

COMMITTEE OF THE WHOLE JUNE 19, 2006

SITE DEVELOPMENT FILE DA.05.068
EMANUELE DOMENICO AND CARMELA SALA

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.05.068 (Emanuele Domenico and Carmela Sala) BE APPROVED, to permit a 70m², one-storey addition to the rear of the existing 1½-storey building, on the subject lands shown on Attachment #1, subject to the following conditions:
 - a) that prior to the execution of the site development agreement:
 - i) the final building elevations shall be approved by Heritage Vaughan and the Development Planning Department;
 - ii) the final site plan and landscape plan shall be approved by the Development Planning Department;
 - iii) on-site vehicular circulation shall be approved by the Engineering Department;
 - iv) all hydro requirements of PowerStream Inc. shall be satisfied;
 - v) a minor variance application to implement the development shall be approved by the Committee of Adjustment, and shall be final and binding; and
 - vi) the Kleinburg Area Interim Control By-law shall have lapsed.

Economic Impact

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

Purpose

The Owner has submitted a Site Development Application (File DA.05.068) to facilitate the completion of a partially constructed 70m², one-storey addition to the rear of the existing 1½ storey building on the subject lands, shown on Attachment #1. The addition will accommodate the expansion of the existing commercial uses within the building including an eating establishment (café) and retail store (flower shop).

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the west side of Islington Avenue, south of Nashville Road, being Part of Lot 24, Concession 8 (10496 Islington Avenue), in the Village of Kleinburg, City of Vaughan.

The 0.09ha triangular shaped site contains an existing 1½-storey house currently being used for an eating establishment (café) and a personal service shop (a flower shop), with a partially completed and unoccupied addition. The existing building is located within the Kleinburg-Nashville Heritage Conservation District, and is listed in the City of Vaughan Heritage Inventory/Listing of Property of Architectural and Historical Significance.

The subject lands are located within the area subject to By-law 166-2005, being an Interim Control By-law enacted by Council for the prohibiting of development in the Kleinburg-Nashville Core Area while a study respecting massing and built form in the study area is undertaken. The current interim control by-law was extended once and will lapse on June 28, 2006.

The surrounding land uses are:

- North - mixed-use building (C1 Restricted Commercial Zone)
- South - mixed use building (C1 Restricted Commercial Zone)
- East - Islington Avenue, existing commercial uses (C1 Restricted Commercial Zone)
- West - Doctor's House banquet facility and parking (C1 Restricted Commercial Zone and R1 Residential Zone)

Official Plan

The subject lands are designated "Core Area" by OPA #601 (Kleinburg-Nashville Community Plan), which permits a range of commercial uses on the subject lands. However, on May 23, 2006, Council adopted OPA #633 (Kleinburg Core Area Review) which has been forwarded to the Region of York for approval. The subject lands are designated "Mainstreet Commercial" by OPA #633, which also permits a range of commercial uses. The proposed building addition and development for the property complies with the policies of OPA #601, and by OPA #633.

Zoning

The subject lands are zoned C1 Residential Commercial Zone by By-law 1-88 and is located within the Kleinburg-Nashville Interim Control By-law Area. The proposed and existing uses of the dwelling for an eating establishment and retail store (flower shop) are permitted in the C1 Residential Commercial Zone.

The following variances to By-law 1-88 are required to implement the proposed site plan:

i) Parking/Access

- permit a minimum of 9 parking spaces, including one barrier free parking space, whereas 22 spaces are required;
- permit a 2.6m x 6m parking stall, whereas 2.7m x 6.0 is required;
- permit a minimum driveway access width of 3.8m, whereas 6 m is required;

ii) Setback Requirements

- permit a minimum 4.2m front yard setback, whereas 9m is required;
- permit a 1.1m setback to the existing porch and stairs, whereas 7.2m is required; and

iii) Landscape Buffers

- permit a minimum 1.8m wide landscape strip, whereas 6m is required

On May 23, 2006, Council enacted By-law 167-2006, which is not in full force and effect at this time. The purpose of this By-law is to create a specific zone category and development standards for those lands designated to "Mainstreet Commercial" by OPA #633. Although By-law 167-2006 is not yet in effect, this application should have regard for the development standards contained within it. By-law 167-2006 will zone the subject lands C11 Mainstreet Commercial Zone. The following minor variances would be required to implement the proposed site plan under By-law 167-2006:

i) Parking/Access

- permit a minimum of 9 parking spaces, whereas 22 spaces are required;
- permit a 2.6m x 6m parking stall, whereas 6m is required;
- permit a minimum 3.8m driveway/access width, whereas 6m is required;

ii) Landscaping Areas

- permit a minimum 1.8m landscape strip abutting a street, whereas 2m is required; and
- permit a 0m landscape strip width abutting the property boundary, whereas 1.8m is required.

