

COMMITTEE OF THE WHOLE MARCH 3, 2003

**OFFICIAL PLAN AMENDMENT FILE OP.02.023
ZONING BY-LAW AMENDMENT FILE Z.02.081
HELENA DEAN/1540072 ONTARIO LTD.
REPORT #P.2003.5**

RECOMMENDATION

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment Application OP.02.023 (Helena Dean/1540072 Ontario Ltd.) BE APPROVED to amend the "Core Area" designation policies of OPA #601 to permit a veterinary clinic.
2. THAT Zoning By-law Amendment Application Z.02.081 (Helena Dean/1540072 Ontario Ltd.) BE APPROVED, subject to the following:
 - i) That the implementing by-law:
 - a) rezone the subject lands to C1 Restricted Commercial Zone, to permit a veterinary clinic only; and
 - b) provide any necessary exceptions to implement the approved site plan, including front and side yard setbacks, landscaping and parking.
 - ii) That prior to enactment of the by-law, the required site plan application shall be approved by Council.

Purpose

On December 13, 2002, the Owner submitted applications to amend the Official Plan and Zoning By-law to redesignate and rezone the subject lands to permit a veterinary clinic use within the entire 130m² floor space of the existing dwelling.

Background - Analysis and Options

The site is located on the east side of Islington Avenue, north of Major Mackenzie Drive, being Lot 24 on Registered Plan 11 (10435 Islington Avenue), within Lot 24, Concession 8, City of Vaughan.

The site is designated "Core Area" by OPA #601 (Kleinburg/Nashville Community Plan) and zoned R1 Residential Zone by By-law 1-88. The property is developed with a one-storey detached dwelling. The surrounding land uses are:

- North - residential (R1 Residential Zone)
- South - residential (R1 Residential Zone)
- East - residential (R1 Residential Zone)
- West - Islington Avenue; commercial (C6 Highway Commercial)

On December 20, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to Kleinburg & Area Ratepayers Association. Comments from the Kleinburg & Area Ratepayers Association were received on February 9, 2003, stating a concern that this section of Islington Avenue, which is primarily residential, will end up being zoned commercial on a piecemeal basis.

The recommendation of the Committee of the Whole at the Public Hearing on January 20, 2003, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on January 27, 2003.

Official Plan

The lands are designated "Core Area" by OPA #601, which permits "Mainstreet Commercial" uses along Islington Avenue. Some of these commercial uses include the following:

- retail stores;
- personal service shops;
- professional and business offices (i.e. doctor's offices and a regulated health professional);
- small scale hotels or "Village Inns";
- Bed and Breakfast operations;
- Restaurants including sidewalk cafes;

A veterinary clinic is not contemplated as a "Mainstreet Commercial" use, therefore an Official Plan amendment is required.

Zoning

The lands are zoned R1 Residential Zone by By-law 1-88, which permits a detached residential dwelling. The proposed rezoning to C1 Restricted Commercial Zone, would permit the use of the residential dwelling for a veterinary clinic.

By-law 1-88 defines a Veterinary Clinic as:

"Means a building or part of a building that is used solely by a veterinarian and his/ her staff for the purpose of treatment of animals and providing facilities where the animals may be kept during the course of treatment."

Exceptions to setbacks, landscaping and parking will be required to implement the site plan.

Planning Considerations

The Official Plan designates this area "Core Area", which permits "Mainstreet Commercial" uses. The commercial component of the Kleinburg Core Area is intended to maintain its role as a focus for tourism and as a commercial area servicing the local and neighbourhood shopping needs of the community. The Official Plan also requires that the majority of the commercial development proposals within the Kleinburg Core Area will be subject to site specific amendments to the zoning by-law to implement the "Mainstreet Commercial" uses.

The applicant advises that the proposed veterinary clinic will operate solely within the existing dwelling, with no outdoor facilities for animals on the premises, and that the animals will only stay at the clinic during the course of their treatment. The applicant also advises that the veterinary clinic is expected to serve the needs of the local residents.

Staff is satisfied that the proposed clinic is of a scale which will serve the Kleinburg community. The use is considered to be compatible with the existing residential and future commercial uses in the core area along Islington Avenue.

Departmental Comments

The City of Vaughan Engineering Department has advised that should the subject lands redevelop in the future, the City will require a conveyance of a 4.75m strip of land along the Islington Avenue frontage.

