

# MEMORANDUM



**J.L. Richards  
& Associates Limited**  
314 Countryside Drive  
Sudbury, ON Canada  
P3E 6G2

Tel: 705 522 8174

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To: Natalie Bray, City Clerk, Director of Planning  
Services, City of Elliot Lake

Date: July 19, 2022

JLR No.: 27355-002.1 (25)

CC:

From: Gursimran Saini, Planner

Re: City of Elliot Lake Zoning By-law Amendment  
26 Ontario Avenue, Elliot Lake (PIN: 316270122)

## PROPERTY

The subject property is generally located north of the intersection of Ontario Avenue and Hillside Drive South, on the east side of Ontario Avenue. The subject property is municipally addressed as 26 Ontario Avenue, and legally described as PCL 4664 SEC AES; LT 179-182 PL M151 GUNTERMAN; Elliot Lake.

The subject property has an area of approximately 606 square metres and a frontage of approximately 21 metres on Ontario Avenue. Aerial review of the property suggests that it is currently occupied by a building, which the applicant has identified as a facility for a Craft Workshop Operation.

## APPLICATION

The Applicant (920875 Ontario Inc.) has initiated a Zoning By-law Amendment to permit the use of the existing structure on the subject property as a place of worship (church).

The effect of the proposed Zoning By-law Amendment is to amend the provisions of Central Commercial - Special Exception 2 (C1-2) zone to permit a church/place of worship on the subject property.

## RECOMMENDATION

The proposed Zoning By-law amendment is consistent with the intent and policies of the Provincial Policy Statement, the Growth Plan for Northern Ontario and City of Elliot Lake's Official Plan. As such the amendment is recommended for approval.

### 1.0 Background

The subject property is municipally addressed as 26 Ontario Avenue and is generally located north of the intersection of Ontario Avenue and Hillside Drive South, on the east side of Ontario Avenue. The subject property is legally described as PCL 4664 SEC AES; LT 179-182 PL M151 GUNTERMAN; Elliot Lake. The subject property has an area of approximately 606 square metres and a frontage of approximately 21 metres on Ontario Avenue. Aerial review of the property suggests that it is currently occupied by a building, which the applicant has identified as a facility for a Craft Workshop Operation.

The subject property is surrounded by office uses to the north and commercial uses to the northwest. Lands to the east are occupied by office uses and lands to the south and west are occupied by commercial uses. Additionally, lands to the west of the subject property are occupied by commercial uses and a library. Figure 1 shows the location of the subject property.

Figure 1 Aerial view of the subject property



The Applicant has applied for a Zoning By-law Amendment to permit the use of existing building on the subject property as a place of worship (church). The subject property is located within the City of Elliot Lake Urban Settlement Area and designated 'Central Commercial' in the City of Elliot Lake Official Plan (*Schedule A – Urban Map*) and zoned 'Central Commercial - Special Exception 2 (C1-2)' in the City of Elliot Lake Zoning By-law No. 18-36 (*Schedule A – Urban Map*). The proposal has been reviewed in context of the applicable policy framework as discussed in the following sections.

## 2.0 Analysis

### 2.1 Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) 2020 provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The Planning Act requires that municipal decisions in respect to the exercise of any authority that affects a planning matter “shall be consistent with” the PPS.

Section 1.1.1.b of the PPS states that healthy, liveable, and safe communities are sustained by, “*accommodating ...institutional (including places of worship) ...uses to meet long term needs*”. Section 1.1.3.1 identifies settlement areas to be the focus of growth and their vitality and regeneration shall be promoted, as these areas are critical to the long-term economic prosperity of a community. Section 1.1.3.2 indicates that land use patterns within settlement areas should be appropriate for, and efficiently use, planned or existing infrastructure and public service facilities. Section 1.3.1 a) indicates: *planning authorities shall promote economic development and competitiveness by... providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs.*”

The subject property is located within the settlement area boundary of the City and has access to municipal servicing. The proposed institutional use (place of worship) will be located within the existing building on the subject property. A place of worship (institutional use) is generally supported by the PPS in urban settlement areas, and the proposal presents the opportunity for adaptive reuse of an existing building.

Based on our review, the application is consistent with the relevant policies of the PPS.

## **2.2 Growth Plan for Northern Ontario (GNPO), 2011**

The GPNO indicates that communities, both large and small, function as the economic and service hub of the North. In order to ensure the prosperity of northern communities, Section 4.2 of the GPNO directs that municipalities should prepare long-term community strategies. These strategies, among other items, should accommodate the diverse needs of all residents, now and in the future, and optimize use of existing infrastructure.

The proposed use responds to the social needs of the community by providing a place of worship. Places of worship support public gatherings and social interaction. Additionally, the subject property has access to municipal servicing and no expansion of municipal infrastructure is required to facilitate the proposal. The intended use of the subject property is therefore supported by Growth Plan for Northern Ontario.

## **2.3 City of Elliot Lake Official Plan, (2018)**

The subject property is located within the City of Elliot Lake Urban Settlement Area and designated 'Central Commercial' in the City of Elliot Lake Official Plan (*Schedule A – Urban Map*).

