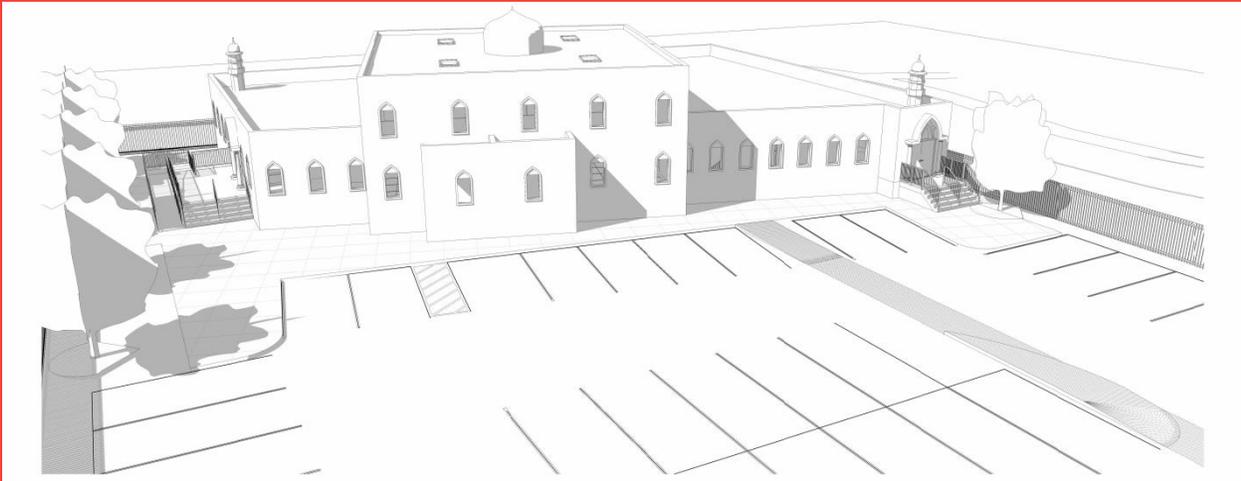


AMJ: 1456 Bronte Street South

PLANNING JUSTIFICATION REPORT

August 2023



**AHMADIYYA MUSLIM
JAMA'AT CANADA INC.**



AMJ: 1456 BRONTE STREET SOUTH

PLANNING JUSTIFICATION REPORT

AHMADIYYA MUSLIM JAMA'AT
CANADA INC.

PROJECT NO.: 17M-01335-00.

DATE: AUGUST 23, 2023

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1 INTRODUCTION AND PURPOSE

WSP Canada Inc. (WSP) has been retained by Ahmadiyya Muslim Jama'at Canada Inc. (AMJ) to provide land use planning consulting services to permit a Place of Worship and accessory uses on the lands at 1456 Bronte Street South, in the Town of Milton.

The proposed development will consist of a place of worship with a gross floor area of 1,445 square metres, containing a prayer hall (242 square metres), multi-purpose community hall (285 square metres), library (49 square metres) and other ancillary uses on the 0.38-hectare (0.93 acre) lot.

A Zoning By-law Amendment application is required to rezone the subject lands from Future Development (FD) to Minor Institutional Zone (IA) with site-specific zoning exceptions.

A supporting Zoning By-law Amendment is submitted pursuant to Section 34 of the *Planning Act*. A Site Plan Approval Application will be submitted in the future to implement the proposed development, in accordance with Town of Milton Site Plan Control By-law 005-2015 under Section 41 of the *Planning Act*.

Supporting studies are provided as part of these applications, in accordance with Pre-Consultation Meetings with Town staff on May 15, 2018 and November 19, 2019.

The purpose of this Planning Justification Report is to demonstrate consistency and conformity with applicable planning policies and to provide a rationale for amending the Zoning By-law for the proposed development.

The Planning Justification Report will:

- Provide a description of the site location and existing context of the surrounding area;
- Describe the proposal characteristics, including Site Organization, Built Form and Architecture, Landscaping, and Site Grading;
- Review and assess the development proposal against the applicable planning policy and urban design framework, including:
 - Provincial Policy Statement (2020);
 - A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020);
 - Halton Region Official Plan (Office Consolidation, 2022)
 - Town of Milton Official Plan (Office Consolidation, 2008);
 - Boyne Survey Secondary Plan (2015); and
 - Boyne Survey Urban Design Guidelines (2010).

This report prepared by WSP summarizes the planning and urban design justification for the proposed development in support of the applications for Zoning By-law Amendment and Site Plan Approval. This justification report demonstrates the suitability of the proposed development and its consistency in maintaining the intent of current Provincial, Regional Municipal, and Local Municipal policies. Furthermore, this report concludes that the proposed development

represents good planning and urban design, and accordingly it is our opinion that the proposed Zoning By-law Amendment is appropriate and desirable and should be approved.

2 PUBLIC ENGAGEMENT STRATEGY

The public engagement for this rezoning application will be designed to ensure an appropriate level of consultation is met while considering the relatively underdeveloped nature of the surrounding area. While the areas directly abutting the subject site to the south and west are subject to draft plan of subdivision applications, it has not yet been developed and the areas are zoned as Future Development. Directly to the north, the Halton District School Board (HDSB) is has constructed a new secondary school, the closest corner of which will be approximately 25 metres from the northern property line of the subject site at 1456 Bronte Street South. Thus, we do not expect any potential conflicts of use between the proposed development and neighbouring sites. It should also be noted that there has already been communication between the proponent and the HDSB around several areas related to the school's construction, including execution of a Permission-to-Enter (PTE) agreement.

In meeting the requirement under Section 34 (12) of the *Planning Act* and the requirement of the Town of Milton, a public meeting was held on November 15, 2021 to give members of the public the opportunity to comment on the proposed development. All materials submitted through this application were made available to members of the public for review prior to the public meeting.

Following the public meeting, comments were received from Shadybrook, the owner of the residential lands to the south of the subject site. Shadybrook noted their concern with the proposed 1.5 metres interior side yard setback to the south. They noted that the reduced setback would significantly reduce the distance between the future residential lots and dwellings and the proposed building. As discussed further below, the revised site concept took these concerns into consideration and now proposes an interior side yard setback to the south of 9.0 metres. A masonry wall will also be provided following discussions with Shadybrook and will be discussed below.

3 SITE AND SURROUNDING CONTEXT

3.1 SITE DESCRIPTION

The subject site is located at 1456 Bronte Street South on the west side of Bronte Street South, north of the Etheridge Avenue extension. It is a rectangular-shaped lot with approximately 0.38 hectares (0.94 acres). It has a 45.72 m wide frontage along Bronte Street South, and a depth of approximately 85 metres. Bronte Street South is classified as a minor arterial roadway in the Town of Milton Official Plan.

Figure 1 illustrates the location of the subject site within the surrounding area.



➤ **Figure 1: Aerial view of the subject site (Bing imagery)**

The subject site is currently comprised of a single detached dwelling, currently being used occasionally as a community gathering space and place of worship, located approximately 24 metres from the front property line, and one accessory building along the rear property line. There are some trees and backyard gardens on these lands. The grade of the site is generally lower than along Bronte Street South.

The surrounding area is generally residential development and greenfield land, with an institutional use directly to the north of the site. More detail on the surrounding context may be found in below.

3.2 TRANSPORTATION

3.2.1 ROAD NETWORK

As noted above, the subject site has frontage on Bronte Street South, which is classified as a minor arterial road in the Town's Official Plan. Between 2016 and 2017, Bronte Street underwent a full reconstruction and widening, including raising the street's height. The street now has a right-of-way of 30 metres, and has two driving lanes in either direction, with a central median running from Etheridge Avenue to Whitlock Avenue. The presence of this median only allows for a "right-in/right-out" access driveway into and out of the subject site (see **Figure 2**).



➤ **Figure 2: Subject site as viewed from Bronte Street showing traffic circulation (Google Earth)**

3.2.2 PUBLIC AND ACTIVE TRANSPORTATION

3.2.2.1 PUBLIC TRANSIT

Public bus services within the Town of Milton are provided by Milton Transit. The closest public transit stop to the subject site is approximately 130 metres from the subject site, located on the east side of Bronte Street South north of Etheridge Avenue, alongside Holbrook Court. Service for this stop is provided by the 10 Farmstead route, which runs in a loop Monday to Sunday between Milton GO station and the intersection of Bronte Street South and Britannia Road. Service runs on approximately one hour and ten-minute headways, and travel time to Milton GO station is approximately twelve minutes. Riders can transfer between Milton Transit bus routes en route, or at Milton GO station.

The 2019 – 2023 Milton Transit Service Review and Master Plan Update, completed in 2019, also proposes changes to the Milton transit system which will be pertinent to the proposed development of 1456 Bronte Street South. One of the key short-term recommendations (through 2021 at the time of the final Master Plan update) is the introduction of a new mobility service called “Home-to-Hub”, modeled off a similar service offered in Oakville. Home-to-Hub would operate as follows:

“Customers would be picked up at their origin points (home or workplaces) and could transfer to other Milton Transit routes at nearby bus stops or at Milton GO station

Service could be operated by Milton Transit specialized service or by a taxi or Transportation Network Company (TNC, i.e Uber or Lyft) operator under a subsidy agreement

Base fare \$3.75 (same as fixed-route fare); free transfers to Milton Transit routes”²



➤ **Figure 3: Home-to-hub areas for Route 5, 9, and 10 (2019 – 2023 Milton Transit Service Review and Master Plan Update)**

