

COMMITTEE OF THE WHOLE JUNE 1, 2010

SITE DEVELOPMENT FILE DA.07.045 2012002 ONTARIO LIMITED/MICHAEL TOTERA WARD 1

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.07.045 (2012002 Ontario Limited/Michael Totera) BE APPROVED, to permit the maintenance of the existing building elevations, landscaping, building signage and an 86 m² building addition, 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 owner shall implement all requirements of the Maple Streetscape Committee to the satisfaction of the Vaughan Development Planning Department; and,
 - iii) the required minor variances to implement the development shall be approved by the Vaughan Committee of Adjustment and shall be final and binding.

Contribution to Sustainability

The applicant has advised that the renovation of the existing commercial building that has taken place without City approvals over the last few years does not include any sustainable features.

Economic Impact

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

Communications Plan

N/A

Purpose

The Owner has submitted a Site Development Application (File DA.07.045) to permit the maintenance of the existing building elevations, landscaping, building signage and an 86m² building addition, all of the works which have taken place without City approvals over the last few years, as shown on Attachments #3 to #7, on the subject lands shown on Attachments #1 and #2.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are municipally known as 2414 Major Mackenzie Drive, located on the north side of Major Mackenzie Drive, west of Keele Street, in Part of Lot 21, Concession 4, City of Vaughan. The surrounding land uses are shown on Attachment #2.

This application was originally submitted on April 18, 2007. The changes to the site, including the 86 m² building addition and revisions to the elevations were completed without Site Plan Approval or a Building Permit. The applicant has since been addressing the various outstanding issues with the various City Departments related to the building and the site and Major Mackenzie streetscape in the context of addressing the requirements of the Maple Heritage District and Maple Streetscape Design Guidelines, prior to a report proceeding to the Committee of the Whole for consideration.

Official Plan and Zoning

The subject lands are designated "Maple Commercial Core Area" by OPA #350 (Maple Community Plan). The building elevations, landscaping and building addition conform to the Official Plan. The lands are zoned C1 Restricted Commercial Zone by By-law 1-88, subject to Exception 9(633). Minor variances must be obtained from the Vaughan Committee of Adjustment to implement the site plan, if approved, as further discussed in the Minor Variance section of this report.

Maple Streetscape Community Advisory Committee

The Maple Community Plan (OPA #350) requires that development proposals along the Major Mackenzie Drive and Keele Street corridors have regard for the Maple Streetscape and Urban Design Guidelines (MSUDGs). Vaughan Council has established the Maple Streetscape Community Advisory Committee (MSCAC) to implement the MSUDGs. The Committee considered the development proposal on October 27, 2007, and resolved the following:

"Comments from the Committee were as follows:

- Lighting will be added to the front of the property"

"The Maple Streetscape Community Advisory Committee expressed its support for the application and requested signage on the property to assist with the traffic pattern as well as a walkway on the east side of the building."

The Owner has confirmed that an additional Maple Acorn light standard will be placed within the landscape strip along Major Mackenzie Drive, as shown on Attachment #3, in accordance with the resolution of MSCAC. The Owner has also provided a pylon sign as shown on Attachments #3, #7 and #8. A walkway cannot be placed along the east side of the building because of the need to provide a clear minimum 6m driveway aisle for 2-way traffic movement.

Maple Heritage Conservation District

On December 7, 2007, the Maple Heritage Conservation District came into effect. According to the provisions of Part V of the Ontario Heritage Act, all Planning Applications or Building Permit Applications within a heritage conservation district area must obtain an approved Heritage Permit. Any proposed changes or new construction proposals are to be designed in a manner that is in keeping with the Maple Heritage Conservation District Plan and Design Guidelines.

The Vaughan Cultural Services Division reviewed the site plan and elevations for the existing commercial building with respect to Heritage Clearance Approval and Heritage Permit Application HP-2008.003 on January 16, 2008, March 19, 2008, and granted final approval on April 16, 2008, and resolved the following:

"Cultural Services has conducted a preliminary review of the proposed development and made the following comments:

- Cultural Services has no objection to the changes already made to the landscaping plan provided the design receive approval from the Urban Design Department and Maple Streetscape Committee; and,
- Internally lit awning signage is not supported by the Maple Heritage Conservation District Design Guidelines (MHCDDG); this particular sign was installed and altered prior to the Maple MHCDDG being in place.”

Cultural Services adopted the following recommendation:

“That, Heritage Vaughan approve Heritage Permit HP 2008.003 which gives retroactive approval of changes made to the subject property 2414 Major Mackenzie Drive (prior to the Maple Heritage Conservation District coming into effect on December 7, 2007), subject to the owner providing an alternative lighting solution for the wall awning signage that conforms with the MHCDDG's Design Guidelines, and adds planting/greenery at the base of the pylon sign, in an effort to soften the impact of the concrete base of the sign along the streetscape, and;

That the Owner be advised that any future changes to the site will require approval of a Heritage Permit application prior to any changes being made to the property and must adhere to design guidelines as outlined in the Maple Heritage Conservation District Plan.”

The owner has confirmed that the lighting for the wall awning signage will remain unlit and landscaping has been provided at the base of the pylon sign in accordance with the resolution of Cultural Services.

Building Design

The subject lands are developed with a commercial building, built in the late 1960's. The elevation plan on Attachment #4 shows the existing commercial building facades. The building has been refaced with dryvit ivory stucco, new burgundy-coloured signage awnings over the store fronts, and a new concrete block parapet, as shown on Attachments #4 and #5.

