

January 20, 2005

To: North York Community Council

From: Director, Community Planning, North York District

Subject: Preliminary Report  
Application to amend the Official Plan and Zoning By-law  
Applicant: Mel Winch  
2722 Bayview Avenue  
05 167022 NNY 25 OZ  
Ward 25 – Don Valley West

Purpose:

To provide preliminary information on the above noted application to permit an existing accessory dispensing pharmacy at 2722 Bayview Avenue to change from a temporary use to a permanent use, and to seek Community Council's direction on processing the application and conducting a community consultation meeting.

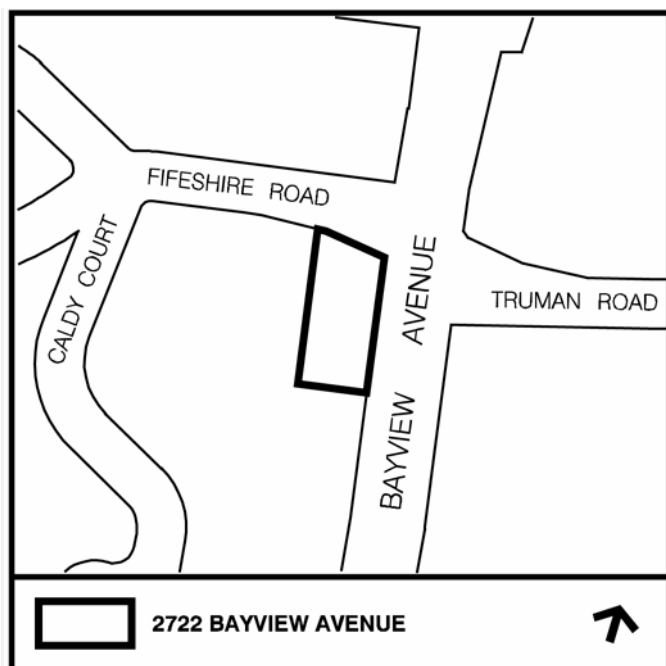
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended 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 meters of the site; and

- (3) Notice for the Public Meeting under the Planning Act be given according to the regulations of the Planning Act.

#### Comments:

#### Proposal

The application is to amend the Official Plan and Zoning By-law to permit an existing dispensing pharmacy, which is accessory to a medical office, at 2722 Bayview Avenue to change from a temporary use to a permanent use. The proposal does not involve any expansion or alterations to the existing building. The size of the existing dispensing pharmacy will not change from 23m<sup>2</sup>. The existing access to the site from Fifeshire Road is proposed to be maintained.

#### Site Description

The site is located on the southwest corner of Bayview Avenue and Fifeshire Road, and is approximately 1,704 m<sup>2</sup> in size. The existing one storey building on the site is used as a medical office with a maximum of six practitioners. The abutting uses are as follows:

North: four storey multi-unit residential apartment building

South: single detached dwelling

East: place of worship, detached homes

West: single detached dwelling

#### North York Official Plan

The property is designated Residential Density One (RD-1) which permits single detached and semi-detached dwellings, public facilities (such as parks and essential services), community institutions (such as schools, places of worship and community centers), and minor commercial uses which are ancillary to the residential uses or which serve the local residential population.

The property is also subject to an Official Plan Amendment, OPA 500, that permits a medical office as an additional use and an accessory dispensing pharmacy as a temporary use.

#### New Toronto Official Plan

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new Plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board.

Once the Plan comes into full force and effect, it will designate the property as Neighbourhoods. Like the RD-1 designation in the North York Official Plan, the Neighbourhoods designation

permits low scale residential uses and small scale retail, service and offices uses provided they are incidental to and support neighbourhoods and located on a major street.

## Zoning

The property is zoned R2 (One-Family Detached Dwelling Second Density Zone) which permits single detached dwellings, home occupations (limited to teaching of music and academic subjects provided the teacher resides in the home), recreational uses (parks and playgrounds), and institutional uses (such as schools, libraries, places of worship and day nurseries).

The medical office use has been permitted on the site since 1967 subject to site specific by-laws 21211 and 21407. Site specific by-law 523-2002 repealed by-laws 21211 and 21407 to have the purpose and effect of:

- permitting the existing building to be used for a professional medical office by a maximum of six members of the medical or dental professions, or individuals licensed under the *Drugless Practitioners Act* or the *Regulated Health Professionals Act, 1991*;
- permitting the maximum gross floor area of the building be 342.0m<sup>2</sup>;
- requiring the exterior design of the building to be unaltered;
- requiring a parking area with 18 parking spaces to the north of the existing building;
- requiring the parking area to be buffered with a 3.0m wide landscaping strip along the south and west lot lines;
- permitting an accessory dispensing pharmacy for a period of three years commencing June 20, 2002 providing there is no external signage with respect to this use; and
- permitting the dispensing pharmacy to have a maximum gross floor area of 23.0m<sup>2</sup>.

## Site Plan Control

There is currently a Development Agreement registered on title dated April 25, 2002. Any amendments to this Agreement will be addressed during the processing of this application.

