



## STAFF REPORT ACTION REQUIRED

### 567, 575 & 577 Lawrence Avenue West and 70, 72 & 74 Fairholme Avenue Rezoning Application - Preliminary Report

<b>Date:</b>	August 18, 2008
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 15 – Eglinton-Lawrence
<b>Reference Number:</b>	08 147016 NNY 15 OZ

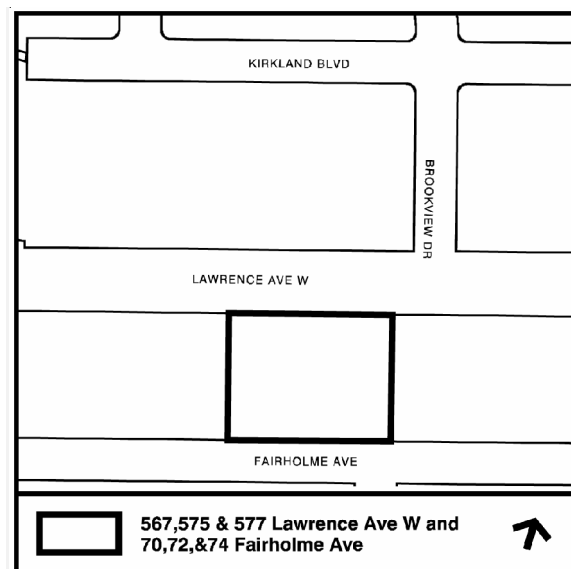
#### SUMMARY

This application was made on April 14, 2008 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This rezoning application proposes the expansion of an existing private school at 567, 575 and 577 Lawrence Avenue West and 70, 72 and 74 Fairholme Avenue. The expansion includes a three-storey student dormitory and additional classroom space.

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

It is intended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor. A final report and public meeting under the *Planning Act* to consider this application is targeted for the second quarter of 2009, provided that any required information is submitted in a timely manner.



## 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 of the *Planning Act*.

### Financial Impact

The recommendations in this report have no financial impact.

## DECISION HISTORY

### Previous Applications and Litigation

The lands have been subject to numerous Planning applications since 1964 to facilitate the development of the site as a private school for boys (Yeshiva Gedolah of Toronto). Three applications were made to the Committee of Adjustment of the former City of North York for variances to permit the expansion of the existing building on Lawrence Avenue West. As the owner expanded the landholdings to include parcels on Fairholme Avenue, the school expanded further with additional buildings. In 1993, a Site Plan Control application was approved for the construction of a two-storey replacement school on the Fairholme Avenue lands. With the construction of this building, the former three storey school on Lawrence Avenue West was converted into a residence.

On March 18, 1998, Municipal Licensing and Standards issued a Notice of Violation to the Yeshiva Gedolah of Toronto for contravening the Zoning By-law by operating a student residence in the former school. Following the issuance of the Notice of Violation, an application was submitted to the Committee of Adjustment to permit the student residence (UDCA 99-543). This application was refused by the Committee.

On February 3, 2000 an application was submitted seeking to rezone the subject lands to permit student residences (UDZ 00-01). No development or construction activity was proposed with the original application, solely permission for the non-conforming use. On February 4, 2000 the owner plead guilty to the infringement charge laid in 1998 and was fined by the municipal court. The owner was convicted on all charges with an understanding that no further action would take place as long as the school continued to actively pursue the rezoning application. The application was subsequently revised to include the construction of a dormitory structure as the school acquired additional lands. However, in April of 2007, after a long period of inactivity, the City Planning Division

closed the 2000 rezoning file and advised the applicant and the school accordingly. The owner once again wishes to proceed with the development of a dormitory and classroom addition on the subject lands and filed a rezoning application on April 17, 2008.

## **ISSUE BACKGROUND**

### **Proposal**

This rezoning application seeks permission to construct a three storey student dormitory as an accessory use to an existing private school at 567, 575 and 577 Lawrence Avenue West and 70, 72 and 74 Fairholme Avenue. The development proposal also includes a two storey expansion to the classroom space between the existing school buildings (please refer to Attachment 1: Site Plan).