The applicant has constructed a 86 m² building addition at the rear of the property, being the north elevation as shown on Attachment #6. The addition is a refrigerated garbage room used for the storage of refuse associated with the butcher shop use (Totera Meats and Fine Foods). The addition was been constructed without a Building Permit and is located outside the permitted building envelope in site-specific By-law 143-94. The applicant shall obtain approval from the Vaughan Committee of Adjustment, as discussed in the Minor Variance section of this report.

Landscaping

The Development Planning Department requires the submission of a landscape cost estimate for review and approval. The Development Planning Department has reviewed the landscape plan shown on Attachment #3, and recommends the proposed bicycle rack be moved from the right-of-way to within the property boundary, and closer to the building entrances.

The existing landscape strip abutting Major Mackenzie Drive does not comply with the minimum 6m landscape strip width requirement along a street line. The landscape strip width is 6 m on the west side of the property and narrows to 3.4 m at the east end. The applicant is required to seek relief from By-law 1-88 for the reduced landscape strip width along Major Mackenzie Drive, as well as, an overall reduction of landscaping along the perimeter of the property, particularly along the west side where a paved driveway has been created. These variances are discussed in the Minor Variance section of this report.

The applicant has proposed additional landscaping abutting the residential homes along the west side of the subject lands. The additional landscaping will screen the abutting residential homes from the commercial building.

The Development Planning Department is generally satisfied with the proposed landscape plan and will continue to work with the Owner to finalize the details.

Minor Variances

Through the technical review of the site development application, it was determined that the following minor variances will be required to implement the development:

	By-law Standard	By-law 1-88 Requirements as amended by Exception 9(633) (C1 Restricted Commercial Zone)	Proposed Exceptions to C1 Zone of By-law 1-88, 9(633)
a.	Building Envelopes	Existing building may be maintained or replaced within the area shown as "Building Envelope" on Schedule "E-708"	Include rear addition to building located outside of permitted building envelope.
b.	Minimum Landscape Requirements:		
	i) Landscape Strip along a streetline	6 m	3.4 m
	ii) Landscape Strip abutting a Residential Zone	2.4 m	1.8 m
	iii) Landscape areas	As depicted on Schedule "E-708" as shown on Attachment #9	Amend landscape areas as shown on Attachment #3

As previously indicated, the Owner has built a refrigerated garbage room at the rear of the building, which is used for storing refuse associated with the butcher shop use (Totera Meats and Fine Foods). The building addition was constructed without permission and is located outside the permitted building envelope in site-specific By-law 143-94. It can be noted that the addition is consistent with the building design and materials and maintains the required rear and side yard setbacks. Accordingly, the amendment to the approved building envelope to include the addition, can be supported by the Development Planning Department.

The reduced minimum landscape strips noted above are considered acceptable, as the applicant has proposed an additional landscape strip to the west side of the property and has proposed to enhance the south landscape strip located along Major Mackenzie Drive, as shown on Attachment #3.

The Development Planning Department considers the proposed variances to be minor in nature and are consistent and compatible with the surrounding development. The Owner will be required to obtain approval for the variances from the Vaughan Committee of Adjustment, which shall be final and binding, prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

Vaughan Engineering Department

The Vaughan Engineering Department has reviewed the site development application and has no objection to the development proposal.

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 review and comment. On February 8, 2008, York Region indicated that they had no objections to the development proposal.

Conclusion

The Site Development Application has been reviewed in accordance with OPA #350, By-law 1-88, the comments from City Departments, Maple Streetscape Committee, Heritage Vaughan, and the area context. The Vaughan Development Planning Department is satisfied with the proposal to permit the maintenance of the existing building elevations, landscaping, building signage and an 86m² building addition, which addresses the requirements of the Maple Streetscape Guidelines and Maple Heritage District Plan and Guidelines. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site/Landscape Plan
4. Existing Building Elevations
5. Existing Building - South Elevations – Photographs
6. Existing Building – North Elevations – Photograph
7. Existing Illuminated Pylon Sign Details
8. Existing Pylon Sign (Photographs)
9. Schedule "E-708" to By-law 1-88 (current zoning)

Report prepared by:

