

TORONTO STAFF REPORT

August 23, 2006

To: North York Community Council

From: Director, Community Planning, North York District

Subject: Request for Directions Report
Site Plan Control Application: 06 119651 NNY 25 SA
Applicant: Junior Academy
Architect: Meg Graham, Superkül inc., Architect
2454 Bayview Avenue
Ward 25 – Don Valley West

Purpose:

This report provides an update on the processing of the application for Site Plan Control, and its referral by the applicant to the Ontario Municipal Board. In the event a Board hearing is convened prior to resolution of outstanding site plan issues, this report seeks Council's direction on whether the City Solicitor should be directed to attend the Ontario Municipal Board to support the position outlined in this report.

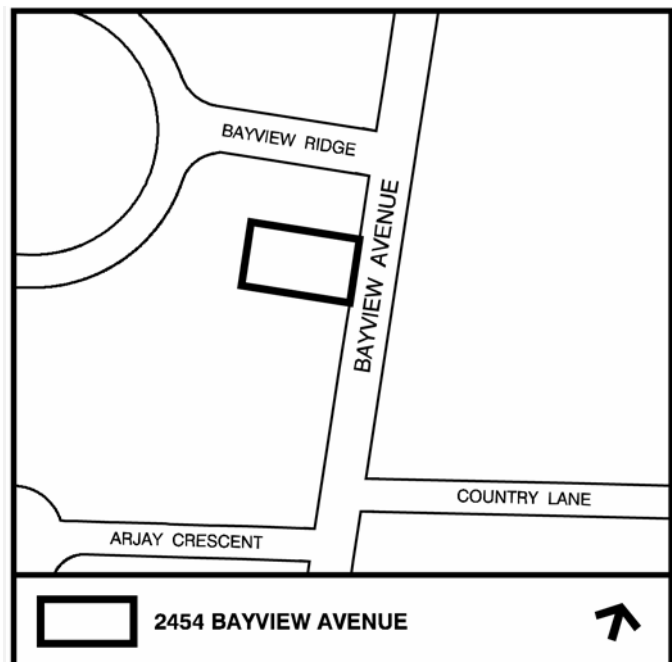
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) the Site Plan Control application not be approved in its current form;
- (2) Council authorize the City Solicitor and appropriate City Staff to attend the Municipal Board and oppose the application for the reasons outlined in this report; and



- (3) Council authorize City Staff to continue working with the applicant and the Ward Councillor to revise the proposal to address issues outlined in this report.

Background:

Application History

On March 23, 2006 City Planning received a Site Plan Control application for the construction of a two storey school on Bayview Avenue to be the new home of Junior Academy. Junior Academy is a private elementary school providing education to children from Kindergarten to Grade 8. The school currently has an enrollment of 110 students and the proposed new facility on Bayview Avenue would allow the school to expand to a maximum enrollment of 180 students. The school has 18 staff members, of which 15 are full-time employees and 3 are part-time.

As part of the application for Site Plan Control, the applicant submitted site and landscape plans, architectural plans and details, a traffic impact statement, a stormwater management report, an arborist report and a tree preservation plan in support of their proposal. The application was circulated to appropriate City departments and external agencies for comment.

On July 27, 2006 the applicant appealed the Site Plan application to the Ontario Municipal Board based on the City's failure to approve the drawings within 30 days of the date of the application. Despite referring the matter to the Municipal Board, the applicant has expressed a desire that the application continue to be processed by the City, but does require a timely resolution to the process to allow the facility to be constructed in time to open for the 2007 academic calendar.

Proposal

The proposed development is a two storey private elementary school situated roughly in the centre of the site, currently occupied by a single detached dwelling (see Attachment 1 – Site Plan). The school building is L-shaped and consists of above-grade and below-grade elements organized so that the building is perceived from the street as a two storey structure. A full size, two storey gymnasium is sunk below grade, along with change room areas associated with the gym and two small “break out” classrooms for small group academic instruction. The two storeys above grade contain regular-sized classrooms, a library, and the school's offices.

