



Staff Report for Council Meeting

Date of Meeting: May 11, 2022

Report Number: SRPI.22.051

Department: Planning and Infrastructure

Division: Development Planning

Subject: SRPI.22.051 – Request for Approval – Official Plan and Zoning By-law Amendment Applications – Richmond Hill Russian Jewish Centre – City Files D01-16001 and D02-16007 (Related File D06-16016)

Owner:

Richmond Hill Russian Jewish Centre
5987 Bathurst Street, Unit 3
Toronto, Ontario
M2R 1Z3

Agent:

Humphries Planning Group
190 Pippin Road, Suite A
Vaughan, Ontario
L4K 4X9

Location:

Legal Description: Lot 86 and Part of Lot 87, Registered Plan 2027
Municipal Addresses: 9699 Bathurst Street and 89 Stockdale Crescent

Purpose:

A request for approval concerning an Official Plan and Zoning By-law Amendment application to permit a place of worship with an associated clergy residence and day nursery on the subject lands.

Recommendations:

- a) That the Official Plan and Zoning By-law Amendment applications submitted by Richmond Hill Russian Jewish Centre for lands known as Lot 86, Part of Lot 87, Registered Plan 2027 (Municipal Addresses: 9699

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Bathurst Street and 89 Stockdale Crescent), City Files D01-16001 and D02-16007 be approved, subject to the following:

- (i) that the Neighborhood designation applicable to the subject lands be amended to permit a place of worship as outlined in Staff Report SRPI.22.047 and Appendix B to this report;**
- (ii) that the Residential Second Density (R2) Zone under By-law 2523, as amended, applicable to the subject lands be amended to permit a day nursery, a clergy residence and site specific development standards as outlined in Staff Report SRPI.22.051 and Appendix C to this report;**
- (iii) that the amending Zoning By-law be brought forward to a future Council meeting for consideration and enactment; and,**
- iv) that Council comments with respect to the applicant's Site Plan application, City File D06-16016, be referred back to staff.**

Contact Person:

Sandra DeMaria, Manager of Development, Zoning, phone number 905-747-6312
Deborah Giannetta, Manager of Development, Site Plans, phone number 905-771-5542

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

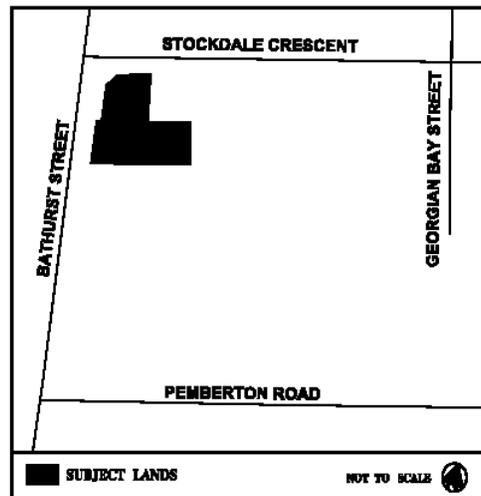
Approved by: Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

Location Map:

Below is a map displaying the property location. Should you require an alternative format call person listed under the "Contact Person" above.

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Background:

A statutory Council Public Meeting for the subject applications was held on November 9, 2016 wherein Council received Staff Report SRPRS.16.136 and directed that all comments be referred back to staff for consideration (see Appendix A). A number of comments and concerns were raised by members of the public with respect to traffic and on-street parking as well as the appropriateness/compatibility of the proposed place of worship on the subject lands.

Prior to the statutory public meeting, a Neighbourhood Resident's Meeting was hosted by the local ward Councillor on September 27, 2016. Members of the public, Planning staff, the applicant and its representatives attended the meeting. The comments identified with respect to the applicant's development proposal at the meeting were also related to increased traffic and the provision of adequate on-site parking. These matters are addressed in detail in subsequent sections of this report.