The Owner must file an application to the Committee of Adjustment for consideration of these variances, which must be approved and be final and binding, prior to the execution of the implementing site plan agreement. Depending on the date the application is filed, and the status of By-law 167-2006 (ie. approved or appealed), the variances required to implement the proposed site plan will be different as described above. The Owner should apply for a minor variance to the most restrictive zone provisions under each By-law to ensure that the appropriate variances are approved. Most of the variances are required to recognize the existing conditions on the site, including the location of the structure, and are not a result of proposed addition. The driveway access, building setback requirements and landscape buffers reflect the current built form on the site existing prior to the addition, and are therefore considered acceptable.

The existing driveway access and aisle is reduced from approximately 4.081m to 3.8m at the northwest corner of the proposed addition. Given the historic nature of the site and the structures in the surrounding area, some of the existing buildings along Islington Avenue currently accommodate narrow driveway widths and function adequately. The applicant has submitted a parking and access study prepared by iTrans Consulting Inc. dated May 24, 2006, in support of the proposed development. The study concludes that the proposed parking supply and driveway access/aisle width is adequate to support the proposed development. The Engineering Department has reviewed the study and concurs with its recommendations.

Site Design

The proposed site plan is shown on Attachment #2. The triangular shaped site accommodates an existing 1½ storey heritage structure approximately 108m² in size. A 16m² outdoor patio is located southeast of the building. A partially constructed addition is located at the rear (west) and southwest end of the building and is approximately 70m² in size. Access to the site is provided by a single driveway from Islington Avenue, located along the north lot line and leading to the existing paved parking area at the rear of the property. The parking lot accommodates 9 parking spaces including 1 barrier free space and 2 tandem spaces. The tandem spaces are not included in the required parking calculation, however these spaces can be utilized as owner/tenant parking only.

A rectangular wooden garbage enclosure is proposed at the rear of the property for garbage storage. New garbage generated on the site will be manually brought to the street curb for garbage pick-up.

Parking

The minimum required parking for the proposed development under By-law 1-88, is calculated as follows:

Required Parking:

181m ² Commercial Uses @ 6 spaces/100 m ²	11 spaces
66.4m ² Café @ 16 spaces/100 m ²	<u>11 spaces</u>
Total	22 spaces

Parking Provided

9 spaces, including 1 barrier free space

By-law 167-2006 does not amend the applicable parking standards for the subject lands.

The applicant has provided a parking study prepared by iTrans Consulting Inc., which concludes that the 9 existing parking spaces on the site are adequate to support the proposed development. As previously noted, the Engineering Department has reviewed the parking study and concurs with the recommendations of the report, and accordingly, cash-in-lieu of parking is not applicable.

Building Elevations

The proposed building elevations are shown on Attachment #3. The addition wraps around the rear portion of the existing building on the west, south and north elevations and is rectangular in shape. The building material is a beige/cream coloured vinyl siding in a board and batten pattern. The rear elevation (west) includes two building entrances, with the main entrance accessed by a wood staircase in keeping with the buildings architectural style. The north elevation includes one entrance and two windows, and the south elevation consists of the vinyl siding.

The existing 1½-storey Georgian building is designated under Part V of the Ontario Heritage Act, and located in the core of the Kleinburg-Nashville Heritage Conservation District. The addition to the structure requires the approval of a Heritage Permit application in accordance with the Kleinburg-Nashville Heritage Conservation District Plan, and is subject to review and approval by Heritage Vaughan.

