

**COMMITTEE OF THE WHOLE APRIL 20, 2010**

**SITE DEVELOPMENT FILE DA.00.109  
FRANCA GIULIANI  
WARD 2**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Site Development File DA.00.109 (Franca Giuliani) BE APPROVED, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the final site plan, building elevations and landscape plan shall be approved by the Vaughan Development Planning Department;
    - ii) the engineers report showing the sewage system component details and location shall be approved by the Vaughan Building Standards Department;
    - iii) the final site servicing and grading plans and stormwater management report shall be approved by the Vaughan Engineering Department; and,
    - iv) the required variances to implement the approved site plan shall be obtained from the Vaughan Committee of Adjustment, and shall be in full force and effect.

**Contribution to Sustainability**

The applicant has advised the Development Planning Department that the following sustainable features will be provided within the site and building design:

- i) unit pavers for the expansion of the parking lot;
- ii) energy saving heat pump HVAC units;
- iii) exterior wall construction with R-22 insulation as per EnergyStar;
- iv) water saving toilets and shower heads; and,
- v) low maintenance EnergyStar vinyl casement windows.

**Economic Impact**

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

**Communications Plan**

N/A

**Purpose**

An application for Site Plan approval has been submitted to permit the development of a 593.48m<sup>2</sup>, two-storey addition to the existing 1,325.50m<sup>2</sup> Kleinburg Inn, as shown on Attachments #3 to #5 inclusive. The proposed addition consists of a game room, and the reconfiguration of the existing 29 suites to include kitchenettes.

## **Background - Analysis and Options**

### **Location**

The 2.24 ha site shown on Attachments #1 and #2, is located south of Major Mackenzie Drive, on the west side of Regional Road #27, municipally known as 9770 Regional Road #27, in Part of Lot 19, Concession 8, City of Vaughan. The surrounding land uses are shown on Attachment #2.

### **Official Plan**

The subject lands, which are developed with an existing motel, are designated "Valley and Stream Corridor" by OPA #601 (Kleinburg-Nashville Community Plan) and are subject to the "Non-Conforming Uses" policies of the official plan. These policies require consideration of development applications by the Committee of the Whole for a report, and that Council shall be satisfied of the following:

- that the building continues to be used in the same manner and for the same purpose;
- that the extension or enlargement of the non-conforming use will not adversely affect the welfare of the community in which it is located;
- that the proposed expansion or enlargement of the use not create any nuisance factors and add to the incompatibility of the use with the surrounding area; and,
- that the neighbouring conforming uses not be impacted by the expansion.

The proposed building addition to the existing motel conforms to the policies of the Official Plan.

### **Zoning**

The subject lands are zoned OS1 Open Space Conservation Zone by By-law 1-88, subject to Exceptions 9(273) and 9(327). These exceptions permit an enlargement of a restaurant to the existing motel, and contain development requirements for the existing buildings should they be damaged.

The following zoning exceptions to the OS1 Open Space Conservation Zone standards and site-specific Exceptions 9(273) and 9(327) are required to facilitate the building addition:

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements for OS1 Open Space Conservation Zone and Exceptions 9(273) and 9(327)</b>	<b>Proposed Exceptions to OS1 Open Space Conservation Zone and Exceptions 9(273) and 9(327)</b>
a.	<b>Minimum Building Setbacks</b>	All buildings and structures must be located within the building envelope	To permit an expansion outside of the existing building envelope
b.	<b>Maximum Driveway Width</b>	13.5m	15.2m

The Development Planning Department is supportive of the proposed site development as discussed later in the "Site Plan Review" section of this report. Development Planning Staff has no objections to the proposed expansion of the existing building envelope in the site-specific zoning by-law to accommodate the building addition, and with the proposed increase in the

driveway access on Regional Road #27 to accommodate trucks on the motel property to access the new truck parking spaces.

The Owner is required to submit a Minor Variance Application to the Vaughan Committee of Adjustment to address the above noted variances. The variances, if approved, must be in full force and effect, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

#### Committee of Adjustment

The Owner has submitted previous Committee of Adjustment applications. The following is a summary:

- On May 16, 1991, the Committee approved Minor Variance File No. A48/91, for the extension of a Legal Non-Conforming Use and building;
- On August 22, 1991, the Committee approved Permission Application File No. A96/91, for the extension of a Legal Non-Conforming Use (related to A48/91);
- On April 14, 1994, the Committee approved Minor Variance File No. A11/94, for the construction of a shed outside of the building envelope; and,
- On October 7, 1999, the Committee approved Minor Variance File No. A327/99, to permit a building addition outside of the existing building envelope, which was since lapsed.

