AMENDED AREA

Note:
Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.






MAP B
Part of Schedule 1a
Urban System - Green System
of Mississauga Official Plan

City of Mississauga



LEGEND

-  Public and Private Open Spaces
-  Parkway Belt West
-  Educational Facilities
-  Utilities

Notes:

1. The entire Green System is shown on Schedule 1a.
2. Base map information (eg. roads, highways, railways, watercourses), including any lands or bodies of water outside the city boundaries, is shown for information purposes only.
3. The Public and Private Open Spaces identified on this Schedule include lands designated Public Open Space, Private Open Space and Greenbelt as shown on Schedule 10.



MAP C
Part of Schedule 4
Parks and Open Spaces
of Mississauga Official Plan



LAND USE DESIGNATIONS

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

LAND USE LEGEND

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

CITY STRUCTURE Elements

- Downtown
- Major Node
- Community Node
- Neighbourhood
- Corporate Centre
- Employment Area
- Special Purpose Area

- AREA OF AMENDMENT NO. 21
- FROM:**
- RESIDENTIAL MEDIUM DENSITY
- TO:**
- PRIVATE OPEN SPACE



MAP D
 Part of Schedule 10
 Land Use Designations
 of Mississauga Official Plan

City of Mississauga

APPENDIX I

PUBLIC MEETING

All property owners within a radius of 120 m of the subject lands were invited to attend a Public Meeting of the Planning and Development Committee held on December 5, 2011 in connection with this proposed Amendment.

A resident expressed concerns about the temporary gate and the options of tree planting in the area.



Corporate Report

Clerk's Files

Originator's

Files OZ 11/004 W3

PDC JUN 22 2015

DATE: June 2, 2015

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 22, 2015

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: Applications to permit an expansion of St. John's
Dixie Cemetery
0 Cedar Creek Lane
North side of Dundas Street East, east of Cawthra Road
Owner: Incumbent and Church Wardens of
St. John the Baptist Anglican Church

Recommendation Report

Ward 3

RECOMMENDATION: That the Report dated June 2, 2015, from the Commissioner of Planning and Building recommending approval of the applications under File OZ 11/004 W3, Incumbent and Church Wardens of St. John the Baptist Anglican Church, 0 Cedar Creek Lane, north side of Dundas Street East, east of Cawthra Road, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the applications have been proposed, Council considers that the changes do not require further notice and, therefore, pursuant to the provisions of subsection 34(17) of the *Planning Act*, any further notice regarding the proposed amendment is hereby waived.
2. That the application to amend Mississauga Official Plan from Residential Medium Density to Private Open Space to permit

an expansion to the existing St. John's Dixie Cemetery be approved.

3. That the application to change the Zoning from RM6-12 (Townhouse Dwellings on a Common Element Condominium -- Private Road) to OS3-6 (Open Space -- Cemetery) to permit the expansion of the existing St. John's Dixie Cemetery in accordance with the proposed zoning standards contained in Appendix R-3 of this report, be approved subject to the following condition:

- (a) That the applicant agree to satisfy all the requirements of the City and any other official 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.

**REPORT
HIGHLIGHTS:**

- The applicant has resolved the issues raised in the Information Report including the need for tree planting and resolution of the easement for the development to the east.
- The applications are acceptable from a planning standpoint, and should be approved.

BACKGROUND:

A public meeting was held by the Planning and Development Committee on December 5, 2011, at which time a Planning and Building Department Information Report (Appendix R-1) was presented and received for information.

At the public meeting, the Planning and Development Committee passed Recommendation PDC-0063-2011 which was subsequently adopted by Council and is attached as Appendix R-2. As more than 9 months have passed since the Public Meeting, full notification has been given. The information report had a number of conditions including the resolution of easements that needed to be resolved and the file was inactive for periods of time.

COMMENTS:

See Appendix R-1 - Information Report prepared by the Planning and Building Department.

COMMUNITY ISSUES

In addition to the issues identified and addressed in the Information Report, additional concerns/comments were raised at the public meeting on the applications as summarized below.

Comment

There was a question regarding the adequacy of easements to accommodate storm sewer and overland flow and the release and abandonment of an existing easement that is no longer required.

Response

The release and abandonment of the existing storm sewer easement will occur after the completion of the storm sewer realignment work. The applicant has submitted changes to the existing Servicing Agreement regarding the overland flow easements and the City has revised the amended Servicing Agreement accordingly.

Comment

Satisfactory arrangements should be made with Peel Common Element Condominium Corporation No. 848 (PCECC-848), the townhome development to the east of the subject lands for the removal of the current access easements registered on title between the two properties.

Response

PCECC-848 had an access easement over the subject lands to provide future access to Dundas Street East through a future condominium townhouse development, and the subject lands had a reciprocal access easement over the private road within PCECC-848. PCECC-848 and the applicant released their respective easements on March 24, 2015. A barrier will be provided to

separate the previously existing access between the cemetery lands and the private road within PCECC-848.

Comment

There was concern for the protection of the existing mature willow and maple trees along the perimeter of the subject property abutting the rear yards of 874-880 Hollyhill Court. Also there was a question regarding the option of planting additional trees.

Response

During the construction of the overland stormwater pipe on the subject property, several mature and young trees were removed adjacent to the rear of 874-880 Hollyhill Court. The applicant will be required to provide extensive tree planting at the rear of these properties.

UPDATED AGENCY AND CITY DEPARTMENT COMMENTS

Updated comments have been received from City Departments and agencies.

