

COMMITTEE OF THE WHOLE AUGUST 20, 2001

**SITE DEVELOPMENT APPLICATION
MEMORIAL GARDENS (ONTARIO) LIMITED
FILE: DA.01.014**

Recommendation

The Commissioner of Planning recommends:

THAT Site Development Application DA.01.014 (Memorial Gardens (Ontario) Limited) BE APPROVED, subject to the following conditions:

1. That prior to the execution of the site plan agreement:
 - a) the final site plan shall be approved by the Community Planning Department;
 - b) the final Feasibility, Grading, Servicing and Storm Water Management Study shall be approved by the Vaughan Engineering Department, Region of Peel, the Region of York and the Ministry of Transportation (MTO);
 - c) the Traffic Impact Study and site access from Highway No. 50 shall be approved by the Region of Peel;
 - d) the applicant shall satisfy all the conditions of the Minutes of Settlement dated August 30, 2000 and endorsed by the Ontario Municipal Board, including the following:
 - i) the applicant shall have made satisfactory arrangements for the conveyance of the lands required for the north-south connector road to the satisfaction of the Vaughan Engineering and Legal Departments;
 - ii) the owner of the lands to the immediate north (Roybridge Holdings Limited), shall confirm that they are satisfied with matters primarily pertaining to landscape treatment along the northern boundary of the cemetery, in compliance with in the Minutes of Settlement;
 - iii) The Huntington Business Park Developers Group has endorsed the proposed alignment of the north-south connector road and the associated changes to the municipal services and stormwater management pond.
 - e) the final landscape plan and landscape cost estimate shall be approved by the Urban Design Department;
 - f) an archeological assessment performed on the subject lands, shall be approved by the Cultural Services Department;
 - g) all requirements of Hydro Vaughan Distribution Inc. and Hydro One shall be satisfied;
 - h) the Vaughan Legal Department shall confirm that the site plan is in compliance with the Minutes of Settlement dated August 30, 2000;

2. The site plan agreement contain the following provisions:
 - a) the Owner shall ensure the dedication of any required road widenings, daylight triangles and 0.3 m reserves, free of all costs and encumbrances, to the appropriate agency or authority as required
3. That a Copy of the Council Minutes and Staff Report shall be sent to the Owner and the Registrar at the Ministry of Consumer and Commercial Relations, in accordance with the requirements of the Cemeteries Act (Revised).
4. That a notice of the Council decision to approve the site development application shall be placed in a local newspaper by the City Clerk, within 15 days of the decision date, in accordance with the requirements of the Cemeteries Act (Revised), at the full cost of the Owner.”

Purpose

On February 14, 2001, the Owner submitted a Site Plan application to permit the initial (**Phase 1**) development of a cemetery, consisting of garden areas, internal driveways and the grading required for all of the 28 ha site.

Background - Analysis and Options

The site is located on the east side of Highway No. 50, south of Regional Road No. 7, being Part of Lot 4, Concession 9. The site is designated “Prestige Area” and “Employment Area General” by OPA #450 (Employment Area Growth & Management Plan), with an exception to permit a Cemetery use by OPA No. 539. The site is zoned A Agricultural and EM4 Employment Area Transportation Zones by By-law 1-88.

The site consists of a rectangular-shaped, vacant 28 ha parcel, with approximately 350 m frontage on Highway No. 50. The surrounding land uses are:

- North - dwelling and farm (A Agricultural Zone)
- South - used car dealership (EM2 General Employment Area Zone); Ontario Hydro Corridor (PB1(S) Parkway Belt Linear Facilities Zone);
- East - vacant lands also owned by applicant (A Agricultural Zone)
- West - Highway No. 50 (City of Brampton)

On September 14, 2000, the Ontario Municipal Board issued Board Order #1326 which approved a settlement proposal to permit cemetery and related uses on the subject lands. The Minutes of Settlement dated August 30, 2000 were endorsed by the OMB. As requested by the City, and on the consent of all of the parties, the Board will withhold its order regarding the zoning by-law, pending receipt of a by-law that reflects the settlement proposal, as well as written confirmation from the City:

- i) that the land for the north-south connector road has been secured to the satisfaction of the City; and
- ii) that a site plan agreement between the applicant and the City has been executed.