On October 6, 2000, the Owner applied for a similar site plan proposal (DA.00.109). The application proposed a 589.36m<sup>2</sup> one-storey addition, which included 8 new rooms and a cafeteria to the existing motel. Application A327/99 was approved by the Committee of Adjustment on October 7, 1999, however, the Owner never fulfilled the required conditions and the approval lapsed.

#### Toronto and Region Conservation Authority (TRCA)

The subject site is located entirely within the Regional Storm Flood Plain and Regulated Area of the Humber River. In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), a Permit is required from the TRCA prior to any works taking place.

The TRCA has advised that they have no objections to the approval of the subject Site Plan Application (File DA.00.109), and have issued a Permit (Permit No. C-09445R) that will expire on July 9, 2010.

#### Site Plan Review

The building addition is proposed for the south end of the existing motel, and is to complement the existing building in both design and materials, as shown on Attachment #4.

The parking provided on the site is 59 spaces with the addition of 4 new parking spaces for the exclusive use of trucks, whereas the development requires 54 parking spaces (1 space/suite (29 suites), plus 11 parking spaces per 100m<sup>2</sup> for the game room (221.14m<sup>2</sup>), for a total of 29 + 25 = 54 spaces). The Owner has proposed 4 new truck parking spaces located on the south side of the proposed building addition, as the applicant has indicated that some of the patrons that utilize the motel are truck drivers.

The Owner has included additional landscaped areas adjacent to the building addition, as well as, additional trees and shrubs within the existing landscape strip along Regional Road #27. The Vaughan Development Planning Department is satisfied with the proposed site plan, building elevations and landscape plan, as shown on Attachments #3, #4, and #5, respectively.

### Vaughan Engineering

The Vaughan Engineering Department is generally satisfied with the site servicing and grading plans and stormwater management report. The final plans and report must be approved by the Engineering Department.

### Building Standards Department

Prior to the execution of the Site Plan Letter of Undertaking, a Professional Engineers report must be submitted to the Vaughan Building Standards Department showing the sewage system component details and their location, subject to the requirements of the Ontario Building Code.

### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

### Regional Implications

The application was circulated to the Region of York Transportation Services Department for comment as the proposed development is adjacent to Regional Road #27. The Region of York has indicated that they have no objection to the proposed building addition.

The motel is located adjacent to the existing "T"-intersection of Regional Road #27 and Major Mackenzie Drive. The property will be affected by the Western Vaughan Individual Environmental Assessment being carried out by York Region.

The design details of the Western Vaughan IEA have not been finalized. Regional staff have requested the Western Vaughan IEA consultant to determine the impact of the proposed road project on this development. The Region advises that there will be a minimum requirement for the following: road widening along the north boundary of the motel, daylight triangle at the future westerly leg of the Regional Road #27/Major Mackenzie Drive intersection, and a grading easement. If required, the applicant will need to enter into a separate Site Plan Agreement with the Region of York to address any of the above noted issues, to the satisfaction of the Region of York.

### Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.00.109 (Franca Giuliani) in accordance with OPA #600, By-law 1-88, comments from City Departments, and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed 593.48m<sup>2</sup>, two-storey expansion of a legal non-conforming use (Kleinburg Inn) is appropriate and compatible with the existing and permitted uses in the surrounding area, and permitted by the Official Plan and Zoning By-law. Accordingly, the Development Planning Department can support the approval of the Site Development Application. The Owner will require variances to be approved by the Vaughan Committee of Adjustment, which must be in full force and effect, prior to the execution of the Site Plan Letter of Undertaking.

### Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Elevation Plan
5. Landscape Plan

**Report prepared by:**

Margaret Holyday, Planner ext. 8216

Carmela Marrelli, Senior Planner, ext. 8791

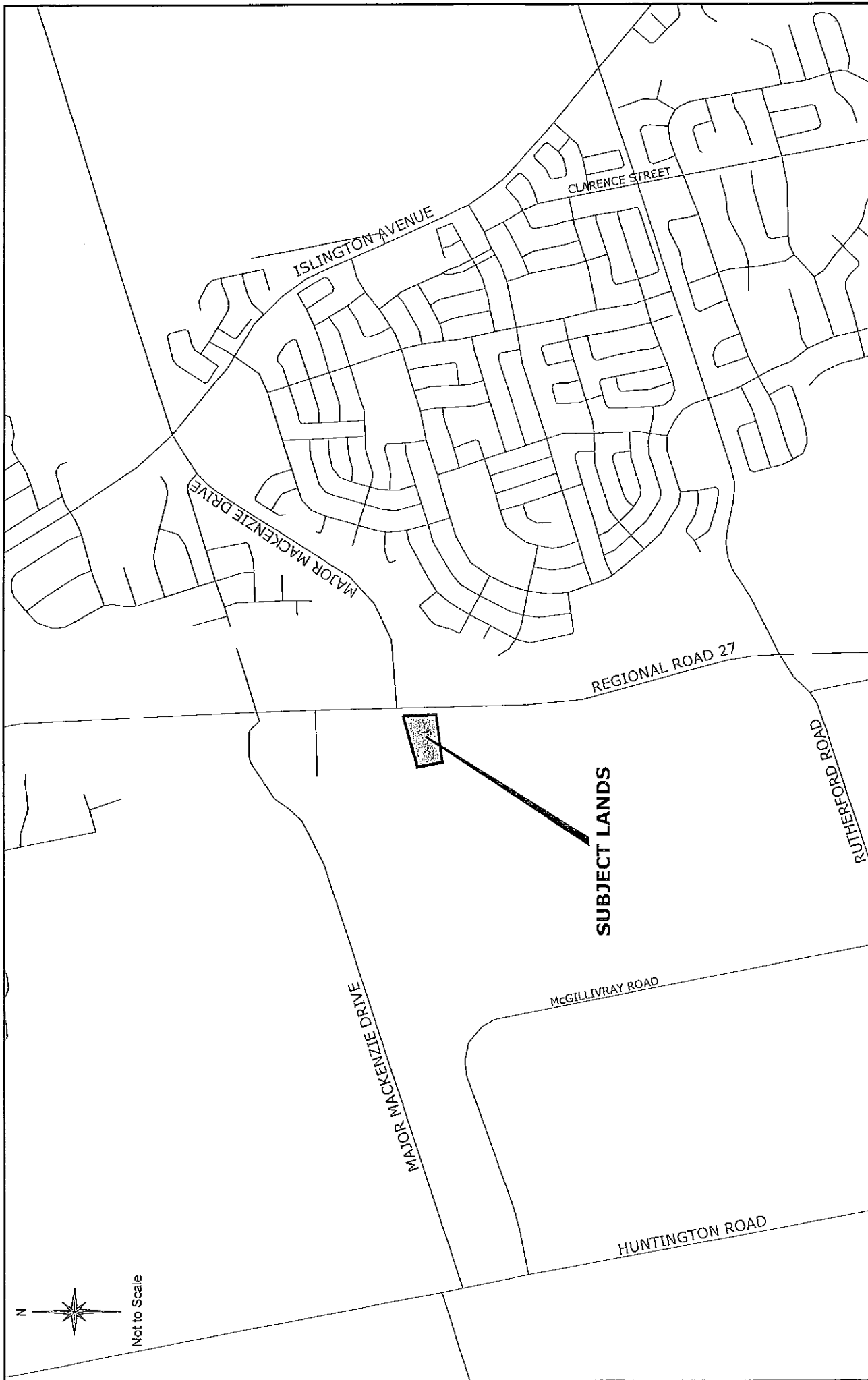
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

