



Corporate Report

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CD.04.FOR

PDC JUN 25 2012

DATE: June 5, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 25, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Report on Comments for City Initiated Official Plan Amendment and Rezoning -
Fieldgate Drive and Audubon Boulevard
WARD 3**

RECOMMENDATION: That the report dated June 5, 2012 recommending approval of the City-Initiated Official Plan Amendment and Rezoning for the lands on Fieldgate Drive and Audubon Boulevard, be adopted in accordance with the following:

1. That notwithstanding that subsequent to the public meeting, changes to the City-Initiated Official Plan Amendment and rezoning 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, R.S.O. 1990, c.P.13*, as amended, any further notice regarding the proposed amendment is hereby waived.
2. That Schedule 4 of Mississauga Plan (2003), Urban Form Concept, be amended for the subject lands from Parkway Belt West to Residential.

3. That the City-initiated Official Plan Amendment to amend Mississauga Plan (2003) from “Parkway Belt West” to “Residential Low Density I- Special Site” to introduce a special site policy to permit only detached dwellings, be approved.
4. That the City-initiated Rezoning to change the existing zoning from “PB1” (Parkway Belt West) to H-R3-Exception” (Detached Dwellings- Exception) to permit detached dwellings and subject to the fulfillment of the holding zone provisions be approved.
5. That the “H” Holding provision is to be removed from the whole or any part of the lands zoned “H-R3-Exception” (Detached Dwellings-Exception), by a future amendment, upon satisfaction of specific conditions.

**REPORT
HIGHLIGHTS:**

- A public meeting was held on April 2, 2012 for the proposed Official Plan Amendment and rezoning to Residential Low Density I-special site and “R3” (detached dwellings) for the lands at the Northeast corner of Fieldgate Drive and Audubon Boulevard;
- Planning staff have received written comments from internal departments, external stakeholders and affected agencies which have supported the recommendation to permit detached dwellings on the lands, subject to conditions;
- The redesignation of the subject lands, specifically Residential Low Density I-Special Site, to permit detached dwellings, is in keeping with the intent and urban structure of the Official Plan;
- The rezoning of the subject lands, specifically ‘H-R3-Exception’, is appropriate in order to address the current on-site servicing, site development issues and constraints and the development of a portion of the lands, while being mindful of the neighbourhood zoning context.

BACKGROUND:

On April 11, 2012 City Council considered the report titled “*City Initiated Official Plan Amendment and Rezoning - Fieldgate Drive and Audubon Boulevard*” dated March 13, 2012 (Appendix 1), from the Commissioner of Planning and Building and adopted the following recommendations:

- “ 1. That the report titled “*City Initiated Official Plan Amendment and Rezoning - Fieldgate Drive and Audubon Boulevard*” dated March 13, 2012 from the Commissioner of Planning and Building, be received for information.
2. That staff report back to Planning and Development Committee on the submissions made with respect to the March 13, 2012 report.
3. That the email dated March 19, 2012 from Diana Dawson, Land Administrator, Enbridge, be received.”

The statutory public meeting, to fulfill the requirements of the *Planning Act*, was held by the Planning and Development Committee on April 2, 2012. The meeting was attended by residents of the community, as well as a representative of the Rockwood Homeowners Association, the local ratepayers association. The Committee received written correspondence, an email dated March 19, 2012 from Diana Dawson, Land Administrator, Enbridge Pipelines Incorporated.

A community meeting was held by Ward 3 Councillor Chris Fonseca, at Tomken Arena on March 29, 2012. City Planning staff and representatives from Infrastructure Ontario (IO) were in attendance to outline the planning process and sale of the property, as well as answer questions from the community. Approximately 30 persons were in attendance.

This report highlights the comments received at the public meeting and community meeting, as well as the written comments that were submitted from internal departments, external agencies and stakeholders.

COMMENTS:**Community Meeting on March 29, 2012**

As mentioned previously, a community meeting was held on March 29, 2012, with staff from IO and the City of Mississauga in attendance. The issues and concerns raised are summarized below:

Issue 1

Residents questioned why the subject lands are being sold for future residential development and not remaining as a City park.

Response

The subject lands are owned by the Province of Ontario and were leased to the City for a temporary period to be used as a passive park. Park Planning staff had determined that the neighbourhood is well served by other park and recreational facilities in the area and no longer needed.

Issue 2

Concerns were raised by the community regarding the potential for any future development proposal to not be in keeping with the City's proposed low density redesignation and zoning for detached dwellings.

Response

Planning staff specified that the city-initiated redesignation and rezoning is based on maintaining the detached housing that is found throughout the existing neighbourhood. This rationale is supported by policies in Mississauga's Official Plan.