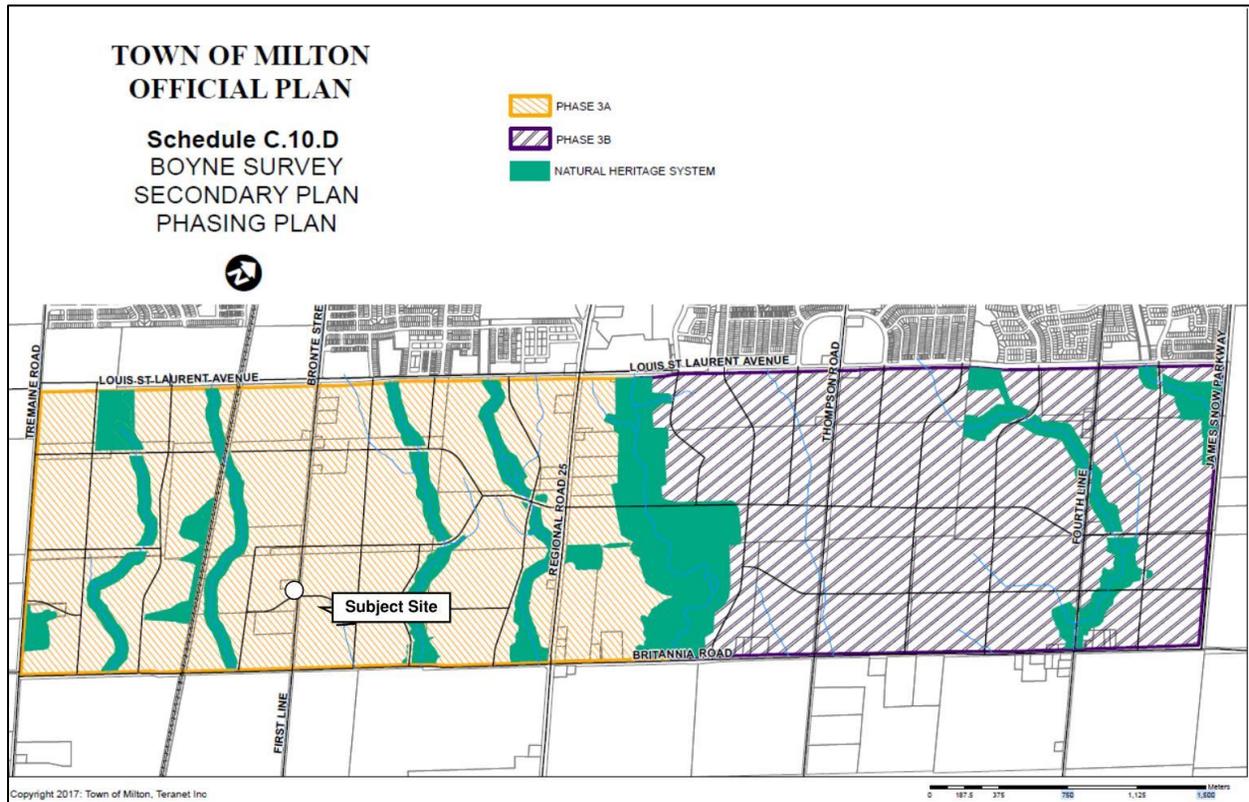
² See p. 226, 2019 – 2023 Milton Transit Service Review and Master Plan Update (Final Report, June 2019)
https://www.milton.ca/en/living-in-milton/resources/2019_-_2023_Milton_Transit_Services_Review_and_Master_Plan_Update.pdf

This new mobility approach would be applied to the area currently served by Milton bus Route 10 (see **Figure 3**) and will allow for the efficient provision of transit while residential development grows. As the demand for transit increases in the area, consideration of the implementation of fixed routes will be undertaken.

3.2.2.2 ACTIVE TRANSPORTATION

The recent re-construction of Bronte Street South included the provision of dedicated northbound and southbound cycling lanes. These cycling lanes are continuous on Bronte Street from the subject site north to Main Street in downtown Milton and connect to lanes at Louis St. Laurent Avenue and Derry Road West.

From a walkability perspective the subject site will be in the heart of a walkable residential area once the phased re-development of the Boyne Survey Secondary Plan Area (BSSPA) is complete (see **Figure 4**). According to the Town of Milton, the projected residential population of this area once developed is 50,000, so it is reasonable to assume that there will be an eventual population of approximately 25,000 in western half of the BSSPA, and a reasonable population within a twenty-minute walk of the subject site.

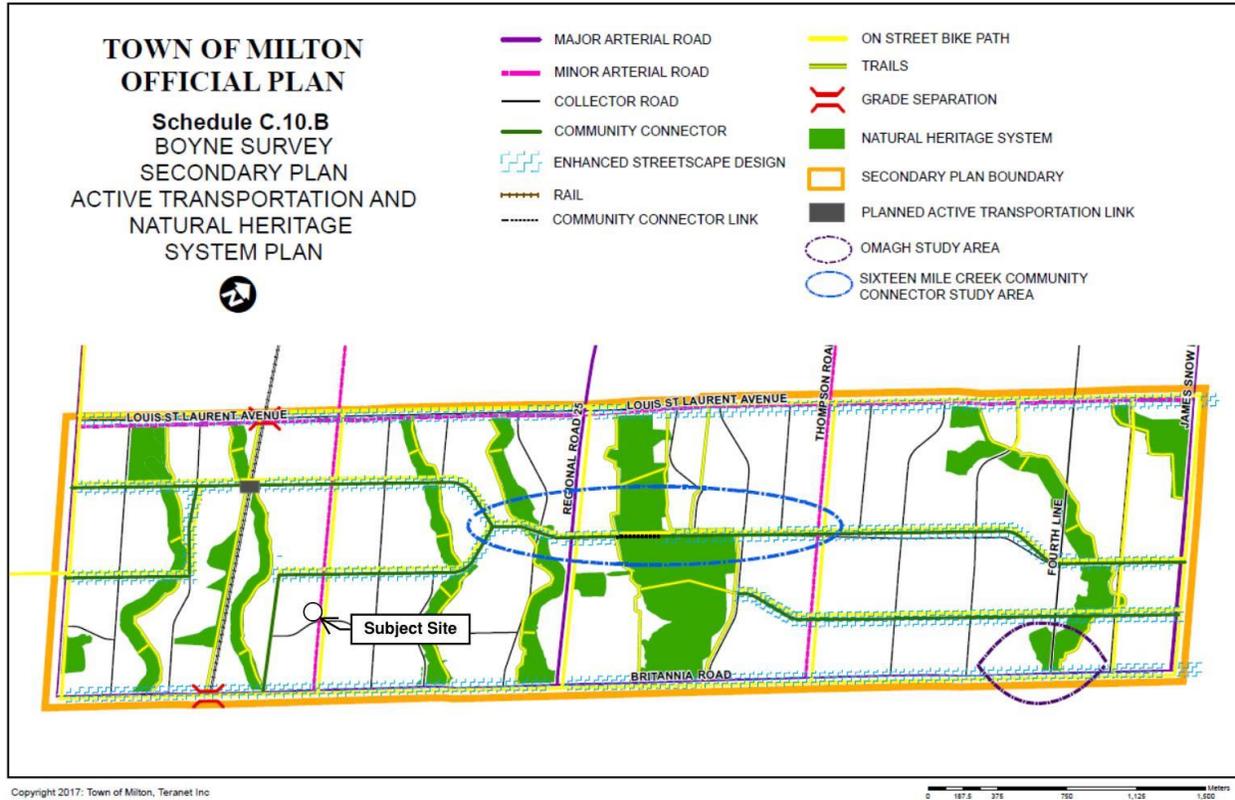


➤ **Figure 4: Location of subject site on Boyne Survey Secondary Plan phasing plan**

Further, the Boyne Secondary Plan contains significant direction for active transportation opportunities and high-quality streetscape interventions throughout the Secondary Plan Area, including “Community Connectors”, roads that will be built with an enhanced approach to landscaping, street tree plantings, sidewalks, lighting, public/private utilities, bike paths and

boulevards. There is also a grade-separated Active Transportation Link that is planned to be provided across the CN Rail line west of Bronte Street and south of Louis St. Laurent Avenue (see **Figure 5**).

More detail on the proposed development’s relationship to the Boyne Survey Secondary Plan and its accompanying Urban Design Guidelines may be found in **Sections 0 and 5.2** of this report.



➤ **Figure 5: Planned Active Transportation Network, Boyne Survey Secondary Plan**

3.3 SURROUNDING CONTEXT

3.3.1 EXISTING CONTEXT

The existing context surrounding the subject site is primarily residential, institutional and future residential lands.

To the east of the subject site, across Bronte Street South, are newly constructed dwellings, predominantly townhouses. These dwellings are accessed via a neighbourhood collector street, Holbrook Court, rather than directly from Bronte Street.



➤ **Figure 6: Townhouses along Bronte Street South, east of the subject site**

To the north of the subject site, a new secondary school, the Elsie MacGill Secondary School, was constructed by Halton District School Board. The school site includes an athletics field and running track and is grade separated from the subject site at 1456 Bronte Street South by a retaining wall along the northern and eastern property lines of the subject site.



➤ **Figure 7: HDSB secondary school, north of the subject site**

Lands that are currently vacant to the south of the site have a Plan of Subdivision approved for future residential development.

3.3.2 EMERGING CONTEXT

In line with phasing specified in the Town of Milton Official Plan and the Boyne Survey Secondary Plan (see **Section 5** below), there is a significant amount of development planned for the lands to the west of Bronte Street South between Louis St. Laurent Avenue and Britannia Road. **Table 1** lists the active or complete planning applications in the area surrounding the subject site that have been received or registered with the Town of Milton, which are shown in **Figure 8**.



➤ **Figure 8: Map of emerging development surrounding 1456 Bronte Street South**

Figure 8 Reference Number	Name	Application Type	Status	Registered Number	Town File Number
1	Stevenson Land/ Shadybrook Development Inc. Great	Plan of Subdivision	Received (on hold)		24T-14012/M
2	Branthaven Caivan Inc.	Plan of Subdivision	Registered	20M-1182	24T-14007/M
3	Stevenson Land/ Shadybrook Development Inc. Great	Plan of Subdivision	Received		24T-14012/M
4	1048605/1045502 Ontario Limited Fieldgate - West	Plan of Subdivision	Received		24T-14013/M

5	1048605/1045502 Ontario Limited Fieldgate - East	Plan of Subdivision	Received		24T-21005/M
6	Mattamy (Willmott) Church Phase 4	Plan of Subdivision	Registered	20M-1197	24T-14009/M
7	Mattamy (Willmott) Church Phase 1	Plan of Subdivision	Registered	20M-1179	24T-14009/M
8	Mattamy (Willmott) Church Phase 2 Condo	Plan of Subdivision	Registered	20M-1180	24T-14009/M
9	Mattamy (Willmott) Church Phase 2	Plan of Subdivision	Registered	20M-1180	24T-14009/M
10	Main Sail Estates Inc.	Plan of Subdivision	Registered	20M-1184	24T-14006/M

➤ **Table 1: Planning applications currently with the Town of Milton**

4 PROPOSED DEVELOPMENT CONCEPT

The proposed development is for a 1 ½ story flat-roofed building with a primary use as place of worship, including a 242 square metre religious prayer space and 49 square metre library. The building will also have an accessory use as a community gathering space, with 285 square metres of multi-purpose space.

