

QUEENSWAY HYDRO CORRIDOR LAND USE STUDY

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Queensway Hydro Corridor Land Use Study

1.0 INTRODUCTION

1.1 Background

The hydro transmission corridor lands between Palermo Junction near Highway 25 and Upper Middle Road in Oakville and the Manby Transformer Station on Kipling Avenue in Etobicoke were deemed to be surplus in a 1997 Class Environmental Assessment (Class EA) titled "Supply to the Town of Oakville." This right-of-way traverses Mississauga parallel to the Queensway and is known locally as the Queensway Hydro Corridor ("the Corridor") (Figure 1). The Class EA recommended the removal of the surplus 115 kV transmission line from Palermo Junction easterly to a point west of Stanfield Road, south of the Queensway East. The removal and decommissioning of all transmission facilities within the Corridor is almost complete. Hydro One Networks Inc. has expressed an interest in disposing of the Corridor and, as a result, the lands may be made available to private interests. Since this study was initiated, interest has been expressed in using the Corridor for an additional pipeline to provide the necessary gas service for the conversion to gas of Lakeview Generating Station.

The Queensway Hydro Corridor is part of a larger utility corridor from Burlington to Toronto. In much of Oakville, the Corridor is greenfields where there are opportunities for development in conjunction with adjacent lands. In Toronto, the lands are leased for parking purposes. The portion of the Corridor and adjacent lands in Mississauga are not greenfields, there are limited opportunities for development and parking, and other linear users may have an interest in the lands.

A report titled "Proposed Queensway Hydro Corridor Land Use Study and Interim Control By-law" dated April 11, 2000 concluded that a land use study of the Queensway Hydro Corridor, within the context of adjoining lands, should be undertaken to assess land use options. Further, it was recommended that an Interim Control By-law be enacted for the Queensway Hydro Corridor for a period of one year to allow the City time to review and, where appropriate, revise the land use policies with respect to these lands. The Interim Control By-law does not apply to lands adjoining the Queensway Hydro Corridor and development applications on neighbouring sites will be processed on their own merits during the Interim Control By-law period. Subsequently, on May 10, 2000 City Council considered the report and adopted the following:

1. That staff prepare a Land Use Study of the Queensway Hydro Corridor as outlined in the report titled "Proposed Queensway Hydro Corridor Land Use Study and Interim Control By-law," dated April 11, 2000 from the Commissioner of Planning and Building.
2. That the area for the Land Use Study of the Queensway Hydro Corridor be extended easterly to the Etobicoke Creek.
3. That staff prepare an Interim Control By-law for all lands within the Queensway Hydro Corridor for consideration by City Council as outlined in the report titled "Proposed Queensway Hydro Corridor Land Use Study and Interim Control By-law," dated April 11, 2000 from the Commissioner of Planning and Building.

Pursuant to part three of the above recommendation, City Council, on May 10, 2000 adopted By-law Number 0217-2000, being an Interim Control By-law, which limits the use of the Corridor for the transmission and distribution of electricity and gas, and for a public park. In order to complete the review for this study, Interim Control By-law 0217-2000 was extended with By-Law # 0204-2001 until May 2002.

1.2 Purpose

This study addresses the first and second part of the above recommendation and reviews the opportunities as well as the encumbrances for the potential future use of these lands.

1.3 Study Method & Approach

The approach included research, a consultation process, as well as an evaluation of the development potential of these lands.

The background research consisted of the collection and assembly of data regarding the license agreements and easements pertaining to these lands. The Queensway Hydro Corridor has two types of users. Utilities, such as Enbridge Consumers Gas and Enersource Hydro Mississauga, use large linear segments of the Corridor through easements with Hydro One Networks Inc.. In addition, the use of selected parcels in conjunction with an adjoining use, has been negotiated in the form of license agreements that are scattered through the Corridor and represents distinct interests.

The consultation process assessed the land use requirements of the primary stakeholders: the City of Mississauga, the Region of Peel, Enbridge Consumers Gas and Enersource Hydro Mississauga. The process included contacting and documenting the interests of the stakeholders through both correspondence and interviews. This focus is the result of the large scale nature of their involvement, their role as infrastructure providers, as well as the encumbrances they likely pose in relation to development on these lands. Finally, an assessment of the lands for potential development was conducted.

