

COMMITTEE OF THE WHOLE MARCH 4, 2002

**AMENDMENT TO ZONING BY-LAW FILE Z.01.067
SITE DEVELOPMENT APPLICATION FILE DA.01.084
CHARTREUSE RESTAURANT INC.
REPORT #P.2001.70**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.01.067 (Chartreuse Restaurant Inc.) BE APPROVED.
2. THAT Site Development Application DA.01.084 (Chartreuse Restaurant Inc.) BE APPROVED, subject to the following:
 - i) the final site plan and elevations be to the satisfaction of the Community Planning and Urban Design Departments;
 - ii) the final site grading/servicing plan and stormwater management report be approved by the Engineering Department;
 - iii) the landscape plan and cost estimate be approved by the Urban Design Department; and
 - iv) that prior to the registration of the site plan agreement, easements or a long-term lease shall be registered to provide shared access and parking areas for both properties.

Purpose

On September 19, 2001, the Owner submitted an application for exceptions to the C1 Zone standards of the By-law to permit an addition to the rear of the restaurant building on site. Exceptions are required to:

- i) provide a minimum of 17 parking spaces, including spaces located off-site,
- ii) permit an increase in the maximum seating capacity from 40 to 78 seats, and
- iii) permit an outdoor patio.

Additional exceptions to legalize the existing building are also required, including the minimum landscaping requirements, front yard setback, and eaves which project over the property line.

On November 9, 2001, a site development application was submitted for a 37.44 sq.m addition to the restaurant, an 18.25 sq.m patio, and reconfiguration of the parking area.

Background - Analysis and Options

The subject lands are located on the west side of Islington Avenue, south of Nashville Road (10512 Islington Avenue), in Part of Lot 24, Concession 8, City of Vaughan. The lands are designated "Core Area" by OPA #601 (Kleinburg-Nashville Community Plan) and zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exceptions 9(56) and 9(136). The 630.6 sq.m site has 12.7m frontage on Islington Avenue and is developed with a 2-storey building that contains two restaurants. The surrounding land uses are:

North - commercial (C1 Restricted Commercial Zone)
East - Islington Avenue; commercial (C1 Restricted Commercial Zone)
South - multi-unit commercial building (C1 Restricted Commercial Zone)
West - commercial (C1 Restricted Commercial Zone)

On October 12, 2001, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and the Kleinburg and Area Ratepayers Association. Letters of support were received from the Kleinburg and Area Ratepayers Association, Village of Kleinburg Business Improvement Association and the Rotary Club of Kleinburg. The recommendation of the Committee of the Whole at the Public Hearing on November 5, 2001, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on November 12, 2001.

Official Plan

Official Plan Amendment #601 (Kleinburg-Nashville Community Plan) designates the lands "Core Area." Restaurants are a permitted use within the "Core Area." The restaurant complies with the Official Plan.

Zoning

The lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exceptions 9(56) and 9(136). A number of exceptions are required to the zoning by-law, many of which are to recognize the old building as built on the lot. Exceptions are required to the following standards:

- the minimum 6m width for the aisle along the south side of the building
- the minimum front yard setback of 9m
- the maximum 1.8m front yard encroachment by the stairs
- the maximum lot coverage of 50%
- the minimum lot depth of 60m
- the required loading space
- the minimum 6m landscape strip along Islington Avenue
- the minimum 10% landscaping on the lot

As these exceptions will recognize an existing situation, Staff have no objection. A number of other exceptions are required, and will be reviewed individually later in this report.

Site Design

The site is currently developed with a 2-storey building that contains 2 restaurants. The building is located at the front of the lot, with a narrow driveway along the south side, leading to parking in the rear. Additional parking is proposed on the adjacent property to the north. The proposed addition and patio are located at the rear of the building.

Parking

The zoning by-law requires that the rear of the property be used only for parking, which provides 7 spaces. A total of 55.69 sq.m of new floor space is being created through the addition and patio. Eating establishments require 16 parking spaces/100 sq.m of Gross Floor Area, and on this basis, the addition and patio require 9 parking spaces.

