

3551 Victoria Park Avenue – Rezoning & Site Plan Applications – Preliminary Report

Date:	January 18, 2010
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 39 – Scarborough-Agincourt
Reference Number:	09 187694 ESC 39 OZ & 09 187701 ESC 39 SA

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.

The applicant has filed a zoning by-law amendment application to permit a place of worship within an existing listed heritage house located at 3551 Victoria Park Avenue. The applicant has also filed an application for site plan approval. The applicant has been operating a place of worship at this location for some time and is now seeking permission to legalize the use.

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

The application should proceed through the normal planning review process including the scheduling of a community consultation meeting and the preparation of a final report once all required information is submitted 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 when the application is complete.
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.

Pre-Application Consultation

A pre-application consultation meeting was held on March 9, 2009 with the applicant to discuss their proposal and the submission requirements for a complete application. The applicant identified the intended use to be primarily for a place of worship, along with classes for its members during the day and on weekends. Staff described the rezoning process and identified submission requirements. The applicant was also provided with contacts at Heritage Preservation Services regarding the historically listed home.

ISSUE BACKGROUND

Proposal

On November 13, 2009 Hossein Eftekhari on behalf of the Islamic Society of Willowdale applied for a zoning by-law amendment for permission to convert a two storey detached residential home to a place of worship. The site has frontage on two streets, Victoria Park Avenue and Iangrove Terrace. However, vehicular access is exclusively from Victoria Park Avenue. The existing building has a gross floor area of 285 square metres, all of which would be utilized as a place of worship, with ancillary offices and reading rooms. While the applicant had previously suggested that the building would offer educational classes on site, the submission provides no information in this regard. The applicant is proposing a total of 18 surface parking spaces predominantly located at the rear of the site. See attachment 4: Application Data Sheet.

Site and Surrounding Area

The 1,525 square metre (0.37 acre) site is located on the east side of Victoria Park Avenue, south of McNicoll Avenue. The site is currently occupied by a two storey detached residential building, which is listed on the City's inventory of heritage properties. The site also contains a significant number of mature trees surrounding the home.

The surrounding uses in all directions are exclusively detached and semi-detached 1 and 2-storey residential uses. Properties located on the east side of Victoria Park Avenue north and south of the site (with the exception of the subject site) have their front doors and gain vehicular access from Iangrove Terrace with their rear yards abutting Victoria Park Avenue. A pedestrian path connecting Victoria Park Avenue and Iangrove Terrace is immediately adjacent to the subject site along the north property line. Located further north beyond the residential uses is a hydro corridor.

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 Official Plan designates the site as "Neighbourhoods". Neighbourhoods are considered stable areas and are made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses, as well as interspersed walk up apartments that are no higher than four storeys. 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.

Low-scale local institutions play an important role in the rhythm of daily life in Neighbourhoods and are permitted by the Official Plan. These uses include schools, places of worship, community centres and libraries.

Development in Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) prevailing patterns of rear and side yard setbacks and landscaped open space;
- b) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood;
- c) conservation of heritage buildings, structures and landscapes.

Staff will be reviewing these and other applicable policies to ensure that the application complies with the Official Plan.

Zoning

The subject site is located within the Agricultural Uses (AG) zone under the L'Amoreaux Community North By-law No. 12466. The zone reflects historic uses in the area and only permits agricultural uses and day nurseries. Exception No. 89 also applies to this site which permits a single family dwelling and lists criteria for floor area, lot area and setbacks.

Site Plan Control

The proposed development is not currently within a site plan control area. However, in considering a zoning amendment application for these lands, staff will recommend that these lands be subject to site plan control. An application for site plan approval has been submitted. The site plan application will be reviewed, and if the rezoning application is approved, the site will be placed under site plan control.

Tree Preservation

As indicated previously, the site contains many mature trees which may be subject to the City's Tree Preservation By-law. The applicant has submitted a tree inventory assessment. In addition, the applicant will be required to submit an arbourist report which will be reviewed by Forestry staff.

Heritage Preservation

The application has been circulated to Heritage Preservation Services (HPS) for comment as the existing building known as the Riseborough House is listed as being of architectural and/or historical interest. HPS has deemed the submission incomplete and has requested a Heritage Impact Assessment be submitted for review.

Reasons for the Application

The applicant proposes a use which is not permitted in the AG zone in the L'Amoreaux Community North By-law No. 12466. Additional areas of non-compliance with the zoning by-law may be identified through the further review of the application.

