

COMMITTEE OF THE WHOLE NOVEMBER 15, 2004

**ZONING BY-LAW AMENDMENT FILE Z.04.012
TEMPLE KOL AMI
REPORT #P.2003.71**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.04.012 (Temple Kol Ami) BE APPROVED, subject to the following:
 - i) That the implementing by-law:
 - a) maintain the A Agricultural Zone on the northerly parcel (Attachment #2), which would permit a synagogue use, with an exception to allow exterior stairs to exceed a ½-storey to 1-storey in height in the easterly interior side yard;
 - b) rezone the southerly parcel from A Agricultural Zone to RVM2 Residential Zone, to permit block townhouse uses (Attachment #3);
 - c) require the landscaping around the periphery of an outdoor parking area to be planted with a mix of trees and shrubs, whereas the by-law currently requires a berm planted with evergreen trees, in the RVM2 Zone.

Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone the southerly parcel from A Agricultural Zone to RVM2 Residential Zone, to permit a 32-unit block townhouse development and to maintain the A Agricultural Zone on the northerly parcel of land which would be developed with a synagogue use.

Background - Analysis and Options

The subject lands are located on the northeast corner of Dufferin Street and Summeridge Drive, being 8777 Dufferin Street (Planning Block 10), in Part of Lot 12, Concession 2, City of Vaughan (see Attachment #1).

The subject lands are designated "Medium Density Residential/Commercial" by OPA No.600. The lands are zoned A Agricultural Zone by By-law 1-88. The surrounding land uses are:

- North – cemetery and church, Toronto Reservoir (A Agricultural Zone)
- South – Summeridge Drive; future commercial (C4-H Neighbourhood Commercial Zone)
- East – future residential (RVM1(WA) Zone)
- West – Dufferin Street; commercial (C4 Zone)

On April 23, 2004, a notice of public hearing was circulated to all property owners within 120m of the subject lands. To date, no responses have been received. The recommendation of the Committee of the Whole on May 17, 2004, to receive the public hearing and forward a technical report to a future Committee meeting, was ratified by Council on May 25, 2004.

Official Plan

The subject lands are designated "Medium Density Residential/Commercial". This designation is generally located along major arterial roads and primary streets. The character of the "Medium Density Residential/Commercial" areas shall be primarily residential with limited commercial uses located at grade level. The designation permits townhouse dwellings, and also allows institutional uses including a synagogue, as-of-right. The proposed amendments to the Zoning By-law conform to the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. The Applicant is proposing to rezone the southerly 8,344.10m² to RVM2 Zone (see Attachment #3), in order to facilitate the development of 32 residential condominium block townhouses (file DA.04.047). Although provisions have been made for visitor parking, By-law 1-88 requires the following:

- A strip of land not less than three (3) metres in width around the periphery of an outdoor parking area and within the lot on which the said parking area is situated shall be used for no other purpose than landscaping, but this shall not prevent the provision of access driveways across the said strip;
- An outdoor parking area shall be screened from the street and any adjacent premises. Screening shall consist of either a landscaped earthen berm, or an evergreen hedgerow, and shall have a minimum height of 1.2 metres. This shall not prevent the provisions of access driveways through the said screening.

Relief from this section of the By-law is required as the plan proposes providing visitor parking along the internal private road in a manner similar to on-street parking, with three of the visitor parking spaces located behind the entry wall feature at the southwest corner of the site. The development is intended to be a common element condominium, where the townhouse units are to be freehold and the private road and visitor parking spaces are to be a common element under condominium control.

The northern 15,732m² portion of the subject lands (see Attachment #2) will maintain the A Agricultural zoning subject to site-specific exceptions in order to facilitate the construction of Phase 1 of the proposed development, being a synagogue. Phase 2, a proposed social hall intended to operate in conjunction with the synagogue, will be reviewed at a later stage under a subsequent site plan application.