/LG



Attachment

1  
File: DA.00.109  
Date:  
April 8, 2010

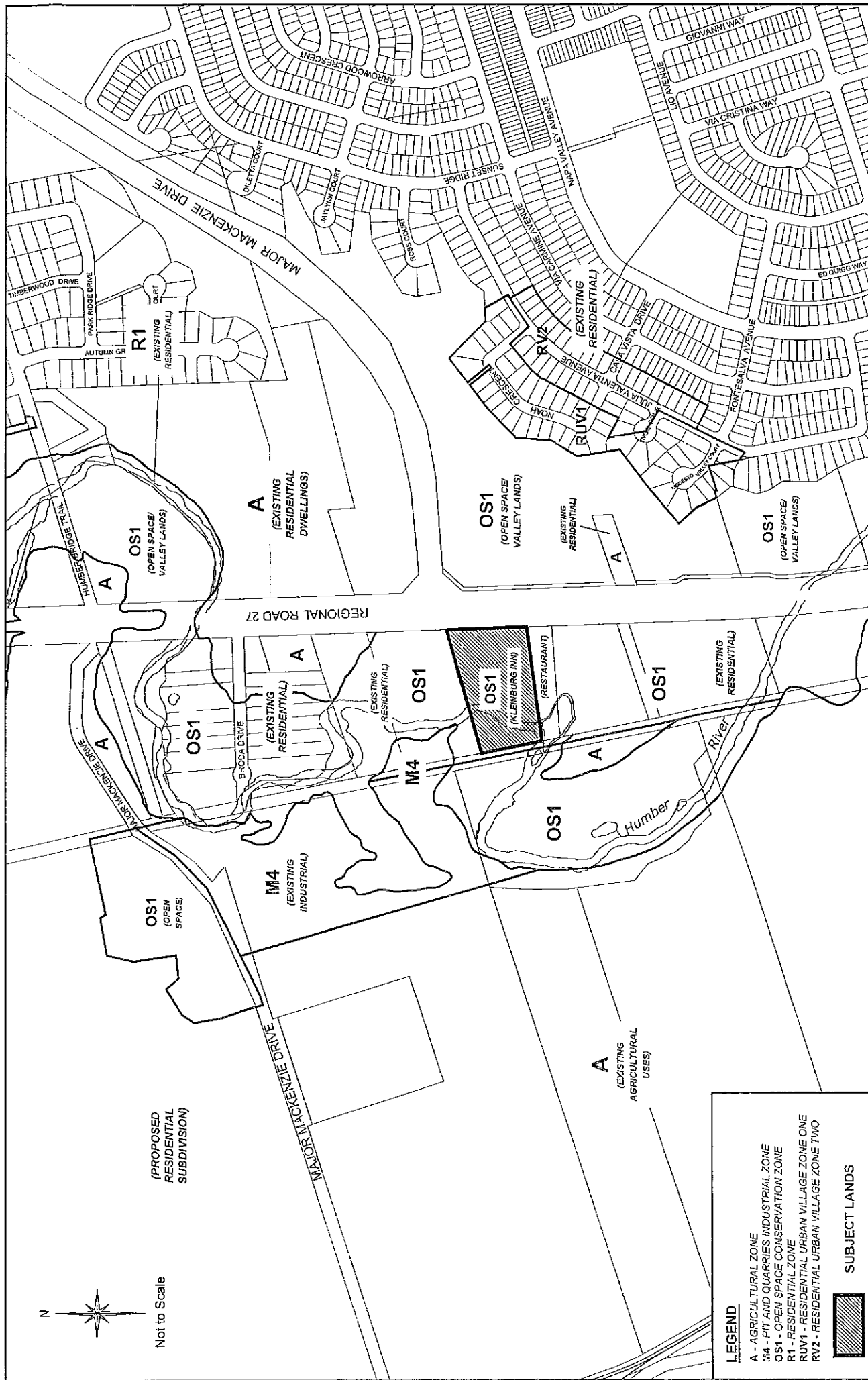


Development Planning Department

Context Location Map

Location: Part of Lot 19,  
Concession 8

Applicant:  
Franca Giuliani (Kleinburg Motel)



# Location Map

Location: Part of Lot 19,  
Concession 8

Applicant:  
Franca Giuliani (Kleinburg Motel)

