

COMMITTEE OF THE WHOLE AUGUST 31, 2010

**SITE DEVELOPMENT FILE DA.09.039
BAIS TEFILLOH FRANKLIN
WARD 5**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.09.039 (Bais Tefilloh Franklin) BE APPROVED, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking, which shall be registered on title:
 - i) the final site plan, landscape plan, external lighting plan, urban design brief and landscape cost estimate shall be approved by the Vaughan Development Planning Department;
 - ii) the final site servicing and grading plan and stormwater management plan shall be submitted and approved by the Vaughan Engineering Department;
 - iii) the applicant shall provide a revised parking study to the satisfaction of the Vaughan Engineering Department; and,
 - iv) Minor Variance Application A217/07 shall be approved by the Vaughan Committee of Adjustment, and shall be in full force and effect;
 - b) that the following conditions shall be included in the Site Plan Letter of Undertaking:
 - i) that should the current owner of 142 Thornridge Drive, Bais Tefilloh Franklin or the owner of 148 Thornridge Drive, decide at any time to terminate the parking agreement, the owner of 142 Thornridge Drive shall be required to appear before the Committee of Adjustment to address the parking requirement; and
 - ii) that the current owners of 142 Thornridge Drive shall provide written confirmation to the City that should they sell or lease the property in the future it shall only be used for residential purposes, and the parking agreement with 148 Thornridge Drive would cease at that time.

Contribution to Sustainability

The Site Development Application does not contemplate any new building construction, however, new tree and shrub planting is being proposed in the front yard.

Economic Impact

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

Communications Plan

On August 25, 2010, written notice was provided to individuals who had requested notification of the subject Committee of the Whole meeting.

Purpose

To obtain Site Plan Approval to permit a synagogue (currently occupying the site) on the subject lands shown on Attachments #1 and #2, within the existing single detached residential dwelling having a gross floor area of 299 m², as shown on Attachments #3 to #5.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2, are located south of Centre Street and east of Bathurst Street, municipally known as 142 Thornridge Drive, in Part of Lot 29, Concession 1, City of Vaughan. The surrounding lands uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated "Low Density Residential" by OPA #210 (Thornhill Community Plan). The "Low Density Residential" designation permits institutional uses. The proposed site development conforms to the Official Plan.

The subject lands are zoned R1V Old Village Residential Zone by By-law 1-88. The use of a synagogue is considered an Institutional Use in Zoning By-law 1-88, which is permitted as-of-right in all Residential Zones. Minor variances will be required to be obtained from the Vaughan Committee of Adjustment to implement the site plan, if approved, as further discussed in the "Minor Variance" section of this report.

Site Plan

The site is currently developed with a single-detached residential dwelling situated in the centre of the site as shown on Attachment #3. The dwelling has a total gross floor area of 299 m², and is currently being used as a synagogue. Site plan approval is required for the institutional use. No additional structures are proposed for the site (see existing building elevations on Attachment #5).

The site plan and landscape plan show the addition of landscaping in the front area of the property, around the proposed circular driveway, and adjacent to the building. The rear of the property is well screened with mature trees and hedges along the north, east and west sides of the property as shown on Attachment #4. The applicant has redesigned the front parking area to include a circular landscaped island in the centre of the parking area, as shown on Attachments #3 and #4.

The subject lands are required by By-law 1-88 to have a minimum of 33 parking spaces associated with an institutional use. Currently, the applicant has provided 3 spaces in the front yard on the proposed site plan, to be in keeping with the residential in the area. The applicant is addressing the deficiency of parking through a minor variance application as further discussed in the Minor Variance section of this report. The applicant has entered into a parking agreement between themselves and the adjacent westerly land owner at 148 Thornridge Drive, to provide for 14 additional off-site parking spaces on the private school lands.

Currently, the site is constructed with a gravel driveway. The applicant has noted on the proposed site plan that the driveway will be paved with asphalt material as shown on Attachment

#3. In addition, a walkway is to be constructed of permeable pavers along the east and west sides of the existing building.

