



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: September 9, 2024

Report No: DS-061-24

Subject: Public Meeting and Initial Report: Temporary Use Zoning By-law Amendment Application by the Muslim Association of Milton applicable to lands known municipally as 1801 Thompson Road South (Town File: Z-18/24)

Recommendation: THAT Report DS-061-24, BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to temporarily rezone the subject lands to permit a place of worship within an existing building. The temporary use zoning by-law amendment is being sought for a period of three years.

The application is complete pursuant to the requirements of the Planning Act and is being processed accordingly. Upon completion of the consultation and review process, a Technical Report, including recommendations, will be brought forward for Council consideration. The Technical Report will address issues raised through the consultation and review process.

REPORT

Background

Owner: Muslim Association of Milton, 4269 Regional Road 25, Oakville ON L6M 4E9

Applicant: Ruth Victor & Associates, 191 Main Street South, Waterdown ON L0R 1R0

Location/Description:

The subject lands are located on the east side of Thompson Road South, south of Britannia Road and are municipally known as 1801 Thompson Road South. Figure 1 to this Report illustrates the location of the subject lands. The subject lands comprise an area of approximately 0.86 hectares. A detached dwelling is currently situated on the subject lands.

Background

A high-pressure oil pipeline traverses the subject lands along the northern portion of the property, abutting the property line. An existing easement is in place to ensure that no development occurs within this area.

The surrounding land uses comprise primarily rural land uses such as rural residential to the north, agricultural uses to the east and south and agricultural uses and the Croatian Club to the west. It is noted that the subject lands, along with those to the north, east and south are within the draft Britannia Secondary Plan that will eventually be developed as a complete community.

Proposal:

The applicant has applied for a temporary use zoning by-law amendment to permit a place of worship use in the existing building on the subject lands. The temporary use zoning by-law amendment is being sought for a period of three years. The proposed place of worship will include a prayer hall, conference room, multipurpose hall, office and other ancillary uses. Internal renovations and a change of use permit will be required to facilitate the above-noted spaces within the existing building. No building additions are being contemplated as part of this application. The proposed place of worship will rely upon existing private services (septic system and well).

A second access to the subject lands is being proposed from Thompson Road South to allow for improved circulation on the site and to provide a fire route for emergency services. The parking areas are proposed within the front yard as well as along the south property boundary. A total of 58 parking spaces (including two accessible parking spaces) are proposed as well as three bicycle spaces.

Landscaped area is proposed along the west property boundary, abutting Thompson Road South as well as other areas closer to the existing building. A snow storage area is proposed in the interior side yard to the north of the existing building.

Figure 2 to this Report includes the proposed site plan and building elevations. Figure 3 to this Report includes the proposed floor plans.

The following reports have been submitted in support of this application:

- Executed application form for a Temporary Use Zoning By-law Amendment, prepared by Ruth Victor & Associates, dated 2024-07-25;
- Cover letter, prepared by Ruth Victor & Associates, dated 2024-02-04;
- Draft Zoning By-law Amendment, prepared by Ruth Victor & Associates;
- Survey, prepared by Cunngingham McConnell Ltd., dated 2023-07-21;
- Planning Justification Report, prepared by Ruth Victor & Associates, dated 2024-07-24;
- Site Plan and Existing Building Elevations, prepared by AAA Architects, dated 2024-03-29;
- Existing Floor Plans, prepared by AAA Architects, dated 2024-07-05;
- Proposed Floor Plans, prepared by AAA Architects, dated 2024-06-06;

Background

- Room Usage Summary, prepared by Muslim Association of Milton, undated;
- Septic System Drawing, prepared by Gunnell Engineering Ltd., dated 2024-01-16;
- Grading and Drainage Plan, prepared by Trafalgar Engineering, dated 2024-07-05;
- Hydrogeological Investigation, prepared Englobe, dated 2024-05-23;
- Noise and Vibration Report, prepared by HGC Engineering, dated 2024-01-18;
- Traffic Impact Study, prepared by Paradigm Transportation Solutions Limited, dated 2024-04;
- Stormwater Management Design Brief, prepared by Trafalgar Engineering, dated 2024-07;
- Environmental Impact Assessment, prepared by Dance Environmental Inc., dated 2024-11-24;
- Source Water Protection Checklist, prepared by Ruth Victor & Associates, dated 2024-07-22; and,
- Waste Management Plan, prepared by Ruth Victor & Associates, dated 2024-03-18.

Discussion

As of July 1, 2024, Halton Region has become an upper-tier municipality without planning responsibilities; however, the Halton Region Official Plan remains in-effect and the local municipalities are responsible for administering the plan until such time that it is revoked or amended by the respective municipality.

