

## Committee of the Whole (1) Report

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**DATE:** Tuesday, June 09, 2020

**WARD(s):** 5

**TITLE: CHABAD LUBAVITCH  
SITE DEVELOPMENT FILE DA.19.059  
770 CHABAD GATE  
VICINITY OF BATHURST STREET AND CHABAD GATE**

**FROM:**

Bill Kiru, Acting Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Site Development File DA.19.059 for the subject lands shown on Attachment 2. The Owner is proposing a 3-storey religious facility building (mikveh) consisting of an immersion pool and recreation rooms, and 15 additional at-grade parking spaces as shown on Attachments 3 to 5.

**Report Highlights**

- The Owner is proposing a 3-storey religious facility building (mikveh) consisting of an immersion pool and recreation rooms, and 15 additional at-grade parking spaces
- The Development Planning Department supports approval of the Site Development application as the development is consistent with Provincial policy, conforms to the York Region Official Plan and Vaughan Official Plan 2010, is a permitted use by Zoning By-law 1-88, and is compatible with the existing and planned uses in the surrounding area
- The Owner must obtain approval from the Committee of Adjustment for the necessary exceptions to Zoning By-law 1-88 identified in Table 1 of this report

**Recommendations**

1. THAT Site Development File DA.19.059 (Chabad Lubavitch) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS included in Attachment 1, to the satisfaction of the Development Planning Department, to permit the development of a 3-storey religious facility building as shown on Attachments 3 to 5.

## **Background**

The subject lands (the 'Subject Lands') shown on Attachment 2, are municipally known as 770 Chabad Gate and located on the southwest corner of Chabad Gate and York Hill Boulevard. The Subject Lands are developed with the Chabad Lubavitch Community Centre, an outdoor pool, shed and playground. A 3-storey religious facility building, known as a mikveh, is proposed south of the existing Chabad Lubavitch Community Centre building as shown on Attachment 3.

### ***A Site Development Application has been submitted to permit the Development***

The Owner has submitted Site Development File DA.19.059 (the 'Application') for the Subject Lands shown on Attachment 2, to permit a 3-storey religious facility building (mikveh) consisting of an immersion pool and recreation rooms and 15 additional at-grade parking spaces (the 'Development'), as shown on Attachments 3 to 5.

## **Previous Reports/Authority**

Not applicable

## **Analysis and Options**

### ***The Development is consistent with the Provincial Policy Statement 2020***

The Provincial Policy Statement 2020 ('PPS') provides policy direction on matters of Provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring public health and safety, and the quality of the natural and built environment are protected. In accordance with Section 3(5) of the *Planning Act*, all land use decisions in Ontario "shall be consistent with" the PPS.

The PPS, specifically Section 1.1. speaks to the goal of creating healthy, livable and safe communities by providing institutional uses to meet the long-term needs of the community. The Development is within a settlement area where land will be developed to a more intense land use that would accommodate the social needs of the surrounding community. The Development is an expansion of existing services currently provided at the Chabad Lubavitch Community Centre. The proposed religious facility building would support the religious and recreational needs of the local community; and will contribute to the overall livability of the area. The Development is consistent with the PPS.

### ***The Development conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019***

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan') guides decision making on the development of land by encouraging compact built-form, transit supportive communities, diverse land uses and a range of mixed housing types. The Growth Plan encourages population and employment growth within settlement areas and promotes the development of complete communities offering a mix of housing types, access to local amenities and connections to municipal water and

wastewater systems. Vaughan Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Subject Lands are located within a settlement area and a delineated built-up area that efficiently utilizes existing municipal water and wastewater systems. The Development makes more efficient use of land within an established residential community and improves the quality of life for residents by providing them with access to additional institutional and recreational uses. The Development is considered a social asset to the community. In consideration of the above, the Development conforms with the Growth Plan.

***The Development conforms to the York Region Official Plan 2010***

The York Region Official Plan 2010 ('YROP 2010') guides economic, environmental and community building decisions across York Region and encourages compact built form, transit supportive communities, diverse land uses, and a range of housing types.

The Subject Lands are designated 'Urban Area' on Map 1 - Regional Structure of YROP 2010. The 'Urban Area' designation permits a range of residential, commercial, employment and institutional uses. The Subject Lands are located within an established community and in proximity to a "Special Study Area" as identified by Map 11 - Transit Network of YROP 2010.

