



# Corporate Report

Clerk's Files

Originator's  
Files OZ 11/004 W3

**PDC** DEC 5 2011

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**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**

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**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:

<b>Development Proposal</b>	
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 <sup>2</sup> 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

<b>Site Characteristics</b>	
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

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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:

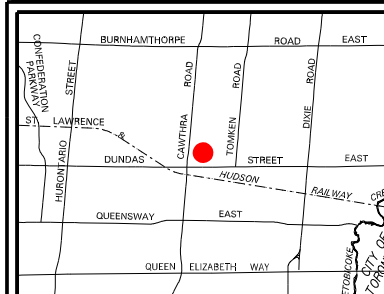


SUBJECT LANDS

DATE OF AERIAL PHOTO: 03, 2011



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



FILE NO:  
**OZ 11004 W3**

DWG. NO:  
**11004A**

SCALE:  
**1:3500**

PDC DATE:  
**2011 12 05**

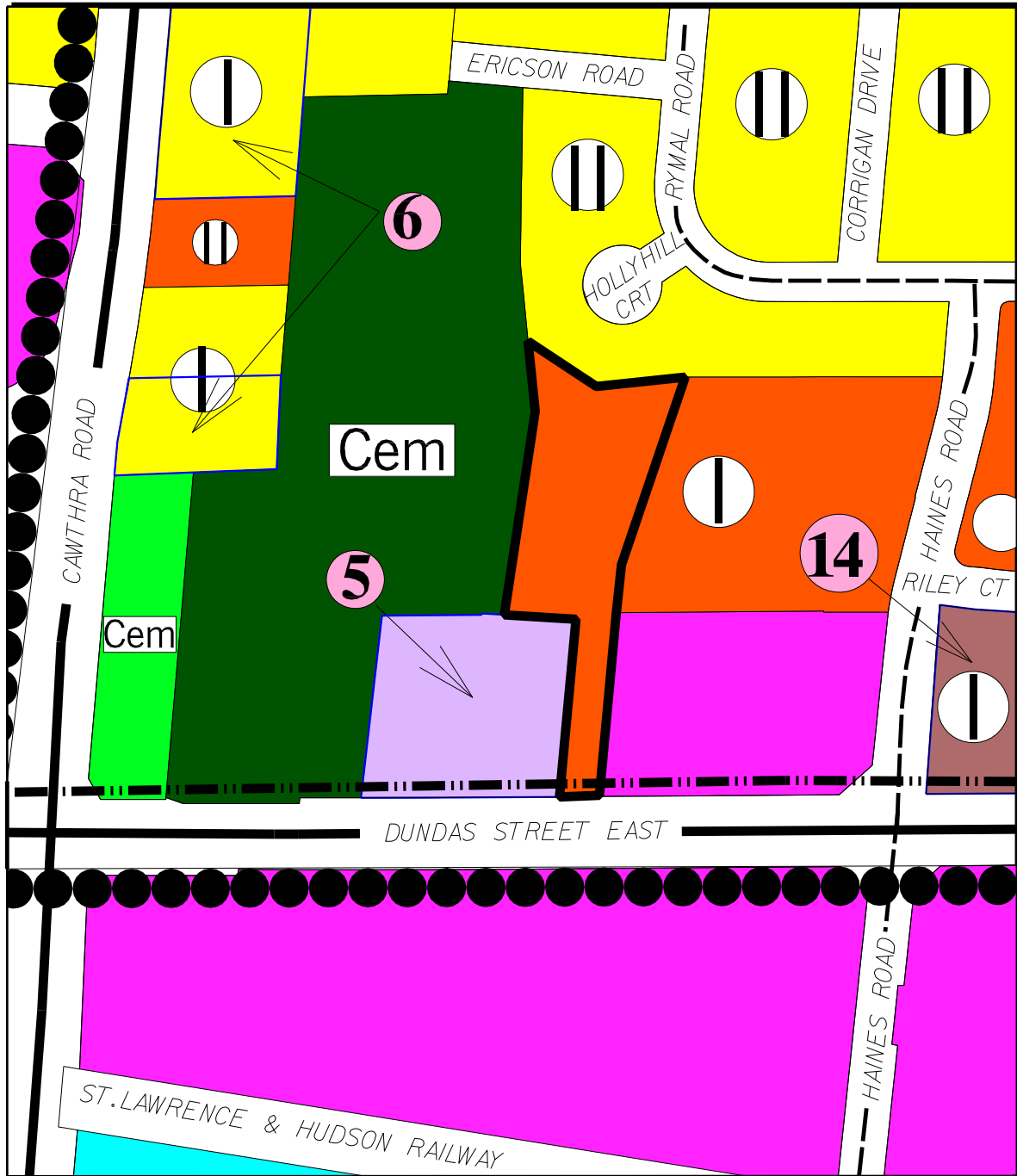
DRAWN BY:  
**K. PROKOP**

**MISSISSAUGA**  
Planning and Building

Produced by  
**T&W, Geomatics**

APPENDIX I-2





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

<p><b>LAND USE DESIGNATIONS</b></p> <ul style="list-style-type: none"> <li> Residential – Low Density I</li> <li> Residential – Low Density II</li> <li> Residential – Medium Density I</li> <li> Residential – Medium Density II</li> <li> Residential – High Density I</li> <li> Residential – High Density II</li> <li> General Retail Commercial</li> <li> Convenience Retail Commercial</li> <li> Motor Vehicle Commercial</li> <li> Office</li> <li> Public Open Space</li> <li> Private Open Space</li> <li> Greenbelt</li> <li> Utility</li> </ul>	<p><b>TRANSPORTATION