Issue 3

Residents also asked if other areas owned by Infrastructure Ontario, such as the Hydro corridor to the north of the subject lands, would also be sold for potential development in the future.

Response

IO staff indicated the lands to the north will continue to be used for utility purposes (hydro, gas pipelines). Further, it was confirmed that since the alignment of the new Bus Rapid Transit (BRT) is established and currently under construction, there will be no future plans to redirect or realign the transit alignment along that utility corridor.

Issue 4

Area residents raised questions with regards to the property management and ownership of the Provincially-owned lands north of their properties and the subject site.

Response

IO staff indicated that there have been encroachment issues and those residents who have structures, fences and yards in lands owned by IO will be given the opportunity to lease these lands from IO and continue to use these areas, or be asked to remove any fencing or structures. IO staff indicated they would speak with concerned residents following the meeting.

Public Meeting at Planning and Development Committee - April 2, 2012

Ms. S. Kapur, representative of the Rockwood Homeowners Association, attended the public meeting to speak on behalf of the members of the association. Ms. Kapur provided support for the proposed Official Plan Amendment and rezoning to Residential Low Density I-special site and “R3” (detached dwellings), specifically in permitting only single detached homes. The association will be actively involved in the process moving forward.

General Issues/Comments

Utility Uses

Comments were received from utility companies within the surrounding area, specifically Enbridge Pipelines Inc., Enbridge Gas Distribution, Hydro One Networks Inc, and Enersource. The agencies had no objections to the proposed official plan amendment and rezoning, however, they provided information that has been included for reference purposes:

- Enbridge Pipelines indicated that a 760 millimetre (30 inch) diameter high-pressure oil pipeline is located on the southern boundary of the Hydro land, just north of the subject property. Any future excavation within 30 metres (98 feet) of the Enbridge pipeline right-of-way will require a field locate from Enbridge;
- Enbridge Gas Distribution indicated that future applicants should contact the Enbridge Customer Connections Department for installation and service requirements; and
- Hydro One Networks requested to be circulated at the Site Plan/Subdivision stage for further comments.

Servicing Issues

City of Mississauga

Upon further review and analysis, the Transportation and Works Department determined that the site is not fully serviced, in that storm or sanitary sewer connections have not been provided for future development on the property. Further, municipal storm services are only in place to satisfactorily accommodate the current grading of the lands, as maintained by Infrastructure Ontario.

In order to address these servicing concerns, Transportation and Works staff recommend a holding provision be placed on the proposed R3 zoning to ensure potential purchasers are aware of the on-site servicing constraints. A number of conditions related to the servicing of the site, and other matters, need to be addressed prior to the development of the property.

Region of Peel

The Region of Peel also has servicing concerns and has submitted comments with regards to water and sanitary sewer connections to the subject lands:

- Currently, there exists sanitary sewer and water sewer services on Audubon Boulevard and Fieldgate Drive; however, connections to these services will be at the full cost and responsibility of the future developer of the site;
- Region of Peel staff will require a Functional Servicing Report (FSR) to determine how the developer proposes to service the site and if the existing services are adequately sized to service the proposed development; and
- Detailed servicing comments will be provided following receipt of an FSR and engineering drawings.

Severance Application 'B' 041/11

As indicated in previous reports, on September 22, 2011, IO submitted an application to the Committee of Adjustment to sever a portion of the subject lands, totalling 0.5 hectares (1.4 acres), having frontage on Audubon Boulevard. IO is intending to sell the severed lands for future residential development and retain the surrounding lands, which includes the rest of the subject lands and the Parkway Belt West lands to the north (see Appendix 2).

The Committee of Adjustment granted provisional consent for the severance, subject to a number of conditions that need to be fulfilled by IO. To date, some of the conditions have been fulfilled by IO, however, other conditions still need to be cleared. Therefore, at this time the severance of the subject lands ('B' 41/11) is not fully in effect.

In the future, the retained lands, noted as Area A on appendix 2, will need to be severed from the Parkway Belt West lands to the north. Thus, in order to ensure appropriate future development, with frontage on Audubon Boulevard, a holding provision is proposed that requires area A to be consolidated with lands to the south.

Proposed Zoning Recommendations

The proposed H-R3-Exception zone, will include the following:

- A regulation to ensure that the currently non-severed portion of the subject lands, identified as area A, be developed in accordance with the provisions of the R3 zone, including the appropriate setbacks and buffer areas; and
- Holding provisions to:
 - consolidate ownership of the identified Area A with the abutting lands to the south, zoned R3, to provide frontage on a public street.
 - enter into a Servicing Agreement for Municipal Works with the City and the Region of Peel in order to construct the necessary municipal works, lot grading, necessary utility relocations, etc.;
 - provide an Acoustic Report to identify all noise sources which may impact the site; and
 - enter into a development agreement with the City to address any necessary development and/or noise warning clauses, and any other necessary conditions.

