

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 17, 2013

Item 18, Report No. 35, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 17, 2013, as follows:

By approving the following:

That Communication C3 from the Commissioner of Planning, dated September 9, 2013, be received.

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**SITE DEVELOPMENT FILE DA.13.022
FIRST HUNGARIAN BAPTIST CHURCH INC.
WARD 2 - VICINITY OF HIGHWAY 407 AND ISLINGTON AVENUE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated September 3, 2013, be approved;**
- 2) That the deputation of Mr. Kregg Fordyce, KFA Architects and Planners, Spadina Avenue, Toronto, be received; and**
- 3) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

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

1. THAT Site Development File DA.13.022 (First Hungarian Baptist Church Inc.) BE APPROVED, to permit the development of the subject lands with a Place of Worship, and to maintain an existing aluminum frame garage, 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, building elevations, landscape plan, subject to the red-lined revisions shown on Attachment #3 and #4, and landscape cost estimate shall be approved to the satisfaction of the Vaughan Development Planning Department and the Toronto and Region Conservation Authority;
 - ii) the final functional servicing and storm water management report, site grading and site servicing plan and sediment control plan shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
 - iii) the Owner shall enter into an engineering Development Agreement and any other agreement as required with the City of Vaughan to provide for the necessary municipal services for the proposed development;
 - iv) the final waste management plan and waste collection design standards submission shall be approved to the satisfaction of the Vaughan Public Works Department;
 - v) the Owner shall obtain all necessary permits in accordance with Ontario Regulation 166/06 from the Toronto and Region Conservation Authority;

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- vi) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department; and,
- vii) the Owner shall apply for a Minor Variance Application for the variances identified in Table 1 of this report, and the said application shall be approved by the Vaughan Committee of Adjustment and the Committee's decision shall be final and binding; and,
- b) that the Site Plan Letter of Undertaking include the provisions required by Hydro One Networks Inc. (HONI) identified in this report.

Contribution to Sustainability

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

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact.

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation.

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 proposed development:

- i) bicycle parking to support active and multi-modal transportation;
- ii) preservation of the existing natural areas and mature trees on the subject lands to maintain a highly naturalized valley area and reduce the urban heat island effect;
- iii) high-quality, two-stream side-opening waste and recycling receptacles; and,
- iv) automatic shut-off lighting to reduce light pollution and energy demands.

Economic Impact

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

Communications Plan

On August 19, 2013, a notice advising that the subject application will be considered at a Vaughan Committee of the Whole meeting on September 3, 2013, was circulated to the following:

- i) Jim Okawa, Project Manager, YYZed Project Management, Agent representing the landowner of 7397 Islington Avenue (abutting property to the north);
- ii) Clara Astolfo, President, Vaughanwood Ratepayers' Association; and,
- iii) Mr. and Mrs. Vendramini, Timber Lane, abutting landowners to the northeast corner.

On August 20, 2013, Vaughan Development Planning Department received correspondence, via email, from Mr. and Mrs. Vendramini, respecting the following concerns:

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- i) location of the parking lot, specifically the parking space abutting the Vendramini's southerly property line and the planting of additional trees on the south side of the Vendramini's property line to ensure privacy is maintained
- ii) relocation of the proposed retaining wall to ensure it aligns with the Vendramini's southerly property line and the southerly boundary of the abutting property to the north; and,
- iii) the grading closest to the Vendramini's property shall not be changed and will not affect water drainage.

The Development Planning Department has reviewed the above-noted concerns and provides the following response:

- i) The Owner is proposing to maintain existing trees on the subject lands, and to plant 12 coniferous trees, at a height of 2.5 m, along the easterly (rear) property line. Further, a proposed 1.8 m high wood privacy screen fence will be installed at the easterly (rear) property line, as shown on Attachment #4. In addition, the Owner has also agreed to provide a 1.8 m high wood privacy screen fence along the entirety of the north property line.
- ii) The retaining wall is only required adjacent to the parking area. The Owner is proposing to maintain a sodded area closest to the easterly (rear) property line, with additional soft landscaping. The extension of the proposed retaining wall is not necessary from a grading perspective, and will not provide any additional screening or privacy for the abutting landowner.
- iii) The existing grade closest to Mr. and Mrs. Vendramini's property will not be changed and, as a result, drainage will not be affected. Further, the proposed stormwater management plan directs water flow towards Islington Avenue and the existing drainage ditch to the south, not towards the residential area to the northeast. The final stormwater management plan must be approved by the Development/Transportation Engineering Department.

