

**2425 – 2427 Bayview Avenue – Official Plan & Zoning  
By-law Amendment Applications – Preliminary Report**

<b>Date:</b>	December 12, 2014
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 25 – Don Valley West
<b>Reference Number:</b>	14 209080 NNY 25 OZ

**SUMMARY**

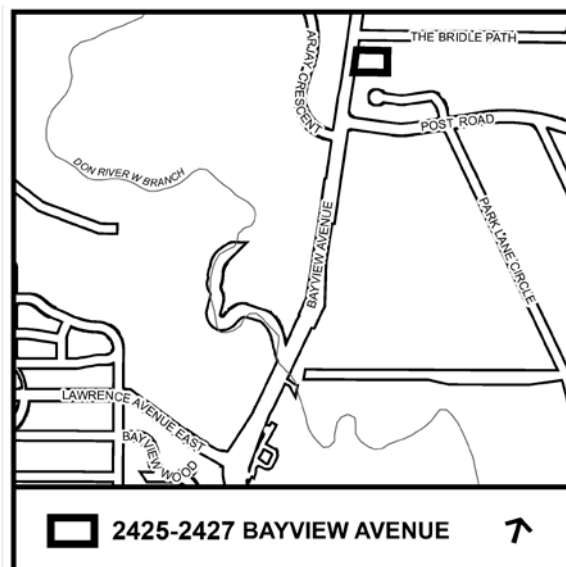
An application has been submitted to amend the zoning by-law to permit a forty unit townhouse development. The townhouses would be in two blocks of twenty. In each block, half of the units would be located behind the other half. The two townhouse blocks would be oriented in an east-west configuration with the end of the blocks fronting onto Bayview Avenue. Situated between the townhouse units and Bayview Avenue are the driveway and entrance to the below grade parking and a loading space. All pedestrian entrances to the units would be from a common pathway located between the two blocks.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 2425-2427 Bayview 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**

The site was previously subject to applications to amend the Official Plan of the former City of North York, to amend the zoning by-law and Site Plan Control.

In 2005 applications were filed to permit a twenty unit townhouse development with below grade parking (file no. 05 206510 NNY 25 OZ and 05 206515 NNY 25 SA). Staff opposed the applications and Council subsequently refused the applications which the applicant appealed to the Ontario Municipal Board (OMB). The staff report can be found at

<http://www.toronto.ca/legdocs/2006/agendas/committees/ny/ny060711/it030.pdf>.

On June 8, 2007 the OMB approved the applications (file no. PL060507).

An application for Site Plan Control was filed in 2008 to amend the OMB approvals reducing the number of townhouse units from twenty to sixteen (file no. 08 214479 NNY 25 SA).

In October 2008 another Site Plan Control application was filed to amend the proposal back to twenty units (file no. 11 205475 NNY 25 SA).

On December 16, 2013 City Council directed staff to undertake a study for Bayview Avenue, from Highway 401 to Lawrence Avenue East, to review the appropriate development framework for the lots abutting Bayview Avenue. City Council's direction can be found at

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY28.34>

A Status Report related to the study was adopted by North York Community Council at its meeting of April 8, 2014. The report outlined the Terms of Reference to be used in conducting the study, what had occurred to that point and what the next steps should be to continue the study. The Terms of Reference also outlined that once guiding principles were generated they should be used in the review of active development applications. The Status Report can be found at:

<http://www.toronto.ca/legdocs/mmis/2014/ny/bgrd/backgroundfile-67828.pdf>

A further Status Report was adopted by North York Community Council at its meeting of August 12, 2014. The report outlined draft guidelines for some lot types and identified

work and analysis which is still required. It recommends that the Guiding Principles and draft guidelines be used in the review of active applications. The Status Report can be found at:

<http://www.toronto.ca/legdocs/mmis/2014/ny/bgrd/backgroundfile-72167.pdf>

## **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss the proposal on April 29, 2014. The applicant was advised at this meeting that staff had some concerns with the overall proposal and identified that the proposal does not meet the Official Plan with respect to the *Neighbourhoods* policies regarding the need to "respect and reinforce" the existing physical character of the neighbourhood.

## **ISSUE BACKGROUND**

### **Proposal**

This is an application to amend the Official Plan and to rezone the subject site to permit forty, three-storey townhouse units. The forty units would be located in two blocks of twenty which face each other. The entrances for the units would be taken from a central courtyard between the two blocks, with the end unit entrances facing Bayview Avenue. The units in each block would be organized with 10 units located behind the other 10 units. However, unlike back-to-back townhouses, all of the entrances would be from the same side fronting the pedestrian mews. The two townhouse blocks would be oriented in an east-west configuration with side relationships to Bayview Avenue. Located in the front yard, between the proposed units and Bayview Avenue would be a driveway leading to, and the entrance of, the below grade parking. A loading space for moving and garbage pick-up would be located in the south portion of the front yard as well as a space to store garbage. Each unit would and have an area between 141.5 square metres and 176 square metres and would have outdoor amenity space on the roof. Units would be a minimum of 6.1 metres wide.

