

469 & 471 Merton St Rezoning Application - Preliminary Report

Date:	March 12, 2009
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	08 231986 STE 22 OZ

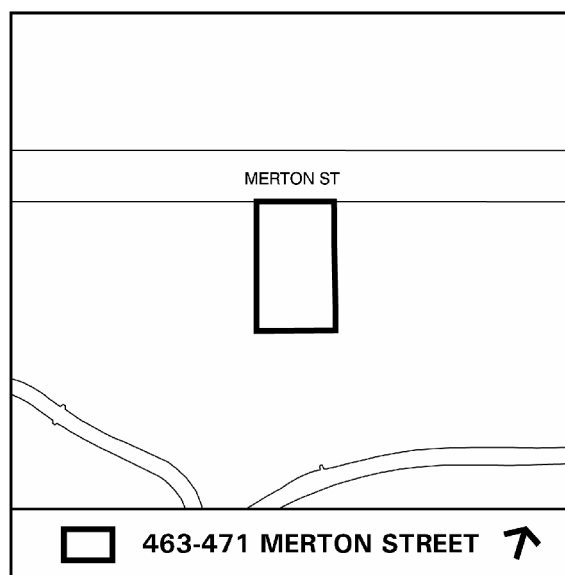
SUMMARY

This application is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to expand the existing Sunnybrook School building which is a private school located at 469 Merton Street. The applicant proposes to construct a two-storey addition plus basement on the adjacent property to the east at 471 Merton Street. The existing house at 471 Merton Street will be demolished.

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.

A community consultation meeting was held in the neighbourhood on Tuesday March 10, 2009. A statutory public meeting is targeted for summer of 2009. This target date assumes that the applicant will provide all required information, including any revised plans, in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. The community consultation meeting that was scheduled at the request of the Ward Councillor on Tuesday March 10, 2009 be deemed to satisfy the requirement for such meeting as normally held after the Preliminary Planning Report has been heard on a Community Council agenda. Notice was given to include landowners and residents slightly beyond 120 metres of the site.
2. 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

In 1997 the Sunnybrook School applied to the Committee of Adjustment for approval of minor variances with respect to gross floor area and building depth to permit a 1-storey and basement addition to the rear of the then-existing school building at 469 Merton Street. The Committee of Adjustment refused that application and Sunnybrook School appealed that decision by the Committee to the Ontario Municipal Board.

The school revised the plans which resulted in a modified list of zoning variances. The revised plans were subsequently presented to and approved by the Ontario Municipal Board subject to the conditions of a Settlement Agreement. The addition was built.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

Sunnybrook School, currently located at 469 Merton Street, has acquired the property to the east at 471 Merton Street. The school proposes to expand their current facility by demolishing the existing house on that lot and building a 2-storey addition plus basement. The proposed addition is intended to provide more space in some classrooms, improve some existing facilities such as a larger music room and to provide some new facilities such as an art room and a French room. The school has indicated that the proposed expansion will not result in an increased student enrolment.

Site and Surrounding Area

The subject site is located on the south side of Merton Street east of Mt. Pleasant Road and contains a 2-storey brick school building with finished basement and parking for 5 cars (including 1 handicapped space). The school has an outdoor, hard-surfaced play area in its rear yard which abuts the Mount Pleasant cemetery. The front yard is primarily used for hard-surfaced parking and is landscaped with 3 large permanent concrete planter boxes.

The school was established in a smaller building at its current Merton Street address in the early 1960's and has been part of this primarily low-density residential neighbourhood for 49 years.

The site is surrounded by the following uses:

North: single detached and semi-detached houses, duplexes

South: the Mount Pleasant Cemetery

East: single detached and semi-detached houses, duplexes and other multiplex housing forms

West: a gas station on the north side of Merton Street at Mt Pleasant Rd., two 8 to 10-storey apartment buildings

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 site is designated as *Neighbourhoods* in the Official Plan. The *Neighbourhoods* designation permits a range of lower scale residential land uses, interspersed 4-storey

walk-up apartment buildings and apartment buildings legally constructed prior to the approval date of the Official Plan.

