

**4. ZONING BY-LAW AMENDMENT FILE Z.10.001
PAUL FALLONE & CINZIA RECINE
WARD 1**

P.2010.16

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.10.001 (Paul Fallone & Cinzia Recine) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: February 26, 2010
- b) Circulation Area: 150 m and to the Kleinburg and Area Ratepayers Association (KARA)
- c) Comments Received as of March 9, 2010:

KARA has provided the following comments:

- i) the proposed building addition to 4 Kellam Street should be in keeping with the existing building, and that Heritage Vaughan be satisfied with the proposed addition prior to proceeding to a Committee of the Whole meeting;
- ii) existing trees on the property should not be removed if it is not necessary;
- iii) concerned with the addition of a parking lot and the added pavement. KARA would like to see hedging along Kellam Street to screen the parking lot as well as a reduction of parking and the use of grasscrete; and,
- iv) concerns with the severance – precedence respecting small lot sizes and reduced setbacks.

Purpose

The Owner has submitted a Zoning By-law Amendment Application (File Z.10.001) on the subject lands shown on Attachments #1 and #2, to amend the City's Zoning By-law 1-88, specifically the C11 Mainstreet Commercial Zone, respecting site-specific zoning Exception 9(609), to facilitate a severance of the property and to permit a two-storey 17m² addition to 4 Kellam Street and an additional parking lot west of 2 Kellam Street as shown on Attachment #3. The following site-specific exceptions are proposed:

	By-law Standard	By-law 1-88 C11 Mainstreet Commercial Zone Requirements and Exception 9(609)	Proposed Exceptions to the C11 Mainstreet Commercial Zone Requirements and Exception 9(609)
a.	Lot Area	A minimum of 742.5m ² is required;	2 Kellam Street: 466m ² is proposed; 4 Kellam Street: 386.7m ² is proposed;
b.	Parking Area	Shall not be located closer to a street line than the main building;	The proposed parking area is closer to a street line than the main building;
c.	Minimum Required Parking	A minimum of 8 parking spaces shall be required on the combined 2 and 4 Kellam Street properties as shown on Schedule "E-677" (Attachment #4); The required parking for Part 1 as shown on Attachment #4, shall be provided on Part 2;	An additional 7 parking spaces are proposed for 2 Kellam Street, to facilitate the proposed severance, as shown on Attachment #3; The required parking for Part 1 as shown on Attachment #4 will need to be provided on the subject lands shown on Attachment #3;
d.	Building Footprint	All buildings shall be located as shown on Schedule "E-677" (Attachment #4);	The proposed 17m ² addition to the structure located on 4 Kellam Street as shown on Attachment #3, is proposed outside of the building envelope for Building "C" on Attachment #4.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> The subject lands contain 2 buildings, municipally known as 2 and 4 Kellam Street respectively, located east of Islington Avenue, south of Nashville Road, City of Vaughan, shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> "Mainstreet Commercial" by OPA #633. The property is further designated under Part V of the Ontario Heritage Act and is within the Kleinburg-Nashville Heritage Conservation District.

	<ul style="list-style-type: none"> The proposal to amend the site-specific zoning Exception 9(609) to facilitate the severance of the property into 2 lots, and to permit a 17m² addition to an existing dwelling, and an additional parking lot conforms to the Official Plan.
Zoning	<ul style="list-style-type: none"> C11 Mainstreet Commercial by By-law 1-88, subject to site-specific Exception 9(609). An amendment to the site-specific zoning Exception 9(609) is required to facilitate a severance of the property and to permit a two-storey 17m² addition to 4 Kellam Street and an additional parking lot.
Surrounding Land Uses	<ul style="list-style-type: none"> Shown on Attachment #2.

Zoning By-law 35-2004

On December 15, 2003, Vaughan Council approved a Zoning By-law Amendment Application (File Z.03.043 – Zena T. Reinhardt) on the lands shown on Attachment #4, which includes the subject lands and the property to the west, to facilitate a severance of the lands into 2 parcels, Part 1 and Part 2 (subject lands). Prior to this approval, the existing site-specific exception on the site permitted three buildings on the lands, and included exceptions for parking, driveway and aisle widths, setbacks, landscaping, permitted uses and yard requirements. Zoning By-law 35-2004 which came in effect on February 9, 2004, amended the previous Exception 9(609) to recognize the approved severance of the property into 2 lots, and among other exceptions, permits the required parking for the Part 1 lands to be provided off site on Part 2, being the subject lands. If the subject zoning by-law amendment application is approved, the required parking for the Part 1 lands will need to be permitted on the subject lands comprising 2 and 4 Kellam Street on Attachment #4.

Preliminary Review

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> The application will be reviewed in the context of the applicable Provincial policies, Regional and City Official Plan policies, including the City's Consent (severance) policies and the Kleinburg Heritage Conservation District Plan.
b.	Appropriateness of Proposed Zoning Exceptions and Severance	The appropriateness of the zoning exceptions required to facilitate the severance of the property into 2 lots (2 Kellam Street and 4 Kellam Street); the 2-storey 17m ² addition to the building on 4 Kellam Street; and, an additional parking area on 2 Kellam Street will be reviewed with regard to impacts and compatibility with the surrounding area, and the requirements of By-law 1-88.

