



# Planning Act Public Meeting Report

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To: Economic and Development Services Committee

From: Anthony Ambra, P.Eng., Commissioner,  
Economic and Development Services Department

Report Number: ED-24-122

Date of Report: October 30, 2024

Date of Meeting: November 4, 2024

Subject: Application to Amend Zoning By-law 60-94, D.G Biddle and Associates on behalf of Al Arqam Islamic Centre, 1709 Harmony Road North and adjacent surplus lands being purchased from the City

Ward: Ward 1

File: Z-2024-03

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## 1.0 Purpose

The purpose of this Report is to provide background information for the Planning Act public meeting on the applications submitted by D.G. Biddle and Associates on behalf of Al Arqam Islamic Centre (the "Applicant") to amend Zoning By-law 60-94 (File: Z-2024-03) to permit a new mosque building on the lands municipally known as 1709 Harmony Road North together with adjacent surplus lands being purchased from the City of Oshawa (the "Surplus Lands"), collectively referred to as the "Subject Site" (see Attachment 1).

The City is currently the owner of the Surplus Lands. On September 25, 2022, Council declared the Surplus Lands conditionally surplus to municipal requirements. On October 2, 2023, Council authorized City staff to enter into a purchase and sale agreement with the Applicant for the sale of the Surplus Lands. On October 17, 2023, the owners of 1709 Harmony Road North entered into a purchase and sale agreement with the City to purchase the Surplus Lands. As a part of the purchase and sale agreement the Applicant is responsible for submitting a complete zoning by-law amendment application and having the lands rezoned to permit the proposed new mosque.

While the Applicant was authorized to submit the zoning by-law amendment application, the City does not guarantee approval of the application. The Applicant must submit a complete site plan application within six (6) months of the lands being rezoned and undertake the lawful commencement of the pouring of a foundation for the proposed development within one (1) year of the issuance of site plan approval.

Attachment 1 is a map showing the location of 1709 Harmony Road North and the Surplus Lands and the existing zoning in the area.

Attachment 2 is a copy of the proposed site plan submitted by the Applicant.

Attachment 3 is a copy of an air photo showing 1709 Harmony Road North and the Surplus Lands.

A notice advertising the public meeting was mailed to all assessed property owners within 120 metres (400 ft.) of the Subject Site and to all required public bodies. In addition, a sign giving notice of the application has been posted on the Subject Site. The notice was also provided in accordance with the City's Public Notice Policy GOV-23-02.

The notice regarding the public meeting provided an advisory that the meeting is open to the public and will take place in person in the Council Chamber at Oshawa City Hall. Members of the public wishing to address the Economic and Development Services Committee through electronic means rather than appear in-person to make a delegation were invited to register their intent to participate electronically by 12:00 p.m. on November 1, 2024.

## **2.0 Recommendation**

That, pursuant to Report ED-24-122 dated October 30, 2024, concerning the application submitted by D.G Biddle and Associates on behalf of Al Arqam Islamic Centre to amend Zoning By-law 60-94 (File: Z-2024-03) to permit the development of a new mosque building at 1709 Harmony Road North and the adjacent lands being purchased from the City of Oshawa, staff be directed to further review and prepare a subsequent report and recommendation back to the Economic and Development Services Committee. This direction does not constitute or imply any form or degree of approval.

## **3.0 Input from Other Sources**

### **3.1 Other Departments and Agencies**

The subject application has been circulated for comment and the identification of issues to a number of departments and agencies. These comments and issues will be considered and reported on, as appropriate, in a subsequent staff report which will provide a recommendation on the application.

## **4.0 Analysis**

### **4.1 Background**

The Subject Site is generally located on the east side of Harmony Road North, north of Coldstream Drive (see Attachment 1).

The following is background information concerning the subject zoning by-law amendment application:

<b>Item</b>	<b>Existing</b>	<b>Requested/Proposed</b>
<b>Oshawa Official Plan Designation</b>	1709 Harmony Road North and Surplus Lands: Residential within the Taunton Community Central Area	No Change
<b>Taunton Part II Plan Designation</b>	1709 Harmony Road North and Surplus Lands: Community Use within the Taunton Community Central Area	No Change
<b>Zoning By-law 60-94</b>	1709 Harmony Road North: CIN(8) (Community Institutional) Surplus Lands: OSU (Urban Open Space)	Rezone 1709 Harmony Road North and the Surplus Lands to an appropriate CIN (Community Institutional) Zone to permit a new mosque building with site specific regulations to permit certain performance standards related to such matters as, but not necessarily limited to, reduced front yard, rear yard and side yard depths and reduced setback of parking to a street line
<b>Use</b>	1709 Harmony Road North: A mosque within a converted single detached dwelling Surplus Lands: Landscaped open space associated with the City-owned Delpark Homes Centre site	A new mosque building