Mary Serino, Planner I, ext. 8215

Christina Napoli, Acting Senior Planner, ext. 8483

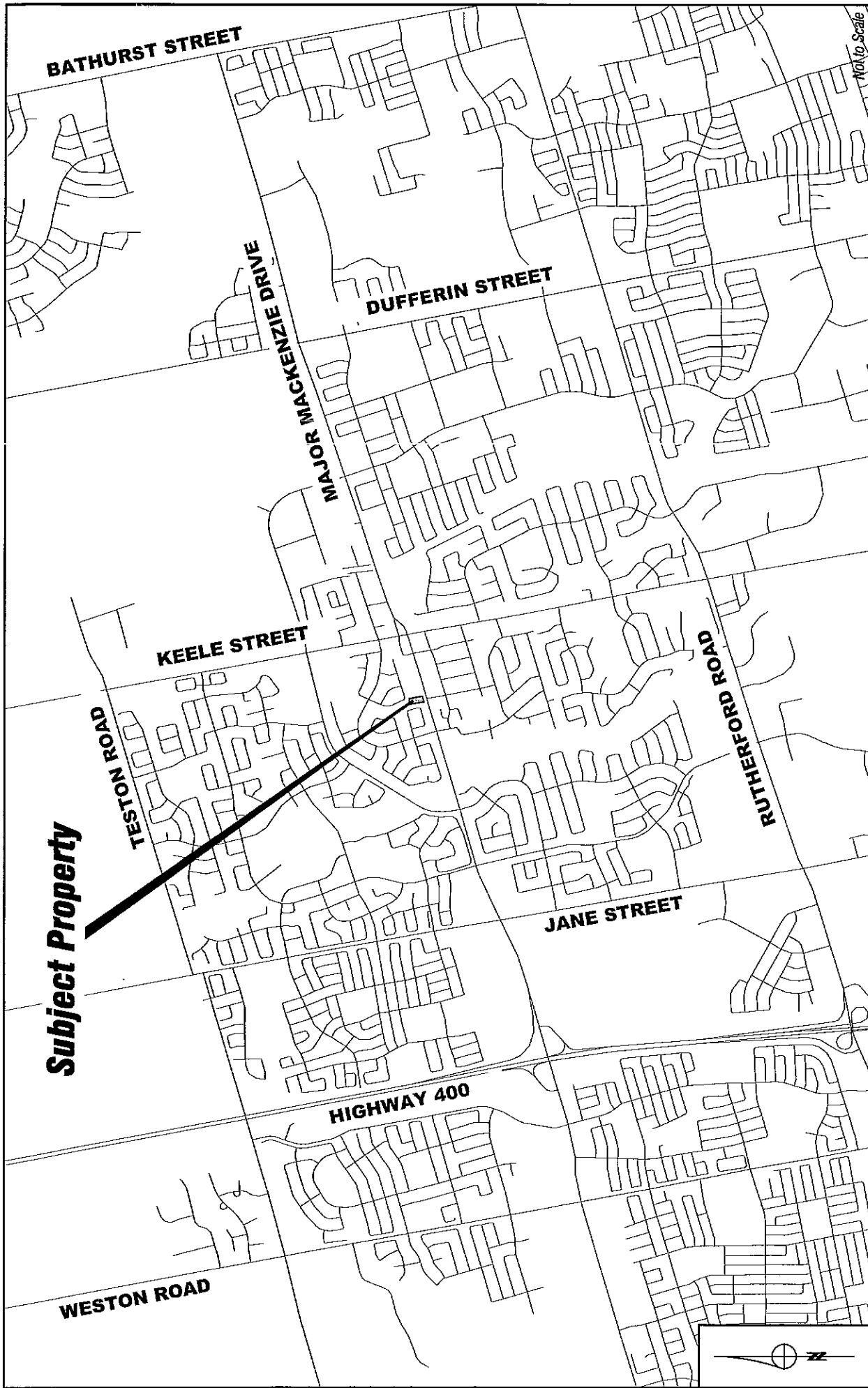
Carmela Marelli, Acting Manager of Development Planning, ext. 8791

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/CM



Subject Property

BATHURST STREET

MAJOR MACKENZIE DRIVE

DUFFERIN STREET

KEELE STREET

TESTON ROAD

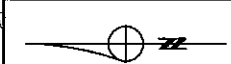
RUTHERFORD ROAD

JANE STREET

HIGHWAY 400

WESTON ROAD

North Scale



Context Location Map



Development Planning Department

LOCATION:
Part Lot 21, Concession 4

APPLICANT:
2012002 Ontario Ltd.