The subject lands are designated Urban Area on Map 1: Regional Structure of the Halton Region Official Plan. Within the Urban Area, the range of permitted uses and the creation of new lots shall be in accordance with local Official Plans and Zoning By-laws.

The subject lands are designated Sustainable Halton Plan (SHP) Growth Area on Schedule B - Urban Land Use Plan in the Town of Milton Official Plan. The north corner of the subject lands is also designated Natural Heritage System, however no portion of the proposal impacts this area. The SHP Growth Area designation applies to lands that have been identified to accommodate population and employment growth in the Town of Milton. Prior to development within this designation, land uses are to be established through a secondary planning exercise.

On the basis of the above, the Town has been preparing the draft Britannia Secondary Plan which includes the subject lands. In July 2024, Town staff conducted a number of Public Information Centre meetings on the draft Britannia Secondary Plan. Draft Schedule C.X.C - Land Use Plan in the draft Britannia Secondary Plan identifies the subject lands as being within the Evolving Neighbourhood designation. Within this proposed designation, minor and major places of worship (subject to criteria) are permitted.

Section 5.5.3.6 of the Town's Official Plan enables Council to pass a temporary use by-law to authorize the temporary use of land, buildings or structures for any purpose that is

Discussion

otherwise prohibited in a zoning by-law. The Town's Official Plan also includes certain criteria that need to be satisfied prior to Council passing a by-law to permit a temporary use. These criteria will be addressed in a future Technical Report.

While a full review of the applicable planning policies will be undertaken as part of the review of the application, based on the information provided, staff is satisfied that an Official Plan Amendment is not required.

Zoning By-law 016-2014, as amended

The subject lands are currently zoned Future Development (FD) under the Town of Milton Zoning By-law 016-2014, as amended. The FD zone recognizes existing uses only, which means a zoning by-law amendment is required to permit any new development.

The applicant has applied for a temporary use zoning by-law amendment to permit a place of worship use and to apply site-specific provisions for building coverage and minimum parking space requirements.

Staff are of the understanding that in the future, the applicant intends to apply for a zoning by-law amendment to permanently rezone this property for a place of worship use once the Britannia Secondary Plan is complete. The temporary use zoning by-law amendment is being sought for a period of 3 years, which is the maximum period of time permitted by the Planning Act. Should the application be approved, and the three-year period passes, the applicant would be required to apply for an extension prior to the lapsing date.

Appendix 1 to this Report includes the proposed temporary use zoning by-law amendment.

Site Plan Control

Should the application be approved, the applicant will be required to receive Site Plan Approval prior to the commencement of any development.

Public Consultation and Review Process

Notice for the statutory public meeting was provided pursuant to the requirements of the Planning Act on August 1, 2024.

With regard to the proposal, staff has identified the following matters to be addressed through the review process:

- Parking and vehicle access/circulation;
- Servicing and stormwater management; and,
- Consistency with Provincial Policy Statement and conformity with Growth Plan for the Greater Golden Horseshoe.

Upon completion of the evaluation of the application, a Technical Report with recommendations will be brought forward for Council consideration.



Discussion

Key Milestones

Milestone	Date
Pre-Consultation Meeting	5/2/2023
Pre-Submission Review	3/7/2024
Application Deemed Complete	7/25/2024
Statutory Public Meeting	9/9/2024
Date Eligible for Appeal for Non-Decision	10/23/2024

Financial Impact

None arising from this Report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Jessica Tijanac, MCIP, RPP, Senior Planner Phone: Ext. 2221

Attachments

- Figure 1 – Location Map
- Figure 2 - Proposed Site Plan and Elevations
- Figure 3 - Proposed Floor Plans
- Appendix 1 - Draft Zoning By-law Amendment

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands



The Corporation of the Town of Milton

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The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTIONS 34 AND 39 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS DESCRIBED AS PART OF SOUTHWEST HALF LOT 4 FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MUSLIM ASSOCIATION OF MILTON) - FILE: Z-18/24

WHEREAS Section 39 of the Planning Act, as amended, authorizes Municipal Councils to pass by-laws to authorize the temporary use of land, buildings, and structures for a specific period of time;

AND WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended, to allow the proposed use for period ending *Month, Date, Year*,

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 Municipal Council of the Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014 is hereby further amended by changing the existing Future Development (FD) zone to a Temporary Use - Future Development with site specific provision TXX-FD*XX zone shown on Schedule A attached hereto.
2. **THAT** Section 13.3.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.XXX to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned TXX-FD*XX the following standards and provisions shall apply:

- i. Additional Permitted Use
 - 2.i.1 Place of Worship
- ii. Special Site Provisions
 - 2.ii.1 Minimum Parking Space 55 spaces
 - 2.ii.2 Minimum Bicycle Spaces 3 spaces
 - 2.ii.3 Maximum Building Footprint 449 m²

2.ii.4 Maximum GFA (existing) 520.24 m²

3. THAT notwithstanding Sections 1 and 2 of this By-law, this By-law shall expire on *Month, Day, Year* unless the Council of the Corporation of the Town of Milton has provided an extension by amendment to this by-law prior to expiry.
4. THAT 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 Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal 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 Tribunal's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON [DATE]

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk



SCHEDULE A
TO BY-LAW No. -2024

TOWN OF MILTON

1801 THOMPSON ROAD SOUTH
PART OF LOT 4, CONCESSION 4, SOUTH MILTON
Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. -2024 PASSED
THIS ___ DAY OF _____, 2024.

