

221, 223, 225 Glen Park Avenue – Zoning By-law Amendment Application – Final Report

Date:	October 11, 2007
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward No. 15 – Eglinton-Lawrence
Reference Number:	File No. 06 108774 NNY 15 OZ

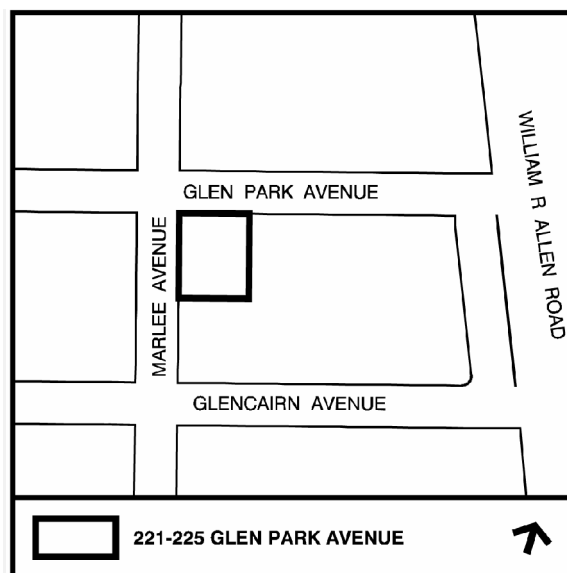
SUMMARY

This application proposes to amend Zoning By-law 7625 to permit the development of one four-storey and one three-storey building on the properties located at 221, 223 and 225 Glen Park Avenue. The four-storey building is proposed to front Glen Park Avenue and contain seven townhouse dwelling units. The three-storey building is proposed to front Marlee Avenue and contain up to three live/work units or retail/service/commercial uses at grade and residential above. The applicant has proposed that each of the seven townhouses have an integrated single car garage at the rear to accommodate a vehicular parking space. For the Marlee Avenue building, six parking spaces are proposed for the residential units and live/work or commercial units and two spaces are to be shared between retail patrons and residential visitors. Vehicular access to the parking areas will be provided from Marlee Avenue via a common elements condominium driveway.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that City Council:



1. Amend the Zoning By-law for the subject site substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5; and
2. Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Preliminary Report was approved by City Council at its meeting May 23, 24 and 25 2006 and modified the recommendation to expand the notice area for the community consultation meeting. This report may be found on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-6063.pdf>

At the March 5, 6 and 7, 2007 meeting, City Council adopted a recommendation from North York Community Council to waive the required conveyance for future road widening along Marlee Avenue at 221 Glen Park Avenue. As well, City Planning staff were directed to initiate an Official Plan Amendment to establish a more appropriate right of way width for Marlee Avenue which varies from 27 m in the former City of North York to 20 m in the former City of York. The report on this matter may be found on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-1219.pdf>

ISSUE BACKGROUND

Proposal

The applicant is proposing to develop one four-storey and one three-storey building on the subject site. The four-storey building is proposed to front onto Glen Park Avenue and contain seven townhouse dwelling units. The three-storey building is proposed to front onto Marlee Avenue and contain three live/work units or retail/service/commercial uses at grade and residential above. The original proposal was for live/work units on the ground floor of the Marlee Avenue building and has been revised to now include the option for retail/service/commercial uses at grade.

The applicant has proposed that each of the seven townhouses will have an integrated single car garage at the rear to accommodate a vehicular parking space. The live/work or retail units and residential units will have individual surface parking spaces. Two surface

parking spaces for visitors and retail patrons be provided at the southeast corner of the site. Vehicular access to the parking areas will be provided from Marlee Avenue via a common elements condominium driveway.

Refer to Attachment No. 4 for project data.

Site and Surrounding Area

The site is located at the southeast corner of Marlee Avenue and Glen Park Avenue. The site is an assembly of three lots with an overall area of approximately 1,336 square meters. Each lot currently contains a 1-storey residential dwelling that is to be demolished.

Development in the vicinity of the site is as follows:

North: residential uses in the form of single detached and multi-family dwelling units;

South: a mix of commercial and retail uses;

East: residential uses in the form of single detached dwellings; and

West: a mix of residential and commercial uses.

