

**2952 -2958 Bayview Avenue
Rezoning and Site Plan Control Applications
Further Report**

Date:	February 19, 2009
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward No.23 – Willowdale
Reference Number:	08 175275 NNY 23 OZ and 08 175285 NNY 23 SA

SUMMARY

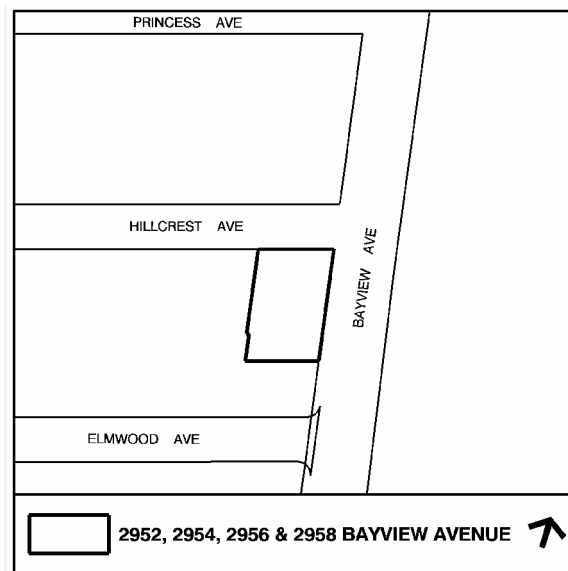
This report responds to North York Community Council’s direction that City Planning, in consultation with Technical Services, report directly to City Council on how the proposed development accommodates Toronto’s three phase waste collection program, and the extent to which the driveway and garage entrances conform with the City’s attempt to prevent basement flooding.

The report also provides additional information and recommendations regarding the outstanding issues pertaining to the application for Site Plan Control Approval.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council consider the additional information provided in this report and adopt the recommendations submitted



by North York Community Council submitted in Item NY 23.27.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of February 9, 2009, North York Community Council recommended that City Council adopt the recommendations set out in the Request for Direction report dated February 4, 2009. In addressing this report, Community Council also made the recommendation that:

1. City Council refuse the proposed Zoning By-law Amendment application in its present form for the reasons outlined in the report (February 4, 2009) from the Director, Community Planning, North York District.
2. City Council authorize City Staff to appear before the Ontario Municipal Board Hearing in support of the recommendation above and in accordance with the recommended revisions outlined in the report (February 4, 2009) from the Director, Community Planning, North York District, and that the City Solicitor and any other appropriate City staff be authorized to take such actions as necessary to give effect to the recommendations of the report (February 4, 2009) from the Director, Community Planning, North York District.
3. City Council approve the following revisions in addition to those already outlined in the report (February 4, 2009) from the Director, Community Planning, North York District:
 - a. that the proposed third floor balconies be setback approximately 15 metres from the rear property line, and that the size be reduced so that they are more in keeping with what is permitted in the adjacent R4 neighbourhood; and
 - b. that all purchasers be advised that garbage must be stored in the unit.
4. Should the Site Plan Control application be appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the Board in support of the position that the Site Plan Application not be approved in its present form.

In addition, North York Community Council requested that City Planning Staff, in conjunction with Technical Services, to report directly to Council on the following:

1. the provision to accommodate Toronto's three phase garbage/recycling system; and

2. the extent to which the driveway and garage entrances conform with the City's attempt to prevent basement flooding.

City Planning had been advised that since the Request for Direction report was written, the application for Site Plan Control Approval had also been appealed and will be heard at the Ontario Municipal Board Hearing Scheduled for March 25, 2009. This report outlines the outstanding issues and recommendations pertaining to the application for Site Plan Control Approval.

COMMENTS

At its meeting of February 9th 2009, North York Community Council requested that City Planning Staff, in conjunction with Technical Services, report directly to Council on the provision to accommodate Toronto's three phase garbage/recycling system and the extent to which the driveway and garage entrances conform with the City's attempt to prevent basement flooding.

