

COMMITTEE OF THE WHOLE MARCH 1, 2004

SITE DEVELOPMENT FILE DA.03.046 **FRANK & FIORELLA CUNHA**

Recommendation

The Commissioner of Planning recommends:

THAT Site Development Application DA.03.046 (Frank & Fiorella Cunha) BE APPROVED, subject to the following conditions:

- a) That prior to the execution of the site plan agreement:
 - i) the final site plan, landscaping and building elevations shall be approved by the Community Planning Department and Urban Design Department;
 - ii) the final grading and servicing plans, the Environmental Noise Impact Assessment Report and Stormwater Management Report shall be approved by the Engineering Department; and,
 - iii) parking, access and on-site circulation shall be approved by the Engineering Department.

- b) That the site plan agreement contain the following provision:
 - i) the owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building permit, in accordance with Section 42 of the Planning Act. The owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and
 - ii) the Owner shall convey a 3.0m wide strip of land along the Islington Avenue road allowance to the City of Vaughan, free of all charge and encumbrances, prior to issuance of the building permit. The Owner shall prepare and pay for the registration of a registered plan for the conveyance of the required road widening. A By-law shall be passed dedicating the road widening as public highway and the Owner shall pay the costs of said By-law.

Purpose

On July 22, 2003, the Owner submitted a Site Development Application for a 293.7m², 2-storey building for a photography studio use.

Background - Analysis and Options

Location

The subject lands are 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.

Official Plan

The subject lands are designated “Core Area” by OPA #601 (Kleinburg-Nashville Community Plan), 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). The site-specific exception restricts the uses on the property to a retail store, a residential unit and storage within the building envelope, as shown on Schedule E-855.

On May 26, 2003, Council approved Zoning Amendment Application Z.03.013 (Ruth Reid) to amend the by-law to permit a photography studio use only, and to revise the defined building envelope. The implementing by-law will be based on the approved site plan, and will include the following exceptions to the zoning standards:

	Required	Provided
Minimum Rear Yard	30.4m	23.21m
Minimum Lot Depth*	51.7m	49.19m
Minimum Parking Required	8 spaces	6 spaces
Minimum Access Width	3.9m	3.75m

*The Engineering Department’s records indicate that the section of Islington Avenue adjacent to the site has an approximate right-of-way of 20m. As a result, a 3.0m road conveyance is required prior to the enactment of the zoning by-law to meet the designated 23m right-of-way for Islington Avenue, as per the Official Plan.

Parking

At the photography studio parking standard of 3.3 spaces/100m² of GFA, the 293.7m² building would require 10 spaces. The exception to the by-law currently applicable to the site requires a minimum of 8 spaces.

The Parking Study undertaken by Poulos and Chung, Transportation Consultants for the Kleinburg Commercial Core, recommends that the commercial parking standards may be safely reduced, given the adequate supply of the parking in the area.

The photography studio operates on an appointment basis, with a controlled hourly parking demand. Staff can support the reduction in parking as proposed.

Elevations

The subject lands fall within the Kleinburg-Nashville Heritage Conservation District Study Area. The purpose of this study is to protect and conserve the unique and special heritage of the Kleinburg-Nashville Community, in accordance with the heritage policies set out in the Kleinburg-Nashville Community Plan (OPA 601) and Part V of the Ontario Heritage Act, R.S.O. 1990. The proposed development is architecturally compatible with the village character of historic Kleinburg and is in keeping with the Study.

The proposed two-storey building is designed as a Georgian Style home. The exterior has a clean, eloquent, flat façade which works with the Georgian style. Additional windows have been added to the north elevation to create a symmetrical window design. The chimneystacks are an orange-reddish brick colour, with a yellow brick band to resemble other chimneystacks in the neighbourhood.

Site Design

The two-storey, 293.7m² building is setback 7.8m (including the 3.0m road conveyance) from the property line. This setback provides an appropriate transition between the 3m setback of the building to the north and the 12m setback of the building to the south.

The driveway is located along the north property line. Along the south side of the driveway is a walkway that is flush with the driveway, to permit a lay-by area when two-way traffic is needed.

The parking area is located at the east end of the property, with a 2.39m landscaping strip along the easterly edge of the property and a minimum 0.84m landscaping strip along the south side, with board fencing on each side

In the rear yard is an amenity area with soft landscaping, to be used as an outdoor photography setting. The amenity area will be buffered along the south lot line by existing plantings and a fence, plus proposed additional planting.

Lighting on the building will mainly be on the front façade, with two decorative wall sconces on the rear facade. There is one light post in the parking area at the northeast corner.