	MATTERS TO BE REVIEWED	COMMENT(S)
c.	Heritage Issues	<ul style="list-style-type: none"> ▪ The proposed addition to 4 Kellam Street as shown on Attachment #7, must conform to the Kleinburg-Nashville Heritage Conservation District respecting the design, building materials and landscaping for the subject lands, to the satisfaction of Heritage Vaughan and the Vaughan Cultural Services Division. ▪ The related Heritage Permit (HP.2010.003) which includes the proposed building addition and the alterations to the property were included on the March 10th, 2010 Heritage Vaughan Committee Agenda and the recommendations were as follows: <ul style="list-style-type: none"> "1. That a Heritage Permit application for the proposed addition, new parking and landscaping plan be approved; 2. That the plastic chain link be replaced with metal and wood posts; 3. That Heritage Vaughan request the applicant provide a full set of drawings reflecting any future minor design revisions for final approval by Cultural Services Staff; and, 4. That Heritage Vaughan request the applicant provide samples of all exterior cladding materials and paint samples for consideration and approval by Cultural Services Staff."
d.	Parking Generation Assessment	<ul style="list-style-type: none"> ▪ OPA #633 requires the submission of a Parking Generation Assessment in support of the application to be reviewed and approved by the Vaughan Engineering Department. Cash-in-lieu of parking may be required if the parking study determines a parking shortage. ▪ Schedule "E-677" to Exception 9(609) states that the required parking for Part 1 as shown on Attachment #4, shall be provided for on the subject lands. The Parking Generation Assessment will need to address the impacts of this requirement on the subject lands.
e.	Related Site Plan Application	<ul style="list-style-type: none"> ▪ The related Site Plan Application (File: DA.10.002) will be reviewed together with the subject zoning application, to ensure appropriate site and building addition design, landscaping, and the additional parking lot layout, including the required number of parking spaces. The final site plan, elevation plan, and landscape plan and details must be approved to the satisfaction of the Development Planning Department, if approved. ▪ The Owner has obtained a Permit from the City Parks and Forestry Operations Department on November 10, 2009 (Permit No. 2009-94) to remove one (1) existing Black Locust tree abutting Kellam Street and within the new proposed driveway access as shown on Attachment #3, which expires on April 10, 2010. The Permit requires the Owner to plant a replacement tree on the property, within one (1) year of the tree being

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>removed. Attachment #5 proposes the location of a new tree at the southwest corner of 2 Kellam Street, which will need to be reviewed by Development Planning Staff.</p> <ul style="list-style-type: none"> ▪ The Owner is proposing to remove the utility pole and bury the overhead wires underground along Kellam Street. The utility pole abuts the proposed new driveway entrance and will be subject to PowerStream's approval.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the application to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

The application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Existing Zoning Schedule "E-677"
5. Landscape Plan
6. Elevation Plan
7. Existing and Proposed Elevations (4 Kellam Street)

Report prepared by:

Margaret Holyday, Planner, ext. 8216

Carmela Marrelli, Senior Planner, ext. 8791

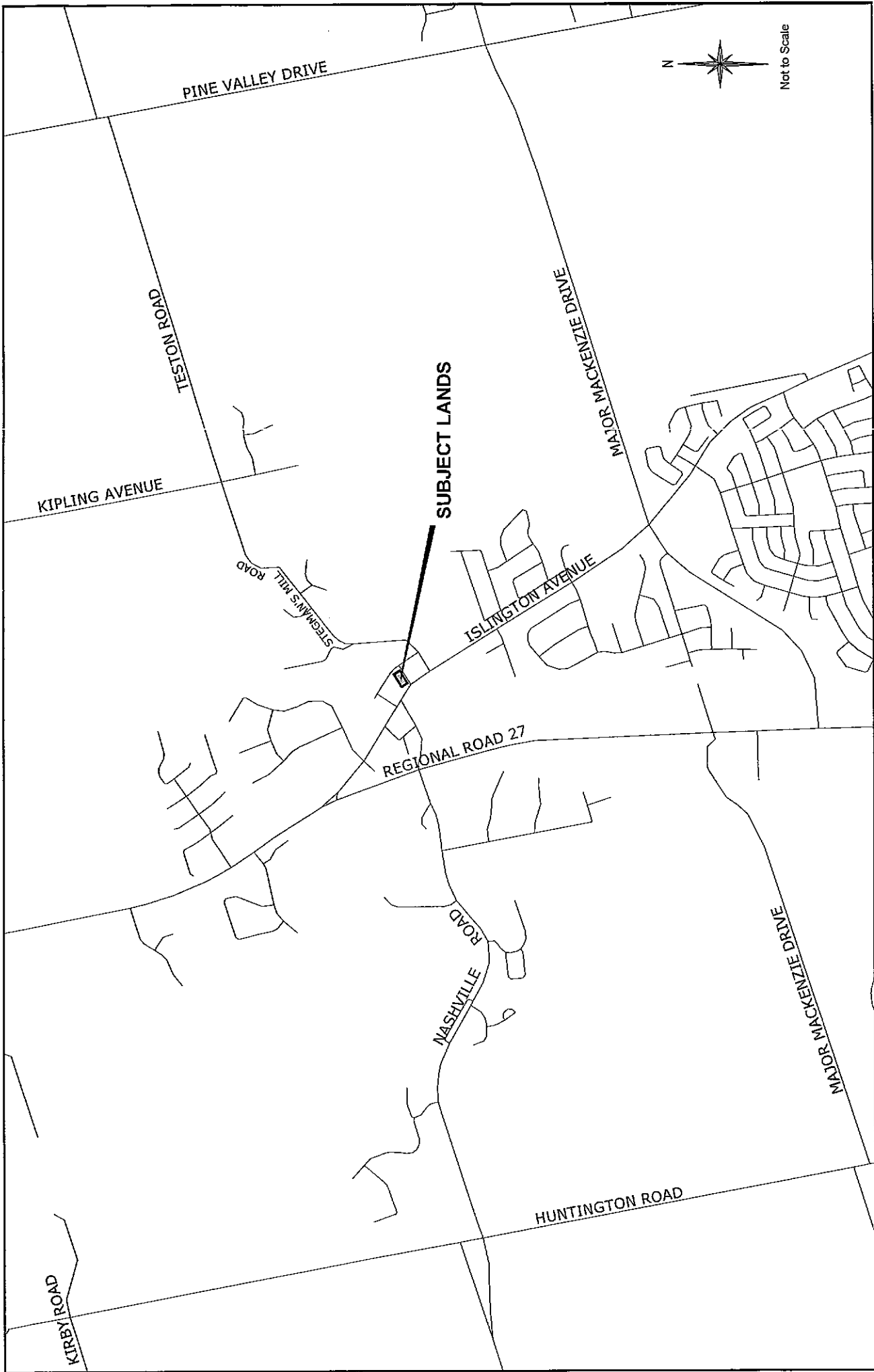
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM



Attachment

File(s): Z.10.001 &
DA.10.002

Date:
March 1, 2010



The City Above Toronto

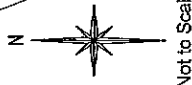
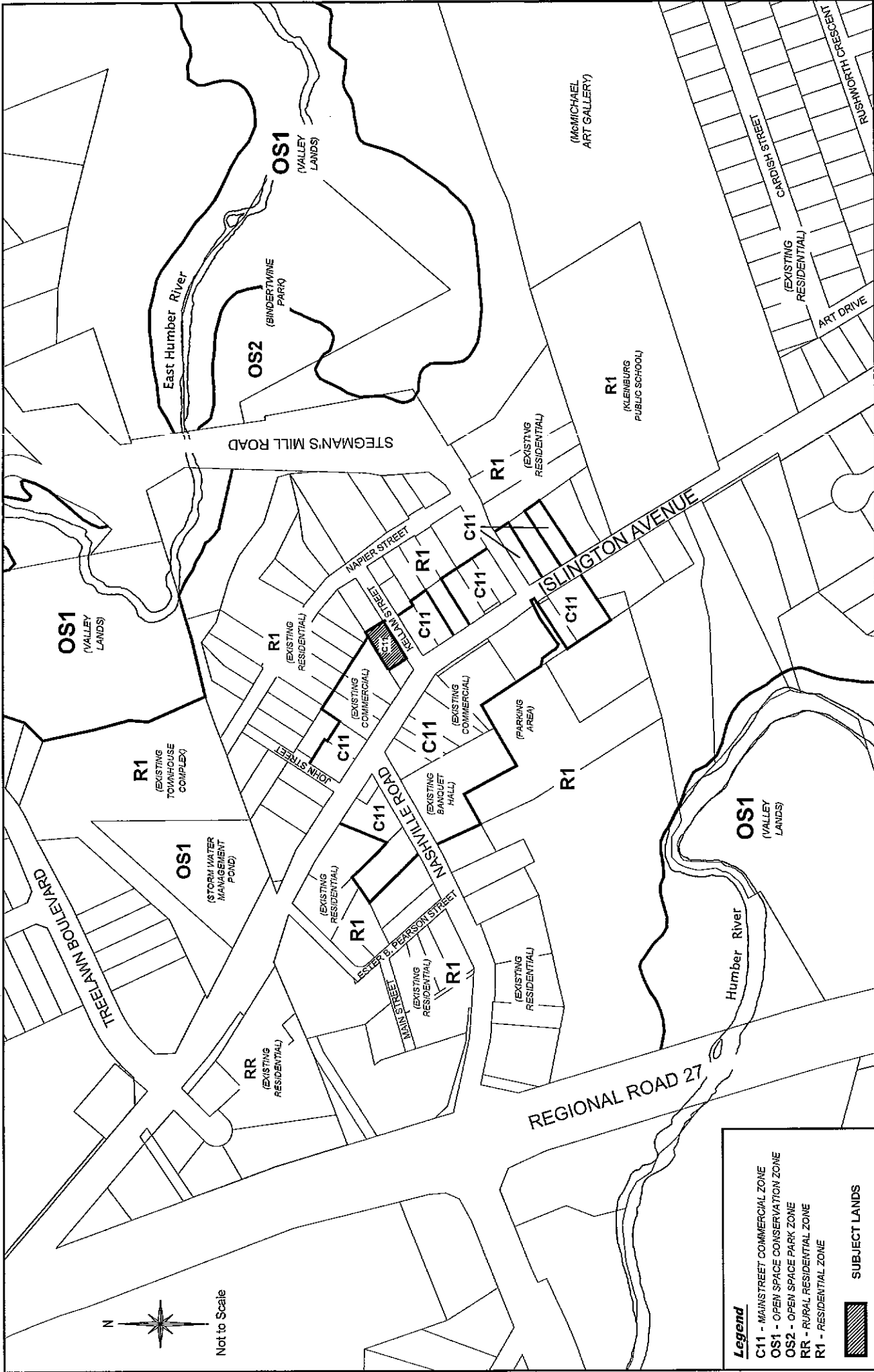
Development Planning Department


