



STAFF REPORT ACTION REQUIRED

1950 Bathurst St, 89 Dewbourne Ave, and 84 Ava Rd – Supplementary Report

Date:	June 16, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 21 – St. Paul's
Reference Number:	08 231395 STE 21 OZ

SUMMARY

This report recommends that Recommendations Section, in the final staff report dated May 26, 2010, be revised, in order to delete Recommendation Nos. 3 and 5.

This report recommends that the draft By-law be revised in order to correctly amend the applicable Zoning By-laws and Maps. The revised draft by-law is included as Attachment 1 in this report.

This report also clarifies several matters referred to in the May 26th, 2010, Final Report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 1-83, By-law 3623-97, as amended, and By-law 12349, for the lands at 1950 Bathurst St., 89 Dewbourne Avenue, and 84 Ava Road, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council require that the Owner agree to implement the measures outlined in the December 2009 Transportation Demand Management Plan, prepared by BA Group, as part of the Site Plan Agreement;

4. City Council require that the Owner pay for and construct any improvements to the municipal infrastructure in connection with the Preliminary Servicing Report, as accepted by the Executive Director of Technical Services, should it be determined that improvements to such infrastructure are required to support this development.

COMMENTS

Staff recommend the deletion of Recommendation No. 3, in the May 26th, 2010 staff report. It is considered acceptable due to the fact that the Site Plan application is nearly finalized. Recommendation No. 5, of the May 26th, 2010 staff report, cites an incorrect By-law, and is redundant, as the substandard parking space dimensions are addressed in the draft By-law.

The Recommendations in this report replace the Recommendations in the May 26th, 2010, staff report.

A revised draft By-law is included in Attachment 1 of this report. Changes include minor corrections to how the applicable By-law and Maps are amended.

This report also clarifies the following factual errors in the May 26th, 2010, staff report:

- Holy Blossom Temple is the applicant and the purchaser of the two adjacent properties, not Leo Baeck School; and
- the proposed parking supply includes four obstructed, substandard parking spaces, not fifteen.

CONTACT

Sipo Maphangoh, Planner
Tel. No. 416-338-5747
Fax No. 416-392-1330
E-mail: smaphan@toronto.ca

SIGNATURE

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

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ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

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Authority: Toronto and East York Community Council Item ____ as adopted by City
of Toronto Council on _____, 2010
Enacted by Council: _____, 2010

CITY OF TORONTO

Bill No. ~

BY-LAW No. xxx-2010

**To amend General Zoning By-law No. 1-83 of the former City of York, as amended,
By-law 3623-97 of the former City of York, as amended, and By-law 12349
With respect to the lands municipally known as,
1950 Bathurst Street, 89 Dewbourne Avenue and 84 Ava Road.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as herein set forth;

The Council of the City of Toronto HEREBY ENACTS as follows:

- 1.** The *lot* consists of the lands municipally known as 1950 Bathurst Street, 89 Dewbourne Avenue, and 84 Ava Road, as delineated by heavy lines on Map 1 attached hereto and forming part of this By-law;
- 2.** The provisions of By-law 12349 shall not apply to the *lot*;
- 3.** The provisions of By-law 3623-97, Section 7, Subsection 3 (b), regarding maximum permitted floor space index, do not apply to the *lot*;
- 4.** District Map 15 of By-law No. 1-83 is amended in accordance with Map 1 of this By-law.
- 5.** Section 16 General Exception of By-law No. 1-83 is amended by adding the following subsection:

“(XXX)

Notwithstanding the provisions of this By-law, the *lot*, as delineated by heavy lines on Map 1, attached hereto, is subject to the following provisions:

EXCEPTION REGULATIONS

PERMITTED USES

- a) Notwithstanding By-law 1-83, a place of worship, a religious school, including uses accessory thereto, are permitted on the lands shown on Map 1 attached hereto;

MAXIMUM GROSS FLOOR AREA

- b) The total gross floor area permitted on the lands shown on Map 1 attached hereto, shall not exceed a maximum gross floor area of 10,900 m²;
- c) The maximum floor space index on the lands shown on Map 1 attached hereto, shall not exceed 1.21;

BUILDING HEIGHT

- d) The building height shall not exceed the maximum heights in metres and storeys shown on Map 2 attached hereto, excluding mechanical penthouses and rooftop equipment;

YARD SETBACKS

- e) The minimum yard setbacks shall be as set out in Map 2, attached hereto;

PARKING

- f) A minimum of 81 parking spaces shall be provided and maintained on the site;
- g) Two (2) obstructed parking spaces in the lower level shall have minimum dimensions of 2.9m by 5.4m, and 2.6m by 5.6m, and two (2) obstructed surface parking spaces shall have minimum dimensions of 2.6m by 5.6m;

LANDSCAPING

- h) The minimum landscape buffer shall be as set out in Map 2, attached hereto.

7. The provisions of this exception shall apply collectively to the lands zoned R1 notwithstanding their future severance, partition, or division.

8. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
9. Nothing in this By-law shall prevent the construction and use of temporary portable classrooms on the *lot*, prior to the completion of the school addition.

ENACTED AND PASSED this ____day of _____, A.D. 20__.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



