

**4. ZONING BY-LAW AMENDMENT FILE Z.03.040
M. ELISA VALLESCURA
PRELIMINARY REPORT**

P.2003.59

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.03.040 (M. Elisa Vallescura) BE RECEIVED, and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On June 24, 2003, the Owner submitted an application to amend the Zoning By-law to permit commercial uses for both buildings, including an eating establishment with an outdoor patio. Currently, the site-specific provisions of the by-law permit a retail store on the ground floor and a residential unit on the second floor of the dwelling, and storage in the barn.

Background - Analysis and Options

The site is located on the southeast corner of Islington Avenue and Stegman's Mill Road, being Part of Lot 25 on Plan M-11 (10449 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 R1 Residential Zone by By-law 1-88, subject to Exception 9(610). The surrounding land uses are:

- North - commercial (R1 Residential Zone as amended by Exception 9(230))
- South - residential (R1 Residential Zone)
- East - residential (R1 Residential Zone)
- West - Islington Avenue; commercial (C6 Highway 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.

The Kleinburg & Area Ratepayers Association responded that the location of the patio would be located immediately beside a private residence, and that there "would be an infringement on the privacy of the Davis family". The Village of Kleinburg Business Association has responded in support of the proposal.

Any other responses received will be addressed in the technical review and included in a comprehensive staff report to a future Committee of the Whole meeting.

Preliminary Review

Following a preliminary review of the proposed application, Staff has identified the following matters to be reviewed in greater detail:

- the Kleinburg "Core Area" designation permits Village "Mainstreet Commercial" uses located on Islington Avenue; the proposed use conforms to the Official Plan;

- the site specific R1 Residential Zone pertains to setbacks and use, restricting the dwelling to retail commercial on the ground floor and residential on the second floor, and storage in the barn; a zoning amendment is required to permit commercial uses for both buildings, including an eating establishment with an outdoor patio;
- additional zoning exceptions may be required for landscaping, parking and setbacks to the proposed patio, as determined through review of the related site plan application;
- the subject lands are within the approved Kleinburg-Nashville Heritage Conservation District Study and Plan; the proposal will be considered in the context of the study;
- consideration will be given to the compatibility with any adjacent land uses in respect of urban design/heritage preservation, noise, traffic and parking; and
- an Environmental Site Assessment Phase 1 Report, a Storm Water Management Report, Site Servicing Plan and a Grading Plan may be required for assessment of the proposal.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments of the public and Council expressed at the public hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the appropriateness and compatibility of the proposed commercial and eating establishment uses will be reviewed in context with the policies of the Official Plan, the surrounding land uses and the Heritage Conservation District Study.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

