



STAFF REPORT ACTION REQUIRED

1678 -1704 Avenue Road, 375-377 Fairlawn Avenue and 412-416 Brookdale Avenue - Zoning By-law Amendment Application - Preliminary Report

Date:	February 29, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	11 330290 NNY 16 OZ

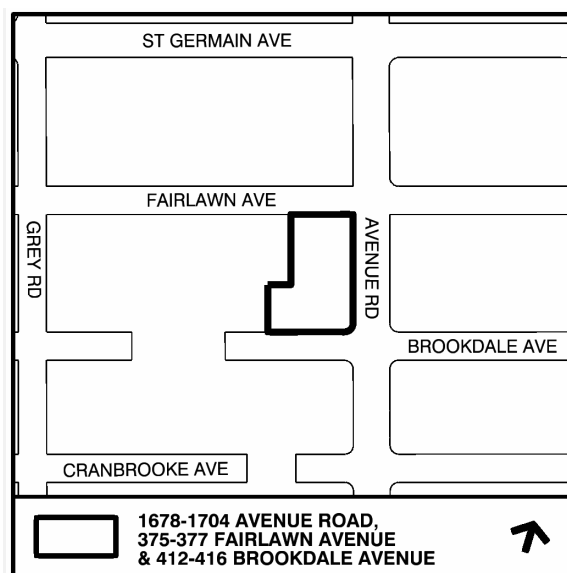
SUMMARY

This application proposes to demolish all existing buildings on site and amend the Zoning By-law to permit a 7-storey mixed-use building. The total gross floor area would be 17,011 m² which includes 14,944 m² for residential uses and 2,067 m² for commercial uses. Proposed are a total of 136 residential units on floors 2-7 which would include the onsite replacement of 18 rental units. There would be 233 parking spaces within 2 below grade parking levels consisting of 110 spaces for visitors/commercial uses and 123 spaces for residential use. Access to the site would be from 2 driveways with one from Brookdale Avenue and the other from Fairlawn Avenue. A Rental Housing Demolition application has also been submitted for the 18 existing rental housing units.

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 statutory public meeting is targeted for the fall of 2012. The target date assumes the applicant will provide all required information in a timely manner.

Staff report for action – Preliminary Report - 1678 -1704 Avenue Road, 375-377 Fairlawn Avenue and 412-416 Brookdale Avenue



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 1678 -1704 Avenue Road, 375-377 Fairlawn Avenue and 412-416 Brookdale Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2007 the City of Toronto initiated an 'Avenue' study for Avenue Road from Lawrence Avenue to Wilson Avenue. The Official Plan provides for Avenue studies that develop, in consultation with the local community, zoning regulations and urban design guidelines to provide a framework for future growth and initiatives to improve the public realm and necessary services.

The final staff report for the Avenue study was adopted by City Council in December 2009 and subsequently approved by the Ontario Municipal Board in May 2010. The implementation of the study included an amendment to the North York Zoning By-law to create a new zoning regime suited to this Avenue segment, an amendment to the Official Plan and former City of Toronto Zoning By-law to recognize an existing ravine park and urban design guidelines to guide development on this portion of Avenue Road. All the subject properties were reviewed through the study and included in the new implementing 'Avenue' study Zoning By-law.

The Avenue Road 'Avenue' Study is available on the City's website at:

http://www.toronto.ca/planning/avenue_road.htm

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements. Additional discussions were held on the rental housing demolition matters to assist both with developing a proposal to meet the Official Plan housing policies and to meet the submission requirements for the application to demolish under the City's by-law on rental demolition and conversion.

ISSUE BACKGROUND

Proposal

This application proposes to demolish all existing buildings at 1678 -1704 Avenue Road, 375-377 Fairlawn Avenue and 412-416 Brookdale Avenue and amend the Zoning By-law to permit a 7-storey mixed-use building. The building would be approximately 24 m (78 ft) in height and provide stepping back and terracing from the residential properties to the west and from Avenue Road.

