

46 Scotia Avenue - Zoning Amendment Application - Preliminary Report

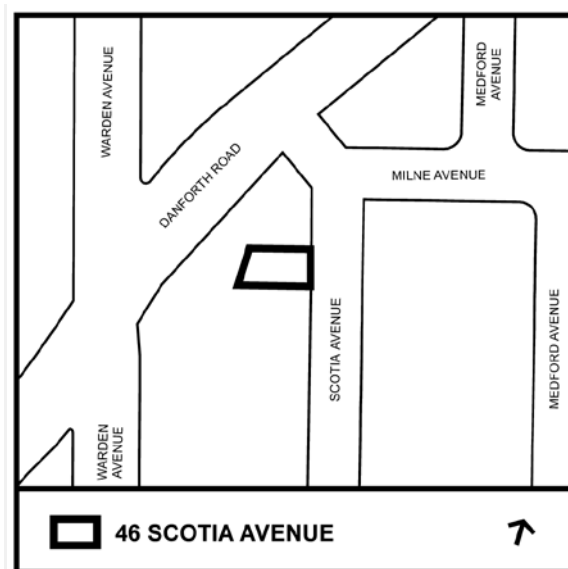
Date:	April 24, 2015
To:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 35 – Scarborough Southwest
Reference Number:	15 123227 ESC 35 OZ

SUMMARY

This application proposes to replace the existing Institutional Place of Worship I(PW) zoning of the property with appropriate new zoning to recognize the existing use of the property for two residential dwelling units having one proposed parking space (currently encroaching into the road allowance).

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 the fourth quarter of 2015 provided all of the required information is provided in a timely fashion and issues raised during the review are resolved.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a Staff report for action – Preliminary Report - 46 Scotia Ave

community consultation meeting for the lands at 46 Scotia Avenue 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 of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

None.

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant to discuss the history of this property, the number of dwellings units existing within the building, parking requirements, whether a minor variance application to recognize the existing residential uses could be considered, and complete submission requirements for a rezoning application.

ISSUE BACKGROUND

Proposal

The subject property was originally zoned to permit only a Place of Worship when the former City of Scarborough Oakridge Community Zoning By-law No. 9812 was first enacted in January 1961. The property is now zoned Institutional Place of Worship (IPW) under the consolidated Zoning By-law No. 569-2013 which, other than conditionally permitted ancillary 'religious residence' or 'secondary suite', does not otherwise permit other types of residential dwellings.

It is uncertain whether a place of worship was ever established on this property, however it appears that residential uses have occupied the building for a lengthy but indeterminate period of time. The current owner purchased the property approximately three years ago and has since been attempting to undertake interior upgrades to four apartment units then existing when the building was acquired. (Recent exterior façade improvements undertaken by the owner are evident in the Attachment 5 photograph.) These efforts have been held at the building permit stage, however, since the property is not currently zoned to permit such residential occupancies.

The current application seeks zoning permission for a single family dwelling having a secondary suite within the existing two-storey building, with the provision of only one street yard parking space to serve both units that partially encroaches into the road allowance. Both units would be approximately 169 m² (1,818 sq.ft.) in size. No further building additions or height increases are proposed. Additional project information is provided in the Application Data Sheet (Attachment 4).

Site and Surrounding Area

The generally flat, rectangular 430 m² 4,627 sq.ft.) subject property is located on the west side of Scotia Avenue, a short distance south of Danforth Road and just east of Warden Avenue. It contains an approximately 338 m² (3,637 sq.ft.) two-storey house-form structure that has existed for many decades. It is uncertain whether the building has ever been used as a place of worship. The property is sparsely treed with a number of larger trees on adjacent parcels close to the property line.

Surrounding land uses include:

North: Single detached dwellings, and Danforth Road.

East: Single detached dwellings.

South: Single detached dwellings.

West: Single detached dwellings, with the Chan Taxi offices at 545 Warden on the corner of Danforth Road.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 subject lands are designated *Neighbourhoods* within the Official Plan on Map 20 – Land Use Plan. *Neighbourhoods* are described in that plan as physically stable areas providing for a variety of lower-scale residential uses. Policies and development criteria aim to ensure that physical changes to established neighbourhoods be sensitive, gradual and generally "fit" the existing physical character.