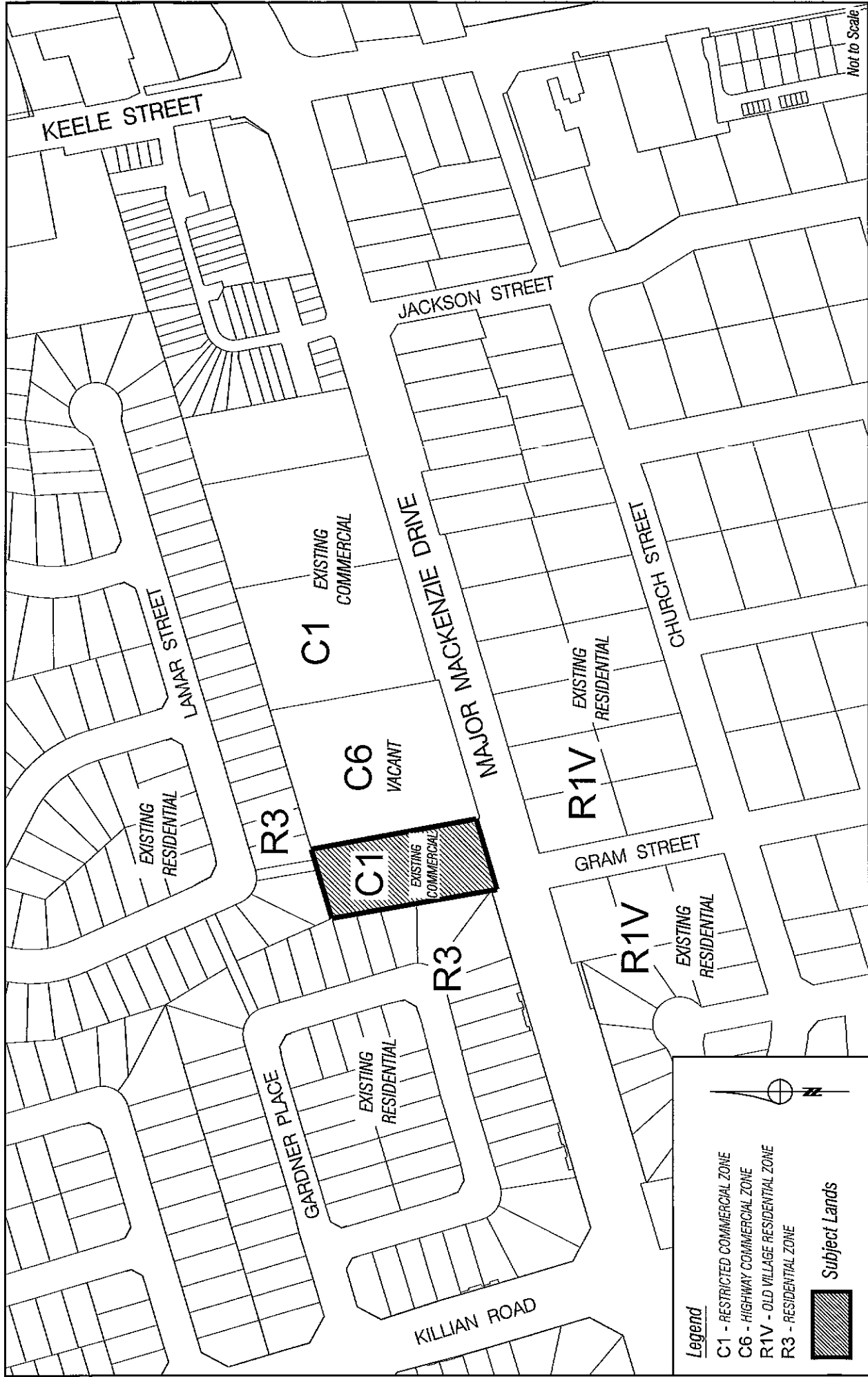
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Attachment

FILE:
DA.07.045

DATE:
April 23, 2010





Location Map

LOCATION:
Part Lot 21, Concession 4

APPLICANT:
2012002 Ontario Ltd.