Official Plan

The subject lands are designated "Prestige Area" by OPA #450, with an exception to permit a Cemetery and related uses by OPA No. 539. All other industrial uses defined in Official Plan Amendment No. 450 are also permitted. In addition, OPA #539 identified the conceptual location of a north-south connector road, which will form the easterly boundary of the cemetery.

Zoning

The subject lands are zoned A Agriculture Zone. The lands are to be rezoned to "OS2" Open Space Park Zone with permitted uses to include cemetery and related uses, including an administrative office, chapel, columbarium, crematorium, mausoleum, reception centre and service building.

The Minutes of Settlement indicate that the parties in the Group and Memorial Gardens will consent to minimum yards for buildings on the cemetery land, of 9 metres from any adjacent employment lands to the north and 6 metres from the Ontario Hydro Corridor to the south. However, the parties recognize that the City may take an independent and different position regarding these setbacks. These setbacks will be incorporated into a draft zoning by-law, which will be forwarded to the OMB for their approval.

Cemeteries Act (Revised)

The Cemeteries Act (Revised) requires the City to undertake the following notification requirements upon Council approving a site development application for a cemetery:

- i) Send a copy of the Council decision together with reasons for the decision to the Applicant and the Registrar of the Cemeteries Act (Revised) at the Ministry of Consumer and Commercial Relations; and,
- ii) Publish notice of the decision in a local newspaper, of which the Applicant, Registrar, or any person with an interest therein may refer the decision of the area municipality to the Ontario Municipal Board, within 15 days after publication of the notice of decision.

The notice would be published at the expense of the applicant, as set out in the Recommendation.

Site Plan

The applicant has submitted a conceptual site plan that indicates a series of buildings and structures related to the long-term development of the 80 acre parcel. However, the applicant is only proceeding with the initial (**Phase 1**) development of a cemetery, consisting of garden areas, internal driveways and the grading required for all of the 28 ha site. The location and configuration of the buildings shown as future development on Attachment #2 will be subject to future site plan applications. The implementing zoning by-law will establish minimum set backs that may be amended upon consideration of additional applications, as indicated in the Minutes of Settlement.

Access to the site is proposed from Highway No. 50. Since this is a Region of Peel road, all access points shall be approved by the Region of Peel.

As a condition of approval, the applicant must convey the lands required for the north-south road establishing the eastern boundary of the site plan, required to connect the proposed industrial lands to the north, south and east of the cemetery lands. The Minutes of Settlement provide for the following:

"Memorial Gardens shall prepare the conveyance or easement documentation at its cost and pay for any required registrations on title. The intent of this paragraph is to ensure that lands for the north-south connector road and for services located therein will be made available to the east of the cemetery lands by a conveyance or easement so that such road and such related services can be front ended and constructed when required by the

parties in the Group, if they are not first constructed by Memorial Gardens, in each case in accordance with the developers' cost sharing agreement referred to in paragraph (c)."

The City requires a letter from the Huntington Business Parks Developers Group or trustee indicating that they are satisfied with the arrangements for the north-south connector road and the developers group agreement as it relates to oversizing and the provision of services. The above condition may be waived if in the opinion of Staff other arrangements are put in place for the provision of these services.

Similarly, a letter from Roybridge Holdings (Owner of the lands to the north) is required indicating that they are satisfied with the site plan submitted, on matters pertaining primarily to landscape treatment along the northern boundary of the cemetery lands.

Vaughan Engineering Department

The Engineering Department considers the proposed alignment of the north-south road, in relation to the Memorial Gardens site, to be acceptable with the understanding that:

1. Hydro One has no issues with the construction of the road in relation to their hydro towers.
2. The Huntington Business Park Developers Group has endorsed the proposed alignment of the collector road and the associated changes to the municipal services and stormwater management pond.