Context Location Map

Location: Part of Lot 24,
Concession 8

Applicant:
Paul Fallone & Cinzia Recine

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Legend	
C11 - MAINSTREET COMMERCIAL ZONE	
OS1 - OPEN SPACE CONSERVATION ZONE	
OS2 - OPEN SPACE PARK ZONE	
RR - RURAL RESIDENTIAL ZONE	
R1 - RESIDENTIAL ZONE	
	SUBJECT LANDS

Location Map

Location: Part of Lot 24,
Concession 8

Applicant:
Paul Fallone & Cinzia Recine

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Development Planning Department

Attachment

File(s): Z.10.001 &
DA.10.002

Date:
March 1, 2010

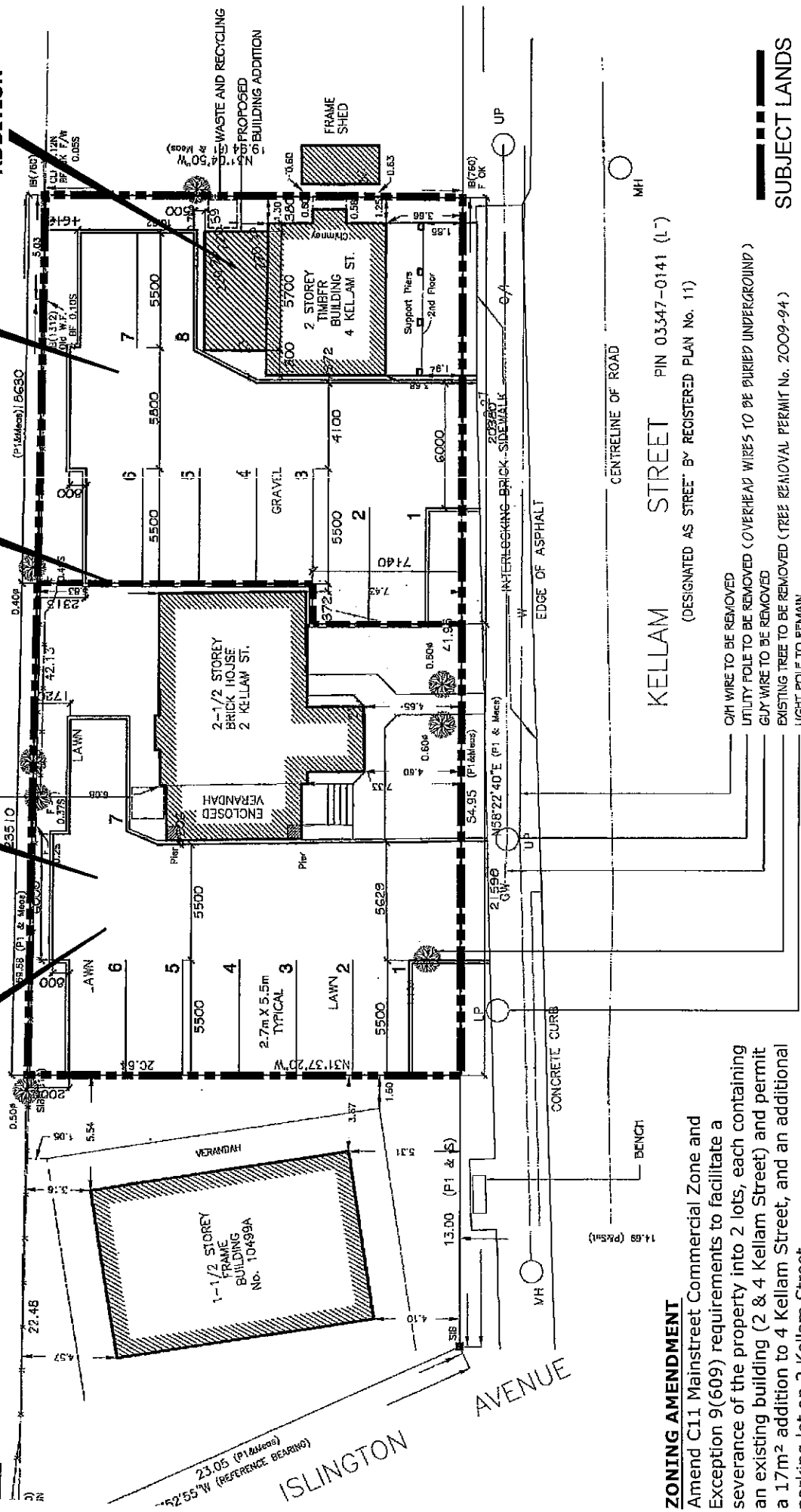
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Not to Scale

