

**1.      ZONING BY-LAW AMENDMENT FILE Z.05.030  
         JOHN STANTE  
         PRELIMINARY REPORT**

**P.2005.47**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.05.030 (John Stante) 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 determined when the technical report is completed.

**Purpose**

The Owner has submitted an application to amend the Zoning By-law to facilitate the severance of a 1.06ha parcel of land into two (2) residential lots, as shown on Attachment #2. The future lots propose lot frontages of 60m (Lot 1) and 58.3m (Lot 2), and lot areas of 5305m<sup>2</sup> (0.5ha) and 5283m<sup>2</sup> (0.5 ha), respectively. This will require an amendment to the 'A' Agricultural Zone standards, which requires a minimum lot frontage of 100m and a minimum lot area of 10ha.

**Background - Analysis and Options**

The 1.06ha site shown on Attachment #1 is located on the south side of Kirby Road, west of Kipling Avenue (5511 Kirby Road), in Lot 30, Concession 8, City of Vaughan. The site is presently developed with a single-detached residential dwelling. The subject lands are surrounded to the west and south by an estate residential subdivision Plan 65M-2667.

The subject lands are within OPA No. 601 (Kleinburg-Nashville Community Plan) and designated "Suburban Residential", but also identified as being part of the East Humber (ESA) (North Portion). The lands are also designated "Protected Countryside" by the Greenbelt Plan. Section 5.2.1 of the Greenbelt Plan recognizes existing Official Plan designations and exempts further applications to implement official plan permissions. The lands are zoned 'A', Agricultural Zone by By-law 1-88, subject to Exception 9(320). The surrounding land uses are as follows:

- North - Kirby Road; estate residential subdivision 65M-2955 (RR Rural Residential Zone), agricultural lands (A Agricultural Zone), and open space (OS1 Open Space Conservation Zone)
- South - estate residential subdivision 65M-2667 (RR Zone)
- East - existing estate residential (RR Zone)
- West - estate residential subdivision 65M-2667 & 65M-2666 (RR Zone)

On August 12, 2005, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands, owners of Registered Plans 65M-2666, 65M-2667 and 65M-2955, 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, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- the proposal will be reviewed in the context of the surrounding land use, with particular consideration given to the appropriateness of the proposed residential infilling situation in

relation to the existing "Estate Residential" built form of the adjacent lots and whether the number of lots, lot area and lot frontage are appropriate;

- review the possibility of rezoning the subject lands from 'A' Agricultural Zone to RR Rural Residential Zone (consistent with adjacent estate residential development), together with any zoning exceptions required to implement the development to be identified and evaluated in the technical report;
- the lands front onto Kirby Road, a City road, and therefore, traffic, the design and location of the driveway accesses, and any necessary road improvements and/or widenings, will be considered by the Engineering Department; if lands are required to be dedicated to the City, consideration will be given to determining if this dedication of land will affect the proposal's lotting;
- review will be given to the proposal's conformity with the provisions of the Greenbelt Plan and OPA No. 601 (Kleinburg-Nashville Community Plan) in particular, the Suburban Residential and Environmental Policies of the Plan; and
- there is a significant amount of wooded area on the property; a tree inventory and assessment study and an Environmental Review submitted by the applicant's agent dealing with the impact of the proposal on the East Humber River Environmentally Sensitive Area (ESA 127) will be reviewed by the City and the TRCA.

#### **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, review will be given to the appropriateness of the proposed amendments to the 'A' Agricultural Zone standards to facilitate the intended severance of the subject lands into two residential lots, in accordance with the policies contained in OPA #601 (Kleinburg-Nashville Community Plan) and the Greenbelt Plan, the minimum lot area and lot frontage requirements in By-law 1-88, and the surrounding area context.

