

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2012

Item 11, Report No. 48, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 11, 2012.

11

**SITE DEVELOPMENT FILE DA.12.066
ROBERTO FRANCO CLAUSI
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND BRUCE STREET**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated November 27, 2012, be approved; and**
- 2) That the coloured renderings submitted by the applicant, be received.**

Recommendation

1. THAT Site Development File DA.12.066 (Roberto Franco Clausi) BE APPROVED, to permit a 2½ storey, 118.05 m² addition to an existing detached dwelling to facilitate an expansion of the existing residential dwelling and existing home occupation use on the subject lands shown on Attachments #1 and #2, in the manner shown on Attachments #3 to #6 inclusive, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department, the Vaughan Development/Transportation Engineering Department, and the Region of York Transportation and Community Planning Department; and,
 - ii) the required minor variances to implement the development as shown on Table 1 of this report shall be approved by the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding; and,
 - b) that the implementing Site Plan Letter of Undertaking include the following provisions:
 - i) the Owner shall agree to grant an access easement, if required, over the existing driveway from Bruce Street in favour of the two land Owners to the west (4863 and 4871 Regional Road 7), in the event that these lands develop, to the satisfaction of the Development Planning Department and the Vaughan Development/Transportation Engineering Department.
 - ii) the Owner shall convey a 5.0 m road widening along Regional Road 7 to the Region of York to the satisfaction of the Regional Transportation and Community Planning Department; and,
 - iii) the Owner shall enter into a separate agreement, if required, with the Region of York to allow the Regional Road 7 access and driveway to function in its current manner until such time as the actual works and construction for the new right-of-way take place, at which time the use of the existing driveway access and parking space shall cease and be closed.

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Contribution to Sustainability

The Owner has advised that the following sustainable features, but not limited to, will be provided within the site and building design:

- i) indoor waste reduction;
- ii) eliminations of CFC's and halons;
- iii) collection and storage of recyclables;
- iv) use of regional construction materials;
- v) use of low emitting paints; and,
- vi) high efficiency plumbing fixtures.

Economic Impact

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

Communications Plan

Pursuant to the prescribed regulations of the Ontario Planning Act, effective January 1, 2007, a Notice of Complete Application is required to be given informing the public that the above noted application is deemed complete. On August 28, 2012, a "Notice to the Public of Complete Application" was mailed to all owners within 150 m of the subject lands.

As a result of this notice, the Development Planning Department received an email from a neighbouring property owner. The comments expressed concern with delivery trucks parking on the street creating adverse traffic conditions for the neighbourhood. In addition, the resident also stated that the existing signage should be reduced since it is for a home occupation use.

Purpose

The Owner has submitted Site Development File DA.12.066 to permit a 2½ storey, 118.05 m² addition to the existing 2½ storey detached dwelling to facilitate the expansion of the existing dwelling and the existing home occupation use (podiatrist practice) as shown on Attachment #3. Pertinent Site Statistics are as follows:

- Site Area = 800.67 m²
- Existing Gross Floor Area of Dwelling = 237.30 m²
- Gross Floor Area Devoted to the Existing Home Occupation Use (48.2%) = 114.38 m²
- New Addition Gross Floor Area
(57m² of gross floor area devoted to the Home Occupation) = 118.05 m²
- Total Gross Floor Area (171.38 m² or 48.2 % devoted to Home Occupation) = 355.35 m²
- Parking Provided = 9 spaces

Background - Analysis and Options

Location

The 0.08 ha parcel is located on the southwest corner of Regional Road 7 and Bruce Street, being Lot 51 on Registered Plan 9831, municipally known as 4855 Regional Road #7, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

Official Plan and Zoning

The subject lands shown on Attachments #1 and #2 are designated "Prestige Areas – Centres & Avenue Seven Corridor" by OPA #240 (Woodbridge Community Plan), as amended by OPA

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#661 (The Avenue Seven Land Use Futures Study Plan). This designation permits a range of land uses including office, business, retail, institutional, civic and residential uses on the subject lands.

The lands are designated "Mid-Rise Mixed-Use" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012) and is pending approval from the Ontario Municipal Board.

The proposed development conforms to the Official Plans.

The subject lands are zoned R1 Residential Zone by By-law 1-88, subject to site-specific Exception 9(899). On April 10, 1995, Vaughan Council approved Zoning By-law Amendment File Z.95.003 to permit 48.2% of the gross floor area of the 2½ storey detached dwelling to be used for a home occupation use, restricted to the ground floor only. The implementing Zoning By-law (By-law 130-95) was enacted by Council on May 8, 1995.