The proposed dormitory building is an L-shaped structure extending along Lawrence Avenue West and the west property line. The three storey structure has a gross floor area of 2243m<sup>2</sup> and would house 153 beds with kitchen and dining facilities in the basement. The proposed two storey classroom addition is sited between the two existing school buildings fronting onto Lawrence Avenue West and Fairholme Avenue. The classroom addition is proposed to have a gross floor area of 554 m<sup>2</sup> and will house 7 additional classrooms.

The existing parking lot on the east side of the site is proposed to be expanded to 24 parking spaces and will continue to be accessed off Fairholme Avenue. A one-way driveway for service and loading vehicles is proposed to be located along the west property line entering the site from Fairholme Avenue and exiting onto Lawrence Avenue West. For additional information, please refer to the Application Data Sheet (Attachment 6).

### **Site and Surrounding Area**

The site is located two blocks west of Bathurst Street on the south side of Lawrence Avenue West. The site has a frontage of 78m on Lawrence Avenue West to the north and Fairholme Avenue to the south and has an area of 4794m<sup>2</sup>.

The eastern portion of the site is currently occupied by a three-storey school building and synagogue fronting Lawrence Avenue West, and a two-storey school building fronting onto Fairholme Avenue. Two single detached dwellings occupy the western half of the site fronting onto Lawrence Avenue West. A recent application proposes to demolish two single detached dwellings on the western half of the site that front onto Fairholme Avenue and replace them with a temporary portable containing a study hall for the school. A 14 space parking lot exists between the school buildings and the east property line. A temporary classroom and storage structure lies to the north of the parking area along Lawrence Avenue West.

Uses in the surrounding area are as follows:

North: Across Lawrence Avenue West, a four storey apartment building;

East: One and two storey detached dwellings;  
South: Across Fairholme Avenue, one and two storey detached dwellings and Dell Park;  
and  
West: One and two storey 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 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 Official Plan designates the subject lands *Neighbourhoods* and Policy 4.1.1 provides for low scale institutions such as schools which play an important role in the rhythm of the daily life of *Neighbourhoods*. Policy 4.2.2 requires schools to provide outdoor open space for student activities and landscaping and requires that schools be designed and operated to limit noise, privacy and traffic impacts on neighbouring residents.

The stability of the physical character *Neighbourhoods* is a key theme of the Official Plan. Any physical changes to established *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character. The *Neighbourhoods* designation requires new development to respect and reinforce the existing pattern of streets and open space, built form, height, massing and scale of nearby residential developments.

Infill development on properties that vary from the local pattern of lot size, configuration, and/or orientation must still have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties. Adequate privacy, sunlight and sky views must be provided for residents of new and existing buildings by ensuring adequate distance and separation between building walls and by using landscaping, planting and fencing to enhance privacy when needed. In addition, service and garbage areas must be suitably located and screened to minimize the impact on existing streets and residences.

## **Zoning**

The property is zoned “One-Family Detached Fourth Density (R4) Zone” which permits single detached dwellings and accessory uses. Please see Attachment 4.

A school is a permitted institutional use within the R4 zone provided that:

- Front and rear yard setbacks shall be the same as the minimum requirements of the R4 zone,
- Side yard setbacks shall be 3m or half the height of the building, whichever is greater; and
- Building height shall be two storeys or 9.5m whichever is lesser.

Student residences are not permitted in an R4 zone. Other student residences accessory to private schools have been permitted within the North York District where appropriate through site specific zoning.

## **Site Plan Control**

This application is subject to Site Plan Control approval. A Site Plan Control application has yet to be submitted.

## **Tree Preservation**

This application is subject to the City of Toronto’s Private Tree Protection By-law and an arborist report has been submitted.

## **Reasons for the Application**

An amendment to Zoning By-law 7625 for the former City of North York is required to permit student residences as an accessory use to the existing school.

## **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. Issues to be resolved through the processing of this application include:

1. The appropriateness of a student residence as an accessory use to a permitted school of this size in terms of number of beds and number of storeys.
2. The suitability of the expansion of the school site beyond its existing boundaries in an established *Neighbourhood*.
3. The compatibility of the proposed built form with the existing neighbourhood context, including appropriate development criteria and performance standards.

