

COMMITTEE OF THE WHOLE (PUBLIC HEARING) MARCH 4, 2002

**7. ZONING BY-LAW AMENDMENT FILE Z.02.011
DR. NICK FEDELE
PRELIMINARY REPORT**

P.2002.21

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.02.011 (Dr. Nick Fedele), BE RECEIVED and that any issues identified be addressed in a comprehensive report to the Committee of the Whole.

Purpose

On February 4, 2002, the Owner submitted an application to amend the Zoning By-law to permit a business/professional office in a portion (179m²) of the residential dwelling. The Owner also submitted a related site plan application (File DA.02.005), which shows minor additions to the rear and front of the dwelling, a parking lot in the rear yard, and fencing/landscape treatment.

Background - Analysis and Options

The subject lands are located at the northwest corner of Kipling Avenue and Rainbow Drive, being Lot 35, Registered Plan 2073 (7790 Kipling Avenue) in Lot 6, Concession 8, City of Vaughan. The property is regular in shape, with 13.1m frontage on Kipling Avenue and 44m flankage on Rainbow Drive, and developed with a detached dwelling.

The lands are designated "Low Density Residential" by OPA #240, as amended by OPA #356 subject to Section 3.4 Residential Specific Policies, and zoned R3 Residential Zone by By-law 1-88. The surrounding land uses are:

- North - residential (R3 Residential Zone)
- East - Kipling Avenue; residential (R3 Residential Zone) and offices (C1 Restricted Commercial Zone)
- South - Rainbow Drive; funeral home (C1 Restricted Commercial Zone)
- West - residential (R3 Residential Zone)

On February 8, 2002, a notice of public hearing was mailed to all property owners within 120m of the subject site, the Kipling Avenue Ratepayers Association, and those individuals requesting notification. To date, there have been no responses. Any responses received will be addressed in the technical report to Committee of the Whole.

Preliminary Review

Following a preliminary review of the proposed application, Staff has identified the following matters to be reviewed in greater detail:

- Official Plan Amendment #356 designates the lands "Low Density Residential" with provisions permitting business and professional offices use, subject to certain criteria being met;
- the proposal is for a 179m² dental office use, which would occupy approximately 60% of the dwelling, with the remainder being used for residential purposes; the proposed use appears to conform to the Official Plan;

- the lands are zoned R3 Residential Zone by By-law 1-88, which permits a detached dwelling; Subsection 4.1.5 Home Occupation permits an office to a maximum of 25% of the gross floor area of a detached dwelling; however, the proposed 60% of the GFA for office use requires an amendment to the by-law;
- the proposed uses will be reviewed with respect to parking adequacy and compatibility with existing uses;
- the function, access and traffic generation will be examined in relation to the existing area and uses;
- appropriate buffering, including fencing and landscaping, will be reviewed with respect to adjacent residential lands; and
- new additions to the front and rear must maintain the residential character of the building, and any signage, lighting and parking must be sensitive to the abutting residential lots.

Conclusion

The above issues, but not limited to, will be considered in the technical review of the application, together with comments of the public and Council expressed at the Public Hearing and be addressed in a comprehensive report to future Committee of the Whole meeting. The proposed application will be reviewed in accordance with the policies of the Official Plan and the Zoning By-law with respect to parking, site circulation, traffic, and compatibility with abutting uses.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

