



# Corporate Report

Clerk's Files

Originator's  
Files OZ 09/009 W6

**PDC** MAR 18 2013

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**DATE:** February 26, 2013

**TO:** Chair and Members of Planning and Development Committee  
Meeting Date: March 18, 2013

**FROM:** Edward R. Sajecki  
Commissioner of Planning and Building

**SUBJECT:** **Information Report**  
**Rezoning Application**  
**To permit a Private Elementary School**  
**935 Eglinton Avenue West and Block 127, 43M-1034**  
**North side of Eglinton Avenue West, West of Terry Fox Way**  
**Owners: Masjid-e Farooq-e Azam Mississauga &**  
**Makkah Holdings Inc.**  
**Applicant: Macaulay Shiomi Howson Ltd.**  
**Bill 51**

**Public Meeting** **Ward 6**

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**RECOMMENDATION:** That the Report dated February 26, 2013 from the Commissioner of Planning and Building regarding the application to change the Zoning from "RM4-58" (Residential) and "RM5-3" (Residential), to "'RM4-Exception" (Residential) to permit a private elementary school in conjunction with a place of religious assembly, under file OZ 09/009 W6, Masjid-e Farooq-e Azam Mississauga and Makkah Holdings Inc., 935 Eglinton Avenue West and Block 127, 43M-1034, be received for information.

**REPORT  
HIGHLIGHTS:**

- The private elementary school is proposed in conjunction with an existing place of religious assembly.
- Prior to the supplementary report, matters to be addressed include: outstanding department and agency comments and the submission and review of supporting information.

**BACKGROUND:**

The above-noted application has been circulated for technical comments. The purpose of this report is to provide preliminary information on the application, and to seek comments from the community.

**COMMENTS:**

The subject rezoning application includes two parcels of land under separate ownership. The property identified as 935 Eglinton Avenue West is owned by Masjid-e Farooq-e Azam Mississauga, and the adjacent parcel to the west, identified as Block 127 on plan 43M-1034, is owned by Makkah Holdings Inc.

The proposal is to permit the construction of a two storey private elementary school and two levels of underground parking, in conjunction with the existing mosque located at 935 Eglinton Avenue West. In addition, the application seeks to allow associated surface parking on the adjacent parcel.

<b>Development Proposal</b>	
Application submitted:	June 4, 2009 (application submitted) June 18, 2009 (deemed complete) September 27, 2011 (resubmission) July 13, 2012 (resubmission)
Existing Gross Floor Area:	927.4 m <sup>2</sup> (9,983 sq. ft.)
Proposed Gross Floor Areas:	New Building 2,379.3 m <sup>2</sup> (25,611 sq. ft.)  Total Site 3,303.8 m <sup>2</sup> (35,563 sq. ft.)

<b>Development Proposal</b>	
Building Height:	2 storeys 9.1 m (29.9 ft.) (grade to roof) 20 m (65.6 ft.) (grade to top of minaret)
Total Lot Coverage:	22 %
Landscaped Area:	19 %
Parking Required:	122 * * (plus parking for day care at 2.5 spaces/100 m <sup>2</sup> of GFA)
Parking Provided:	167
Supporting Documents:	Planning Justification Report Traffic Impact Study Stormwater Management Report Phase 1 Environmental Assessment Environmental Noise Assessment Traffic Impact Study Site Plan Landscape Plan and Details Topographic Survey Site Servicing and Grading Plan Drainage Catchment Area Plan Cross Section Plan Elevation Drawings and Floor Plans Eglinton Avenue Modification Plan

<b>Site Characteristics</b>	
Frontage:	133.5 m (438.0 ft.)
Depth:	54.5 m (178.8 ft.)
Net Lot Area:	0.65 ha (1.61 ac.)
Existing Use:	Place of Religious Assembly (Mosque)

### **Green Development Initiatives**

The applicant has proposed that the following green development initiatives will be incorporated into the development: bioswales; pervious stable surface; grass and dry swales; bicycle parking; rainwater harvesting (where feasible); native vegetation (where feasible). Further, it has been indicated that additional items such as reflective roofing and bird friendly glazing will be investigated through the building design process.

