

**COMMITTEE OF THE WHOLE (PUBLIC HEARING) SEPTEMBER 3, 2002**

**3. ZONING BY-LAW AMENDMENT FILE Z.02.054  
JOE MARCHESE  
PRELIMINARY REPORT**

**P.2002.56**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.02.054 (Joe Marchese), BE RECEIVED and that any issues identified be addressed in a comprehensive report to the Committee of the Whole.

**Purpose**

On July 3, 2002, the Owner submitted an application to amend the Zoning By-law to permit a home occupation use (business/professional office) within the existing dwelling. The Owner also submitted a related site plan application (File DA.02.042), which deals with parking, landscaping and minor changes to the front façade of the dwelling.

**Background - Analysis and Options**

The subject lands are located on the east side of Kipling Avenue, north of Regional Road No. 7, being Lot 8 of Plan 554, (7787 Kipling Avenue) in Lot 6, Concession 7, City of Vaughan. The property is rectangular in shape, with 15.24m frontage on Kipling Avenue and developed with a detached residential dwelling.

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

- North - residential (R3 Residential Zone)
- South - medical/office building (C1 Restricted Commercial Zone)
- East - residential (R3 Residential Zone)
- West - Kipling Avenue; residential/funeral home/proposed office (R3 Residential and C1 Restricted Commercial Zones)

On August 9, 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 has been one response from a neighbouring resident expressing concern with parking. Any additional 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 office uses, subject to certain criteria being met;
- the proposal is for 24% of the dwelling (47.25m<sup>2</sup> of the total 198.18 m<sup>2</sup> gross floor area) to be used for a professional business office, with the remainder being maintained for residential purposes; the proposed use conforms 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 also permits the office of a physician, dentist and drugless practitioner to a maximum of 25% of the gross floor area of a detached dwelling; a by-law amendment is required to permit an office for a business use;
- the parking adequacy, access and traffic generation to support the use on the site, will be examined;
- lighting, screening and buffering, including fencing and landscaping, to ensure sensitivity to the abutting residential uses will be determined through the site plan process;
- cosmetic changes to the building's front facade and site layout must maintain the residential character of the building.

### **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 home occupation policies of the Official Plan and compatibility with abutting uses. The proposed zoning will be considered together with the required site plan application with respect to screening, parking, access, traffic, future road widening and improvements.

### **Attachments**

1. Location Map
2. Site Plan
3. Elevations

### **Report prepared by:**

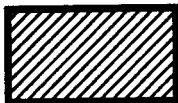
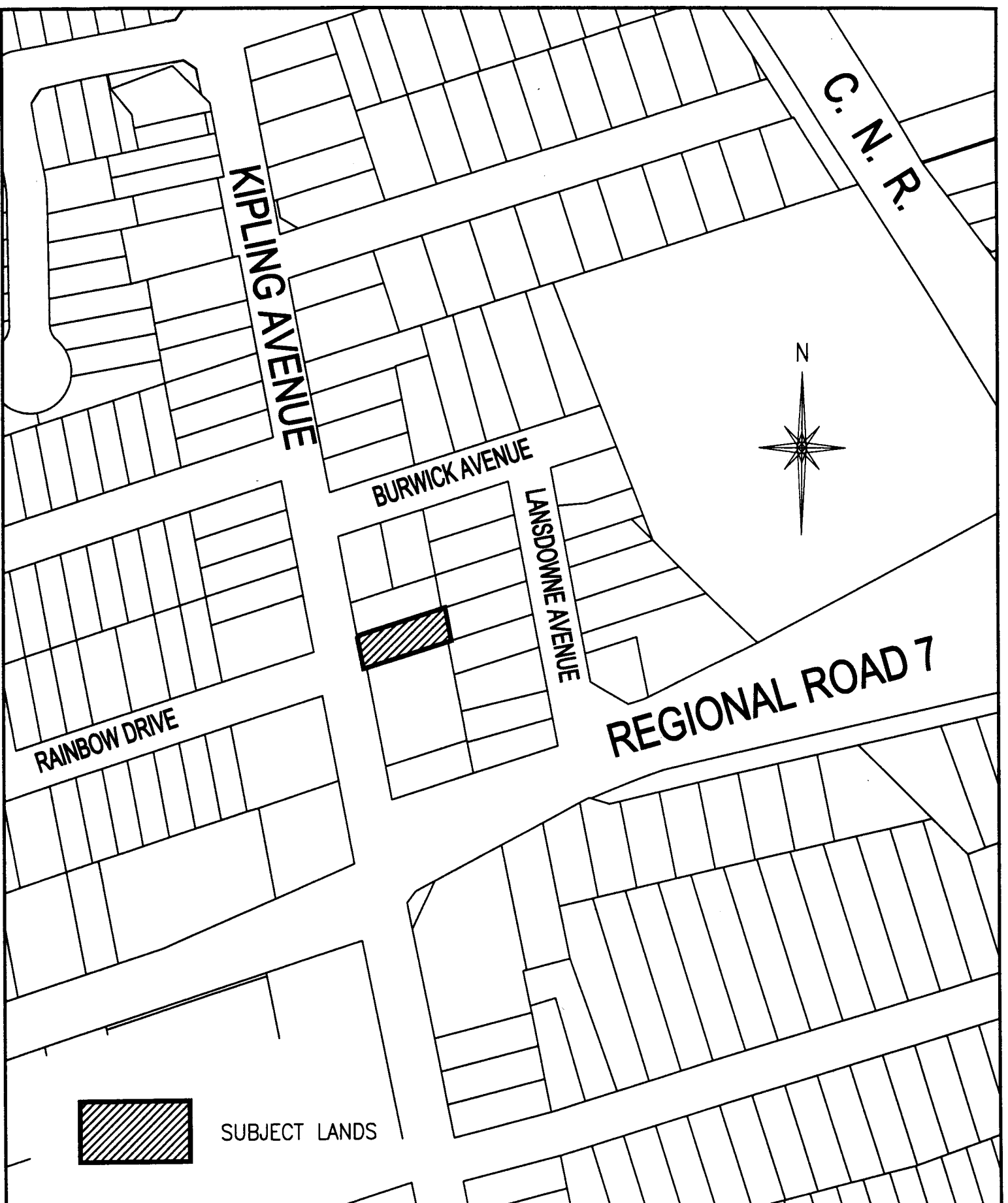
Eugene Fera, Planner, ext. 8064  
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Respectfully submitted,