The site is located approximately 250 m from the Glencairn subway station and there are surface transit routes along Glencairn Avenue and Marlee Avenue.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Greenbelt Plan identifies the Greenbelt of the Greater Golden Horseshoe as an area where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological functions and features occurring in this landscape. In particular, it restricts development and land use in the Rouge River Watershed and the Rouge Park area in Toronto.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Greenbelt Plan.

Official Plan

The subject site is designated *Mixed Use Areas*. *Mixed Use Areas* consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. Development in these areas is intended to create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community. Proposed new development in *Mixed Use Areas* should provide a transition between areas of different development intensity and scale, particularly providing setbacks from and stepping down in height

towards lower scale *Neighbourhoods*. In addition, the location and massing of new developments in *Mixed Use Areas* should minimize shadow impacts on adjacent *Neighbourhoods* during the spring and fall equinoxes.

An Official Plan Amendment application had been filed to amend the former North York Official Plan designation of Residential Density One which permitted single detached and semi-detached dwellings. These policies are no longer in force and effect.

Zoning

The subject site is zoned General Commercial (C1) under the former City of North York Zoning By-law 7625 (see Attachment 3 – Zoning). This zone permits residential, commercial and institutional uses. Residential uses include one family detached dwellings, semi-detached dwellings, duplex dwellings, multiple attached dwellings, apartment house dwellings and double duplex dwellings. Commercial uses permitted in the C1 zone include, but are not limited to, retail stores, personal service shops, banks, business and professional offices, restaurants, take-out restaurants, professional medical offices, information processing and research.

Site Plan Control Approval

The site and development are subject to site plan control. An application for Site Plan Control Approval was received in December 2006 and is currently being reviewed.

Reasons for Application

The applicant originally applied for an amendment to the former City of North York Official Plan and Zoning By-law. An amendment to the Toronto Official Plan is not required as the proposed townhouse units, retail uses and live/work units are permitted in *Mixed Use Areas*. The application still requires an amendment to the Zoning By-law with respect to lot coverage, maximum building height, building setbacks, parking and distance between buildings.

The applicant has indicated that the tenure of the development will be condominium. An application for Draft Plan of Condominium has not been submitted. A common element condominium will be required to establish ownership and maintenance of the shared driveway, visitor parking and common landscaped areas.

Community Consultation

A community consultation meeting was held June 14, 2006 and attended by City Planning staff, the local councillor, the applicant's planning consultants and architect and approximately 15 members of the public.

The issues raised at the community meeting included concerns about traffic, ownership/maintenance of the driveway and parking areas, the height of the buildings, the siting of the buildings, trees, landscaping/screening and garbage pickup. Some written comments were received which also noted concerns with the building siting and setbacks in relation to the neighbouring properties; landscaping and privacy; and parking,

garbage and fencing. Written submissions indicated concern with retail vacancies along Marlee Avenue.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

The proposal is consistent with the Provincial Policy Statement policies for promoting intensification, redevelopment and compact urban form; encouraging transit and pedestrian supportive land uses; and providing for a range of housing types and densities.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan.

Land Use

The proposed land uses, being townhouses on Glen Park Avenue and live/work or retail and residential on Marlee Avenue, are permitted by the Official Plan and are appropriate for the site.

The draft Zoning By-law is tailored to this specific development application to permit multiple attached dwelling units, live/work units and retail uses. The applicant's revision to the application proposed a range of retail/commercial uses permitted in the C1 zone, which includes uses such as business and professional offices, take-out restaurants and retail stores. The ground floor live/work or retail units could be owned either independently or in conjunction with the residential units located on the upper floors of the building.

Density, Height, Massing

The proposed density for the site is approximately 1.6 FSI and the proposed lot coverage is 51%. The Zoning By-law currently allows up to 35% lot coverage for residential buildings (other than a single family dwelling). This area is now designated as a *Mixed Use Areas*; one of the objectives of the *Mixed Use Areas* policies is to take advantage of nearby transit services.

The Zoning By-law presently permits commercial buildings with residential units above to be 9.2 m or three storeys. The proposed 'mixed use' building will be 12.10 m (3 storeys) and the residential building will be 12.45 m (4 storeys) in height. The transition to the surrounding *Neighbourhood* designation begins with the properties on the north side of Glen Park and two lots to the east. These proposed building heights are in keeping with the *Mixed Use Areas* policies.

The proposal provides for adequate light and privacy for the development and neighbouring properties.

The neighbouring resident to the east raised the issue of the loss of privacy for their property. The length of the townhouse block is similar to the length of the neighbouring dwelling to the east. The east elevation of the townhouse block does not have windows on the second floor reducing overlook.