LEGEND</b></p> <ul style="list-style-type: none"> <li> Arterial</li> <li> Major Collector</li> <li> Minor Collector</li> <li> Local Road</li> <li> Major Transit Corridor</li> </ul> <p><i>Amendment No. 95 Appealed to the Ontario Municipal Board.</i> <i>Delete and replace with Higher Order Transit Corridor</i></p> <p><b>LAND USE LEGEND</b></p> <ul style="list-style-type: none"> <li> – Node Boundary</li> <li> Cem – Cemetery</li> <li> – 1996 NEP/2000 NEF Composite Noise Contours</li> <li> Planning District</li> <li> Special Site Areas (See Special Site Policies)</li> </ul> <p><i>Amendment No. 95 Appealed to the Ontario Municipal Board.</i></p>
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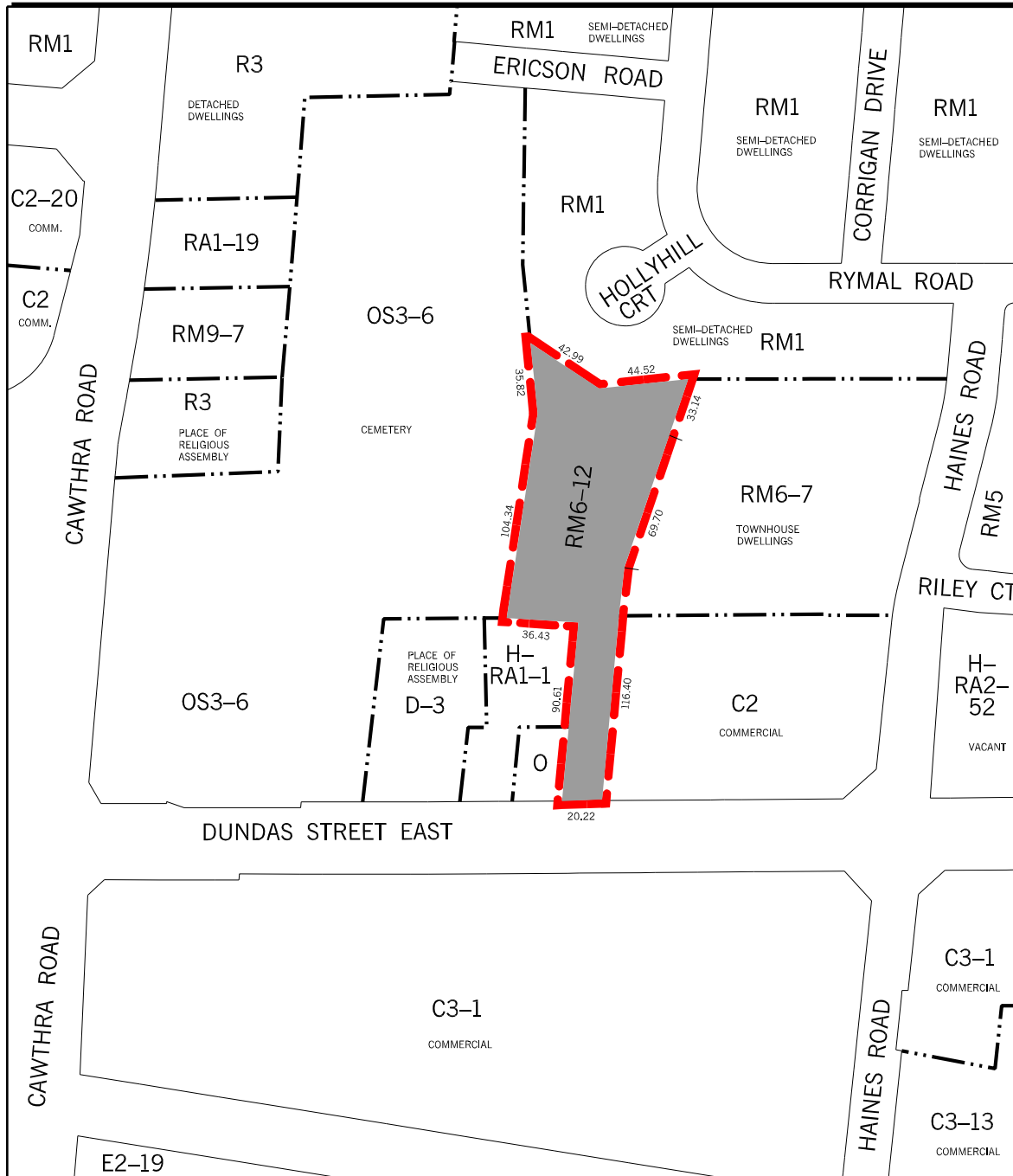
NOTE:  
ANY PART OF THE ROAD NETWORK SHOWN OUTSIDE THE CITY BOUNDARIES IS SHOWN FOR INFORMATION PURPOSES ONLY.

