

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 5, Report No. 15, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on April 11, 2018, as follows:

By replacing recommendation 2) of the Committee of the Whole (Public Hearing) with the following:

- “2) That should a community meeting need to be held, that it be organized by the Local Councillor with the applicant, 3 or 4 key residents, interested Regional Councillors, and staff, to address outstanding issues;”***

5 ZONING BY-LAW AMENDMENT FILE Z.18.005 GRAZIO DEVITTORIS, 2561074 ONTARIO INC. VICINITY OF ISLINGTON AVENUE AND NASHVILLE ROAD

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated April 4, 2018, be approved;**
- 2) That should KARA wish to have a community meeting, that staff be in attendance at the meeting;**
- 3) That the following deputations be received:**
 - 1. Mr. Adam Grossi, Humphries Planning Group, representing the applicant;**
 - 2. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg;**
 - 3. Mr. Eric Laichter, Kleinburg BIA, Nashville Road, Kleinburg;**
 - 4. Mr. Ken Schwenger, Coldspring Road, Kleinburg; and**
 - 5. Mr. Frank Fallico, Kellam Street, Kleinburg; and**
- 4) That communication C3 from Ms. Kathryn Angus, Kleinburg & Area Ratepayer’s Association, dated April 2, 2018, be received.**

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.18.005 for the subject lands shown on Attachment #1 and #2 to permit the construction of a 2½-storey commercial building with an eating establishment on the ground floor and 3 residential units on the second floor, as shown on Attachments #3 to #5.

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Report Highlights

- To receive input from the public and the Committee of the Whole for a proposed 2½-storey building with ground floor commercial uses and 3 residential units on the second floor.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Recommendation

1. THAT the Public Hearing report for File Z.18.005 (Grazio Devittoris, 2561074 Ontario Inc.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

The subject lands are located on the east side of Islington Avenue between Kellam Street and John Street and are municipally known as 10513 Islington Avenue, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

Amendments to Zoning By-law 1-88 are required to impliment the development proposal

The Owner has submitted Zoning By-law Amendment File Z.18.005 to amend the development standards for the C11 Mainstreet Commercial Zone of Zoning By-law 1-88, as identified in Table 1 of this report.

Public Notice was provided in accordance with the Planning Act and Vaughan Council's Notification Protocol

- a) Date the Notice of Public Hearing was circulated: March 9, 2018.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m (as shown on Attachment #2) and to the Kleinburg Area Ratepayers' Association

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

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Previous Reports/Authority.

N/A

Analysis and Options

The proposed mixed-use development conforms to the Official Plan

The subject lands are designated “Mainstreet Commercial” by Vaughan Official Plan (VOP) 2010, Volume 2, Specific Policy Area 12.4 Kleinburg Core, which permits a maximum building height of 2½-storeys and a Floor Space Index (FSI) of between 0.2 and 1 times the area of the lot. The “Mainstreet Commercial” designation permits the following uses:

- Retail Stores;
- Personal Service Shops;
- Professional and Business Offices;
- Small scale hotels or “Village Inns”;
- Bed and Breakfast operations;
- Restaurants including sidewalk cafes;
- Small scale mixed-use developments with at-grade commercial uses and an upper floor residential component;
- Detached residential dwellings;
- Converted dwelling in the form of a residential conversion to a permitted commercial and mixed-use development;
- Parks and Open Space; and
- Public and Institutional Uses.

The property is subject to the Kleinburg-Nashville Heritage Conservation District (HCD) Plan by VOP 2010 Section 12.2, Volume 2, Heritage Conservation Districts, as the property is Designated Part V under the *Ontario Heritage Act*.

The proposed 2½-storey building with a ground floor eating establishment and 3 residential units in the second floor and a density of 0.57 (FSI) times the area of the lot, conforms to the Official Plan.

Amendments to Zoning By-law 1-88 are required to permit the proposed development

The subject lands are zoned C11 Mainstreet Commercial Zone by Zoning By-law 1-88, which permits the proposed eating establishment and residential uses. The Owner is proposing to maintain the existing C11 Mainstreet Commercial Zone on the subject lands, with the following site-specific zoning exceptions to permit the proposed development:

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Table 1

| | Zoning By-law 1-88 Standards | C11 Mainstreet Commercial Zone Requirements | Proposed Exceptions to the C11 Mainstreet Commercial Zone |
|----|---|---|--|
| a. | Minimum Parking Requirement | Residential Units: 3 units @ 1.5 spaces per unit = 5 parking spaces Eating Establishment: 277.19 m ² @ 16 spaces/ 100 m ² GFA = 45 parking spaces Total Parking Required: 50 spaces | 18 spaces |
| b. | Minimum Parking Stall Size | 6 m x 2.7 m | <ul style="list-style-type: none"> • 6 m x 2.67 m (2 spaces) • 5.92 m x 2.7 m (6 spaces) |
| c. | Minimum Dimensions for an Accessible Parking Space | 6 m x 3.4 m with an access aisle measuring 1.5 m in width | 6 m x 3.9 m with no access aisle |
| d. | Minimum Width for an Access Driveway | 7.5 m if shared 5.4 m - 7.5 m if not shared | 3 m shared driveway (will require reciprocal easements with landowner to the south) |
| e. | Minimum Width of Parking Aisle for Parking Spaces with an Angle of 44 degrees or less | 4 m | 3 m for spaces 1, 2, and 3 |

