

**5. ZONING BY-LAW AMENDMENT Z.03.010
 JOE PANDOLFO
 PRELIMINARY REPORT**

P.2003.49

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.03.010 (Joe Pandolfo) BE RECEIVED, and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On February 4, 2003, the Owner submitted an application to amend the Zoning By-law to permit a second dwelling on a 30 ha lot in the A Agricultural Zone. The By-law requires a minimum lot area of 35 hectares to permit a second dwelling.

Background - Analysis and Options

The site is located on the west side of Pine Valley Drive, north of Major Mackenzie Drive (10390 Pine Valley Drive) in Lot 23, Concession 7, City of Vaughan.

The site is designated "Urban Area" and "Valley Stream Corridor" by OPA #600, and zoned A Agricultural Zone by By-law 1-88. The lands are currently developed with a residential dwelling. The surrounding land uses are:

- North - agricultural (A Agricultural Zone)
- South - agricultural (A Agricultural Zone)
- East - Pine Valley Drive; agricultural (A Agricultural Zone)
- West - agricultural (A Agricultural Zone)

On February 28, 2003, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Kleinburg and 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 application, Staff has identified the following matters to be reviewed in greater detail:

- the Official Plan stipulates that lands designated as "Urban Area" shall remain subject to the "Rural Use Area" policies until redesignated to a specific urban land use category, by an amendment to the Plan.
- the "Rural Use Area" policies permit secondary dwellings, subject to certain criteria; the application is considered to conform to the Official Plan;
- the Zoning By-law permits an additional dwelling on a lot in the A Agricultural Zone, provided the lot has a minimum area of 35 ha; an exception is needed as the subject lands have a lot area of approximately 30 ha;

- additional site-specific exceptions to the zone standards, such as setbacks, may be required for the existing and proposed structures;
- the City is currently reviewing the Block 40/47 Plan (Pine Heights Estates) that encompasses the subject lands; review of the subject proposal is premature pending approval of the Block Plan;
- upon submission of a draft plan of subdivision, it can be determined if the location of the second dwelling will not jeopardize the future road and lotting patterns in this area of the Block;
- the second dwelling is proposed to be situated to the rear of the neighbouring dwelling as an addition to an existing out-building, and accessed by an extension of the primary driveway adjacent to the neighbouring sideyard; the appropriateness of the proposal will be considered in terms of the overall use of the property, access, and impact on the neighbouring property;
- the applicant must submit a Phase 1 Environment Site Assessment in support of the application; and
- consideration will be given to the precedent for similar applications for development ahead of comprehensively planned development through subdivision plans within the Block Plan areas, and the potential expectation for a future severance of the secondary dwelling lot without street frontage.

Conclusion

The above issues, but not limited too, 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, pending approval of the Block 40/47 Block Plan.

Attachments

1. Location Map
2. Existing Site Plan
3. Site Concept Plan

Report prepared by:

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Respectfully submitted,

MICHAEL DeANGELIS
 Commissioner of Planning

JOANNE ARBOUR
 Director of Community Planning

/CM



Location Map

Part of Lot 23,
Concession 7

APPLICANT:
JOE PANDOLFO

City of Vaughan

Community Planning Department

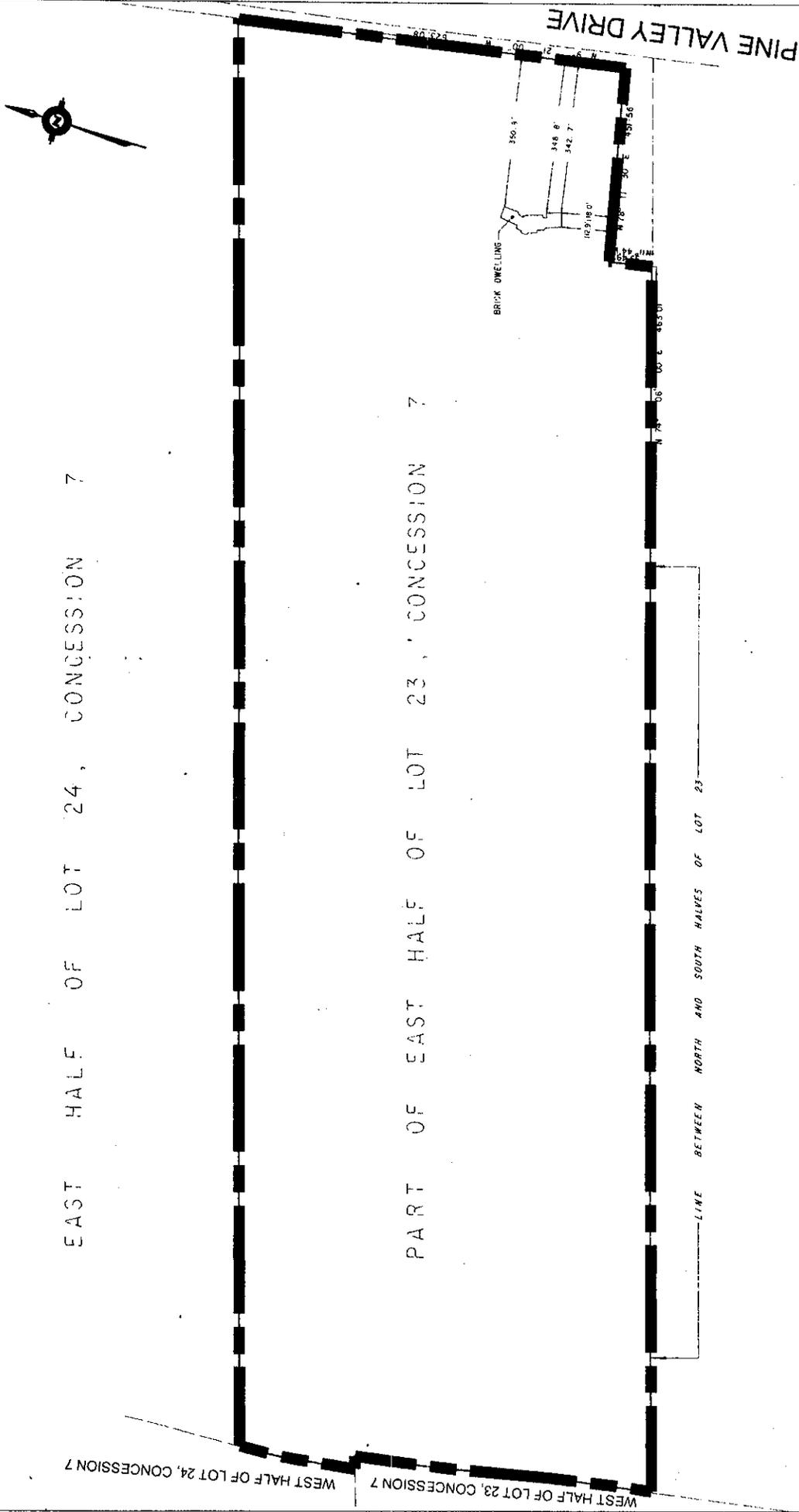
Attachment

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FILE No.:
Z-03.010

Not to Scale

