

# City of Mississauga Department Comments

Date Finalized: 2024-07-03	File(s): A303.24 Ward: 10
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2024-07-11 3:30:00 PM

## Consolidated Recommendation

The City has no objection to the application.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of Phase Two of Mattamy Sports Park proposing:

1. An active recreational use in a G1 Zone whereas By-law 0225-2007, as amended, does not permit an active recreational use in a G1 Zone in this instance;
2. An active recreational use in a PB1 Zone whereas By-law 0225-2007, as amended, does not permit an active recreational use in a PB1 Zone in this instance; and,
3. 0 bicycle parking spaces (Class A) whereas By-law 0225-2007, as amended, requires a minimum of 4 bicycle parking spaces (Class A) in this instance.

## Background

**Property Address:** 5320 and 0 Ninth Line

### Mississauga Official Plan

Character Area: Ninth Line Neighbourhood  
Designation: Greenlands, Open Space, Parkway Belt West Plan

### Zoning By-law 0225-2007

**Zoning:** OS1-Open Space, PB1-Parkway Belt, G1-Greenlands

**Other Applications:** BP 3NEW 23-7653

### Site and Area Context

The subject property is located on the west side of Ninth Line, north of the Erin Centre Boulevard intersection. It is an extension of the existing Churchill Meadows Community Centre and Mattamy Sports Park, located immediately north of the existing building. Residential lands are located to the north and east of the subject property, and Highway 407 borders the property to the west. Limited vegetation is present on the subject property, located mostly near the boundary with Highway 407.

The applicant is proposing a recreational facility on the subject property, requiring variances for the use and bicycle parking.



## Comments

### Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is located in the Ninth Line Neighbourhood Character Area and is designated Greenlands, Open Space and Parkway Belt West in Schedule 10 of the Mississauga Official Plan (MOP). The application proposes to construct a cricket pitch on a portion of the subject lands identified as Greenlands and Parkway Belt West, triggering the required variance to permit the use.

Variance 1 requests the active recreational use to be permitted in a G1 zone. Staff note only a small portion of the cricket pitch will be located in the G1 designated zones on the subject property. The subject property and associated hazard lands are regulated by Conservation Halton, and on matters such as these, Planning staff rely on the expertise of Conservation Halton's review of the application. Staff note the Mattamy Sports Park is to be completed in two phases. Phase 1 of the development centred around the development of the Churchill Meadows Community Centre and associated turf sports fields. The Natural Hazard Lands were removed through the Phase 1 development, which included the construction of the stormwater management pond, located at the northern portion of the subject property, and grading for the proposed works. Conservation Halton has reviewed the proposal, including the assessment of the hazard limits and any hazards associated with the two G1 zones on the property. Conservation Halton has no objections to the proposal. Additionally, Conservation Halton has issued their permit for the proposed Phase 2 works, further indicating no objection to the proposal.

Variance 2 requests the active recreational use to be permitted in a PB1 zone. The Parkway Belt West Plan (PBWP) permits two land use categories, Public Use Areas and Complementary Use Areas. The subject property is identified as a Complementary Use Area. The Complementary Use Area consists of the General Complementary Use Area and the Special Complementary Use Area. The subject property is identified as a General Complementary Use Area, which are areas that will be predominantly used for private uses. The General Complementary Use area permits recreational uses including low-density, low-intensity outdoor institutional uses and associated buildings and structures, subject to conditions including major natural features to be preserved and the location and design of buildings and structures are such that the open-space character of the area is secured. Staff note cricket pitches have been permitted as active recreational uses in other municipal parks across the city without being removed from the PBWP or an amendment to the official plan. This initiative was completed through a City-initiated house keeping zoning by-law amendment to the PB1 Zone (BL 0308-2011) to clarify that active recreational uses are permitted in the zone. Staff are satisfied that the use is appropriate for the subject lands, as the PBWP confirms recreational-oriented uses are permitted on PBWP designated lands.

Variance 3 requests zero Class A parking spaces, whereas a minimum of four Class A parking spaces are required. Bicycle parking requirements apply to the tennis courts to be covered by a seasonal dome during the colder weather. The seasonal dome is being classified as a structure and will be limited in size by the use of tennis courts and pedestrian circulation. Since it is not feasible to construct an enclosed area with controlled access for bicycle parking, the total requirement of 8 bicycle parking spaces will be fully provided on the subject property. Active Transportation has not identified any concerns with the reallocation of the bicycle parking spaces on the subject property.