### **Neighbourhood Context**

The subject property is located on the north side of Eglinton Avenue West, west of Terry Fox Way. The surrounding neighbourhood is characterized predominantly by detached, semi-detached and townhouse dwellings. In addition, a landscaping supply business, veterinary clinic and places of religious assembly are located along Eglinton Avenue West. Currently, there is a mosque on the subject property. Information regarding the history of the site can be found in Appendix I-1. The surrounding land uses are described as follows:

- North: Across Moulin Rouge Crescent, street townhouses and detached dwellings.
- East: Townhouse dwellings.
- South: Across Eglinton Avenue West, street townhouses and detached dwellings.
- West: Immediately to the west, a landscaping supply business, and further west, a veterinary clinic and places of religious assembly.

### **Mississauga Official Plan**

Mississauga Official Plan was adopted by City Council on September 29, 2010 and partially approved by the Region on September 22, 2011. The Plan was appealed in its entirety, however on November 14, 2012, the Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan, as modified, save and except for certain appeals which have no

effect on the subject application. The lands are located within the **East Credit Neighbourhood Character Area**, on Eglinton Avenue West, which is identified as a **Corridor**. Mississauga Official Plan designates the subject lands as "**Residential Medium Density**", which permits community infrastructure, including private schools and places of religious assembly.

### **Existing Zoning**

**"RM4-58" (Residential)** which permits a place of religious assembly and a day care, and **"RM5-3" (Residential)**, which permits detached dwellings, semi-detached dwellings and street townhouse dwellings.

### **Proposed Zoning By-law Amendment**

**"RM-4 Exception" (Residential)**, to permit a private elementary school, day care and place of religious assembly. As part of the rezoning, the applicant is proposing a new exception zone for the site, and that the following zoning standards apply to the private school:

	<b>Required Zoning By-law Standard - Private School</b>	<b>Proposed Standard</b>
Min. Rear Yard	7.5 m (24.6 ft)	4.5 m (14.8 ft)
Max. Building Height	7.5 m (24.6 ft)	9.5 m (31.2 ft)
Min. Landscaped Area	40%	19%
Max. Gross Floor Area	0.23 (times the lot area)	0.37 (times the lot area)
Max. Gross Floor Area for accessory uses	20%	30%

## **DEVELOPMENT ISSUES**

Agency comments are summarized in Appendix I-7. Based on the comments received and the applicable Mississauga Official Plan policies, the following matters will have to be addressed:

- Satisfactory arrangements regarding landscaping;
- Provision of technical details regarding the completion/restoration of Moulin Rouge Crescent to the satisfaction of the Transportation and Works Department;
- Satisfactory arrangements concerning land ownership.

## **OTHER INFORMATION**

### **Development Requirements**

In conjunction with the proposed development, there are certain other engineering matters with respect to grading and road improvements which will require the applicant to enter into appropriate agreements with the City.

**FINANCIAL IMPACT:** Development charges will be payable in keeping with the requirements of the applicable Development Charges By-law of the City, as well as financial requirements of any other official agency concerned with the development of the lands.

**CONCLUSION:** Agency and City department comments have been received and after the public meeting has been held, and all of the outstanding issues are resolved, the Planning and Building Department will be in a position to make a recommendation regarding this application.

**ATTACHMENTS:**

- Appendix I-1: Site History
- Appendix I-2: Aerial Photograph
- Appendix I-3: Excerpt of Existing Land Use Designation Map
- Appendix I-4: Excerpt of Existing Land Use Map
- Appendix I-5: Site Plan
- Appendix I-6: Elevations
- Appendix I-7: Agency Comments
- Appendix I-8: General Context Map

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Edward R. Sajecki  
Commissioner of Planning and Building