The applicant has now satisfactorily addressed all comments received from circulated City departments and external agencies related to the subject Official Plan and Zoning By-law Amendment applications and is in the process of finalizing the related Site Plan application (City File D06-16016). Accordingly, the purpose of this report is to seek Council's approval of the applicant's Official Plan and Zoning By-law Amendment applications and any comments regarding the associated Site Plan application.

Summary Analysis:

Site Location and Adjacent Uses

The subject lands are located at the southeast corner of Bathurst Street and Stockdale Crescent and have a total lot area of 0.27 hectares (0.66 acres). The lands originally formed two legal lots of record but have since merged into one lot. As presently constituted, the lands currently support two single detached dwellings that are to remain

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on the site and abut Stockdale Crescent to the north, existing residential uses to the east and south, and Bathurst Street to the west (refer to Maps 1 and 2).

Development Proposal

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit a place of worship with an associated clergy residence and a day nursery within the current structures on the subject lands. A minor building addition to one of the buildings is also proposed in order to accommodate the proposed place of worship and day nursery (refer to Map 6). The following is a summary table outlining the pertinent statistics of the applicant's development proposal based on the most recent plans and drawings submitted to the City:

- **Total Lot Area:** 0.27 hectares (0.66 acres)
- **Number of Buildings:** 2
- **Building 1 - Clergy Residence:**
 - **Building Height:** 2 storeys
 - **Gross Floor Area:** 184.5 sq. metres (1986.19 sq. feet)
- **Building 2 - Place of Worship and Day Nursery:**
 - **Building Height:** 2 Storeys
 - **Existing Gross Floor Area:** 578.7 square metres (6,229 sq. feet)
 - **Proposed Addition:** 405.8 square metres (4,458 sq. feet)
 - **Place of Worship Floor Area:** 324.5 square metres (3,493 sq. feet)
 - **Day Nursery Floor Area:** 660 square metres (7,104 sq. feet)
 - **Total Gross Floor Area:** 984.5 square metres (10,598 sq. feet)
- **Day Nursery Capacity:** 100 children
- **Proposed Parking:** 22 spaces (2 spaces in the garage of proposed Clergy Residence)
- **Proposed Lot Coverage:** 26.14%

The subject development proposes to utilize Building 1 as the clergy residence and Building 2 for the day nursery and place of worship. A two storey addition is proposed to the rear of Building 2 to accommodate the two uses. Access is to be provided from a right-in/right-out driveway to Bathurst Street as well as a secondary full moves access to Stockdale Crescent. The clergy residence access is to be provided from Stockdale Crescent with two parking spaces located within the attached garage of Building 1. Parking for the day nursery and place of worship is to be located along the Bathurst Street frontage with some additional accessible parking spaces in front of Building 2. A substantive amount of landscaping is being provided along the Bathurst Street frontage as well as the corner of Bathurst Street and Stockdale Crescent and areas adjacent to the existing residential area to the east and south (refer to Maps 5 and 6).

It should be noted that a related Site Plan application (City File D06-16016) has been submitted to the City in conjunction with the subject Official Plan and Zoning By-law Amendment applications. This application is currently under review by commenting

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departments and agencies and remaining technical matters regarding the proposal are being satisfactorily addressed through the finalization of the related Zoning By-law Amendment and Site Plan applications.

It is noted that upon initial review of the proposed development, it appears that only a Zoning By-law Amendment is required to establish the proposed Day Nursery use and site specific development standards related to setbacks, lot coverage and parking as the proposed place of worship is already permitted under the applicable **Second Density (R2) Zone** under Zoning By-law 2523, as amended. However, as a result of the required site specific development standards, conformity with the Official Plan is and an assessment of locational criteria for all uses is required and it is determined that the proposed place of worship does not meet the locational criteria as outlined in the Richmond Hill Official Plan (the Plan). On this basis, an Official Plan Amendment to exempt the site from the locational criteria is required. A more detailed analysis of the appropriateness of the site for a place of worship is described in more detail in the following sections of this report.

