

COMMITTEE OF THE WHOLE APRIL 18, 2006

SITE DEVELOPMENT FILE DA.02.080
KHMER BUDDHIST TEMPLE OF ONTARIO

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.02.080 (Khmer Buddhist Temple of Ontario) BE APPROVED, to facilitate the development of the subject lands as shown on Attachment #2, with a 542.5m² building addition to the existing place of worship served by 65 parking spaces as shown on Attachment #3, subject to the following conditions:

1. That prior to the execution of the site plan agreement:
 - a) the final site plan, building elevations, and landscape plan shall be approved by the Development Planning Department;
 - b) the final site servicing, grading and stormwater management plans shall be approved by the Engineering Department;
 - c) the final landscape plan shall address the requirements of the Village of Maple Streetscape Master Landscape Plan and Design Study to the satisfaction of the Development Planning Department;
 - d) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
 - e) the Owner shall satisfy all requirements of the Region of York Transportation and Works Department; and
 - f) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority.

2. That the site plan agreement contain the following provision:
 - a) The Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act and City of Vaughan Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted a Site Development Application to permit the construction of a 542.5m² building addition to an existing place of worship served by 65 parking spaces as shown on Attachment #3. Upon completion of the addition, the existing dwelling on the site will be used as the living quarters for the monks serving at the place of worship.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Keele Street, north of Rutherford Road, between Fieldgate Drive and Barrhill Road (9575 Keele Street), in Lot 18, Concession 3, City of Vaughan. The site has an area of approximately 0.52 ha, with 37.16m of frontage on Keele Street and a depth of 129.6 m. The site is currently developed with a two-storey building and an attached 3-car garage, which is being used as a place of worship.

On October 24, 2005, the Committee of the Whole considered a report from the Commissioner of Planning (Attachment #1) respecting Site Development File DA.02.080 (Khmer Buddhist Temple of Ontario) and adopted the following recommendation:

“That this matter be referred to a future Committee of the Whole meeting to provide an opportunity for the applicant to meet with the local ratepayers’ association to address concerns raised.”

On October 31, 2005, Council ratified the Committee’s recommendation.

Since that time, a meeting was arranged through the Local Councillor’s Office, to address the concerns raised by the local ratepayer’s association (Maple Village Ratepayers Association). As a result of this meeting, modifications to the building elevations of the proposed addition to the existing place of worship were proposed as follows:

- i) the height of the building (to the top of the steeple) has been reduced from 22m to 16.21m;
- ii) the number of windows on each elevation has been reduced;
- iii) the third level of the layered roof has been modified to reduce its height and massing; and
- iv) the roof will be finished with asphalt shingles instead of clay tiles.

The revised elevations are shown on Attachments #4, #5 and #6. The building materials remain unchanged from the original proposal along, the proposed site plan shown on Attachment #3 remains unchanged. The proposed addition, as revised, conforms and complies with the Official Plan and Zoning By-law, respectively. The technical analysis undertaken in the October 24, 2005 Committee of the Whole report (Attachment #1) remains applicable.

Official Plan

The subject property is designated “Low Density Residential” by the Maple Community Plan (OPA #350), which permits a place of worship on the subject lands. The proposed development conforms to the Official Plan.

Zoning

The subject property is zoned R3 Residential Zone by By-law 1-88, subject to Exception 9(495). The proposed place of worship use is permitted on the subject lands. Also, the proposed site plan layout and building addition complies with the requirements of By-law 1-88.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly ‘A-5’, “Plan and Manage Growth”.

Conclusion

Site Development File DA.02.080 (Khmer Buddhist Temple of Ontario) was considered by Council on October 31, 2005 and referred to a future Committee of the Whole meeting to provide an opportunity for the applicant to meet with the local ratepayers' association to address their concerns. A meeting was held with the area ratepayer association, which resulted in changes to the proposed building elevations.

The Development Planning Department has reviewed the revised building elevations and is satisfied that the proposed changes, including the reduced building and roof massing and the reduction in the number of windows is consistent with the original elevations, and are considered appropriate.

Accordingly, the Development Planning Department can support the revised building elevations and the site development application, subject to the conditions contained in this report.

Attachments

1. Staff Report – October 24, 2005
2. Location Map
3. Site Plan
4. Building Elevations (Revised - West & East)
5. Building Elevation (Revised -North)
6. Building Elevation (Revised - South)

Report prepared by:

Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG

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CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 31, 2005

Item 13, Report No. 57, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 31, 2005.

13

**SITE DEVELOPMENT FILE DA.02.080
KHMER BUDDHIST TEMPLE OF ONTARIO**

The Committee of the Whole recommends:

- 1) That this matter be referred to a future Committee of the Whole meeting to provide an opportunity for the applicant to meet with the local ratepayers' association to address concerns raised;
- 2) That the following deputations be received:
 - a) Mr. Alan Kay, Secretary, Maple Village Ratepayers' Association, 604 Barrhill Road, Maple, L6A 1N6;
 - b) Mr. Ed Grisolia, 231 Butterfield Crescent, Maple, L6A 1L1; and
 - c) Mr. Robert Segarra, on behalf of the applicant; and
- 3) That the coloured elevation drawing, submitted by the applicant, be received.