Comments updated April 27, 2015 from Transportation and Works state: "the applicant has made satisfactory arrangements to address the department's previous comments concerning the feasibility of the grading and servicing of the lands. In the event that this application is approved by Council, the applicant will be required to convey the appropriate overland flow route easements to the City and enter into an acknowledgement agreement and complete amendments to the grading plan, servicing agreement and other related documents."

The applicant has made satisfactory arrangements with respect to the overland flow easement and is in the process of completing and registering the Development Agreement and signing the Servicing Agreement.

PLANNING COMMENTS

The Planning and Building Department is in support of the official plan and zoning by-law amendment applications. These applications are for the expansion to plots in the existing St. John's the Baptist Cemetery. No new buildings are proposed.

Provincial Policy Statement

The *Provincial Policy Statement* (PPS) requires developments to be "consistent with" the policies. There are numerous policies that encourage intensification of land within urban areas, promote efficient use of infrastructure and public facilities, encouraging mixed use developments and the support of public transit.

While the PPS does not specifically mention cemetery uses, this proposal is to expand an existing cemetery which takes advantage of the existing road network, municipal services, and the existing facilities of St. John the Baptist cemetery. This proposal is consistent with the PPS.

Official Plan

While the applications were submitted under the policies of Mississauga Plan, the applicant has consented to the application being converted to amend Mississauga Official Plan (2012).

The proposal requires an amendment to the Mississauga Official Plan Policies for the Applewood Neighbourhood Character Area. Under the Mississauga Official Plan, the subject lands are designated **Residential Medium Density**. The proposed **Private Open Space** designation conforms with the land use designation contained in the Mississauga Official Plan and associated policies.

As outlined in the Information Report, Section 19.5.1 of Mississauga Official Plan provides criteria for evaluating site specific Official Plan Amendments. Each criterion is summarized below along with a discussion of how the proposed applications address the intent of the criteria.

Will the proposal adversely impact or destabilize the overall intent, goals and objectives of the Official Plan; and the development or functioning of the remaining lands which have the same designation, or neighbouring lands?

The proposed Private Open Space designation to expand the existing cemetery will not impact the development and functioning of the neighbouring lands which includes single detached and townhome uses.

Are the lands suitable for the proposed uses, and are the proposed land uses compatible with existing and future uses of the surrounding lands?

The property is currently vacant with significant mature and young tree growth. A majority of the property is currently under construction for a new storm sewer running north to south through the property. The property is not part of the City's Natural Heritage System.

Are there adequate engineering services, community infrastructure and multi-modal transportation systems to support the proposed application?

No new engineering services are required to service the proposed cemetery expansion.

Has a planning rationale with reference to Mississauga Official Plan policies, other relevant policies, good planning principles and the merits of the proposed amendment in comparison with the existing designation been provided by the applicant?

Staff have reviewed the applicant's Planning Justification Report, which speaks to the merits of the proposal as well as the relevant policies contained within Mississauga Official Plan. The report was found to be acceptable.

Zoning

The proposed OS3-6 (Open Space – Cemetery) is appropriate to accommodate the proposed cemetery expansion. The draft zoning

by-law is attached as Appendix R-3. The proposed provisions are compatible with the surrounding lands.

FINANCIAL IMPACT: Development charges are not applicable as no buildings are proposed.

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

1. The proposal to permit an expansion to the abutting St. John's Baptist Cemetery will have a minimal land use impact on the surrounding land uses.
2. The proposed official plan provisions and zoning standards are appropriate to accommodate the requested uses for the lands.

ATTACHMENTS: Appendix R-1: Information Report
Appendix R-2: Recommendation PDC-0063-2011
Appendix R-3: Draft Zoning By-law



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Michael Hynes, Development Planner





Corporate Report

Clerk's Files

Originator's
Files OZ 11/004 W3**PDC** DEC 5 2011

DATE: November 15, 2011

TO: Chair and Members of Planning and Development Committee
Meeting Date: December 5, 2011

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Information Report**
Official Plan Amendment and Rezoning Applications
To permit an expansion of St. John's Cemetery
0 Cedar Creek Lane
North side of Dundas Street East, East of Cawthra Road
Owner: Incumbent & Church Wardens
of St. John the Baptist Anglican Church
Applicant: PMG Planning Consultants

Bill 51

Public Meeting **Ward 3**

RECOMMENDATION: That the Report dated November 15, 2011, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Medium Density I" to "Private Open Space" and to change the Zoning from "RM6-12" (Townhouse dwellings on a Common Element Condominium – Private Road) to "OS3-6" (Open Space – Cemetery), to permit the expansion of St. John's Dixie Cemetery under file OZ 11/004 W3, Incumbent & Church Wardens of St. John the Baptist Anglican Church, 0 Cedar Creek Lane, be received for information.

BACKGROUND:

The above-noted applications have been circulated for technical comments and a community meeting has been held.

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

COMMENTS:

The applications propose to rezone the subject lands for cemetery purposes. There are no buildings proposed in conjunction with these applications. Details of the proposal are as follows:

Development Proposal	
Application submitted:	April 4, 2011 (application submitted) April 28, 2011 (deemed complete)
Parking Required:	As no buildings/structures are proposed, no parking is required. Should any development occur, 5.4 parking spaces per 100 m ² of gross floor area (5.0 per 1,000 sq. ft.) would be required.
Parking Provided:	52 spaces
Supporting Documents:	Site Plan/Landscape Plan Plan of Survey & Restrictions on Title Grading Plan & Storm Drainage Plan Tree Inventory Plan Planning Rationale Phase 1 Environmental Site Assessment Stage 1 and 2 Archeological Assessment Draft Official Plan Amendment and Draft Zoning By-law

Site Characteristics	
Frontage:	20.2 m (66.3 ft.)
Depth:	185 m (610 ft.)
Net Lot Area:	0.967 ha (2.39 ac.)
Existing Use:	Vacant land

Neighbourhood Context

The subject property is located on the north side of Dundas Street East, east of Cawthra Road, immediately east of St. John's Dixie Cemetery. The subject property is heavily vegetated and includes a drainage swale that serves as an outlet for the adjacent residential lands to the north. Cedar Creek Lane, a private road that provides access from Dundas Street East to a detached dwelling at 3014 Cedar Creek Lane, is located on the subject lands. Information regarding the history of the site is found in Appendix I-1.

