

**15 Poyntz Avenue – Rezoning and Site Plan Control Applications - Preliminary Report**

<b>Date:</b>	May 14, 2008
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 23 – Willowdale
<b>Reference Number:</b>	08 118225 NNY 23 OZ & 08 118229 NNY 23 SA

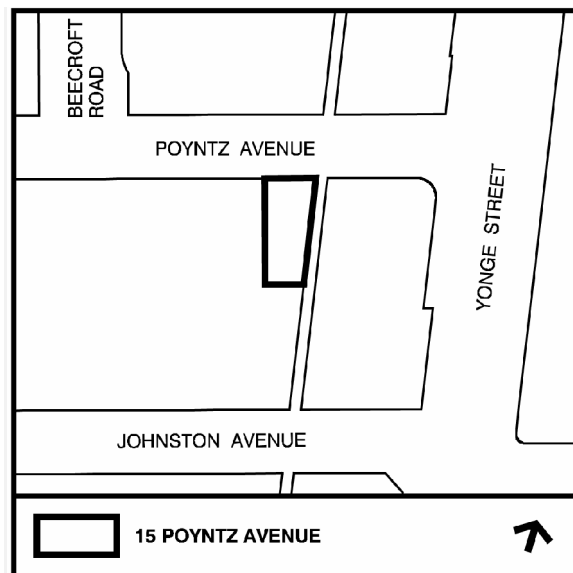
**SUMMARY**

This application was made on March 11, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to legalize existing office, commercial and retail uses in an existing 2 storey structure with parking located at the rear of the site. No new construction or additions to the structure are proposed.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

Staff will continue to process the Rezoning and Site Plan Control Application and proceed to schedule a community consultation meeting with area residents, and a statutory public meeting. Provided that the applicant provides any additional



required information in a timely manner, it is anticipated that the final report will be completed in the fourth quarter of 2008.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends 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.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

As a result of complaints made to the City's Municipal Licensing and Standards Division concerning non-compliant uses operating out of the single detached dwelling at this location, a re-zoning application (04 108531 NNY 23 OZ) was made to the City of Toronto on February 10, 2004.

Following several requests to the applicant and owner for revised plans and additional information required to further process the application, the file was considered dormant and subsequently formally closed on September 26, 2005.

On March 11, 2008 the applicant submitted rezoning and site plan applications to legalize the existing office, commercial and retail uses.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to legalize existing office, commercial and retail uses in an existing 2 storey structure. 9 parking spaces are located at the rear of the site and accessed via a public laneway running along the easterly lot-line of the property.

The existing non-compliant office, commercial and retail uses are located on the first and second storey of the dwelling. In the basement of the structure is located a kitchen and

lounge facilities for use by the occupants of the building, as well as storage and utility areas.

## **Site and Surrounding Area**

The subject lands are located on the south side of Poyntz Avenue, and just west of Yonge Street. A public laneway runs along the entire easterly length of the site and connects Poyntz Avenue with Johnston Avenue. A single detached 2 storey dwelling is located on the site, which has a frontage of 16 metres, a depth of 34 metres and a site area of approximately 477 square metres. Access to the paved area at the rear of the site is via a public laneway and is utilized to provide 9 parking spaces for the existing commercial and office uses.

Abutting uses are as follows:

North: Commercial parking lot and car rental business,

South: single detached dwellings, within the stable residential neighbourhood,

East: a gasoline service station and associated retail uses fronting onto Yonge Street,

West: single detached dwellings, within the North York Centre Secondary Plan Area.

## **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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject lands are designated as *Mixed Use Area B* within the North York Centre Secondary Plan. Permitted uses include commercial, institutional, residential, public parks and recreational uses, and transit terminals. The total of all residential uses on a site in a *Mixed Use Area B* will not exceed 50 per cent of the maximum permitted gross floor area on the site or portion of the site designated *Mixed Use Area B*.

As the site is on the boundary of the Secondary Plan, it permits a density of 1.5 Floor Space Index (FSI) and a height limit of the lesser of 11 metres or 3 stories.

## **Zoning**

The subject lands are zoned One-Family Detached Dwelling Fourth Density Zone (R4) which permits single detached dwellings and accessory uses.

## **Site Plan Control**

A Site Plan Control Application (08 118229 NNY 23 SA) has been submitted concurrently with this rezoning application. As per City Council policy for rezoning applications within the North York Centre, the site plan will be reported on concurrently.

## **Reasons for the Application**

The R4 zoning designation does not permit the existing office, commercial and retail uses within the existing residential dwelling located on the subject lands.

## **COMMENTS**

### **Issues to be Resolved**

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006.