The City Above Toronto

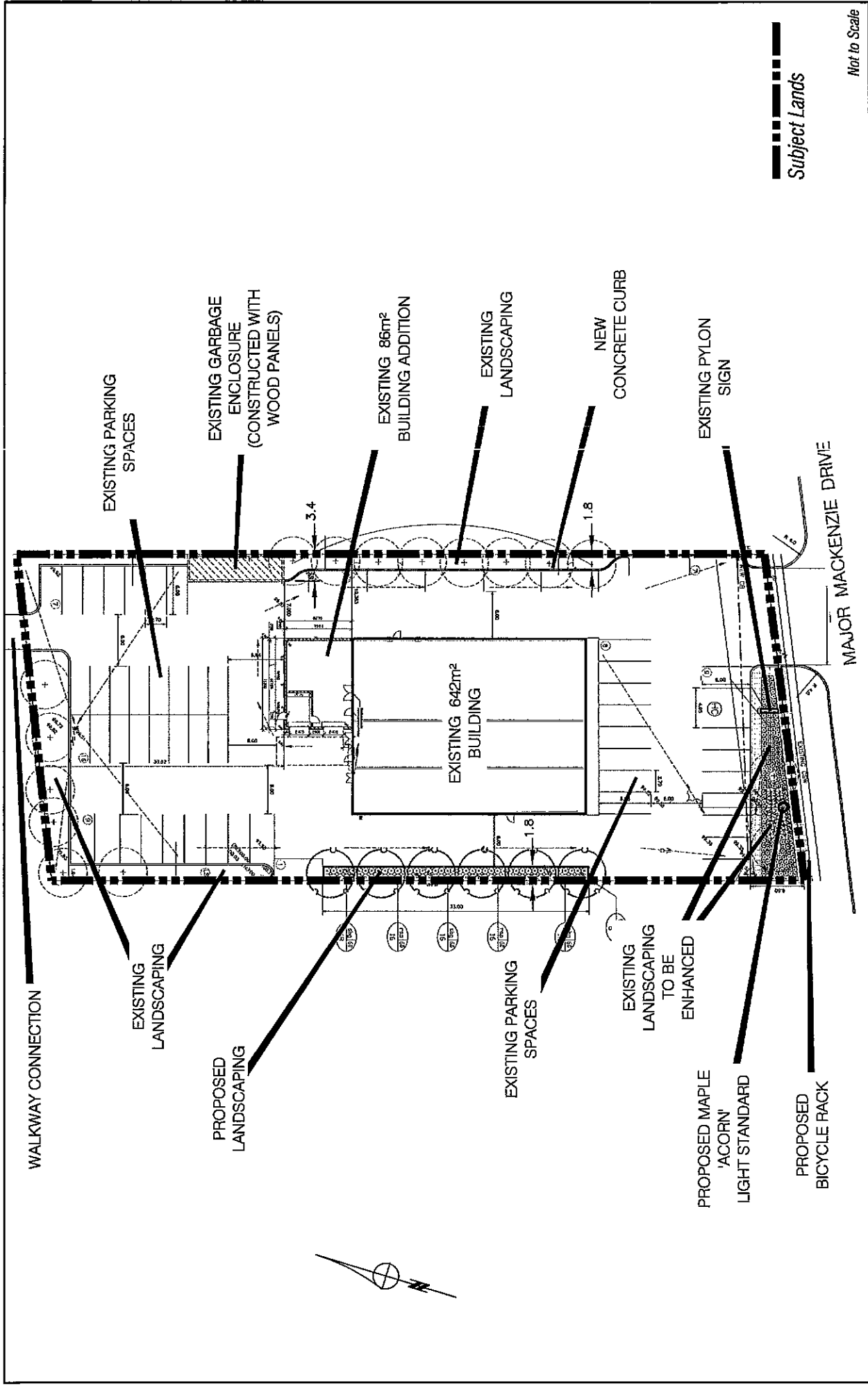
Development Planning Department

Attachment

FILE:
DA.07.045

DATE:
April 23, 2010

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Site/Landscape Plan

LOCATION:
Part Lot 21, Concession 4

APPLICANT:
2012002 Ontario Ltd.

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The City Above Toronto

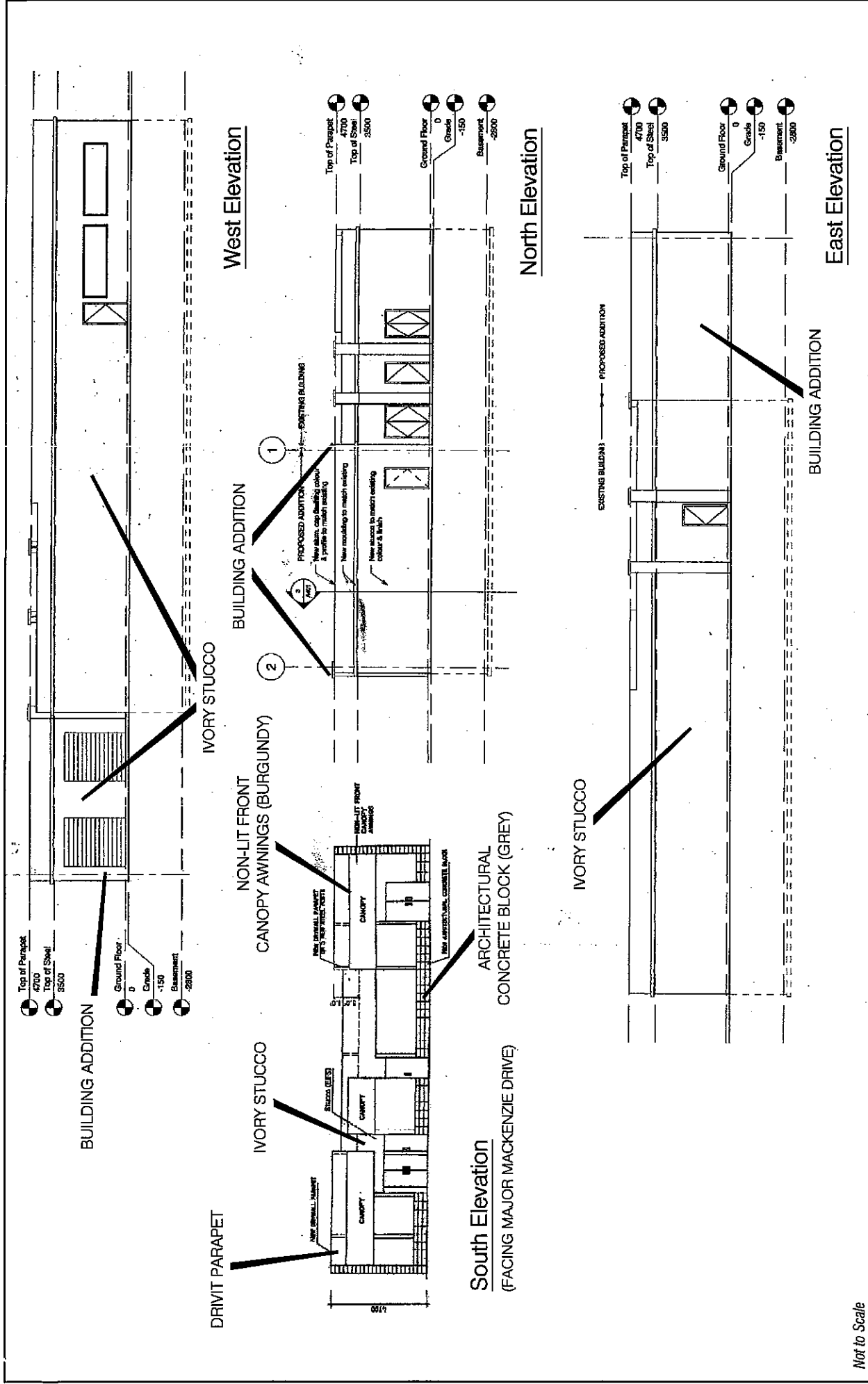
Development Planning Department

Attachment

FILE:
DA-07.045

DATE:
April 23, 2010

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Not to Scale

Existing Building Elevations

LOCATION:
Part Lot 21, Concession 4

APPLICANT:
2012002 Ontario Ltd.



