

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, March 03, 2020

WARD: 5

**TITLE: 300 ATKINSON INC.
ZONING BY-LAW AMENDMENT FILE Z.19.028
VICINITY OF ATKINSON AVENUE AND CENTRE STREET**

FROM:

Bill Kiru, Acting 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.19.028 (300 Atkinson Inc.) for the Subject Lands shown on Attachment 1, to facilitate the development of a 2-storey Place of Worship (Synagogue), as shown on Attachments 2 to 4, with site-specific exceptions identified in Table 1.

Report Highlights

- To receive input from the public and the Committee of the Whole to facilitate the development of a 2-storey Place of Worship (Synagogue) with site-specific exceptions.
- A Zoning By-Law Amendment Application is required to permit the proposed development.
- A technical report prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.19.028 (300 Atkinson Inc.) 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

The subject lands (the 'Subject Lands') are located on the west side of Atkinson Avenue, north of Centre Street, as shown on Attachment 1. The Subject Lands form part of a larger 1.7 ha (4.2 ac) parcel of land, municipally known as 300 Atkinson Avenue. The surrounding land uses are shown on Attachment 1. The Subject Lands are currently being used as a parking lot for the existing private school, the Kamin Education Centre.

The proposed 2-storey Place of Worship (Synagogue) (the 'Development'), as shown on Attachments 2 to 4, would be accessed from a future condominium road that would be constructed through the proposed townhouse development on the remainder of the 1.7 ha (4.2 ac) parcel of land (Files OP.19.001, Z.19.002, and DA.19.083).

A Zoning By-law Amendment application has been submitted to permit the Development

The Owner has submitted Zoning By-Law Amendment File Z.19.028 (the 'Application') to amend Zoning By-law 1-88, specifically to permit site-specific zoning exceptions to the "R3 Residential Zone" as identified in Table 1 of this report.

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

- a) Date the Notice of Public Hearing was circulated: February 7, 2020

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m radius from the Subject Lands, the Rosedale North Ratepayers Association and anyone on file with the Office of the City Clerk.

Any 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. All written comments that are received will be reviewed by the Development Planning Department as input in the Application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

Previous Reports/Authority

[June 4, 2019, Committee of the Whole \(Public Hearing\) - Zoning By-Law Amendment File Z.19.002, Official Plan Amendment File OP.19.001](#)

Analysis and Options

An amendment to the Vaughan Official Plan 2010 ('VOP 2010') is required to permit the development

The Subject Lands are designated "Low-Rise Residential" by Vaughan Official Plan 2010 ('VOP 2010'). A Place of Worship is not specifically permitted in VOP 2010, however, VOP 2010 states in Section 9.2.1.10 that policies existing prior to the adoption of the plan remain in effect as they apply to places of worship until such time as any new policies are approved. Accordingly, OPA 210 - "Thornhill-Vaughan Community Plan" ('OPA 210') provides the applicable official plan policies for a Place of Worship on the Subject Lands.

Section 2.2.4.2 b) of OPA 210 states that new sites for places of worship that are not identified on Schedule "A" of OPA 210 and have a minimum lot area of 0.4 ha may be located throughout the community without an amendment to the Plan. The Section also states that new sites should be located on arterial or collector roads, preferably on a corner site, and shall require site plan approval.

The Subject Lands will have frontage on an arterial road (Atkinson Avenue) and will have a corner lot configuration through the construction of a future condominium road. However, the Subject Lands will have a total lot area of 0.07 hectares (0.17 acres) which does not conform to the Place of Worship policies of OPA 210. Therefore, a minor amendment to OPA 210 is required and will be addressed through the Official Plan Amendment application for the remainder of 300 Atkinson Avenue (File OP.19.001).

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

The Subject Lands are zoned "R3 Residential Zone" by Zoning By-law 1-88, as shown on Attachment 1. Institutional uses, such as the proposed Place of Worship (Synagogue), are permitted in all residential zones under Zoning By-law 1-88. However, the following site-specific exceptions are required to permit the Development:

Table 1

	Zoning By-law 1-88 Standard	R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone Requirements
a.	Maximum Lot Coverage	20%	32.8%
b.	Minimum Front Yard	15 m	4.1 m to a public road (Atkinson Avenue)
c.	Minimum Rear Yard	15 m	7 m

	Zoning By-law 1-88 Standard	R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone Requirements
d.	Minimum Interior Side Yard	15 m	1.7 m (North Side) 2.7 m (South Side)
e.	Minimum Landscape Strip Width Along a Roadway (Atkinson Avenue)	6.0 m	4.1 m
f.	Minimum Landscape Strip Width abutting a boundary of a Residential Zone	2.4 m	1.3 m (West Side)
g.	Minimum Visitor Parking Requirement	946 m ² x 11 spaces/100 m ² of GFA = 105 spaces	946 m ² x 0.6 spaces/100 m ² of GFA = 6 spaces
h.	Minimum Accessible Parking Requirement	1 Type A space	No Type A space

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a technical report at a future Committee of the Whole meeting.