Garbage/Recycling Collection

Council asked that staff report back directly to Council on how the proposed development would accommodate the City of Toronto's three phase garbage and recycling program. The developer must provide sufficient space within each townhouse unit for the storage of the garbage/recycling/organic waste bins. On the day of the collection, the bins are to be placed in front of each townhouse unit along Bayview Avenue for curb-side collection. The bins will be wheeled around the townhouses or will be taken through the unit.

Basement Flooding

The developer has been advised that the development proposal must comply with the City's Wet Weather Flow Management Guidelines. The latest Stormwater Management Report, Site Servicing and Grading Plans submitted in July, 2008 do not meet the requirements of the guidelines. Technical Services has requested revisions and to date have not received any response from the applicant or their consultant.

Outstanding Site Plan Issues

City Planning had been advised that since the Request for Direction report was written, the application for Site Plan Control Approval has also been appealed and will be heard at the Ontario Municipal Board Hearing Scheduled for March 25, 2009. The following section outlines the outstanding issues and recommendations pertaining to the application for Site Plan Control Approval.

Urban Design

Several urban design issues pertaining to the application for site plan control approval remain outstanding. As stated in City Planning's report dated February 4, 2009, the current proposal does not allow for the appropriate setback transition between the adjacent house to the south, and townhouse unit '1'. To provide an appropriate transition, the proposed development should be revised so that this unit is further stepped back to align with the existing adjacent property.

The proposal includes third floor balconies at the rear of each of the townhouse units that are 15m² in area. The size and design of these terraces have negative impacts on the privacy of the adjacent residential neighbourhood. To minimize potential overlook, the floor area of the balconies should be significantly reduced and redesigned to integrate screens with a minimum height of 1.4 metres. These screens may take the form of pergolas, planters, fences or a combination of these elements.

The following revisions and additional information are required with respect to the submitted landscape drawings:

- The plans need to be revised to provide additional landscaping within the front yards in order to support and enhance the pedestrian environment along both Bayview Avenue and Hillcrest Avenue.
- Revisions to the drawings to provide additional landscaping so that a dense visual screen is provided to protect/mitigate the adjacent neighbourhood from the proposed development. Additional landscape elements should include a decorative screen fence and the planting of additional coniferous trees and shrubs. In addition, the transformer located within the buffer needs to be fully screened and appropriately landscaped.
- Submission of a lighting plan that ensures the safety at the back of the townhouse units, while avoiding light spilling onto the adjacent properties.
- Submission of a Boulevard Plan that shows future sidewalk connections and landscaping once the sidewalk has been relocated 1.0 metres from the property line along Bayview Avenue and Hillcrest Avenue, as requested by Technical Services.

Technical Services

In their memorandum dated August 22, 2008, Technical Services outlined a number of revisions and requested additional information in order to proceed with their review of the proposed development. The following studies and drawings remain outstanding:

- Revised Site Plan and Landscape Plans providing details and revisions as specified in the August 22nd 2008 memorandum;
- Revised Stormwater Management Report and Site Servicing/Grading Plan; and
- Draft Reference Plan of Survey showing the lands required to be conveyed to the City.

Urban Forestry

The Private Tree By-law regulates injury or removal of privately owned trees which measure 30 centimetres in diameter or more as measured 1.4 metres above ground level. Where it is not possible to retain a tree on private property that qualifies for protection under the private tree by-law, the applicant must submit an Application to Injure/Destroy Trees to Urban Forestry Services. Urban Forestry has identified six private trees on the subject lands that will be impacted by the proposed development. The applicant has not submitted the required permit fees or application for private tree removal.

The Landscape Plan identifies that eight new trees are to be planted within the City street allowance. Urban Forestry has stated that the proposed tree species is not acceptable and requires that a revised Landscape Plan be revised and submitted for review and approval. This revision remains outstanding.

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SIGNATURE

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