The applicant has applied for a Minor Variance Application (File No. A217/07) to address the existing conditions of the subject lands being used as a synagogue. File A217/07 was previously adjourned "sine die" by the Vaughan Committee of Adjustment until a site plan was approved for the property. The required variances are discussed in the Minor Variance section of this report.

The Development Planning Department is generally satisfied with the proposed site plan and landscaping improvements shown on Attachments #3 and #4. The final site plan, landscape plan, external lighting plan and landscape cost estimate, must be approved to the satisfaction of the Development Planning Department. The Development Planning Department will register the executed Site Plan Letter of Undertaking on title to ensure that the clauses included in this report can be enforced in the future.

Minor Variances

The Owner has submitted an application for Minor Variance (File A217/07) to regularize the following as built variances for the existing synagogue:

	By-law Standard	By-law 1-88 Requirements (R1V Old Village Residential Zone)	Proposed Exceptions to R1V Old Village Residential Zone of By-law 1-88 through Committee of Adjustment Minor Variance Application A217/07
a.	Minimum Front Yard Setback to an institutional use	15.0m	12.19 m
b.	Minimum Interior Side Yard		
	i) Minimum westerly interior side yard	15.0 m	5.51 m
	ii) Minimum easterly interior side yard	15.0 m	1.65 m
c.	Minimum on-site parking	33 spaces	3 spaces
d.	To permit 14 parking spaces off-site	not permitted	to permit
e.	Minimum Landscape Requirements:		
	i) Landscape Strip along a streetline	6 m	3.4 m
	ii) Landscape Strip abutting a Residential Zone (westerly)	2.4 m	0.0 m
	iii) Landscape Strip abutting a Residential Zone (easterly)	2.4 m	1.58 m

The site-specific variances are required to address the existing conditions, and to bring the subject lands into conformity with the Institutional Use requirements of By-law 1-88.

The reduction in the minimum required side yards are considered to be minor. The reduction is due to the requirement in Zoning By-law 1-88 that a setback of 15 m is required on all sides of a building for an institutional use. The variance is considered to be minor due to the existing conditions of which the synagogue is operating in an existing single detached dwelling.

The total number of parking spaces required for the subject lands is 33 spaces and are to be provided for on site. The subject lands are providing a total of 3 spaces on-site. The applicant has entered into a five year agreement (from July 30, 2010 to July 30, 2015) with the adjacent westerly land owner, Thornridge Dr. Childhood Development Centre Inc., located at 148 Thornridge Drive to allow the synagogue to utilize 14 parking spaces off-site for the synagogue use. The agreement limits the synagogue to the time of use and for the sole purpose of parking vehicles. The agreement also states that the synagogue may not sub-license any parking spaces. The Development Planning Department has included conditions of the parking agreement in this report which shall be included in the Site Plan Letter of Undertaking to be registered on title.

As noted above, the applicant can park cars on the private school lands in accordance with the following arrangement:

- i) 6:00 am to 8:30 am, Monday to Friday;
- ii) 7:00 pm to 10:30 pm, Monday to Thursday;
- iii) from 2:00 pm on each Friday until 10:30 pm on Sunday; and,
- iv) from 2:00 pm on the eve of each Jewish holiday until one hour following the conclusion of such holiday.

The reduction in the required 2.4 m wide landscape strip along the front street line and the easterly and westerly property lines, is considered minor in nature and is consistent and compatible with the surrounding development. Additional landscaping is being proposed in the front yard in keeping with the residential lots in the area.

The Owner has submitted a Minor Variance Application (A217/07) to the Vaughan Committee of Adjustment to address the above-noted variances. The variances, if approved, must be in full force and effect, prior to the execution of the Site Plan Letter of Undertaking.

