

**2.      ZONING AMENDMENT FILE Z.03.050  
TORONTO AND REGION CONSERVATION AUTHORITY  
PRELIMINARY REPORT**

**P.2003.57**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.03.050 BE RECEIVED, and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

**Purpose**

On July 17, 2003, the TRCA submitted an application to amend the Zoning By-law to rezone a 1.5m x 14.4m strip of TRCA owned lands from OS1 Open Space Conservation Zone to R1 Residential Zone in order to facilitate the severance and conveyance of the subject lands to the adjacent residential lot fronting onto Chatsworth Court.

**Background - Analysis and Options**

**Background**

On September 30, 1988, the TRCA approved the sale of the subject lands to the former owner of 71 Chatsworth Court to construct a suitable retaining wall to provide the required stability to the slope at the rear of this residential property. The wall was built by the developer of the area, as required under the terms of the Subdivision Agreement. One of the conditions of the Authority's approval was that the Owner remove the pump house located on the subject lands. This work was not completed until the late 1990's when the residential property was sold and the current owner requested that the transaction be completed. On July 3, 2003, the Minister of Natural Resources approved the disposal of the subject lands to rectify the encroachment violation of TRCA Ontario Regulation 158. Under the current TRCA policies, the structures would be required to be removed and the area restored to a natural state.

The site is located southeast of Rutherford Road and Clarence Avenue, being Part of Block 103 on Registered Plan 65M-2514 (Part 1 on Reference Plan 65R-13880), in Lot 14, Concession 7, City of Vaughan. The subject lands form the most easterly part of the pool deck at the rear yard of the residential (71 Chatsworth Court) property. The deck is enclosed with a 14.4m x 1.5m chain link fence and retaining wall being used to stabilize the slope at the rear of the property.

The site is designated "Drainage Tributary" by OPA 240 (Woodbridge Community Plan) and zoned OS1 Open Space Conservation Zone by By-law 1-88, subject to Exception 9(763). The surrounding land uses are:

- North - open space (OS1 Open Space Conservation Zone)
- South - detached units (R1 Residential Zone)
- East - valleylands (OS1 Open Space Conservation Zone)
- West - detached units (R1 Residential Zone)

On August 8, 2003 a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Islington Woods Community and Belvedere Estates Ratepayers Associations. 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 subject lands are designated "Drainage Tributary" by OPA #240 (Woodbridge Community Plan), and are subject to the Drainage Tributary policies of Section 6.B. Subsection 6.B (e) states that the limits of drainage tributaries shall be determined by the TRCA through the development process;
- the TRCA has determined that the subject lands are no longer a functioning part of the drainage tributary feature, but with the addition of the retaining wall, now functions as part of the residential lot; and
- the By-law states that any lands in the OS1 Zone shall only be rezoned when such lands are filled to the satisfaction of the Toronto and Region Conservation Authority and the City.

### 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.

### 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



# Location Map

Part Lot 14,  
Concession 7

APPLICANT:  
Toronto And Region Conservation Authority

MAP # 1 ATTACHMENT VAZ.03.050



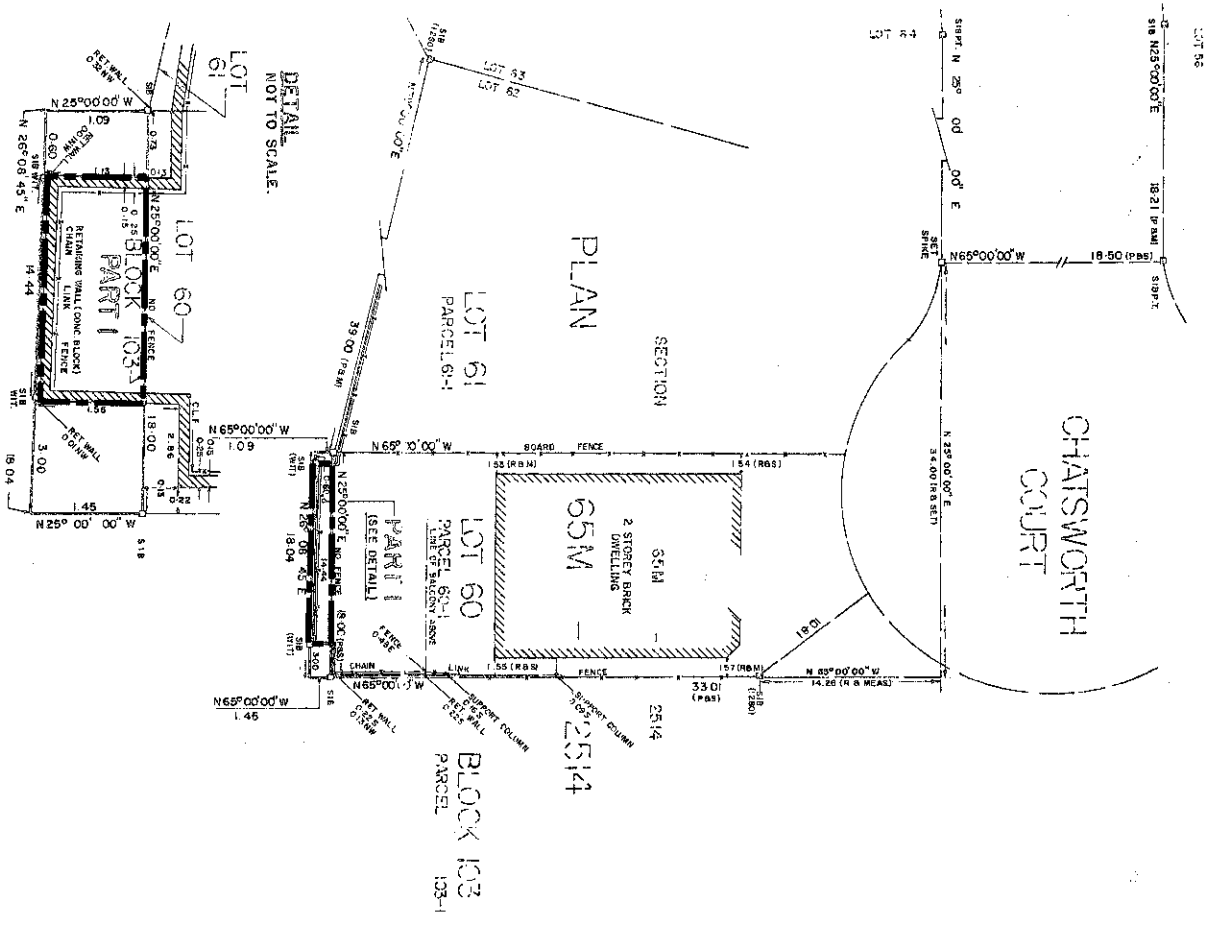
Community Planning Department

# Attachment

FILE No.:  
Z.03.050

Not to Scale  
August 1, 2003



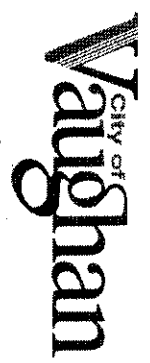


SUBJECT LANDS

# Site Plan

Part Lot 14,  
Concession 7

APPLICANT:  
Toronto And Region Conservation Authority



Community Planning Department

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# 2

MAP/PI ATTACHMENTS/VZ.03.050