Development policies are outlined in Policy 4.1.5 – *Neighbourhoods*. These policies state that development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- size and configuration of lots;
- heights, massing, scale and dwelling type of nearby residential properties;
- setbacks of buildings from the street or streets; and
- prevailing patterns of rear and side yard setbacks and landscaped open space.

No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

The Healthy Neighbourhoods policies of the Official Plan, contained in Section 2.3.1, states that *Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Zoning

Until it is repealed, the lands remain zoned Place of Worship (PW) in the Oakridge Community Zoning By-law No. 9812, as amended. Permitted uses include only places of worship and day nurseries.

The lands are zoned Institutional Place of Worship (IPW) under the consolidated Zoning By-law No. 569-2013, as amended. Permitted uses in this zone are a place of worship, religious education use and a religious residence. Additional conditionally permitted uses include an ambulance depot, cogeneration energy, community centre, day nursery, a dwelling unit ancillary to a place of worship, fire hall, library, municipal shelter, place of assembly, police station, public utility, renewable energy, retail store, secondary suite, and transportation uses.

Both by-laws require a minimum of one parking space per dwelling unit, which shall not be located in the street yard. A tandem parking space for a secondary suite is acceptable. The existing 338 m² building slightly exceeds the maximum 70% of lot area (i.e. 301 m²) permitted under By-law 569-2013.

Site Plan Control

The proposal would not be subject to Site Plan Control application requirements.

Reasons for the Application

The existing residential uses of this property are not permitted under current Place of Worship zoning. In order to obtain building permits for further renovation upgrades to the two dwelling units now remaining in the building, the application seeks suitable residential zoning permissions.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale and Urban Design Guidelines;
- Site Plan and Architectural Plans; and
- Draft Zoning By-law Amendment.

A Notification of Complete Application was issued on April 1, 2015.

Issues to be Resolved

The building is currently divided vertically into two dwelling units of essentially the same size, typical of a two-family (semi-detached) housing form. Rather than requesting new zoning which reflects this built form, the application is proposing zoning to permit a single-family dwelling having a second, or 'secondary' suite. The applicant advises this is because a secondary suite does not require separate servicing connections, whereas the owner would otherwise be required to install separated connections if the units were deemed by Toronto Building to be semi-detached.

The zoning approach proposed by the applicant raises two concerns. Secondary suites are required under the applicable zoning by-laws to be smaller than and subordinate to, the principal dwelling unit. In this case, the two units are essentially the same size. Similarly, the intent of the by-laws is also that the secondary suite does not result in a second separate entrance facing the street. In this case the existing building has had separate entrances to the units for many years.

Secondly, the current proposal is deficient in parking to serve two dwelling units, with the only parking space proposed actually encroaching into the road allowance. An opportunity exists to consider locating the two required parking spaces in the rear yard, with some loss of landscaped amenity space for the occupants, however the existing minimum south side yard building setback of just 2.43 m (8 ft.) may limit driveway access to such spaces for use by small vehicles only.

The proposal will be assessed in regards to the *Neighbourhoods* policies of the Official Plan to ensure compatibility with the established character of the area. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

Rod Hines, Principal Planner
Tel. No. (416) 396-7020
Fax No. (416) 396-4265
E-mail: hines@toronto.ca