MICHAEL DeANGELIS  
Commissioner of Planning

JOANNE R. ARBOUR  
Director of Community Planning

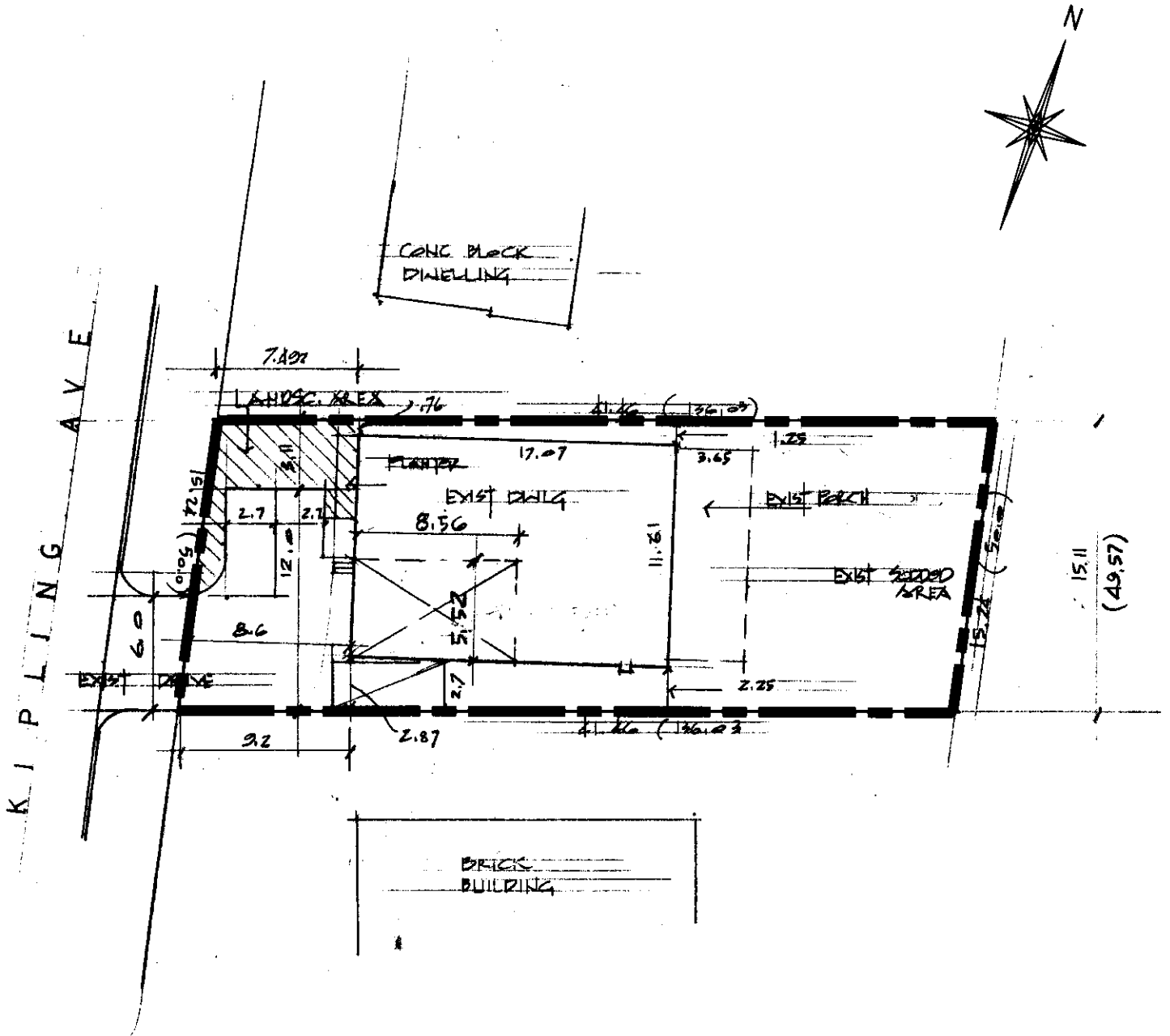
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SUBJECT LANDS