Purpose

The Owner has submitted Site Development File DA.13.022 to permit the development of a Place of Worship including an accessory residential unit to be used exclusively by the Pastor, with a total gross floor area of 1,071 m², as shown on Attachments #3 to #6 inclusive.

Background - Analysis and Options

Location

The 0.643 ha subject lands are located on the east side of Islington Avenue, north of Highway 407, and municipally known as 7379 Islington Avenue, as shown on Attachments #1 and #2. The subject lands are currently developed with a two-storey single detached dwelling and single-storey accessory structure (aluminum frame garage). The existing dwelling will be demolished to facilitate the development of the proposed Place of Worship, and the accessory structure will be maintained for storage purposes only. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Low Density Residential" (majority of site) and "Open Space" (along site frontage) by in-effect OPA #240 (Woodbridge Community Plan). OPA #240 permits Religious Institutions (Places of Worship) in all residential areas, subject to the following:

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“New places of worship may be located only on arterial or collector roads throughout the community without further amendment to this Plan.”

Islington Avenue is identified as an Arterial Road in OPA #240 (Schedule C) and therefore the use is permitted on the subject lands and conforms to in-effect OPA #240.

The subject lands are also designated “Low-Rise Mixed-Use” (majority of site) and “Natural Areas” (along site frontage) by the new City of Vaughan Official Plan 2010 (VOP 2010), as adopted by Vaughan Council on September 7, 2010, and subject to Vaughan Council modifications on September 27, 2011, March 20, 2012 and April 17, 2012, as modified and endorsed by Regional Council on June 28, 2012, and has been approved, in-part, by the Ontario Municipal Board on July 23, 2013. Section 9.2.1.10 of VOP 2010, which has not yet been approved by the Ontario Municipal Board, states the following regarding Places of Worship:

“Policies existing prior to the adoption of this Plan remain in effect as they apply to places of worship until such times as any new policies are approved.”

As the in-effect policies permits a Place of Worship use on the subject lands, this application conforms to VOP 2010.

Zoning

The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88. The institutional use (Church as defined in Zoning By-law 1-88) is permitted in the A Agricultural Zone, however, the following site-specific exceptions are required to facilitate the proposal:

Table 1: Proposed Zoning Exceptions - Institutional Use with Accessory Residential Use

	By-law Standard	By-law 1-88, A Agricultural Zone Requirements	Proposed Exceptions to the A Agricultural Zone
a.	Minimum Front Yard	15 m	West - 9.8 m
b.	Minimum Interior Side Yard	15 m	i) North - 3 m ii) South - 8.4 m to accessory structure
c.	Minimum Interior Side Yard Setback to Exterior Excavated Stairs	Excavated Stairs May Not Encroach Into Interior Side Yard	Excavated Stairs May Encroach 1.2m Into Interior Side Yard
d.	Minimum Parking Requirements	99 parking spaces: i) Church Use (870m ²) @ 11 parking spaces/100 m ² GFA = 96 spaces ii) Residential – 3 parking spaces/unit = 3 spaces	59 parking spaces

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The Development Planning Department has reviewed the above-noted exceptions to the A Agricultural Zone of Zoning By-law 1-88, and can support the approval of the requested variances. The proposed building location on the subject lands is required due to existing siting restrictions established by the Toronto and Region Conservation Authority (TRCA) and the staked top-of-slope. The proposed building is setback approximately 80 m from existing residential uses (easterly property line), and approximately 10 m from Islington Avenue. The northerly building setback of 3 m with a 1.2 m setback of the stairs are appropriate given the Ontario Municipal Board has recently approved a 3-4 storey senior's development for the abutting lands to the north. There is a hydro corridor to the south and the 8.4 m setback to the accessory structure is an existing situation. The proposed development will not have a negative impact on the surrounding land uses.

