

TORONTO STAFF REPORT

April 20, 2006

To: North York Community Council

From: Director, Community Planning, North York District

Subject: Preliminary Report
OPA & Rezoning Application 06 111098 NNY 10 OZ
Site Plan Control Application 06 111111 NNY 10 SA
Applicant: Adam J. Brown, Sherman Brown Dryer Karol Barristers & Solicitors
Architect: Raphael + Bigauskas Architects, Climans Green Liang Architects Inc.
221-245 Wilmington Ave
Ward 10 - York Centre

Purpose:

To provide preliminary information on the above-noted applications and to seek Community Council's directions on further processing of the applications and on the community consultation process.

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 metres of the site.



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

Background:

In 2002, the owner submitted a site plan control approval application to construct a drive-through facility on the existing freestanding restaurant building at the southwest corner of the subject property. The review of that application was deferred pending the outcome of the Ontario Municipal Board decision on the new citywide by-law standards for drive-through facilities. While the proposed design of the drive-through was subsequently modified to comply with the new standards approved by the Board, the owner did not complete the remaining site plan requirements and the application was not approved. The requested approval to construct the drive-through facility has now been consolidated with this application.

Comments:

Proposal

The applicant proposes to demolish the freestanding commercial building in the northwest corner of the subject property as well as the northern portion of the commercial plaza on the east side of the property. These lands, comprising 0.97 hectares (2.41 acres), would be redeveloped with 150 stacked townhouse units at a density of 1.35 times the lot area and would be registered as a condominium development, severing them from the balance of the lands. The remaining portion of the commercial plaza would be renovated, including the construction of a second storey addition where a second storey does not currently exist. The parking area for the plaza would be redesigned with the inclusion of new landscaping features. A new drive-through facility would be constructed around the existing freestanding restaurant at the southwest corner of the lands (Attachments 1 through 5).

The stacked townhouses would be four stories in height with the first level partially sunken below grade and individual rooftop decks located above the fourth level. The height measured from grade to the top of the rooftop stairway structure would be 13 metres. The units would be grouped into six blocks with a centrally-located outdoor amenity area. Resident parking and a portion of the visitor parking would be located in an underground garage, accessed from a ramp connecting to a perimeter driveway on the north side of the site. Within the garage, 150 parking spaces would be provided for the use of residents and 16 spaces would be provided for visitors. Twelve visitor parking spaces would be located at grade on the north side of the site and ten spaces would be located in the adjoining plaza parking area and shared through a formal arrangement. A total of 174 parking spaces would be provided on the plaza property, including the ten that would be shared with the residential development. Solid waste from the residences would be stored in a drop-off facility situated on the lower unit level on the east side of the site and picked up from a loading space located on the adjacent retail plaza property.

Additional information pertaining to the proposal is provided on the Application Data Sheet, included as Attachment No. 8 to this report.

Site Description

The subject property is centrally located within the Bathurst Manor residential community at the northeast corner of the intersection of Wilmington Avenue and Overbrook Place, the main collector roads serving the area. Three buildings currently exist on the 2.31 hectare (5.72 acre) property: an 8180 m² (88,047 sq. ft.) commercial plaza with second storey offices, a 158 m² (1,703 sq. ft) freestanding restaurant building, and a 788 m² (8,484 sq. ft.) freestanding commercial building. A fourth building that was located immediately to the south of the freestanding commercial building was demolished in 2004.

The surrounding land uses are as follows:

North: Single detached dwellings
South: Irving W. Chapley Park and Community Centre
Southwest: Synagogue and school
East: Semi-detached triplex dwellings, apartment house dwellings
West: Semi-detached triplex dwellings

Official Plan

The subject property is designated Commercial (COM) by the former City of North York Official Plan (Attachment 6). This designation provides for a broad range of uses including retail and service commercial uses, office uses, upper floor residential uses, as well as institutional uses. The maximum density of uses within the Commercial designation is generally not to exceed 1.0 times the lot area. Densities of up to 1.5 times the lot area may be approved through rezonings where the proposal meets defined compatibility criteria together with any specific conditions required by Council. An amendment to the Plan is required to provide for residential uses that are not located above a commercial 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 land use policies come into force and effect, the new Official Plan will designate the subject property as Mixed Use Area. This designation provides for a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces and utilities. No amendment is required to the new Plan to provide for the proposed uses.