The total gross floor area would be 17,011 m² (183,105 ft²) which includes 14,944 m² (160,856 ft²) for residential uses and 2,067 m² (22,250 ft²) for commercial uses. The resultant floor space index is 3.95 times the area of the lot. Proposed are a total of 136 residential units on floors 2-7 which would include 118 condominium units and 18 residential rental replacement units. The proposed residential unit mix consists of 18 one bedroom units, 62 one bedroom plus den units, 6 two bedroom units and 50 two bedroom plus den units. All 18 rental replacement units would be located on the 2nd floor comprised of 4 one bedroom units and 14 one bedroom plus den units. There is 433 m² of indoor amenity space proposed on the 2nd floor.

There would be 233 parking spaces within 2 below grade parking levels consisting of 110 spaces for visitors and commercial uses and 123 spaces for residential use. Access to the site would be from two driveways with one from Brookdale Avenue and the other from Fairlawn Avenue. There are 102 bicycle parking spaces proposed with 20 visitor parking spaces at grade, 4 resident spaces at grade and 78 resident spaces within the first underground level.

Site and Surrounding Area

The subject site consists of a number of properties, including 1678 -1704 Avenue Road, 375-377 Fairlawn Avenue and 412-416 Brookdale Avenue. The total site area is 4,310 m² (46,392 ft²). The development site fronts on Fairlawn Avenue (44.4m), Avenue Road (84.5 m) and Brookdale Avenue (61 m). Parking and service areas are located at the rear of the properties fronting Avenue Road and street parking is available along Avenue Road.

The site is currently occupied by a number of one and two storey commercial and residential uses as follows:

- The one storey building located at the northwest corner of Avenue Road and Brookdale Avenue is 1678 Avenue Road and is occupied by the Bistro on the Avenue restaurant and bar.
- One and two-storey buildings along Avenue Road and Fairlawn Avenue. The properties at 1688-1704 Avenue Road are used for retail and services uses on the ground and second floor. This includes the Fairlawn Market, Kahnert Furs, Bloominghill Flowers, Iris Optometrists, Want Boutique and Forest Hill Real

- Estate office on the ground floor. A laptop repair store and 2 additional commercial units are on the second floor.
- There are two bungalows at 375-377 Fairlawn Avenue that are used for commercial purposes as part of the adjacent Fairlawn Market.
 - There are 3 two storey residential buildings at 1682-1686 Avenue Road and 412 Brookdale Avenue. Each building contains 6 one bedroom rental units for a total of 18 units. To the west of these buildings is a paved surface parking lot.

The area contains a mix of residential and commercial uses as follows:

North: Immediately to the north is Fairlawn Avenue. The first property west of Avenue Road fronting onto Fairlawn Avenue is an interior design and furniture store. The properties on the west side of Avenue Road between Fairlawn Avenue and St. Germain Avenue consist of a series of 1 and 2 storey main street commercial and residential buildings. Across Avenue Road and St. Germain Avenue at the northeast corner is a recently completed 7-storey commercial and residential condominium building by Tribute Communities.

West: Detached residential dwellings and Brookdale Park.

South: Immediately to the south is Brookdale Avenue which terminates in a cul-de-sac at Brookdale Park. West of Avenue Road and south on Brookdale Avenue there are 2-storey residential buildings. South of Brookdale Avenue on the west side of Avenue Road are 2-storey commercial and residential buildings containing a variety of retail and commercial uses at grade with residential uses on the second floor. To the southeast across Avenue Road is a 1-storey Nissan car dealership.

East: On the east side of Avenue Road between Brookdale Avenue and Fairlawn Avenue there are 1 and 2 storey buildings with commercial uses at grade and residential uses on the second floor.

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 subject property is located within a *Mixed Use Areas* designation within the Official Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

Development in *Mixed Use Areas* should:

- create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen services areas, ramps and garbage areas to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The portion of Avenue Road between Lawrence Avenue and Wilson Avenue is identified as an *Avenue* on Map 2 of the Official Plan. Policy 4 of Section 2.2.3, *Avenues: Reurbanizing Arterial Corridors* states that the land use designation policies in Chapter 4 apply to and prevail on lands shown as *Avenues* on Map 2. *Avenues* are important corridors located along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

The Official Plan's Housing policies require a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, to be provided and maintained to meet the current and future needs of residents. The existing stock of housing will be maintained and replenished. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

New development that would have the effect of removing all or a part of a private building or related group of buildings, and would result in the loss of six or more rental housing units will not be approved unless: all of the rental housing units have rents that exceed mid-range rents at the time of application, or in cases where planning approvals other than site plan are sought, the following are secured: at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made; for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship.