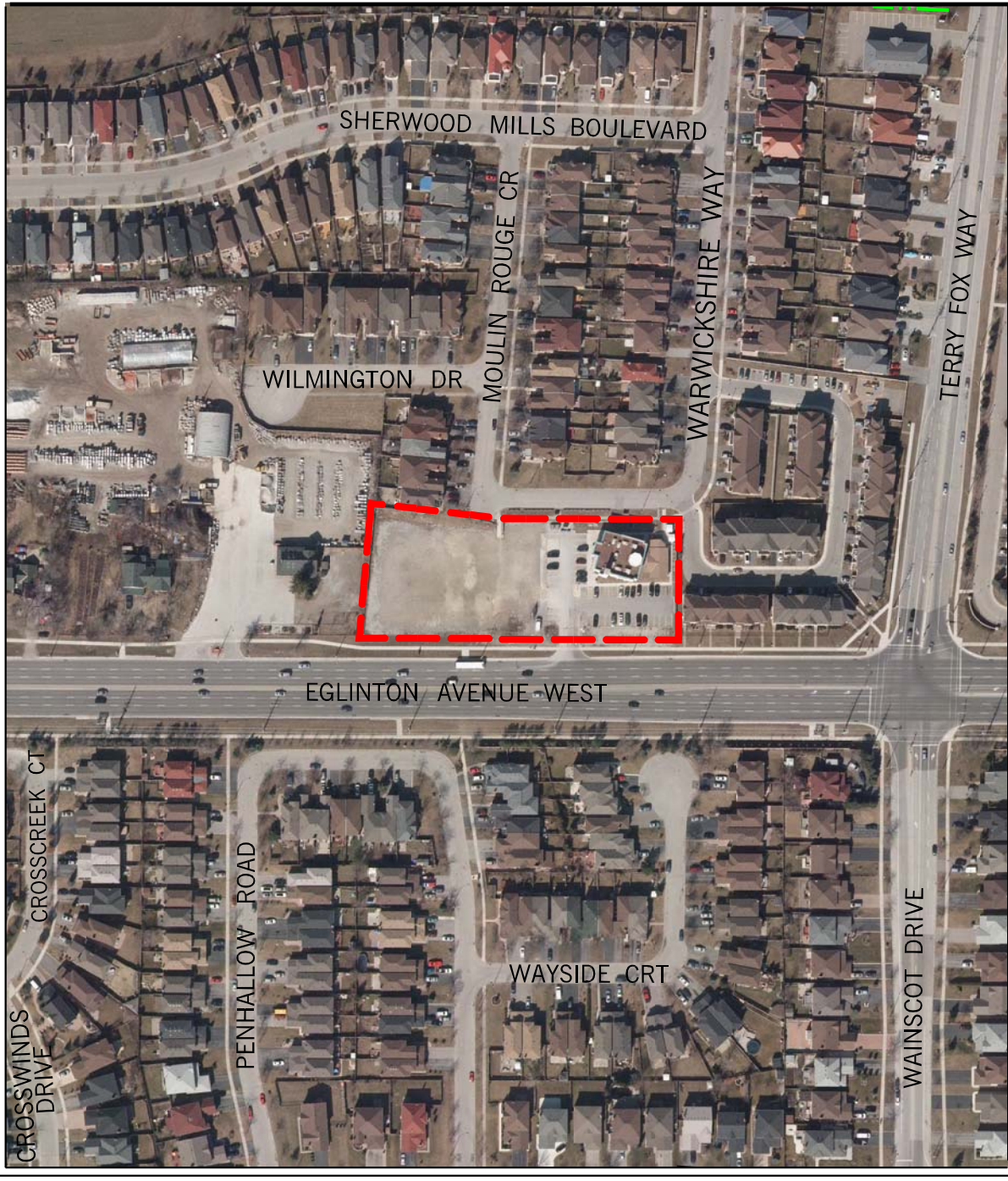
*Prepared By: Katherine Mahoney, Development Planner*

**Masjid-e Farooq-e Azam Mississauga &  
Makkah Holdings Inc.**

**File: OZ 09/009 W6**

### **Site History**

- May 5, 2003 – The Region of Peel approved the Mississauga Plan policies for the East Credit District, designating the subject lands as "Residential Medium Density I".
- May 19, 2005 – The Committee of Adjustment approved a minor variance application under file 'A' 172/05 to permit the construction of a new place of religious assembly, with a reduced rear yard setback of 4.73 m (15.51 ft) whereas By-law 5500 required a minimum setback of 7.50 m (24.60 ft).
- January 19, 2007 – Site Plan Approval under file SP 01/439 was authorized to permit a new building for religious assembly.
- June 20, 2007 – Zoning By-law 0225-2007 came into force except for those sites which have been appealed. As no appeals have been filed for this site, the provisions of the By-law apply. The subject lands are zoned "RM4-25" (Residential) and "RM5-3" (Residential).
- November 14, 2012 – The Ontario Municipal Board issued a Notice of Decision approving Mississauga Official Plan (2011), as modified, save and except for certain appeals which have no effect on the subject application. The subject lands are designated "Residential Medium Density".



