

COMMITTEE OF THE WHOLE MAY 20, 2003

**ZONING BY-LAW AMENDMENT FILE Z.03.013
RUTH REID
REPORT #P.2003.35**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment Application Z.03.013 (Ruth Reid) BE APPROVED to permit a photo studio use, subject to the following:

- a) that prior to enactment of the by-law:
 - i) the required site plan application shall be approved by Council; and
 - ii) the conditions of conveyance of the road widening shall be satisfied, to the satisfaction of the Engineering Department.

Purpose

On February 14, 2003, the Owner submitted an application to amend the Zoning By-law to permit one additional use (photo studio), and to provide an exception to reduce the minimum rear yard from 30.4m to 25m. The site is to be redeveloped with a new building for the photo studio, with eight (8) parking spaces in the rear yard.

Background - Analysis and Options

The site is located on the east side of Islington Avenue, south of Nashville Road, being Part of Lots 2 and 3 on Registered Plan M-11 (10465 Islington Avenue), in Lot 24, Concession 8, City of Vaughan. The structure on the property is currently being used as a clock repair and jewelry store.

The site is designated "Core Area" by OPA #601 and zoned C1 General Commercial Zone by By-law 1-88, subject to Exception 9(775). The surrounding land uses are:

- North - commercial (C1 General Commercial Zone)
- South - residential (R1 Residential Zone)
- East - residential (R1 Residential Zone)
- West - Islington Avenue; commercial (C1 General Commercial Zone)

On March 14, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Kleinburg & Area Ratepayers Association. Neighbouring residents expressed concerns with the proposed building massing, grading affecting adjoining lots, landscaping, parking and after-hour loitering.

The recommendation of the Committee of the Whole on April 7, 2003, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on April 14, 2003.

Official Plan

The subject lands are designated "Core Area" by OPA #601, which permits "Mainstreet Commercial" uses along Islington Avenue. The proposed photography studio use conforms with the Official Plan.

Zoning

The subject lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(775). A C1 Zone permits a photography studio use, however the site-specific Exception 9(775) restricts the property to a retail store, residential unit and a storage use within the building envelope, as shown on Schedule E-855.

A zoning amendment is required to permit the proposed use and to revise the defined building envelope. The enlarged building envelope results in a reduced rear yard, front yard and landscaping strip.

Engineering

The Engineering Department's records indicate that the section of Islington Avenue adjacent to the site is currently a 20-metre (approximately) right-of-way. Therefore, the Engineering Department has provided the following conditions of approval:

- The Owner shall convey a 3.0 metre wide road widening along Islington Avenue to the City of Vaughan, free of all cost and encumbrances.
- The Owner shall prepare and register a reference plan for the required road widening.
- A by-law shall be passed dedicating the road widening as public highway.

The required road conveyance would reduce the front yard setback and landscaping strip from 4.8m to 1.8m.

Urban Design

This zoning amendment application falls within the Kleinburg-Nashville Heritage Conservation District Study Area, being undertaken pursuant to the policies set out in the Kleinburg-Nashville Community Plan/OPA 601 and Part V of the *Ontario Heritage Act, R.S.O. 1990*. Further development of this subject property will be subject to a site plan application, at which time the requirements of the Kleinburg-Nashville Heritage Conservation Plan will be addressed.

Parking

The site-specific exception permitted the building on the site to be used for a retail store on the main floor, a residential unit on the second floor, and any basement or attic floor space to be used for storage purposes, with 8 parking spaces.

The parking requirement for a retail store is 6 spaces/100 sq.m of GFA, whereas the requirement for a photography studio is 3.3 spaces/100 sq.m of GFA.

The proposed increase in building area is approximately 116.7sq.m, which would require an additional 3.9 parking spaces. Given the core area location, and the appointment nature of the business, Staff consider it appropriate to provide relief from the additional 3.9 parking spaces.

Conclusion

Planning Staff consider the proposed photography studio to be an appropriate use in the core area of Kleinburg. The proposal is consistent with the policies in OPA #601. The implementing zoning by-law will be based on the approval of a site plan application, which will be reviewed under the Kleinburg-Nashville Heritage Conservation Plan Study.

