

**1. ZONING BY-LAW AMENDMENT FILE Z.06.027
 SALVATORE LUCIA
 WARD 2**

P.2009.15

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.06.027 (Salvatore Lucia) 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.

Communication Plan

On March 27, 2009, a Notice of a Public Meeting was circulated to all property owners within 150m of the subject lands. As of April 15, 2009, no comments have been received. Any comments 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 an application (File Z.06.027) to amend Zoning By-law 1-88 on the subject lands shown on Attachment #1 to permit a new residential dwelling in an OS1 Open Space Conservation Zone as shown on Attachment #2. The OS1 Zone does not permit residential dwellings. The application would facilitate the construction of a new one-storey single family dwelling, with a gross floor area of 129.59 m² and the replacement of the existing septic system.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located south of Major Mackenzie Drive, west of Regional Road 27, municipally known as 42 Broda Drive, being Lot 6, on Registered Plan 4005, Part of Lot 9, Concession 8, City of Vaughan. The surrounding land uses are shown on Attachment #1

Official Plan

The subject lands are designated "Valley and Stream Corridor" by OPA #601 (Kleinburg Nashville Community Plan). The "Valley and Stream Corridor" designation does not permit the development of building or structures, however the existing residential use is deemed to be a legal non-conforming. The legal non-conforming policies of OPA #601 permit the extension or enlargement of any land, building or structure used for a purpose prohibited by the By-law and/or which does not conform to OPA #601 provided that: such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed; and, that the extension or enlargement of the non-conforming use will not adversely affect the welfare of the community in which it is located.

Zoning

The subject lands are zoned OS1 Open Space Conservation Zone by By-law 1-88. The proposed detached dwelling is not permitted within the OS1 Open Space Conservation Zone. In addition, the OS1 Zone does not include development standards for detached dwellings.

The Zoning Amendment application filed by the Owner originally proposed a 56m² addition to the existing dwelling on the subject lands. This application was considered at a Public Meeting on September 5, 2006. Upon review of the application the Toronto and Region Conservation Authority (TRCA) recommended that a new dwelling that does not increase the total gross floor area of the existing dwelling by more than 50% be constructed on the property. The Owner has subsequently revised the Zoning Amendment application to reflect the TRCA's recommendation, which is the subject of this report.

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 subject lands are located in a flood plain. The Toronto and Region Conservation Authority (TRCA) has reviewed the proposal and advised in a letter dated January 23, 2009, that they have no objection to the application;
- ii) the appropriateness of permitting a detached dwelling on the subject lands will be reviewed in the context of the existing residential dwellings in the surrounding area;
- iii) review will be given to the appropriate development standards to facilitate the proposal, if approved; and,
- iv) the property is proposed to be serviced by a septic system which must be approved by the Engineering Department.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined 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 application will be reviewed in the context of the applicable policies of the Official Plan, the requirements of the Toronto and Region Conservation Authority, the area context, and the appropriate development standards.

Attachments

1. Location Map
2. Overall Site Plan
3. Proposed Site Plan (Enlarged)

Report prepared by:

Mary Serino, Planner 1, ext. 8215

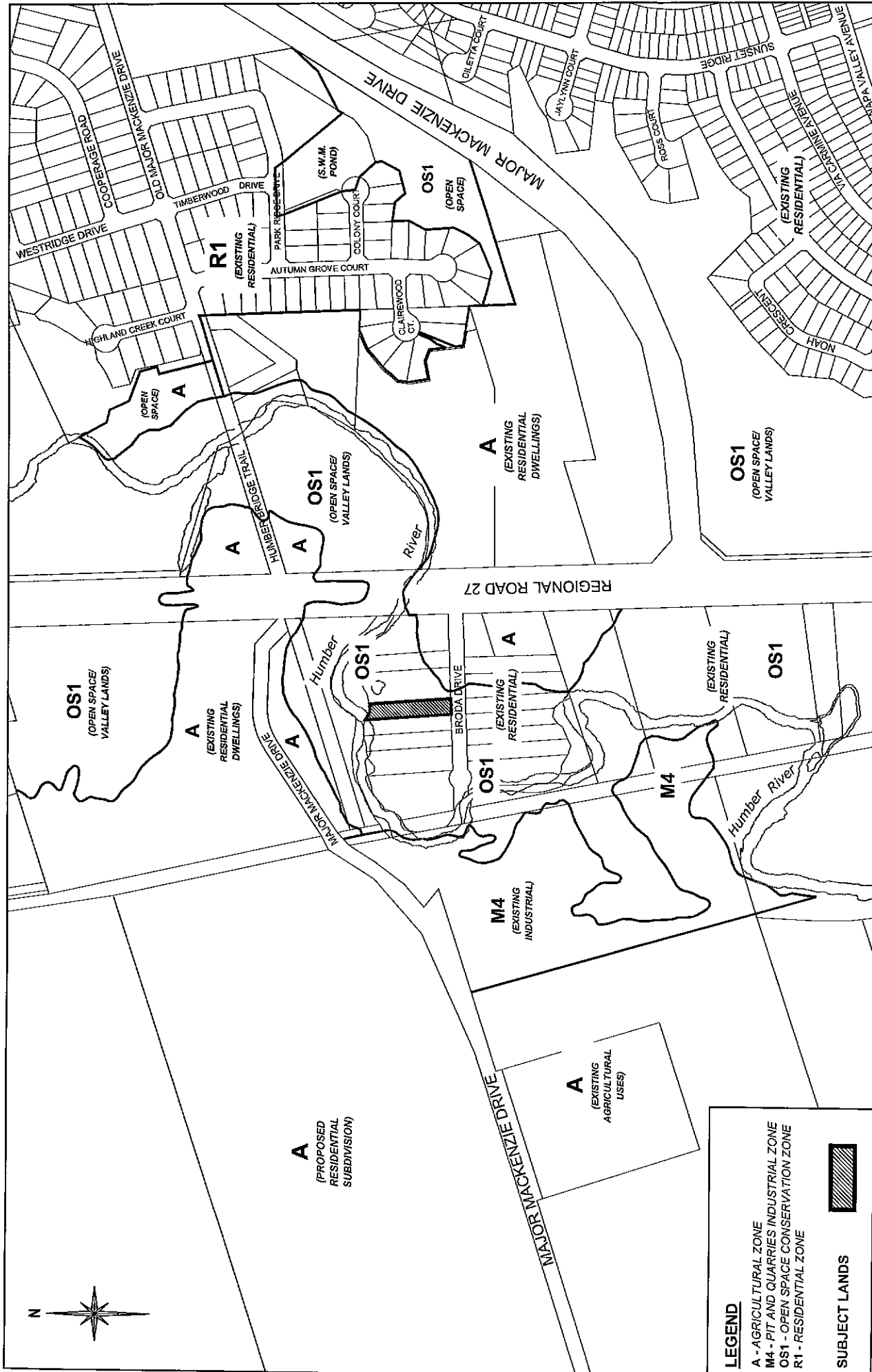
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/CM



Location Map

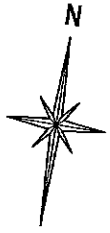
Part of Lot 19,
Concession 8
APPLICANT:
SALVATORE LUCIA