Once the specifics of these conditions have been met to the satisfaction of City and Region of Peel staff, an application to lift the 'H' holding provision for the subject lands may be brought forward by the applicant for City Council's adoption.

CONCLUSION:

In accordance with subsection 34(17) of the *Planning Act, R.S.O 1990, c.P.13*, as amended, City Council is given the authority to determine if further public notice is required. As city staff are modifying the zoning provisions proposed for the subject lands to address future frontage issues and existing servicing constraints to the site, it is recommended that no further public meeting is needed with respect to the proposed changes.

The proposed Official Plan Amendment and rezoning, is acceptable from a planning perspective and should be approved, based on the following:

- The proposed redesignation of the subject lands is in conformity with Mississauga Plan policies for the Rathwood District;
- The proposal for detached dwellings is compatible with surrounding land uses; and
- The rezoning of the subject lands, specifically 'H-R3-Exception', with holding provisions, is appropriate in order to address the current on-site servicing and site development issues and constraints, while being mindful of the neighbourhood zoning context.

STRATEGIC PLAN: **CONNECT: Completing our Neighbourhoods**

- Develop Walkable, Connected Neighbourhoods

FINANCIAL IMPACT: Not applicable.

ATTACHMENTS: APPENDIX 1: Corporate Report "*City Initiated Official Plan Amendment and Rezoning- Fieldgate and Audubon Boulevard*" dated March 13, 2012.
APPENDIX 2: Lands Severed and Retained by Infrastructure Ontario.

Original Signed By:

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Frank Marzo, Policy Planner



Corporate Report

Clerk's Files

Originator's
Files

CD.04.FOR

DATE: March 13, 2012

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 2, 2012

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **City Initiated Official Plan Amendment and Rezoning -
Fieldgate Drive and Audubon Boulevard
PUBLIC MEETING
WARD 3**

RECOMMENDATION:

1. That the report titled "*City Initiated Official Plan Amendment and Rezoning - Fieldgate Drive and Audubon Boulevard*" dated March 13, 2012 from the Commissioner of Planning and Building, be received for information.
2. That staff report back to Planning and Development Committee on the submissions made with respect to the March 13, 2012 report.

BACKGROUND: On December 14, 2011, City Council adopted Resolution 0281-2011 as follows:

1. That the report titled "*Land Use Review - Former Parkway Belt West Lands - Fieldgate Drive and Audubon Boulevard*", dated November 15, 2011 from the Commissioner of Planning and Building, be received for information.

2. That staff circulate the above report and commence the statutory public consultation process with respect to the former Parkway Belt West lands at Fieldgate Drive and Audubon Boulevard.

At the time the information report titled "*Land Use Review - Former Parkway Belt West Lands - Fieldgate Drive and Audubon Boulevard*" was prepared, an amendment to the new Mississauga Official Plan (2011) was proposed for the subject lands. Given Mississauga Official Plan (2011) has been appealed in its entirety, an amendment to the in-effect Official Plan, Mississauga Plan (2003), is proposed. The amendments to Mississauga Official Plan (2011) will be incorporated once the appeals have been resolved and the Plan is in effect.

This public meeting of the Planning and Development Committee on April 2, 2012 is the statutory public meeting to fulfill the requirements of the *Planning Act*. Its purpose is to provide an opportunity for the public to make submissions to the Planning and Development Committee on the proposed amendments to Mississauga Plan (2003) with regard to the Rathwood District Policies and Zoning By-law 0225-2007.

COMMENTS:

The subject lands are located on the northeast corner of Fieldgate Drive and Audubon Boulevard (refer to Appendix 1).

The intent of the proposed amendments are:

- to ensure future development on the subject lands is in keeping with the surrounding, stable neighbourhood and respectful of the two-storey, detached houses in the immediate neighbourhood;
- to redesignate the subject lands from "Parkway Belt West" to "Residential Low Density I - Special Site"; and
- to rezone the lands from "PB1" (Parkway Belt) to "R3" (Detached Dwellings).

Appendix 2 contains a summary of the policy framework and rationale for the proposed changes to the Rathwood District Policies in Mississauga Plan (2003), as they apply to the subject lands.

As indicated in Mississauga Plan (2003), residential lands outside of intensification areas will be regarded as stable land and not the focus for intensification. Infill development in these areas will be compatible in built form and scale to the surrounding area. In this case, the Fieldgate Drive and Audubon Boulevard neighbourhood consists of predominately low density, single, detached houses. The proposed redesignation and zoning is in keeping with the character of this area.