Recommendation

The Commissioner of Planning recommends:

THAT Site Development File DA.02.080 (Khmer Buddhist Temple of Ontario) BE APPROVED, subject to the following conditions:

1. That prior to the execution of the site plan agreement:
 - a) the final site plan, building elevations, and landscape plan shall be approved by the Development Planning Department;
 - b) the final site servicing, grading and stormwater management plans shall be approved by the Engineering Department;
 - c) the final landscape plan shall address the requirements of the Village of Maple Streetscape Master Landscape Plan and Design Study to the satisfaction of the Development Planning Department;
 - d) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
 - e) the Owner shall satisfy all requirements of the Region of York Transportation and Works Department; and
 - f) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority.
2. That the site plan agreement contain the following provision:
 - a) The Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the

ATTACHMENT #1

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 31, 2005

Item 13. CW Report No. 57– Page 2

issuance of a Building Permit, in accordance with Section 42 of the Planning Act and City of Vaughan Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Economic Impact

There are no requirements for a new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted a Site Development Application to permit the construction of a 542.5m² building addition to an existing place of worship served by 65 parking spaces as shown on Attachment #2. Upon completion of the addition, the existing dwelling on the site will be used as the living quarters for the monks serving at the place of worship.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Keele Street, north of Rutherford Road, between Fieldgate Drive and Barrhill Road (9575 Keele Street), in Lot 18, Concession 3, City of Vaughan. The site has an area of approximately 0.52 ha, with 37.16m of frontage on Keele Street and a depth of 129.6 m. The site is currently developed with a two-storey building and an attached 3-car garage, which is being used as a place of worship.

The lands are subject to an Ontario Municipal Board (OMB) Decision (Order No. 0588) issued on March 23, 1999, which dismissed an appeal by the residents on Kelly Place, with respect to a decision of the Committee of Adjustment, which granted approval of a minor variance to the existing interior side yard of 4.38m, whereas 6.0m is required for a place of worship.

The lands are designated "Low Density Residential" by OPA #350 (Maple Community Plan), and zoned R3 Residential Zone by By-law 1-88, as amended by Exception 9(495). The surrounding land uses are:

- North - existing residential (R1 Residential Zone and A Agricultural Zone)
- East - open space valley (OS1 Open Space Conservation Zone)
- South - existing residential (R3 Residential Zone)
- West - Keele Street; existing residential (R1 Residential Zone)

On December 17, 2002, a notice of receipt of the application was circulated to the Maple Village Ratepayers Association. The Association forwarded a letter to the Planning Department advising that they have serious concerns with this application. It states that the applicant has made no attempt to meet with the community and therefore, the application should be deferred until the community has had a chance to meet with the applicant. Staff has forwarded a copy of the Association's letter to the applicant. A notice of this meeting was forwarded to those individuals requesting notification on October 14, 2005.

Official Plan

The subject property is designated "Low Density Residential" by the Maple Community Plan (OPA #350), which permits a place of worship on the subject lands. The proposed development conforms to the Official Plan.

ATTACHMENT #1

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 31, 2005

Item 13, CW Report No. 57– Page 3

Zoning

The subject property is zoned R3 Residential Zone by By-law 1-88, subject to Exception 9(495). The proposed place of worship use is permitted on the subject lands. Also, the proposed site plan layout and building use addition complies with the requirements of By-law 1-88.

Site Design

The proposed site plan shown on Attachment #2 consists of the existing building that is centrally located on the property with a 542.5m² addition proposed between the existing building and Keele Street, and represents an expansion of the existing place of worship. The proposed addition is linked to the existing building via an enclosed building connection. A walkway is proposed around the perimeter of the addition and extends along the north limit of the parking lot.

A parking area with 62 parking spaces is proposed in the rear yard, which is accessed by a vehicular driveway located along the north property line. An additional three parking spaces are provided in the garage attached to the existing building.

Building Elevations

The proposed building elevations are shown on Attachments #2, #3 and #4. The proposed elevations utilize a traditional Buddhist temple architecture incorporating many building and ornamental features. The building includes red entry doors into the building on the west, north and south elevations. A covered open area is located around the perimeter of the building with columns and a heavy handrail. Windows are located around the addition utilizing a decorative ornamental feature over each. The main floor of the building is finished using tan coloured durock stucco. The roof of the structure has several elevations and includes a spire reaching a maximum height of 22.04. The roof is constructed with brownish coloured clay shingles and includes a traditional Buddhist decoration around its perimeter. The west elevation includes a ramp for use by the physically challenged.

Parking

The existing dwelling is currently used as a place of worship. Upon completion of the development, the proposed addition will be used as the place of worship and the existing dwelling will be used as a residence for the monks serving at the facility. Accordingly, By-law 1-88 requires that parking for the proposed development be calculated as follows:

New Temple – 542.5 m ² @ 11 spaces/100m ²	= 60 parking spaces
Existing Residence -	= <u>3 parking spaces</u>
TOTAL	63 parking spaces

The site plan indicates that 65 parking spaces will be provided, which complies with the Zoning By-law, with a surplus of 2 spaces.

Land Use

The Official Plan and By-law 1-88 permit the proposed place of worship use on the subject lands. Section 5.3 of OPA #350, *Churches and Religious Institutions*, further permits existing and new places of worship on arterial roads in residential areas without a specific designation or amendment to the Plan, throughout the community.

ATTACHMENT #1

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 31, 2005

Item 13, CW Report No. 57- Page 4

In addition, there are many examples of places of worship and other institutional uses such as schools located on arterial roads or within the community that share a similar built form and spatial relationship to adjacent residential uses as that proposed by the subject site plan application. The proposed land use conforms to the Official Plan and Zoning By-law and is therefore considered to be appropriate from the perspective of compatibility with the existing uses in the area of the subject property.

Building Form & Elevations

The vision for the Maple community from a physical built form perspective along this portion of Keele Street is implemented through the Official Plan and the Maple Streetscape and Urban Design Guidelines (MSUDGs). The compatibility between existing and proposed development is important and required by the Official Plan, however, it does not necessarily mean that new development must be identical to existing development. The MSUDGs set out several guidelines respecting development within its boundary including site plan design and parking guidelines. The MSUDGs encourage buildings to be located close to the street in order to create an interactive relationship between the pedestrians and building forms. The proposed building is setback approximately 12m from Keele Street and is substantially closer to the street than the existing building.

