

**COMMITTEE OF THE WHOLE AUGUST 20, 2001**

**SITE DEVELOPMENT APPLICATION  
JACQUELINE FAY WALT (JACQUI WALT PHYSIOTHERAPY)  
FILE: DA.01.007**

**Recommendation**

The Commissioner of Planning recommends:

THAT Site Development Application DA.01.007 (Jacqueline Fay Walt) BE APPROVED for a home occupation use (physiotherapy office).

**Purpose**

On January 23, 2001, the Owner submitted a Site Development Application for a home occupation use (regulated health professional, specifically a physiotherapy office) occupying 47m<sup>2</sup> of the basement within a 2-storey, 427m<sup>2</sup> detached dwelling.

**Background - Analysis and Options**

**Land Use Status**

The subject lands are northeast of Dufferin Street and Centre Street, described as Part of Lot 41, Registered Plan 3541 (65 King High Drive), in Lot 6, Concession 2, City of Vaughan.

The lands are designated "Low Density Residential" by OPA #210, and zoned R3 Residential Zone by By-law 1-88, subject to Exception 9(641). The site is 0.1 ha rectangular in shape, with 15.6m frontage on King High Drive, a depth of 65.5m, and developed with a 2-storey, 427m<sup>2</sup> detached residence. The surrounding land uses are:

- North - King High Drive; residential (R3 Zone)
- South - residential (R3 Zone)
- East - residential (R3 Zone)
- West - residential (R3 Zone)

The "Low Density Residential" designation permits detached dwellings. A home occupation is permitted, with the specific uses and development standards to be established in the Zoning By-law. Therefore, the proposal conforms to the Official Plan.

The R3 Residential Zone permits detached dwellings, as well as home occupation uses subject to standards set out in the zoning by-law.

Subsection 4.1.5 in By-law 1-88 restricts home occupation uses to Regulated Health Professionals, operating within detached, semi-detached, or street townhouse dwellings, provided Council approves a site plan in accordance with the following provisions:

- a) restricted to the office of a regulated health professional (includes a physiotherapy office), and used for consultation and emergency treatment and not as a clinic or hospital;
- b) restricted to a maximum of 3 persons, and at least one person must be a resident in the dwelling;

- c) restricted to a maximum of 25% of the gross floor area of the dwelling;
- d) only one (1) home occupation use is permitted in a dwelling unit; and,
- e) a minimum of 5 parking spaces with access to a paved driveway and/or garage in accordance with Subsections 3.8(a) and 4.1.4(a)(ii).

### Planning Comments

Home occupation is defined in By-law 1-88, as "an occupation conducted in a dwelling unit and which is clearly secondary to the use of the dwelling unit as a private principal residence; does not change the external character of the dwelling unit as a private residence; and, does not create or become a public nuisance, in particular with respect to noise, traffic or parking".

The home occupation use provides physiotherapy services to patients who have incurred acute and chronic orthopaedic injuries. Physician referral is required and consultation is by appointment only, with one patient being seen at any one time in 45-minute intervals. There are two physiotherapists working on-site, including the homeowner, with only one physiotherapist working at any one time. The hours of operation are Monday, Wednesday, and Friday from 8:00 a.m. to 1:00 p.m., and Tuesday and Thursday from 8:00 a.m. to 12:00 p.m. and 3:00 p.m. to 6:00 p.m.

The use occupies 47m<sup>2</sup> within the basement of a 2-storey, 427m<sup>2</sup> detached residential dwelling. At 11% of the gross floor area of the home, the use meets the maximum 25% home occupation requirement in the By-law.

Given the large lot frontage, the 5 required parking spaces (3 residential and 2 home occupation) could be provided within the garage and on the paved driveway in front of the house.

Based on the above-noted information, Staff is satisfied the proposed use can be supported on the subject lands and will not create excessive noise, contribute to parking problems, or increase traffic along King High Drive. The residential appearance of the building and site will not be altered, and no business signage is being proposed. Therefore, the proposal should not impact the surrounding residential neighbourhood.