Appendix 3 outlines the proposed Special Site policy and Appendix 4 shows the redesignation of the subject lands from “Parkway Belt West” to “Residential Low Density I - Special Site” on the Rathwood District Land Use Map. In addition to the specific proposed amendments to the Rathwood District Policies and Land Use Map, Schedule 2, Urban Form Concept (Appendix 5) is proposed to be amended to reflect the redesignation.

It should be noted, the subject lands are part of a linkage within the City’s Natural Areas System (NAS), as shown on Schedule 3, Environmental Areas in Mississauga Plan (2003). This amendment does not propose changes to this linkage feature, however, if the lands are developed, an Environmental Impact Study (EIS) will be required to determine overall impact to the NAS.

CONCLUSION:

Following the public meeting, staff will report back to Planning and Development Committee on comments received with respect to the report “*City Initiated Official Plan Amendment And Rezoning- Fieldgate Drive and Audubon Boulevard*” dated March 13, 2012 from the Commissioner of Planning and Building.

STRATEGIC PLAN:

CONNECT: Completing our Neighbourhoods

- Develop Walkable, Connected Neighbourhoods

FINANCIAL IMPACT: Not applicable.

ATTACHMENTS:

- APPENDIX 1: Subject Lands
- APPENDIX 2: Existing Policies for Consideration in the Proposed Redesignation of the lands on Audubon Boulevard, East of Fieldgate Drive (Mississauga Plan (2003))
- APPENDIX 3: Proposed Official Plan Amendment - Mississauga Plan (2003) and Rathwood District Policies Section 4.28.6 Special Site
- APPENDIX 4: Rathwood District Land Use Map - Mississauga Plan (2003)
- APPENDIX 5: Schedule 2- Urban Form Concept - Mississauga Plan (2003)

Original Signed By:

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Frank Marzo, Policy Planner



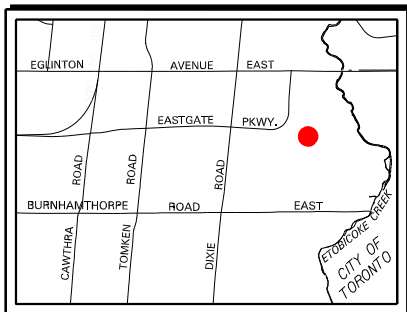
LEGEND:



SUBJECT LANDS



SUBJECT:
FORMER PARKWAY BELT WEST LANDS
FIELDGATE DRIVE & AUDUBON BOULEVARD



FILE NO: BL.09.PAR	
DWG. NO: BL09PAR PBA A	
SCALE: 1:3000	
PDC DATE: 2011 12 05	APPENDIX 1
DRAWN BY: K. PROKOP	

**Existing Policies for Consideration in the Proposed Redesignation of the lands on Audubon Boulevard, East of Fieldgate Drive
Mississauga Plan (2003)**

Section 3.2 Residential

3.2.3.1 Residential lands will be developed to achieve a compact, orderly urban form generally characterized by lower densities in the interior of communities and higher densities along major roads and near concentrations of retail commercial, community, and transportation facilities.

3.2.3.2 High quality and innovative residential design will be promoted in a form which reinforces and enhances the local community character, respects its immediate context and creates a quality living environment. Innovative housing types and zoning standards will be encouraged. Design issues related to built form, scale, massing, orientation, parking, overshadowing, and the quantity and quality of open space will be priorities in assessing the merits of residential development. Broader urban design issues related to the creation of an urban street character, developing a sense of gateway into a community and highlighting district focal points will also be considered in assessing residential development.

Section 3.13 Intensification

3.13.5.1 Lands designated for residential purposes, outside intensification areas, will not be the focus for intensification and should be regarded as stable residential areas where the existing character is to be preserved.

3.13.5.2 Residential intensification outside intensification areas will generally occur through infilling.

3.13.5.3 Intensification outside intensification areas may be considered where the proposed development is compatible in built form and scale to surrounding development, enhances the existing or planned development and is consistent with the policies of this Plan.

