

To: Development Services Committee

From: Paul D. Ralph, BES, MCIP, RPP, City Manager,
Office of the City Manager

Report Number: DS-19-74

Date of Report: May 1, 2019

Date of Meeting: May 6, 2019

Subject: Application to Amend Zoning By-law 60-94 for lands at
291 King Street East

File: Z-2019-03

1.0 Purpose

The purpose of this report is to provide background information for the Planning Act public meeting on the application to amend Zoning By-law 60-94 submitted by 2604573 Ontario Inc. to permit a medical office with site-specific conditions to implement the site design located at 291 King Street East. The application also proposes to retain the existing zoning rights in the R1-C (Residential) and R2 (Residential) Zone categories.

The applicant's initial proposal is to convert the existing house to a dental office and add an addition to the rear of the house for the dental office.

Attachment 1 is a map showing the location of the subject site and the existing zoning in the area.

Attachment 2 is a copy of the proposed site plan submitted by the applicant.

A notice advertising the public meeting was mailed to all assessed property owners within 120 metres (400 ft.) of the subject site and to all required public bodies. In addition, a notice was published in the Oshawa This Week and Oshawa Express newspapers and a sign giving notice of the application has been posted on the site. The notice was also posted on the City's website and communicated through its Corporate Twitter and Facebook social media accounts.

2.0 Recommendation

That, pursuant to Report DS-19-74 dated May 1, 2019, the application submitted by 2604573 Ontario Inc., to amend Zoning By-law 60-94 (File Z-2019-03) to permit a medical office as an additional permitted use at 291 King Street East be referred back to the Development Services Department for further review and the preparation of a subsequent

report and recommendation. This referral does not constitute or imply any form or degree of approval.

3.0 Executive Summary

Not applicable.

4.0 Input from Other Sources

4.1 Other Departments and Agencies

The subject application has been circulated for comment and the identification of issues to a number of departments and agencies including Heritage Oshawa. These comments and issues will be considered and reported on, as appropriate, in a subsequent staff report which will provide a recommendation on the application.

5.0 Analysis

5.1 Background

The subject site is generally located on the south side of King Street East, east of Ritson Road South (see Attachment 1).

The subject site is zoned R1-C (Residential) and R2 (Residential). The R1-C Zone permits single detached dwellings and the R2 Zone permits single detached, semi-detached and duplex dwellings.

A medical office use is not permitted in a R1-C (Residential) or R2 (Residential) Zone. As a result, the applicant has submitted the application to permit a medical office in addition to the uses currently permitted in the R1-C (Residential) and R2 (Residential) Zone.

The following is background information concerning the subject application:

Item	Existing	Requested/Proposed
Oshawa Official Plan Designation	Residential	No change
Zoning By-law 60-94	R1-C (Residential) and R2 (Residential)	R1-C (Residential) and R2 (Residential) subject to a special condition to permit a medical office as an additional permitted use and special zoning regulations to implement the proposed site design
Use	Single detached dwelling	Medical office

The following are adjacent land uses to the subject site:

- North Single detached dwellings and a law office fronting onto King Street East

- South Single detached dwellings fronting onto Athol Street East
- East Single detached dwellings fronting onto King Street East and Rowe Street
- West Parking lot for King Ritson Dental Clinic and a single detached dwelling and a two-unit dwelling fronting onto Ritson Road South

The following are the proposed development details for the subject site:

Site Statistics Item	Measurement
Lot Frontage	36.6 m (120 ft.)
Gross Lot Area	0.22 ha (0.54 ac.)
Lot Coverage	11%
Landscaped Open Space	39%
Gross Floor Area of Existing and Proposed	577.9 m ² (6,220.5 sq. ft.)
Parking Spaces Provided	26
Parking Spaces Required	30

5.2 Oshawa Official Plan

The subject site is designated as Residential in the Oshawa Official Plan.