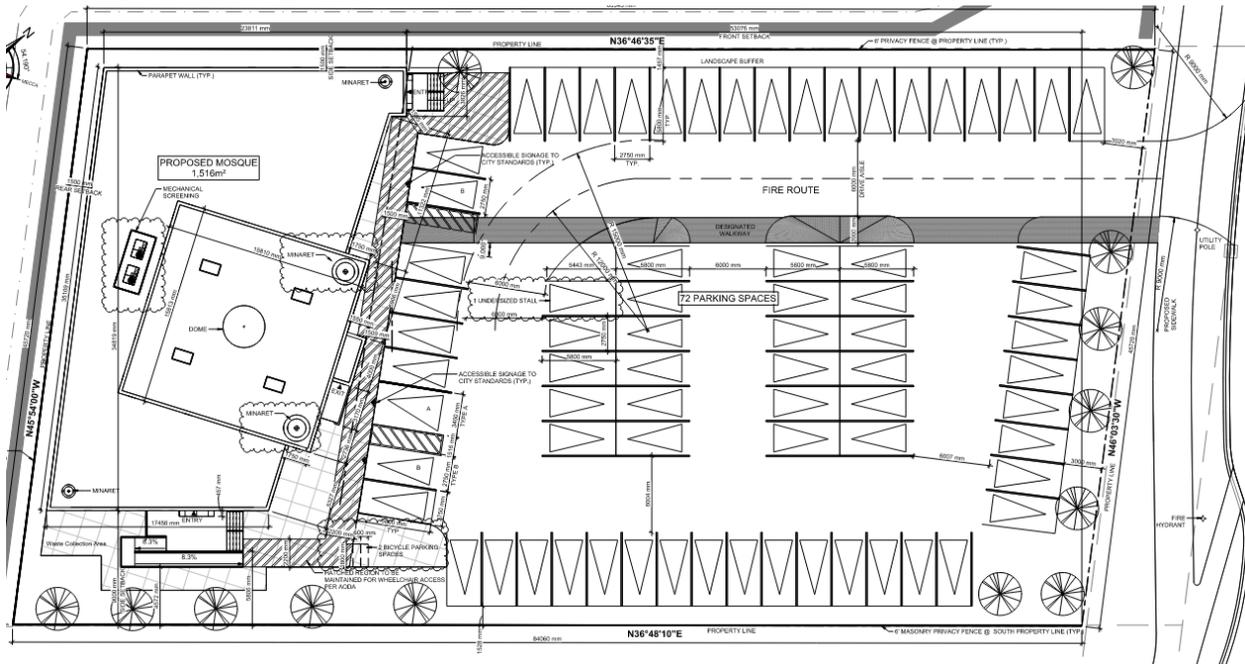
The existing single storey dwelling and accessory buildings on the site will be demolished, and the site will be regraded to be level with Bronte Street South. The existing trees and above-ground propane tank will also be removed, and existing wells on the site will be filled.

4.1 SUMMARY DESCRIPTION AND STATISTICS

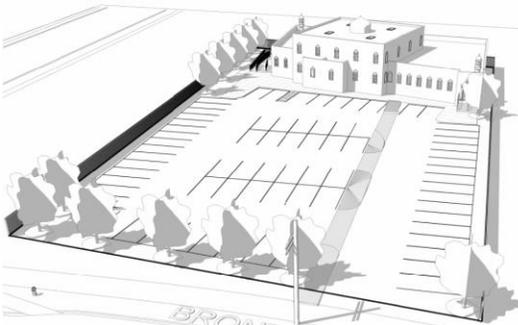
The site and built form characteristics and relevant statistics are summarized below:

- A total Gross Floor Area (GFA) of 1,445 square metres (excludes basement storage and mechanical room as per definition of GFA in Milton Zoning By-law):
 - Prayer hall: 242 square metres
 - Library: 49 square metres
 - Multi-purpose room: 285 square metres

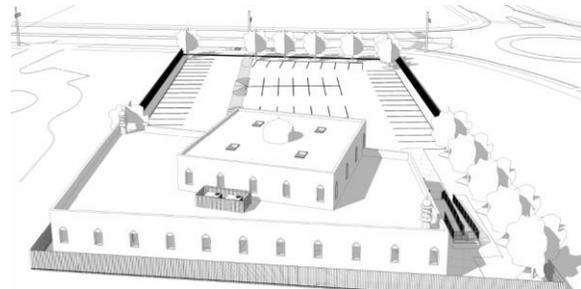
- Site will be accessed by a “right-in/right-out” private driveway off Bronte Street South. No left turns will be permitted from and into the subject site from Bronte Street due to the existing median.
- 72 parking spaces are proposed including 3 wheelchair accessible parking spaces, 1 Type A space and 2 Type B spaces, and 1 space marked for small vehicles only.
- The building height is proposed at a height of 7.7 metres, measured from grade to the highest parapet;
- 15.1% of soft landscaping is proposed.
- The proposed development will connect to existing municipal stormwater, sanitary, and water services.



➤ **Figure 9: Proposed site plan**



➤ **View looking southwest (front of building)**



➤ **View looking east (rear of building)**

4.2 SITE ORGANIZATION AND BUILT FORM

The site has been reorganized from the initial application submission to provide additional separation between the proposed building and the proposed residential uses to the south of the site. The building has been shifted to the project northwest corner from the southeast corner of the site. The parking area has now been placed at the front of the site, and is framed with landscaped elements and pedestrian connections from Bronte St. S. The parking lot provides 72 parking spaces, including 3 accessible parking stalls. The main entrances are directly accessible from the parking area. Pedestrian walkways have been provided to assist in pedestrian circulation, and an accessibility ramp will be provided.

The proposed development has been designed in a manner that complements the existing and proposed neighbourhood context, which is characterized by two-storey buildings, primarily townhouses and semi-detached dwellings. The building will be one and a half storeys, with minarets on the northeast and southwest corners, and a central cupola atop the prayer hall.

The proposal will provide a clean, contemporary look with modern elements and finishes.

The building height, as measured from the established grade to the highest point of the parapet is a maximum of 7.7 metres. In our view, the domes and minarets are architectural elements exempt from the height limit.

4.3 LANDSCAPING

The subject site is intended to be landscaped along the site perimeter, softening the entrance into the site and buffering the parking area from the street. The landscape concept also proposes sodding and native deciduous trees along the Bronte Street frontage which, over time will create a tree canopy. Additional trees and sodding will be placed at the back corners of the site, providing a softened transition to adjacent properties. A masonry fence will be proposed between the residential property to the south and the subject site. All site lighting will be directed downwards and inwards to ensure that the lighting is appropriate with the adjacent residential uses.

4.4 SERVICING AND GRADING

The subject site is proposed to have a sanitary connection to existing services on the east side of Bronte Street South, and a water connection to the existing watermain on the west side of Bronte Street at the northeast corner of the site.

The stormwater management has been designed so that stormwater will be captured on site and directed to the catchbasins in the parking lot for both the minor and major storms. Stormwater will then outlet to the existing ditch on Bronte Street.

5 POLICY AND REGULATORY CONTEXT

In reviewing the land use planning context for the subject site, consideration has been given to provincial planning documents and studies including, the Provincial Policy Statement (PPS), 2020 and the Province's Growth Plan for the Greater Golden Horseshoe (the Growth Plan), 2020. This section also reviews regional and local policies including the Halton Region Official Plan, the Town of Official Plan, the Boyne Survey Secondary Plan and accompanying Urban Design Guidelines, and the Town of Milton Zoning By-law 016-2014. It should be noted that both the Halton Region Official Plan and Town of Milton Official Plan have not yet been updated to be consistent with the PPS, 2020 or conform to the Growth Plan, 2020. Both municipalities are currently undergoing official plan reviews.

5.1 PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (PPS), 2020 came into effect on May 1, 2020 and replaces the PPS, 2014. The PPS provides provincial policy direction on matters related to key land use planning issues such as housing, infrastructure, economic development, transportation, and the protection of environmental resources. In accordance with Section 3(5) of the *Planning Act*, all land use decisions are required to be consistent with the PPS.

Section 1.0 of the PPS sets out policies associated with efficient land use and development patterns that support healthy, liveable and safe communities, protects the environment and public health and safety, and facilitates economic growth. The policies of Sections 1.1.1 and 1.1.3 state:

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;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

c) minimize negative impacts to air quality and climate change, and promote energy efficiency;

d) prepare for the impacts of a changing climate;

e) support active transportation;

f) are transit-supportive, where transit is planned, exists or may be developed;

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The proposed development is consistent with section 1.1 of the PPS as it represents the efficient use of land within the Milton settlement area and adds to the diversity of land uses within its local area by offering both a place of worship and community space. As a public service facility, the proposed use of the development on the subject site as a place of worship and community space directly supports policies 1.1.1(b) and 1.1.3.2(b). In support of Policy 1.1.3.4, the project will result in the intensification of the subject site and a higher density land use than its previous use as a single-detached home. Policy 1.1.3.2(a) is supported by the new facility's connection to the existing municipal sanitary and water services, eliminating a well and septic system and helping to maximise the efficient use of the Town of Milton's municipal services. This development will also, along with other planned development to the west of Bronte Street South, support policy 1.1.3.6 by extending the existing built-up area in a phased manner.

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The subject site is not currently connected to municipal services and is serviced by an existing well and septic system. The proposed development will connect to the existing water and sanitary services, which will optimize the use of these services.

5.2. Draft Provincial Policy Statement, 2023

A draft Provincial Policy Statement was released in April 2023 by the Ministry of Municipal Affairs and Housing (MMAH) seeking input on proposed policies for an integrated province-wide land use policy. This proposed Provincial Planning Statement (PPS) takes policies from both A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement, 2020 to support the achievement of housing objectives across Ontario.

Currently, the Province is seeking input on the proposed PPS that would replace the existing PPS and A Place to Grow. It is anticipated that the PPS would take effect in Fall 2023, however, more information will be released when readily available. As noted above, in accordance with Section 3(5) of the *Planning Act*, all land use decisions are required to be consistent with the PPS.

Section 2.0 of the draft PPS sets out policies associated with building homes and sustainable competitive communities, while ensuring the environment is protected. The policies of Section 2.1.4 and 2.3.1 state:

2.1.4 Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving group*

2.3.1 Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.

2.3.2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) optimize existing and planned infrastructure and public service facilities;*
- c) support active transportation;*
- d) are transit-supportive, as appropriate; and*

e) are freight-supportive.

2.3.3. Planning authorities should support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

The proposed development is consistent with 2.1.2 of the PPS as it utilizes the land efficiently within the Milton settlement area and adds diversity of land uses within its local area by offering a community space and place of worship. As a public service facility, the proposed use of the development on the subject site as a place of worship and community space directly supports policies 2.1.4 (a) and 2.3.2 (b). In support of policy 2.3.3, the project will result in the intensification of the subject site and a higher density land use than its previous use as a single-detached home. In addition, as noted above, the facility's connection to the existing municipal sanitary and water services will eliminate the need for a well and septic system and help to maximise the efficient use of the Town of Milton's municipal services. Lastly, the development, along with other development anticipated to occur to the west of Bronte Street South, support 2.3.1 by focusing on growth and development within settlement areas.

5.3 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSEHOE, 2020

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Office Consolidation August 2020) ("the Growth Plan") contains policies regarding population and employment projections and development policies that form the basis for planning for growth in municipalities within the Greater Golden Horseshoe (GGH) Area, including the Region of Halton and the Town of Milton. The Growth Plan guides decisions on a wide variety of issues, including transportation, infrastructure planning, land use planning, urban form, housing, natural heritage and resource protection in the interest of promoting economic prosperity.

Within the Growth Plan, the subject site is located within the "Designated Greenfield Area – Conceptual" of Halton Region, as shown on **Figure 10**. Designated Greenfield Areas are defined in the Growth Plan as lands within settlement areas but outside of delineated built-up areas that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of the Plan. Within Halton Region, 1,100,100 residents and 500,000 jobs are forecasted for the 2051 horizon (see Schedule 3 of the Growth Plan).