2.0 CORRIDOR DESCRIPTION & ADJACENT LAND USES

2.1 Corridor Description

Within Mississauga, the Queensway Hydro Corridor is approximately 50 ha (125 acres) in area and 11.5 km (7.1 miles) in length. The width of the Corridor is approximately 35 m (115 ft) throughout its length. There is a section where it widens to approximately 90 m (295 ft) east of Cawthra Road. The Corridor extends the length of the City boundaries from Winston Churchill Boulevard to the Etobicoke Creek, running parallel to Sheridan Park Drive, the Queensway West, and the Queensway East. The Corridor represents a continuous east-west route through the City, however, the lands are separate parcels, separated by road allowances and the Credit River.

Despite the fact that the hydro transmission facilities are being removed, the Corridor is still used by other utilities and governments, including Enbridge Consumers Gas (Enbridge), Enersource

Hydro Mississauga, the Region of Peel and the City of Mississauga. The Enbridge easement bisects most of the Corridor and is 3m (10 ft) wide. Enersource Hydro Mississauga is in the process of erecting new poles to carry its distribution lines in segments where they can no longer connect to Hydro One Networks Inc. facilities. The City and the Region have easements and licences at various locations throughout the Corridor. In addition, part of the Corridor is used for parking by Sheridan Mall. Trillium Health Centre uses part of it for parking, landscaping and internal driveways. The Credit Valley Golf and Country Club and the Mississauga Golf and Country Club have unregistered license agreements for use of the Corridor along the Credit River.

The area for this land use study extends through Mississauga to the Mississauga/Toronto municipal boundary, although Hydro One Networks Inc. will retain part of the Corridor lands from the easterly municipal boundary of the City to a point between Kilgorie Court and Haltyre Court for hydro transmission purposes.

2.2 Adjacent Land Use

Proceeding easterly from Winston Churchill Boulevard to the Etobicoke Creek, adjacent lands have been developed as follows (see Figure 2):

2.2.1 Winston Churchill Boulevard to Credit River

In this segment, adjacent lands have been developed primarily for residential uses consisting generally of detached dwellings, except for the following:

- employment uses east of Winston Churchill Boulevard, south of Sheridan Park Drive, which comprise the Sheridan Research Park;
- a District Commercial Centre on the east side of Erin Mills Parkway that includes Sheridan Mall;
- golf courses on the north and south side, at the Credit River; and,
- Sheridan Park, Loyalist Creek Hollow, and Lincoln Hollow Park.

2.2.2 Credit River to Hurontario Street

In this segment, adjacent lands have been developed primarily for residential uses consisting of detached dwellings, except for the following:

- parks include Stillmeadow and Huron Park, as well as park licenses at Mississauga Heights Drive, and between Courier Lane and Gordon Drive;
- a private school at Mavis Road; and,
- Mississauga Hospital, offices and apartments between Confederation Parkway and Hurontario Street.

2.2.3 Hurontario Street to Etobicoke Creek

This area is the most diverse part of the Queensway Hydro Corridor. In this segment, detached residential dwellings on adjacent lands are combined with the following:

- a convenience centre at Hurontario Street;
- a food store/garden centre at Camilla Road;

- parks include Mohawk and Cooksville Park, as well as Camilla Park south of the Queensway East and Etobicoke Valley north of the Queensway East);
- elementary and senior schools; and,
- employment uses north of Queensway East and east of Hensall Street.

2.4 Active Development Applications

The active and recently completed projects near and adjacent to the Hydro Corridor are as follows:

- A project for condominium detached dwellings (OZ 99/039) on the east side of Stavebank Road, south of Isabella is currently under construction;
- A site plan application by Microcell Applications was approved for the installation of a telecommunications shelter within the Corridor just west of Stanfield Road, and;
- Trillium Health Centre has recently completed an expansion to their emergency services and cardiac health care Departments.

3.0 CITY PLAN POLICIES

3.1 City Plan Policies

The Queensway Hydro Corridor traverses the Sheridan Residential, Erindale, Cooksville and Lakeview Planning Districts, as shown in Figure 1. The Corridor lands are designated “Utility” in each of these Planning Districts to recognize the existing natural gas pipeline (Enbridge pipeline), Enersource Hydro Mississauga distribution facilities, as well as the Hydro One Networks Inc. transmission facilities which are currently being decommissioned.

