

119 Dorset Road – Rezoning Application – Final Report

Date:	April 27, 2011
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	10 293124 ESC 36 OZ

SUMMARY

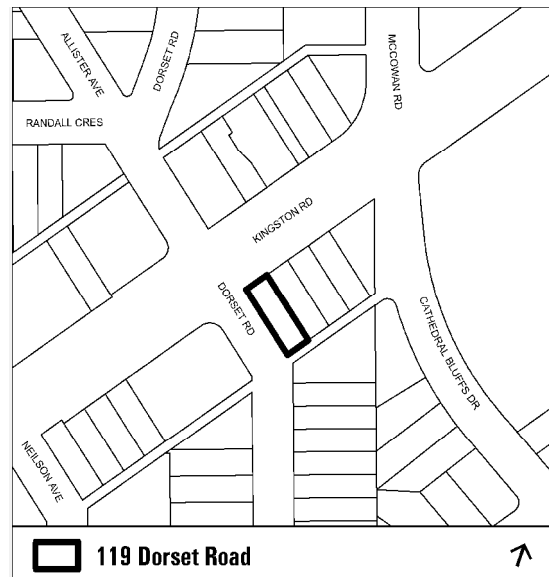
This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

A zoning by-law amendment application has been submitted to permit the additional use of a Professional Office at 119 Dorset Road within the existing two-storey house form building.

A dental office currently exists on the subject site and was permitted by the Committee of Adjustment by way of a minor variance application (File No. A057/03SC) on May 13, 2003. The use was limited to a period of 5 years and the permission lapsed as of May 13, 2008. The applicant is proposing to amend the zoning to permit the Professional Office use on a permanent basis.

This proposal conforms with the City's Official Plan and the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement. The proposal is appropriate for the site, as the use is proposed within the existing house form dwelling and is consistent with the built form character of the neighbourhood.

This report reviews and recommends approval of the application to amend the zoning by-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Scarborough Cliffcrest Community Zoning By-law No. 9396, as amended, for the lands at 119 Dorset Road substantially in accordance with the draft zoning by-law amendment attached as Attachment 5.
2. City Council amend the City of Toronto By-law No. 1156-2010 as amended, for the lands at 119 Dorset Road substantially in accordance with the draft zoning by-law amendment attached as Attachment 6.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendments as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On May 13, 2003, the Committee of Adjustment granted a minor variance to permit a Professional Office (File No. A057/03SC). The Professional Office use was limited to a term of 5 years and lapsed on May 13, 2008.

A preliminary report for this rezoning application was adopted by Scarborough Community Council at its January 18, 2011 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be held and that notice be given according to the regulations of the Planning Act. The preliminary report is available through the following web link:

<http://www.toronto.ca/legdocs/mmis/2011/sc/bgrd/backgroundfile-34342.pdf>

ISSUE BACKGROUND

Proposal

This application proposes to add Professional Office as a permitted use, in addition to the permitted residential uses.

A total of four (4) parking spaces, one (1) of which is an accessible space, are provided in the lot adjacent to Kingston Road. Employee parking is provided in the lot on the southern portion of the site. Both parking areas are accessed from Dorset Road.

No new construction is being proposed as part of this application.

Site and Surrounding Area

This relatively flat site is located at the southeast corner of Kingston Road and Dorset Road, is 445 square metres (5,800 square feet) in size, with approximately 12.2 metres (40 feet) of frontage on Kingston Road, and a lot depth of approximately 36.5 metres (120 feet).

A 200 square metre (2,150 square feet) two-storey house form building with a double car garage currently exists on site which is currently being used as a dental office. There are no residential uses currently on site.

The subject lands are surrounded by the following land uses:

North: Single-detached dwellings and townhouse form dwellings on the other side of Kingston Road.

East: Single-detached dwellings.

South: Single-detached dwellings and a 4.5 metre-wide pedestrian laneway immediately south of the property.

West: Fire Hall with access from Dorset Road.

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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands fall within an Avenue as shown on Map 2 of the Toronto Official Plan. Avenues are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the look of the street, shopping opportunities and transit service for community residents. Re-urbanizing the Avenues will be achieved through the preparation of Avenue Studies, however, an Avenue Study has yet to be undertaken for this section of Kingston Road.