Vaughan Engineering Department

The Engineering Department is currently reviewing the proposed site plan application. Site servicing and grading plans, storm water management plan and a revised parking study, must be submitted and approved to the satisfaction of the Vaughan Engineering Department.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

N/A

Conclusion

The Site Development Application has been reviewed in accordance with OPA #210 (Thornhill Community Plan, By-law 1-88, and the area context. The Development Planning Department is satisfied that the existing development of the site for a synagogue is appropriate and compatible with the existing and permitted uses in the surrounding area, and permitted by the Official Plan and Zoning By-law. Accordingly, the Development Planning Department can support the approval of the Site Development Application, for the existing synagogue. The Owner will require variances to be approved by the Vaughan Committee of Adjustment, which must be in full force and effect, prior to the execution of the Site Plan Letter of Undertaking.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevation Plan

Report prepared by:

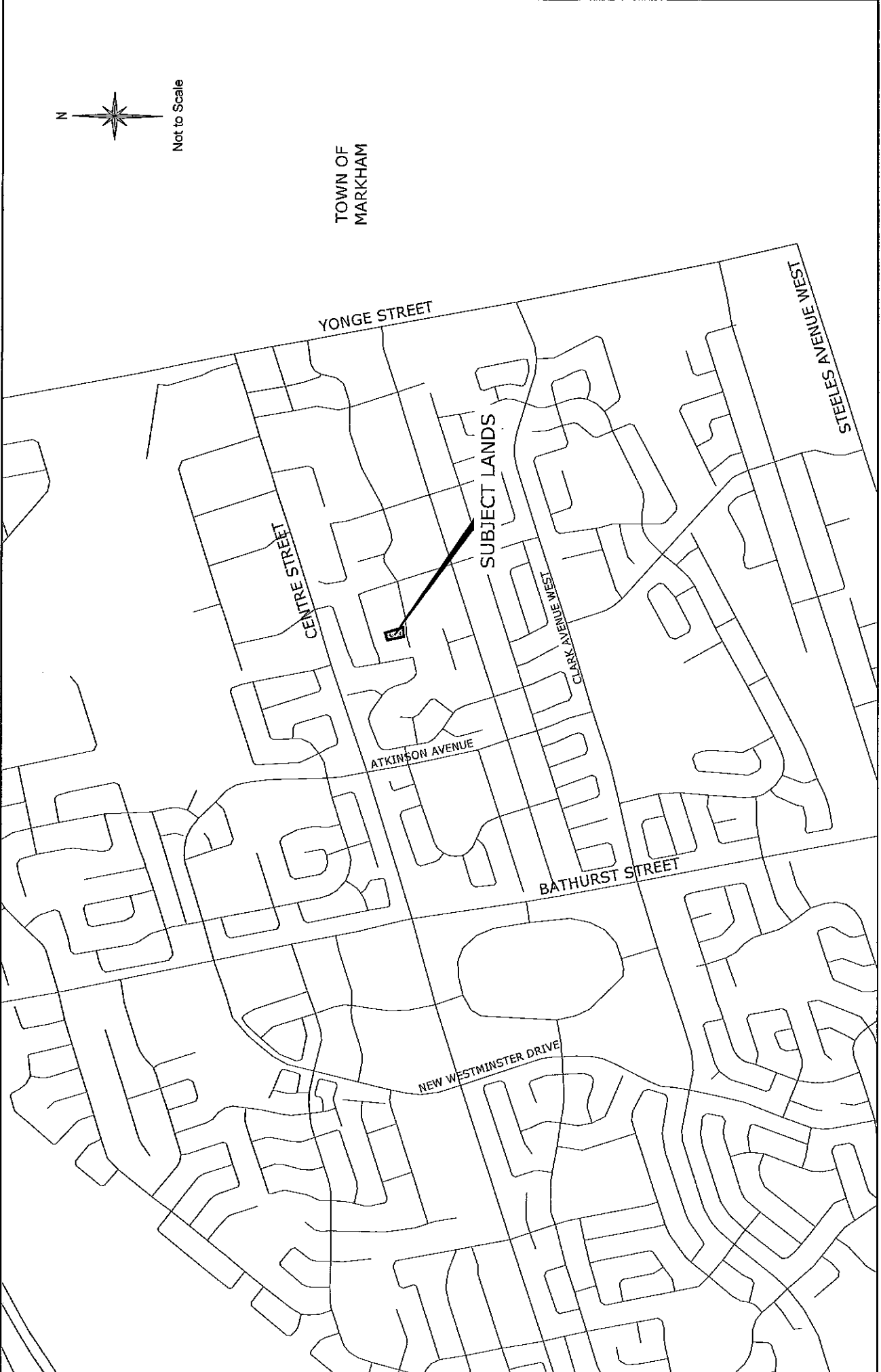
Mary Caputo, Planner 1, ext. 8215
Christina Napoli, Acting Senior Planner, ext. 8483
Carmela Marrelli, Acting Manager of Development Planning, ext. 8791