4. The securing of suitable improvements to existing site conditions including parking arrangements, servicing, and landscaping.
5. The maintenance and enhancement of privacy for existing residential properties.
6. The organization of the site including open space for student recreation activity.
7. The adequacy of parking and service areas for the existing and proposed uses on site as well as vehicular circulation and access.

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

## **CONTACT**

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## **SIGNATURE**

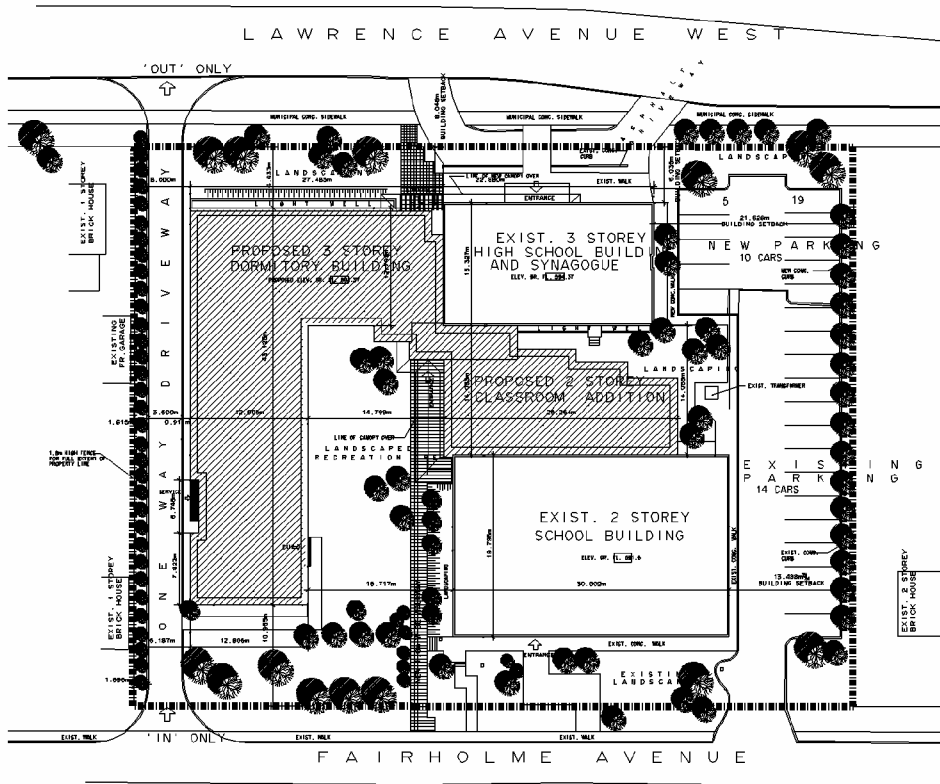
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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: North and West Elevations  
Attachment 3: South and East Elevations  
Attachment 4: Zoning  
Attachment 5: Official Plan  
Attachment 6: Application Data Sheet

