

PLANNING JUSTIFICATION REPORT

Proposed Zoning By-law Amendment for a New Place of Religious Assembly

900 Eglinton Avenue East

PREPARED FOR

Bani Hashim Society

PREPARED BY



ZELINKA PRIAMO LTD
A Professional Planning Practice

February 12, 2019

TABLE OF CONTENTS

	Page No.
1.0 INTRODUCTION	1
1.1 Background	1
1.2 Description of the Subject Lands	1
1.3 The Proposal	3
1.4 Access.....	5
2.0 PLANNING DOCUMENTS	6
2.1 Provincial Policy Statement	6
2.2 Growth Plan.....	7
2.3 Peel Region Official Plan	8
2.4 City of Mississauga Official Plan	10
2.5 City of Mississauga Zoning By-law 0225-2007, As Amended	19
3.0 PROPOSED ZONING BY-LAW AMENDMENT	20
4.0 ADDITIONAL ANALYSIS.....	21
4.1 Technical Studies	21
5.0 CONCLUSIONS	23

APPENDIX A - Draft Zoning By-law

1.0 INTRODUCTION

1.1 BACKGROUND

On behalf of Bani Hashim Society, Zelinka Priamo Ltd. is pleased to submit a Planning Justification Report in support of an application submitted to the City of Mississauga for a Zoning By-law Amendment to permit a new place of religious assembly on lands located at 900 Eglinton Avenue East in the City of Mississauga (Subject Lands). The purpose of the following land use assessment is to provide planning justification for the proposed development.

1.2 DESCRIPTION OF THE SUBJECT LANDS

The Subject Lands are approximately 0.34 ha (0.85 ac) in area, with approximately 99.9 m of frontage along the south side of Eglinton Avenue East, and are located between Highway 403 to the southwest and Tompken Road to the northeast (see Figures 1 and 2). The lands are legally described as Part of Lot 9 Concession 2, North of Dundas Street (Geographic Township of Toronto) City of Mississauga, Regional Municipality of Peel.

Figure 1

Subject Lands and Surrounding Area – 900 Eglinton Avenue East, Mississauga



Location and boundaries are approximate

Figure 2

View of Subject Lands from Eglinton Avenue East



Surrounding land uses include (see Figure 1): an educational facility, commercial uses, as well as some light industrial uses, generally east of the subject lands; a single storey public storage facility and service commercial uses to the north; office/light industrial use to the west, which are generally screened by tree cover and separated by Eglinton Avenue East; and vacant land/open space area to the south.

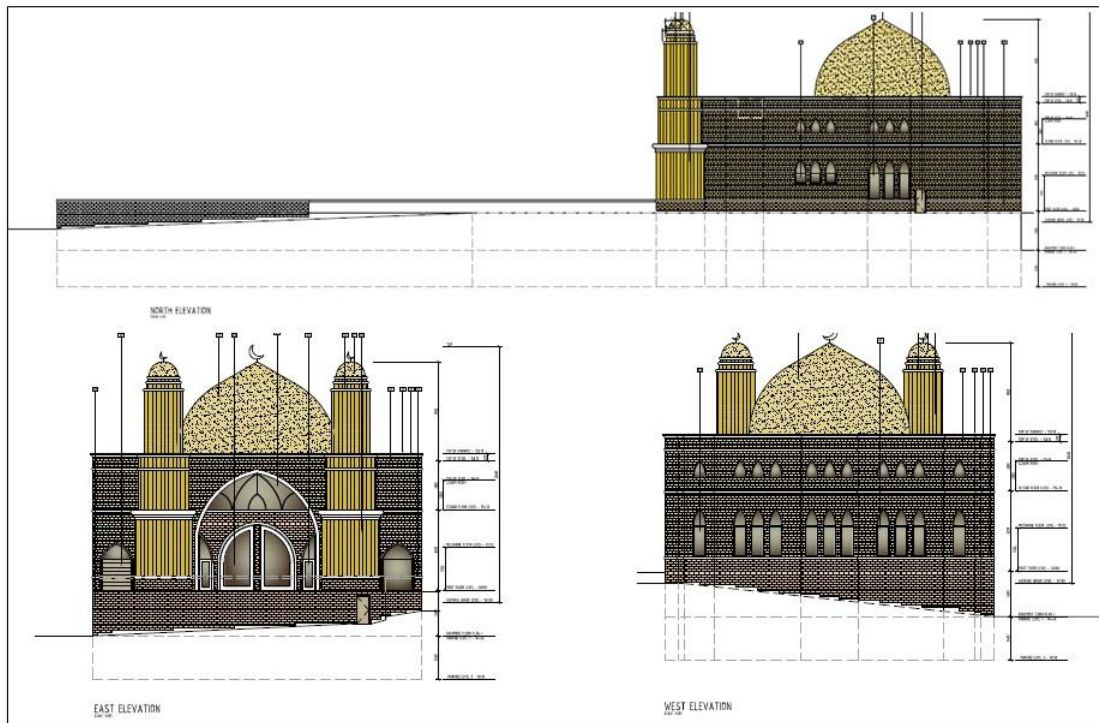
Bani Hashim Society is proposing to demolish the existing building on the subject lands and construct a two storey building to be used for religious assembly (see Figure 3). The proposed place of religious assembly has an approximate floor area of 1,221.1 sq. m (13,144 sq. ft.), with a worship area of approximately 448.7 sq. m (4,830 sq. ft.), which can accommodate approximately 170 attendees. The proposed building location is on the west end of the site, with associated surface parking provided on the easterly portion of the site. Areas of soft landscaping are also proposed on the periphery of the site.