Proposed Official Plan Amendment

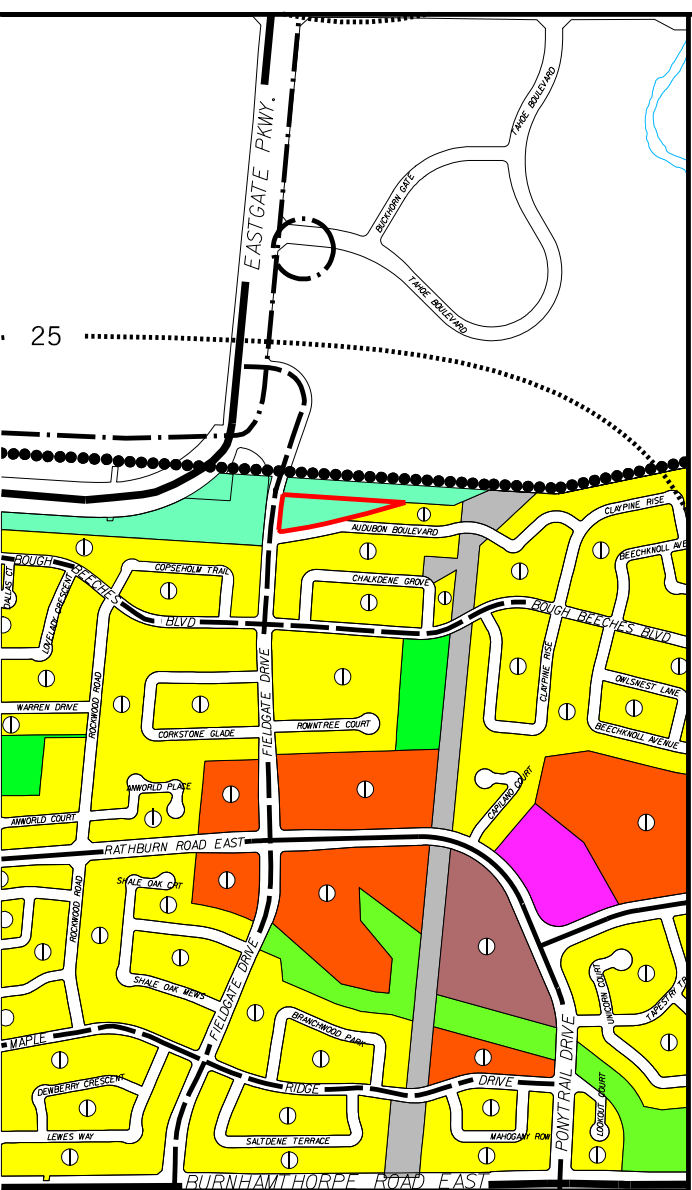
**Mississauga Plan (2003) and Rathwood District Policies
Section 4.28.6 Special Site
4.28.6.6 (MPA- 123)**



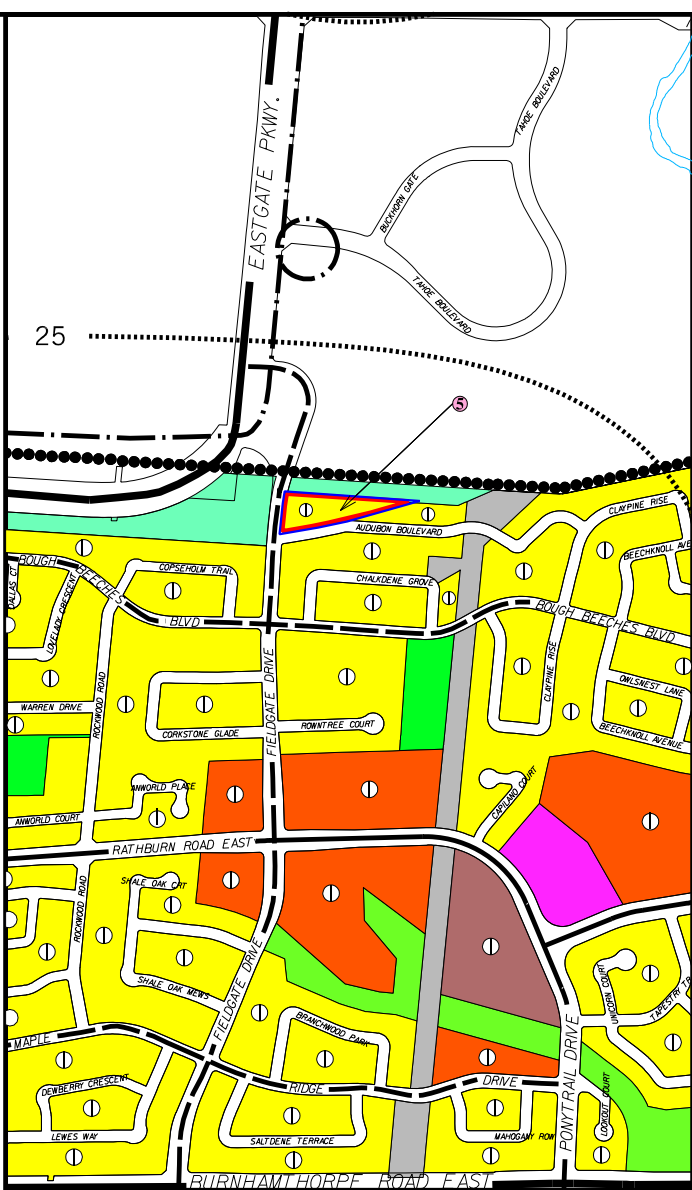
4.28.6.6 Site 5

The lands identified as Special Site 5 are located east of Fieldgate Drive and north of Audubon Boulevard.