The City Planning Division does not consider the completion of an Avenue Study to be necessary to consider approval of this application, as the existing house form dwelling is being retained, and the proposed use of a Professional Office is relatively low-impact and consistent with the intent of the Mixed Use Area designation.

The subject property is designated Mixed Use Areas in the Toronto Official Plan (Attachment 2). Mixed Use Areas consist of a broad range of commercial, office and residential uses in single use, or mixed use buildings. In Mixed Use Areas, development should create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community. Mixed use areas are intended to provide for new jobs and homes, take advantage of nearby transit services, provide good site access and circulation and an adequate supply of parking for residents and visitors, and provide an attractive, comfortable and safe pedestrian environment.

The Toronto Official Plan is available on the City's website at:

http://www.toronto.ca/planning/official_plan/pdf_chapter1-5/chapters1_5_oct2009.pdf

Zoning

At its meeting of August 25-27, 2010, City Council adopted a new, harmonized zoning by-law for the City of Toronto. By-law No. 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the by-law is under appeal, the provisions of both the former City of Scarborough Cliffcrest Community Zoning By-law No. 9396 and Zoning By-law No. 1156-2010 are in effect for this site.

The subject lands are located in the Residential Detached (RD) Zone in By-law No. 1156-2010 (Attachment 3). The zone permits detached residential dwelling uses as well as a limited set of other uses suited to a residential setting such as rooming houses. By-law No. 1156-2010 also stipulates that a number of site specific provisions of the former Cliffcrest Community Zoning By-law No. 9396 apply to this site, including setbacks and floor space index requirements.

The subject lands are also located in a Single Family Residential (S) Zone in the former City of Scarborough Cliffcrest Community Zoning By-law No. 9396. The zone permits detached residential dwellings as well as a limited set of other uses suited to a residential setting such as rooming house uses.

Of note, on April 13, 2011, City Council directed City Planning staff to hold a public meeting to seek public input on repealing By-law No. 1156-2010.

The new Toronto Zoning By-law No. 1156-2010 is available on the City's website at:

<http://www.toronto.ca/legdocs/bylaws/2010/law1156-Schedule-A.htm>

Site Plan Control

The subject property is not subject to site plan control.

Reasons for Application

A zoning by-law amendment is required to permit the use of a Professional Office, which is currently not permitted in the Residential Detached (RD) Zone in Zoning By-law No. 1156-2010 or the Single Family Residential (S) Zone in the Cliffcrest Community Zoning By-law No. 9396.

Community Consultation

A community consultation meeting was held on March 3, 2011. Notices were sent via first-class mail but no members of the public attended the meeting.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The current PPS came into effect on March 1, 2005. Applications filed after this date are subject to the PPS. The proposal is consistent with the PPS, as it represents appropriate development and use of the lands and helps maintain the vitality and viability of Kingston Road.

The application is subject to 2006 Growth Plan for the Greater Golden Horseshoe. Similar to the PPS, the Growth Plan supports intensification in proximity to transit services and amenities. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed land use conforms with the policies of the City of Toronto Official Plan. The proposal provides for an office use which serves the immediate community along the Kingston Road corridor and transitions well into the adjacent residential area by accommodating the proposed use within the existing house form building.

Traffic Impact, Access, Parking

The subject site currently includes separate patient and employee parking areas. A total of four patient (4) parking spaces, one (1) of which being an accessible space, are provided in the lot adjacent to Kingston Road. Employee parking is provided in the lot on the southern portion of the site in what was previously used as the driveway for the dwelling. Both parking areas are accessed from Dorset Road.

Transportation Planning, in their initial comments on the application, had raised concerns regarding the parking space configuration and the ability for vehicles to access and exit the easternmost space in the north parking area. In response to these concerns, the applicant amended the concept site plan indicating a modified parking layout, (see Attachment 1). City staff are satisfied that these modifications will provide adequate access for each space in the north parking area.

Open Space/Parkland

There are no requirements under Section 42 of the Planning Act, RSO 1990 for a parkland contribution for this application.

Signage

Correspondence was received by a concerned resident regarding the placement of the existing signage on the subject property at the corner of Kingston Road and Dorset Road. The resident noted safety concerns about vehicles at the stop sign not being able to see cyclists heading westbound on the sidewalk.