-  NHS - Natural Heritage System
-  TX-FD*X - Temporary Use - Future Development Zone

MAYOR - Gordon A. Krantz

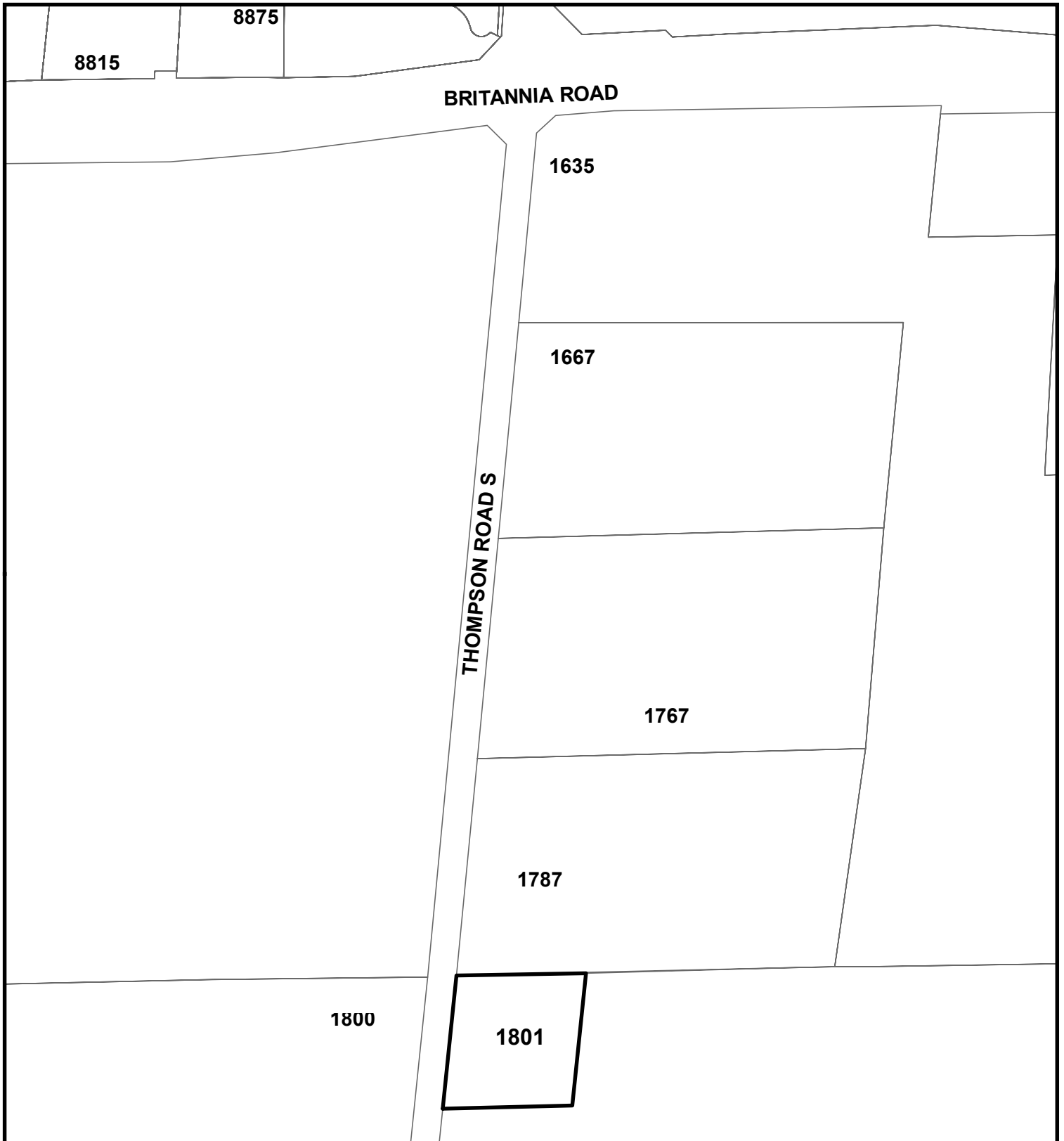
