

**2. ZONING BY-LAW AMENDMENT FILE Z.09.024
MIRELLA VALELA
WARD 5**

P.2009.35

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.09.024 (Mirella Valela) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Hearing was circulated: October 19, 2009
- b) Circulation Area: 150 m
- c) Comments Received as of October 27, 2009: The Development Planning Department has received one e-mail from 2 residents on Old Jane Street stating their general objection to the proposed home occupation use in the existing established neighbourhood.

Purpose

To amend the City's Zoning By-law 1-88, specifically Section 4.1.5, Home Occupation, to permit a business or professional office for use by a lawyer to operate as a home occupation, which would be located within the garage (total 55.74 m²) of the existing residence at 11 Thornridge Drive, as shown on Attachment #3. By-law 1-88 restricts a home occupation use to the office of a regulated health professional.

Background – Analysis and Options

Location	<ul style="list-style-type: none">▪ West of Yonge Street, on the south side of Thornridge Drive, municipally known as 11 Thornridge Drive, shown as "Subject Lands" on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">▪ "Low Density Residential" by OPA #210 (Thornhill Community Plan). The proposal to permit a lawyer's office as a home occupation conforms to the Official Plan.

Zoning	<ul style="list-style-type: none"> ▪ R1V Old Village Residential Zone by By-law 1-88. ▪ An amendment to the Zoning By-law is required to permit a business or professional office for use by a lawyer, as a Home Occupation use on the property. By-law 1-88 restricts a home occupation use to the office of a regulated health professional.
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Preliminary Review

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Appropriateness of the Proposed Use	<ul style="list-style-type: none"> ▪ The appropriateness of permitting the proposed lawyer's office, its hours and days of operation and its location in the garage of the existing residential dwelling on the subject lands, will be reviewed in the context of the compatibility with the main residential use on the property and the surrounding land use context.
b.	Related Site Plan Application	<ul style="list-style-type: none"> ▪ The related Site Development Application (File DA.09.058) will be reviewed in the context of the applicable Zoning By-law 1-88 requirements outlined for a home occupation use, including the required number of parking spaces; no more than 3 persons shall be engaged in the proposed uses; and, no more than 25% of the gross floor area of the entire building is permitted to be devoted to the home occupation use. ▪ Any changes to the existing site (e.g. parking, landscaping, etc.) and to the dwelling (including signage) will be reviewed with respect to maintaining the existing character of the surrounding land uses.

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application 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 will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. North & South Elevations
5. East & West Elevations

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368
Carmela Marrelli, Senior Planner, ext. 8791
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