COMMENTS

Application Submission

As noted earlier a pre-application meeting was held with the applicant to discuss submission requirements for a complete application. However the application was submitted with only a tree assessment report. A Notification of Incomplete Application was issued on Decemeber 1, 2009 which identified the outstanding material required for a complete application. They are as follows:

- planning rationale
- Toronto Green Standards checklist
- heritage impact statement
- archaeological report
- arbourist report (submitted improperly as a tree assessment)

- proper survey of the property
- parking utilization study
- traffic operations study
- site servicing and stormwater management report
- servicing plan
- landscape plan detailing the location of utilities
- all plans to be fully dimensioned and detailed

At the time of this report staff are awaiting a re-submission of all material from the applicant. Additional required information may be identified through the review of the application, agency comments and community consultation process.

Issues to be Resolved

Official Plan

The Neighbourhood Area policies within the Official Plan seek to ensure that development respect and reinforce the general physical patterns in the neighbourhood. In particular, attention to setbacks of buildings, prevailing patterns of rear and side yards and landscaped open space, and the conservation of heritage buildings, structures and landscapes are important. While the applicant proposes to maintain the building in its current location, they are proposing to alter the front, side and rear yard with a reduction of soft landscaping. The subject site is situated in a low scale residential neighbourhood. The homes located to the north and south of the site fronts/gain access to their property from Iangrove Terrace while the subject site fronts/gain access from Victoria Park Avenue. The adjacent lots have generous setbacks along Iangrove Terrace of approximately 9 metres which are occupied by a driveway and soft landscaping. In the applicant's proposal the rear yard (which is Iangrove Terrace's front yard) would be converted from a traditional rear yard condition, with soft landscaping and mature trees to a hard surface parking lot covering nearly the entire rear yard. Staff will review the proposal in relation to the Official Plan policies and its fit with the physical character of the neighbourhood.

Parking & Traffic

The applicant is proposing to maintain access to the site from Victoria Park Avenue, and provide a total of 18 parking spaces. The majority of these parking spaces are proposed to be located at the rear of the site via a private 6 metre wide driveway along the south property line. As previously mentioned, a pedestrian walkway connecting Iangrove Terrace and Victoria Park Avenue abuts the site and has resulted in some members of the place of worship parking on Iangrove Terrace and utilizing the walkway to access the site. As a result of this direct connection, issues related to traffic infiltration and parking on Iangrove Terrace may be problematic and place greater demand on the surrounding street network. The adequacy of the number of parking spaces and how traffic will operate will be determined upon further review once a traffic and parking study is submitted.

Heritage Preservation & Archaeological Potential

The subject site is listed on the City's Inventory of Heritage properties. The applicant has indicated that no major renovations will be taking place as a result of the proposed conversion to a place of worship. The applicant is required to submit both a Heritage Impact Statement as well as an Archaeological Assessment. Staff will review and assess the heritage preservation issues of the site and building once the appropriate studies are submitted.

Tree Preservation

The site contains a significant number of mature trees predominantly located at the rear of the site. The proposed new parking area located at the rear and the expanded driveway located at the front and south property line will require removal of many trees. The applicant has been requested to submit an arbourist report for review that identifies, among other things, the number and location of trees to be removed and how many trees are subject to the Tree Preservation By-law. Staff will determine the appropriateness of the proposed removal of trees to accommodate the place of worship.

As a result of the zoning amendment and site plan application being submitted, Forestry staff have visited the site and noticed a number of trees have been removed. Forestry staff will investigate this matter.

Toronto Green Standard

The applicant has not indicated what, if any, proposed green features will be incorporated in/on the building and site. At the time of this report the applicant has not submitted the required Toronto Green Standard checklist. Once submitted the application will be reviewed against this checklist paying particular attention to the large surface parking area located at the rear of the site. Staff have, and will continue to encourage the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

Stormwater Management/Site Servicing

As the applicant is proposing to remove a significant number of trees and proposes to pave over much of the rear side and front yard, staff will require stormwater management and site servicing reports to be submitted and reviewed by the City's Technical Services Division.

