



STAFF REPORT
Planning

Title: Zoning By-law Amendment Z-24-06, 275 Erb Street East
Report Number: IPPW2024-028
Author: Tristin Deveau
Council Date: April 29, 2024
File: Z-24-06
Attachments: Appendix A – Agency and Staff Comments
Appendix B – Proposed Site Specific Zoning
Map 1 – Subject Site
Ward No.: Ward No. 5 - Southeast

Recommendations:

1. That Council approve Staff Report IPPW2024-028.
2. That Council approve Zoning By-law Amendment Application Z-24-06, in accordance with Section 7 of Staff Report IPPW2024-028.

A. Executive Summary

The Applicant is proposing to establish a child care centre and a private school use within the existing spiritual use building (Parkminster United Church) located at 275 Erb Street East (the “Site”). The Site is zoned Residential One (R1), which does not permit the proposed uses.

In order to facilitate the proposal, the Applicant is proposing a site specific amendment to Zoning By-law 2018-050 to permit “child care centre” and “private school” as permitted uses on the Site.

Based on review of the application, Planning Staff support Zoning By-law Amendment Application Z-24-06 in accordance with Section 7 of IPPW2024-028, for reasons including:

- The application is consistent with the 2020 Provincial Policy Statement
- The application conforms to the Regional Official Plan
- The application conforms to the policies of the City of Waterloo Official Plan
- The proposal meets the zoning by-law requirements for the existing and proposed uses, including setbacks, lot coverage and parking

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- The proposal will add community uses to an existing neighbourhood, using an existing building and infrastructure, which is an efficient use of land and infrastructure, and contributes to a complete community

B. Financial Implications

Staff are not aware of any financial implications to the City with respect to the application. Should the application be appealed, potential costs related to an Ontario Land Tribunal hearing may be incurred.

C. Technology Implications

Staff are not aware of any technology implications to the City with respect to this application.

D. Link to Strategic Plan

(Strategic Priorities: Reconciliation, Equity, Accessibility, Diversity and Inclusion; Environmental Sustainability and Climate Action; Complete Community; Infrastructure and Transportation Systems; Innovation and Future-Ready)

(Guiding Principles: Equity and Inclusion; Sustainability; Integrity; Workplace Wellbeing; Community-centred; Operational Excellence)

Z-24-06 generally aligns with the 'Complete Community' pillar of the Strategic Plan by supporting the provision of community uses within an existing residential community.

E. Previous Reports on this Topic

N/A



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SECTION 1 – SUBJECT LANDS

Location

275 Erb Street East

Ward

Southeast (Ward 5)

Total Lot Area

1.14 ha

Landowner/Applicant

Trustees of Parkminster
United Church

Agent

MHBC Planning Inc.