3.1.1 Physical Services and Utilities Strategic Policies

Section 4.11.7.6 of City Plan permits parking, outdoor industrial storage, open space and recreation uses in Ontario Hydro's (now Hydro One Networks Inc.) rights-of-way subject to prior agreement with Ontario Hydro; site plan approval, where appropriate; and the policies of City Plan. Further, Section 4.11.7.7 permits other uses on hydro lands where deemed by City Council to be compatible with adjacent land uses, by agreement with the appropriate authority without amendment to the Plan. These policies are being examined as part of the review of City Plan. With respect to gas and oil pipelines, Section 4.11.6.2 requires that setbacks for buildings used as a residence, place of work or public assembly will be established in relation to the size of the pipeline facility.

3.1.2 Environmental Policies & Natural Areas

The Hydro One Networks Inc. right-of-way crosses two major woodlands, one smaller woodland, the Credit River, Loyalist Creek, Sawmill Creek and Cooksville Creek and terminates at Etobicoke Creek. These features are identified as part of the Natural Areas System on Schedule 3 of City Plan. A portion of the right-of-way between Stillmeadow Road and Gordon Woods crosses through an area identified as a Residential Woodland. Section 4.2.2.1 of City Plan states that no new building development, roadways or linear utilities should be allowed within Significant Natural

Sites or Natural Sites. Proposals within or adjacent to Natural Areas must submit an Environmental Impact Statement (EIS) to the satisfaction of the City, while development and redevelopment proposals in Residential Woodlands should preserve the existing tree canopy.

There is one "Site with Potential Contamination" identified by City Plan in proximity to the Corridor in the vicinity of Mississauga Road. The former waste disposal site location is based on Ministry of Environment records.

4.0 ZONING

Most of the Queensway Hydro Corridor is zoned "O3" which is an Open Space zone (Figure 3). Under the General Provisions for Open Space zones, any person may use land or a building for an agricultural purpose and erect a detached dwelling on a lot subject to the requirements of the "R4" zone category. Lands zoned "O3" may also be used for: a building or structure erected for the transmission or distribution of electricity; and, a cemetery, mausoleum, columbarium or crematorium with the necessary approvals and in compliance with the Zoning By-law standards for development of cemeteries.

That part of the Corridor between Stavebank Road and Hurontario Street is zoned "R1", and "R1-Section 1087". The "R1" zone permits with certain restrictions: a detached dwelling on a lot; a physician, dentist, or drugless practitioner may establish a professional practice in a one-family detached dwelling with a maximum of 100 m² (1,076 sq.ft.) for the purposes of carrying on the practice; private tutoring or a group home; place of religious assembly; school; hospital; park; playground; recreational area or community centre; and golf course. The section zoned "R1-1087" permits detached dwellings in compliance with the "R1" zone provisions, except that the minimum lot frontage is 30 m (98 ft.) and the minimum lot area is 1 160 m² (0.3 acres).

5.0 STAKEHOLDER INTERESTS

The following section outlines the interests of the primary stakeholders and includes a brief review of the interests of selected private interests, some of whom have voiced their concerns. The various license agreements and encumbrances along the length of the Corridor are illustrated in Figure 2.

5.1 Hydro One Networks Inc.

Hydro One Networks Inc. intends to dispose of surplus portion hydro transmission corridor lands. Their current plans are to retain the lands east of Kilgorie Court as well as the transmission towers along this portion of the Corridor. They also intend to consider the land requirements of the major stakeholders prior to soliciting offers from private interests, and have indicated that the lands will not be placed on the open market and available to third parties until 2002.

5.2 Enbridge Consumers Gas

Enbridge Consumers Gas has an easement for a below ground natural gas pipeline 3 m in width (10 ft), which bisects most of the Corridor. They have the ability to utilize the remainder of the

Corridor as a working area in the event that maintenance on the pipeline is needed. If the Corridor is sold by Hydro One Networks Inc., Enbridge would require an easement 6 m - 9 m (20-30 ft) in width for maintenance purposes. They have indicated they have no plans to remove or relocate this pipeline within the Corridor or to another location outside the Corridor. Further, there are no setback requirements from the pipeline required by Enbridge and the 6 m - 9 m (20-30 ft) wide easement will ensure that there is adequate space to work on this pipeline in the future.

5.3 Additional Utility Line Interests - Union Gas

There have been discussions regarding the possibility of developing an additional utility line within the Corridor. Union Gas has expressed an interest in these lands. They have had limited discussions with Ontario Power Generation regarding the possibility of providing gas services, should the decision be made to convert Lakeview Generating Station to gas. The extension of an additional pipeline from Oakville to Lakeview could take approximately three years to develop.

