

3237 Bayview Avenue – Zoning By-law Amendment Application – Preliminary Report

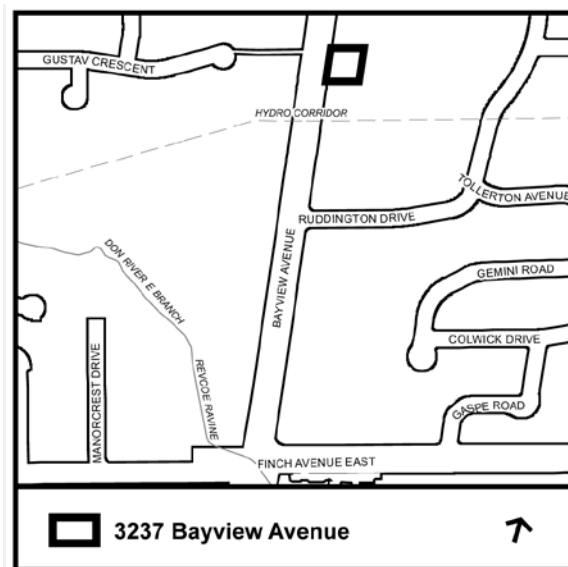
Date:	March 23, 2015
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 24 – Willowdale
Reference Number:	15 112180 NNY 24 OZ

SUMMARY

This application proposes to amend the zoning by-law at 3237 Bayview Avenue to permit a fourteen storey residential building with retail uses at grade. The proposed building has a gross floor area of 13,780 square metres including 5834 square metres of retail space. The overall density is approximately 6.6 times the area of the lot. A total of 165 residential units and 187 parking spaces are proposed. Parking will be located at grade (14 visitor spaces) and in a three level below grade garage (154 spaces for residents and an additional 19 visitor spaces).

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.

This report recommends that a community consultation meeting be held to present the proposal to the public and obtain public input. Assuming the applicant provides all required information in a timely manner, a Final Report could be prepared and a Public Meeting held in the last quarter of 2015.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 3237 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 has previously been the subject of several planning applications for Site Plan Control (file no. 01 035163 ATB 24 SA) and Minor Variance with respect to the former gas station (file nos. CA-85-0231 and A037/01U).

Pre-Application Consultation

A pre-application consultation meeting was held October 30, 2014 with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The proposed development is a fourteen storey mixed-use building. The ground floor would contain retail space, visitor parking and service areas while the upper floors would contain 165 residential units. The residential units are a mixture of unit types as follows:

- 54 one bedroom
- 60 one bedroom plus den
- 33 two bedroom
- 16 two bedroom plus den
- 2 three bedroom

Overall, the building would have a gross floor area of 13,780 square metres of which 542 square metres would be retail. With a lot area of approximately 0.2 hectares, the overall density would be 6.6 times the lot area. A building setback of 0.5 metres is proposed from all property lines.

A total of 231 square metres of indoor amenity space for the residential component of the development would be provided in two rooms on the second floor. Outdoor amenity space for residents would be provided by way of a 333 square metre terrace on the second storey. The outdoor amenity space is connected to the indoor space.

The building would have a height of 45 metres (47.7 metres including the mechanical penthouse). The second storey of the building steps back from all property lines while further step backs from property lines are provided at higher storeys.

The retail component of the proposal would be located on the ground floor along the northerly portion of the Bayview Avenue frontage and along a portion of the north wall facing the mall.

Access to loading and parking facilities would be from Bayview Avenue at the south end of the site. A total of 187 parking spaces would be provided including 33 for visitors to both the retail and residential portions of the building. Fourteen of the visitor spaces would be located at-grade. A Type G loading space would be provided at the rear of the site using the same vehicular entrance. A total of 132 bicycle parking spaces are also proposed at grade, with 12 designated for visitors.

Site and Surrounding Area

The property is approximately 2090 square metres in size and has a frontage on the east side of Bayview Avenue of 46.1 metres. The site is currently vacant but was previously used as a gas station.

Abutting uses include:

North: A retail plaza known as "The Bayview Mall"

South: A utility corridor owned by the Hydro Electric Power Commission of Ontario which includes the Finch Corridor Trail

East: A thirteen storey residential building

West: A three storey commercial building and a two storey City of Toronto building housing Toronto Fire Station 111 and Toronto EMS Station 20.

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, on Map 16, as *Mixed Use Areas* which provides for a broad range of uses. Development in these areas will provide a balance of high quality commercial, residential and institutional uses. These uses should reduce automobile dependency and meet the needs of the local community. It is expected that *Mixed Use Areas* will absorb a large amount of the expected growth within the city. The Official Plan also contains policies respecting built form, transportation and the public realm.

Section 4.5 of the Official Plan sets out policies for development within *Mixed Use Areas*. New buildings should frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians. The pedestrian environment should be attractive, comfortable and safe while service area should be located to minimize the impact on adjacent streets and residences. Multi-unit residential developments should include indoor and outdoor recreation space.