Low-scale institutions such as schools are also permitted in *Neighbourhoods* designations (Section 4.1.1). Schools in *Neighbourhoods* are to provide open space for student outdoor activities and for landscaping. Schools are to be designed and operated to limit noise, privacy impacts and traffic impacts on neighbouring residents (Section 4.1.2).

Zoning

The site, including 469 Merton Street (the location of the existing school building) and 471 Merton Street (a house now owned by the Sunnybrook School) are both zoned R2 Z0.6.

A private school is a permitted use in an R2 zone provided it is within a building that was originally constructed for such use. Most of the current building was built as a nursery school in the early 1960's. The use of the building as a private elementary school was approved by the Committee of Adjustment in 1989. External additions to the school were approved by the OMB in 1998 subject to conditions.

The proposed addition would be constructed on the part of the site which is currently occupied by a single detached house which was not originally constructed for use as a private school. A by-law amendment would be necessary to permit the school use of 471 Merton Street.

Site Plan Control

This application is not subject to Site Plan Control. As this application proposes demolition of a house in an 'R' zone it is subject to Residential Demolition Control.

Tree Preservation

The applicant has requested permission to remove 2 trees that are located on private property. Both trees are over 30 cm in diameter. Both are located in the rear yard and are within an area that is proposed to be regraded for playground use and are not expected to survive the increased soil depth. Two new trees are proposed to be planted.

Tree preservation measures to protect all other trees on-site during construction have been outlined in the applicant's arborist's report. The arborist's report including the request to remove 2 trees is currently under review by the City's Forestry Division.

Reasons for the Application

By-law 438-86 permits a private school in an 'R' zone if it is located in a building that was originally constructed for such use. The existing building at 469 Merton Street was originally constructed as a nursery school. The Committee of Adjustment granted variances in 1989 that, among other things, allowed the School to operate as a private elementary school. The existing building at 471 Merton, the site of the proposed addition, was originally constructed as a 2-storey detached house. An application for

rezoning is required to permit the addition to be used for the purposes of a private school in an R2 zone.

The proposed addition also exceeds the maximum allowable depth of building and will create the condition of having less than the permitted separation between facing walls of the same building. Amendments will be required to permit these variances to the Zoning By-law.

The proposed addition would not comply with some of the conditions of the Settlement Agreement that was imposed by the OMB in its decision to approve the School's plans for an expansion in 1998. Therefore the Board Decision cannot be applied.

The Settlement Agreement was between the adjacent property owners to the east and to the west and the School. One condition, in particular, bound the school to no further expansions. This condition would need to be unwound prior to draft bills being introduced in Council.

Community Consultation

A community consultation meeting was held at Hodgson Senior Public School on March 10, 2009. Comments and issues raised by residents in attendance at the consultation meeting as well as comments received by planning staff subsequent to that meeting will be used in future discussions with the applicant and may result in modifications to the plans.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Traffic Impact Study
- Arborist Report
- Planning Rationale
- Green Development Checklist

A Notification of Complete Application was issued dated January 27, 2009.

Issues to be Resolved

The proposal raises some planning issues, including but not limited to:

Traffic Circulation

Section 4.1.2 of the Official Plan requires that schools are to be designed and operated to limit traffic impacts on neighbouring residents. Increasing the size of the school may have an impact on the traffic flow in the neighbourhood with respect to the drop-off and pick-up of students. The School has submitted a traffic study that is currently being reviewed by staff. Staff, following their review of the applicant's traffic study and comments made by area residents, will determine if the operation of the proposed expanded school will have an undue negative impact on local traffic.

This application also provides an opportunity to review the measures that the School currently uses to lessen the impacts of their current operation on the neighbourhood and suggest where it may be improved upon.

The Settlement Agreement included a condition that the School would at no time exceed an enrolment of 150 students. This condition would not be unwound and would continue to apply to the School if the proposed addition were approved.

