

2967 Sheppard Ave East – Zoning Application – Preliminary Report

Date:	May 20, 2009
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 40 – Scarborough-Agincourt
Reference Number:	09 120627 ESC 40 OZ

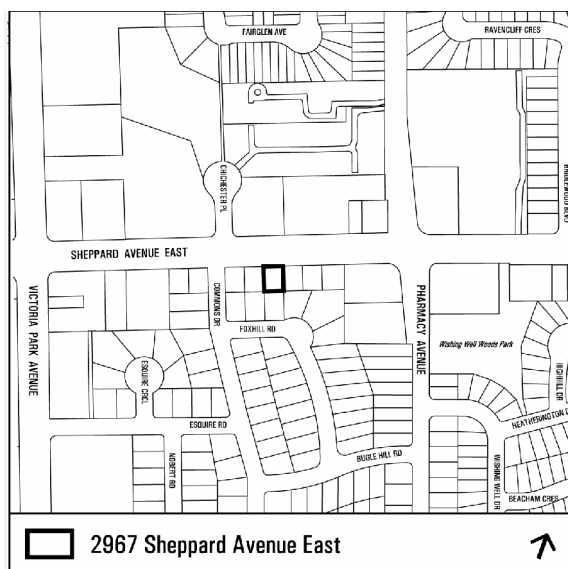
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes the use of an existing single detached residential dwelling at 2967 Sheppard Avenue East as a physiotherapy clinic for a temporary, three year period. Seven on-site parking spaces are proposed.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The application should proceed through the normal planning process including the scheduling of a community consultation meeting. A final report and public meeting are targeted for late Fall 2009 provided all the required information is provided by the applicant in a timely fashion and issues raised during the review are addressed in a satisfactory manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2006, the abutting lands to the east at 2969 Sheppard Avenue East were rezoned to permit the existing single detached residential dwelling to be used for office purposes for a temporary three (3) year period. This by-law expires in September 2009. The related staff report can be found at

<http://www.toronto.ca/legdocs/2005/agendas/committees/sc/sc050705/it012.pdf>

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

A physiotherapy clinic and associated office uses are currently operating from the premises. The applicants have applied to rezone the site to permit this use to continue operating from the existing residential dwelling for a temporary three (3) year period. No additions to and no residential occupancy within the existing dwelling are proposed. According to the applicants, the dwelling has approximately 197.24 square metres (2,123 square feet) of gross floor area. A total of seven parking spaces are proposed within the front and east side yards with some parking also extending into the rear yard (see Attachment 1). A circular driveway, providing two points of access to Sheppard Avenue, currently exists.

Site and Surrounding Area

The property has 22.86 metres (75 feet) of frontage on the south side of Sheppard Avenue East and is approximately 801 square metres (0.2 acres) in lot area. The lot is 35.05 metres (115 feet) in depth. A side split, single detached residential dwelling is located on the property.

Abutting uses are as follows:

North:	High density residential uses on the north side of Sheppard Avenue East.
South:	Single detached residential dwellings located on Foxhill Road.
West:	Single detached residential dwellings located on the south side of Sheppard Avenue East.
East:	Commercial office operating out of the existing house form building (refer to Decision History for further information). A local commercial plaza is located at the south-west corner of Pharmacy Avenue and Sheppard Avenue East.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The lands are designated "Neighbourhoods" on the Land Use Plan with an "Avenues" overlay on the Sheppard Avenue properties as shown on the Urban Structure Map (Map 2).

"Avenues", generally, are areas where new growth can occur along major streets where there are major reurbanization opportunities supported by public transit.

"Neighbourhoods" are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses and townhouses. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in Neighbourhoods.

The Official Plan also permits the enactment of temporary use by-laws and states that the temporary use will:

- a) maintain the long term viability of the lands for the uses permitted in the Official Plan and zoning by-law;

- b) be compatible with adjacent lands uses, or be made compatible through site mitigation;
- c) not have an adverse impact on traffic, transportation or parking facilities in the area; and
- d) be suitable for the site in terms of site layout, building design, accessibility, provision of landscaping, screening and buffering and available services.

