



Report to: Development Services Committee      Report Date: September 11, 2012

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**SUBJECT:** RECOMMENDATION REPORT  
211 Langstaff Road  
Applications by the Catholic Cemeteries Archdiocese of Toronto for a  
Zoning By-law Amendment and Site Plan Approval to permit a 4,562 m<sup>2</sup>  
(49,107 ft<sup>2</sup>) funeral home

**PREPARED BY:** Geoff Day, MCIP RPP – Senior Planner, West Development Team

**REVIEWED BY:** Ron Blake, MCIP RPP – Manager, West Development Team

**FILE #'S:** ZA 12 129743 & SC 12 129743

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## **RECOMMENDATION**

1. That the report dated September 11, 2012, entitled “RECOMMENDATION REPORT – 211 Langstaff Road, Applications by the Catholic Cemeteries Archdiocese of Toronto for a Zoning By-law Amendment and Site Plan Approval to permit a 4,562 m<sup>2</sup> (49,107 ft<sup>2</sup>) funeral home” be received;
2. THAT the record of the public meeting held on June 19, 2012, relating to the applications for a Zoning By-law Amendment and Site Plan by the Catholic Cemeteries Archdiocese of Toronto, be received;
3. THAT Site Plan Approval for a 4,562 m<sup>2</sup> (49,107 ft<sup>2</sup>) funeral home be delegated to Staff for endorsement subject to conditions of site plan endorsement as identified in Appendix ‘A’ to this report;
4. AND THAT the draft amendment to Zoning By-law 2150 as amended, attached to this report as Appendix ‘B’ be finalized and enacted;
5. AND FURTHER THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **PURPOSE**

This report presents an overview and evaluation of the proposed site plan application submitted by the Catholic Cemeteries Archdiocese of Toronto. The report also includes a draft zoning by-law amendment attached as Appendix ‘B’ submitted by the Catholic Cemeteries Archdiocese of Toronto, to permit the proposed development. The report recommends approval of the draft zoning by-law and endorsement of the site plan application, subject to conditions.

## **BACKGROUND**

### **Property and Area Context**

The 2.62 ha (6.47 acre) site is located between Yonge Street and Bayview Avenue south of Hwy 407 and the Langstaff Community (figure 1). The area of the property affected by this

application is located on the south side of Langstaff Road west of Bayview Avenue. To the north east across Langstaff Road are lands owned by the applicant that are zoned Open Space, and envisioned for burial plots. To the north is the Langstaff Community and Highway 407. To the east is Bayview Avenue and east of Bayview is a stable single detached residential community. The lands to the south also contain a stable single detached community with a condominium townhouse development to the south east. To the west is a mausoleum and existing and future burial plot locations, also owned by the applicant.

### **Official Plan and Zoning**

The subject lands are designated Medium Density Housing in the Thornhill Secondary Plan (OPA 1), as amended. Section 14.4.9 of the Secondary Plan provides for cemetery uses within these lands under the Medium Density Housing designation. In April of 2000, the Thornhill Secondary Plan was amended to provide for funeral homes on cemetery lands, subject to zoning approval and Provincial legislation. On July 1, 2012, the Provincial Legislature of Ontario proclaimed the revised *Funeral, Burial and Cremation Services Act, 2002 Act* as law. This revised *Act* provides for funeral homes on cemetery lands.

The lands are zoned Open Space Two [O2] by By-law 2150, as amended (figure 2). A Zoning-By-law Amendment is required to permit the proposed development.

### **PROPOSAL**

In addition to the zoning by-law amendment application to permit the funeral home use on the subject lands, the Catholic Cemeteries Archdiocese of Toronto has submitted an application for Site Plan Approval to permit a 4,562 m<sup>2</sup> (49,107 ft<sup>2</sup>) two storey funeral home containing 194 parking spaces (figure 4).

The building would be in a similar architectural style to the existing mausoleum to the west. The building would contain two front elevations/entrances facing Langstaff Road to the north and the existing residential dwellings to the south (figure 5). The eastern and western elevations have two single storey wings on the east and west sides of the building with a two storey section in the central portion of the building. The proposed 194 space parking areas are located to the immediate east and west of the building.

### **OPTIONS/DISCUSSION**

#### **A statutory Public Meeting was held on June 19, 2012**

A statutory Public Meeting was held on June 19, 2012, to consider the proposed rezoning and site plan applications. Eight (8) written submissions were received regarding the proposal.

The following is a summary of matters identified in the written submissions:

1. Concerns over the additional traffic that the funeral home would generate;
2. The ability for Langstaff Road to handle the additional trips generated with the addition of a funeral home on the subject lands;
3. Concerns over the proximity of the funeral home to the residential lands to the south;
4. Concerns over the impeded view of the woodlot on the north side of Langstaff from the residential lands to the south, if the proposed funeral home was approved;
5. Options to locate the funeral home on the north side of Langstaff Road opposite the current proposed location;

The following matters were raised by members of the Committee at the Public Meeting:

6. Whether Langstaff Road would be improved and if so, the timing of these improvements;
7. Detailed landscaping plans shall be provided. These plans shall show an effective screening/buffering of the parking lot and development to residential lands to the south; and,
8. Staff shall enter into discussions/negotiate the conveyance of the woodlot on the north side of Langstaff Road into public ownership.