Only those exceptions required for the synagogue use will be addressed through this zoning amendment application process. An exception is necessary to the by-law requirement of exterior stairs exceeding one-half storey in height to be located in the rear yard, whereas the site plan for the proposed synagogue (file DA.04.042) shows the exterior stairs exceeding ½-storey to 1-storey in height located within the interior side yard (east).

Parking

Both proposed developments have provided for the required number of parking spaces. The proposed southerly residential townhouse development (file DA.04.047 Temple Kol Ami) requires two (2) parking spaces for each of the 32 townhouse units and 8 visitor parking spaces (32units @ 0.25 spaces /unit).

In respect to the northerly synagogue development (file DA.04.042 Temple Kol Ami), the Applicant has proposed 117 parking spaces for Phase 1, exceeding the requirement of 97 spaces for the proposed development. Parking requirements for the institutional use are based on the following standards:

- Place of Worship (698 m² @ 11 parking spaces/100m²) = 77 spaces
- 9 classrooms+1multi-purpose room (1.5 parking spaces/teaching classroom) = 15 spaces
- Office Use (129 m² @ 3.5 parking spaces/100m²) = 5 spaces

Land Use/Compatibility

The “Medium Density Residential/Commercial” designation in OPA No. 600 permits institutional uses as-of-right. The application proposes rezoning the southern 8,344.10m² portion for residential purposes, in conformity with the Official Plan. The northerly 15,732m² parcel is to remain A Agricultural Zone, and permit a synagogue use.

In order not to create a situation where lands have a split zoning, the Applicant will require approval for a Land Severance from the Committee of Adjustment, and cross easements to provide access from Summeridge Drive to the synagogue site. Site Plan applications for development of both the north and south portions of the lands (files DA.04.042 for the synagogue, and DA.04.047 for the townhouses) have been submitted and are currently under review by City Staff, and are subject to Council approval. Staff are generally satisfied with both site plans, subject to the resolution of development details and can support the zoning amendment application proceeding ahead of the 2 site plan applications, which would facilitate both developments.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of the Official Plan.

Conclusion

Staff is of the opinion that the proposed rezoning of the subject lands conforms to the policies of OPA No. 600 and is appropriate for the two proposed developments on the subject lands; a synagogue on the northerly parcel under the existing A Agricultural Zone, and a 32-unit townhouse development on the southerly parcel under a proposed RVM2 zoning category. The zoning by-law will rezone the lands and address minor exceptions to the requirements of the respective zones in order to implement the developments. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Site Plan (North Parcel – Synagogue)
3. Site Plan (South Parcel – Townhouses)