Conclusion

Planning Staff have reviewed the applications in context of the provisions of the Official Plan and Zoning By-law. The proposed rezoning to C1 Restricted Commercial Zone, would permit a veterinary clinic use conducted entirely within the existing dwelling. Staff is satisfied that the proposal is a compatible and appropriate use for the "Mainstreet Commercial" designation.

For these reasons, Staff recommends approval of the Official Plan and Zoning By-law amendment applications, subject to conditions. Should Committee concur, the recommendation of this report can be adopted.

Attachments

1. Location Map
2. Site Plan
3. Floor Plan

Report prepared by:

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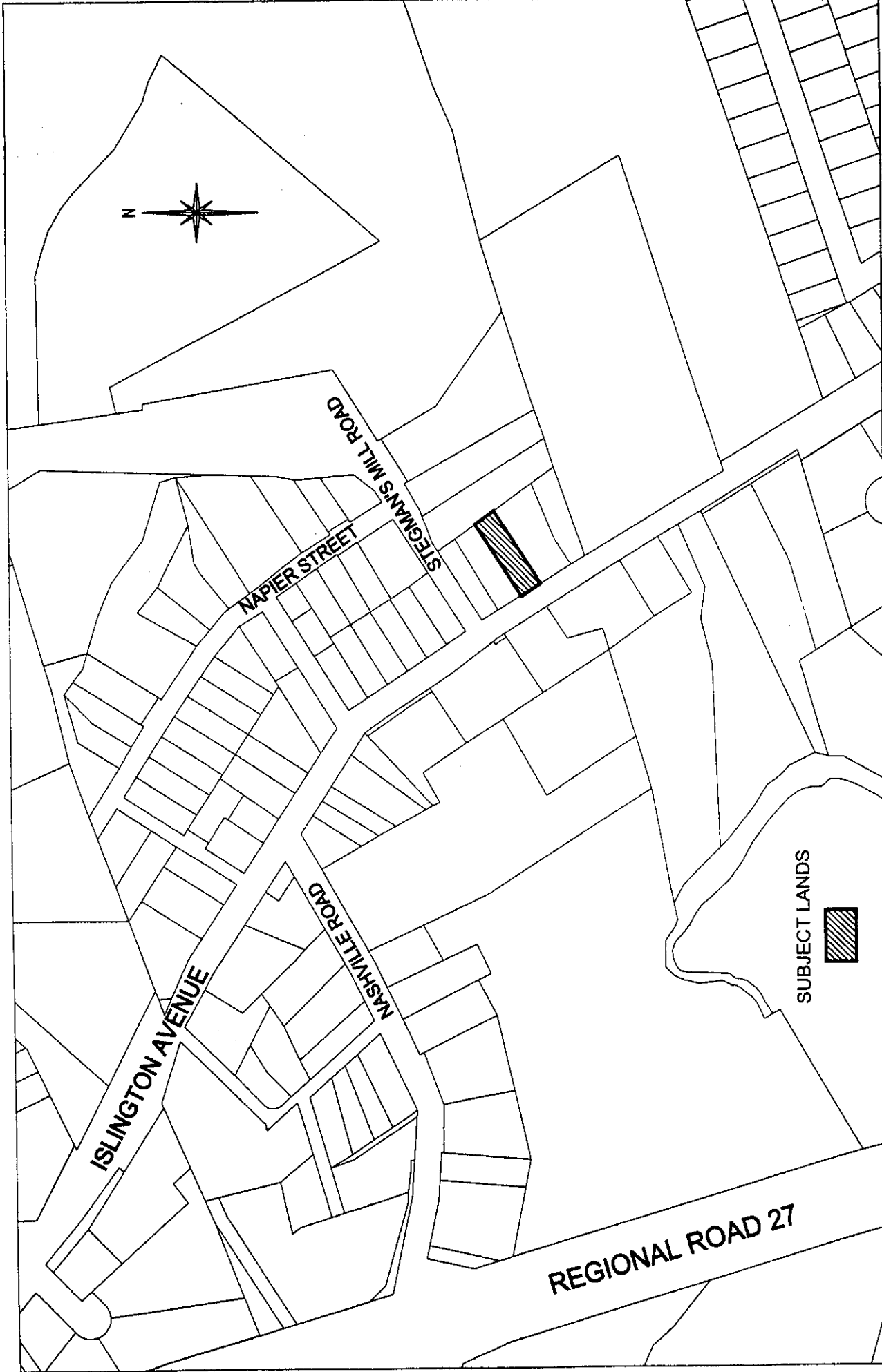
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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Attachment
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FILE No.:
 OP.02.023 &
 Z.02.081
 December 18, 2002
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City of
Vaughan