LEGEND:

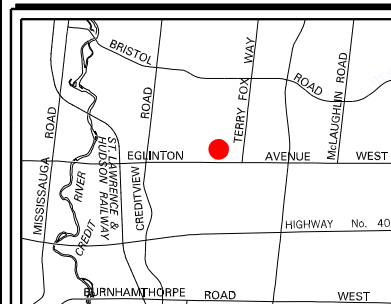


SUBJECT LANDS

DATE OF AERIAL PHOTO: 03/12



**SUBJECT: MASJID-E FAROOQ-E AZAM  
MISSISSAUGA & MAKKAH HOLDINGS INC.**

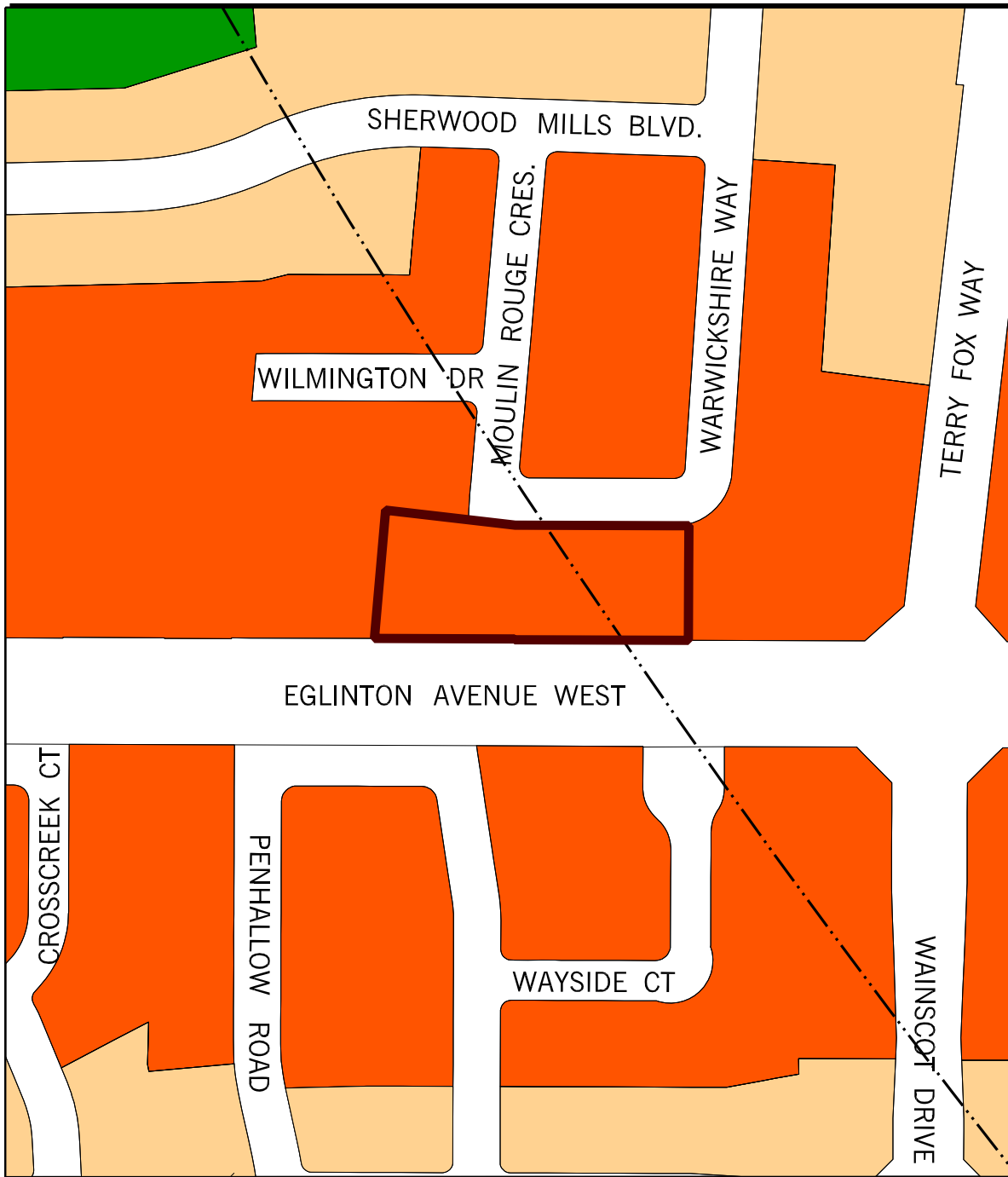


FILE NO:  
OZ 09009 W6  
DWG. NO:  
09009A  
SCALE:  
1:2500  
PDC DATE:  
2013 03 18  
DRAWN BY:  
K. PROKOP

APPENDIX I-2

**MISSISSAUGA**  
Planning and Building

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T&W, Geomatics



**PART OF SCHEDULE 10 LAND USE DESIGNATIONS  
OF MISSISSAUGA OFFICIAL PLAN**

**LAND USE DESIGNATIONS**

Residential Low Density I	Business Employment
Residential Low Density II	Industrial
Residential Medium Density	Airport
Residential High Density	Institutional
Downtown Mixed Use	Public Open Space
Downtown Core Commercial	Private Open Space
Mixed Use	Greenbelt
Convenience Commercial	Parkway Belt West
Motor Vehicle Commercial	Utility
Office	To Be Determined