### Conclusion

Staff has reviewed the proposed Site Development Application to permit a physiotherapy use as a home occupation on the subject lands. Staff is satisfied that the proposed use conforms to the Official Plan and Zoning By-law, and is appropriate for the site and compatible with surrounding development. The proposal satisfies the home occupation requirements in the Zoning By-law, with the approval of the site plan by Council.

For these reasons, Staff recommends approval of the application. Should the Committee concur, the recommendation in this report can be adopted.

### Attachments

1. Location Map
2. Site Plan/Floor Plan
3. Front Elevation

### Report prepared by:

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Bianca M.V. Bielski, Manager, Development Planning, ext. 8485

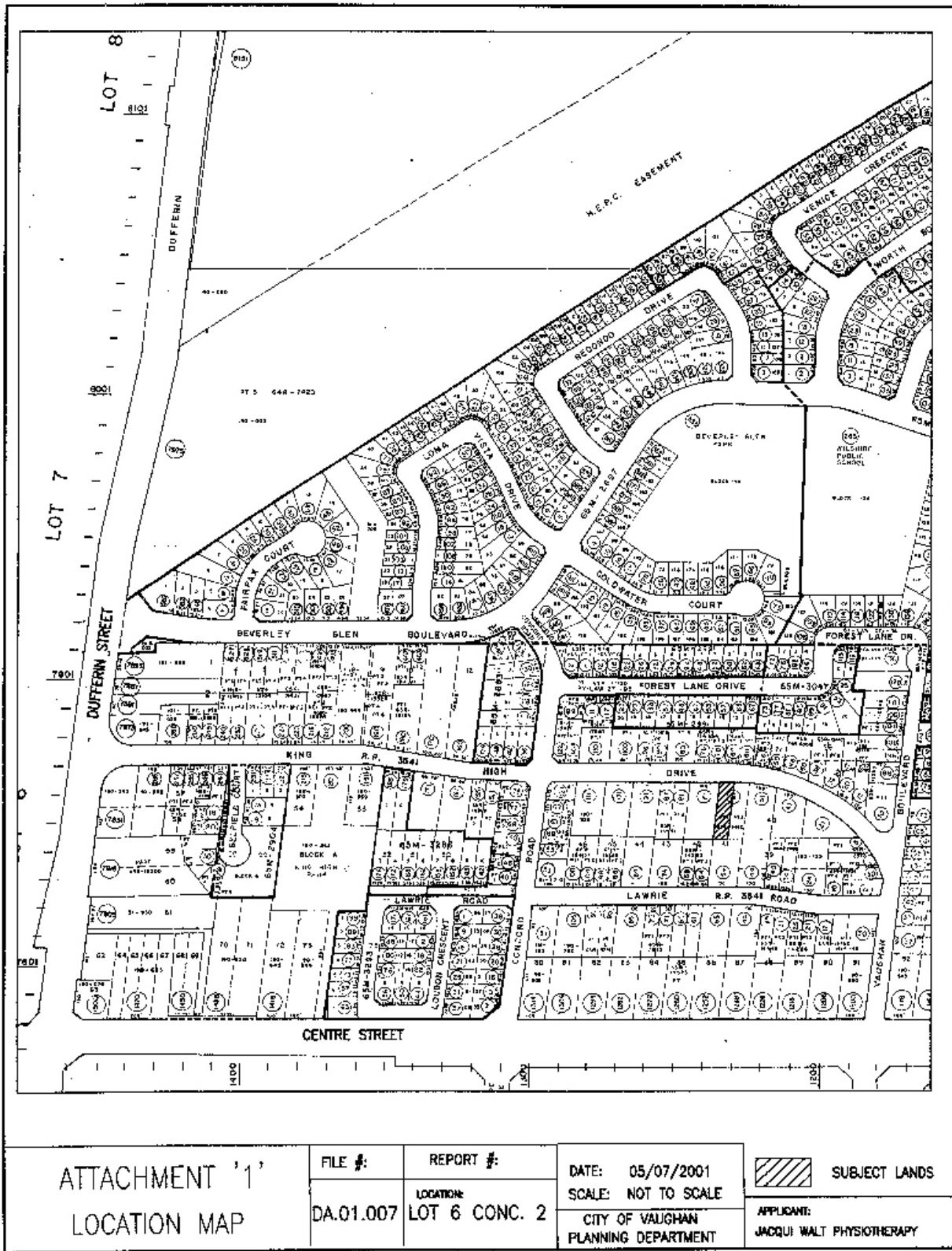
Respectfully submitted,

MICHAEL DeANGELIS  
Commissioner of Planning

JOANNE R. ARBOUR  
Director of Community Planning

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
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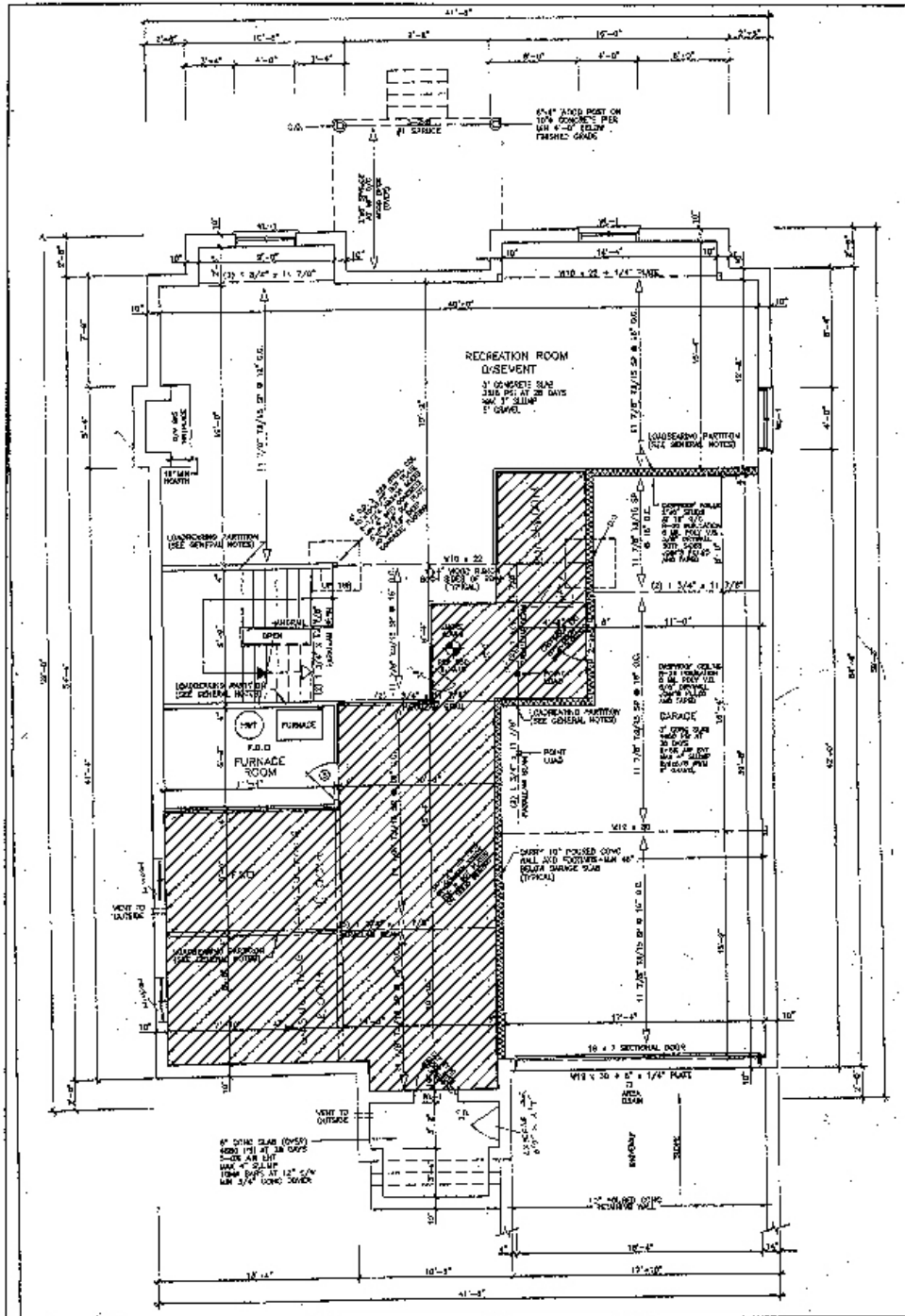