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM



Not to Scale

TOWN OF
MARKHAM

Attachment

File: DA.09.039

Date:
August 18, 2010

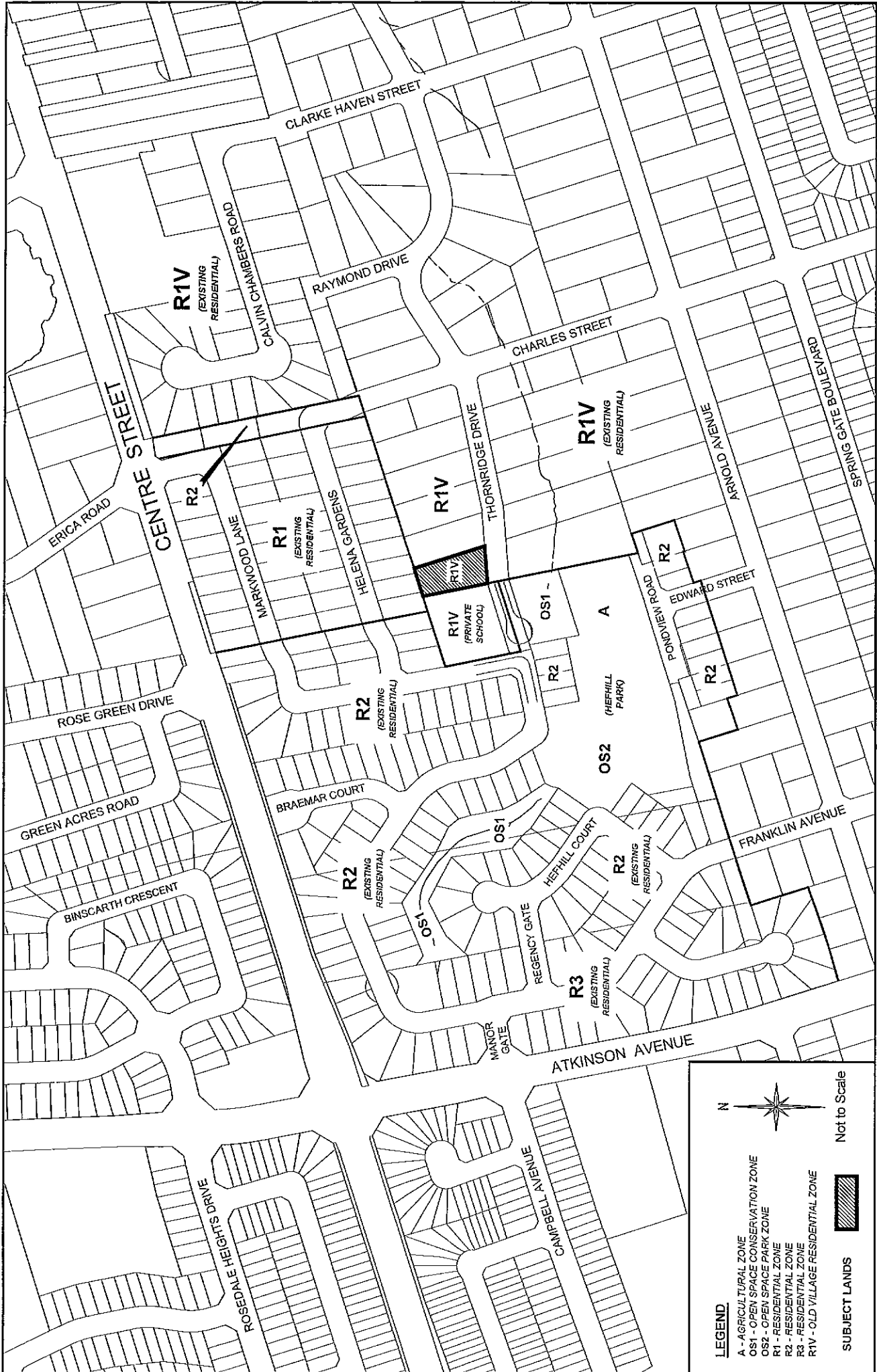


Context Location Map

Location: Part of Lot 29,
Concession 1

Applicant:
Bais Terfilloh Franklin

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Location Map