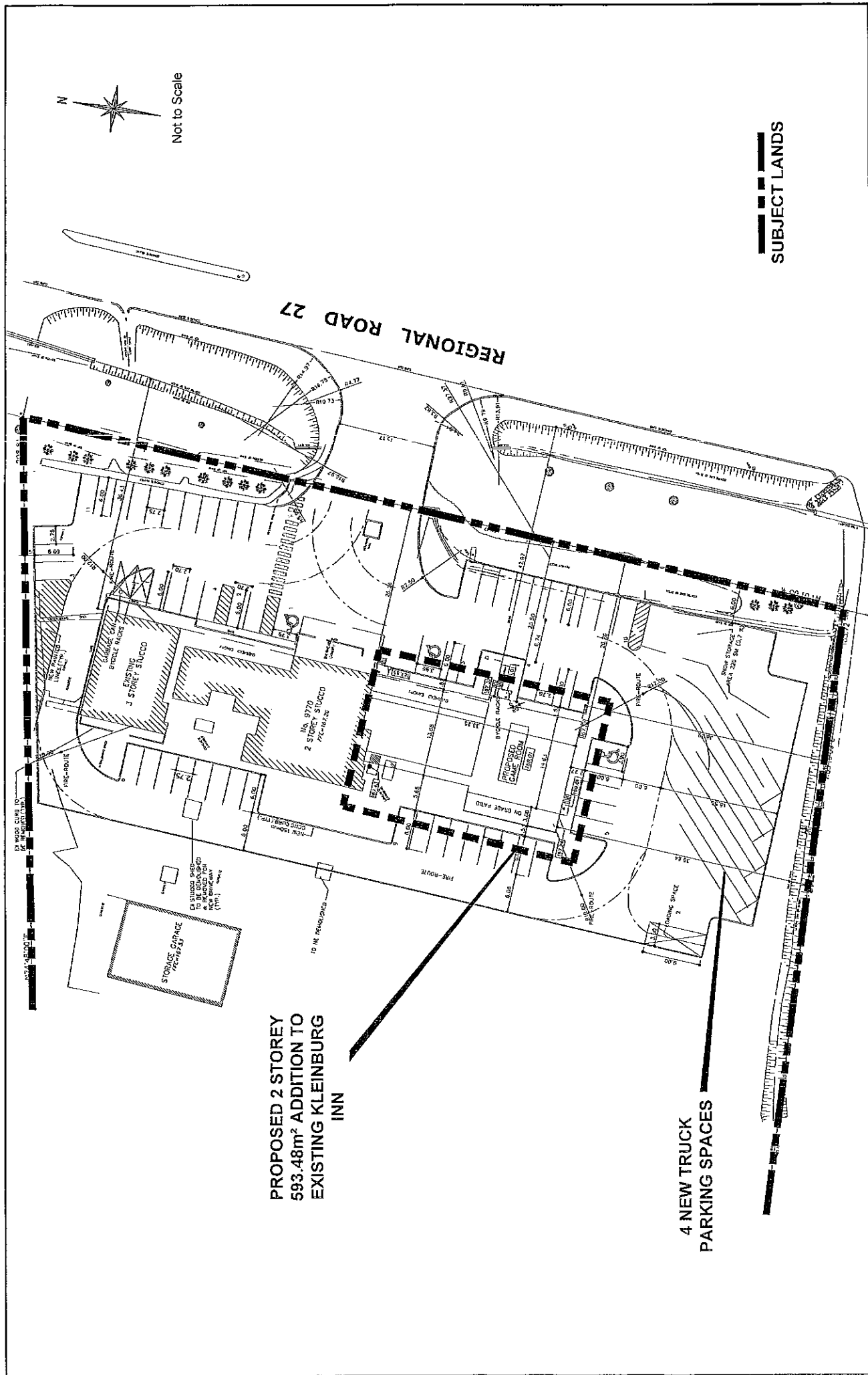


The City Above Toronto  
Development Planning Department

# Attachment

File: DA.00.109  
Date:  
April 8, 2010

2



# Site Plan

Location: Part of Lot 19,  
Concession 8

Applicant:  
Franca Giuliani (Kleinburg Motel)