The Owner submitted a Traffic and Parking Study prepared by Cole Engineering in support of the parking reduction which has been reviewed by the Development/Transportation Engineering Department, and they concur with the recommendation found in the report that the parking supply of 59 spaces is appropriate for the proposed use.

On this basis, the Development Planning Department is of the opinion that the exceptions sought are minor in nature, meet the intent of the Official Plan and Zoning By-law 1-88, and are desirable for the appropriate development and use of the land. The Owner has advised that the deficiencies to Zoning By-law 1-88 will be addressed through a Committee of Adjustment Minor Variance Application. The Committee of Adjustment decision respecting the Minor Variance Application shall 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 develop the subject lands with a Place of Worship and maintain an existing Accessory Structure, as shown on Attachment #3. Pertinent site statistics are as follows:

Site Area:	0.643 ha
GFA of Institutional Area:	870 m ²
GFA of Residential Area (for exclusive use by the Pastor):	201 m ²
Total GFA of Place of Worship (including Mezzanine floor):	1,071 m ²
Lot Coverage:	12.2%
Total Parking Proposed:	59 Parking Spaces

The Development Planning Department has advised the applicant to widen the proposed pedestrian walkways on the site to a minimum of 1.5 m to ensure proper pedestrian accessibility and mobility. All plans must be amended to reflect this requirement.

The proposed building elevations are shown on Attachments #5 and #6. The proposed building is one-storey with a mezzanine, and is primarily comprised of natural stone, stucco EIFS treatment, and glass windows, with aluminum roofing panels. Decorative lighting is also found on the south and west elevations. The natural stone maintains an off-white/beige colour treatment, while the aluminum roofing panels will be tinted blue.

The existing grades at the westerly property line abutting Islington Avenue will not be impacted by the proposed development. The proposed building is located a distance of 9.88 m from Islington Avenue (west). According to a Traffic Impact Study prepared by Cole Engineering in support of the development, proper sight-lines will be maintained along Islington Avenue, which has been confirmed by the Region of York Transportation Department and the Vaughan Development/Transportation Engineering Department.

The proposed Place of Worship will also maintain an accessory residential unit, located on the mezzanine floor, for the exclusive use of the Pastor only. The total GFA of the residential

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component of the Place of Worship is 201 m². The Owner has advised that the Pastor will be the sole resident within the Place of Worship. The Owner is also proposing to maintain an existing aluminum frame garage as shown on Attachment #3 for storage purposes related to the Place of Worship only.

The proposed Landscape Plan is shown on Attachment #4. The southerly and easterly areas of the property currently maintains mature coniferous and deciduous trees, the majority of which are in good condition and will be preserved, as indicated on the Tree Inventory and Preservation Plan submitted by the Owner and reviewed by the Development Planning Department. The applicant is also proposing additional trees, shrubs, perennials and grasses throughout the site. Twelve (12) coniferous trees ("Colorado Spruce") at a height of 2.5 m are proposed along the entirety of the easterly property line, in addition to a 1.8 m high wood privacy fence. The existing and proposed landscaping and wood fence will mitigate any visual and noise impacts associated with the proposed development. Further, the Development Planning Department recommends that a 2.4m wide landscape strip be maintained along the north property line. The Owner has agreed to provide a 2.4 m landscape strip and buffer area along the north property line. The final landscape plan, including the revisions shown on Attachment #4, must be finalized to the satisfaction of the Development Planning Department and the Toronto and Region Conservation Authority.

A 1.5 m high retaining wall is proposed along the north property line, adjacent to the parking area (Attachment #4). Above the retaining wall, the Owner has proposed concrete planter boxes being 1.5 m wide containing various tall grasses and perennials which provides additional decorative screening. In order to address concerns raised by an adjacent landowner, the Owner has agreed to remove the existing 1.2 m high chain-link fence along the north property line, and replace it with a 1.8 m high wood privacy fence along the entirety of the north property line, as discussed in the "Communications Plan" section of this report, as shown on the red-lined Attachment #4. The proposed wood privacy fence will be adjacent to a proposed 2.4 m high wood privacy fence associated with the recently approved 3-4 storey senior's development for the abutting lands to the north. The Owner of the subject lands will be required to integrate the construction of the fence for the subject lands with the approved fence for the adjacent property to the north to the satisfaction of the Development Planning Department.

