

John D. Rogers & Associates Inc.

PLANNING JUSTIFICATION REPORT

St. Mark and St. Demiana Church
East side of Ninth Line, South of Burnhamthorpe Road West
City of Mississauga

July 2020
Rev. February 2022

1.0 INTRODUCTION

John D. Rogers & Associates Inc. has been retained by Coptic Orthodox Church to complete a Planning Justification Report in relation to a Zoning By-law Amendment application.

The subject lands are situated on the east side of Ninth Line, south of Burnhamthorpe Road West, in the City of Mississauga and have an area of approximately 3.93 ha.

The purpose of the application is to permit the construction of an 11,592m² Place of Religious Assembly and 10,830m² Community Services building. Development of the subject lands is intended to be constructed in two phases. Phase I will involve the Place of Religious Assembly while Phase II will incorporate the Community Services building.

The following report will review the applicable policies found within the documents noted below to justify the application based upon good planning principles:

- Provincial Policy Statement
- Places to Grow: Growth Plan for the Greater Golden Horseshoe
- Region of Peel Official Plan
- Mississauga Official Plan
- City of Mississauga Zoning By-law

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The subject lands are situated on the western edge of the City of Mississauga, on the east side of Ninth Line, south of Burnhamthorpe Road West; legally described as Part of Lot 9, RCP 1542; Parts 6, 7 & 9, 43R-37503. The subject lands are approximately 3.93ha in size; generally rectangular in shape with approximately 318m of frontage along Ninth Line; and have an average depth of approximately 122m. A road widening along Ninth Line will reduce the total area of the site to approximately 3.74ha. Highway 403 forms the easterly side of the subject lands. Lands on the west side of Ninth Line are situated in the Town of Oakville, Halton Region. Ninth Line is a Regional Road under the jurisdiction of Halton Region. Figure 1 provides an aerial photograph of the subject lands.

The subject lands are currently vacant with the southern portion of the property currently being utilized by a tree care company for vehicle and equipment storage, the northern portion of the subject lands are being used for agricultural purposes. Apart from a berm along the Highway 403 corridor, the subject lands are generally flat.

Figure 1 outlines the subject lands in red.

Figure 1



The subject lands are designated “Business Employment” in Mississauga Official Plan and are within the “Urban System” per the Region of Peel Official Plan. Similarly, the lands on the west side of Ninth Line are designated “Employment Area” in the North Oakville East Secondary Plan and “Urban System” per the Halton Regional Official Plan.

The subject lands are currently zoned E2-93 which permits only “Active Recreational Use” and “Cemetery”. Lands on the opposite side of Ninth Line, in the Town of Oakville are zoned “Existing Development” which permits the use of legally existing buildings and structures.

The surrounding area is characterized by predominantly undeveloped lands.

North: Directly to the north of the proposed development is a Self Storage Facility that was constructed circa 2017.

South: Lands to the south are vacant and used for agricultural purposes.

East: Lands on the opposite side of Highway 403 have been developed for Business Employment uses and form part the Western Business Park.

West: Lands on the opposite side of Ninth Line are existing rural residential properties situated in the Town of Oakville.

3.0 DESCRIPTION OF DEVELOPMENT

The Coptic Orthodox Church intends to develop the subject property with a Place of Religious Assembly and Community Services Building.

The Place of Religious Assembly building (Phase I) is intended to contain several ancillary uses in addition to the principle worship area and secondary chapel; such as a cafeteria and banquet/multi purpose hall, Sunday school classrooms, and gymnasium facilities.

