

PLANNING JUSTIFICATION REPORT

REZONING APPLICATION

For

Burlington Fellowship Canadian Reformed Church
1350 Waterdown Road

February 2015

Prepared for:

Burlington Fellowship Canadian Reformed Church

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PLANNING JUSTIFICATION REPORT

1.0 INTRODUCTION

Greg Poole and Associates Inc. have been retained by the Burlington Fellowship Canadian Reformed Church to assist in obtaining the necessary zoning approval for lands at 1350 Waterdown Road to permit a new church.

2.0 PURPOSE OF THIS REPORT

The purpose of this report is to outline the nature of the proposed development and to evaluate the proposal in the context of the applicable policy documents.

3.0 SITE DESCRIPTION

The subject property is 1.517 ha in area having an irregular shape (see Figure 1) with 34.4 m frontage on Waterdown Road. The site has a depth along the south property line of 228.79 m. A tributary of the Grindstone Creek occupies approximately the westerly 50 m of the property. The ravine is well vegetated with a well defined tree line. There are a few existing trees on the balance of the property, primarily adjacent to the south boundary. This property is vacant; a house on the property was removed a number of years ago. Apart from the ravine the site generally has a flat topography.

4.0 BACKGROUND

Burlington Fellowship Canadian Reformed Church has been operating in Burlington, from their current location at the Woodview Learning Centre, 69 Flatt Road, since 1966. The Church purchased the property at 1350 Waterdown Road in December 1999 with the intention of building a new church in the future. Since that time the congregation has grown to 275 people and the Church is now ready to build on this property.