City Planning staff visited the site and reviewed the placement of the signage. City Planning staff do not consider the placement of the signage to be a safety concern.

A sign permit was issued in 2003 for all signage on the property. Prior to issuance of this permit, a zoning review would have taken place to confirm that the sign was in accordance with City by-laws.

Conclusions

This report recommends approval to amend the zoning by-law to permit the additional use of a Professional Office at 119 Dorset Road within the existing two-storey house form building. The proposed use is appropriate for this corner location on Kingston Road and Dorset Road, and is consistent with the policies of the City of Toronto Official Plan. The proposal represents appropriate use of the lands, providing for an office use which serves the immediate community along the Kingston Road corridor and transitions well into the adjacent residential area by accommodating the proposed use within the existing house form building.

CONTACT

Graig Uens, Planner
Tel. No. 416-396-4203
Fax No. 416-396-4265
E-mail: guens@toronto.ca

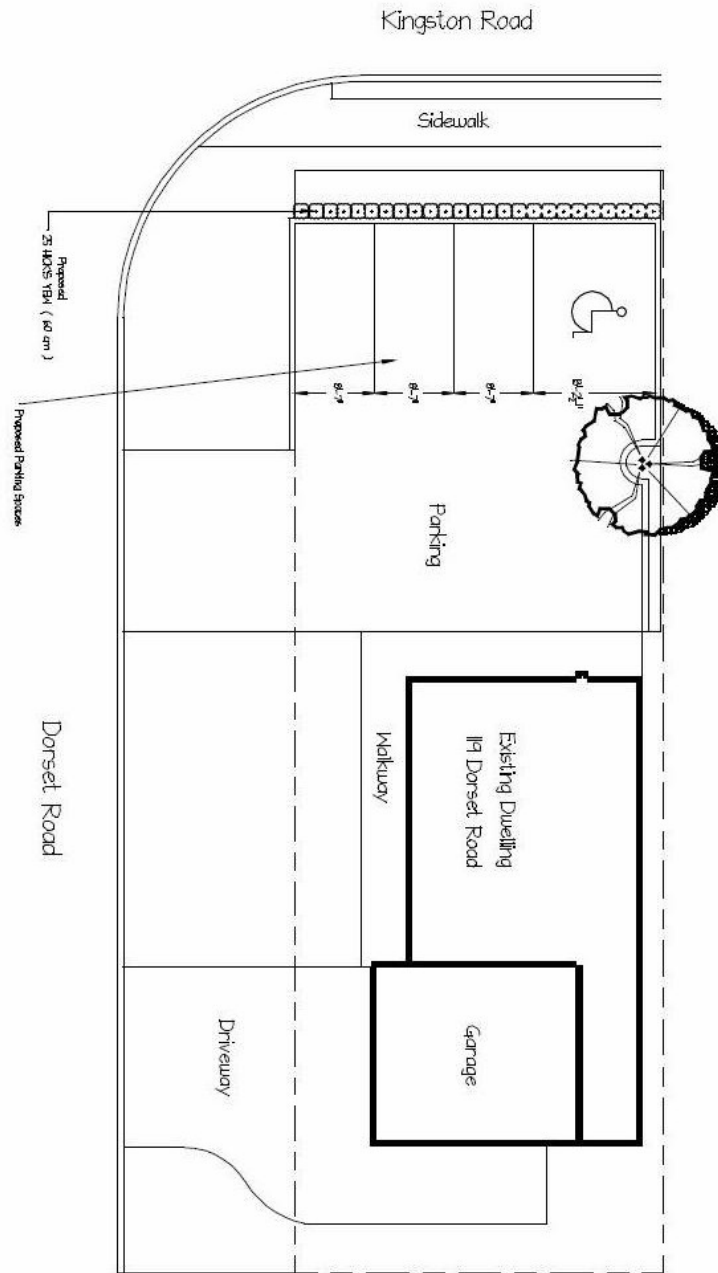
SIGNATURE

Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS

- Attachment 1: Concept Site Plan
- Attachment 2: Official Plan
- Attachment 3A: Zoning By-law 1156-2010 Excerpt
- Attachment 3B: Zoning By-law 9396 Excerpt
- Attachment 4: Application Data Sheet
- Attachment 5: Draft Zoning By-law Amendment (By-law 9396)
- Attachment 6: Draft Zoning By-law Amendment (By-law 1156-2010)