YROP 2010, specifically Section 5.2, includes policies encouraging complete and sustainable communities. Section 5.2.9 of the YROP directs institutional structures to be carefully designed, be compact in form, pedestrian-oriented and transit-supportive. The Development satisfies these objectives. The Development is compact in form utilizing an existing site as a social investment to serve the local community and contributes to the creation of a complete community. The building is oriented to be pedestrian-friendly and on-site pathways encourage active transportation links to the existing sidewalk network. Multiple building entrances also provide access to existing transit services, including a bus stop located at the southeast corner of Bathurst Street and Chabad Gate within 100 m of the Subject Lands.

***The Development conforms to the policies of Vaughan Official Plan 2010***

The Subject Lands are designated "Low-Rise Residential" by Vaughan Official Plan 2010 ('VOP 2010'). This designation permits detached house, semi-detached house, townhouses and public and private institutional buildings with a maximum building height of 3-storeys. The Development is considered a Low-Rise Building and Private Institutional Building under Section 9.2.2. and 9.2.3 of VOP 2010. The Development Planning Department is satisfied with the Development as it relates to the building mass, design and integration with the existing low-rise residential urban environment. The Development conforms to the 'Low-Rise Residential' designation.

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

The Subject Lands are zoned "RM2 Multiple Residential Zone" by Zoning By-Law 1-88, as shown on Attachment 2, subject to site-specific Exception 9(468). The "RM2 Multiple

Residential Zone” permits institutional uses. The following site-specific zoning exceptions are required to permit the Development:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>RM2 Multiple Residential Zone, subject to Site- Specific Exception 9(468) requirements</b>	<b>Proposed relief to the RM2 Multiple Residential Zone, subject to Site- Specific Exception 9(468)</b>
a.	Minimum Exterior Side Yard	15 m	4.5 m (Lonny Court)
b.	Minimum Landscape Strip Width	6 m	4.5 m (Lonny Court)
c.	Maximum Building Height	11 m	16 m (Ground floor to top of Parapet)

The “RM2 Multiple Residential Zone” permits the proposed religious facility building on the Subject Lands. The Development Planning Department can support the proposed zoning exceptions as they are considered appropriate and minor in nature.

The Owner is required to successfully obtain approval of a Minor Variance Application for the required site-specific exceptions identified in Table 1 from the Committee of Adjustment (the ‘Committee’). The Committee’s decision regarding the Minor Variance shall be final and binding. Should the Site Development application be approved, the Owner shall satisfy any conditions of approval imposed by the Committee prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in Attachment 1.

### ***The Development Planning Department supports the Development***

#### **Site Design**

The Development is proposed south of the existing Community Centre, as shown on Attachment 3 and includes a ritual bath facility (immersion pool) for religious ceremonies called a ‘mikveh’ and additional recreation rooms with a total gross floor area (‘GFA’) of 1,214 m<sup>2</sup>. The 3-storey religious facility building (mikveh) has been designed to integrate with the existing facilities on the Subject Lands. In order to respect the religious and sacred use of the mikveh, vehicular access to the new building is proposed from Lonny Court to optimize privacy for people using the facility. Barrier free access is provided to the building and will optimize connectivity to the surrounding community including the existing community centre.

#### **Proposed Parking**

The proposed 15 at-grade parking spaces meets the minimum requirement of Zoning By-law 1-88 as shown on Attachment 3. Eight parking spaces will be located south of

the Development. These parking spaces will be reserved specifically for those participating in mikveh ceremonies. The remaining 7 parking spaces are located parallel to the existing entrance driveway to the community centre. These parking spaces will be used for the additional recreational activities associated with the Development.

### Building Elevations

The façade of the Development has been designed to complement the existing urban built-form and the existing community centre. The building elevations shown on Attachment 5, include 'Desert Rose Premium Clay Brick' with horizontal bands of 'Windsor Premium Clay Brick' wrapping around each façade of the building. Stucco 'Melting Snowflake' material will be used to frame the edge of the roof and as part of the main entrance feature. The main entrance is located on the south elevation and will be treated with 'Sunrise Granada Stone'. Vertical glass panels on the east, west and north building elevations will also be used to define the building façade, complementary to the existing community centre.

### Landscape Plan

The Landscape Plan shown on Attachment 4 includes a variety of deciduous trees and shrubs to frame the Development. The parking area adjacent to the Development will be treated with extensive landscaping features to optimize privacy around the site and add to the aesthetic appeal of the Subject Lands. The plant species in proximity to the snow storage and parking areas will be salt tolerant to ensure their sustainability.

