

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 104-2019

A By-law to adopt Amendment Number 45 to the Vaughan Official Plan 2010 for the Vaughan Planning Area.

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 45 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedule “1” is hereby adopted.
2. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

Enacted by City of Vaughan Council this 12th day of June, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 45
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedule “1” constitute Amendment Number 45 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendix “I”.

I PURPOSE

The purpose of this Amendment to the Vaughan Official Plan 2010 (VOP 2010) is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically, Volume 2, Section 13 - Site Specific Policies to permit a Funeral Home on the Subject Lands.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located on the west side of Regional Road 27, north of Highway 407, in Lots 2 and 3, Concession 9, City of Vaughan, as shown on Schedule “1” attached hereto as “Area Subject to Amendment No. 45.”

III BASIS

The decision to amend City of Vaughan Official Plan 2010 (VOP 2010) is based on the following considerations:

1. The Provincial Policy Statement 2014 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean and healthy environment. This amendment will facilitate a development that is consistent with the intent of the settlement area policies of the PPS. The proposed development provides for a combination of institutional (funeral home use) and existing open space use (cemetery use) that are compatible with the surrounding Employment Area. The proposed funeral home use will operate in conjunction with the primary cemetery use. The development minimizes land consumption by utilizing the surplus lands of the existing cemetery for the funeral home.
2. The Provincial Growth Plan, A Places to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (‘Growth Plan’) is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, and housing. The development is consistent with the policy framework of the Growth Plan as it optimizes the use of existing land supply and makes efficient use of existing infrastructure. The Subject Lands are located on Regional Road 27, a major arterial road, and are located in proximity to York Region Transit Bus Route services on Regional Roads 7 and 27. The development conforms to the Growth Plan by promoting a more efficient utilization of the Subject Lands and optimizing infrastructure including existing transit.

3. The York Region Official Plan 2010 ("YROP 2010") designates the Subject Lands as "Urban Area" by Map 1 - "Regional Structure", which permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. Official Plan Amendment File OP.18.015 is considered to be of local significance in accordance with York Region Official Plan 2010 policy 8.3.8, as the proposed Amendment does not adversely affect Regional planning policies or interests. The proposed development conforms to YROP 2010.
4. The Funeral, Burial and Cremation Services Act 2002 (the "FBCSA"), as amended on December 14, 2017, permits funeral homes, crematoriums and mausoleums to be located on cemetery lands, whereas these uses were not permitted previously by the Cemeteries Act and the Funeral Directors and Establishments Act, 2002. The proposed funeral home is intended to function collectively with existing uses on the cemetery lands. The FBCSA defines a funeral establishment as "premises established for the purpose of temporarily placing dead human bodies, and in prescribed circumstances cremated human remains, so that persons may attend and pay their respects". The implementing Official Plan and Zoning By-law will permit the proposed funeral home to be located on the cemetery lands within the "Private Open Spaces" designation of VOP 2010 and "PB2 Parkway Belt Complementary Use Zone" of Zoning By-law 1-88 and conforms to the FBCSA.
5. The Subject Lands are designated "Private Open Spaces" and a water course that transverses the site in a north/south direction is designated "Natural Areas" by Vaughan Official Plan 2010 (VOP 2010). The "Private Open Spaces" designation permits cemeteries, including the following accessory buildings and structures: mausoleums, columbaria, crematoria, chapels, and caretaker's residences, in accordance with the implementing zoning by-law.

The proposed funeral home use will be located within the "Private Open Spaces" designation on the Subject Lands. The proposed funeral home will be privately operated and will function collectively with the existing cemetery use. The funeral home will be located within a proposed 5,039 m², two-storey building that will also accommodate the permitted accessory office and chapel uses. The funeral home is a permitted use by the FBCSA on lands used for a cemetery and is considered to be accessory to the existing cemetery and compatible with the surrounding existing and planned uses. The proposed development utilizes a vacant portion of the existing cemetery and makes more efficient use of the Subject Lands. In consideration of the above, it has been demonstrated that the proposed development meets the intent of the "Private Open Spaces" policies of VOP 2010 and provides for a development that is appropriate and compatible with the surrounding area context and will have no adverse impact on the surrounding employment area use. The development conforms to VOP 2010.