The proposal has a total gross floor area of 5892 square metres with a Floor Space Index of 1.1. The south setback would be 7.5 metres to the main wall and 3.8 metres to the edge of the ground floor deck. The north yard setback would be 7.8 metres to the main wall and 3.9 metres to the ground floor deck. An east setback of 7.5 metres to the main wall and a setback from Bayview Avenue which ranges between approximately 12.5 and eighteen metres would be provided. A garbage bin storage structure, located in the front yard would be located approximately 1.5 metres from the south lot line.

Parking would be provided in an underground garage with a total of fifty-nine spaces. Fifty-one parking spaces would be for residents while the remaining six would be for visitors. An additional two visitor and two resident parking spaces are proposed in the front yard at the south end of the site. A Type G loading space is also proposed in that location. The entrance to the parking garage would be in the front yard at the north end of the site. A portion of the central courtyard would also be used as a Fire Route.

## **Site and Surrounding Area**

The site is located on the east side of Bayview Avenue approximately half-way between Lawrence Avenue East and York Mills Road. It has a lot frontage of 60.9 metres and an area of approximately 5330 square metres. The site is currently a construction site for the approved twenty unit townhouse development. No construction activity has taken place on the site in quite some time.

To the north of the site are two detached dwellings with rear yards abutting the site which front onto The Bridle Path. To the south of the site are two detached dwellings with rear yards which abut the site which front onto Hyde Park Circle. Across Bayview Avenue to the west are detached dwellings which front onto Bayview Avenue.

While the area is predominately single-detached dwellings, there is a large townhouse development at the north-east corner of Bayview Avenue and York Mills Road and a smaller townhouse development at 2500 Bayview Avenue.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 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 healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

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 be consistent with the PPS and to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Staff will review the proposal for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan designates the site as *Neighbourhoods* which are considered physically stable areas and are made up of low scale residential uses along with parks, schools and local institutions. Small-scale retail, service and offices uses are also permitted. Development in *Neighbourhoods* is expected to “respect and reinforce” the existing physical character including building typology, size and configuration of lots, heights, massing and scale. Infill developments, such as the one proposed, should have building

types with heights, massing and scale that are appropriate for the site and surrounding area.

Map 27 of the Official Plan identifies the site as being subject to Site and Area Specific Policy 314 which permits a maximum of twenty townhouses with a maximum permitted building height of three storeys.

Bayview Avenue is identified as a *major street* on Map 3 of the Official Plan. Applications for intensification along major streets in *Neighbourhood* designations are not encouraged. When a more intense form of development is proposed it is expected to respect and reinforce the existing physical character.

### **Infill Townhouse Guidelines**

Infill Townhouse Guidelines were approved by City Council in 2003 to address the development impacts of infill townhouses with a focus on "protecting streetscapes and seamlessly integrating new development with existing housing patterns". The Guidelines consider matters such as open spaces, building location, built form and location of parking. They also consider the interaction between the infill development and the pedestrian environment. Staff will use the Infill Townhouse Guidelines in the review of the application.

### **Bayview Townhouse Design Guidelines**

At City Council's meeting of December 16, 17 and 18, 2013 staff were directed to undertake a study to review the appropriate development framework for lots which abut Bayview Avenue. The study is currently underway and a number of community working group meetings have been held. A Status Report was adopted by North York Community Council at its meeting of August 12, 2014. The report outlined draft guidelines for some lot types and identified work and analysis which is still required. Council directed staff to use the Guiding Principles and draft guidelines in the review of active applications.

### **Zoning**

The site is currently zoned Multiple-Family Dwellings First Density Zone (RM1) by former City of North York Zoning By-law 7625. As mentioned above, the site is subject to Site Specific By-law 619-2009(OMB) which designates the site as RM1(80). Exception 80 sets out development criteria for the previously approved twenty unit townhouse development.

The site is zoned RT(u20)(x216) by City of Toronto By-law 569-2013 which is currently under appeal. Residential building types permitted in this zone are townhouses, detached dwellings and semi-detached dwellings. A maximum of twenty townhouse units are permitted and Exception 216 states that By-law 619-2009(OMB) is applicable to the site. By-law 569-2013 is available to [www.toronto.ca/zoning](http://www.toronto.ca/zoning).