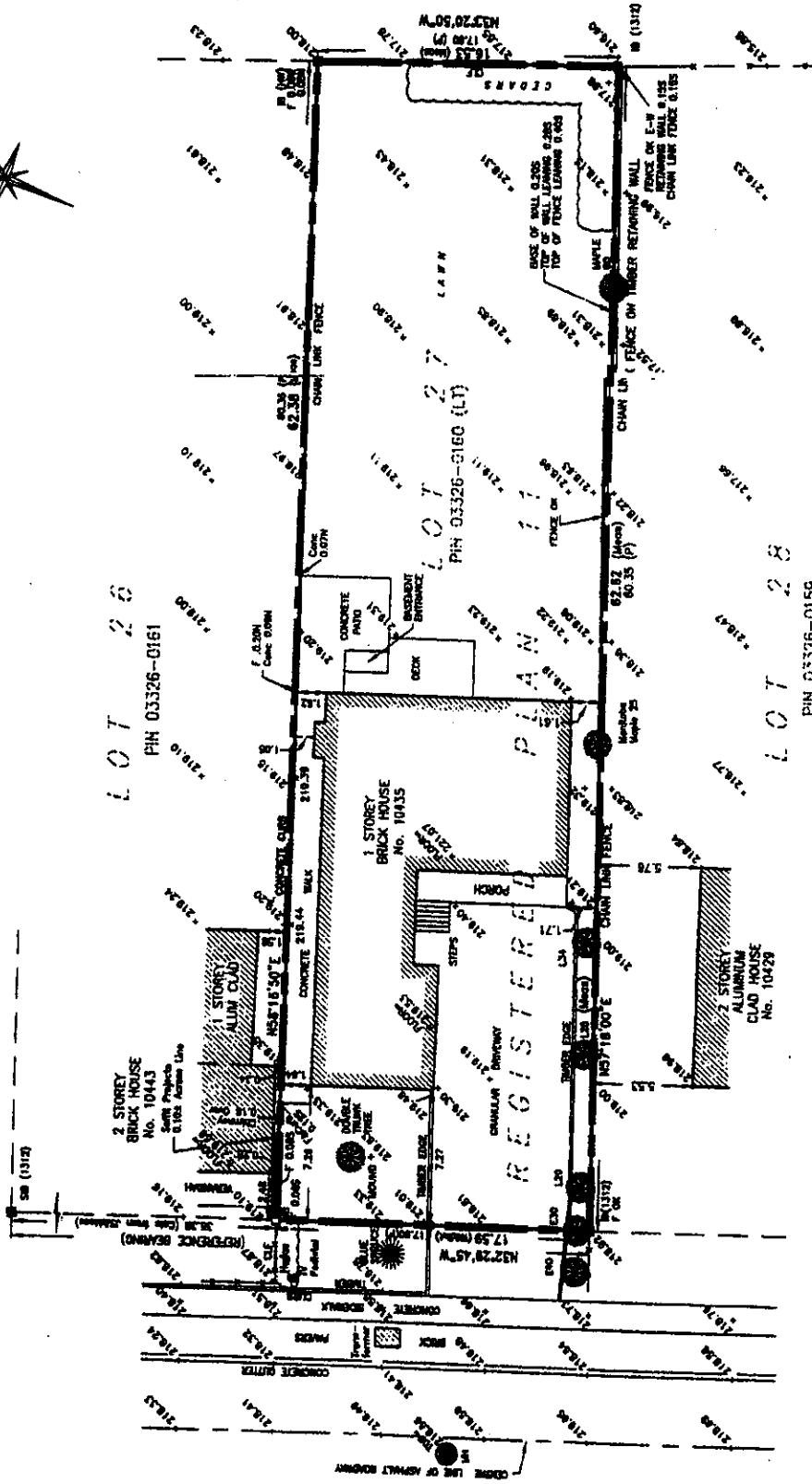
Community Planning Department

Location Map

Part Lot 24,
 Concession 8
 APPLICANT:
 HELENA DEAN /
 1540072 ONTARIO LTD.