The Owner has an agreement with the landowner to the north to combine their rear yards for parking, achieving a total of 17 spaces. This accounts for the existing parking of 7 spaces, plus the 9 spaces needed by the addition, with a surplus of 1 space. Access to both rear yards is

provided over the driveway on the subject property. One handicap parking space must be shown on the plan.

An easement or long-term lease over the two properties to allow the shared parking and driveway access will be required prior to the registration of the site plan agreement. This is to ensure the long-term availability of the parking to be used by the restaurant.

The Engineering Department has noted that this increased parking will be an improvement over the existing situation and that any parking deficiency on the site would typically relate to evening periods when on-street parking opportunities are available.

The zoning by-law requires that parking areas be asphalt or concrete. The application proposes requested that the parking area be gravel. There are brick pavers on the driveway, which help to prevent gravel from being carried onto Islington Avenue. The application also proposes a reduction in parking space size from 2.7m x 6m to 2.7m by 5.8m. Staff have no objection to these requests.

Access

The current driveway access is only 3.5m wide, where current standards require 6m. This is acceptable as the driveway is constrained by the distance between the building and the lot line. The Engineering Department has suggested that the driveway be designated as a fire route, which will be accomplished through the site plan agreement.

Islington Avenue

The Engineering Department has commented that a 1.5m road widening is required. As the building is existing and a road widening would negatively impact the entrance to the restaurant, the Engineering Department has agreed that the widening will not be required at this time. Instead, dedication of the widening will be necessary upon either redevelopment of the lands or reconstruction of Islington Avenue. Provisions will be included in the site plan agreement to achieve this.

Outdoor Patio

An outdoor patio is not permitted in the C1 Restricted Commercial Zone. Staff have no objection to the patio as a seasonal accessory use to the restaurant. The patio will be subject to the criteria in Section 5.1.6 Outdoor Patio in By-law 1-88. The Section provides requirements regarding size, location, lighting and design. As there is a proposal for residential development to the south of this property, a further restriction will be required that there will be no outdoor music permitted.

Landscaping

The Department of Urban Design has requested that the parking layout be revised so that landscaping may be provided along the rear lot line and adjacent to the proposed patio. This can be achieved by reducing the aisle width to the minimum 6 metres required by the zoning by-law, and removing one parking space. A landscape plan and cost estimate will be required prior to final approval.

Heritage Vaughan Committee

Heritage Vaughan reviewed the site plan application at their meeting of December 19, 2001, and resolved the following:

"That there be no objection to the addition to the Chartreuse Restaurant at 10512 Islington Avenue."

Elevations

The existing building is designed with a peaked roof with shingles, and has wood siding. The front of the building features 2 entrances, one that steps up to a porch into the restaurant, and one the steps down to the pub on the lower level. There are a number of windows on this elevation, as well. The side elevations are predominantly wood siding with windows and the rear features 2 exits and 4 windows.

The proposed addition will include one door to the rear and 4 windows. The wood siding will match the existing building.

Conclusion

Staff have reviewed the proposed zoning by-law amendment and found that it conforms to the Official Plan. The proposed zoning exceptions either legalize a long-standing situation or are appropriate to facilitate the small addition. The exceptions, in conjunction with the site development application, will preserve the character of the building, while allowing it to remain viable for restaurant use. The additional parking will help to reduce the reliance on on-street parking. Planning staff are satisfied that the proposed development and zoning exceptions are appropriate for the site. Should Committee concur, the Recommendation can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Detail of the Addition
4. Elevations

Report prepared by:

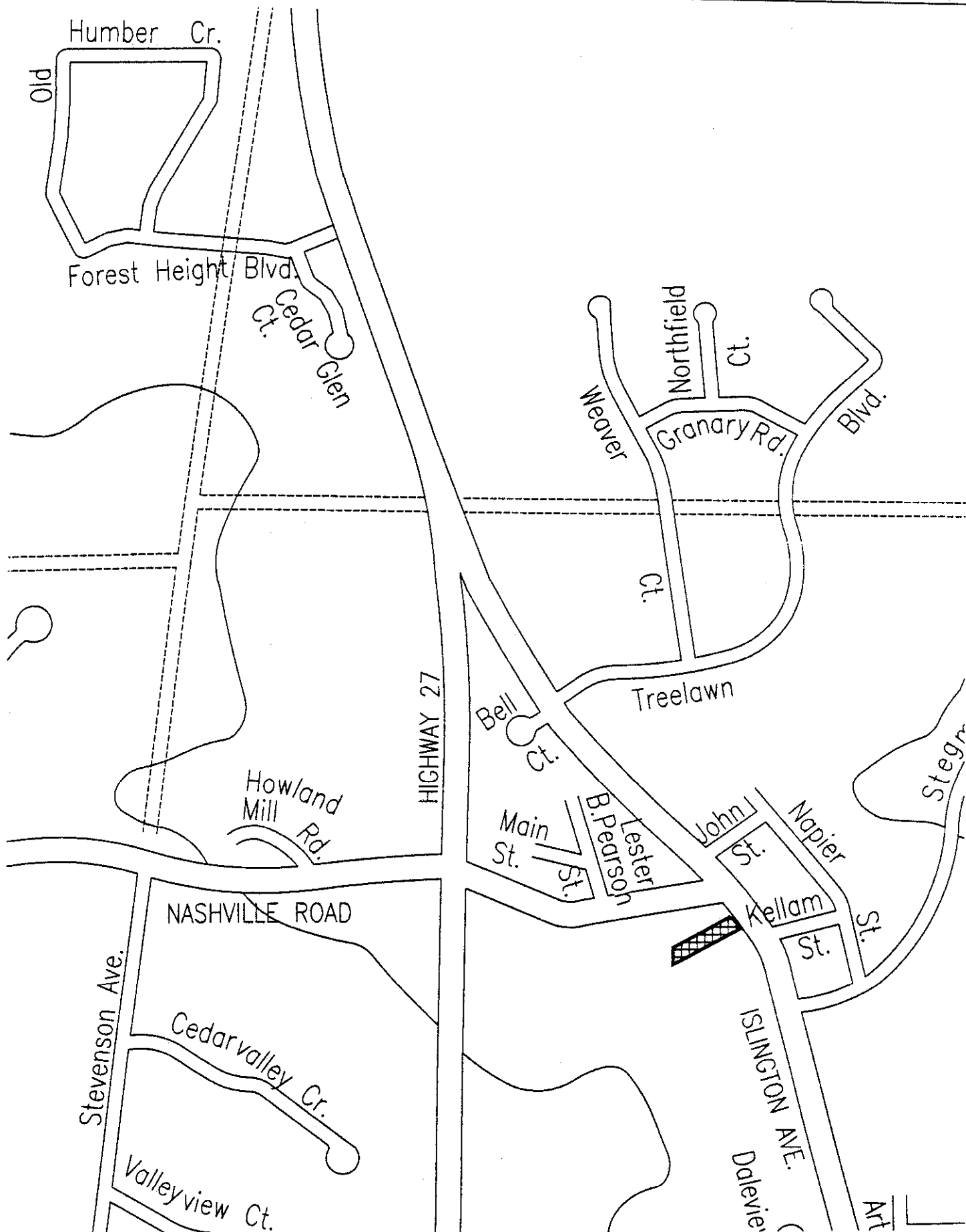
Todd Coles, Planner, ext. 8634
Art Tikiryan, Senior Planner, ext. 8212

