

Committee of the Whole (1) Report

DATE: Tuesday, November 02, 2021

WARD: 5

TITLE: LEVI JACOBSON

SITE DEVELOPMENT FILE DA.17.008

1252 CENTRE STREET

VICINITY OF CENTRE STREET AND VAUGHAN BOULEVARD

FROM:

Haiqing Xu, Deputy City Manager Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.17.008 for the subject lands shown on Attachment 2. The Owner proposes to develop the subject lands with a two-storey place of worship (synagogue and associated primary worship school), as shown on Attachments 3 to 6.

Report Highlights

- The Owner proposes to develop the subject lands with a two-storey place of worship (synagogue and associated primary worship school)
- The existing zoning for the subject lands permits the proposed uses
- The Development Planning Department supports the approval of the application as it is consistent with the Provincial Policy Statement 2020 and conforms to the Growth Plan 2020, as amended, the York Region Official Plan 2010, Vaughan Official Plan 2010 and is compatible with the existing and planned land 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.17.008 (Levi Jacobson) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS OF SITE PLAN APPROVAL included in Attachment 1, to the satisfaction of the Development Planning Department, to permit a two-storey place (synagogue and associated primary worship school) having a total GFA of 1,014.20 m², as shown on Attachments 3 to 6.

Background

The subject lands (the 'Subject Lands') are municipally known as 1252 Centre Street and are currently developed with a residential dwelling. The surrounding land uses are shown on Attachment 2.

Previous Reports/Authority.

Not applicable

Analysis and Options

A Site Development Application has been submitted to permit the proposed development

Levi Jacobson (the 'Owner') has submitted Site Development File DA.17.008 (the 'Application') for the Subject Lands shown on Attachment 2, to permit a 2-storey, 1,014.20 m² place of worship (synagogue and associated primary worship school) (the 'Development') as shown on Attachments 3 to 6.

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement 2020 (the 'PPS'). The PPS provides policy directions on matters of provincial interest related to land use planning and development which ensures public health and safety and the quality of the natural and built environment are protected. Key policy objectives include building strong, healthy communities, the wise use and management of resources, and protecting public health and safety.

The Development would utilize an existing site on the north side of Centre Street, which is identified in the Vaughan Official Plan 2010 ('VOP 2010') as a "Regional Intensification Corridor" and "Major Arterial (Regional) Road" on Schedule 1 and Schedule 9, respectively. Centre Street is developed with a rapid transit busway along this corridor.

The Development would provide an institutional use that complements and is compatible with the planned uses within the Centre Street Corridor. The Subject Lands can be serviced with the existing servicing and infrastructure in the area. In consideration of the above, the Development is consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020, as amended

The Growth Plan for the Greater Golden Horseshoe 2020 (the ‘Growth Plan’) as amended, guides decisions on a range of issues, including economic development, land-use planning, urban form, and housing. 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 the Development is consistent with the policy framework of the Growth Plan, specifically Policy 2.2.1.2 regarding focused growth within locations with existing and higher order transit, as well as Policy 2.2.1 4 a) supporting the achievement of complete communities that feature a diverse mix of land uses and convenient access to local and public service facilities that improve the overall quality of life within the community. The Development proposes re-development of an existing underutilized serviced residential lot in the Centre Street Corridor for an institutional use to benefit the surrounding community. The Development conforms to the Growth Plan.

The Development conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 (‘YROP’) provides guidance on economic, environmental and community building decisions for York Region and indicates how York Region will accommodate future growth and development while meeting the needs of existing residents and businesses.

The Subject Lands are designated “Urban Area” by YROP 2010. This designation permits a range of residential, industrial, commercial, and institutional uses. The policies of Section 5.2 of the YROP 2010 provide for the development of complete well-designed communities, designed to be sustainable with integrated greenspace, pedestrian, and transit networks with a variety of housing, transportation, human services, and employment options. Section 5.2.9 indicates that retail, commercial and institutional structures be carefully designed in a compact form and be pedestrian-oriented, transit-supportive, and multi-storey where appropriate. Section 5.2.10 a) encourages reduced minimum and maximum parking standards that reflect the walking distance to transit and complementary uses and Section 5.2.10 d) encourages site design that orients the main building entrance to face the public street with surface parking behind the main building entrance and the street.

The YROP 2010 identifies Centre Street, west of Bathurst Street as a “Regional Corridor” and more specifically a “Regional Rapid Transit Corridor” on Map 11 Transit Network of the YROP 2010. The Development will efficiently utilize the Subject Lands and optimize servicing and transit infrastructure along the Centre Street Corridor. The Development is compatible with and supports planned uses for the area and the Development conforms to the YROP.