The MSUDGs require that all reasonable efforts should be made to locate parking at the rear of the building. All of the proposed parking for the proposed place of worship is located in the rear yard of the property.

The materials, colours, texture and the architectural design of the building are specifically chosen because of their religious symbolism. The MSUDGs do not include guidelines that contemplate a unique building use and design such as that proposed by the application.

Maple Streetscape Advisory Committee

The subject lands are located within the boundary of the Maple Streetscape and Urban Design Guidelines (MSUDGs). All applications subject to the MSUDGs must be reviewed by the Maple Streetscape Advisory Committee (MSAC). The MSAC on January 29, 2003 received a presentation respecting this development application and recommended:

"That as the style of the structure does not conform to the Maple Streetscape and Urban Design Guidelines, the Committee does not support the application."

The Owner will be required to furnish the required streetscaping in accordance with the details of the Maple Streetscape Urban Design Guidelines and Master Plan.

Cultural Services Department

The Cultural Services Department has advised that this property is located outside the Maple Historic Core District. Accordingly, Heritage Vaughan and Cultural Services Staff will not be reviewing the streetscape impact of the proposal, and no comments have been provided.

Landscaping

The Owner is proposing enhanced landscaping within the buffer area around the perimeter of the site. The additional landscaping includes a mix of deciduous and coniferous plant material including spruce trees, willows, cedars and dwarf burning bush. Additional landscaping opportunities will be reviewed with the applicant to ensure that the final landscape plan incorporates sufficient screening to the satisfaction of the Development Planning Department.

ATTACHMENT #1

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 31, 2005

Item 13, CW Report No. 57-- Page 5

The parking spaces located adjacent to the east property limit are constructed with turf stone unilock pavers to permit water infiltration into the ground.

The TRCA has identified that additional planting should be provided to buffer the site from the valley. In addition, the Owner must satisfy the requirements of the Maple Village Streetscape Master Landscape Plan and Design Study with respect to hard and soft landscaping along the Keele Street frontage.

The final landscape plan must be approved to the satisfaction of the Development Planning Department.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed site plan and advised that they have no concerns with respect to the building setbacks and location, however the following items must be addressed prior to final site plan approval:

- additional buffer plantings are required adjacent to the northern, northeastern and eastern limits of the property;
- the stormceptor should be placed downstream of the proposed control manhole;
- additional details regarding the storm sewer outfall are required;
- changes to the proposed swale should be reviewed in order to enhance the water quality control and an overall net environmental benefit; and,
- a permit pursuant to Ontario Regulation 158 is required for the proposed development.

The Owner will be required to satisfy all requirements of the TRCA.

Region of York

The Region of York Transportation and Works Department has reviewed the proposed site plan and has provided red-lined comments respecting the driveway access design, to the applicant, and the final site plan must be to their satisfaction.

Servicing

The site has access to hydro, water, and storm and sanitary sewer services. The final site servicing, grading and stormwater management plans must be approved to the satisfaction of the Engineering Department. The Owner will also be required to satisfy all hydro requirements of PowerStream Inc. The plans do not indicate where the garbage storage area is located. This facility should be indoors and will be confirmed on the final site plan.

Relationship to Vaughan Vision 2007

This staff report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A5', "Plan and Manage Growth".

Conclusion

The site development application to expand the existing place of worship has been reviewed in

ATTACHMENT #1

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 31, 2005

Item 13, CW Report No. 57-- Page 6

the context of the Official Plan, By-law 1-88, and the Maple Streetscape and Urban Design Guidelines (MSUDGs). The application conforms to the Official Plan and complies with the requirements of By-law 1-88. The compatibility between existing and proposed development is important and required by the Official Plan, however, it does not necessarily mean that new development must be identical to existing development. The application conforms to certain aspects of the MSUDGs including creating a relationship between the building and the street and locating the parking area at the rear of the building. Accordingly, the Development Planning Department can support the proposed site development application, subject to the conditions contained in this report.

Attachments

1. Location Map
2. Site Plan
3. Elevation - West (Keele Street)
4. Elevation-South
5. Elevation-North

Report prepared by:

Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

/LG

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)



- LEGEND**
- A - AGRICULTURAL ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - OS2 - OPEN SPACE PARK ZONE
 - R1 - RESIDENTIAL ZONE
 - R2 - RESIDENTIAL ZONE
 - R3 - RESIDENTIAL ZONE
 - RA2 - APARTMENT RESIDENTIAL ZONE
- SUBJECT LANDS**