The following land uses are adjacent to the Subject Site:

- **North** Vacant land which will ultimately be developed for a secondary school by the Durham Catholic District School Board
- **South** A grassed area to the south of which is a driveway and parking lot associated with the City-owned Delpark Homes Centre

- **East** City-owned parking lot for the Delpark Homes Centre and two (2) communication towers owned by Bell Mobility Inc. and Rogers Communications Inc.
- **West** Harmony Road North, beyond which are single detached dwellings

The following are the proposed development details for the Subject Site:

<b>Site Statistics Item</b>	<b>Measurement</b>
Lot Frontage on Harmony Road North	61.38m (201.4 ft.)
Gross Lot Area	2,480.44 sq. m. (0.61 ac.)
Proposed Gross Floor Area of Mosque	1,078.82 sq. m. (11,612.70 sq. ft.)
Proposed Assembly Floor Area of the Mosque	223.90 sq. m. (2,410 sq. ft.)
Proposed Building Height	11.42m (37.5 ft.) to the top of the parapet wall 16.8m (55.1 ft.) to the top of the dome 22.86m (75 ft.) to the top of the minaret
Parking Spaces Required	37 (1 parking space per 6 sq. m. of assembly floor area)
Parking Spaces Provided	50

#### **4.2 Oshawa Official Plan**

The Subject Site is designated as Residential within the Taunton Community Central Area in the Oshawa Official Plan (the “O.O.P.”).

The O.O.P. specifies, in part, that areas designated as Residential shall be predominantly used for residential dwellings. In addition, subject to the relevant polices of the Official Plan and the inclusion of appropriate provisions in the zoning by-law, other land uses may be permitted in areas designated as Residential as follows: community uses such as schools, places of worship, nursing homes, homes for the aged, day care centres and libraries, that by nature of their activity, scale and design, are compatible with residential uses; community gardens, allotment gardens, parks, open space and recreational uses having a community or neighbourhood level service area; Convenience Commercial Centres; limited office, retail and personal service uses; convenience stores; home occupation uses; bed and breakfast establishments and group homes.

Central Areas are intended to be focal points for development in the City and shall provide an integrated array of shopping (including opportunities for food stores and convenient access to healthy food), personal and business service, office, institutional, community, cultural and recreational uses and transportation facilities, mixed with a range of higher density residential housing types, including opportunities for affordable housing and assisted housing.

The Community Central Areas shall serve primarily their surrounding residential communities and shall be planned and developed similar to, but generally smaller in scale

than, Sub-Central Areas. Community Central Areas shall be planned to support an overall long-term density target of at least 24 residential units per gross hectare (9.71 residential units/gross ac.) and a Floor Space Index of 1.5.

In the Taunton Part II Plan the Subject Site is designated as Community Use within the Taunton Community Central Area. Areas designated as Community Use may be used for social, educational, cultural and religious land uses such as schools, places of worship, day care centres, libraries, and nursery schools that, by nature of their activity, scale and design, are compatible with surrounding land uses.

The Taunton Community Central Area, located on the east side of Harmony Road North, north of Taunton Road East, is intended to serve as a major community focal area, in accordance with the City's hierarchy of Central Areas.

Section 8.5.3.3 of the Taunton Part II Plan states:

- “8.5.3.3 The Community Central Area shall contain a broad range of uses including:
- (a) A department store with a maximum gross floor area of 19,974 square metres (215,005 sq. ft.) within which a maximum gross floor area of 5,110 square metres (55,000 sq. ft.) devoted to food store space is permitted;
  - (b) A building containing a supermarket and other retail, personal service and office uses with a maximum gross floor area of 13,075 square metres (140,745 sq. ft.) of which a maximum gross floor area of 6,968 square metres (75,000 sq. ft.) may be used for supermarket floor space;
  - (c) A community park;
  - (d) One or two secondary schools; and
  - (e) Residential uses.”

Policy 8.5.9.2 of the Taunton Part II Plan states:

“The anticipated uses for certain areas designated as Community Use are indicated on Schedule “A” – Taunton Land Use and Road Plan and include public elementary and separate elementary schools, public secondary schools and separate secondary schools. However, other community uses may be permitted in such areas without requiring an amendment to the Taunton Part II Plan, provided that such uses are compatible with the surrounding land uses and subject to the inclusion of appropriate provisions in the zoning by-law.”