**LAND USE LEGEND**

Heritage Conservation District	Civic Centre (City Hall)
1996 NEP/2000 NEF Composite Noise Contours	City Centre Transit Terminal
LBPIA Operating Area Boundary See Aircraft Noise Policies	GO Rail Transit Station
Area Exempt from LBPIA Operating Area	Public School
Natural Hazards	Catholic School
	Hospital
	Community Facilities

**CITY STRUCTURE**

**Elements**

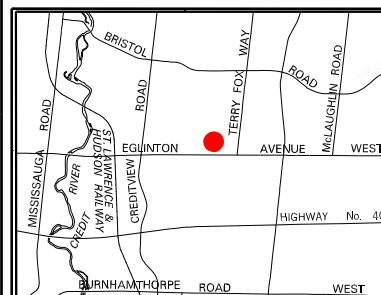
Downtown	Corporate Centre
Major Node	Employment Area
Community Node	Special Purpose Area
Neighbourhood	

ND2 Region of Peel Non-Decision

**SUBJECT LANDS**



**SUBJECT: MASJID-E FAROOQ-E AZAM  
MISSISSAUGA & MAKKAH HOLDINGS INC.**



**FILE NO:**  
**OZ 09009 W6**

**DWG. NO:**  
**09009R**

**SCALE:**  
**NTS**

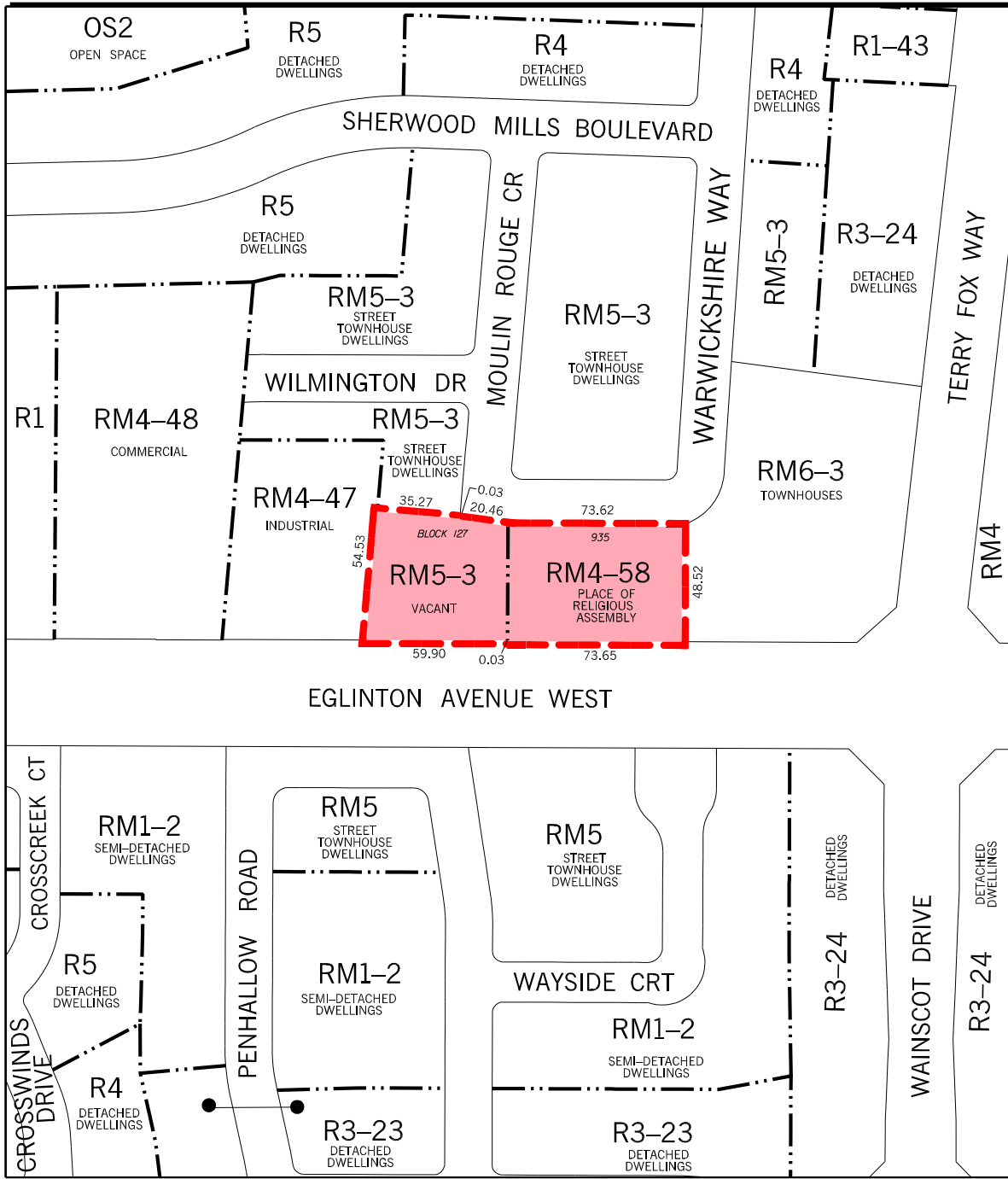
**PDC DATE:**  
**2013 03 18**

**DRAWN BY:**  
**K. PROKOP**


**APPENDIX I-3**

**MISSISSAUGA**  
Planning and Building

Produced by  
**T&W, Geomatics**

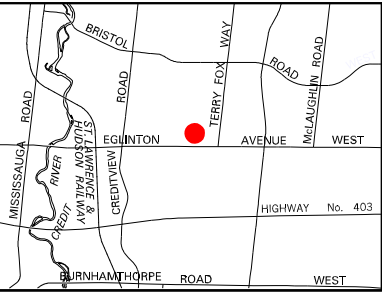


**LEGEND:**

 PROPOSED REZONING FROM 'RM4-58' (RESIDENTIAL) AND 'RM5-3' (RESIDENTIAL) TO 'RM4-EXCEPTION' (RESIDENTIAL) TO PERMIT A PRIVATE ELEMENTARY SCHOOL IN CONJUNCTION WITH A PLACE OF RELIGIOUS ASSEMBLY.

**NOTE:** EXISTING ZONING DELINEATED ON THE PLAN  
PROPOSED ZONING INDICATED BY SHADING WITHIN  
THE APPLICATION AREA.

**SUBJECT: MASJID-E FAROOQ-E AZAM  
MISSISSAUGA & MAKKAH HOLDINGS INC.**

