



STAFF REPORT ACTION REQUIRED

2969 Sheppard Avenue East – Rezoning Application - Preliminary Report

Date:	August 27, 2009
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 40 – Scarborough-Agincourt
Reference Number:	09 157524 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 to allow an office use to operate from within an existing residential dwelling located at 2969 Sheppard Avenue East.

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.

This application should proceed through the normal planning process, including the scheduling of a community consultation meeting. A final report will be prepared and a public meeting will be scheduled once all required information is provided by the applicant and issues raised during the review have been satisfactorily addressed.



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, Council approved an application to rezone the property to permit the existing residential dwelling on site to be used for office purposes for a temporary three (3) year period. By-law No. 881-2006 was passed on September 27, 2006. The related staff report can be found at

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

A rezoning application was recently filed to permit a physiotherapy clinic and associated office uses to operate from within an existing single detached dwelling at 2967 Sheppard Avenue East, which abuts the site to the west, for a temporary three (3) year period. The related staff report can be found at

<http://www.toronto.ca/legdocs/mmis/2009/sc/bgrd/backgroundfile-21352.pdf>

Pre-Application Consultation

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

ISSUE BACKGROUND

Proposal

The existing residential dwelling on site is currently being used for commercial office purposes as permitted by the temporary use by-law enacted by Council three years ago. At that time the site was improved to introduce an adequate driveway access, sufficient on-site parking and landscaping. The by-law restricts the office uses to the existing building only and requires that at least three parking spaces be provided.

Temporary use by-laws may only be in effect for a maximum of three years. The approved three year period expires on September 27, 2009 and the applicants would like to continue operating from the site on a permanent basis. No changes to the existing

building, access, parking or landscaping are proposed. City staff are not aware of any complaints related to the office use during the three year period that the zoning has been in effect.

Site and Surrounding Area

The property is approximately 703.6 square metres (0.17 acres) in lot area and has approximately 22.86 metres (75 feet) of frontage on the south side of Sheppard Avenue East.

A side split, single detached residential dwelling is located on the property. A circular driveway exists which provides a single inbound and single outbound access to Sheppard Avenue East together with a minimum of three on-site parking spaces. These improvements were made in accordance with the temporary zoning by-law permissions granted in 2006 (see Decision History).

Abutting uses are as follows:

North: High Density residential on the north side of Sheppard Avenue East.

South: Single detached residential dwellings located on Foxhill Road.

East: Single detached residential dwelling located on the south side of Sheppard Avenue East.

West: Single detached residential dwelling currently being used for a physiotherapy clinic and related office uses (see Decision History).

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.

Staff will review the proposed development for consistency with the PPS and for conformity 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 opportunities 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. An official plan amendment is not required.

Zoning

The property is zoned Single Family Residential (S) under the Sullivan Community Zoning By-law No. 10717, as amended, of the former City of Scarborough. Single family dwellings, domestic or household arts and private home daycare uses are permitted. By-law No. 881-2006 permits an office use within the existing houseform building for a three year period expiring in September 2009.

Site Plan Control

The property is not located within a site plan control area. Previously, prior to the zoning by-law being enacted to permit the use on a temporary basis, the applicants were required to submit a site plan to the satisfaction of the Director, Community Planning, East District. No changes are proposed to this plan which is included as Attachment 1.

Tree Preservation

A Norway Maple located in the front yard is in good condition and qualifies for protection under the City’s Private Tree By-law. The existing circular driveway and parking area were designed to preserve this tree.

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 an enhanced level of public transit within the Sheppard Corridor and a direct connection to the Sheppard Subway.

Reasons for the Application

The existing zoning on the site only permits an office use for a temporary three (3) year period. This approval expires in September 2009. The applicants wish to continue the office operation and have applied to permit this use on a permanent basis.

COMMENTS

Application Submission

A planning rationale letter was submitted with the application. City staff are reviewing the application for completeness. Many of the pertinent issues such as an arborist report/tree declaration and stormwater management issues were addressed during the

review of the previous temporary use by-law application. Complete application requirements will be scoped accordingly.

Issues to be Resolved

City staff will need to determine whether permission for permanent office uses on this site within the existing houseform building will pose any unacceptable precedent for future development in the immediate area or incompatibility with the abutting stable residential neighbourhood to the south. As noted in this report, the adjacent site to the west also has an active zoning application (temporary use) to permit a physiotherapy clinic and related office uses within an existing residential dwelling along with surface parking.

The Sheppard East LRT may result in the need for some modifications to the existing Sheppard Avenue East accesses (left turns from site will not be possible). Existing on-street parking on Sheppard Avenue will also be eliminated.