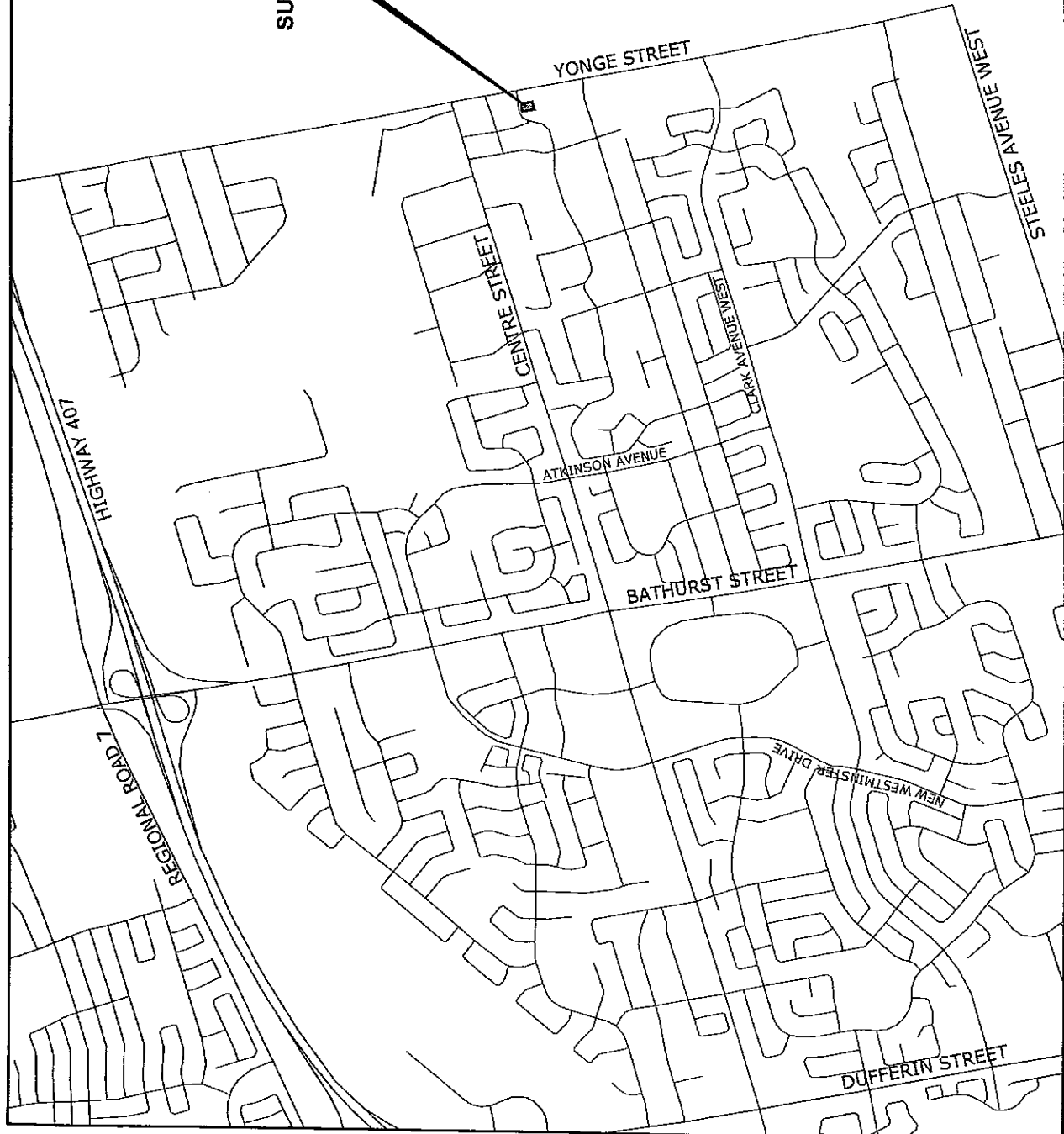
GRANT UYEYAMA
Director of Development Planning