CLERK - Meaghen Reid



Z-18/24



FIGURE 1 LOCATION MAP



Council Meeting Date:
September 9, 2024

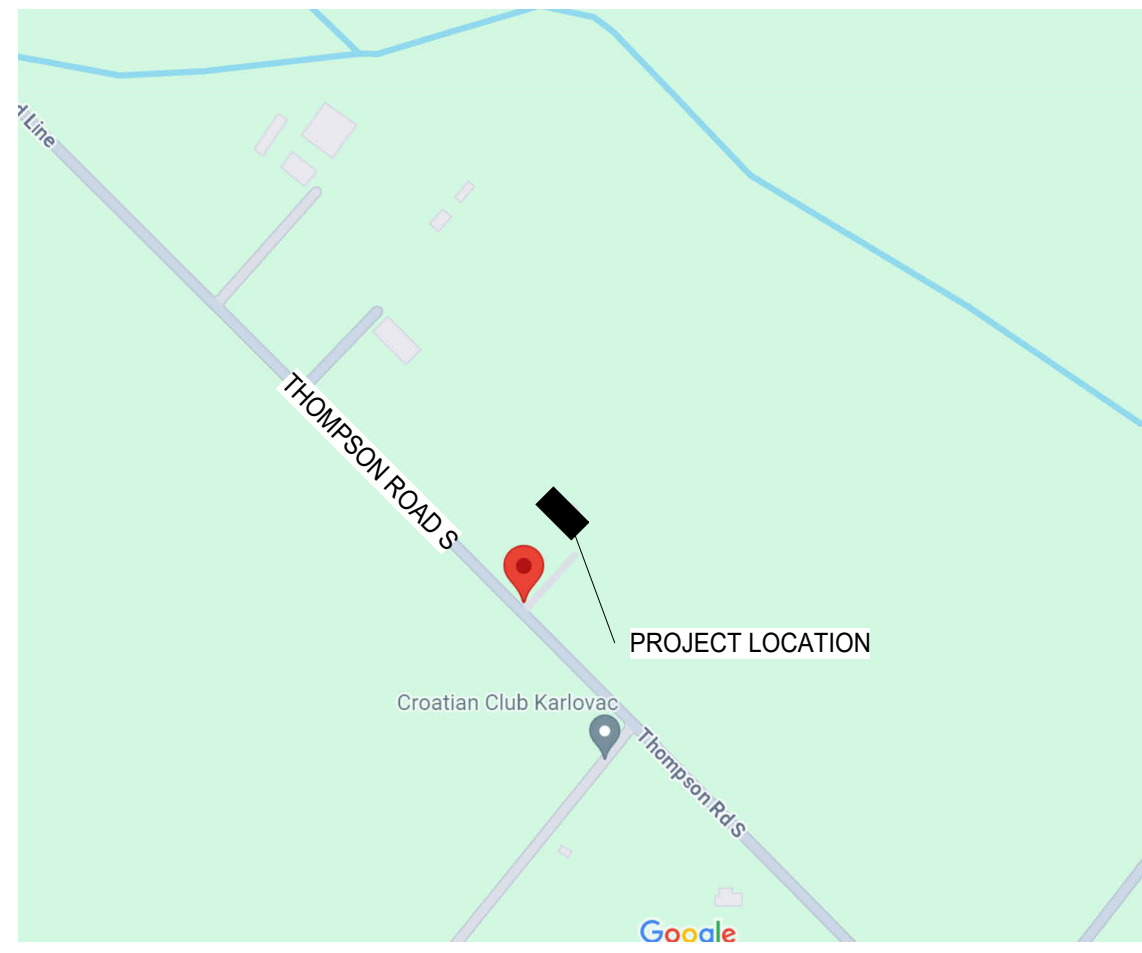