Zoning

The majority of the subject property is zoned Local Shopping Centre (C2) by former City of North York Zoning By-law 7625 (Attachment 7). A range of commercial uses including retail stores, personal services shops, business and professional offices as well as shopping centres is permitted within this zone. The southwest corner of the property, encompassing the freestanding restaurant building, is zoned Local Shopping Centre Exception C2 (8). In addition to the uses permitted with the C2 zone, the exception zone also permits a gasoline station and accessory uses including the servicing and mechanical repair of motor vehicles. In both the C2 and C2 (8) zones, single purpose residential uses are not permitted.

Site Plan Control Approval

The applicant has filed an application for Site Plan Control Approval, in addition to the applications for Official Plan Amendment and Rezoning. Should the applications for Official Plan Amendment and Rezoning be approved, the applicant would be required to obtain the Notice of Approval Conditions prior to the introduction of the bills to Council.

Tree Preservation

By-laws that require the protection and preservation of trees on City and private property have been implemented in order to retain as much crown cover as possible, particularly during the development process. All trees on City property are protected, as well as trees on private property having a diameter of 30 cm or greater. The applicant has submitted an Arborist Report which is currently under review by Urban Forestry Services.

Reasons for the Applications

Amendments to the former City of North York Official Plan and Zoning By-law 7625 are required to permit stacked townhouses as well as various site-specific development standards. In the event that the land use policies of the new Toronto Official Plan come into force and effect prior to a decision by City Council, no Official Plan Amendment would be required.

Issues to be Resolved

On a preliminary basis, the following have been identified as issues for review and resolution. Other issues may be identified through community consultation and the processing of this application.

Compatibility

The proposal represents a considerable intensification of a currently underutilized site. Staff are presently reviewing the proposal with respect to:

- whether an appropriate transition in height to the areas to the north and east would be provided.
- whether the proposal would result in an adverse impact for the abutting low density dwellings in terms of overlook and loss of privacy.
- whether appropriate landscaping measures would be provided to buffer and minimize impacts associated with the higher density development with respect to parking areas, lighting facilities, on-site servicing facilities, ventilation fans and other noise sources.

Built Form

The proposal is being reviewed with respect to applicable urban design goals and principles. Consideration will be given to matters such as the design of the site including

- location and organization of buildings, open spaces, servicing, driveways, and access;
- massing of buildings; and
- organization and relationship of open spaces, landscapes, streetscapes, and pedestrian connections on both the new residential site and the existing commercial site.

Community Services and Facilities

Council must be satisfied that the proposal will not have undue negative impacts on community services and facilities in the area. The adequacy of existing community services and facilities will be assessed, as well as whether there is a need to provide identified community services and facilities within the development.

Transportation

The applicant must demonstrate that the proposal will not have undue negative impacts on transportation facilities in the area. A Traffic Generation and Parking Study has been submitted which is currently under review by Staff.

Staff are also assessing whether the proposed visitor parking arrangements are appropriate. As previously described, the proposal divides the visitor parking into three separate areas, one of which would rely upon special legal arrangements with the adjacent plaza property. In a similar way, loading operations including waste pickup would rely upon use of a loading space located on the plaza property. The appropriateness of this arrangement must be determined.

Conclusions:

The application is currently under review and the appropriateness of the proposed development with respect to issues such as compatibility, built form, community services and facilities, and transportation impacts must be assessed.

It is recommended that a Community Consultation Meeting be scheduled by staff, in consultation with the ward councillor, and that a final report be prepared with notice provided for a Statutory Public Meeting.