6. The statutory Public Hearing was held on December 5, 2018. The recommendation of the Committee of the Whole to receive the Public Hearing report of December 5, 2018, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on December 12, 2018. Subsequently, on June 12, 2019, Vaughan Council ratified the June 4, 2019, Committee of the Whole recommendation, to approve Official Plan and Zoning By-law Amendment Files OP.18.015 and Z.18.024 (Catholic Cemeteries and Funeral Services – Archdioceses of Toronto).
7. On April 24, 2019, York Region exempted this Amendment from Regional approval, in accordance with Regional Official Plan Policy 8.3.8, as it does not adversely affect Regional planning policies or interests.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 45 to the Official Plan of the Vaughan Planning Area, hereby amends VOP 2010 by:

1. Amending Schedule 14-C “Areas Subject to Site Specific Plans” of VOP 2010 by adding the Subject Lands on Schedule “1” to this Amendment attached hereto municipally known as 7300 Regional Road 27, identified on Schedule 14-C as item 45.
2. Amending Volume 2, Section 13.1 - “Site Specific Policies” by adding the following policy to be renumbered in sequential order:

“(OPA #45) 13.1.1.45 The Lands known as 7300 Regional Road 27 are identified on Schedule 14-C as Item 45 are subject to the policies set out in Section 13.46 of this Plan.”

3. Adding the following policies to Volume 2, Section 13 - “Site Specific Policies”, and renumbering in sequential order, including a location map of the Subject Lands shown on Schedule 1:

“(OPA #45)	13.46	7300 Regional Road 27
	13.46.1	The following policy shall apply to the lands identified on Map 13.46.A
	13.46.2	In addition to Policy 9.2.2.17.b.i), respecting permitted uses in areas designated “Private Open Spaces”, a funeral home is permitted on the Subject Lands identified on Map 13.46.A.

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, and Site Development Approval, pursuant to the *Planning Act*.

VI INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

Map 13.46.A - 7200 Regional Road 27
This is Part of Schedule 13 - Land Use
To Vaughan Official Plan 2010, Volume 1



This is Schedule '1'
To Official Plan Amendment No. 45
Adopted the 12th Day Of June, 2019

File: OP.18.015
Related Files: Z.18.024, DA.18.062
Location: Part of Lot 2 and 3, Concession 9
Applicant: Catholic Cemeteries and Funeral Services
 (Archdiocese of Toronto)
City of Vaughan

Lands Subject to
Amendment No. 45

APPENDIX I

The Subject Lands are located on the west side of Regional Road 27, north of Highway 407, and are municipally known as 7300 Regional Road 27, in Lots 2 and 3, Concession 9, in the City of Vaughan.

The purpose of this Amendment is to permit a funeral home related to the existing cemetery use on the Subject Lands.

On June 12, 2019, Vaughan Council ratified the June 4, 2019, Committee of the Whole recommendation, to approve Official Plan Amendment File OP.18.015 (Catholic Cemeteries and Funeral Services – Archdiocese of Toronto) as follows:

- “1. THAT Official Plan Amendment File OP.18.015 (Catholic Cemeteries and Funeral Services - Archdiocese of Toronto) BE APPROVED, to amend the “Private Open Spaces” designation of Vaughan Official Plan 2010, Volume 1, to permit a funeral home related to the existing cemetery on the Subject Lands.
2. THAT Zoning By-law Amendment File Z.18.024 (Catholic Cemeteries and Funeral Services - Archdiocese of Toronto) BE APPROVED, to amend Zoning By-law 1-88, specifically the “PB2 Parkway Belt Complementary Use Zone”, to permit a funeral home within a two-storey, 5039 m2 building on the Subject Lands, together with site-specific zoning exceptions identified in Table 1 of this report.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.
4. THAT Site Development File DA.18.062 (Catholic Cemeteries and Funeral Services - Archdiocese of Toronto) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a two-storey, 5,039 m2 funeral home, chapel and accessory office, and 279 parking spaces:
 - a) Prior to the execution of the Letter of Undertaking:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate, signage details, and lighting plan;
 - ii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, geotechnical report, erosion and sediment control plan, Functional Servicing and Stormwater Management Report;
 - iii) The Owner shall pay the Development Engineering Department’s Site Plan fee pursuant to the Fees and Charges By-law, as amended;
 - iv) the Owner shall satisfy all requirements and obtain all necessary approvals from Toronto and Region Conservation Authority;
 - v) the Owner shall satisfy all requirements and obtain all necessary approvals from York Region; and
 - vi) the Owner shall satisfy all requirements and obtain all necessary approvals from Ministry of Transportation.”