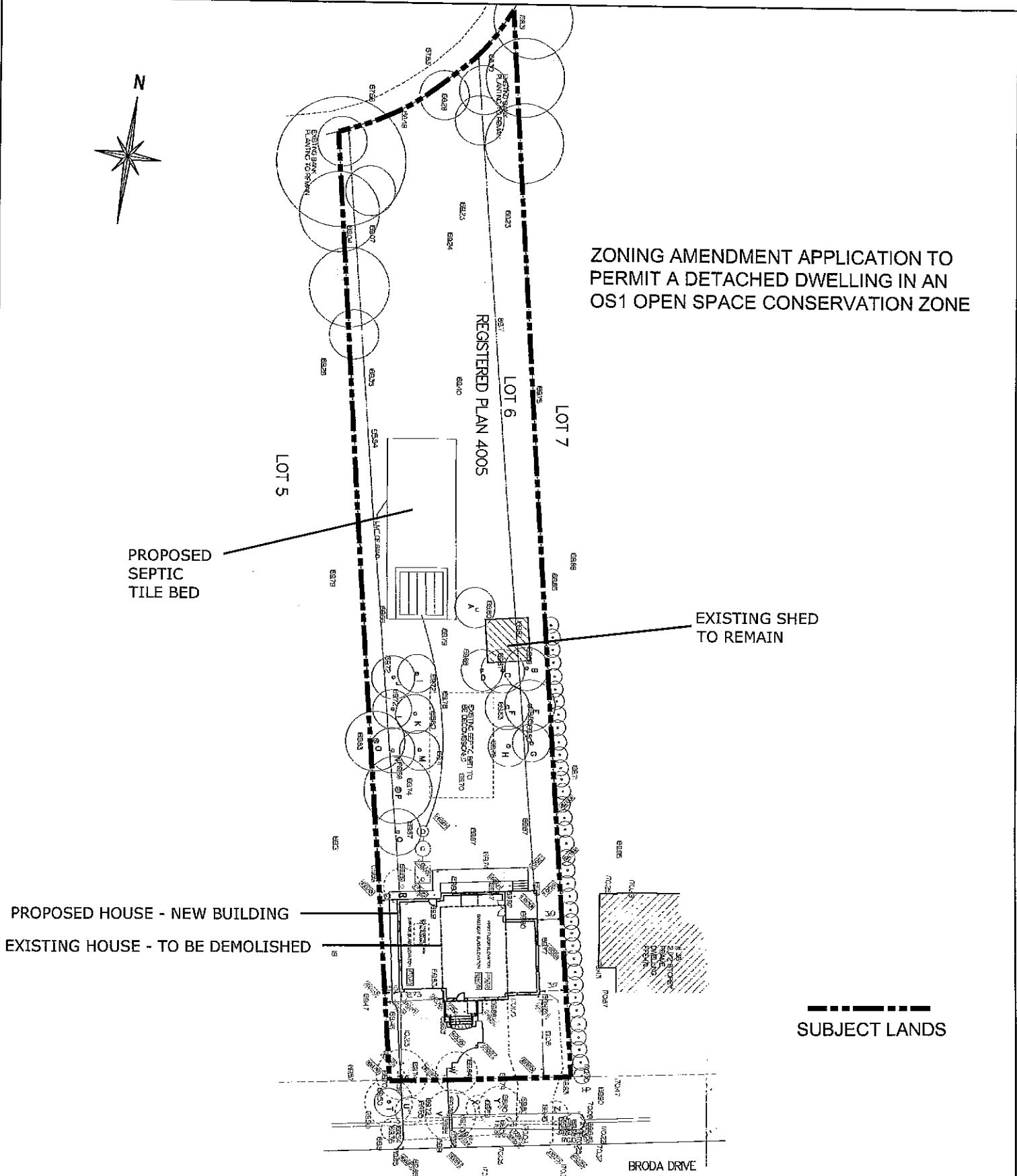
Development Planning Department

Attachment 1

FILE No.:
Z.06.027
Not to Scale
March 18, 2009



ZONING AMENDMENT APPLICATION TO PERMIT A DETACHED DWELLING IN AN OS1 OPEN SPACE CONSERVATION ZONE



PROPOSED SEPTIC TILE BED

EXISTING SHED TO REMAIN

PROPOSED HOUSE - NEW BUILDING

EXISTING HOUSE - TO BE DEMOLISHED

--- SUBJECT LANDS

Overall Site Plan



Attachment

Part of Lot 19, Concession 8

APPLICANT: SALVATORE LUCIA