On a preliminary basis, matters to be addressed through the review of this application include, but are not limited to, the following:

1. Assessment of the access, location, and lay-out of the parking spaces and compatibility with the City of Toronto Green Parking Lot Guidelines;
2. Appropriate buffering from the residential area immediately to the south and west;
3. Appropriate landscaping, opportunities for street tree additions and amenity details along Poyntz Avenue;
4. Review of the pedestrian access including sidewalks and entrances and their relationship with adjacent public streets;
5. Assessment of the loading, refuse and recycling operations for the existing uses;
6. Assessment of the storm water management and servicing for the subject lands;
7. Assessment of the conveyance requirements for Poyntz Avenue and the public laneway.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

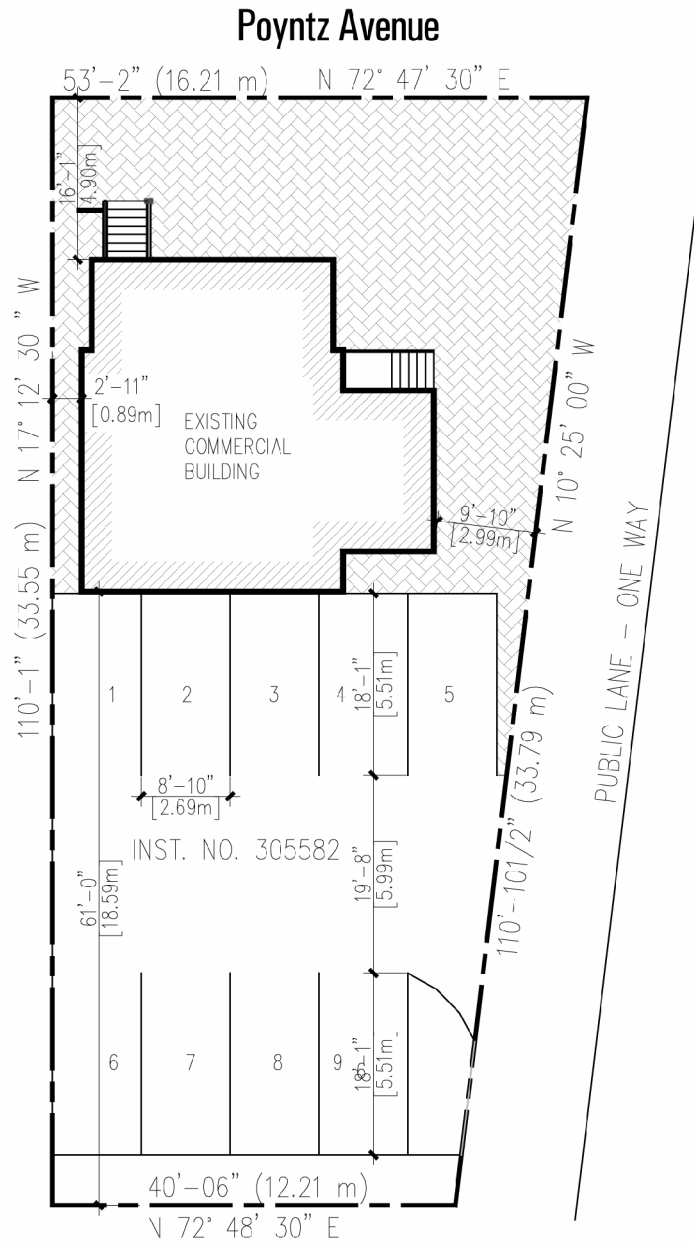
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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations [as provided by applicant]  
Attachment 3: Elevations [as provided by applicant]  
Attachment 4: Zoning  
Attachment 5: Application Data Sheet

**Attachment 1: Site Plan**



**Site Plan**

**15 Poyntz Avenue**

Applicant's Submitted Drawing

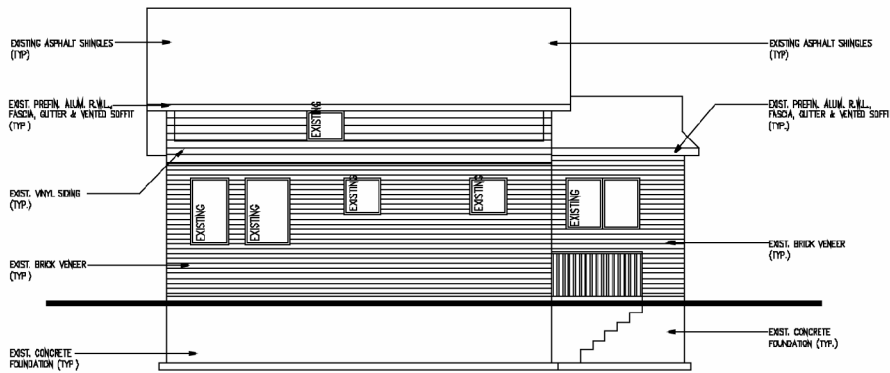
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05/06/2008