The City Above Toronto

Development Planning Department

Attachment

FILE:
DA.07.045

DATE:
April 23, 2010

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South Elevation (Major Mackenzie Drive)



South Elevation (Major Mackenzie Drive)

Existing Building - South Elevations - Photographs

APPLICANT: 2012002 Ontario Ltd.
 LOCATION: Part Lot 21, Concession 4



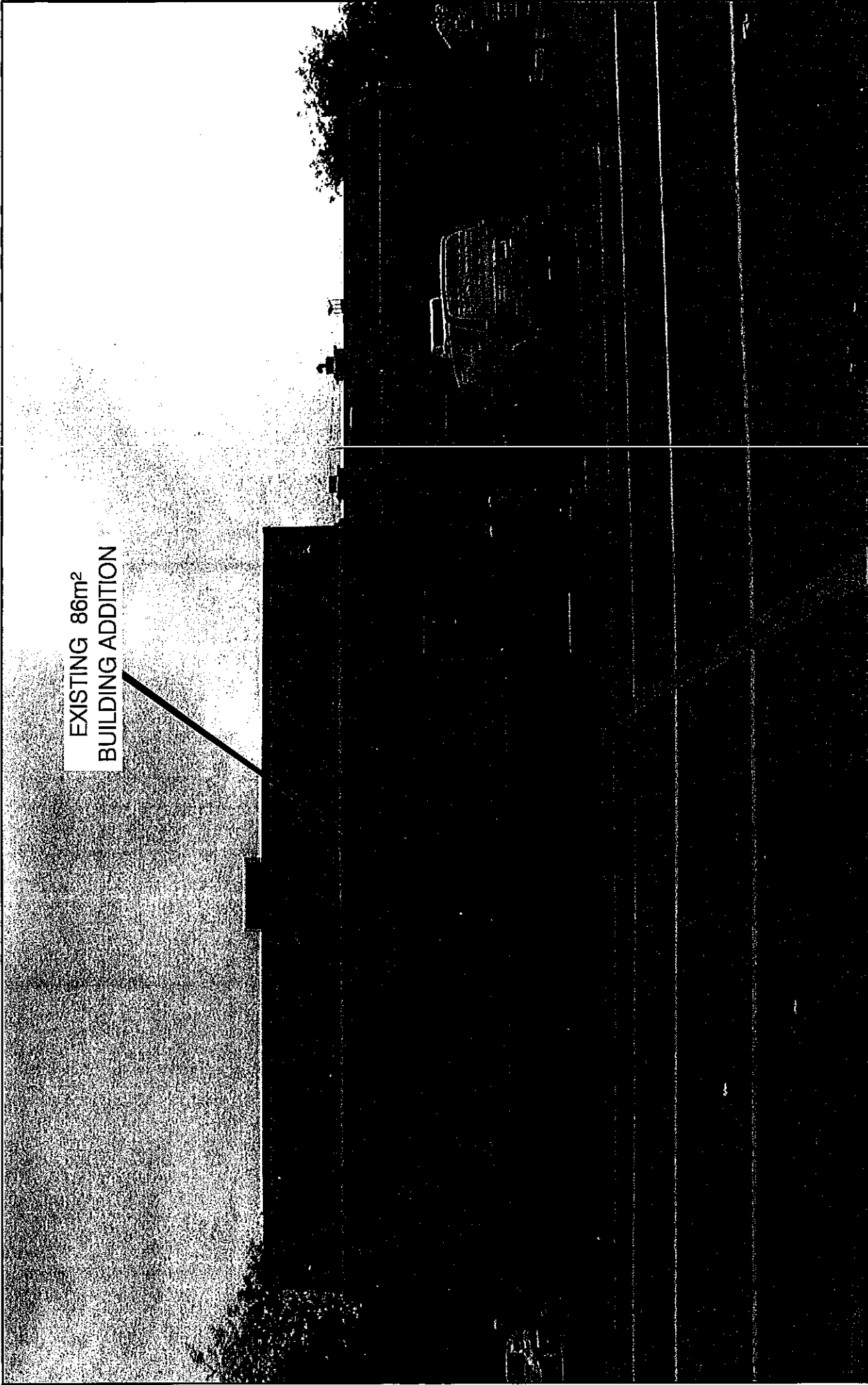
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Attachment

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DATE: April 23, 2010

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EXISTING 86m²
BUILDING ADDITION

Existing Building - North Elevations - Photograph

APPLICANT:
2012002 Ontario Ltd.