Schedule ‘A-2’, Corridors and Intensification Areas, of the O.O.P. designates Harmony Road North as a Regional Corridor. Schedule ‘B’, Road Network, designates Harmony

Road North as a Type 'A' Arterial Road, while Schedule 'B-1', Transit Priority Network, designates Harmony Road North as a Transit Spine.

The policies and provisions of the O.O.P. and Taunton Part II Plan will be considered during the further processing of the subject application.

#### **4.3 Zoning By-law 60-94**

1709 Harmony Road North is currently zoned CIN(8) (Community Institutional) in Zoning By-law 60-94. The CIN(8) Zone only permits a church within the building existing as of June 24, 2019 (i.e. a converted single detached dwelling).

The Surplus Lands are zoned OSU (Urban Open Space) in Zoning By-law 60-94. The OSU Zone permits the following:

- (a) Agricultural uses without buildings or structures
- (b) Campground
- (c) Golf course, existing as of January 1, 2005
- (d) Park
- (e) Outdoor Recreational use.

The Applicant proposes to amend Zoning By-law 60-94 to rezone both 1709 Harmony Road North and the Surplus Lands to an appropriate CIN (Community Institutional) Zone to permit a new mosque building and to implement the proposed site design with site specific regulations to permit certain performance standards such as, but not necessarily limited to, reduced front yard, rear yard and interior side yard depths and reduced setback of parking to the street line.

As part of the application, the Applicant has requested that the City delete the term "church" in Zoning By-law 60-94 and replace it with the term "place of worship" in order to be inclusive of all religions. The definition of church in Zoning By-law 60-94 reads as follows:

““CHURCH” means a building or part of a building owned or occupied by a religious congregation or religious organization and dedicated to worship and related religious, social or charitable activities, and may include an assembly hall, convent, monastery, office of a clergyman, day care centre or a rectory or parsonage, as accessory uses.”

The subject application will be reviewed against the provisions of Zoning By-law 60-94 during the further processing of the application.

#### **4.4 Site Design/Land Use Considerations**

The Applicant proposes to demolish the existing building at 1709 Harmony Road North and construct a new mosque building with an expanded parking area on the Subject Site (see Attachment 2). The new building is proposed to be located on the southern portion of the Subject Site, utilizing the existing driveway access to the north.

In the event the subject application is approved, the Applicant will be required to obtain site plan approval.

In support of the proposed development, the Applicant has submitted a variety of plans and documents including a site plan, floor plans, elevation plans, a survey, a geotechnical investigation report, a hydrogeological assessment, a site screening questionnaire, a noise study, an archaeological assessment, a grading plan, a servicing plan, an erosion and sediment control plan, a lighting plan, a landscape plan, a stormwater management and functional servicing report, and a planning justification report.

Detailed design matters will be reviewed during the further processing of the application to ensure compliance with the City's Landscaping Design Policies, engineering standards and other policies. This Department will conclude its position on the site design after it has received and assessed comments from the circulated departments, agencies and the public.

Some of the specific matters this Department will be reviewing during the further processing of the subject application include:

- (a) The appropriateness of the proposed zoning regulations;
- (b) The appropriateness of the proposed site design including the parking configuration;
- (c) Transportation matters;
- (d) Servicing and stormwater management matters; and,
- (e) Land use compatibility with the Delpark Homes Centre and the future separate secondary school site to the north

## **5.0 Financial Implications**

There are no financial implications associated with the recommendation in this Report.

## **6.0 Relationship to the Oshawa Strategic Plan**

This Report responds to the Oshawa Strategic Plan Priority Area:

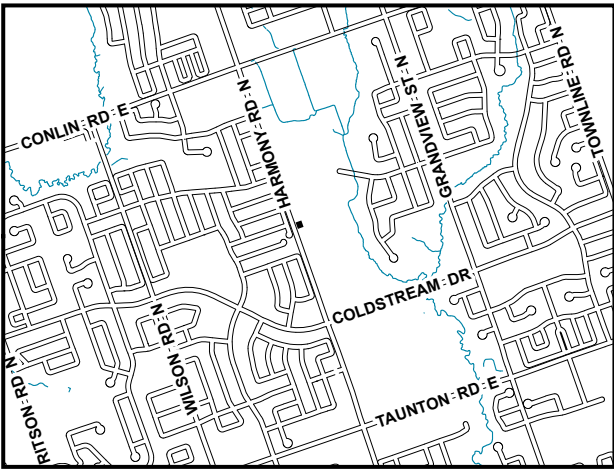
"Lead: Governance and Service Excellence" with the goal to offer community engagement activities that enhance transparency and bring diverse voices and perspectives into decision-making processes.



