

STAFF REPORT ACTION REQUIRED

112 Spring Garden Avenue – Rezoning, Site Plan – Final Report

Date:	November 8, 2007			
То:	North York Community Council			
From:	Director, Community Planning, North York District			
Wards:	Ward 23 – Willowdale			
Reference Number:	06 164567 NNY 23 OZ, 06 164562 NNY 23 SA			

SUMMARY

This application proposes to amend the Zoning By-law to permit the construction of a one storey addition to the existing place of worship at 112 Spring Garden Avenue. The addition would consist of a gymnasium and recreational and program space for present and future church and community programs.

The application conforms to the policies of the North York Centre Secondary Plan. The proposed development is less than the permitted density of 1.5 times the area of the lot and is lower than the maximum permitted building height. The addition would also

retain and enhance the place of worship's ability to contribute to the recreational and community needs of the North York Centre residents.

For these reasons, this report reviews and recommends approval of the application to amend the Zoning By-law and approval in principle of the Site Plan Control Application.



RECOMMENDATIONS

The City Planning Division recommends that:

- 1. City Council amend Zoning By-law No. 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9.
- 2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- 3. City Council approve in principal the site plan drawings and Site Plan Control Approval Conditions listed in Attachment 10 subject to stylistic and technical changes.
- 4. City Council authorize the Chief Planner or his designate to issue final approval of the Site Plan Control Application once the conditions set out in Attachment 10 are satisfied, including entering into a satisfactory Site Plan Control Agreement.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There are no previous applications or decisions related to the subject property.

ISSUE BACKGROUND

Proposal

The applicant proposes to demolish two existing single detached dwellings (municipally known as 106 and 110 Spring Garden Avenue) and construct a single storey addition to the west side of the existing place of worship (Spring Garden Baptist Church) located at 112 Spring Garden Avenue. The addition would consist of a gymnasium and recreational and program space for the church as well as a new foyer for the existing place of worship. The existing sanctuary space would not be expanded; therefore an increase in church membership is not anticipated as a result of the addition. The existing parking lot would be reconfigured to provide 58 parking spaces with vehicular access off Kenneth Avenue being maintained.

Site and Surrounding Area

The subject site is located on the north side of Spring Garden Avenue, west of Kenneth Avenue on the easterly boundary of the North York Centre Area Secondary Plan. Spring Garden Avenue ends in a cul-de-sac directly in front of the site, prohibiting through access to Kenneth Avenue from the west. The site has an area of 4,464.1m², with 54.9m of frontage on Spring Garden Avenue and 73.2m flanking Kenneth Avenue.

Land uses surrounding the site are as follows:

North:	City parkland
South:	multiple attached dwellings 3-4 storeys in height across Spring Garden Ave.
East:	single detached dwellings across Kenneth Ave.
West:	single detached dwellings

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 Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject site is located within the boundaries of the North York Centre Secondary Plan which designates the property as *Mixed Use Area D*. This designation provides for institutional uses that are not predominantly offices, residential, public parks and recreational uses. Development is limited to a density of 1.5 times the area of the lot.

The Secondary Plan envisages the North York Centre to be multi-use in character, where open space, recreational and community related uses such as schools, places of worship, day nurseries and other social facilities should be located and preserved throughout the North York Centre to serve the needs of its residents. The Secondary Plan specifically encourages the retention of social facilities such as a place of worship by providing density incentives through exempting the gross floor area attributed to a place of worship in the overall GFA calculation of any development in the NorthYork Centre.

The site is also subject to Site Specific Policy 6 of the North York Centre Secondary Plan, which identifies the portion of Spring Garden Avenue between Doris Avenue and Kenneth Avenue as a mature tree-lined street to be treated as a major asset. Site specific policies also direct that Spring Garden Avenue be closed at the east end (in front of the church) so that it does not connect with Kenneth Avenue. Institutional uses are permitted along Spring Garden Avenue, subject to an 11.0m or 3 storey height limit on the north side of the street.