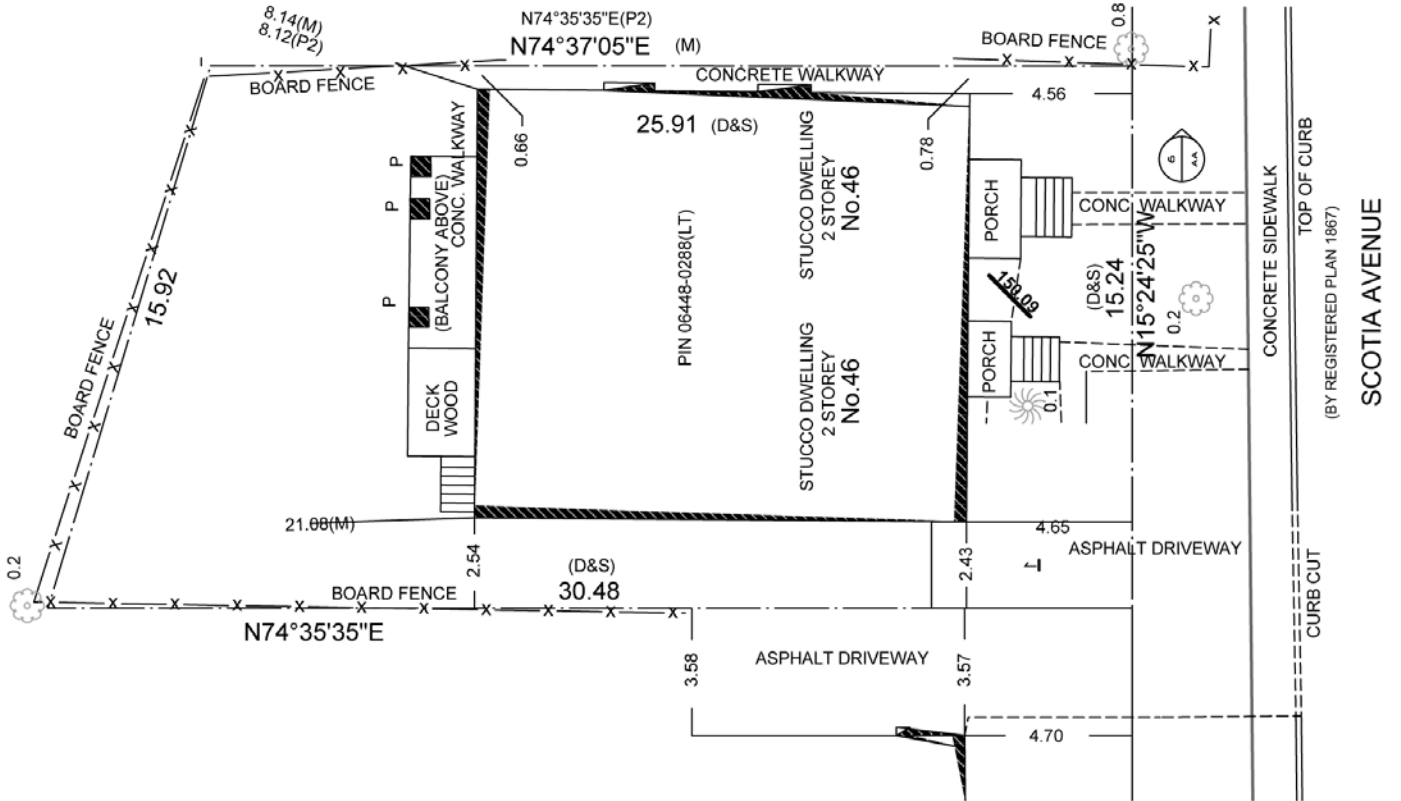
SIGNATURE

Joe Nanos, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Zoning
Attachment 3: Official Plan
Attachment 4: Application Data Sheet
Attachment 5: Photograph of 46 Scotia Avenue