Noise and Privacy Impacts

Section 4.1.2 of the Official Plan requires that schools will be designed and operated to limit noise and privacy impacts on neighbouring residents. Staff will determine whether the combination of fencing and the timing of scheduled outdoor activities will satisfy the requirements of the Official Plan.

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

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

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

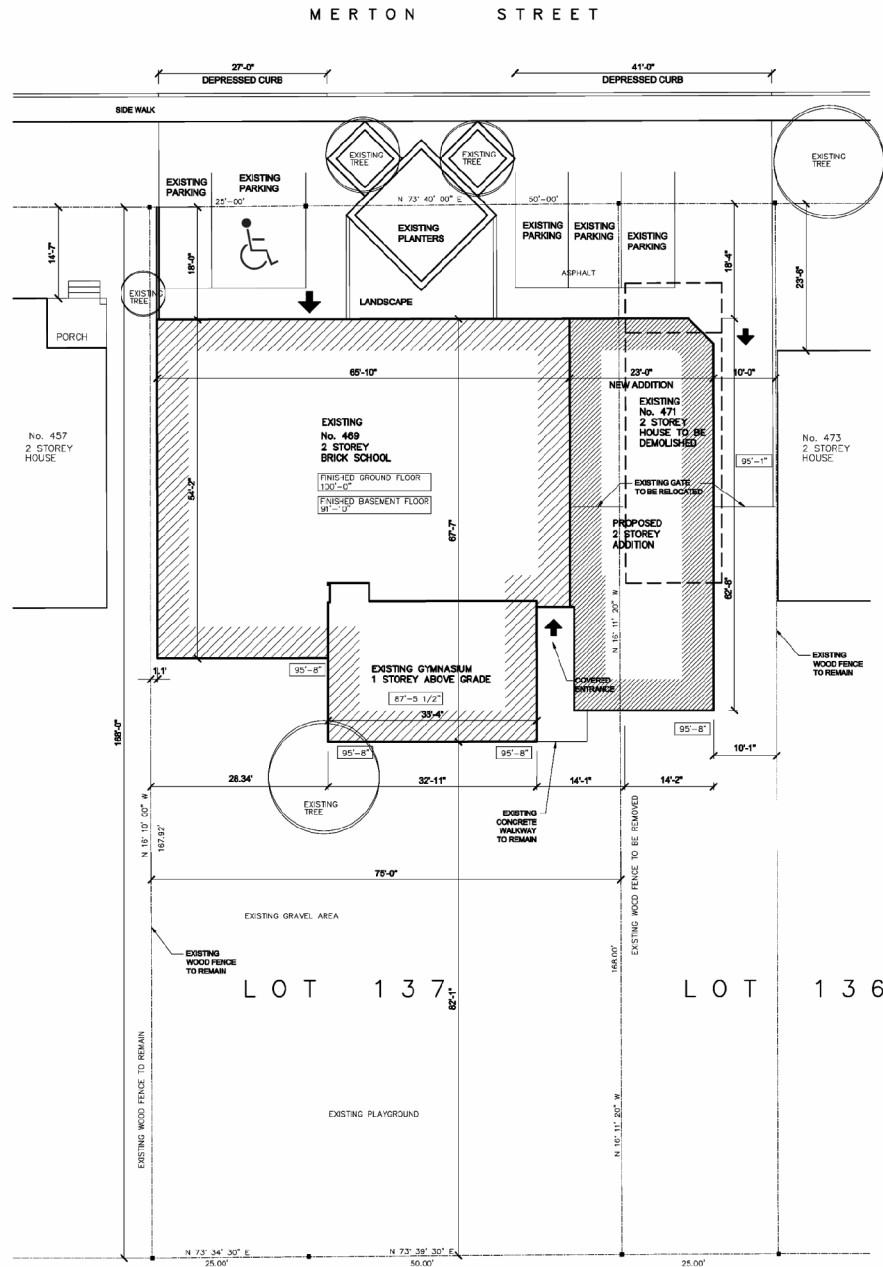
Attachment 3: South Elevation

Attachment 4: East Elevation

Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

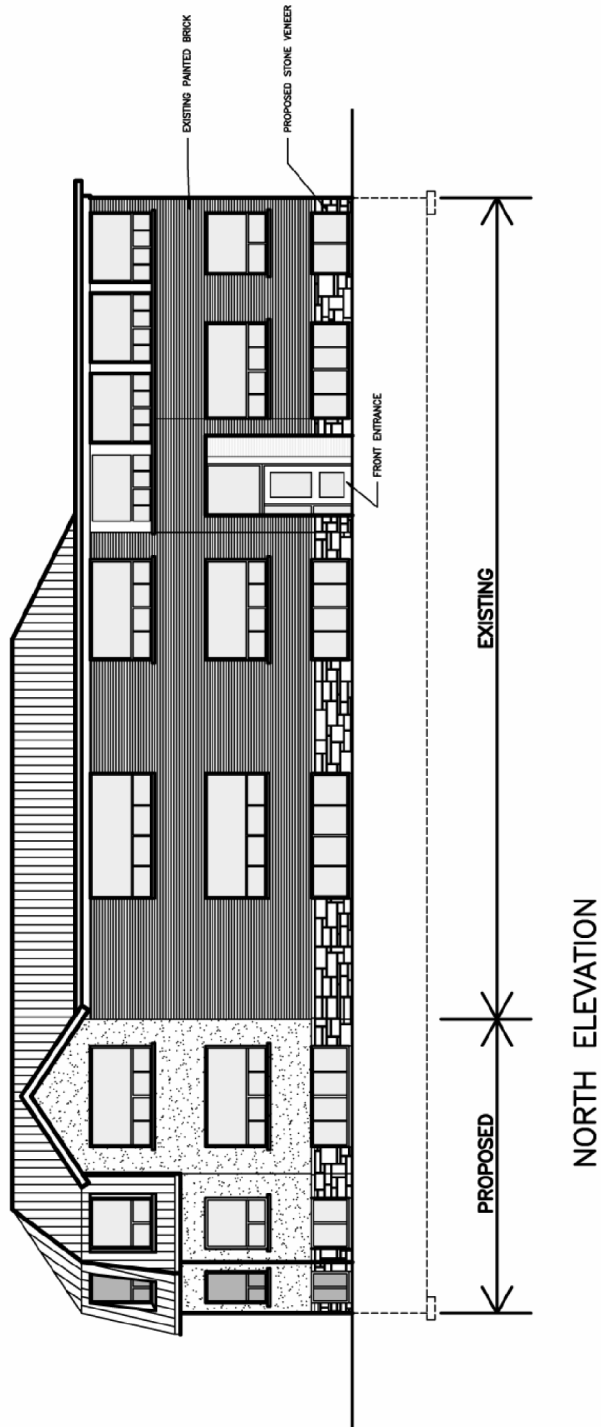
Not to Scale
02/10/09



463 - 471 Merton Street

File # 08_231986

Attachment 2: North Elevation



North Elevation

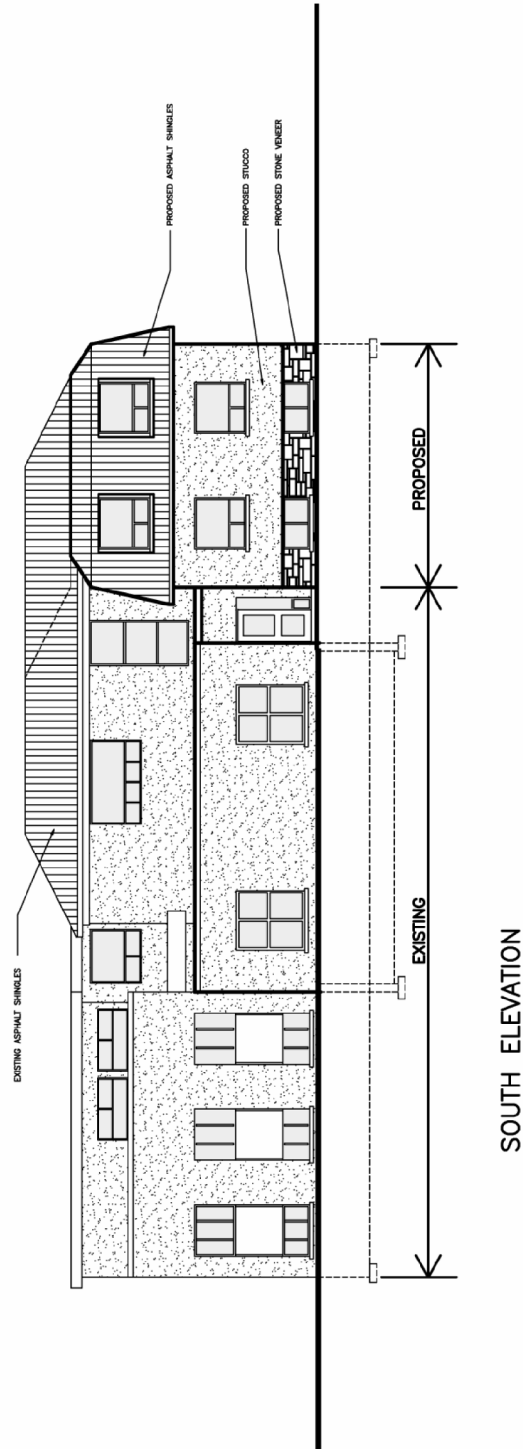
463 - 471 Merton Street

Applicant's Submitted Drawing

Not to Scale
02/10/09

File # 08_231986