The Oshawa Official Plan specifies, in part, that Residential areas shall be predominately used for residential dwellings. Subject to relevant policies of the Official Plan and provisions within the Zoning by-law, other uses may be permitted such as limited office, retail and personal service uses provided such uses do not exceed a maximum of 1,000 square metres (10,674 sq. ft.) on an individual site, must be compatible with surrounding land uses and do not detrimentally affect the development and function of Central Areas.

King Street East is shown as a Regional Corridor in the Oshawa Official Plan.

Policy 2.1.5.3 in the Oshawa Official Plan states that Regional Corridors shall be planned and developed as mixed-use areas in correlation with Policy 2.1.6.2 and with the underlying designation of the site.

Policy 2.1.6.2 relates to the development of all Corridors, which takes into account matters such as designs being in accordance with principles of good design, adaptability over time, climate change resiliency, respect for, and integration with, natural features and functions and long-term sustainability. Corridors are also to be built with a focus on public integration, offering a mix of uses accessible by multiple modes of travel.

Policy 2.3.1.8 encourages the stabilization and improvement of existing stable neighbourhoods, the preservation of existing housing stock and maintaining the integrity of historic residential areas such as along King Street East between Ritson Road and Wilson Road in terms of built form, lotting fabric and overall neighbourhood character.

King Street East is designated as a Type “B” Arterial Road on Schedule B, as a Regional Transit Spine on Schedule B-1 and as a Regional Corridor on Schedule A-2.

The policies and provisions of the Oshawa Official Plan will be considered during the further processing of the subject application.

5.3 Zoning By-law 60-94

The subject site is currently zoned R1-C (Residential) and R2 (Residential) in Zoning By-law 60-94. R1-C Zone permits single detached dwellings and the R2 Zone permits single and semi-detached dwellings and duplexes.

The applicant has submitted an application to amend Zoning By-law 60-94 to permit a medical office as an additional permitted use and subject to a special condition that would implement the proposed site design. The application also proposes to retain the existing use rights in the R1-C (Residential) and R2 (Residential) Zone categories.

A medical office is not permitted in the R1-C or R2 Zones. The applicant has requested that the subject site be rezoned to permit a medical office.

Zoning By-law 60-94 defines “Medical Office” as follows:

“MEDICAL OFFICE” means a building or part of a building in which the practice of one or more of the self-governing health professions listed in Schedule 1 to the *Regulated Health Professions Act*, 1991 S.O. 1991 c.18, excluding pharmacy, is carried on or in which treatment of humans by a Drugless Practitioner, as defined in the *Drugless Practitioners Act*, R.S.O. 1990, c.D.18, occurs.

The subject application will be reviewed against the provisions of Zoning By-law 60-94 during the further processing of the application.

5.4 Site Design/Land Use Considerations

The applicant proposes to construct a 2 storey, 249.4 square metres (2,685 sq. ft.) addition to the rear of the existing 2 ½ storey, 380.8 square metres (4,099 sq. ft.) single detached dwelling identified as a Class “A” heritage building within the City’s Inventory of Heritage Properties. The entire building will be converted for use as a medical office, specifically a dental clinic.

The proposed development intends to maintain the existing streetscape and building façade with all parking being located in the interior side yard and rear yard. Access will continue to be solely from King Street East.

Detailed design matters will be reviewed during the further processing of the application to ensure compliance with the City’s Landscaping Design Policies, engineering standards and other policies. This Department will conclude its position on the site design after it has received and assessed comments from the circulated departments, agencies and the public.

Some of the specific matters this Department will be reviewing during the further processing of the subject application include:

- (a) The appropriateness of the proposed use in this location;
- (b) The appropriateness of the proposed zoning regulations;
- (c) Site/building design matters including driveway access, parking, loading, waste/recycling pickup, building architecture, landscaping and building setbacks;
- (d) The appropriateness of the proposed parking rate and design;
- (e) Servicing and stormwater management matters;
- (f) Noise levels/mitigation;
- (g) Heritage matters; and
- (h) Tree preservation.

6.0 Financial Implications

There are no financial implications associated with the recommendation in this report.

