



STAFF REPORT ACTION REQUIRED

2 and 4 Neville Park Blvd and 438 and 440 Lakefront Lane – OPA, Rezoning and Site Plan Applications – Refusal Report

Date:	August 15, 2008
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	07-222719 STE 32 OZ and 07-222711 STE 32 SA

SUMMARY

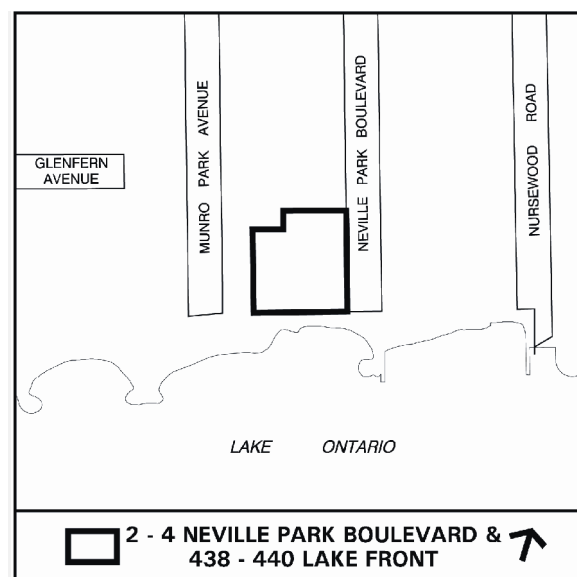
This application was made on or after January 1, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This report recommends refusal of the Official Plan and Zoning By-law amendment and Site Plan Approval applications to develop a 4-storey residential building and 1 detached house at 2 and 4 Neville Park Boulevard and 438 and 440 Lakefront Lane, and seeks Council's direction for staff to attend the Ontario Municipal Board in opposition to the development should the application be appealed.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the proposed Official Plan Amendment, Zoning By-law Amendment and Site Plan Control applications for the reasons outlined in this report; and
2. In the case that the applications are



appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board in support of Council's refusal.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The application is for permission to construct a 4 storey apartment building containing 10 residential units. Parking is proposed to be provided in an underground parking garage with a total of 20 resident parking spaces and 3 visitor parking spaces. In addition, a three storey house with its own private parking spaces would be constructed as part of the project. (Refer to Attachment No. 6 for project data.)

Site and Surrounding Area

The property is located on the east side of the southern-most part of Neville Park Boulevard, south of Queen Street East. The development application encompasses 4 properties, 2 of which are on Neville Park Boulevard and are currently occupied by detached houses and 2 fronting onto Lake Front Lane, one of which contains a detached house and the second is a vacant lot used as gardens associated with the other house on Lake Front Lane.

The properties to the east, north and west are all occupied by detached houses. To the south is the Beach and Lake Ontario.

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.

Development must be consistent with the PPS and the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City of Toronto Official Plan designates the subject site "*Neighbourhoods*".

Policy 4.1.1 of the Official Plan states that "*Neighbourhoods*" are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses,

duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than 4-storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in “*Neighbourhoods*”.

The Plan identifies these established areas as physically stable in which development will respect and reinforce the existing physical character of the neighbourhood (Policy 2.3.1). Particular aspects of physical character are identified including: patterns of streets, blocks and lanes; lot size; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types, or predominant forms of development in the neighbourhood; and, prevailing patterns of rear and side yard setbacks and landscaped open space.

Policy 5.3.1.3 of the Official Plan states that Council to be satisfied that any development permitted under an amendment to this Plan to be compatible with its physical context and that it not affect nearby Neighbourhoods or Apartment Neighbourhoods in a manner contrary to the neighbourhood protection policies of this Plan.

Zoning

The property is zoned R1 Z0.6, which permits primarily detached houses, up to a density of 0.6 times the area of the lot. The height limit for the property is 12 metres.

Site Plan Control

The proposal is subject to Site Plan Control. The applicant has submitted a Site Plan Control approval application with the Official Plan and Zoning By-law Amendment applications.

At any time prior to Site Plan Control approval, a Councillor may direct Planning staff to report to City Council, through Community Council, for a decision on the Site Plan Control application. Planning staff have been directed by the Ward Councillor to report to City Council on this Site Plan Control Application.

Reasons for Application

An amendment to the Official Plan is required as the proposal does not comply with the policies of the Official Plan including the “*Neighbourhoods*” policies.

An amendment to the Zoning By-law is required to permit the scale and density of the building requested for this site.