Staff will be reviewing the application against the policies of the Official Plan.

Zoning

The property is zoned Single Family Residential (S) under the Sullivan Community Zoning By-law No. 10717, as amended. Single family dwellings, domestic or household arts and private home daycare are permitted. Physiotherapy clinic and related uses are not permitted.

Temporary Use By-laws

Council may pass temporary use by-laws to authorize the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by the zoning by-law, for a period not exceeding three years, in keeping with the provisions of the Planning Act. Council may, by by-law, grant further extensions of not more than three years each.

This is the third temporary use by-law application received proposing the conversion or partial conversion of an existing single detached residential dwelling on the south side of Sheppard Avenue East, between Victoria Park Avenue and Pharmacy Avenue. The previously mentioned application at 2969 Sheppard Avenue East was approved. An application for a flower shop use at 2973 Sheppard Avenue East was refused by Council and the applicant's appeal to the Ontario Municipal Board was dismissed.

The Sheppard Corridor Study previously highlighted these applications and also identified opportunities for limited intensification involving these properties. The Sheppard Corridor Study report can be found at <http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10465.pdf>

Site Plan Control

An application for site plan approval has been filed. Should the application proceed, the lands will need to be placed into a site plan control area.

Transit City Light Rail Plan – Sheppard East LRT

The Sheppard East LRT is proposed to extend from Don Mills station east to Meadowvale Road. Detailed engineering of selected segments is underway and construction is scheduled to start this year. Once completed, the Sheppard East LRT will provide a greatly enhanced level of public transit within the Sheppard Corridor and a direct connection to the Sheppard Subway.

Tree Preservation

A number of private trees on site have recently been removed. Urban Forestry has confirmed that all of the trees removed were less than 30 cm in diameter and did not qualify for protection. The arborist report submitted indicates that the remaining trees on site also do not qualify for protection under the City's tree protection by-law.

Reasons for the Application

The existing zoning on the property does not permit physiotherapy clinic and office uses.

COMMENTS

Application Submission

A planning rationale report was submitted with the application.

A Notification of Incomplete Application was issued on April 23, 2009 which identified the outstanding material required for a complete application submission as follows: stormwater management report and/or drainage report; an arborist report or tree declaration.

The outstanding material was submitted on April 24, 2009 and a Notification of Complete Application was subsequently issued.

Issues to be Resolved

Appropriateness of Proposed Use

The appropriateness of the proposed physiotherapy clinic use and the impact the conversion of the existing dwelling may have on the long term viability of the lands for uses permitted by the Official Plan and zoning by-law will be assessed. Compatibility with adjacent land uses and appropriate site mitigation measures (ie. fencing and landscaping) may also be required.

Vehicular Access, Parking and Site Circulation

The suitability and functionality of the existing driveway access from Sheppard Avenue and the proposed on-site parking needs to be determined. Right in and right out only access will be permitted once the Sheppard East LRT line is constructed.

Landscaping

Opportunities to provide soft landscaping, including suitable tree planting areas, and to minimize hard asphalt areas will be explored.

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

Doug Muirhead, Senior Planner
Tel. No. (416) 396-7029
Fax No. (416) 396-4265
E-mail: dmuirhe@toronto.ca