	<b>FILE NO:</b> OZ 09009 W6
	<b>DWG. NO:</b> 09009R
	<b>SCALE:</b> 1:2500
	<b>PDC DATE:</b> 2013 03 18
	<b>DRAWN BY:</b> K. PROKOP

PART OF LOT 1, CONCESSION 3  
WEST OF HURONTARIO STREET

1. PRIOR TO CONSTRUCTION TAKING PLACE FOR ANY HOARDING WITHIN THE MUNICIPAL RIGHT-OF-WAY, U.L.C. AND/OR ROAD OCCUPANCY PERMIT SHALL HAVE BEEN ISSUED.
2. PRIOR TO ANY CONSTRUCTION TAKING PLACE, HOARDING SHALL BE CONSTRUCTED TO PROTECT ALL CONSTRUCTION ACTIVITY AND ALL REQUIRED HOARDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH HEALTH AND SAFETY AND ALL RECTIONS FOR HOARDING. ALL PROJECTS MUST BE DIRECTED AND THEN MAINTAINED THROUGHOUT THE PHASES OF CONSTRUCTION.
3. ALL SURFACE DRAINAGE WILL BE SELF CONTAINED, COLLECTED AND DISCHARGED AT A LOCATION TO BE APPROVED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
4. THE PORTIONS OF THE DRIVEWAY WITHIN THE MUNICIPAL HOARDING SHALL BE OPEN TO THE PUBLIC.
5. ALL PROPOSED CURBING WITHIN THE MUNICIPAL BOULEVARD AREA FOR THE SITE IS TO SUIT AS FOLLOWS:
  - A) FOR SINGLE FAMILY RESIDENTIAL PROPERTIES INCLUDING ON STREET TOWNHOMES, ALL CURBING IS TO BE CONSTRUCTED BY THE PROPERTY OWNER, OR MUNICIPAL SIDEWALK, WHOEVER IS APPLICABLE, OR FOR ALL OTHER PROPERTIES, THE CURBING SHALL BE CONSTRUCTED BY THE DEVELOPER, AND FOR COMMERCIAL AND CONDOMINIUM DEVELOPMENTS, ALL CURBING ON THE SITE ARE TO BE IN ACCORDANCE WITH U.C.O. 350.010.