## **Site Plan Control**

An application (file no. 14 209092 NNY 25 SA) for Site Plan Control under Section 41 of the *Planning Act* has been filed in conjunction with the applications to amend the Official Plan and zoning by-laws.

## **Tree Preservation**

The applicant has submitted a letter from an arborist which states that there are no trees on the subject site that meet the City's requirements for tree removal permits.

## **Reasons for the Application**

An application to amend the Official Plan is required as the proposal does not meet the Official Plan and the applicable Site and Area Specific Policy. The application to amend the zoning by-law is necessary to amend the maximum number of townhouse units and also amends the current maximum height and lot coverage permitted.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Justification Report (which includes draft amendments to the Official Plan and zoning by-laws)
- Functional Servicing Report
- Stormwater Management Report
- Urban Transportation Review
- Toronto Green Standard Checklist
- Arborist Letter

A Notification of Complete Application was issued on October 6, 2014

### **Issues to be Resolved**

The site is a consolidation of two lots which originally had two detached dwellings, one on each lot, fronting onto Bayview Avenue. Since then, the site has been rezoned to permit twenty units on the site and construction began on that development. The applicant is now proposing a new development which includes an increase in the number of units from twenty to forty. The proposed building type is also different from what was approved by the OMB. Previously the approved townhouses had units which spanned the entire depth of the building whereas the proposed units now span only half the depth with units behind other units.

When the site was rezoned to permit twenty townhouse units it was the first application, since the older townhouse development at the corner of Bayview Avenue and York Mills Road, for townhouses on Bayview Avenue between Lawrence Avenue East and Highway 401. As part of the application to amend the zoning by-law to permit twenty townhouse units, the applicant was also required to amend the former City of North York Official Plan. City staff opposed the development as townhouses were not an appropriate built form and had densities which were too high. Since then there have been other approvals for townhouses on this stretch of Bayview Avenue and they have become part of the existing context. These townhouses front onto Bayview Avenue and have rear, integral garages for each unit.

Since the approval for twenty townhouse units, the City has introduced a new Official Plan which the applicant is now proposing to amend as part of this application. The North York Official Plan amendment was retained through a Site and Area Specific Policy. The application now proposes to amend the new Official Plan and should be reviewed under the current policy framework. The Official Plan requires new development in *Neighbourhoods* to "respect and reinforce" the existing physical character of the neighbourhood including prevailing building types, prevailing patterns of rear and side yard setbacks and landscaped open space and setbacks of buildings from the street. The application will be reviewed against the new Official Plan policies.

In response to the addition of townhouses into the neighbourhood, staff are undertaking a review of how townhouses may appropriately fit within the context of Bayview Avenue and how they may transition to the stable residential neighbourhoods located to the east and west. This work has included several community meetings, working group meetings and in depth study of the area. These meetings and research have resulted in the Guiding Principles and draft guidelines mentioned earlier in this report that were considered by North York Community Council in August 2014. The draft guidelines deal with matters such as building location, transition, massing and landscaping. This application will be reviewed in the context of the emerging principles and guidelines, with respect to how the proposal reflects the character of Bayview Avenue and if the proposal meets the intent of the Guiding Principles and guidelines.

The introduction of townhouses along Bayview Avenue has been established. The preferred orientation is for townhouses which front onto and have entrances from Bayview Avenue. These townhouses have units which are the entire depth of the building, having both front and rear windows. The draft guidelines and Guiding Principles state that townhouses should have a fronting relationship to Bayview Avenue and should be organized as attached grade related residential units, constructed in rows, solely divided vertically from one another and which span the depth of the building. The guidelines state that townhouses should appropriately frame and support Bayview Avenue, with buildings located parallel to the street. The applicant is proposing townhouses organized with units behind other units rather than with units which run the length of the building. This introduces a new building type not previously proposed on this stretch of Bayview Avenue and that doesn't exist in the area. The guidelines also note that on deeper sites, such as this one, townhouses should only front onto Bayview

Avenue and that they should not extend into the interior of the lot. The proposal has a side relationship to Bayview Avenue, with townhouses extending into the lot with unit entrances from a central courtyard. The building type and location should be reconsidered in order to respect and reinforce the existing built character of townhouses on Bayview Avenue.

Bayview Avenue is a street which is characterized by large, landscaped front yards which is something that the draft guidelines seek to maintain in order to respect the existing physical character of Bayview Avenue. The proposed development has little front yard landscaping with the majority being used for parking, access to the underground parking and servicing. The proposed treatment of the front yard is not in keeping with the existing physical character and the proposal should be revised to reflect the green character of Bayview Avenue. Further, the garbage storage is not appropriate to be located in the front yard which should be predominately landscaping.