LOCATION:
Part Lot 21, Concession 4



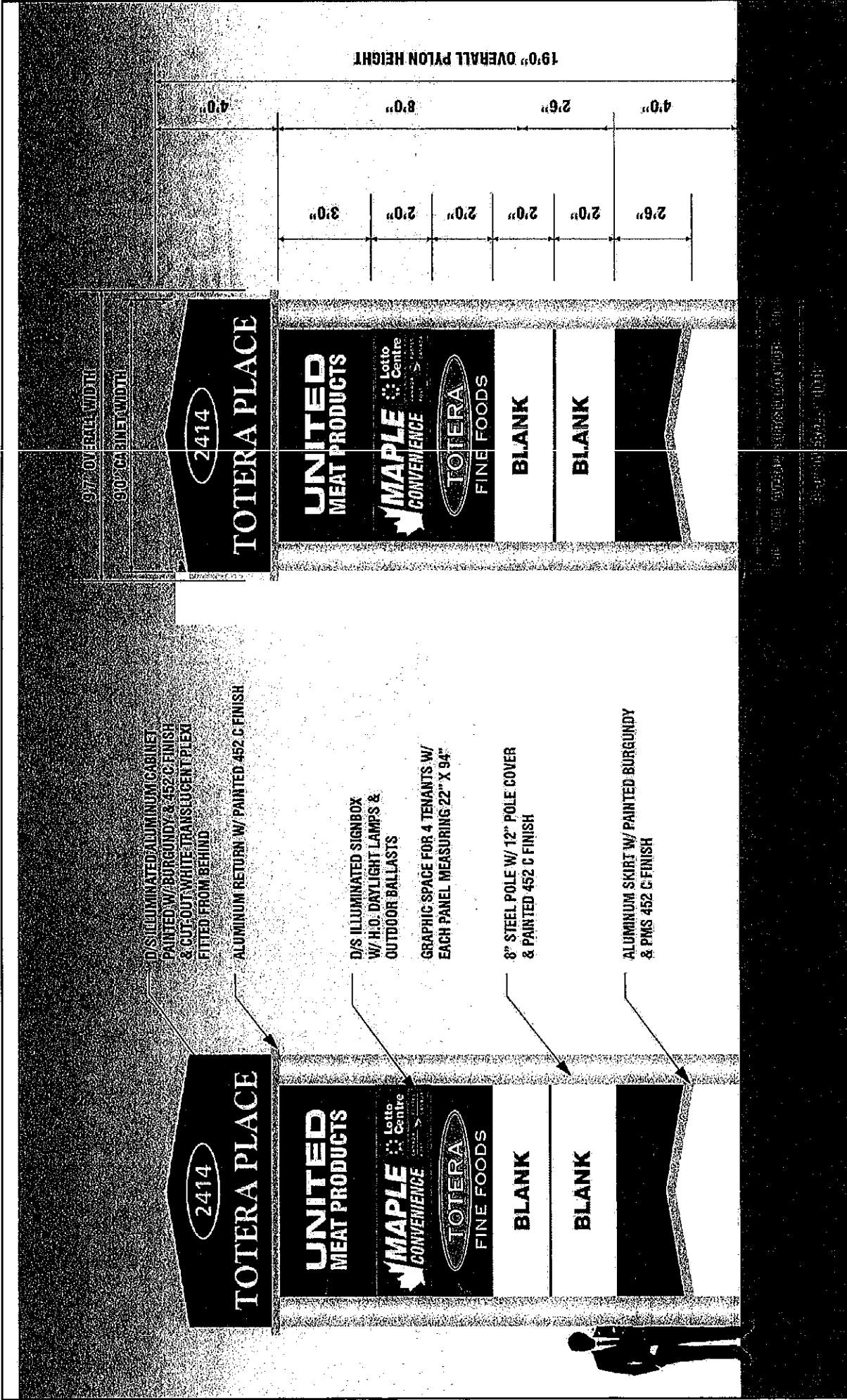
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Attachment

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Existing Illuminated Pylon Sign Details

APPLICANT:
2012002 Ontario Ltd.

LOCATION:
Part Lot 21, Concession 4



Development Planning Department

Attachment

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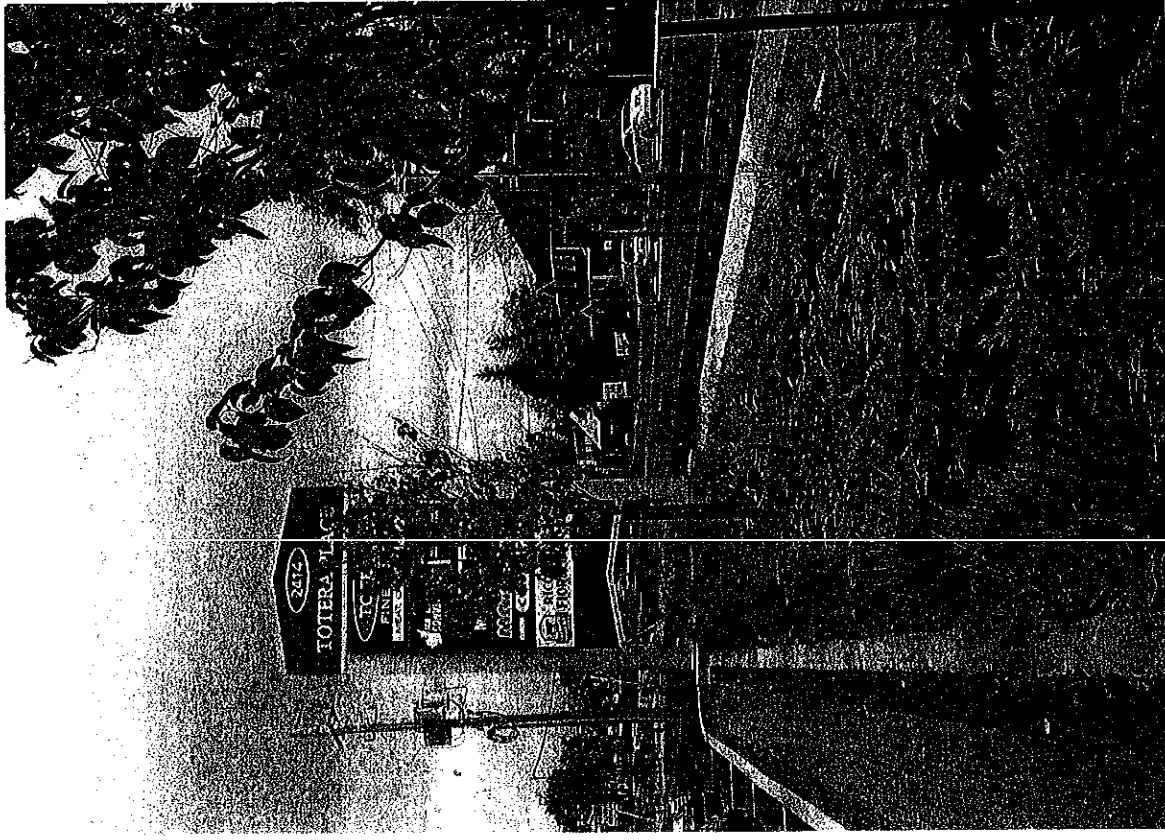