6. ALL EXCESS EXCAVATED MATERIAL WILL BE REMOVED FROM THE SITE
7. THE EXISTING DRAINAGE PATTERN WILL BE MAINTAINED EXCEPT WHERE NOTED
8. THE APPLICANT WILL BE REQUIRED TO CONTACT ALL UTILITY COMPANIES TO OBTAIN ALL REQUIRED LOCATES AND EVIDENCE OF THE LOCATION OF HOUSING WITHIN THE MUNICIPAL RIGHT OF WAY
9. THE APPLICANT WILL BE RESPONSIBLE FOR THE COST TO ALTER UTILITY RELOCATIONS NECESSITATED BY THE SITE PLAN
10. I HEREBY CERTIFY THAT THIS DRAINING CONFORMS AS ALL RESPECTS TO THE SITE DEVELOPMENT PLANS AND THE CITY OF MISSISSAUGA UNDER FILE NUMBER SP 09/074 #6
11. THE CITY OF MISSISSAUGA REQUIRES THAT ALL WORKING DRAWINGS BE PREPARED BY A PROFESSIONAL ENGINEER OR A PROFESSIONAL LANDSCAPE ARCHITECT OR A PROFESSIONAL CIVIL ENGINEER AS BEING IN CONFORMITY WITH THE CITY OF MISSISSAUGA
12. ALL EXTERIOR LIGHTING WILL BE DIRECTED ONTO THE SITE AND SHALL NOT IRRADIATE UPON THE ADJACENT PROPERTIES
13. ALL ROOF TOP MECHANICAL UNITS SHALL BE SCREENED

- NOTE: PARKING SPACES RESERVED FOR PEOPLE WITH DISABILITIES MUST BE IDENTIFIED BY A SIGN, INSTALLED AT THE FRONT ENTRANCE OF THE BUILDING, IN ACCORDANCE WITH THE DESIGN SPECIFICATIONS OF SCHEDULES 2 & 3 OF B7-146-NOT-2009
- NOTE: FIRE ACCESS ROUTE TO BE DESIGNED TO SURVIVE A FIRE OF NOT LESS THAN 1.5 MG/PER AXLE AND HAVE A CHANGE IN GRADIENT OF NOT MORE THAN 10% OVER A MINIMUM OF 150 FEET
- NOTE: FIRE ROUTE WILL BE DESIGNATED AS PER BYLAW 1036-81 AS AMENDED
- NOTE: FOR ALL SITE GRADING AND STORM WATER INFORMATION, REFER TO SITE GRADING PLAN
- NOTE: THE STRUCTURAL DESIGN OF ANY RETAINING WALL OR FOUNDATION FOR ANY STRUCTURE OR UTILITY LOCATED ON A PROPERTY LINE, IS TO BE SHOWN ON THE SITE GRADING PLAN FOR THIS PROJECT AND IS TO BE REVIEWED AND APPROVED BY THE CONSULTING ENGINEER FOR THIS PROJECT
- NOTE: ALL CONCRETE FOR WALKWAY TO BE BRUSHED CONCRETE, FINISHED ORIENTED AT RIGHT ANGLES TO THE PATH OF TRAVEL
- NOTE: CONCRETE BARS AND PADS TO BE IN ACCORDANCE WITH #2250.01 AVAILABLE AT:  
#2250.01 AVAILABLE AT:

#### PARKING REQUIREMENT

PHASE 1: EXISTING MOSQUE (927.44 X 10/100)  
PHASE 2: NEW 2-STOREY PRIVATE SCHOOL (2

REQUIRED PARKING FOR HANDICAPPED

(INCLUDED ABOVE)

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TOTAL PARKING REQUIRED

GROUND PARKING PROVIDED  
HANDICAPPED PARKING PROVIDED

BASEMENT 1 PARKING PROVIDED  
BASEMENT 2 PARKING PROVIDED

TOTAL PARKING PROVIDED

LOT AREA 6,559.00 S.M.

BUILDINGS GROSS FLOOR AREA (GFA)

EXISTING ONE STOREY MOSQUE GFA	927.44 S.M.
NEW TWO STOREY PRIVATE ELEMENTARY SCHOOL GFA	2,376.30 S.M.

