

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 6, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 25, as follows:

By approving the following:

- 1) That the recommendations contained in the report of the Commissioner of Planning and the Director of Development Planning, dated June 18, 2013, be approved; and***
- 2) That Communication C12 from Councillor Carella, dated June 19, 2013 reciting the terms of agreement amongst the applicant and neighbouring residents as follows:***

That at the applicant's expense, a wood privacy fence reflecting City standards and by-law requirements will be constructed along the applicant's side of the property line abutting the neighbour to the north, said fence to be approximately six (6) feet in height from the western end of the property to a front of the dwelling on site, and from there approximately four (4) feet to the property line;

That at the applicant's expense, coniferous trees will be planted to the satisfaction of city staff along the north side of the subject property at no closer than four (4) feet to the above-referenced fence to ensure greater privacy for the neighbour to the north. Coniferous trees will be clustered in such a manner to provide screening for the patio on the neighbouring property;

That in respect of the matter of an application to be made to the Committee of Adjustment for a variance in the setback of the on-site dwelling from the northern property line, the neighbour to the north (Torelli) agrees not to object to the revised setback, and to enlist the support of other residents of the street for the variance; and

That separate and apart from the foregoing, and at the invitation of the local councillor, Public Works staff will attend an on-site meeting to discuss with the applicant and neighbours the condition of City infrastructure of concern to the local residents;

That this agreement be as part of the public record of this site plan application

be received for the public record; and

- 3) By receiving Communication C8, from the Commissioner of Planning, dated June 20, 2013, be received.***

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SITE DEVELOPMENT FILE DA.12.049

BRENT & LOIS PEEBLES

WARD 2 - VICINITY OF REGIONAL ROAD #27 AND SIMMONS STREET

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of June 25, 2013, to allow the applicant to meet as soon as possible with the local Councillor, interested local residents, and staff as appropriate, to discuss arrangements regarding parking, times of operation, etc., to be incorporated into a site development agreement and be to the reasonable satisfaction of all parties;**
- 2) That the following deputations be received:**
 - 1. Mr. Vincenzo Torelli, Simmons Street, Woodbridge;**

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2. **Mr. Eduard Krasnokvtsky, Simmons Street, Woodbridge;**
3. **Mr. Edward Evans, Simmons Street, Woodbridge;**
4. **Mr. Brent Peebles, Plymouth Brethren Christian Church, Jeffcoat Drive, Toronto, applicant; and**
5. **Mr. Matthew Corney, Plymouth Brethren Christian Church; and**

3) That the following Communications be received:

- C7 Mr. Tony Di Benedetto, Di Benedetto Lane, Woodbridge, dated June 17, 2013; and**
C10 Mr. Salvatore Grassa, dated June 18, 2013.

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Site Development File DA.12.049 (Brent & Lois Peebles) BE APPROVED, to permit the conversion of an existing detached residential dwelling to a Place of Worship (*Plymouth Brethren Church*), as shown on Attachments #3 to #6 inclusive, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, landscape plan and landscape cost estimate shall be approved by the Vaughan Development Planning Department; and,
 - ii) the Owner shall apply for a Minor Variance Application, which shall be approved by the Vaughan Committee of Adjustment to facilitate the required exception to Zoning By-law 1-88 identified in Table 1 of this report, and the Committee's decision shall be final and binding.

Contribution to Sustainability

The application implements the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment.

Objective 2.3: To create a City with sustainable built form.

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive.

Objective 4.1: To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the development:

- i) use of drought resistant planting and native species;
- ii) permeable pavers will be utilized on select areas of the site to reduce run-off and increase site permeability; and,
- iii) use of a high efficiency furnace, lighting, low flush toilets, energy efficient windows, and replacement of the roof with extra R-28 insulation in the ceiling.

Economic Impact

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

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Communications Plan

N/A

Purpose

The Owner has submitted Site Development File DA.12.049 on the subject lands shown on Attachments #1 and #2, to permit the conversion of an existing detached residential dwelling to a Place of Worship, as shown on Attachments #3 to #6 inclusive.

Background - Analysis and Options

Location

The 4329.06 m² subject lands shown on Attachments #1 and #2, municipally known as 30 Simmons Street, are located west of Regional Road #27, south of Rutherford Road. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated “Hamlet” within the Elder Mills area by in-effect OPA #600. The “Hamlet” designation permits small scale institutional uses designed to serve the hamlet and surrounding area. The current size of the church’s congregation is 35 people, whereas, the maximum building capacity is 50 people and the on-site sewage system is designed to serve a maximum of 60 people. The proposed institutional use conforms to the in-effect Official Plan.