Not to Scale

Existing Pylon Sign (Photographs)

APPLICANT:
2012002 Ontario Ltd.

LOCATION:
Part Lot 21, Concession 4



Development Planning Department

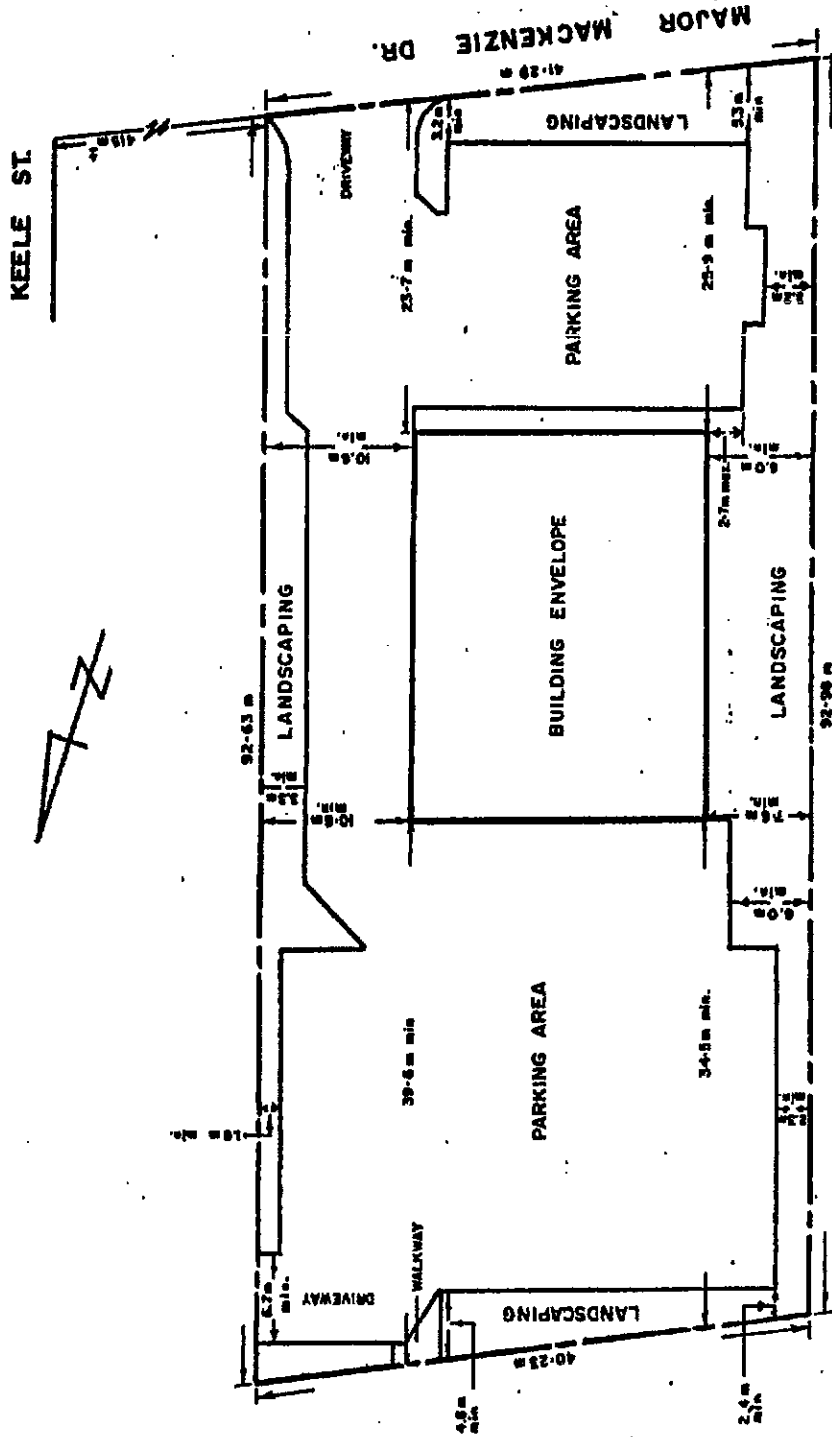
Attachment

FILE: DA.07.045
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LEGEND

— — — — — SUBJECT LANDS

**THIS IS SCHEDULE 'E-708'
TO BY-LAW 1-88
SECTION 9(633)**



Not to Scale

**Schedule 'E-708' to By-Law
1-88 (Current Zoning)**



The City Above Toronto
Development Planning Department

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APPLICANT: 2012002 Ontario Ltd.
LOCATION: Part Lot 21, Concession 4