➤ **Figure 10: Location of the subject site within the Growth Plan (2020) area.**

Section 2.2.1.4 of the Growth Plan states the following:

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; ...*
- d) expand convenient access to: ...*
 - ii. public service facilities, co-located and integrated in community hubs; ...*

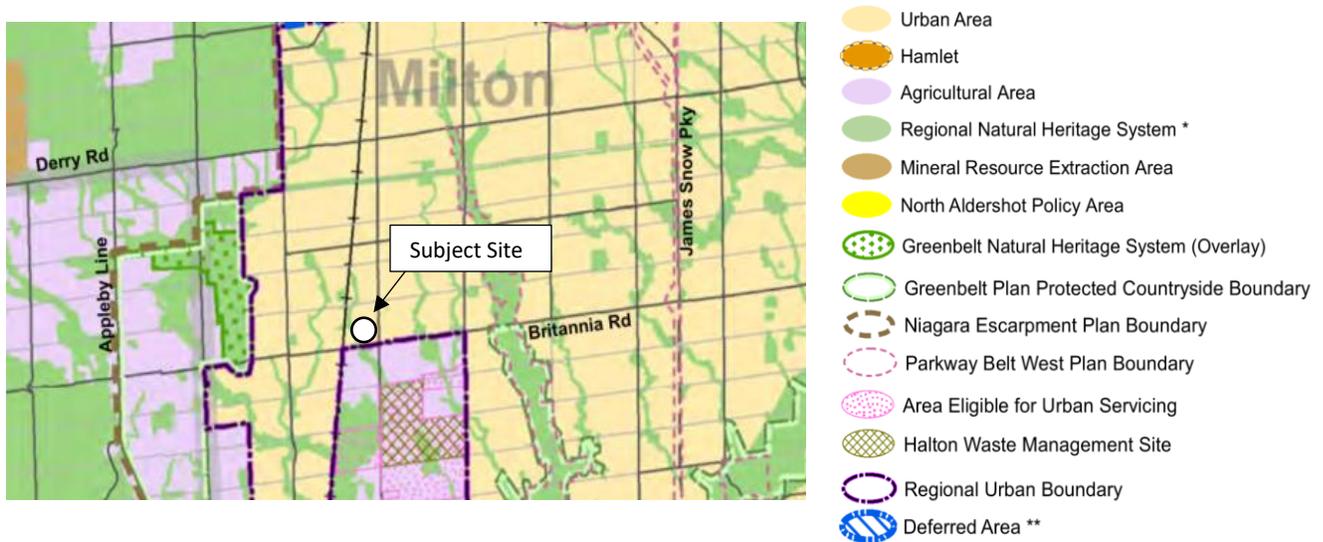
As the provider of cultural services, the proposed development functions both as a place of worship and community space and are supportive of policies 2.2.1.4(a) and (b). The development will increase the diversity of uses within a rapidly developing part of the Town of Milton and Region of Halton, providing a walkable location for community and cultural services and helping to grow south Milton into a complete community.

5.4 HALTON REGION OFFICIAL PLAN (2022)

The Official Plan of the Regional Municipality of Halton (Office Consolidation, November 4, 2022) The Ministry of Municipal Affairs and Housing recently approved a new Region of Halton Official Plan on November 4, 2022. The Regional Official Plan (ROP), which is commonly referred to as the Regional Plan, gives direction on how physical development should proceed in Halton, as well as assisting in the delivery of Regional services and the carrying out of Regional responsibilities as set out in the Planning Act. The ROP outlines the general urban structure, future growth, and

land uses within the Region, and is used by the four local municipalities within Halton to guide the preparation of their own Official Plans, amendments, and Zoning By-laws.

The subject site is located within the Urban Area in Map 1 (“Regional Structure”) as illustrated in **Figure 11**.



➤ **Figure 11: Excerpt from Map 1 (Regional Structure), Halton Regional Official Plan**

Development within the Region is constrained by the following ROP policies:

58. Uses are permitted as specified for each land use designation provided that:

- 1) *the site is not considered hazardous to life or property due to conditions such as soil contamination, unstable ground or soil, erosion, or possible flooding;*
 - 1.1) *adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region;*
and
- 2) *development meets all applicable statutory requirements, including regulations, Official Plan policies, zoning by-laws, and municipal by-laws*

These policies are supported by the proposed development. A Phase 1 Environmental Site Assessment and geotechnical investigation have been undertaken by for the subject site by Terraprobe Inc. a report from March 2021 and revised in August 2023 shows that that the site contains no historical or current Potentially Contaminating Activities and that the ground is stable and suitable for development. See the Phase 1 ESA and Geotechnical reports attached to this application for more detail. Additionally, the site is not located in any hazard- or flood-prone areas identified within the ROP.

Regarding the adequate supply of water and treatment of wastewater for the proposed use of the site, the Functional Servicing and Stormwater Report revised in July 2023 by Husson Engineering (attached to this application) shows that there are available municipal water and

sanitary services which can supply the proposed development, and that the new use of the property will not place undue stress on either the water or the sanitary system.

Section 2 of this report provides rationale that the proposed development meets all Provincial regulations and municipal policies, including Regional and local Official Plans, and Zoning By-laws.

Section 72 of the Halton ROP contains the following policies on Urban Areas:

72.1 The objectives of the Urban Area are:

- 1. To accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently.*
- 2. To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy.*
- 3. To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.*
- 4. To ensure that growth takes place commensurately both within and outside the Built Boundary.*
- 5. To establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the policies of this Plan.*
- 6. To identify an urban structure that supports the development of Intensification Areas.*
- 7. To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation.*
- 8. To promote the adaptive re-use of brownfield and greyfield sites.*
- 9. To facilitate and promote intensification and increased densities.*
- 10. To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.*
 - 10.1. To direct where employment uses should be located and to protect areas designated for such uses.*
- 11. To provide opportunities for post-secondary education facilities to locate within Halton.*

The proposed development is consistent with and supports these objectives, especially those prioritizing the orderly development of land and efficient use of services. The development of

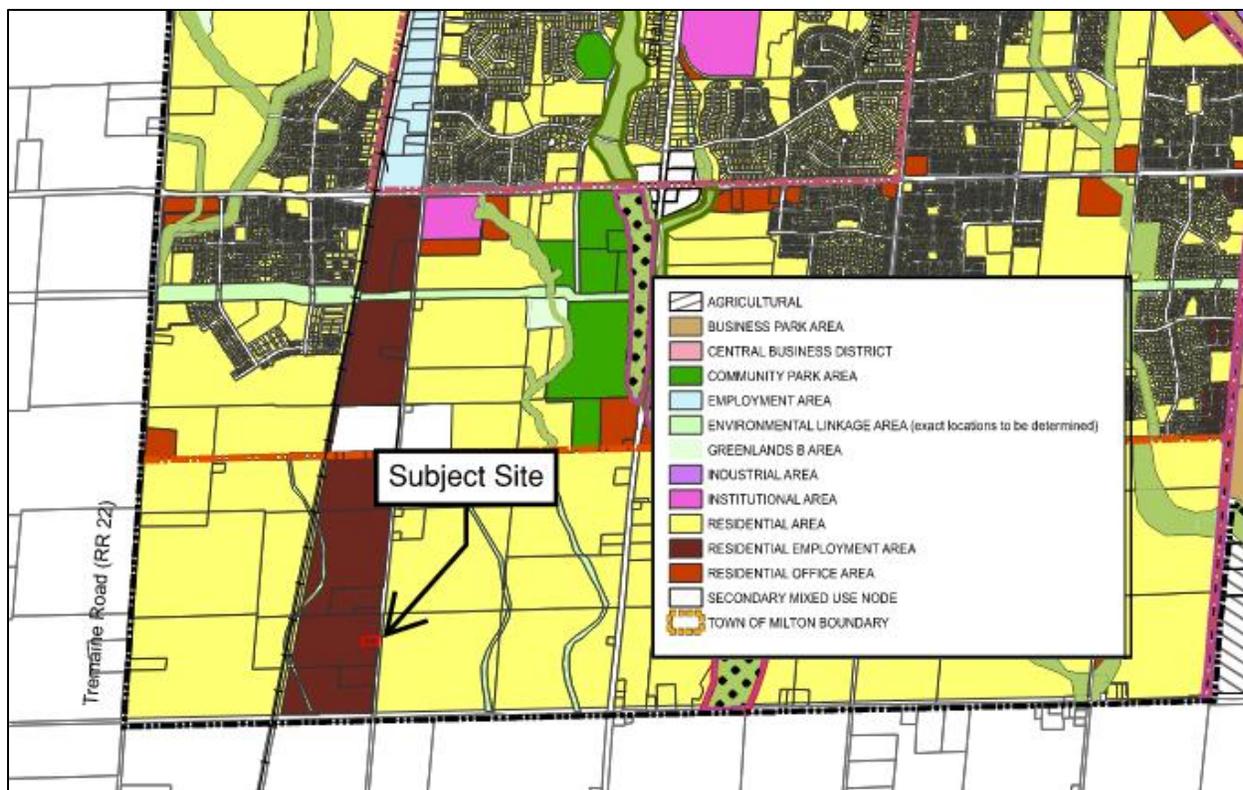
this subject site for use as a place of worship aligns with subsection 72.3 of the Halton ROP by providing for a diversity of land uses, building type and character, and thus supporting the creation of complete communities. Adding diversity of form and use is especially important given that the surrounding area of the proposed development is growing in a predominantly residential manner. The connection of the site to Milton's existing municipal water and sanitary service supports subsection 72.2's objective of making efficient use of space and services.

5.5 TOWN OF MILTON OFFICIAL PLAN (2008)

The Town of Milton's Official Plan (Office Consolidation, 2008) is the principal policy document which directs the development and growth of the Town. The Official Plan (OP) was adopted by Town Council in August 1996. It should be noted that the current consolidation of the Milton OP does not include a number of amendments adopted since 2008. Most notable of these amendments is Official Plan Amendment 31 (OPA 31), which aligns the OP with the provincial Growth Plan for the Greater Golden Horseshoe and the Halton Regional Official Plan. As OPA 31 is currently under appeal, a separate section will look at OPA 31 in more detail.

Milton is currently undertaking the creation of a new Official Plan under section 26 of the Planning Act, with a planning horizon of 2051. This new plan is being developed in coordination with the Regional Official Plan Review being undertaken by Halton Region. The Town is currently in the "Big Questions" stage of the Official Plan review, meaning the Town will provide a set of recommended policy directions based on research and community input. The 'Big Questions' are grouped into the four themes of Living, Growing, Working, and Moving in Milton. The updated Official Plan will provide the overall structure and overarching official policy vision, goals and directions of the Town of Milton.

The subject site lands are designated Residential Employment Area in Schedule B (Urban Area Land Use Plan) (see **Figure 12**). According to subsection 3.4 of the OP, this designation is intended for lands where a mix of uses is appropriate due to locational considerations. The designation intends to develop an area that is fully integrated with a range of uses included residential, institutional and employment uses. The permitted uses are a range of medium and high density residential development, with consideration given to the integration of employment uses included office, light industrial and institutional uses.