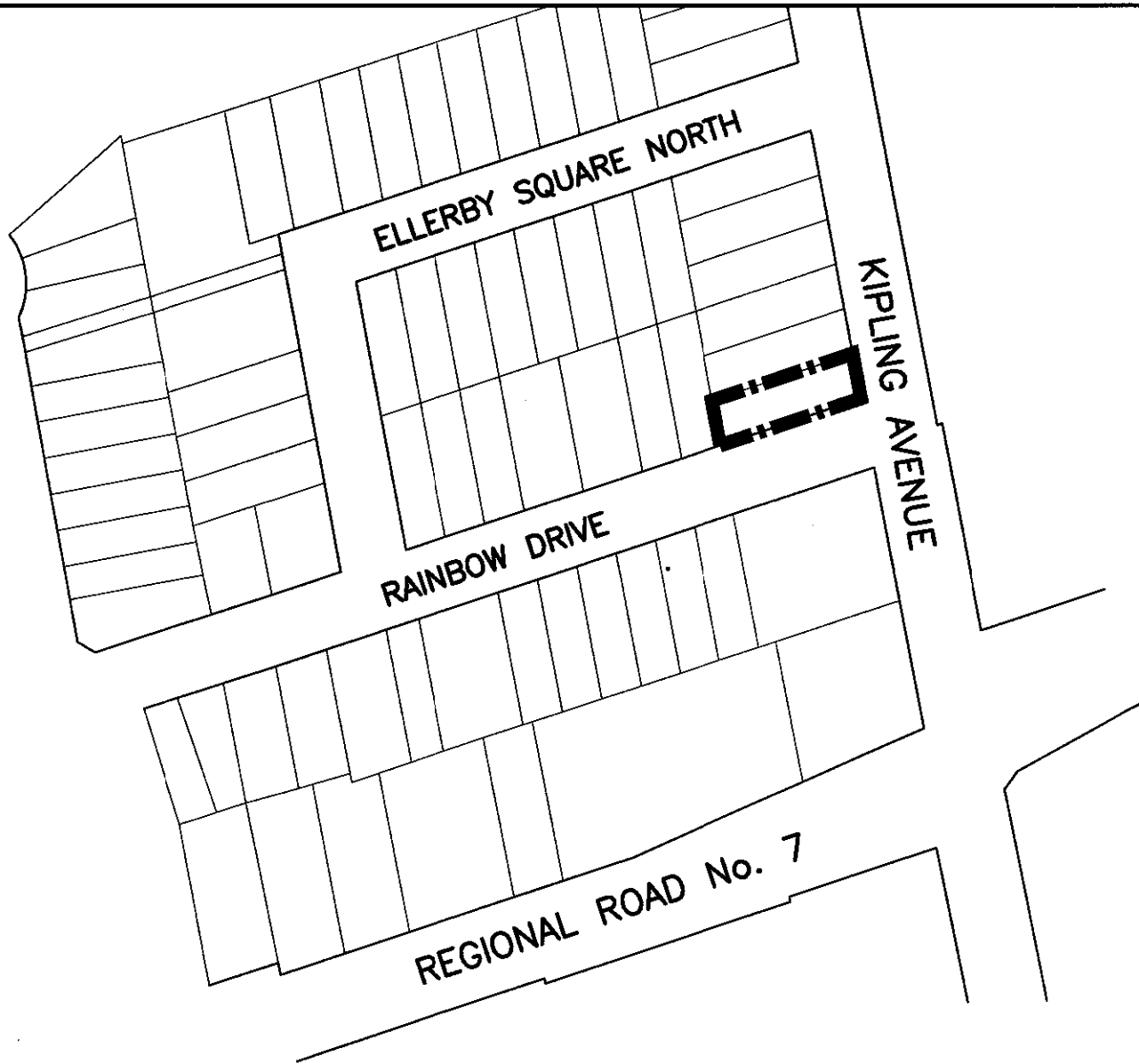
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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

