

**2.    ZONING BY-LAW AMENDMENT FILE Z.03.085  
      MARIA RUSSO  
      WARD 3**

**P.2011.7**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.03.085 (Maria Russo) 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 Meeting was circulated: February 25, 2011
- b)    Circulation Area: 150 m, Millwood Woodend Ratepayers Association, Vellore Woods Ratepayers Association, and East Woodbridge Community Association
- c)    Comments Received as of March 15, 2011: None

**Purpose**

The Owner has submitted a Zoning By-law Amendment Application (File Z.03.085) for the subject lands shown on Attachments #1 and #2, to amend By-law 1-88, specifically the RR Rural Residential Zone and Exception 9(105) to permit a Seasonal Retail Nursery/Market use within the existing garden tent and two mobile trailers, and a Seasonal Restaurant/trailer (Fins and Fries) with no outside storage, for a temporary period of 3 years (maximum permitted by the Planning Act) as shown on Attachment #3. These uses currently exist and operate on the property. In addition, the following site-specific zoning exceptions are proposed to implement the existing site plan shown on Attachment #3:

	<b>By-law Standard</b>	<b>By-law 1-88, RR Rural Residential Zone Requirements</b>	<b>Proposed Exceptions to RR Zone</b>
a.	Minimum Front Yard	15m	4m
b.	Minimum Interior Side Yard (East)	4.5m	2m

Other zoning exceptions may be identified through the detailed review of the application.

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>• 3836 Major Mackenzie Drive, located on the north side of Major Mackenzie Drive, west of Weston Road, within Lot 21, Concession 6, and shown as "Subject Lands" on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>• "Low Rise Residential", "Village Core", and "Village Square" by OPA #650 (Vellore Village District Centre Plan).</li> <li>• "Low-Rise Mixed-Use" by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010, and is subject to York Region approval, and is not yet in effect.</li> <li>• The Temporary Use policies (Section 10.1.2.4) in the new Official Plan, which are similar to the current policies in OPA #600, are as follows:             <ul style="list-style-type: none"> <li>"a. is consistent with the general intent of this Plan;</li> <li>b. is consistent with adjacent land-uses;</li> <li>c. is temporary in nature and can be easily terminated when the temporary zoning by-law expires;</li> <li>d. sufficient servicing and transportation capacity exists for the temporary use; and,</li> <li>e. maintains the long-term viability of the lands for the uses permitted in this Plan."</li> </ul> </li> <li>• The proposed temporary commercial uses conform to the Official Plans.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>• RR Rural Residential Zone by By-law 1-88, subject to Exception 9(105).</li> <li>• The proposed amendment to Zoning By-law 1-88 is identified in the "Purpose" section of this report.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>• Shown on Attachment #2.</li> </ul>

**Preliminary Review**

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

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	City Official Plan Policies	<ul style="list-style-type: none"> <li>• The application will be reviewed in consideration of the City Official Plan policies respecting temporary uses.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
b.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> <li>▪ The appropriateness of permitting the temporary 3 year (maximum permitted by the Planning Act) Seasonal Nursery/Market and Seasonal Restaurant/trailer uses on the subject lands will be reviewed in the context of the existing surrounding uses and planned land uses for future development in this area.</li> <li>▪ The proposed uses are not defined in By-law 1-88. Review will be given to establishing the appropriate definitions to reflect the proposed uses and their seasonal operating times to be included in the implementing zoning by-law, if approved.</li> </ul>
c.	Related Site Plan Application	<ul style="list-style-type: none"> <li>▪ A Site Development Application is required to ensure appropriate building and site design, access, internal traffic circulation and parking, and the appropriateness of the proposed zoning exceptions.</li> </ul>
d.	Additional Studies	<ul style="list-style-type: none"> <li>▪ Review will be given to determine if additional studies are required to support the proposed development.</li> </ul>
e.	Access	<ul style="list-style-type: none"> <li>• The property contains two existing driveways onto Major Mackenzie Drive, which must be approved by the Region of York, through the site plan process.</li> </ul>