Attachment 3: South Elevation



South Elevation

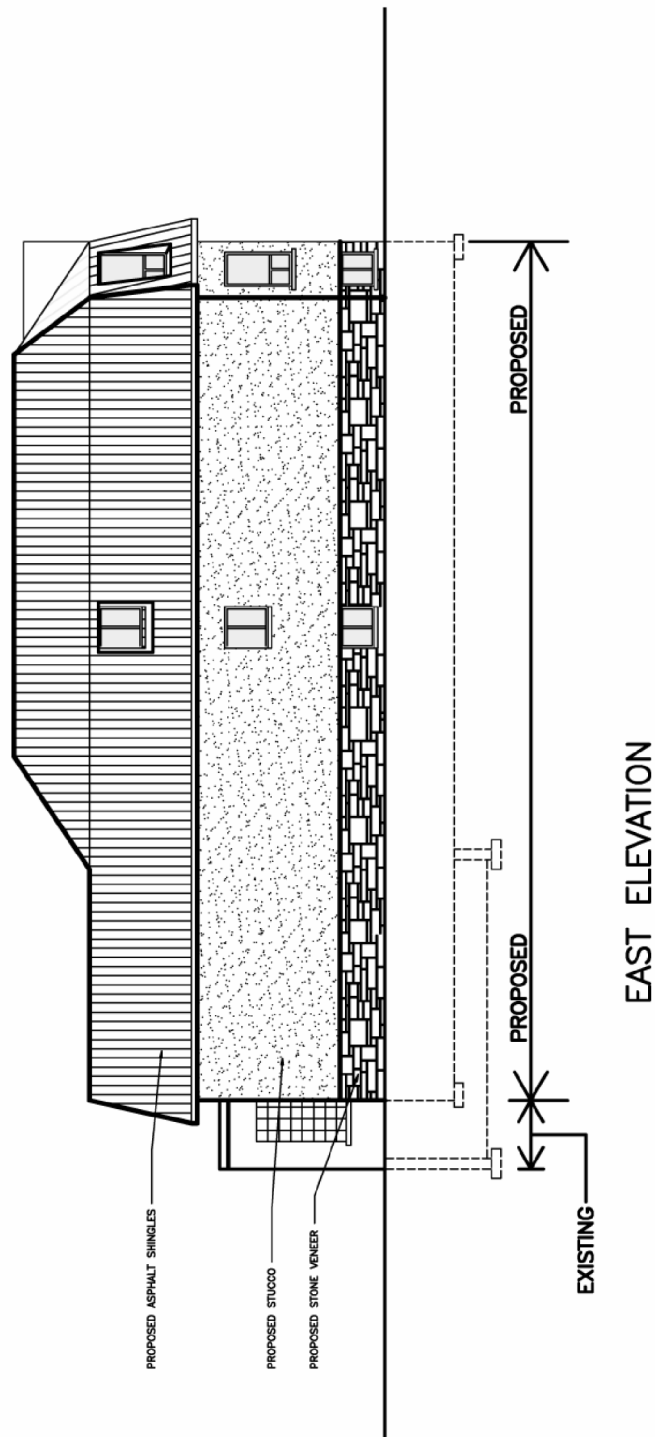
Applicant's Submitted Drawing

Not to Scale
02/10/09

463 - 471 Merton Street

File # 08_231986

Attachment 4: East Elevation



East Elevation

Applicant's Submitted Drawing

Not to Scale
02/10/09

463 - 471 Merton Street

File # 08_231986

The map shows a section of the city with the following details:

- Streets:** BALLIOL ST and MERTONT ST.
- Lot Numbers:**
 - Along Balliol St (top): 522, 520, 518, 516, 514, 512, 508, 506, 504, 502, 500, 486, 484, 482, 480, 478, 476, 474, 472, 470, 468, 466, 464, 462, 460, 456, 452, 450, 448, 446, 444, 440, 438, 436, 434, 432, 430, 426, 424, 422, 418, 414, 410, 408, 406, 402, 400, 396, 394, 392, 390, 386, 382, 376.
 - Along Mertont St (bottom): 543, 541, 537, 535, 533, 531, 529, 527, 525, 523, 521, 519, 517, 515, 513, 511, 509, 507, 505, 503, 501, 499, 497, 495, 493, 491, 489, 487, 485, 483, 481, 479, 477, 475, 473, 