Attachment 1: Concept Site Plan



Site Plan

Applicant's Submitted Drawing

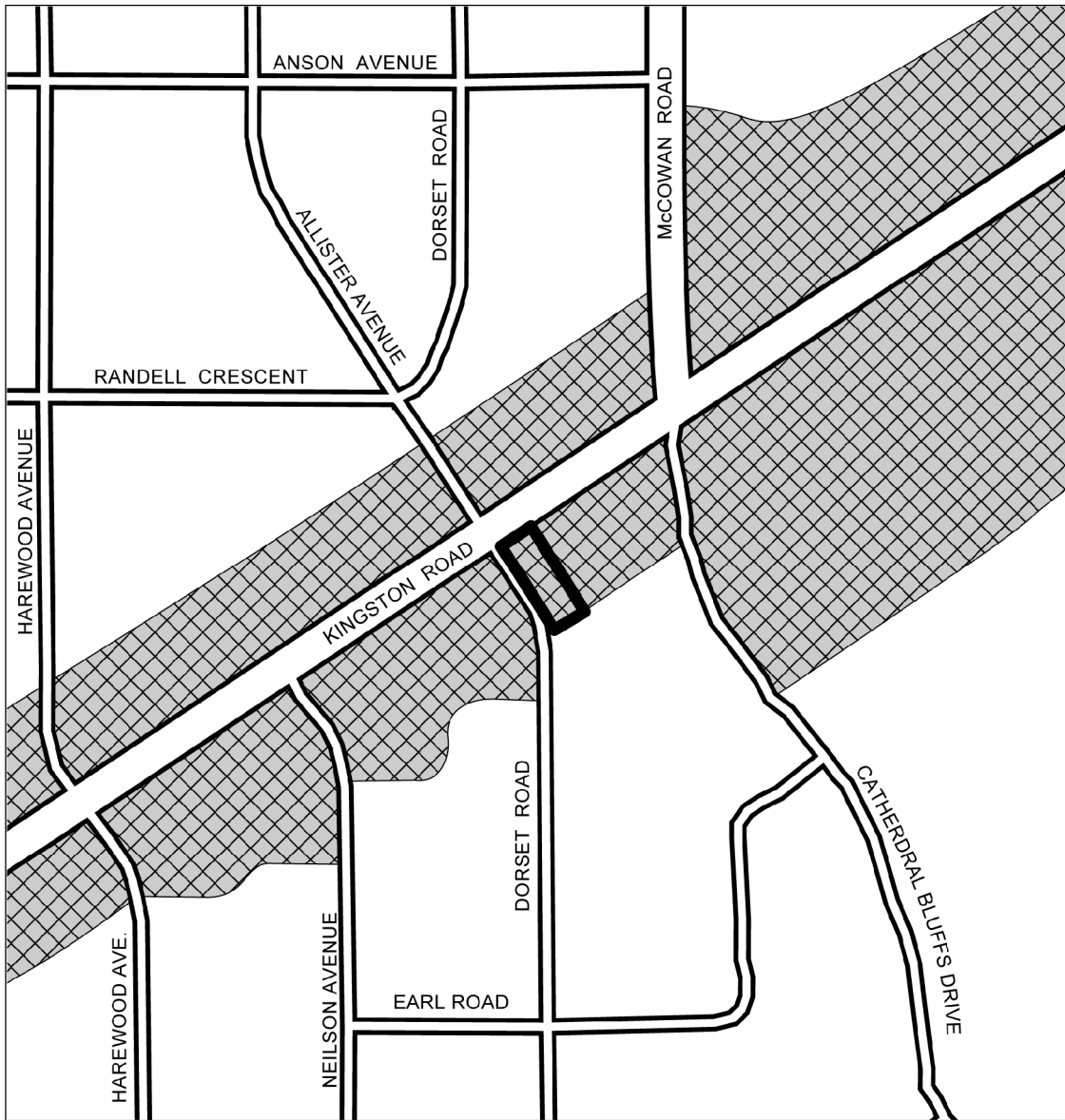
Not to Scale
11/24/10



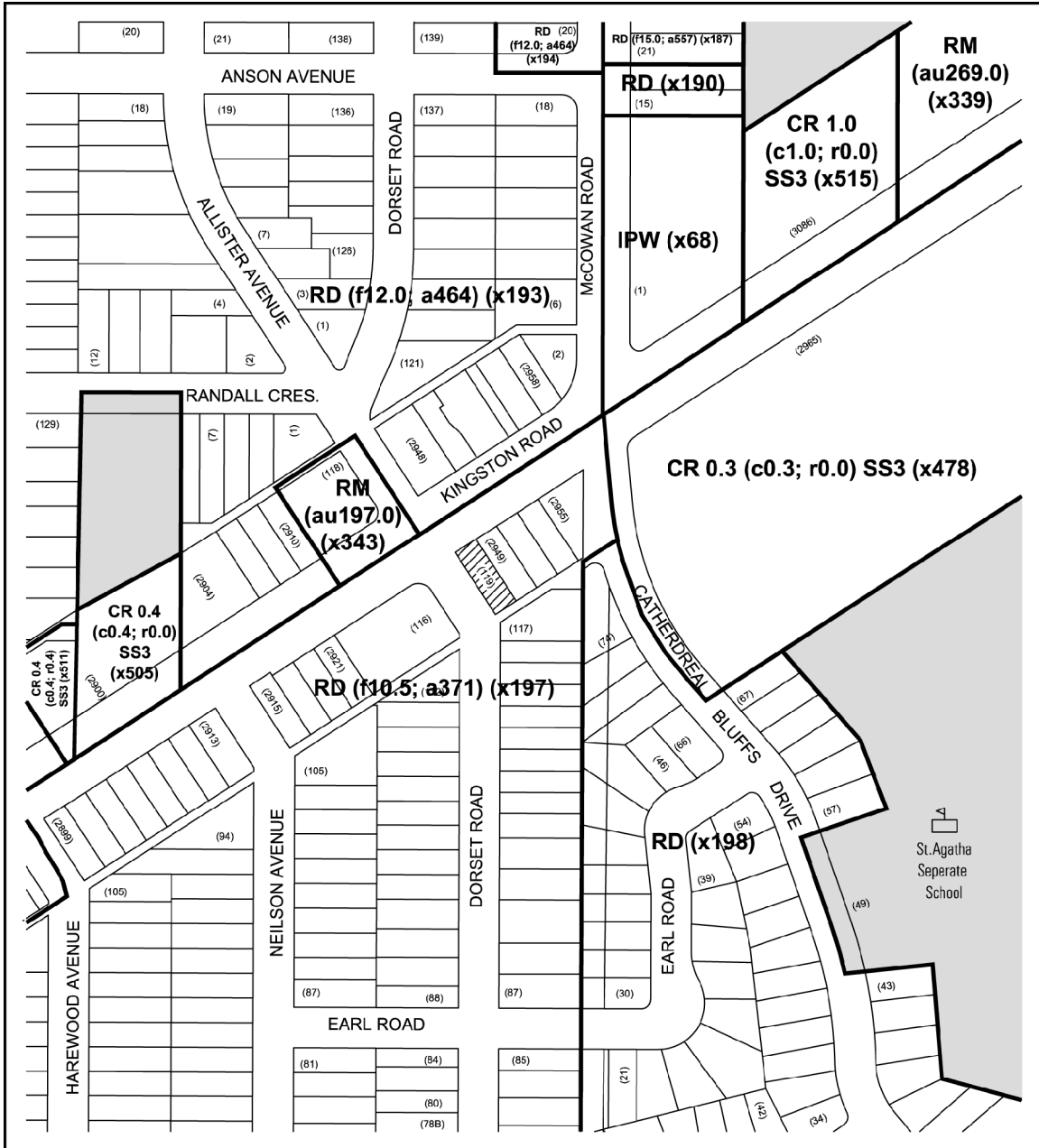
