

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, May 3, 2022

WARD: 4

**TITLE: MAON NOAM CONGREGATION OF CANADA
ZONING BY-LAW AMENDMENT FILE Z.21.049
910 RUTHERFORD ROAD
VICINITY BATHURST STREET AND RUTHERFORD ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.21.049 for the subject lands shown on Attachment 1. The Owner proposes to rezone the subject lands to permit a 3-storey 1,117.15 m² rear addition to the existing heritage building to expand the place of worship, community centre, with the addition of a daycare, accessory office uses and a 48-space parking lot expansion, as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes a 3-storey 1,117.15 m² rear addition to the existing heritage building to expand the place of worship, community centre with the addition of a daycare, accessory office uses and a 48-space parking lot expansion
- Zoning By-law Amendment and Site Development applications are required to permit the development
- This report identifies preliminary issues to be considered in a comprehensive report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.21.049 (Maon Noam Congregation of Canada) BE RECEIVED, and that any issues

identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 910 Rutherford Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

A place of worship has existed on the Subject Lands since 1857 and is listed on Vaughan's Register of Properties of Cultural Heritage Value ('Register') as the Carrville United Church.

An archaeological assessment for the Subject Lands considered the lands free of archaeological concerns. The Subject Lands are not adjacent to any properties that are listed on the Register, are not designated under Part IV of the *Ontario Heritage Act* and are therefore subject to heritage review under a development application, but do not require a Heritage Permit for alternations.

Date of Pre-Application Consultation Meetings: June 9, 2016, December 13, 2019, and May 27, 2021.

Date application deemed complete: January 28, 2022

A Zoning By-law Amendment Application has been submitted to permit the proposed development

Maon Noam Congregation of Canada (the 'Owner') has submitted Zoning By-law Amendment File Z.21.049 (the 'Application') to rezone the Subject Lands from "OS1 Open Space Conservation Zone", "OS2 Open Space Park Zone" and "Agricultural Zone" to "Agricultural Zone" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report, to permit a 3-storey, 1,117.15 m² addition to the existing 141.98 m² heritage building, to expand the place of worship, community centre with the addition of a daycare, accessory office uses and a 48-space parking lot expansion (the 'Development') as shown on Attachments 2 to 4.

The Owner shall also be required to amend Zoning By-law 001-2021 to rezone the "I1 General Institutional Zone" subject to Site-Specific Exception 14.861, as shown on Attachment 2, and permit site-specific zoning exceptions as identified in Table 2 of this report.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

a) Date the Notice of Public Meeting was circulated: April 8, 2022

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along Rutherford Road in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the Carrville Mills Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of April 12, 2022, by the Development Planning Department.

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

No previous reports

Analysis and Options

Vaughan Official Plan 2010 ('VOP 2010') designates the Subject Lands "Low-Rise Residential"

Official Plan Designation:

- "Community Area" on Schedule 1 – Urban Structure by VOP 2010
- "Low-Rise Residential" on Schedule 13 – Land Use by VOP 2010
- This designation permits residential dwellings at a maximum building height of 3-storeys, private home day care, home occupations and small-scale retail uses on corner lots and private and public institutional buildings
- Policy 9.2.1.10 states that "policies existing prior to the adoption of this Plan remain in effect as they apply to places of worship until such times as any new policies are approved"
- Prior to VOP 2010 the subject lands were within Official Plan Amendment #600 ('OPA 600') which permitted minor institutional uses including "religious institutions" within all land use designations. OPA 600 permitted large-scale Places of Worship on arterial or primary roads without amendment to the plan
- OPA 600 required Daycare and Day Nurseries be subject to the criteria policies of OPA 325, permitting these uses in all residential designations, and as an accessory use to a school, community centre, recreation centre and place of worship
- The Development conforms to VOP 2010 and the place of worship policies of OPA 325 and OPA 600

Amendments to Zoning By-law 1-88 are required to permit the Development Zoning:

- The Subject Lands are Zoned “A Agricultural Zone”; “OS1 Open Space Conservation Zone”; and “OS2 Open Space Park Zone”. Both Open Space Zones are subject of site-specific Exception 9(1217) by Zoning By-law 1-88
- The former owner, Carrville United Church purchased land for a parking area from the subdivision developer to the north
- The land purchased consists of is a small triangle zoned “OS1 Open Space Conservation Zone” and a larger parcel zoned “OS2 Open Space Park Zone”. Neither zone permits the proposed uses
- The Owner proposes to rezone the Open Space Zoned portions of the Subject Lands to “Agricultural Zone” together with the site-specific zoning exceptions shown in Table 1 to permit the development under an “A Agricultural Zone”

Table 1:

	Zoning By-law 1-88 Standard	A Agricultural Zone Requirement	Proposed Exceptions to the A Agricultural Zone Requirement
a.	Minimum Front Yard Setback (Rutherford Road)	15 m	11.8 m
b.	Minimum Rear Yard	15 m	6.9 m
c.	Minimum Interior Side Yard	15 m	3.4 m (east)
d.	Parking Stall Dimensions	2.7 m x 6 m	2.6 m x 5.7 m
e.	Minimum Parking Requirements	11 spaces/100 m ² x 1263.31 m ² = 139 parking spaces	3.79 spaces/100 m ² X 1263.31 m ² Provide a total of 48 spaces
f.	Minimum Landscape Strip abutting Street Line	6 m	0 m (at Rutherford)