#### **Attachments**

1. Location Map
2. Preliminary Severance/Site Plan

#### **Report prepared by:**

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Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/CM



Development Planning Department

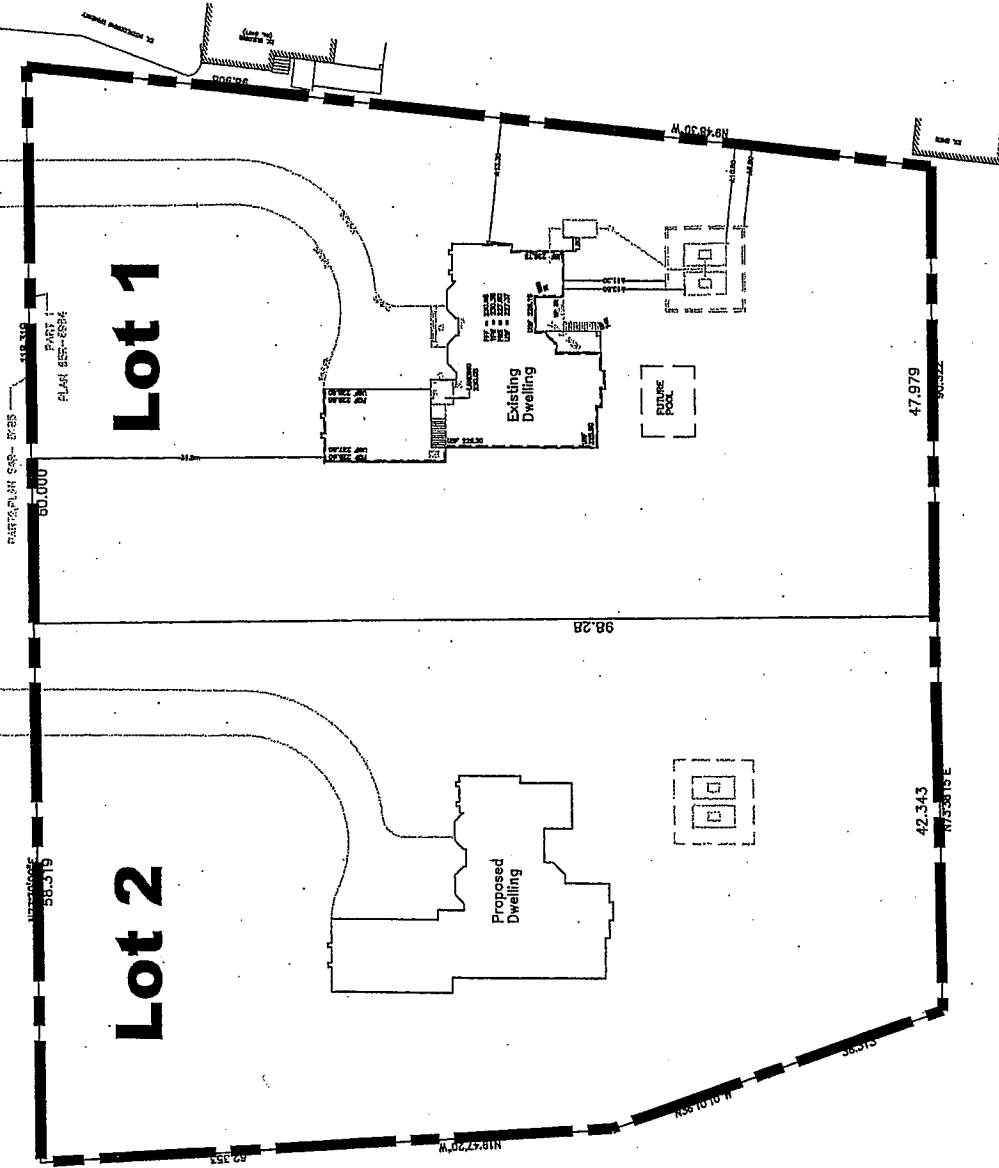
**Location Map**

Part Lot 30,  
 Concession 8  
 APPLICANT:  
 JOHN STANTE

N:\DPT\1 ATTACHMENTS\Z.05.030

KIRBY ROAD (ROAD ALLOWANCE BETWEEN LOTS 30 AND 31, CONCESSION 8)

PART 1A, EXIST. PLAN 7455



LOT 5, REGISTERED  
PLAN 65M - 2667

Lot 1

Lot 2

# Attachment 2

FILE No.: Z.05.030  
September 6, 2005  
Not to Scale

City of **Vaughan**  
Development Planning Department

## Preliminary Site Plan

Part Lot 30,  
Concession 8  
APPLICANT:  
JOHN STANTE