The applicant is applying for site plan approval to permit a 118.05 m² addition distributed over the 2½ floors of the existing building for a total of 355.35 m². The applicant is proposing 171.2 m² or 48.2% of the total gross floor area restricted to the ground floor to be used for the home occupation use. The applicant has indicated that no additional practitioner or staffing is proposed for the home occupation use and that the addition is required to accommodate the day-to-day needs of the practice and family needs. The proposed expansion of the gross floor area devoted to the home occupation use (i.e. 48.2%) complies with Exception 9(899). Upon review of the Site Development File DA.12.066, the following additional site-specific zoning exceptions to Zoning By-law 1-88 are required to implement the proposed development:

Table 1

	By-law Standards	By-law Requirements of the R1 Residential Zone, subject to Exception 9 (899)	Proposed Exceptions to the R1 Residential Zone
a.	Minimum Front Yard (Regional Road 7)	7.5 m	3.0 m (portion of new building to the road widening)
b.	Minimum Interior Side Yard (West)	1.5 m	1.2 m
c.	Minimum Driveway Access Width (Bruce Street)	7.5 m	6.5 m
d.	Minimum Landscaping Around the Periphery of an Outdoor Parking Area	A strip of land not less than three (3) metres in width around the periphery of an outdoor parking area and within the lot on which the said parking area is situated shall be used for no other purpose than landscaping, but this shall not prevent the provision of access driveways across the said strip.	The minimum width of a strip of land around the periphery of a parking area shall be 0.5 m.

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The Development Planning Department can support the proposed zoning exceptions as they facilitate an appropriate development of the subject lands. The minimum front yard exception results from the requirement to facilitate a 5 m road widening along Regional Road 7. In addition, the reduced front yard is consistent with meeting the City's urban design objectives. Both the minimum driveway width and reduced landscape strip around the periphery of a parking area are existing and were approved (Site Development File DA.95.002) in this manner by Council in 1995, however, these exceptions were inadvertently omitted from Exception 9(899). The proposed 1.2 m side yard abuts a driveway and does not impact the adjacent property. The proposed 2½-storey building maintains a built form that is compatible with the existing surrounding development.

Site Plan Review

The proposed site plan shown on Attachment #3, includes the existing dwelling and the proposed 118.05m² addition which would result in a building with a total gross floor area of 355.35 m². The proposed addition is 2½ storeys in height and is limited to the northwest portion of the site. The addition will be constructed using brick to match the existing structure. There are two existing access driveways to the site, one from Bruce Street and the other from Regional Road 7, each leading to separate parking areas. The Regional Road 7, access serves one existing parking space, however, this space will become unusable once the road widening is dedicated to the Region of York and the works within the right-of-way begin. The Bruce Street access leads to 8 parking spaces which serves the proposed residence and the home occupation use.

Signage

The proposed north building elevation shown on Attachment #5 includes a new 2.2 m² sign for the home occupation use. The proposed size and design of the sign is considered appropriate, however it is recommended that the proposed backlit canister system be replaced with either individual back-lit channel letters, a board sign or other alternative to the satisfaction of the Development Planning Department. All other existing signage on the building was previously approved.

Parking

The proposed site plan shown on Attachment #3, includes 9 parking spaces. One parking space is accessed from Regional Road 7 which will cease once the works for the road widening right-of-way begin and 8 parking spaces are accessed from a driveway from Bruce Street. Zoning By-law 1-88 requires that parking for a home occupation use be provided as follows: 3 spaces for the detached dwelling, plus an additional 2 parking spaces for a home occupation use up to 25% of the gross floor area of the dwelling. Site-specific Exception 9(899) requires that the minimum parking for the existing uses on the subject lands, including the home occupation shall be 7 parking spaces calculated as follows:

Residential Detached Dwelling	= 3 spaces
Home Occupation Use (based on 114.37 m ² GFA or 48.2%)	= 4 spaces
Total Number of Parking Spaces Required	= 7 spaces

Under Exception 9(899) a total of 4 parking spaces is required for the existing home occupation use, which translates to almost double (48.2%) the gross floor area of the existing building than is permitted (25%) under Zoning By-law 1-88. This parking supply exceeds the minimum requirement of 2 parking spaces for a home occupation required in Zoning By-law 1-88. In addition, Zoning By-law 1-88 does not place a limit on the maximum gross floor area that can be devoted to a home occupation, provided the area does not exceed 25% of the gross floor area of the dwelling. The site plan includes 8 permanent parking spaces on the property (excluding the

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parking space within the Regional right-of-way), which exceeds the minimum parking requirement in Zoning By-law 1-88. In addition, the Owner is not adding any additional practitioners to the existing practice. Accordingly, the Development Planning Department can support the parking supply for the proposed development.