The surrounding land uses are described as follows:

North: detached dwellings on Hollyhill Court
East: townhouse dwellings, commercial plaza
South: detached dwelling on Cedar Creek Lane
West: St. John's Dixie Cemetery and Crematorium.

Current Mississauga Plan Designation and Policies for the Applewood District (May 5, 2003)

"Residential Medium Density I" which permits townhouse dwellings within a density range of 25 to 50 units per net residential hectare (10.1 to 20.2 units per net residential acre).

New Mississauga Official Plan

Mississauga Official Plan was adopted by City Council on September 29, 2010. Until the new Mississauga Official Plan is approved by the Region of Peel and comes into force, Mississauga Plan continues to be in effect. While the existing Official Plan is the plan of record against which the applications are being reviewed, regard should also be given to the new Mississauga Official Plan. Under the new Mississauga Official Plan, the subject lands are designated "Residential Medium Density". The proposed "Private Open Space" designation does not conform with the land use designation contained in the new Mississauga Official Plan and associated policies.

The timing of the approval of the proposed site specific official plan amendment may be affected by the approval of the new Mississauga Official Plan and any potential appeals. A recommendation will be included in the Supplementary Report to address the status of the new Mississauga Official Plan.

Criteria for Site Specific Official Plan Amendments

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

- the proposal would not adversely impact or destabilize the following: the overall intent, goals and objectives of the Official Plan; and the development and functioning of the remaining lands which have the same designation, or neighbouring lands;
- the lands are suitable for the proposed uses, and compatible with existing and future uses of surrounding lands;
- there is adequate infrastructure and community services to support the proposed development.

Proposed Official Plan Designation and Policies

The application seeks to amend "Private Open Space" to permit private cemetery lands. "Private Open Space" generally permits non-intensive outdoor uses, such as private cemeteries, conservation, nursery gardening, golf courses, agriculture and recreation.

Existing Zoning

"RM6-12" (Townhouse Dwellings on a Common Element Condominium – Private Road), which permits twenty-nine townhouse dwellings on a condominium road.

Proposed Zoning By-law Amendment

"OS3-6" (Open Space - Cemetery), to permit cemetery lands.

COMMUNITY ISSUES

A community meeting was held by Ward 3 Councillor Fonseca on April 5, 2011.

Concerns were expressed regarding the interface between the proposed cemetery lands and abutting residential properties, noting that cemetery lands are undesirable adjacent to residential properties and may have a detrimental effect on property values.

Appendix I-5 provides the proposed site plan/landscape plan for the proposed cemetery lands. The future supplementary report will address the land use compatibility and design interface proposed by the applications.

DEVELOPMENT ISSUES

Agency comments are summarized in Appendix I-7. Based on the comments received and the applicable Mississauga Plan policies, the following matters will have to be addressed:

- confirmation of the adequacy of easements to accommodate storm sewer and overland flow;
- the release and abandonment of existing easements that are no longer required;
- satisfactory arrangements with Condominium Corporation PCECP-848 for the completion of curb installation;
- reinstatement of Cedar Creek Lane access to Dundas Street East within the municipal right-of-way.

OTHER INFORMATION

Development Requirements

In conjunction with the proposed development, there are certain other engineering matters with respect to storm sewer outlets, grading and drainage, and the associated required easements which

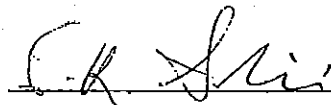
will require the applicant to enter into appropriate agreements with the City.

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

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

ATTACHMENTS:

- Appendix I-1: Site History
- Appendix I-2: Aerial Photograph
- Appendix I-3: Excerpt of the Applewood District Land Use Map
- Appendix I-4: Excerpt of Existing Land Use Map
- Appendix I-5: Site Plan/Landscape Plan
- Appendix I-6: Agency Comments
- Appendix I-7: General Context Map



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Hugh Lynch, Development Planner

Incumbent & Church Wardens of St. John the Baptist Anglican Church

File: OZ 11/004 W3

Site History

- January 26, 1966 – The Ontario Municipal Board approves the City of Mississauga Comprehensive Zoning By-Law 5500. The subject lands are zoned "RM7D4", which permits semi-detached dwellings, duplexes, triplexes, double-duplexes and apartments.
- May 5, 2003 – The Region of Peel approved the Mississauga Plan Policies for the Applewood District which designated the subject lands "Residential Medium Density I", which permits townhouse development.
- 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" (Development). Cedar Heights Construction Limited subsequently appealed this zoning by-law to the Ontario Municipal Board and was subsequently zoned "RM6-12", permitting 29 townhouse units. by the OMB.