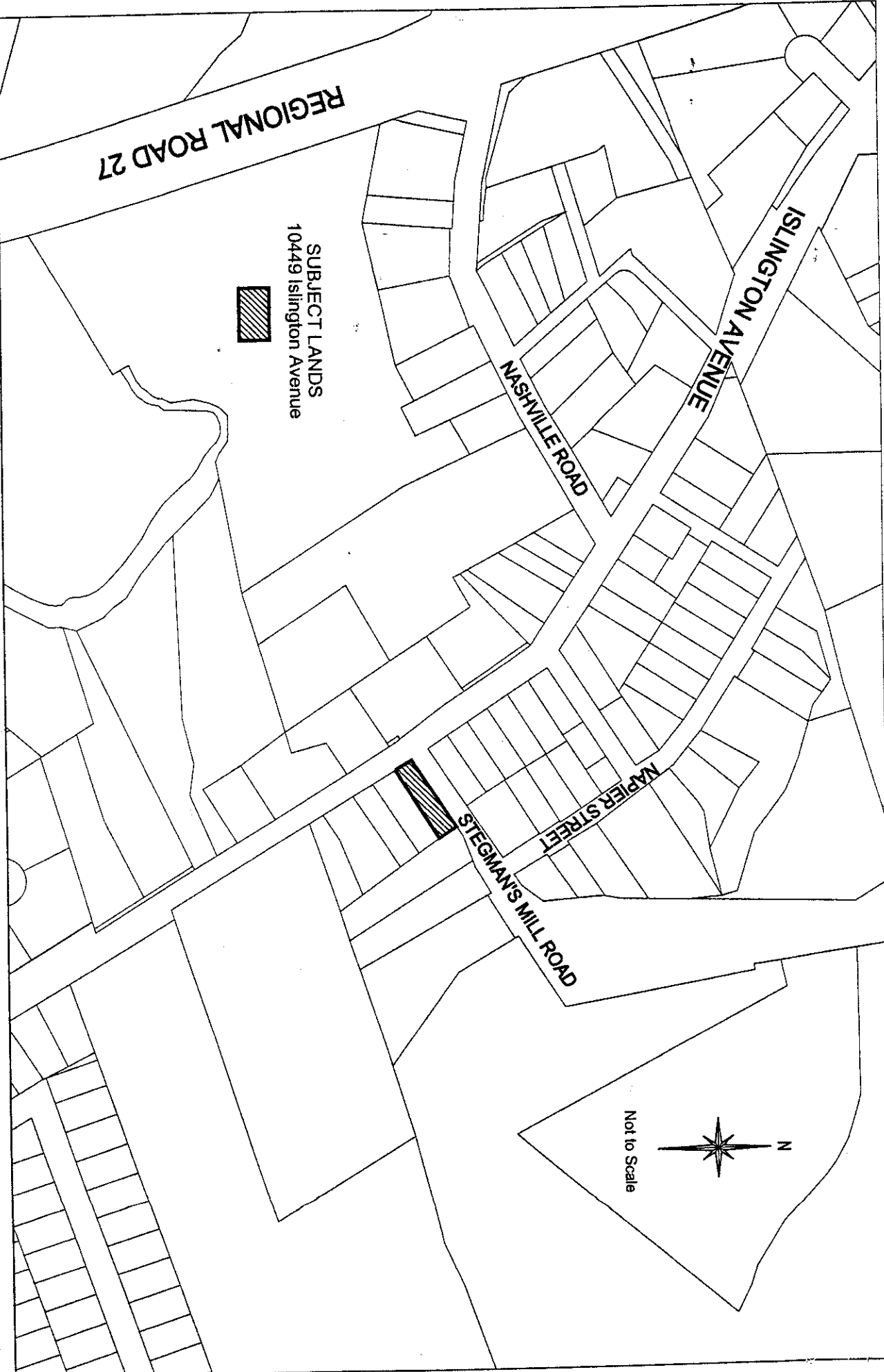
Margaret Holyday, Planner 1, ext. 8216
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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/LG