Planning Analysis:

York Region Official Plan (2010)

The subject lands are designated **Urban Area** in accordance with Map 1 (Regional Structure) of the Regional Official Plan (ROP) and are identified as Special Study Area for Bathurst Street/Dufferin Street North/South Rapid Transit Corridor in accordance with Map 11 of the ROP. The **Urban Area** policies permit a full range and mix of urban uses which would include the proposed day nursery and place of worship. The Region of York has advised that it has no objections to the subject development applications and has exempted the proposal from Regional approval.

City of Richmond Hill Official Plan

The subject lands are designated **Neighbourhood** in accordance with **Schedule A2 – Land Use** of the City's Official Plan (the "Plan") (refer to Map 3) which permits low-density residential uses among other uses including community uses such as a Day Nursery and place of worship as proposed by the applicant (**Policy 4.9.1.2(d)**).

Section 4.1 of the Plan identifies further criteria that Community uses are required to satisfy when located in the **Neighbourhood** designation. In this regard, the proposed Day Nursery is consistent with the locational criteria as per **Policy 4.1.1.3(b)** which requires Day Nurseries to be located along arterial streets. **Policy 4.1.1.7** of the Plan applies to Places of Worship which require these uses to be located on lands along an arterial street as well additional requirements that require a place of worship to only be located at the intersection of two arterial streets or at the intersection of an arterial street and a collector street. This policy further stipulates that consideration for a place of worship on a mid-block site of an arterial road may only be considered where it abuts the Greenway System, a park, educational facility, and/or commercial or retail use. The

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proposed place of worship is located along an arterial road. However it does not meet the additional locational criteria as stipulated in the Plan.

The intent of the locational criteria for Places of Worship is to mitigate adverse impacts on traffic and parking on adjacent uses, especially in the case of residential neighbourhoods. The subject lands form a corner lot with two access points; one from Bathurst Street and one from Stockdale Crescent. The primary access for the site will be from Bathurst Street eliminating the need for additional traffic to access the site through the existing neighbourhood. Additionally, the site is located only 200 metres north of Weldrick Road West, which is identified as a **Collector Street** on **Schedule A8** of the Plan.

Based on the size of the proposed place of worship, on-site parking can be adequately accommodated thereby reducing the potential for overflow parking on Stockdale Crescent. Furthermore, the proposed place of worship and day nursery will operate at different times of the day and week and can effectively share the proposed parking. On this basis, the proposal generally meets the intent of the applicable locational criteria policy and is not expected to have adverse impacts to the existing neighbourhood.

Further to the above, **Policy 4.1.2.2** of the Plan, encourages campusing or co-location of community uses. In this regard, the applicant is proposing to operate a day nursery and place of worship at mutually exclusive times of the day and week within the same building thereby satisfying this policy.

In accordance with **Policy 4.9.2.4** of the Plan, the proposed development is considered compatible with the surrounding neighbourhood as it maintains the existing residential character. The design of the building is low-rise single detached which is similar in scale with adjacent residential buildings. The existing pattern of setbacks, landscaping and buffer areas are appropriate and will provide adequate screening for the proposed parking areas from the street and adjacent uses.

Given all of the above, staff is of the opinion that the proposed amendment to the Plan permit the proposed place of worship and associated clergy residence is appropriate for the subject lands and constitutes good and orderly planning. The Official Plan Amendment proposed to be approved to facilitate the subject proposal is attached hereto as "Appendix B".

Zoning

The applicant's Zoning By-law Amendment application proposes to amend the **Second Density Residential (R2) Zone** under By-law 2523, as amended currently applicable to the subject lands to permit a place of worship, day nursery and associated clergy residence with site specific development standards as follows:

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| Development Standard | Residential Two (R2) Zone | Proposed Standard |
|-----------------------------------|--|---|
| Minimum Lot Frontage | 23 metres (75 feet) | Complies |
| Minimum Lot Area | 871 square metres (9375 square feet) | Complies |
| Maximum Lot Coverage | 20% | 27% |
| Maximum Building Height | 11 metres (35 feet) | Complies |
| Minimum Ground Floor Area | 1 storey: 111 square metres (1200 square feet) 1 ½ storey: 89 square metres (960 square feet) 2 nd storey: 67 square metres (720 square feet) | Combined Ground Floor area of Buildings 1 and 2: 716 square metres (7,710 square feet) |
| Minimum Front Yard | 9.1 metres (30 feet) | Complies |
| Minimum Interior Side Yard | 1.5 metres (5 feet) | Complies |
| Minimum Exterior Side Yard | 9.1 metres (30 feet) | Building 1: 8.75 metres (28.70 feet) |
| Minimum Rear Yard | 7.62 metres (25 feet) | Building 1: 1.60 metres (5.25 feet) |
| Minimum Landscaping | 10% | Complies |
| Parking Standards | Place of Worship: 10 Day Nursery: 20 Clergy Residence: 2 Total: 32 | 22 |

Planning staff has reviewed the applicant's proposal and considered it to be appropriate for the development of the subject lands. In this regard, the proposed development and site specific amendments will result in the introduction of community uses that are compatible with the surrounding area given that the proposed development largely maintains the residential character of the property and surrounding area through the built form, the provision of sufficient landscaping and buffering and location of parking along the Bathurst Street frontage. The proposed draft Zoning By-law Amendment and site specific development standards identified above are included as part of the applicant's draft Zoning By-law (refer to Appendix C).

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Given all of the above, staff is of the opinion that the applicant's Zoning By-law Amendment is appropriate for the subject lands and constitutes good and orderly planning.

Council and Public Comments:

The following is an overview of and response to the main comments and concerns expressed by the public and members of Council at the Residents Meeting held on September 27, 2016 and the Council Public Meeting held on November 9, 2016 and through written correspondence received by the City with respect to the applicant's development proposal:

Traffic and On-Street Parking

Concerns were raised regarding the potential increase in traffic in the area and on-street parking resulting from the proposed uses. In this regard, Transportation Engineering staff are satisfied that minimal traffic will be generated from the proposed uses and can be accommodated on the site by way of proper on-site circulation. Further, traffic from these uses is not anticipated to infiltrate the neighbourhood given the site is located at the corner Stockdale Crescent and Bathurst Street, at the periphery of the residential neighbourhood.

Furthermore, the applicant has submitted a Parking Study to assess the adequacy of the parking supply proposed on-site in order to accommodate peak parking demands for both the proposed day nursery and place of worship. Parking demand for the place of worship and day nursery are to be mutually exclusive and will not overlap. The daycare will not be open on weekends and on religious holidays when the place of worship will operate and there will only be weekday morning services for the place of worship between 7:00 and 8:00 a.m., which occurs before the day nursery is to open at 9:00 a.m.

Given all of the above, staff is of the opinion that the proposed development shall provide sufficient on-site parking and will not generate significant traffic to the local street network.

Compatibility

Concerns were raised respecting the compatibility of the proposed uses with the adjacent and surrounding established residential area. The proposed development seeks to retain and utilize the existing single detached dwellings. The dwelling that fronts onto Stockdale Crescent is to be used as a Clergy Residence thereby maintaining the residential uses along Stockdale Crescent. Building 2, which has direct frontage and access to Bathurst Street, is being redesigned to accommodate a minor addition yet maintaining a residential appearance (refer to Maps 8 and 9). Based on the preceding, the uses proposed are considered compatible with the adjacent and surrounding area.

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Site Plan Application

The associated Site Plan application (File D06-16016) is nearing finalization and the applicant is currently addressing the remaining minor technical comments regarding lighting, grading, servicing, traffic management during construction, identification of easements, and confirmation of sustainability commitments. Any conditions provided by circulated City departments and external agencies shall be included in the Site Plan Agreement to address any remaining concerns and staff will continue to work with the applicant to finalize Site Plan approval. The Region of York has confirmed they will be a party to the Site Plan Agreement.

City Departments and External Agency Comments:

All circulated City Departments and external agencies have indicated no objections to the Official Plan and Zoning By-law Amendment applications and/or have provided comments that can be appropriately satisfied through the related site plan application, as outlined below.