**Below are responses from Staff regarding comments from members of the public:**

- 1-2. A Traffic Impact Study dated January 2012 and a Traffic Management Plan Review dated January 9, 2012, were submitted by LEA Consulting Ltd. The City's Transportation Engineering group has advised that as the subject lands abut a Regional Road (Bayview Avenue), approval of the study falls under the jurisdiction of York Region.

The Roads Branch of the Region of York Transportation and Community Planning Department reviewed the studies and concluded that the added traffic generated from this proposed development would not cause any significant impact on the Regional Road; and, no infrastructure improvements were required for this development to proceed.

In addition, as the 194 parking spaces proposed by the applicant did not meet the parking requirement of Zoning By-law 28-97 (The Parking By-law) of 236 spaces, the study also included a Parking Demand Study and Traffic Management Plan Review at the request of the City's Transportation Engineering group.

*"The report indicates that the shortfall of 42 parking spaces can be accommodated on the existing mausoleum parking lot and the additional single file parking along the private roadways immediately servicing the proposed funeral home. It was concluded in the report that the proposed parking supply of 194 spaces is adequate for the proposed uses. City staff have reviewed and found the rationale acceptable and concur with the consultant's opinion.*

*The report indicated that the use of paid-duty police officers will facilitate the entry and exit from the cemetery grounds to minimize disruptions. Further, on-site parking supply is sufficient to accommodate observed demands. Considering these factors, the traffic management plan employed at the subject site is found to be satisfactory."*

The Catholic Cemeteries Archdiocese of Toronto have indicated to Staff that as the majority of (if not all) funeral services will result in an interment on the cemetery lands itself, traffic congestion that typical funeral processions create onto public roads/highways will be virtually eliminated. Staff support this opinion.

- 3-4. The proposed development is nearly 122 metres (400 feet) from the residential rear yards to the south and the building is approximately 11.6 metres (38 feet) in height; consistent with an average two storey dwelling. Lighting from the proposed development is directional in nature and all lighting on the south side of the development will be shut off at night. While Staff cannot guarantee that the views to the woodlot will not be impeded,

Staff are of the opinion that the distance of the development from the residential lands, limited height of the proposed building and directional nature of the lighting will result in minimal negative impacts on the residential community to the south.

5. The developable area on the north side of Langstaff Road is approximately 1.8 ha in area, compared with the 2.6 ha that is required for this development. The lands on the north side of Langstaff are of insufficient size to accommodate the proposal. Further, a funeral home on the north side of Langstaff Road would require funeral processions to cross Langstaff Road into the cemetery lands. This could create traffic and pedestrian conflicts having to cross Langstaff Road and offset the purpose of having the funeral home contiguous with the internment areas of the cemetery.

**Staff response to comments from Committee Members:**

6. The Langstaff Secondary Plan provides for a widening of Langstaff Road to four lanes. This road improvement will occur as part of the redevelopment of the Langstaff community. The widening of Langstaff Road is not required to accommodate this development proposal.
7. Attached as figures 6, 7 and 8 are the existing site conditions, proposed landscape plan and the final landscaped environment once the lands to the south of the proposed funeral home are occupied by burial plots. In Staff's opinion, the existing site conditions along with the proposed landscape plan will adequately screen the development from the residential lands to the south.
8. On June 20, 2012, Staff discussed with the applicant the Development Services Committee's interest in having the woodlot on the north side of Langstaff Road conveyed into public ownership. Subsequently, on July 11, 2012, Staff met with the applicant and the Local Ward Councillor. Staff and the Ward Councillor were advised that the Catholic Cemeteries Archdiocese of Toronto have future plans to develop a columbarium wood chip walking trails within the woodlot and adjacent lands. The columbarium stations will contain small marble or granite slabs holding urns containing cremated remains.

Staff advised that Site Plan Approval would be required for this type of development as well as approvals from both the Region and the Toronto & Region Conservation Authority.

**Environmental Initiatives**

The Fatal Light Awareness Program (FLAP) strives to reduce migratory bird collisions with buildings brightly lit at night and their reflective windows by day. A criterion of FLAP is the promotion of 'dark skies'. The Owner has advised that all lighting will be directional in nature thereby reducing any potential negative effects that the illumination of the site may cause. In addition, mullions will be installed on all windows to provide birds with a visual queue, thereby reducing incidences of collisions with the building.

Additional green initiatives are as follows:

- Low maintenance, reinforced concrete and steel frame building. Both concrete and steel have a recyclable content.

- Polyurethane sprayed insulation, made from a renewable resource material, will eliminate thermal bridges and provide a vapour and air barrier.
- Double-glazed low E argon windows.
- Energy-efficient HVAC systems.
- Low flush toilets and flow reduction taps.
- Monitored interior lighting and indoor temperatures.
- Diversion/recycling of qualifying construction waste.
- Drought-tolerant and water-efficiency landscaping.
- Bioswales and overland flow sheet run-off will recharge groundwater and promote water balance.
- White roof barrier and parking lot landscape features will reduce the heat island.