Urban Design

The Development Planning Department has reviewed the site plan submission and have no objections to the proposed plans. However, it is recommended that additional landscaping be provided to enhance the overall appearance of the site. A new landscape cost estimate and landscape plan is required for approval.

Future Development

The subject lands are located at the southwest corner of Regional Road 7 and Bruce Street, and is a key parcel of land with respect to the potential comprehensive redevelopment of the properties fronting on Regional Road 7 and with the property to the immediate south. The vision for Regional Road 7 in OPA #661 is that of a corridor transformed from its current condition into a series of urban districts characterized by a network of pedestrian-friendly streets, parks and public open spaces that offer a diverse choice of lifestyle. A key concept in establishing the vision is to establish a parallel east-west collector road, both north and south of Regional Road 7 as alternate routes for vehicles. Reducing the number of access points along Regional Road 7 and promoting more comprehensive forms of development helps to enforce the vision for this corridor.

To facilitate the vision for Regional Road 7 and protect for the potential future comprehensive development of these lands with respect to parking, access and emergency vehicle movement, reciprocal access easements shall be granted by each effected landowner. It is recommended that the Owner agree to grant an access easement, if required, in favour of the landowners to west (4863 and 4871 Regional Road 7) and potentially with the land owner to the south (26 Bruce Street) to facilitate driveway access to these properties, thereby reducing the number of driveways on Regional Road 7 and facilitating one co-ordinated driveway at the rear of these properties when the adjacent properties develop, and the same requirement to grant a reciprocal easement will be included as a condition of approval for those lands.

It is recommended that the above noted provisions be included in the Site Plan Letter of Undertaking. A condition to this effect has been included in the recommendation section of this report.

The Vaughan Development Department has reviewed the proposed site plan, building elevations and landscape plan and is satisfied with the plans, and will continue working with the applicant in order to enhance the landscape plan.

Servicing

The Vaughan Development/Transportation Engineering Department has reviewed and approved the Site Servicing and Grading plans and the Stormwater Management Brief prepared by Eaglebrook Limited in support of the application.

Transportation Planning

The Vaughan Development/Transportation Engineering Department has reviewed the proposed site plan and has provided the applicant with minor comments to address:

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Prior to the execution of the Site Plan Letter of Undertaking, the Owner must satisfy the requirements of the Development/Transportation Engineering Department. A condition to this effect has been included in the recommendation of this report.

Relationship to Vaughan Vision 2020/Strategic Plan

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Manage Growth & Economic Well-being".

Regional Implications

The subject lands are located on Regional Road 7, which is under the jurisdiction of the Region of York. The Site Development Application was circulated to the Region of York Transportation and Community Planning Department for comment. The Owner will be required to fulfill all conditions and requirements of the Region of York. A condition to this effect is included in the recommendation of this report.

Conclusion

The Vaughan Development Planning Department has reviewed Site Development File DA.12.066 in accordance with OPA #661, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development for a 2 1/2 storey addition to the existing dwelling to facilitate the expansion of the dwelling and the existing home occupation use (podiatrists office) is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the conditions contained in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. North and South Elevations
6. East and West Elevations

Report prepared by:

Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8064
Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)

COMMITTEE OF THE WHOLE NOVEMBER 27, 2012

SITE DEVELOPMENT FILE DA.12.066

ROBERTO FRANCO CLAUSI

WARD 2 - VICINITY OF REGIONAL ROAD 7 AND BRUCE STREET

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.12.066 (Roberto Franco Clausi) BE APPROVED, to permit a 2½ storey, 118.05 m² addition to an existing detached dwelling to facilitate an expansion of the existing residential dwelling and existing home occupation use on the subject lands shown on Attachments #1 and #2, in the manner shown on Attachments #3 to #6 inclusive, subject to the following conditions:
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The applicant is applying for site plan approval to permit a 118.05 m² addition distributed over the 2½ floors of the existing building for a total of 355.35 m². The applicant is proposing 171.2 m² or 48.2% of the total gross floor area restricted to the ground floor to be used for the home occupation use. The applicant has indicated that no additional practitioner or staffing is proposed for the home occupation use and that the addition is required to accommodate the day-to-day needs of the practice and family needs. The proposed expansion of the gross floor area devoted to the home occupation use (i.e. 48.2%) complies with Exception 9(899). Upon review of the Site Development File DA.12.066, the following additional site-specific zoning exceptions to Zoning By-law 1-88 are required to implement the proposed development:

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The Development Planning Department can support the proposed zoning exceptions as they facilitate an appropriate development of the subject lands. The minimum front yard exception results from the requirement to facilitate a 5 m road widening along Regional Road 7. In addition, the reduced front yard is consistent with meeting the City's urban design objectives. Both the minimum driveway width and reduced landscape strip around the periphery of a parking area are

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Site Plan Review

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Urban Design

The Development Planning Department has reviewed the site plan submission and have no objections to the proposed plans. However, it is recommended that additional landscaping be provided to enhance the overall appearance of the site. A new landscape cost estimate and landscape plan is required for approval.