➤ **Figure 12: Excerpt from Schedule B (Urban Area Land Use Plan), Town of Milton Official Plan, showing subject site**

Subsection 3.4.2 of the OP provides policies as follows;

...The following additional uses may also be permitted:...

- c) *Local Institutional Uses which by their activity, scale and design are compatible with residential uses and which serve adjacent residential areas, including elementary and secondary schools, libraries, churches, day care facilities and community centres, in accordance with the policies of subsection 3.2.3.6*

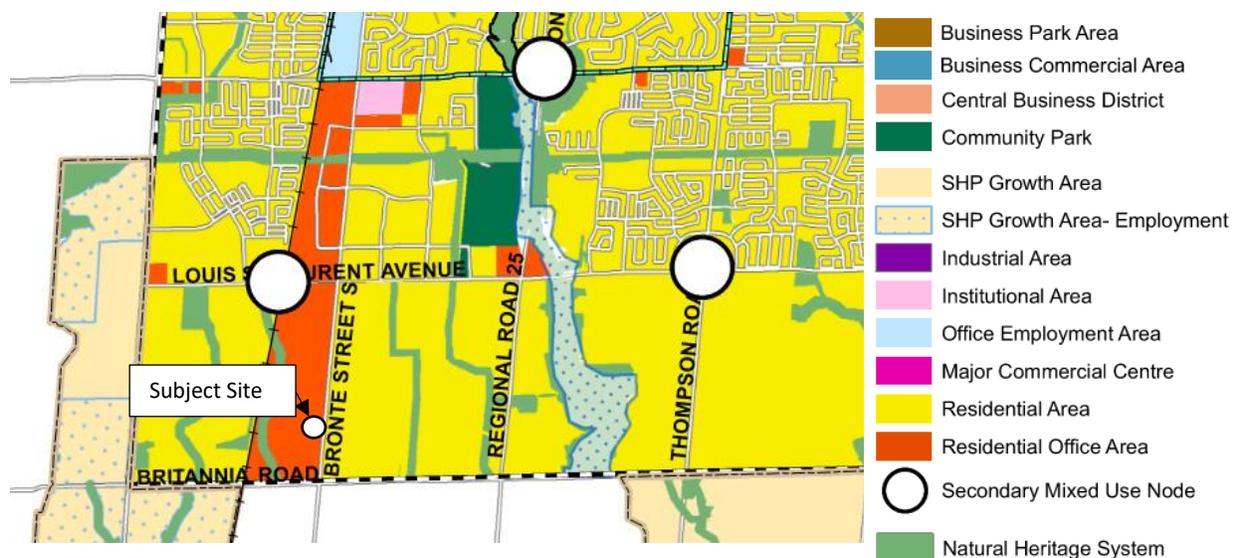
The scale and nature of the proposed development is highly compatible with the nature of the existing and planned residential area surrounding the subject site, and thus is appropriate for the Residential Employment Area designation. Rather than a large institution designed to serve a large community and generating high amounts of traffic within the neighbourhood, the proposed development is modest, with a built form and projected use that fits the residential nature of its area.

According to subsection 3.4.3.1 of the Town OP, development in lands designated Residential/Employment Area is prohibited until a Secondary Plan has been approved for the appropriate Planning District where the lands are located. Specific provisions for development, including allocation of land uses, servicing, street layout, and connectivity are outlined through Secondary Plans and tertiary plans, when applicable.

In the case of the subject site, development policies are specified through the Boyne Survey Secondary Plan, which is outlined below.

5.1.1 OPA 31

As noted above, the current consolidation of the Milton OP does not include a number of amendments adopted since 2008. Most notable of these amendments is Official Plan Amendment 31 (OPA 31), which aligns the OP with the provincial Growth Plan for the Greater Golden Horseshoe and the Halton Regional Official Plan. OPA 31 was initially adopted by Milton Council in 2010 but following the approval of changes to the OPA by Halton Region on November 21, 2018, it was appealed to the Local Planning Appeals Tribunal, and is currently still under appeal.



➤ **Figure 13: Excerpt from Schedule B (Urban Area Land Use Plan), Town of Milton OPA 31, showing subject site**

Subsection 2.1.2.5 of the OP sets out the Community Directions and Strategic Objectives and will:

“Encourage the provisions and maintenance of an appropriate mix of residential commercial and institutional uses.”

The subject site is designated Residential Office in Schedule B (Urban Area Land Use Plan) (see Figure 13) of OPA 31. According to subsection 3.3 of the OPA, this designation is intended for lands within the Established Urban Area and HUSP Urban Area where higher density development is to be encouraged including lands at gateways to the community and adjacent to major open spaces, commercial nodes and major institutional uses. The permitted uses are primarily high rise residential uses but may also include office and accessory local commercial uses, located in the residential or office buildings. Local Institutional uses are also permitted as additional uses per 3.3.2 c) of the OP:

“which by their activity, scale and design are compatible with residential uses and which serve adjacent residential areas, including... libraries, churches... and community centres, in accordance with the policies of subsection 3.2.3.6”

Subsection 3.2.3.6 of the OP provides general criteria for which the development of local institutional uses shall conform to:

“a) the proposed uses will contribute in a positive way to providing a sense of community by promoting interaction among residents, by increasing the personal security of residents, and by supplying everyday needs;

b) the proposed uses will provide or contribute to the "sense of place" at the neighbourhood or sub-neighbourhood level by the establishment of a focal point for community activity;”

The proposed uses will positively contribute to the sense of community and sense of place within the neighbourhood. The place of worship and accessory community space and library will serve as a focal point for the community and promote interaction among users and local residents. The space is intended to be used by a variety of users, including residents. Along with the High School and the district public park to the north, the proposed use will form an institutional hub within the Boyne Secondary Plan Area.

“c) the proposed use includes the provision of pedestrian or other non-automobile linkages to the uses;”

The site design includes a pedestrian linkage from Bronte Street South to the building. A pedestrian pathway will also be provided from the traffic circle along Bronte Street South.

“d) ensuring that the proposed use would not generate an unacceptable level of vehicular traffic onto local streets; and,”

Given the proposed use of the site, the peak periods of use will tend to be different than the traditional peak periods of vehicular traffic. As noted in the Traffic Study completed by Crozier, the development will have a negligible impact on the traffic network.

“e) the service to be provided by the proposed use is needed at the proposed location in the Residential Area designation and the service cannot be or is not being provided in other areas which are designated for such uses.”

The proposed use will benefit the surrounding residential area and is a permitted use within the Institutional designation of the Secondary Plan. As a neighbourhood mosque, it is anticipated that many users will walk to the site.

Subsection 3.3.3.1 of the OP also provides policies as follows:

“All development in areas designated "Residential/Office Area" shall have a street layout which reflects a modified grid pattern. Land division, allocation of land uses, the design of buildings, structures and landscaping, as well as services and utilities should all reinforce the creation of a focal point which is oriented to the major roads on which the buildings and structures front.”

The scale and nature of the proposed development is highly compatible with the nature of the existing and planned residential area surrounding the subject site, and thus is appropriate for the Residential Office Area designation. The proposed development aligns with the permitted

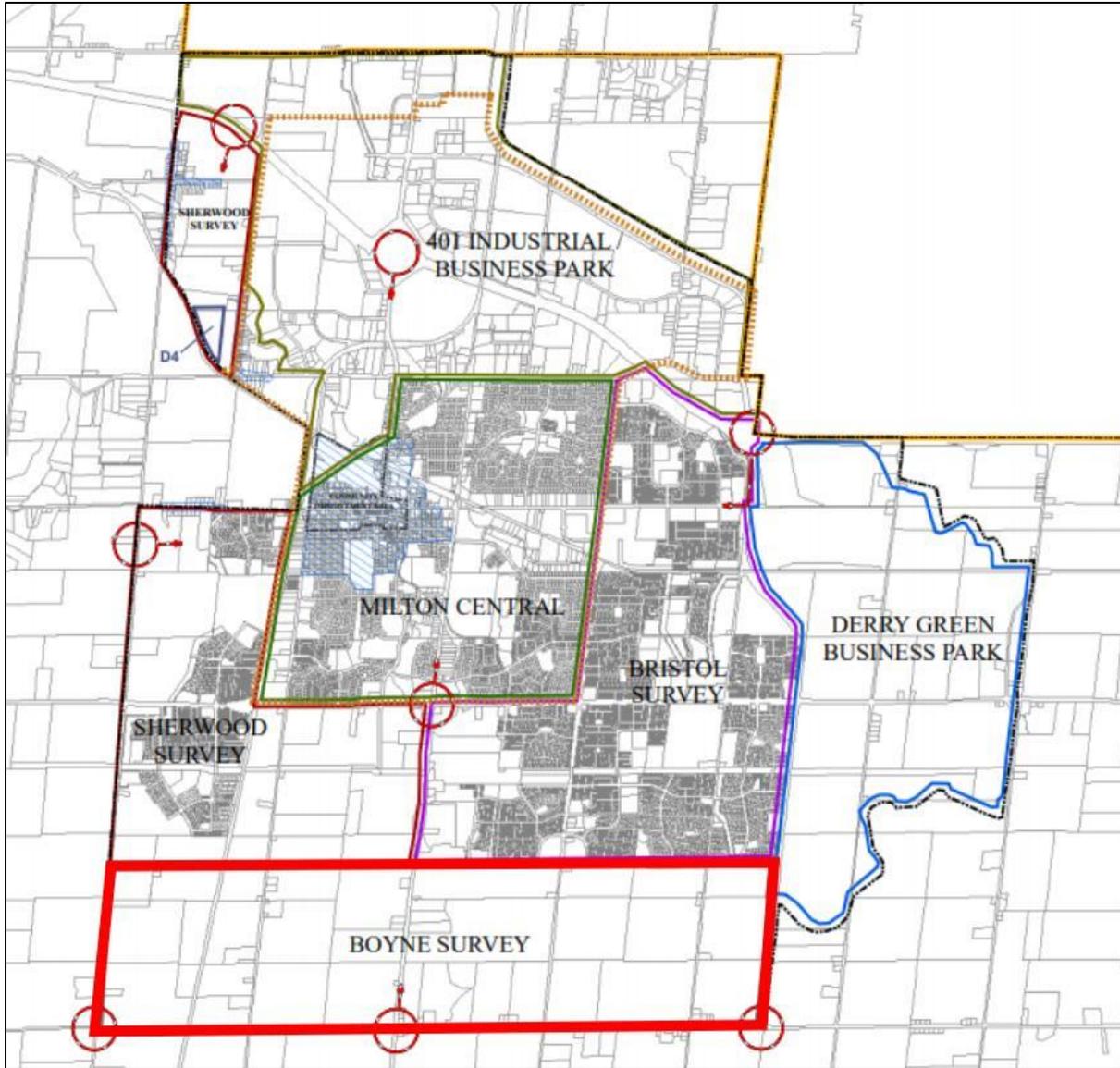
uses in the Residential Office Area and the modest design and built form fits the residential nature of its area. The proposed development, while with a building towards the rear of the site, is still oriented towards Bronte St. S. The worship space and architectural elements highlight the proposed mosque as a focal point along Bronte St. S.