The Owner has provided a Feasibility, Grading, Servicing and Storm Water Management Study for review and comment by the Vaughan Engineering Department, Region of York, the Region of Peel and Ministry of Transportation Ontario (MTO). Engineering Staff have no objections to the site plan and servicing drawings, subject to revisions to be incorporated into the final plans. Any comments or revisions required by any of the above agencies will need to be addressed to their satisfaction.

The applicant has submitted a Phase 1 Environmental Site Assessment prepared by Soil-Eng. Limited for the lands to be conveyed to the City for the north-south road. This report must be approved by the Vaughan Engineering Department prior to the conveyance of these lands to the City.

Ministry of Transportation Ontario (MTO)

MTO has advised that proposed application is outside of the Ministry's permit control area. Due to the close proximity of the development to the Highway No. 427 right-of-way, the Ministry will need to be satisfied with the final Stormwater Management Report.

Region of York

The Region of York have provided the following comments:

1. The Region has no objection to the proposed works on Highway No. 50 as indicated on drawings ED1 and ED2 dated July 2001 (see "Region of York" date stamp July 23, 2001). Please be advised that approval of the above application will be issued by the Region of Peel, subject to the applicant satisfactorily addressing all conditions and comments provided by the Region of Peel.

2. Although the proposed development lies within the area of the Region of Peel – Region of York Boundary Area Transportation Study, it is considered that the traffic volume generated by this type of development would not have any impact on the Study.

Region of Peel

The Region of Peel Traffic Development Section have provided the following comments:

“Due to the York/Peel Boundary Arterial Transportation Study, any development within the study area will not be permitted until the report is finalized. The subject site is located within the study area, therefore, will not be permitted.

The Region of Peel traffic development section have reviewed the Transportation Assessment prepared by Marshall, Macklin, Monaghan, dated May 29, 2001 and require the following revisions.

- the storage lengths of the main access to the cemetery on Regional Road No. 50 must be recalculated utilizing the 7.0 metre vehicle length standards.
- the proposed full moves service access on Regional Road 50 for the cemetery will not be permitted, as only 62.5 metres south of the main cemetery access does not comply with spacing requirement under the Region of Peel's Control Access By-law #59-77, as amended.
- the proposed full moves access aligned with the Garden Centre is approved despite the proximity of the northerly access to the Garden Centre which is 143.5 metres and is subject to the following conditions:
 - a) the Region of Peel will require the dedication of a 36 metre right-of way (18 metres from the centre line of road) as well as the 0.3 metre reserve along the west side of Region al Road 50. In addition, a daylight triangle of 15 metres is required at the proposed access for visibility.
 - b) A northbound right turn lane is required with a 30 metre storage and 75 metre taper.
 - c) A southbound left turn lane is required with a minimum of 42 metre storage and 145 metre taper.
 - d) An approved detailed engineering design indicating the necessary road improvements to accommodate the proposed full moves access.
 - e) An access agreement shall be entered into and registered on title, for the installation and maintenance of the traffic signals at the proposed full moves access. The applicant shall also provide the Region with a Letter of Credit or cash contribution for the installation of the traffic signals at the proposed full moves access. Traffic signals will only be installed with warranted or otherwise directed by Regional Council.

All costs associated with the access, including the construction of the northbound right-turn lane and pavement marking modifications, shall be borne by the applicant.

A detailed engineering submission should be submitted to the Region of Peel, Traffic Development for review and approval.

The access recommendations addressed in this letter are based on the traffic volumes utilized in the Transportation Assessment dated May 29, 2001, and may change upon receiving comments from Transportation Planning Section.”

Hydro One

Hydro One has indicated that they have no objection in principle to the proposed site plan, however, given that the location of the subject lands are directly adjacent to a Hydro One easement, Hydro One has provided conditions which will need to be addressed. The Site Plan agreement shall include a clause ensuring that all Hydro One conditions shall be satisfied.

Landscaping

The proposed landscape plan includes a mix of deciduous trees and shrubs, and coniferous shrubs along the perimeter of the site and along a portion internal road system. The final landscape plan and cost estimate are subject to final approval by the Urban Design Department.