LEGEND:



SUBJECT LANDS

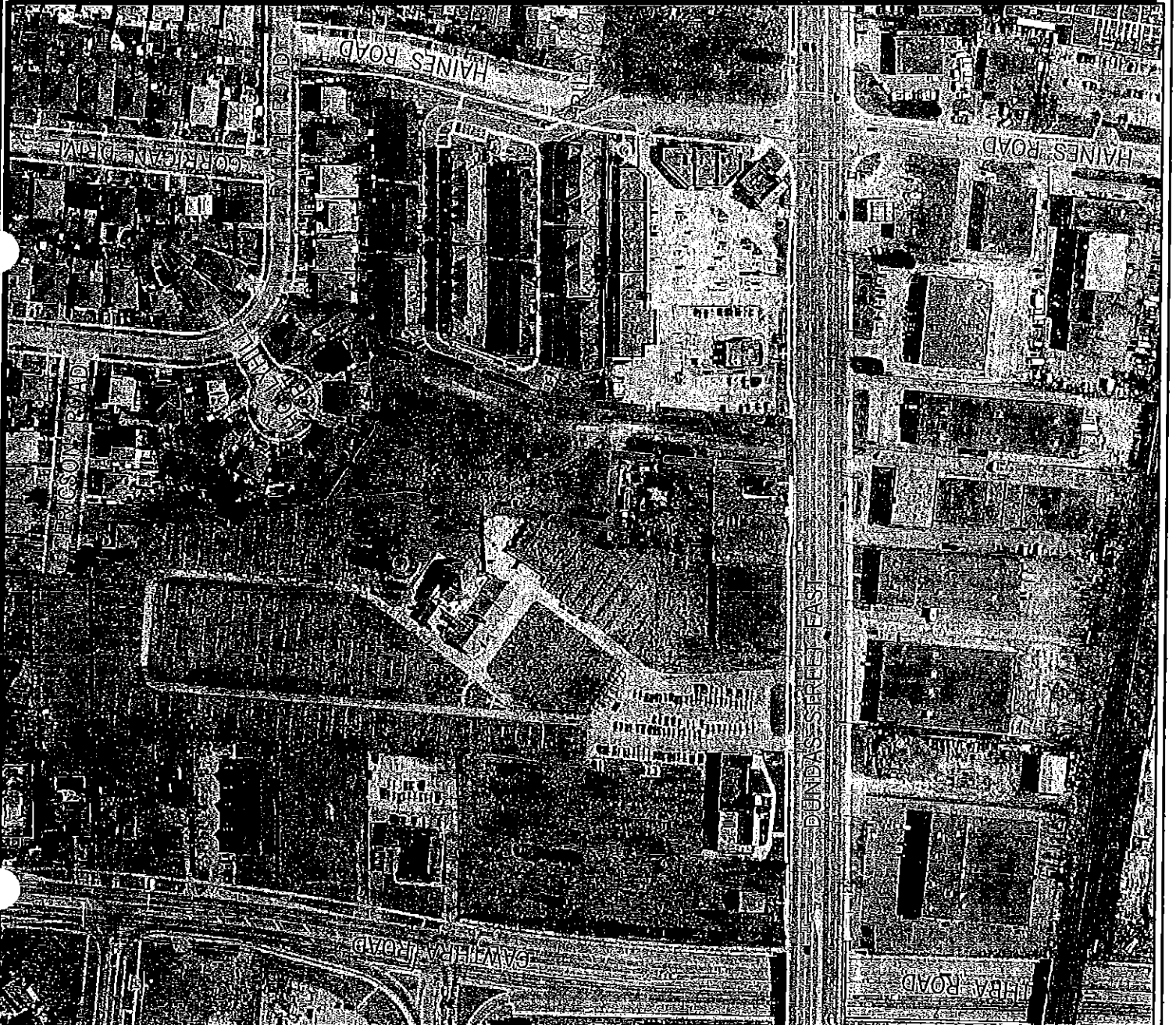
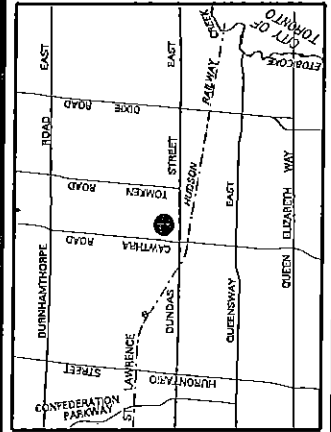
DATE OF AERIAL PHOTO: 03, 2011



SUBJECT: St. JOHN THE BAPTIST
ANGELICAN CHURCH

FILE NO: OZ T1004 W3	APPENDIX 1-2
DWG. NO: 11004A	
SCALE: 1:3500	
PDC DATE: 2011 12 05	DRAWN BY: K. PROKOP

Produced by
MISSISSAUGA
Planning and Building
T&W, Geomatics



**PART OF APPLEWOOD DISTRICT LAND USE MAP
APPLEWOOD DISTRICT POLICIES OF MISSISSAUGA PLAN**

LAND USE DESIGNATIONS

- Residential - Low Density I
- Residential - Low Density II
- Residential - Medium Density I
- Residential - Medium Density II
- Residential - High Density I
- Residential - High Density II

- General Retail Commercial
- Convenience Retail Commercial
- Motor Vehicle Commercial
- Office
- Public Open Space
- Private Open Space
- Greenbelt
- Utility

TRANSPORTATION LEGEND

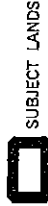
- Arterial
- Major Collector
- Minor Collector
- Local Road
- Major Transit Corridor

LAND USE LEGEND

- Node Boundary
- Cem - Cemetery
- 1996 NEP2000 NEF
- Composite Noise Contours
- Planning District
- Special Site Areas (Sec Special Site Policies)

Amendment No. 95, Appointed to the Ontario Municipal Board

NOTE:
ANY PART OF THE ROAD NETWORK SHOWN
OUTSIDE THE CITY BOUNDARIES IS SHOWN
FOR INFORMATION PURPOSES ONLY.