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

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SIGNATURE

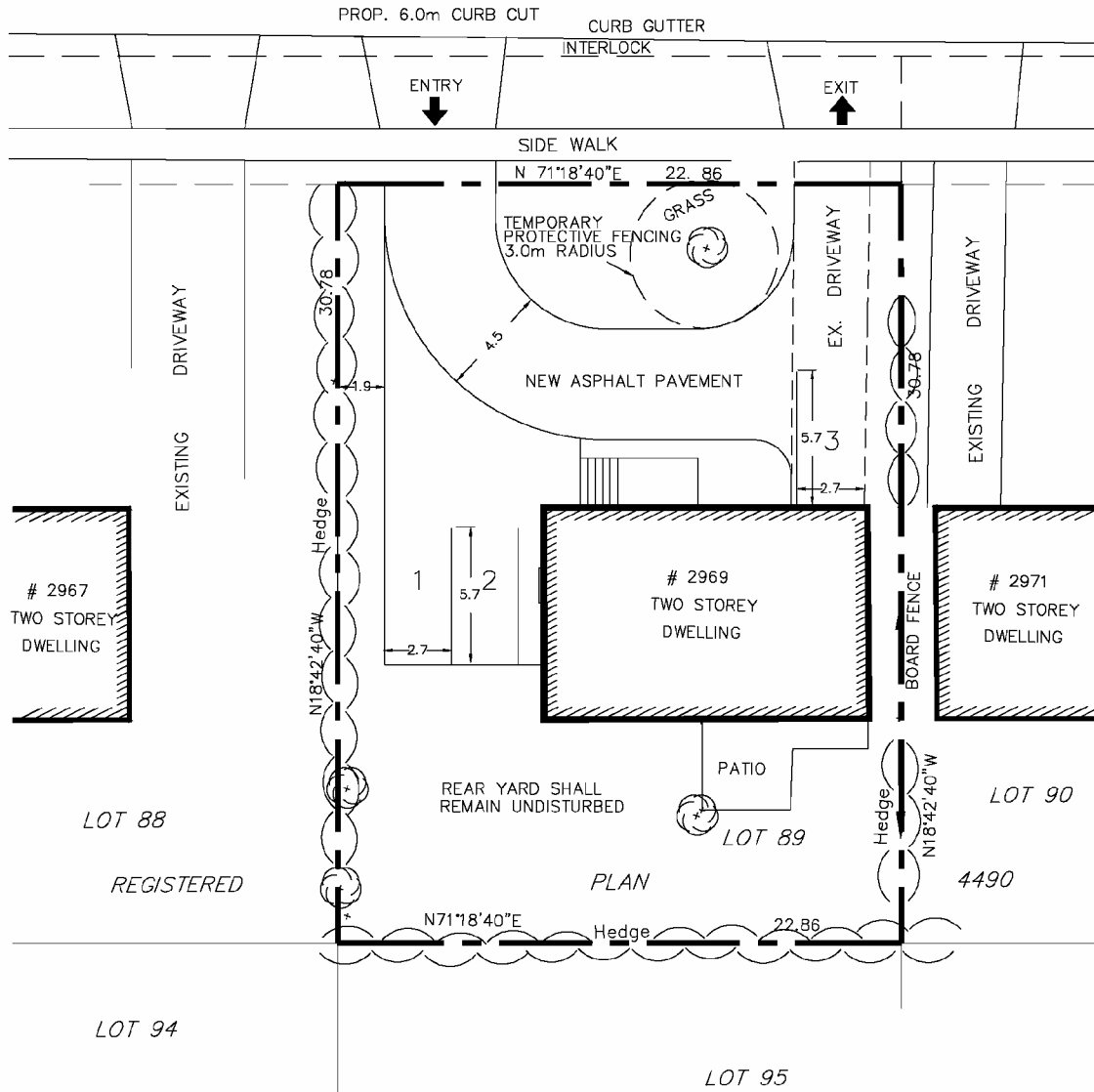
Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

