

Date: 2022-11-11

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Subject: RECOMMENDATION REPORT
Application to Amend the Zoning By-law
(To remove a Holding (H) provision to allow for the development of a Place of Worship)
Delta Engineering Services – Gauri Shankar Mandir Religious and Cultural Organization Inc.
1061, 1071 Queen Street West
Ward: 4
File No. OZS-2022-0041

Contact: Nasir Mahmood, Development Planner, Development Services, 905-874-2094, nasir.mahmood@Brampton.ca; and David VanderBerg, Manager, Development Services, 905-874-2325, David.VanderBerg@Brampton.ca.

Report Number: Planning, Bld & Growth Mgt-2022-957

Recommendations:

1. **THAT** the report titled: **Recommendation Report**, Application to Amend the Zoning By-law (To remove a Holding (H) provision to allow for the development of a Place of Worship) **Delta Engineering Services – Gauri Shankar Mandir Religious and Cultural Organization Inc.**, 1061, 1071 Queen Street West, Ward: 4, File No. OZS-2022-0041, dated November 11, 2022, to the Council Meeting dated November 30, 2022 be received; and,
2. **THAT** a By-law attached hereto as Appendix 4 be passed to amend the Comprehensive Zoning By-law 270-2004, as amended.

Overview:

- This report forwards an amending Zoning By-law to Council to lift a “Holding” symbol to allow for the development of a Place of Worship.
- Council passed a Zoning By-law Amendment (file: C03W05.015) on December 21, 2021 to permit the development of the lands at 1061 and 1071

Queen Street West for a place of worship. This application was approved with Holding Symbols attached to the approved zoning in order to ensure that the existing dwellings located on the property were demolished and removed prior to the zoning amendment becoming effective.

- **The proposal is consistent with the “2019-2022 Term of Council Priorities” by supporting the “A City of Opportunities” theme. The proposal is consistent with the direction of revitalizing existing neighbourhoods, and building complete and sustainable communities to accommodate growth for people and jobs.**

Background:

An application was submitted by Delta Engineering Services on behalf of Gauri Shankar Mandir Religious and Cultural Organization Inc. on October 13th, 2022 to remove a Holding Symbol from part of the property's zoning designations to allow for the development of a place of worship on the subject lands.

A Holding provision is a mechanism that can be included in a Zoning By-law to allow development to proceed in an area only when specific conditions, such as the demolition and removal of the existing dwellings, have been met to the satisfaction of Council. The Holding provision is removed through an application to amend the Zoning By-law. After the Holding is removed, the lands can be developed for the full extent of the permissions included in the zoning for the property.

A Zoning By-law Amendment approved on December 08, 2021 (C03W05.015) re-zoned the lands to 'I1(H)-3566' and 'I1(H)-3567', which permitted a Place of Worship. However, a Holding provision was included that required the demolition and removal of the existing dwellings prior to the re-zoning becoming effective. The Holding Symbol was not to be removed until such a time as the demolition and removal of the existing dwellings to the satisfaction of the Commissioner of Planning, Building and Growth Management and the Chief Building Official.

Current Situation:

Proposal:

Through this zoning amendment application, the applicant has confirmed that the existing dwelling on the westerly part of the property (1071 Queen Street West) zoned 'I1(H)-3566' has been demolished and removed, and requested that the holding H symbol be removed from the zoning designation 'I1(H)-3566' on that part to allow for the zoning amendment to become effective. Removal of the holding H symbol from the zoning designation of 1071 Queen Street West will also facilitate the approval of the related site plan application SPA-2019-0035 and the issuance of a building permit.

The property owner has indicated that for certain unavoidable reasons, the existing dwelling on 1061 Queen Street West cannot be demolished at this time. It will be demolished sometime later when the place of worship building proposed to be located on 1071 Queen Street West is near completion. The holding H symbol for 1061 Queen Street West (designated 'I1(H)-3567') will be lifted in the future when the existing dwelling on this part of the property is demolished and removed, for which a separate zoning amendment application will be submitted.

The 'I1(H)-3567' zone (on 1061 Queen Street West) provides that until such time as the holding H symbol has been removed, the land zoned 'I1(H)-3567' shall only be used for the purpose of an existing single detached dwelling in accordance with the requirements and restrictions of the Agricultural zone, and for the purposes of providing access, required parking, and required landscaping associated with the lands zoned 'I1(H)-3566' and 'I1(H)-3567'. The proposed lifting of the holding H symbol only from 1071 Queen Street West for now, will allow site plan approval for the entire site, and the construction of a place of worship building and some parking on 1071 Queen Street West. Through the permissions of the 'I1(H)-3567' zone, the access, some of the required parking and landscaping will be located on 1061 Queen Street West without immediate lifting of the holding H symbol from 1061 Queen Street West.