#### **Design matters identified have been addressed**

Urban Design Staff have worked closely with the applicant and are satisfied with the proposed development. The Georgian architecture is sympathetic to that of the mausoleum to the west. The building's 'double' front entrance eliminates the 'back' of the building from addressing either Langstaff Road or the residential lands to the south, ensuring an attractive façade on both elevations. The two storey massing will not overpower the Langstaff frontage and will still be effectively screened by the existing conifers along Langstaff Road. The proposed landscaping throughout the site will adequately screen the development from the residential lands to the south. As the building bisects the parking areas, sheet drainage and the heat island effect associated with large surface parking areas, will be minimized.

#### **CONCLUSION**

Staff recommend that Council approve the proposed rezoning application and endorse the site plan applications.

#### **FINANCIAL CONSIDERATIONS AND TEMPLATE**

There are no financial matters to be considered in this report.

#### **ALIGNMENT WITH STRATEGIC PRIORITIES**

The addition of the proposed use provides a community service to the residents Markham. Providing for a funeral home on cemetery lands is an efficient use of the existing infrastructure and may be considered a component of Managed Growth.

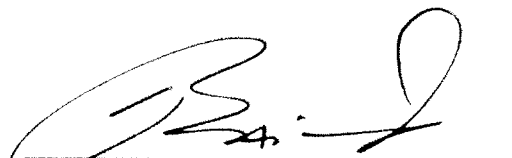
#### **BUSINESS UNITS CONSULTED AND AFFECTED**

The applications have been circulated to various City departments and external agencies and have been reviewed. Requirements of the City and external agencies are reflected in the preparation of the Zoning By-law amendment and Site Plan Endorsement (attached).

#### **RECOMMENDED BY:**



Rino Mostacci, M.C.I.P., R.P.P.  
Senior Development Manager



Jim Baird, M.C.I.P., R.P.P.  
Commissioner, Development Services

**ATTACHMENTS:**

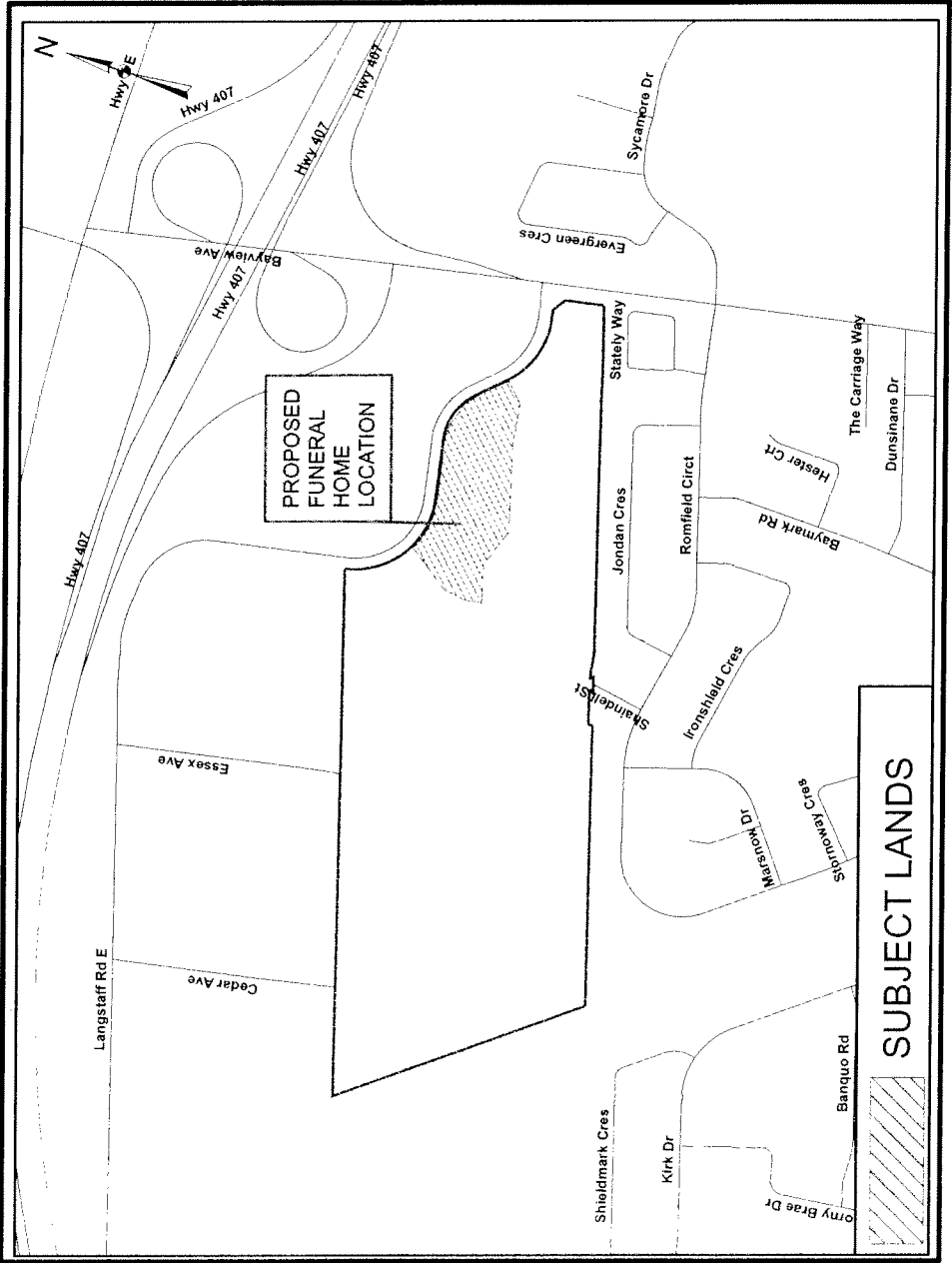
- Figure 1: Location Map
- Figure 2: Area Context and Zoning By-law
- Figure 3: Air Photo
- Figure 4: Proposed Site Plan
- Figure 5: Proposed Elevations
- Figure 6: Existing Landscaped Environment
- Figure 7: Proposed Landscape Plan
- Figure 8: Future Final Landscape Environment

