

As we move toward the end of 2009, with this our latest edition of the Weston Consulting Group newsletter "Pulse", it is time to reflect on the year that was and look forward to 2010.

The past year was unlike any I have experienced in my twenty years in the planning consulting business. Business confidence started out in a muted fashion and gradually improved with the coming of spring. The summer was generally quite positive with some uncertainty creeping back in August. Since Labour Day, we seem to be operating under the premise of "cautious optimism". Many clients, particularly home builders seem to be fairing quite well with housing starts and home prices on the increase. Activity in the commercial and industrial sector seems to be returning as well, although not to the same extent as residential activity. Looking ahead to 2010, development seems poised to continue within the current low interest rate environment. Uncertainties remain within the global economic climate and we will also have an HST impact starting in July of next year. Later in the year we will be facing municipal elections.

Many municipalities, including Vaughan and Markham, will be finalizing their Official Plan reviews in 2010. As well, all municipalities are finalizing their Growth Plan conformity exercises. The unfolding of these events often leads to various Ontario Municipal Board hearings, but there will also be greater certainty. In the end, our experience shows that builders and developers prefer to proceed in periods of certainty and predictability.

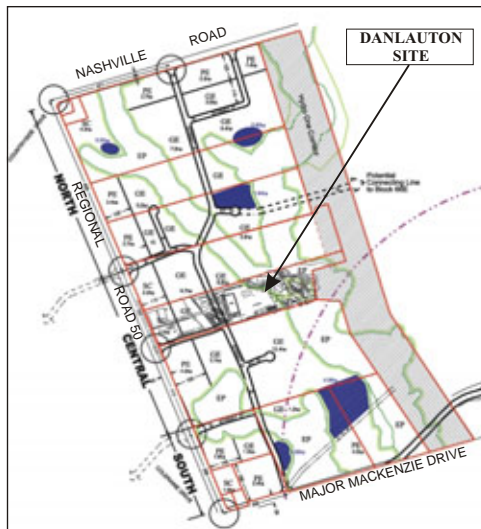
I hope you enjoy this edition of the newsletter. Please let us know of any comments, both positive and negative.

On behalf of the firm and its staff I wish you all the best for the upcoming holiday season.

Mark N. Emery, BES, MCIP, RPP  
President

## Project Spotlight: Waste Transfer & Recycling Station

On June 17, 2009, the **Ontario Municipal Board (OMB)** issued a decision approving official plan and zoning amendment applications submitted by **Danlauton Holdings Ltd.**, to permit the relocation of the Mammone Disposal Systems waste transfer and recycling station from its current site on Jane Street, beside Vaughan Mills Mall, to a site on the east side of Highway 50, north of Major Mackenzie Drive.



The Danlauton lands on Highway 50 have been within the City of Vaughan's designated urban area and slated for employment purposes for several years, but because of delays in the environmental assessment for the Highway 427 extension, and the resulting uncertainty in the alignment of the extension, the City had never begun the secondary planning process for this block.

After Danlauton appealed its applications to the Board, the **City of Vaughan** proceeded to refuse the applications as premature. The **City of Brampton**, the **Region of Peel** and the **Toronto and Region Conservation Authority**

also expressed concerns regarding the development proposal and became parties to the appeals.

**Weston Consulting Group (WCGI)** worked on this project on behalf of Danlauton with **McMillan, AECOM, Valdor Engineering, Read Voorhees** and **Valcoustics**. The consulting team was able to settle the concerns of Brampton, Peel and the conservation authority before the OMB hearing began.

In his evidence, **Alan Young**, Senior Associate with **WCGI**, demonstrated that the proposed waste transfer and recycling facility was in conformity with the land use planning framework for employment areas and that it did not unduly prejudice or predetermine the future layout of this future employment area. **WCGI** prepared two alternative block plan illustrations showing natural heritage corridors, land use, road network and potential stormwater management pond locations, and how the facility would "fit" within the resulting framework.

**WCGI** is now co-ordinating the site plan submission which requires approval before the final Board order issues.

Article written by Alan Young, Senior Associate (WCGI), tel. 905-738-8080 ext.231

## Staff News



Mark, Carol, Sandra and Shawn joined WCGI in 1989 and here they are with Peter Weston, 20 years later, in the "Twenty Year Club". Well done!



