

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

Item 23, Report No. 26, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 23, 2015.

**23**

**SITE DEVELOPMENT FILE DA.15.009  
CHABAD LUBAVITCH OF RICHMOND HILL  
WARD 4 - VICINITY OF BATHURST STREET AND LADY DOLORES AVENUE**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated June 16, 2015, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

**Recommendation**

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Site Development File DA.15.009 (Chabad Lubavitch of Richmond Hill) BE APPROVED, to facilitate the development of the subject lands shown on Attachments #1 and #2 with a one-storey, 1,335 m<sup>2</sup> building addition to an existing 912 m<sup>2</sup> Place of Worship with an accessory Day Nursery, as shown on Attachments #4 to #7, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the Vaughan Planning Department shall approve the final site plan, building elevation plan and landscape plan;
    - ii) the Vaughan Development Engineering and Infrastructure Planning Services Department shall approve the final site servicing and grading plan and stormwater management report;
    - iii) the Owner shall successfully obtain approval of a Minor Variance Application for the required zoning exception to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment and the Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee; and,
    - iv) the Owner shall satisfy all requirements of York Region.

**Contribution to Sustainability**

The application implements the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy – 2031

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

#### **Item 23, CW Report No. 26 – Page 2**

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive

- Objective 4.1: To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- high efficiency plumbing fixtures
- rain water cisterns
- drought tolerant and native plant species to promote water efficiency

#### **Economic Impact**

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

#### **Communications Plan**

N/A

#### **Purpose**

The purpose of this report is to seek approval from the Committee of the Whole for Site Development File DA.15.009 in order to facilitate the development of the subject lands shown on Attachments #1 and #2 with a one-storey, 1,335 m<sup>2</sup> addition to an existing 912 m<sup>2</sup> Place of Worship with an accessory Day Nursery (The Chabad Romano Centre), as shown on Attachments #4 to #7, for a total building gross floor area (GFA) of 2,247 m<sup>2</sup>. The proposed development implements the Vaughan Official Plan (VOP 2010) and is compatible with the surrounding, existing and planned land uses.

#### **Background - Analysis and Options**

##### **Location**

The 0.8 ha subject lands shown on Attachments #1 and #2 are located at the southwest corner of Bathurst Street and Lady Dolores Avenue, municipally known as 10500 Bathurst Street, City of Vaughan. The surrounding land uses are identified on Attachment #2.

##### **Previous Development Applications**

The lands were subject to previous Site Development File DA.06.089 and Minor Variance File A223/07 to permit the development of a one-storey, 1,940 m<sup>2</sup> Place of Worship with accessory Day Nursery, as shown on Attachment #3. Vaughan Council approved Site Development File DA.06.089 on September 24, 2007. Minor Variance Application A223/07 was submitted to permit a minimum of 92 parking spaces, a maximum building height of 12 m, and a Day Nursery use accessory to the Place of Worship. The Vaughan Committee of Adjustment approved Minor Variance Application A223/07 on October 11, 2007.

Following Vaughan Council's approval of Site Development File DA.06.089, the Owner submitted an amendment to the approved site plan (Site Development File DA.08.021) to permit a phased development consisting of a 912 m<sup>2</sup> Place of Worship, with future phases planned to be consistent with the original building footprint approved through Site Development File DA.06.089. The Vaughan Planning Department approved Site Development File DA.08.021 on May 6, 2009.

# CITY OF VAUGHAN

## EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015

### Item 23, CW Report No. 26 – Page 3

The proposed building addition is generally consistent with Site Development File DA.06.089, as shown on Attachment #3, with minor changes to the building footprint and elevations, playground area and parking layout.

#### Official Plan and Zoning

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010). Section 9.2.1.10 of VOP 2010 states that policies existing prior to the adoption of VOP 2010 remain in effect as they apply to Places of Worship, until such time as any new policies are approved. The subject lands were previously subject to the “Institutional Use” policies of OPA #600, which permits a Place of Worship on the subject lands. Accordingly, the proposed one-storey, 1,355 m<sup>2</sup> addition to the existing Place of Worship conforms to VOP 2010.