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

CONTACT

Mike Mestyan, Senior Planner

Tel. No. 416-396-7026

Fax No. 416-396-4265

E-mail: mmestyan@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

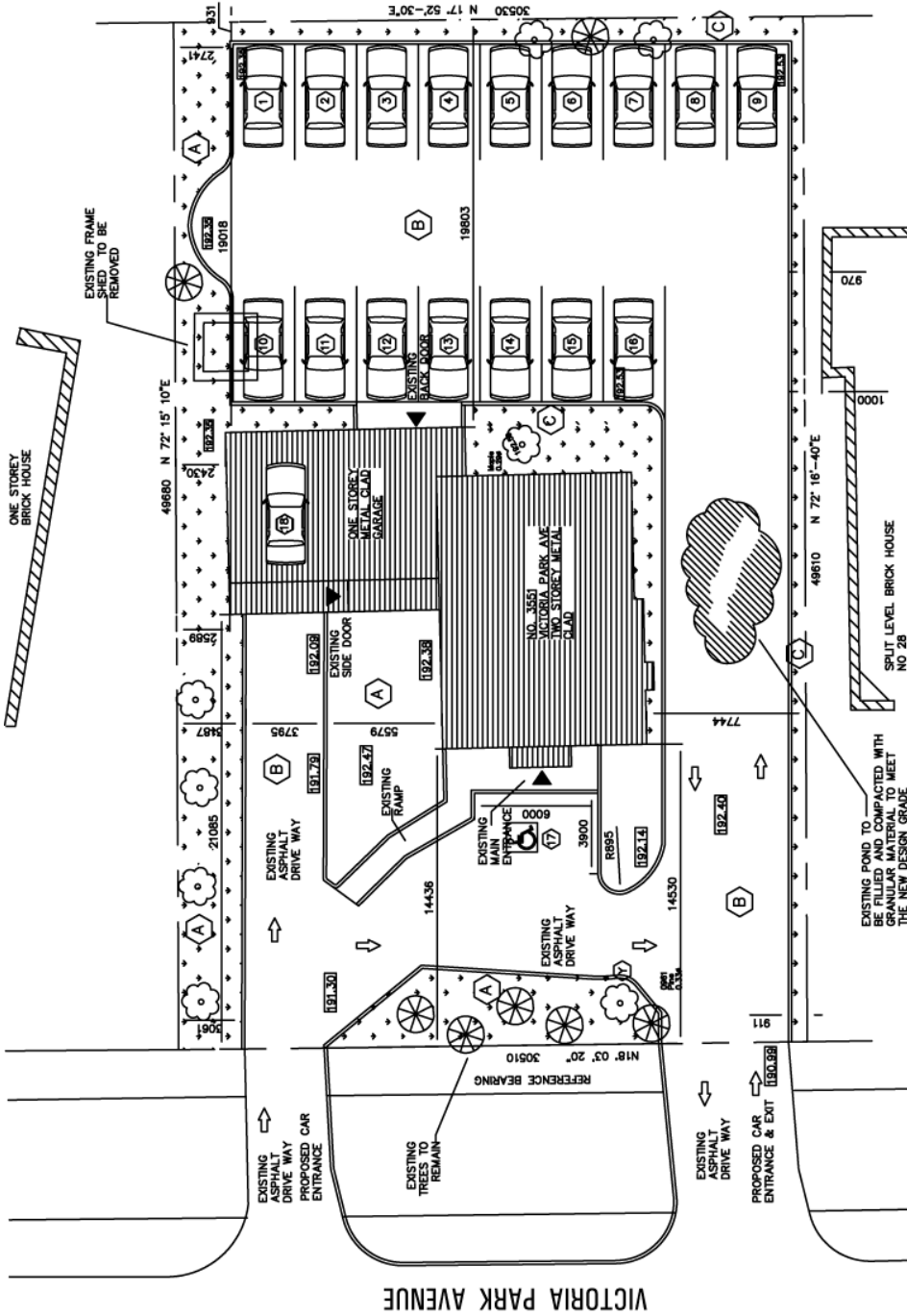
Attachment 1: Site Plan

Attachment 2: Elevations [as provided by applicant]