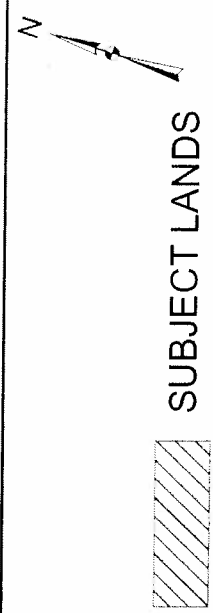
Appendix 'A' Draft Conditions of Site Plan Endorsement

Appendix 'B' Draft Zoning By-law Amendment

**APPLICANT / AGENT:**

Mike Everard, M.Sc., RPP  
Augusta National Inc.  
905-944-9709 (B)





APPLICANT: CATHOLIC CEMETERIES ARCHDIOCESE  
211 LANGSAFF ROAD

**WARKHAM**

Checked By: GD

FIGURE No. 2

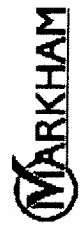




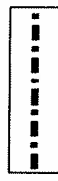
# AIR PHOTO 2011

APPLICANT: CATHOLIC CEMETERIES ARCHDIOCESE  
211 LANGSAFF ROAD

FILE No. ZA12129743 & SC12129743 (RB)



DEVELOPMENT SERVICES COMMISSION



SUBJECT LANDS

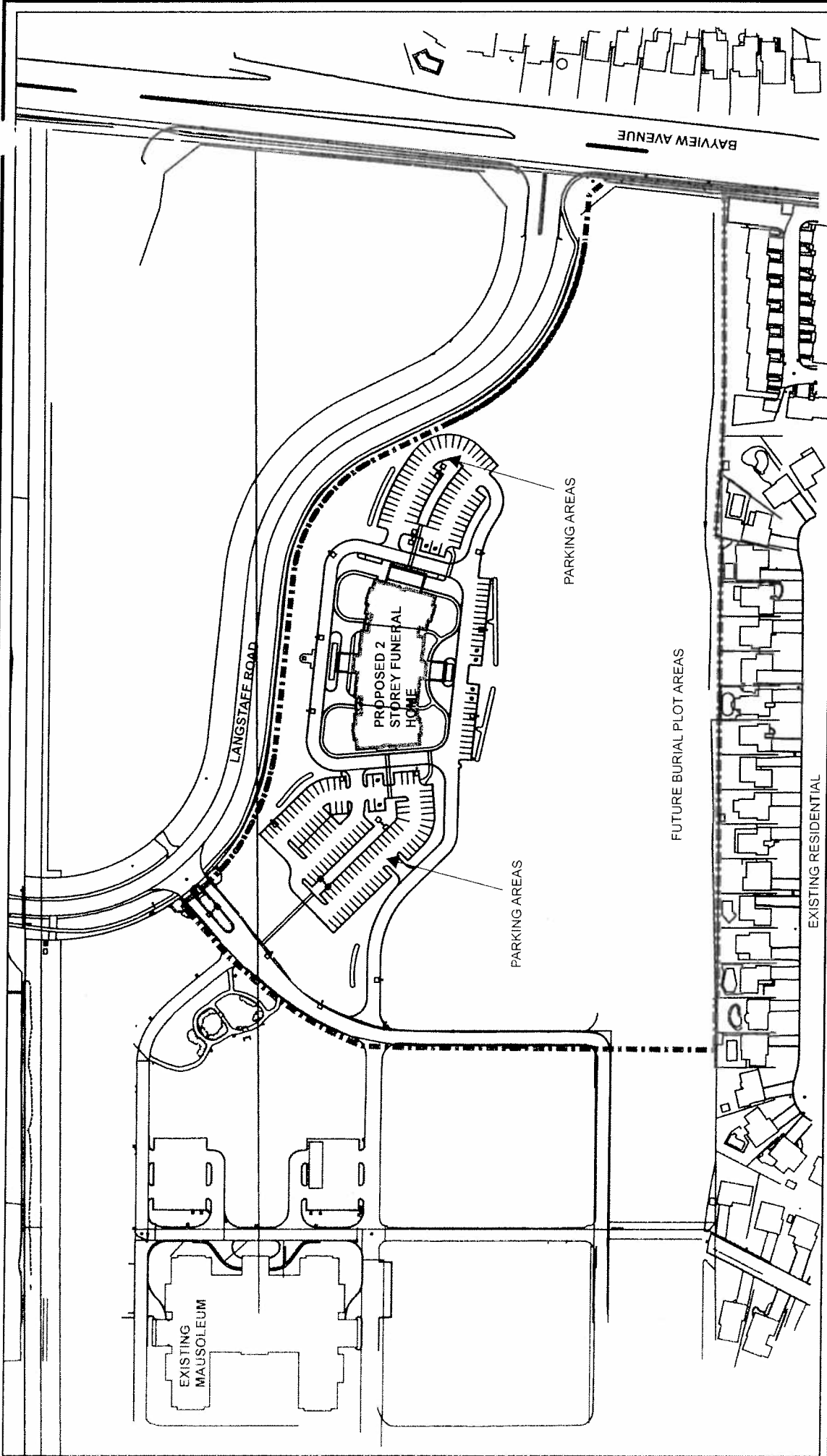


DATE: 03/26/12

FIGURE No. 3

Drawn By: DD

Checked By: GD