## Attachment 1: Site Plan



### Site Plan

Applicant's Submitted Drawing

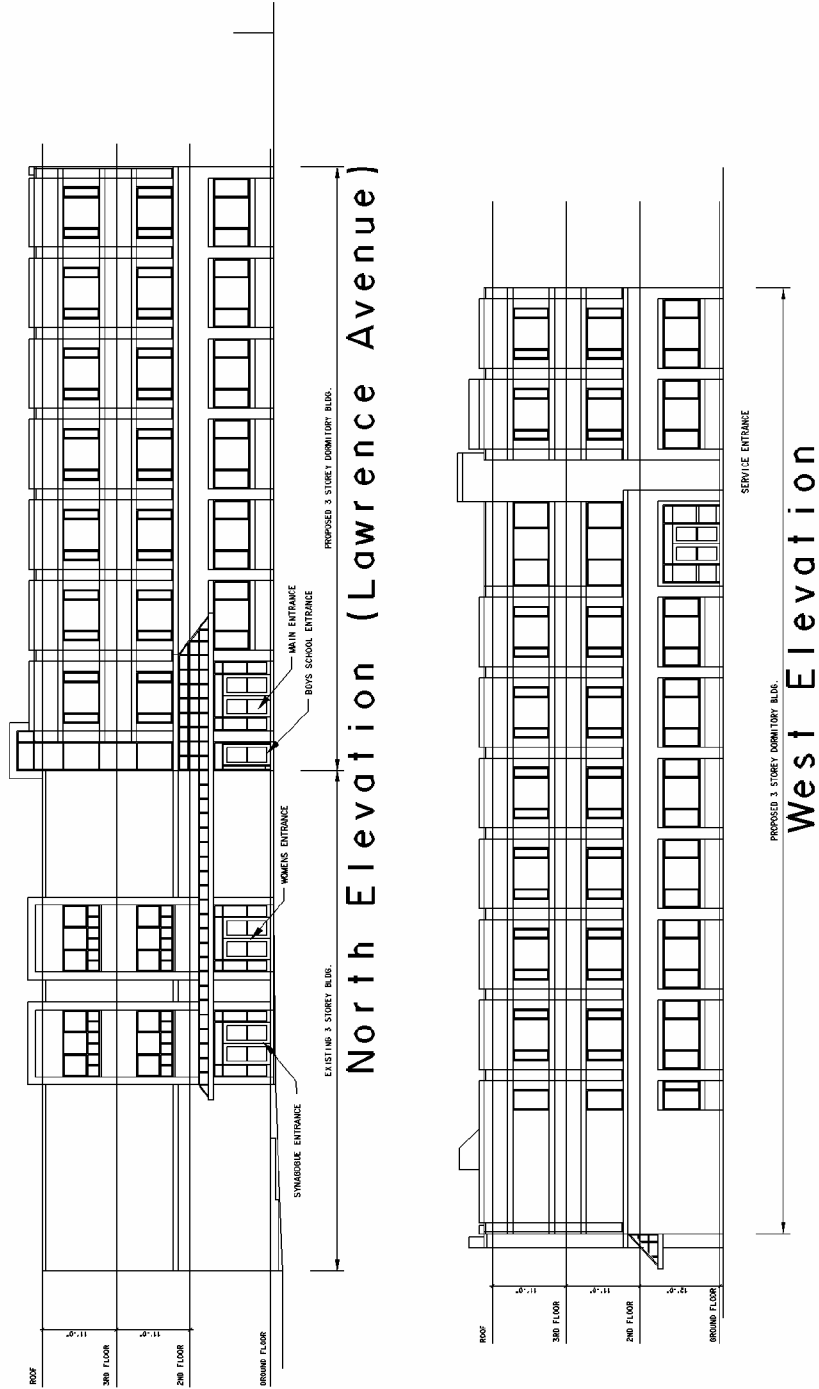
Not to Scale  
07/03/2008



**567,575 & 577 Lawrence Ave W and  
70,72,&74 Fairholme Ave**

File # 08\_147016\_s

Attachment 2: North and West Elevations



