

Committee of the Whole (2) Report

DATE: Tuesday, June 8, 2021

WARD: 4

**TITLE: COVENANT CHAPEL (THE REDEEMED CHRISTIAN CHURCH
OF GOD CANADA)
ZONING BY-LAW AMENDMENT FILE Z.18.008
SITE DEVELOPMENT FILE DA.18.014
275 DRUMLIN CIRCLE
VICINITY OF KEELE STREET AND STEELES AVENUE**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To obtain approval from the Committee of the Whole for Zoning By-law Amendment and Site Development Files Z.18.008 and DA.18.014 for the subject lands shown on Attachment 2. The Owner proposes to permit a Place of Worship within an existing employment building with 25 parking spaces on lands zoned “EM1 - Prestige Employment Area Zone” and a portion of the required parking (259 parking spaces) to be located on abutting lands zoned “PB1S Parkway Belt Linear Facilities Zone”, as shown on Attachments 3 to 5.

Report Highlights

- The Owner proposes to permit a Place of Worship within an existing employment building.
- The Owner has received approval from the Ministry of Municipal Affairs and Housing and Hydro One to permit parking on lands within the Parkway Belt West Plan area.

Report Highlights cont'd

- The Development Planning Department supports the approval of the Zoning By-law Amendment and Site Development Application as the proposed place of worship is consistent with the Provincial Policy Statement 2020, conforms with the Growth Plan 2019, as amended, York Region Official Plan and Vaughan Official Plan 2010, and is compatible with the existing and planned uses in the surrounding area.

Recommendations

1. THAT Zoning By-law Amendment File Z.18.008 (Covenant Chapel (The Redeemed Christian Church of God Canada)) BE APPROVED, to amend Zoning By-law 1-88, to permit a Place of Worship within an existing employment building with 25 parking spaces on lands zoned "EM1 - Prestige Employment Area Zone" and a portion of the required parking (259 parking spaces) to be located on abutting lands zoned "PB1S Parkway Belt Linear Facilities Zone", as shown on Attachment 3;
2. THAT the Owner be permitted to apply for Minor Variance Application(s) to the Committee of Adjustment, if required, before the second anniversary of the day the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law; and
3. THAT Site Development File DA.18.014 (Covenant Chapel (The Redeemed Christian Church of God Canada)) as redlined BE DRAFT APPROVED, SUBJECT TO THE CONDITIONS OF APPROVAL set out in Attachment 1, for the Place of Worship in the existing building and the required parking, as shown on Attachments 3 to 5.

Background

The subject lands ('Subject Lands') are municipally known as 274 Drumlin Circle. Currently the Subject Lands contain a vacant employment building (previously occupied by De Boer's) and include lands located within an existing hydro corridor that are within the Parkway Belt West Plan, as shown on Attachment 3. The Subject Lands and surrounding land uses are shown on Attachment 2.

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

The City on February 8, 2019, mailed a Public Meeting for Zoning By-law Amendment File Z.18.008 to all property owners within 150 m of the Subject Lands and anyone on file with the Office of the City Clerk. A copy of the Notice was also posted on the City's

website at www.vaughan.ca and a notice sign was installed along Drumlin Circle on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on March 19, 2019, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of March 5, 2019 and to forward a comprehensive technical report to a future Committee of the Whole meeting. The following deputations were received at the Public Meeting:

Deputations:

1. Kurt Franklin, Weston Consulting, representing the Owner
2. Pastor Tayo Robert-Ojajuni, representing the Place of Worship

No additional written submissions have been received by the Development Planning Department.

Previous Reports/Authority

A previous report related to the Subject Lands can be found at the following link: [Committee of the Whole \(Public Hearing\), March 5, 2019](#)

Analysis and Options

Zoning By-law Amendment and Site Development Applications have been submitted to permit the proposal

Covenant Chapel (The Redeemed Christian Church of God Canada) (the 'Owner') has submitted the following applications (the 'Applications') to permit a Place of Worship within an existing employment building zoned "EM1 - Prestige Employment Area Zone" and a portion of the required parking (259 parking spaces) is proposed to be located on abutting lands zoned "PB1S Parkway Belt Linear Facilities Zone" (the 'Proposal'), as shown on Attachments 3 to 5:

1. Zoning By-law Amendment File Z.18.008 to permit a Place of Worship and the required parking, together with the site-specific zoning exceptions identified in Tables 1 and 2 of this report.
2. Site Development File DA.18.014 for the existing building and the required parking (259 parking spaces) for the Place of Worship to be located on the adjacent lands zoned "PB1S Parkway Belt Linear Facilities Zone".