City of  
**Vaughan**

The City Above Toronto  
Development Planning Department

Attachment

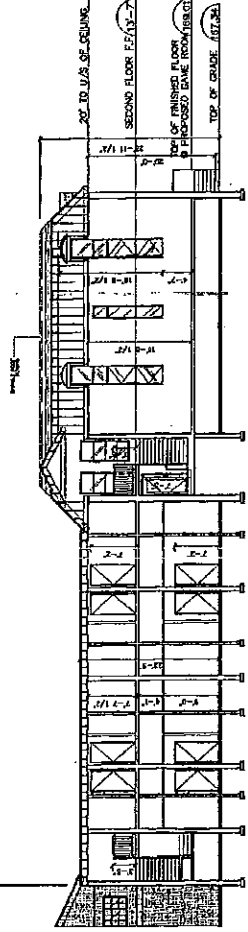
File: DA.00.109  
Date:  
April 8, 2010

3



EXISTING TO REMAIN

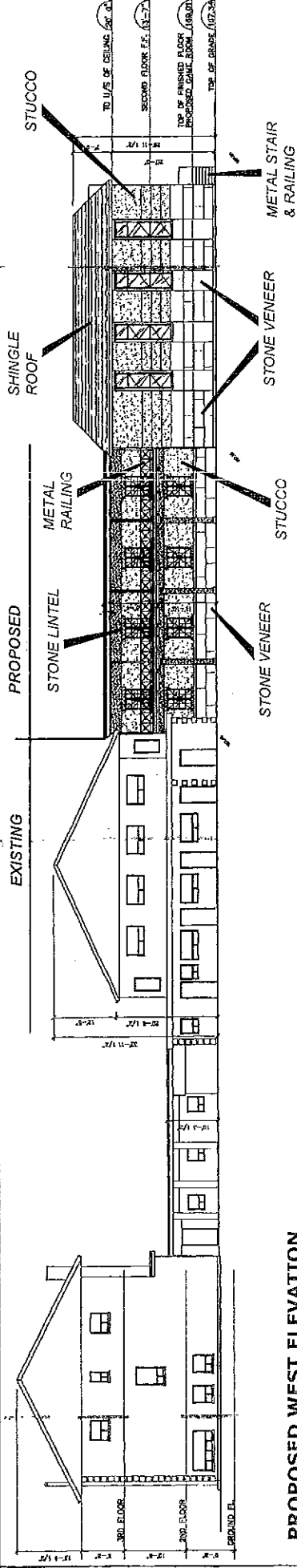
PROPOSED



BUILDING SECTION

EXISTING

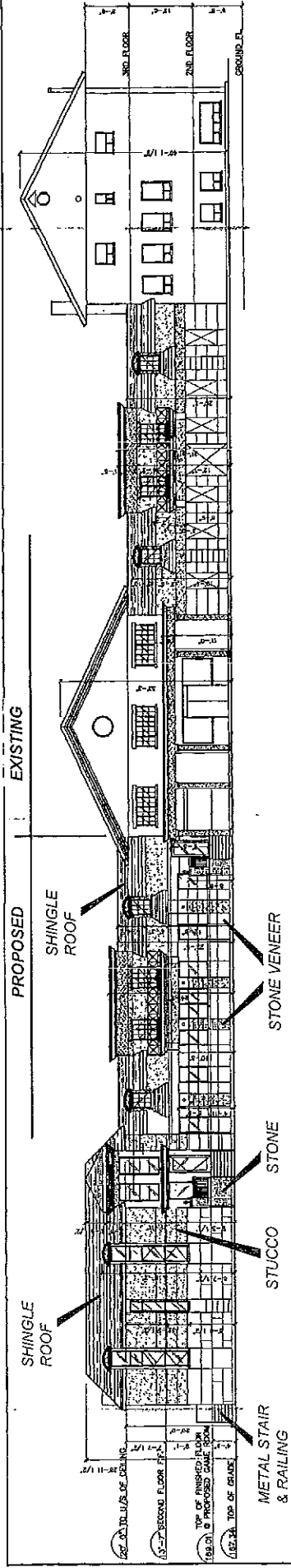
PROPOSED



PROPOSED WEST ELEVATION

EXISTING

PROPOSED



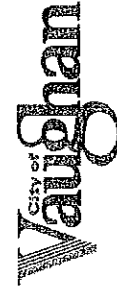
PROPOSED EAST ELEVATION (FACING REGIONAL ROAD 27)

Not to Scale

# Elevation Plan

Location: Part of Lot 19,  
Concession 8

Applicant:  
Franca Giuliani (Kleinburg Motel)