[illegible]

Page 3

Conceptual building elevations for the proposed place of religious assembly are provided in Figure 4. The elevations display a high degree of architectural detailing that will distinguish the building and provide prominence to the street, including arched windows, pillars towards the entrance, and a domed roof. Specific detailing of the proposed building and site layout will be confirmed through detailed submissions as part of a future Site Plan Approval application.

Figure 4
Concept Elevations



A total of 123 parking spaces (including standard and barrier free spaces) are proposed to service the place of religious assembly, predominantly located within 2 levels of underground parking beneath the building, as well as in a surface parking area.

1.4 ACCESS

It is intended that the proposed development retain the location of the existing all turns access point to Eglinton Avenue East, while restricting vehicular movements to permit only right-in and right-out turns. As noted by the Traffic Impact Study prepared by CGE Transportation Consulting (see Section 4.1.2), the proposed access point will operate with acceptable delays and sufficient capacity.

2.0 PLANNING DOCUMENTS

2.1 PROVINCIAL POLICY STATEMENT

The 2014 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-effective development and the protection of resources.

The PPS under Policy 1.1.1 states that healthy, livable 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 range and mix of residential (including second units, 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; and
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

The Subject Lands are located in the City of Mississauga, which is identified as a settlement area. Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on: a) densities and a mix of land uses which: 1. efficiently use land and resources.

2.1.1 Planning Analysis

The proposed Zoning By-law Amendment is consistent with the 2014 Provincial Policy Statement, including the following policies:

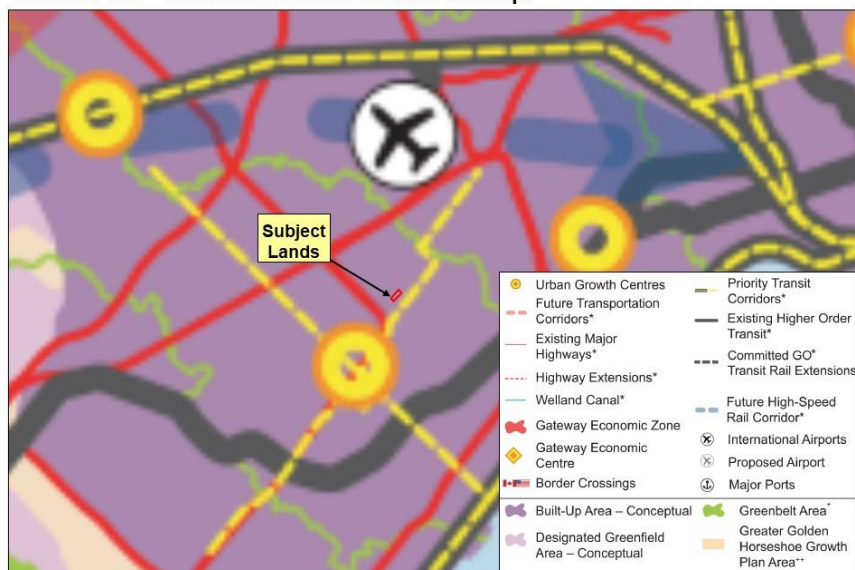
- The proposal provides redevelopment opportunity for underutilized lands, making efficient use of land that minimizes land consumption, is cost effective and efficient, and reduces servicing costs (Policies 1.1.1a and 1.1.1e).

- The proposed place of religious assembly is an institutional place of worship which will complement the existing range of employment uses in this area and contribute to this area as a complete mixed use community (Policy 1.1.1b);
- The Subject Lands are located within the City of Mississauga, which is identified as an existing settlement area where growth and development is to be focused (Policy 1.1.3.1); and
- The proposed Zoning By-law Amendment contemplates development standards that would allow for a compact form of development that will efficiently utilize lands within the settlement area boundary, and at an appropriate scale in relation to the existing built form and community (Policy 1.1.3.2a).

2.2 GROWTH PLAN

The 2017 Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides guidance for policy directions relating to development and growth in the Greater Golden Horseshoe to 2041. The aim of the Growth Plan is to support economic prosperity, protect the environment and help communities achieve a high quality of life. Under the Growth Plan, the Subject Lands are shown as “Built-Up Area – Conceptual” (see Figure 5).

Figure 5
 Growth Plan – Schedule 2 Places to Grow Concept



Under Section 2.2.1, Managing Growth policies include:

- 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; (Policy 2.2.1.2a)
- Within settlement areas, growth will be focused in: (i) delineated built-up areas; (Policy 2.2.1.2c) and
- Applying the policies of this Plan will support the achievement of complete communities that: a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes. (Policy 2.2.1.4)

2.2.1 Planning Analysis

The proposed Zoning By-law Amendment conforms with the 2017 Growth Plan, and the goal to build compact, vibrant and complete communities under the Where and How to Grow Policies, including:

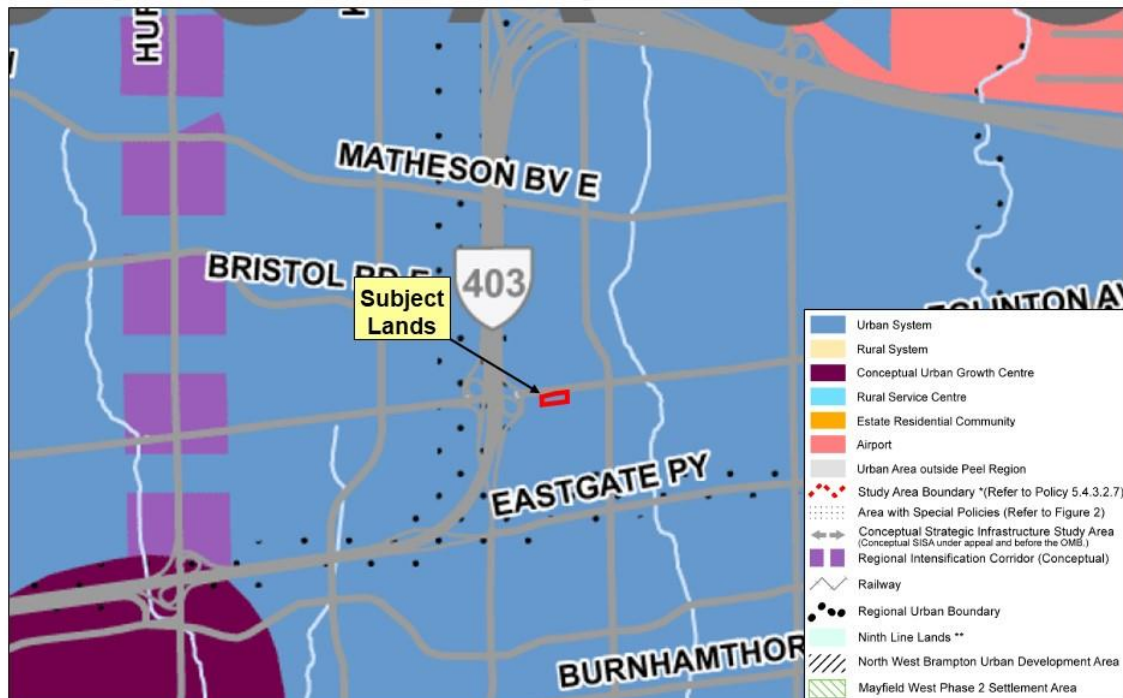
- The proposed development is within a settlement area that has a delineated built boundary, has existing infrastructure to support development, and is supportive of a mix of land uses to support a complete community (Section 2.2.1.2a); and
- The proposed place of religious assembly will complement and contribute further diversity to the existing range of uses in this area and contribute to this area as a complete mixed use community (Section 2.2.1.4a). The proposed use will help promote a positive quality of life for residents (Section 2.2.1.4b).

2.3 PEEL REGION OFFICIAL PLAN

According to “Schedule D Regional Structure” of the Peel Region Official Plan (ROP), the Subject Lands are located within the “Urban System” (see Figure 6). Urban development and redevelopment shall be directed to the Urban System (Section 5.3.2.2).

Figure 6

Peel Region Official Plan Schedule D – Regional Structure



Location and boundaries are approximate

The subject lands are located within the “Built-up Area” as identified on “Schedule D4 The Growth Plan Policy Areas in Peel” of the ROP (see Figure 7). The ROP policies state that a significant portion of new growth is directed to the built-up areas of the community through intensification (Section 5.5.2.2), where intensification is defined as the development of a property or site at a higher density than currently exists through redevelopment or the development of vacant and/or underutilized lots within previously developed areas, amongst others. Further, it is a policy of the ROP to facilitate and promote intensification (Section 5.5.3.2.2).

Figure 7

Peel Region Official Plan Schedule D4 – The Growth Plan Policy Areas in Peel



Location and boundaries are approximate

2.3.1 Planning Analysis

The proposed Zoning By-law Amendment conforms with the ROP, for reasons including the following:

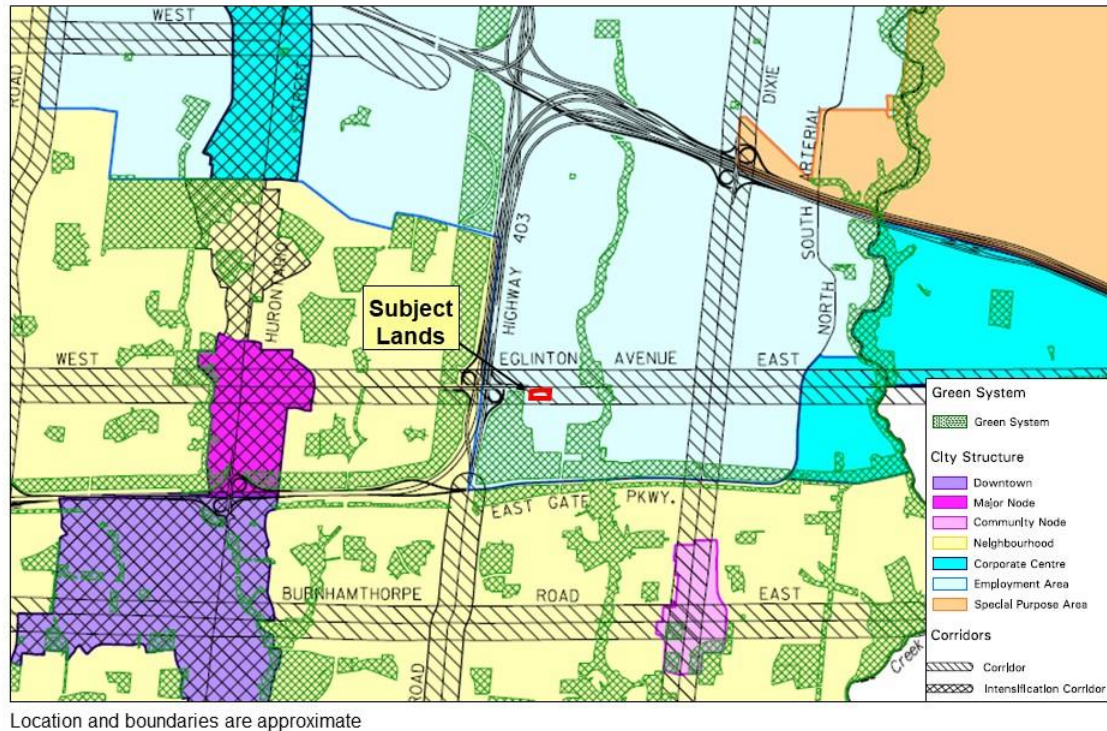
- The proposed Zoning By-law Amendment would have the effect of permitting urban type land uses on the Subject Lands, which are located within the urban boundary where a majority of growth is directed (Section 5.3.2.2); and
- The proposed place of religious assembly provides opportunity for the redevelopment of the subject lands, which are currently occupied by a single detached dwelling, and represents a form of intensification as encouraged by the Official Plan (Sections 5.5.2.2 & 5.5.3.2.2).

2.4 CITY OF MISSISSAUGA OFFICIAL PLAN

Within the Urban System of the City of Mississauga Official Plan (Schedule 1), the Subject Lands are within the “Employment Area” portion of the City Structure, and are

within the “Corridor” overlay (see Figure 8). Employment Areas are described as stable areas containing diverse industrial and business employment operations (Section 5.3.6), while Corridors are the originally planned grid arterial roads, historically the chief conduits for moving cars and freight (Section 5.4).

Figure 8
City of Mississauga Official Plan Schedule 1 – Urban System



Relevant Urban System policies are as follows:

- Where feasible and appropriate, development will be encouraged to be transit supportive and minimize surface parking (Section 5.3.6.7).
- Development on Corridors should be compact, mixed use and transit friendly and appropriate to the context of the surrounding Neighbourhood and Employment Area (Section 5.4.4).
- Land uses and building entrances will be oriented to the Corridor where possible and surrounding land use development patterns permit (Section 5.4.7).

- Corridors will be subject to a minimum building height of two storeys. Except along Intensification Corridors and within Major Transit Station Areas, the minimum building height requirement will not apply to Employment Areas (Section 5.4.8). As noted in Figure 5-5 of the Official Plan, the minimum height for Corridors is 2 storeys except in employment areas, and the minimum height in Employment Areas is only 2 storeys in Major Transit Station Areas and Intensification Corridors. Section 17.1.1.1 further clarifies this, stating “Lands on a Corridor will not be subject to the two storey height minimum.”

According to Section 11.2.1.1 of the Official Plan, community infrastructure such as places of religious assembly, are permitted within all land use designations within the City.

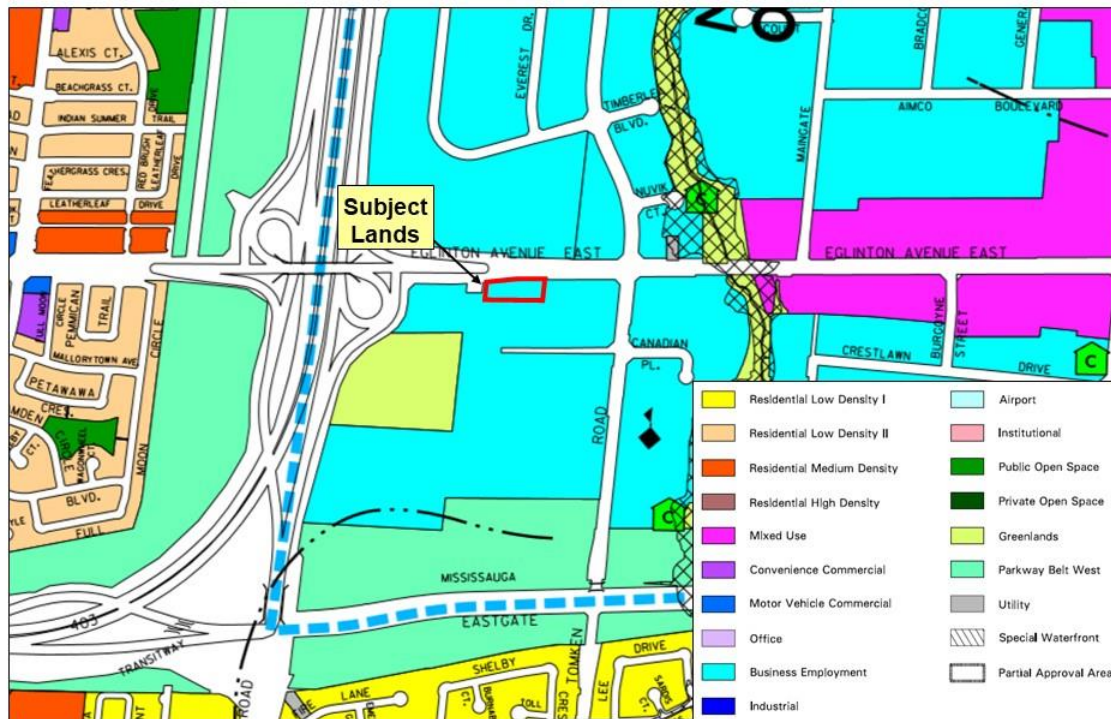
The Subject Lands are designated “Business Employment” on “Schedule 10 Land Use Designations” of the Official Plan (see Figure 9). The Business Employment designation also permits a wide range of commercial and industrial uses, in addition to those uses permitted in all designations (Section 11.2.11.1).