STEGMAN'S MILL ROAD



ISLINGTON AVENUE (YORK REGION ROAD No. 17)

SUBJECT LANDS

Site Plan

Part Lot 24,
Concession 8

APPLICANT:
HELENA DEAN /
1540072 ONTARIO LTD.

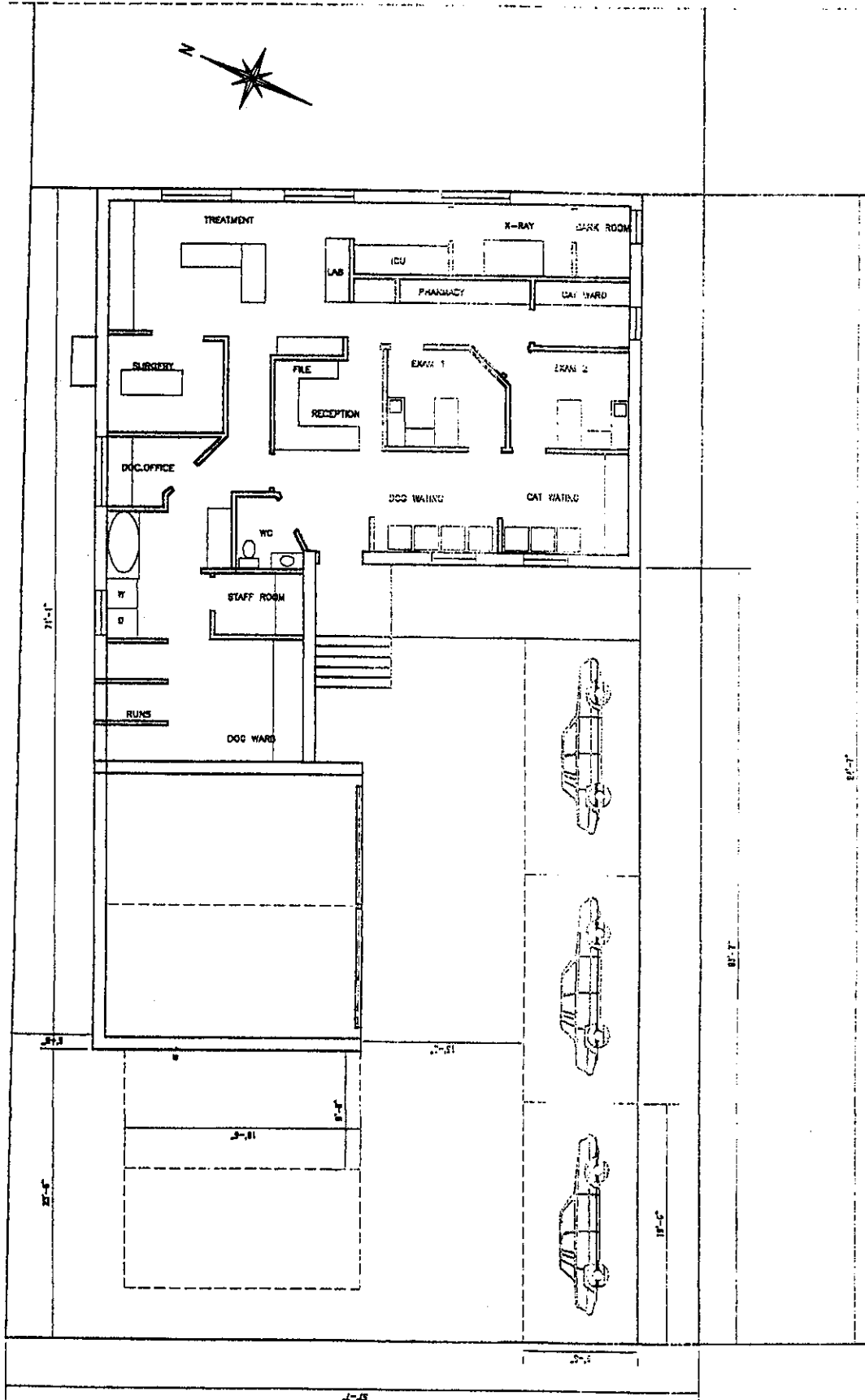
City of Vaughan

Community Planning Department

Attachment 2

FILE NO.:
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December 18, 2002
Not to Scale



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