Attachment 1: Site Plan



Site Plan

46 Scotia Avenue

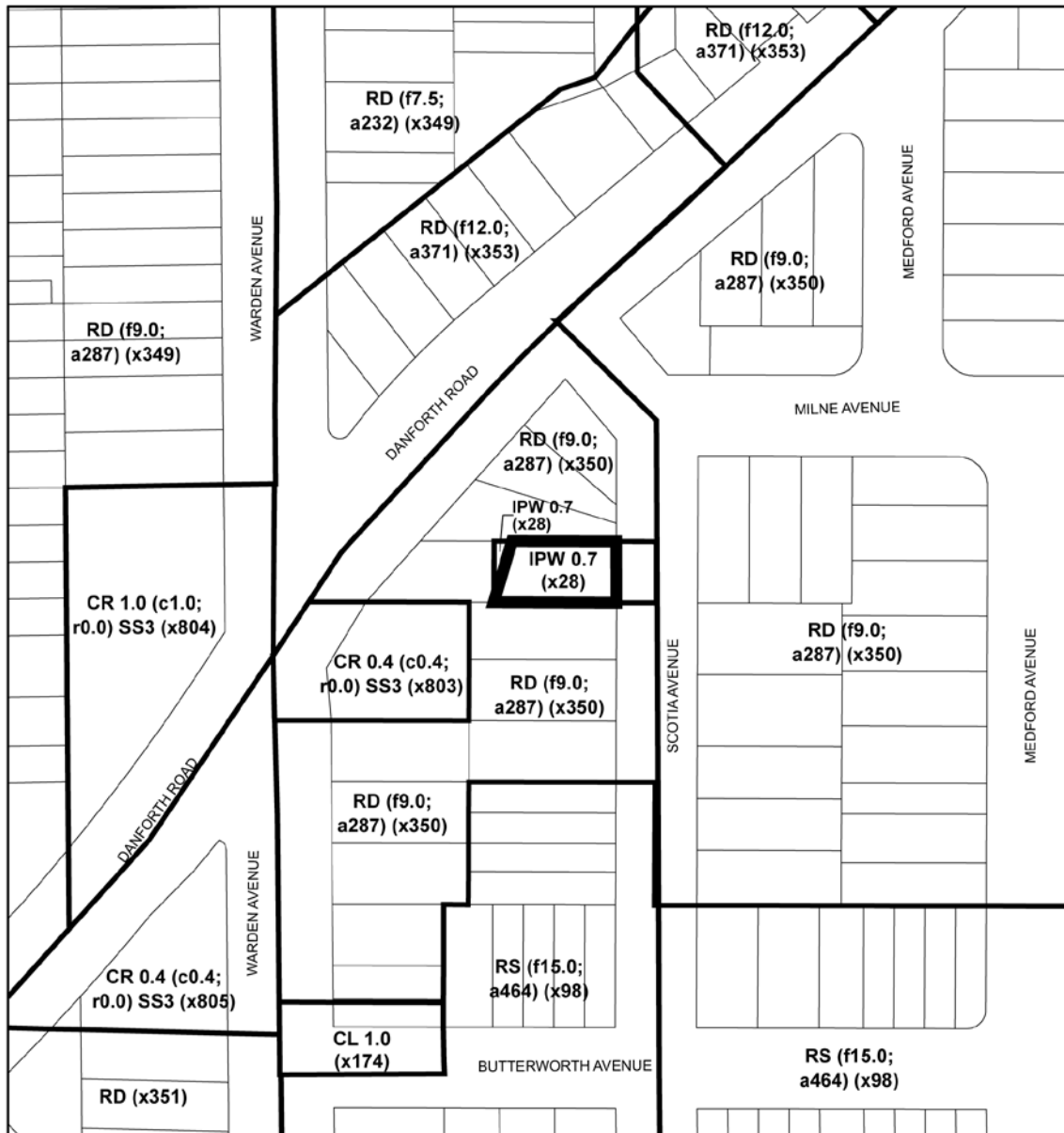
Applicant's Submitted Drawing

Not to Scale
4/24/15



File # 15 123227 ESC 35 0Z

Attachment 2: Zoning



Zoning By-Law No. 569-2013

46 Scotia Avenue

File # 15 123227 ESC 35 0Z

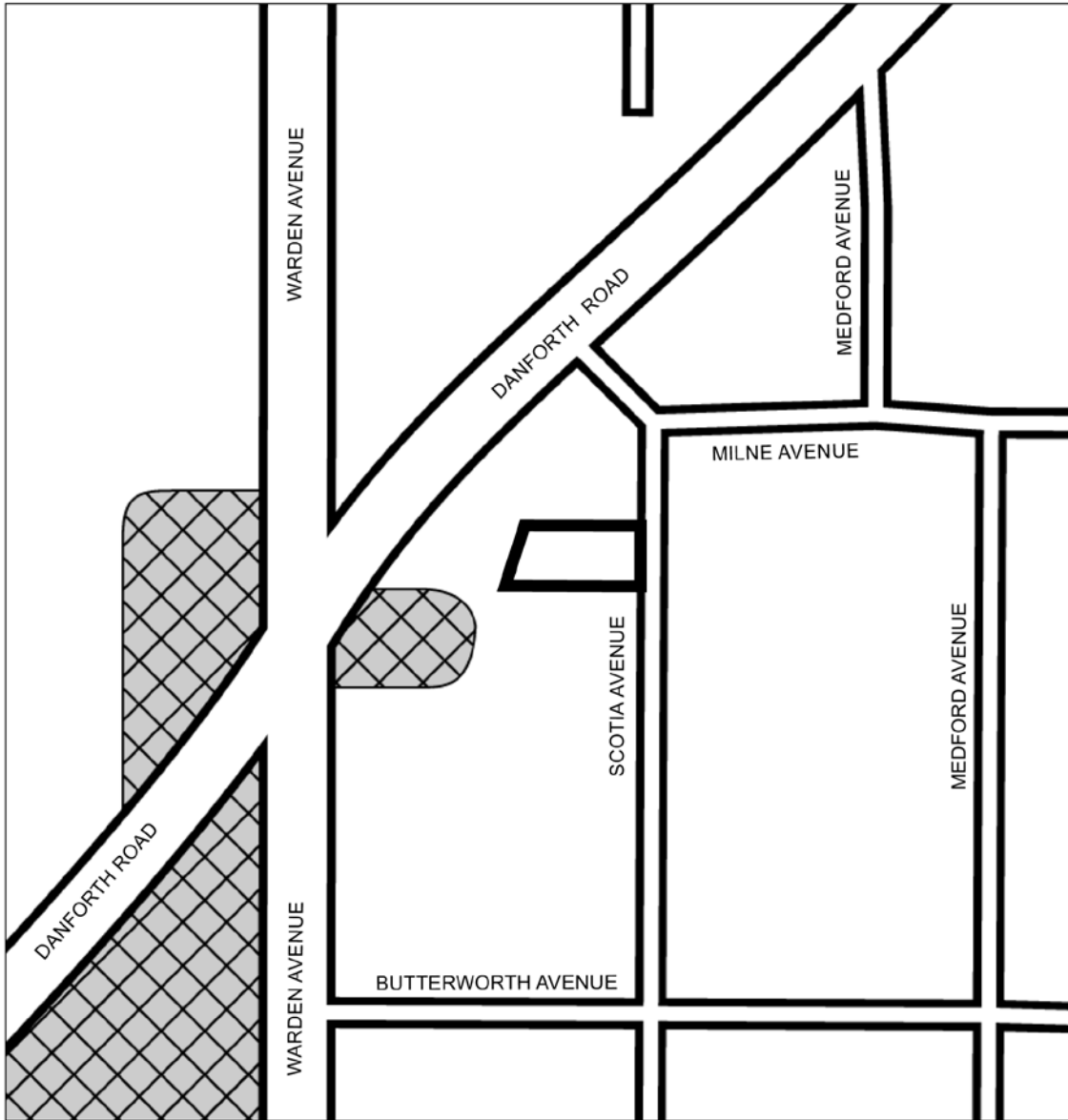
Location of Application

- | | |
|-------------------------------------|---|
| RD Residential Detached | CL Commercial Local |
| RS Residential Semi-Detached | CR Commercial Residential |
| RA Residential Apartment | IPW Institutional Place of Worship |



Not to Scale
Extracted: 04/22/2015

Attachment 3: Official Plan



 **Toronto** City Planning
Extract from Official Plan

46 Scotia Avenue

File # 15 123227 ESC 35 0Z

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas


Not to Scale
04/22/2015

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	15 123227 ESC 35 OZ
Details	Rezoning, Standard	Application Date:	March 3, 2015

Municipal Address:	46 SCOTIA AVE
Location Description:	PLAN 1496 PT LOT 4 **GRID E3507
Project Description:	Proposal to amend the by-law to permit a single family dwelling with a secondary suite

Applicant:	Agent:	Architect:	Owner:
SOL ARCH			MUHAMMAD SARWAR

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	x28
Zoning:	IPW	Historical Status:	
Height Limit (m):	Height existing on May 9, 2013	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	429.83	Height:	Storeys:	0
Frontage (m):	15.24		Metres:	0
Depth (m):	30.48			
Total Ground Floor Area (sq. m):	168.93			Total
Total Residential GFA (sq. m):	337.86		Parking Spaces:	1
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	337.86			
Lot Coverage Ratio (%):	39			
Floor Space Index:	0.79			

DWELLING UNITS

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

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	337.86	0	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT:	PLANNER NAME:	Rod Hines, Principal Planner
	TELEPHONE:	(416) 396-7020

Attachment 5: Photograph of 46 Scotia Avenue