Future Development

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Transportation Planning

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Attachments

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4. Landscape Plan
5. North and South Elevations
6. East and West Elevations

Report prepared by:

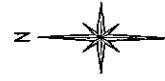
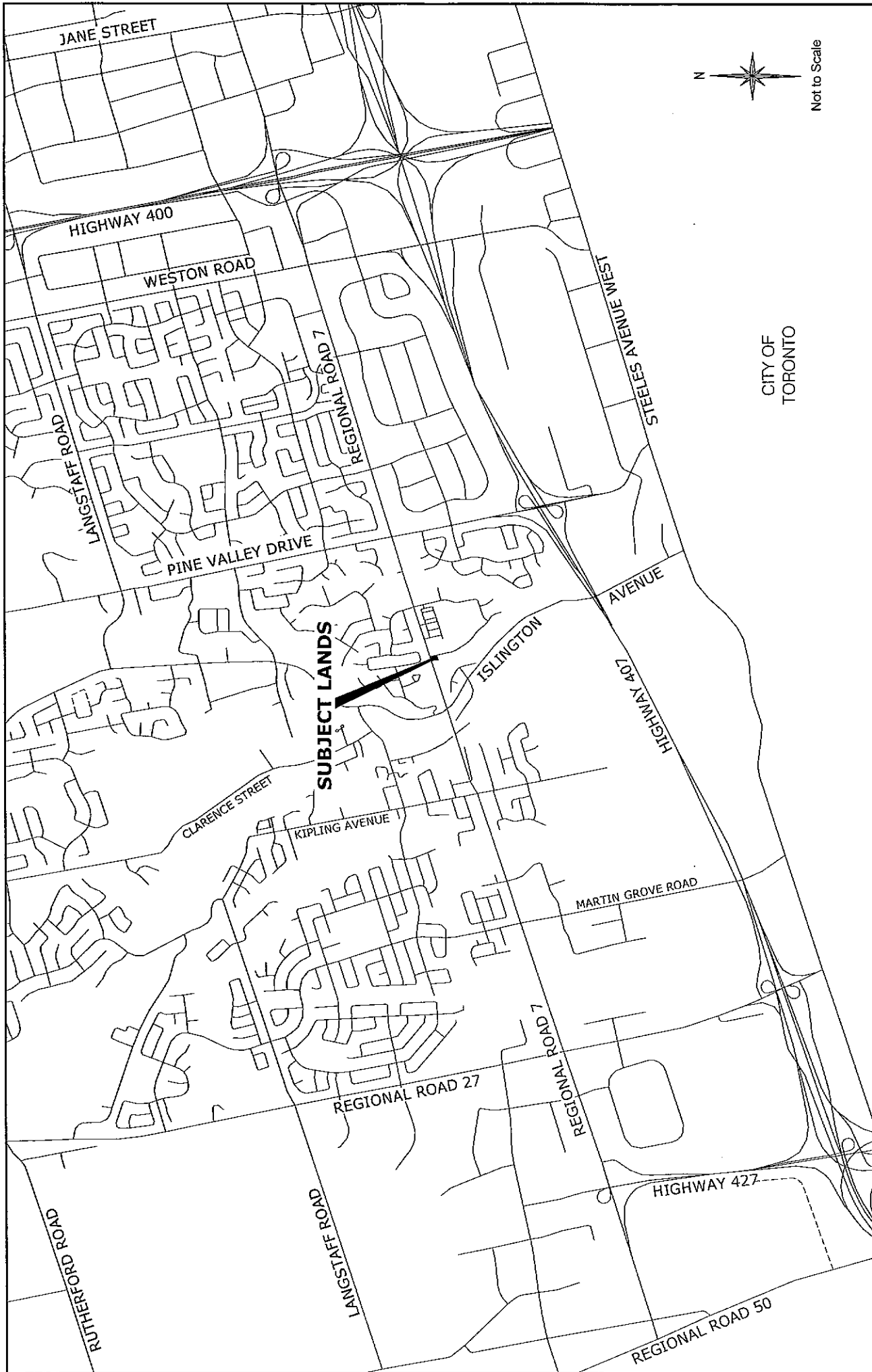
Eugene Fera, Planner, ext. 8064
Carmela Marrelli, Senior Planner, ext. 8064
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM



Context Location Map

Location:
Part of Lot 5, Concession 7

Applicant:
Roberto F. Clausi

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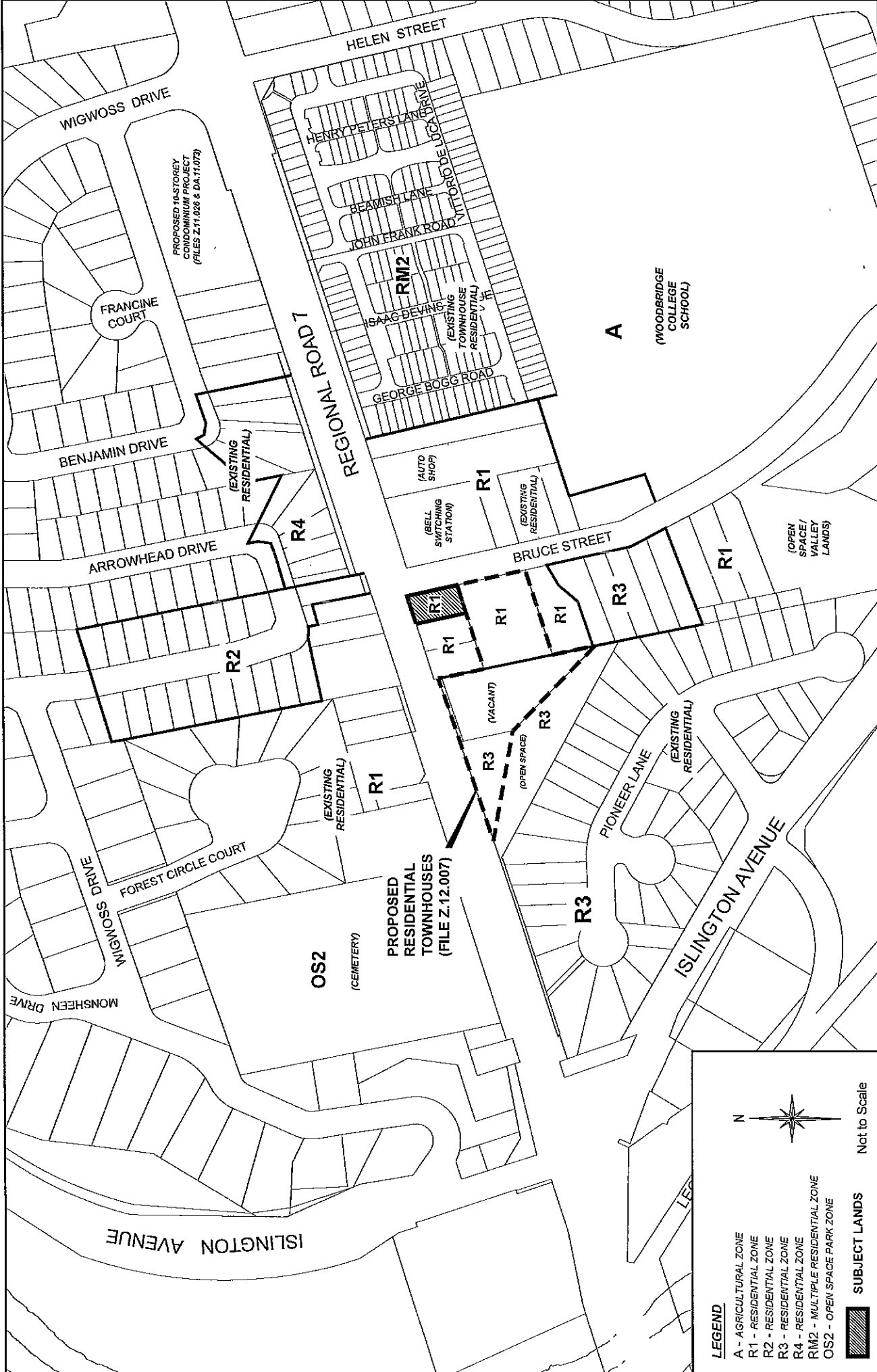


Attachment

File:
DA.12.086

Date:
October 26, 2012

1



LEGEND

- A - AGRICULTURAL ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- R4 - RESIDENTIAL ZONE
- RM2 - MULTIPLE RESIDENTIAL ZONE
- OS2 - OPEN SPACE PARK ZONE