The Development conforms to Vaughan Official Plan 2010 (VOP 2010) Area Specific policies for the Centre Street Corridor (Chapter 12.9)

The Vaughan Official Plan 2010 (VOP 2010) Area Specific policies for the Centre Street Corridor Area (Chapter 12.9) apply to the Subject Lands located on the north side of

Centre Street between Concord Road and New Westminster Drive. These policies were appealed to the Ontario Municipal Board, now the Ontario Land Tribunal (the 'OLT'), by some of the landowners within the corridor. The Owner of the Subject Lands did not participate in the appeals.

The OLT on May 12, 2021, considered the appeals of the Centre Street Corridor Area policies on lands located on the north side of Centre Street, between Concord Road and New Westminster Drive. The appellants presented to the OLT that the Centre Street Corridor Area policies as adopted by Council in 2013, did not reflect the evolution of provincial and regional policies and the City's approach to accommodating growth with appropriate height, density, and mixed uses along transit corridors, while protecting adjacent low-rise neighbourhoods, in pursuit of complete communities. Although the Owner of the Subject Lands did not appeal the Centre Street Corridor Area policies, the appeal of these policies by the adjacent owner to the west, applied to the entire block between Concord Road and Vaughan Boulevard and the Subject Lands were captured by that Centre Street Corridor Area policy appeal as noted in the OLT decision.

The Centre Street Corridor Area policies include urban design policies, additional land use designations, increased building heights and densities to support intensification within the Centre Street Corridor. The policies designate the Subject Lands "Mid-Rise Mixed-Use B" and permit institutional uses within low and mid-rise buildings and in public or private institutional buildings. The OLT decision approved a maximum building height of 9-storeys and a maximum Floor Space Index ('FSI') of 3.8 FSI for the section of Centre Street where the Subject Lands are located.

The Development conforms with the Centre Street Corridor Area maximum permitted height and density, with the maximum proposed building height being 13.9 m (2-storeys) and density of 0.5 FSI times the area of the lot.

The Development conforms to the Centre Street Corridor Area Urban Design Policies requiring the building to be located close to the street with an active façade, main entrance facing the street and all parking located behind the front wall of the building. A landscape buffer is located at the rear property line and the building setback is more than 7.5 m from the rear property line to buffer the impacts of the Development on the existing low-rise residential properties to the north. The Development maintains a 45-degree angular plane with the residential properties to the north.

Site access is from an existing driveway on Centre Street. Some surface parking is provided under the cantilevered portion of the building and the remainder is located behind the building. There is an open terrace above a portion of the first floor at the rear of the building.

The bus rapid transit way along Centre Street limits turning movements onto Centre Street in this area. The Centre Street Corridor Area policies provide opportunities for shared driveway accesses, and reciprocal easements to implement an east-west laneway linking the rear of the properties to Vaughan Boulevard. The rear area of the Subject Lands is designed to accommodate future shared driveway access with the adjacent properties. Shared access can be implemented through the site plan approval process, easements, and development agreements between adjacent landowners to facilitate coordinated development and equitable cost sharing for the future rear laneway or any future servicing or other common rights-of-way. The Development conforms to the VOP 2010 policies.

Site-specific exceptions to the existing R3 Residential Zone are required to permit the Development

The Subject Lands are within the “R3 Residential Zone” and subject to site-specific Exception 9(776). A place of worship is permitted as an Institutional Use within all zones in Zoning By-law 1-88. The Owner proposes the following exceptions in Table 1 to implement the Development:

Table 1:

	Zoning By-law 1-88 Standard	Zoning By-law 1-88 Requirement of the R3 Residential Subject to Exception 9(776)	Proposed Exceptions to R3 Residential Subject to Exception 9(776)
a.	Minimum Front and Side Yard Setbacks	15 m	6 m - Centre Street 3 m - East Side Yard 4.93 m - West Side Yard
b.	Minimum Parking Requirements Place of Worship	<u>Place of Worship</u> 1014.2 m ² @ 11 spaces per 100 m ² Total Parking Required = 112 spaces	<u>Place of Worship</u> 1014.2 m ² @ 2.56 spaces per 100 m ² Total Parking Provided = 26 spaces
c.	Minimum Front Yard Setback to Exterior Stairs (Centre Street)	13.2 m	4.73 m (Centre Street)
d.	Maximum Lot Coverage	20%	32.28%

	Zoning By-law 1-88 Standard	Zoning By-law 1-88 Requirement of the R3 Residential Subject to Exception 9(776)	Proposed Exceptions to R3 Residential Subject to Exception 9(776)
e.	Maximum Building Height	11 m	13.9 m
f.	Minimum Landscape Strip Width (Centre Street)	6.0 m	3.84 m

The Development Planning Department can support the requested exceptions identified in Table 1 as they are considered to be minor, consistent with the planned land uses and conform to the Centre Street Corridor Area Specific Urban Design policies of the VOP 2010.