# SITE PLAN

APPLICANT: CATHOLIC CEMETERIES ARCHDIOCESE  
211 LANGSTAFF ROAD

FILE No. ZA12129743 & SC12129743 (RB)



SUBJECT LANDS



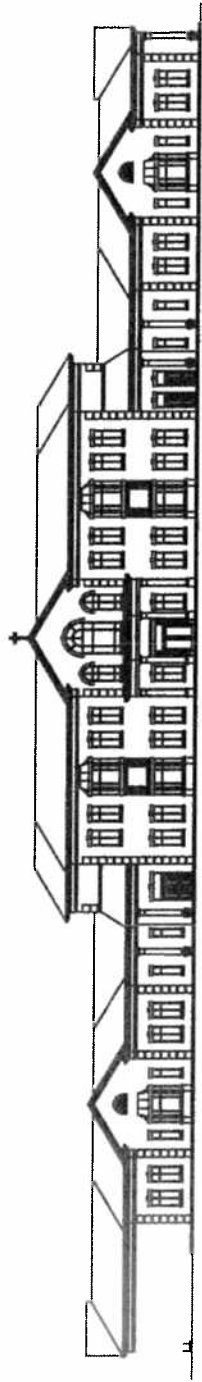
DEVELOPMENT SERVICES COMMISSION

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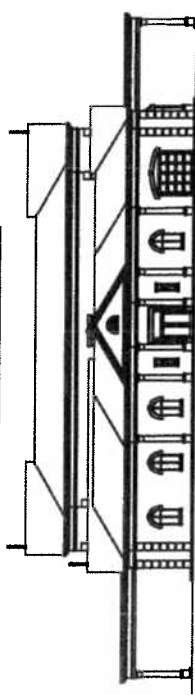
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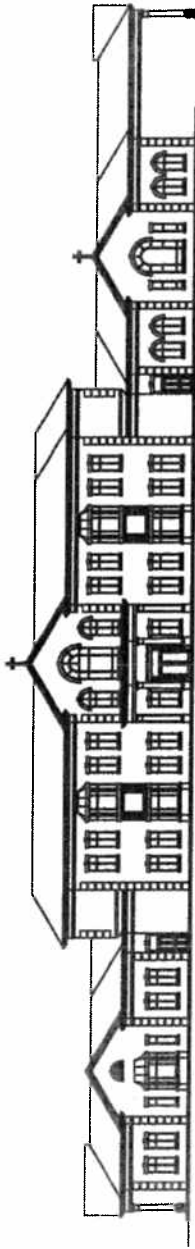
FIGURE No. 4



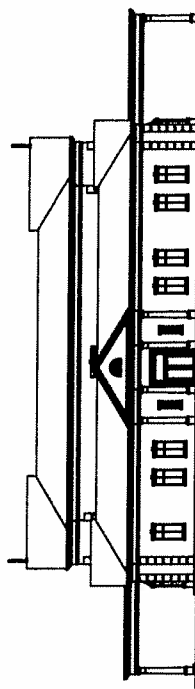
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

# ELEVATIONS

APPLICANT: CATHOLIC CEMETERIES ARCHDIOCESE  
211 LANGSAFF ROAD

FILE No. ZA12129743 & SC12129743 (RB)

SUBJECT LANDS



DEVELOPMENT SERVICES COMMISSION

Drawn By:

Checked By:

DATE: 03/26/12

FIGURE No. 5



**Figure 6**  
Existing Landscaped Environment

Views looking south on abutting residential lands





Figure 7

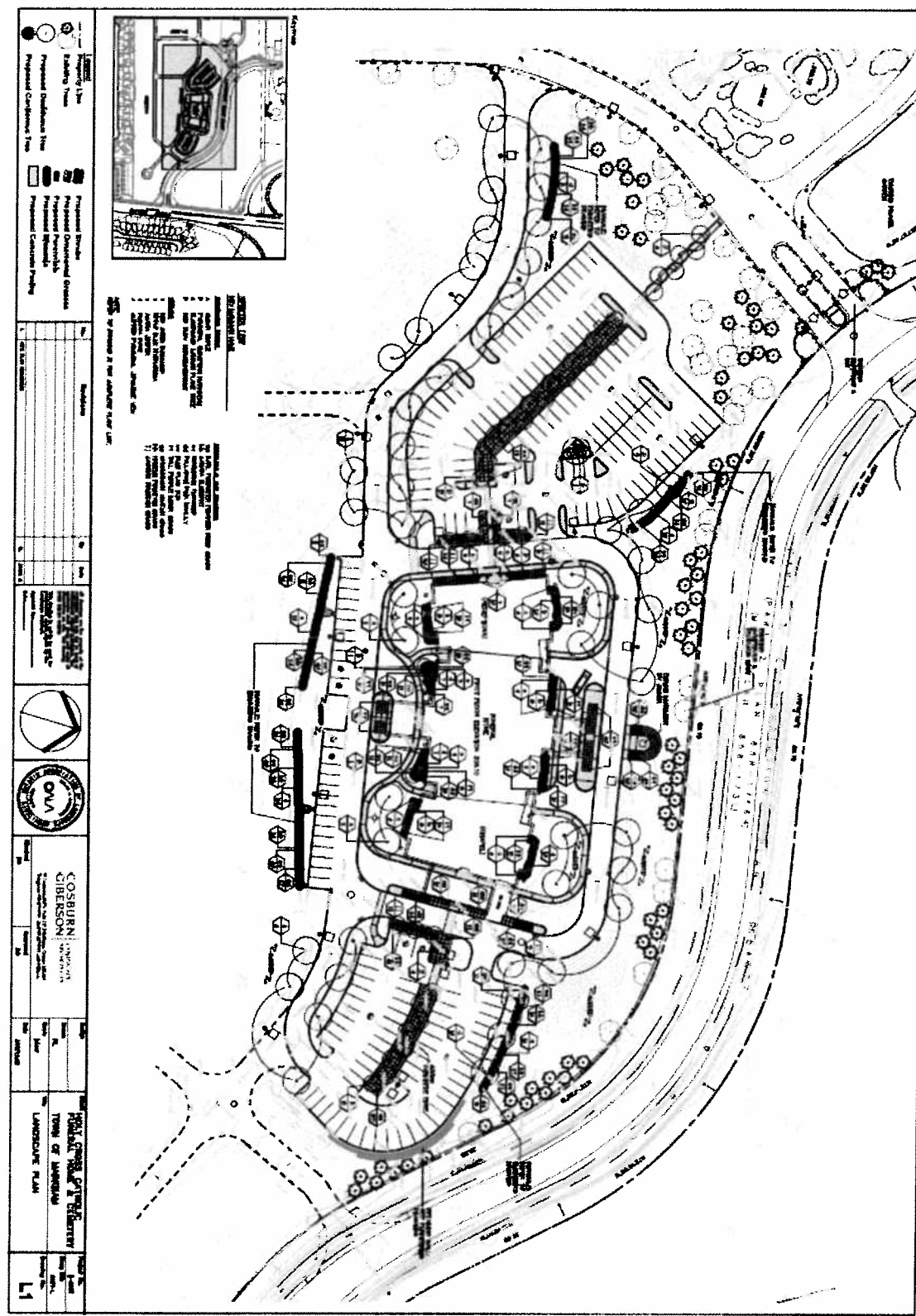
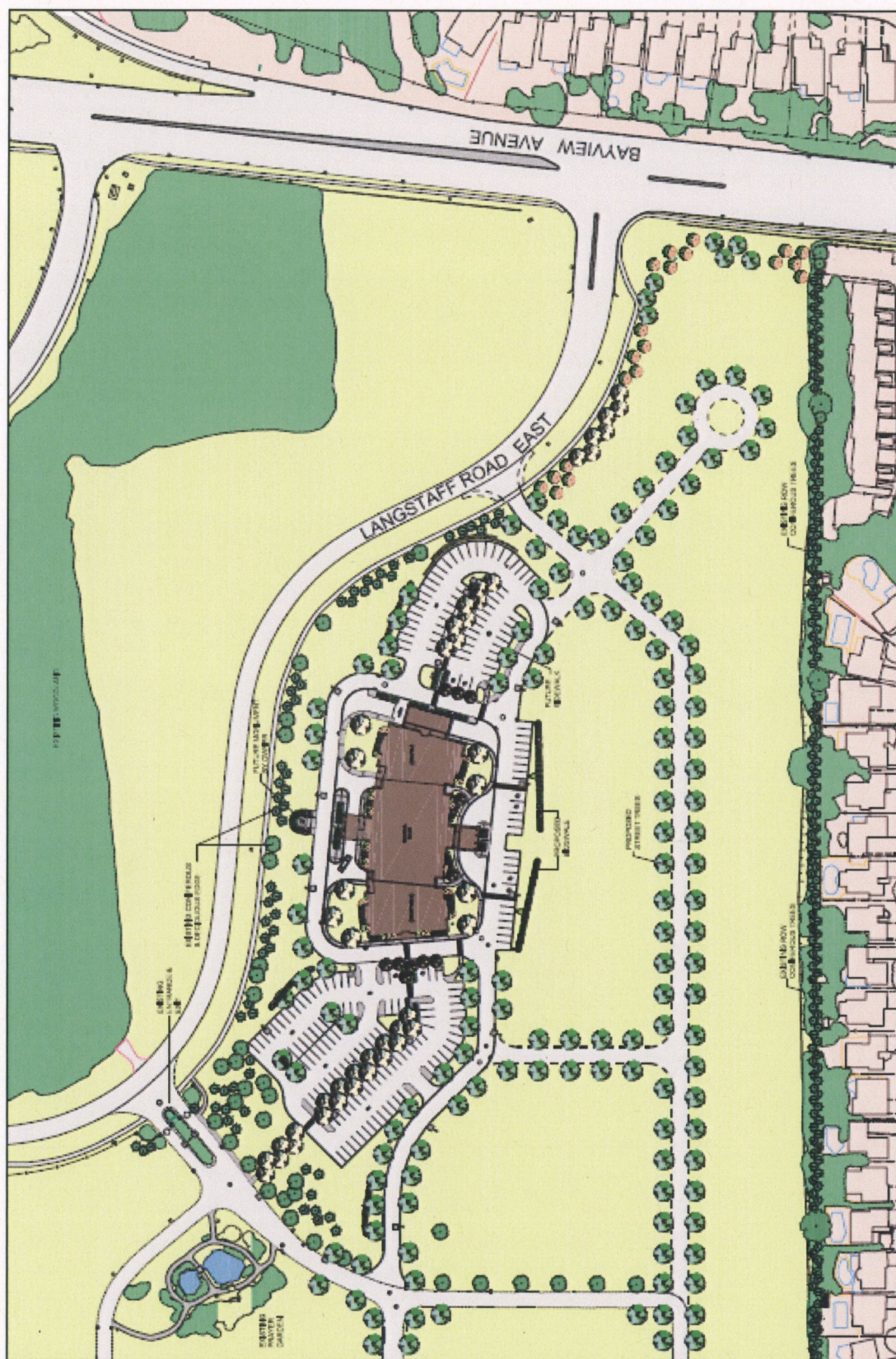