February 11, 2003



SUBJECT LANDS

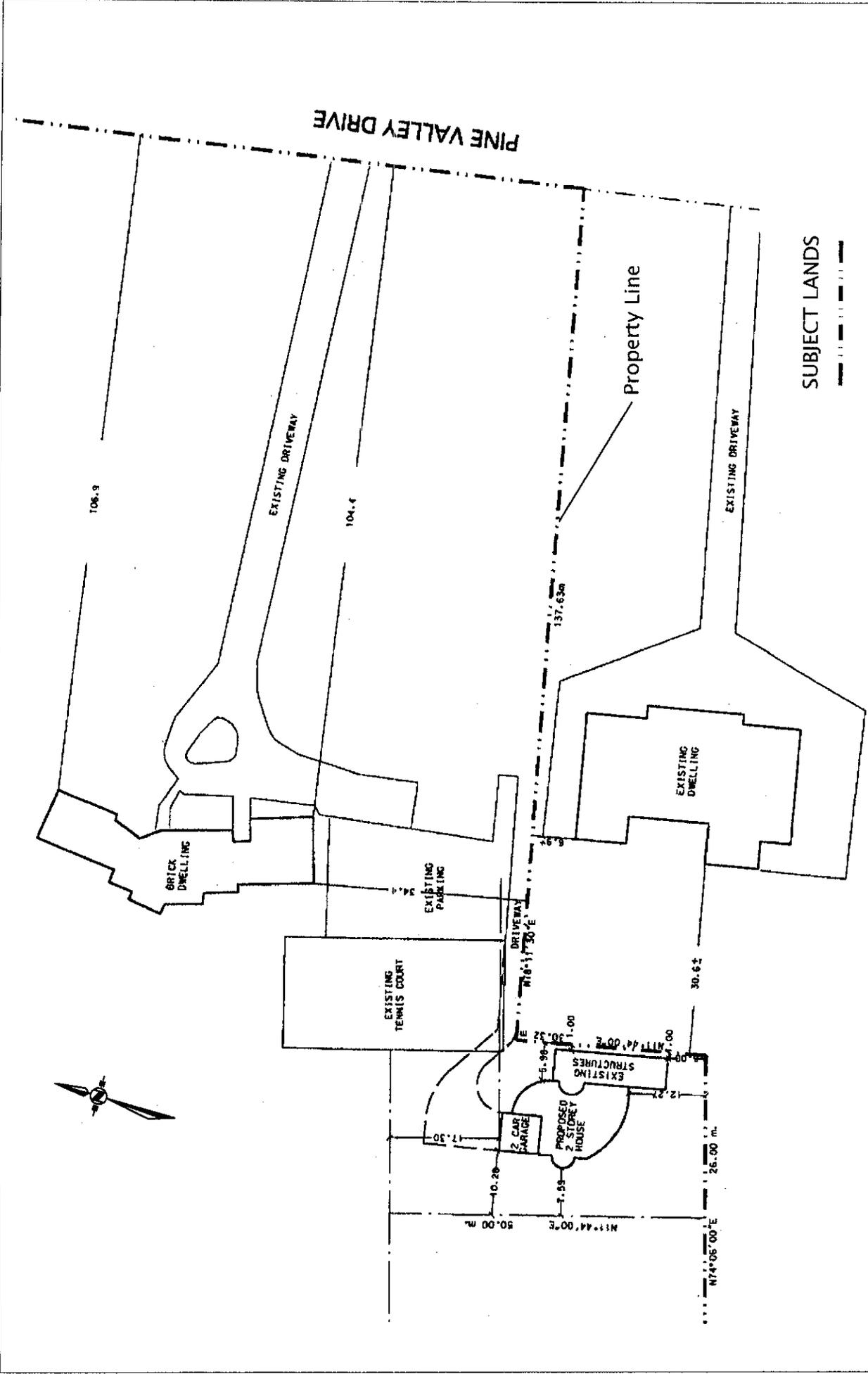

Existing Site Plan

Part of Lot 23,
 Concession 7
 APPLICANT:
 JOE PANDOLFO



Community Planning Department

Attachment 2
 FILE No.:
 Z.03.010
 Not to Scale
 March 12, 2003



Site Concept Plan

Part of Lot 23,
Concession 7
 APPLICANT:
JOE PANDOLFO



Community Planning Department

Attachment 3

FILE No.:
 Z.03.010
 Not to Scale
 March 12, 2003