Details about the treatment of the decks, fencing and plant material will be reviewed through the Site Plan Control Approval process.

The overall scale and arrangement of the development meets the Official Plan Built Form policies and the Infill Townhouse Guidelines.

Streetscape

The proposal supports the streetscape goals of the Infill Townhouse Guidelines and the Built Form policies of the Official Plan by locating the front entrances on the existing public street and having shared vehicular access. The applicant modified the original proposal and staggered the front yard setback of the townhouses on Glen Park Avenue to align the easterly two units more closely with the front yard setback of the neighbouring detached dwelling. This addresses community concerns raised regarding building setbacks along Glen Park Avenue. A reduced front yard setback for the units that front Marlee Avenue is appropriate to establish the live/work or retail/commercial function of the ground floor by providing active uses and visibility at grade.

Trees

The applicant submitted an arborist report in support of the proposal. The applicant proposes to remove the existing trees on site, four are City trees and one is a private tree. Most of the trees were evaluated to be in poor condition. An application under the City's Private Tree By-law will be required to injure or remove the private tree. The applicant also proposes tree protection hoarding around the tree in front of the neighbouring property at 219 Glen Park Avenue.

Residents expressed concern about the potential loss of these trees and the replacement of trees on site. The applicant is proposing to plant 24 new trees on site, including two large shade (65 cm calliper Tulip Trees) growing trees in the City road allowance. This addresses the requirements of Urban Forestry and the landscaping proposal will be finalized through the Site Plan Control Approval process.

Traffic Impact, Access, Parking

The site has a single, shared vehicular access off Marlee Avenue which will be a common elements condominium.

The applicant submitted a parking study to support their proposed development, which requires a reduced number of parking spaces. Following the revision to the proposal, the applicant submitted an addendum to the parking study to provide the rationale for the

additional retail component of the proposal. Transportation Services staff have reviewed the parking studies, including the recommendation for 15 spaces on site, and recommend the following By-law standards for the site:

- One parking space for each residential townhouse unit to be provided in an internal garage (a total of 7);
- One parking space for each residential unit in the Marlee Avenue mixed use building to be provided in the rear parking lot (a total of 3);
- One parking space for each retail or live/work unit in the Marlee Avenue mixed use building to be provided in the rear parking lot (a total of 3); and
- Two parking spaces in the rear parking lot to be shared by residential visitors and retail patrons.

Transportation Services have accepted a reduction in the required 3.3 m width of the parking spaces in the integral garages to 3.05 m.

Marlee Avenue Right-of-Way

Marlee Avenue is a Major Street in the Official Plan and along the site frontage has a 27 m right-of-way that would require a conveyance. City Council approved waiving this requirement at its March 5, 6 and 7, 2007 meeting. The applicant will be required to provide a 6.1 m corner rounding at the corner of Marlee Avenue and Glen Park Avenue. Planning staff have initiated a process to study establishing an appropriate right-of-way for Marlee Avenue and will report back to Council by the second quarter of 2008.

Servicing

At the community consultation meeting, there were questions and concerns about garbage pickup and storage. The site will be served by municipal curbside pickup and does not require a central garbage collection area. For the residential building there is space to store garbage in the garages and in the storage rooms for the mixed use building. Refuse and recycling are required to be contained within the buildings as a standard Site Plan Control agreement condition.

Open Space

The proposal provides for landscaped open space along both the Marlee and Glen Park Avenue boulevards and front yard; a 1.22 m east side yard setback and a 1.29 m landscaped strip adjacent to the rear parking spaces.

Tenure

The tenure of the proposal will be condominium.

Development Charges

It is estimated that the development charges for this project will be approximately \$108,000. The actual charge is assessed and collected upon issuance of the building permit.

Conclusion

This proposal is an appropriate development for the lands. The proposed uses are provided for the Official Plan and permitted in the Zoning By-law. It supports the Built Form Policies in the Official Plan and the Council approved Infill Townhouse Guidelines. The proposal is an example of appropriate intensification of a site close to the subway and well-served by surface transit.