7.0 Relationship to the Oshawa Strategic Plan

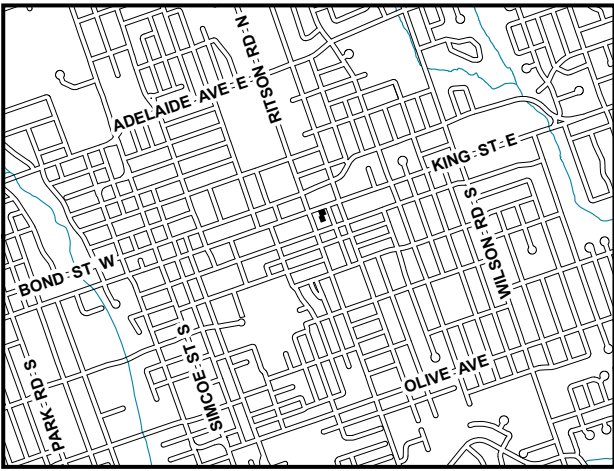
Holding a public meeting on development applications advances the Accountable Leadership Goal of the Oshawa Strategic Plan.



Warren Munro, HBA, RPP, Director,
Planning Services



Paul D. Ralph, BES, MCIP, RPP, City Manager,
Office of the City Manager



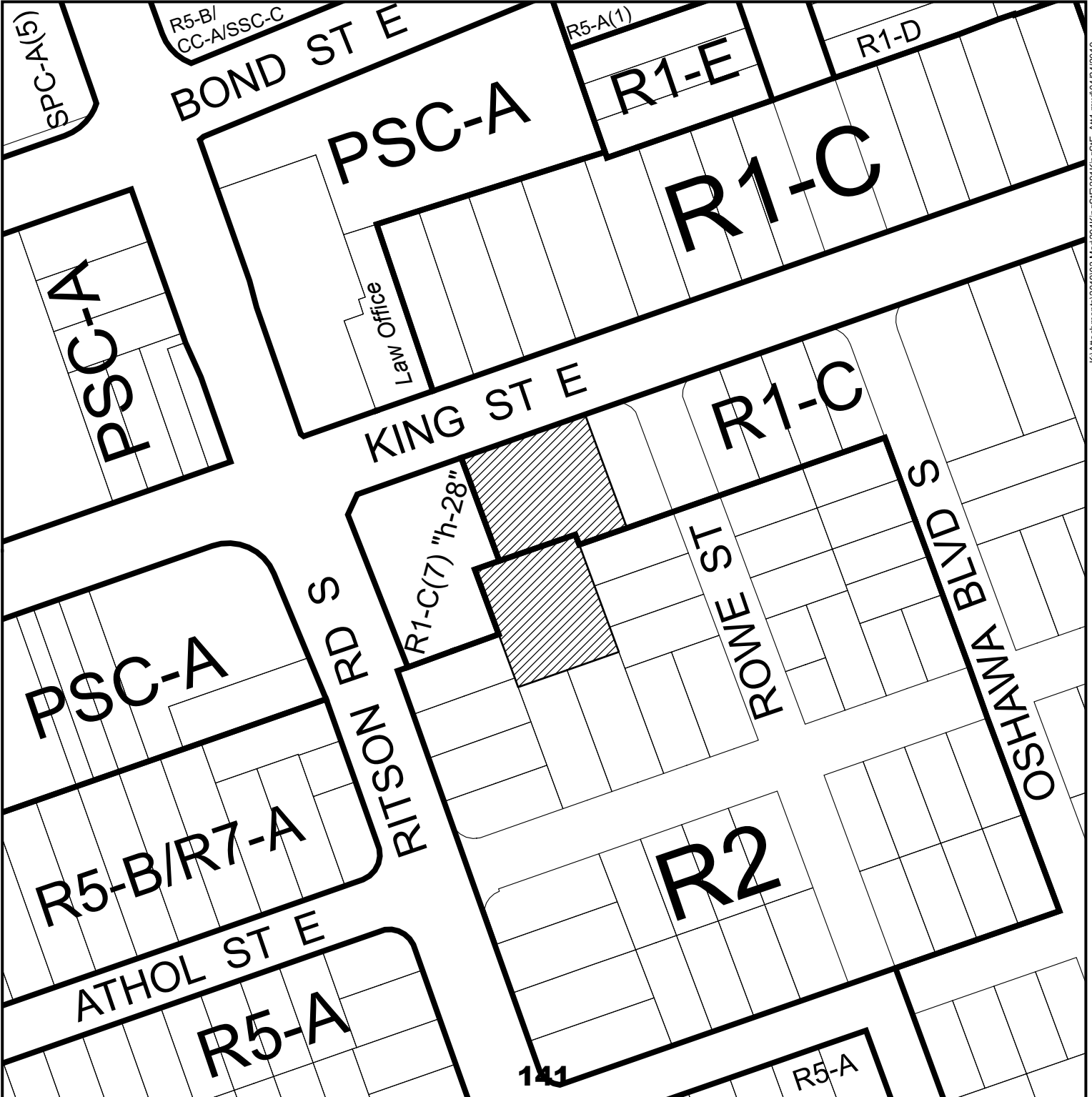
Item: DS-19-74
Attachment 1

Development Services Department

Subject: Application to Amend Zoning By-law 60-94
Address: 291 King Street East
File: Z-2019-03