The Proposal is consistent with the Provincial Policy Statement, 2020

Section 3 of the *Planning Act* requires that all land use decisions in Ontario "shall be consistent with" the Provincial Policy Statement, 2020 (the 'PPS'). The PPS provides

policy direction on matters of provincial interest related to land use planning and development.

The Proposal is consistent with the PPS, specifically Section 1.3.1 which encourages planning authorities to promote economic development and competitiveness by: providing the appropriate mix and range of employment and institutional uses to meet long term needs; providing opportunities for a diversified economic base; and ensuring necessary infrastructure is provided to support current and projected needs. The Subject Lands are located within a “Settlement Area”, as defined by the PPS, and are serviced by existing municipal water and wastewater systems.

The Subject Lands are located within walking distance (approximately 400 m) to the intersection of Steeles Avenue and Keele Street. Both of these roads are serviced by several bus transit routes including York Region Bus Routes 3, 96 and 107 and TTC Bus Route 107 and Rapid Network 960. The York University GO Station and the York University Subway Station are also located less than 2 kms away from the Subject Lands.

The Proposal for an institutional use is compatible with the surrounding Employment Area required by Section 2.2.1.1 b) of OPA 450, the in-effect Official Plan regarding Places of Worship for the Subject Lands. The proposed Place of Worship operates primarily during non-peak times when the surrounding employment land uses are typically less active or closed.

The Proposal provides a land use within a settlement area that contributes to accommodating a range of land uses in the vicinity, efficiently uses existing resources and infrastructure, is transit-supportive and contributes to liveable and resilient communities. The Proposal is consistent with the PPS.

The Proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended, (‘Growth Plan’) guides decision making on a wide range of issues, including economic development, land-use planning, urban form, and housing. Council’s planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Subject Lands are located within a Settlement Area identified as a built-up area, located close to transit, optimize existing infrastructure, and have no impact on the surrounding uses. The Proposal conforms to the Growth Plan as an employment use within a Settlement Area where municipal water and wastewater services are available.

The Ministry of Municipal Affairs and Housing ('MMAH') has provided approval of the Parkway Belt West Plan Amendment

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 Parkway Belt West Plan ('PBWP'), as amended. Lands in the PBWP 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.

The MMAH on April 21, 2021, approved Amendment Number 229 to the PBWP in order to permit a private parking area, subject to the following requirements:

- no permanent buildings or structures are permitted
- the private parking area shall be appropriately zoned and meet all requirements by Hydro One Networks Inc. and the City of Vaughan

The portion of the Subject Lands designated "Parkway Belt West Lands" and "Infrastructure and Utilities" will not contain any buildings or structures and will only be used for the parking associated with the Place of Worship.

The Proposal conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP 2010') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1 - Regional Structure and are not located in Figure 2 York Region Strategic Employment Lands. The "Urban Area" designation permits a range of residential, industrial, commercial, and institutional uses.

Steeles Avenue and Keele Street are identified as a "Regional Rapid Transit Corridor" on Map 11 "Transit Network" of the YROP. Section 7.2.33 of the YROP manages the movement of traffic to improve the safety and efficiency of all movements including pedestrians, cyclists, and transit vehicles.

The Proposal is transit supportive given the Subject Lands proximity to existing transit services provided by York Region Transit and the Toronto Transit Commission. The Proposal conforms to the Urban Area policies of the YROP.

The Proposal conforms to Vaughan Official Plan 2010 and OPA #450, the in-effect Official Plan for Places of Worship for the Subject Lands

The Subject Lands have a dual Official Plan designation, as shown on Attachment 3. The portion of the Subject Lands with the existing building are designated "General Employment" by Vaughan Official Plan 2010 ('VOP 2010'). The portion of the Subject

Lands proposed to be used for parking are 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, Policy 9.2.1.10 of VOP 2010 identifies 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 direction of 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 Policy 2.2.1b of OPA 450, as follows:

- 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
- 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 proposed repurposing of the current employment building includes interior modifications only and does not propose any exterior alterations or any site works to accommodate the Place of Worship.