Park and Natural Heritage Planning Section

The City's Park and Natural Heritage Planning Section is satisfied with the proposed landscaping to be provided along the Bathurst Street frontage of the site and the buffer to be provided to the existing residential neighbourhood to the east and south and has no further comment.

Regional Municipality of York

The Region has provided general comments pertaining to vehicular access, traffic, boulevard treatment and servicing allocation. Access to Bathurst Street is to restricted to right in/right out movements only. York Region has requested to be a party to the future Site Plan Agreement.

Development Planning Section

Planning staff has undertaken a comprehensive review and analysis of the subject development proposal and recommends approval of the applicant's Official Plan and Zoning By-law Amendment applications on the basis of the following:

- the proposed land uses are consistent with the **Urban Area** designation of the ROP;
- the proposed day nursery and place of worship are permitted land uses of the **Neighbourhood** designation of the Plan;
- the proposed day nursery meets the locational criteria as stipulated in **Policy 4.1** of the Plan;
- the proposed place of worship and associated clergy residence is appropriately located based on its access from both Bathurst Street and Stockdale Crescent and its close proximity Weldrick Road to the south;

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- the proposed development has demonstrated adequate on-site circulation to accommodate traffic generated by the proposed day nursery and place of worship uses;
- sufficient parking is provided for the proposed uses based on the mutually exclusive use of the day nursery and place of worship on the subject lands;
- the development proposal is contextually appropriate and will serve the local community;
- the proposed development is compatible with the existing established neighbourhood by maintaining the residential character of the existing buildings; and,
- all remaining technical matters shall be addressed as part of the remaining Site Plan Application.

Financial/Staffing/Other Implications:

The recommendations of this report do not have any financial, staff or other implications.

Relationship to Council's Strategic Priorities 2020-2022:

The recommendations of this report are aligned with **Balancing Growth and Green** in recognizing the balance between economic development and environmental protection.

Climate Change Considerations:

The recommendations of this report are aligned with Council's climate change considerations in that the proposed development will utilize existing residential buildings thereby and incorporating a more efficient use of land within an existing urban area.

Conclusion:

The applicant is seeking Council's approval of its Official Plan and Zoning By-law Amendment applications to permit a place of worship with an associated day nursery and a clergy residence on its land holdings. Staff considers the submitted applications to be appropriate and to represent good planning. On the basis of the preceding, it is recommended that Council approve the subject Official Plan and Zoning By-law Amendment applications in accordance with the direction outlined in this report.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. If you require an alternative format please call contact person listed in this document.

- Appendix "A" – Extract from Council Public Meeting C#36-16 held November 9, 2016
- Appendix "B" – Official Plan Amendment
- Appendix "C" – Draft Zoning By-law Amendment

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- Map 1 – Aerial Photograph
- Map 2 – Neighbourhood Context
- Map 3 – Official Plan Designation
- Map 4 – Existing Zoning
- Map 6 – Revised Site Plan
- Map 7 – Landscape Plan
- Map 8 – East and South Elevations
- Map 9 – West and North Elevations

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Report Approval Details

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|----------------------|---|
| Document Title: | SRPI.22.051 - Request for Approval - 9699 Bathurst Street and 89 Stockdale Crescent.docx |
| Attachments: | <ul style="list-style-type: none">- Appendix A - Meeting Minutes C36-16.pdf- Appendix B - OPA 32 - FINAL.docx- Appendix C - Draft ZBA - Final.docx- Map 1 - Aerial Photo.docx- Map 2 - Neighbourhood Context.docx- Map 3 - Official Plan Designation.docx- Map 4 - Existing Zoning.docx- Map 5 - Site Plan.docx- Map 6 - Landscape Plan-.docx- Map 7 - East and South Elevation.docx- Map 8 - West and North Elevation.docx |
| Final Approval Date: | Apr 21, 2022 |

This report and all of its attachments were approved and signed as outlined below:

Gus Galanis - Apr 20, 2022 - 5:18 PM

Kelvin Kwan - Apr 20, 2022 - 7:06 PM

Darlene Joslin - Apr 21, 2022 - 7:49 AM