

# PLANNING JUSTIFICATION REPORT

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## REZONING APPLICATION

For

**Coptic Orthodox Church Canada  
1160 Blair Road**

September 2017

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**Prepared for:**

Coptic Orthodox Church

**Prepared By:**

**Greg Poole & Associates Inc.**

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# PLANNING JUSTIFICATION REPORT

## 1.0 INTRODUCTION

Greg Poole and Associates Inc. have been retained by Coptic Orthodox Church Canada to assist in obtaining the necessary zoning approval for lands at 1160 Blair Road to facilitate a 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 1.7 ha in area and has 80.26 m frontage on Blair Road. The site has a depth of 195.4 m. The site contains an existing multi tenant industrial building. The building has a two storey office component for approximately half the depth of the building. The balance of the building is one storey. The building does not have a basement. Total building floor area is 7,389m<sup>2</sup> of which 5,414 m<sup>2</sup> is on the ground floor and 1975 m<sup>2</sup> on the second floor. There are 266 parking spaces on the property.

## 4.0 SURROUNDING LAND USES

North	Light industrial
West:	Light Industrial
East:	Light Industrial,
South:	Light Industrial

## 5.0 PROPOSED DEVELOPMENT

Coptic Orthodox Church does not currently have a church in Burlington. However, there are more than 100 families (300 people) of Coptic Orthodox Christians living in Burlington who must travel to Coptic churches in Oakville (1177 Invicta Road) or Mississauga (1245 Eglinton Ave. West) for Sunday services and other Church functions.

The Burlington congregation, about 300 members, have been planning to establish their own church in Burlington and have been searching for a suitable site for more than two years. They believe they have found the ideal location at 1160 Blair Road. The Church will occupy the former Marcello's Banquet Centre, a ground floor space of about 305 m<sup>2</sup>. The Church will also occupy office space and meeting rooms on the second floor. Fixed pew seating for 220 congregants will be provided.

The proposed church will hold worship services on Sundays from 8 am to 11 am with Sunday school from 11 am to 12 noon. Day care services will not be provided; wedding services will not be offered but will be available at Coptic churches in Oakville and Mississauga. These churches have banquet facilities and commercial kitchens. Funeral services will not be offered either but will be available at the Mississauga church due to its close proximity to the Coptic cemetery. Burlington does not have a Coptic cemetery.

Church functions will occur on Sundays and some evenings in the off-hours to other uses in the building and on Blair Road. Church activities will not be in conflict with other uses on Blair Road.

#### Transportation Brief

A transportation brief has been prepared by Paradigm Transportation Solutions Limited for the proposed church (report included in rezoning application). Paradigm has concluded that the church will generate approximately 134 trips during the Sunday peak hour, a volume of traffic that can be easily accommodated by the existing transportation system. The 266 onsite parking spaces will adequately service the church's needs as well as those of other uses on site.

## **6.0 CURRENT ZONING**

The subject property is currently zoned GE1 under Comprehensive Zoning By-law 2020. The GE1 zone permitted uses does not include a church as a permitted use.

Churches are further addressed under Part 1, Subsection 21 "Uses Permitted in All Zones". A Place of Worship is permitted in many zones but is specifically not permitted in a GE1 zone.

### **Place of Worship – "Uses Permitted in All Zones"**

Part 1, Subsection 2.21, "Uses Permitted in All Zones". Where permitted a place of Worship must meet the following minimum requirements:

- 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.

The existing building at 1160 Blair Road meets all but one of the above criteria; this property is on a local road, not an arterial or collector road.

If permitted, a church at 1160 Blair Road will satisfy the City's normal standards applicable to churches permitted in other zones, with one exception; Blair Road is a local road not a collector or arterial road. Traffic generated by the church will occur on Sundays and weekday evenings. There will not be any conflict with daily traffic from existing uses on Blair Road.

## **7.0 PROPOSED ZONING**

Coptic Orthodox Church Canada is seeking a site specific zoning amendment to the GE1 zoning of property at 1160 Blair Road to allow a church as a permitted use. The Church will occupy 305 m<sup>2</sup> of ground floor area and have offices and meeting rooms on the second floor of the existing building. This building meets all of the current GE1 minimum zone requirements and exceeds the minimum 30 m separation distance for a sensitive land use from a railway right-of-way. The Church will be approximately 260 m from the CNR rail line to the south.

## **8.0 POLICY CONTEXT**

### **8.1 Provincial Policy Statement – 2014**

#### Part V: Policies

#### 1.0 Building Strong Healthy Communities

#### 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, livable and safe communities are sustained by:

- promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- a) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and 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;
  - b) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
  - c) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
  - d) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;
  - e) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;
  - f) ensuring that necessary *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* are or will be available to meet current and projected needs; and
  - g) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

A church is an important part of the mix of land uses in every community. A church offers many services to the community and serves a social need. The proposed church is within the settlement area will use existing infrastructure.