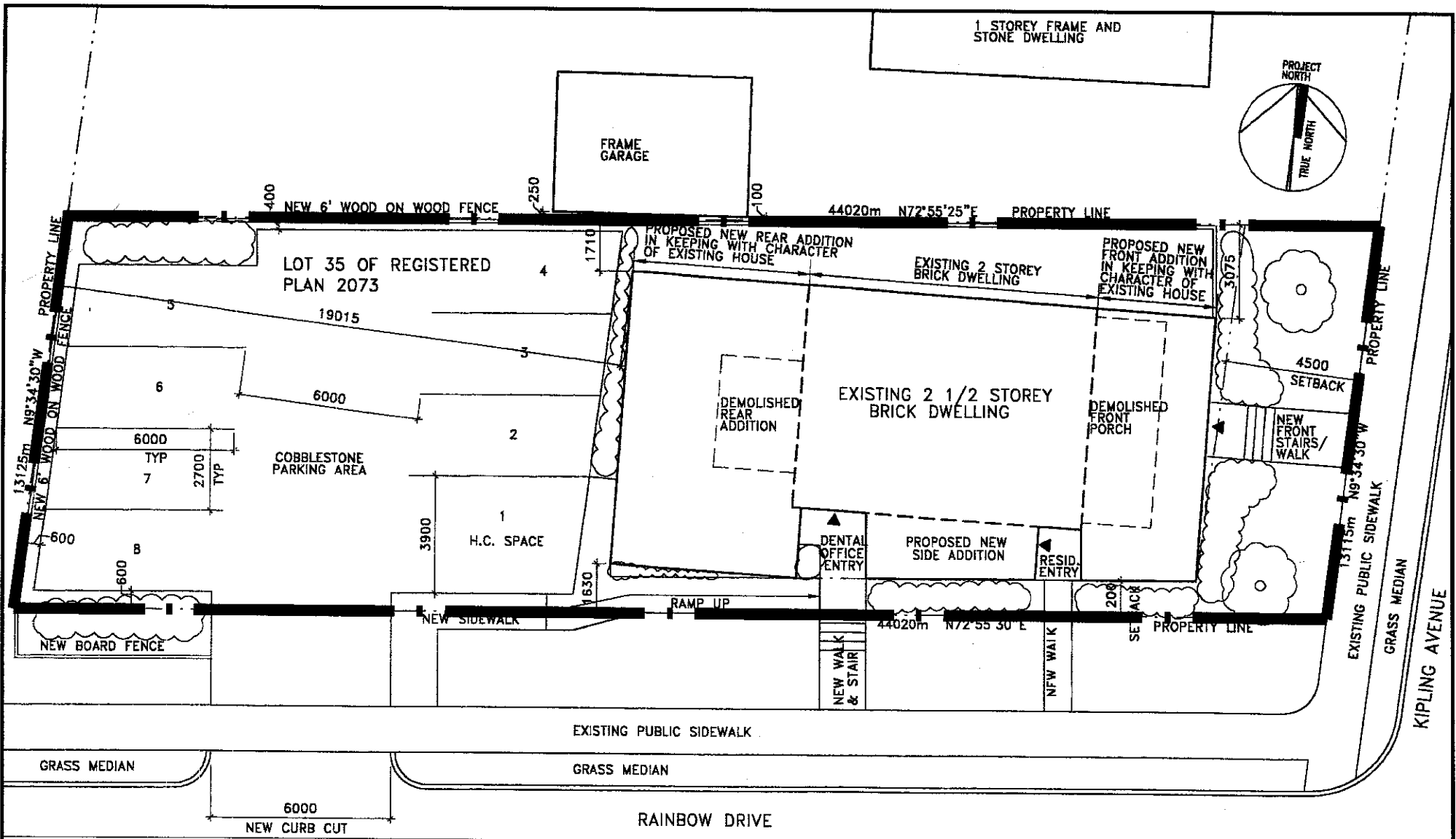
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 SUBJECT LANDS

ATTACHMENT '1'
LOCATION MAP

FILE #:	REPORT #:	DATE:	02/05/2002
Z.02.011 DA.02.005	LOCATION: PART OF LOT 6, CONCESSION 8	CITY OF VAUGHAN PLANNING DEPARTMENT	APPLICANT: DOCTOR FEDELE
		SCALE:	NOT TO SCALE



SUBJECT LANDS

ATTACHMENT '2'
SITE PLAN

FILE #:	REPORT #:
Z.02.011 DA.02.005	LOCATION: PART OF LOT 6, CONCESSION 8

CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:
DOCTOR FEDELE

DATE:	02/05/2002
SCALE:	NOT TO SCALE