

COMMITTEE OF THE WHOLE (PUBLIC HEARING) AUGUST 20, 2001

**AMENDMENT TO THE OFFICIAL PLAN FILE OP.01.011
S. & F. MAMMONE, ET AL
PRELIMINARY REPORT**

P.2001.54

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File OP.01.011 (S. & F. Mammone) BE RECEIVED; and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On June 22, 2001, the Owner submitted an application to amend the Official Plan to facilitate the severance of a 8.09 ha site into two lots, as follows:

	<u>Area</u>	<u>Frontage</u>
Required	10 ha	100 m
Lot 1	2.85 ha	157.0 m
Lot 2	5.36 ha	419.7 m

Background - Analysis and Options

Land Use Status

On March 5, 2001, a public hearing was held with respect to related Zoning Amendment Application File Z.01.002 (S. & F. Mammone Et Al). The recommendation of the Committee of the Whole, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on March 12, 2001. The preliminary report concluded that the proposed development did not conform to the policies of the Official Plan.

The site is located at the northeast corner of Kirby Road, and Cold Creek Road, in Lot 31, Concession 10, City of Vaughan. The subject lands are designated "Rural Use Area", "Valley and Stream Corridor", and "Classified Wet Lands" by OPA #600, and zoned A Agricultural by By-law 1-88. The 8.09 ha parcel, with 576.7 m of frontage on the north side of Kirby Road, is developed with a one-storey brick dwelling and barn. The surrounding land uses are:

- North - agricultural (A Agricultural Zone)
- South - Kirby Road; agricultural (A Agricultural Zone)
- East - CP Railway (A Agricultural Zone)
- West - Cold Creek Road; agricultural (A Agricultural Zone)

On July 27, 2001, a notice of public hearing for the subject Official Plan Amendment Application was circulated to all property owners within 120 m of the subject lands. No comments have been received to date. Any responses received will be addressed in the technical review and included in the detailed staff report.

Preliminary Review

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

- the proposed development does not conform to the severance policies of OPA #600, which permit severances for a minor boundary adjustment; to create a lot for a retiring farmer or his widow(er); and, on lands designated “hamlet” or located between existing non-farm residences.
- the proposed development is contrary to both the objectives of the York Region Plan and OPA #600, to protect the viability of agricultural operations; the site is less than the required minimum 10 ha lot area, being legal non-conforming; the proposed severance would further reduce the farming viability of the lands;
- the potential for creating a precedent for similar proposals in the rural area will be considered; and,
- under City policy, the applicant will be required to submit a Phase 1 Environmental Site Assessment prior to proceeding with a technical review, as the proposed residential use is more sensitive than the current agricultural use.

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. Staff will review the application in the context of the “Rural Area” policies to determine the suitability of the proposed development.

Attachments

1. Location Map
2. Site Plan

Report Prepared By:

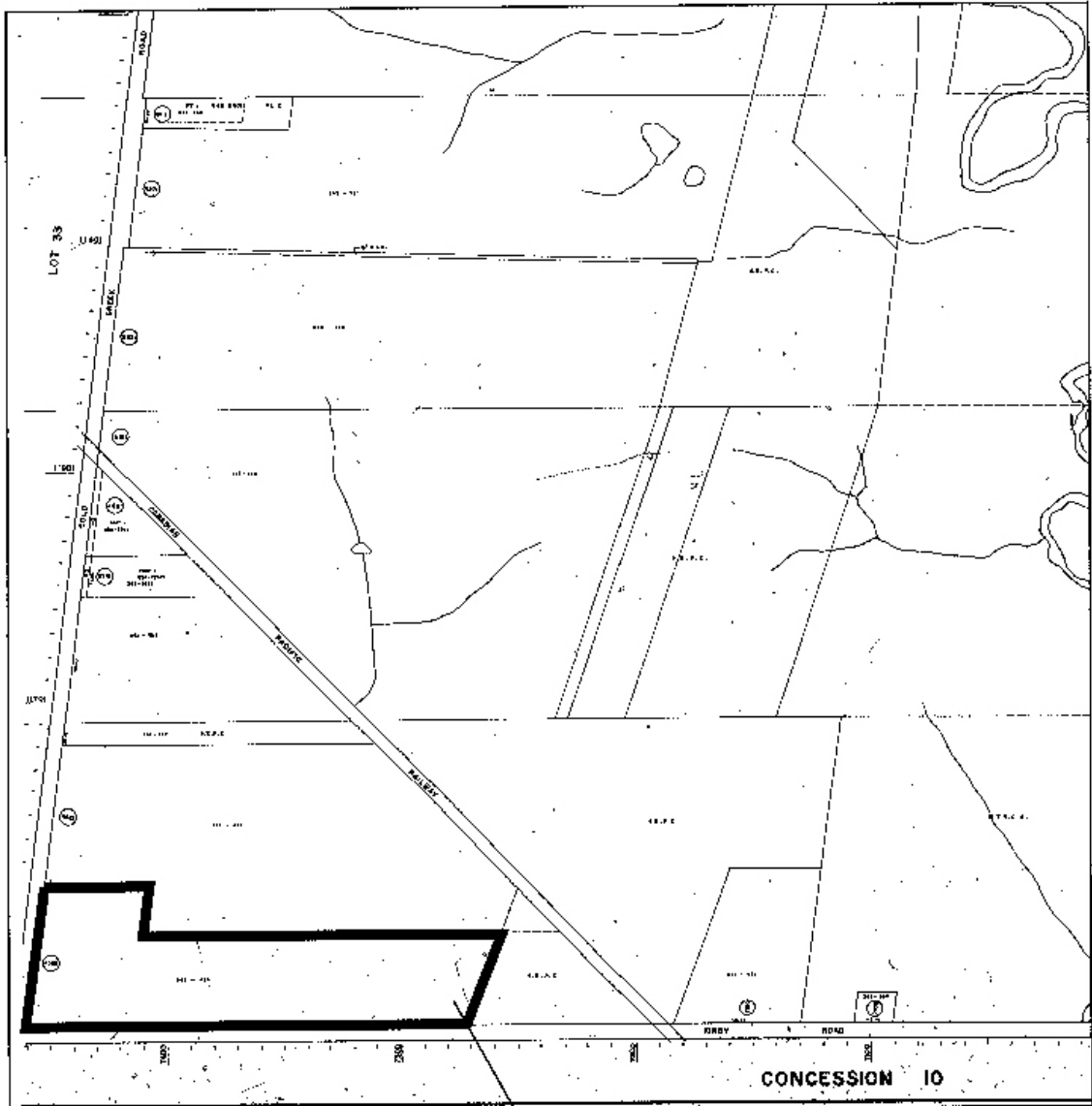
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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM



SUBJECT LANDS

ATTACHMENT '1'
LOCATION MAP

FILE #:	REPORT #:	DATE: 03/07/2001
OP.01.011	LOCATION:	SCALE: NOT TO SCALE
RELATED #	LOT 31, CONC. 10	CITY OF VAUGHAN PLANNING DEPARTMENT
Z.01.002		

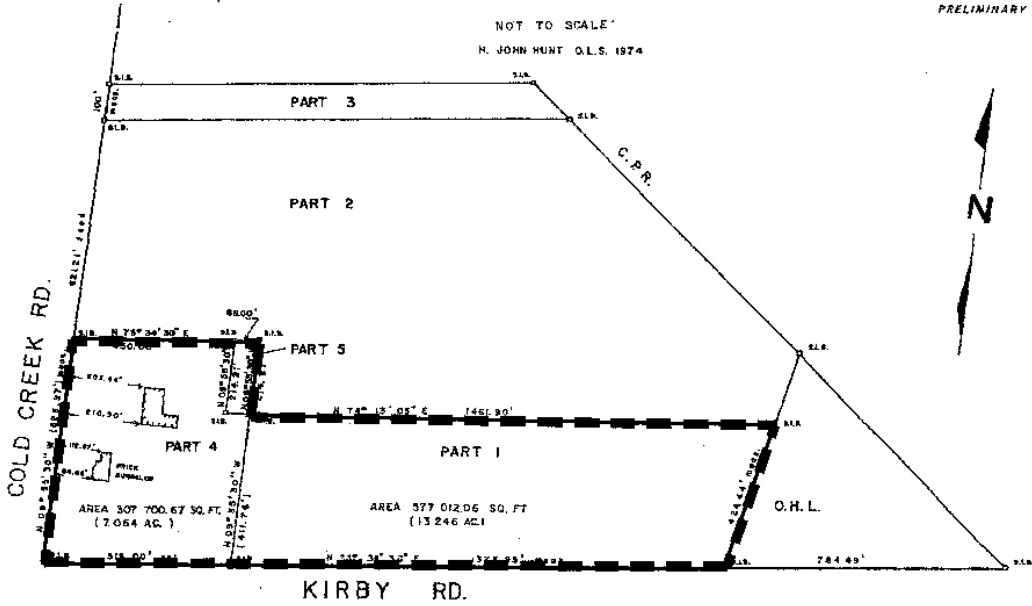
APPLICANT:
SANDRA AND FRANCO MAMMONE, ET AL

E04
RN 5945
MILAS

PLAN OF SURVEY OF
PART OF LOT 31, CONCESSION 10
TOWN OF VAUGHAN

NOT TO SCALE
M. JOHN HUNT O.L.S. 1974

PRELIMINARY PLAN



ATTACHMENT "2"
SITE PLAN

FILE #:	REPORT #:
OP.01.011	LOCATION:
RELATED #	PT LOT 31, CONC.10
Z.01.002	

SUBJECT LANDS

CITY OF VAUGHAN
PLANNING DEPARTMENT

DATE:	03/07/2001
SCALE:	NOT TO SCALE
APPLICANT:	SANDRA AND FRANCO MAMMONE, ET AL