Attachment **1**

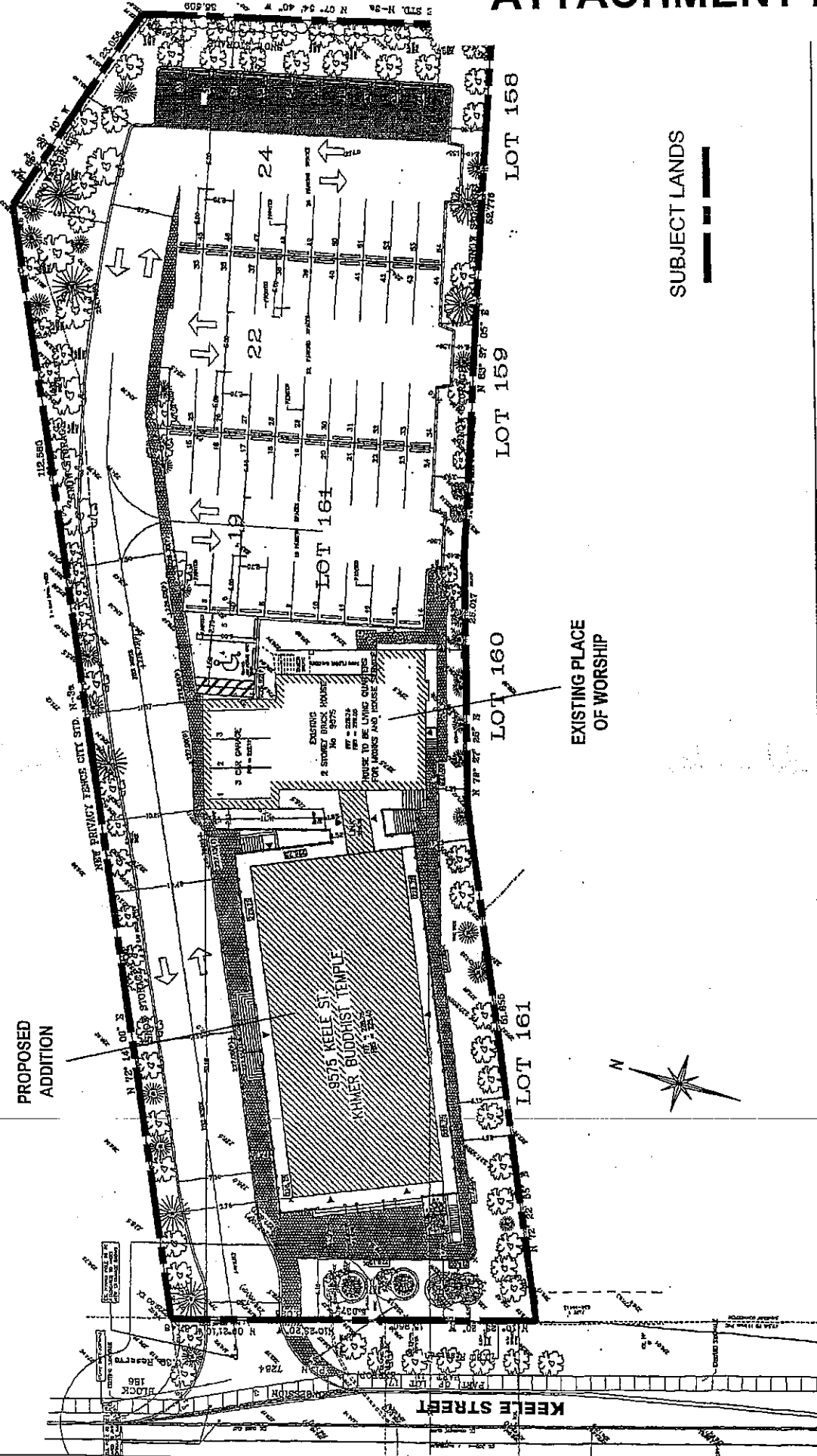
FILE No.: DA.02.080
 October 13, 2005
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City of Vaughan
 Development Planning Department