The subject lands are zoned RD3 Residential Detached Zone Three by Zoning By-law 1-88, and subject to Exception 9(1205), which permits the proposed addition to the existing Place of Worship. The following site-specific zoning exceptions to the RD3 Zone standards are required to facilitate the proposed site development:

<b>Table 1</b>			
	<b>By-law Standard</b>	<b>By-law 1-88 Requirement of the RD3 Zone subject to Exception 9(1205)</b>	<b>Proposed Exceptions to the RD3 Zone subject to Exception 9(1205)</b>
a.	Minimum Number of Parking Spaces	Day Nursery (1,087 m <sup>2</sup> ) @ 1.5 spaces/employee x 18 employees = 27 spaces + Place of Worship 1,160 m <sup>2</sup> x 11 spaces /100 m <sup>2</sup> of GFA = 128 spaces  Total = 155 spaces	99 spaces
b.	Minimum Front Yard Setback (Bathurst Street)	15 m	9.6 m
c.	Minimum Exterior Side Yard Setback (Lady Dolores Avenue)	15 m	<ul style="list-style-type: none"> <li>• 9.2 m to building</li> <li>• 6 m to excavated stairs</li> </ul>
d.	Maximum Encroachment of Eaves, Gutters and Canopies	0.5 m	<ul style="list-style-type: none"> <li>• 2.9 m (north side of addition)</li> <li>• 1 m (east side of addition)</li> </ul>

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

#### Item 23, CW Report No. 26 – Page 4

##### Minimum Number of Parking Spaces

A total of 99 parking spaces are proposed, including three barrier-free spaces. The Owner has submitted a Parking Utilization Study and Traffic Opinion Letter prepared by C.F. Crozier & Associates Inc., dated January 2015, to support the proposed parking supply. Parking surveys were conducted during peak hours for the Day Nursery use (i.e. weekdays from 6:00 am to 4:00 pm) and Synagogue use (i.e. Saturday from 9:00 am to 2:00 pm). The Parking Study concludes that the proposed parking supply of 99 spaces exceeds the peak requirements of both the Day Nursery and Synagogue use. The Vaughan Engineering and Infrastructure Planning Services Department has reviewed the Parking Study and concurs with the overall study and methodology, and accepts the conclusions and recommendations. Accordingly, the Vaughan Planning Department has no objections to the proposed number of parking spaces.

##### Minimum Setback Requirements

The proposed front and exterior side yard setbacks are for portions of the building addition located in the northeast quadrant of the subject lands facing Lady Dolores Avenue and Bathurst Street. The reduced front yard setback is the result of the Region of York Transportation and Community Planning Department identifying a road widening for Bathurst Street that requires the conveyance of a 3.7 m wide strip of land along the entire Bathurst Street frontage, as shown on Attachment #4. The proposed setbacks will have minimal impact on adjacent land uses and will facilitate an attractive public realm along Bathurst Street and Lady Dolores Avenue.

##### Maximum Encroachment Requirements

The proposed canopy encroachment occurs on the north and east elevations of the building facing Lady Dolores Avenue and Bathurst Street, respectively. The proposed canopy encroachments form part of the overall building design and will not impact adjacent land uses.

##### Future Minor Variance Application

The Owner is required to submit a Minor Variance application to the Vaughan Committee of Adjustment for the required zoning exceptions to Zoning By-law 1-88, and successfully obtain the Committee's approval, and the Committee's decision shall be final and binding, and the Owner shall satisfy all conditions of the Committee prior to the finalization of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

##### Site Plan Review

The subject lands are developed with a one-storey, 912 m<sup>2</sup> Place of Worship with accessory Day Nursery known as the Chabad Romano Centre. The existing building has a ground floor area of 456 m<sup>2</sup> used primarily for worship area, and a basement floor area of 456 m<sup>2</sup> for the Day Nursery use.