CONTACT

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E-mail: ameistr@toronto.ca

SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations

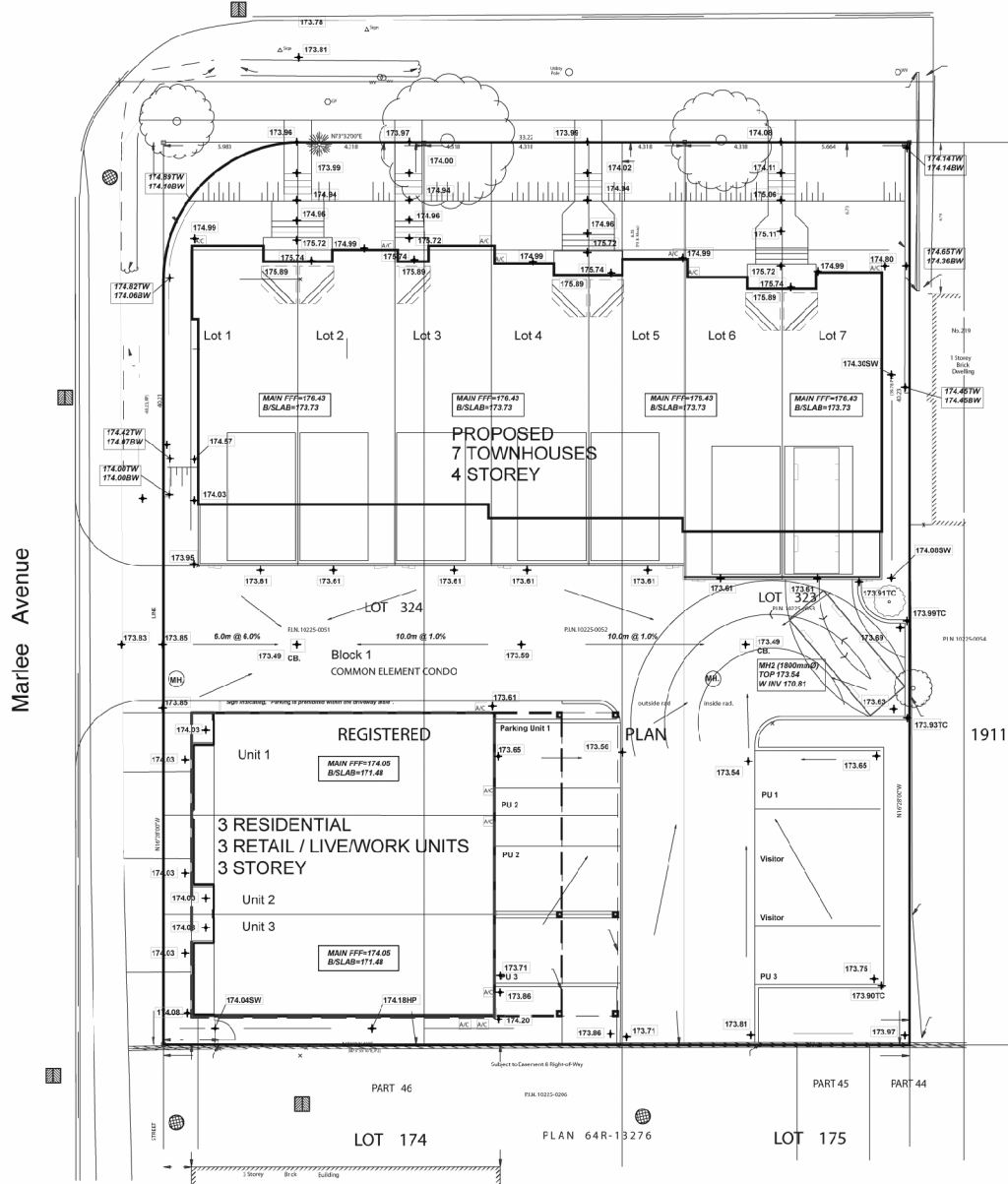
Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment

Attachment 1: Site Plan

Glen Park Avenue



Site Plan

221-225 Glen Park Avenue

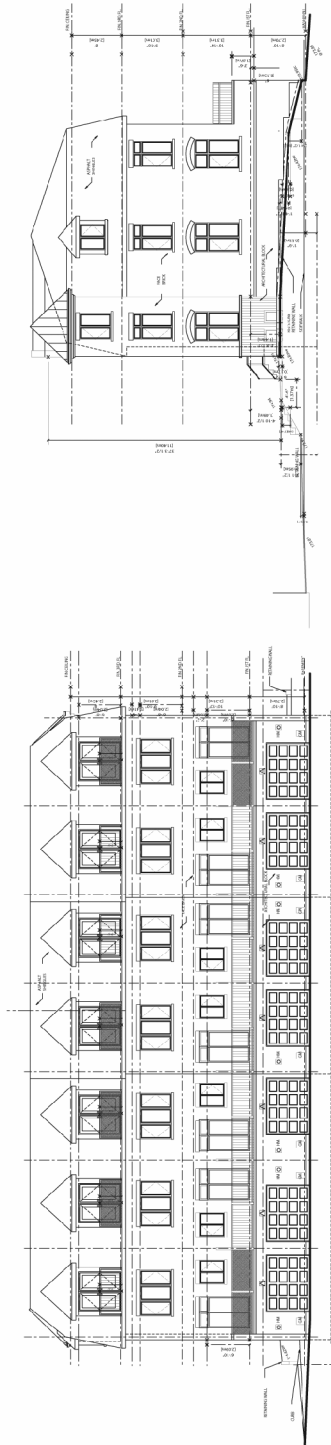
Applicant's Submitted Drawing

Not to Scale
09/05/07



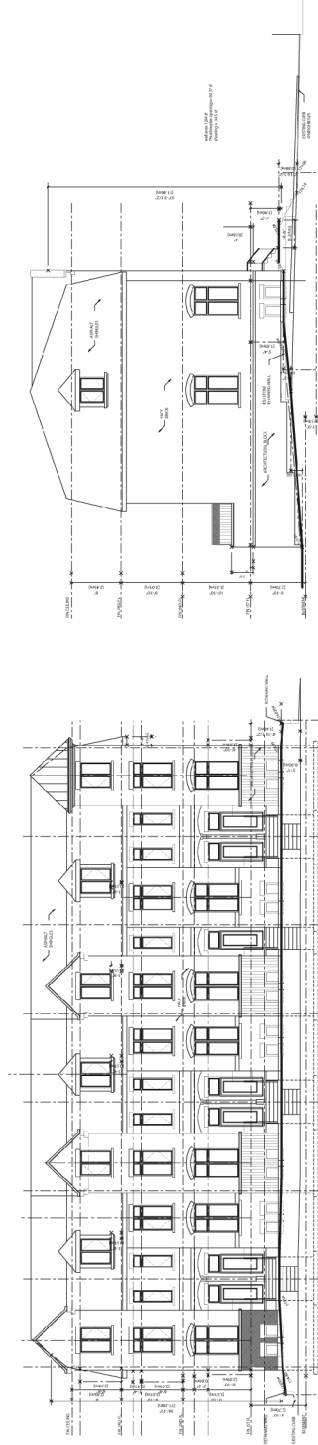
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Attachment 2: Elevations



Rear (South) Elevation

West Elevation



Front (North) Elevation (Glen Park Avenue)