The Subject Lands are within the Northeast employment character area of the Official Plan, the policies of which are not restrictive of community infrastructure uses.

The subject lands are transit supportive (fronting onto a transit corridor) and minimizes surface parking (uses underground parking).

Figure 9

City of Mississauga Official Plan Schedule 10 – Land Use Designations



Location and boundaries are approximate

Eglinton Avenue East is identified as an “Arterial” on “Schedule 5 Long Term Road Network”; as a “Transit Priority Corridor” on “Schedule 6 Long Term Transit Network”; and as a “Primary On-Road/Boulevard Route” on “Schedule 7 Long Term Cycling Routes” of the Official Plan (see Figures 10-12).

Figure 10

City of Mississauga Official Plan Schedule 5 – Long Term Road Network

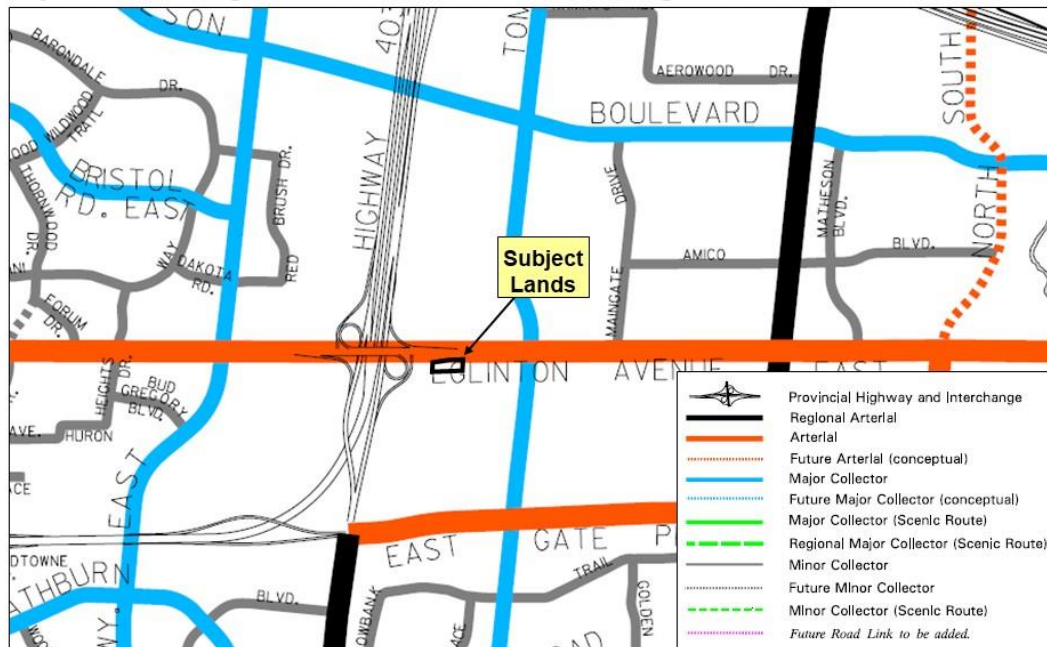


Figure 11

City of Mississauga Official Plan Schedule 6 – Long Term Transit Network

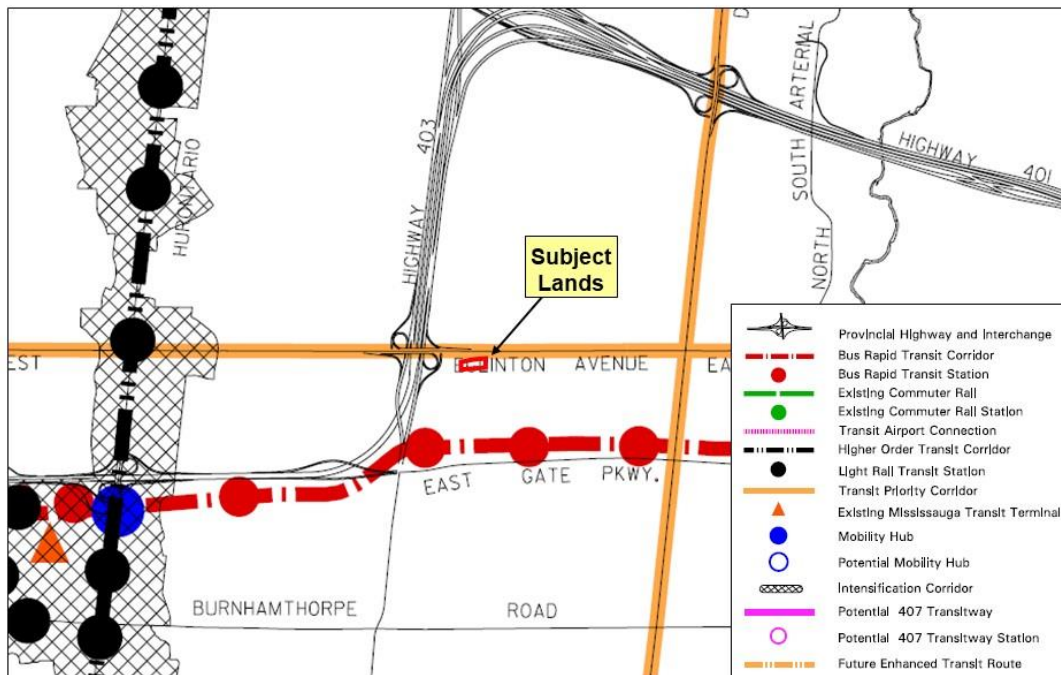
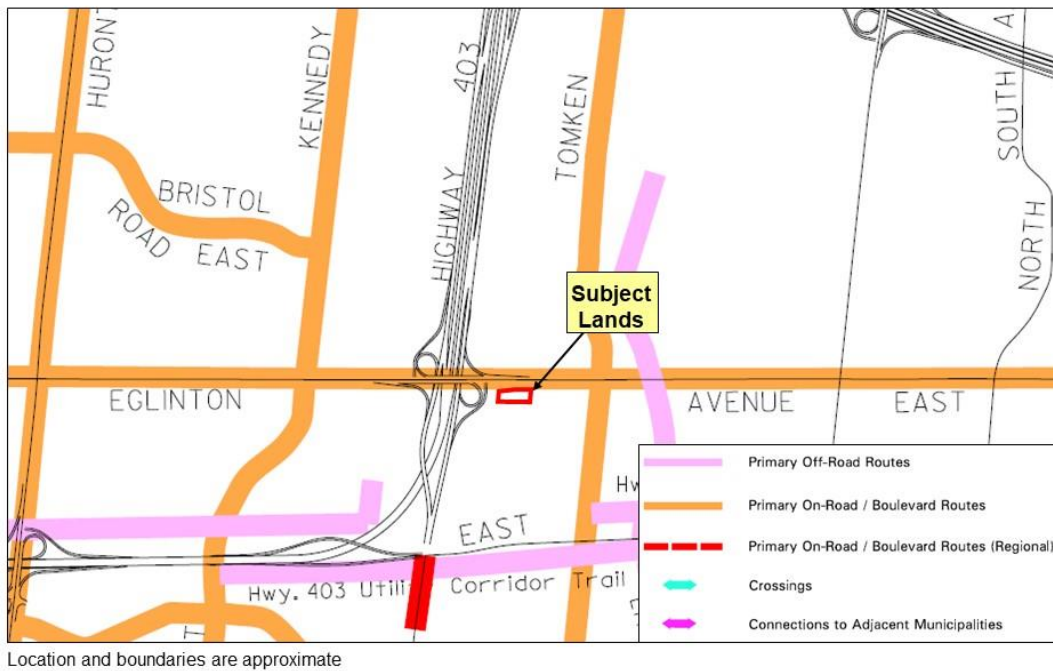


Figure 12

City of Mississauga Official Plan Schedule 7 – Long Term Cycling Routes



Relevant transportation policies in the Official Plan are as follows:

- Arterials are designed as principal transportation corridors for high volumes of people and goods. Creation of new additional direct vehicle access to an arterial is discouraged. The City may through negotiations seek to consolidate or eliminate direct vehicle access to arterials in order to improve traffic safety and the functioning of transit and pedestrian/cycling routes and to achieve operational objectives (Section 8.2.2.1a);