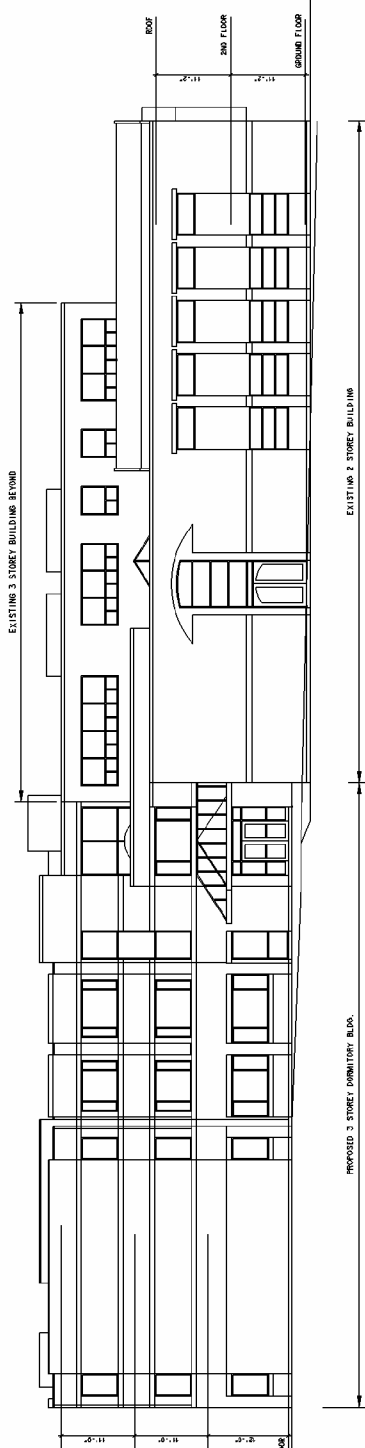
**Elevations**  
 Applicant's Submitted Drawing  
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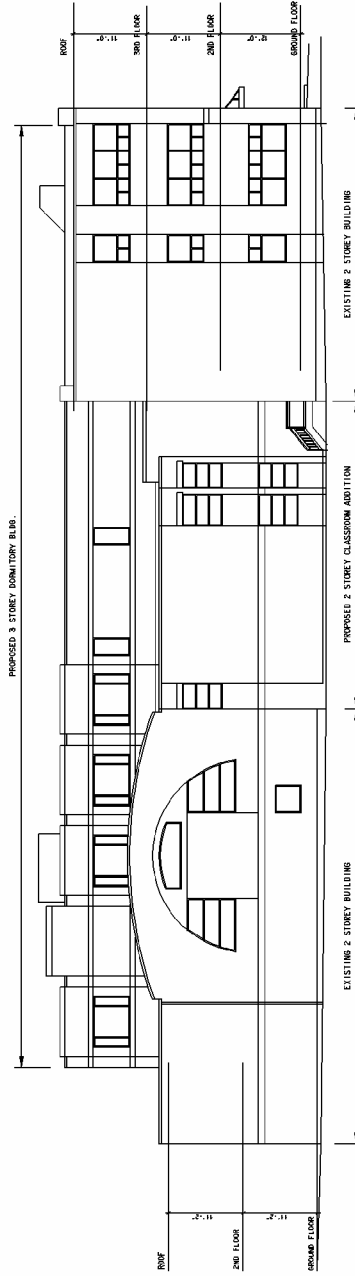
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Attachment 3: South and East Elevations