East Elevation

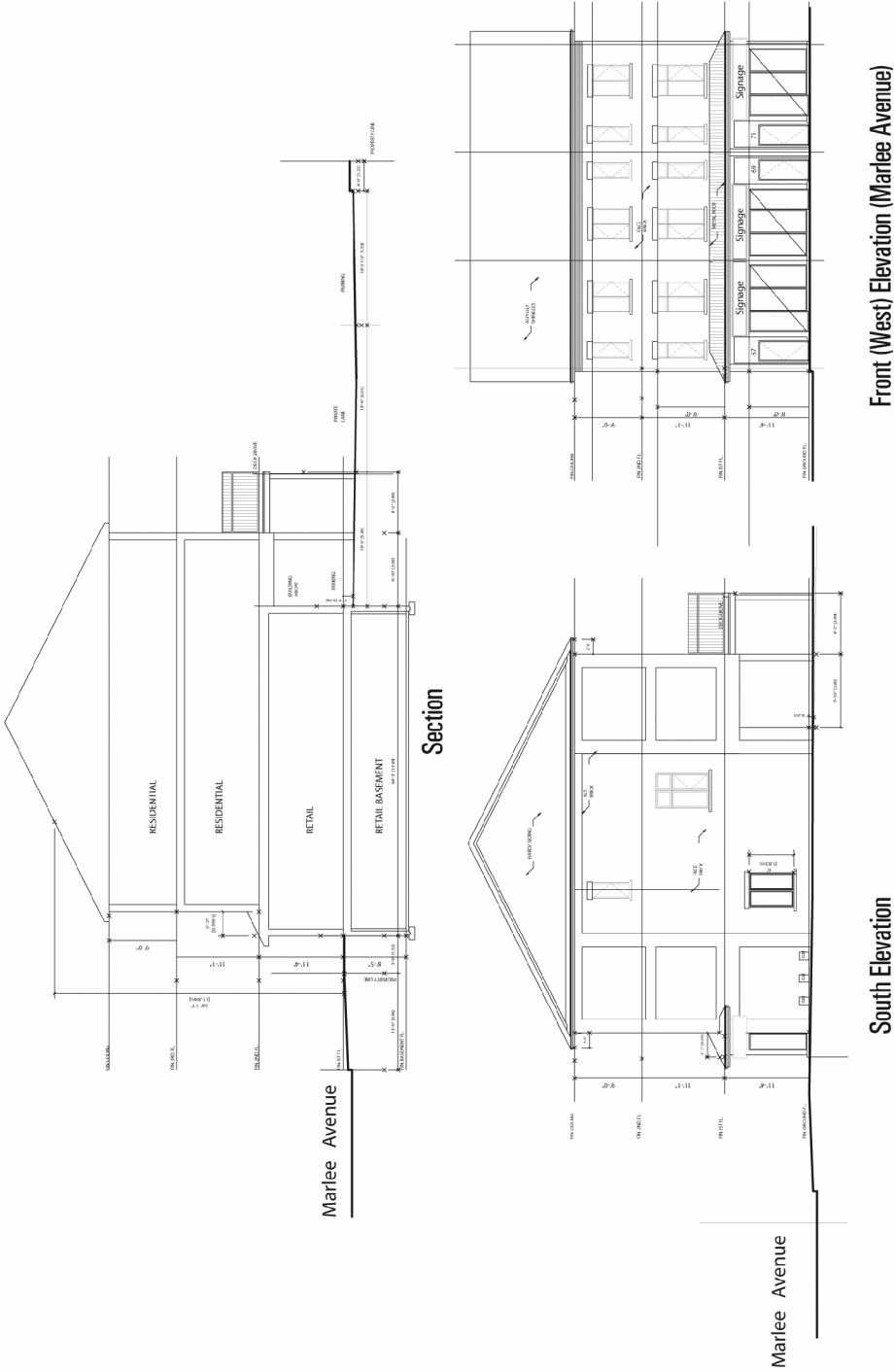
Elevations - Standard Townhouse

221-225 Glen Park Avenue

Applicant's Submitted Drawing

Not to Scale
09/05/07

File # 06_108774



Section and Elevation - Live / Work Townhouse
Applicant's Submitted Drawing
Not to Scale
09/05/07

221-225 Glen Park Avenue
File # 06_108774

Attachment 3: Zoning



221-225 Glen Park Avenue

File # 06_108774

R5 One-Family Detached Dwelling Fifth Density Zone
R6 One-Family Detached Dwelling Sixth Density Zone
R7 One-Family Detached Dwelling Seventh Density Zone

C1 General Commercial Zone
O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑
Not to Scale
Zoning By-law 7625
Extracted 04/03/06

Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	06 108774 NNY 15 OZ
Details	OPA & Rezoning, Standard	Application Date:	February 10, 2006

Municipal Address: 221 GLEN PARK AVE, TORONTO ON
 Location Description: PLAN 1911 PT LOT 323 **GRID N1504
 Project Description: Proposed Townhouses and retail or live-work units.

Applicant:	Agent:	Architect:	Owner:
MICHAEL GOLDBERG, GOLDBERG GROUP			1666618 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	C1	Historical Status:	
Height Limit (m):	9.2	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1336.42 (1382.4 after corner rounding)	Height:	Storeys:	3 and 4
Frontage (m):	33.6		Metres:	12.1 and 12.45
Depth (m):	40.2			
Total Ground Floor Area (sq. m):	669.2			Total
Total Residential GFA (sq. m):	1725.1		Parking Spaces:	15
Total Non-Residential GFA (sq. m):	339.5		Loading Docks	0
Total GFA (sq. m):	2064.5			
Lot Coverage Ratio (%):	50.4			
Floor Space Index:	1.55			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Other		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	1725.1	0
Bachelor:	0	Retail GFA (sq. m):	162	177.5
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	10	Institutional/Other GFA (sq. m):	0	0
Total Units:	10			