SUBJECT LANDS

Not to Scale

N

Location Map

Location:
Part of Lot 5, Concession 7

Applicant:
Roberto F. Clausi

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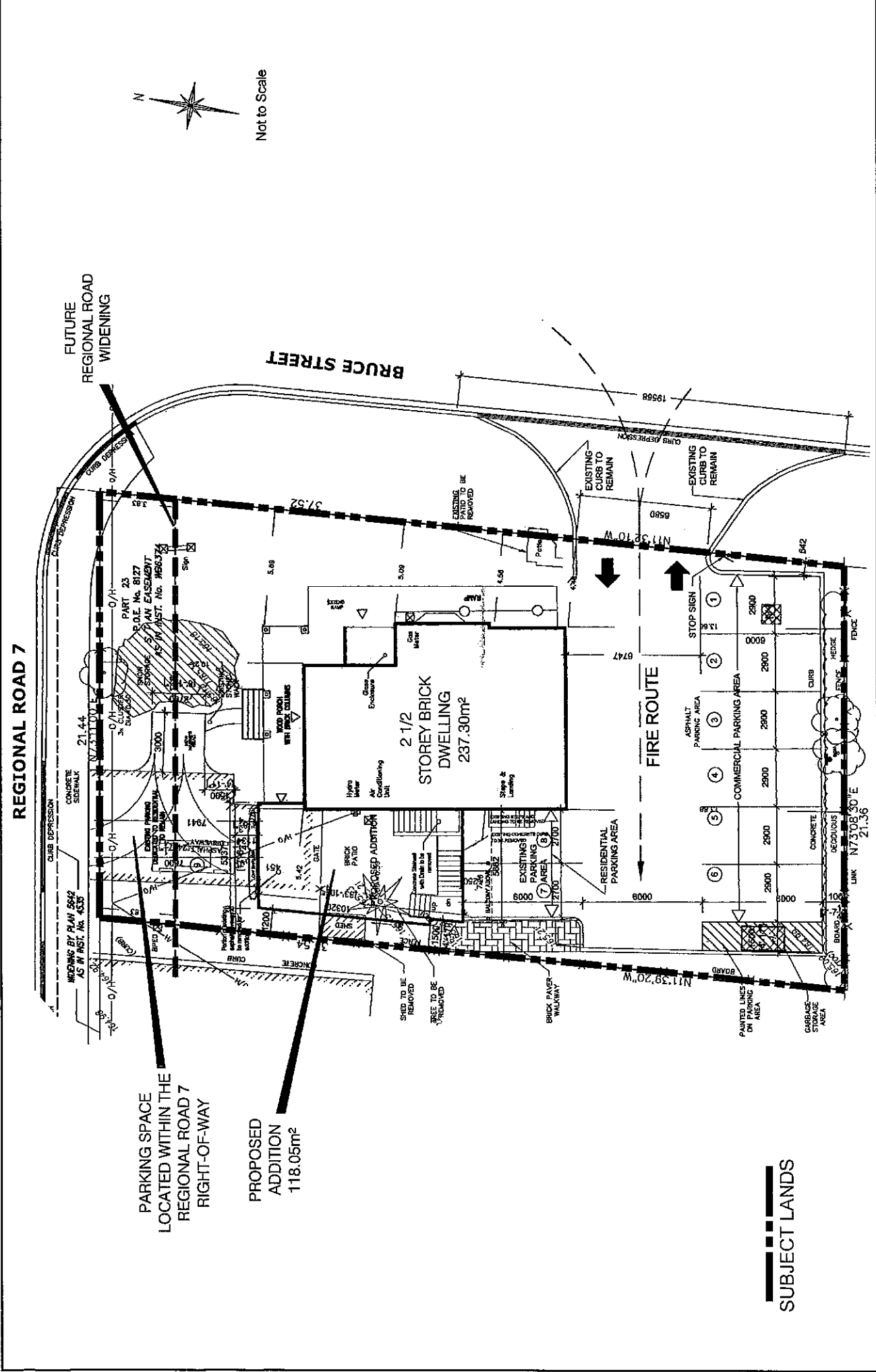


