

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, March 05, 2019

WARD: 4

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.18.008
COVENANT CHAPEL (THE REDEEMED CHRISTIAN
CHURCH OF GOD CANADA)
VICINITY OF KEELE STREET AND STEELES AVENUE**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.18.008 for the Subject Lands shown on Attachments 1 and 2 to amend Zoning By-law 1-88 to permit a place of worship within the EM1 Prestige Employment Area Zone and associated parking within the PB1(S) Parkway Belt Linear Facilities Zone, as shown on Attachments 3 to 5.

Report Highlights

- To receive input from the public and the Committee of the Whole to amend Zoning By-law 1-88 to amend Zoning By-law 1-88 to permit a place of worship within the EM1 Prestige Employment Area Zone within an existing employment building and associated parking within the existing adjacent Hydro Corridor which is zoned PB1(S) Parkway Belt Linear Facilities Zone.
- The Owner has filed an application with the Ministry of Municipal Affairs and Housing to permit parking on lands located within the Parkway Belt West Plan.
- A technical report prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Hearing report for File Z.18.008 (Covenant Chapel (The Redeemed Christian Church of God Canada)) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

The Subject Lands ('Subject Lands') shown on Attachments 1 and 2 are located on the north side of Drumlin Circle, north of Steeles Avenue West and east of Keele Street and are municipally known as 274 Drumlin Circle. The surrounding land uses are shown on Attachment 2. The Subject Lands are currently occupied with a vacant existing employment building (previously De Boer's).

A Zoning By-law Amendment Application has been submitted to permit the Development

The Owner has submitted Zoning By-law Amendment File Z.18.008 (the 'Application') for the Subject Lands shown on Attachments 1 and 2 to:

- i) permit a place of worship in an EMI Prestige Employment Area Zone, within an existing employment building, together with the site-specific zoning exceptions identified in Tables 1 and 2 of this report; and
- ii) to permit parking for the place of worship to be located on adjacent lands zoned PB1(S) Parkway Belt Linear Facilities Zone.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

- a) Date the Notice of Public Hearing was circulated: February 8, 2019

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed along the Drumlin Circle frontage, in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: Circulated to all property owners within a 150 m distance from the boundary of the Subject Lands.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in the final technical report to be considered at a future Committee of the Whole meeting.

Previous Reports/Authority

Not Applicable

Analysis and Options

The Application conforms to the Official Plan, subject to the approval of a Parkway Belt West Plan ("PBWP") Amendment

The Subject Lands have a dual Official Plan designation as shown on Attachment 3. The portion of the Subject Lands that contain the existing employment building is designated "General Employment" by Vaughan Official Plan 2010 ("VOP 2010"). The portion of the Subject Lands where the parking lot is proposed is designated "Parkway Belt West Lands" and "Infrastructure and Utilities" by VOP 2010.

The "General Employment" designation permits manufacturing, warehousing, processing, transportation, distribution, any of which may or may not include outdoor storage and accessory office and/or retail uses. A place of worship is not specifically permitted in VOP 2010 however, VOP 2010 states in Section 9.2.1.10 that policies existing prior to the adoption of the plan remain in effect as they apply to places of worship until such time as any new policies are approved. Accordingly, the Employment Area Management and Growth Plan (Official Plan Amendment 450 - 'OPA 450') provides the applicable official plan policies for the Subject Lands. A place of worship would be considered a permitted use if it satisfies the criteria outlined in Section 2.2.1 of OPA 450 outlined below:

2.2.1.1b Development Policies for Employment Area (OPA 450)

"Any use which serves to implement the structural concept established in this plan shall be deemed to be a permitted use. In evaluating whether a use is considered appropriate to the Employment Area and a specific element, the following criteria shall be used:

- the use must be functionally compatible with those uses in the same or neighbouring designation;*
- the use must be physically compatible with adjacent uses and the resulting built form and land use will not conflict with the urban design or streetscape character of the area;*
- the operation of the use must not result in a nuisance or adverse effect on neighbouring uses by virtue of the emission or discharge or noise, dust, odour or other contaminants; and*
- the use must be appropriate to an employment area setting and the specific structural designation. Any use which is more appropriately located in the commercial hierarchy of a residential community or in another structural designation of the Employment Area should not be permitted.*

The proposed place of worship use is functionally compatible with the surrounding uses. The place of worship will not contain any activities that conflict with or disrupt the operations of the existing surrounding uses. The proposed place of worship will be contained wholly within the existing building. The EM1 Prestige Employment Zone does not permit outside storage. The peak operating hours of the place of worship are different from those of the surrounding employment uses, reducing the potential for functionality conflicts.