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law (“By-law 001-2021”). A notice of passing was circulated on October 25, 2021, in accordance with the *Planning Act*. The last date for filling an appeal to the Ontario Land Tribunal (‘OLT’) in respect of By-law 001-2021 was November 15, 2021. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as By-law 001-2021 is in

force, the Owner will be required to demonstrate conformity with both By-law 001-2021 and Zoning By-law 1-88, as amended.

Zoning:

- The Subject Lands are zoned “I1 General Institutional Zone” and I1-861 by By-law 001-2021
- This “I1 General Institution Zone” permits the proposed uses on the east portion of the Subject Lands, however, the I1-861 exception on the west portion does not permit the proposed uses
- It is proposed that the I1-861 portion of the lands be rezoned to “I1 General Institutional Zone”
- Site-specific zoning exceptions shown in Table 2 are required to permit the Development:

Table 2:

	Zoning By-law 001-2021 Standard	I1 General Institutional Zone Requirement	Proposed Exceptions to the I1 General Institutional Zone Requirement
a.	Minimum Rear Yard	7.5 m	6.9 m
b.	Minimum Interior Side Yard	4.5 m	3.4 m
c.	Minimum Parking Requirements	Place of Worship 11 spaces/100 m ² x 1263.31 m ² = 139 spaces	Place of Worship 3.79 spaces/100 m ² x 1263.31 m ² Provide a total of 48 spaces
d.	Minimum Landscape Strips abutting OS Zones	3.0 m	2.4 m
e.	Minimum Landscape Strips abutting Street Line	3 m	0 m
f.	Parking Stall Dimensions	2.7 m X 6 m	2.6 m X 5.7 m

Additional Zoning exceptions may be identified to both Zoning By-law 1-88 and By-law 001-2021 through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

Following a preliminary review of the Applications, the Development Planning Department has identified the following matters to be reviewed in greater detail

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the ‘PPS’), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the ‘Growth Plan’) and the policies of the York Region Official Plan, 2010 (‘YROP’) and VOP 2010
b.	Appropriateness of Amendments to Zoning By-laws 1-88 and 001-2021	<ul style="list-style-type: none"> ▪ The appropriateness of the rezoning the “Open Space” zoned portions of the Subject Lands and site-specific exceptions identified in Tables 1 and 2 will be reviewed in consideration of compatibility with surrounding land uses (existing), built form, lot coverage, building height, setbacks, parking, access, maneuverability, landscaping, and the City-wide urban design guidelines
c.	Heritage Conservation	<ul style="list-style-type: none"> ▪ The Subject Lands are listed on the Register as 910 Rutherford Road – Carrville United Church, 1857 however, the building is not designated under Part IV of the <i>Ontario Heritage Act</i> ▪ The Development must be reviewed by the Development Planning Department, Urban Design and Cultural Heritage Division however, it does not require a Heritage Permit for alterations ▪ A Cultural Heritage Impact Assessment was submitted in support of the proposed development and will be reviewed ▪ The Development will be reviewed in consideration of the VOP 2010 policies for heritage conservation
d.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications available on the city’s website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
e.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City-wide Urban Design Guidelines and the Valleys of Thornhill Architectural Design Guidelines for Block 11

	MATTERS TO BE REVIEWED	COMMENTS
f.	Public Agency/Municipal Review	<ul style="list-style-type: none"> The Applications must be reviewed by York Region, the Toronto, and Region Conservation Authority ('TRCA'), external public agencies and utilities
g.	Sustainable Development	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. Development shall achieve a minimum Bronze score of 31
h.	Parkland Dedication	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy
i.	Road Widening, Access and Traffic	<ul style="list-style-type: none"> The Subject Lands are located on Rutherford Road which is an arterial road under the jurisdiction of York Region identified as a Regional Transit Priority Network with a Planned Right-of-Way of up to 43 m. York Region will review the location, design of the proposed driveway from Rutherford Road and identify any required land conveyances
j.	Related Site Development Application	<ul style="list-style-type: none"> The Owner submitted related Site Development File DA.21.060 to be reviewed with the Application in a future comprehensive report Should the applications be approved, any required conditions will be included to address required access, road dedication requirements, servicing and grading and any other agency requirements for the development
k.	Highly Vulnerable Aquifer Area and WHPA-Q	<ul style="list-style-type: none"> The Subject Lands are located in an area identified as having a Highly Vulnerable Aquifer but outside the Significant Groundwater Recharge Area The Subject Lands area also located within the TRCA, and Credit Valley Conservation is located within the (WHPA-Q) area

Financial Impact

There are no financial requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and

Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Laura Janotta, Planner, Development Planning Department, ext. 8634.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Building Elevations

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