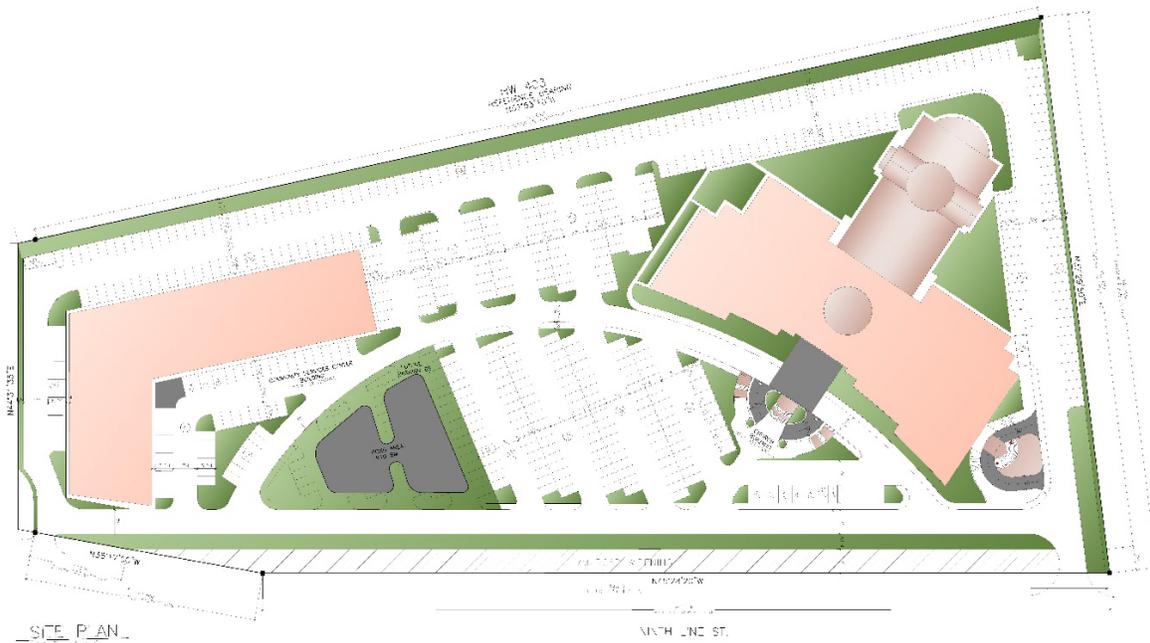
The Community Services building (Phase II) is intended to provide additional services to members of the congregation and the public-at-large, predominantly in the form of offices for counselling and newcomer services, medical office, tutoring, training and career development and other community supportive uses (food bank).

At the present time there are no municipal sewer services for storm and sanitary, as a result it is intended that Phase I will be constructed by means of private sanitary sewage treatment system, and on-site storm water management facility, until such time as municipal services are available.

Due to the servicing constraints, Phase I, is intended to be constructed while providing 523 parking spaces; the proposed parking will increase to 725 parking spaces when Phase II is constructed, and municipal servicing is accessible; it is recommended that a holding provision be imposed through the development application approval process to restrict the development of the second phase until such time as municipal services are available.

Figure 2 is the overall conceptual site plan.

Figure 2.



4.0 ZONING BY-LAW AMENDMENT

Based on a comprehensive review of the applicable Official Plan policies and Zoning By-law regulations affecting the subject lands, a Zoning by-law Amendment is required in order to permit the proposed development.

The Zoning By-law Amendment proposes to rezone the subject lands to an E2-Exception zone with a Holding provision on the Phase II lands until such time as sufficient municipal sanitary services are available, while implementing the policies of the Official Plan and Provincial Policy Statements. A reduction to the standard parking requirements is also being proposed to address the complementary uses being proposed. The E2-Exception Zone being proposed permits a broad range of employment related uses, as well as the proposed place of religious assembly. The proposed special provisions generally relate to the reduction in number of parking spaces based on the complementary uses and shared parking being proposed.

The proposed draft Zoning By-Law Amendment is attached as an appendix to this report. Site specific special provisions are to be confirmed and refined subject to the review of the application by staff through the review and approval process.

5.0 PLANNING DOCUMENT REVIEW AND ANALYSIS

The proposed development and required zoning amendment have been reviewed to determine applicable planning and development policies impacting this application. Each section will outline the applicable policies and contain planning rationale with respect to conformity and development principles.

5.1 2014 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act *“provides policy direction on matters of provincial interest related to land use planning and development”* in order to ensure efficient, cost efficient development and the protection of resources. Official Plan and Zoning By-law Amendment applications are required to be consistent with these policies.

The following policies of the PPS are relevant with respect to the proposed development.