In order to provide an appropriate transition in scale to existing detached dwellings the draft guidelines propose a thirty-three degree angular plane taken from the rear property line and a minimum rear yard setback of 9.5 metres. Due to the depth of the subject site and the proposed configuration of the townhouse units extending into the interior of the lot the side yards also abut rear yards of existing dwellings and as such this transition and buffering should also be provided from the north and south lot lines. The applicant is proposing a setback to the decks of the townhouse units of only 3.8 and 3.9 metres and overall setbacks of 7.5 and 7.8 metres. A setback of 7.5 metres from the rear lot line is also proposed. These setbacks should be increased and the townhouse units should fit under thirty-three degree angular plane to provide a more appropriate transition to the existing dwellings.

Staff will be discussing these concerns with the applicant and seek revisions which comply with the Official Plan and address the Bayview Townhouse Study Guiding Principles and draft guidelines. In addition to the concerns discussed above respecting townhouses at this location, the following issues have been identified and should be addressed as part of a revised submission:

- The appropriateness of the requested Official Plan Amendment
- Whether the proposed building type and form are appropriate
- Whether the proposed number of townhouse units are appropriate
- Whether the proposed townhouse blocks are an appropriate size
- Does the development proposal appropriately respond to the specific context of Bayview Avenue
- Does the development comply with the draft Bayview Townhouse Guidelines
- Whether the proposed front yard landscaping is appropriate
- Whether the parking in the front yard is appropriate
- Whether the proposed rear decks and roof decks are appropriate
- How the storage and pick-up of waste occurs
- Compliance with the Tier 1 performance standards of the Toronto Green Standard



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

## **CONTACT**

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## **SIGNATURE**

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Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan/Subdivision Plan