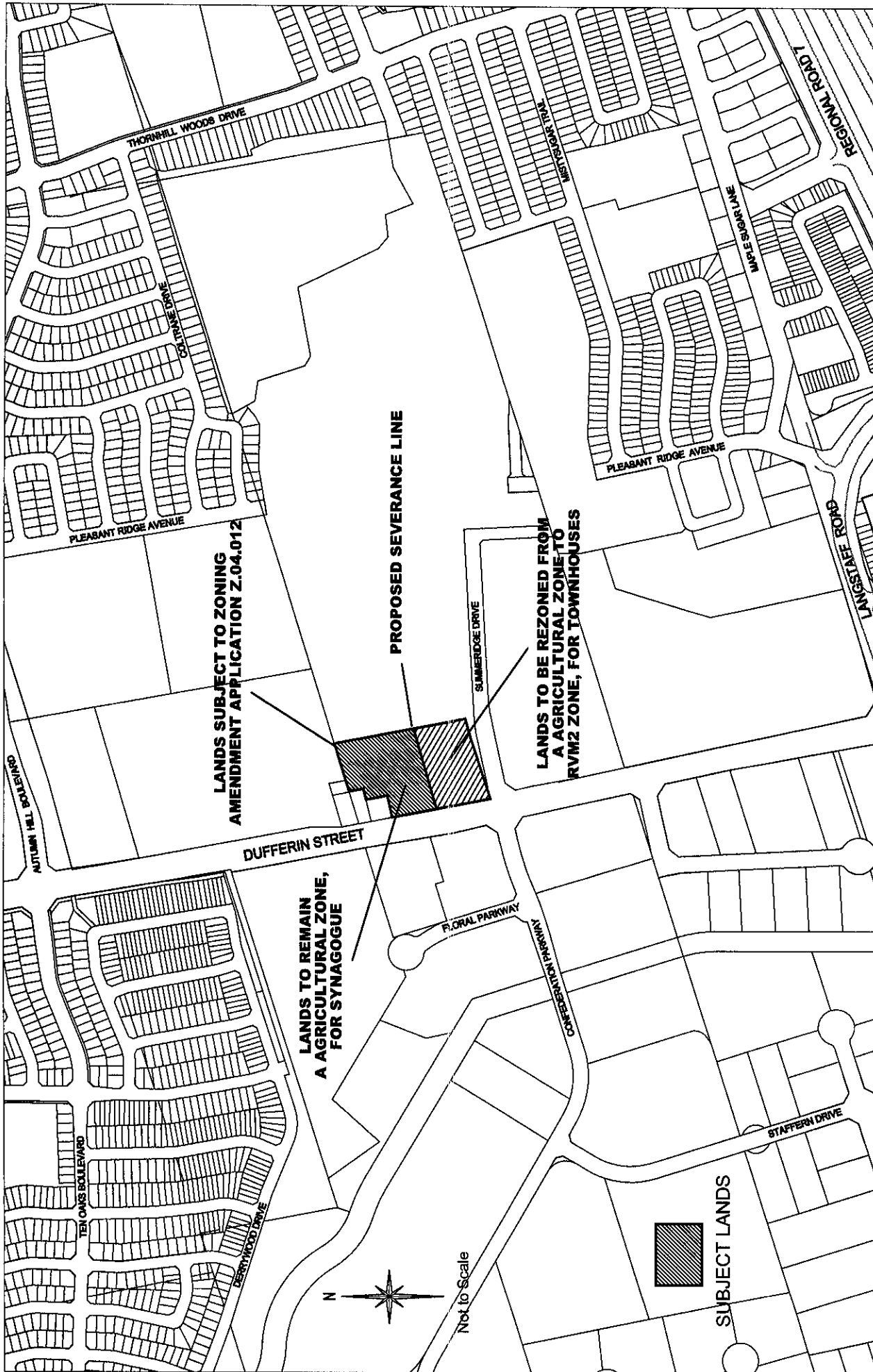
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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning
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MARCO RAMUNNO
Director of Development Planning



Location Map

Part of Lot 12,
Concession 2
APPLICANT:
TEMPLE KOL AMI



Development Planning Department

Attachment 1

FILE No.:
Z.04.012
RELATED FILES:
DA.04.042 (Synagogue)
DA.04.047 (Townhouses)
July 26, 2004

NORTHERLY PARCEL

- Lands to Remain A Agricultural Zone
- Synagogue Proposed
- Related Site Plan File DA.04.042

