Corporate Report

Clerk's Files

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DATE: June 7, 2011

TO: Chair and Members of Planning and Development Committee
Meeting Date: June 27, 2011

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Proposed New Mississauga Official Plan**
Region of Peel – Draft Notice of Decision

RECOMMENDATION: That the report titled "Proposed New Mississauga Official Plan Region of Peel - Draft Notice of Decision," dated June 7, 2011 from the Commissioner of Planning and Building be adopted and a copy forwarded, by the City Clerk, to the Regional Municipality of Peel, the City of Brampton and the Town of Caledon.

BACKGROUND: The proposed new Mississauga Official Plan (MOP) was adopted by City Council on September 29, 2010 and forwarded to the Region of Peel on October 8, 2010 for approval. The Region had 180 days to issue a Notice of Decision, which expired on April 12, 2011.

On March 30, 2011, City Council considered a report titled "Proposed New Mississauga Official Plan – Requested Modifications – Report on Comments", dated March 1, 2011 from the Commissioner of Planning and Building and adopted a number of recommendations that were forwarded to the Region of Peel for modification to MOP. In addition, a number of development applications have been approved subsequent to the MOP being forwarded to the Region of Peel. The Region of Peel has provided a draft Notice of Decision (attached as Appendix 1) to the City addressing these and other matters, for review and comment. Regional staff propose to present the Notice of Decision to Regional Council in September 2011.

The Region of Peel is in the process of updating its Official Plan with several amendments to conform to the Province's Growth Plan. Since some of these amendments have been appealed to the Ontario Municipal Board (OMB), the Region has agreed to approve the MOP under the existing Region of Peel Official Plan. The expeditious approval of MOP is necessary so that an appropriate policy framework is in place to review development applications, direct infrastructure investments and guide City planning initiatives. Once the new Region of Peel Official Plan update is complete and a new official plan is in effect, non-decisions on MOP will be addressed and amendments to MOP may be necessary to ensure conformity.

COMMENTS:

The draft Notice of Decision from the Region of Peel includes four modifications proposed by the Region, modifications requested by the City, application-based modifications and two non-decisions. The Notice also identifies how other requests for modifications prior to the issuance of the final Notice of Decision would be considered. The modifications and non-decisions, as outlined below, are all acceptable to staff.

Region of Peel Modifications

The Region of Peel has reviewed the MOP under the existing Region of Peel Official Plan policies and are proposing the following modifications:

Amendments to Regional Road Right-of-Way Widths

In reviewing Table 8-1: Road Classification – Arterials and Schedule 8, Designated Right-of-Way Widths, the Region has identified some inconsistencies in right-of-way widths on Regional roads. Modifications are proposed to MOP to be consistent with the Regional Official Plan.

Conversion of Employment Lands

The Region is proposing to modify Policy 10.1.4 to prohibit lands designated Office and Institutional (in addition to lands designated Employment and Industrial) within Corporate Centres and Employment Areas from conversion to a non-employment use unless considered through a municipal comprehensive review.

Infrastructure

A modification is proposed to Policy 10.1.7, which currently states that "to encourage economic development and competitiveness, Mississauga will ensure the necessary infrastructure is provided to support current and forecasted employment needs." The proposed modification revises this policy to clarify that it only applies to infrastructure under the jurisdiction of Mississauga.

Community Improvement Plans

The Region is proposing an amendment to the Implementation chapter, Section 19.21, Community Improvement, to indicate that Peel Region may be a planning and/or financial partner in a Community Improvement Plan.

City-requested Modifications

On March 30, 2011, City Council adopted a report titled "Proposed New Mississauga Official Plan – Requested Modifications – Report on Comments", which included city-requested modifications to the proposed new Mississauga Official Plan to be included in the Region of Peel's Notice of Decision. The Region proposes to incorporate all the requested modifications.

Application-based Modifications

Since the adoption of the proposed new Mississauga Official Plan on September 29, 2010, there have been a number of official plan amendments adopted by City Council that have been forwarded to the Region of Peel for incorporation into the final approved plan. The Region is proposing to include these site specific official plan amendments in the Notice of Decision.

Non-decisions

Until the appeals to the Regional Official Plan amendments are resolved, the Region is proposing non-decisions on the following matters:

Ninth Line Lands
The Ninth Line lands are the subject of Regional Official Plan Amendment (ROPA) 24, which is currently under appeal to the OMB. Since this amendment is not in effect, a non-decision is proposed on policies pertaining to these lands.