Setbacks and Yard Encroachments

Zoning By-law 1-88 permits institutional uses within residential zones subject to 15 m setbacks to all lot lines. The redevelopment of this section of Centre Street to more intensive compact urban form uses is planned through the Centre Street Corridor Area Specific Policies of VOP 2010 and requires buildings be located close to the street line. The Centre Street road widening to accommodate the York Region bus rapid transitway further reduced the depth of front yards of all properties on the north side of Centre Street.

The Development provides a 6 m front yard setback that includes the main entry stairs/accessibility ramp encroachment within this setback. The setback is supported by the Centre Street Corridor Area Specific Policies of VOP 2010 for pedestrian friendly connections between the building and the street and achieves the streetscape envisioned by VOP 2010. York Region is satisfied with the proposed site design relative to Centre Street.

Exceptions to the side yard setbacks are required to accommodate the Development fully utilizing the Subject Lands. A 4.93 m setback to the west property line is proposed. The vacant property to the west is zoned C1 Restricted Commercial Zone and is subject to site-specific exception 9(1300). It will be re-developed in accordance with the approved Centre Street Corridor Area Specific Policies of VOP 2010.

The Development proposes a 3 m east side yard setback. The property to the east is zoned "R3 Residential Three Zone" with a site-specific exception permitting a day nursery use and a reduced west side yard setback of 4.11 m to existing exterior stairs. Future redevelopment of that property will be in accordance with the approved Centre Street Corridor Area Specific Policies of VOP 2010.

Landscape Strips and Encroachments

The Landscape Plan shown on Attachment 4 illustrates that the stairs/ramp will not impact the Region's pedestrian walkways and planters. A 6 m landscape strip is required abutting the street line however, the proposed stairs/accessibility ramp to the front entrance are located 4.38 m from the street line and encroach within the 6 m landscape strip. The reduced landscape strip and the encroachment implement the streetscape envisioned by the approved Centre Street Corridor Area Specific Policies of VOP 2010.

Lot Coverage

The site-specific provisions of Exception 9(776) for the "R3 Residential Zone" permit a maximum 30% lot coverage for a residential use and a maximum 20% lot coverage for an Institutional Use within this zone. The proposed site design has a lot coverage of 32.28%. The lot coverage exceeds requirements of Zoning By-law 1-88, however the zoning along this section of Centre Street has not been updated to reflect the proposed uses and development approved through the Centre Street Corridor Area Specific Policies of VOP 2010, that permits development on the Subject Lands and the adjacent lands in this area of Centre Street to redevelop with a building height up to 9-storeys and density up to 3.8 FSI.

The Development yields a density of 0.5 FSI and conforms to Centre Street Corridor Area policies of VOP 2010. A variance for lot coverage at 32.28% can be supported for this Application to implement the VOP 2010 policy framework for the intensification of development along the Centre Street Corridor.

Parking

A total of 26 parking spaces including 5 barrier free spaces are proposed whereas, Zoning By-law 1-88 requires a total of 112 parking spaces, using a parking ratio of 11 spaces per 100 m² of gross floor area (GFA) for the entire 1014.2 m² building. The Owner provided confirmation that the building contains 512.9 m² devoted to a worship area with fixed seating for 240 people and 492.8 m² devoted to the primary worship school and that these uses do not operate simultaneously. A Parking Justification Study and Site Entrance/Loading Requirements Report by Tranplan Associates, dated December 2016, updated, August 22, 2017, and further updated January 28, 2019 concludes 26 parking spaces would adequately meet the expected Normal Peak Demand Rate based on the space allocations for the Site Plan. The Transportation Division of the Development Engineering ('DE') Department concurs with the Parking Justification Study.

The site design adequately accommodates standard truck turning movements to facilitate private garbage collection on site and collection will not impact the availability of parking spaces.

Committee of Adjustment Approval is required prior to the execution of the Site Plan Agreement to implement the Development

The Owner will be required to successfully obtain approval of a Minor Variance Application for the required relief to the Zoning By-law 1-88 requirements, identified in Table 1 of this report, from the Committee of Adjustment (the 'Committee').

The Committee's decision shall be final and binding. Should the Minor Variance Application be approved, the Owner shall satisfy any conditions of approval imposed by the Committee prior to the execution of the Site Plan Agreement. A condition to this effect is included in Attachment 1.

The Development Planning Department supports the Development Site Plan

The proposed site plan is shown on Attachment 3 and includes a two-storey (13.9 m) building with a flat roof cantilevered over the two-way driveway. Surface parking is located along the west side of the driveway, and at the rear of the site. The main building entrance and two classrooms are on the lower level and the second level includes 2 classrooms, a recreation room, and a worship space with 240 fixed seats. The primary building materials are porcelain tile cladding and brick cladding, as shown on Attachments 5 and 6.