Subject Site

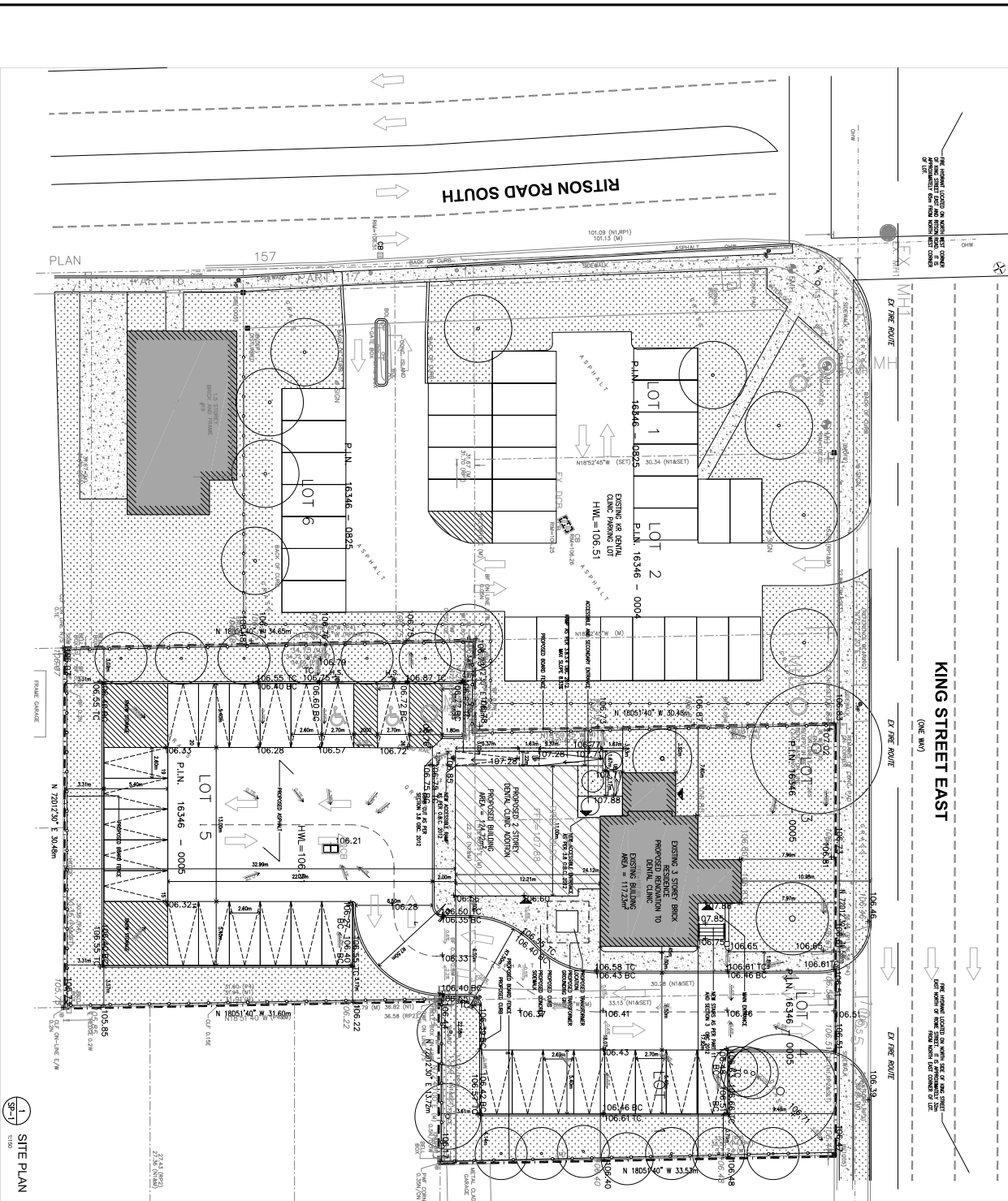


Title: Copy of the Proposed Site Plan
 Subject: Application to Amend Zoning By-law 60-94
 Address: 291 King Street East
 File: Z-2019-03

City of Oshawa
 Development Services Department



THE APPLICANT LOANED AN EXISTING BEST COPY OF THIS DRAWING TO THE CITY OF OSHAWA FOR ARCHIVAL PURPOSES. THE ORIGINAL DRAWING IS KEPT IN THE CITY ARCHIVE AND IS AVAILABLE FOR VIEWING BY APPOINTMENT ONLY. THE ORIGINAL DRAWING IS NOT TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF THE APPLICANT.



SITE STATISTICS

ZONING: OSHAWA BY-LAW 60-94

LOT AREA: 54,320 SQ. FT.

BUILDING AREA: 24,350 SQ. FT.

LOT FINISHING: 3,500 SQ. FT.

LOT DEPTH: 50.00 M

BUILDING HEIGHT: 12.50 M

LOT COVERAGE

MIN. LOT COVER: 10.00%

MIN. SIDE SETBACK: 1.50 M

MIN. REAR SETBACK: 1.50 M

MIN. FRONT SETBACK: 1.50 M