### **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

**Report prepared by:**

Margaret Holyday, Planner, ext. 8216

Carmela Marrelli, Senior Planner, ext. 8791

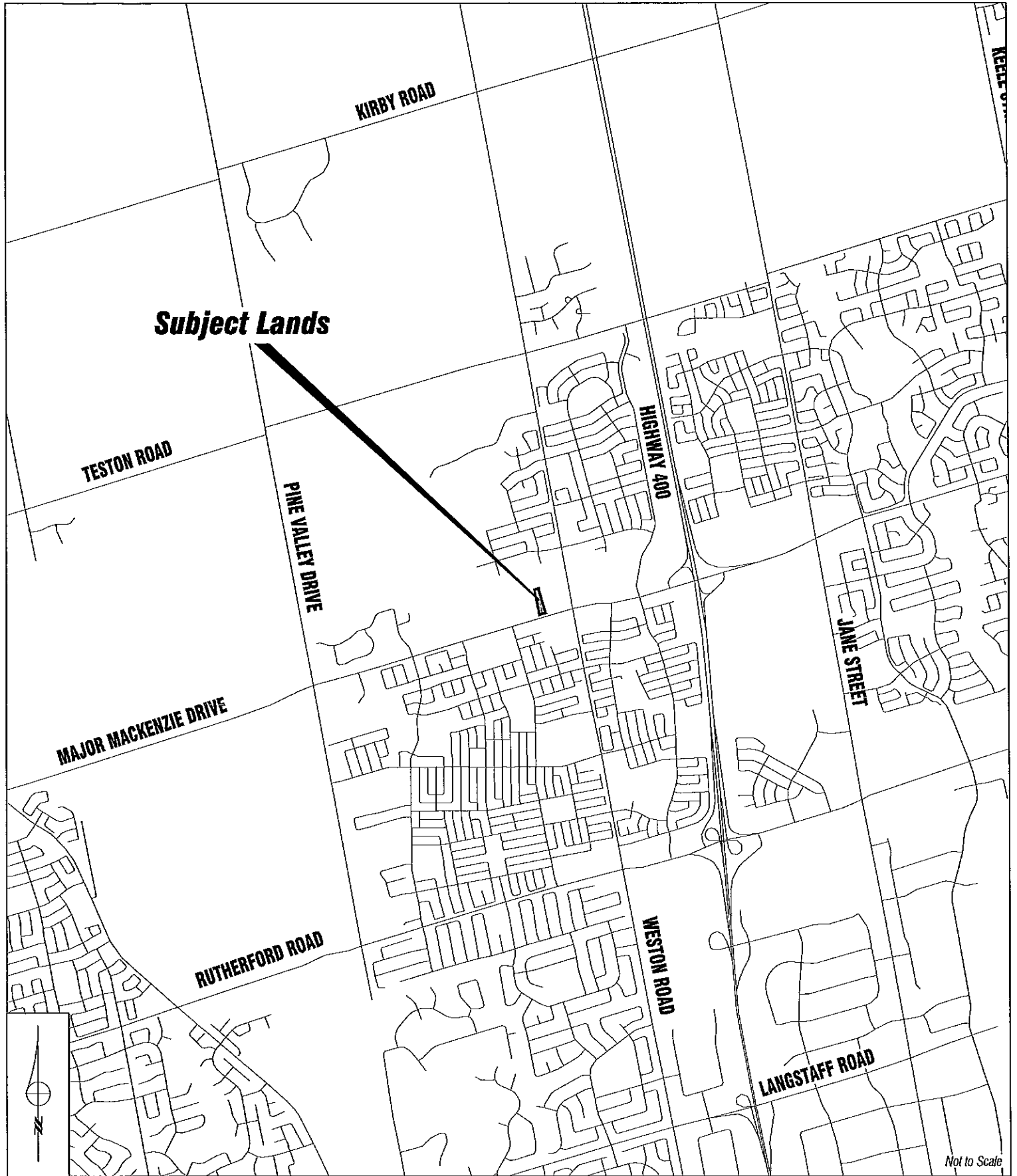
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEVAMA  
Director of Development Planning