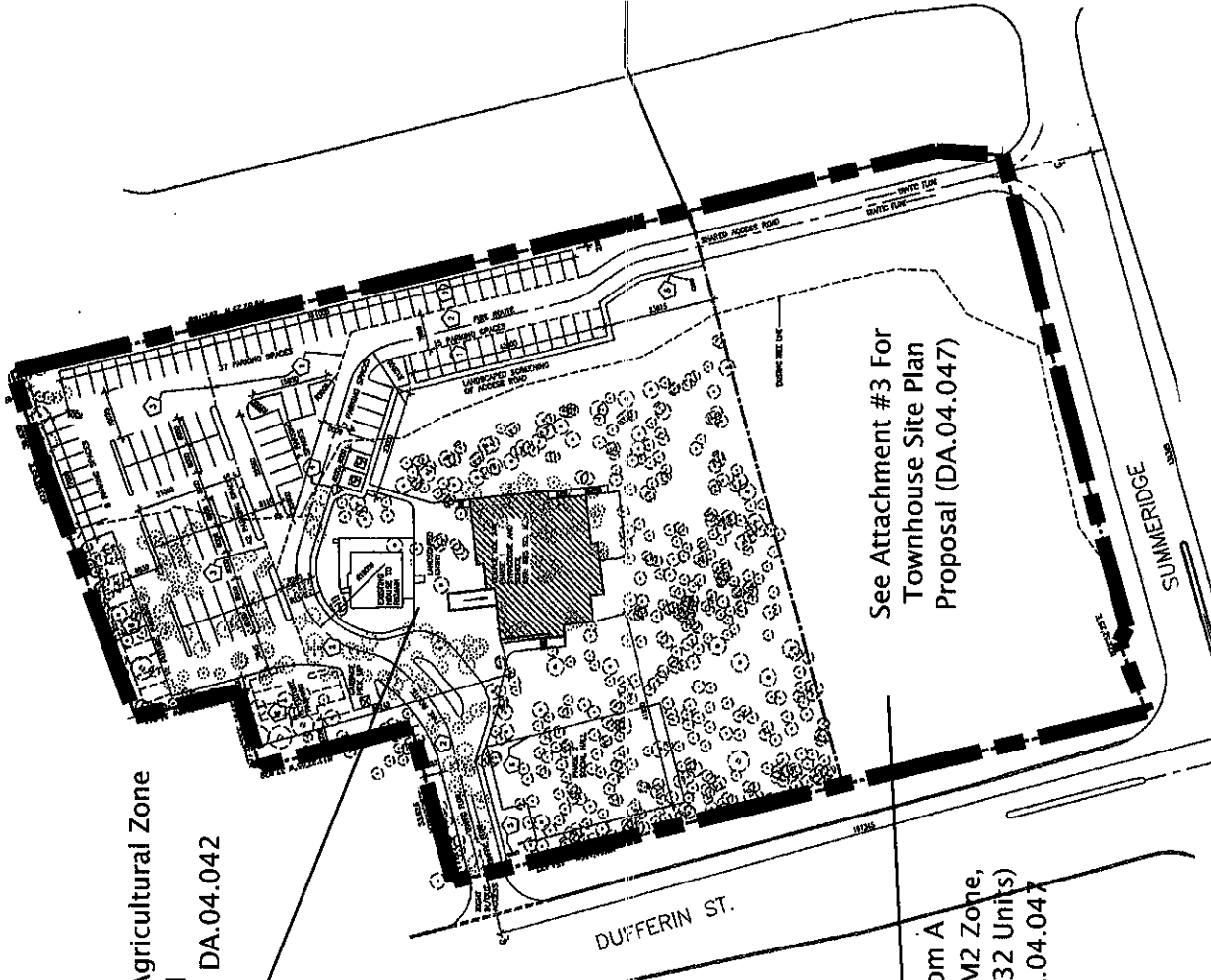
SOUTHERLY PARCEL

- Lands to be Rezoned from A Agricultural Zone to RVM2 Zone, to Permit Townhouses (32 Units)
- Related Site Plan File DA.04.047

See Attachment #3 For
Townhouse Site Plan
Proposal (DA.04.047)