Community Consultation

A meeting was held by the Ward Councillor on June 26, 2007 and was attended by approximately 80 people. At the time of this meeting the proposal before the City was for a 5 storey apartment building containing 16 residential units and underground parking for 29 cars, which included 4 visitors' parking spaces. The community raised concerns with respect to the building type, built form, parking, removal of protected trees, landscaping and many other issues. The community was not supportive of the proposal in any respects.

After the project was revised, to the current proposal with a 4 storey apartment building with 10 residential units and 26 underground parking spaces, the same concerns were expressed by the community.

Agency Circulation

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

COMMENTS

The redevelopment of lands in an established urban setting requires consideration of the immediate site context and the larger neighbourhood. Developments should recognize the defining urban characteristics of the area into which they are to be inserted and should seek to complement the established urban form. New development must relate, enhance and contribute to its surroundings. This proposal fails to meet these objectives, and should be refused for the reasons outlined in more detail below.

Land Use

The Provincial Policy Statement indicates that the Official Plan is to direct development to suitable areas. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

The Official Plan directs growth to certain areas of the City, and the areas which can best accommodate growth are shown on Map 2, Urban Structure of the Official Plan. The areas for growth have been identified as the *Downtown*, the *Centres*, the *Avenues* and *Employment Districts*. The proposed development site is not in one of those areas and has not been identified as an area of growth.

The site is designated "*Neighbourhoods*", a land use designation which is intended to protect and reinforce the existing physical character of the area and has not been identified as an area for growth. The stability of Toronto's "*Neighbourhoods*" physical character is one of the keys to the City's success. Physical changes to established "*Neighbourhoods*" must be sensitive, gradual, and generally "fit" the existing physical character. A key objective of the Official Plan is to ensure that new development respect and reinforce the general physical patterns in a neighbourhood.

Precedent

The proposal is to consolidate 4 individual lots, 3 of which also have a frontage on the lake. The existing lot frontages in the area are homogeneous and the proposed consolidation could be readily replicated along other lakefront properties. If all lots of similar characteristics in the area were to consolidate into large development parcels, the physical character of the neighbourhood would be fundamentally changed and destabilized.

The surrounding neighbourhood context is made up of low density residential uses which surround the site to the north, east and west. Given the existing and planned context noted above and the role of this site in the low density residential area of the surrounding neighbourhood, the application has been assessed for compatibility with, and impacts on, the adjacent low density area. Staff have determined that the proposal will adversely impact the stability of the area because it does not respect the following elements of physical character: lot size, density and prevalent building type.

The proposal seeks to introduce a 4-storey residential building into an area where they are not found in the existing low density neighbourhood. For the purposes of identifying the neighbourhood, the adjacent streets with similar zoning were considered when determining the prevailing building type. The predominant building type in the neighbourhood is low density residential development in the form of singles, with the exception of one apartment building which was constructed in 1965 that does not conform with the existing zoning. The application would change the character of the area and potentially initiate long term structural changes and instability to the physical character of building types and massing in the neighbourhood.

Trees

Urban Forestry has reviewed the revised application and has indicated that they do not support and strongly object to the proposed removal of trees no. 9, 10, 19 and 20, and the injury of trees no. 8 and 21, as indicated in the Arborist Report submitted with the application. Further, Urban Forestry is of the opinion that both trees no. 8 and 21 will not survive the construction of the building, as proposed. Urban Forestry has indicated that these six trees are healthy mature red oak trees which are of high value and significance to the local neighbourhood and the City. These trees are remnant native, indigenous trees which formed part of the original oak forest that once covered this area of the City and are extremely valuable as part of Toronto's urban forest.

Conclusion

The policies contained within the City of Toronto Official Plan provide the basis for refusing this proposal because it does not meet the intent of the Plan for development within or adjacent to stable residential neighbourhoods. The proposed lot size, density and building type do not reinforce or respect the physical character of the existing neighbourhood. The proposal would destabilize the existing building stock and result in inappropriate intensification in an area not identified for growth.

Staff recommend that City Council refuse the proposal, and that Staff support Council's refusal of the proposed development should the application be appealed to the Ontario Municipal Board.