The Cultural Services Department has advised that the Owner commenced construction of an addition at the rear of the residential building without obtaining the required City approvals and permits. The Cultural Services Department subsequently met with the Owner following the City's issuance of Stop Work Orders and Orders to Comply. The Owner was asked to apply for a Heritage Permit for the alterations that had occurred to date and for any proposed alterations in the future. On November 16, 2005, Heritage Vaughan first considered this matter at which time the Cultural Services Department provided a verbal report with images outlining the proposed changes to the property. After discussion with the Owner, Heritage Vaughan approved a motion requiring that the applicant submit the appropriate detailed drawings that conform to the Kleinburg-Nashville Heritage Conservation District guidelines.

The Cultural Services Department has met with the Owner several times since the November 16, 2005 to review and revise the proposed design of the addition. Subsequently, on December 14, 2006, Heritage Vaughan adopted the following motion:

"That the following recommendation contained in the Staff report dated December 14, 2005, be approved:

That the recent, single-storey addition made to the rear and south side of the house at 10496 Islington Avenue should remain and that the Owner be allowed to properly complete all necessary weather-proofing to the flat roof of the addition in question.

That the remaining sidewall of the former sun porch attic be incorporated into the addition roof design as a shelter for the steps at this entry.

That the original wooden sun porch screen/storm door be re-used (or replace it with a new wooden door of a similar half-glass design and profile) and to construct the steps to this door in wood with a railing that is similar to the main front porch.

That the recent addition to the house at 10496 Islington Avenue be clad in a board and batten style vinyl siding but the original house be clad in a vinyl siding that best simulates the profile of the original horizontal wood siding. All foundation walls should be parged and the rug brick chimney stabilized.

That if possible the existing front windows be retained and preserved, and, that wooden storm windows that match the originals be re-installed.

That the owner be allowed to have lettered signage along the front frieze of the front porch and that a Sign Variance application be applied for the existing ground sign.

That staff has no objection to the design of the proposed detached garage if the garage structure conforms to the parking/lot coverage requirements for zoning approval and the garage conforms with the requirements of any future site plan agreement.

That Heritage Vaughan expresses grave concern with the manner that this process has been handled and encourages Council to act in a way consistent with respecting the policies and processes of Vaughan.

That Heritage Vaughan be apprised of any further changes to this property.”

The Development Planning Department concurs with the recommendations made by Heritage Vaughan. The final elevations will be approved to the satisfaction of the Development Planning Department, in consultation with the Cultural Services Department.

Signage

The Owner has not submitted details of the proposed signage type, size design and material. Prior to the execution of the site plan agreement, the Owner shall submit a complete signage package for approval by the Development Planning Department and the Cultural Services Department.

Landscaping

The existing landscape strip, trees and shrubs along the Islington Avenue frontage of the site have not been affected by the proposed addition and will remain unchanged. The Owner has added a new shade tree at the rear corner of the site, as recommended by the Development Planning Department. A wood picket fence is proposed for the outdoor patio enclosure and is considered in keeping with the character of the area and the existing building form. The final landscape plan shall be approved by the Development Planning Department.

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

The Development Planning Department has reviewed the Site Development Application to permit a 70m² addition to the existing heritage building located on the subject lands, in accordance with the policies of the Official Plan, the requirements of the Zoning By-law and in the context of the

surrounding land uses and the comments provided by Heritage Vaughan and the Cultural Services Department. The proposed addition is compatible with the surrounding land uses from a land use and built form perspective and represents an appropriate development of the subject lands, subject to the comments in this report. Accordingly, the Development Planning Department can support the approval of the Site Development Application, and the required variances for reduced building setbacks, landscape buffers, parking and access, subject to the comments and recommendations included in this report.