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



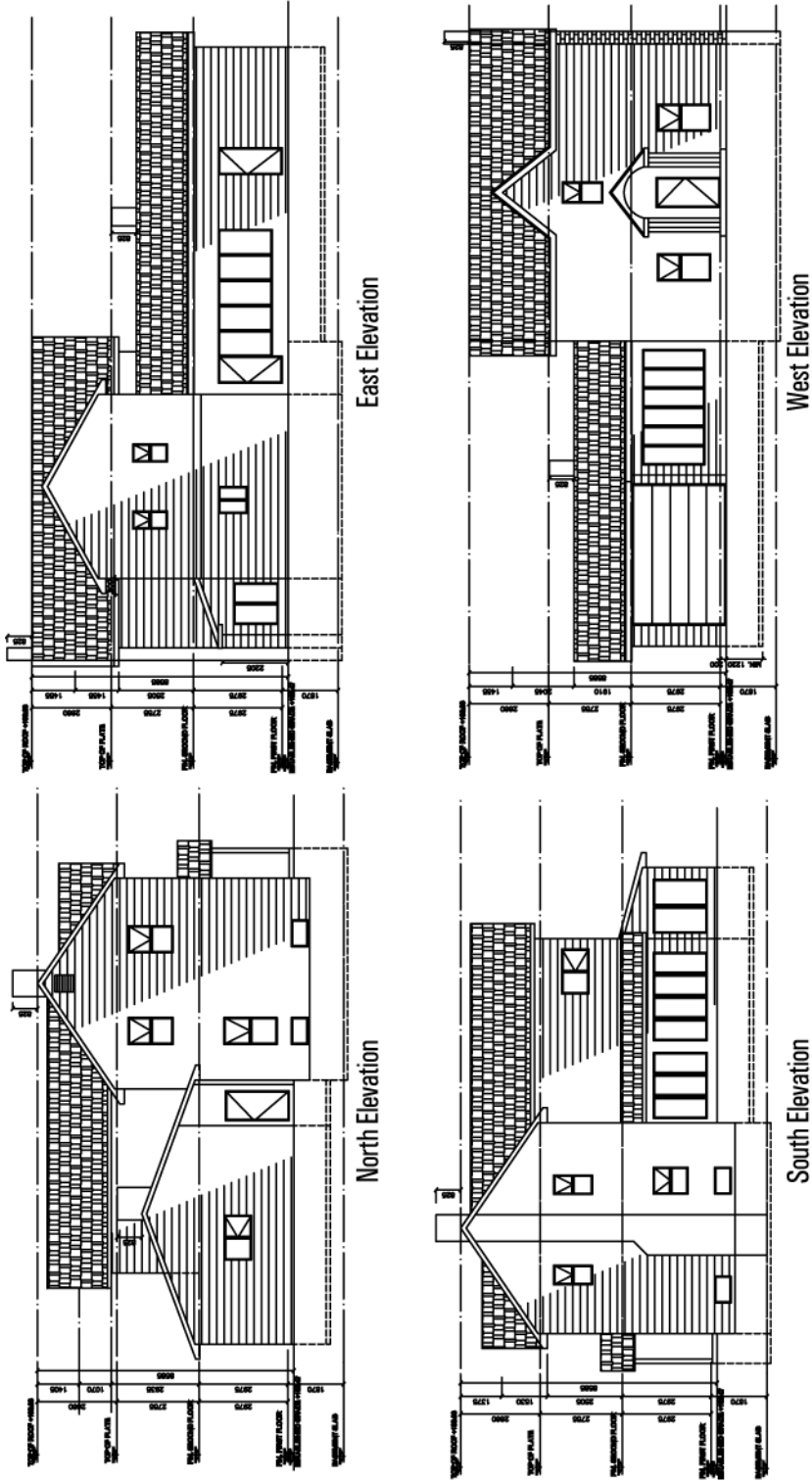
3551 Victoria Park Avenue

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 12/04/09

File # 09-187701 0Z

Attachment 2: Elevations



3551 Victoria Park Avenue

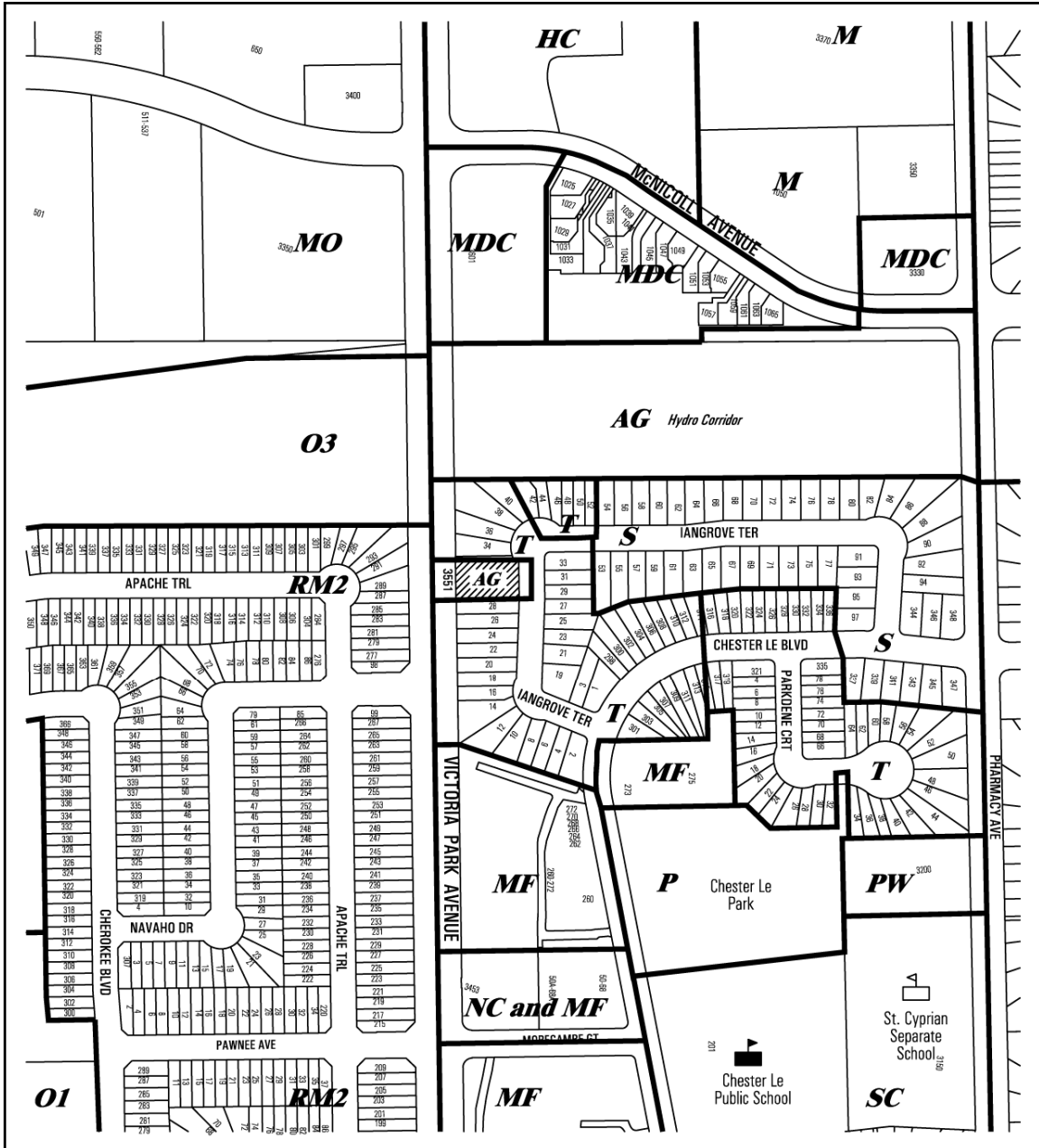
Elevations

Applicant's Submitted Drawing

Not to Scale
12/04/09

File # 09-187701 0Z

Attachment 3: Zoning



TORONTO City Planning
Division
Zoning

3551 Victoria Park Avenue
File # 09-187701 SA; 09-187694 OZ

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|---------------------------------------|--|--|--|
| S Single-Family Residential | MDC Industrial District Commercial Zone | AG Agricultural Uses | L' Amoreaux Com./Steeles Emp. and North York Bylaws |
| T Two-Family Residential | M Industrial Zone | RM2 Multiple-Family Dwellings Second Density Zone | Not to Scale |
| MF Multiple-Family Residential | PW Place(s) of Worship | MO Industrial-Office Business Park Zone | 11/25/09 |
| NC Neighbourhood Commercial | SC School | O1 Open Space Zone | |
| HC Highway Commercial Zone | P Park | O3 Semi-Public Open Space Zone | |



Attachment 4: Application Data Sheet

Application Type	Rezoning & Site Plan Control	Application Number:	09 187694 ESC 39 OZ 09 187701 ESC 39 SA
Details	Rezoning, Standard	Application Date:	November 13, 2009

Municipal Address: 3551 VICTORIA PARK AVE
 Location Description: CON 4 PT LT35 RP 64R1773 PT 2 **GRID E3901

Project Description: Applicant is seeking to rezone the Heritage (Risebrough House) property from Agricultural permitting a single detached dwelling to Place of Worship. The existing home is to be generally preserved with the addition of a driveway and rear yard parking. A concurrent Site Plan Control application has also been submitted.

Applicant:	Agent:	Architect:	Owner:
HOSSEIN EFTEKHARI			ISLAMIC SOCIETY OF WILLOWDALE

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	AG -exception 89	Historical Status:	Listed
Height Limit (m):		Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	1,525	Height:	Storeys:	2
Frontage (m):	30.5		Metres:	8.58
Depth (m):	49.68			
Total Ground Floor Area (sq. m):	170			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	18
Total Non-Residential GFA (sq. m):	285		Loading Docks	0
Total GFA (sq. m):	285			
Lot Coverage Ratio (%):	0.11			
Floor Space Index:	0.19			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	285	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Michael Mestyan, Senior Planner
	TELEPHONE:	416-396-7026