## Reason for the Application

An amendment to the North York Official Plan is required to provide for the accessory dispensing pharmacy to become a permanent use. The site specific amendment, OPA 500, only provides for the dispensing pharmacy as an accessory use to the medical office, in accordance with a temporary use by-law enacted for the site on June 20, 2002.

An amendment to the Zoning By-law is required to permit the dispensing pharmacy as an accessory use to the professional medical office. By-law 523-2002 granted a three-year period of temporary permission for the dispensing pharmacy as an accessory use. This three-year period from the June 20, 2002 enactment of By-law 523-2002 has expired.

Issues to be Resolved:

In addition to the preliminary Official Plan and Zoning By-Law issues identified above, the following issues will be considered in the review of the application, as well as any other matters that may be identified through the circulation, review and consultation process:

- Evaluate the appropriateness of extending the permission of the temporary accessory use on a permanent basis;
- Determine the appropriate Zoning By-Law standards for the proposal; and
- Establish any appropriate mitigation measures that may be required to minimize impacts on adjacent low density residential uses.

Additional issues may be identified through a community consultation meeting.

Conclusions:

This report recommends that a community consultation meeting be scheduled by staff, in consultation with the Ward Councilor, and a Public Meeting under the Planning Act be held in the second quarter of 2006, provided any additional information is submitted in a timely manner.

Contact:

Christian Ventresca, Assistant Planner

Ph: (416) 395-7129

Fax: (416) 395-7155

Email:cventre@toronto.ca

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Thomas C. Keefe, Director  
Community Planning, North York District

List of Attachments:

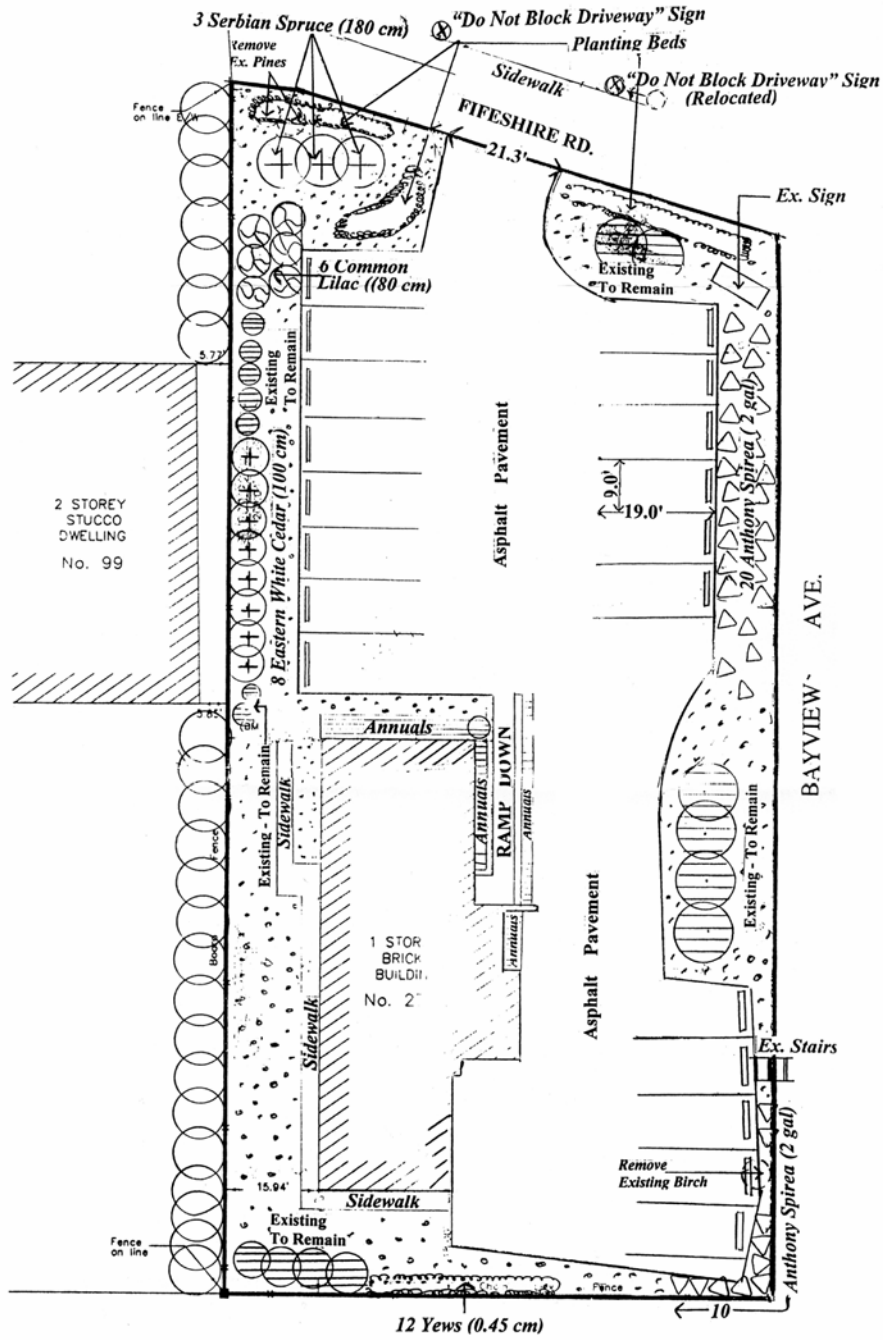
Attachment 1: Site Plan

Attachment 2: Official Plan (Map)

