

**2. ZONING BY-LAW AMENDMENT FILE Z.09.002
DI LUCA & MAZZOCCA INVESTMENTS LTD.
WARD 1**

P.2009.10

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Zoning By-law Amendment File Z.09.002 (Di Luca & Mazzocca Investments Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

On February 6, 2009, a Notice of a Public Meeting was circulated to all property owners within 120m of the subject lands, and to Village of Maple Ratepayers Association. As of February 23, 2009, no comments have been received by the Development Planning Department. Any responses received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

Purpose

The Owner has submitted a Zoning By-law Amendment Application (File Z.09.002), specifically to amend Exception Paragraph 9(398) of By-law 1-88 on the subject lands shown on Attachment #1 as follows:

- i) permit a day nursery use having a gross floor area of 310 m² as an additional permitted use in Unit #4 of the existing building on the subject lands zoned C1 Restricted Commercial Zone; and,
- ii) permit the following zoning exceptions:

Standard	By-law 1-88 Requirement	Proposed
Minimum Interior Yard Setback (south property line)	15.0 m	1.9 m
Minimum landscape width along west property line	2.7 m	0.0 m along the outdoor play area

The Owner has submitted a corresponding Site Development Application (File DA.09.010) to facilitate the proposal.

Background - Analysis and Options

The subject lands are located on the west side of Keele Street, North of Major Mackenzie Drive, in Part of Lot 21, Concession 4, Municipally Known as 10040 Keele Street, City of Vaughan. The surrounding land uses are shown on Attachment #1.

The subject lands are designated "Maple Commercial Core Area" by OPA #350 (Maple Community Plan, as amended by OPA #533. The lands are currently zoned C1 Restricted Commercial Zone, subject to Exception 9(398), which does not permit a day nursery use.

Preliminary Review

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

- i) the application will be reviewed in the context of the policies contained within OPA #350 (Maple Community Plan), Zoning By-law 1-88, and the surrounding land use context to determine the appropriateness of the proposed zoning by-law amendment; and,
- ii) the corresponding Site Development Application (File DA.09.010) will be comprehensively reviewed on the merits of, including but not limited to, the location, size and access to the outdoor play area, proposed signage, potential internal parking or traffic impact, landscaping, and building elevations.

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 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 Zoning By-law Amendment Application will be reviewed in the context of the policies of the Official Plan, the zoning requirements in By-law 1-88, the appropriateness of the proposed use, the area context, and compatibility with the existing uses in the surrounding area.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning
/CM

GRANT UYEVAMA
Director of Development Planning



Legend

- C1 - RESTRICTED COMMERCIAL ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE

Subject Lands

Not to Scale

Location Map

Part of Lot 21,
Concession 4

APPLICANT: DILUCA & MAZZOCCA
INVESTMENTS LTD.

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The City Above Toronto

Development Planning Department

Attachment 1

FILE: Z.09.002
RELATED FILE:
DA.09.010
February 05, 2009

Zoning Amendment Application

Amend By-Law 1-88, Exception 9(398) to:

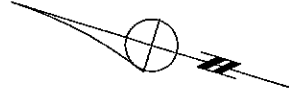
- i) permit a day nursery as an additional permitted use in Unit 4;
- ii) permit a 0.0m wide landscape buffer along the west property line where the new outdoor play area is proposed; and
- iii) permit a 1.9m interior side yard setback (south property line) to an institutional use whereas 15m is required.

Proposed Day Nursery Use (Unit 4)

Existing Landscaped Area

Proposed New Outdoor Play Area

KEELE STREET



Not to Scale

Subject Lands

City of
Vaughan

The City Above Toronto

Development Planning Department

Site Plan

Part of Lot 21,
Concession 4

APPLICANT: DILUCA & MAZZOCCA
INVESTMENTS LTD.

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Attachment

FILE: Z.09.002
RELATED FILE:
DA.09.010

February 05, 2009

2