South Elevation



East Elevation

**Elevations**

Applicant's Submitted Drawing

Not to Scale  
07/03/2008

**567,575 & 577 Lawrence Ave W and  
70,72,&74 Fairholme Ave**

File # 08\_147016\_e2

## Attachment 4: Zoning



**Toronto** City Planning  
Zoning

**567, 575 & 577 Lawrence Ave W and  
70, 72, & 74 Fairholme Ave**

File # 08\_147016\_z

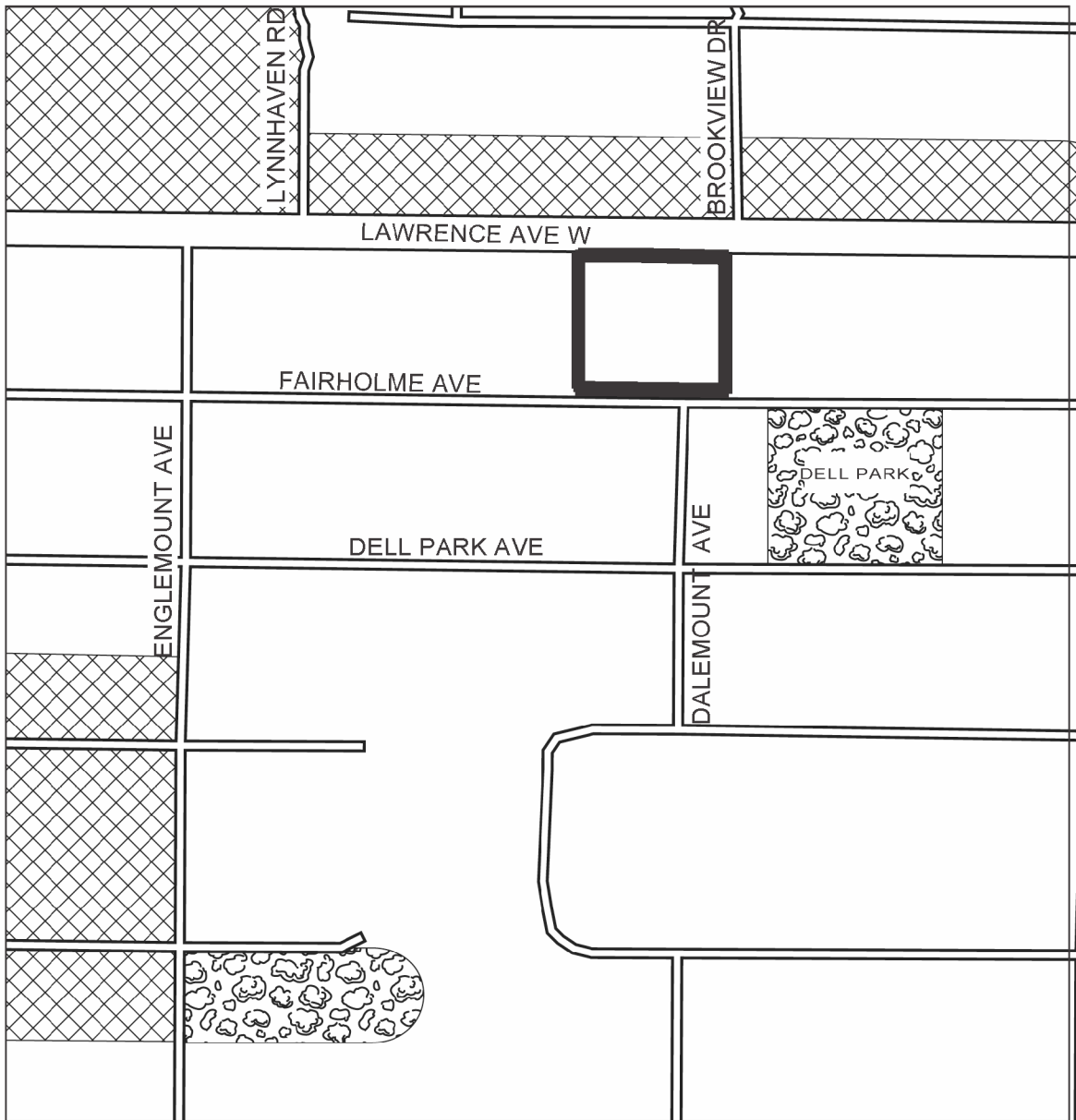
R4 One-Family Detached Dwelling Fourth Density Zone  
R6 One-Family Detached Dwelling Sixth Density Zone

RM5 Multiple-Family Dwellings Fifth Density Zone  
O1 Open Space Zone



Not to Scale  
Zoning By-law 7825  
Extracted 06/26/2008

**Attachment 5: Official Plan**



**TORONTO** City Planning  
**Official Plan**

**567,575 & 577 Lawrence Ave W and  
 70,72,&74 Fairholme Ave**

File # 08\_147016\_op

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Parks & Open Spaces Areas
-  Parks

  
 Not to Scale  
 06/30/2008

## Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	08 147016 NNY 15 OZ
Details	Rezoning, Standard	Application Date:	April 14, 2008

Municipal Address: 567 LAWRENCE AVE W  
 Location Description: PLAN 3203 LOT 29 TO 30 CLOSED PT DALEMOUNT AVE RP 64R 8080 PARTS 1-4  
 \*\*GRID N1504

Project Description:

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
SHERMAN BROWN DRYER KAROL GOLD LEBOW ADAM BROWN			GEDOLAH YESHIVA

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R4	Historical Status:
Height Limit (m):		Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	4793.64	Height:	Storeys:	3
Frontage (m):	78		Metres:	10.36
Depth (m):	60.5			
Total Ground Floor Area (sq. m):	1947			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	24
Total Non-Residential GFA (sq. m):	6062.1		Loading Docks	0
Total GFA (sq. m):	6062.1			
Lot Coverage Ratio (%):	40.6			
Floor Space Index:	1.26			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Other		
Rooms:	153	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	5247.18
Total Units:	0		814.92

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