/CM



Not to Scale

SUBJECT LANDS



TOWN OF
MARKHAM

Context Location Map

Location: Part of Lot 30,
Concession 1

Applicant:
Mirella Valela

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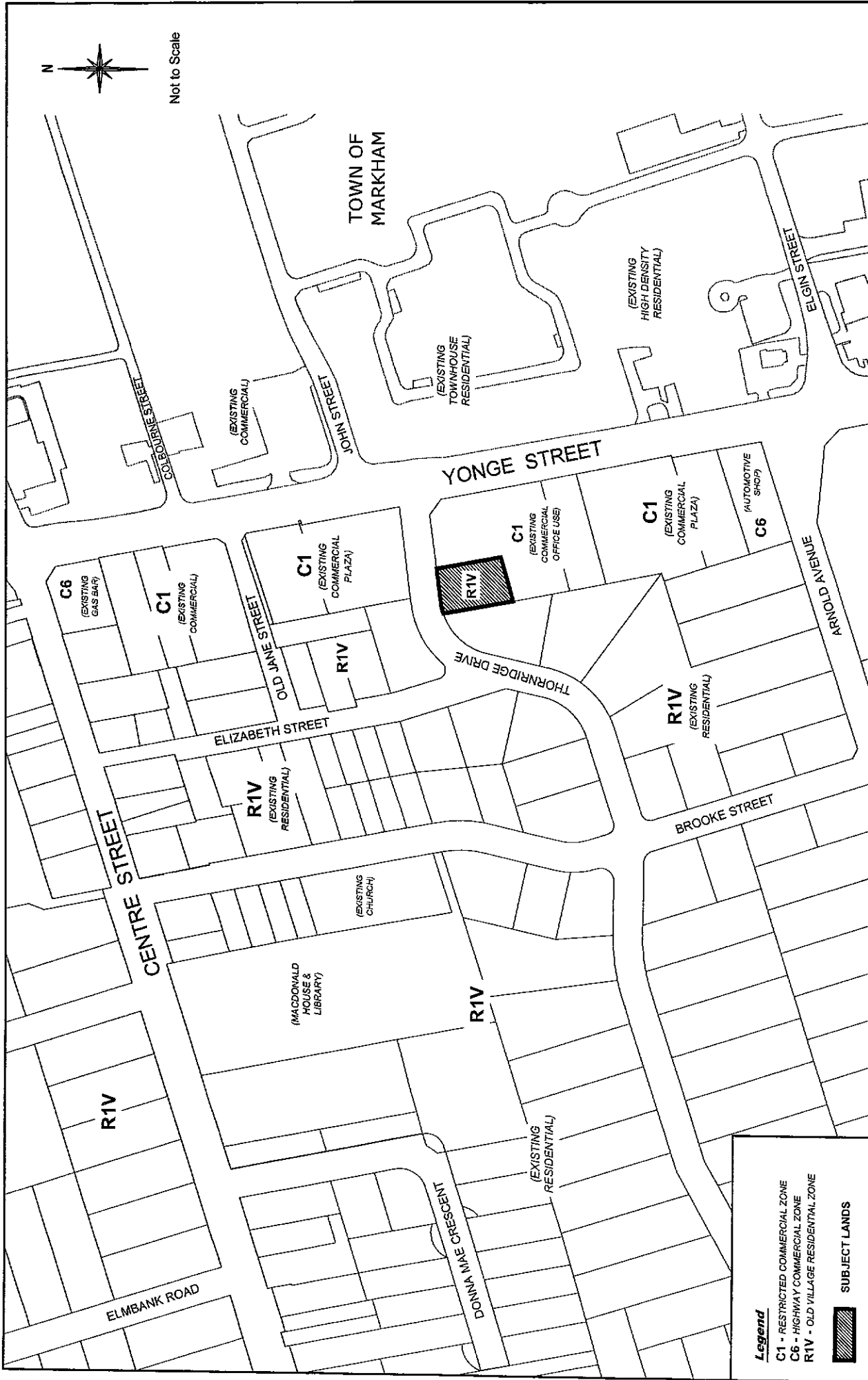
The City Above Toronto


Development Planning Department

Attachment 1

Files: Z.09.024 &
DA.09.058

Date:
October 16, 2009



Legend
 C1 - RESTRICTED COMMERCIAL ZONE
 C6 - HIGHWAY COMMERCIAL ZONE
 R1V - OLD VILLAGE RESIDENTIAL ZONE
 SUBJECT LANDS

Location Map

Location: Part of Lot 30,
 Concession 1

Applicant:
 Mirella Valela

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Attachment

Files: Z.09.024 &
 DA.09.058

Date:
 October 16, 2009



The City Above Toronto

Development Planning Department



THORNTRIDGE DRIVE

GARAGE
(55.74m²)

EXISTING
HOUSE

ZONING AMENDMENT

AMEND BY-LAW 1-88 TO PERMIT A BUSINESS AND PROFESSIONAL OFFICE FOR USE BY A LAWYER AS A HOME OCCUPATION WITHIN THE GARAGE OF THE EXISTING DWELLING ON THE SUBJECT PROPERTY (11 THORNTRIDGE DR.) BY-LAW 1-88 RESTRICTS A HOME OCCUPATION USE TO THE OFFICE OF A REGULATED HEALTH PROFESSIONAL.