Attachments

1. Location Map
2. Site Plan
3. Elevations

Report prepared by:

Carmela Marrelli, Planner, ext. 8791
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

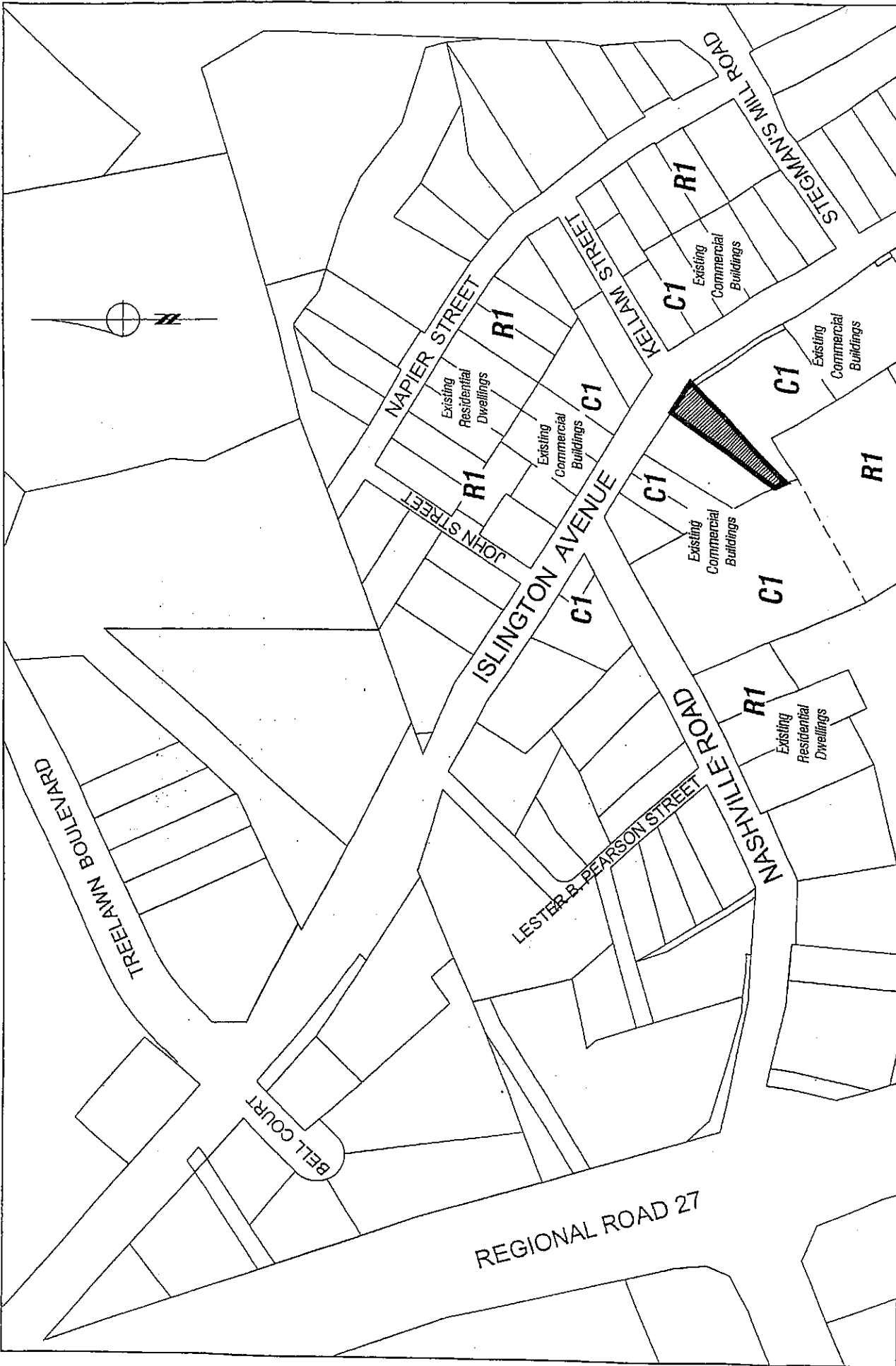
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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Location Map