Zoning

The site is zoned One Family Detached Dwelling Fourth Density Zone (R4). Under North York Zoning By-law No. 7625, the R4 designation permits residential uses limited to one-family detached dwellings as well as recreational or institutional uses. Places of worship, categorized as an institutional use, are permitted within the R4 zone, provided that:

- The minimum front and rear yard setbacks shall be the same as the setbacks for the R4 zone;
- The minimum side yard setbacks shall be 3.0m or half of the height of the building, whichever is greater;
- Building height does not exceed two storeys or 9.5m, whichever is lesser;
- Lot coverage does not exceed 30.0%;
- A minimum 3.0m wide landscape buffer is provided along all lot side and rear lot lines that abut lots zoned R or RM; and
- The minimum required front yard is landscaped.

Places of worship are also subject to maximum gross floor area restrictions. For all places of worship situated on a corner lot that does not abut an arterial road, which is the case for the Spring Garden Baptist Church, the gross floor area of the place of worship shall not exceed 1,393.5m². The Place of worship is also subject to a parking requirement of 1 space per 21.0m² of gross floor area.

Site Plan Control

A Site Plan Control application has also been submitted with the application. It is recommended that the Site Plan Control application be approved in principle, as per the Site Plan Control Approval Conditions outlined in Attachment 10.

Reasons for Application

The proposed development does not comply with the Zoning By-law with respect to maximum gross floor area, lot coverage, west side yard setback, the provision of parking and required parking space dimensions.

Community Consultation

A Community Consultation Meeting was held on Monday, June 11, 2007 at the Claude Watson School. Approximately 12 people attended. Following presentations from City staff and the applicant's team a number of issues were discussed, including: the proposed on-site parking deficiency potentially resulting in an increase in on-street parking not only on Sunday mornings but also during weekday evenings; an increase in volume the of traffic using Spring Garden Avenue, Kenneth Avenue and surrounding streets; the mass and size of the proposed addition being inconsistent with the existing homes along Spring Garden Avenue; the proposed removal of several existing private trees; the need to more adequately landscape and buffer the side lot line abutting the adjacent residential property to the west; and the disruption to the area from construction noise and traffic. Letters were also submitted by area residents unable to attend the meeting which echoed similar concerns.

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

Density, Height, Massing

The proposed one storey addition would have a gross floor area of $1,295.1m^2$. As the place of worship has an existing gross floor area of $1,895.1m^2$, the addition would result in a total gross floor area of $3,191.2m^2$, which represents a density of 0.71 times the area of the lot. While the existing Zoning By-law restricts places of worship to a maximum gross floor area of $1,393.5m^2$, the North York Centre Secondary Plan provides for a maximum density of 1.5 times the area of the lot. Therefore, the proposal conforms to the density provisions of the Secondary Plan.

The addition would also result in a lot coverage of 39.7%, which exceeds the maximum of 30.0% permitted under the R4 designation. However, the proposed height of the one storey addition is 7.76m, which is less than the maximum permitted in the Zoning By-law (8.8m) and provided for in the North York Centre Secondary Plan (11.0m), which will help reduce the visual impact of the expanded lot coverage. The proposed addition would be no higher than a permitted single detached home in the adjacent low density neighbourhood, and should therefore have minimal impacts on any neighbouring residential property.

Traffic Impact, Access, Parking

Transportation staff have reviewed the applicant's parking study and concluded that it is appropriate for the site-specific By-law to provide for a minimum of 58 on-site parking spaces for the church. The 58 parking spaces proposed for the expanded place of worship would be seven less than is currently provided on-site, however many of the existing parking spaces are considered undersized, with some of them located within the City boulevard. The proposed addition does not involve an expansion to the existing sanctuary space, as such, no increase in church membership is anticipated. The Spring Garden Baptist Church has also agreed that the recreational and program space will not be used during Sunday morning Mass hours for any non-church related function. A condition to this effect will be secured in the Site Plan Control Agreement. The parking study provided by the applicant also indicates that any weekday activity using the recreational space located in the proposed addition should not generate a parking demand in excess of the 58 on-site spaces.

In terms of vehicle access and traffic impact, the driveway entrance to the place of worship is being maintained off Kenneth Avenue.

Streetscape

Final details of the Spring Garden and Kenneth Avenue streetscapes will be addressed through Site Plan Control approval. The most recent submission indicates the addition will match the design and materials of the existing church. Combined with the proposed landscaping features, this should contribute to the Spring Garden Avenue streetscape. All existing street trees will be maintained while two new deciduous trees will be planted in the City boulevard along Spring Garden Avenue to achieve Official Plan policies identifying Spring Garden as a mature tree-lined street.