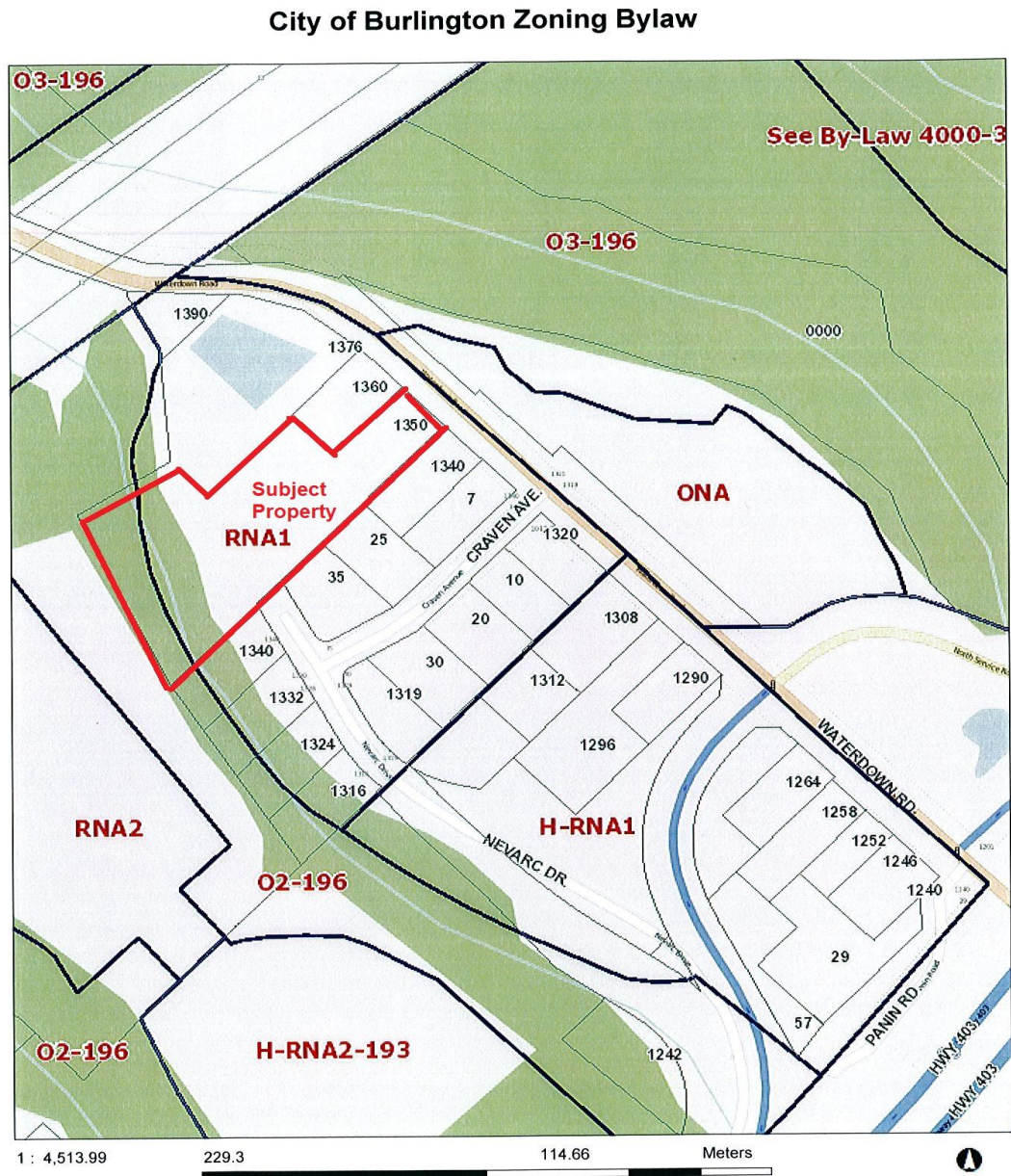
5.0 SURROUNDING LAND USES

North: Region of Halton Water Reservoir, one single detached dwelling

West: Grindstone Creek

East: Vacant land on the east side of Waterdown Road

South: Single detached dwellings on Craven Avenue and Nevarc Drive
Figure 1 - Location and Zoning Map



Date Wednesday, January 07, 2015



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6.0 CURRENT ZONING

The subject property is currently zoned RNA1 with the creek valley being zoned 02-196 (see Figure 1). The RNA1 zone generally allows detached dwellings, outdoor recreation uses, agriculture and conservation uses. The 02-196 Open Space Zone permits parks, storm water management, erosion control, public utilities, cultural heritage resources, non-intensive outdoor recreation uses and a detached dwelling on a lot of record.

The RNA1 zone does not specifically permit a place of worship.

A Place of Worship is provided for in Part 1, Subsection 2, “General Provisions” of Zoning By-law 2020 under Policy 2.21 “Uses Permitted in All Zones “.

Part I, Section 2, Sub-section 2.21 USES PERMITTED IN ALL ZONES

- *The following uses are permitted in all zones, subject to Part 1, Subsection 2.25 “Off Street Parking and Loading Requirements”, Part 1, Subsection 2.26 “General Parking Provisions”, and any other regulations specified for the use and required elsewhere in the by-law;” except as follows:*
- *Except where specifically prohibited or limited within the zone and including any exception number associated with the zone.*
- *Except on lands zoned 02, 03, RA, RG, ME, **RNA1**, RNA2, RNA3, MRNA, ONA, DNA and S, and any exception numbers associated with these zones, unless specifically permitted.*
- *Except on lands Regulated by Conservation Halton, unless authorized by the Authority.*
- *Except where the zones are preceded by an H (Holding) zone prefix.*
- *Notwithstanding that Agricultural and Farming, Miscellaneous Uses and Public Authorities are exempt from this provision.*

(d) Places of Worship, Monasteries, Convents, Cemeteries

Includes an attached or detached manse, an accessory dwelling unit for a watchman and any other associated buildings located on the same property, subject to the following:

Places of worship, monasteries and convents are not permitted in GE1, GE2, BC1, BC2, MXE, MXT or UE zones. Places of worship, monasteries, convents and cemeteries are not permitted in a DNA zone.

- *Lot Width: 30 m*
- *Lot abuts a Major Arterial, Multi-Purpose Arterial, Minor Arterial or Collector Road.*
- *Minimum set back from any lot line or street line shall be 15 m, except, within the downtown where Part 6, Subsection 4.1.1, Diagram 6A shall apply.*
- *Separation Distance: 30 m from a railway right-of-way*
- *Parking: not permitted within 3 m of a residential property in a residential zone*

7.0 PROPOSED DEVELOPMENT

The proposed church will have a floor area of approximately 1126 m² and will be one storey in height (9.5 m). The church tower (steeple) will extend 7.5 m above the roof peak to an overall height of 16.75 m. The steeple will not be a bell tower. There will be no basement in the church (see Appendix 'A').

The ground floor will house:

- sanctuary (350 person capacity)
- fellowship hall (100 seats)
- two small offices (11 m² each)
- Council meeting room (40 m²)
- two classrooms (20 and 22 person capacities)
- two nursery rooms (10 and 7 person capacities)
- library (18 m²)
- storage room (18 m²)
- kitchen (50 m²)
- lounge (24 m²)

Fellowship Church will offer the following services:

- Sanctuary Services on Sundays at 10:00 am and 3:00 pm
- Small group meetings and functions (less than 50 people) will take place week day evenings
- Occasional weddings and funeral services

On-site parking for 100 vehicles will be provided. Primary access will be from Waterdown Road. A secondary access is proposed by way of Nevarc Drive where the road allowance currently terminates at the church's south property line. Waterdown Road curves westerly about 60 m north of the church entrance giving the Church some concern for visibility of south bound traffic at its entrance/exit.