- Off-street parking facilities for vehicles and other modes of travel, such as bicycles, will be provided in conjunction with new development and will: a. provide safe and efficient access from the road network so that ingress and egress movements minimize conflicts with road traffic and pedestrian movements; c. support transportation demand management (TDM) initiatives (Section 8.4.1); and

- Prior to approval of development applications, particularly those that will generate significant employment opportunities, a TDM plan may be required that demonstrates, among other things, the following:
 - a) building orientation that supports transit service;
 - b) minimize distance between main building entrances and transit stations/stops;
 - c) development that is integrated into the surrounding pedestrian and cycling network;
 - d) parking facilities designed to provide safe and efficient access for pedestrians and cyclists emanating from the surrounding transit and active transportation network;
 - e) secure, conveniently located, weather protected, on-site bicycle storage facilities, and associated amenities such as showers, change rooms and clothing lockers;
 - f) reserved, priority car-pool parking spaces and, where applicable, car-share spaces and taxi stands;
 - g) parking spaces for scooters, motorcycles and other similar motorized vehicles;
 - h) techniques to manage the supply of on-site parking; and
 - i) measures that:
 - increase the proportion of employee trips made by transit, walking and cycling;
 - increase the average car occupancy rate;
 - reduce the demand for vehicular travel; and
 - shift travel times from peak to off-peak periods (Section 8.5.7).