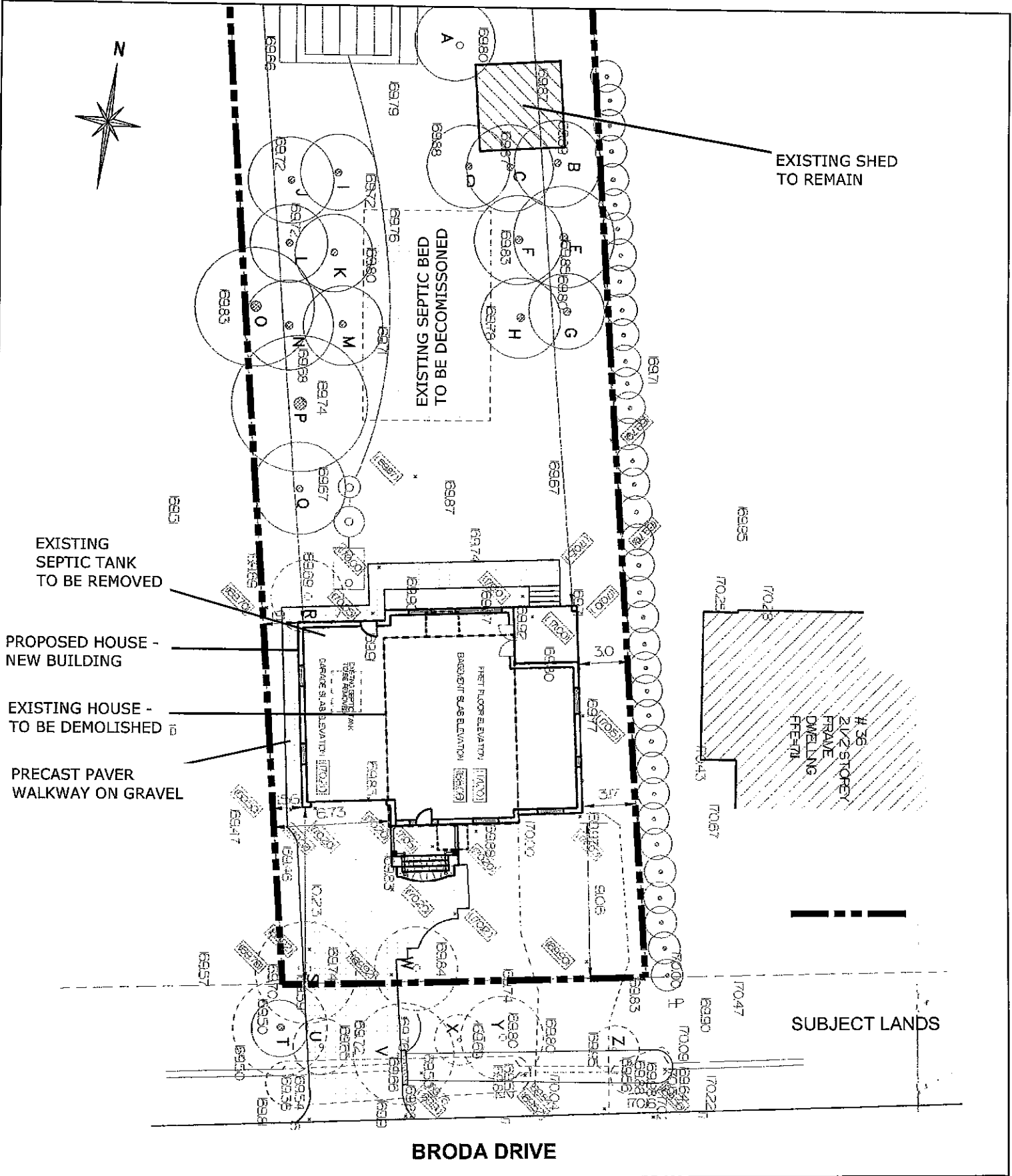
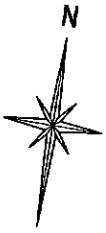
FILE No.: Z.06.027

Not to Scale

March 18, 2009

Development Planning Department

2



BRODA DRIVE

Proposed Site Plan (Enlarged)



The City Above Toronto

Attachment

FILE No.:
Z.06.027

Not to Scale

March 18, 2009

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APPLICANT: SALVATORE LUCIA
Part of Lot 19, Concession 8

Development Planning Department