The Development Planning Department is generally satisfied with the proposed site plan, landscape plan, subject to the comments above, and building elevations and will work with the applicant to finalize the details. These plans must be finalized to the satisfaction of the Development Planning Department.

Vaughan Development/Transportation Engineering Department

The Owner has submitted a site servicing and grading plan and stormwater management report, which must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

i) Stormwater Management

The existing overland drainage system discharges from the subject site towards an existing drainage ditch running parallel with the site to the south and into an existing road ditch located on Islington Avenue. The south ditch drainage is then picked up by the existing ditch inlet catch basin at Islington Avenue and directed to Jersey Creek by way of an existing 450 mm diameter storm sewer under Islington Avenue and the ditch on the east side of Islington Avenue drains into Jersey Creek.

The Owner is proposing to implement on-site stormwater management and connect to the existing drainage system to service the site.

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ii) Sanitary Servicing

The Owner is proposing the construction of a 250 mm diameter sanitary sewer along the westerly boulevard of Islington Avenue that connects to the existing Regional trunk in order to provide service to the subject lands.

The Owner may be required to enter into a Development Agreement, if required, to satisfy all conditions, financial or otherwise, of the City with regard to the provision of municipal services. The installation of services on Islington Avenue is subject to Regional review and approval. A condition to this effect is included in the recommendation of this report.

iii) Water Servicing

The Owner is proposing a new 50 mm diameter water service connection with a valve and box connection via an existing 300 mm diameter watermain located on Islington Avenue. This proposed connection is not acceptable to the Vaughan Development/Transportation Engineering Department. A minimum watermain diameter of 150 mm is required. Water service connections which are not in place on the municipal road allowance to the property line shall be arranged for installation by the City on payment of installation costs by the Owner.

The final functional servicing and storm water management report, site grading and site servicing plan and sediment control plan must be approved by the Vaughan Development/Transportation Engineering Department.

iv) Traffic Impact and Parking Study

As noted previously, the Vaughan Development/Transportation Engineering Department has reviewed the Traffic Impact and Parking Study prepared by Cole Engineering in support of the parking supply proposed for the subject development. According to the City of Vaughan Zoning By-law 1-88, the proposed development requires a total of 99 parking, while the Parking Study recommends a total of 59 parking spaces to serve the proposed development. The parking justification report is based on the parking requirement of a similar type of facility that is operating at 157 Falkirk Street Toronto, under the same management. The Parking Study also includes a letter from the Pastor of the First Hungarian Baptist Church, which states that the congregation of the First Hungarian Baptist Church generally carpools (3 to 5 peoples in a car) to travel to and from the Place of Worship, thus requiring less parking compared to the requirement of Zoning By-law 1-88. Furthermore, the recommended parking spaces are also considered appropriate based on the preliminary findings of the City of Vaughan Draft Parking Standards completed by IBI Group.

The Vaughan Development/Transportation Engineering Department concurs with the consultant's recommendation contained in the Traffic/Parking Study and supports the overall parking reduction from 99 parking spaces to 59 spaces. Further, the subject lands maintain a single full movement access from Islington Avenue. The Transportation Planning Section concludes that the traffic generated by the proposed development would have minimal impacts to the surrounding network/intersections, specifically during the Sunday Peak Period. The development's driveway off Islington Avenue is also found adequate based on the sightline analysis, as the stopping and turning sight distances satisfies the requirement of City's Standard and Transportation Association of Canada (TAC) Guide (a Geometric Design Guide for Canadian Roads).

