

**1.    ZONING BY-LAW AMENDMENT FILE Z.03.055  
      BUNBURY CANADA INC.  
      PRELIMINARY REPORT**

**P.2003.65**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.03.055 (Bunbury Canada Inc.) BE RECEIVED, and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

**Purpose**

On July 30, 2003, the owner submitted an application to amend the Zoning By-law to maintain the existing pool, cabana shed, wood deck, retaining wall and tennis court in the Open Space portion of the lot.

**Background - Analysis and Options**

The site is located northwest of Teston Road and Bathurst Street, being Lot 2 on Plan 65M-2138, and Block A on Plan M-1731 (38 Silver Fox Place), in Lot 29, Concession 2, City of Vaughan.

The lands were designated "Estate Residential" by OPA 601 and zoned RR Rural Residential and OS1 Open Space Conservation Zone by By-law 1-88, subject to Exception 9(322) and 9(173). On June 23, 2003, Council adopted OPA 604, redesignating the lands to "Countryside Area", and enacted By-law 242-2003 to rezone the OS1 lands to OS5 Open Space Environmental Protection Zone. OPA 604 and By-law 242-2003 satisfied the requirements to bring Vaughan's Official Plan and Zoning By-law into conformity with the Oak Ridges Moraine Plan, and are presently awaiting final Provincial approval. The surrounding land uses are as follows:

- North - residential (RR Rural Residential Zone)
- South - residential and open space (RR Rural Residential and OS1 Open Space Conservation Zones)
- East - Silver Fox Place; residential (RR Rural Residential Zone)
- West - open space (OS1 Open Space Conservation Zone)

On August 22, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Kleinburg & Area Ratepayers Association. To date, no comments have been received. Any responses received will be addressed in the technical review and included in a comprehensive staff report to a future Committee of the Whole meeting.

**Preliminary Review**

Following a preliminary review of the proposed applications, Staff has identified the following matters to be reviewed in greater detail:

- the subject lands are designated "Countryside Area", and adjacent to a "Natural Core Area", by Oak Ridges Moraine Conservation Plan (Ontario Regulation 140/02), and OPA 604 (adopted by Council June 23, 2003, subject to final approval by MMAH). The application is required to conform to the sections of the ORMCP that relate to the Countryside Area, with a supporting submission addressing the applicable provisions of the ORMCP.

- the RR Rural Residential Zone under By-law 1-88 has a site-specific exception that permits all buildings and structures to be erected, maintained and replaced within a defined “Building Envelope”; a zoning by-law amendment is required to maintain the existing structures outside of that building envelope;
- a zoning exception is required to recognize the existing structures in the OS5 Open Space Environmental Protection Zone; Toronto and Region Conservation Authority approval is required; and
- consideration will be given to the appropriateness of the structures located in the OS5 Open Space Conservation Zone.

### **Conclusion**

The above issues, but not limited to, will be considered in the technical review of the application, together with comments of the public and Council expressed at the public hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, Staff will review the appropriateness and compatibility of the existing structures within the open space portion of the lot, in accordance with the policies of the Oak Ridges Moraine Conservation Plan.