Other relevant policies to be utilized during the review of this development proposal include those in the “Public Realm” and “Built Form” sections of the Official Plan.

The Toronto Official Plan is available on the City’s website at:
www.toronto.ca/planning/official_plan/introduction.htm

Zoning

Former City of North York Zoning By-law No. 7625, as amended by the Avenue Road 'Avenues' study Zoning By-law 107-2010, zones the properties at 412-416 Brookdale Avenue and 1678-1704 Avenue Road C4(12). This zone permits a variety of commercial, retail and residential uses in mixed use buildings. The properties at 375-377 Fairlawn Avenue are zoned General Commercial Zone (C1). This zoning also permits a variety of commercial, retail and residential uses including detached residential dwellings.

The Avenue Road 'Avenues' study Zoning By-law (107-2010) permits a maximum height of 7-storeys or 22.5 metres at 412-416 Brookdale Avenue and 1678-1690 Avenue Road and a height limit for 1692-1704 Avenue Road of 5-storeys or 16.5 metres. The maximum permitted density for this portion of the site is 3 times the area of the lot. Zoning By-law No. 7625 has a height permission for 375-377 Fairlawn Avenue of 3-storeys or 9.2 metres and a maximum lot coverage of 33.3%.

Site Plan Control

An application for Site Plan Control Approval was submitted on December 22, 2011 along with the rezoning application and is being reviewed concurrently.

Ravine Control

Portions of the properties at 412-416 Brookdale Avenue are located within the Ravine and Natural Feature Protection By-law area. The application has been circulated to Urban Forestry, Ravine Protection staff for review.

Rental Housing Demolition

The Rental Housing Demolition and Conversion By-law (885-2007), contained in Chapter 667 of the City's Municipal Code, is one of the tools which implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act, 2006*. Demolition, as defined in the By-law, may be to all or part of a building, and includes interior renovations or alterations that result in a change to either the number of rental units, or the type of rental units by bedroom type.

Proposals in which six or more rental housing units will be affected require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Council approval of demolition under Section 33 of the *Planning Act* is also required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for Official Plan Amendment or Zoning By-law Amendment triggers an application under Chapter 667 for rental demolition or conversion, typically City Council decides on both applications at the same time. The final report will combine recommendations on the planning application and the demolition application under Chapter 667. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the OMB.

An application under Section 111 of the *City of Toronto Act* seeking permission to demolish the 18 rental housing units has been filed. The proposal involves the demolition of all existing buildings on site including 1682-1686 Avenue Road and 412 Brookdale Avenue which would result in the temporary loss of 18 units during construction. The applicant is proposing to replace the units with 18 new rental units of the same unit mix, provide tenant relocation assistance, and all tenants will have the right to return to the replacement rental units. A Housing Issues Report, including a Tenant Assistance and Relocation Plan, has been submitted in support of the Zoning By-law Amendment application and the demolition application.

Reasons for the Application

The proposed uses are permitted within the existing zoning by-law. The amendment to the Zoning By-law is required to implement appropriate performance standards to regulate the proposed development such as: increased height along the north portion of the site, overall increase in site density, non-compliance with angular plane requirements with certain elements of the building, setbacks, stepbacks, parking, landscaped open space and amenity area.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Report;
- Housing Issues Report;
- Toronto Green Standards Checklist For Mid-High Rise Buildings;
- Arborist Report;
- Sun/Shadow Studies;
- Geotechnical Investigation;
- Functional Servicing Report; and
- Transportation Impact Study.

A Notification of Incomplete Application issued on January 19, 2012 identified the following outstanding material required for a complete application submission:

- The Toronto Green Standards site statistic template;
- Tree Preservation Plan;
- Sediment Control Plan; and
- Ravine and Natural Feature By-law line on all pertinent plans.

The outstanding material was submitted on January 27, 2012 and a Notification of Complete Application was subsequently issued on February 3, 2012.

