

**5. ZONING BY-LAW AMENDMENT FILE Z.05.027
ROCCO BUSIELLO
PRELIMINARY REPORT**

P.2005.43

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.05.027 (Rocco Busiello) BE RECEIVED; and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Purpose

The Owner has submitted an application to extend the existing temporary use by-law applicable to the site for a further 3-year period. The current 3-year temporary use by-law (By-law 293-2002), which permits the same proposed uses on the subject lands shown on Attachment #1, will expire on September 23, 2005.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the north side of Major Mackenzie Drive, west of Weston Road, in Part of Lot 21, Concession 6, City of Vaughan.

The subject lands are designated "Medium Density Residential/Commercial" and further identified as a "Neighbourhood Commercial Centre" by OPA #600. The Block 40 South Plan designates the southerly portion of these lands as "Neighbourhood Commercial" and the northerly portion as "Low Density Residential". The Owner has been involved in the Block Plan process.

The subject lands are zoned A Agricultural Zone by By-law 1-88, subject to Exception 9(1058), which implemented By-law 293-2002, and permits the following restricted commercial uses within the existing concrete building shown on Attachment # 2 on a temporary basis:

- business or professional office, photography studio, service or repair shop and retail uses (restricted to the sale of patio and office furniture, crafts/pottery, and antiques).

By-law 293-2002 also requires that a 9.0m wide landscape strip be provided along Major Mackenzie Drive, that a minimum of 44 parking spaces be provided, and that no outside storage be located on the site. By-law 293-2002 provided for the extension of these temporary uses and provisions, which were originally permitted through By-law 293-1999. The temporary use provisions granted by By-law 293-2002 expires on September 25, 2005.

The surrounding land uses are:

- North - vacant (A Agricultural Zone)
- South - Major Mackenzie Drive; vacant/proposed residential (A Agricultural Zone)
- East - golf driving range (A Agricultural Zone)
- West- existing residential dwelling (A Agricultural Zone)

On May 27, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to the Vellore Woods Ratepayers Association and to the Millwood Woodend 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:

- OPA #600 permits temporary uses in future urban areas, subject to a number of criteria; the proposal will be reviewed in accordance with these policies and the surrounding land use context;
- the application will be reviewed in the context of the Block 40 South Block Plan; and
- the appropriateness of continuing the temporary use for an additional maximum period of 3 years, will be reviewed.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application together with comments from 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, the proposal to extend the existing temporary use by-law applicable to the site for an additional three years will be reviewed in the context of the Official Plan Policies respecting temporary uses, the Block Plan for Block 40 South, and the surrounding land uses.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

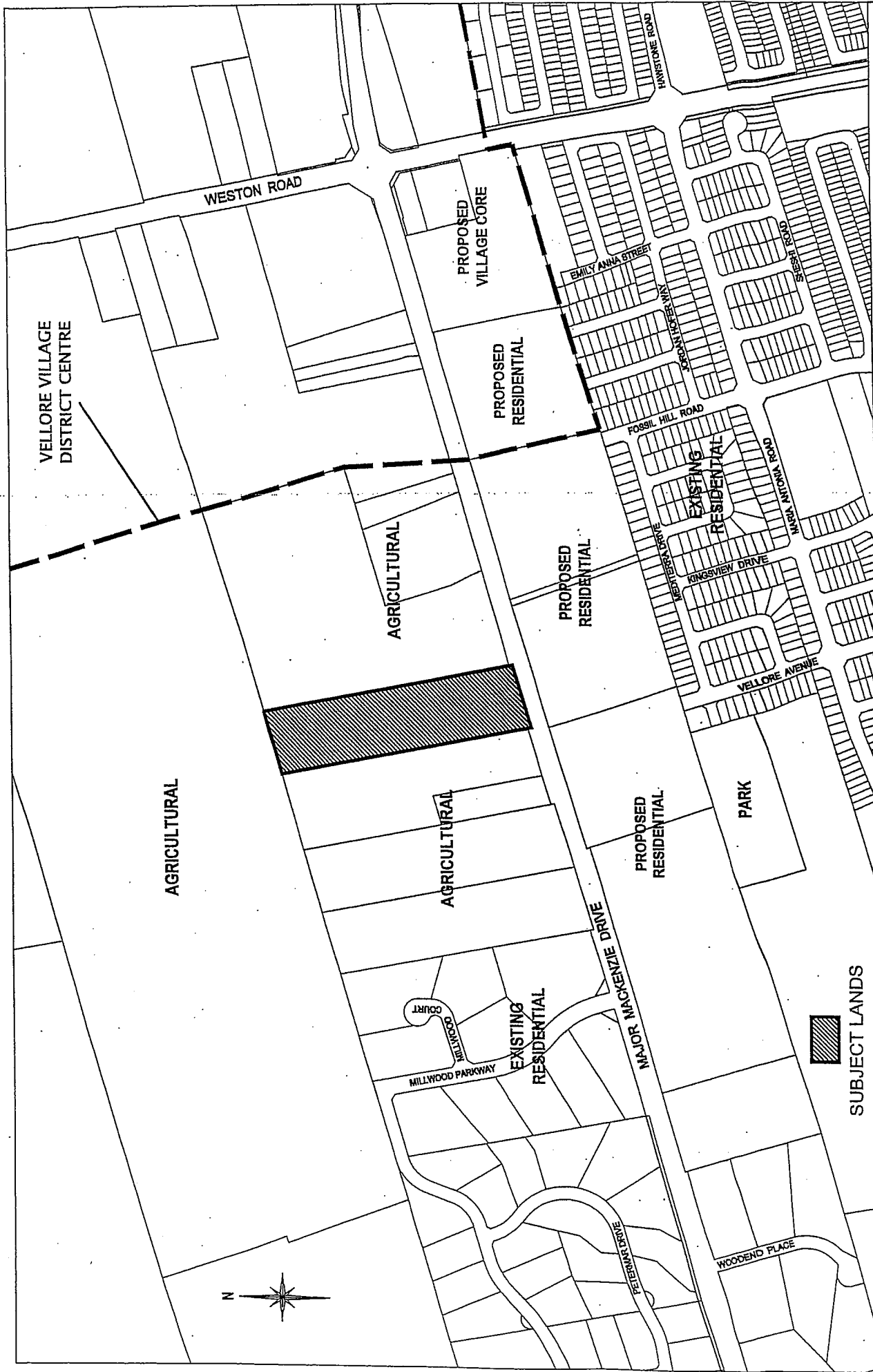
Laura Janotta, Planner, ext. 8634
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