Relationship to Vaughan Vision 2007

This report is consistent with Section 4.6.1 of The Vaughan Vision 2007 as it encourages the preservation of significant historic communities. The design is intended to compliment the existing historical community of Kleinburg.

Conclusion

Staff has reviewed the proposed site plan to permit a photography studio building and considers it to be in accordance with the policies of the Official Plan. Staff can also support the exceptions to the C1 Restricted Commercial Zone standards required to facilitate the site plan, to be included in the implementing zoning by-law. Therefore, Staff recommends approval of the application, subject to conditions. Should Council concur, the Recommendation of this report can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Building Elevations

Report prepared by:

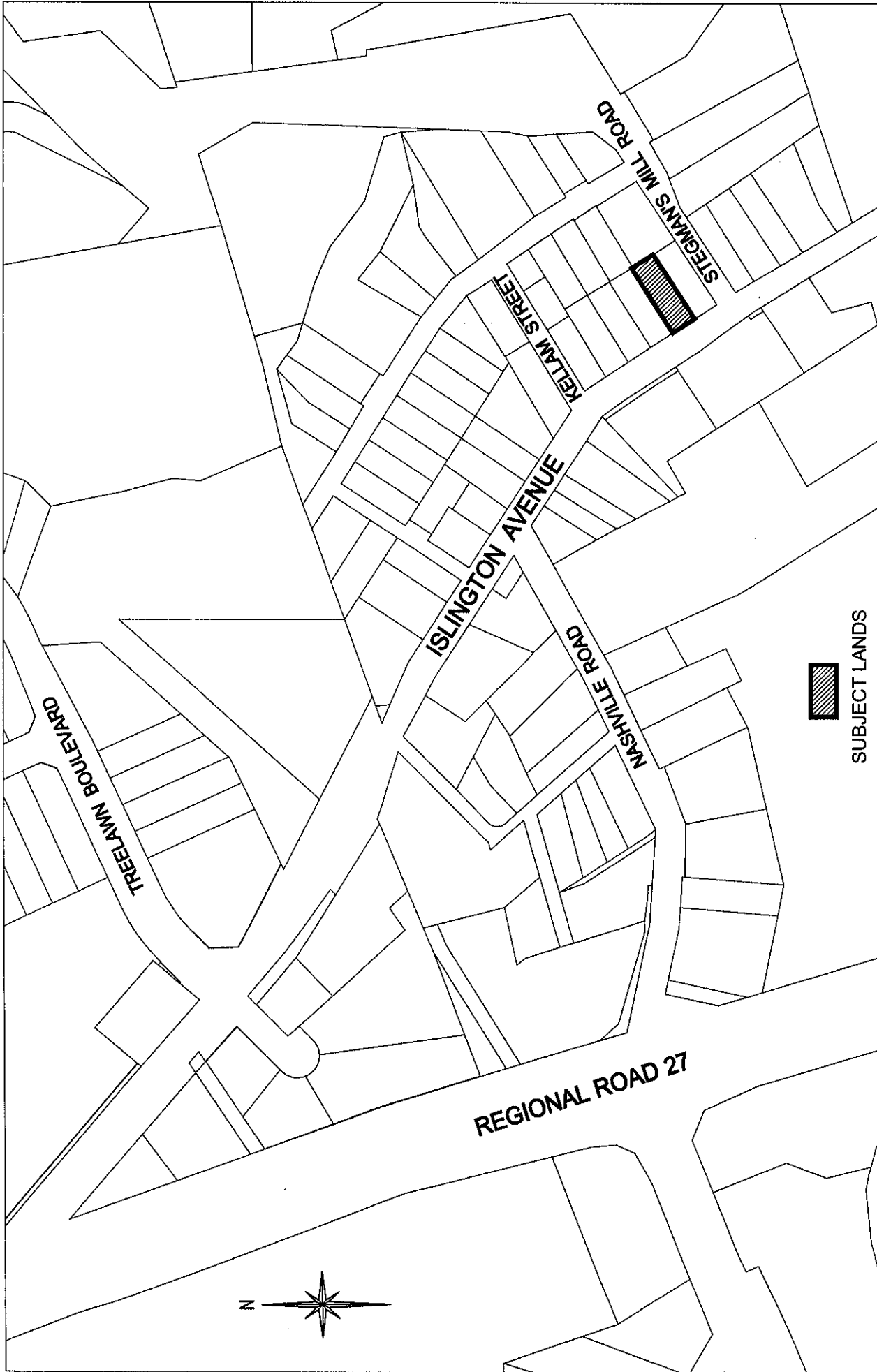
Margaret Holyday, Planner 1, ext. 8216
Arto Tikiryán, Senior Planner, ext.8212