Attachment 2: Elevations

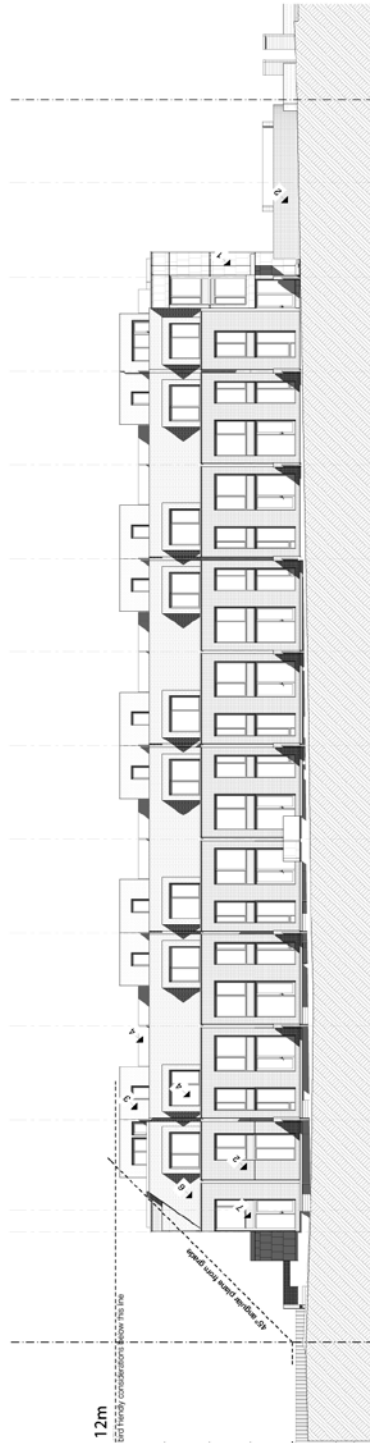
Attachment 3: Zoning

Attachment 4: Official Plan

Attachment 5: Application Data Sheet



**Attachment 2: Elevations**



**North Elevation 1**

**2425-2427 Bayview Avenue**

Applicant's Submitted Drawing

Not to Scale  
09/05/2014

File # 14-209080 NNY 25.0Z

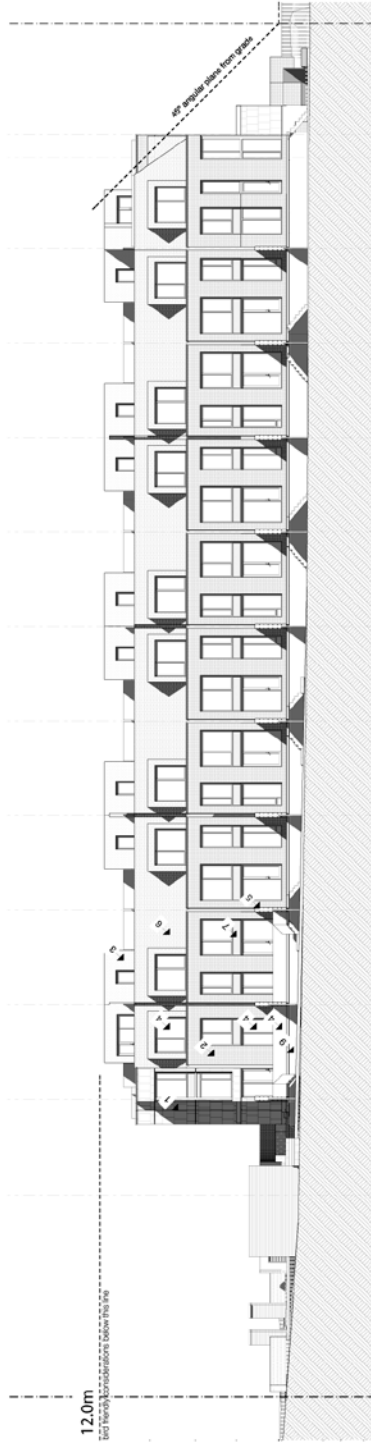