Cultural Services Department

The Cultural Services Department requires the submission of a preliminary archaeological assessment of the subject lands, prior to the initiation of any grading to any lands included in the development application.

Conclusion

Staff have reviewed the site development application, in accordance with the policies of OPA 450, as amended by site specific OPA #539, and are of the opinion that the proposed Phase 1 development of the subject lands, consisting of garden areas, internal driveways and the grading required for the 28 ha site, is appropriate.

The location of the north-south connector road must be approved by the Vaughan Engineering Department, and the applicant must make satisfactory arrangements to convey the lands required for road to the City.

Subject to conditions, Staff recommend approval of the site development application. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Master Site Plan
3. Conceptual Road Alignment for the North-South Connector

Report prepared by:

Carmela Marrelli, Planner 1, ext. 8791
Grant Uyeyama, Senior Planner, ext. 8635
Bianca M.V. Bielski, Manager, Development Planning, ext. 8485

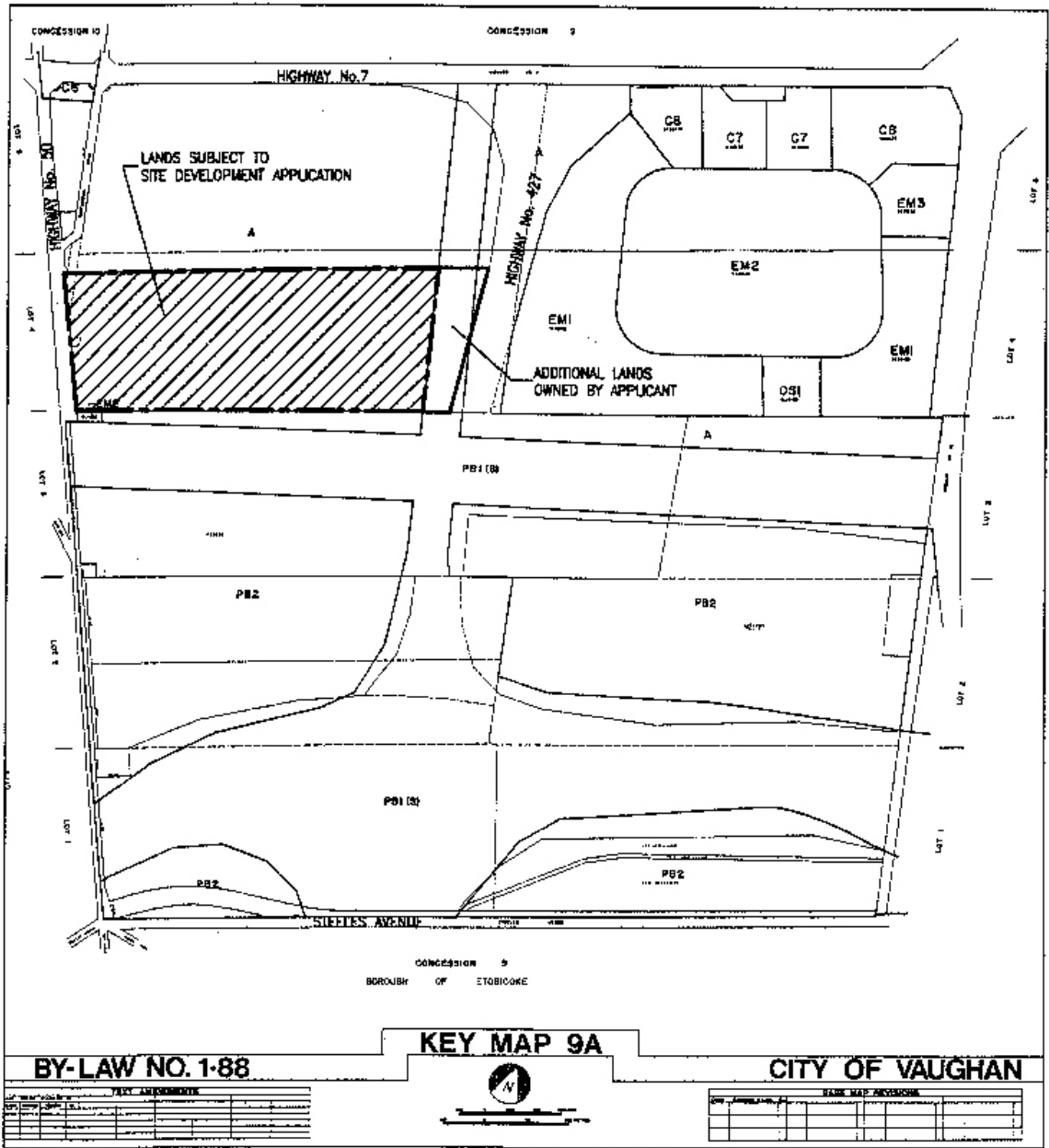
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM

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 LANDS SUBJECT TO SITE DEVELOPMENT APPLICATION

 ADDITIONAL LANDS OWNED BY APPLICANT

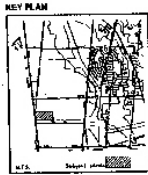
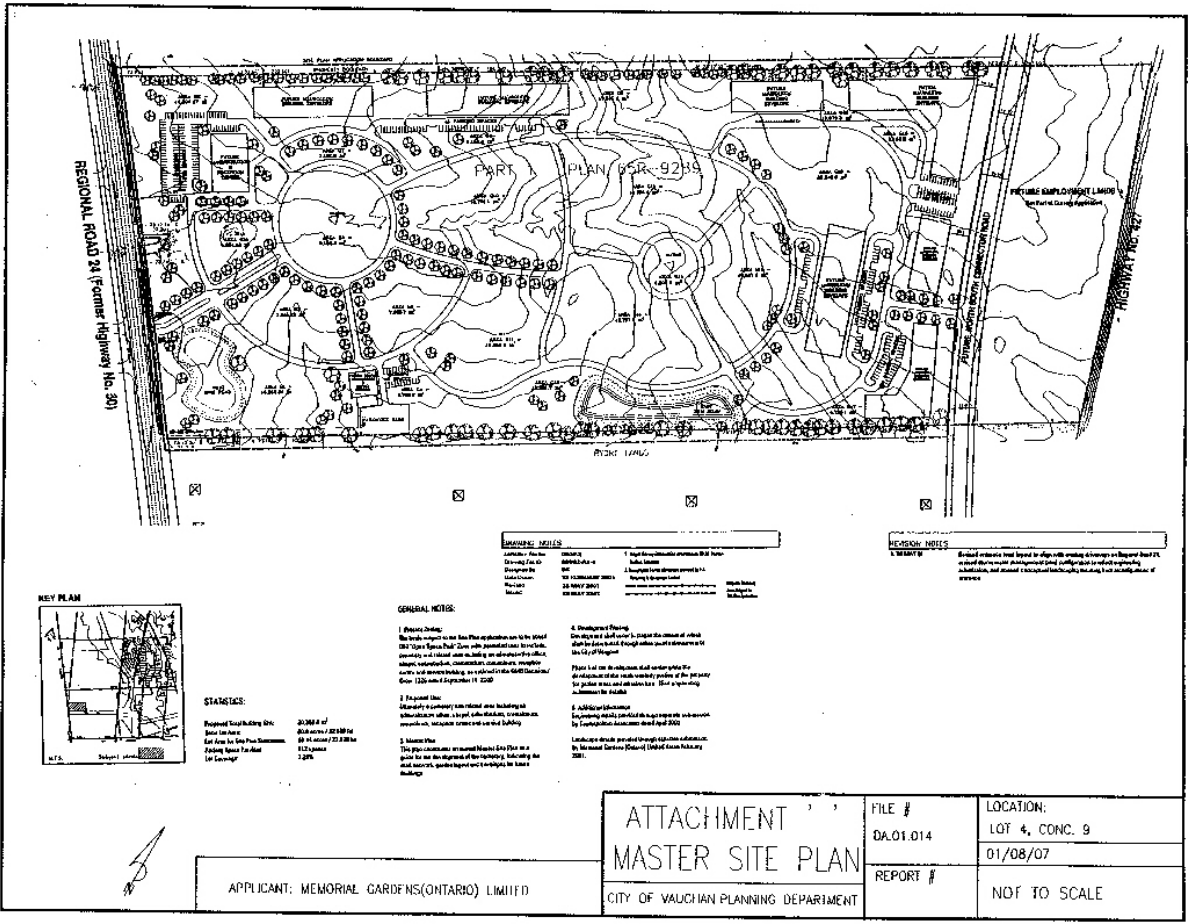
ATTACHMENT "1"
LOCATION MAP