The Vaughan Development/Transportation Engineering Department recommended that the Owner construct a minimum of one direct pedestrian access from the existing sidewalk on Islington Avenue to the main entrance of the proposed Place of Worship. The Owner has amended the site plan (Attachment #3) to incorporate this requirement. All other plans must also be amended accordingly to reflect the required amendment.

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Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed development and supports the approval of Site Plan Application DA.13.022. Some of the proposed parking area and minor grading works are located within 15 m from the top-of-bank of the valley feature, and therefore, are within the regulated portion of the subject lands. As such, a permit under Ontario Regulation 166/06 will be required from the TRCA for these works. A condition to this effect is included in the recommendation of this report.

Hydro One Networks Inc.

Hydro One Networks Inc. (HONI) has reviewed the proposed development. As the proposed development is abutting a Hydro One high voltage transmission easement, HONI has provided the following conditions to be included in the Site Plan Letter of Undertaking:

- i) any development in conjunction with the proposed site plan must not block vehicular access to any Hydro One facilities located on the right-of-way. During construction, there will be no storage of materials or mounding of earth, snow or other debris on the right-of-way;
- ii) prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted to HONI for review and approval;
- iii) the costs of any relocations or revisions to Hydro One facilities which are necessary to accommodate this site plan would be borne by the developer;
- iv) the easement rights of Hydro One and its legal predecessors are to be protected and maintained at all times;
- v) if the property is in close proximity to a Transmission or Distribution station the following clause applies:
 - 1. Some noise from the existing Transformer/Distribution Station, which is in close proximity, may interfere with the proposed development/site. Should the developer/builder do noise tests and should the Municipality or other governing body require any type of noise attenuation infrastructure (i.e.: berms, sound walls, etc.) the costs involved will be the sole responsibility of the developer/builder. Hydro One Networks Inc. (HONI) will not be responsible for any costs involved. Please relay this to the appropriate parties.

Further, HONI advises the Owner as follows:

The transmission lines abutting this development operate at either 500,000, 230,000, or 115,000 volts. Section 188 – Proximity – of the Regulations for Construction Projections in the *Occupational Health and Safety Act*, require that no object be brought closer than 6m (20 feet) to the energized 500 kV conductor. The distance for a 230 kV conductor is 4.5 m (15 feet) and for 115 kV conductors it is 3 m (10 feet). It is the proponent's responsibility to be aware and to make all personnel on site aware that all equipment and personnel must come no closer than the distance specified in the *Occupational Health and Safety Act*. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

The proposed development does not interfere with HONI's high voltage transmission easement and is located approximately 70 m from the nearest transmission line and hydro tower.

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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 & Promote Environmental Sustainability**

Committed to protecting and enhancing the natural and built environments through the efficient use of resources.

The proposed development includes a two-stream waste disposal system which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

The proposed landscape plan includes drought tolerant plant material to promote water efficiency.

ii) **Manage Growth and Economic Well Being**

Creating a positive environment that encourages innovation and prosperity.

The proposed development facilitates the expansion of public transportation systems and alternative modes of transportation (e.g. cycling, walking, etc.).

iii) **Preserve Our Heritage & Support, Diversity, Arts & Culture**

A welcoming city that supports a vibrant arts community, with diverse heritage and cultural initiatives.

The proposed development facilitates the expansion of cultural, community and religious centres in the City of Vaughan and will serve the surrounding residential community.

Regional Implications

The Region of York has reviewed the Site Development Application and the traffic impact study submitted in support of the application. The Region of York has no concerns with the traffic impact study and has no objections to the application. The Region of York has no concerns with the sight-line distances along Islington Avenue, and concurs that there will be no traffic impact associated with this development proposal. The Owner is required to obtain all necessary approvals from the Region of York. A condition to this effect is included in the recommendation of this report.

Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.13.022 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 with the proposal to construct a Place of Worship, and to maintain an accessory structure (aluminum frame garage) for storage purposes, subject to the recommendations in this report. Should the Committee concur, the Site Development Application can be approved.

Attachments

1. Context Location Map
2. Location Map

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3. Site Plan
4. Landscape Plan
5. Elevation Plan - South and West
6. Elevations Plan - North and East

Report prepared by:

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Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)