According to Union Gas, the Queensway Corridor appears to be the only feasible means of providing a natural gas pipeline to the Lakeview Generating Station. Union Gas would be interested in securing an easement for their needs and would not be seeking to purchase the Corridor. As well, they have indicated they would support the Community Services Department plan for a multi-use recreational trail along the Corridor.

5.4 Enersource Hydro Mississauga

Enersource Hydro Mississauga (Enersource) has a three-phase plan to address their needs along the former Hydro Corridor.

The first phase deals with the portion of the Corridor from Winston Churchill to Erin Mills Parkway. In this section, Enersource has vacated the Hydro One Networks Inc. tower lines and have constructed a new pole line on the road allowance north of Sheridan Park Drive. Enersource will continue to maintain an existing line located .30 m (one foot) into the Corridor and will need to protect these lines as well as easements for underground wires (5 m (16 ft) in width) running north-south through the Corridor in the area. This phase is complete.

The second phase involves the portion of the Corridor from Hurontario Street to Kilgorie Court. Enersource has coordinated its efforts with the Region of Peel, who are proposing a widening of the Queensway East, and built a new pole line north of the Queensway to Tedlo Street and moving south of the Queensway east of this point. Enersource easements run from one to three metres (3 to 10 ft) along various sections of this part of the Corridor. Enersource is budgeting and planning to buy easements for this section of the Corridor and requires that no structures or trees be developed along the edge of the easements. Paving may occur underneath the pole line and setbacks may run to the property line (4 m (13 ft.) from property lines to structures) and do not need to run to the edge of the easement. Enersource has relocated new poles along the Queensway East road allowance from Hurontario Street to Haines Road.

Detailed designs have been completed for the central portion of the Corridor, from Erin Mills Parkway to Glengarry Road, with construction tentatively scheduled for this Fall. Enersource is intending to use the closed Queensway road allowance which extends across the Credit River for its towers. As well, preliminary discussions with the golf course representatives, in relation to the

treatment of the hydro line, are underway.

Enersource has no interest in the portion of the Corridor from Glengarry to Hurontario Street. Existing lines are located along the road allowance.

5.5 Region of Peel

The Region of Peel is concerned with the widening of the Queensway East and the planning of the Higher Order Transit Network. Although the Queensway has not been identified in the Region's Official Plan as part of the High-Order Transit Network, it was under consideration to be incorporated as part of this network.

The Region of Peel commenced an EA process for the widening of the Queensway in the fall of 1999. This process is on hold pending the completion of the City's land use study. The draft design for the widening has been completed and they are proceeding with a scenario under which most of the Region's land requirements for the widening can be accommodated in the existing right-of-way. The exceptions are a few parcels east of Dixie Road and slivers of land, which are primarily at intersections, for additional work such as noise attenuation walls and landscaping and do not significantly affect the Corridor lands.

The design for the road widening is in draft form and the Region may further reduce their land requirements for this project in the consultation process that is underway.

The final issue in relation to these lands is an outstanding land exchange between the Region of Peel and Hydro One Networks Inc. for lands between Stavebank Road to Hurontario Street which will need to be resolved.

5.6 City of Mississauga - Community Services Department

According to the plans of the Community Services Department, a proposed east-west multi-use recreation trail from Winston Churchill Boulevard to Etobicoke Creek is proposed along the Queensway and could be accommodated in the right-of-way. Another option is to develop the trail over the existing Enbridge easements. The potential availability of the Corridor lands creates the possibility of a trail alignment of 3.5 m (11 ft.) with a 1m (3.3 ft) buffer from Winston Churchill to Mississauga Road and Glengarry Road to the City limit.

5.7 City of Mississauga - Transportation and Works

The Queensway Corridor, between the easterly municipal boundary and Hurontario Street, might be utilized as an inter-regional transit link. The development of this link along the Queensway would require an extensive review which would take other potential transit corridors, such as the Milton rail line or Dundas Street, into consideration.

The connection of Speakman Drive, by the extension of Sheridan Park Drive, has been given a low priority due to its projected low vehicle capacity ratio, and is tentatively programmed for 2010 to 2021. Depending on the development potential of the Corridor lands, a realignment of the existing Sheridan Park Drive right-of way could be considered.

The possible realignment of Stavebank Road either east or west, south of the Queensway has

been raised by some of the area residents. This realignment would address the cut-through traffic issue related to Stavebank Road. This issue will be reviewed by the City and Region when the Dundas Street widening is completed.