Issues to be Resolved

In applying the requirements of both the Official Plan (Policy 3.2.1.6) and Chapter 667 of the Municipal Code, the following housing issues have been identified on a preliminary basis:

- All existing rental units will be demolished as part of this development proposal. The Official Plan requires the replacement of rental units to be demolished with the same number, size and type of units with similar rents.
- The review and acceptance of an appropriate tenant relocation and assistance plan for those tenants impacted by the proposed development.

In addition to the above housing issues, other issues have been identified on a preliminary basis include:

- The appropriateness of the proposed increase in height and density;
- The appropriateness of the proposal's scale and massing in terms of the built form arrangement on the site, and compatibility with existing buildings and the surrounding context;

- The location, orientation and organization of the building and site including service areas, building entrance and ground floor uses;
- Potential impacts on adjacent properties, public streets and open space, including shadow, wind and sky views;
- Addressing the Avenue Road Urban Design Guidelines;
- Review of the parking supply, loading/unloading areas and site access/circulation;
- Potential overlook and privacy issues with adjacent developments and properties;
- The adequacy of proposed indoor and outdoor residential amenity space;
- Impact of the proposed development on the ravine and natural feature area;
- The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval; and
- The Toronto Green Standard Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

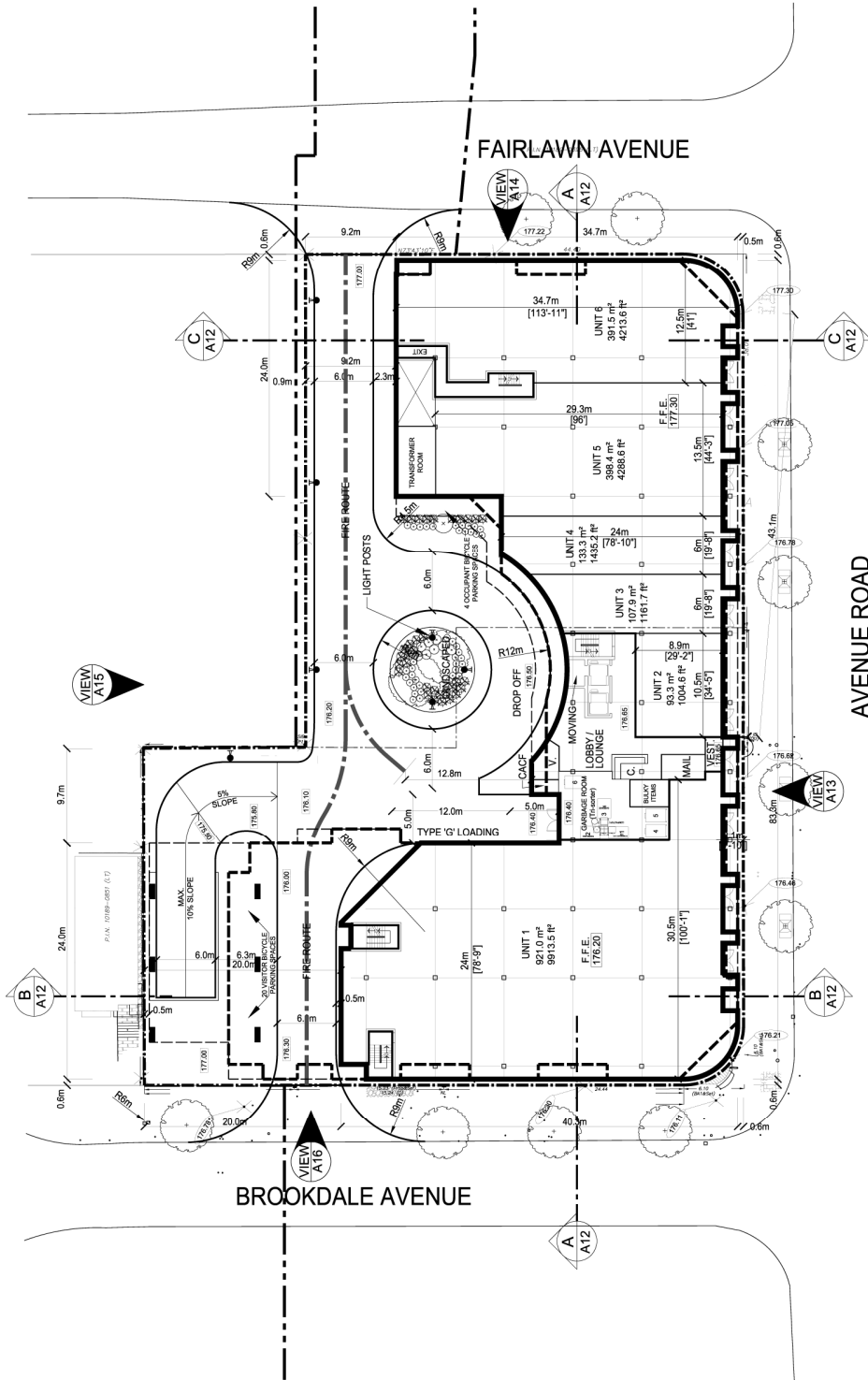
Attachment 1: Site Plan

Attachment 2A-B: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



1678-1704 Avenue Rd, 375-377 Fairlawn Ave & 412-416 Brookdale Ave

Site Plan

Applicant's Submitted Drawing

Not to Scale
12/05/2011

File # 11 330290 NNY 160Z

Attachment 2A: West and East Elevations



WEST ELEVATION



EAST ELEVATION

Elevations

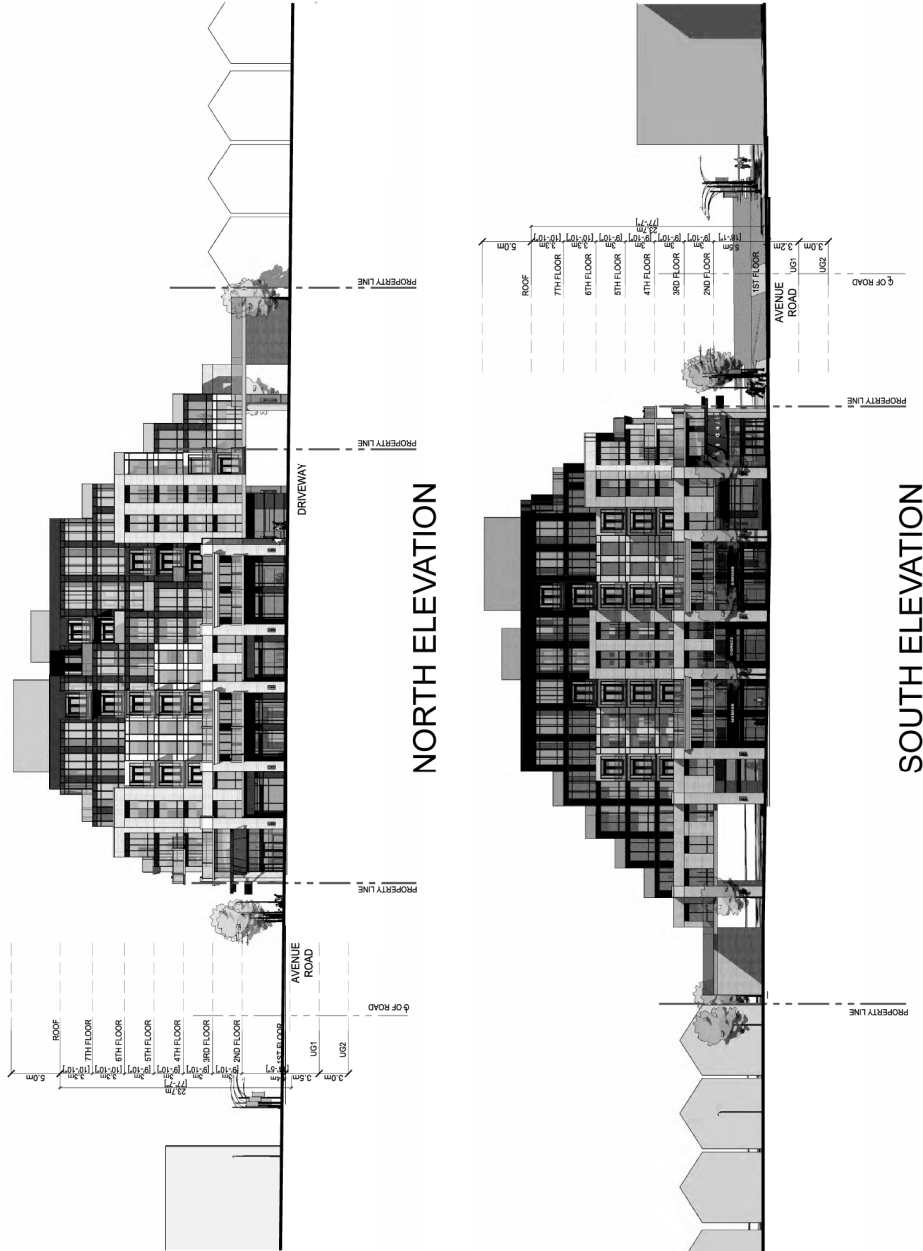
Applicant's Submitted Drawing

Not to Scale
12/05/2011

1678-1704 Avenue Rd, 375-377 Fairlawn Ave & 412-416 Brookdale Ave

File # 11 330290 NNY 160Z

Attachment 2B: North and South Elevations



Elevations

Applicant's Submitted Drawing

Not to Scale
12/05/2011

1678-1704 Avenue Rd, 375-377 Fairlawn Ave & 412-416 Brookdale Ave

File # 11 330290 NNY 160Z

The map displays the 16th Ward of Chicago, divided into several residential zones. The zones are labeled as follows:

- R4(94)**: Located in the northwest and southwest corners.
- R7(16)**: Located in the north-central area.
- R3(19)**: Located in the northeast and south-central areas.
- R6(170)**: Located in the north-central area, adjacent to R7(16).
- C1**: Located in the north-central area, adjacent to R7(16) and R6(170).
- C4(12)**: Located in the south-central area, adjacent to R3(19) and R4(94).
- RM2**: Located in the southeast corner.

Major streets shown include ST GERMAIN AVENUE, FAIRLAWN AVENUE, BROOKDALE AVENUE, and CRANBROOKE AVENUE. The map also shows various smaller streets and blocks within each zone.



File # 11 330290 NNY 16 0Z

- Not to Scale
Zoning By-law 7625
Extracted 01/05/2012

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	11 330290 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	December 22, 2011