/CM



Not to Scale

# Context Location Map

LOCATION:  
Part of Lot 21, Concession 6

APPLICANT:  
Maria Russo

N:\DFT\1 ATTACHMENTS\Z\z.03.085a.dwg

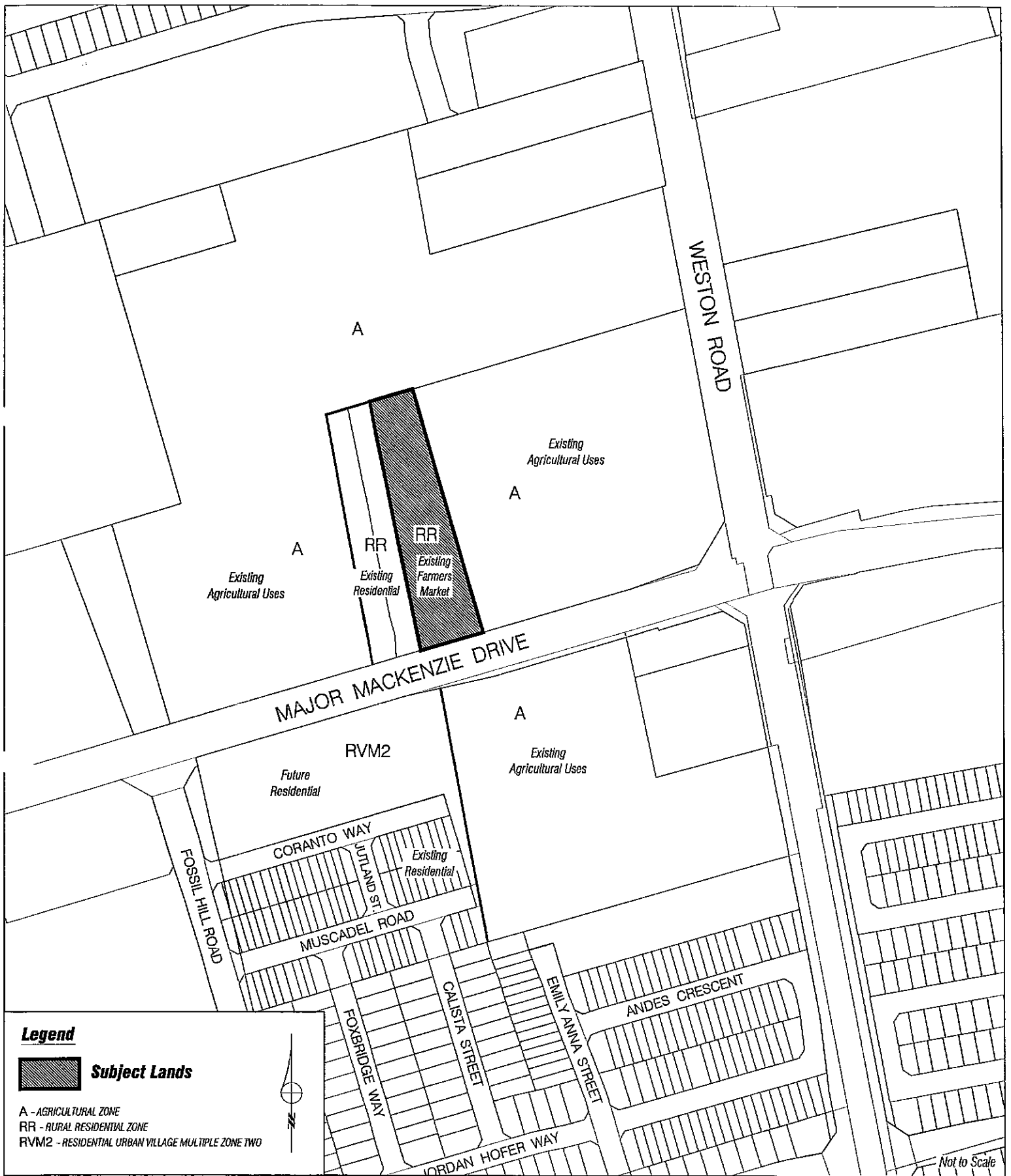


# Attachment

FILE:  
Z.03.085

DATE:  
February 23, 2011

1



# Location Map

LOCATION:  
Part of Lot 21, Concession 6

APPLICANT:  
Maria Russo

N:\DFT\1 ATTACHMENTS\Z\z.03.085o.dwg



# Attachment

FILE:  
Z.03.085

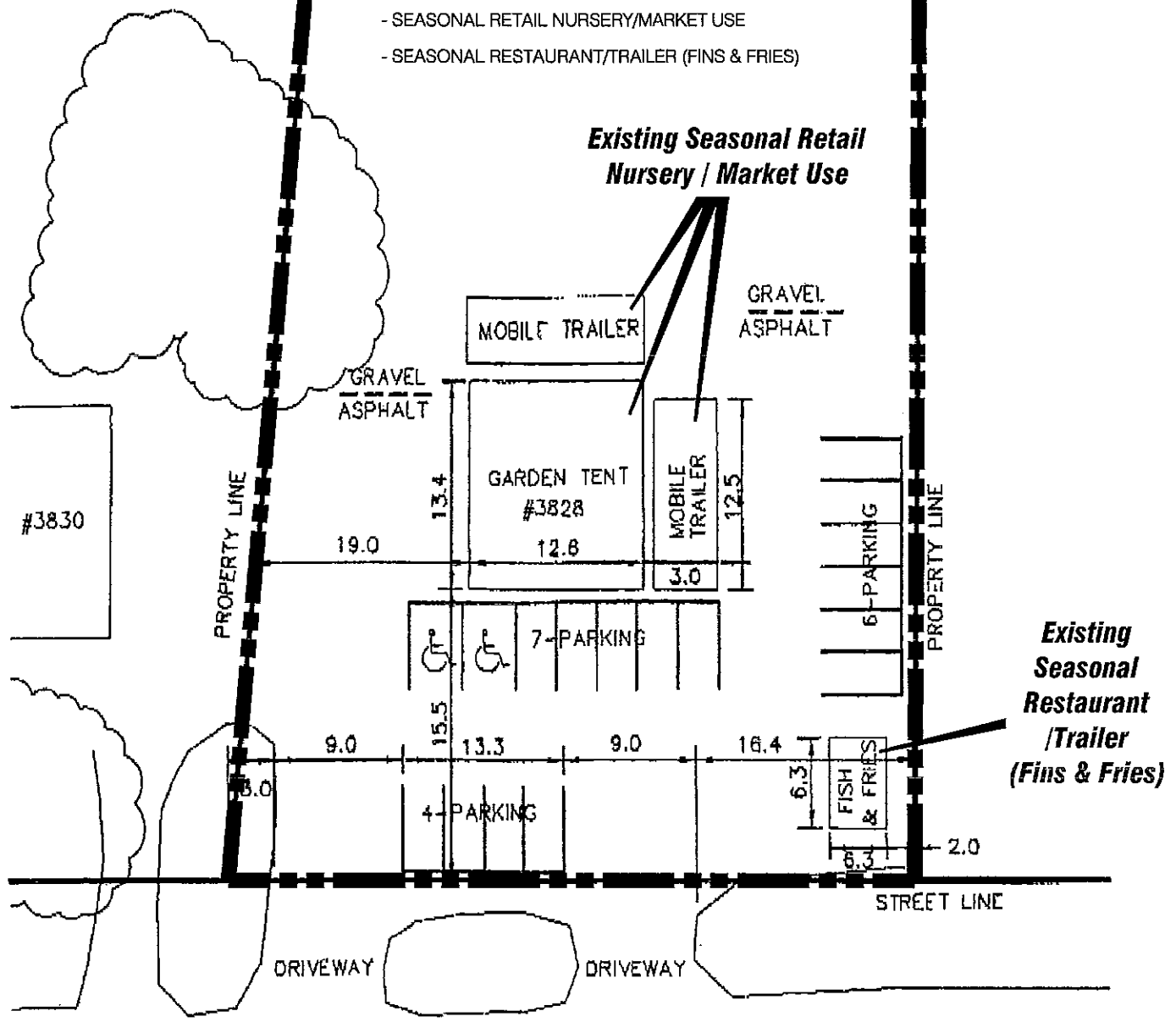
DATE:  
January 25, 2011

# 2

# ZONING BY-LAW AMENDMENT

TO PERMIT THE FOLLOWING USES FOR A TEMPORARY PERIOD OF NO LONGER THAN 3 YEARS:

- SEASONAL RETAIL NURSERY/MARKET USE
- SEASONAL RESTAURANT/TRAILER (FINS & FRIES)



## MAJOR MACKENZIE DRIVE

**Subject Lands**

Not to Scale

### Site Plan

LOCATION:  
Part of Lot 21, Concession 6

APPLICANT:  
Maria Russo

N:\DFT\1 ATTACHMENTS\Z\z.03.085a.dwg



### Attachment

FILE:  
Z.03.085

DATE:  
February 23, 2011

# 3