119 Dorset Road

File # 10-293124 0Z

Attachment 2: Official Plan



Attachment 3A: Zoning By-law No. 1156-2010 Excerpt



Zoning - City of Toronto By-Law 1156-2010

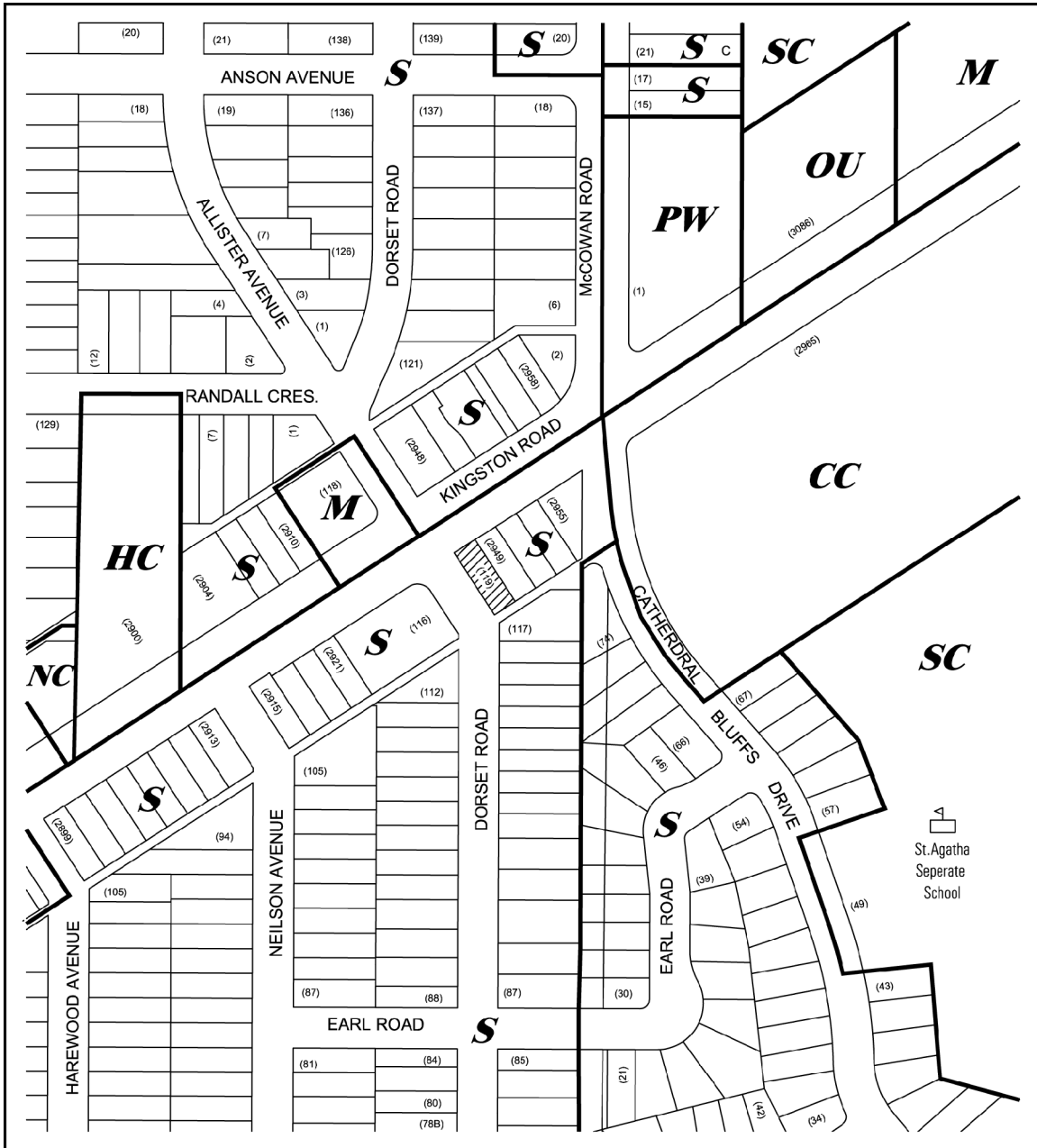
119 Dorset Road
File # 10-293124 0Z

Subject Site
 Not Part of this By-Law

RD Residential Detached
RM Residential Multiple
CR Commercial Residential
IPW Institutional Place of Worship