Having a secondary driveway connection to Nevarc Drive allows vehicles to access Waterdown Road via Craven Road approximately 130 m south of the curve thereby improving site lines when entering Waterdown Road.

The Grindstone Creek runs north/south through the westerly portion of the site bisecting the property. The westerly portion of this property, approximately 50 m, is Grindstone Creek valley. The top-of-bank has been staked and surveyed in cooperation with Conservation Halton. At the request of Conservation Halton a 15 m setback limit has been included in the site design. No development will take place within 15 m of the top-of-bank.

8.0 PROPOSED ZONING

Burlington Fellowship Church is seeking a site specific zoning amendment to the RNA1 zoning of its property at 1350 Waterdown Road to allow a church as a permitted use. The 02-196 zoning of the Grindstone Creek tributary on the west side of the property is not proposed to change.

The proposed church will meet or exceed all zoning requirements for a Place of Worship as set out in Part 1, Subsection 2, “General Provisions” of Zoning By-law 2020, Policy 2.21 (d) “Uses Permitted in All Zones “. Waterdown Road is a “Minor Arterial” road and is capable of handling the traffic generated by a small church.

Proposed RNA1 Modified Zoning

1. Additional Permitted Use: Place of Worship
2. Regulations for Place of Worship:

Lot Width	30 m
Lot Area	1.5 ha
Yard abutting Waterdown Road	90 m
Yard abutting south property line	10 m
Yard abutting north property line	20 m
Building setback from top-of-bank of Grindstone Creek	20 m
Building setback from drip line of Grindstone Creek	6 m
Parking setback from top-of-bank of Grindstone Creek	15 m
Landscape Buffer abutting a residential property	3 m
Landscape Area abutting Waterdown Road	9 m
Building Height (maximum)	9.5 m
Steeple Height (maximum)	16.75 m
Building Coverage (maximum)	10%

9.0 POLICY CONTEXT

9.1 Provincial Policy Statement – 2014

Part V: Policies

1.0 Building Strong Communities

Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

1.1.1 *Healthy, liveable and safe communities are sustained by:*

- b) *accommodating an appropriate range and mix of residential including second units, affordable housing and housing for older persons , employment (including industrial, commercial, institutional (including places of worship, cemeteries, and long term care homes), recreation, park and open space, and other uses to meet long term needs;*

1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and development, land their vitality and regeneration shall be promoted.

1.1.3.2 *Land use patterns within settlement areas shall be based on:*

- a) *Densities and a mix of land uses which:*
 1. *Efficiently use land and resources*
 2. *Are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion; and*
 3. *Minimize negative impacts to air quality and climate change and promote energy efficiency*
 4. *Support active transit*
 5. *Are transit supportive, where transit is planned, exists or may be developed; and*
 6. *Are freight supportative*

A church is an important part of the mix of land uses in any community. The church serves a social need. The proposed church will use existing infrastructure and will have no impact on air quality and climate change.

In my opinion the church, as an institutional use, conforms to the Provincial Policy Statement.

9.2 Growth Plan for the Greater Golden Horseshoe - 2006

Part 2 – Where and How to Grow

2.1 Context

It is important to optimize the use of the existing land supply to avoid over-designating new land for future urban development. This Plan's emphasis on intensification and optimizing the use of existing land supply represents a new approach to city-building in the GGH, one which concentrates on making better use of or existing infrastructure and less on continuously expanding the urban area.

2.2.2 Managing Growth

h) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services.

The proposed church is within the urban area, helps to optimize the existing land supply and contributes to better use of existing infrastructure. The church is a much needed service to the community and is an important element of a complete community.

The proposed church conforms to the Growth Plan.

10.0 HALTON REGION OFFICIAL PLAN

The Regional Plan designates the subject property Urban Area within the Urban System.

Policy B1b2: To support a form of growth that is compact and supportive of transit usage and makes efficient use of space and services.

Policy B2d: The range of permitted uses and the creation of new lots in the Urban Areas will be in accordance with local Official Plans and Zoning By-laws.

The proposed Church conforms to the Halton Regional Official Plan.