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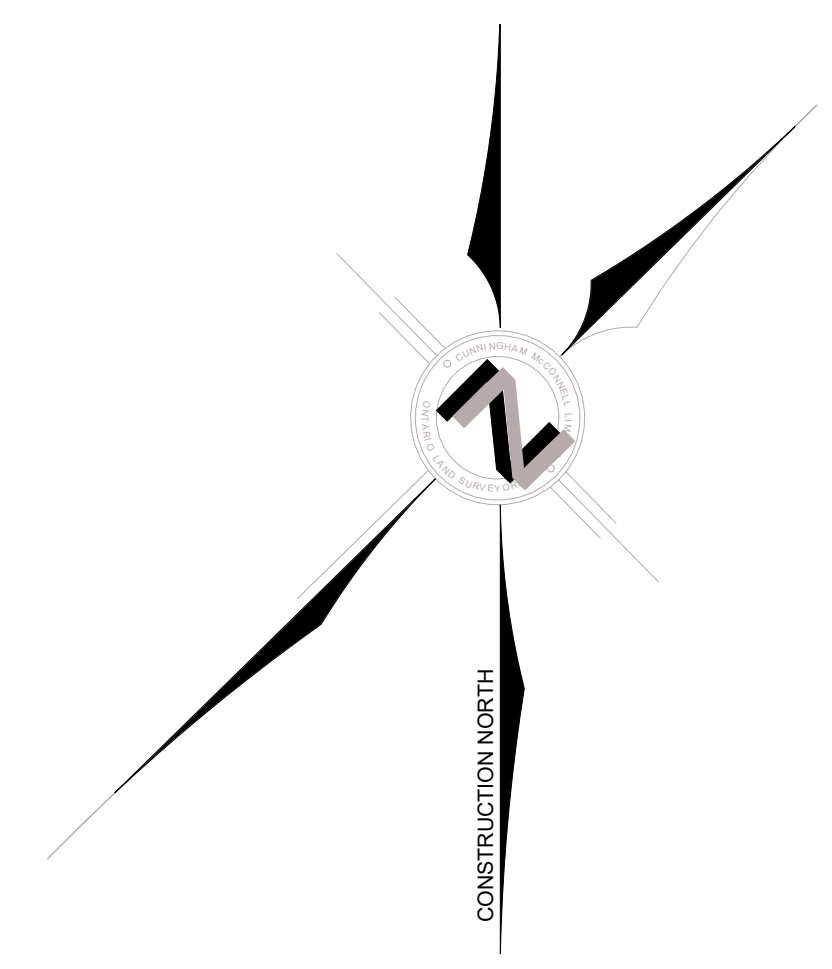
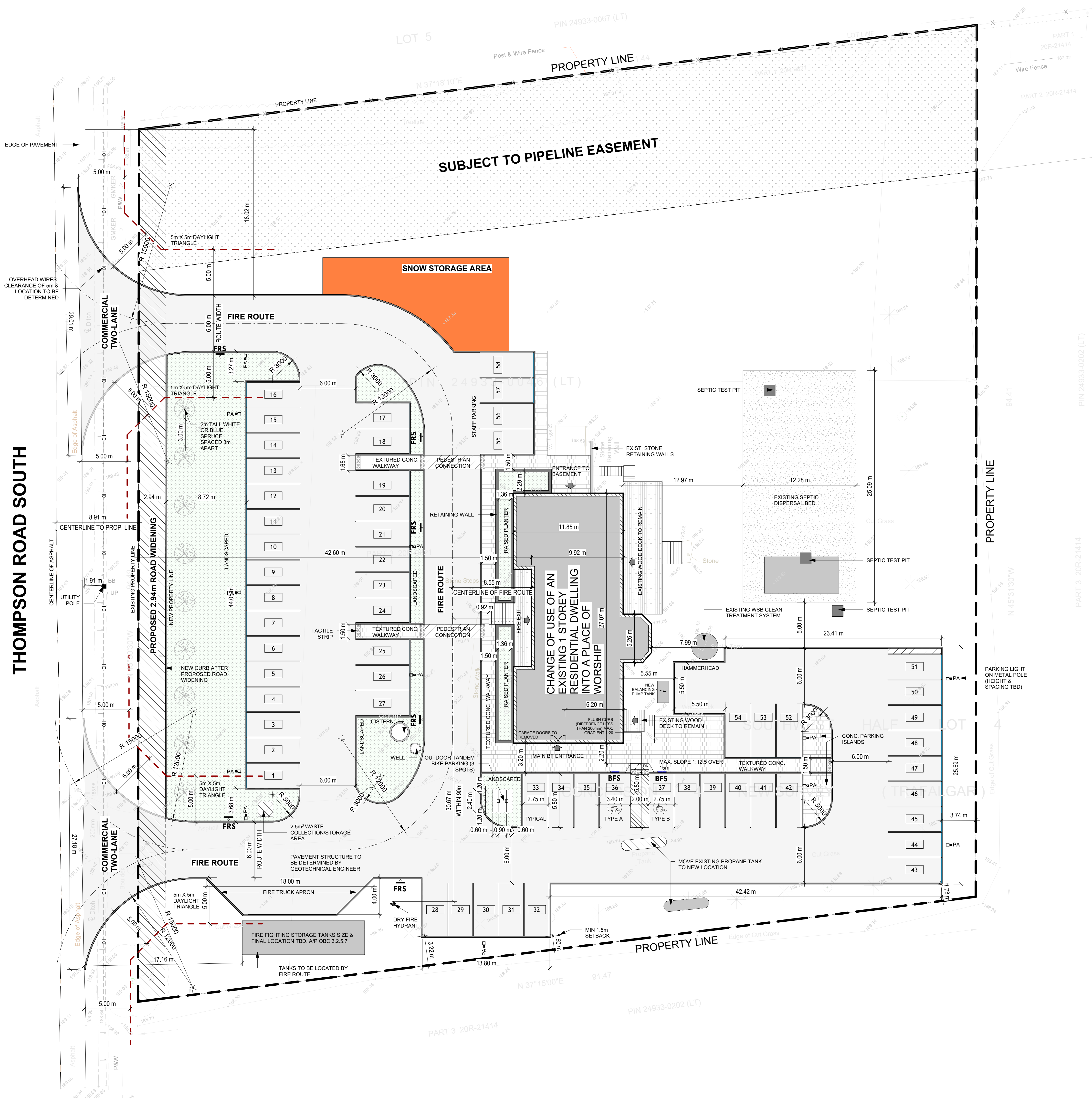
Development Services Department