5.6 BOYNE SURVEY SECONDARY PLAN

The Boyne Survey Secondary Plan was adopted by the Town of Milton in June 2010 and was approved by the Ontario Municipal Board in January 2015 following its approval by Halton Region and subsequent appeal. The final consolidated secondary plan, including an updated tertiary plan for the Boyne Survey West (Phase 3A) lands was implemented in August 2015 through Official Plan Amendment No. 40.

The Boyne Survey Secondary Plan covers an area of roughly 930 hectares (see **Figure 14**), within the following confines:

- Louis St. Laurent Avenue to the north
- James Snow Parkway to the east
- Britannia Road to the south
- Tremaine Road to the west



➤ **Figure 14: Location of Boyne Survey Secondary Plan area within the Town of Milton**

Its purpose is to instate a more detailed planning framework for this area, which makes up Phase 3 of the Urban Expansion Area as delineated in Schedule “H” (Phasing of Urban Expansion) of the Town of Milton Official Plan. The Boyne Survey Secondary Plan area is intended to be developed in an iterative and phased manner to support the growth of connected neighbourhoods and complete communities, and to minimize the impact on existing taxpayers of the costs of new development.

Section C.10.2 Planning District Concept of the Boyne Survey Secondary Plan contains the following policies:

C.10.2.1 *Community Character*

The Secondary Plan is designed to create a complete, safe, liveable, attractive and healthy community, which has the strong sense of community and the environment evident in Milton today by:

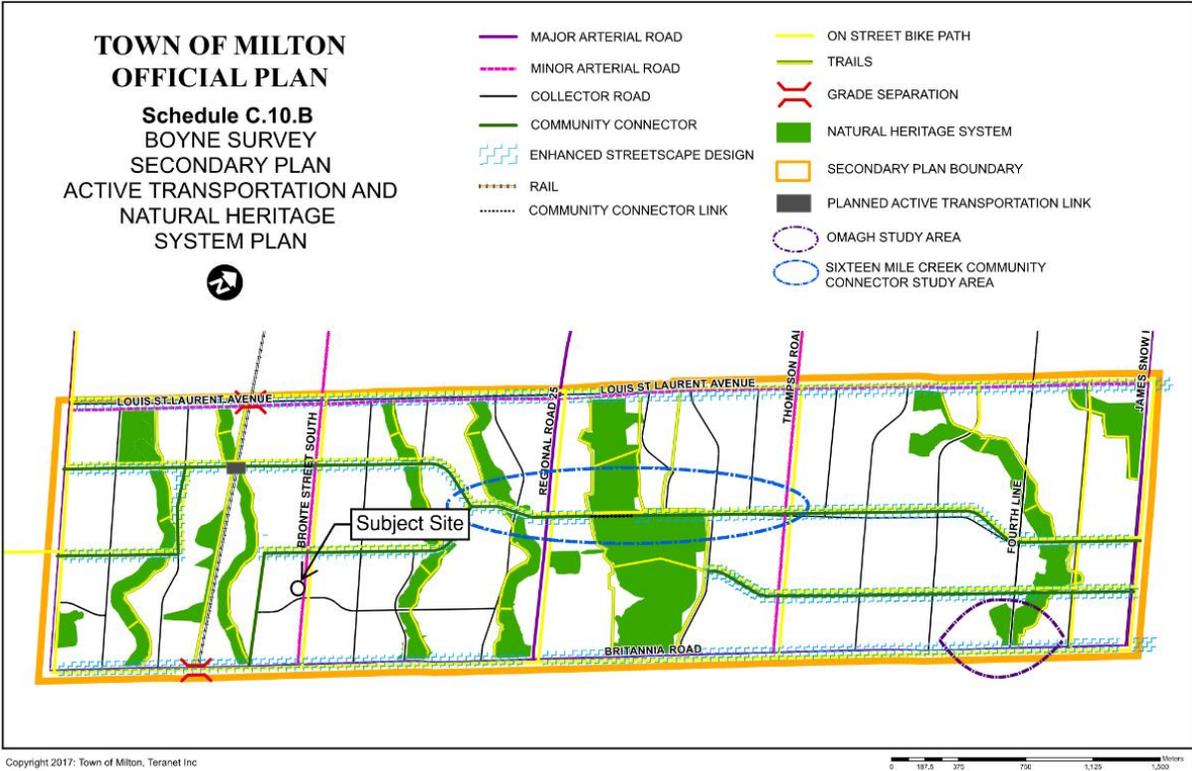
- a) ensuring the maximum degree of physical connection with the Existing Milton Urban Area, within the Boyne Survey Planning District itself, and with other surrounding areas of the Town, particularly the Niagara Escarpment, Bruce Trail, and Greenbelt Plan - Protected Countryside to the north and west, and the Milton Education Village Neighbourhood planned for the area west of Tremaine Road;*

C.10.2.2 Key Design Elements

...Internal to Boyne Survey, an east/west system of collector roads consisting of “Community Connectors”, a “Community Connector Link” and an “Active Transportation Link” will ultimately link the neighbourhoods in the Secondary Plan Area and provide opportunities for the full range of transportation modes. This system will be designed as a focal point for the community with an enhanced and co-ordinated approach to landscaping, street tree plantings, sidewalks, lighting, public/private utilities, bike paths and boulevards having regard to the Urban Design Guidelines.

In addition, the Town shall through the subdivision, zoning by-law and site plan approval processes, control development along these roads to ensure both a high quality of site design and built form. In particular, buildings will be designed to face on these roads, and any significant parking areas will be at least partially screened.

The proposed development supports the Planning District Concept in a number of ways. Firstly, as the intensification of an existing low-density site, it contributes to the urban nature of its surrounding area and builds the physical connection between the existing Milton Urban Area and the expansion area as it develops. Secondly, the site design of the proposed development interfaces well with Bronte Street South, identified as a Minor Arterial road in Schedule C.10.B of the Boyne Survey Secondary Plan (see **Figure 15**). The planned landscaping along Bronte Street will frame the street and create a pleasant character. A pedestrian walkway from Bronte Street will lead to the building, providing connectivity throughout the site.



➤ **Figure 15: Schedule C.10.B, Boyne Survey Secondary Plan, showing subject site**

Section C.10.3 Goals and Objectives contains the following policies:

C.10.3.1 Goal

To create a safe, liveable, attractive complete and healthy community in Boyne Survey which is designed to be integrated with the rest of the Milton Urban Area, and to reflect the engaging, balanced and connected character of the Town of Milton as a whole.

C.10.3.2 Objectives

...

C.10.3.2.7 To develop a residential community with its own special character which maintains the “small town” character of the established Milton urban area, while providing for a diverse range of housing options as well as employment opportunities, and transit supportive development patterns and densities.

C.10.3.2.8 To develop neighbourhoods that each have a “sense of place” created by the design of the development, including the pedestrian orientation of the streetscape, and the provision of community facilities for social, cultural, recreational, educational and religious purposes within neighbourhoods, with a particular emphasis on parks which are designed as “meeting” points for the immediate area.

The small scale of the proposed development makes it fit within the “small town” character intended for the Boyne Survey Secondary Plan area. The positioning of the proposed building at the site’s rear, as well as the landscaping, fit the existing and planned low-rise character of the

residential neighbourhoods surrounding the site. The new positioning of the building to the rear of the site will create a better relationship with the houses to the south and ensure that there are proper separation distances between the proposed residential uses to the south. Further, policy C.10.3.2.8 is supported by the planned use of the site as a place of worship, community gathering, and cultural and recreational activities.

Section 10.4.5 Urban Design contains the following policy:

C.10.4.5.3 Further to the policies of Section C.10.4.5.2, development shall also be designed in accordance with the following:

...

h) A mix of lot sizes, building types and architectural styles with high quality building materials will be encouraged on a street-by-street basis to reinforce the character of the existing community...

The proposed development supports this urban design policy by introducing a high-quality, distinctive building that adds to the diversity of the built form to the southern end of the Milton urban area. The predominant built form of the surrounding area includes two-story townhouses with gable and/or hip roofs, and the flat roof and minarets of the proposed building will introduce new elements to the character of the neighbourhood, while maintaining an appropriate scale and coverage.

Section C.10.5.4 Institutional Area contains the following policies:

C.10.5.4.1 Purpose

This Institutional Area designation on Schedule "C.10.C" is intended primarily for major public and quasi-public uses which serve the Boyne Survey Secondary Planning District, although uses which serve a Town-wide function may also be permitted.

C.10.5.4.2 Permitted Uses

The Institutional Area designation on Schedule "C.10.C" means that the main permitted uses shall be public, quasi-public and private non-profit uses including secondary schools, large religious facilities and places of worship, which serve the Boyne Survey Planning District, or which have a Town-wide function on sites which generally exceed one hectare in area. Quasi-public uses include places of worship, service clubs and organizations and similar charitable and/or philanthropic services which serve broader community needs but are not owned or operated by a public agency. In addition, accessory residential uses such as a rectory, manse and/or caretaker's residence, accessory service commercial uses, retail uses and office functions shall be permitted as well as:

a) High density residential development in accordance with the policies of Sections C.10.5.1.1 c) and C.10.5.1.4 in conjunction with institutional uses or on separate sites; and,

b) Assisted and special needs housing for people such as seniors or individuals requiring emergency or supportive housing in accordance with the policies of Section B.3.2.3.3 of this Plan, in conjunction with institutional uses or on separate sites.

C.10.5.4.3 Site Design

Development in the Institutional Area designation shall be reviewed by the Town having regard to the Boyne Survey Urban Design Guidelines. In particular, development shall be designed to:

- a) Maximize multiple uses of lands and facilities;*
- b) Eliminate barriers between facilities, particularly between parks and schools;*
- c) Ensure that buildings are oriented to public streets;*
- d) Maximize public service and safety; and*
- e) Ensure that parking, loading and access areas are designed in a manner which will minimize conflicts between pedestrian and vehicular traffic.*

As a place of worship with community space, the proposed development falls within the permitted uses of the Institutional Area outlined in policy C10.5.4.2. It also supports policy C.10.5.4.3 by allowing for multiple uses of the land and facility (as a place of worship and a community facility). The proposed building is oriented towards the street providing for a strong anchor along Bronte Street South. A defined pedestrian walkway from the future sidewalk at Bronte Street to the building entrance will minimize conflict between pedestrian and vehicular traffic and ensure that pedestrian connectivity is maintained throughout the site. The design of the site will work in tandem with the school to the north of the site, mirroring the placement of the parking lot on site and regrading the site to match the school.

5.2 BOYNE SURVEY URBAN DESIGN GUIDELINES (2010)

The Boyne Survey Urban Design Guidelines (UDGs) are the principle document to support the build-out of the Boyne Survey Secondary Plan, providing recommendations on urban design and circulation to ensure a sustainable and beautiful built form for both the public and private realm. Section 2.8.3 of the Town of Milton Official Plan directs that any development proposed in Milton should support the urban design goals and policies for that area.

