

COMMITTEE OF THE WHOLE DECEMBER 8, 2003

**ZONING BY-LAW AMENDMENT FILE Z.03.043
ZENA T. REINHARDT
REPORT #P.2003.58**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.03.043 (Zena T. Reinhardt) BE APPROVED, and that the implementing by-law:
 - a) permit the severance and provide for the severed parcel to have off-site parking on the retained parcel; and
 - b) provide any necessary exceptions to implement the proposed severance, including setbacks, lot depth, coverage, landscaping and parking.
2. THAT prior to enactment of the by-law, the severance shall be obtained from the Committee of Adjustment, along with all required easements, and shall be final and binding.

Purpose

On June 13, 2003, the Owner submitted an application to amend the Zoning By-law to facilitate a severance of the lot, and to permit required parking to be located off-site. It is proposed that Building 'A' (residential) and Building 'C' (retail store) remain on the retained lot, and Building 'B' (retail store) will be on the severed lot, with its parking on the retained lot. As a result of the severance, changes to the zoning requirements, including setbacks, landscaping and coverage, will be required for both the severed and retained lands. No new development is proposed.

Background - Analysis and Options

The site is located on the northeast corner of Islington Avenue and Kellam Street, being Lot 7 on Plan M-11 (10499 Islington Avenue), in Lot 24, Concession 8, City of Vaughan.

The site is designated "Core Area" by OPA #601 (Kleinburg/ Nashville Community Plan) and zoned C1 General Commercial Zone by By-law 1-88, subject to Exception 9(609). The surrounding land uses are:

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

On August 8, 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. No comments were received. The recommendation of the Committee of the Whole at the Public Hearing on September 2, 2003, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on September 8, 2003.

Official Plan

The lands are designated "Kleinburg Core Area" which permits both "Mainstreet Commercial" uses and detached residential dwellings located on Islington Avenue. The proposed severance would conform to the Official Plan.

Zoning

The subject lands are zoned C1 General Commercial Zone by By-law 1-88, subject to Exception 9(609). The exception permits three buildings (Buildings A, B and C) on the subject lands, with site-specific exceptions for parking, driveway and aisle widths, setbacks, landscaping, permitted uses and yard requirements.

The application proposes to sever the front portion of the lot containing Building B (McNeil House), from the rear portion of the lot containing Building A and Building C. As a result of the severance, zoning deficiencies will occur and will have to be addressed through a zoning by-law:

- parking for the severed parcel will be on the retained lot, whereas the by-law requires all parking to be on-site;
- the minimum lot depth is 54.0m, whereas both lots will have a lot depth of 19.9m;
- Kellam Street will become the front lot line for both lots; all the existing setbacks will require changes to the by-law (i.e. the exterior yard will become the front yard, the interior yard will become the rear yard;
- the minimum landscaping is 10% of the lot; whereas the proposed severed lot will be deficient; and
- the maximum lot coverage is 50%; whereas the severed lot will be deficient.

Planning Considerations

The application proposes to rezone the subject lands to facilitate the severance of a 1202m² parcel into two lots, having areas of 355.4m² and 872.9m², each with frontages on Kellam Street measuring 13m and 41.9m respectively. The site is developed with three heritage buildings, including the McNeil House, that would remain in place.

Staff has no objection to the proposed severance as no new development is proposed, and only ownership will change. The existing uses are in keeping with the residential and commercial uses along Islington Avenue.

Departmental Comments

Vaughan Engineering Department has advised that should the subject lands redevelop in the future, the City will require a conveyance of a 4.75m strip of land along the Islington Avenue frontage.

Cultural Services Department will have to alter the Designation By-law to reflect the new legal description of the property.

Conclusion

Planning Staff have reviewed the applications in context of the provisions of the Official Plan and Zoning By-law. The proposed zoning by-law amendment would permit an additional lot through severance, together with exceptions for the created zoning deficiencies. Staff is satisfied that the proposal is compatible and appropriate for the existing heritage buildings.