The need for additional right-of-way for Blythe Road in the vicinity of Glatt's Lane to accommodate a standard local road 20 m (66 ft) should be protected. Related to this are the property requirements to construct a turning circle at the east and west limits of Blythe Road.

A study of Mary Fix Creek, which is currently underway, may indicate the need for a storm water facility at the Queensway Corridor in addition to currently planned facilities.

5.8 Private Sector Interests

- **Trillium Health Centre**

The Trillium Health Centre leases lands it occupies directly in front of the Mississauga site from Hydro One Networks Inc. which are used for access, parking and landscaping. It has been negotiating with Hydro One Networks Inc. for the acquisition of the title to these lands.

- **Sheridan Mall**

Sheridan Mall currently leases a portion of the Corridor directly south of Lincoln Green Way from Hydro One Networks Inc. for parking and may be interested in the purchase of this parcel for future parking purposes.

- **Credit Valley Golf and Country Club and Mississauga Golf and Country Club**

Both golf courses have unregistered license agreements for the use of the Corridor along the Credit River.

- **Public/Area Residents**

Some residents contacted Realty Services staff regarding the decommissioning of the Hydro Corridor and the City's potential interest in acquiring the land. Residents have indicated that they would like to see the lands become public parkland.

6.0 DEVELOPMENT POTENTIAL

6.1 Development Controls

Since the enactment of the *Energy Competition Act* and the resultant reorganization of Ontario Hydro, which included the transfer of all transmission assets to Hydro One Networks Inc. (which does not have the status of a Crown Agent), the *Planning Act* has been amended to provide Hydro One Networks Inc. with an exemption from the subdivision control provisions only where:

1. it is acquiring land for the purposes of an electricity transmission line; or

2. it is disposing of land formerly used for electricity transmission line purposes to the persons from whom the land was originally acquired.

As the Electricity Act specifically confirms that Hydro One Networks Inc. is not an agent of the Provincial Crown, the status exemption previously enjoyed by Ontario Hydro can no longer be asserted by Hydro One Networks Inc., whose transactions in land must now comply with one of the two requirements noted above, or, otherwise in all other cases, a consent or plan of subdivision would be required where Hydro One Networks Inc. intends to sever parts of an existing utility corridor. While Hydro One would be able to sever blocks of the corridor bounded by municipal road allowances without consent or subdivision approval, it does not have an automatic entitlement to sever the corridor into individual residential lots (where practical and feasible) unless the subdivision control provisions of the Planning Act are satisfied.

6.2 Development Potential

Development potential along the Corridor is severely limited by numerous licenses, easements and the land requirements of the larger linear users. Enbridge, for example, currently has a 3m (10 ft) easement. If the lands are sold, Enbridge would require a 6-9m (20 - 30 ft) easement to maintain the pipeline. Although development potential has been reviewed on a site by site basis, it is premature to consider alternative land uses until decisions are made regarding the possible conversion of Lakeview Generating Station to gas, and the land requirements for an additional pipeline to provide the gas service in the Corridor are known.

6.3 Potential Linear Uses

The subject lands are important because they provide a continuous east-west linear Corridor route through the City for future utility, transportation and recreation trail needs. They may be required not only to provide for a possible additional natural gas pipeline to serve Lakeview Generating Station, but also accommodate any future unforeseen utility needs for a vacant linear corridor.

7.0 CONCLUSIONS

This study has identified and reviewed the development opportunities and constraints for the future use of the decommissioned portion of the Queensway Hydro Corridor. These lands are encumbered, in large part, by an Enbridge pipeline which bisects the majority of the Corridor. There is also interest in developing a second pipeline from Oakville to Lakeview Generating Station and the Corridor lands appear to be the only feasible means of its development. This pipeline could take approximately three years to develop. As well, there are recreational and transportation interests in maintaining an east-west linear Corridor through the City.

Given the importance of preserving the Corridor for existing and future linear utility functions, particularly an additional pipeline to provide gas for the possible conversion of Lakeview Generating Station, as well as for possible transit uses and a multi use recreation trail, it is recommended that the entire corridor continue to be designated "Utility" in City Plan and zoned "O3". This will permit the use of the lands for utility purposes, and the existing parking for Trillium Health Centre, Sheridan Mall, and Queentario Plaza. (Figure 4)

Applications for other development within the Corridor should be dealt with on their own merits.

8.0 RECOMMENDATION

That the Queensway Hydro Corridor continue to be designated "Utility" in City Plan and zoned "O3", "R1" and "R1-Section 1087".

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