FILE #:	REPORT #:
DA.01.014	LOT 4, CONC. 9

CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT: MEMORIAL GARDENS (Ontario) LIMITED

DATE: 01/02/20
SCALE: NOT TO SCALE



STATISTICS:

Proposed Total Building GFA	20,268.47
Site Area	80,400.00
Site Area in Use Post-Development	88,410.00
Building Footprint to Total Site Coverage	25.2%

GENERAL NOTES:

- Plotted Site:** The site is shown as a single parcel on the plan. The site is bounded by Regional Road 24 to the north, Highway 104 to the east, and the site boundary to the south and west.
- Proposed Site:** The site is shown as a single parcel on the plan. The site is bounded by Regional Road 24 to the north, Highway 104 to the east, and the site boundary to the south and west.
- Site Plan:** This plan shows the proposed site plan. It is a guide for the development of the site, including the building footprint, parking spaces, and access roads.
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PROPOSED MATERIALS:

Asphalt	1. Asphalt	1. Asphalt
Concrete	2. Concrete	2. Concrete
Gravel	3. Gravel	3. Gravel
Grass	4. Grass	4. Grass

REVISION NOTES:

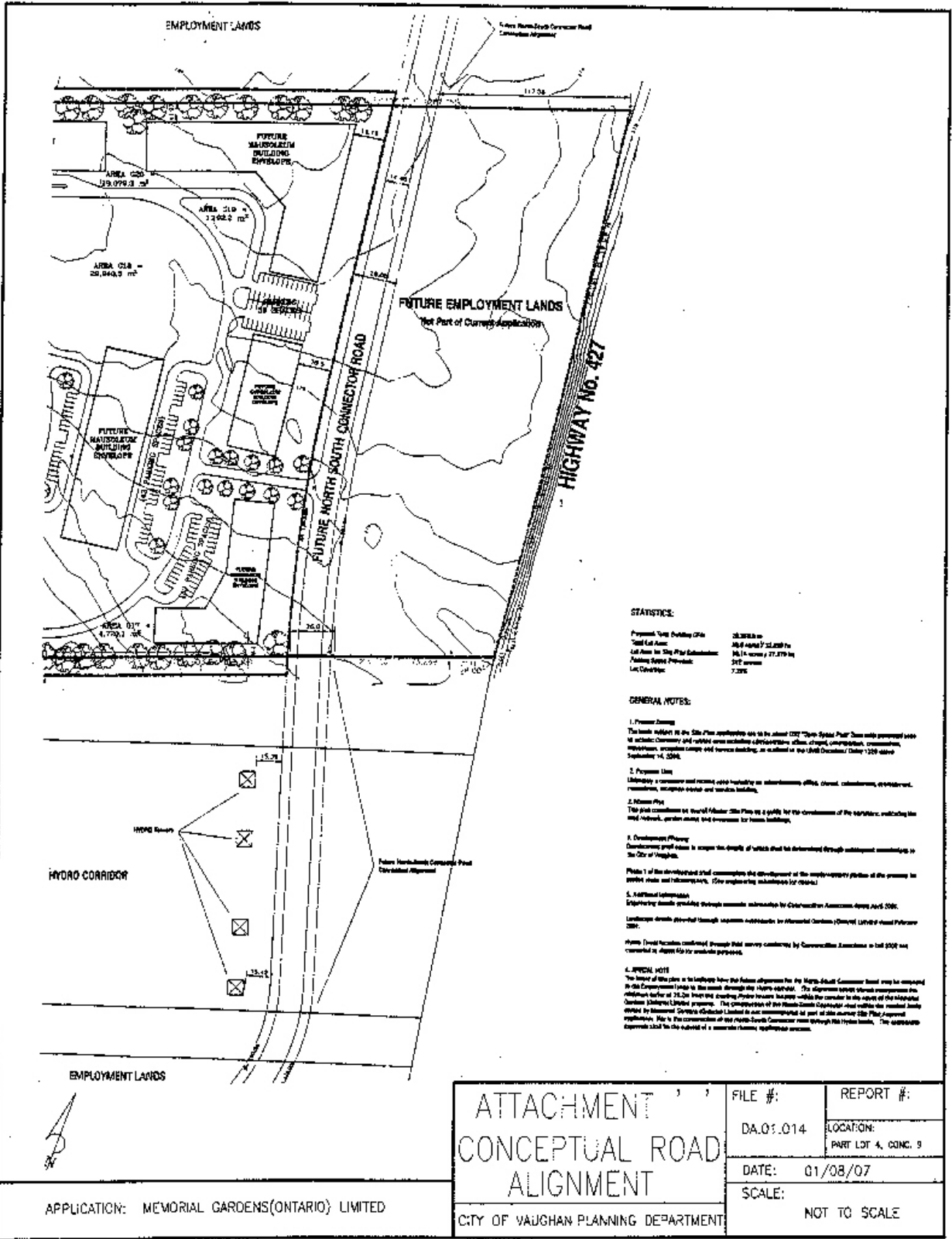
1. Revised site plan to show building footprint and parking spaces.