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

## 9.0 GROWTH PLAN – May 2017

### Part 2 – Where and How to Grow

#### 2.2.5 Employment

7. *Municipalities will plan for all employment areas within settlement areas, with the exception of any prime employment areas, by:*
- *prohibiting residential uses and **limiting other sensitive land uses** that are not ancillary to the primary employment use;*

The rezoning of 1160 Blair Road to allow a small scale church would not have any adverse impact on Burlington's expansive employment lands.

8. *Municipalities may identify employment areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as prime employment areas and plan for their protection for appropriate employment uses over the long-term by:*
- *prohibiting residential, institutional, and other sensitive land uses;*

The subject property is not within or near major transportation facilities, corridors or highway interchanges and therefore will not impact any of these areas. The proposed church conforms to the Growth Plan.

## 10.0 HALTON REGION OFFICIAL PLAN – September 2015

The Regional Plan designates the subject property Urban Area.

### **Urban Area**

- Objective 72(10) To provide for an appropriate range and balance of employment uses including industrial, office and retail and **institutional uses** to meet long-term needs.*

## Part IV Healthy Communities Policies

### Goals and General Policies

#### Policy 143 (9)

*Require proposed development adjacent or in proximity to railway lines or railway yards to undertake, prior to development approval, the following studies by qualified consultants in accordance with Provincial policies, to the satisfaction of the Region, the Local Municipality and the Ministry of the Environment, and in consultation with the appropriate railway agency, and to implement the study recommendations, as approved, including the restriction of new residential and other sensitive land uses:*

- a) *noise studies, if the development is within 300m of a railway right-of-way or 1000m of a railway yard;*

dBA Acoustical Consultants Inc. has prepared a noise brief dated August 25, 2017 and which accompanies the rezoning application. The brief confirms that rail traffic on the CNR rail line approximately 260 m to the south will have no noise impact on the proposed church.

The proposed church conforms with the Healthy Communities Policies.

#### Healthy Communities Guidelines

##### *2.4 Human Services*

*Human Services can contribute to a healthy community through:*

- *providing social, cultural and recreational services such as **Places of Worship, Community Centers,***

The proposed church conforms with the Healthy Communities Guidelines.

The proposed church conforms to the Regional Official Plan



## 11.0 BURLINGTON OFFICIAL PLAN

The subject property is designated Employment Lands on Schedule 'A' of the Burlington Official Plan and more specifically is designated General Employment on Schedule 'B' "Comprehensive Land Use Plan".

### *Part II – Functional Policies*

#### *2.7 Sustainable Design and Compatibility*

##### *2.7.3 Policies*

#### *Sensitive Land Uses*

- n) *Exposure of residential and other land uses sensitive to vibration, noise, dust, odours or other effects caused by transportation or industrial facilities, and likewise, the encroachment of sensitive land uses on these facilities, shall be avoided through the use of separation distances, the placement of non-sensitive land uses in buffer areas, and/or other means. Proponents may be required to submit studies and undertake necessary mitigating actions to address compatibility issues to the satisfaction of the City and Region. Provincial guidelines shall be referred to for direction in land use planning decisions.*

The subject property is situated approximately 260 m north of the CNR rail line and more than 600 m north of the QEW highway. The property is surrounded by light industrial uses such as auto repair, window sales, tee shirt embroidery, auto parts sales, a sign company and many office uses. These surrounding land uses do not generate significant noise, vibration, dust, odours or traffic. The church use will not be adversely impacted by surrounding uses.

- o) *Proponents of Official Plan or zoning by-law amendments for residential development or other sensitive land uses within proximity to any existing or potential sources of man-made hazard may be required to undertake a risk assessment using risk-based land use planning guidelines, to determine the potential level of risk and whether the risk can be reduced to acceptable levels.*

Because the church, at this location, will not be exposed to potential sources of man-made hazards given the range of light industrial uses, commercial uses and office uses that predominate along Blair Road and in the surrounding area a risk assessment is unnecessary.

## *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.*

The proposed church will occupy space in an existing multi tenant industrial building which houses compatible uses including three dance studios, soft ware sales a recording studio and a moving company. The church will not impact existing uses in the building.

Should the Church decide to move to a new location in the future, this floor space will easily convert to office use in accordance with the GE1 zoning.