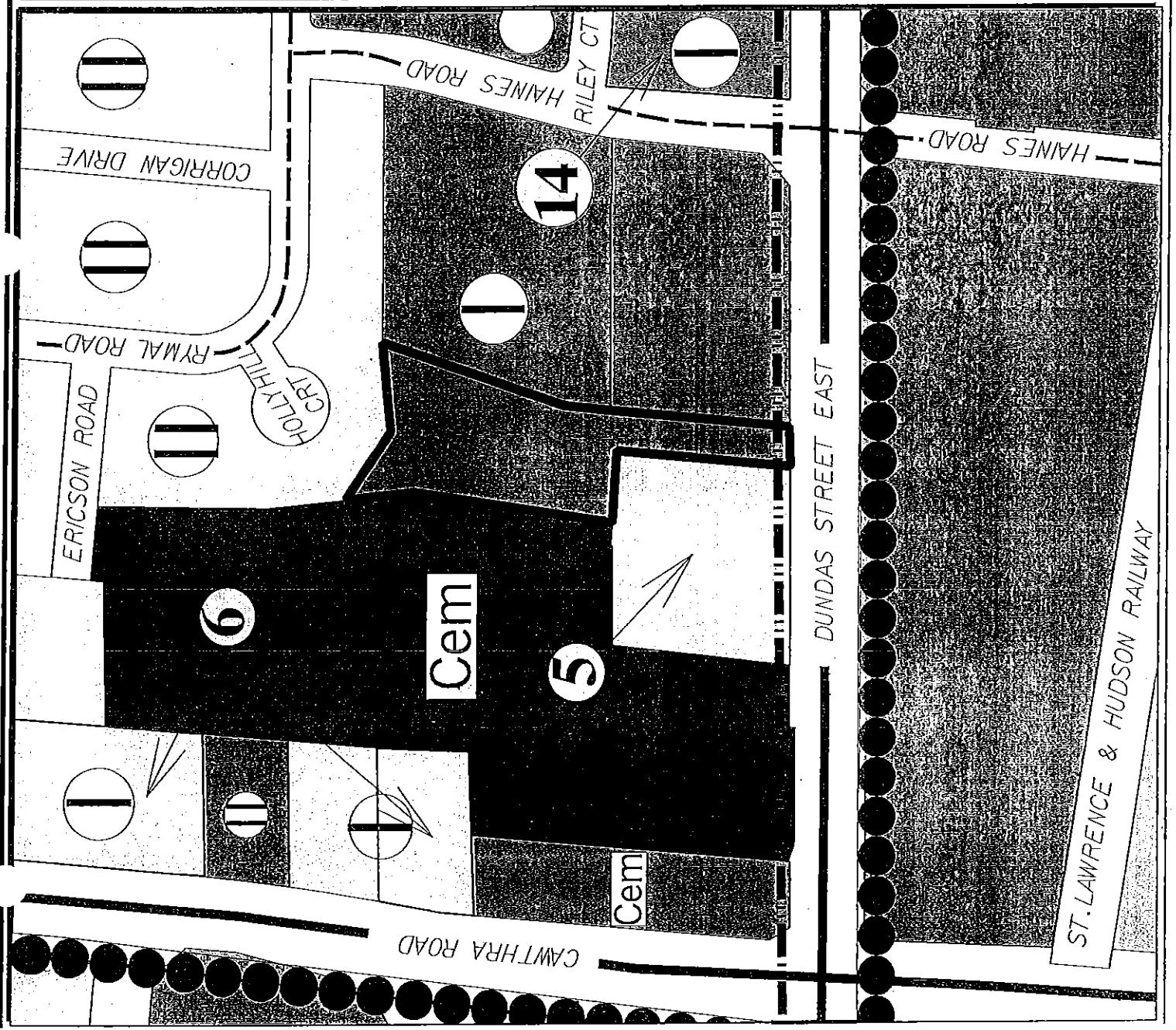


SUBJECT LANDS

**SUBJECT: St. JOHN THE BAPTIST
ANGLICAN CHURCH**

FILE NO: OZ 11004 W3		APPENDIX I-3	
DWG. NO: 11004L		PDC DATE: 2011 12 05	DRAWN BY: K. PROKOP
SCALE: 1:3500	Produced by T&W, Geomatics		

MISSISSAUGA
Planning and Building



LEGEND:



PROPOSED OFFICIAL PLAN AMENDMENT FROM "RESIDENTIAL MEDIUM DENSITY 1" TO "PRIVATE OPEN SPACE" AND PROPOSED REZONING FROM "RM6-12" (TOWNHOUSE DWELLINGS ON A COMMON ELEMENT CONDOMINIUM - PRIVATE ROAD) TO "OS3-6 (OPEN SPACE - CEMETERY) TO PERMIT AN EXPANSION OF THE ST. JOHN'S DIXIE CEMETERY.

NOTE: EXISTING ZONING DELINEATED ON THE PLAN. PROPOSED ZONING INDICATED BY SHADING WITHIN THE APPLICATION AREA. THIS IS NOT A PLAN OF SURVEY.