The size of the Subject Lands and the built form of the existing building are similar to the adjacent properties and buildings. The proposed parking lot on the Subject Lands will be located at the rear of the property and screened from the street by the existing building. The place of worship will not have an adverse effect on neighbouring uses. The potential for emission, noise, odour or other contaminant effects is minimal by virtue of the employment and accessory commercial nature of the surrounding uses. Likewise, the proposed use is not expected to be significantly impacted by the neighbouring uses with regards to emissions, noise, or contamination of any kind. Therefore, the Development conforms to the place of worship policies of OPA 450.

The “Parkway Belt West Lands” and “Infrastructure and Utilities” designation of VOP 2010 states that lands identified as Parkway Belt West are subject to the PBWP, as amended, and subject to that Plan, are to be used for linear facilities such as transportation, communications and utility infrastructure, as well as a linked system of public and private open spaces (S.2.2.6.1). Any Parkway Belt West parcels can be declared surplus however, an amendment to VOP 2010 would be required to redesignate the lands (S.2.2.6.2). To date, the Subject Lands have not been declared surplus however, an application to amend the PBWP to permit the parking lot has been submitted to the MMAH.

The Owner on March 2, 2018, submitted Zoning By-law Amendment File Z.18.008 and related Site Development File DA.18.014 which were subsequently deemed incomplete on April 3, 2018. The applications cannot be deemed complete until the Ministry of Municipal Affairs and Housing (“MMAH”) has granted final approval of their application to permit parking for the proposed place of worship on lands within the PBWP. The MMAH and the City of Vaughan have been working closely throughout the application process.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned “EM1 Prestige Employment Area Zone” and “PB1(S) Parkway Belt Linear Facilities Zone” by Zoning By-law 1-88 as shown on Attachment 2. The Owner is proposing site-specific exceptions identified in Table 1 and 2 to Zoning By-law 1-88 to permit the place of worship and associated parking.

Table 1

	Zoning By-law 1-88 Standards	Zoning By-law 1-88, EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements
a.	Permitted Uses and Definition of a "Church"	Church - Means a building used for religious worship and includes a church or synagogue hall; a church or synagogue auditorium; a religious worship school; a convent and/or a monastery	Permit a Place of Worship on the Subject Lands defined as follows - Means a building or part of a building used for religious worship and may include accessory facilities such as an assembly hall, auditorium, multi-purpose gymnasium, offices, religious worship school, and a shrine
b.	Minimum Parking Requirements	• Parking spaces and areas shall be provided and maintained on the lot on which the building is erected or used	• Parking spaces and areas (including but not limited to parking ramps and aisles) for a place of worship may be provided and maintained on the adjacent lot zoned PS1(S) Parkway Belt Linear Facilities Zone
		• Church - 5,842 m² @ 11 parking spaces per 100 m² of Gross Floor Area ('GFA') = 643 parking spaces	• Place of Worship - 5,842m² @ 4.4 spaces per 100 m² GFA = 259 parking spaces (including 25 existing spaces located on EM1 zoned lands)
c.	Minimum Width of Parking Aisle	6 m	5.9 m (north side existing building)

	Zoning By-law 1-88 Standards	Zoning By-law 1-88, EM1 Prestige Employment Area Zone Requirements	Proposed Exceptions to the EM1 Prestige Employment Area Zone Requirements
d.	Minimum Interior Side Yard Setback	6 m	5.9 m (north setback to the existing building)

Table 2

	Zoning By-law 1-88 Standards	Zoning By-law 1-88, PB1(S) Parkway Belt Linear Facilities Zone Requirements	Proposed Exceptions to the PB1(S) Parkway Belt Linear Facilities Zone Requirements
a.	Parking Requirements	Parking spaces and areas shall be provided and maintained on the lot on which the building is erected or used.	Parking spaces and areas (including but not limited to parking ramps and aisles) for the lot zoned EM1 Prestige Employment Zone may be provided and maintained on the adjacent PS1(S) Parkway Belt Linear Facilities Zoned lands.