Location: Part of Lot 29,
Concession 1

Applicant:
Bais Tefillon Franklin

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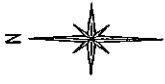


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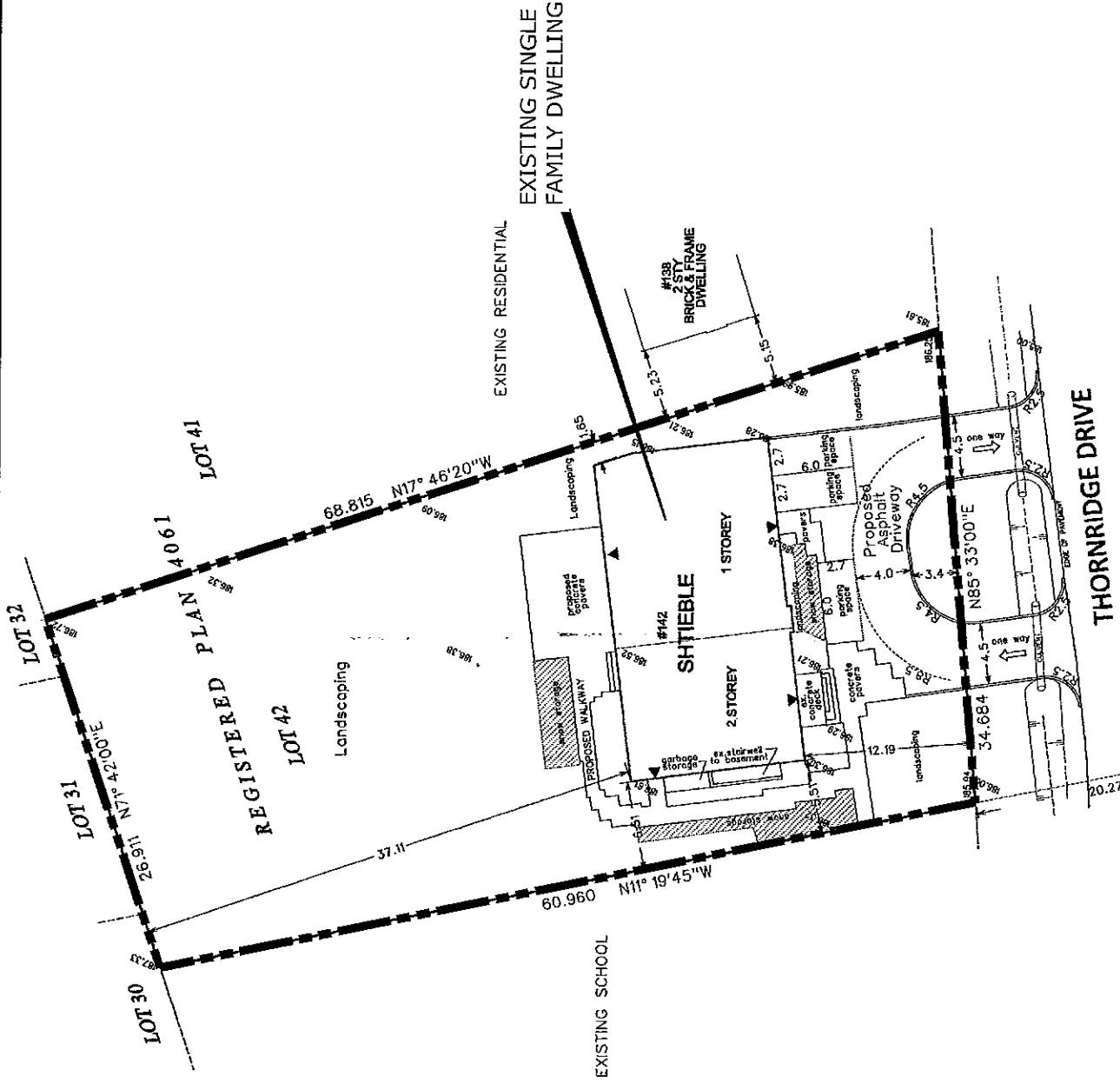
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Date:
August 18, 2010