Section 5.3.1 of the Official Plan contains policies for 'Central Commercial' designation. Section 5.3.1.1 states that the vision for the development of 'Central Commercial' lands is as a downtown area, with a mix of commercial, residential, ***institutional***, and public service development. The proposed church is an institutional use which conforms to the development concept for '*Central Commercial*' Designation.

Section 5.3.1.2 of the Official Plan notes that the predominant use of land in this designation shall be for commercial uses, retail, and service businesses. Other permitted uses include, but are not limited to, arts and entertainment facilities and public service facilities. Section 4.9 of the Official Plan provides policy guidance on public service facilities in the City and lists the following in this category: health care services, educational services, protection services and cultural services. A place of worship is considered a cultural service use. As such, the proposed use conform to the intent of the Official Plan and is permitted on the subject property.

Section 5.3.1.4 contains policies on Site Plan Control for development in Central Commercial Area. The applicant is proposing adaptive reuse of the existing building and no new development is proposed on the subject property through this application. As such, Site Plan Control is not required. Additionally, the subject property does not abut residential uses on any side, and buffering requirements do not apply.

Section 5.1.3.5 notes that the "*development of Central Commercial area is expected to take the form of redevelopment of existing underutilized facilities.*" As previously noted, the applicant is proposing to convert the existing building to a place of worship. This represents adaptive reuse of existing facilities and conforms to the intent of the above noted policy.

Based on a review of relevant policies, the proposed place of worship in 'Central Commercial' designated lands conforms to the City of Elliot Lake Official Plan.

## **2.4 City of Elliot Lake Zoning By-law No.18-36**

The subject property is zoned Central Commercial - Special Exception 2 (C1-2) in the City of Elliot Lake Zoning By-law No. 18-36 (*Schedule A – Urban Map*). Special Exception 2 permits the use of the subject property for a Crafts Workshop in addition to the uses otherwise permitted in Central Commercial (C1) Zone.

The C1 Zone permits the use of land for various uses including, but not limited to, commercial uses, government offices, personal service shops and apartment buildings. However, institutional uses such as a place of worship are not permitted as of right on the subject property and a Zoning By-law Amendment is required to allow for this use in C1 Zone.

It should be noted that a 'Place of Assembly' is a permitted use in C1 zone. 'Place of Assembly' is defined in the Zoning By-law as:

*"A building or part of a building which is intended for public or private meetings or demonstrations and more particularly shall include theatres, motion picture halls, dance halls, pool halls, meeting halls, bowling alleys and arenas..."*

Based on the above noted definition, the gathering of people is permitted in principle in the C1 Zone. A place of worship is similar to a Place of Assembly in terms of the nature of uses on the premises and their impacts on the surrounding development. Additionally, the subject property is surrounded by commercial, office or institutional uses. Hence, there are no foreseeable negative impacts of the proposed change of use on the surrounding developments. As such, the proposed Zoning By-law Amendment is reasonable from a planning perspective.

Additionally, the following provisions apply:

Provision	Requirement/Permitted	Existing	Compliance*
Height (max)	2 storeys	2 storeys	Yes
Building Coverage (Max)	100%		Yes
Building Line from any lot lines	0 m		Yes

The compliance of the existing development to the above noted Zoning Provisions was conducted based on aerial photography and the sketch submitted by the Applicant as a part of the Application. However, as the 100% lot coverage is permitted and 0m setbacks are required from the lot lines, there are no concerns regarding compliance with the above noted provisions.

Further, the Applicant has requested that the proposed amendment apply only to the existing building on the subject property, and remaining lands can retain their existing zoning. This will result in split zoning on the subject property and preserve the permissions for the crafts workshop which is no longer in existence. These lands appear to be paved, but do not have any structures. It is therefore recommended that the permissions granted through this amendment be applied to the entire property instead of just the existing building. Schedule A shows the request made by the applicant which will result in split zoning.

Section 6 of the Zoning By-law contains parking requirements, and states that 1 space for every 5 seats is required for Churches and Church Halls. Further, Section 6.2 notes that off street parking need not be provided for lands in C1 zone where such lands are located within 100 m of a municipal parking station. There are two (2) municipal parking lots which are located approximately 100 metres towards the north and northwest from the subject property. As such, off street parking is not required to permit a place of worship on the subject property. There is also on street parking in the vicinity of the subject property.

Based on a review of relevant policies, the proposed amendment is reasonable and generally maintains the intent of the Zoning By-law and can be recommended for approval.

## RECOMMENDATION

The application for a Zoning By-law Amendment is consistent with the Provincial Policy Statement, the Growth Plan for Northern Ontario, and conforms to the City of Elliot Lake Official Plan. With this in mind, we recommend the following:

- That Council enact a By-law to rezone the lands subject to this application to permit 'place of worship' as a permitted use on the subject property.

Should you have any questions regarding the above, or if additional information is required, please contact the undersigned.

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:



Gursimran Saini  
Planner

Reviewed by:



Sarah Vereault, MCIP, RPP  
Associate, Senior Planner

**GS:sv**

Schedule A: Sketch of the Subject Property as submitted by the Applicant

**Schedule A: Sketch of the Subject Property as Submitted by the Applicant**