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a technical report at a future Committee of the Whole meeting.

Through a preliminary review of the Application, the Development Planning Department has identified matters to be reviewed in detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Consistency and Conformity with the PPS, Growth Plan, YROP 2010 and VOP 2010	The Application will be reviewed for consistency with the <i>Provincial Policy Statement 2014</i> (the 'PPS'), and for conformity with the <i>Growth Plan for the</i>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<i>Greater Golden Horseshoe 2017</i> (the 'Growth Plan'), the York Region Official Plan ('YROP 2010') and Vaughan Official Plan 2010 ('YOP 2010').
b.	Appropriateness of the Proposed Zoning By-law Amendments and Site-Specific Exceptions	- The appropriateness of the proposed place of worship use and the amendments to Zoning By-law 1-88 will be reviewed in consideration of the surrounding existing land uses, with particular consideration given to land use compatibility, adequate parking and the proposed accessory uses including: - administration office area - children and youth ministry - multi-purpose gymnasium - kitchen area - circulation and service area
c.	Reports and Studies	- The following studies and reports submitted in support of the Application must be approved to the satisfaction of the City and/or respective public approval authority: - Planning Justification Report - Urban Design Brief - Arborist Report - Transportation Study - Functional Servicing Report - Detailed Noise Control Study - Noise and Vibration Study - Stormwater Management Report - Additional studies/reports may be required as part of the development application review process.

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Ministry of Municipal Affairs and Housing ("MMAH")	The lands zoned PB1(S) are located within the PBWP area and are designated "Public Use Area - Electric Power Facility" within that Plan. The Owner has submitted an application to the MMAH to amend the PBWP to permit the proposed parking lot on the Parkway Belt West lands that is required for the place of worship. The proposed PBWP amendment must be approved by MMAH prior to the consideration of a technical report by the Committee of the Whole.
e.	Hydro One Networks Inc. ('Hydro One')	The proposed parking lot is within a Hydro One corridor. The parking lot design must be reviewed and approved to the satisfaction of Hydro One.
f.	Canadian National Railway (CN)	The proposed parking lot abuts the CN rail line and therefore, the Application has been circulated to CN for review and approval.
g.	Related Site Development File DA.18.014	- The Owner has submitted related Site Development File DA.18.014 which will be reviewed to ensure, that the following matters, but not limited to, will be addressed: - Vehicular access and internal traffic movements - The design of the proposed parking lot - Proper stormwater management and retention measures to ensure any runoff/drainage is properly maintained on the site - Pedestrian and barrier-free accessibility, the provision of enhanced landscaping, snow storage area(s), waste collection, and site servicing and grading

	MATTERS TO BE REVIEWED	COMMENT(S)
		All issues identified through the review of the Site Development Application must be addressed to the satisfaction of the City, should the Application be approved.
h.	Existing Easements on Parkway Belt West Lands	The lands proposed to be used for additional parking and zoned PB1(S) Zone are subject to a number of existing easements registered on title. The Development must be reviewed in consideration of the existing easements (with Consumers Gas Company, Ontario Hydro, York Region and City of Vaughan) and must not interfere with the purpose and requirements of the easements.
i.	Sustainable Development	Opportunities for sustainable design, including permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, etc., will be reviewed.

Financial Impact

Not Applicable

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Application, together with comments from the public and Council expressed at the Public Hearing or in writing, will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Margaret Holyday, Planner, Development Planning Department, ext. 8216.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan, Official Plan & Zoning
4. Landscape Plan
5. Existing Building Elevations

Prepared by

Margaret Holyday, Planner, ext. 8216

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8407

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