Mississauga will require development proposals to address the management of stormwater using stormwater best management practices (Section 6.2.7).

Section 7 of the Official Plan relates to complete communities, which are depicted as communities that meet the day-to-day needs of people throughout all stages of their life. Complete community policies also relate to Community infrastructure, described as a vital part of complete communities, contributing to the quality of life and well-being of

residents. Community infrastructure is essential in meeting social, cultural, education, recreational, and spiritual needs for a growing and multicultural resident population (Section 7.3). Relevant complete community policies are as follows:

- Mississauga will encourage the provision of services, facilities and housing that support the population living and working in Mississauga (Section 7.1.1);
- Community infrastructure will support the creation of complete communities (Section 7.3.1);
- The preferred location for community infrastructure will be within the Downtown, Major Nodes, Community Nodes and Corridors. Where appropriate, community infrastructure may also be located within Neighbourhoods and Corporate Centres. Community infrastructure will generally not be located within Employment Areas (Section 7.3.2);
- Community infrastructure that generates large amounts of traffic will be located to minimize impacts on the transportation system (Section 7.3.4);
- Community infrastructure will generally be:
 - a) in proximity to transit facilities;
 - b) on Corridors, major and minor collector roads, preferably at intersections;
 - c) connected to trails, cycling facilities, where possible;
 - d) in proximity to other community infrastructure and places of gathering, where possible; and
 - e) accessible to persons with disabilities (Section 7.3.5).
- The preferred locations for places of religious assembly will be the Downtown, Major Nodes and Community Nodes. Otherwise, places of religious assembly will be encouraged to locate in Corridors, preferably at their intersections (Section 7.3.11).

The urban form policies of the Official Plan in Section 9, provide direction for site layout and building design in addition to other matters relating to development. Urban form policies generally relate to ensuring compatibility between uses at an appropriate scale and character, while addressing the street to which the property has frontage, providing specific direction for non-intensification areas such as corridors and Employment Areas.

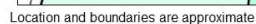
2.4.1 Planning Analysis

The proposed Zoning By-law Amendment conforms with the City of Mississauga Official Plan, for reasons including the following:

- The proposed use for a place of religious assembly is a community infrastructure use, which is a permitted use on the Subject Lands, and are the preferred location for this type of use (Sections 7.3.2, 7.3.11, 11.2.1.1, 11.2.11.1 & 17.7.1);
- The proposed use for a place of religious assembly contributes to this area as a complete community, where residents can access daily needs, including spiritual needs (Sections 7.1.1 & 7.3.1).
- The Subject Lands are in a location well suited for community infrastructure, as the lands have frontage on Eglinton Avenue East which is identified as a Corridor, a Transit Priority Corridor, and as a Primary On-Road/Boulevard Route with respect to long term cycling routes. The portion of Eglinton Avenue East where the Subject Lands have frontage, provides public sidewalks where the Subject Lands have frontage, as well as a transit stop to the east for several local transit routes, promoting pedestrian accessibility to the Subject Lands (Section 7.3.5);
- The proposed place of religious assembly minimizes surface parking by providing 2 levels of underground parking for users, reserving 32 parking spaces at grade located beside the building, including accessible parking (Section 5.3.6.7);
- The proposed place of religious assembly is compact in nature, providing a worship area of approximately 448.7 sq. m (4,830 sq. ft.) in the two-storey building, which is anticipated to accommodate 170 users, while at an appropriate scale in relation to existing site context and surrounding land uses (Section 5.4.4);
- The Zoning By-law Amendment proposes reductions in setbacks, in part to accommodate a built form that is oriented towards the street/Corridor along Eglinton Avenue East, and contribute to framing the street (Section 5.4.7);
- The place of religious assembly is proposed at a 2-storey height, which is within the permitted height range of the Official Plan (Sections 5.4.8 & 17.1.1.1);

- ## **2.5 CITY OF MISSISSAUGA ZONING BY-LAW 0225-2007, AS AMENDED**

Figure 13
City of Mississauga Zoning By-law 0225-2007 Schedule B Map 27



The Development zone permits existing uses and structures (as noted by Table 12.3.2). The erection of new buildings or structures and the enlargement or replacement of existing buildings requires the submission of a Zoning By-law Amendment application.

3.0 PROPOSED ZONING BY-LAW AMENDMENT

The Zoning By-law Amendment is proposed in order to permit a place of religious assembly on the subject lands, and regulate standards for the proposed development.

The Zoning By-law Amendment proposes to rezone the Subject Lands to an Employment (E2) zone in order to facilitate the development of the property, while implementing the policies of the Official Plan and the PPS. The E2 zone permits a broad range of employment related uses, as well as the proposed place of religious assembly. The proposed Special Provisions generally relate to yard setbacks and landscape buffers appropriate to the planned development.

The proposed draft Zoning By-law Amendment is attached as Appendix A. The proposed Zoning By-law and site specific Special Provisions (i.e. minimum front and interior side yard setbacks, and landscaped buffer to a public street of 3m, and a rear yard setback of 4 m) are to be confirmed subject to a review of the preliminary concept plan by City Staff and through the approval process.

4.0 ADDITIONAL ANALYSIS

4.1 TECHNICAL STUDIES

The proposed development is supported by the following technical reports.