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

Attachment 1: Site Plan

SHEPPARD AVENUE EAST



Site Plan

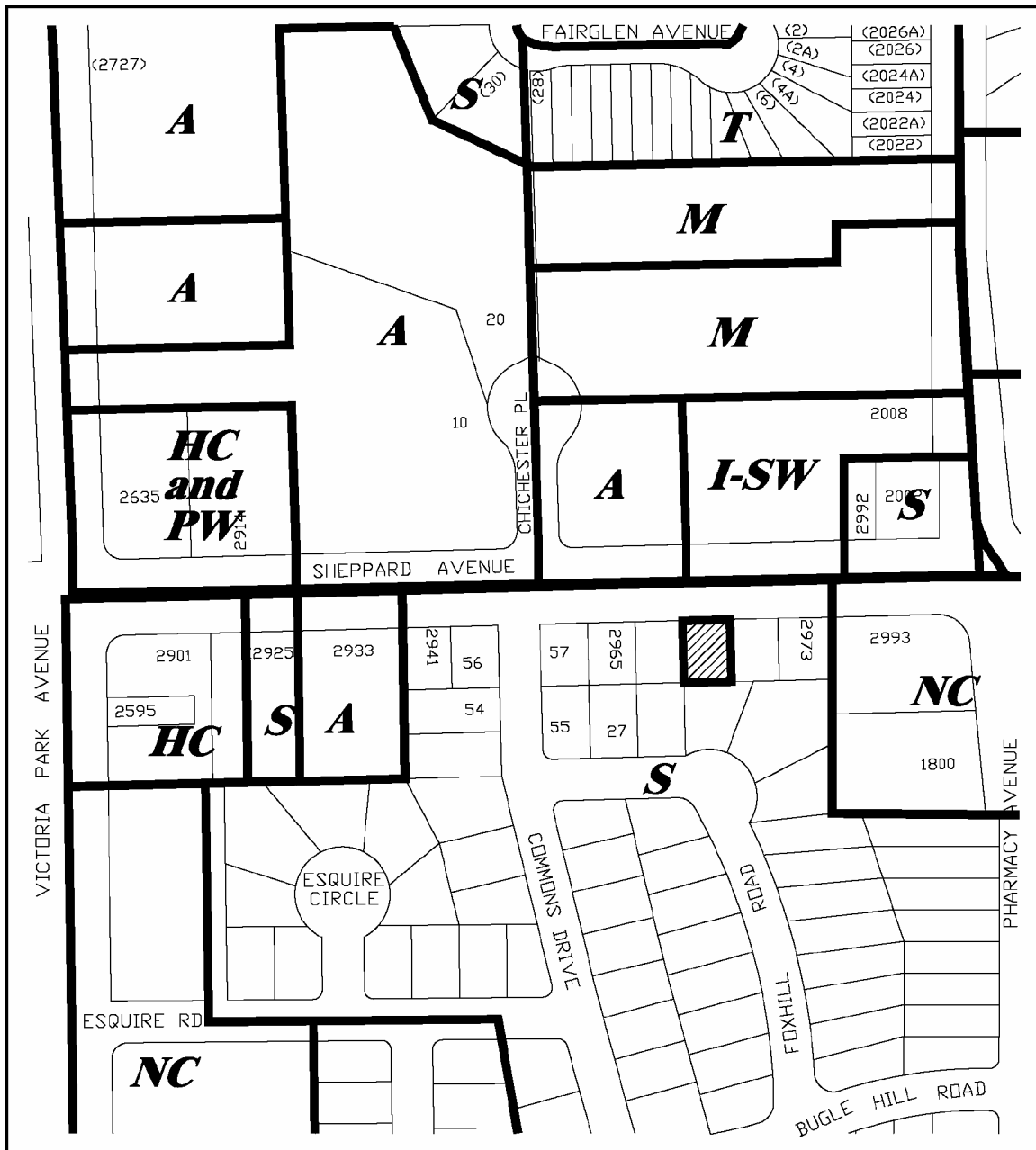
Applicant's Submitted Drawing

Not to Scale
8/24/09

2969 Sheppard Avenue East

File # 09-157524 02

Attachment 2: Zoning



TORONTO Urban
Development Services
Zoning

2969 Sheppard Avenue E.
File # 09-157524 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 Community Bylaw
Not to Scale
8/19/09
↑

Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	09 157524 ESC 40 OZ
Details	Rezoning, Standard	Application Date:	August 13, 2009

Municipal Address:	2969 SHEPPARD AVE E
Location Description:	PL 4490 LT89 **GRID E4003
Project Description:	To rezone the property to permit a permanent commercial office use (previously permitted as a temporary use only).

Applicant:	Agent:	Architect:	Owner:
2030578 ONTARIO INC	Karl Robson	n/a	2030578 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	n/a
Zoning:	Single Family Residential (S)	Historical Status:	no
Height Limit (m):	9 m	Site Plan Control Area:	no

PROJECT INFORMATION

Site Area (sq. m):	703.6	Height:	Storeys:	2
Frontage (m):	22.86		Metres:	0
Depth (m):	30.78			
Total Ground Floor Area (sq. m):	113.5			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	3
Total Non-Residential GFA (sq. m):	227		Loading Docks	0
Total GFA (sq. m):	227			
Lot Coverage Ratio (%):	16.13			
Floor Space Index:	0.32			

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):	227	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

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