**2425-2427 Bayview Avenue**

**North Elevation 2**  
 Applicant's Submitted Drawing

File # 14-209080 NNY 25 0Z

Not to Scale  
 09/05/2014



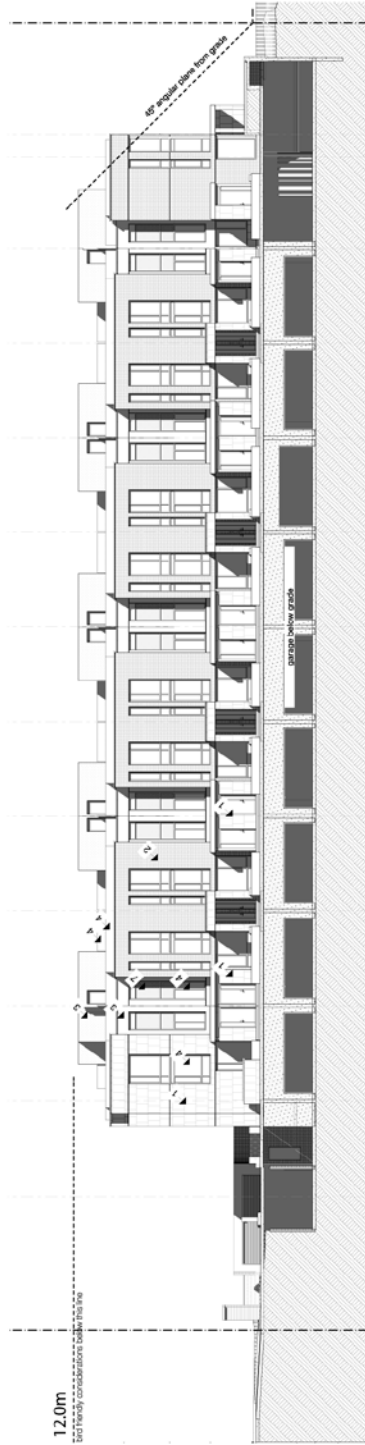
**South Elevation 1**

Applicant's Submitted Drawing

Not to Scale  
09/05/2014

**2425-2427 Bayview Avenue**

File # 14-209080 NNY 25 0Z



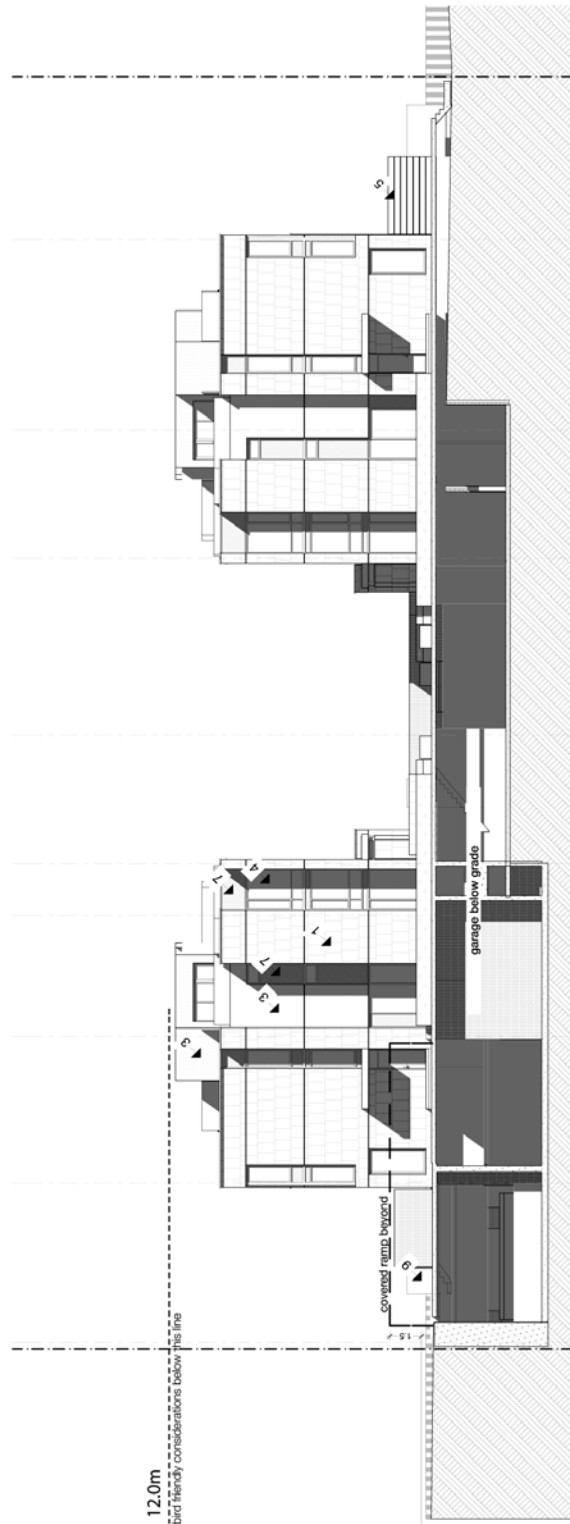
**South Elevation 2**

**2425-2427 Bayview Avenue**

Applicant's Submitted Drawing