CONTACT

Jeff Markowiak, Assistant Planner Tel. No. (416) 395-7130 Fax No. (416) 395-7155 E-mail: jmarkow@toronto.ca

SIGNATURE

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

ATTACHMENTS

- Attachment 1: Official Plan (Map)
- Attachment 2: Official Plan 2 (map)
- Attachment 3: Zoning (Map)
- Attachment 4: Site Plan
- Attachment 5: Landscape Plan
- Attachment 6: Elevations
- Attachment 7: Elevations 2
- Attachment 8: Application Data Sheet
- Attachment 9: Draft Zoning By-law Amendment
- Attachment 10: Site Plan Control Approval Conditions



Attachment 1: Official Plan (Map)



Attachment 2: Official Plan 2 (Map)



Attachment 3: Zoning (Map)

R4 One-Family Detached Dwelling Fourth Density Zone

- RM1 Multiple-Family Dwellings First Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Staff report for action - Final Report - 112 Spring Garden Ave

Not to Scale

Zoning By-law 7625 Extracted 08/18/06



Attachment 4: Site Plan





112 Spring Garden Avenue File # 06_164567 JNER ſ NEW ADDITION EXISTING BULDING 8 D) =[[Ē П TO BE RENOVED П E Applicant's Submitted Drawing NORTH ELEVATION ***** **** WEST ELEVATION SCALE 1/100 đ П 4 П, Not to Scale 11/01/07 EXIST. ENTR.LMOD ENDT. ROOF DEDK EXIST. BAGBAEN **IAIN FLOOR** LOWER LINEL ENTR. LANDIG WWN LEVEL

Attachment 6: Elevations



Attachment 7: Elevations 2

Attachment 8: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoni	ng		Appli	cation Nun	nber:	06 164	4567 NNY 23 OZ	
Details	Rezoning, Stan		rd	Application Date:		e:	Augus	st 8, 2006	
Municipal Addres	s: 0 SPRI	0 SPRING GARDEN AVE N/S							
Location Descript		PLAN M372 LOTS 301 LOT 302 LOT 411 TO LOT 412 LOT 414 PT LOT 413 **GRID							
Project Description		N2304 Proposed one storey addition to the existing place of worship; required to provide						o provide	
June 1		recreational and program space for present/future church and community programs.							
Applicant:	Agent:		A	rchitect:			Owner:		
DICKINSON & H ARCHITECTS IN							BAPTIS	T CHURCH	
PLANNING CO	NTROLS								
Official Plan Desi	gnation: MUA			Site Specif	fic Provisio	on:			
Zoning:	R4			Historical	Status:				
Height Limit (m):				Site Plan C	Control Are	ea:	Y		
PROJECT INFO	ORMATION								
Site Area (sq. m):		4359		Height:	Storeys:		1		
Frontage (m):		54.9			Metres:		8.17		
Depth (m):		73.2							
Total Ground Floor Area (sq. m): 1795							То	tal	
Total Residential	GFA (sq. m):	0			Parking	Spaces:	58		
Total Non-Reside	ntial GFA (sq. m):	3172.1			Loading	Docks	0		
Total GFA (sq. m):	3172.1							
Lot Coverage Rat	41.2								
Floor Space Index		0.73							
DWELLING UN	ITS		FLOOR ARE	A BREAK	DOWN (1	ıpon pr	oject com	pletion)	
Tenure Type:						Abov	e Grade	Below Grade	
Rooms:	0		Residential GFA	A (sq. m):		0		0	
Bachelor:	0	•	Retail GFA (sq.	m):		0		0	
1 Bedroom:	0		Office GFA (sq	. m):		0		0	
2 Bedroom:	0		Industrial GFA	(sq. m):		0		0	
3 + Bedroom:	0		Institutional/Otl	ner GFA (so	ą. m):	3172.	1	0	
Total Units:	0								
CONTACT:	PLANNER NAMI	E: J	eff Markowiak	, Assistant	Planner				
	TELEPHONE:	(4	416) 395-7130						

Attachment 9: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~ Enacted by Council: ~, 2007

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend City of North York Zoning By-law No. 7625, as amended, With respect to the lands municipally known as 112 Spring Garden Ave

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 amended in accordance with Schedule "1" of this By-law.

2. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

"64.13(90) R4(90)"

- (a) The maximum permitted GROSS FLOOR AREA shall be $3,191.2m^2$.
- (b) The maximum LOT COVERAGE shall be 39.7 per cent of the lot area.
- (c) The minimum yard setbacks shall be as shown on Schedule "R4(90)"
- (e) A minimum of 58 on-site PARKING SPACES shall be provided.
- (f) The minimum dimensions of a PARKING SPACE shall be:
 - length 5.5 metres
 - height 2.0 metres
 - width 2.7 metres
- (g) The provisions of Sections 6A(6)(c) and 6A(14)(c) shall not apply.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER, Mayor ULLI S. WATKISS, City Clerk

(Corporate Seal)





Attachment 10: Site Plan Control Approval Conditions

The City Planning Division, North York District, has completed our review of the proposal for a new one storey addition to the west side of the existing place of worship as outlined in the following plans and drawings:

Plan Number	Plan Title	Author/Date
A1	Site Plan	Dickinson + Hicks Architects Inc., Reissued August 23, 2007
A5.1	North & West Elevations	Dickinson + Hicks Architects Inc., Reissued August 23, 2007
A5.2	South & East Elevations	Dickinson + Hicks Architects Inc., Reissued August 23, 2007
L-01	Existing Tree Preservation & Landscape Plan	DWK, Douglas W. Kerr & Associates Ltd., Reissued January 11, 2007, as red- lined November 6, 2007

Before we can grant approval to your proposal we require that the following conditions be fulfilled:

Technical Services

1. Widening of Highways that abut on the Land

- 1.1 Prepare all documents and agree to convey to the City, at nominal cost, the following:
 - a) 1.44 m road widening along the entire site frontage along Kenneth Avenue.

Such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been laid out and dedicated for public highway purposes, all to the satisfaction to the Executive Director of Technical Services in consultation with the City Solicitor;

Submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office.

1.2 Pay all costs for registration and preparation of reference plan(s).

2. Walkway and Walkway Ramps

2.1 The owner shall deposit with the Technical Services Division prior to Site Plan Approval, certified cheques, for the following;

- a) Relocation of a 1.7 metre wide sidewalk across the entire Kenneth Avenue frontage of the site to the standard location of 1.0 metre from the (widened) property line. The cost of this work is estimated to be \$12, 500.
- b) \$ 625 representing the 5% Engineering review fee of the above construction works.

The above work shall be constructed by the City at the time of the road widening of Kenneth Avenue once all the necessary lands across Kenneth Avenue frontages have been conveyed to the City.

3. Facilities for the Landscaping of the Lands or the Protection of Adjoining Lands

3.1 Any landscaping within the Kenneth Avenue and Spring Garden Avenue boulevards must be approved by the Transportation Services Division prior to site plan approval.

4. Site Servicing

- 4.1 The owner is required to submit a Site Servicing Plan to the Executive Director of Technical Services for review and acceptance prior to making any applications to the Toronto Water Division and pay for the installation of City service connections for each unit/the building(s) from the property line to the City mains. The plan shall:
 - a) Clearly identify location and size of existing and proposed storm, water and sanitary service connections from property to City mains as well as the size of City mains on the drawing.
 - b) Include invert elevation for proposed storm sewer connection at the property line.
 - c) Include the existing 4350 mm diameter storm trunk sewer along Kenneth Avenue on the site plan. Identify where the City main is connected to the trunk.
 - d) Include the following acceptance and signature block in title block of all accepted Site Servicing & Grading drawings for City concurrence.

I TORONTO	TECHNICAL SERVICES DIVISION					
ACCEPTED TO BE IN ACCORDANCE WITH THE CITY OF TORONTO STANDARDS. THIS ACCEPTANCE IS NOT TO BE CONSTRUED AS VERIFICATION OF ENGINEERING CONTENT.						
Frank Clarizio, P. Eng., Acti	ng Manager, Development Engineering	DATE:				

5. Other Conditions

5.1 The applicant shall pursue off-site parking opportunities within reasonable walking distances to the Church, such that off-site parking spaces could be available for the Church in case of any future potential over flow parking situations. Written documents

must be submitted to demonstrate that off-site parking can be obtained in the future if necessary.