Not to Scale
11/22/10

Attachment 3B: Zoning By-law No. 9396 Excerpt



Zoning - Cliffcrest Community By-Law 9396

119 Dorset Road

File # 10-293124 0Z



S Single Family Residential
M Multiple Family Residential
NC Neighbourhood Commercial
CC Community Commercial

HC Highway Commercial
PW Place(s) Of Worship
SC School
OU Office Uses



Not to Scale
 11/23/10

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	10 293124 ESC 36 OZ
Details	Rezoning, Standard	Application Date:	November 8, 2010

Municipal Address: 119 DORSET RD
 Location Description: PLAN 2347 PT LOT 27 **GRID E3610
 Project Description: A rezoning application has been submitted to permit the additional use of a Professional Office in a residential zone category currently developed with a two-storey dwelling with a two car attached garage, four parking spaces fronting Kingston Road, and vehicular access from Dorset Road.

Applicant:	Agent:	Architect:	Owner:
LORNE ROSS PLANNING SERVICES INC. LORNE ROSS	Lorne Ross		ALLAN JEFFRIES

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	RD	Historical Status:	N
Height Limit (m):		Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	445	Height:	Storeys:	2
Frontage (m):	12.19		Metres:	
Depth (m):	36.54			
Total Ground Floor Area (sq. m):	125			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	7
Total Non-Residential GFA (sq. m):	200		Loading Docks	0
Total GFA (sq. m):	200			
Lot Coverage Ratio (%):	28			
Floor Space Index:	0.45			

DWELLING UNITS

Tenure Type:	
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	0

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	200	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Graig Uens, Planner
	TELEPHONE:	416-396-4203

Attachment 5: Draft Zoning By-law Amendment (By-law No. 9396)

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend former City of Scarborough Cliffcrest Community Zoning By-law No. 9396,
as amended, with respect to the lands municipally known in the year 2011 as 119 Dorset Road and being located at the southeast corner of Kingston Road and Dorset Road.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

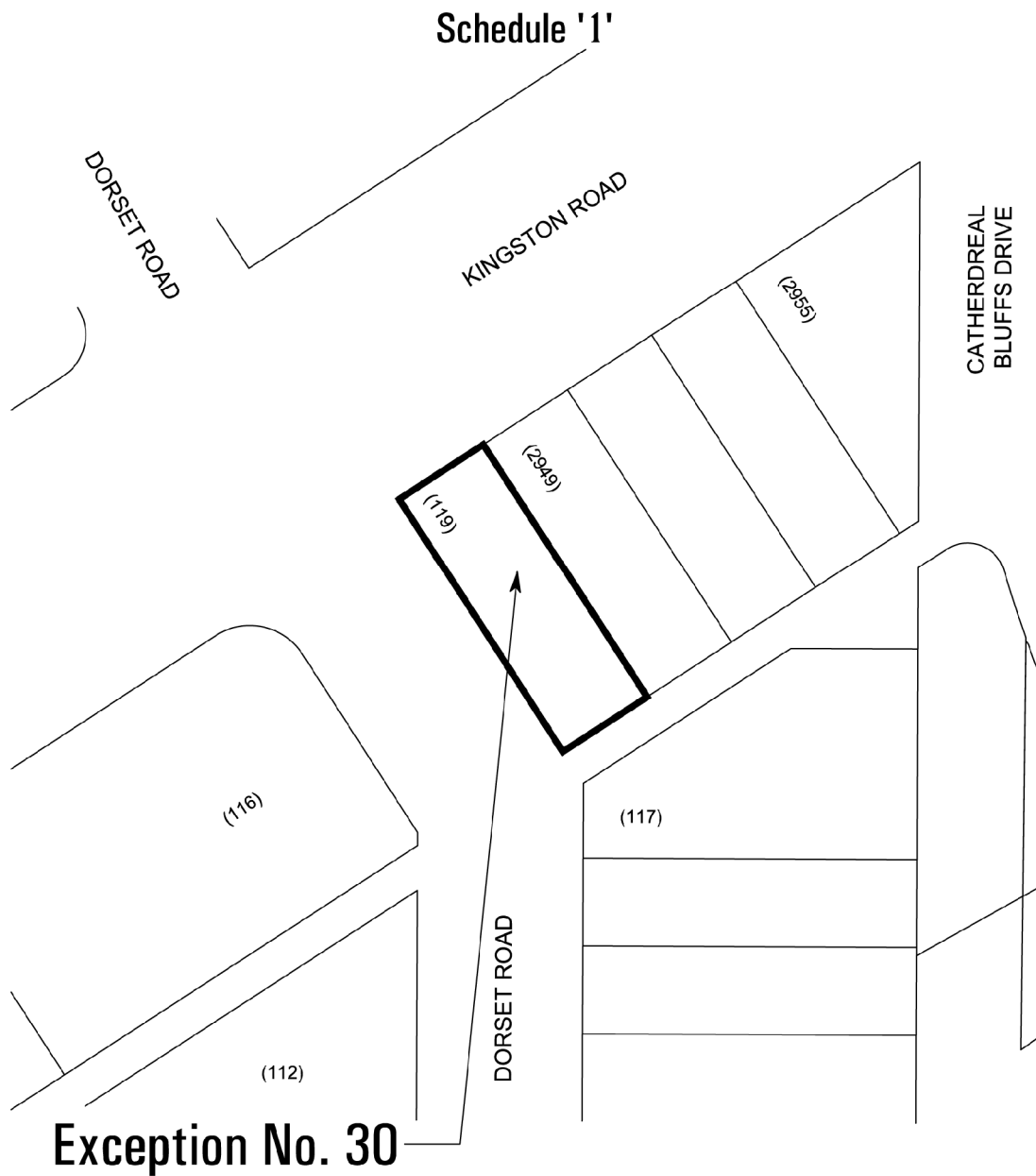
- 1. SCHEDULE “C”, EXCEPTIONS MAP** is hereby amended by adding Exception 30 to the lands on Schedule ‘1’ attached hereto and forming part of this By-law.
- 2. SCHEDULE “C”, EXCEPTIONS LIST** is hereby amended by adding Exception 30 as follows:
 - 30.** On those lands identified as Exception 30 on the accompanying Schedule "C" map the following provisions shall apply:
 - a) Additional Permitted Use:
 - Professional Offices not exceeding 200 square metres of **gross floor area.**