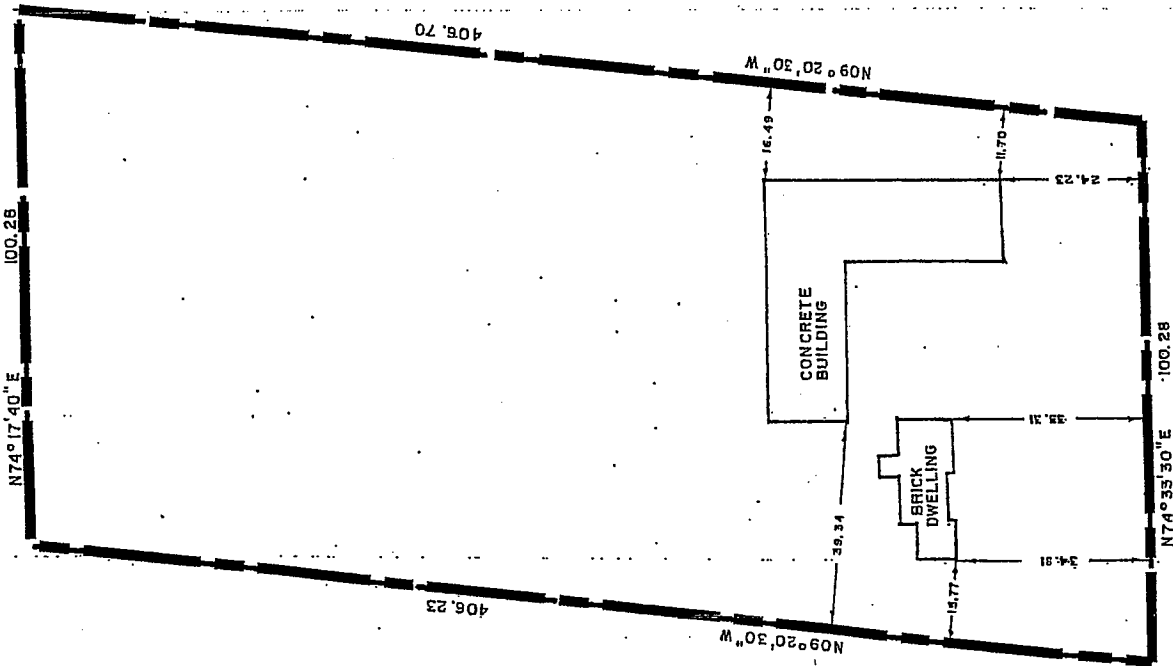
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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SUBJECT LANDS

Attachment 2

FILE No.: Z-05.027
May 19, 2005
Not to Scale



Development Planning Department

Site Plan

Part of Lot 21,
Concession 6
APPLICANT:
ROCCO BUSIELLO
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MAJOR MACKENZIE DRIVE