■■■■■
SUBJECT LANDS

LOT 65
REGISTRAR'S COMPILED
PLAN 9834

Site Plan

Location: Part of Lot 30,
Concession 1

Applicant:
Mirella Valela

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The City Above Toronto

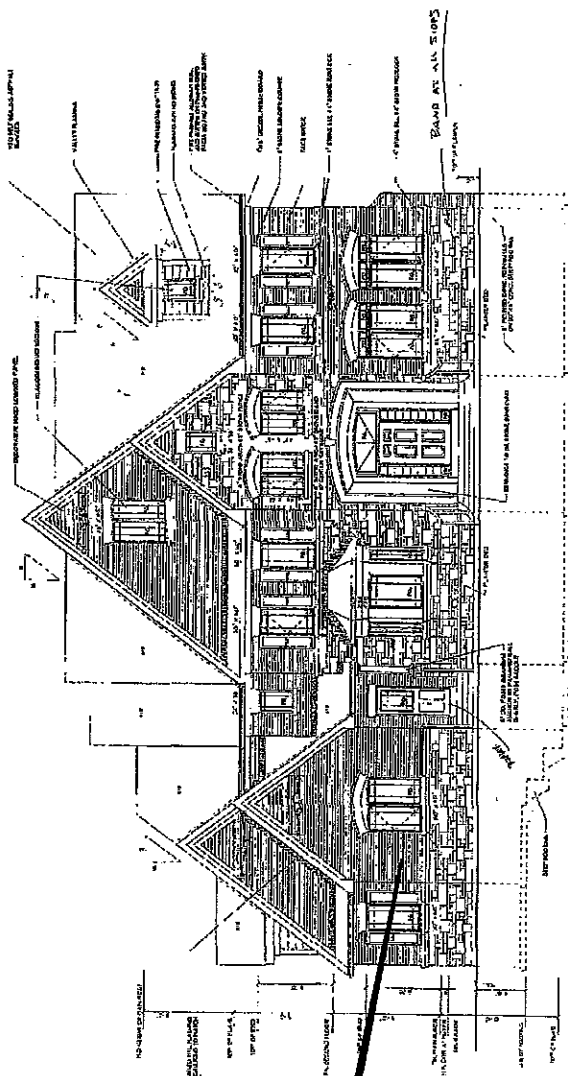
Development Planning Department

Attachment

Files: Z.09.024 &
DA.09.058

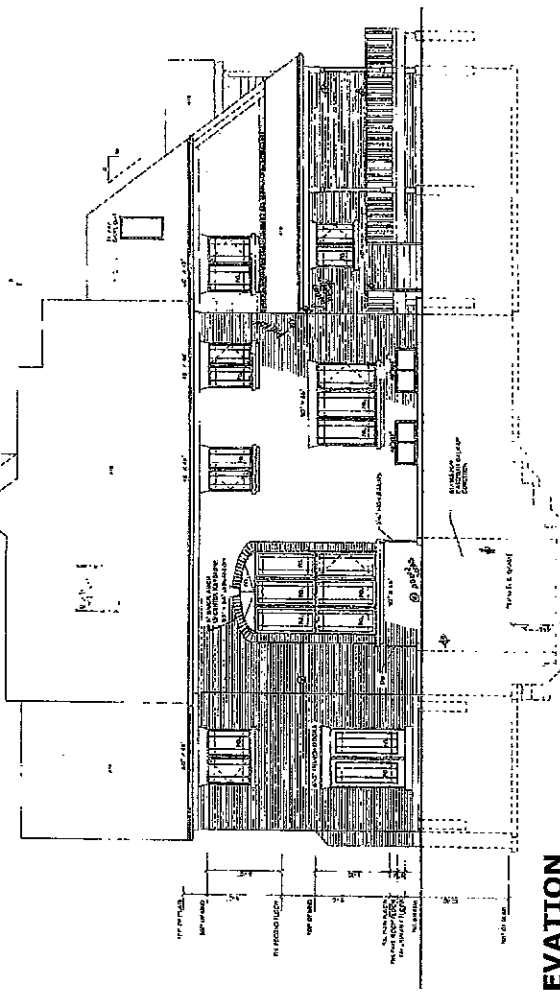
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Date:
October 16, 2009