Tom Goodeve, M.Sc.Pl., MCIP, RPP, Director,  
Planning Services



Anthony Ambra, P.Eng., Commissioner,  
Economic and Development Services Department




**Item: ED-24-122  
Attachment 1**

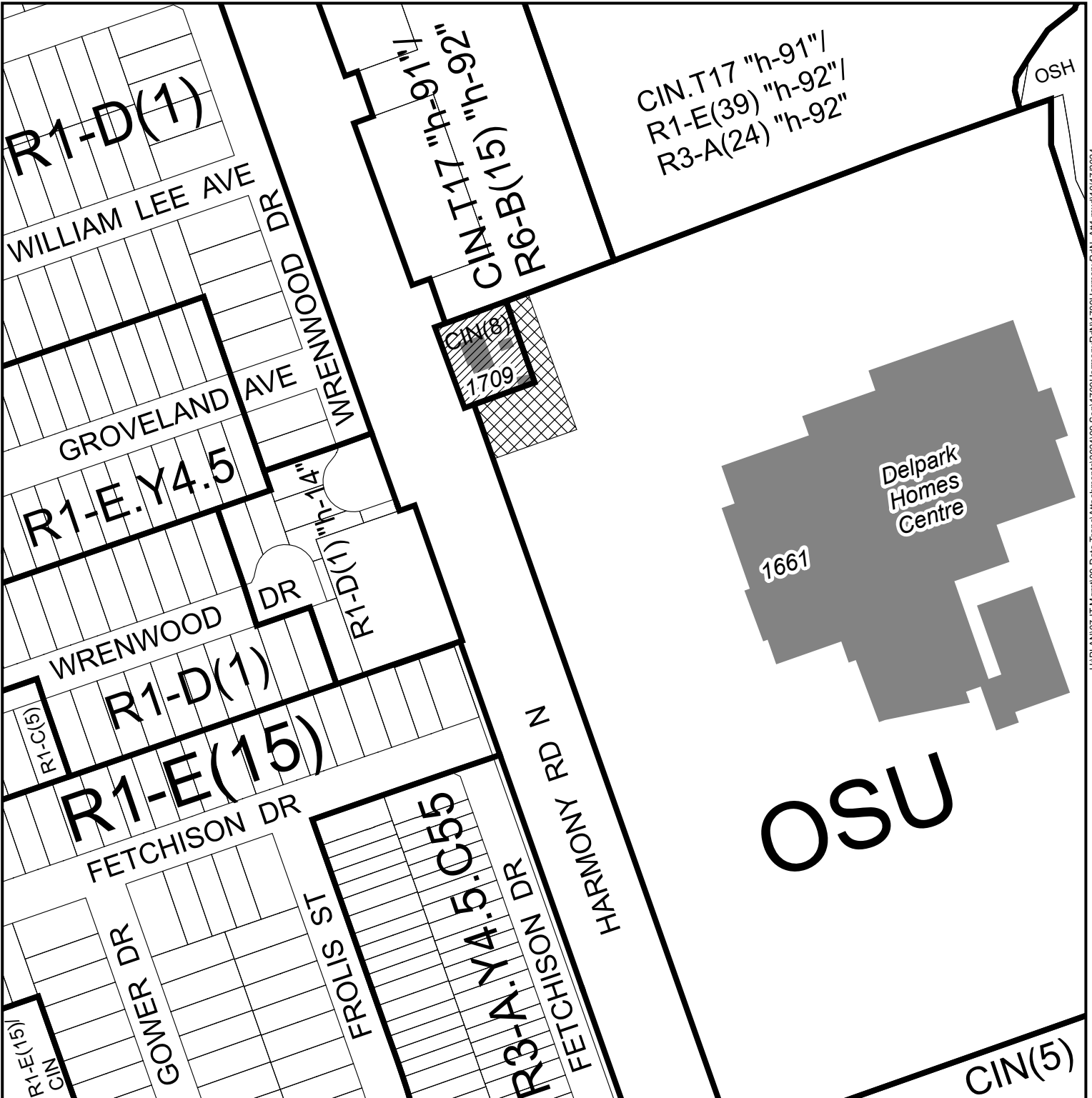
Economic and Development Services

Subject: Application to Amend Zoning By-law 60-94, D.G  
Biddle and Associates on behalf of Al Arqam Islamic Centre, 1709 Harmony Road North and adjacent surplus lands being purchased from the City