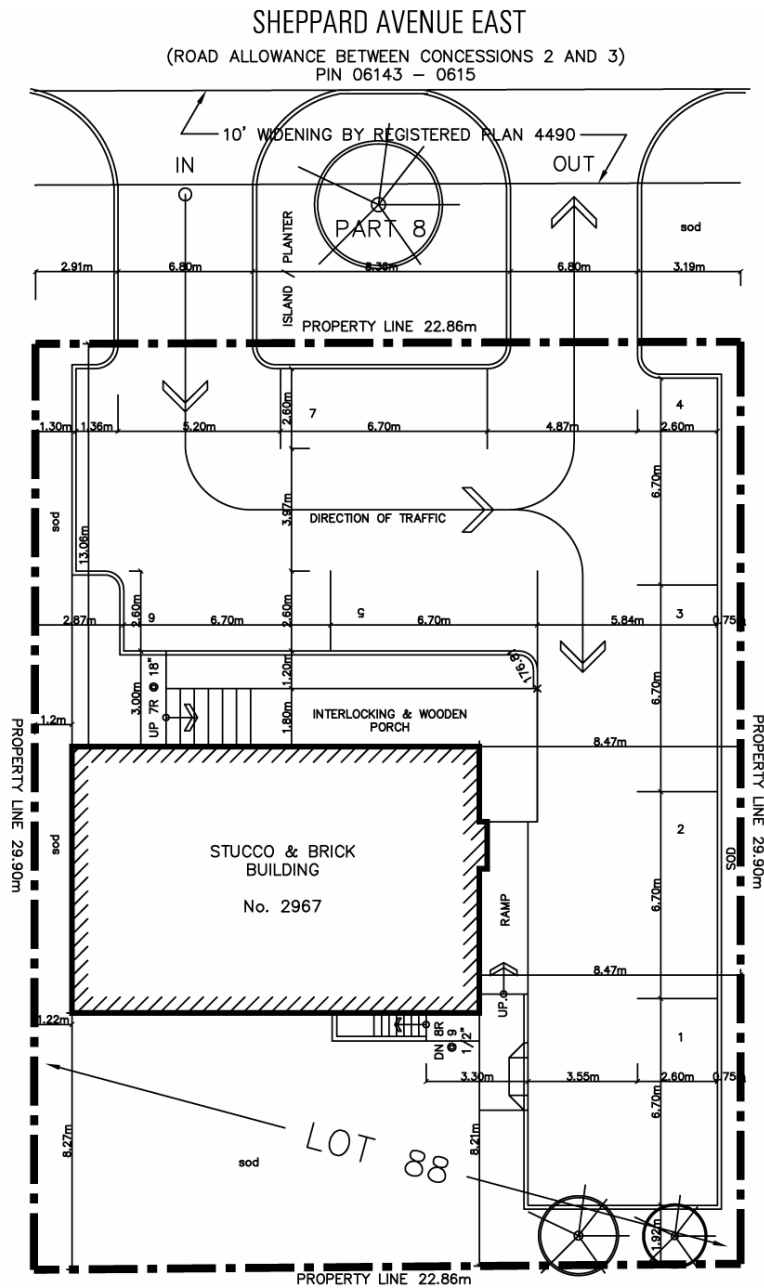
SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