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SUBJECT LANDS

Site Plan

Location: Part of Lot 29,
Concession 1

Applicant:
Bais Tefillah Franklin

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Attachment

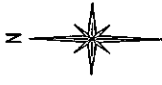
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Date:
August 18, 2010



Development Planning Department

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EXISTING TREE INVENTORY

1. MATERN CEMAR, EBERRY, COMARPE, LILAC, HONEY SUCKLE, AND SPRAWEA HEDGE.
2. SPRUCE, DOGWOOD, HEMLOCK, AND ASH HEDGE.
3. 700mm 15m HIGH WEEPING WILLOW.
4. 600mm 15m HIGH SILVER MAPLE.
5. SPRUCE, MAPLE AND CEDAR HEDGE.
6. 12m COLORADO SPRUCE.
7. 300mm 9 LITTLE LEAF LINDEN.
8. SPRUCE AND HEMLOCK HEDGE.
9. 9m HIGH COLORADO SPRUCE.
10. 3m HIGH APRICOT.
11. 6m HIGH BLACK CHERRY.
12. 9m HIGH AUSTRALIAN PINE.
13. 6m HIGH COLORADO SPRUCE.
- 14-16. 9-12m HIGH COLORADO SPRUCE.

NOTE: PRUNE ALL DEAD WOOD FROM THE ABOVE EXISTING TREES TO REMAIN, AND TO PROMOTE HEALTHY FORM. DO NOT PRUNE LEADERS.

NOTE: LINE WEIGHTS INDICATE EXISTING CONDITIONS. TAKEN FROM SURVEY PLAN OF SURVEY BY EDWARD STACCHI LTD. D.L.S. DATED MAY 28, 2007. HEAVIER LINE WEIGHTS INDICATE PROPOSED LANDSCAPE WORK.