File # 08\_118225\_S

## Attachment 2: Front and Rear Elevations



ⓐ PROPOSED FRONT ELEVATION  
AS 3/16"=1'-0"



ⓑ PROPOSED REAR ELEVATION  
AS 3/16"=1'-0"

### Elevations

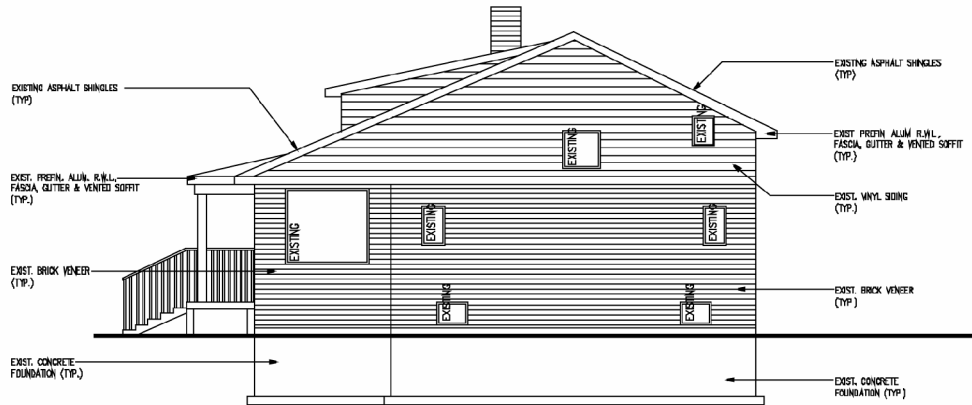
Applicant's Submitted Drawing

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05/06/2008

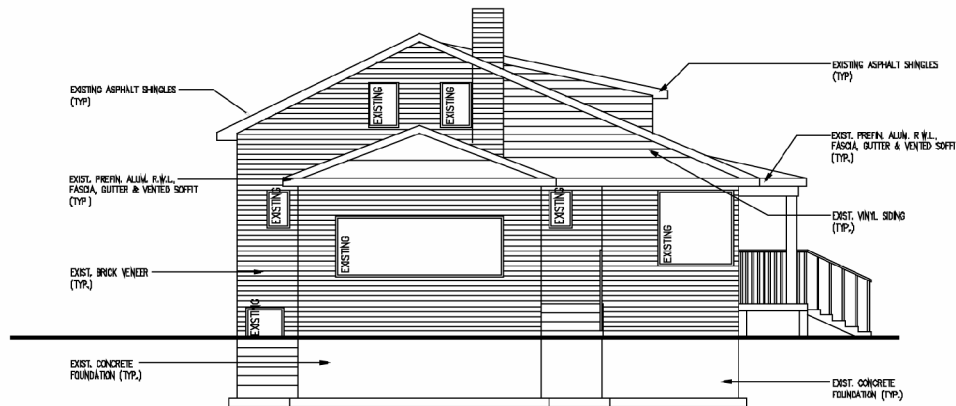
15 Poyntz Avenue

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### Attachment 3: East and West Elevations



PROPOSED RIGHT ELEVATION  
A7 3/16"=1'-0"



PROPOSED LEFT ELEVATION  
A8 3/16"=1'-0"