Part of Lot 24,
Concession 8

APPLICANT:
DOMENIC SALA

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Legend

C1 - Restricted Commercial Zone

R1 - Residential Zone

 SUBJECT LAND



The City Above Toronto

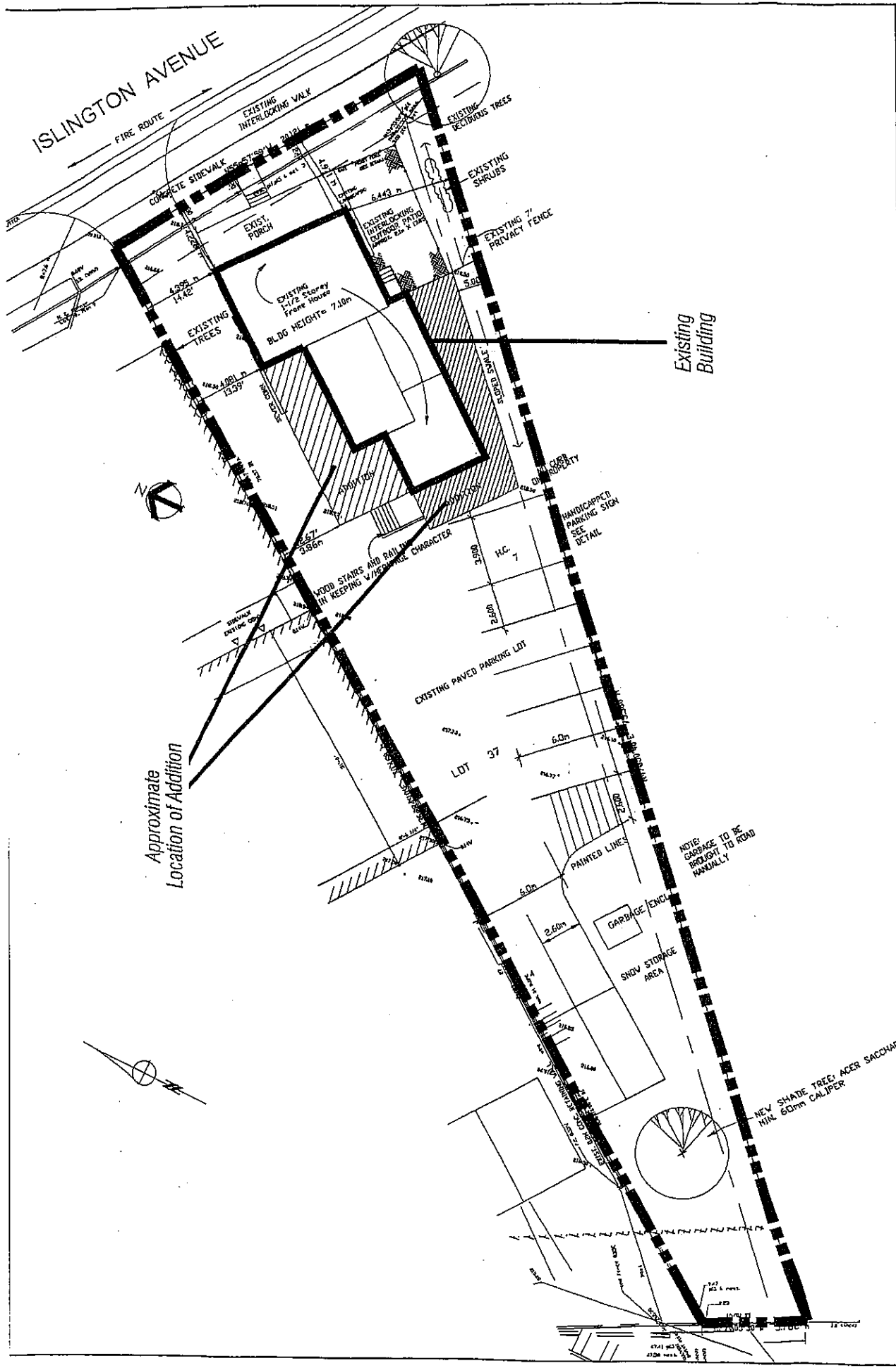
Development Planning Department

Attachment 1