PROPOSED LOT FOR 2 KELLAM STREET
PROPOSED SEVERANCE INTO 2 LOTS
PROPOSED LOT FOR 4 KELLAM STREET

PROPOSED 2-STOREY 17m² BUILDING ADDITION



ZONING AMENDMENT

Amend C11 Mainstreet Commercial Zone and Exception 9(609) requirements to facilitate a severance of the property into 2 lots, each containing an existing building (2 & 4 Kellam Street) and permit a 17m² addition to 4 Kellam Street, and an additional parking lot on 2 Kellam Street.

- OHM WIRE TO BE REMOVED
- UTILITY POLE TO BE REMOVED (OVERHEAD WIRES TO BE BURIED UNDERGROUND)
- GUY WIRE TO BE REMOVED
- EXISTING TREE TO BE REMOVED (TREE REMOVAL PERMIT No. 2009-94)
- LIGHT POLE TO REMAIN

SUBJECT LANDS

KELLAM STREET (DESIGNATED AS STREET BY REGISTERED PLAN No. 11) PIN 03347-0141 (L-1)

Site Plan

Location: Part of Lot 24, Concession 8

Applicant: Paul Fallone & Cinzia Recine

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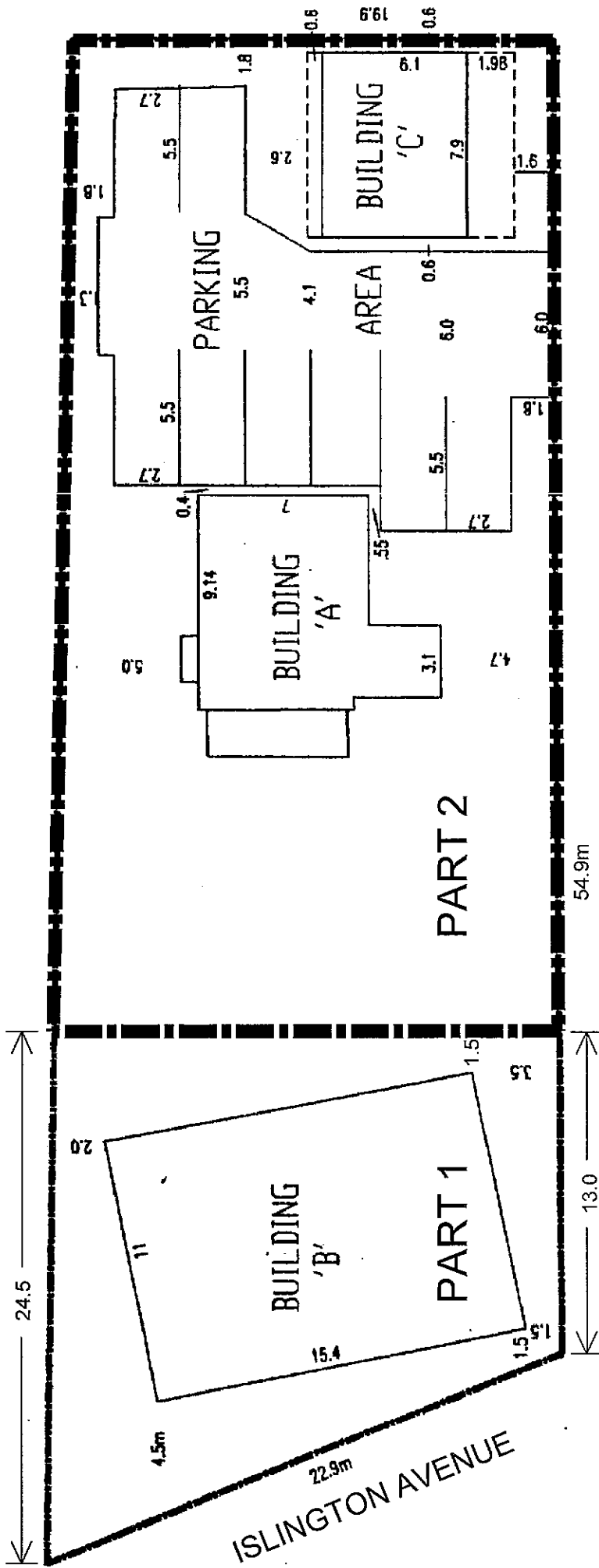
The City Above Toronto
 Development Planning Department