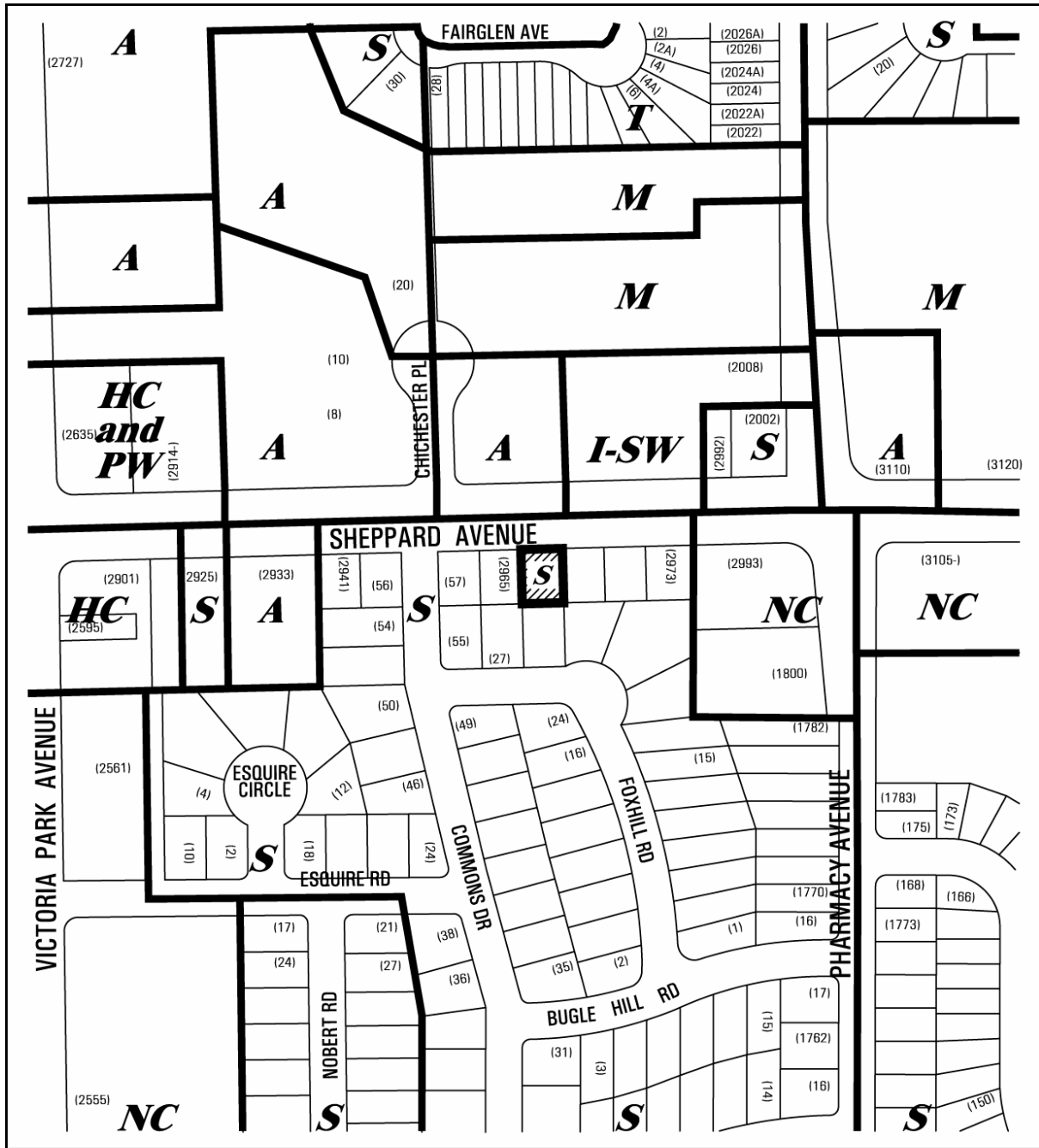
Not to Scale
05/08/09



2967 Sheppard Avenue East

File # 09-120627 0Z

Attachment 3: Zoning



TORONTO City Planning
Division
Zoning

2967 Sheppard Avenue East
File # 09-120627 OZ

S Single-Family Residential
T Two-Family Residential
M Multiple-Family Residential
A Apartment Residential
NC Neighbourhood Commercial
HC Highway Commercial
I-SW Institutional - Social Welfare
PW Place(s) of Worship

Sullivan & L'Amoreaux Com. Bylaws
Not to Scale
04/29/09



Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	09 120627 ESC 40 OZ
Details	Rezoning, Standard	Application Date:	March 26, 2009

Municipal Address:	2967 SHEPPARD AVE E
Location Description:	PL 4490 LT88 **GRID E4003
Project Description:	Zoning amendment application to convert the existing residential dwelling to a commercial office for a Rehabilitation/Physiotherapy clinic.

Applicant:	Agent:	Architect:	Owner:
WEIRFOULDS, LLP	C. TZEKAS		REPPAS HOLDINGS INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	S-Single Family Residential	Historical Status:
Height Limit (m):		Site Plan Control Area: N

PROJECT INFORMATION

Site Area (sq. m):	683.51	Height:	Storeys:	1.5
Frontage (m):	22.86		Metres:	5.13
Depth (m):	29.9			
Total Ground Floor Area (sq. m):	109.35			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	7
Total Non-Residential GFA (sq. m):	197.24		Loading Docks	0
Total GFA (sq. m):	197.24			
Lot Coverage Ratio (%):	16			
Floor Space Index:	0.29			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	197.24	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Doug Muirhead, Senior Planner
	TELEPHONE:	(416) 396-7029