For these reasons, Staff can recommend approval of the zoning amendment application, subject to conditions. Should Committee concur, the recommendations of this report can be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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Location Map

Part Lot 24,
Concession 8

APPLICANT:
ZENA T. REINHARDT

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City of
Vaughan

Community Planning Department

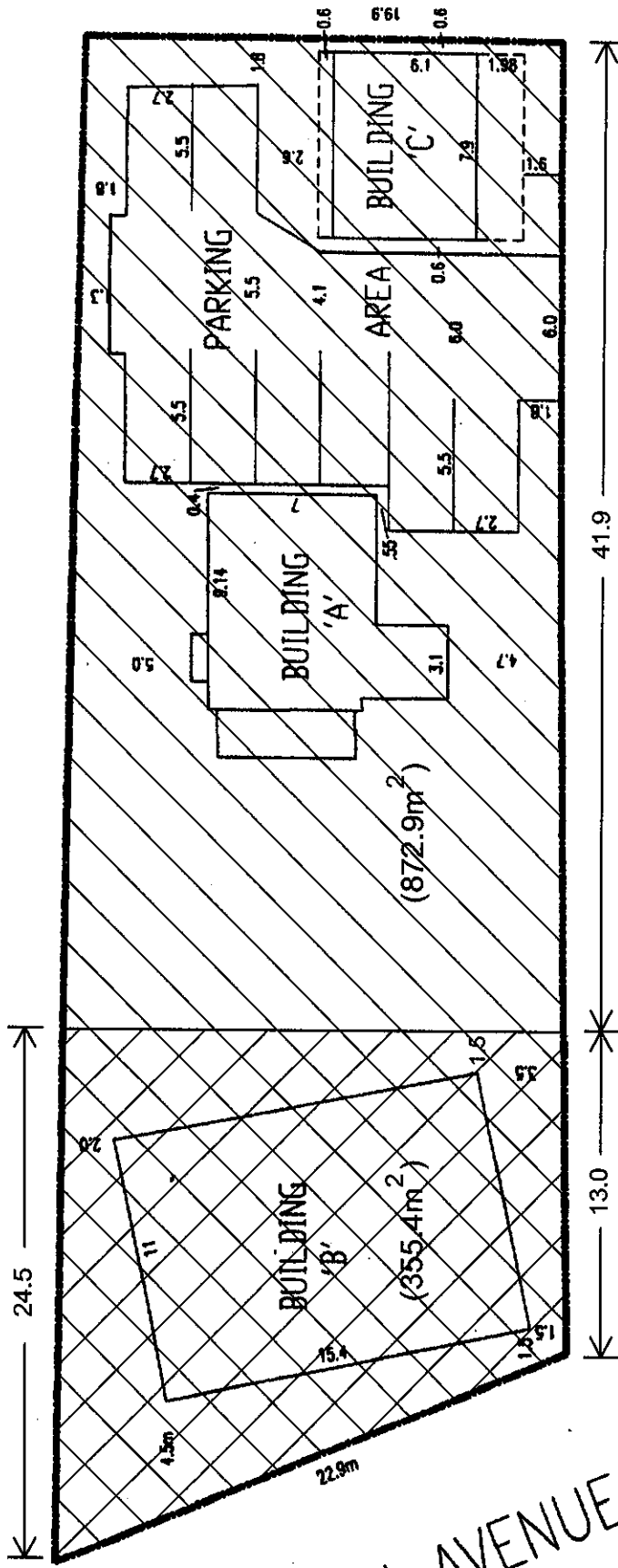
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Not to Scale
June 25, 2003






 SUBJECT LANDS



ISLINGTON AVENUE

KELLAM STREET

- SUBJECT LANDS 
- LANDS TO BE SEVERED 
- LANDS TO BE RETAINED 

Site Plan

Part Lot 24,
Concession 8
APPLICANT:
ZENA T. REINHARDT

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Attachment 2

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