Contact:

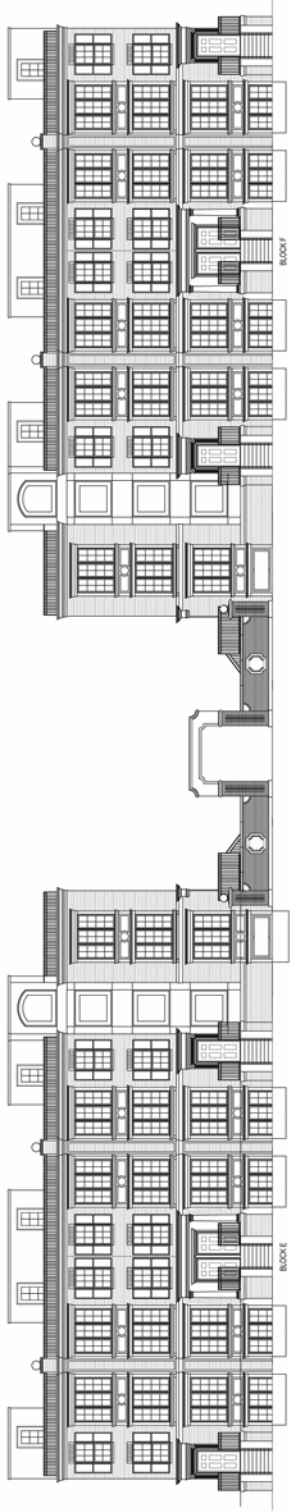
Geoffrey Singer, Planner
Ph: (416) 395-7102
Fax: (416) 395-7155
Email:gsinger2@toronto.ca

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

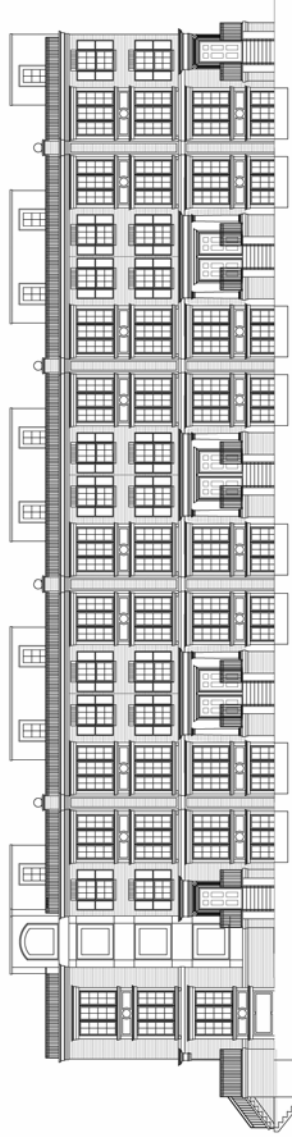
List of Attachments:

Attachment 1: Site Plan
Attachment 2: Elevation 1
Attachment 3: Elevation 2
Attachment 4: Elevation 3
Attachment 5: Elevation 4
Attachment 6: Official Plan
Attachment 7: Zoning
Application 8: Application Data Sheet

Attachment 2: Elevation 1



Wilmington Avenue Streetscape



Typical Interior Elevation

Elevations - Residential

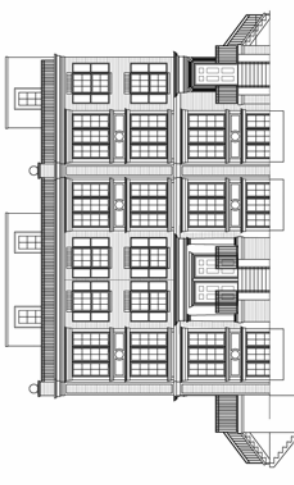
Applicant's Submitted Drawing

Not to Scale
03/17/06

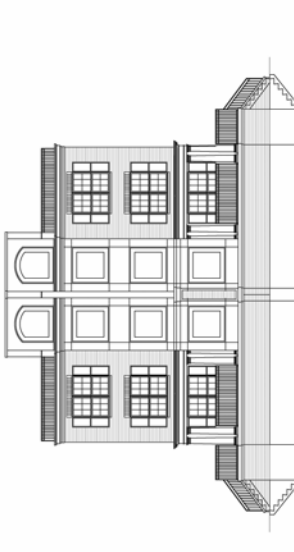
221-245 Wilmington Avenue

File # 06_111098

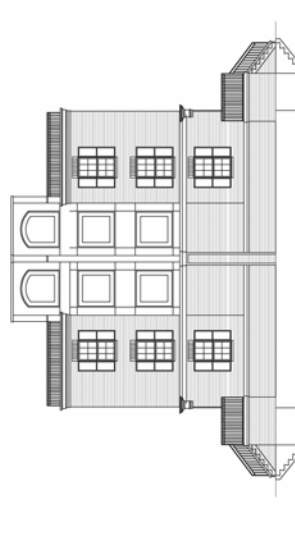
Attachment 3: Elevation 2



Typical End Unit Elevation



South Side Elevation (Blocks A, B, D, F)