EXISTING GARAGE AREA

NORTH (FRONT) ELEVATION - FACING THORNTRIDGE DRIVE



SOUTH (REAR) ELEVATION

Not to Scale

North & South Elevations

Location: Part of Lot 30,
Concession 1

Applicant:
Mirella Valela

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The City Above Toronto

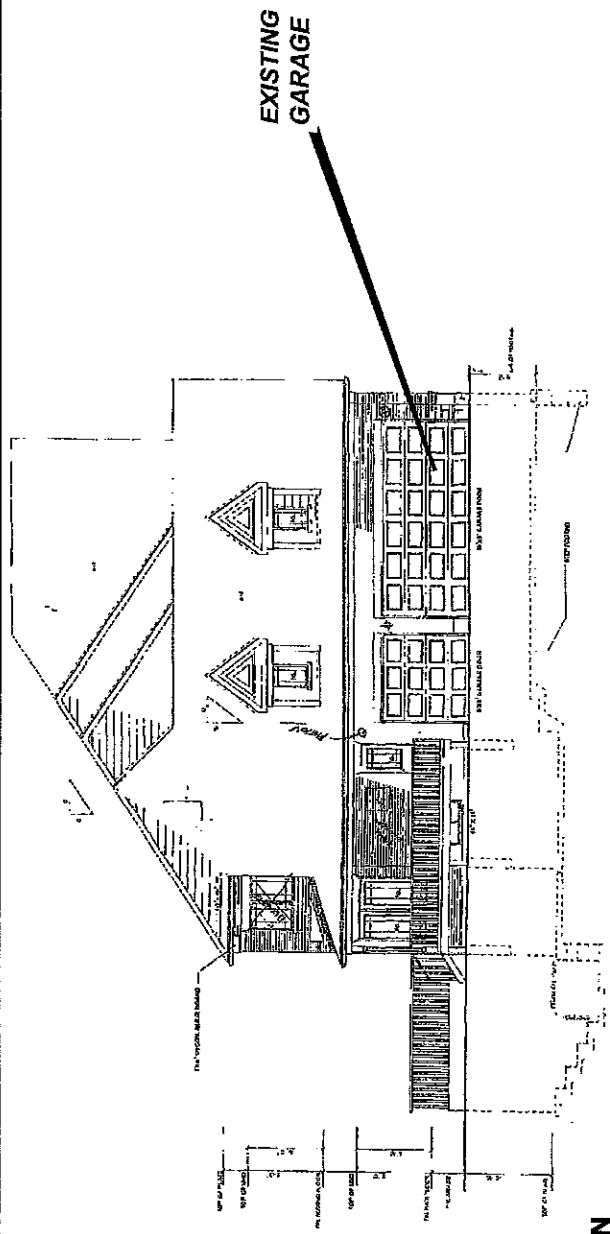
Development Planning Department

Attachment

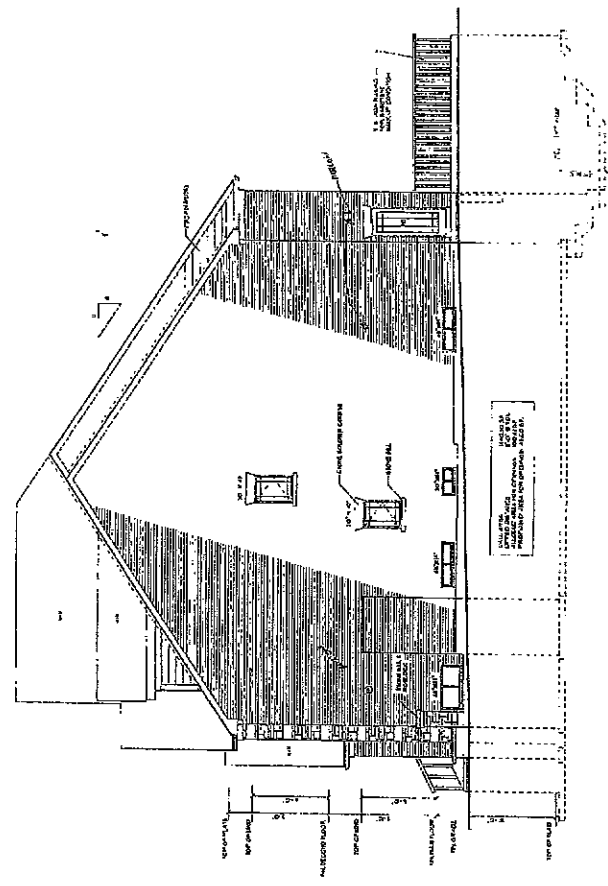
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DA.09.058

Date:
October 16, 2009

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EAST ELEVATION



WEST ELEVATION

Not to Scale

East & West Elevations

Location: Part of Lot 30,
Concession 1

Applicant:
Mirella Valeia

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Development Planning Department

Attachment

Files: Z.09.024 &
DA.09.058

Date:
October 16, 2009

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