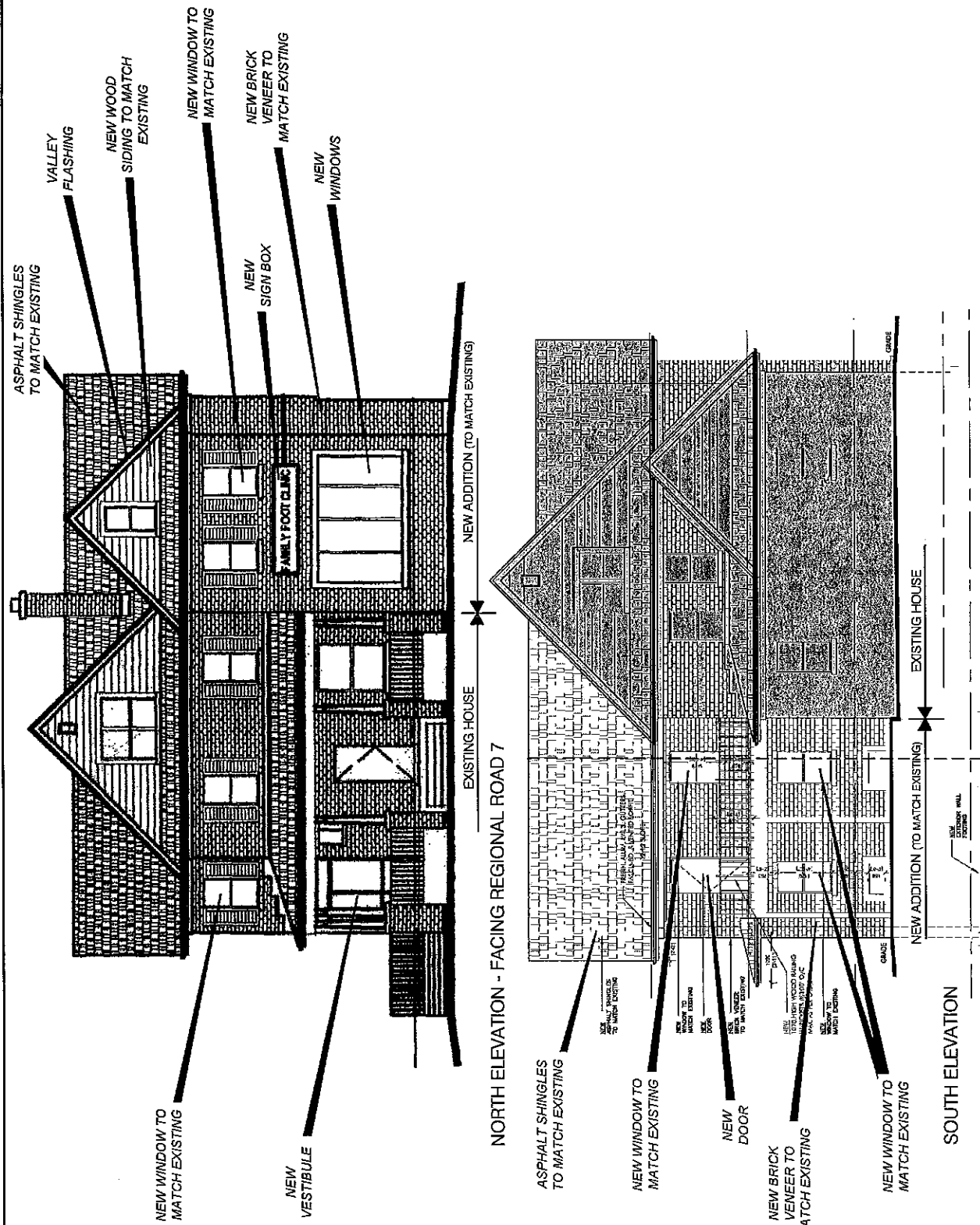
Attachment

File:
DA.12.066

Date:
October 26, 2012

2





Not to Scale

North & South Elevations

Location:
Part of Lot 5, Concession 7

Applicant:
Roberto F. Clausi

N:\DFT\1 ATTACHMENTS\DA\dc.12.066.dwg

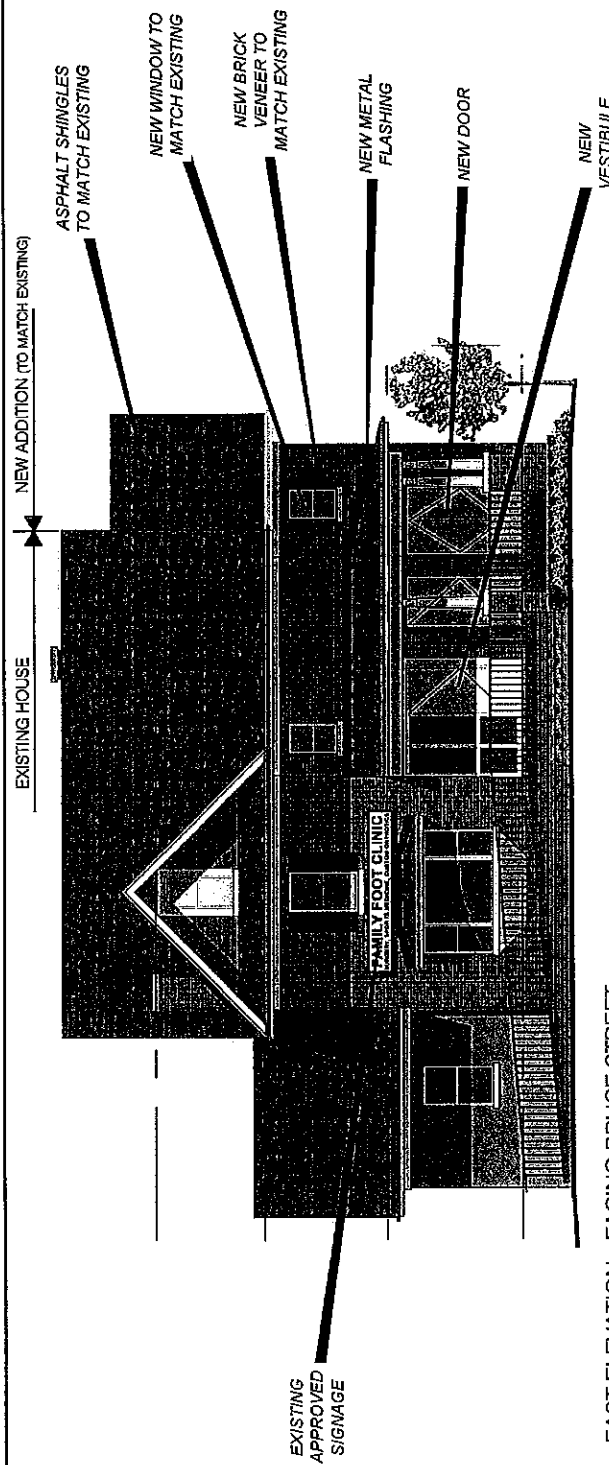


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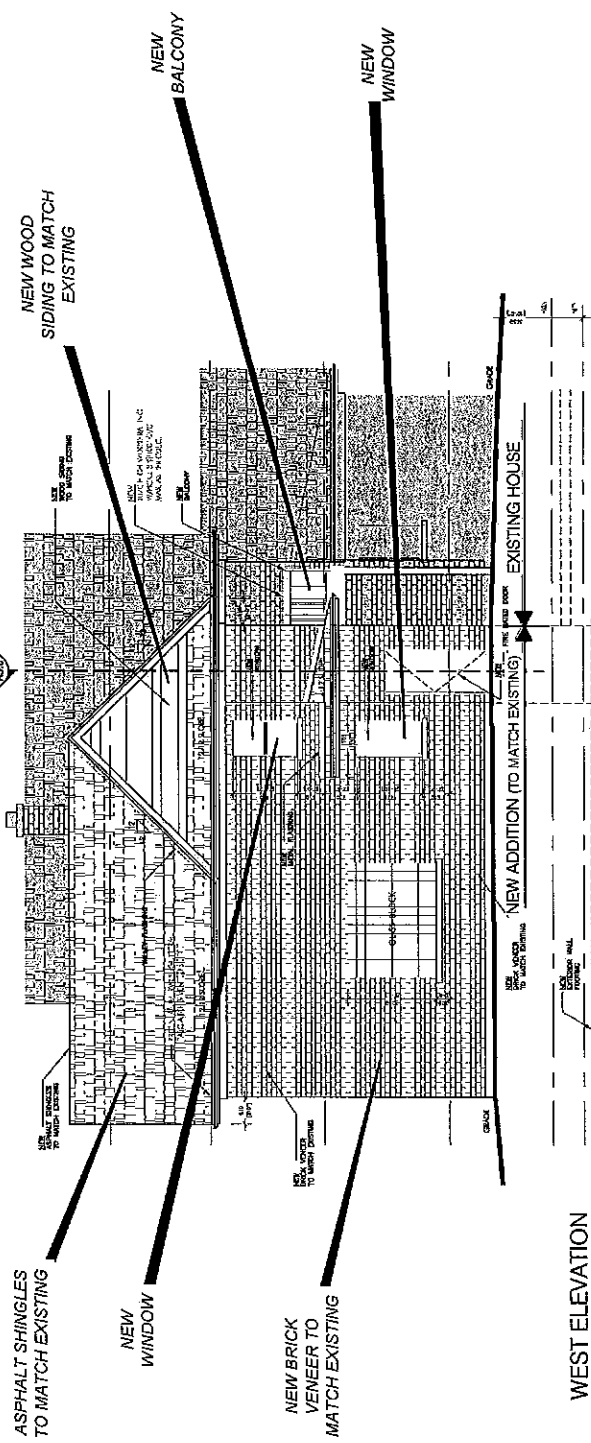
File:
DA.12.066

Date:
October 26, 2012

5



EAST ELEVATION - FACING BRUCE STREET



WEST ELEVATION

Not to Scale

East & West Elevations

Location:
Part of Lot 5, Concession 7

Applicant:
Roberto F. Clausi

N:\DFT\1 ATTACHMENTS\DA\da.12.066.dwg



Attachment

File:
DA.12.066

Date:
October 26, 2012

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