Much of the Boyne Survey UDGs are focused on the creation of highly livable and connected community framework within the Secondary Plan area, including street layout and landscaping, but they also prescribe certain standards that buildings within the area should endeavour to meet.

The proposed development supports the Boyne Survey UDGs in the following ways:

- **Integration of community facilities:** Section 3.3.5 of the UDGs direct that community facilities be co-located and central in a neighbourhood, allowing for easy access by a range of transportation modes. The proposed development combines multiple community service uses (place of worship, library, and multipurpose space) and is located on a transit route, arterial road, and active transportation route.
- **Parking:** Section 3.4.8.2 of the UDGs stipulates that where parking areas must be situated adjacent to the sidewalk, a landscaped buffer should be located between parked

vehicles and the sidewalk. While the parking area is located adjacent to the sidewalk, the proposed site plan envisions a continuous planted edge to reinforce the sidewalk along Bronte St. The property edges along the north and south will also maintain permeable landscaped space to provide a buffer with the school to the north and the proposed residential uses to the south.

- Building articulation and detailing: Under section 4.2.3 of the UDGs, façades of buildings are encouraged to be diverse in design and materials, and buildings facing streets are encouraged to have lots of windows to increase connection between the two realms, and use clerestory windows to bring light into the building. The proposed building's design will introduce unique elements into a streetscape generally dominated by typical gable-roofed residential architecture. These elements include a dome and minarets, and a line of clerestory windows along the building's frontage.

Overall, the proposed development is highly supportive of the urban nature desired for the Boyne Survey Secondary Plan area and articulated in the Boyne Survey UDGs. It will provide community services at a central and easily accessible location within a future neighbourhood. The site maintains a continuous landscaped edge along Bronte Street. While other iterations were considered, the building had been moved to address comments from staff and neighbours and to ensure that there is a good relationship to the street edge.

5.3 TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW

The Milton Comprehensive Zoning By-law (ZBL) 016 – 2014 applies to the urban areas of the Town of Milton and is the primary implementation tool for the policies of the Milton Official Plan. The ZBL outlines the land uses allowed for any given site, as well as regulating parking, landscaping, the location, height, and size of buildings.

The subject site for the proposed development is currently zoned FD (Future Development) (see **Figure 16**), which only permits existing uses or additions to existing structures. Thus, for the development to proceed as planned, an amendment to the ZBL will be required. More on the proposed rezoning can be found in **Section 7** of this report.



➤ **Figure 16: Subject site shown on Milton ZBL map**

Key changes to the site and zoning based on feedback received from staff and at the public meeting are as follows:

Parking

The proposed development continues to be supportive of the provisions of the Zoning By-law regarding parking for places of worship, in both the design of the parking area, its access and the number of spaces provided for in the concept plans.

Under Table 5G of the ZBL, parking requirements for a place of worship are “1 parking space per 5.5 square metres of gross floor area in the nave” plus “1 spaces per 11 square metres of gross floor area for a public hall, banquet hall or community/multi-use hall if permitted and associated with or on the same site as the Place of Worship”. Based on the GFA for the prayer hall and multipurpose room in the proposed building, the minimum parking requirement is 70 spaces and the number of spaces provided in the concept plan is 72 spaces. This is an increase in 1 parking spaces from the previous parking supply, plus an additional space for a smaller vehicle.

In addition to, and beyond the parking requirement in the Zoning By-Law, Staff have identified a concern with respect to large events. We note that ample on-street parking exists on Ethridge Avenue, which was specifically designed to accommodate on-street parking through the rear lane products and the absence of driveways on Ethridge Avenue. In addition, Holbrook Court

and Bronson Terrace are window street conditions that have ample on-street parking in a manner that poses no risk of interference with existing residents. Ethridge Avenue, Holbrook Court and Bronson Terrace amongst other public streets with on-street parking are well within 300 metres of the subject site. It is also noted that large events would be held at another facility suitable for larger events.

In order to accommodate a 6.0 metre two-way parking aisle in the southwest corner of the parking lot, it is proposed that one of the parking space directly abutting the aisle be marked for smaller vehicles only. This is a decrease from the number of reduced parking spaces, which had been 5 in the previous submission. Please see the Traffic Impact Study report for more detail, as well **Section 7** below.

Setbacks

Feedback received from Staff and the public meeting raised concerns about the south setback allowing the building to be placed near to the future homes of the Shadybrook Draft Plan of Subdivision. The proposed setback has been adjusted to meet the traditional 9.0 metres setback in the institutional minor zone category from the south lot line. This change has been completed to reflect comments received as a part of the first rezoning submission. By placing the building in the northeast corner of the site, setback reductions are now requested from the north and west yards which are discussed further in **Section 7** below.

6 TECHNICAL REPORTS

6.1 FUNCTIONAL SERVICING AND STORMWATER MANAGEMENT REPORT

Husson Engineering and Management was retained to conduct a site assessment and produce preliminary servicing and grading plans, as well as a Functional Servicing and Stormwater Management Report, dated July 2023. The report concludes that the proposed development on the subject site is feasible from a stormwater, sanitary service, and water service perspective.

Stormwater on the site currently drains from west to east toward Bronte Road. It is proposed to keep the drainage status quo by outletting runoff from the site to the ditch on the western side of Bronte Road. The storm sewer system has been designed to convey the 5-year runoff from the site. The grading design included saw-toothed grading through the parking lot which will allow the water to pond above the catchbasins.

In pre-consultation with the Town of Milton, staff stipulated that existing offsite drainage that currently traverses through the site should be conveyed with the proposed stormwater management plan. The development of the secondary school on the site directly to the north of the subject site includes a retaining wall along the entire northern boundary line of the subject site, with a buried weeping tile behind the wall to divert stormwater around the site. This will preclude any overland flow of stormwater running through the subject site.

Sanitary service is proposed to be provided to the site by connecting a 200mm diameter service line to the existing 200mm diameter sanitary sewer on Holbrook Court on the east side of Bronte

Street, across from the subject site. The sanitary drainage from the site of approximately 0.49L/s is not expected to have an adverse impact on the capacity of the existing system.

Water service is proposed to be provided to the site by connecting a 100 mm diameter PVC service line to the existing 300mm watermain on the west side of Bronte Street. The watermains are to be designed to meet the greater of the maximum day plus fire flow or the maximum hour demand. Prior to site plan submission, a hydrant flow test will need to be completed to confirm that the existing infrastructure can service the proposed development.

6.2 GEOTECHNICAL REPORT

Terraprobe Inc. was retained to conduct a geotechnical investigation of the subject site and provided a report, dated February 17, 2021 on the site's subsurface soil and groundwater conditions and provide advice with respect to the geotechnical aspects of the proposed development, including the design of foundations, floor slabs-on-grade, and pavements. Through technical review, boreholes and geotechnical laboratory testing were conducted from samples taken on the subject site in 2016. Based on the results of the investigation, the report presented design and construction recommendations that should be implemented to permit the proposed development. Please refer to the Geotechnical Investigation Report for further information.

6.3 ENVIRONMENTAL SITE ASSESSMENT

Terraprobe, Inc. was retained to conduct a Phase 1 Environmental Site Assessment (ESA) of the subject site and provided a report, dated August 4, 2023. This assessment was an update to previous Phase 1 ESA's conducted by Terraprobe in 2021 and 2016. The assessment consisted of:

- A review of available records on the site, including property records, archival materials like aerial photographs, fire insurance plans and insurance inspection reports and sensitivity mapping and other available information from the Halton Region Conservation Authority;
- Interviews with key property ownership personnel to determine, among other things, the current and former nature of operations, any issues related to non-compliance, orders, or charges related to environmental conditions on the site, and construction or renovation work done on the property; and
- A site reconnaissance visit to determine Potentially Contaminating Activities (PCAs) on the site based on observed current and past uses.

Based on records reviewed, it was determined that the site was undeveloped or in agricultural use (but not an orchard) prior to around 1974-1983, when it was converted to residential use. No PCAs were identified on the property or in the Phase One Study Area surrounding the property. Thus, it has been determined that there are no Areas of Potential Environmental Concern (APECs) on the site, and a Phase Two Environmental Assessment is not required. Based on the information presented in the updated Phase One ESA, the Phase One Property has not been diminished compared to that outlined in Terraprobe's previous Phase One ESA. Please refer to the full Phase One Environmental Site Assessment Report for more information.

6.4 TRAFFIC IMPACT STUDY/PARKING JUSTIFICATION REPORT

C.F. Crozier & Associates Inc. (Crozier) was retained to undertake an updated Traffic Impact Study (TIS) and corresponding report, and a Parking Justification report, dated August 2023. The update is not expected to change the expected trip generation and the analysis was not changed from the previous report.

Responses to the comments provided by CIMA+ on behalf of the Town of Milton were included within the updated report.

Turning movement counts at the intersections of Bronte Street South and Etheridge Avenue and Bronte Street South and Whitlock Avenue were conducted by Spectrum Data Inc. on February 26, 2021, between the p.m. peak hours of 3:45 p.m. and 4:45 p.m. A growth rate of 5 % per annum was applied to Bronte Street South and a 2 % to Etheridge Avenue and Whitlock Avenue to determine the future background and future total traffic conditions.

Under 2021 conditions, the study intersections operate at a Level of Service “A” during the weekday p.m. peak hour.

Under 2026 future background and future total conditions, the study intersections are expected to operate at a Level of Service “A” during the weekday p.m. peak hour with minimal delays.

The proposed development is expected to generate a total of 31 two-way trips (13 inbound and 18 outbound) during the weekday p.m. peak period.

The proposed parking supply meets the minimum requirement and is expected to be sufficient.

The expected design vehicles do not encounter any conflicts within the site when checked using AutoTURN software.

The proposed development can be supported from a traffic operations perspective as the site-generated traffic will have a negligible effect on the operations of the boundary road network.

Please see the Traffic Impact Study in this application package for more information.

6.5 ARCHAEOLOGICAL STUDY

Fisher Archaeological Consulting (FAC) was retained to conduct the Stage 1 Background Research, Stage 2 Assessment and Stage 3 Testing for the proposed development to be located at 1456 Bronte Street South, Milton, Ontario, and produced a Final Report, dated November 28, 2016.

The background research indicated that the Study Area is on well-drained soils, and within 300 metres of a tributary of Bronte Creek, and therefore there is high Aboriginal archaeological potential. Euro-Canadian archaeological potential is also high for the same reasons and as it is adjacent to an historic road (Bronte Street) and near site AiGx-423.

The Stage 2 field work resulted in the identification of one area with potentially further cultural heritage value and interest (CHVI) in the southern part of the Study Area. This was based on three positive shovel tests containing 19th century material in presumed natural topsoil. Stage 3: Testing of this area was then conducted in order to confirm the integrity, size and time frame of the deposit, which had been registered as site AiGx-428.

The Stage 3 field work determined that most of the material was from mixed deposits, displaced in the 20th century. Only five artifacts, representing both 19th and 20th centuries, were potentially from natural soil horizons. Therefore, due to the paucity of material from potentially natural stratigraphy, no further Cultural Heritage Value or Interest (CHVI) is assigned to AiGx-428.