The Place of Worship will not contain any activities that conflict with or disrupt the operations of the existing surrounding uses. The peak operating hours of the Place of Worship would be in the evenings and on weekends when most businesses would be at limited operational capacity or closed.

The size of the Subject Lands and the existing building form is similar to the adjacent properties and buildings. The proposed parking on the Subject Lands will be located at the rear of the property and screened from the street by the existing building. In

consideration of nature of the Place of Worship use, it is unlikely to have an adverse effect on neighbouring uses. The potential for emission, noise, odour or other contaminant effects from a Place of Worship is minimal in comparison to an industrial/employment use.

Based on the above, the Proposal conforms to the Place of Worship policies of OPA 450.

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

The Subject Lands are zoned “EM1 - Prestige Employment Area Zone”. The abutting lands are zoned “PB1S 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	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

	Zoning By-law 1-88 Standards	EM1 - Prestige Employment Area Zone Requirements	Proposed Exceptions to the EM1 - Prestige Employment Area Zone Requirements
b.	Minimum Parking Requirements	<p>Parking spaces and areas shall be provided and maintained on the lot on which the building is erected or used</p> <p>Church - 5,585 m² (including 1,048m² 2nd floor) @ 11 parking spaces per 100 m² of Gross Floor Area ('GFA') = 615 parking spaces</p>	<p>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 "PS1S Parkway Belt Linear Facilities Zone"</p> <p>Place of Worship - 5,585m² @ 5.08 spaces per 100 m² GFA = 284 parking spaces (including 25 existing spaces located on EM1 - Prestige Employment Area Zone lands)</p>
c.	Minimum Width of Parking Aisle	6 m	5.9 m (existing east side)
d.	Minimum Interior Side Yard Setback for an Institutional Use	15 m	<ul style="list-style-type: none"> • 5.9 m (existing north setback) • 11.8 m (existing west setback)
e.	Minimum Front Yard Setback for an Institutional Use	15 m	8.6 m (existing building)
f.	Maximum Lot Coverage	20%	22% (existing)
g.	Minimum Parking Space Size	2.7 m by 6 m	<p>8 spaces at 2.7 x 5.86 m</p> <p>11 spaces at 2.7x 5.76 m (as shown on Attachment 3)</p>

Table 2:

	Zoning By-law 1-88 Standards	PB1S Parkway Belt Linear Facilities Zone Requirements	Proposed Exceptions to the PB1S Parkway Belt Linear Facilities Zone Requirements
a.	Parking Requirements	Parking spaces and areas are not a permitted use in the PB1S Parkway Belt Linear Facilities Zone.	Parking spaces and areas (including but not limited to parking ramps and aisles) for the Place of Worship located in the existing building zoned “EM1 - Prestige Employment Zone” may be provided and maintained on the “PS1S Parkway Belt Linear Facilities Zone” lands

The Development Planning Department supports the proposed site-specific zoning exceptions identified in Tables 1 and 2, as the proposed Place of Worship and development standards are consistent with the criteria established in OPA 450. The use will primarily operate during non-peak times (i.e. evenings and weekends), is consistent with the PPS, conforms to the Growth Plan, the YROP and VOP 2010, and the proposed rezoning of the Subject Lands would facilitate a land use that is compatible with the surrounding area.

The Planning Act permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect

Section 29(2) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law comes into effect. The *Planning Act* also permits Council to pass a resolution to allow an applicant to apply for a minor variance(s) within 2 years of the passing of a bylaw.

Should Council approve Zoning By-law Amendment File Z.18.008, a Recommendation has been included to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies

that may arise through the finalization and construction of the Proposal.

The Development Planning Department supports the Proposal, subject to conditions

The existing building will be repurposed and includes a 250m² interior addition to the upper floor mezzanine. There are no exterior modifications proposed.

There are 25 existing vehicular parking spaces located south of the existing building on the Subject Lands. The Proposal consists of expanding the parking lot within the hydro corridor to accommodate an additional 259 parking spaces, including 8 accessible parking spaces as shown on Attachment 3.

The landscape plan includes a mix of deciduous trees and shrubs with coniferous shrubs along with perennials and grasses located at the front and the rear of the existing building.