Existing Land Use

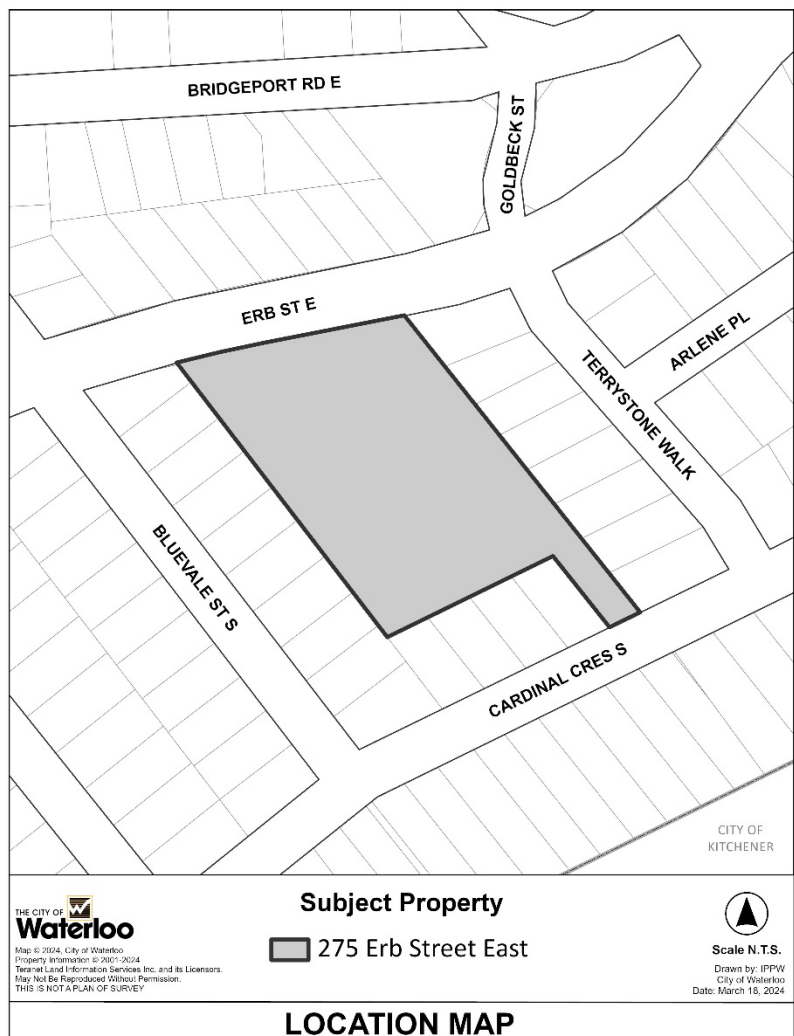
Parkminster United Church

Proposal

To add a private school and
a child care centre use to the
existing church building.

Public Input

Pursuant to the Planning Act
and City Official Plan, notice
of the Public Meeting to
amend the Zoning By-law
was advertised in The
Record on March 28, 2024, and mailed to all property owners within 120 metres of the
Site.



SECTION 2 – BACKGROUND

The Site is located in southeast Waterloo, and is situated in between Erb Street East and Cardinal Crescent to the north and south respectively, and between Terrystone Walk and Bluevale Street South to the east and west respectively. The primary frontage and access is along Erb Street East, with a secondary access provided via Cardinal Crescent.

The Site is approximately 1.14 hectares in area and is developed with an existing spiritual use (Parkminster United Church), with associated landscaping and surface parking. The existing building was constructed circa 1960, with various additions constructed in the subsequent years. The surrounding land use is low density residential.

SECTION 3 – APPLICANT PROPOSAL

The Applicant is proposing to add a private school and a child care centre within the existing church. The church would continue to operate as the primary use on the Site, with the two proposed uses sharing facilities within the existing building. 340 square metres of space within the building will be for the exclusive use of the private school and child care centre uses, with an additional 466 square metres being shared by all users of the building (foyer, gym, kitchen, hallways, etc.). The remainder of the building will continue to operate as a spiritual use. The Applicant is not proposing to expand or substantially modify the existing building.

SECTION 4 – POLICY EVALUATION

Provincial Policy Statement

The 2020 Provincial Policy Statement directs municipalities to focus growth in existing settlement areas, to encourage efficient development and land use patterns, efficiently use infrastructure, and to minimize land consumption and servicing costs. As the proposal utilizes an existing building and infrastructure, it is staff's opinion that the proposal is consistent with the Provincial Policy Statement.

Region of Waterloo Official Plan

The Site is designated "Built-Up Area" in the Regional Official Plan (ROP). This designation supports a wide range of urban uses, and the Region supports the redevelopment and intensification of lands within the Built-Up Area. As this proposal takes advantage of an existing building and infrastructure, it is staff's opinion that the proposal conforms to the Region of Waterloo Official Plan.

City of Waterloo Official Plan

The Site is designated Low Density Residential on Schedule 'A' of the City of Waterloo Official Plan. While the primary intent of this designation is to support the development of low density residential uses, uses that are complementary to the residential nature of the area are also contemplated. Consideration for compatible uses within the designation include provisions for permitting *child care centres* and *community uses*. The Official Plan

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defines community uses as “places, facilities, amenities and services to support the health, educational, recreational, social and cultural needs of the community”. Both Private and Public schools are included under the definition of community uses in the Official Plan.