SUBJECT LANDS

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

	<b>FILE NO:</b> OZ 11004 W3	<b>APPENDIX I-3</b>
	<b>DWG. NO:</b> 11004L	
	<b>SCALE:</b> 1:3500	
	<b>PDC DATE:</b> 2011 12 05	
	<b>DRAWN BY:</b> K. PROKOP	

Produced by  
**T&W, Geomatics**



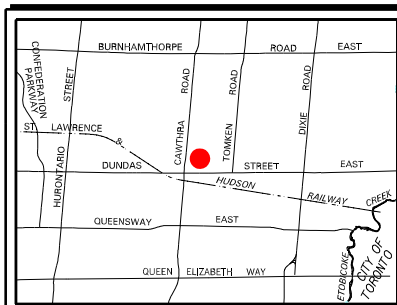
**LEGEND:**



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.

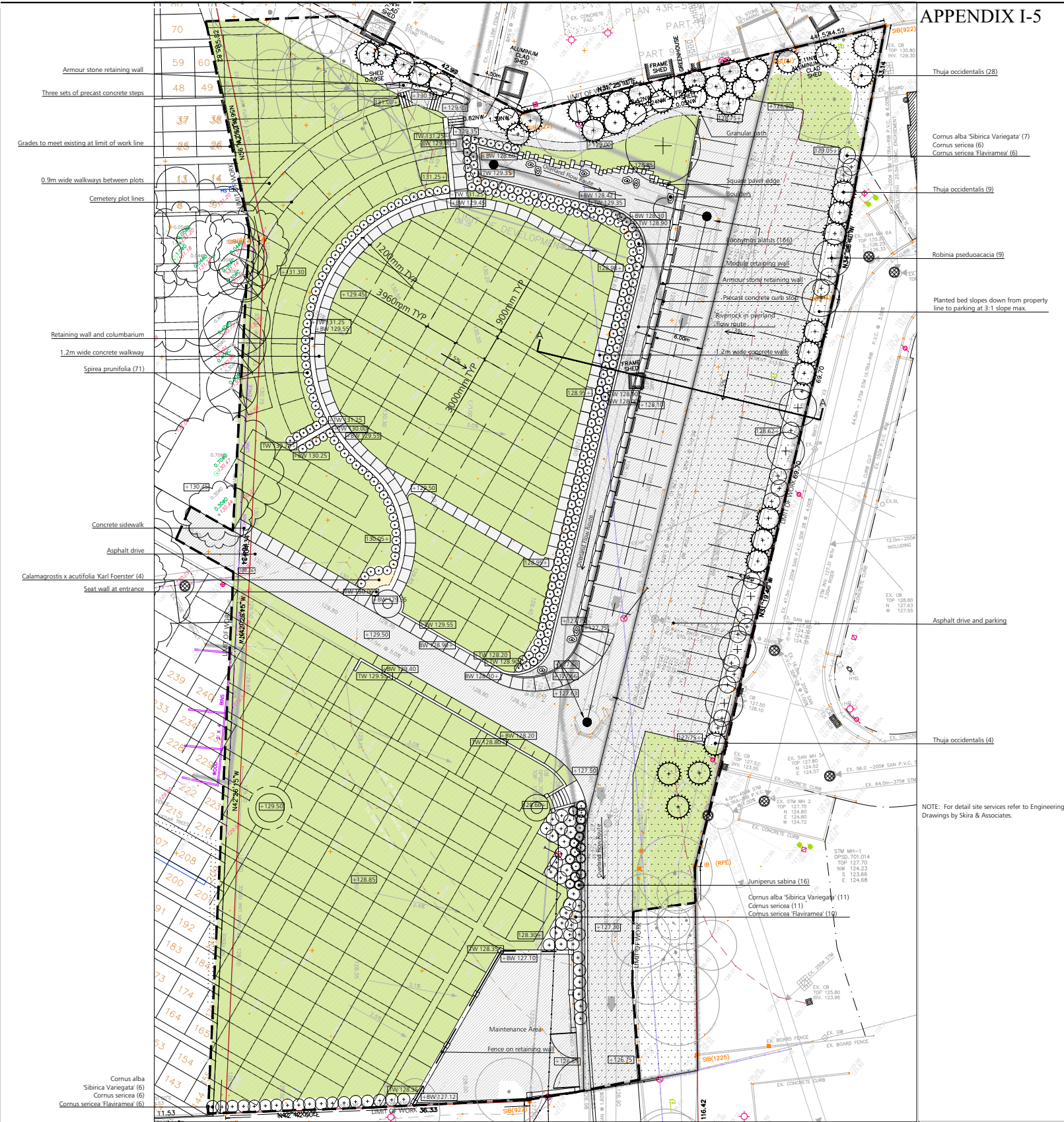
**NOTE:** EXISTING ZONING DELINEATED ON THE PLAN PROPOSED ZONING INDICATED BY SHADING WITHIN THE APPLICATION AREA. THIS IS NOT A PLAN OF SURVEY.

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



<b>FILE NO:</b>	OZ 11004 W3
<b>DWG. NO:</b>	11004R
<b>SCALE:</b>	1:3500
<b>PDC DATE:</b>	2011 12 05
<b>DRAWN BY:</b>	K. PROKOP

## SITE PLAN / LANDSCAPE PLAN



**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.

<b>Agency / Comment Date</b>	<b>Comment</b>
Region of Peel (June 7, 2011)	<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**

<b>Agency / Comment Date</b>	<b>Comment</b>
City Transportation and Works Department (July 8, 2011)	<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>
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> <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>

## APPENDIX I-7