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## Staff News *continued from page 1*



WCGI is pleased to announce the promotion of **Christopher Tickner** to position of Senior Planner. Christopher provides a full range of land use planning and development related services to our clients.

WCGI welcomes **Dan Nguyen** and **Jane McFarlane** to the firm as junior planners.

## Zoning for Places of Worship

In many municipalities converting buildings to places of worship, building new ones and expanding existing ones has been the subject of community and political controversy and serious debate by municipal planners. With the increasing diversity of types of places of worship in larger metropolitan areas, even defining the use and the nomenclature has changed. Previous old zoning by-laws referred to them as “churches” but defined them to include synagogues and religious worship schools, convents and monasteries (**City of Vaughan** By-law 1-88). Today the accepted terminology is “Places of Worship”. This is usually defined in the zoning by-law. The definitions however vary and are often silent or ambiguous on the other uses which may be considered ‘normal’ or ‘incidental’ to the main use of worship. This is not new as for many years the traditional churches provided for the residence of the minister, hosted wedding receptions, bingo, Sunday schools, cub and girl guide packs as well as rummage and bake sales etc.



With the increasing development of additional forms of places of worship, including regional churches, temples,

mosques and other facilities which integrate teaching and worship, the nature of the facility has become more multi-purpose or very specialized. In addition, facilities have become regional in nature and rely on a much larger catchment area for their congregation than the local neighbourhood.

Since many municipalities permit places of worship in residential zones as-of-right, changes to regulations were required for development which usually revolved around setbacks, parking and uses which did not meet the zoning by-law definition for the main use or accessory uses.

The issue of planning policy for places of worship erupted in the 1980's in **North York** when many places of worship germinated in small homes and major parking issues spilled over to local streets. In addition many existing facilities did not have the capacity to provide parking for their congregation. The City undertook a major review of the entire issue of location and standards. One of the recommendations was to allow the uses only by rezoning. This was not pursued due to the feeling by many that places of worship were



*Design by Himayat Masood (B. Arch.), 3D Modeling by Zeeshan A Zakaria.*

integral to the neighbourhood and that forcing rezoning would make it easy for people to oppose the facility by using planning and traffic arguments to stir up controversy. The compromise was to permit the use but include separation distances to prevent overwhelming a particular street or neighbourhood.

Fast forward to 2009. The proposed new **City of Toronto** Zoning bylaw is revisiting this issue and is now proposing that all new places of worship will require a zoning by-law amendment prior to construction. Notwithstanding that the use is permitted in the Neighbourhood and Apartment Neighbourhood designations (Toronto

Official Plan), but must be “low scale” and “local”, each will be required to go through a major public planning process in order to be specifically located. It is suspected that major challenges will be faced for new places of worship in Toronto and the controversy will surface again.

*Article written by Ted Cymbaly, Senior Associate (WCGI), tel. 905-738-8080 ext.237*

## News From NRU

### YONGE STREET PROJECT APPROVED

In a decision issued September 28, board member **John Aker** approved a settlement, allowing appeals by **High Street Developments Inc.** against failure of the **Town of Richmond Hill** to make a decision with respect to official plan and zoning by-law amendments proposed to permit development of an eight-storey senior's residence. The 18- storey condominium tower with a seven-storey office/medical building is proposed to be built on Yonge Street, south of Major mackenzie Drive.

Planner, **Christopher Tickner**, representing **Weston Consulting Group Inc.**, provided evidence on behalf of High Street, in support of the settlement. Tickner told the board that the design of the senior's residence has been managed to minimize traffic congestion on a nearby local street through “stepbacks” and landscaping.

The board was not presented with any evidence in opposition to the project and approved the settlement, allowing the appeals and authorizing the development.

Solicitor **Antonio Dimilta (Berkow, Cohen)** represented the Town of Richmond Hill. Solicitor **Gabriel Szobel** represented **York Region**. Solicitor **Sean Gosnell (Borden Ladner)** represented High Street Developments Inc. (*See OMB Case No. P1090063.*)

*This article was published in the GTA OMB News section of Novae Res Urbis-GTA Edition on October 7, 2009.*

## HST

Starting July 1, 2010 consulting firms will have to charge 13% HST. It is to your advantage to initiate consulting work that you require prior to this date to avoid additional costs.