4.1.1 Functional Servicing and Stormwater Management Report

A Functional Servicing and Stormwater Management Report dated February 3, 2019 was prepared by Flora Designs Inc. for the Subject Lands. The value of runoff coefficient $C=0.50$ is used for the post-development allowable release calculation, and specific quantity and quality control measures will be further refined in conjunction with the future Site Plan Approval application. The proposed peak sanitary discharge from the site is calculated at 13.07 L/s. The development proposes to remove existing private sub-surface disposal facility and provide a new sanitary service from the existing regional infrastructure within the Winchester Drive allowance, constructed within a private easement on the 4598 Tomken Road. The development proposes to remove the existing domestic water service and provide new connections to existing municipal infrastructure within the Winchester Drive allowance, constructed within a private easement on the 4598 Tomken Road, in accordance with Region of Peel engineering design guidelines.

4.1.2 Traffic Impact Assessment (and TDM)

A Traffic Impact Assessment dated January 8, 2019 was prepared by CGE Transportation Consulting. The Traffic Impact Assessment finds that: the parking supply is adequate to support the expected parking demand; no mitigation measures are required to support the additional traffic generated by the proposed development; and the study intersections and proposed site driveway are expected to operate with acceptable delays and sufficient capacity.

During the site plan approval process, traffic analysis for the proposed development will be coordinated by CGE Transportation Consulting to address specific traffic related issues.

4.1.3 Shadow Study

Shadow Diagrams prepared by Antrix Architects Inc. for the subject lands confirm that the proposed building minimizes overshadowing and maintains reasonable access to sunlight for adjacent properties on June 21, September 21 and December 21.

5.0 CONCLUSIONS

Given the findings of this Report and the supporting materials, it is concluded that the Subject Lands are well suited for the proposed place of religious assembly. The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and Growth Plan, and conforms to the Peel Region Official Plan and to the City of Mississauga Official Plan, and represents good land use planning as follows:

- Community infrastructure such as places of religious assembly, are permitted within all land use designations within the City of Mississauga;
- The current Development (D) zoning of the Subject Lands does not permit new development as contemplated for the Subject Lands by the Mississauga and Peel Official Plans, and as mandated by the PPS. Rather, it is intended to be a temporary condition until such time as the lands can be comprehensively developed, as represented by this development proposal and its Zoning By-law Amendment application;
- The Zoning By-law Amendment will facilitate a development consisting of a place of religious assembly and associated parking, in an area that is contemplated for and encourages this type of use;
- An attractive high quality development will be created on a currently underutilized site, which has good access to the facilities and services;
- The proposal is of a height, scale and massing that is consistent with the City's anticipated development parameters for this area;
- The proposed development is not expected to have any significant impacts on the surrounding land uses, as outlined in the background studies filed in support of the application;
- The *Functional Servicing and Stormwater Management Report* identifies the various measures to be undertaken to facilitate appropriate sanitary, water, and stormwater management to the proposed development.
- The *Traffic Impact Assessment* concludes that the parking supply provided is adequate, no mitigation measures are required to support the additional traffic generated by the development, and that the study intersections and proposed

- site driveway are expected to operate with acceptable delays and sufficient capacity; and
- The *Shadow Study* confirms that the proposed building minimizes overshadowing and maintains reasonable access to sunlight for adjacent properties on June 21, September 21 and December 21.

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by adding the following Exception Table:

8.2.3.XX	Exception: E2-XX	Map # 27	By-law:
In an E2-XX zone the permitted uses and applicable regulations shall be as specified for an E2 zone except that the following regulations shall apply:			
Regulations			
8.2.3.XX.XX	Minimum front yard		3.0 m
8.2.3.XX.XX	Minimum interior side yard		3.0 m
8.2.3.XX.XX	Minimum rear yard		4.0 m
8.2.3.XX.XX	Minimum depth of a landscaped buffer measured from a lot line that is a street line		3.0 m

3. Map Number 27 of Schedule "B" to By-law Number 0225-2007, as amended, is amended by changing thereon from "D" to "E2-XX", the zoning of Part of Lot 9, Concession 2, North of Dundas Street (Geographic Township of Toronto) as shown on Schedule "A" attached hereto and forming part of the bylaw.

ENACTED and PASSED this _____ day of _____ 2019.

MAYOR

CLERK

EGLINTON AVENUE EAST

47.66

52.27

36.97

99.04

30.57



BUILDABLE AREA

This Is not a Plan of Survey.

DRAFT



Note:
All measurements are in metres
and are minimum setbacks,
unless otherwise noted.

THIS IS SCHEDULE " "

AS ATTACHED TO BY-LAW _____

PASSED BY COUNCIL ON _____

APPENDIX "A" TO BY-LAW NUMBER _____

Explanation of the Purpose and Effect of the By-law

The purpose of this bylaw is to enable the development of a place of religious assembly.

This By-law amends the zoning of the property outlined on the attached Schedule "A" from "D" (Development) to "E2-XX" (Employment Special Provision).

"E2-XX" permits a place of religious assembly and other employment related uses with minimum front and interior side yard setbacks, and landscaped buffer to a public street of 3m, and a rear yard setback of 4 m.

Location of Lands Affected

Lands located at 900 Eglinton Avenue East, in the City of Mississauga, as shown on the attached Map designated as Schedule "A".

Further information regarding this By-law may be obtained from Adam Lucas of the City Planning and Building Department at 905-615-3200 ext. 5525.