471, 469, 467, 465, 463, 461, 459, 457, 455, 453, 451, 449, 447, 445, 443, 441, 439, 437, 435, 433, 431, 429, 427, 425, 423, 421, 419, 417, 415, 413, 411, 409, 407, 405, 403, 401, 399, 397, 395, 393, 391, 389, 387, 385, 383, 381, 379, 377, 375, 373, 371, 369, 367, 365, 363, 361, 359, 357, 355, 353, 351, 349.
- Central Area:** A large area labeled 'G' with a cross-hatch pattern, likely representing a park or undeveloped land.
- Text:** 'R2 Z0.6' is written in the center of the map.



File # 08 231986



Not to Scale
Zoning By-law 438-86 as amended
Extracted 02/10/09 - DR

Attachment 6: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 231986 STE 22 OZ
Details	Rezoning, Standard	Application Date:	December 24, 2008

Municipal Address: 469 MERTON ST

Location Description: PL M5 PT LT137 **GRID S2209

Project Description: Rezoning application for a proposed two-storey side addition to an existing private school on the portion of the lands municipally known as 471 Merton Street. Site is comprised of 4693-471 Merto Street inclusive.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC. TONY VOLPENTESTA		J.H.RUST ARCHITECT INC. KIJEWski HUBERT	748901 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R2 Z0.6	Historical Status:	
Height Limit (m):	9	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1561	Height:	Storeys:	2	
Frontage (m):	30.48		Metres:	7.1	
Depth (m):	51.2				
Total Ground Floor Area (sq. m):	496.97				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	5	
Total Non-Residential GFA (sq. m):	1433.01		Loading Docks	0	
Total GFA (sq. m):	1433.01				
Lot Coverage Ratio (%):	32				
Floor Space Index:	0.92				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (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/Other GFA (sq. m):	924.34	508.67
Total Units:	0			

CONTACT:	PLANNER NAME:	Tim Burkholder, Planner
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