Vehicles would enter off Bayview Avenue from an access point near the southern property line and circulate in a clockwise fashion via a one-way drive aisle that loops behind the school structure and exits back onto Bayview near the north property line. The proposal provides 21 parking spaces on site as required by Zoning By-Law 7625 (1.5 spaces per classroom and office). Of the spaces provided, 17 are located behind the proposed structure with the remaining 4 located in the front yard.

Site and Surrounding Area

The site is located 4 blocks south of York Mills Road, on the west side of Bayview Avenue between Bayview Ridge Crescent and Arjay Crescent. The site is currently occupied by a single-detached dwelling. The site has a frontage of 39.31m and an area of 2,634m². Adjacent uses are as follows:

North: single-detached dwelling fronting onto Bayview Ridge Crescent

West: single-detached dwelling fronting onto Bayview Ridge Crescent

South: single-detached dwelling fronting onto Bayview Avenue

East: across Bayview Avenue is the Canadian Film Centre, situated on the grounds of a 22 acre park, formerly the Windfields Estate.

New Toronto Official Plan

On July 6, 2006, the Ontario Municipal Board issued Order No. 1928 bringing the majority of the new Official Plan into force and effect. The Order did not bring into force the new Plan policies related to housing, Section 37 and floodplain 'Special Policy Areas' which remain under appeal. Until the appeal of these sections is resolved, the policies of the predecessor plans are still applicable. All other policies, maps, and schedules contained within the former Official Plans are repealed.

The new City of Toronto Official Plan designates the property as *Neighbourhoods*. *Neighbourhoods* are defined as physically stable areas made up of lower scale residential buildings and low scale local institutions, which includes uses such as schools and places of worship. Schools on lands designated *Neighbourhoods* are required by the Plan to provide open space for outdoor student activities and landscaping. Schools are required to be designed and operated to limit noise, privacy and traffic impacts on neighbouring residents.

Zoning

The property is zoned "One-Family Detached Dwelling Third Density (R3) Zone" which permits single detached dwellings and accessory uses. A school is a permitted institutional use within the R3 zone provided the following:

- Front and rear yard setbacks shall be the same as the minimum requirements of the R3 designation;
- Side yard setbacks are to be half of the height of the building or 3m, whichever is greater; and
- Building height is two storeys or 9.5m whichever is lesser.

Comments:

Proposed School

The proposed use, a private elementary school, is permitted by the land used designation *Neighbourhoods* of the new Official Plan and the underlying zoning. As called for by Policy 2 of the *Neighbourhoods* designation, the proposal provides outdoor student activity space with a playground structure in the front yard and offers privacy to neighbouring properties by providing a 1.8m tall board on board fence on all adjacent property lines.

Staff are concerned with the prominence of a masonry wall and a transformer along the Bayview Avenue sidewalk, and would prefer the front yard be reorganized to be more compatible with the pedestrian realm. This could be accomplished by moving the transformer to a less prominent location on site and by replacing the masonry wall with a more appropriate treatment.

Staff would also like to see an increase in the amount of landscaped soft surfaces on site. Additional locations for vegetation should be explored along the north side of the building, around the front yard parking spaces and near both building entrances. As part of the reorganization of the front yard, the applicant should provide a direct pedestrian linkage to the Bayview Avenue sidewalk.

Tree Protection and Landscaping

An arborist report and tree protection plan was submitted with the application for Site Plan Control. The applicant is proposing the removal of 10 trees on private property all to be replaced as indicated in the submitted landscape plan. In addition, Urban Forestry is requiring two additional trees to be planted in the City right-of-way where three trees are already located.

Urban Forestry Staff expressed concern that trees in the rear yards of the neighbouring properties of 99, 101, and 103 Bayview Ridge Crescent would be adversely affected by the construction of the rear parking area and drive aisle. In addition, Scotts Pines along the south property line which qualified for protection under the City of Toronto Private Tree By-Law were not identified in the initial submission.