CONTACT

Leontine Major, Senior Planner

Tel. No. (416) 397-4079

Fax No. (416) 392-1330

E-mail: lmajor@toronto.ca

SIGNATURE

Raymond David, Acting Director
Community Planning, Toronto and East York District

(P:\2008\Cluster B\pln\teycc18961429070.doc) - smc

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: East Elevation

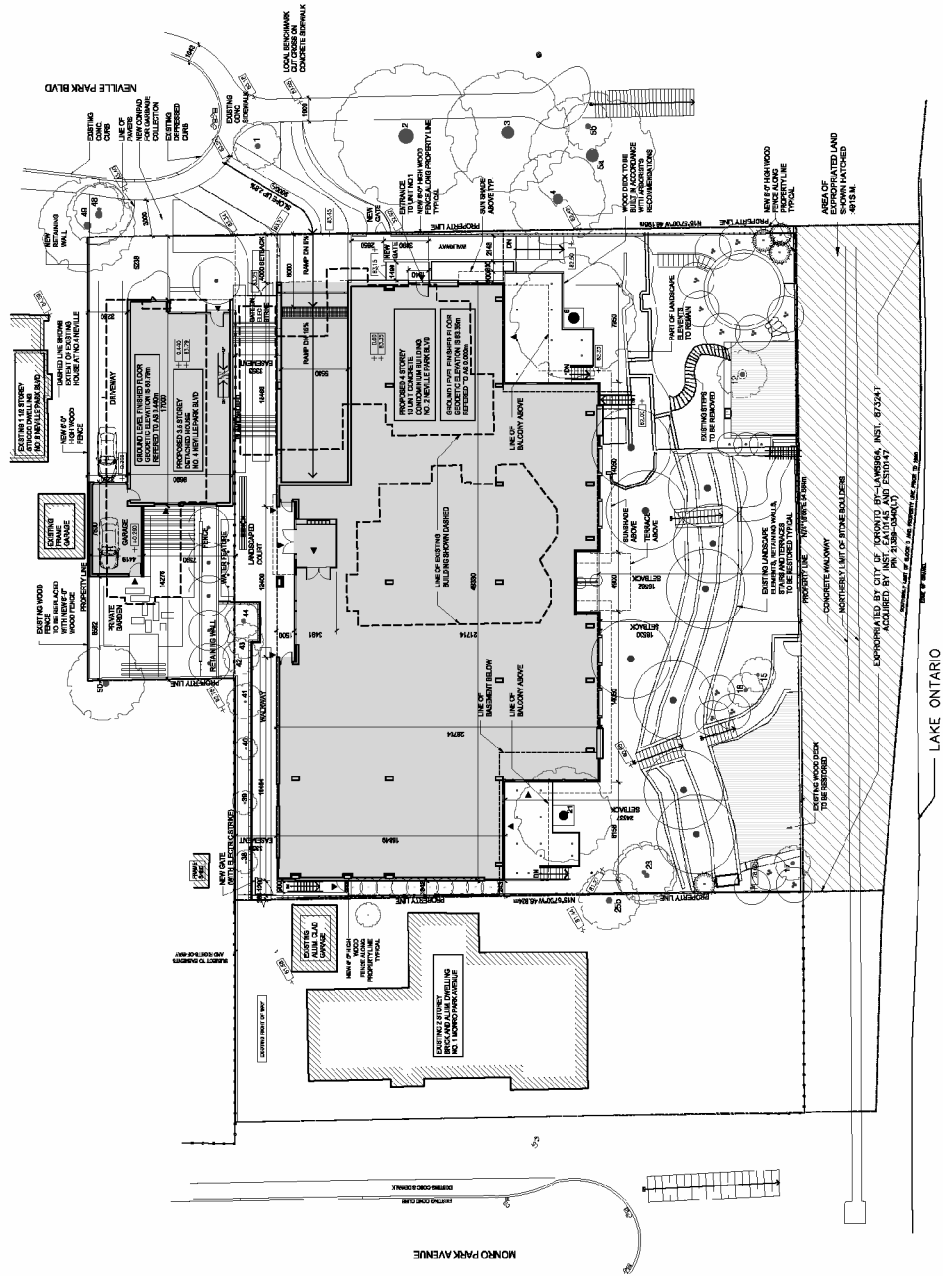
Attachment 3: South Elevation

Attachment 4: Zoning