Notwithstanding the provisions of the Residential Low Density I designation of this Plan, only detached dwellings will be permitted.



EXISTING LAND USE DESIGNATIONS



AMENDED LAND USE DESIGNATIONS

LAND USE DESIGNATIONS

- Residential – Low Density I
- Residential – Low Density II
- Residential – Medium Density I
- Residential – High Density I
- Residential – High Density II
- General Retail Commercial
- Convenience Retail Commercial
- Motor Vehicle Commercial
- Office
- Public Open Space
- Greenbelt
- Parkway Belt West
- Utility

TRANSPORTATION LEGEND

- Provincial Highway and Interchange Arterial
- Major Collector
- Minor Collector
- Local Road
- Bus Rapid Transit Corridor
- Bus Rapid Transit Station
- Major Transit Corridor

*Amendment No. 95 Appealed to the Ontario Municipal Board.
Delete and replace with Higher Order Transit Corridor*

LAND USE LEGEND

- Regulatory Floodplain
- Node Boundary
- 1996 NEP/2000 NEF Composite Noise Contours
- Planning District
- Special Site Areas (See Special Site Policies)

AREA OF AMENDMENT NO. 123

FROM

Parkway Belt West

TO

Residential Low Density I and PROPOSED SPECIAL SITE 5

0 50 100 150 200 250 300 meters

Schedule 'A'

Part of

Rathwood District Land Use Map

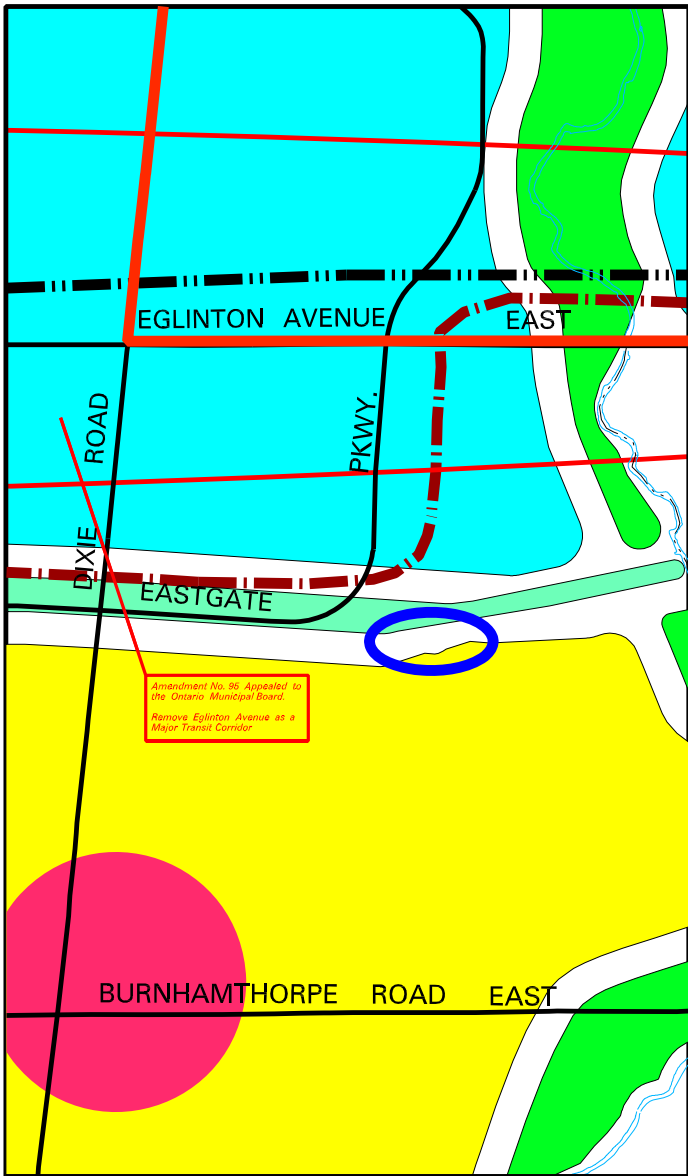
Rathwood District Policies of Mississauga Plan (Official Plan)