Population and Employment
The population and employment numbers included in MOP match the numbers included in the ROPA 24 and since this amendment is under appeal, a non-decision is proposed.

STRATEGIC PLAN: The results of the "Our Future Mississauga – Be part of the conversation" informed the preparation of the new proposed Mississauga Official Plan. The official plan is an important tool to implement the land use components of the Strategic Plan and approval of the MOP will allow the new policies to be applied.

FINANCIAL IMPACT: Not applicable

CONCLUSION: The Region of Peel has circulated a draft Notice of Decision on the proposed new Mississauga Official Plan to the City of Mississauga for comment. Staff have reviewed the draft Notice and are satisfied with the content. This report recommends endorsement of the draft Notice of Decision and that the Region of Peel be notified of the City's concurrence with the Notice.

ATTACHMENT: APPENDIX 1: City of Mississauga Official Plan Draft Notice of Decision, June 6, 2011

Original Signed By:

Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Marianne Cassin, Planner

Appendix 1

CITY OF MISSISSAUGA OFFICIAL PLAN
DRAFT
NOTICE OF DECISION
JUNE 6, 2011

DRAFT DECISION WITH RESPECT TO THE APPROVAL OF THE CITY OF MISSISSAUGA OFFICIAL PLAN BY THE REGIONAL MUNICIPALITY OF PEEL PURSUANT TO THE PLANNING ACT, s.17 & s.26

The Regional Municipality of Peel proposes to approve the City of Mississauga Official Plan, as adopted by City Council on September 29, 2010 by By-Law No. 0305-2010, subject to the following modifications and non-decisions:

Modifications

Table 8-1: Road Classification – Arterials
Schedule 8, Designated Right-of-Way Widths

Inconsistencies in road right-of-way widths on Regional roads in the Mississauga Official Plan are proposed to be modified to be consistent with the right-of-way widths shown for these Regional roads in the Regional Official Plan.

Policy 10 Foster a Strong Economy
Policy 10.1.4

Modification of Policy 10.1.4 is proposed to prohibit lands that are designated Office and Institutional, in addition to lands designated Employment and Industrial, within Corporate Centres and Employment Areas from conversion to non-employment uses unless conversion is considered through a municipal comprehensive review.

Policy 10 Foster a Strong Economy
Policy 10.1 7

Modification of Policy 10.1.7 is proposed to state that Mississauga will ensure that City infrastructure will be provided to support current and forecasted employment needs.

Policy 19 Implementation
Policy 19.21 Community Improvement

Modification of Policy 19.21 is proposed to add a phrase stating that Peel Region may be a planning and/or financial partner in a Community Improvement Plan.

City-Requested Modifications

Modification of various sections of the Mississauga Official Plan is proposed in accordance with Appendix 2 of City Planning staff report CD.03.MIS, dated March 1, 2011 as approved by City Council on March 30, 2011.

Application-Based Modifications

The following Amendments to the City of Mississauga Official Plan have been approved since the adoption of the Official Plan by City Council on September 29, 2010.

- Amendment No. 110, South Side of Burnhamthorpe Road East, West of Ponytrail Drive, 1810 Burnhamthorpe Road East,
- Amendment No. 111, 3464 Semenyk Court,
- Amendment No. 112, East Side of Mississauga Road, South of Alpha Mills Road,
- Amendment No. 113, South Side of Lakeshore Road West, West of Pine Avenue South,
- Amendment No. 115, Southeast Corner of Bristol Road West and Terry Fox Way,
- Amendment No. 116, East Side of Cawthra Road, north of Dundas Street East, and
- Amendments to the City of Mississauga Official Plan which may be approved prior to the Region's Issuance of Notice of Decision.

Other Requests for Modification

Prior to our issuance of Notice of Decision on the City of Mississauga Official Plan, Regional staff anticipate that there may be further requests for Modifications. We propose to process these requests as follows:

- We propose to include minor modifications where the modification is in keeping with the intent of the Mississauga Official Plan.
- We propose to refuse substantive modifications that have previously been requested of City Council and refused by City Council.
- We propose to defer our decision on substantive modifications that have not previously been requested of and considered by City Council.

Non-Decisions

Peel Region Official Plan Amendment No. 24, Growth Management, Employment Lands and Greenbelt Plan conformity, is currently under appeal to the Ontario Municipal Board. It is Regional staff's view that Regional Plan Amendment No. 24 should be approved and in effect prior to our approval of the City of Mississauga Official Plan policies for the Ninth Line Corridor Lands and for the City of Mississauga Official Plan population and employment forecast numbers.

Prepared by
Brock Criger
June 6, 2011