Given the above, staff are satisfied that the variances, both individually and cumulatively, meet the general intent and purpose of the official plan and zoning by-law, are minor in nature, and contribute to orderly development of the subject property.

Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

This department has no objections to the requested variances pertaining to the construction of Phase Two of Mattamy Sports Park.







Comments Prepared by: Tony Iacobucci, Development Engineering

## **Appendix 2 – Zoning Comments**

The Building Division is processing Building Permit application BP 3NEW 23-7653. Based on the review of the information available in this application, the requested variance(s) is/are correct.

Our comments may no longer be valid should there be changes in the Committee of Adjustment application that have yet to be submitted and reviewed through the Building Division application. To receive updated comments, the applicant must submit any changes to information or drawings separately through the above application.

Comments Prepared by: Alana Zheng, Planner Zoning Examiner

## **Appendix 3 – Parks, Forestry & Environment Comments**

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and notes the following:

The lands are owned by the City of Mississauga, identified as Mattamy Sports Park (P-459), classified as a Significant Natural Area within the City's Natural Heritage System, and zoned G1. Section 6.3.24 of the Mississauga Official Plan states that the Natural Heritage System will be protected, enhanced, restored and expanded through the following measures:

- a) ensuring that development in or adjacent to the Natural Heritage System protects and maintains the natural heritage features and their ecological functions through such means as tree preservation, appropriate location of building envelopes, grading, landscaping...;

Should further information be required, please contact Nicholas Rocchetti, Planner in Training - Park Assets, Community Services Department at 905-615-3200 ext. 4659 or via email [Nicholas.Rocchetti@mississauga.ca](mailto:Nicholas.Rocchetti@mississauga.ca).

Comments Prepared by: Nicholas Rocchetti, Planner in Training

#### **Appendix 4 - Conservation Halton**

CH regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline, and hazardous lands, as well as lands adjacent to these features. The property at 5320 & 0 Ninth Line, Mississauga is regulated by CH as it is adjacent to a tributary of Sixteen Mile Creek and contains the flooding hazard associated with that watercourse. The property also contains wetlands. CH regulates 15m from the limit of the flooding hazard and 30m from the limit of wetlands. Permits are required from CH prior to undertaking any development activities within CH's regulated area and applications are reviewed under the *Conservation Authorities Act*, Ontario Regulation 41/24 and CH's Regulatory Policies and Guidelines (<https://conservationhalton.ca/policies-and-guidelines>).

Variances are requested to allow the construction of Phase 2 of the Mattamy Sports Park, proposing an active recreational use in G1 and PB1 Zones, and a reduction in bicycle parking spaces. On December 8, 2023, CH issued a permit for the proposed works (CH Permit No. 8741), a copy of which was included in the minor variance submission. CH has no objections to the requested variances as staff understands they are to implement the works as permitted by CH.

Should any changes to the proposed development arise through the Minor Variance process, please circulate CH for further review and comment to identify any regulatory and permitting requirements.

Comments Prepared by: Ashley Gallagher, Planning and Regulations Analyst

#### **Appendix 5 – Region of Peel**

**Minor Variance: A-24-303M / 5320 and 0 Ninth Line**

Planning: Petrele Francois (905) 791-7800 x3356

**Comments:**

- The subject land is located in the regulated and floodplain area of the Halton Region Conservation Authority (HRCA). The Regional Official Plan (ROP) designates floodplains as a natural hazard under Policy 2.16.11. Within this designation, ROP policies seek to ensure that development and site alterations do not create new or aggravate existing flood plain management problems along flood susceptible riverine environments. We rely on the environmental expertise of the HRCA for the review of development applications located within or adjacent the regulated area in Peel. We, therefore, request that City staff consider comments from the HRCA and incorporate their conditions of approval appropriately. Final approval of this application requires all environmental concerns to be addressed to the satisfaction of the HRCA.

I trust that this information will be helpful to you. If you have further questions or concerns, please contact me at [petrele.francois@peelregion.ca](mailto:petrele.francois@peelregion.ca).

Comments Prepared by: Petrele Francois, Junior Planner