Figure 8





**APPENDIX A**

*Endorsed Site Plan Conditions*

1. That the Owner enter into a site plan agreement with the City containing all the standard and special provisions and requirements of the City and public agencies;

***NOTE: Site Plan Approval is issued only when the Director of Planning & Urban Design or designate has signed the plans “approved” following the execution of a site plan agreement;***

2. That a Landscape Plan, prepared by a Landscape Architect having O.A.L.A. membership, be submitted to the satisfaction of the Director of Planning and Urban Design;
3. That prior to the execution of the Site Plan Agreement, the Owner shall submit final drawings, and comply with all requirements of the City and public agencies;
4. That the Site Plan Agreement shall:
  - a) provide for payment by the Owner of all applicable fees, recoveries and development charges; and,
  - b) contain provisions for satisfying City Departments including all requirements of the Director of Engineering, the Fire Department, Waste Management and Roads;
  - c) contain a clause whereby the Owner agrees to implement the sustainable measures as identified in the “RECOMMENDATION REPORT” dated September 11, 2012. Written confirmation of these measures shall be provided by the Owner upon completion of construction of the proposed development, to the satisfaction of the Commissioner of Development Services;
5. And that prior to Site Plan Approval, Staff will require a final submission of ‘bird friendly’ design measures for approval, to the satisfaction of the Commissioner of Development Services;
6. And further that this endorsement shall lapse and final approval will not be issued, after a period of three years commencing September 11, 2012, in the event the site plan agreement is not executed within that period.

**APPENDIX B**

*Draft Zoning By-law Amendment*



EXPLANATORY NOTE

BY-LAW NO. 2012-XXX

**A By-law to amend By-law 2150, as amended**

Catholic Cemeteries Archdiocese of Toronto  
211 Langstaff Road

**LANDS AFFECTED**

The By-law applies to a 27.2 ha (67.2 acre) site is located on the south side of Langstaff Road between Yonge Street and Bayview Avenue south of Hwy 407 and the Langstaff Community.

**EXISTING ZONING**

The lands subject to this By-law are presently zoned Special Use (O2) under By-law 2150, as amended.

**PURPOSE AND EFFECT**

The purpose of this By-law is to amend the above-noted Zoning By-law in order to add a Funeral Home use to the list of permitted uses on the subject lands.