Attachment

File(s): Z.10.001 & DA.10.002

Date: March 1, 2010

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SUBJECT LANDS

Existing Zoning Schedule 'E-677'

Location: Part of Lot 24,
 Concession 8

Applicant:
 Paul Fallone & Cinzia Recine

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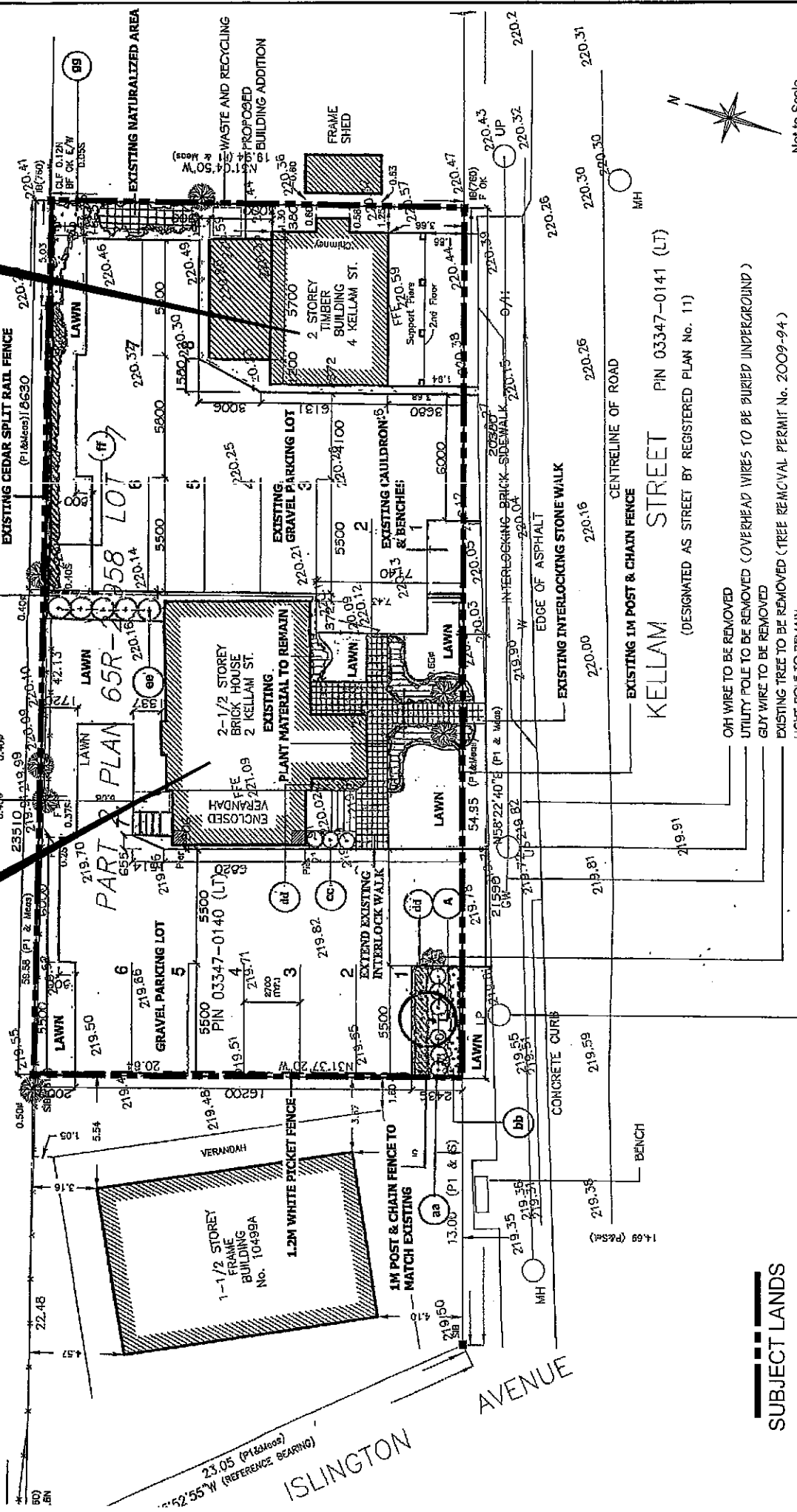
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 DA.10.002