Should Committee concur, the recommendation of this report can be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Margaret Sitarz, Planner 1, ext. 8216
Arto Tikiryan, Senior Planner, ext. 8212
Marco Ramunno, Manager of Development Planning, ext. 8485

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM

R:\SER\WORKING\SITARZM\RuthReid May 20.CW.dot



Location Map

Part Lot 24,
Concession 8

APPLICANT:
RUTH REID



Community Planning Department

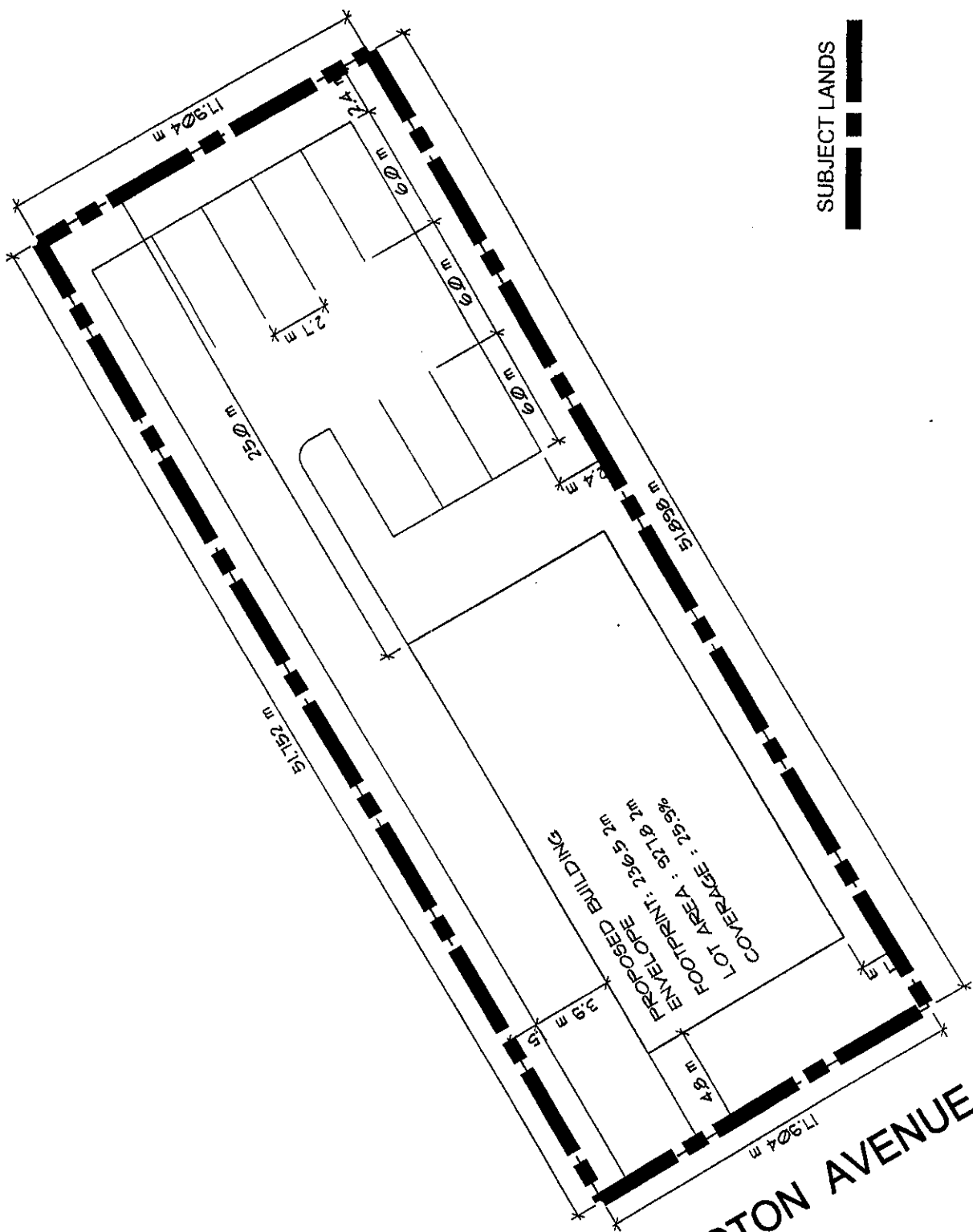
Attachment

FILE No.:
Z.03.013

Not to Scale

February 27, 2003





ISLINGTON AVENUE

Attachment 2

FILE No.: Z.03.013
Not to Scale
February 27, 2003

City of Vaughan
Community Planning Department

Site Plan
Part Lot 24,
Concession 8
APPLICANT:
RUTH REID