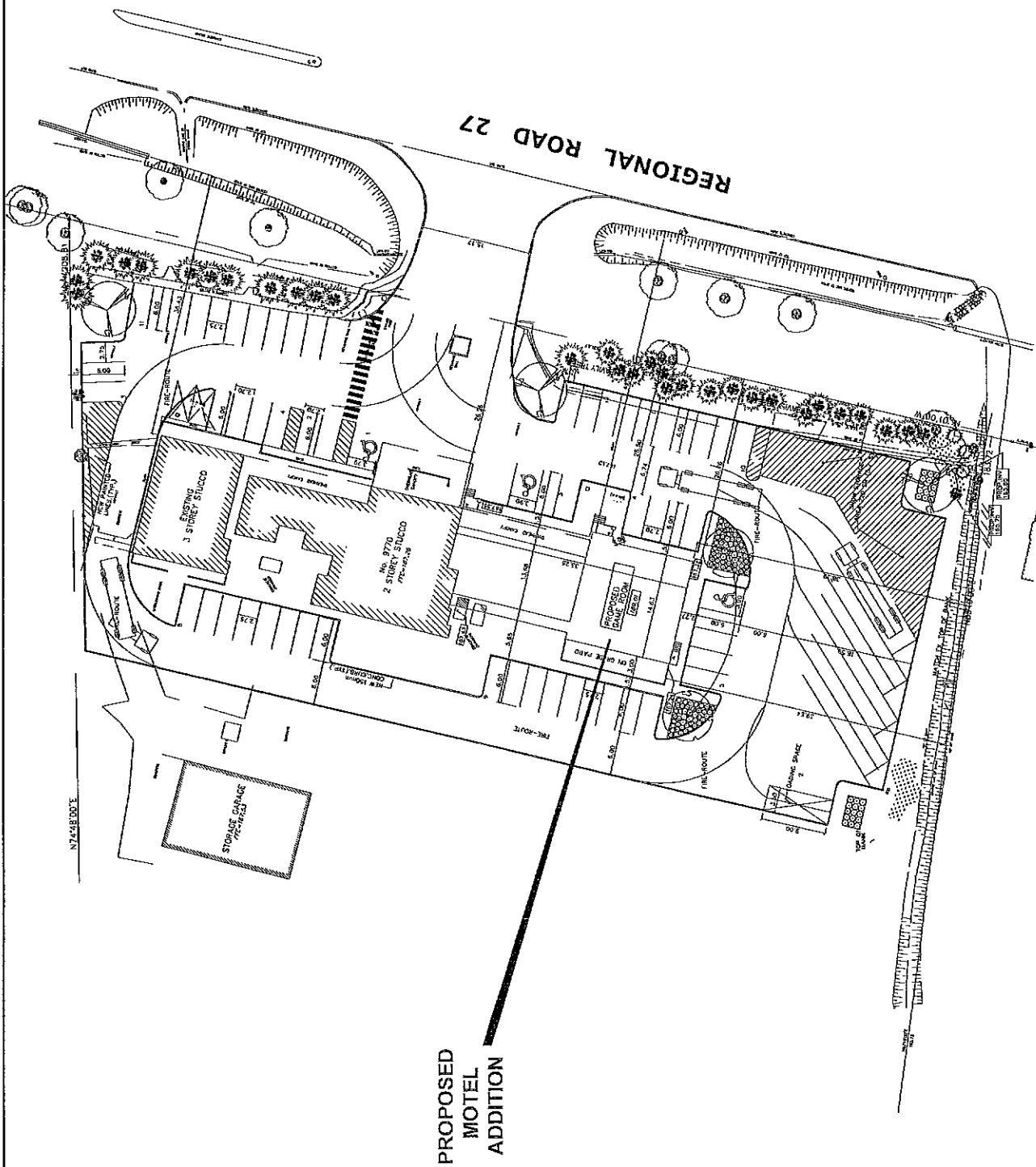
Development Planning Department

# Attachment

File: DA.00.109

Date:  
April 8, 2010

4



N74°48'00"E



Not to Scale

PROPOSED  
MOTEL  
ADDITION

REGIONAL ROAD 27

# Landscape Plan

Location: Part of Lot 19,  
Concession 8

Applicant:  
Franca Giuliani (Kleinburg Motel)



The City Above Toronto  
Development Planning Department

# Attachment

# 5

File: DA1.00.109

Date:  
April 8, 2010