Date:
 March 1, 2010

2 KELLAM STREET

4 KELLAM STREET



OH WIRE TO BE REMOVED
 UTILITY POLE TO BE REMOVED (OVERHEAD WIRES TO BE BURIED UNDERGROUND)
 GUY WIRE TO BE REMOVED
 EXISTING TREE TO BE REMOVED (TREE REMOVAL PERMIT No. 2009-94)
 LIGHT POLE TO REMAIN

SUBJECT LANDS



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KELLAM STREET PIN 03347-0141 (LT)
 (DESIGNATED AS STREET BY REGISTERED PLAN No. 11)

Landscape Plan

Location: Part of Lot 24,
 Concession 8

Applicant:
 Paul Fallone & Cinzia Recine

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Attachment

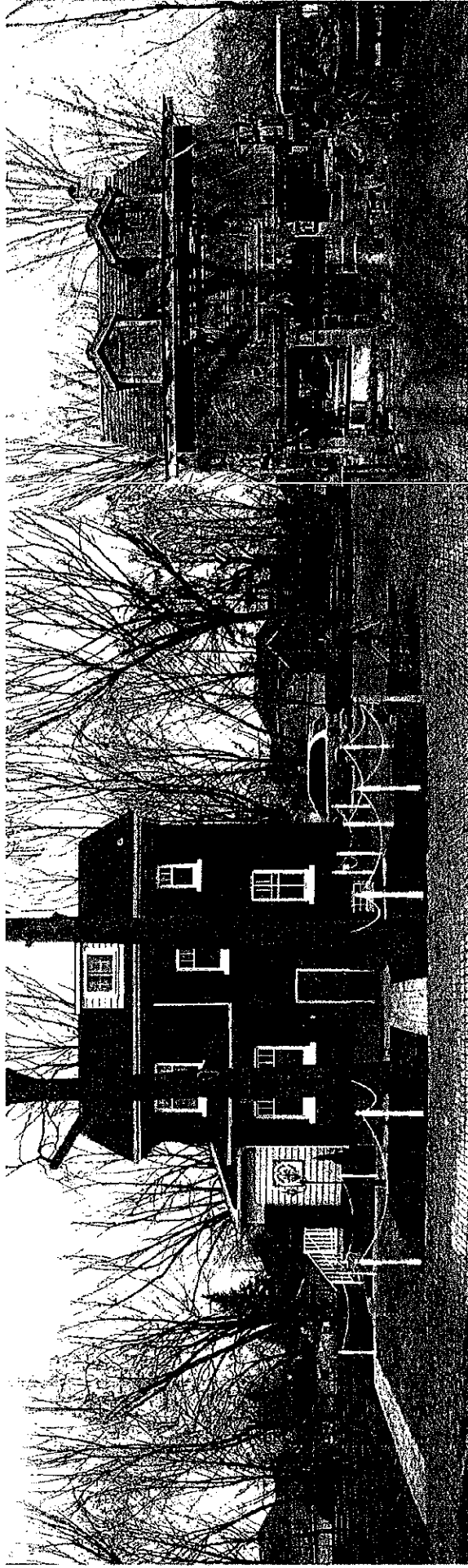
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 DA.10.002

Date:
 March 1, 2010

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2 & 4 KELLAM STREET - EXISTING CONDITIONS