Subject Property



CONTEXT PLAN-NTS
SCALE:
N.T.S.



SITE STATISTICS	
LOT AREA:	8,566.38m ²
ROAD WIDENING AREA:	277.67m ²
NET LOT AREA:	8,288.71m ²
BUILDING FOOTPRINT:	499m ²
LOT COVERAGE:	6%
ASPHALT AREA:	2,756.8m ²
SIDEWALK AREA:	213.5m ²
LANDSCAPE AREA:	5,316.4m ²

GROSS FLOOR AREA	
GFA (UPPER & LOWER LEVELS):	620.24m ²
PRAYER AREA:	134.1m ²
MULTIPURPOSE/MISC:	188.2m ²

PARKING REQUIRED	
PRAYER AREA (PER 5.5m ²):	25
MULTIPURPOSE/MISC (PER 11m ²):	18
TOTAL PARKING REQUIRED:	52
PARKING PROVIDED:	58
BARRIER FREE PARKING PROVIDED:	2
BICYCLE PARKING PROVIDED:	3

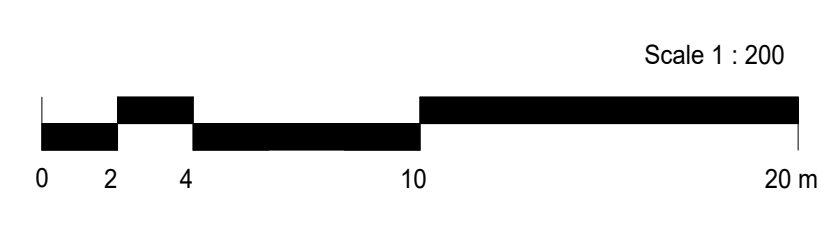
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REVISIONS/ISSUES		
#	DATE	DESCRIPTION
1	2024-03-29	ISSUED FOR SPA

SCALE:
CONSTRUCTION POINT

SITE PLAN LEGEND

- PROPOSED BLDG.
- PROPERTY LINE
- ROOF OUTLINE
- MAIN/SECONDARY ENTRANCE DOORS
- PROPOSED LANDSCAPING (BY OTHERS)
- PROPOSED GRADING ELEVATION-SEE GRADING PLAN PROVIDED BY OTHERS
- EXISTING GRADING ELEVATION-SEE TOPOGRAPHIC SURVEY BY OTHERS
- PROPOSED SLOPE-SEE GRADING PLAN PROVIDED BY OTHERS
- PROPOSED CONC. WALKWAY
- NO PARKING-FIRE ROUTE SIGNAGE (FRS)
- BARRIER FREE PARKING SIGNAGE (BFS)
- OVERHEAD LINE
- PROPOSED FIRE ROUTE
- TACTILE STRIP
- PARKING AREA LIGHT ON METAL POLE
- SNOW STORAGE AREA



CLIENT:
MUSLIM ASSOCIATION OF MILTON (MAM)

PROJECT:
CHANGE OF USE TO PLACE OF WORSHIP
1801 THOMPSON ROAD, MILTON ON L9T 7E6

DRAWING:
SITE PLAN

SCALE VERIFICATION	
1 CM	1 INCH
DRAWN BY: Z.S	CHECKED BY: O.A
DESIGNED BY: A.A	APPROVED BY: A.A
SCALE: As indicated	PROJECT NO.: A23003

A100

1 SITE PLAN
A100 Scale: 1:200

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REVISIONS/ISSUES

#	DATE	DESCRIPTION

SCALE:



EXISTING NORTH ELEVATION
Scale: 1 : 75



EXISTING EAST ELEVATION
Scale: 1 : 75



EXISTING SOUTH ELEVATION
Scale: 1 : 75



EXISTING WEST ELEVATION
Scale: 1 : 75



CLIENT:
MUSLIM ASSOCIATION OF MILTON (MAM)