- Section 1.1.1 - Healthy, liveable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing

and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

The subject lands are situated in the City of Mississauga, a settlement area. Policy 1.1.3.1 stipulates that settlement areas shall be the focus of growth and development, and their vitality and regeneration promoted and furthermore that land uses patterns within settlement areas be based upon densities and mix of land uses that efficiently use land and resources (1.1.3.2).

- 1.6.6.4
 - Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.
 - At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the character of rural settlement areas. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of rural settlement areas and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.
- 1.6.6.5
 - Partial services shall only be permitted in the following circumstances:
 - a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or
 - b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts. Where partial services have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in rural areas in municipalities may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In accordance with subsection (a), the extension of partial services into rural areas is only permitted to

address failed individual on-site sewage and individual on-site water services for existing development.

- 2.1.8
 - Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

The proposed by-law amendment is consistent with the Provincial Policy Statement as the proposal provides a development opportunity that makes efficient use of the land and provides a development opportunity for an institutional land use to meet the long-term needs of the City of Mississauga and surrounding area while complementing the existing range of employment uses in the area to support a complete mixed-use community. Furthermore, partial private servicing can be permitted within settlement areas provided that the site conditions are suitable for the long-term provision of such services with no negative impacts as is confirmed by the servicing reports provided in support of this development application. Although the subject property is situated within 120m of a Provincially significant wetland as identified by the Region of Halton, Regional Natural Heritage System, the subject development is setback from the wetland and separated by a municipal roadway. In addition, the wetland is situated upstream from the proposed development and technical studies have been provided which conclude that no negative impact to the wetland feature is anticipated.

5.2 Growth Plan for the Greater Golden Horseshoe

The subject lands are depicted as being within the Built-Up Area of the growth plan. Policies within section 2.2.1 of the Growth Plan, Managing Growth, specify that the vast majority of growth will be directed to settlement areas that; i) have a delineated built boundary, ii) have existing or planned municipal water and wastewater systems, and iii) can support the achievement of complete communities.

The proposed development application conforms with the Growth Plan for the Greater Golden Horseshoe by way of providing an appropriate land use which promotes the development of a complete community within an existing settlement area.

5.3 Region of Peel Official Plan

Schedule 'D' – Regional Structure from the Region of Peel Official Plan identifies the subject lands as being within the Urban System. Urban development and redevelopment are directed by the Regional

Official Plan to be within the Urban System. Furthermore, the subject lands are within the Built-Up Area and the Regional Official Plan policies target the Built-Up Areas for intensification.

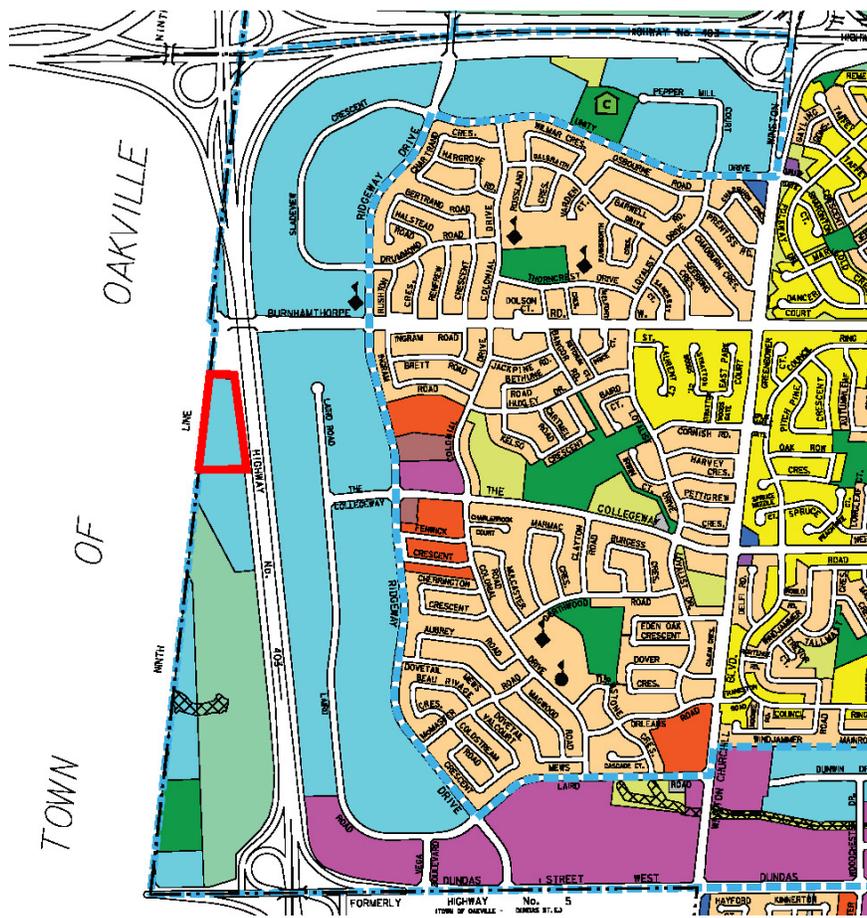
The proposed development of the subject property is in conformity with the Region of Peel Official Plan.