The final site plan, landscape plan, landscape cost estimate and lighting plan must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in Attachment 1.

The Development Engineering Department has no objection to the Applications, subject to conditions

The Development Engineering ('DE') Department has no objections to the Applications and has provided the following comments:

Sanitary Servicing

There are existing services for the Subject Lands. The existing connection will be upsized to accommodate additional flows for the Proposal.

Water Distribution

Water servicing exists for the Subject Lands from an existing watermain located within the right-of-way of Drumlin Circle. The Owner is required to decommission the existing water service to the Subject Lands and replace it with a City Standard water service connection.

Storm Drainage

Stormwater servicing is proposed for the Proposal via internal sewers and structures complete with orifice control, super-pipe for on-site storage, catch basins, maintenance holes and internal storm sewers required to facilitate the required parking lot expansion. The proposed parking lot expansion is proposed to outlet to a storm sewer along the west side of the existing building, complete with a proposed filtration system for quality

control connecting to the existing storm control maintenance hole at the front of the building.

Existing storm control maintenance hold and service connection will require upsizing to accommodate additional stormwater flows from the proposed parking lot expansion.

Erosion and Sediment Control

Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with the “Erosion and Sediment Control Guidelines for Urban Construction Guideline” dated December 2006.

Noise and Vibration Study

The Owner shall implement the recommendations provided through the Detailed Noise Control Study and the Vibration Study prepared by SS Wilson Associates Consulting to the satisfaction of Canadian National Railway and the City.

Transportation

Development Transportation Engineering support the findings of the submitted Parking Study and Travel Demand Management Plan which shows the parking demand will be accommodated by the proposed parking supply of 284 spaces.

Prior to the execution of the Site Plan Agreement, the final site grading plan, site servicing plan, erosion and sediment control plan and noise study shall be approved to the satisfaction of the DE Department. A condition to this effect has been included in Attachment 1.

The Parks Infrastructure Planning and Development have no objection to the Proposal

The Parks Infrastructure Planning and Development Department have no objections to the Proposal and there is no parkland dedication requirement.

Canadian National Railway (‘CN’) has no objection to the Proposal, subject to conditions

The Subject Lands abut the CN rail line and as such, CN is requesting the Owner to install and maintain a 1.83 m chain link fence at the mutual property line in order to restrict the movement of people from the parking lot onto the CN right-of-way, and to prevent snow clearing operations from pushing snow onto the CN right-of-way. The Owner agrees with CNs comments and will install the fence. The site plan has been redlined to show the 1.83 m high chain link fence.

In addition, CN has requested the standard CN noise warning clause, as indicated in the noise report be included in the Site Plan Agreement as this is a sensitive public use, but not a residential use. Conditions to this effect are included in Attachment 1.

Hydro One Networks Inc. has no objection to the parking lot expansion within the Hydro Corridor subject to condition of approval

Hydro One Networks Inc. ('Hydro One') has no objections to the Proposal and the parking lot located within the Hydro Corridor provided the Owner can adhere to Hydro One's terms and conditions that are to be included in the final Site Plan Agreement. A condition to this effect is included in Attachment 1.

The Ministry of Transportation ('MTO') has no objection to the Proposal

The MTO has no concerns as the Subject Lands are located outside of the MTO Permit Control Area, and therefore an MTO Permit is not required.

The various utilities have no objections to the Proposal

Alectra Utilities, Canada Post and Enbridge Gas have no objections to the Proposal, subject to the Owner coordinating servicing, connections, easements and locates prior to the commencement of any site works.

Financial Impact

Not applicable.

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services Department has no objection to the Applications. Regional Community Planning staff considers this a local matter and do not have any comments to provide.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Site Development Files Z.18.008 and DA.18.014 in consideration of the applicable Provincial Policies, York Region and City Official Plan policies, the comments received from City Departments, external public agencies, and the surrounding area context. The Development Planning Department is of the opinion that the Applications are consistent with the PPS, conforms to the Growth Plan, the YROP and VOP 2010, and the proposed rezoning of the Subject Lands will facilitate a land use that is compatible with the surrounding area.

On this basis, the Development Planning Department can support the approval of the Applications, subject to the Recommendations in this report and the Conditions of Approval included in Attachment 1.

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

Attachments

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Red-Lined Site Plan
4. Landscape Plan
5. Existing Building Elevations

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