EXISTING MATURE LANDSCAPING

EXISTING MATURE LANDSCAPING

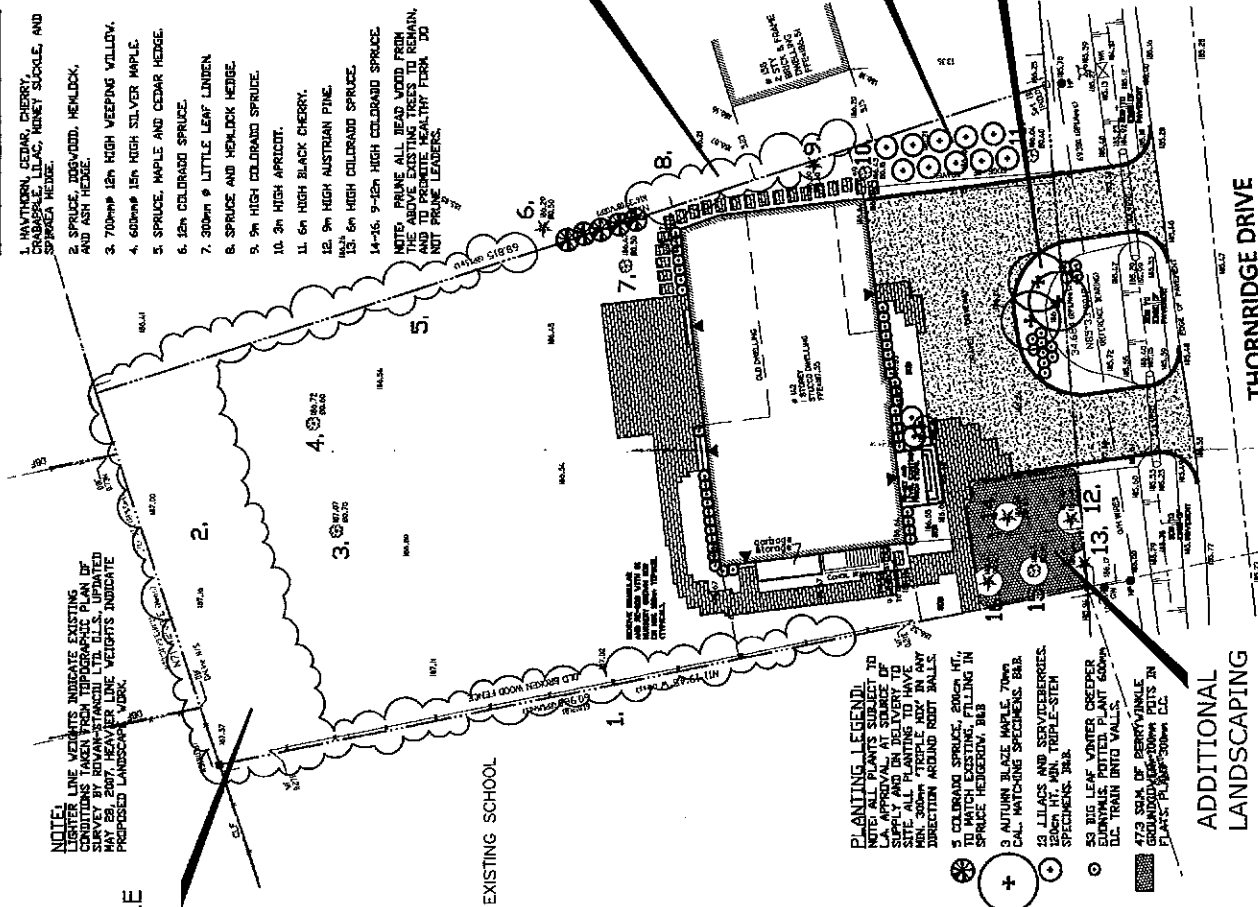
ADDITIONAL LANDSCAPING

ADDITIONAL CIRCULAR LANDSCAPED ISLAND

ADDITIONAL LANDSCAPING

EXISTING SCHOOL

THORN RIDGE DRIVE



- PLANTING LEGEND:**
- NOTE: ALL PLANTS SUBJECT TO L.A. APPROVAL. AT SOURCE OF SUPPLY AND IN DELIVERY TO SITE. ALL PLANTS TO BE PLANTED IN THE DIRECTION AROUND ROOT BALLS.
 - 1. COLORADO SPRUCE, 3000x1500x1500 TO MATCH EXISTING. FILLING IN SPRUCE HEDGE/ROW. 3000x1500x1500.
 - 2. AUTUMN LEAF MAPLE, 7000x5000x5000. MATCHING SPECIMENS BAR.
 - 3. LILACS AND SERVICEBERRIES. 5000x1500x1500. MIN. TRIPLE-STEM SPECIMENS BAR.
 - 4. 50 BIG LEAF WINTER CREEPER. EIGHTHOLE POTTED PLANT 600mm DIA. TRAIN INTO VALLES.
 - 5. 473 SOX. OF BERRY/SHRUB. GROUNDCOVER. 2000x1500x1500. POTS IN FLATS. PLANT 300mm DIA.