FILE No.:
DA.05.068

Not to Scale

June 01, 2006



Attachment 2

FILE No.: DA.05.068
 Not to Scale
 June 01, 2006



The City Above Tomorrow

Development Planning Department

Legend

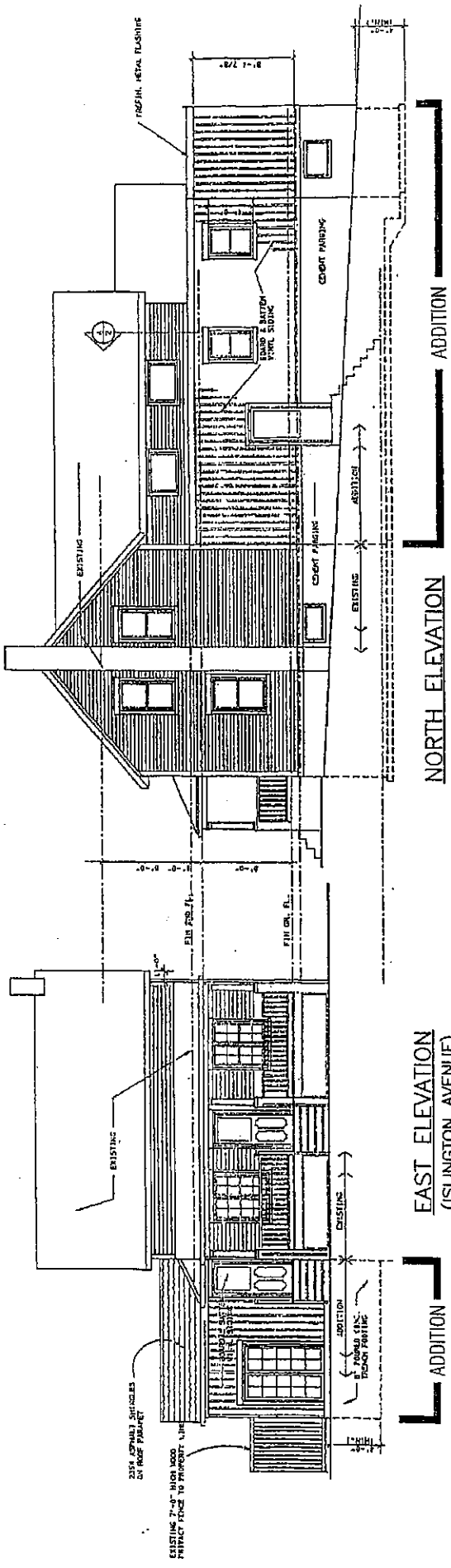
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Site Plan