Attachment 5: Official Plan

Attachment 6: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

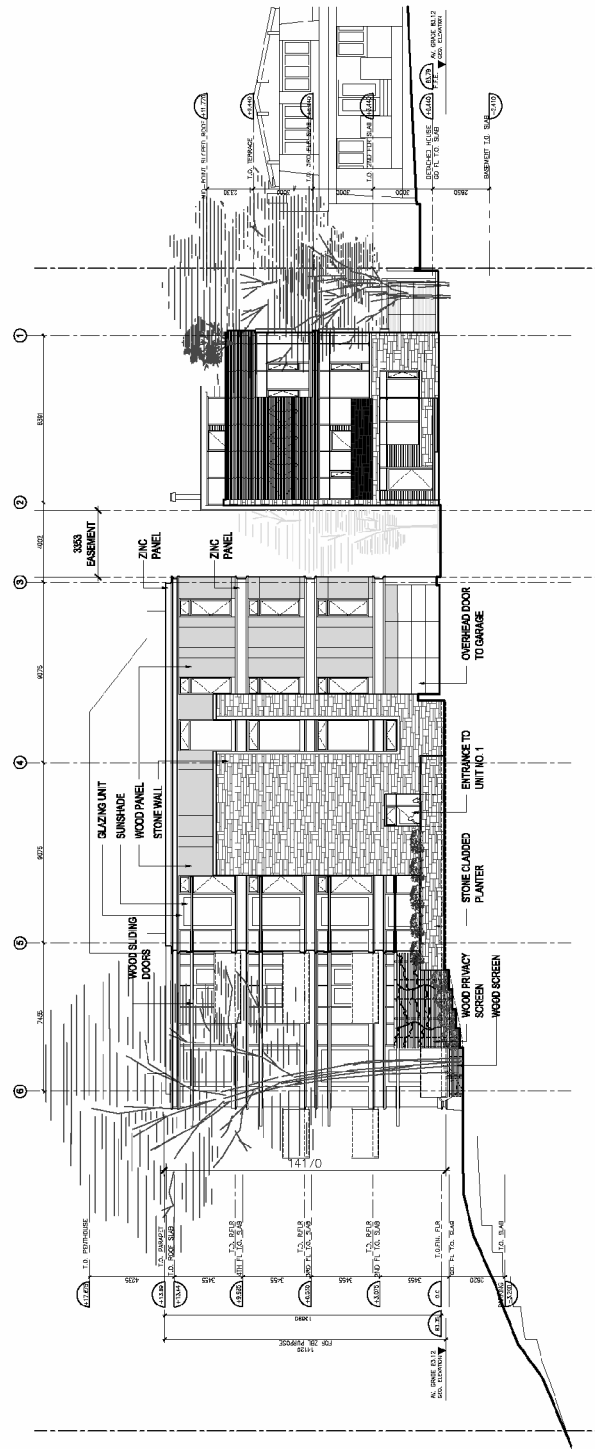
Not to Scale
06/04/08



2-4 Neville Park Boulevard & 438-440 Lake Front

File # 07_222719

Attachment 2: East Elevation



East Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
06/04/08

2 - 4 Neville Park Boulevard & 438 - 440 Lake Front

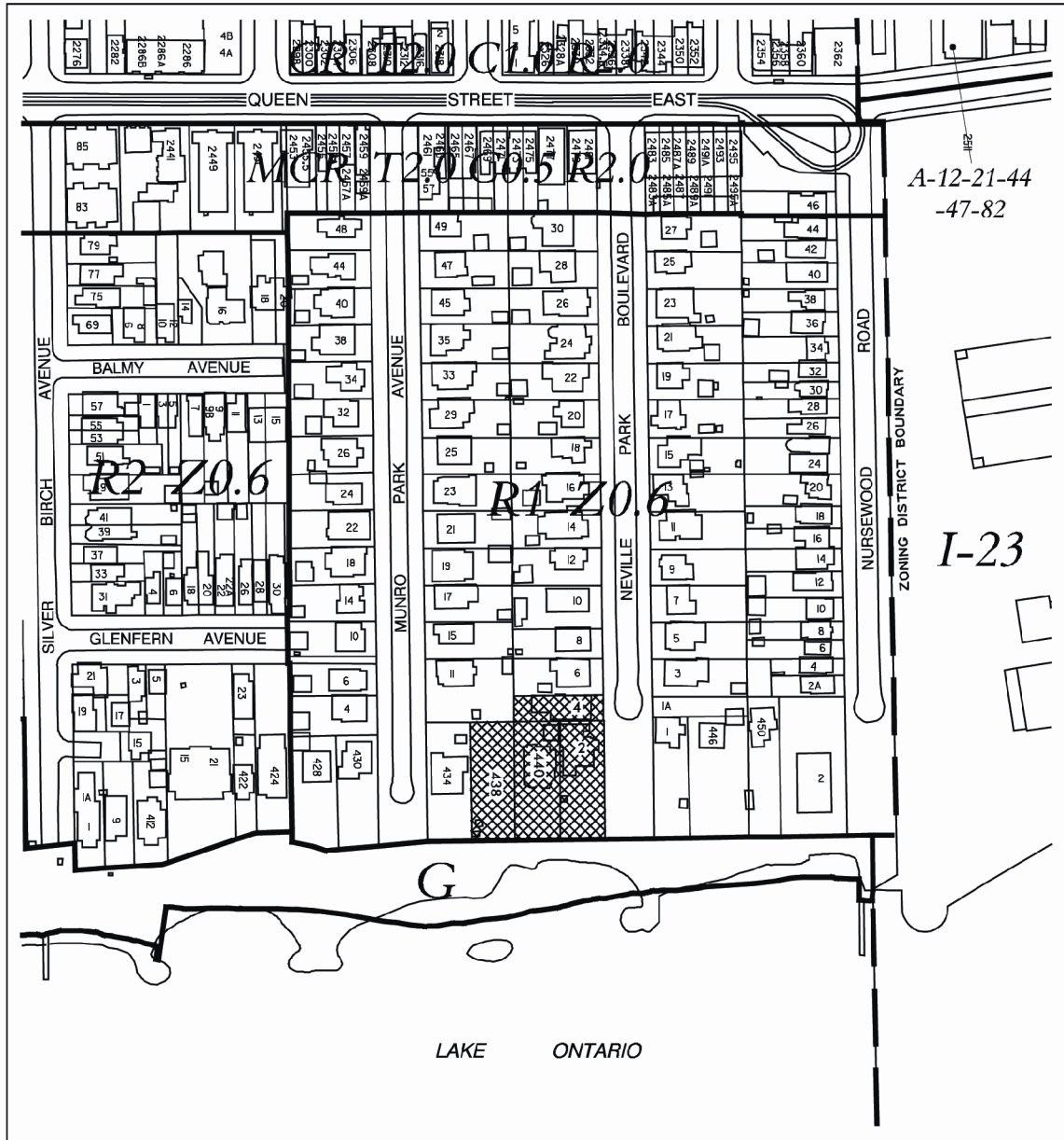
File # 07_222719

2 - 4 Neville Park Boulevard & 438 - 440 Lake Front

Not to Scale
06/04/08

Staff report for action – Refusal Report – 2 and 4 Neville Park Blvd and 438 and 440 Lakefront Lane9

Attachment 4: Zoning



2 - 4 Neville Park Boulevard & 438 - 440 Lake Front

File # 07_222719

TORONTO ZONING CATEGORIES
(Zoning By - Law 438-86 as amended)

R1 Residential District	MCR Mixed-Use District
R2 Residential District	G Parks District
CR Mixed-Use District	