The applicant submitted a revised site plan drawing, landscaped plan, tree preservation plan and arborist report to address these issues. The parking spaces and drive aisles to the rear of the proposed school have been moved east to increase the distance between the curb and the west property line from 1.5m to 2.55m. This revision eliminates hard surface area from the Tree Protection Zones of the affected trees on the neighbouring properties. The landscape plan now calls for the removal of the hedgerow feature along the southern property line, including the Scotts Pines, and proposes replacing it with 10 new trees to be planted between the property line and the southern driveway. The revised proposal and accompanying materials have been circulated to Urban Forestry Staff for review and comment.

Traffic and Access

The applicant submitted a traffic impact statement which was reviewed by Transportation Services. After a review of the traffic impact statement in conjunction with the submitted site plan, comments returned from Transportation Services indicate that:

- the traffic analysis was not properly evaluated;
- issues of queuing on site were not addressed;
- inconclusive data was provided given that it was conducted during the March Break when traffic levels are lesser;
- the proxy site included, Crescent Boys School, was not comparable in size and thus inappropriate;
- the study was not sufficient in analyzing how traffic would circulate through the site;
- the study did not indicate how parking, loading and school bus activity would operate; and
- the inclusion of mitigating measures in a traffic management plan was not explored.

Transportation staff did concur with the conclusion of the applicant's traffic consultant that the movements from the exit driveway should be restricted to "right-out" only and that appropriate signage be posted. Staff also recommended that the applicant undertake a functional design of a median on Bayview Avenue that would further restrict left turn movements from the exit driveway.

Other than agreeing on this movement restriction, Transportation Services staff found the submitted traffic impact statement inconclusive and requested the applicant submit a revised traffic impact statement and a traffic management plan to address the concerns noted above.

Two working group meetings have been held between City staff and the applicant on transportation issues, including one attended by the Ward Councillor. Based on these discussions, the applicant has submitted an addendum to the traffic impact statement and a detailed transportation management plan focusing on the staggering of drop off and pick up times.

Transportation Services reviewed these items and do not believe the proposed solutions will satisfactorily address their concerns. Transportation staff remain concerned that the proposed driveway widths could not adequately or safely accommodate two vehicles should one wish to pass another stopped in the driveway. There is also a concern that the proposed staggering of pick up and drop off operations cannot be adequately controlled which raises the possibility of parents using Bayview Avenue to drop off their children at the school.

Both of these issues lead Transportation Services staff to have the opinion that conflicts would be created between traffic entering and leaving the site, and through traffic on Bayview Avenue. Any delays within the site would create backups onto Bayview Avenue which is a major arterial

road carrying significant amounts of mixed traffic. Staff are concerned for the safety of vehicles accessing the school and those on Bayview Avenue.

Conclusions:

The applicant has appealed the City's failure to approve the site plan drawings within 30 days of their submission to the Ontario Municipal Board. Despite this referral to the Board, the applicant wishes for staff to continue with the processing of the application and would like to see these matters resolved without proceeding to an OMB hearing.

Zoning By-law 7625 permits the proposed use, and the developments meets all provisions of the By-Law. However, staff have outstanding concerns with the application related to landscaping, private trees, and vehicular circulation on site. Transportation Services has advised that there is potential that inefficient drop off and pick up operations on site will spill out onto Bayview Avenue and impact the operation of this important arterial road.

Should an OMB hearing be held prior to the resolution of these outstanding matters, it is necessary for Council to authorize the City Solicitor and appropriate City staff to defend the position that the application should not be approved because of possible negative traffic impacts on Bayview Avenue and other concerns expressed in this report.