Location Map

Part Lot 24,
Concession 8

APPLICANT:
M. ELISA VALLESCURA



Community Planning Department

Attachment

FILE No.:
DA.03.040 &
Z.03.046

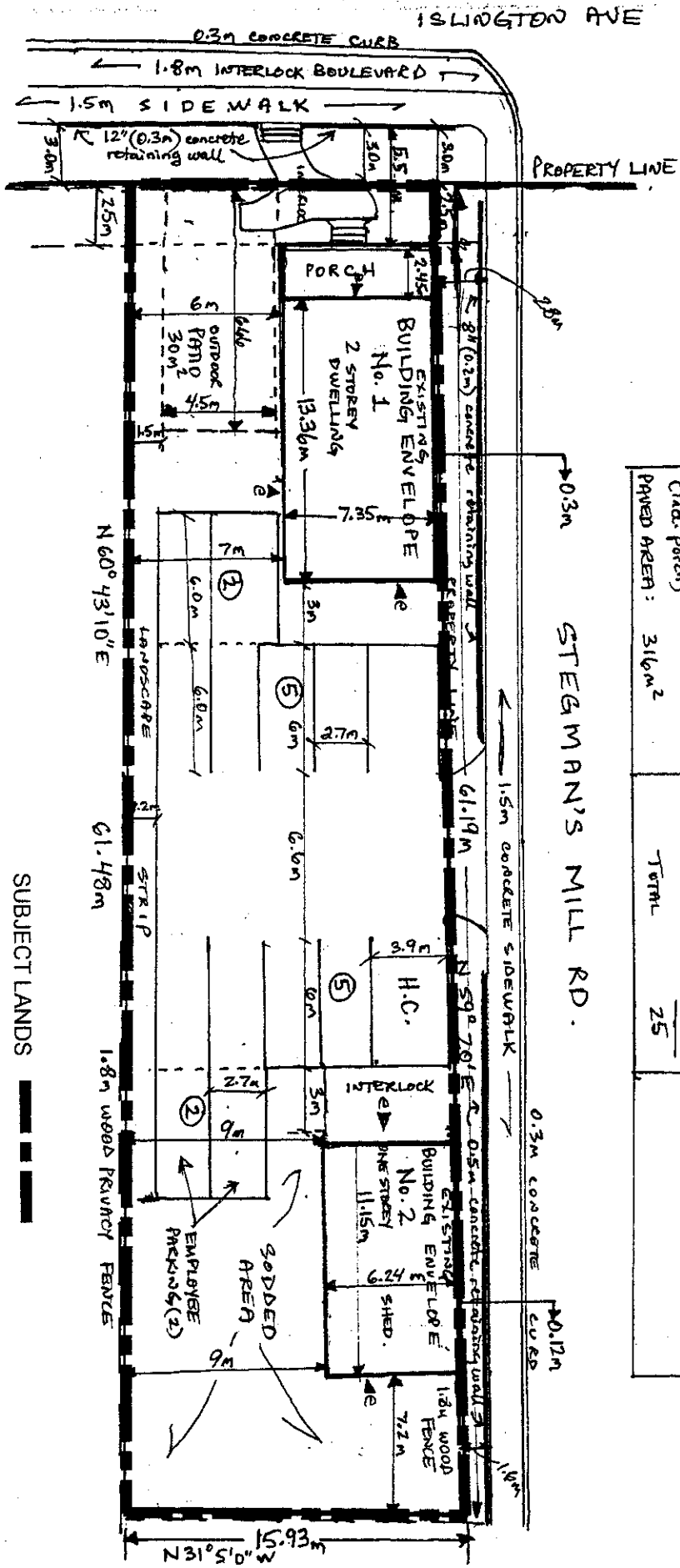
July 7, 2003





Not to Scale

SITE STATISTICS		LANDSCAPE AREA: 379.59m ²		PKG PROVIDED:	
LOT AREA:	931.37m ²	LANDSCAPE %:	40.7%	VISITOR:	9
EXISTING BLDG 1:	GROUND FLOOR-COMMERCIAL 92.24m ²	GRASS FLOOR AREA:	248.28m ²	H.C.:	1
SECOND FLOOR-RESIDENTIAL	86.54m ²	F.S.I.:	0.27	EMPLOYEE:	4
PERCH	18.04m ²	PKG REQ'D:			14
EXISTING BLDG 2:		1 Residential @ 175/m ²	1.75		
GROUND FLOOR-COMMERCIAL	69.58m ²	4 Commercial			
BUILDING AREA:	161.78m ²	BLDG 1:	887m ²		
(Footprint)		GROUND FLOOR	304m ²		
LOT COVERAGE:	20%	EST. @ 16/1000m ²			
(Crad. Porch)		BDG 2: RETAIL			
PAVED AREA:	316m ²	EST. @ 6/1000m ²	4.17		
		Total	25		



SUBJECT LANDS

Site Plan

Part Lot 24,
Concession 8

APPLICANT:
M. ELISA VALLESCURA



Community Planning Department

Attachment

FILE No.:
DA03040 &
Z03046

July 7, 2003