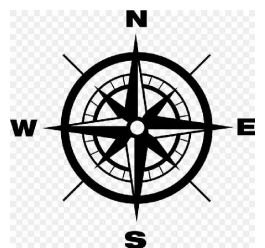
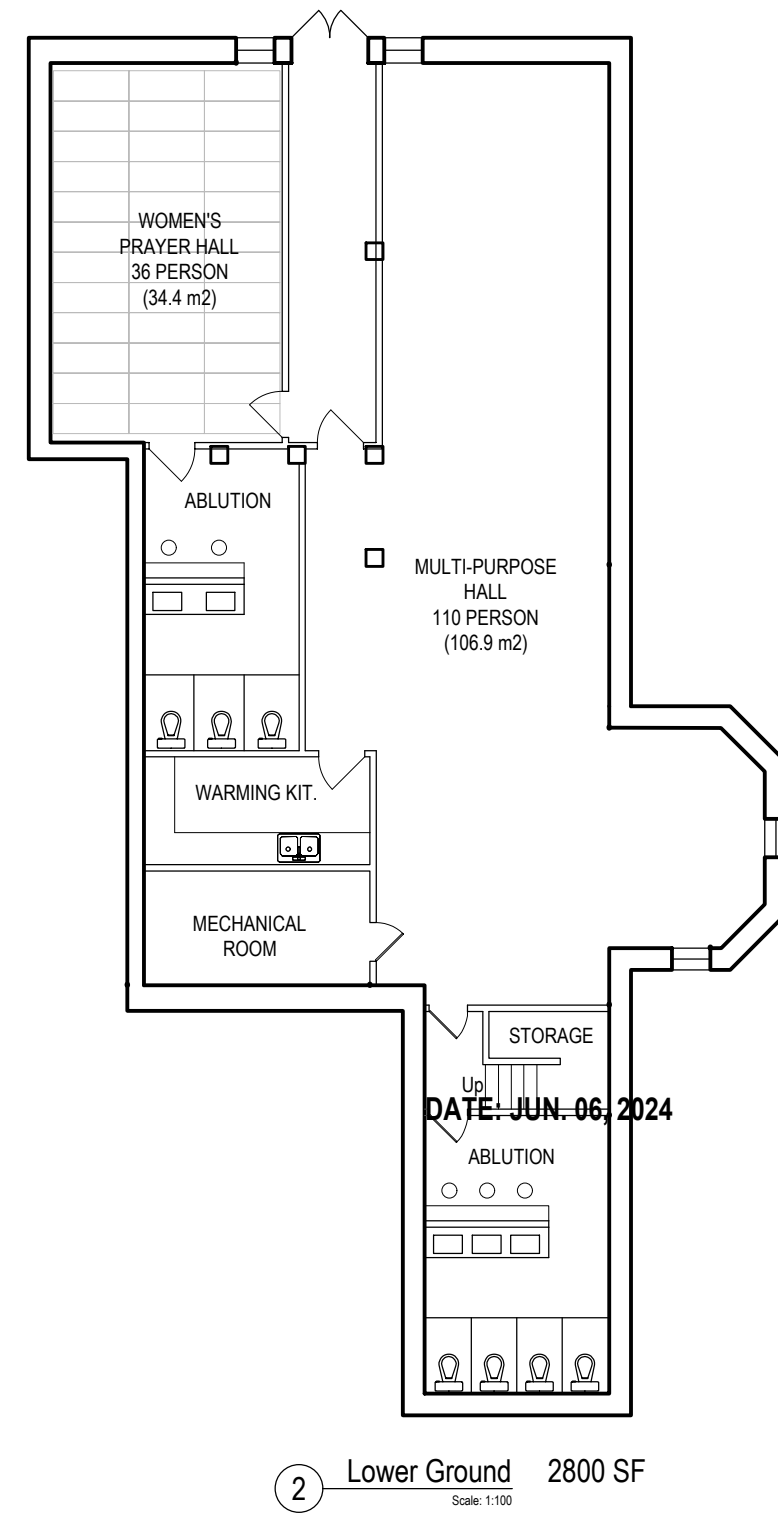
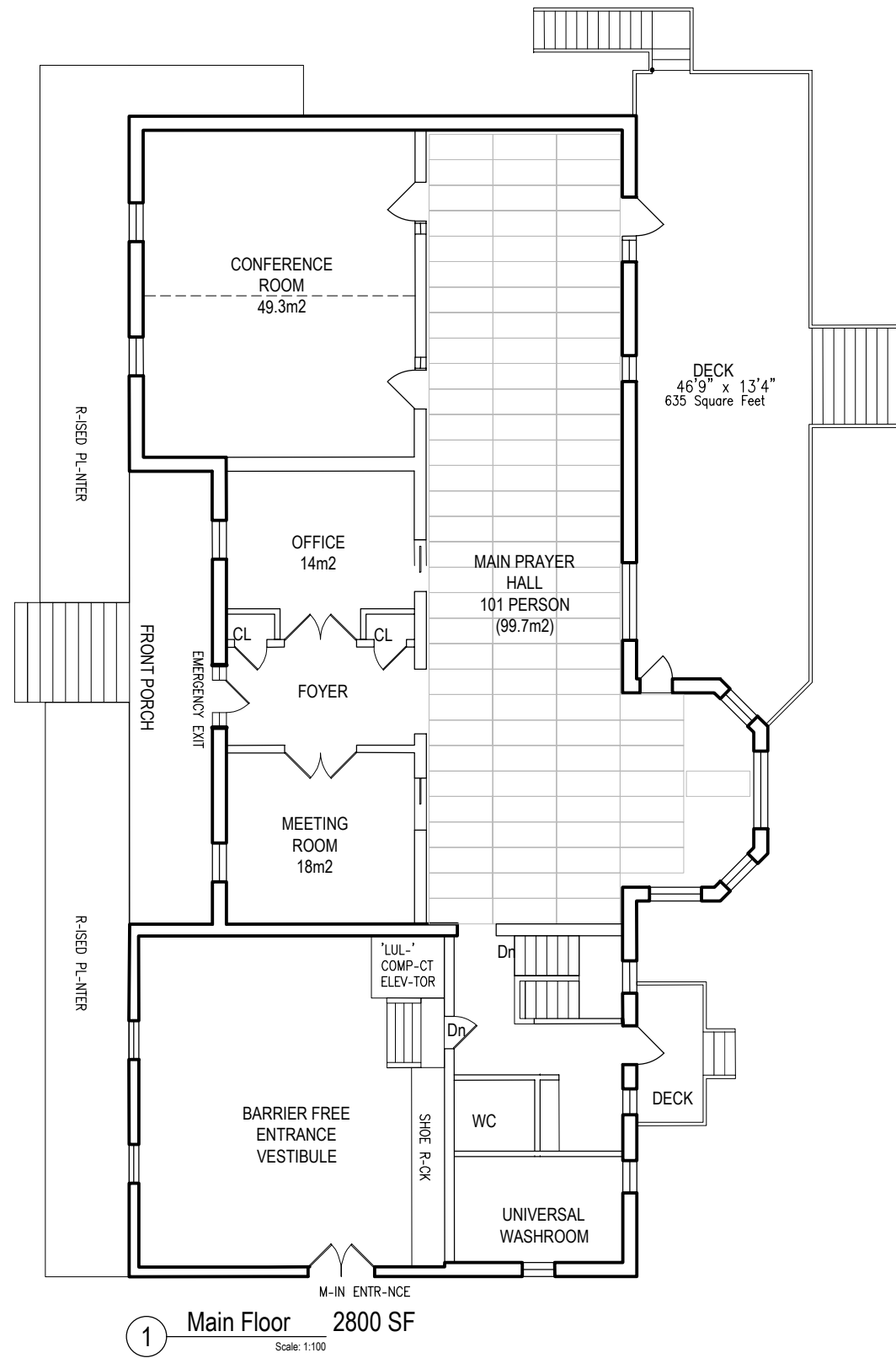
PROJECT:
CHANGE OF USE TO PLACE OF WORSHIP
1801 THOMPSON ROAD, MILTON ON L9T 7E6

DRAWING:
EXISTING ELEVATIONS

SCALE VERIFICATION
1 CM = 1 INCH
THIS DRAWING IS TO BE PRINTED AT THIS SCALE

DRAWN BY: Author	CHECKED BY: Checker
DESIGNED BY: Designer	APPROVED BY: Approver
SCALE: 1 : 75	PROJECT NO.: A23003

DRAWING NO.:
A101



Application Information

- **First Name:**
Faisal
- **Last Name**
Malik
- **Email Address:**
[REDACTED]
- **Phone number:**
[REDACTED]
- **Street Address:**
[REDACTED]
- **Town**
Milton
- **Postal Code:**
[REDACTED]
- **Are you representing a group?**
No
- **Council Meeting Date**
9/9/2024
- **Please indicate how you intend to participate during the Council Meeting**
Both audio and video
- **Please describe the issue you intend to present:**
I would like to see this zoning approved. As a Muslim we need this place of worship in our community.
- **Please describe specific actions you want Council to take:**
Approval of the mosque on Thompson road.
- **Please provide your comments in support of or in opposition to the staff recommendation:**
N/a

- **Do you give your permission to be audio and video recorded on the Town of Milton's live Council meeting stream?**

Yes I give my permission

[This is an automated email notification -- please do not respond]