Proposed Severance Line

SUBJECT LANDS



**Site Plan - Northerly Parcel
(Synagogue)**

Part of Lot 12,
Concession 2

APPLICANT:
TEMPLE KOL AMI



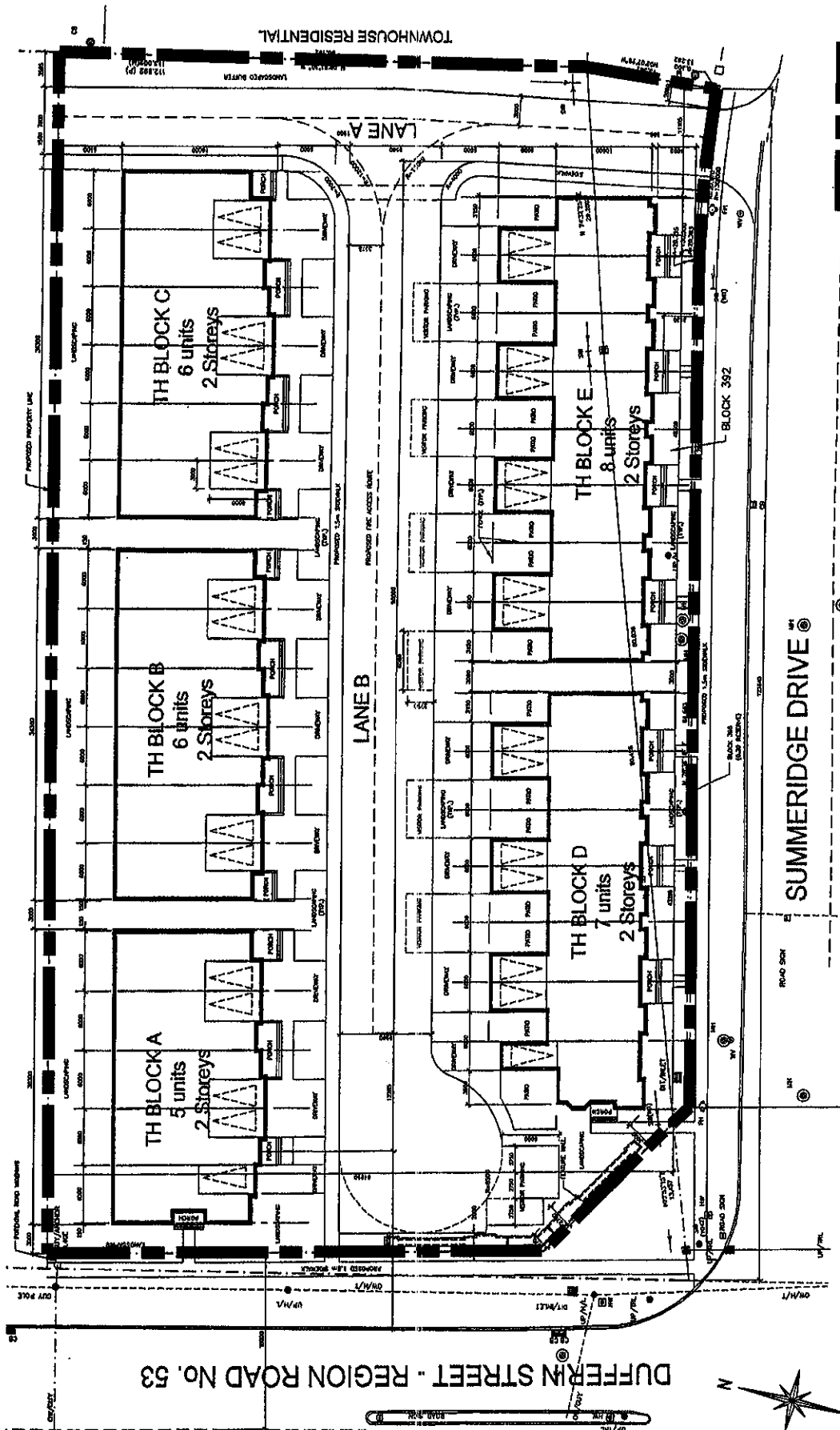
Development Planning Department

Attachment 2

FILE No.:
DA.04.042

Not to Scale

July 26, 2004



SUBJECT LANDS

Site Plan - Southerly Parcel (Townhouses)

Part of Lot 12, Concession 2
 APPLICANT:
 TEMPLE KOL AMI



Development Planning Department

Attachment 3

FILE No.:
 DA.04.047
 Not to Scale
 August 24, 2004