TOTAL BUILDING GROSS FLOOR AREA	3,303.74 S.M.
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BUILDINGS CODE CLASSIFICATION

GROUP -A- DIVISION 2. UP TO 2 STOREYS

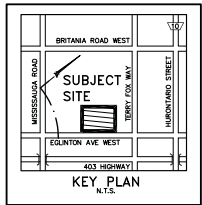
INCREASED AREA, SPRINKLERED  
OBC ARTICLE: 3.2.2.26

BUILDING SETBACKS

	REQUIRED	PROPOSED
FRONT	7.5m	17.87m
REAR	7.5m	4.64m

SIDE 8.0m 13.2m MIN.

2 CONC. PAVING DETAIL  
N.T.S.

[illegible]

**balind architect inc**  
138 eglinton ave. west 2nd floor  
suite 2 toronto, ontario m5c 2a2  
t: 416.658.6001 f: 416.658.5939  
e: dbalind@balindarch.com

9	Revised for Site Plan Approval	MM	May 30, 2012
8	Revised for Site Plan Approval	MM	May 10, 2012
7	Revised for Site Plan Approval	MM	Sept 20, 2011
6	Revised for Site Plan Approval	MM	Aug 30, 2011
5	Revised for Site Plan Approval	JH	Aug 22, 2011
4	Revised for Site Plan Approval		July 8, 2011
3	Revised for Site Plan Application	SG	May 11, 2010
2	Issued for Pre-Application	YG	May 5, 2009
1	Issued for Pre-Application Meeting	YW	Dec 9, 2008
No.	Revision	By	Date

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Client

**Masjld-e Farooq-e Azam**

935 Eglinton Ave West  
Mississauga, Ontario  
Mohammad J. Qazi, Trustee

Project Title:  
SITE PLAN APPLICATION#  
SP 09/074 W6  
OZ 09/009 W6

### Proposed New Private Elementary School

935 Eglinton Ave West  
Mississauga, Ontario L5V 1R7

Prime Consultant:

**TE** **GAMMA**  
ENGINEERING LTD.

90th Brankins Street, Whitby, Ontario L1N 6A8

Drawing Title:

**Site Plan  
Ground Level**

Drawn By:	MM, JH	Scale:	As indicated
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Checked By: DB	Date: Jul 06/
Project No:	

Project No:	Drawing No:
<b>297-001</b>	<b>A101-0</b>



**Masjid-e Farooq-e Azam Mississauga &  
Makkah Holdings Inc.**

**File: OZ 09/009 W6**

**Agency Comments**

The following is a summary of comments from agencies and departments regarding the application.

Agency / Comment Date	Comment
City Community Services Department – Parks and Forestry Division (January 29, 2013)	In comments dated January 29, 2013, this Department notes that prior to by-law enactment, a cash contribution for street tree planting and bicycle signs will be required. Further, prior to the issuance of building permits, cash-in-lieu of parkland for park or other public recreational purposes is required pursuant to Section 42 of the <i>Planning Act</i> (R.S.O. 1990, c.P. 13, as amended) and in accordance with City's Policies and By-laws.
City Transportation and Works Department (January 29, 2013)	<p>In comments dated January 29, 2013, this Department confirmed receipt of Site Plan, Site Grading and Servicing Plan, Stormwater Management Report, revised Traffic Impact Study and an addendum, Environmental Noise Assessment, and Phase 1 Environmental Site Assessment. These details are under review.</p> <p>Prior to the Supplementary Meeting, the applicant has been requested to provide revised plans with additional details for the completion/restoration of Moulin Rouge Crescent right-of-way to better demonstrate the feasibility of the proposed development.</p> <p>Further detailed comments/conditions will be provided prior to the Supplementary Meeting pending receipt and review of the foregoing.</p>
Other City Departments and External Agencies	<p>The following City Departments and external agencies offered no objection to these applications provided that all technical matters are addressed in a satisfactory manner:</p> <p>Community Services – Fire and Emergency Services Division Region of Peel</p>

**Masjid-e Farooq-e Azam Mississauga &  
Makkah Holdings Inc.**

**File: OZ 09/009 W6**

Agency / Comment Date	Comment
	Enersource Hydro Mississauga Traffic Safety Sub-Committee
	<p>The following City Departments and external agencies were circulated the applications but provided no comments or have indicated they have no concerns or conditions.</p> <p>Community Services Department – Culture Division  Bell Canada  Rogers Cable  Canada Post Corporation  Hydro One Networks Incorporated  Greater Toronto Airports Authority  Peel Regional Police/CPTED</p>

## APPENDIX I-8