Municipal Address:	1678-1704 Ave. Rd., 375-377 Fairlawn Ave., 412-416 Brookdale Ave.		
Location Description:	PLAN 2371 PT LOT 34 **GRID N1602		
Project Description:	Demolish all existing buildings on site and amend the Zoning By-law to permit a 7-storey mixed-use building. The total gross floor area would be 17,011 m ² which includes 14,944 m ² of residential and 2,067 m ² dedicated to commercial uses. Proposed are a total of 136 units on floors 2-7 which would include the onsite replacement of 18 residential rental units. There would be 233 parking spaces within 2 below grade parking levels consisting of 110 spaces for visitors/commercial and 123 spaces for residential use. Access to the site would be from 2 driveways with one from Brookdale Avenue and the other from Fairlawn Avenue.		

Applicant:	Agent:	Architect:	Owner:
MICHAEL GOLDBERG	362216 Ontario Corporation (MADY Development Corp.)	Turner Fleischer Architects Inc.	Multiple owners

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	C4(12) and C1	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4310	Height:	Storeys:	7
Frontage (m):	44.4		Metres:	23.7
Depth (m):	84.5			
Total Ground Floor Area (sq. m):	2358			Total
Total Residential GFA (sq. m):	14944		Parking Spaces:	233
Total Non-Residential GFA (sq. m):	2067		Loading Docks	1
Total GFA (sq. m):	17011			
Lot Coverage Ratio (%):	54.7			
Floor Space Index:	3.95			

DWELLING UNITS

Tenure Type:	Rental, Condo
Bachelor:	0
1 Bedroom:	80
2 Bedroom:	56
3 + Bedroom:	0
Total Units:	136

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	14944	0
Retail GFA (sq. m):	2067	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: John Andreevski, Senior Planner, 416-395-7097