SCHEDULE 'A' TOGETHER WITH THE TEXT CONSTITUTES AMENDMENT No. 123

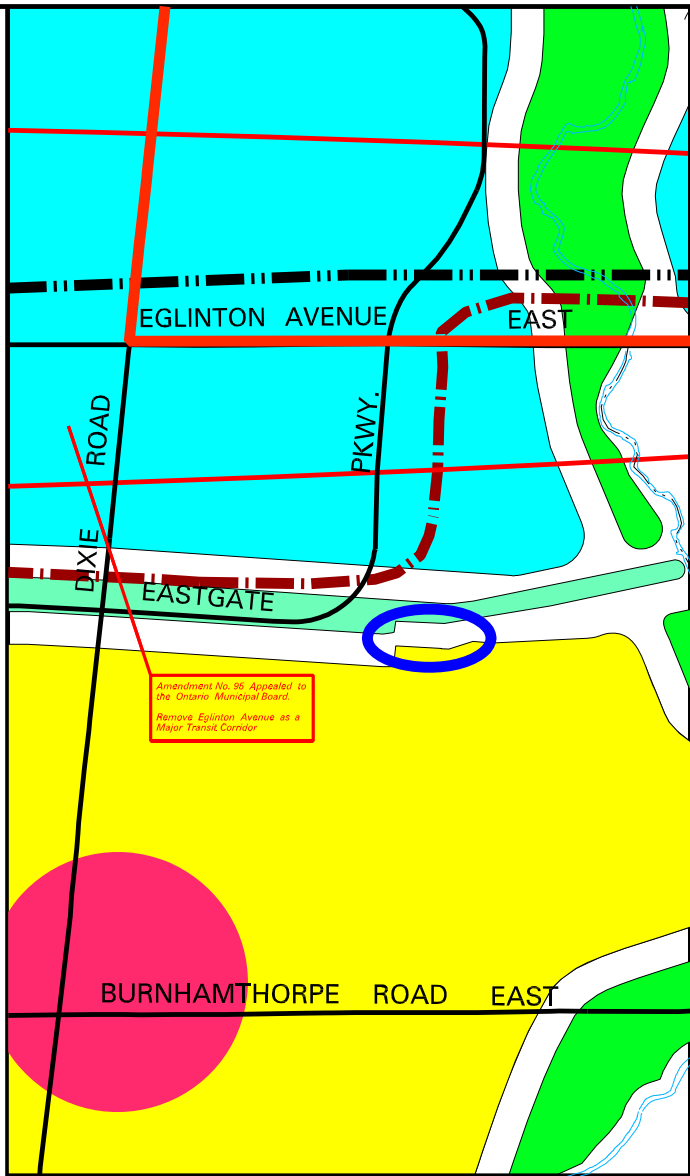
This Consolidation Includes Latest Approved Amendment – No. 40
OMB File No. PL080347 2010 February 23

City of Mississauga

April 2010



EXISTING SCHEDULE 2



AMENDED SCHEDULE 2

- Residential
- Employment
- Major Open Space
- Parkway Belt West
- City Centre
- Nodes
- Airport
- Lake Ontario Waterfront
- Existing Commuter Rail
- Bus Rapid Transit Corridor
- Transit Airport Connections
- Major Transit Corridor
- LBPIA Operating Area Boundary
- Lands Exempt From LBPIA Operating Area

*This Schedule does not represent
Land Use Designations
Land Use Designations are shown
on District Land Use Maps*

AREA OF AMENDMENT NO. 123

FROM
 Parkway Belt West
TO
 Residential

No changes to schedule through OPA 123,
except those specifically noted.



Schedule 'A'
Part of
Schedule 2
Urban Form Concept
of Mississauga Plan
(Official Plan)