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Consistency and Conformity with Provincial Policies, York Region and City of Vaughan Official Plan Policies	<ul style="list-style-type: none"> The Application will be reviewed in consideration of the statutory Provincial policies including the <i>Provincial Policy Statement, 2014</i> ('PPS') and a <i>Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)</i> (the 'Growth Plan') and the policies of the York Region Official Plan ('YROP'), the City of Vaughan ('VOP 2010') Official Plan and the Thornhill-Vaughan Community Plan ('OPA 210').
b.	Appropriateness of the Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> The appropriateness of the proposed amendments to the Zoning By-law will be reviewed in consideration of the existing and planned surrounding land uses, with consideration given to land use and built form compatibility, and appropriate development standards, including but not limited to:

	MATTERS TO BE REVIEWED	COMMENTS
		<ul style="list-style-type: none"> – the scale and massing of the proposed building in relation to the surrounding lands – the proposed lot size and configuration, transition and built form compatibility in relation to the immediate surrounding area – lot coverage, setbacks, landscaping and parking – the urban design policies of the Official Plan
c.	Access to the Development via a Private Common Element Road	<ul style="list-style-type: none"> • The Owner proposes to provide access to the Development through a future private condominium road off Atkinson Avenue. The private condominium road would be created through the proposed residential development located on the remaining portion of 300 Atkinson Avenue (Files OP.19.001, Z.19.002 and DA.19.083). Should the Application be approved, an Easement Agreement between the future owner of the Subject Lands and the future condominium corporation of the adjacent residential development will be required to be registered on title.
d.	Cash-in-lieu of Parkland	<ul style="list-style-type: none"> • The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-lieu of Parkland Policy, should the Applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Real Estate Department
e.	Appropriateness of the Proposed Off-site Parking	<ul style="list-style-type: none"> • The Owner proposes to address the parking deficiency with off-site parking through a private agreement with the property Owner of 18 Atkinson Avenue. The private agreement would give the proposed Place of Worship access to

	MATTERS TO BE REVIEWED	COMMENTS
		use of up to 65 parking spaces. The appropriateness of the proposed off-site parking arrangement will be analyzed through the review process.
f.	Studies and Reports	<ul style="list-style-type: none"> • The Owner has submitted the following studies and reports in support of the Application, which must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> – Arborist Report – Transportation Impact Study – Environmental Noise Assessment – Sun and Shadow Study – Sustainability Brief – Stormwater Management and Functional Servicing Report – Waste Collection Standards Checklist – Site Plan Accessibility Checklist • The requirement for additional studies/information may be identified through the development application review process.
g.	Site Development Application	<ul style="list-style-type: none"> • The Owner has submitted related Site Development File DA.19.081, which will be reviewed concurrently with the Application in consideration of, but not limited to: <ul style="list-style-type: none"> – Appropriate building and site design, built form, building elevations and materials (including upgraded and visible flanking elevations), enhanced landscaping (hard and soft), buffers and fencing – Barrier free accessibility and pedestrian connectivity throughout the Subject Lands – Proper location of visitor parking, vehicular access and internal traffic circulation (including service vehicles such as fire and garbage trucks)

	MATTERS TO BE REVIEWED	COMMENTS
		<ul style="list-style-type: none"> – Integration of the Development with the existing and future development in the community – Provision of snow storage areas – Implementation of appropriate waste collection standards – Environmental sustainability, bird friendly design and outdoor lighting – Appropriate site servicing and grading, and stormwater management <p>A comprehensive technical report to a future Committee of the Whole Meeting will be prepared to ensure that the site-specific exceptions are identified in the implementing zoning by-law to facilitate the Development, if the Application is approved.</p>
h.	Creation of Subject Lands	<ul style="list-style-type: none"> • Should the residential development on the remaining portion of 300 Atkinson Avenue be approved, a Draft Plan of Condominium (Common Element) Application and a Part Lot Control Exception Application will be required to establish the condominium tenure for the Development and create individual POTLS (parcels of tied land). The Subject Lands will become a remnant parcel through the Part Lot Control Exception Application.
i.	Sustainable Development	<ul style="list-style-type: none"> • Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the “heat island” effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if the Application is approved.

	MATTERS TO BE REVIEWED	COMMENTS
		<ul style="list-style-type: none"> In accordance with the City of Vaughan Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Overall Application Score.

Financial Impact

Not applicable.

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified 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 this Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Hearing or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Daniela DeGasperis, Planner, Development Planning, Extension 8382.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Building Elevations

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