Not to Scale  
09/05/2014

File # 14-209080 NNY 25 02

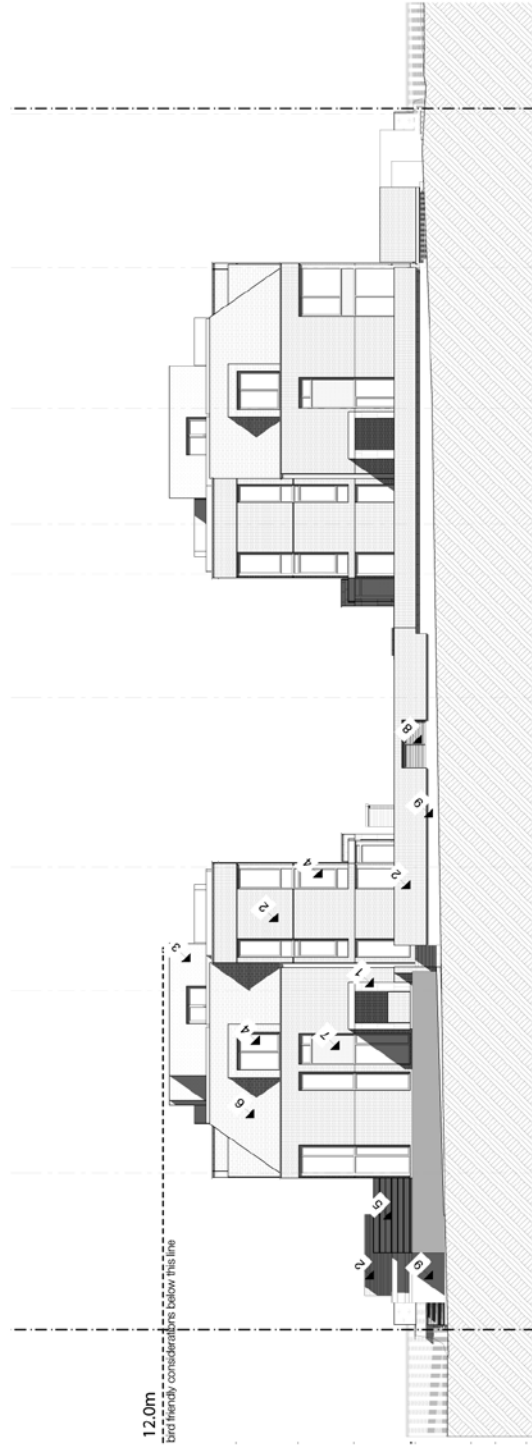


2427 Bayview Avenue

File # 14 209080 NNY 25 0Z

West Elevation  
Applicant's Submitted Drawing

Not to Scale  
09/05/2014



**East Elevation**

Applicant's Submitted Drawing

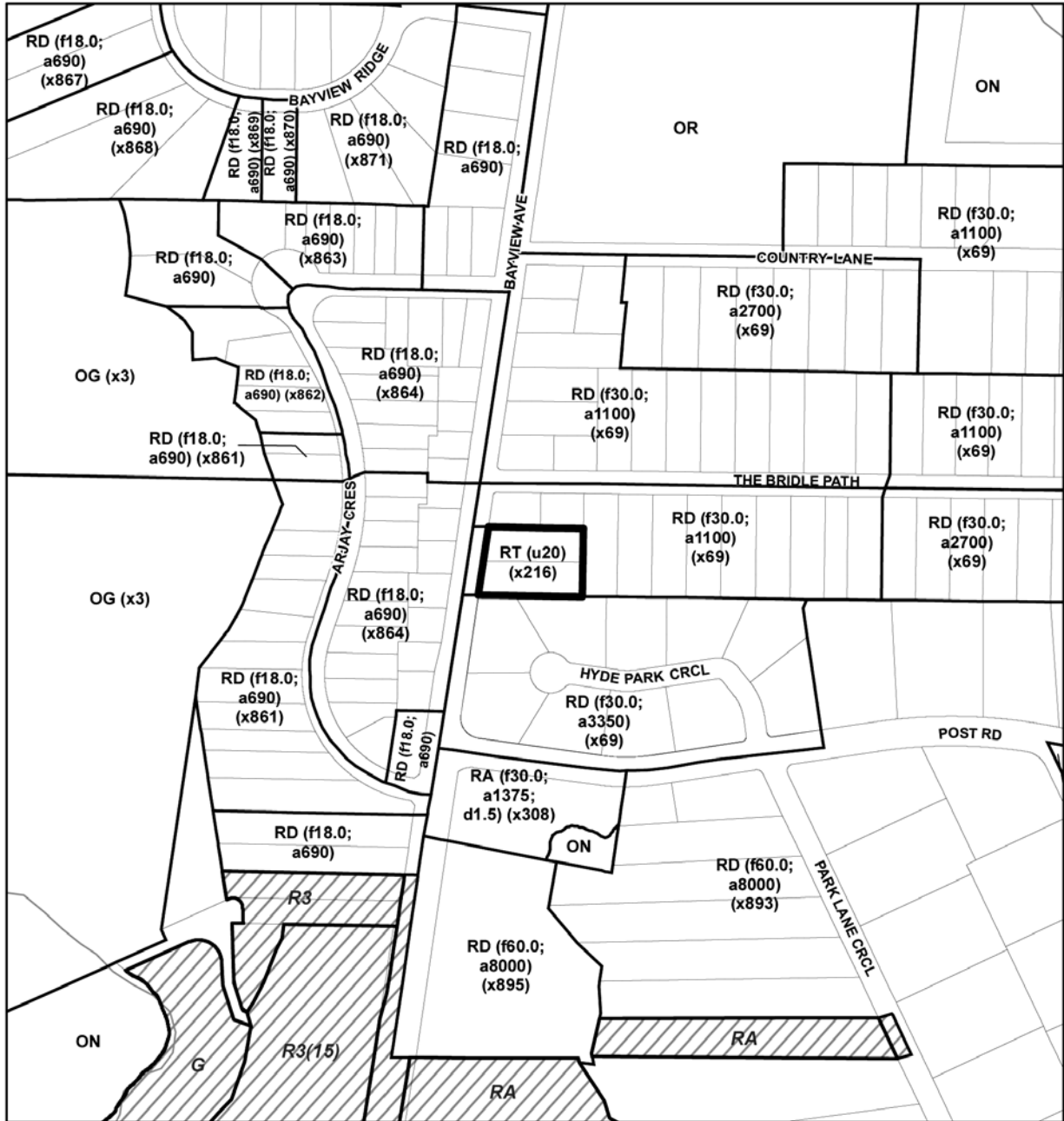
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**2425-2427 Bayview Avenue**