Therefore, based on this information FAC recommends the following:

- that the portion of the Study Area containing site AiGx-428 has been adequately tested and, since it has no further Cultural Heritage Value or Interest (CHVI), no further archaeological work is required; and
- that the remainder of the Study Area has been adequately assessed, and since nothing having Cultural Heritage Value or Interest (CHVI) was found, no further archaeological work is required.

The report was submitted to the Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) on November 28, 2016, and on March 14, 2017, MHSTCI confirmed to Fisher Archaeological Consulting that the report had been reviewed and entered into the Ontario Public Register of Archaeological Reports.

Please refer to the Archaeological Study Final Report and confirmation of its entry in the Ontario Public Register in this application package for more information.

6.6 NOISE FEASIBILITY STUDY

Howe Gastmeier Chapnik Limited (HGC Engineering) was retained to investigate the potential environmental noise impact of the subject site. The impact of road traffic noise on the proposed development and the impact of the building on nearby existing and future residences were evaluated and a revised report was delivered in June 2023.

Road traffic information for Bronte Street South was obtained from the road network assessment conducted by GHD. Rail traffic data was obtained from HGC Engineering files for past projects in the area and originally obtained from Canadian National (CN) personnel. The data was used to predict future traffic sound levels at the proposed Mosque. The predicted sound levels were compared to the guidelines of the Ministry of the Environment, Conservation and Parks (MECP).

The results of this study indicate that with suitable noise control measures integrated into the design of the Mosque, it is feasible to achieve the indoor MECP guideline sound levels from road and rail traffic noise sources. The recommended noise control measures include air conditioning systems, and any exterior wall and double-glazed window construction meeting the minimum requirements of the Ontario Building Code (OBC).

An analysis was also conducted to determine the potential impact of noise from the proposed Mosque on adjacent sensitive receptors consisting of existing and future residences. The analysis is based on a review of the proposed site plan, secondary plan of the area, assumed sound data for outdoor mechanical units, a site visit and aerial photos. The analysis includes an assessment of the noise impact of the anticipated roof top mechanical equipment at the closest sensitive receptors in accordance with MECP guidelines.

A computer model of the area was created, using acoustic modelling software, in order to predict the sound levels at the locations of nearby sensitive receptors. The results indicate that

the sound emissions of the building will be within the applicable noise guideline limits of the MECP with an acoustic screen extending 0.3 m above two rooftop units.

Please refer to the Noise Feasibility Study in this application package for more information.

7 ZONING BY-LAW AMENDMENT

As outlined in **Section 5.3** of this report, the subject site is currently zoned FD (Future Development) and must be rezoned before any development other than additions to existing buildings can proceed. We propose that the Town of Milton Zoning By-law 016-2014 be amended to change the zoning of 1456 Bronte Street South to (IA) Minor Institutional with certain site-specific special provisions.

The following table outlines the required special provisions.

IA Zone Provisions	Special Provisions Required
Lot Frontage (minimum): 50.0 metres	Lot Frontage (minimum): 45.72 metres
Lot Area (minimum): 1.0 hectares	Lot Area (minimum): 0.38 hectares
Setbacks (minimum): Rear yard: 7.5 metres plus an additional 3.0 metres abutting a residential zone Interior side yard: 6.0 metres plus an additional 3.0 metres abutting a residential zone	Setbacks (minimum): Rear yard (west): 1.50 metres Interior side yard (north): 1.5 metres
Landscaped Open Space (minimum): % of lot area: 20%	Landscaped Open Space (minimum) % of lot area: 15%
Landscape Buffer (minimum): Abutting a <i>Residential</i> zone: 4.0 metres	Landscape Buffer (minimum): Abutting a <i>Residential</i> zone: 1.5 metres
Parking Provisions	Special Provisions Required
Perpendicular Parking Space Length (minimum): 5.8 metres	Perpendicular Parking Space Length (for a maximum of 1 spaces): 5.4 metres
Loading Space and Loading Area - Off-street loading spaces and loading areas shall be provided for each non-residential principal building: One Loading Area required	No Loading Area will be required for an institutional use with a GFA between 931 m ² and 2325 m ²
Accessible parking – accessible parking spaces shall have direct access to the entrance by a	Accessible parking – accessible parking spaces shall have direct access to the entrance by a

IA Zone Provisions	Special Provisions Required
minimum 2.2 m wide unobstructed sidewalk or access route.	minimum 1.5 m wide unobstructed sidewalk or access route.
Parking Area Location on a Lot – setback from a building (minimum): 2.2 metres	Parking Area Location on a Lot – setback from a building (minimum): 1.5 metres
Encroachment Provisions	Special Provisions Required
Stairs and Landings Above Grade Accessing A Principal Building	Permit the encroachment of stairs and landings within the Interior Side Setback. Stairs shall be located a minimum of 5.8 m from the property line.
Wheel Chair or Accessible Ramp	Permit the encroachment of a wheel chair or accessible ramp within the Interior Side Setback within 4.5 m of any lot line.

It is our opinion that given the nature of the proposed development and the rapidly urbanizing nature of the subject site’s surrounding area, these special provisions are appropriate. The proposed primary use of the new building as a place of worship and accessory community space will be small in nature as the development has been scaled to reflect the smaller lot. As an example, the proposed mosque will be 7.7 metres in height (not including the ornamental domes and minarets) which is smaller than a typical 2-storey grade related residential unit. The development proposes an FSI of 0.40 which is in keeping with the small nature of the development. The proposed lot coverage is only 20% which is two thirds of the maximum lot coverage for the Minor Institutional Zone. Furthermore, the proposed smaller lot size, frontage, and setbacks will contribute to the site’s location in an evolving urban environment and represent the efficient use of land in a part of the Town of Milton that is intended to be a compact, complete community.

Setbacks

Regarding the proposed interior side yard and rear yard setback special provisions, it is our opinion that the proposed building will maintain the intent of the Zoning By-law.

Interior Side Yard (North)

Despite the proposed 1.5 metre setback to the school being less than the 6.0 metre minimum standard, we believe that the reduction meets the intent of the Zoning By-law. The proposed building is of a smaller scale, at less than 7.7 metres tall and with a lot coverage of less than 30%. The building is also compatible with the institutional school use to the north of the site. The school site has a large setback from the property line, and a driveway on the school site adds an additional buffer to the subject site. The building is shorter on the north side of the building and given that both uses are institutional, the proposed use compliments the existing school. Furthermore, there is an existing accessory structure on the site which is located to the rear of the property in the location of the proposed building.

Interior Side Yard (South)

The subject site maintains a 9 metre setback to the southern residential property line. This setback aligns with the requirements in the Zoning By-law for the traditional Minor Institutional

Zone. A masonry fence is proposed between the subject site's landscape buffer and the residential property to the south to help provide further privacy and sound mitigation despite not being a requirement in the noise study.

Being less than two storeys means that the form of the building will be compatible with future residential development to the south along the future southwestern extension of Etheridge Avenue. Overlook and shadow issues to the future residential neighbourhood to the south will be less than if the subject site was to be zoned for low-density residential use, which under Section 6.2 of the Milton Zoning By-law would allow for a 1.2 metre interior side yard setback and 11 metre building height. The proposed building maintains a height of 7.7 metres which is less than the permitted height set forth for a residential use. Overlook issues will be further prevented by the positioning of glazing on the southeast side of the building: only clerestory windows and basement windows at grade will be present.

The draft Zoning By-law Amendment may be found in Appendix A of this report.

8 CONCLUSIONS

The policies and objectives of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Halton Region Official Plan, Town of Milton Official Plan, and the Boyne Survey Secondary Plan and Urban Design Guidelines will be met through the proposed development at 1456 Bronte Street South. The proposed development will represent good planning principles and contribute to the achievement of a complete community in south Milton for the following reasons:

- The proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan through intensification and the efficient use of land and the provision of a public service facility within a growing area;
- The proposed development supports the policies of the Town of Milton Official Plan, OPA 31 and the Boyne Survey Secondary Plan through its modest nature, with a size and massing appropriate to the neighbourhood context, and through its connection to existing municipal services, representing the efficient use of infrastructure;
- The proposed development aligns with the Boyne Survey Urban Design Guidelines by maintaining a landscaped edge around the site and providing a unique and appropriately scaled built form;
- The proposed development is accessible through a range of transportation modes, including cycling and public transit; and
- The proposed development will utilize existing servicing in an efficient and cost-effective manner;
- The proposed development takes into account comments received from the neighbouring site to the south, and the site design has been updated to provide additional setback from the future residential units.

This opinion is based on a thorough review of the planning policy framework as it affects the subject site.

APPENDIX A

DRAFT ZONING BY-LAW

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THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2023

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 6, CONCESSION 1 (TRAFALGAR), TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON – AHMADIYYA MUSLIM JAMA'AT CANADA INC. (TOWN FILE: XX)

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

AND WHEREAS the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

- 1.0** THAT Schedule A to Comprehensive Zoning By-law 016-2014 is hereby further amended by changing the existing Future Development (FD) Zone symbol to the Site-Specific Minor Institutional XX (IA*XX) Zone symbol on the lands shown on Schedule A attached hereto.
- 2.0** THAT Section 13.1 of Comprehensive Zoning By-law 016-2014 is hereby further amended by adding Subsection 13.1.1.XX as follows:

For lands zoned Minor Institutional*XX (IA*XX) the following provisions also apply:

i) Special Zone Provisions:

- a) Notwithstanding Table 9B, minimum lot frontage shall be 45 metres.
- b) Notwithstanding Table 9B, minimum lot area shall be 0.38 hectares.
- c) Notwithstanding Table 9B, minimum rear yard setback shall be 1.5 metres.
- d) Notwithstanding Table 9B, minimum interior side yard setback (north) shall be 1.5 metres.
- e) Notwithstanding Table 9B, minimum landscaped open space shall be 15% of the lot area.
- f) Notwithstanding Table 9B, minimum landscaped buffer abutting a Residential zone shall be 1.5 metres and shall allow for a sidewalk.
- g) Notwithstanding Table 5D, a maximum of 1 perpendicular parking space shall have a minimum length of 5.4 metres.
- h) Notwithstanding Section 5.9 v), accessible parking spaces shall be located in proximity to the primary entrance(s) to a building and shall have direct access to the entrance(s) by a minimum 1.5 m wide unobstructed sidewalk or access route.
- i) Notwithstanding Table 5L, the minimum setback of the parking area from a building shall be 1.5 metres.
- j) Notwithstanding Table 5J, no off-street loading area shall be provided for a non-residential use with a GFA of 931 m² to 2325 m².
- k) Notwithstanding Section 4.19.5, Table 4H, stairs, landings, wheelchair and accessible ramps providing above grade access to a principal building shall be

permitted to have a maximum encroachment of up to 4.5 metres within the interior side yard.

- 3.0** If no appeal is filed pursuant to Section 34(19) of the Planning Act, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the LPAT dismisses the appeal, this by-law shall come into force on the day of its passing. If the LPAT amends the by-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day the LPAT's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON2023