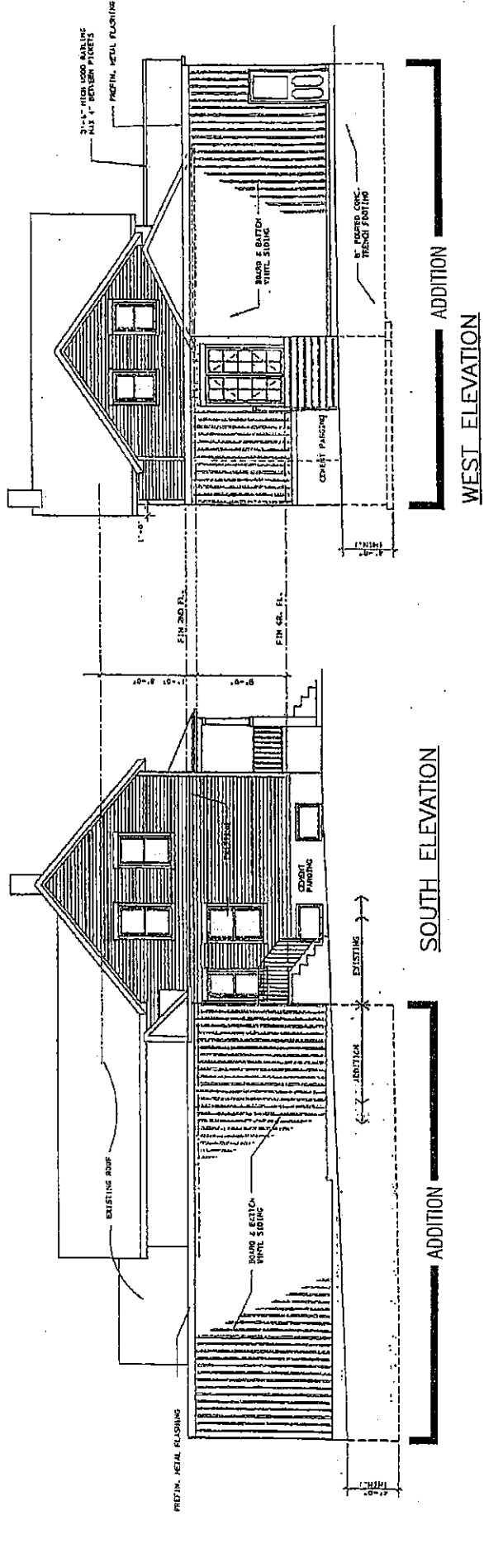
Part of Lot 24,
 Concession 8

APPLICANT:
 DOMENIC SALA

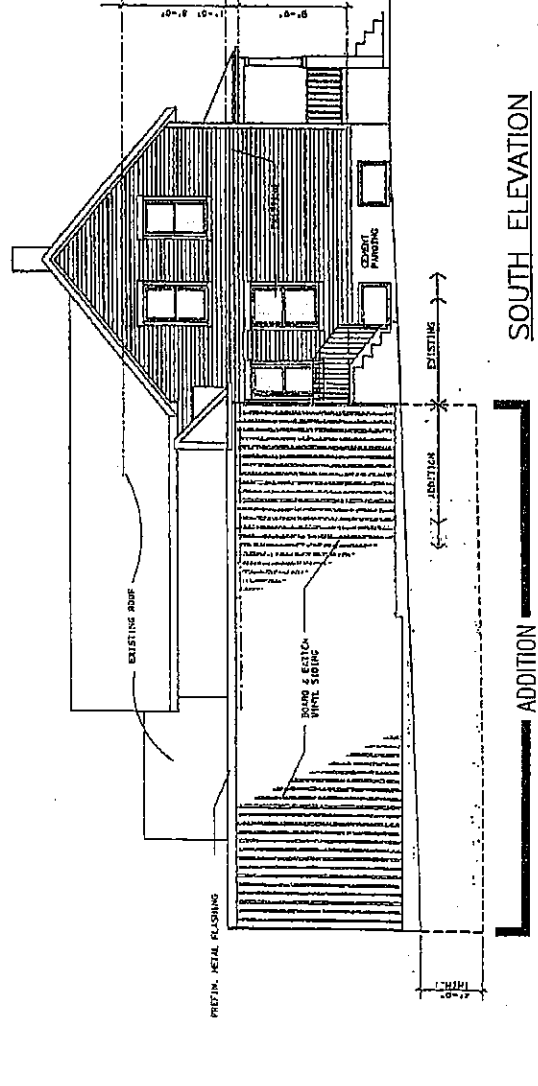
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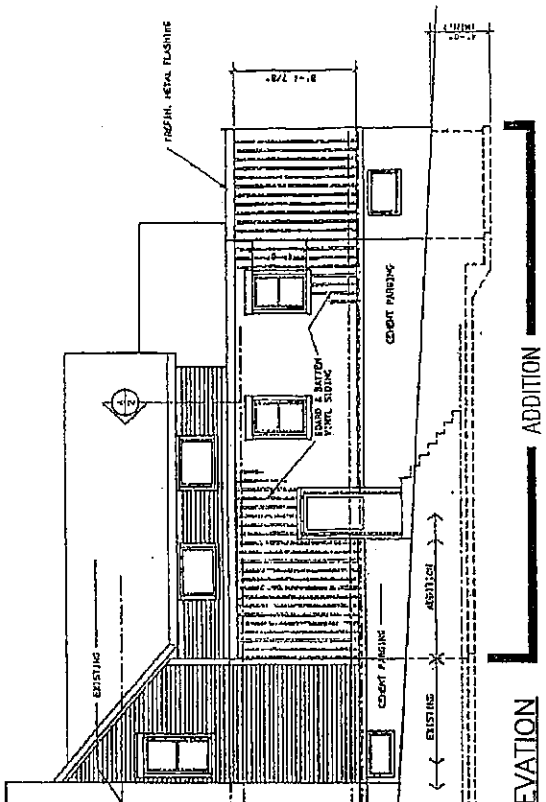
**EAST ELEVATION
(SLINGTON AVENUE)**



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Elevation Plan

Part of Lot 24,
Concession 8
APPLICANT:
DOMENIC SALA
KADPTV1 ATTACHMENTS\DA\05.068



Development Planning Department

Attachment 3

FILE No.:
DA.05.068
Not to Scale
June 01, 2006