### *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 ....*
- d) Within Business Corridor, General Employment and Mixed Use Employment designations, certain sensitive institutional uses such as educational facilities, long-term care facilities, day care centres and places of worship shall require an amendment to the zoning by-law. Such an amendment shall only be considered following the completion of a risk*

*assessment to determine any existing potential sources of hazard from existing industrial uses in the vicinity and whether the levels of risk can be reduced to acceptable levels, using risk-based land use planning guidelines, as well as an assessment of compatibility with existing industrial facilities in the area in terms of variables such as noise, vibration, odour and dust, using Provincial Land Use Compatibility Guidelines.*

In this case a risk assessment is not warranted as there are no potential sources of hazard in the surrounding 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.*

While Sub-section 4.3d) and e) will not be applicable following rezoning it is worth noting that the proposed church will exceed the all minimum requirements for a place of worship found in Part I, Section 2, Subsection. 2.21 of Zoning By-law 2020.

Institutional uses, including places of worship, are a recognized use in the General Employment designation, subject to rezoning.

The proposed church for 1160 Blair Road is in keeping with the General Employment policies of the Official Plan.

### *Part III, 3.0 Employment Lands*

#### *3.1 Principles:*

- a) *Burlington’s employment and economic base shall be strengthened by providing a municipal environment that encourages the establishment, retention and expansion of businesses and **institutions**.*

A Place of Worship on employment lands is in keeping with the Employment Lands policies.

## 12.0 SENSITIVE LAND USE - PLACE OF WORSHIP

Locating a church on Blair Road has the potential to expose the church to the adverse effects of vibration, noise, dust, odours or other effects caused by existing industrial uses on Blair Road and by the CNR rail line to the south.

Blair Road is not a through street. It begins at Mainway on the north and terminates at the CNR rail line on the south. It is a short road with only 9 properties abutting the street.

The range of existing uses on Blair Road is predominately office, recreational and retail/wholesale uses. These include:

### Existing uses at 1160 Blair Road

- Canadian Dance Company (recreational use)
- Creative Edge Dance Studio (recreational use)
- Zumba Yoga Studio (recreational use)
- Stars Academy (medical care training for nurses and paramedics)
- Soft Ware Sales (office use)
- Recording Studio (recreation use)
- Burlington Movers (office and storage)
- Outdoor Living (hot tub and patio furniture sales)

The dance studios and yoga studio operate on weekends and evenings. The moving company has a small warehouse for temporary storage of furniture and household items prior to delivery. None of the current tenants in the building pose any risk to the church congregants.

Other existing uses on Blair Road:

### 1170 Blair Road / 3390 Mainway - abutting to north

- Paintball Nation (recreation use)
- Catholic Teachers Association (office use)
- Keep It Light Aerobics Studio (recreation use)
- Medset Specialists Ltd. (office use)
- Mid USA Motorcycle Parts Canada (sales and distribution)
- Quality Underwriting Services (office use)
- Moveware Ltd. (office use)
- Smart Thought Technologies (office use)
- Ontario Medical Billing Agency (office use)
- Ontario Trial Lawyers Association (office use)
- Burlington City Rep Hockey Club (office use)

1150 Blair Road - abutting to south

- Automotive Parts Store (sales use)
- J. R. Tool and Die (general machining)
- Horton Automatics (automatic door sales and service)

1140 Blair Road

- Jones Neon Display (manufacturing)

3388 Mainway (SE corner Blair Rd. and Mainway)

- Carstar Collision Service (automotive repair)

1157 Blair Road

- Wardco Windows and Doors (manufacturing)

3400 Landmark Road (SE corner Blair and Landmark)

- Kitchen and Bath Boutique
- Tee Shirt and Embroidery Warehouse

1100 Blair Road

- Quadra Chemicals Ltd. (wholesale and distribution)

1101 Blair Road

- Shell Canada Products (motor oil products distribution)

None of the existing uses on Blair Road produce vibration, noise, dust, odours or other effects that would impact the proposed church.

The CNR rail line is 260 m to the south. There are five other buildings located between the subject property and the rail line. This distance separation and intervening buildings provide an effective barrier and level of safety for the subject property.

Given that there are numerous other low intensity land uses on Blair Road that do not present any adverse impact to the church, it is my opinion that the church will be compatible with the wide range of existing recreational, office and sales uses that predominate in this area.

## 13.0 MOE GUIDELINE D-6 COMPATABILITY

### BETWEEN INDUSTRIAL FACILITIES AND SENSITIVE LAND USES

The MOE D-6 Guidelines have been reviewed to determine if any existing within the subject property and on abutting properties fall within the Class I, II or III Industrial definitions.