11.0 BURLINGTON OFFICIAL PLAN

Part II, 4.0 Institutional Uses

Institutional uses provide facilities that satisfy the health, education, religious, recreation and leisure needs of the community. These facilities take many forms, ranging in size from a large City-wide hospital to a small neighbourhood library or community centre. The development of institutional uses will be directed towards the following principles, objectives and policies:

4.1 Principles:

- a) Encourage the educational, health and social well-being of residents of the City by providing opportunities for the development of institutional uses within the community.*

4.2 Objectives:

- a) To recognize and permit institutional land uses within the Plan, while considering the potential effects of these uses on adjacent uses.*
- b) To ensure that the use of surplus institutional lands or buildings is compatible with adjacent uses.*

4.3 Policies:

- a) Institutional uses are defined as uses with the primary purpose of serving the educational, health and social needs of the community and are further defined as the following:
 - (ii) Places of worship, monasteries and convents;**
- c) Institutional uses shall be permitted within all land use designations located on Schedule B, Comprehensive Land Use Plan – Urban Planning Area*
- g) Subject to Part II, Sub-section 4.3 d) and e), institutional uses shall be permitted as “uses not restricted” in the Zoning By-law, subject to certain regulations as set out in the By-law, and provided such uses abut a Major Arterial, Multi-Purpose Arterial, or Minor Arterial Road or Collector Street as identified on Schedule J and Schedule K, Classification of Transportation Facilities.*

12.0 Part V - North Aldershot Planning Area

The subject property is designated Infill Residential and Environmental Protection on Schedule 'D' Comprehensive Land Use Plan – North Aldershot Planning Area.

North Aldershot is comprised of three sectors; East, Central and West Sectors. The subject property is located within the Central Sector.

Policy 2.0 North Aldershot - General

Policy 2.1 "Principal"

- a) *To permit further development on the basis that the subject lands are outside the City's urban area and that the location and intensity of development shall be determined by compatibility with the existing character, landscape and environment.*

Policy 2.2 "Objectives"

- d) *To ensure that development and re-development in North Aldershot retains and, where possible, enhances the special characteristics of the area and to ensure the preservation and enhancement of existing significant environmental and physical features.*
- e) *To permit development and re-development which is compatible with the predominant characteristics of North Aldershot such that the scale and character of the existing community is respected and regard is had to the rural character of the existing roads.*

Policy 2.3 "General Policies"

- b) *Development or redevelopment shall be permitted in accordance with the land use designations shown on Schedules D and D-C1 to D-C11, the maps applicable to the location of development or redevelopment and the policies of this plan.*

The subject property is located on Schedule D-C11 within Sub-Area 11 of the Central Sector. Within Sub-Area 11, development must maintain a 7.5 m buffer adjacent to the top-of-bank of the Grindstone Creek tributary.

The Grindstone Creek tributary forms the westerly limit of Sub-Area 11. These tributary and associated valley features are key characteristics of this sub-area. The proposed church will maintain a buffer abutting the top-of-bank and will preserve the tributary and valley in its natural state. Through discussions with

Conservation Halton the Church has agreed to increase the buffer from 7.5 m to 15 m.

k) Institutional uses in the North Aldershot Planning Area are defined in Part II, Subsection 4.3 a).

- *Policy 4.3 a): Institutional uses are defined as uses with the primary purpose of serving the educational, health and social needs of the community and are further defined as:*

(ii) places of worship, monasteries and convents;

Institutional uses in the North Aldershot Planning Area are subject to the following policies:

- (ii) impervious cover *shall* be minimized;
- (iii) maximum impervious surface is not to exceed 40 per cent of the net developable area (lands within the site excluding Environmental Protection Areas and public roads);
- (v) maximum building height *shall* not exceed three storeys and *shall* not extend above the tree canopy;
- (vi) *massing* and roof-line of buildings *shall* be *encouraged* to be *compatible* with the existing settlement pattern;
- (vii) the visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography;
- (viii) parking areas *should* be screened with dense, hardy native plant material that creates an effective visual barrier. Within the parking lot, buffer islands *shall* be employed to screen more than four rows of cars;
- (ix) all plant material shall be protected and retained to the maximum extent possible;
- (x) landscape buffers along the perimeter of the property boundary and within the grounds shall be employed to screen the visual impact of facilities from adjacent residences. The landscape buffers shall create a visual screen and be compatible with the natural landscape setting;

- (xi) new planting in restoration areas shall be encouraged to be native plant species and be consistent with surrounding natural landscape character. Invasive non-native plant species shall be discouraged;
- (xii) the extent of mowed turf grass shall be minimized;
- (xiv) site lighting shall be low intensity, energy efficient fixtures. The illumination pattern shall not shine beyond the lot line, onto neighbouring properties or public roads.