5.4 Mississauga Official Plan

The lands subject to this proposed development application are situated within an Employment Area, specifically the Western Business Park employment area. Section 11.2.1.1 of the Official Plan indicates that Community Infrastructure uses, which includes Places of Religious Assembly, are permitted within all land use designations within the City. More specifically, the subject lands are designated Business Employment which permits a wide range of commercial and industrial uses in addition to uses permitted in all designations.

Figure 3 is an excerpt from Schedule 10 of Mississauga Plan – Land Use Designations.

Figure 3



Mississauga will encourage the provision of services, facilities and housing that support the population living and working in Mississauga (7.1.1). Community infrastructure is a vital part of complete communities, contributing to the quality of life and well-being of residents. It is essential in meeting social, cultural, education, recreational, and spiritual needs for a growing and multicultural resident population (7.3). Although community infrastructure will generally not be located within Employment Areas, exceptions may be made for residential serving uses that would create land use conflicts with residential uses or are uses identified as beneficial to the City that cannot be accommodated in residential; where permitted within Employment Areas, the uses will be located along the periphery of Employment Areas (7.3.2). Where possible, community infrastructure will be encouraged to develop shared parking facilities (7.3.8).

The proposed development application would provide an aspect of community infrastructure to the residents of Mississauga and beyond. Situated in an undeveloped area, at the periphery of an employment area eliminating conflict with existing or future land uses. The Community Services building being contemplated as Phase II would provide compatible and complementary land uses. Access to an arterial road provides ease of accessibility from the municipal road network.

The proposed development application if approved would be in conformity with Mississauga Official Plan.

6.0 ADDITIONAL ANALYSIS and SUPPORTING STUDIES

The following additional studies which were identified as being required, have been completed in support of the proposed development application;

- Parking Utilization Study
- Acoustical Feasibility Study
- Arborist Report including Tree Inventory and Preservation Plan
- Functional Servicing Report/Stormwater Management Report
- Hydrogeological Study
- Phase I Environmental Site Assessment
- Stage I and II Archaeological Assessment and Ministry Letter

7.0 CONCLUSION

Based on the findings of this report and additional studies, it is my opinion that the proposed development of the subject lands for a place of religious assembly and community services building is an appropriate land use. The proposed zoning by-law amendment is consistent with the Provincial Policy Statements, Growth Plan and is in conformity with the Official Plans for both the Region of Peel and the City of Mississauga and represents good planning for the following reasons;

Places of Religious Assembly are an important cultural aspect necessary to meet the long term needs of the citizens of Mississauga and the Province of Ontario. Places of Religious Assembly are permitted within all land use designations within the City of Mississauga. The subject lands are situated in an under developed area of a built up settlement area. Future servicing requirements can be accommodated as the surrounding area develops. On an interim basis, adequate private servicing can be provided. The proposed land use is compatible with the contemplated future lands uses in the area as envisioned by the Official Plan. Sufficient parking will be provided to accommodate the use.

Respectfully submitted,

A handwritten signature in cursive script that reads "M. Rogers".

Mark Rogers, MCIP RPP
President - John D. Rogers & Associates Inc.