Details of the proposal which was approved through the previously approved zoning by-law 288-2021 are as follows:

- A two-storey, approximately 688.80 square metre (7,414.18 square feet), place of worship;
- A net worship area of approximately 401.4 square metres (4,320.63 square feet);
- Accessory cultural & education uses, and caretaker's residence to be contained in the proposed building;
- 50 parking spaces; and,
- One restricted (right-in/right-out) vehicular access to Queen Street West.

Property Description and Surrounding Land Use (Refer to Appendix 2 & 3):

The lands have the following characteristics:

- are located on the south side of Queen Street West, west of Chinguacousy Road;
- currently contain two dwellings;
- were previously comprised of two properties, known municipally as 1061 and 1071 Queen Street West, which have now been merged as one property;
- have a site area of approximately 0.27 hectares (0.67 acres); and,
- have a frontage of approximately 61.9 metres (203 feet) along Queen Street West.

The surrounding land uses are described as follows:

North: Queen Street West, and beyond is a community park;
South: Single detached residential and commercial uses;
East: Commercial uses, and beyond is Chinguacousy Road; and,

West: Residential uses, with an Official Plan/Zoning By-law amendment application (OZS-2020-0014) for the development of 1107, 1119 Queen Street West for a 12 storey mixed use building.

Summary of Recommendations

This report recommends that Council lift the Holding Symbol from the zoning designation 'I1(H)-3566' to allow for the development of a Place of Worship on 1071 Queen Street West.

Rationale for Lifting the Holding Provision

Through this zoning amendment application, the applicant has confirmed that the existing dwelling on the westerly part of the property (1071 Queen Street West) zoned 'I1(H)-3566' has been demolished and removed. As the conditions for the lifting of the holding H symbol contained within by-law 288-2021 (demolition and removal of the existing dwelling) have been fulfilled for the zoning designation 'I1(H)-3566', staff recommend that the holding H symbol be removed from this zoning designation.

The application was circulated to the applicable City staff, including Building and Zoning staff, for review. Both are satisfied with that the existing dwelling on 1071 Queen Street West has been demolished and removed to the satisfaction of the Chief Building Official. Therefore, the holding H symbol can be removed from the zoning designation 'I1(H)-3566' to allow for the zoning (that allows a Place of Worship) to become effective, and to facilitate the approval of the related site plan application, and building permit.

Community Engagement

Pursuant to the requirements in the *Planning Act*, no statutory public meeting is required in association with an application to remove a "Holding" symbol. Notice informing the public of Council's intent to lift the "Holding" symbol was provided in a newspaper advertisement in the Brampton Guardian.

Corporate Implications:

Financial Implications:

There are no financial implications directly associated with this report. Revenue collected through development application fees are accounted for in the approved operating budget.

Other Implications:

There are no other corporate implications associated with the application.

Term of Council Priorities:

This application is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs. The proposal satisfies this by efficiently using land and resources and providing opportunity for efficient growth within the City’s Designated Greenfield Area. Several elements that are contributing fundamentals of a complete community, such as a balanced mix of residential, recreational, institutional, and commercial uses, safety, pedestrian comfort, design, and community character, are contemplated in the planning of the proposed development.

Living the Mosaic – 2040 Vision

This report directly aligns with the vision that Brampton will be a mosaic of characterful and complete neighbourhoods. This report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic.’ The proposed development supports Brampton 2040 Vision (Vision 3) for a mosaic of characterful and complete neighbourhoods. This is to be achieved through integrated living by achieving a balanced mix of residential, institutional, retail, recreational, work, and cultural opportunities that fulfill the residents’ current and future needs.

Conclusion:

Staff is satisfied that the requirements for the lifting of the holding provision have been met. Staff recommends that the by-law be adopted to lift the “Holding” (H) symbol from the zoning designation ‘I1(H)-3566’ on the subject property.

Authored by:

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Attachments:

Appendix 1: Concept Plan

Appendix 2: Location Map

Appendix 3: Existing Land Uses

Appendix 4: Results of the Application Circulation

Appendix 5: Draft Zoning By-law