Location Map

Lot 18,
 Concession 3
 APPLICANT:
 KHMER BUDDHIST
 TEMPLE OF ONTARIO

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Attachment 2

FILE No.:
DA.02.080
September 29, 2005
Not to scale

City of
Vaughan
Development Planning Department

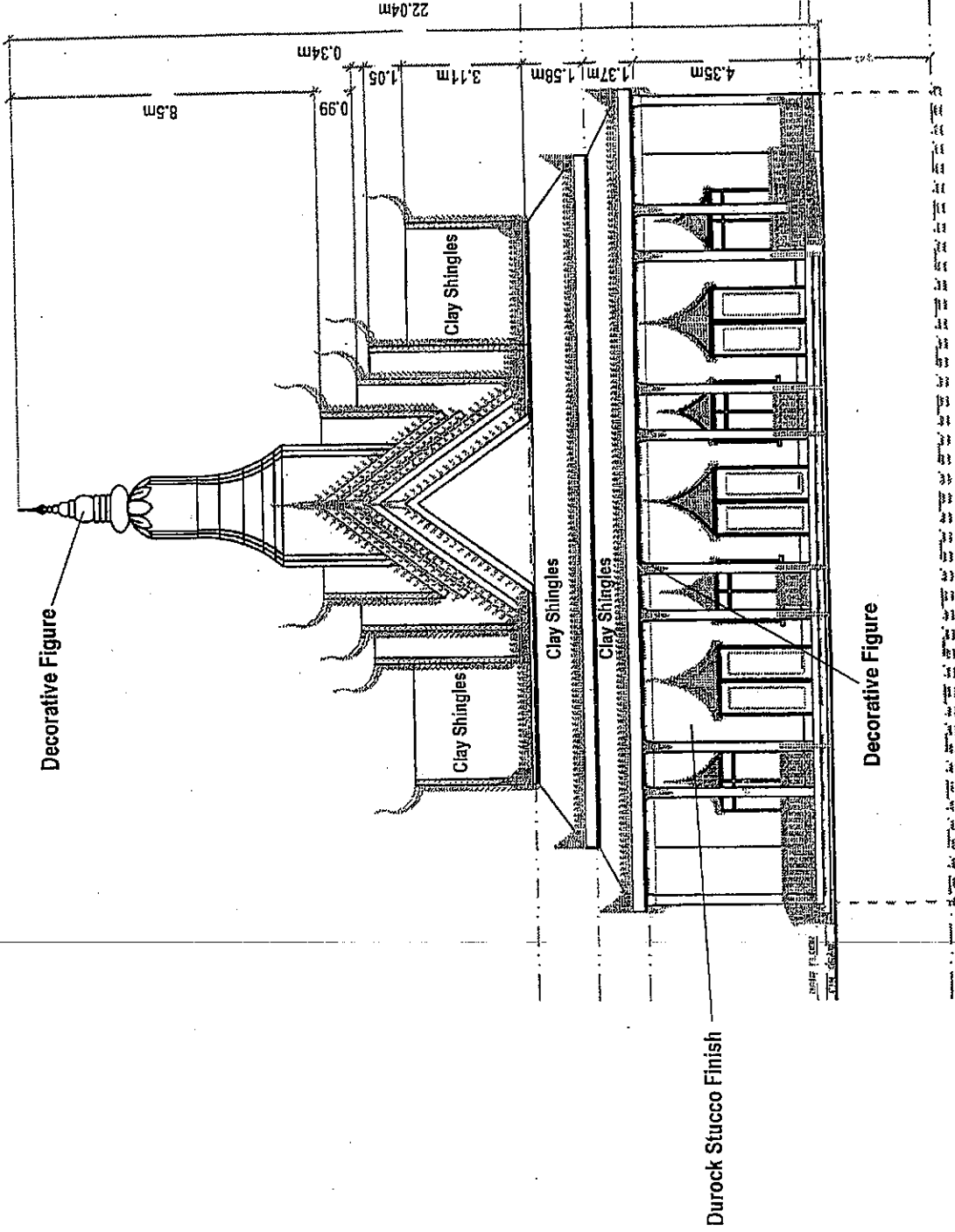
Site Plan

Lot 18,
Concession 3

APPLICANT:
KHMER BUDDHIST
TEMPLE OF ONTARIO

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ATTACHMENT #1



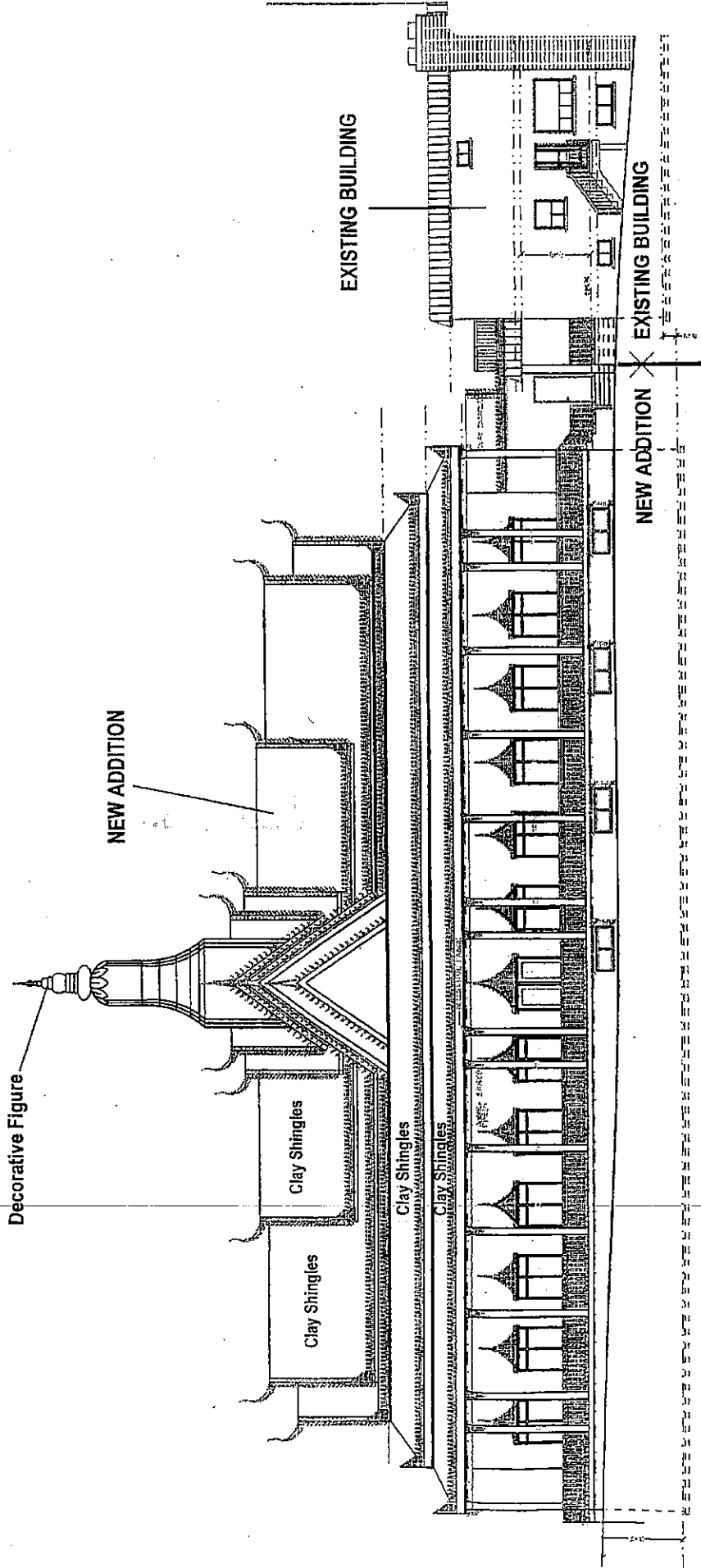
West Elevation - KEELE STREET

Attachment 3
FILE No.: DA.02.080
September 29, 2005
Not to scale

City of Vaughan
Development Planning Department

Elevations
Lot 18,
Concession 3
APPLICANT:
KHMER BUDDHIST
TEMPLE OF ONTARIO