Contact

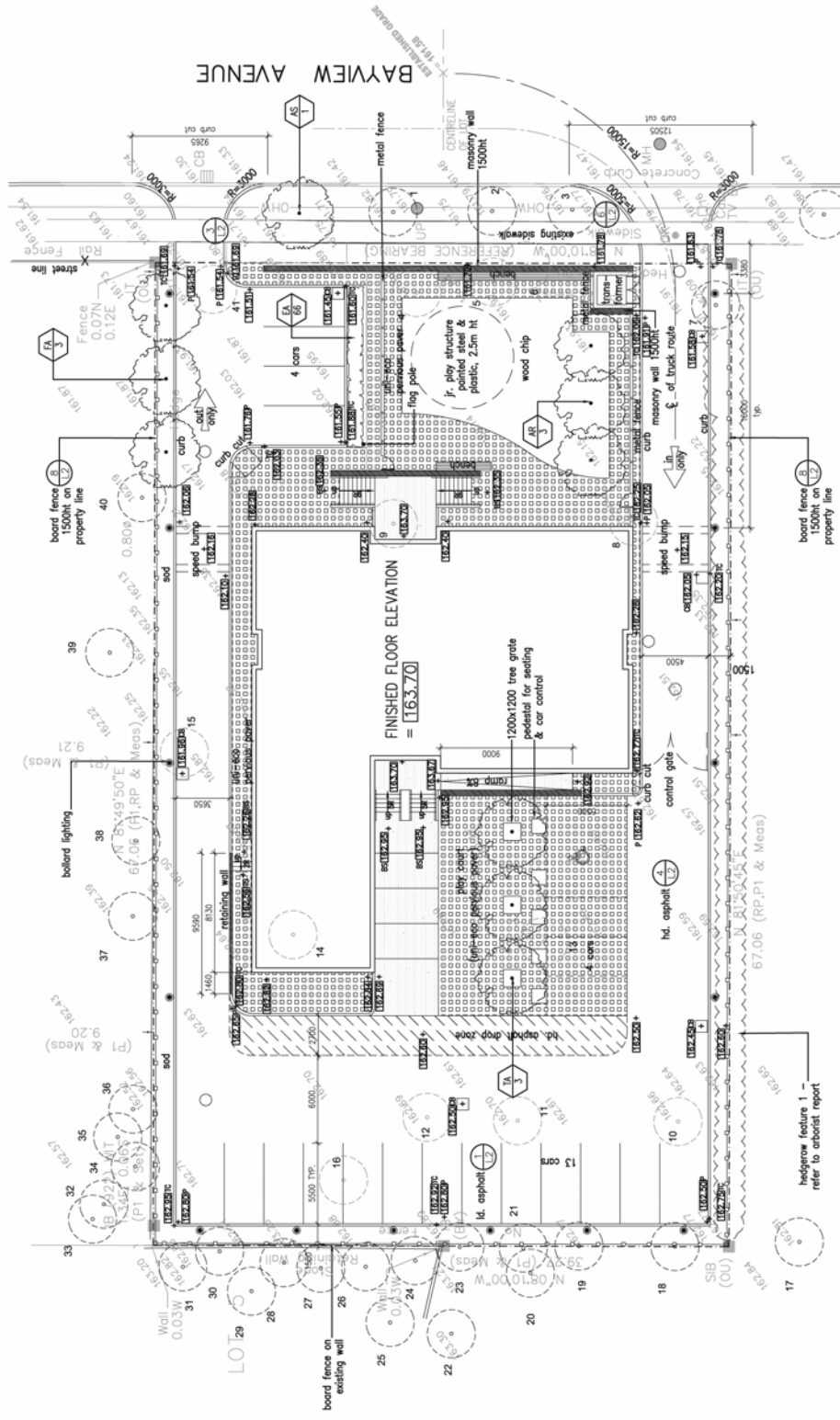
Christian Ventresca, Assistant Planner
Ph: (416) 395-7129
Fax: (416) 395-7155
Email:cventre@toronto.ca

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

List of Attachments:

Attachment 1: Site and Landscape Plan
Attachment 2: Front and Rear Elevation
Attachment 3: Side Elevations
Attachment 4: Application Data Sheet