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM



ATTACHMENT '1'
LOCATION MAP

FILE #:	REPORT #:
Z.01.067 DA.01.084	LOCATION: LOT 24, CONC. 8



SUBJECT LANDS

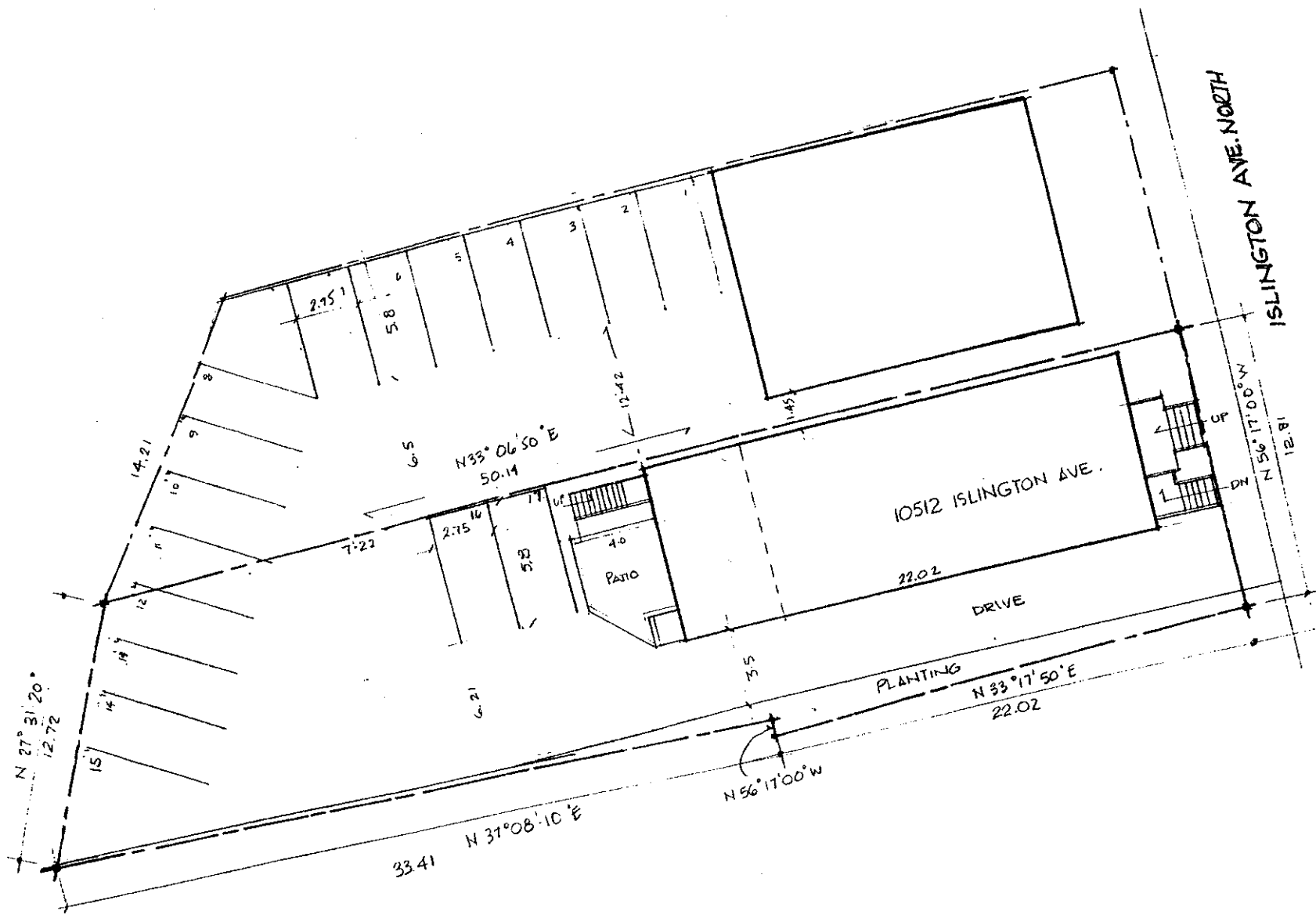
CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:

Chartreuse Restaurant Inc.

