



## STAFF REPORT

### Committee of Adjustment Application

<b>Date:</b>	February 8, 2010
<b>To:</b>	<b>Chair and Members of the Committee of Adjustment North York District</b>
<b>From:</b>	Thomas Keefe, Director, Community Planning, North York District
<b>Wards:</b>	Ward 25 (Don Valley West)
<b>Reference:</b>	File No. A0507/09NY Owner: MJB Corp Address: 1860 Bayview Avenue Application to be heard: February 17, 2010

## RECOMMENDATION

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Staff would recommend the application be deferred SINE DIE for the submission and review of a Site Plan Application.

## APPLICATION

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This is an application to permit the construction of a new two storey retail building on the above noted property. The existing building would be demolished.

### REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

1. Proposed Gross Floor Area of 149% (7,654.13m<sup>2</sup>) (82,391.1sq.ft.) of the lot area (excluding the enclosed loading/circulation area) and 192% (9,863.04m<sup>2</sup>) (106,168.4sq.ft.) of the lot area (including the enclosed loading/circulation area) WHEREAS a maximum Gross Floor Area of 100% (5,137m<sup>2</sup>) (55,296.02sq.ft.) of the lot area is permitted;
2. Proposed lot coverage of 95.7% (4,916.11m<sup>2</sup>) (52,918.3sq.ft.) WHEREAS a maximum lot coverage of 33.3% (1,710.62m<sup>2</sup>) (18,413.56sq.ft.) is permitted;
3. Rear yard setback of 1.14m (3.74') to the proposed building WHEREAS a minimum setback of 7.5m (24.6') is required;
4. Proposed to have 223 parking spaces (at a ratio of one space per 35m<sup>2</sup> (376.74sq.ft.) of gross floor area) located on site WHEREAS a minimum of 275 parking spaces (at a ratio of one space per 28m<sup>2</sup> (301.4sq.ft) of gross floor area) are required to be located on site.

## **COMMENTS**

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The site is located on the west side of Bayview Avenue, north of Eglinton Avenue East and presently contains a one storey building that was previously utilized as a car dealership. It is proposed to demolish the existing building and construct a new two storey retail building having two ground floor retail units, a second floor retail unit and a fully enclosed parking and access area at the rear.

The proposed building would have a gross floor area of 149% (7,654.13m<sup>2</sup>) (82,391.1sq.ft.) of the lot area (excluding the enclosed loading/circulation area) and 192% (9,863.04m<sup>2</sup>) (106,168.4sq.ft.) of the lot area (including the enclosed loading/circulation area). The By-law permits a maximum gross floor area of 100% (5,137m<sup>2</sup>) (55,296.02sq.ft.) of the lot area.

The proposed building would have lot coverage of 95.7% (4,916.11m<sup>2</sup>) (52,918.3sq.ft.). The By-law permits a maximum lot coverage of 33.3% (1,710.62m<sup>2</sup>) (18,413.56sq.ft.).

The applicant is proposing to locate 223 parking spaces on site at a ratio of one space per 35m<sup>2</sup> (376.74sq.ft.) of gross floor area). The By-law requires 275 parking spaces (at a ratio of one space per 28m<sup>2</sup> (301.4sq.ft) of gross floor area) to be located on site. Comments from the Transportation Services Division will be available at the time of the hearing.

The proposal before the Committee is subject to the Site Plan Approval process. To date, the applicant has not submitted an application. As a result, the proposal has not been reviewed by the necessary City Divisions to determine and comment on any issues that may arise from the proposal, for example, traffic, site circulation, ingress and egress, landscaping. Staff would submit, that given the above, the application before the Committee does not contain the necessary information to guide the Committee in making a decision. As a result, the submission of a Site Plan application would be the appropriate course of action at this time.

In order to address any outstanding concerns and allow for a thorough review of the proposal by the various City Divisions involved, staff would recommend that the application be deferred SINE DIE for the submission and review of a Site Plan application.

## **CONTACT**

Jenny Stark, Planner  
Tel: 416-395-7138  
Fax: 416-395-7200  
E-mail: [jcstark@toronto.ca](mailto:jcstark@toronto.ca)

## **SIGNATURE**

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