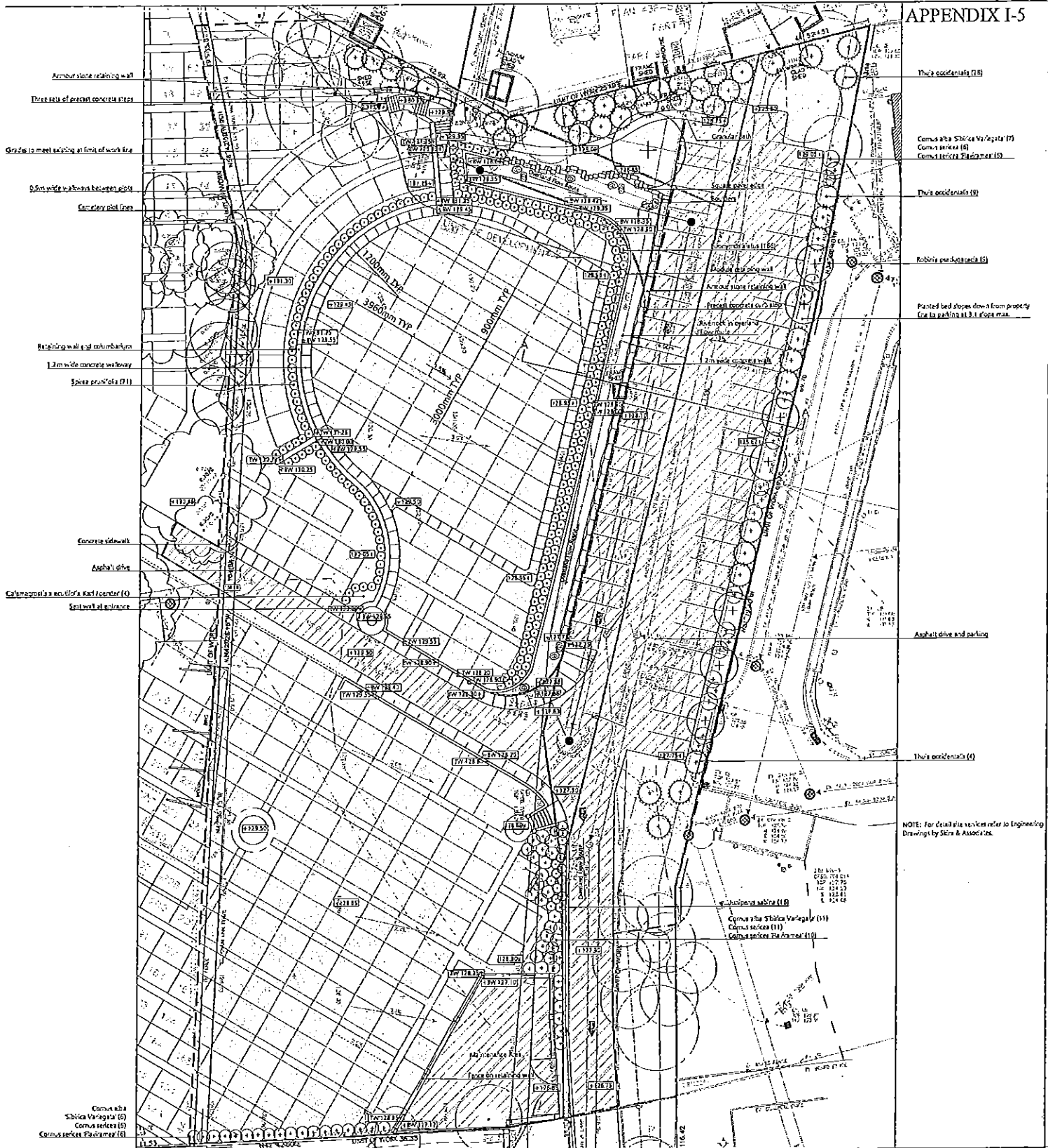
SUBJECT: **St. JOHN THE BAPTIST ANGLICAN CHURCH**

FILE NO:	OZ 11004 W3
DWG. NO:	T1004R
SCALE:	1:3500
PDC DATE:	2011 12 05
DRAWN BY:	K. PROKOP
APPENDIX I-4	
Produced by MISSISSAUGA Planning and Building T&W, Geomatics	



SITE PLAN / LANDSCAPE PLAN

APPENDIX I-5



Incumbent & Church Wardens of St. John the Baptist Anglican Church

File: OZ 11/004 W3

Agency Comments

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

Agency / Comment Date	Comment
<p>Region of Peel (June 7, 2011)</p>	<p>No objections to the Official Plan and Rezoning Amendment for this site, however, require landscaping, grading and site servicing plans for review.</p> <p>A revised landscaping plan and a grading plan that shows the easements limits of Instrument No. 74652. There may be some trees and grading proposed but it is not clear, as the limits are not shown. Any proposals or improvements on Regional easements require a more detailed review. Once these plans are received, it will be determined if an encroachment circulation is required.</p> <p>Site servicing drawings are required for review, to determine if any water servicing is required for the expansion. Our site servicing staff will verify if there are any requirements as a result of the expansion.</p> <p>The applicant is advised that Regional easements must be protected from any encroachments or obstructions. The owner shall maintain the land for the easements free and clear of any trees, building structures, or hard concrete pavement surfaces. The owner is permitted to utilize the land for no other purpose than lawns, gardens, flower beds, roadways, driveways, and parking areas. As well, the owner shall not deposit or remove any fill from the easement.</p> <p>The subject site is not within the vicinity of a landfill site and existing waste collection can be used.</p>