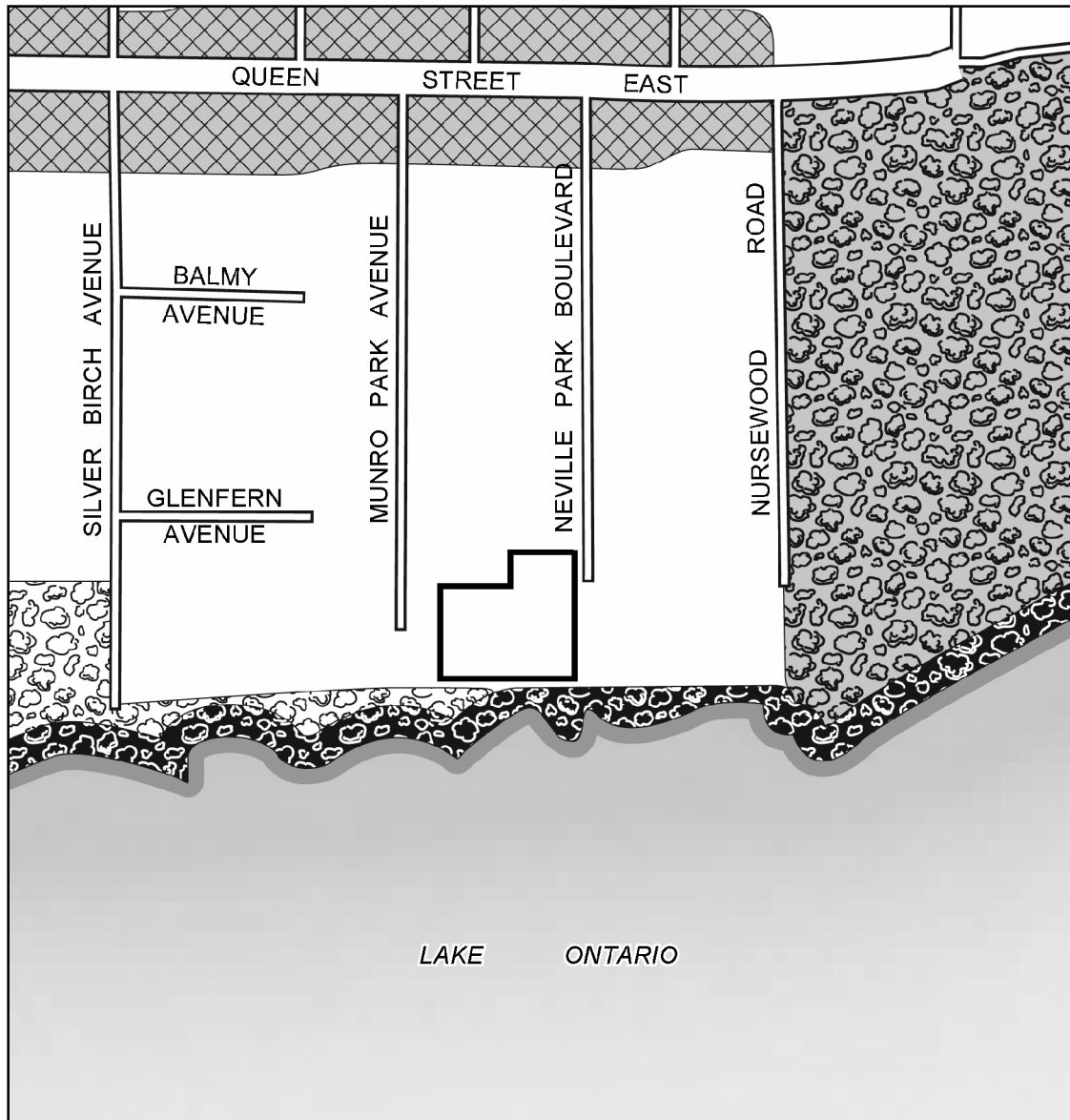
SCARBOROUGH ZONING CATEGORIES
(Birchcliff Community Zoning By - Law 8786 as amended)

A Apartment Residential
I Institutional Uses



Not to Scale
Extracted 06/04/08 - TA

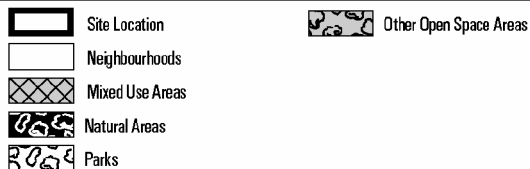
Attachment 5: Official Plan



Toronto City Planning
Official Plan

2 - 4 Neville Park Boulevard & 438 - 440 Lake Front

File # 07_222719



↑
Not to Scale
06/04/08

Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	07-222719 STE 32 OZ
Details	OPA & Rezoning, Standard	Application Date:	May 25, 2007

Municipal Address: 2 and 4 NEVILLE PARK BLVD and 438 and 440 LAKEFRONT LANE
 Location Description: PL 389E PT LT C **GRID S3214
 Project Description: 4 storey 10 unit apartment building and 1 detached house

Applicant:	Agent:	Architect:	Owner:
Sweeny Sterling Finlayson and Co			Marie Stauch

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	NA
Zoning:	R1 Z0.6	Historical Status:	NA
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2997	Height:	Storeys:	4
Frontage (m):	58.4		Metres:	14.17
Depth (m):	54.8			
Total Ground Floor Area (sq. m):	1287			Total
Total Residential GFA (sq. m):	5012.5		Parking Spaces:	26
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	5012.5			
Lot Coverage Ratio (%):	42.9			
Floor Space Index:	1.67			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	6
3 + Bedroom:	5
Total Units:	11

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	5012.5		0
Retail GFA (sq. m):	0		0
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

CONTACT: PLANNER NAME: Leontine Major, Senior Planner
TELEPHONE: (416) 397-4079