ATTACHMENT '1'  
LOCATION MAP

FILE #:	REPORT #:
DA.01.007	LOT 6 CONC. 2

DATE: 05/07/2001  
SCALE: NOT TO SCALE  
CITY OF VAUGHAN  
PLANNING DEPARTMENT

 SUBJECT LANDS  
APPLICANT:  
JACQUI WALT PHYSIOTHERAPY

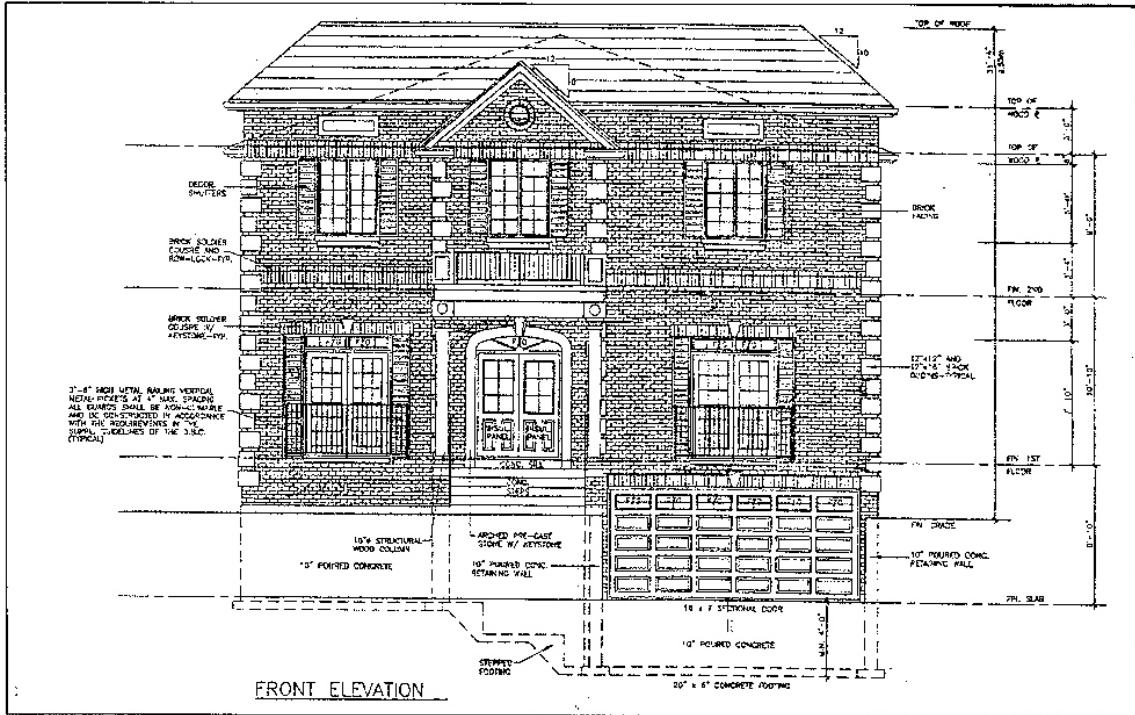


ATTACHMENT '2'  
SITE PLAN

FILE #:	REPORT #:
DA.01.007	LOT 6 CONC. 2

DATE: 05/07/2001  
SCALE: NOT TO SCALE  
CITY OF VAUGHAN  
PLANNING DEPARTMENT

HOME OCCUPATION  
USE 46.5M<sup>2</sup>  
APPLICANT:  
JACQUI WALT PHYSIOTHERAPY



ATTACHMENT '3'  
ELEVATIONS

FILE #:	REPORT #:	DATE: 05/07/2001
DA.01.007	LOCATION:	SCALE: NOT TO SCALE
	LOT 6 CONC. 2	CITY OF VAUGHAN PLANNING DEPARTMENT

APPLICANT:  
JACQUE WALT PHYSIOTHERAPY