File # 14-209080 NNY 25 0Z




### Attachment 3: Zoning



2425-2427 Bayview Avenue

Zoning By-law 569-2013

File # 14 209080 NNY 25 0Z

 Location of Application

 See Former City of North York Bylaw No. 7625

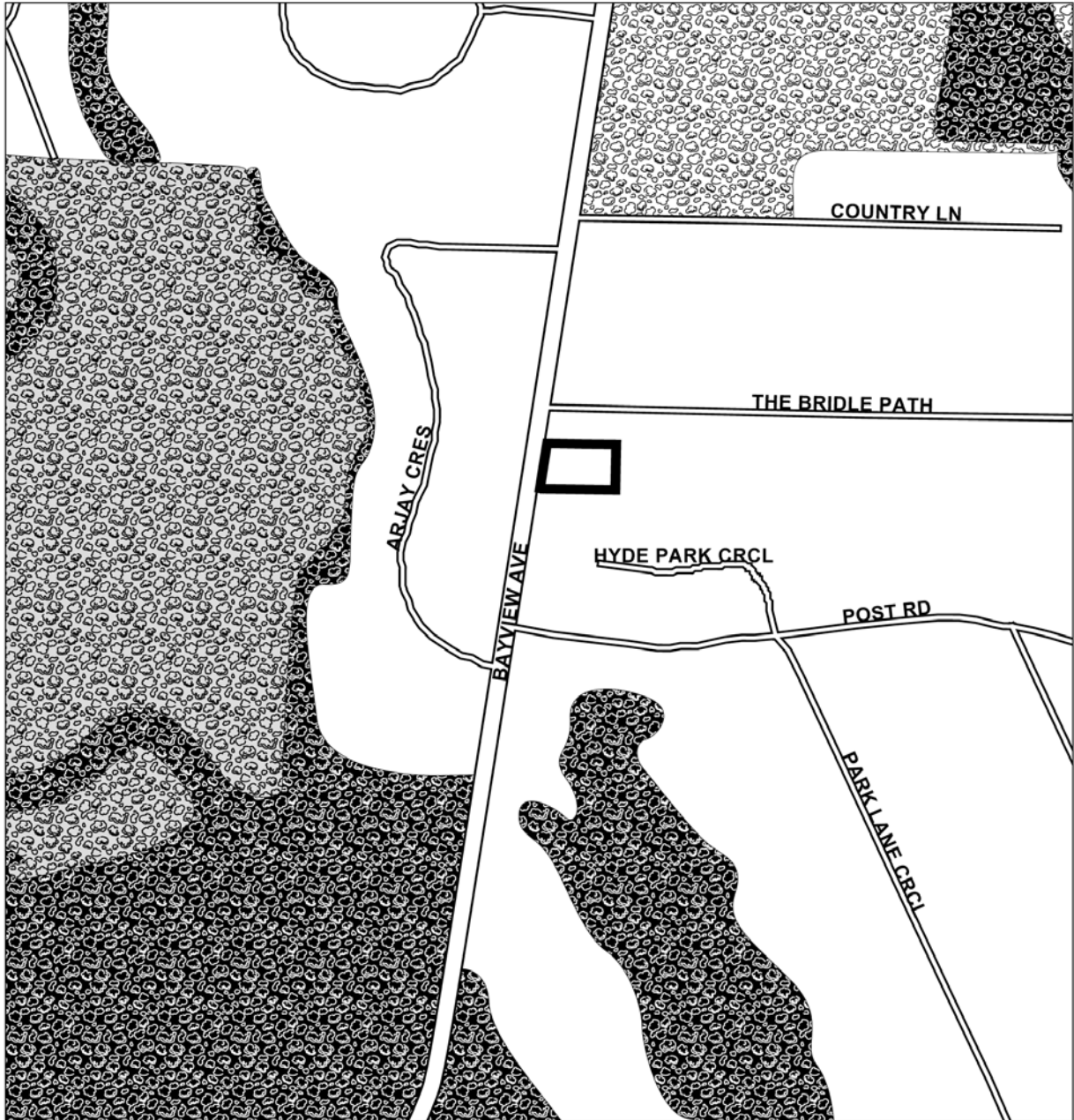
- |                          |                           |
|--------------------------|---------------------------|
| RD Residential Detached  | ON Open Space Natural     |
| RT Residential Townhouse | OR Open Space Recreation  |
| RA Residential Apartment | OG Open Space Golf Course |

- |                                                    |
|----------------------------------------------------|
| R3 One-Family Detached Dwelling Third Density Zone |
| G Greenbelt Zone                                   |
| RA Suburban Residential Zone                       |



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Extracted: 08/27/2014

Attachment 4: Official Plan



**TORONTO** City Planning  
 Extract from Official Plan

2425-2427 Bayview Avenue

File # 14 209080 NNY 25 0Z

- |                                                                                     |                |                                                                                     |                          |
|-------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------------|--------------------------|
|  | Site Location  |  | Parks & Open Space Areas |
|  | Neighbourhoods |  | Natural Areas            |
|                                                                                     |                |  | Parks                    |
|                                                                                     |                |  | Other Open Space Areas   |

  
 Not to Scale  
 08/27/2014