DATE: 09/26/2001

SCALE: NOT TO SCALE



ATTACHMENT '2' SITE PLAN

FILE #:	REPORT #:
Z.01.067 DA.01.084	LOCATION: PART LOT 24, CON. 8

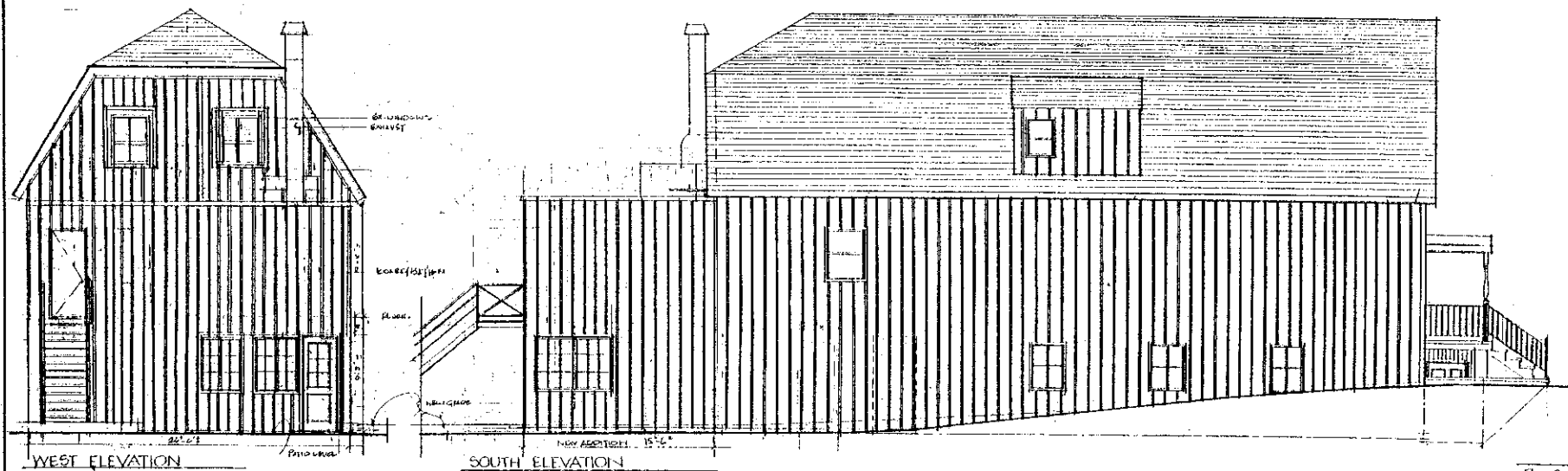
CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:

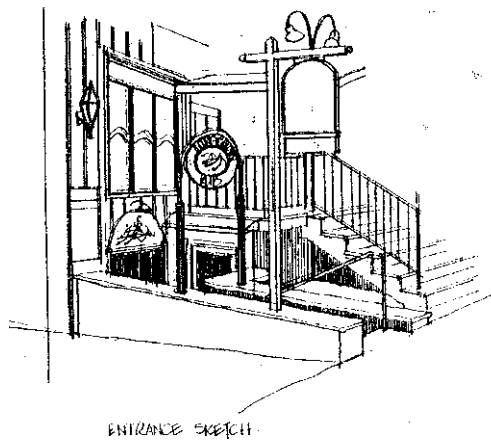
CHARTREUSE RESTAURANT INC.

DATE: 12/07/2001

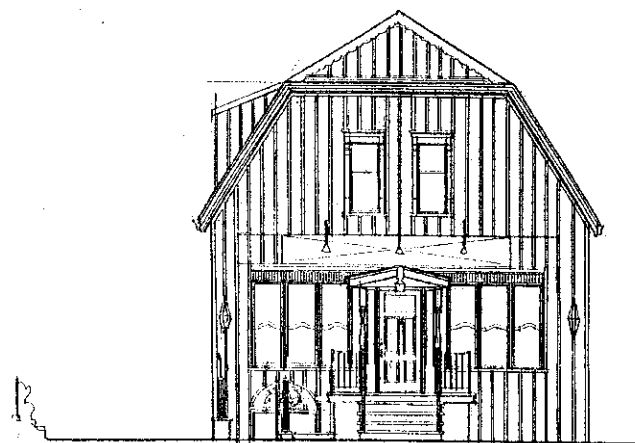
SCALE: NOT TO SCALE



PLAN REVISED NOV 2001



ENTRANCE SKETCH



EAST ELEVATION FRONT

**COLLINS
DESIGN
GROUP**

NOTES
DRAWINGS SHALL BE USED FOR THE PURPOSES OF THE PROJECT AND SHALL NOT BE REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF COLLINS DESIGN GROUP.



EXTERIOR ELEVATIONS

DATE: July 29, 01
SCALE: 1/4" = 1'-0"
PROJECT: Chartreuse
DRAWN BY: [Signature]
CHECKED BY: [Signature]
PROJECT #

A2

ATTACHMENT '4'

FILE #:

Z.01.067
DA.01.084

REPORT #:

LOCATION:
PART LOT 24, CON. 8

CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:

CHARTREUSE RESTAURANT INC.

DATE: 12/07/2001

SCALE: NOT TO SCALE