Landscape Plan

Location: Part of Lot 29, Concession 1

Applicant: Bais Teifiloh Franklin

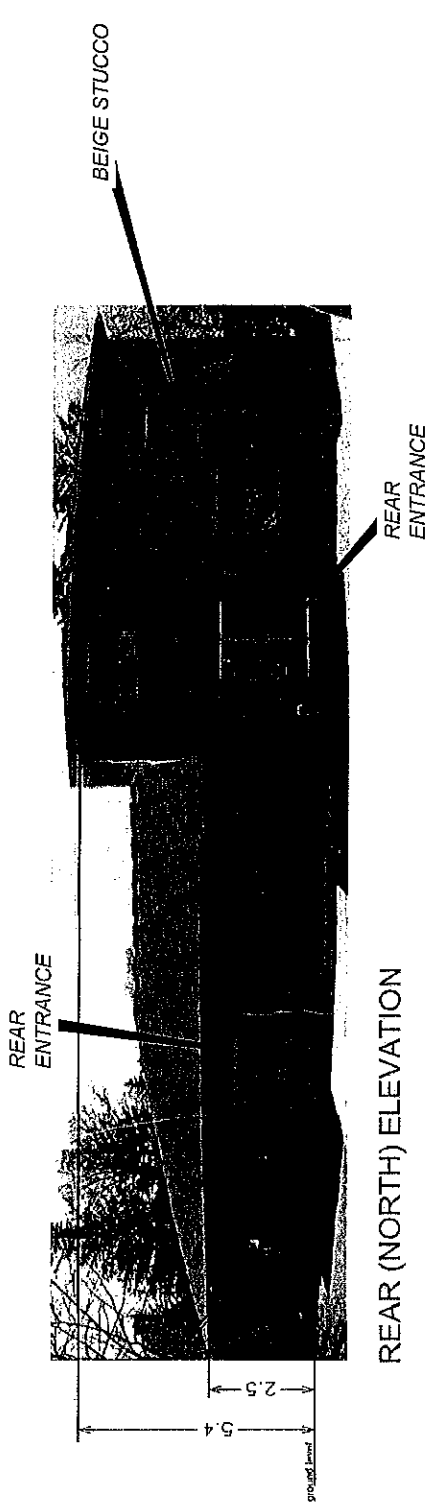
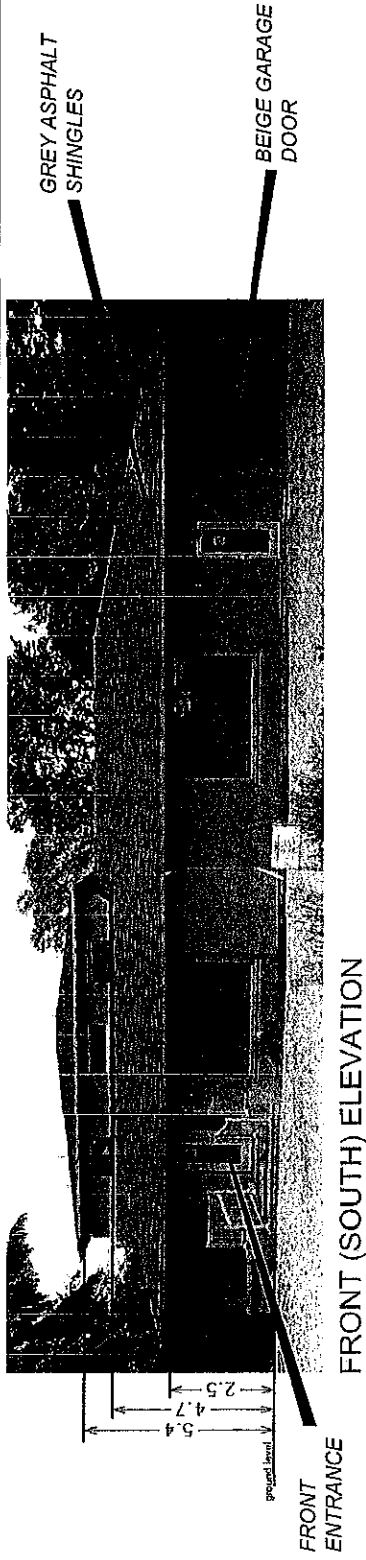
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File: DA.09.039

Date: August 18, 2010





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Elevation Plan

Location: Part of Lot 29,
Concession 1

Applicant:
Bais Teifiloh Franklin

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File: DA.09.039

Date:
August 18, 2010



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