Typical Side Elevation

Elevations - Residential

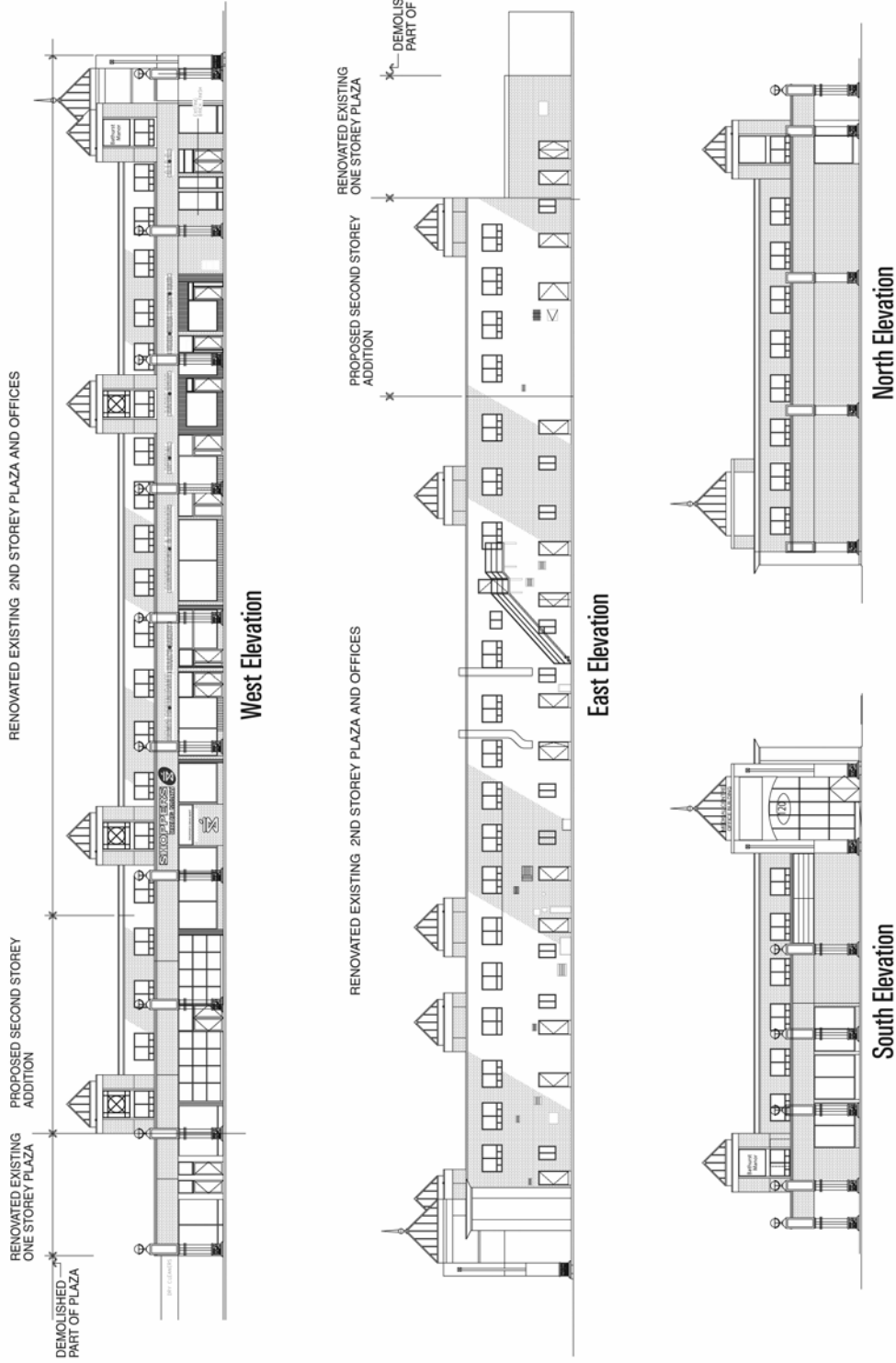
Applicant's Submitted Drawing

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Attachment 4: Elevation 3



Elevations - Commercial Plaza

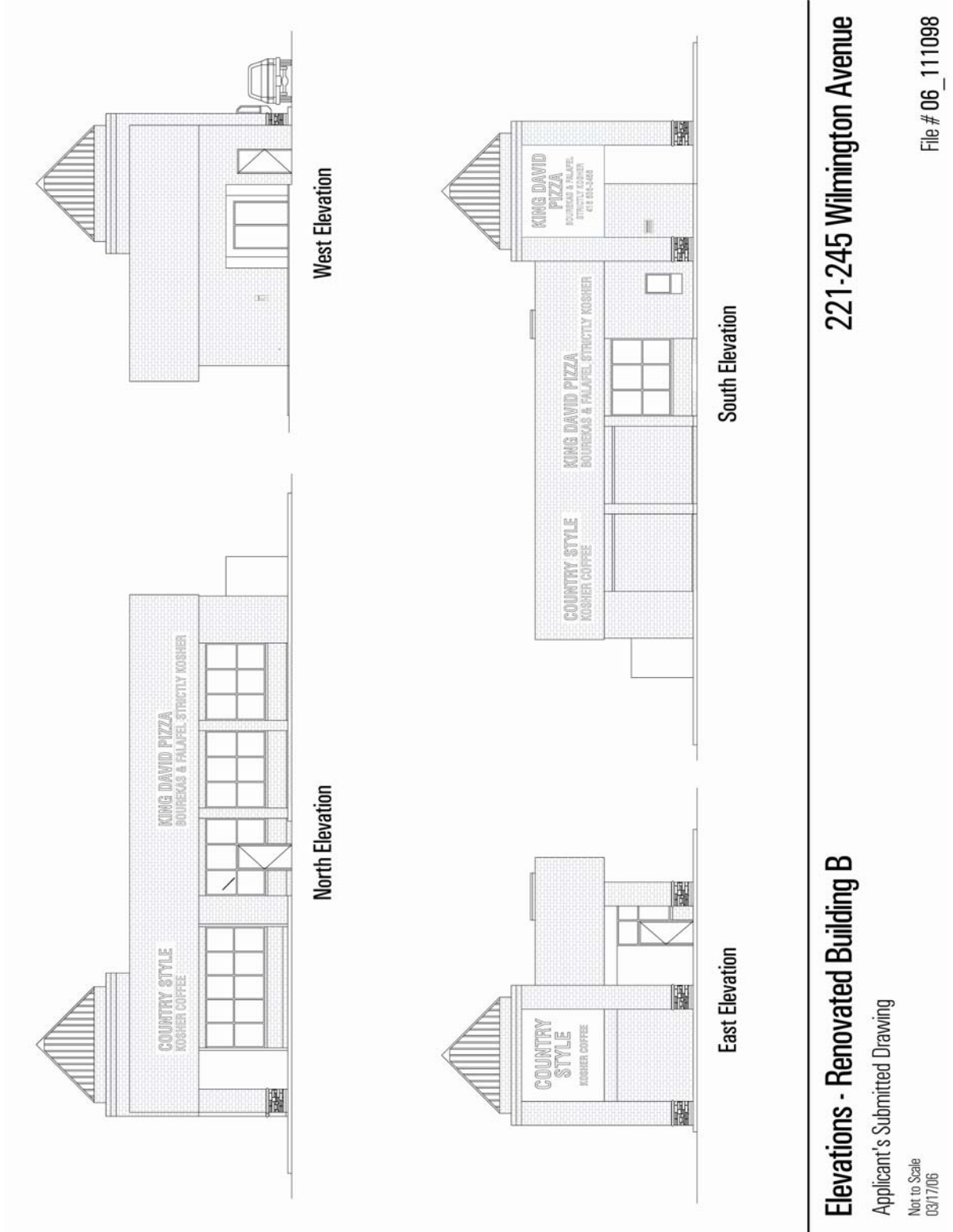
Applicant's Submitted Drawing