The proposed site plan shown on Attachment #4 includes a 1,335 m<sup>2</sup> one-storey addition located to the north, east and south of the existing building, of which 685 m<sup>2</sup> is located below grade. The proposed addition will facilitate a larger worship area on the ground floor together with a new main entrance and lobby for pedestrians arriving from Lady Dolores Avenue. The additional basement floor area will accommodate three new classrooms and expanded offices for the Day Nursery and Synagogue. The proposal also includes 195 m<sup>2</sup> of additional playground space for the Day Nursery to the east of the existing sunken playground, as shown on Attachment #4.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

#### **Item 23, CW Report No. 26 – Page 5**

Sixty-three parking spaces are currently provided on-site, including three barrier free spaces. The Owner is proposing an additional 36 parking spaces along the south side of the subject lands, for a total of 99 parking spaces. A new pedestrian walkway from Lady Dolores Avenue to the main entrance of the Synagogue is proposed. Additional pedestrian walkways are also proposed from Bathurst Street to the proposed north and south entrances, as shown on Attachment #4.

The landscape plan consists of a mix of existing deciduous and coniferous trees, shrubs, and sodded areas, as shown on Attachment #5. Enhanced landscaping is proposed around the existing stone entry feature/sign located on the northeast corner of the subject lands. The Vaughan Planning Department recommends additional landscaping on the north side of the existing drop-off area where the existing pedestrian walkway is to be removed, as shown on Attachment #5.

The Region of York Transportation and Community Planning Department has identified a road widening for Bathurst Street that will require the conveyance of a portion of the existing landscape strip adjacent to Bathurst Street. However, this will not affect existing landscaping elements and the owner will be required to enter into an encroachment agreement with the Region of York for the existing landscaping.

The proposed building elevations shown on Attachments #6 and #7 consist of smooth light brown limestone cladding with spandrel and clear vision glazing. The proposed elevations of the building addition match the colour of the existing building, yet provide a more contemporary appearance by using a smooth stone finish material and providing greater vertical prominence. The main entrance to the Synagogue is located on the north elevation, and consists of excavated stone stairs and a canopy projection with metal cladding, as shown on Attachment #6. Clear glass railings are located on the south and east elevations adjacent to the playground area, and on each side of the main entrance on the north elevation.

The Vaughan Planning Department is satisfied with the site plan proposal, subject to the recommendations in this report, and will continue to work with the Owner to finalize the details. The Vaughan Planning Department must approve the final site layout, building elevations, and landscape plan, prior to the execution of the Site Plan Letter of Undertaking. Conditions to this effect are included in the recommendation of this report.

#### **Vaughan Development Engineering and Infrastructure Planning Services Department**

The Vaughan Development Engineering and Infrastructure Planning Services Department must approve the final site grading and servicing plan and stormwater management report, submitted in support of the application. A condition to this effect is included in the recommendation of this report.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

- i) **Lead and Promote Environmental Sustainability**  
The Owner will be incorporating the sustainable site and building features identified in this report.
- ii) **Plan and Manage Growth & Economic Vitality**  
The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015**

Item 23, CW Report No. 26 – Page 6

#### **Regional Implications**

The subject lands are located on Bathurst Street, a right-of-way under the jurisdiction of York Region. On May 19, 2015, Vaughan Planning staff received written correspondence from the Region of York Transportation and Community Planning Department, who reviewed the proposal and advised that a road widening of 22.5 m from the centreline of Bathurst Street is required. The owner is required to enter into an encroachment agreement for the existing landscaping abutting Bathurst Street in the Region's right-of-way. However, there will be no changes or impact to the existing landscape strip, as mentioned previously in this report.

The Region requests that prior to final site plan approval, the Region shall complete a Regional site plan agreement with the owner and provide final sign off to the City. A condition of approval is included in the recommendation requiring the owner to satisfy all requirements of the Region of York.

#### **Conclusion**

Site Development File DA.15.009 has been reviewed in accordance with the policies of VOP 2010, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Vaughan Planning Department is satisfied that the proposed development of the subject lands is permitted by Zoning By-law 1-88 and is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Vaughan Planning Department can support the approval of Site Development File DA.15.009 subject to the recommendations in this report.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Approved Site Plan – File: DA.06.089
4. Site Plan
5. Landscape Plan
6. North & East Elevations
7. South & West Elevations

#### **Report prepared by:**

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(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.)