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning
/CM

MARCO RAMUNNO
Manager of Development Planning

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SUBJECT LANDS

Location Map

Part of Lot 24,
Concession 8

APPLICANT:
FRANK & FIORELLA CUNHA
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City of
Vaughan

Community Planning Department

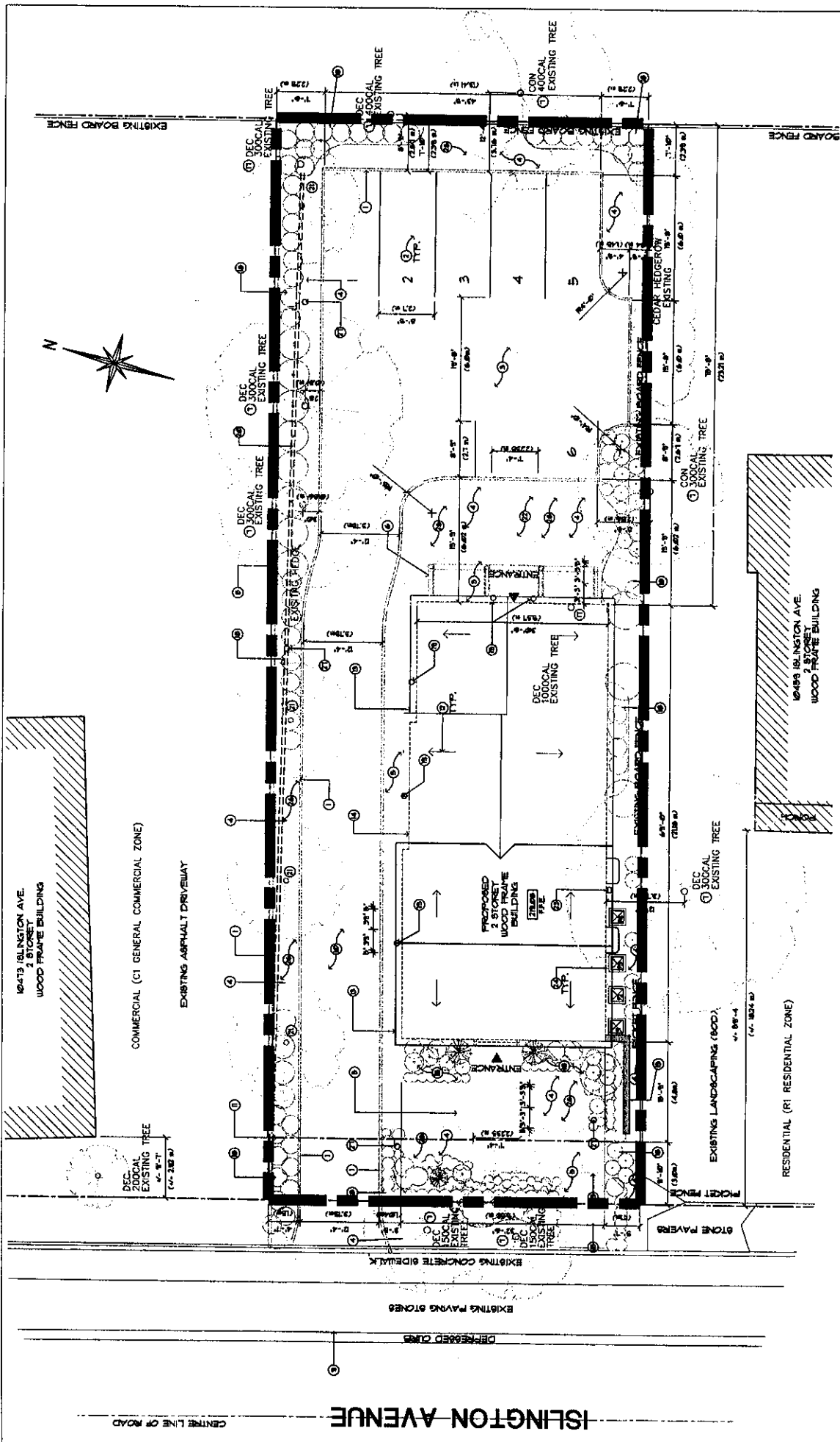
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FILE No.: DA.03.046
Related File: Z.03.013

Not to Scale

February 10, 2004





SUBJECT LANDS ■■■■■

Attachment 2
 FILE No.: DA.03.046
 Related File: Z.03.013
 Not to Scale
 February 10, 2004

City of
Vaughan
 Community Planning Department

Site Plan
 Part of Lot 24,
 Concession 8
 APPLICANT:
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 (A/D/F/T) ATTACHMENTS.DA.03.046.03.013