Class I Industrial Facility is defined as:

*A place of business for a small scale, self contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.*

Class II Industrial Facility is defined as:

*A place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (Le. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours. See Appendix A of this guideline for classification criteria and examples to categorize a specific industry.*

Class III Industrial Facility is defined as:

*A place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions. See Appendix A of this guideline for classification criteria and examples to categorize a specific industry.*

All of the existing uses within the subject building are recreational, office, sales and storage uses and therefore do not fall within any of the Class I, II or III definitions. These existing uses are compatible with the proposed church.

Existing uses on abutting properties have been assessed :

1150 Blair Road:

J.R. Tool and Die is a small scale, machine shop.

1170 Blair Road:

Recreational, office and sales uses located in the existing building.

3310 Mainway :

Integrity Worldwide Inc. manufacturers of safety barriers for high rise construction

1171 Pioneer Road:

Bell Canada service facility

1153 Pioneer Road:

Special Effects Motorcycles Co. custom motorcycle builders

Tonic Appliance Repair

APC Auto Parts

Centreless Grinding

J D Restorations

MCM Garage Doors

Canadian Hazmat Services

Machinery Repair Technologies

Winmar Restoration fire damage restoration

JH Secord Enterprises Ltd. overhead doors service

The Glass Guru custom doors and windows manufacturing

Sealtech Systems

KC Graphics

Scan West Doors interior doors

Complete Pool and Spa

Skinlicious Soaps manufacturing

Global Products Inc. promotional materials

Mid USA Canada Motorcycle Parts

MIR Fabric Products safety fabric products

Scholars in Collars Dog Training

dBa Acoustical Consultants Inc. conducted an analysis of noise levels on the property at 1160 Blair Road.

Noise levels inside the proposed church were recorded at 30dBA, well below MOE criteria. At the exterior walls of the building decibel readings of 50dba were recorded on the south side, 52dba on the west side, 54dba on the east side and 53dba on the north side. These decibel readings show that the church will not be impacted by noise from surrounding businesses, road and rail.

The interior location of the church is protected from outside noise levels. The church does not share any outside walls of the building. The church will be approximately 20 m from any exterior building wall and 130 m from the westerly

exterior building wall. The floor space surrounding the church is occupied by office uses which are further separated from the church by corridors. This floor layout buffers the church from any outdoor influences.

Vibration, odour, dust or other emissions were not detected from abutting land uses.

The church will not be adversely impacted by existing uses on abutting properties..

#### Policy 4.10.1 Zoning

*The Ministry or delegated authority shall only consider redevelopment, infill and mixed use proposals which put industrial and sensitive land uses together within less than the recommended minimum separation distance if the zoning is use specific .....*

The proposed rezoning application is for a site specific zoning that will allow a church on the subject property.

## **14.0 CONCLUSION**

There is a large congregation of Coptic Orthodox Christians living in Burlington but they do not have a church in the community. These people want and need a local church. Establishing their Church at 1160 Blair Road will conclude a long search for a suitable place for their church.

The proposed church conforms to the Provincial Policy statement which policies support a mix of uses including institutional uses.. All municipal services are in place to support the church use.

The Growth Plan also supports a mix of employment uses including industrial, commercial and limited institutional uses. The proposed church is not near major transportation facilities and therefore will not displace primary employment uses preferred for these locations.

Halton Region Official Plan requires noise studies for development within 300 m of rail lines. The proposed church is within about 260 m of a CN rail line. The noise study shows that decibel readings are at 40dBA, below MOE guidelines.

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



The Burlington Official Plan determines a church to be a sensitive land use and locating a church within an industrial area could expose the proposed church to the impacts of noise, odour and dust, from industrial uses as well as noise from the QEW and from the CNR rail line. dBA Acoustical Consultants Inc. has carried out a noise study and has concluded that the church will not be impacted by road and rail noise.

The interior location of the church buffers the church from any outside noise as confirmed by the noise study readings of 30 decibels inside the church.

The range of existing uses on Blair Road and abutting properties are predominantly office and recreational uses, wholesale and some retail uses and very few light industrial uses. There is no noise issues and none of the other impacts such as vibration, dust and odours have been observed. The church will be completely compatible with existing uses.

The Coptic Church is small scale and will produce a limited amount of traffic. The 266 parking spaces on site is more than sufficient to accommodate the church and the other uses on the property. The Church will be replacing a banquet hall which would have used similar or more parking than the church so the church will have no effect on existing parking.

It is my opinion that the proposed church will be compatible with existing and future employment uses on Blair Road and will not be adversely impacted by those uses. The proposed rezoning is in keeping with all applicable land use policies and the church will become an integral part of the community.

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

Respectfully Submitted  
**Greg Poole & Associates Inc.**

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Greg Poole MCIP, RPP