Attachment 3: Zoning (Map)

Attachment 3: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

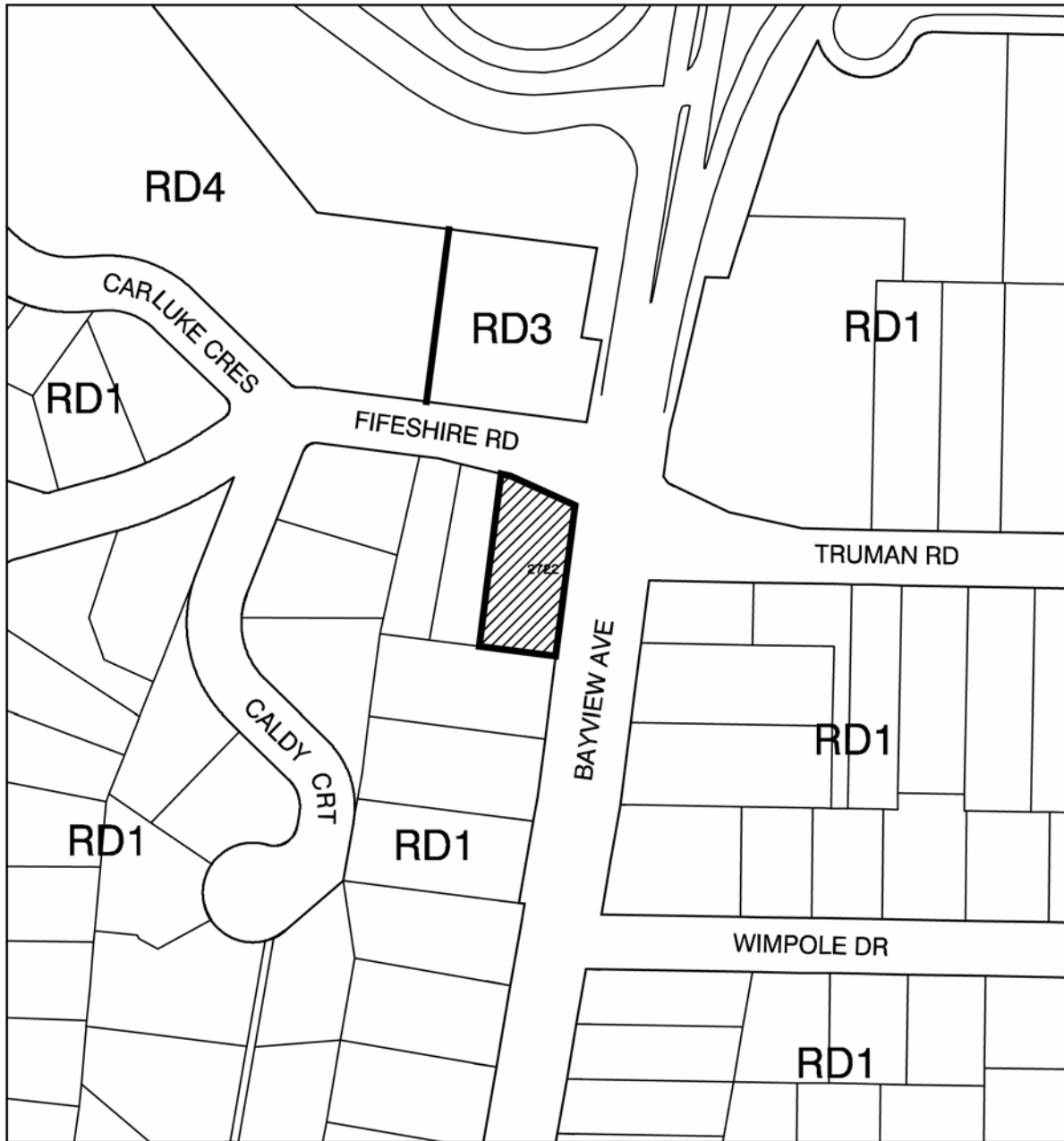
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2722 Bayview Avenue

File # 05\_167022

Attachment 2: Official Plan (Map)



- RD1 RESIDENTIAL DENSITY ONE
- RD3 RESIDENTIAL DENSITY THREE
- RD4 RESIDENTIAL DENSITY FOUR

Attachment 3: Zoning (Map)



**2722 Bayview Avenue**

File # 05\_167022 NNY 25 0Z

- R1 One-Family Detached Dwelling First Density Zone
- R2 One-Family Detached Dwelling Second Density Zone
- R3 One-Family Detached Dwelling Third Density Zone

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale  
Zoning By-law 7625  
Extracted 08/22/05