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South Elevation

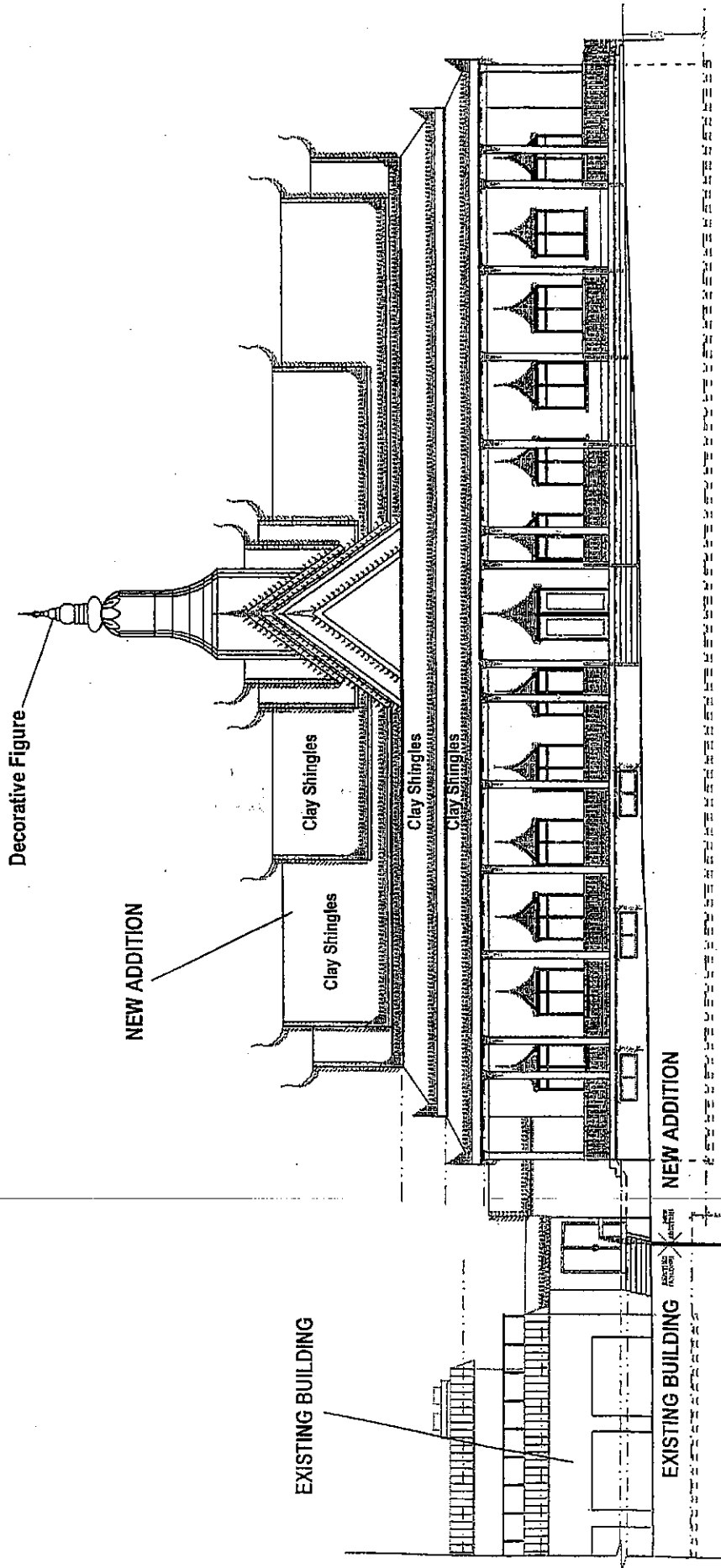
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 FILE No.: DA.02.080
 September 29, 2005
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City of **Vaughan**
 Development Planning Department

Elevations

Lot 18,
 Concession 3
 APPLICANT:
 KHMER BUDDHIST
 TEMPLE OF ONTARIO
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ATTACHMENT #1



North Elevation

Elevations

Lot 18,
Concession 3

APPLICANT:
KHMER BUDDHIST
TEMPLE OF ONTARIO

HA-DPTV - ATTACHMENTS (A) 6.02.080

Attachment **5**

FILE No.:
DA.02.080

September 29, 2005
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City of
Vaughan