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03/17/06

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Attachment 5: Elevation 4



Elevations - Renovated Building B

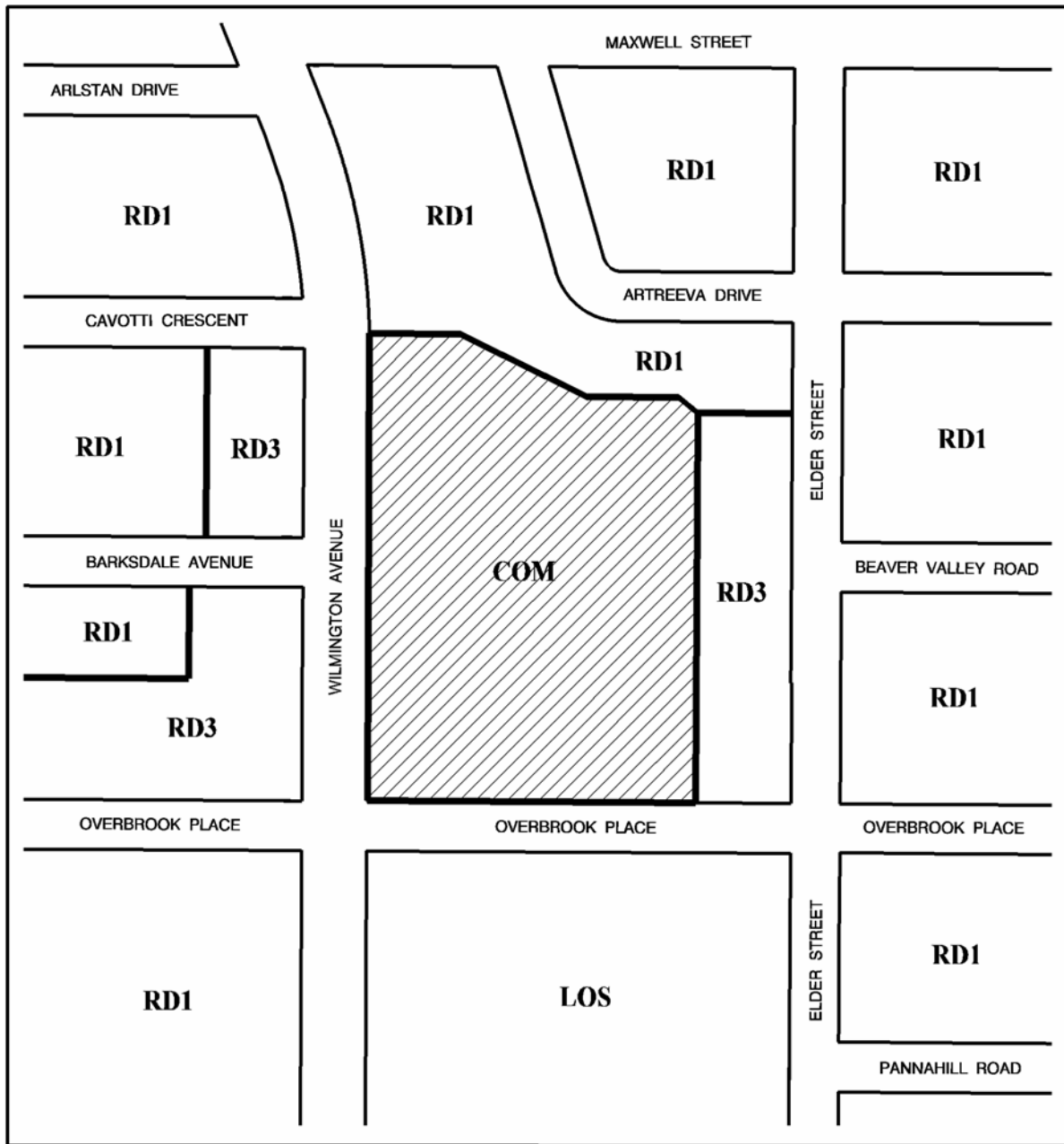
Applicant's Submitted Drawing

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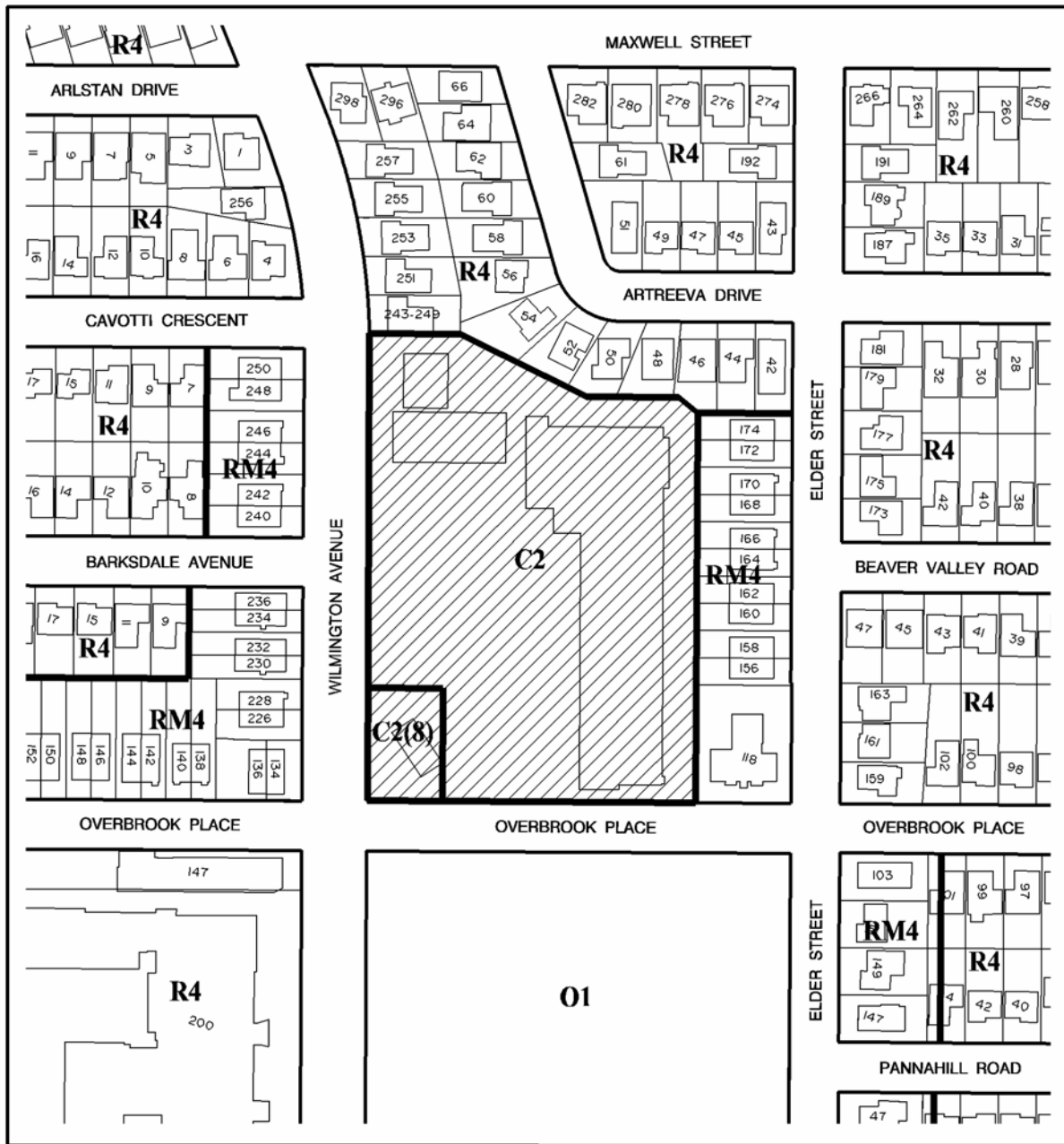
Attachment 6: Official Plan (Map)



- RD1 Residential Density One
- RD3 Residential Density Three
- COM Commercial
- LOS Local Open Space


Not to Scale
North York Official Plan
Extracted 03/03/06

Attachment 7: Zoning (Map)



221-245 Wilmington Avenue

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- R4 One-Family Detached Dwelling Fourth Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- C2 Local Shopping Centre Zone
- O1 Open Space Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category


 Not to Scale
 Zoning By-law 7625
 Extracted 03/03/06