Parks, Forestry and Recreation

- 6. Submission of an application to permit to injure or destroy any trees to be harmed or removed during the construction process along with the accompanying permit fee of \$200 for each tree included in the application.
- 7. Submission of a Tree Planting Security deposit of \$1,166.00 for the planting of two trees within the City street allowance. The deposit is to be in the form of an irrevocable Letter of Credit or certified cheque.
- 8. Submission of a Tree Survival Guarantee of \$29,812.00 for the protection of the existing City trees that are to be retained. The deposit is to be in the form of an irrevocable Letter of Credit or certified cheque.
- 9. Submission of a cash in lieu payment of \$3,498.00 (3 to 1 ratio), as there is unsuitable space to accommodate additional planting of replacement trees associated with the removal of Tree No(s). 9 and 11, as illustrated on the Landscaping Plan. The payment is to be in the form of an irrevocable Letter of Credit or certified cheque.

Legal

10. The execution of a Site Plan Agreement.

Please note that if these conditions are not fulfilled within 2 years of the date of this notice, then this notice is no longer valid and a new submission is required unless a written request for time extension is received and granted by the Director of Community Planning.

In addition to the above, the following conditions are to be fulfilled following Site Plan approval and will be incorporated into a Site Plan Agreement:

Planning

1. The gymnasium and other recreational and program spaces shall not be used during Sunday morning Mass hours for any non-church/Mass related function.

Technical Services

2. Widening of Highways that abut on the Land

- 2.1 Convey to the City, at nominal cost, the following:
 - a) 1.44 m road widening along the entire site frontage of Kenneth Avenue

Such lands to be free and clear of all physical and title encumbrances, subject to a right-of-way for access in favour of the Grantor until such times as said lands have been laid out and dedicated for public highway purposes.

3. Facilities to Provide Access to and from the Land

- 3.1 Remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Technical Services.
- 3.2 Driveway access curbs must be at least 1.0 metre from existing utilities. If required, the relocation of any public utilities (utility poles, guy wires, etc.) would be at the cost of the developer and shall be subject to the approval of the applicable governing agencies.
- 3.3 The applicant must enter into an encroachment agreement with Right-of-Way Management, with regards to any pedestrian walkways and ramps, from the subject site, that encroaches into the municipal Right-of-Way.
- 3.4 Any encroachments within the City of Toronto Municipal Road Allowances will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services. The applicant is required to contact the said section through the permit approval process to obtain the exact particulars of these requirements.
- 3.5 The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope.

4. Off-street Vehicular Loading and Parking Facilities and Access/Driveways

- 4.1 All on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone.
- 4.2 The proposed parking area must be striped with pavement markings reflecting the layout and dimensions illustrated in the ultimately approved site plan.
- 4.3 Snow will be stored on the site such that the parking supply and driving aisle widths are not reduced, and vehicular sightlines are not affected. Snow that cannot be adequately stored on-site must be cleared and removed from the site by the owner/building management after each snowfall.
- 4.4 The owner must provide and maintain appropriate on-site signage and pavement markings directing traffic circulation, vehicle stopping, and parking for patrons, at the owner's cost.

5. Facilities for the Storage of Garbage and Other Waste Material

- 5.1 Construct and maintain all facilities necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties.
- 5.2 If the owner requests the city to collect trade waste, the owner will be required to make an application for garbage and recycling collection and enter into an agreement with the City, under the Yellow Bag Program, for such collection services. In the event the owner is not accepted, then a private contractor must collect all solid waste from this site. Collection of wastes from the commercial sector of this site will be in accordance with

Chapter 841, Solid Waste, of the City of Toronto Municipal Code. (Refer to appropriate By-Laws for Procedures associated with grease, etc.)

6. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land

- 6.1 Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report, prepared by CivEng Consultants, dated August 27, 2007.
- 6.2 Construct and maintain site servicing indicated on the accepted Site Servicing Drawing.
- 6.3 Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.
- 6.4 Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.

7. Other Conditions

7.1 The increase in GFA shall not result in any increase in seating capacity of the sanctuary; the new gymnasium floor area shall not be used as "satellite" sanctuary area; and the additional community room / gymnasium floor area shall not be rented out for community banquets.