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



TORONTO City Planning Division
Zoning By-Law Amendment

119 Dorset Road
 File # 10 293124 ESC 36 OZ

 Area Affected By This By-Law

Cliffcrest Community By-law 9396
 Not to Scale
 4/18/11



Attachment 6: Draft Zoning By-law Amendment (By-law No 1156-2010)

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2011

Enacted by Council: ~, 2011

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2011

To amend the City of Toronto Zoning By-law No. 1156-2010, as amended, with respect to the lands municipally known in the year 2011, as 119 Dorset Road being located at the southeast corner of Kingston Road and Dorset Road.

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and,

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and,

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The lands subject to this By-law are outlined in heavy black line on Diagram 1, attached.
2. Zoning By-law No. 1156-2010, as amended, is hereby further amended by removing from the Zoning By-law Map Exception 197 from the lands subject to this By-law, and adding the Zone and zone labels to the Zoning Map as shown on Diagram 1.
3. Zoning By-law No. 1156-2010, as amended, is further amended by adding Exception RD 1456 to Article 900.3.10, so that it reads:

Exception RD 1456

The lands subject to this exception shall comply with all the following:

- (A) the minimum **side yard setback** is 0.9 metres; and
- (B) the minimum setback from a **side lot line** than abuts a **street** is 2.4 metres; and
- (C) the maximum **floor space index** for a **lot** containing a **dwelling unit** in a **Detached House, Semi-detached House or Duplex** is:
 - (i) 0.6 and 204 square metres, if the **lot area** is less than 408 square metres;
 - (ii) 0.5 and 279 square metres, if the **lot area** is 408 square metres to 697 square metres; and
 - (iii) 0.4 if the **lot area** is more than 697 square metres.

(D) a Professional Office with a maximum **gross floor area** of 200 square metres is permitted.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



TORONTO City Planning
Diagram 1

119 Dorset Road

File # 10 293124 ESC 36 0Z

City of Toronto Bylaw 1156-2010
 Not to Scale
 4/13/11