Development Planning Department



LEGEND

- A - AGRICULTURAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- RA2 - APARTMENT RESIDENTIAL ZONE

SUBJECT LANDS



Location Map

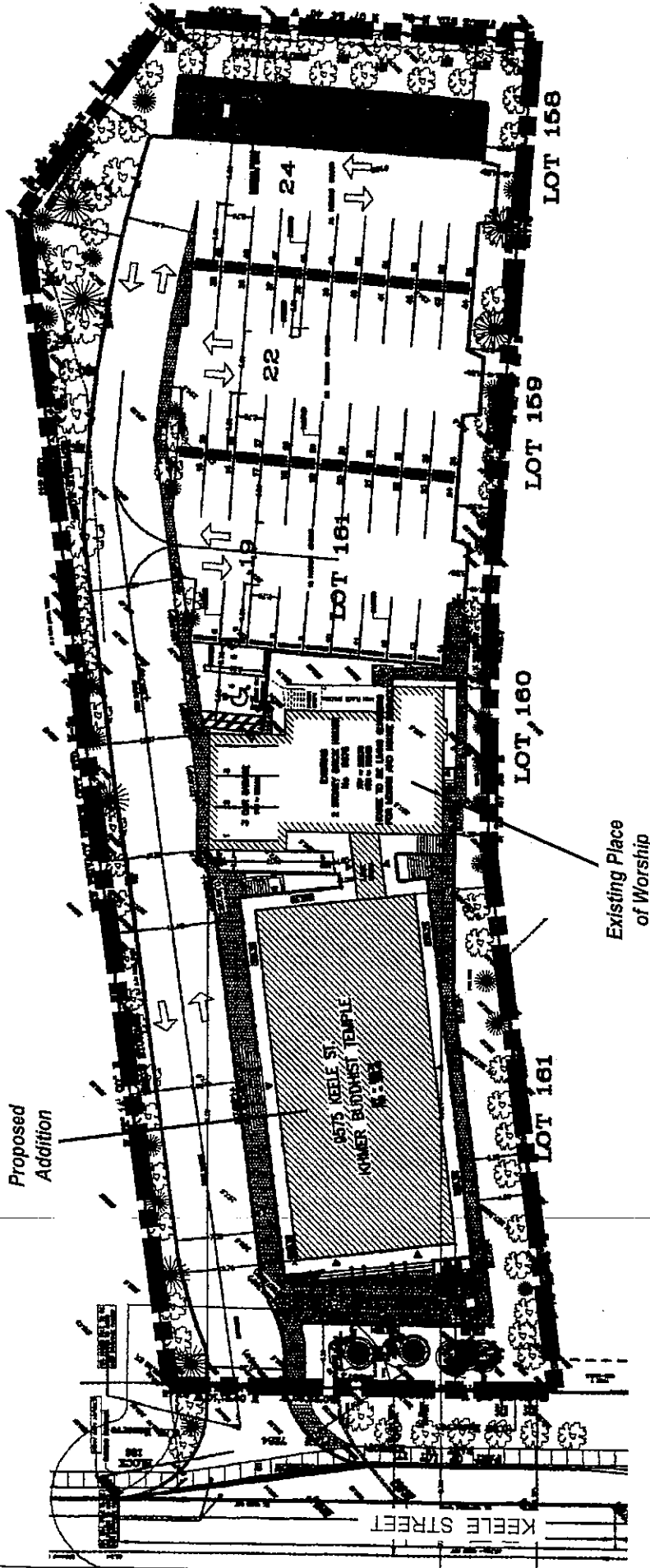
Lot 18,
Concession 3
APPLICANT:
KHMER BUDDHIST
TEMPLE OF ONTARIO
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Development Planning Department

Attachment 2

FILE No.:
DA.02.080
October 13, 2005
Not to scale



■ ■ ■ SUBJECT LANDS

Site Plan

Lot 18,
Concession 3

APPLICANT:
KHMER BUDDHIST
TEMPLE OF ONTARIO

NA\DP1 - ATTACHMENTS\VA\6-02.080

City of Vaughan

Development Planning Department

Attachment 3

FILE No.:
DA.02.080

March 22, 2005
Not to scale

BUILDING HEIGHT
REDUCED FROM
22m TO 16.21m

DECORATIVE CUPOLA

TRADITIONAL BUDDHIST
DECORATION

ASPHALT SHINGLES

MASSING OF
THIRD
LAYER OF ROOF
REDUCED

DECORATIVE CUPOLA

TRADITIONAL BUDDHIST
DECORATION

ASPHALT SHINGLES

ARCHITECTURAL BLOCK
WALL FINISH

WEST ELEVATION

EAST ELEVATION

Elevations

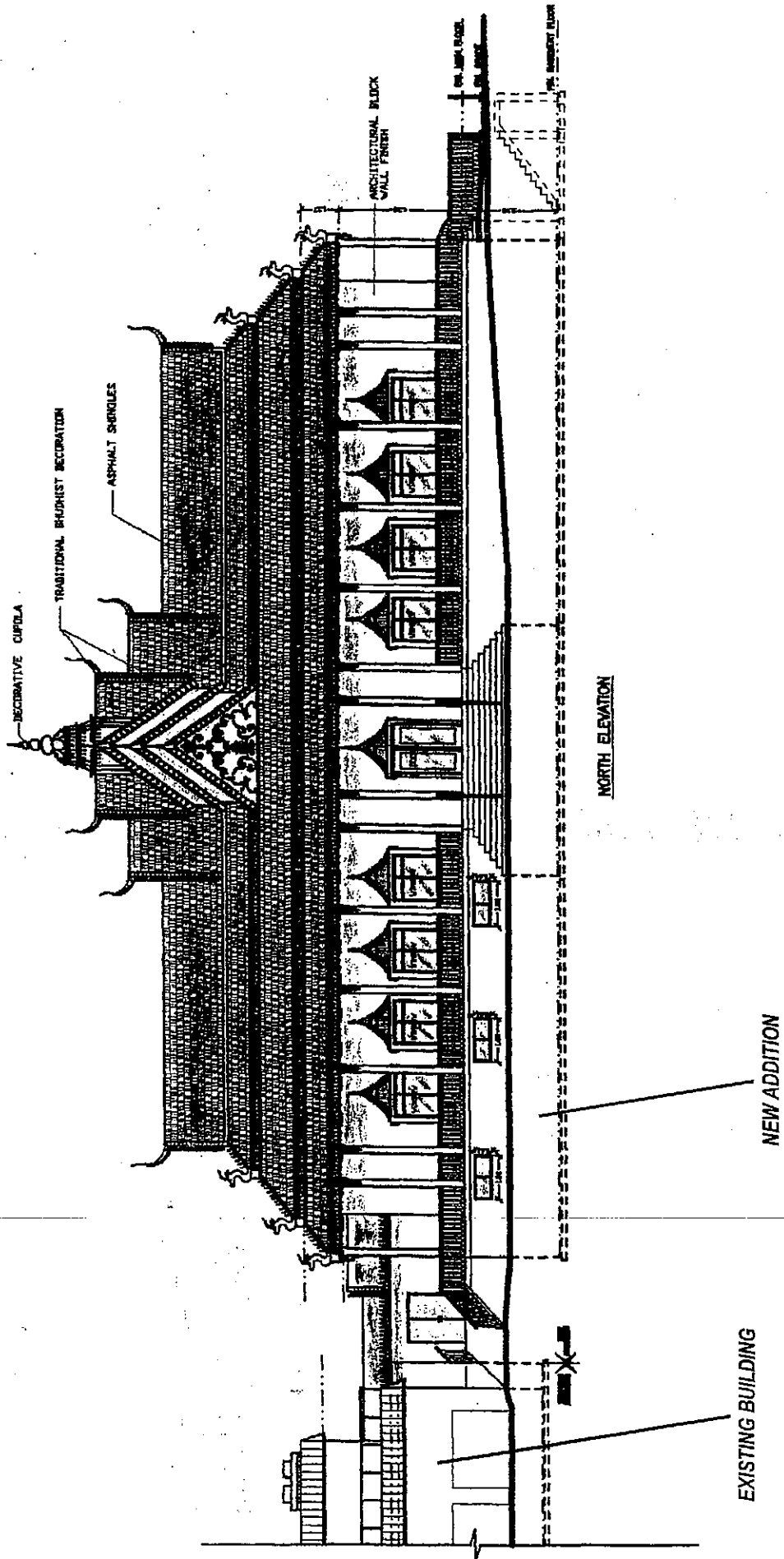
Lot 18,
Concession 3
APPLICANT:
KHMER BUDDHIST
TEMPLE OF ONTARIO
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Development Planning Department