## Elevations

Applicant's Submitted Drawing

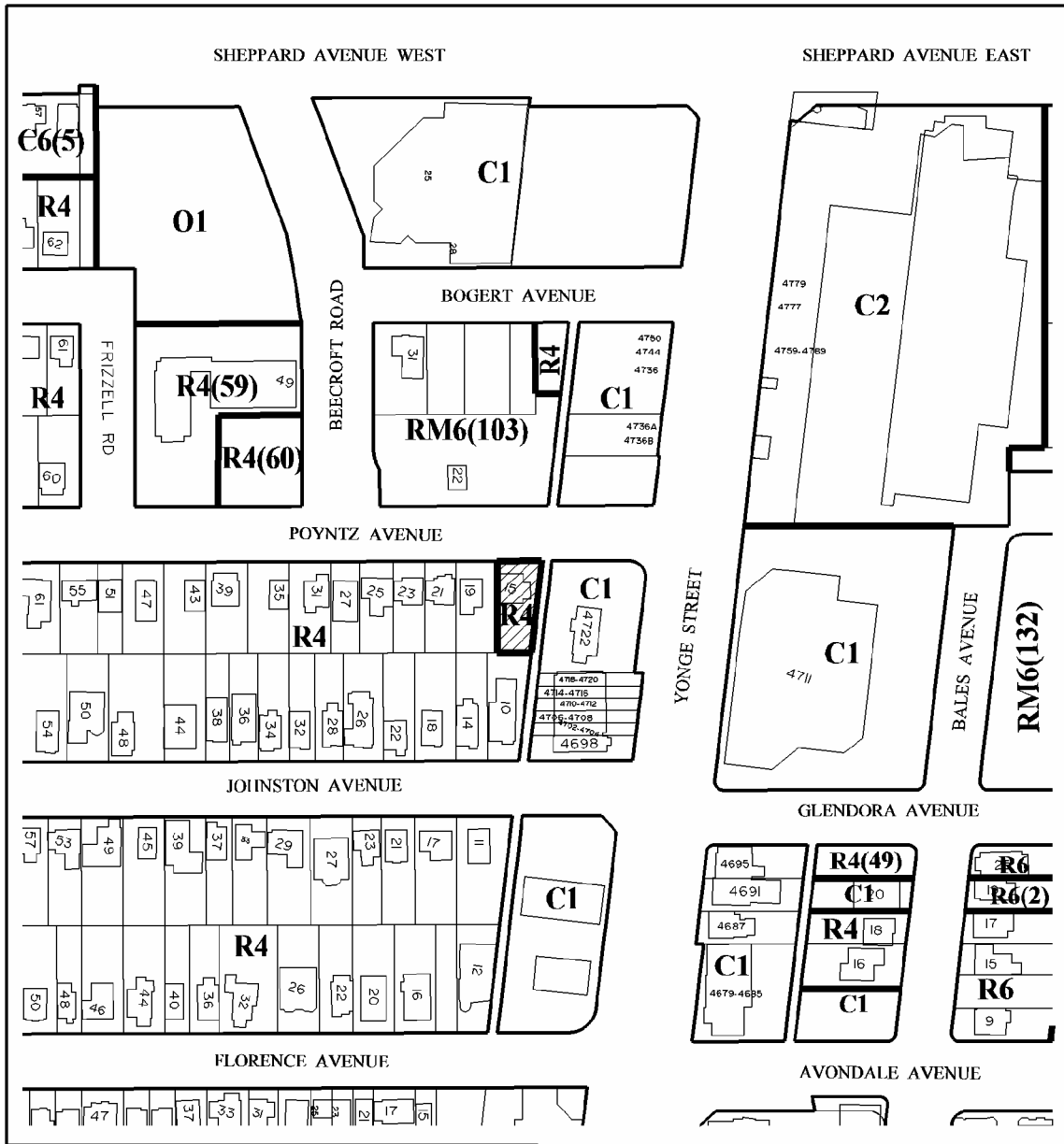
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15 Poyntz Avenue

File # 08\_118225\_e2



## Attachment 4: Zoning



**15 Poyntz Avenue**  
File # 08\_118225

- |   |                                 |
|---|---------------------------------|
| R4 One-Family Detached Dwelling Fourth Density Zone | C1 General Commercial Zone      |
| R6 One-Family Detached Dwelling Sixth Density Zone  | C2 Local Shopping Centre Zone   |
| RM6 Multiple-Family Dwellings Sixth Density Zone    | C6 Special Commercial Area Zone |
| O1 Open Space Zone                                  |                                 |
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

  
 Not to Scale  
 Zoning By-law 7625  
 Extracted 05/07/2008

## Attachment 5: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 118225 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	March 11, 2008

Municipal Address: 15 POYNTZ AVE  
 Location Description: PLAN 1743 LOT 607 \*\*GRID N2305  
 Project Description: Proposed legalization of a mixed use in existing 2-storey dwelling with 9 parking spaces at rear. No new construction or additions proposed.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
GIANNI REGINA			SAEID ESSI ZANDI

#### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	R4	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

#### PROJECT INFORMATION

Site Area (sq. m):	476.97	Height:	Storeys:	2
Frontage (m):	16.21		Metres:	4.6
Depth (m):	33.55			
Total Ground Floor Area (sq. m):	91.46			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	9
Total Non-Residential GFA (sq. m):	203.87		Loading Docks	0
Total GFA (sq. m):	203.87			
Lot Coverage Ratio (%):	19.2			
Floor Space Index:	0.43			

#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	91.46
1 Bedroom:	0	Office GFA (sq. m):	112.46
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Ben DiRaimo, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 395-7119</b>