CONTACT: PLANNER NAME: Allison Meistrich, Senior Planner
TELEPHONE: (416) 395-7106

Attachment 5: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2007

Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2007

To amend North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known in 2006 as 221, 223 and 225 Glen Park Avenue

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are hereby amended in accordance with Schedule “1” of this By-law.
2. Section 64.23 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.23(126) C1(126)

PERMITTED USES

(a) Notwithstanding Section 23.1, the following uses are permitted:

- (i) Dwelling Unit, Multiple Attached.
- (ii) Dwellings in Commercial Buildings.
- (iii) The following Commercial uses: Automatic laundry shops, banks, billiard parlours, business and professional offices, clubs, commercial recreation, commercial schools, custom workshops making articles or products to be sold at retail on the premises, dry-cleaning and laundry collecting establishment, fitness centres, industrial sales and service, information processing, outdoor café, personal services shop; professional medical offices; research; retail store; service shop; studios; synthetic dry-cleaning

- establishments; and take-out restaurants.
- (iv) Commercial uses are only permitted on the ground and basement floor of Building B as shown on Schedule C1(126).
 - (v) Live/Work Unit.
 - (vi) For the purposes of this exception “Live/Work Unit” is defined as a retail store, personal service shop, service shop, studios, custom workshop making articles or products to be sold at retail on the premises and business and professional medical offices located within a dwelling unit that:
 - (A) does not occupy more than 50% of the total gross floor area of the dwelling unit;
 - (B) is conducted by a member or members of the household who reside in the dwelling unit; and
 - (C) the dwelling unit is the principal residence of the business operator.
 - (vii) Live/Work Units are only permitted on the ground and basement floor of Building B as shown on Schedule C1(126).

EXCEPTION REGULATIONS

Area Requirements

- (b) Section 23.2.4.1 shall not apply.

Lot Coverage:

- (c) The maximum permitted lot coverage is 51%.

Yard Setbacks

- (d) The minimum yard setbacks shall be as shown on Schedule C1(126).

Gross Floor Area

- (e) The maximum Gross Floor Areas shall be:
 - (i) 1292.7 square metres for Building A, as shown on Schedule C1(126)
 - (ii) 771.8 square metres for Building B, as shown on Schedule C1(126)

Building Height

- (f) The maximum building heights shall be:
 - (i) 12.45 metres above Established Grade for Building A, as shown on Schedule C1(126).

- (ii) 12.1 metres above Established Grade for Building B, as shown on Schedule C1(126).

- (g) Section 23.2.4.3 shall not apply.

Dwelling Units

- (h) The maximum number of dwelling units shall be 10.
- (i) The maximum number of Live/Work Units shall be 3.

Landscaping

- (j) A minimum of 313 m² of landscaping shall be provided on the site.

Permitted Projections

- (k) Porches and stairs shall not project more than 1.8 metres into the front yard setback for Building A, as shown on Schedule C1(126).

Balconies

- (l) All balconies shall be provided as shown on Schedule C1(126).

Parking

- (m) A minimum of 15 parking spaces shall be provided as follows and as shown on Schedule C1(126):
 - (i) One parking space for each dwelling unit in a commercial building;
 - (ii) One parking space for each multiple attached dwelling unit;
 - (iii) One parking space for each retail or live/work unit; and
 - (iv) Two visitor spaces.
- (n) Notwithstanding Section 6A(3)(a), the seven integral garage parking spaces for Building A, as shown on Schedule C1(126) shall have a minimum width of 3.05 m and length of 5.7 m.
- (o) Notwithstanding any future severance or division of the lands shown on Schedule C1(126), the regulations of this exception shall continue to apply to the whole of the lands as shown on Schedule C1(126) as if no severance or division had occurred.
- (p) Within the lands shown on Schedule C1(126) attached to this By-law, no person shall use any land or erect or use any building or structure unless the following

municipal services are provided to the lot line and the following provisions are complied with:

- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- 2. Section 64.23 of By-law 7625 of the former City of North York is amended by adding Schedule “C1(126)” attached to this By-law.
- 3. Notwithstanding any defined terms to the extent modified by this By-law and the provisions noted herein, all other provisions and defined terms of the former City of North York By-law 7625, as amended, continue to apply.

ENACTED AND PASSED this ~ day of ~, A.D. 2007.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