### **Attachments**

1. Location Map
2. Site Plan

### **Report prepared by:**

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Respectfully submitted,

MICHAEL DeANGELIS  
Commissioner of Planning

JOANNE R. ARBOUR  
Director of Community Planning

/CM



SUBJECT LANDS

N:\DPT\1 ATTACHMENTS\Z\03.055



**RR**

**OS1**

LOT 3  
P.I.N. 03342-0145

REGISTERED  
LOT 2  
P.I.N. 03342-0145

REG'D PLAN M-1731  
BLOCK A  
P.I.N. 03342-0141

PLAN 65M-2138

LOT 1  
P.I.N. 03342-0144

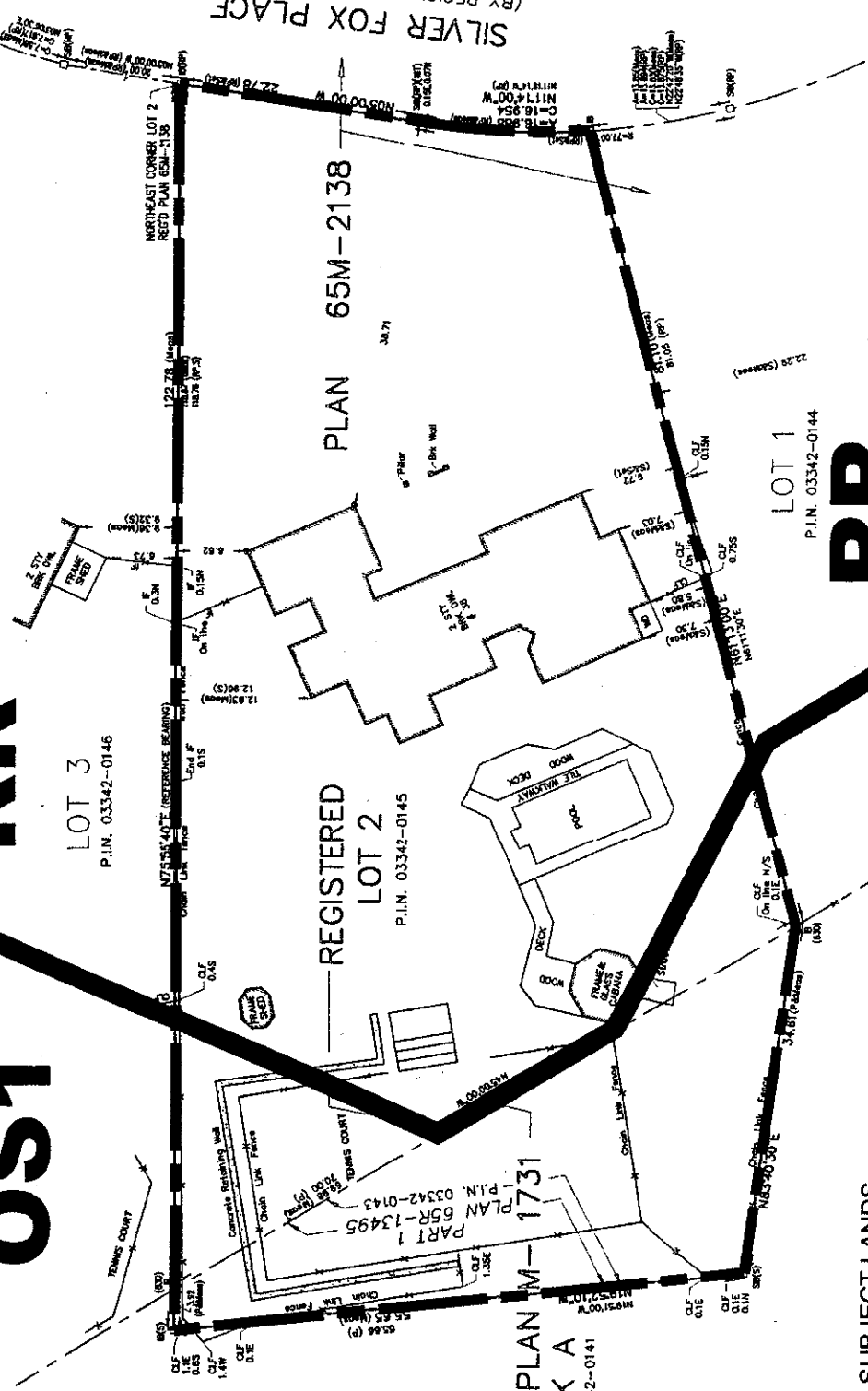
**RR**

**OS1**

SUBJECT LANDS



SILVER FOX PLACE  
(BY REGISTERED PLAN 65M-2138)  
P.I.N. 03342-0222



# Site Plan

Part Lot 29,  
Concession 2

APPLICANT:  
BUNBURY CANADA INC.

City of  
**Vaughan**

Community Planning Department

# Attachment

# 2

FILE No.:  
Z.03.055

Not to Scale  
August 15, 2003