ATTACHMENT '1'  
LOCATION MAP

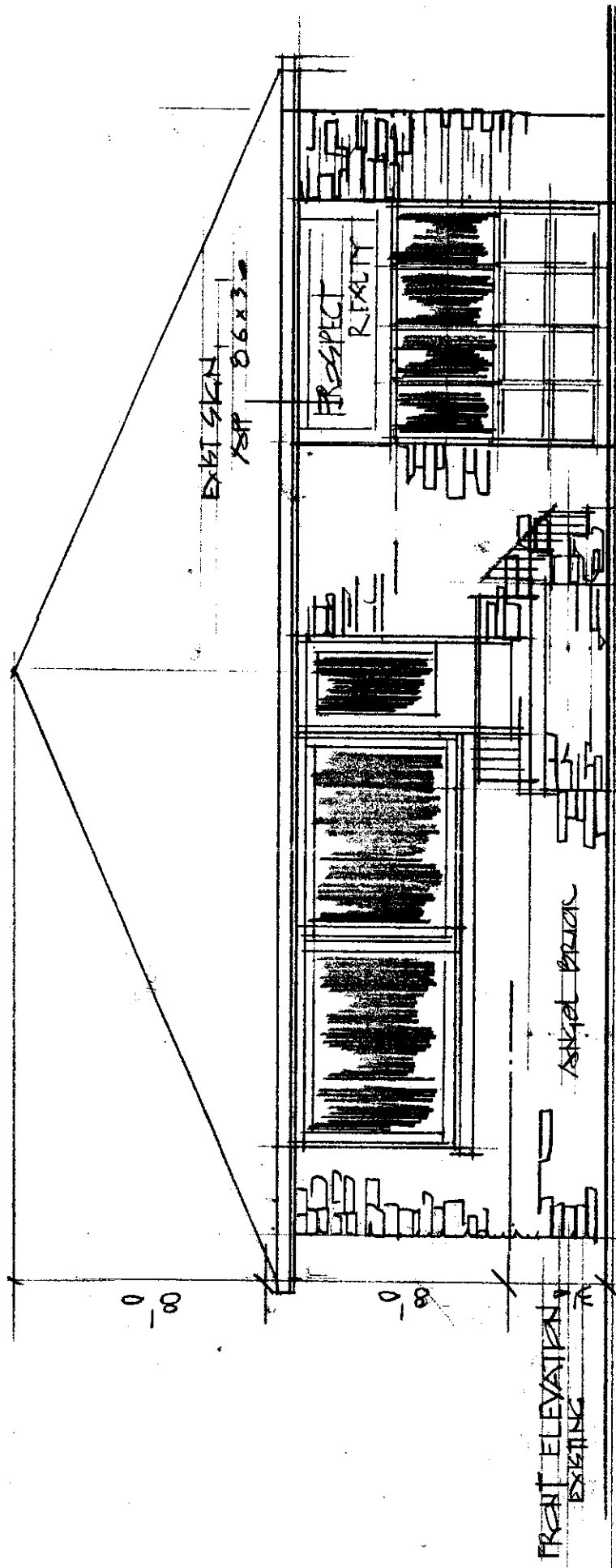
FILE #: Z.02.054 DA.02.042	REPORT #: LOCATION: LOT 6, CON. 7	CITY OF VAUGHAN PLANNING DEPARTMENT	DATE: 07/08/2002	APPLICANT: JOE MARCHESE	SCALE: NOT TO SCALE
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--- SUBJECT LANDS

ATTACHMENT '2'  
SITE PLAN

FILE #:	REPORT #:	DATE: 07/08/2002
Z.02.054 DA.02.042	LOCATION: LOT 6, CON. 7	APPLICANT: JOE MARCHESE
CITY OF VAUGHAN PLANNING DEPARTMENT		SCALE: NOT TO SCALE



<p>ATTACHMENT '3' ELEVATIONS</p>		FILE #:	REPORT #:	DATE:
		<p>Z.02.054 DA.02.042</p>	<p>LOCATION: LOT 6, CON. 7</p>	<p>07/08/2002</p>
		CITY OF VAUGHAN PLANNING DEPARTMENT		APPLICANT:
				<p>SCALE: NOT TO SCALE</p> <p>JOE MARCHESE</p>