2 & 4 KELLAM STREET - PROPOSED CONDITIONS

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Elevation Plan

Location: Part of Lot 24,
Concession 8

Applicant:
Paul Fallone & Cinzia Recine

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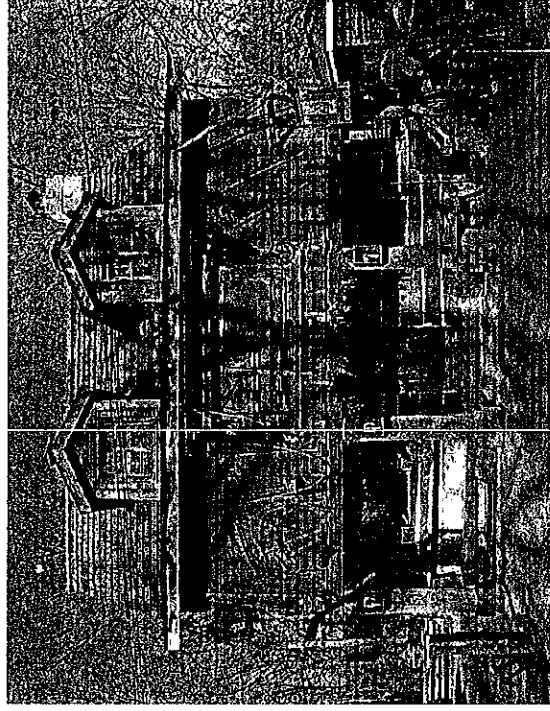
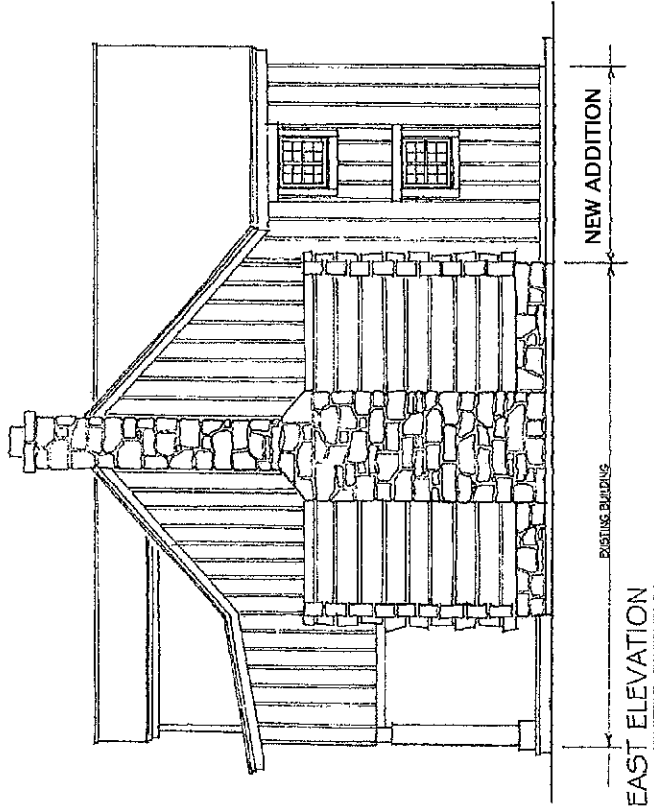
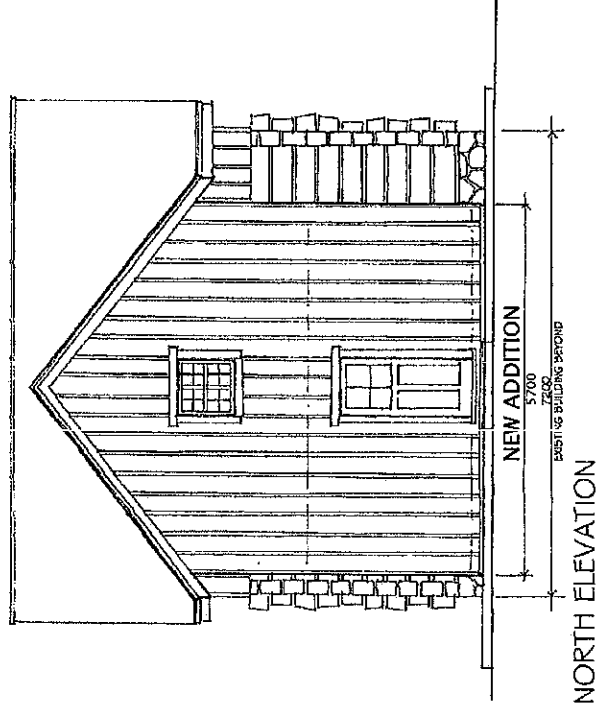
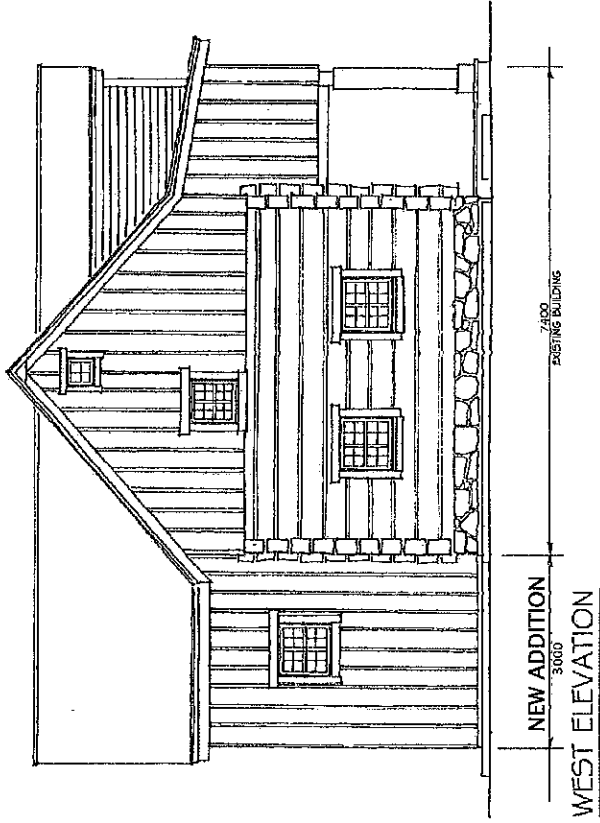
Development Planning Department

Attachment

File(s): Z.10.001 &
DA.10.002

Date:
January 26, 2010

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Not to Scale

Existing & Proposed Elevations (4 Kellam St.)



Development Planning Department

Applicant:
Paul Fallone & Cinzia Recine

Location: Part of Lot 24,
Concession 8

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DA.10.002

Date:
March 1, 2010

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