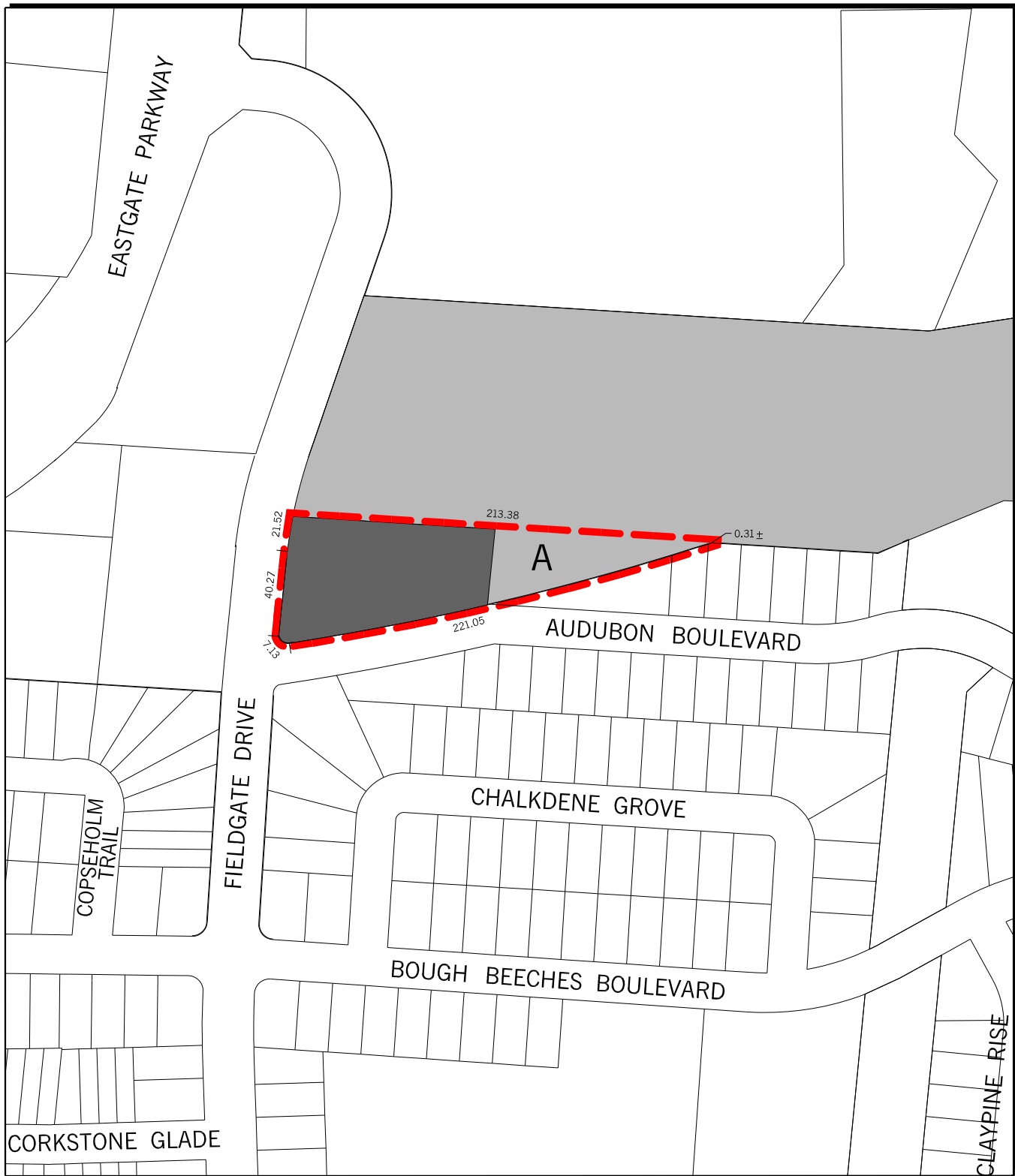
SCHEDULE 'A' TOGETHER WITH
THE TEXT CONSTITUTES AMENDMENT No. 123

This Consolidation Includes Latest Approved Amendment - No. 95
Regional Partial Approval 2010 January 07

City of Mississauga

2010 April

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LEGEND:



SUBJECT LANDS

NOTE: LANDS ARE SUBJECT TO HOLDING PROVISIONS.



SEVERED LANDS 'B' 41/11



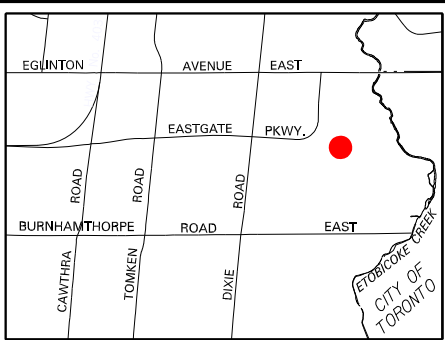
LANDS RETAINED BY
INFRASTRUCTURE ONTARIO

A

RETAINED AREA OF SUBJECT LANDS
REQUIRING FUTURE SEVERANCE.



**SUBJECT: LANDS SEVERED AND RETAINED
BY INFRASTRUCTURE ONTARIO**



FILE NO:
BL.09.PAR
DWG. NO:
BL09PAR PBA S
SCALE:
1:3000
PDC DATE:
2012 06 25
DRAWN BY:
K. PROKOP

APPENDIX 2

MISSISSAUGA
Planning and Building

Produced by
T&W, Geomatics