Incumbent & Church Wardens of St. John the Baptist Anglican Church

File: OZ 11/004 W3

Agency / Comment Date	Comment
<p>City Transportation and Works Department (July 8, 2011)</p>	<p>The application proposes to re-grade the site to eliminate the existing ravine currently serving as the storm drainage outlet for the residential lands immediately adjacent to the north. The storm drainage is proposed to be piped and diverted easterly (including the overland flow route) and then southerly along the alignment of Cedar Creek Lane to the outlet sewer traversing the adjacent lands to the east.</p> <p>The applicant's consulting engineer has been requested to provide flow calculations and appropriate cross-sections to confirm that the easements proposed will be adequate to accommodate the storm sewer and overland flow anticipated from the upstream lands.</p> <p>Detailed comments on the drainage proposal will be provided in the supplementary report.</p>
<p>Other City Departments and External Agencies</p>	<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> <p>City Community Services Department – Fire and Emergency Services Division</p> <p>City Community Services Department – Planning, Development and Business Services Division/Park Planning Section</p> <p>City Community Services Department – Culture Division</p> <p>Canada Post Corporation Enersource Hydro Mississauga Rogers Cable Communications Inc. Enbridge Gas Distribution Inc.</p>

Incumbent & Church Wardens of St. John the Baptist Anglican Church

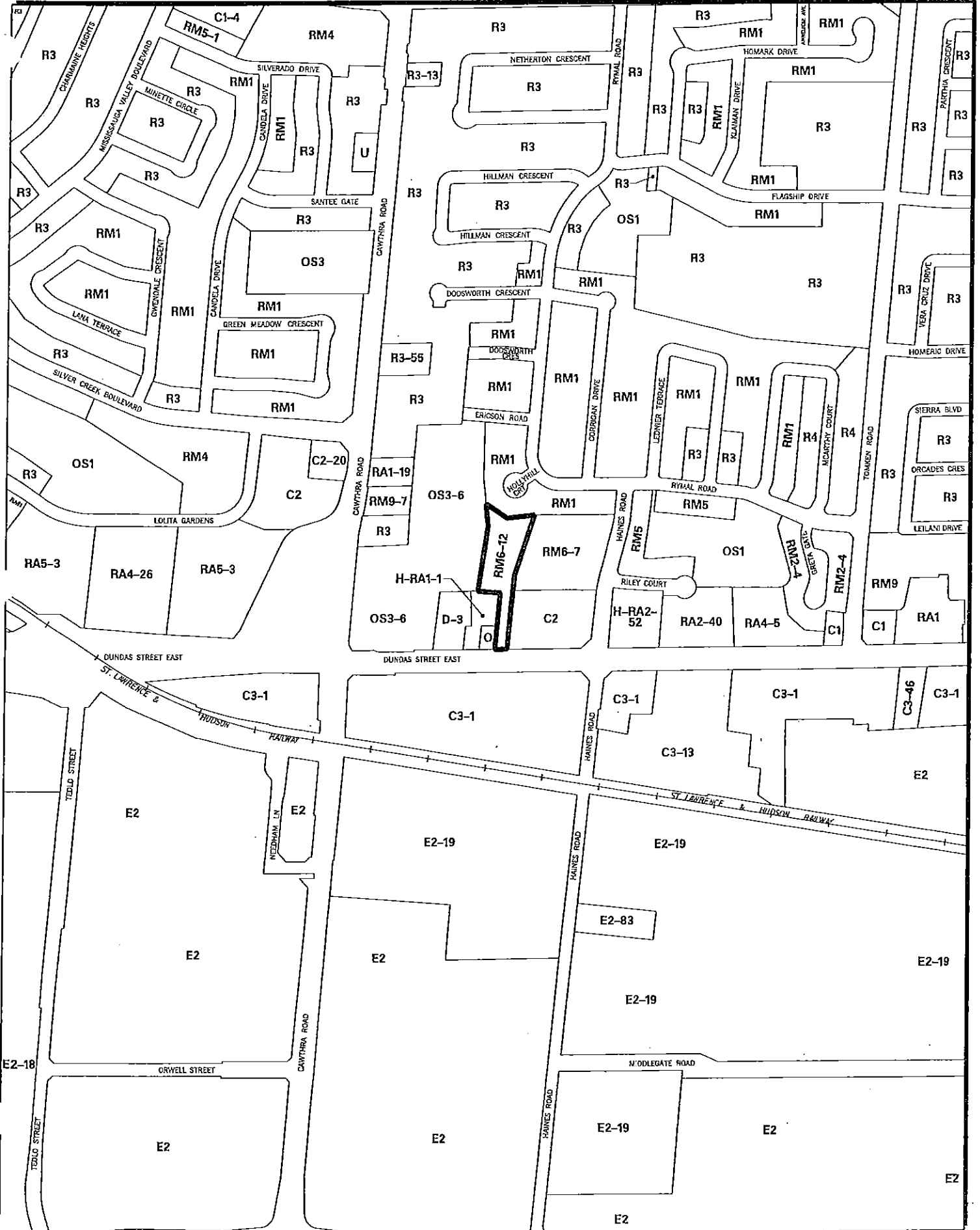
File: OZ 11/004 W3

Agency / Comment Date	Comment
	<p>The following City Departments and external agencies were circulated the applications but provided no comments:</p> <p>Hydro One Networks Inc. Bell Canada Trans-Northern Pipelines Inc.</p>

GENERAL CONTEXT MAP

OZ 11/004 W3

APPENDIX I-7



St. John the Baptist Anglican Church

File: OZ 11/004 W3

Recommendation PDC-0063-2011

"That the Report dated November 15, 2011, from the Commissioner of Planning and Building regarding the application to amend the Official Plan from "Medium Density I" to "Private Open Space" and to change the Zoning from "RM6-12" (Townhouse dwellings on a Common Element Condominium - Private Road) to "OS3-6" (Open Space - Cemetery), to permit the expansion of St. John's Dixie Cemetery under File OZ 11/004 W3, Incumbent & Church Wardens of St. John the Baptist Anglican Church, 0 Cedar Creek Lane, be received for information."