Ward: Ward 1  
File: Z-2024-03

1709 Harmony Road North 

Surplus Lands Being Purchased from City 



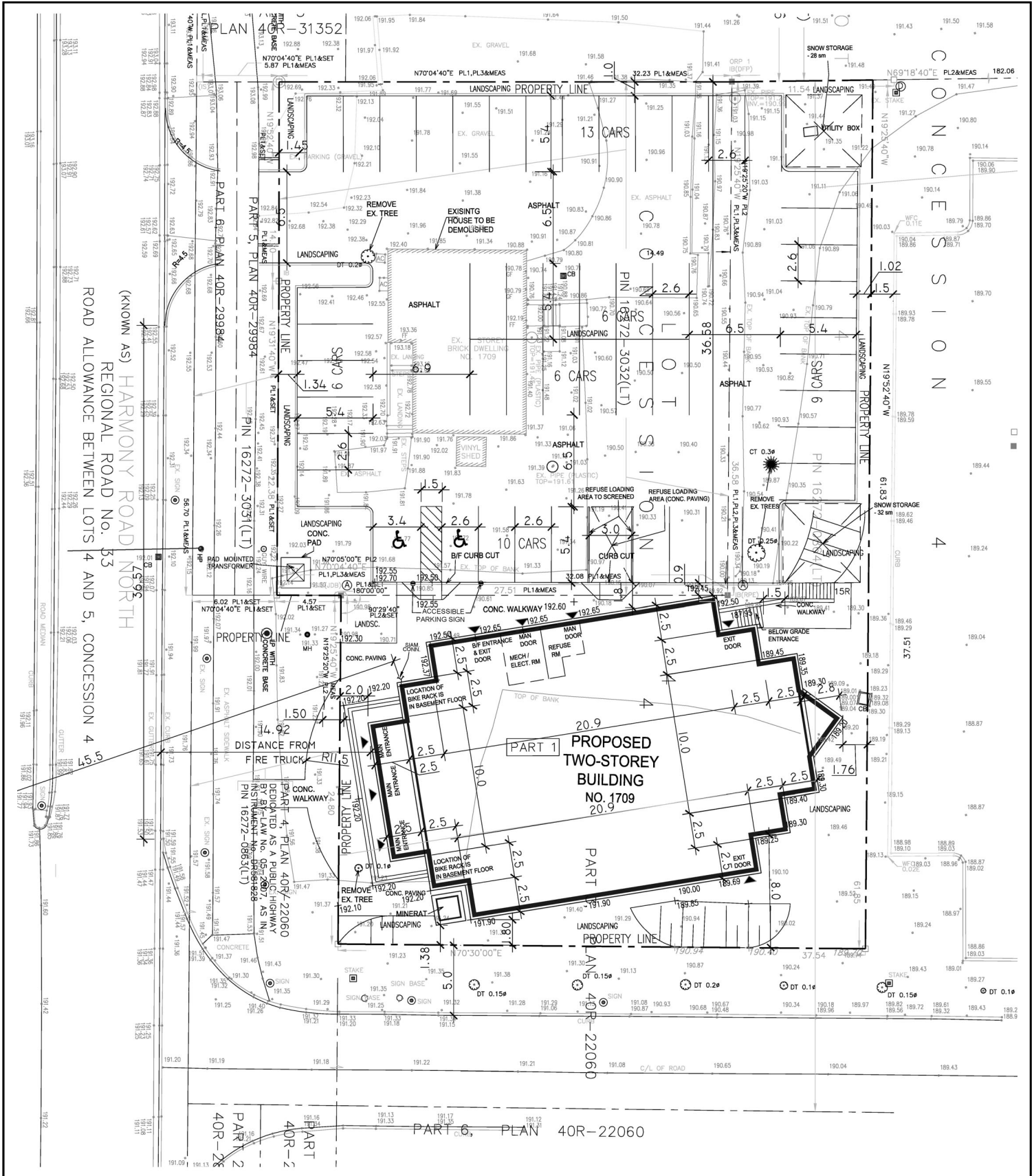


Title: Proposed Site Plan Submitted by the Applicant  
 Subject: Application to Amend Zoning By-law 60-94, D.G Biddle and Associates on behalf of Al Arqam Islamic Centre, 1709 Harmony Road North and adjacent surplus lands being purchased from the City

Item: ED-24-122  
 Attachment 2

Ward: Ward 1  
 File: Z-2024-03

City of Oshawa  
 Economic and Development Services





Subject: Application to Amend Zoning By-law 60-94, D.G Biddle and Associates on behalf of Al Arqam Islamic Centre, 1709 Harmony Road North and adjacent surplus lands being purchased from the City

Item: ED-24-122  
Attachment 3

Ward: Ward 1  
File: Z-2024-03



-  1709 Harmony Road North
-  Surplus Lands Being Purchased from City

City of Oshawa  
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