The effect of this By-law is to allow for a 4,562 m<sup>2</sup> Funeral Home containing 194 parking spaces within the area defined on Schedule 'A' of the By-law.





A By-law to amend Zoning By-law 2150, as amended  
(211 Langstaff Road)

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THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY  
ENACTS AS FOLLOWS:

“1. By-law 2150, as amended, be and the same is hereby further amended as it applies to the  
lands outlined on Schedule ‘A’ attached hereto as follows:

1.1 Additional Permitted Uses

The following additional uses are permitted:

- a) One *Funeral Home*

1.2 Prohibited Uses

The following uses are prohibited:

- a) Crematoriums

1.3 Special Parking Provisions

The following parking provisions apply:

- a) Minimum number of required *parking spaces* associated with a *funeral home*  
having a *gross floor area* of 4,562 m<sup>2</sup> - 194

2. All other provisions of By-law 2150, as amended, not inconsistent with the provisions of  
this by-law shall continue to apply.”

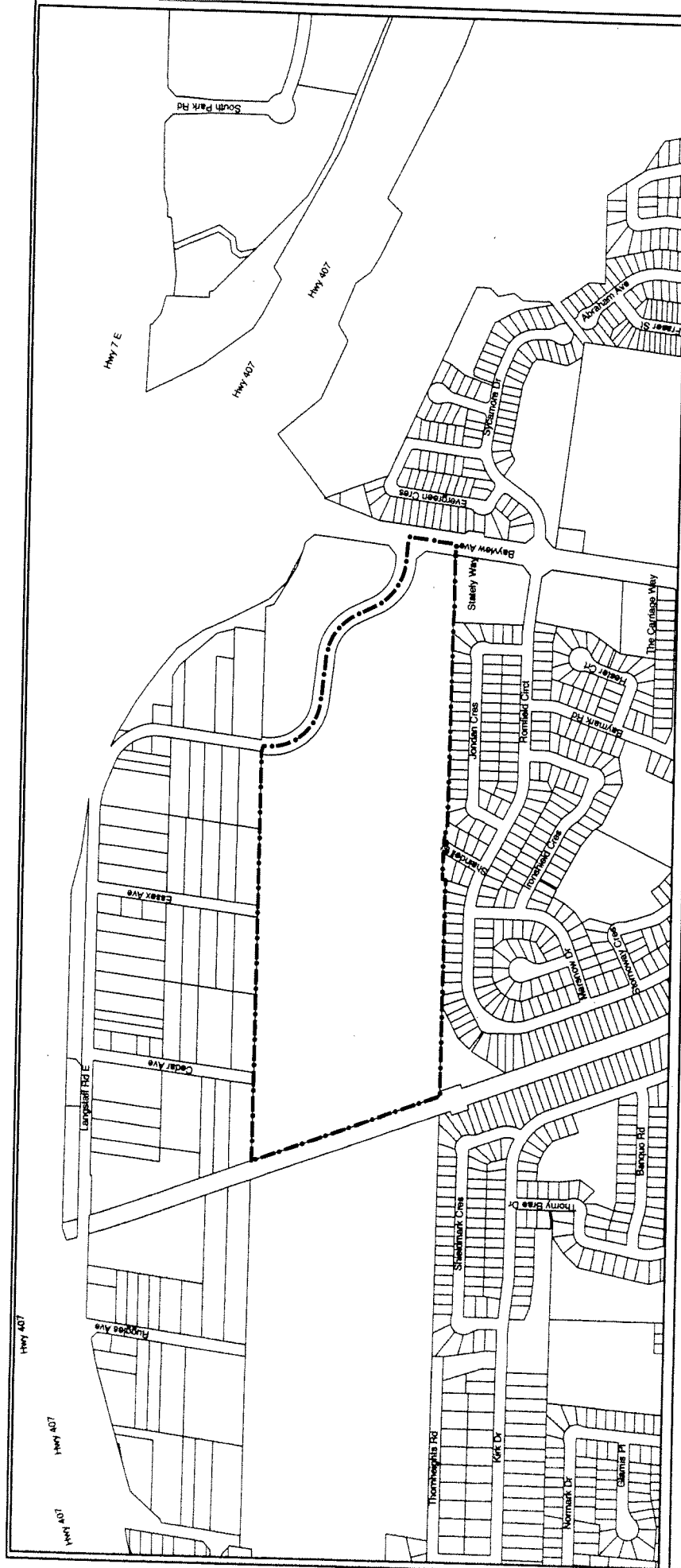
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS 12<sup>TH</sup> DAY OF  
SEPTEMBER 2012.

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KIMBERLEY KITTERINGHAM  
TOWN CLERK

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FRANK SCARPITTI  
MAYOR



# BY-LAW SCHEDULE "A" TO AMEND BY-LAW 2150

BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

BY-LAW AMENDMENT No. .... PASSED .....

**MARKHAM** DEVELOPMENT SERVICES COMMISSION

..... (MAYOR)

..... (CLERK)

Drawn By: DD

Checked By: GD

DATE: 08/23/12

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the Town of Markham Clerk's Office