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by law;

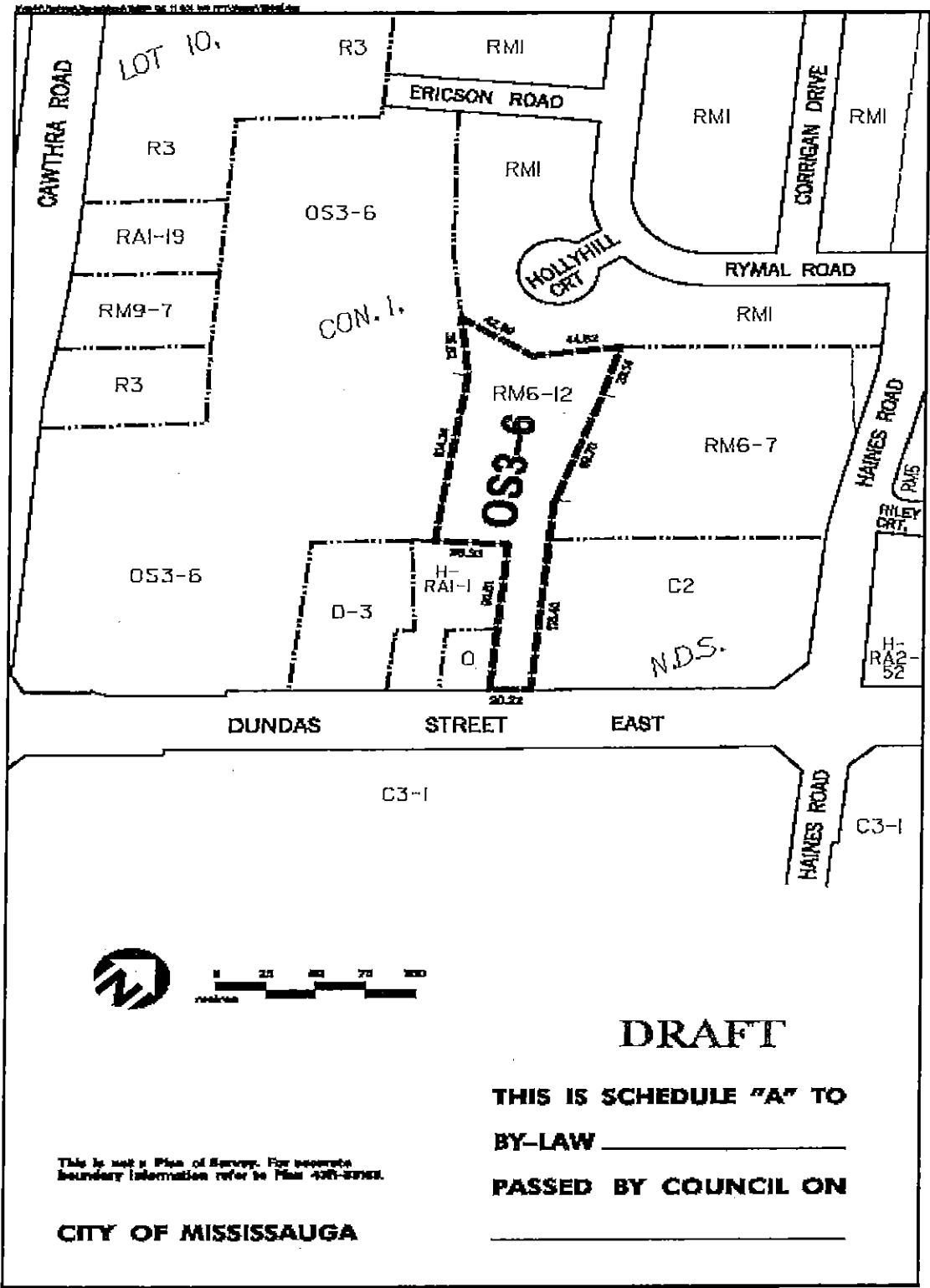
NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. Map Number 20 of Schedule "B" to By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by changing thereon from "RM6-12" to "OS3-6", the zoning of Block 'C', Registered Plan 830, in the City of Mississauga, PROVIDED HOWEVER THAT the "OS3-6" zoning shall only apply to the lands which are shown on the attached Schedule "A", which is deemed to be an integral part of this By-law, outlined in the heaviest broken line with the "OS3-6" zoning indicated thereon.
2. This By-law shall not come into force until Mississauga Official Plan Amendment Number 21 is in full force and effect.

ENACTED and PASSED this _____ day of _____ 2015.

MAYOR

CLERK



This is not a Plan of Survey. For accurate boundary information refer to Plan 401-2182.

CITY OF MISSISSAUGA

DRAFT

**THIS IS SCHEDULE "A" TO
BY-LAW _____**

PASSED BY COUNCIL ON

Appendix A

Explanation of the Purpose and Effect of the By-law

The purpose of this By-law is to permit the expansion of the cemetery use to the subject property.

This By-law amends the zoning of the property outlined on the attached Schedule "A" from "RM6-12" (Townhouse Dwellings on a Common Element Condominium – Private Road - Exception) to "OS3-6" (Open Space – Cemetery - Exception).

"RM6-12" permits 29 townhouse dwellings.

"OS3-6" permits a cemetery and a place of religious assembly.

Location of Lands Affected

The lands are located on the north side of Dundas Street East, east of Cawthra Road, in the City of Mississauga, as shown on the attached Map designated as Schedule "A".

Further information regarding this By-law may be obtained from Michael Hynes of the City Planning and Building Department at 905-615-3200 ext. 5525.