One city-owned tree on the Lonny Court right-of-way is proposed to be removed to accommodate the Development. The Owner is required to provide compensation for the tree to be removed, prior to the execution of the Site Plan Letter of Undertaking, in accordance with the Council endorsed City Tree Protection Protocol. A condition to this effect is included in Attachment 1.

### Sustainability Performance Metrics

The Applicant submitted a complete Sustainability Scoring Tool and Summary Letter ('Sustainability Metrics Package') in support of the Development. The Development achieves the Silver Sustainability Threshold Score with an Overall Application Score of 53 points and an Overall Community Score of 53 points. The Development sustainability score of 53 exceeds the City's minimum standard of 31 points.

The Development Planning Department is satisfied with the Development shown on Attachments 3 to 5. The Development Planning Department must approve the final site plan, building elevations, landscape plan, landscape cost estimate, and lightning plan prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in Attachment 1.

### ***The Development Engineering (DE) Department has no objection to the Development, subject to conditions***

The DE Department has no objection to the Development subject to the conditions included in Attachment 1.

### Water Services

The Development will be serviced for domestic and fire water servicing via connection to the existing local watermain on Lonny Court. A hydrant flow test shall demonstrate that the required fire flow can be achieved with the addition of the Development. The Owner is required to provide flow testing results, including data and analysis of the water flow testing, demonstrating the Development can be adequately serviced by the existing watermain on Lonny Court. The water meter and backflow preventor will be housed within the building.

### Sanitary Services

Sanitary servicing is proposed for the Subject Lands by a sanitary sewer from Lonny Court. No capacity constraints are anticipated within the sewer with the addition of the Development.

### Storm Sewer System and Stormwater Management

On-site stormwater flows will be captured and conveyed to a private, on-site stormwater tank allowing for stormwater infiltration and quality control. An orifice tube control will be installed on the downstream end of the tank to provide quantity control for all storms up to the 1:100-year event. Small portions of the eastern edge of the Subject Lands drain uncontrolled onto the Lonny Court road allowance; however, the overall site release rate is acceptable. Maintenance of the stormwater tank and related quantity and quality control infrastructure is the responsibility of the Owner in perpetuity.

### Erosion and Sediment Control

Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with "Erosion and Sediment Control Guideline for Urban Construction, December 2006".

### ***Development Charges are applicable for the Development***

The Financial Planning and Development Finance Department has advised that the Owner shall pay all applicable Development Charges in accordance with the Development Charges By-Laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.

### ***The Environmental Services Department, Solid Waste Management Division has no objection to the Development***

The Environmental Services Department has no objection to the Development. The proposed waste storage area is located internal to the building and is designed in accordance with the City of Vaughan Waste Collection Design Standards. The hard surface apron adjacent to the internal garbage room shall be constructed using concrete for durability purposes.

***The Fire and Rescue Services Department has no objection to the Development***

The Fire and Rescue Services Department has no objection to the Development, subject to the adequate provisions for fire safety and protection being provided in accordance with the *Ontario Building Code*. The Owner shall install automatic gate controllers upon the activation of a fire alarm for ease of access to the Subject Lands. All hydrants shall be unobstructed and ready for use.

***Alectra Corporation, Enbridge Distribution Inc. and Bell Canada have no objection to the Development***

The above noted utilities have no objection to the Development, subject to the Owner coordinating servicing connections, easements and locates with the above noted utilities prior to commencement of any site works.

***Canada Post has no objection to the Development, subject to conditions***

Canada Post has no objection to the Development.

**Financial Impact**

There are no requirement for new funding associated with this report.

**Broader Regional Impacts/Considerations**

The York Region Community Planning Department has no objection to the approval of the Development.

**Conclusion**

Site Development File DA.19.059 has been reviewed in consideration of the applicable Provincial policies, the policies of YROP 2010 and VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies and the surrounding area context. The Development shown on Attachments 3 to 5 is consistent with Provincial policies and conforms to the YROP 2010 and VOP 2010. The Development Planning Department is satisfied that the Development is appropriate and compatible with the existing and permitted uses in the surrounding area. The required Committee of Adjustment Minor Variance Application for the exceptions to Zoning By-law 1-88 shall be final and binding prior to final approval of the Development.

The Development Planning Department supports the approval of Site Development File DA.19.059. Should Council approve the Application, conditions of approval are included in the Recommendations section of this report and in Attachment 1.

**For more information**, please contact: OluwaKemi Apanisile, Planner, at extension 8210

**Attachments**

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Site Plan
4. Landscape Plan
5. Building Elevations

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