Attachment 1: Site Plan



2454 Bayview Avenue

Site Plan
Applicant's Submitted Drawing

File # 06_119651

Not to Scale
08/04/06



Attachment 2: Front and Rear Elevations



Elevations

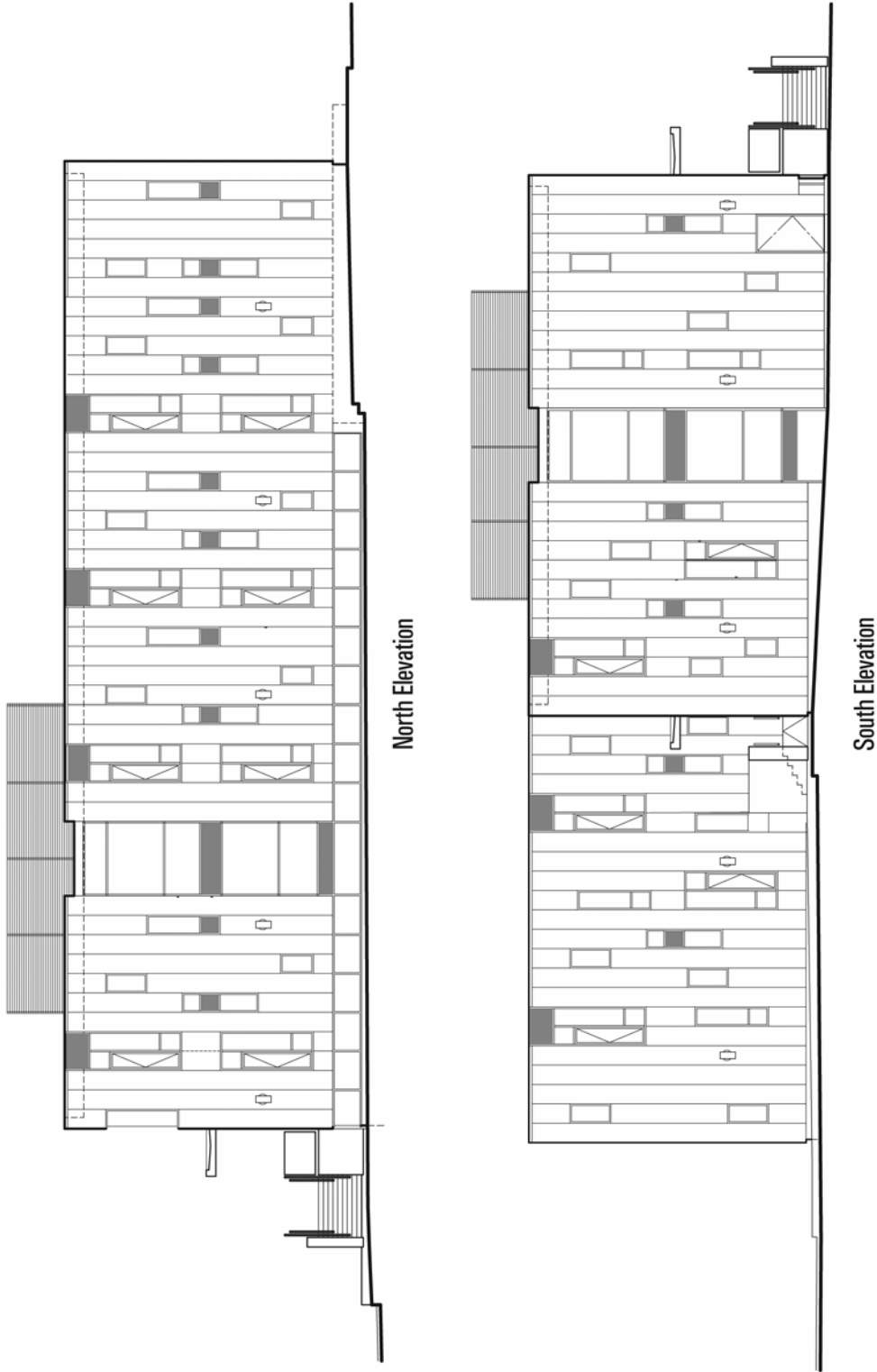
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Attachment 3: Elevation Side Elevations



Elevations

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Not to Scale
08/04/06

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