Staff are satisfied that that proposed amendment to the Zoning By-law conforms to the policies of the Official Plan.

SECTION 5 – ZONING BY-LAW AMENDMENT REQUEST

The Site is zoned Residential One (R1), the primary function of which is to allow low density residential development in the form of single detached buildings. However, the zone also allows the existing spiritual use (Parkminster United Church) as a complementary use.

The proposed child care centre and private school uses are not permitted within the R1 zone. To facilitate the proposal, the Applicant is requesting a site specific amendment to permit the proposed uses.

As previously indicated, the proposed child care centre and private school are to be located within the existing spiritual use building as ancillary uses.

Staff have reviewed the proposal against the Zoning By-law requirements for both the existing spiritual use, and the proposed private school and child care centre uses. The proposal complies with the performance regulations of the Zoning By-law, including:

- building setbacks
- low rise residential lot line setback
- lot coverage
- parking

As the proposed uses are intended to operate within the existing church and are ancillary uses, Z-24-06 is consider this a Minor Zoning Amendment. It is recommended that the implementing by-law limit the child care centre and private school uses to being permitted as ancillary uses to a place of worship.

SECTION 6 – CONCLUSION

Based on review of the application by City Planning Staff, we support Zoning By-law Amendment Application Z-24-06 in accordance with Section 7 of IPPW2024-028 for reasons including:

- The application is consistent with the 2020 Provincial Policy Statement
- The application conforms to the Regional Official Plan
- The application conforms to the policies of the City of Waterloo Official Plan
- The proposal meets the zoning by-law requirements for the existing and proposed uses, including setbacks, lot coverage and parking

- The proposal will add community uses to an existing neighbourhood, using an existing building and infrastructure, which is an efficient use of land and infrastructure, and contributes to a complete community

SECTION 7 – RECOMMENDATIONS

- A. That Staff Report IPPW2024-028 be approved.
- B. That Council approve Zoning By-law Amendment Application Z-24-06, submitted by MHBC Planning on behalf of the Trustees of Parkminster United Church, for 275 Erb Street East, as follows:
 1. That Zoning By-law 2018-050 is hereby amended by adding “C265” to Schedule ‘C’ of said By-law 2018-050 for the lands known municipality as “275 Erb Street East” as shown on Map 1 of IPPW2024-028, as set forth in Schedule ‘B’ attached hereto.
 2. That Zoning By-law 2018-050 is hereby amended by adding “C265” to the zoning map attached to the said By-law 2018-050 as Schedule ‘C1’ for the lands known municipality as “275 Erb Street East” as shown on Map 1 of IPPW2024-028.

Appendix A – Agency and Staff Comments

No Comments or concerns

Waterloo Fire Rescue – Fire Prevention Division
City of Waterloo – Building Standards
City of Waterloo – Development Engineering
City of Waterloo – Transportation Services
Waterloo Regional District School Board
Waterloo District Catholic School Board

Ministry of Transportation (Summarized)

The property is within the Ministry of Transportation Permit Control Area. No comments for the application as proposed. Any physical changes to the site, outside of the footprint of the existing building, are subject to MTO review and MTO issued permits may be required.

Region of Waterloo (Summarized)

Regional staff have no objection to the site specific Zoning By-law Amendment to permit a private school and child care facility at 275 Erb Street East.

The following advisory comments were provided for any potential future Site Plan applications:

- the requirement to enter into an agreement with the Region of Waterloo to place a Type A Noise Warning Clause on Offers of Purchase and Sale and lease/rental agreements to address transportation noise from Erb Street; and
- Requirement for a Regional Road Dedication to widen Erb Street East, along with an encroachment agreement for the existing sign, should it be within the road widening lands.

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Schedule 'B'

Exception	Address	Zoning	File Reference
C265	275 Erb Street East	R1	Z-24-06

Location: 275 Erb Street East

Site Specific Regulations:

- a) The following USES are hereby added to section 7.1.1.2 for 275 Erb Street East only:
- PRIVATE SCHOOL within a SPIRITUAL USE BUILDING
 - CHILD CARE CENTRE within a SPIRITUAL USE BUILDING

Map 1