Places of Worship are specifically supported by the General Provisions as a permitted institutional use in the North Aldershot Planning Area. All applicable policies listed above will be met for the proposed Fellowship Church.

Policy 2.4 “Design Policies”

- a) *Consistent with the permissions granted by the land use designations on Schedules D and D-C1 to D-C11 and the policies of this Plan, encourage all development proposals to preserve existing significant trees, wooded areas and hedgerows and plant additional trees in accordance with good forestry management practices.*

All existing trees and vegetation located within the Grindstone Creek valley will be preserved in their natural state. There are a number of boundary trees along the south property line which will also be preserved where possible in accordance with the submitted tree preservation plan.

- b) *Buildings and structures shall be designed and located so as to maximize their compatibility with the existing natural landscape, minimize their effect on the open-space character of the area and maintain to the maximum possible degree an uninterrupted sight line between Highway 403 and the Niagara Escarpment consistent with the permissions granted by the land use designations on Schedules D and DC-1 to DC-11 and the policies of this Plan.*

The church will be a one storey structure with a maximum roof height of 9.5 m. The church building will not interfere with sight lines of the Niagara Escarpment.

- c) *Regard shall be had for the visual and physical harmony of the location of buildings and the design and location of roads with the existing natural features.*

The church will be setback approximately 90 m from Waterdown Road creating substantial open space between the road and the church building. A 9 m

landscape buffer will be provided adjacent to Waterdown Road to screen parking spaces.

- d) Site design shall be compatible with and enhance the special setting provided by the Niagara Escarpment, Grindstone Creek and Sassafras Woods.*

The Grindstone Creek tributary will be preserved and the substantial front yard open space will compliment the Sassafras Woods on the east side of Waterdown Road opposite the subject property.

- e) Site layout shall preserve key viewsheds from existing roads, such as views to the brow of the Niagara Escarpment, Burlington Bay, Hamilton, and Lake Ontario.*

The open space provided by the Grindstone Creek valley and the 90 m building setback from Waterdown Road will allow viewsheds to be preserved.

- l) Lots should not be uniform in size and shape across North Aldershot.*

This existing property is irregular in shape and is compatible with other lot configurations in this area of Waterdown Road.

- m) To ensure that valleys are protected, adjacent development shall be located in such a manner as to have adequate setbacks from the lot line.*

The proposed church will be setback approximately 21 m at its closest point to the top-of-bank of the Grindstone Creek increasing to approximately 36 m at the furthest point.

- t) Buffering measures such as vegetation shall be employed to screen non-residential development adjacent to residential uses.*

Existing boundary trees will be preserved and new tree planting and fencing will be undertaken to enhance buffering from adjacent residential homes.

A church on the subject property is in conformity with the policies of the Burlington Official Plan.

13.0 CONCLUSION

Burlington Fellowship Church has been a part of Burlington since 1966 and has strong roots in the North Aldershot community. The Church has been operating from rented facilities for many years and is now ready to build a church of their own. This new church will ensure that Burlington Fellowship Church maintains a strong and active presence in Burlington and particularly in the North Aldershot community.

The proposed church conforms to the Provincial Policy statement which policies support a mix of uses including institutional uses and efficient use of land and infrastructure. All municipal services are in place to support the church use. The Halton Region Official Plan calls for compact communities and a wide range of permitted uses.

The Burlington Official Plan allows for institutional uses. Institutional uses are encouraged within the community and are permitted within most land use designations.

The church will be compatible with surrounding uses. The site abuts the Halton Region water reservoir to the north. The reservoir has a low building profile and presents an open space appearance. The natural area of the Grindstone Creek valley at the west end of the site separates the church development from future residential development to the west. Vacant lands on the east side of Waterdown Road opposite the subject property are zoned ONA which does not permit residential development. The church building will be set back more than 10 m from the residential properties abutting to the south. The church will have a 9.5 m maximum building height in keeping with 2 storey homes to the south. Fencing and landscaping will be incorporated along the south property line to enhance compatibility.

The proposed church will be compatible with existing and future uses in this area of North Aldershot. The proposed rezoning is in keeping with all applicable North Aldershot policies. The church will become a compatible and integral part of this neighbourhood.

Based on this analysis it is my opinion that this rezoning represents good planning.

Respectfully Submitted
Greg Poole & Associates Inc.

Greg Poole MCIP, RPP

Appendix 1 – Preliminary Development Plans