ATTACHMENT MASTER SITE PLAN

FILE #	LOCATION:
DA.01.014	LOT 4, CONC. 9
REPORT #	01/08/07
	NOT TO SCALE

APPLICANT: MEMORIAL GARDENS(ONTARIO) LIMITED

CITY OF VAUGHAN PLANNING DEPARTMENT



STATISTICS:

Proposed Total Building Area	28,383.0 m ²
Total Lot Area	369,494.7 m ²
Lot Area for Site Plan Submission	36.16 acres / 147,879 m ²
Building Footprint	247 cars
Lot Coverage	7.23%

GENERAL NOTES:

- 1. Project Status**
The lands subject to this Site Plan application are to be used for "Open Space Park" uses with potential uses of nature observation and related uses including interpretive trails, trails, playground, recreation, education, recreation camp and horse riding, as outlined in the LMR Ordinance (Date: 1/29/06).
- 2. Purpose Use**
Intend to construct and retain open parking for administrative office, ground maintenance, environmental, recreation, interpretive trails and related facilities.
- 3. Natural Area**
The plan complies with Natural Areas Site Plan as a guide for the development of the landscape, including the use of natural, garden areas and processes for trees planting.
- 4. Development Planning**
Development and related to comply with the intent of which shall be determined through subsequent consultation to the City of Vaughan.
- 5. Additional Information**
Engineering details provided through separate submissions for Construction Approval dated April 2006.
Landscape details provided through separate submissions for Natural Areas (Date: 1/29/06) dated February 2006.
Hydro Detail location confirmed through field survey conducted by Conservation Associates in fall 2006 and recorded in Appendix A for analysis purposes.
- 6. SPECIAL NOTE**
The intent of this plan is to illustrate how the future alignment for the North-South Connector Road may be integrated into the development of the lands through the future development. The alignment shown should not be considered as a final design and should be subject to future design. The alignment shown should not be considered as a final design and should be subject to future design. The alignment shown should not be considered as a final design and should be subject to future design.

**ATTACHMENT
CONCEPTUAL ROAD
ALIGNMENT**

CITY OF VAUGHAN PLANNING DEPARTMENT

FILE #:	REPORT #:
DA.01.014	LOCATION: PART LOT 4, CONC. 9
DATE:	01/08/07
SCALE:	NOT TO SCALE

APPLICATION: MEMORIAL GARDENS(ONTARIO) LIMITED