The lands are designated “Low-Rise Residential” by the City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The “Low-Rise Residential” designation permits public and private institutional buildings, and therefore, the proposed use conforms to the Official Plan.

Zoning

The subject lands are zoned RR Rural Residential Zone by Zoning By-law 1-88, as shown on Attachment #2. The site is currently developed with an existing detached one-storey residential dwelling. A Place of Worship use is permitted as-of-right in all Residential Zones.

The following site-specific zoning exception to the RR Rural Residential Zone is required to permit the proposed use:

Table 1:

	By-law Standard	By-law 1-88, RR Rural Residential Zone Requirements	Proposed Exception to the RR Zone
a.	Minimum Yard Requirement for Institutional Use (Place of Worship)	All Yards - 15 m	5.28 m Existing Interior Side Yard (North)

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The proposed Place of Worship (Institutional use) has a minimum 15 m setback from each property line, except the north lot line, which is 5.28 m and represent an existing situation. The proposed variance is required to recognize and maintain the existing building on the subject lands. No changes are proposed to the building location or size.

The Development Planning Department supports the above noted variance to facilitate the proposed conversion from a residential dwelling to a Place of Worship. The Owner is required to submit a Minor Variance Application to the Vaughan Committee of Adjustment to address this variance, and the Committee's decision must be final and binding, prior to the execution of the implementing Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

Site Plan Review

The Owner is proposing to convert the existing one-storey residential dwelling into a Place of Worship. The interior space will include a meeting hall, lobby and washrooms. The basement will remain unused.

The Place of Worship will not include any signage, and no one will reside in the building, nor will any other activities associated with a church be carried out within the building. The hours of operation will consist of Sunday morning communion from 5:30 - 7:00 am, Sunday evening gospel preaching from 5:00 - 6:00 pm, and Monday evening prayer from 7:00 - 8:00 pm. The maximum size of the congregation is 50 people.

The existing building façade will not change, however, a new front entrance will be incorporated into the front (east) elevation of the building (Attachment #5). Additional parking to accommodate the congregation is also proposed as shown on Attachments #3 and #4. A total of 17 parking spaces are proposed for the use, which meets the requirements of Zoning By-law 1-88. Two (2) of these spaces (including the required barrier free parking space) are located within the existing garage, together with the recycling and garbage storage bins. The garbage storage area is located in the existing garage and has been approved by the Vaughan Public Works Department.

The landscape plan (Attachment #4) consists of deciduous trees, shrubs, flowers, groundcover and grasses. Two existing trees on the property will be protected. The landscape plan includes additional planting within the required 6 m wide landscape strip abutting Simmons Street and a landscaped pedestrian walkway constructed of permeable pavers is proposed from the parking area to the front entrance of the building. Six coniferous trees will also be added at the north end of the property adjacent to the proposed parking area to screen car headlights from the neighbouring residential property.

The Development Planning Department is satisfied with the proposed site plan, landscape plan, and building elevations, subject to the conditions in the recommendation of this report.

Vaughan Development/Transportation Engineering Department

The Development/Transportation Engineering has approved the Site Servicing, Grading and Stormwater Management Plan.

Vaughan Building Standards Department

An assessment report was prepared by Gunnell Engineering Ltd. dated January 7, 2013, for the existing on-site sewage system with regards to the change in use from the existing single family dwelling to a Place of Worship (without a kitchen), and with a maximum occupancy of 50 attendees on any day. The report concludes that the proposed use and the existing on-site sewage system will meet the requirements of the Ontario Building Code. The report has been reviewed and is satisfactory to the Building Standards Department.

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Canadian Pacific Railway (CPR)

The subject lands abut the Canadian Pacific Railway (CPR) to the south. CPR has reviewed the proposed development and has advised they have no objections as the building setback to the railway remains unchanged.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report, specifically with respect to reusing an existing building as well as the surrounding built form by using permeable pavers and drought tolerant landscaping.

ii) Manage Growth and Economic Well Being

Creating a positive environment that encourages innovation and prosperity.

The development facilitates the reuse of an existing building, and only doing interior works and upgraded works to the exterior surroundings.

Regional Implications

The Region of York Transportation and Community Planning Department has reviewed the proposed development and has no objections.

Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.12.049 in accordance with the Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the conversion of the existing residential dwelling to a Place of Worship is compatible with the surrounding land uses and satisfies the policies of the Official Plan. Accordingly, the Development Planning Department can support the approval of Site Development File DA.12.049, subject to the conditions contained in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. East & South Elevations
6. North & West Elevations

Report prepared by:

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)