MIN. DRIVEWAY CLEARANCE: 2.10 M

MIN. DRIVEWAY WIDTH: 3.60 M

MIN. DRIVEWAY TURNING RADIUS: 6.00 M

PARKING

TOTAL SPACE REQUIRED: 25 SPACES

15 ALL PURPOSE SPACES

10 VISITING SPACES

10 DELIVERED FROM OTHER DEVELOPMENTS FOR THIS PROJECT

SETBACKS

FRONT YARD SETBACK: 1.50 M

REAR YARD SETBACK: 1.50 M

SIDE YARD SETBACK: 1.50 M

SETBACKS

NOTES

1. THE APPLICANT HAS PROVIDED ALL NECESSARY INFORMATION TO THE CITY OF OSHAWA TO SUPPORT THIS APPLICATION.

2. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OSHAWA.

NO. INDEX DATE BY

1 SPA SUBMISSION 2019-03-14 BBA

PROJECT: 291 KING ST DENTAL CLINIC BUILDING ADDITION

CLIENT: 291 KING ST E. OSHAWA

DRAWING: PROPOSED SITE PLAN

BBA ASSOCIATES

BARRY BRYAN ASSOCIATES

DESIGNED BY: BBA

DRAWN BY: BBA

CHECKED BY: BBA

DATE: 2019-03-14

SCALE: 1:100

PROJECT NO: 18822

DRAWING NO: SP-1