The driveway location was reviewed by York Region to ensure consistency with the Centre Street bus rapid transitway and streetscape elements. The bus rapid transitway is complete and access to Centre Street, is via right-in/right-out movements. The design of the rear parking area provides the opportunity for future vehicular connections through the rear of the adjacent properties.

The Owner is aware that an easement along the rear of the property to implement a future east-west laneway envisioned by the Area Specific Policies of the VOP 2010 policies for the Centre Street Corridor will be required in the future when the adjacent properties redevelop.

The Cultural Heritage Division of the Development Planning Department has requested that a condition be included in the Site Plan Agreement regarding the Owner's obligation to immediately notify the Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department in the event archaeological resources are found on the property during grading or construction activities and to cease all grading or construction activities. The Owner's is obligated to notify the York Region Police and the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services should human remains be encountered during grading and construction. A condition to this effect is included in Attachment 1 of this report- Conditions of Site Plan Approval.

The Development Planning Department is generally satisfied with the proposed development. Final plans including site plan, building elevations, landscape plans, signage details, lighting plan and Tree Preservation Plan shall be to the satisfaction of the Development Planning Department. The Owner shall contact the Forestry

Operations Division of the Transportation Services, Parks and Forestry Operations Department once the tree protection measures have been installed for inspection and approval according to City specifications. Conditions to this effect are included in Attachment 1 of this report.

The Development Engineering (DE) Department has no objection to the Development, subject to Conditions of Site Plan Approval

The DE Department is generally satisfied with the proposal and shall approve the final grading plan, servicing plan, erosion and sediment control plan, and the Servicing and Stormwater Management Design Brief prior to the execution of the Site Plan Agreement. The Environmental Site Assessment ('ESA') report does not identify any areas of potential environmental concern. Prior to the execution of the Site Plan Agreement, the Owner shall facilitate the removal of a redundant north-south drainage easement along the east property line at the Owner's expense and shall provide a solicitor's certificate of title together with other evidence as required by the City to confirm the removal of the easement. A condition to this effect has been included in Attachment 1.

The Owner shall also agree in the Site Plan Agreement to maintain the stormwater management infrastructure proposed along the east property line up to limits of the Centre Street right-of-way and ensure the infrastructure is operating and maintained in perpetuity as identified on the Site Servicing Plan prepared by Masongsong Associates Limited and final approved by the Development Engineering Department. A condition to this effect has been included in Attachment 1.

The Transportation Division has no concerns with the proposed access to the Subject Lands, subject to York Region approval and subject to waste collection services occurring outside the hours of operation for the worship school. A condition to this effect has been included in Attachment 1.

Environmental Services Department, Solid Waste Management Division ('ESD') has no objection to the Development

ESD has reviewed the Development and is satisfied with the proposed waste storage and collection arrangements for the site.

Financial Planning and Development Finance ('Finance') Department has no objection to the Development

The Finance Department has indicated that no cash-in-lieu is payable as the Cash-in-Lieu By-law exempts the proposed institutional use.

Development charges are payable in accordance with the Development Charges By-laws of the City of Vaughan, Region of York Region District School Board and the York Catholic District School Board and a condition is included as a standard condition in the Site Plan Agreement.

Alectra Utilities Corporation, Enbridge Gas, Canada Post

Alectra Utilities Corporation, Enbridge Gas and Canada Post has no objection to the Development and has advised that the Owner must contact them prior to construction.

Financial Impact

There are no requirements for new funding associated with the report.

Broader Regional Impacts/Considerations

York Region reviewed the proposal and has no objection to the Development subject to the Owner addressing all technical conditions required by York Region and all financial requirements and securities related to York Region's approval of this application. A condition to this effect is included in Attachment 1 of this report.

Conclusion

The Development Planning Department has reviewed Site Development File DA.17.008 in consideration of the applicable Provincial Policies, York Region and VOP 2010 and the policies of the Centre Street Corridor Study as approved by the OLT, the requirements of Zoning By-law 1-88; comments from City Departments and external public agencies; and the area context. The proposed Development is permitted by the Official Plan and the proposed use complies with Zoning By-law 1-88. Site-specific zoning exceptions are required to facilitate the development and must be approved through the Committee of Adjustment. The Development Planning Department is satisfied the proposed building is compatible with the planned surrounding lands uses and can support the approval of Site Development File DA.17.008 subject to the Recommendation in this report and the Conditions of Site Plan Approval included in Attachment 1.

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

Attachments

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Site Plan
4. Landscape Plan
5. Elevations – South and West
6. Elevations – North and East

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Approved by

A handwritten signature in black ink, appearing to read 'Haiqing'.

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Reviewed by

A handwritten signature in black ink, appearing to read 'Nick Spensieri'.

Nick Spensieri, City Manager