Attachment 4

FILE No.:
DA.02.080
March 22, 2005
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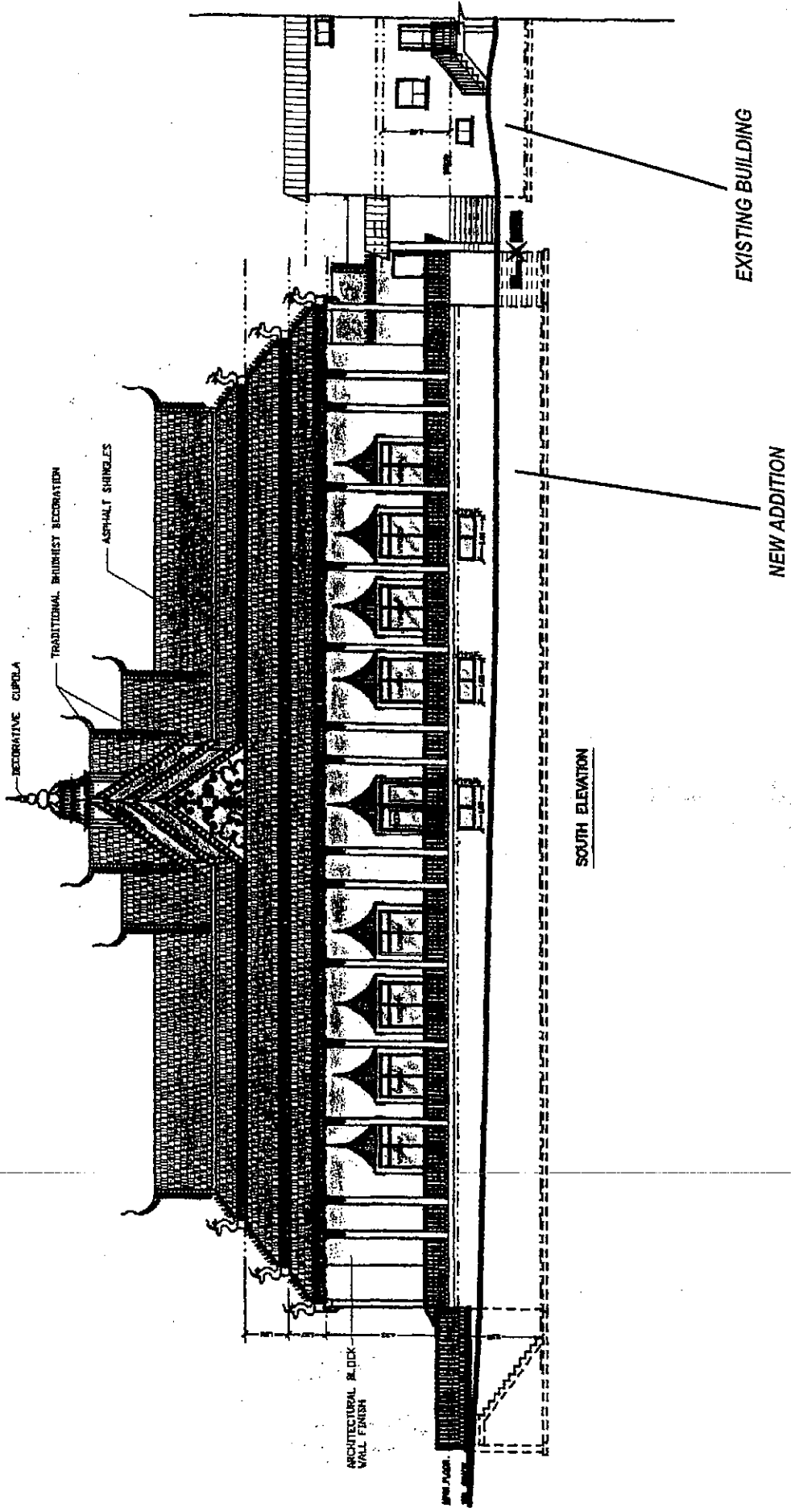
City of **Vaughan**

Development Planning Department

Elevations

Lot 18,
 Concession 3
 APPLICANT:
 KHMER BUDDHIST
 TEMPLE OF ONTARIO

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Elevations

Lot 18,
Concession 3
APPLICANT:
KHMER BUDDHIST
TEMPLE OF ONTARIO
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City of Vaughan

Development Planning Department

Attachment 6

FILE No.:
DA-02-080
March 22, 2005
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