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| | | | |
|----|---|----------------------------|---------------------------------|
| f. | Minimum Interior Side Yard Setback (North) | 1.8 m | 0 m |
| g. | Minimum Front Yard Setback (Islington Avenue) | 2 m | 1.7 m |
| h. | Minimum Setback to a Covered Porch (Patio) | 2 m | 0 m |
| i. | Minimum Required Landscape Strip Abutting Islington Avenue | 2 m | 0 m |
| j. | Minimum Required Landscape Strip Abutting an R1 Residential Zone (East) | 2.4 m | 0 m (east lot line) |
| k. | Minimum Required Landscape Strip Abutting a Zone other than Open Space or Residential | 1.8 m | 0 m (north and south lot lines) |
| l. | Minimum Landscape Coverage | 10% | 6.2% |
| m. | Maximum Eaves Encroachment | 0.5 m into a required yard | 0 m (north interior yard) |

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|----|--------------------------|---|--|
| n. | Use of Basements/Cellars | Cellar or a basement shall be used for no other purpose than storage, mechanical and/or laundry facilities or parking | Permit the basement to be used for washrooms |
|----|--------------------------|---|--|

Additional zoning exceptions maybe identified through the detailed review of the Zoning By-law Amendment application, and will be considered in a technical report to a future Committee of the Whole meeting.

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 | COMMENTS |
|----|---|--|
| a. | City of Vaughan Official Plan Policies | <ul style="list-style-type: none"> The application will be reviewed in consideration of the applicable VOP 2010 policies. |
| b. | Heritage Vaughan Committee/Conformity with Cultural Heritage Policies | <ul style="list-style-type: none"> The development proposal must be reviewed by the Heritage Vaughan Committee and the Committee's decision ratified by Vaughan Council prior to the Zoning By-law Amendment and Site Development Applications being considered by Council. The application will be reviewed in consideration of the Kleinburg-Nashville HCD Plan and the VOP 2010 policies pertaining to Cultural Heritage. |
| c. | Appropriateness of the Proposed Site-Specific Zoning Exceptions | <ul style="list-style-type: none"> The appropriateness of the proposed amendments to the C11 Mainstreet Commercial Zone development standards of Zoning By-law 1-88 will be reviewed in consideration of, but not limited to, the existing and planned surrounding land uses, with particular consideration given to the proposed land uses and built form compatibility. |

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| | MATTERS TO BE REVIEWED | COMMENTS |
|----|------------------------------|--|
| d. | Parkland Dedication | <ul style="list-style-type: none"> The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-Lieu of Parkland Policy. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department. |
| e. | Studies and Reports | <ul style="list-style-type: none"> The Owner has submitted the following studies and reports in support of the subject application, which must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> Planning Justification Report Arborist Report and Tree Preservation Plan Heritage Impact Assessment Urban Design Brief Servicing Design Compliance Letter Parking Study The requirement for additional studies/information may be identified through the development application review process. |
| f. | Site Development Application | <ul style="list-style-type: none"> The Owner has submitted related Site Development File DA.17.113 to permit the proposed development, which will be reviewed in consideration of, but not limited to, the following matters: <ul style="list-style-type: none"> the appropriateness of the proposed site organization and built form in relation to neighbouring properties along Islington Avenue; the adequate buffering and screening of the parking area to the neighbouring residential land uses; the appropriateness of all commercial signage and lighting; the retention and preservation of mature trees on the subject property and the neighbouring properties; |

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| | MATTERS TO BE REVIEWED | COMMENTS |
|----|-------------------------|---|
| | | <ul style="list-style-type: none"> proper vehicular (including service vehicles such as fire and garbage trucks) turning movements; pedestrian and barrier free accessibility; accessibility and location of the proposed parking spaces; and appropriate site design and building materials, snow storage, stormwater management, and servicing and grading. <p>All issues identified through the review of the related Site Development Application will be addressed together with the subject Zoning By-law Amendment application in a comprehensive technical report to a future Committee of the Whole Meeting.</p> |
| g. | Sustainable Development | <ul style="list-style-type: none"> Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the site plan review process, if the application is approved. |
| h. | Existing Trees | <ul style="list-style-type: none"> The Arborist Report and Tree Preservation Plan submitted in support of the subject application must be reviewed and approved by the Development Planning, Parks and Forestry Operations, and Parks Development Departments. Should it be determined that trees are proposed to be removed, then the appropriate compensation in accordance with the City's Replacement Tree Requirements will be required. |

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| | MATTERS TO BE REVIEWED | COMMENTS |
|----|-------------------------------|--|
| i. | Waste Management | <ul style="list-style-type: none">The Owner is proposing an internal garbage room, as shown on Attachment #3. The location and design of the garbage room will be reviewed in consideration of the Waste Collection Design Standards of the Environmental Services Department, Solid Waste Management Division, and the Development Planning Department. |
| j. | Cash-in-Lieu of Parking | <ul style="list-style-type: none">The Owner is required to submit an Appraisal Report to assist in determining the value of each parking space to be provided through cash-in-lieu. |
| k. | Easement for Shared Driveway | <ul style="list-style-type: none">The Owner is proposing a 6 m wide mutual driveway to access the site and the parking area. One half (3 m) of the proposed driveway is located on the adjacent property to the south. The Owners will be required to obtain reciprocal easements from the Committee of Adjustment to permit the proposed mutual driveway. If reciprocal easements cannot be secured, changes to the proposed site plan may be required. |

Financial Impact

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

Broader Regional Impacts/Considerations

The application has been circulated to the York Region Community Planning and Development Services Department for review and comment.

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 Vaughan 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.

For more information, please contact: Daniel Rende, Planner I, Development Planning Department, Extension 8112

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Attachments

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

Prepared by

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)