The policies in Section 4.4 deals with lands designated as *Utility Corridors* such as the abutting lands to the south. Policy 4.4.4 states that development adjacent to *Utility Corridors* should provide access to pedestrian trails and open spaces where they exist. The adjacent utility corridor contains the "Finch Corridor Trail". Adjacent development should also screen and secure the property edge through things such as setbacks, fencing, landscaping, building treatment and construction techniques.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the city can fit harmoniously within the existing area. This includes providing appropriate transition to the existing surrounding area to ensure that the new development will fit within the existing and/or planned context. Development should be massed with good proportions to fit within the existing and planned context and to ensure sunlight and skyview from adjacent streets. Transition in scale may be achieved with many "geometric relationships and design methods in different combinations" including angular planes, stepping of heights, location and orientation of the buildings and the use of setbacks and stepbacks of building mass.

Section 5.1.1 allows the City to approve height and/or density increases greater than permitted by the zoning by-law pursuant to Section 37 of the *Planning Act* for

developments which exceed 10,000 square metres and increase the permitted density by at least 1500 square metres and/or significantly increase the permitted height.

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

Zoning

The site is currently zoned General Commercial Zones (C1) by former City of North York Zoning By-law 7625. This zone permits a range of commercial and institutional uses. Residential uses which are permitted in the One-family Detached Dwelling Fifth Density Zoned (R5) and the Multi-family Dwellings Fifth Density Zoned (RM5) are also permitted. This includes detached dwellings, multiple attached dwellings and apartment house dwellings. A residential building is permitted a height of 11.5 metres and a lot coverage of thirty-five percent.

The site is zoned CR 1.0 (c1.0; r1.0) SS3 by City of Toronto Zoning By-law 569-2013 which is currently under appeal. This zone permits uses such as retail, service shop, home occupation, group home and residential. Residential uses are permitted in apartment buildings, mixed-use buildings and townhouses. A maximum lot coverage of thirty-three percent and a maximum height of 10.5 metres and three storeys is permitted.

By-law 569-2013 is available on the City's website at: <http://www.toronto.ca/zoning>.

Site Plan Control

The proposal is subject to Site Plan Control approval, although an application has not been submitted.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. Tall buildings are generally defined as buildings with heights which are greater than the width of the adjacent street right-of-way. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. If a tall building is considered appropriate for this site then these guidelines will be applied.

The Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

Tree Preservation

City of Toronto by-laws provide for the protection of qualifying trees situated on both City and private property. An Arborist Report was submitted with the application and notes that one tree may need a permit to be removed. The tree is located on the adjacent property and will require permission from the adjacent land owner. Staff are currently reviewing the submitted report.

Reasons for the Application

The application is required as the proposed building does not comply with the existing zoning performance standards. The applicant is proposing to amend performance standards such as height, setbacks, lot coverage and gross floor area.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale
- Draft zoning by-laws
- EMF Site Survey
- Transportation Impact study
- Stage 1 Archeological Assessment
- Functional Servicing and Stage 1 Stormwater Management Report

A Notification of Incomplete Application issued on February 27, 2015 identifies the outstanding material required for a complete application submission as follows:

- Toronto Green Standards Checklist
- Building cross section drawings

On March 6, 2015 the applicant submitted the outstanding material and a Notification of Complete Application was issued March 11, 2015.

Issues to be Resolved

The proposed building would be an intensive redevelopment of the site with a proposed density of 6.6 times the lot area. Due to the proposed 0.5 metres setbacks, the building would have a lot coverage of 98 percent. The proposed building has a height which is greater than the width of the public right-of-way. Buildings of this height are deemed to be tall buildings rather than mid-rise buildings. The site may not be appropriate for a tall building and a more modest mid-rise building may be more appropriate for the site. Prior to presenting a Final Report to North York Community Council, the issue of whether a tall building is appropriate, the following issues, as well as any other issues that may be

identified through the review of the application, agency comments and the community consultation process, will be reviewed and evaluated:

- Whether a tall building is appropriate for the site
- Conformity with the City-wide Tall Building Design Guidelines if a tall building is deemed appropriate
- Whether the proposed height is appropriate
- Whether the proposed setbacks are appropriate
- Whether the proposed density is appropriate
- Whether the amount of landscaping proposed is sufficient
- Whether the proposed amenity space and locations are appropriate
- Whether the proposed parking and traffic impacts are appropriate
- Are the shadow impacts appropriate
- Proposed relationship to the utility corridor to the south
- Whether a right-of-way widening is required
- Compliance with the Bird Friendly Guidelines
- Whether the amount and location of retail space is appropriate
- Appropriate Section 37 community benefits
- Compliance with the Tier 1 performance measures of the Toronto Green Standard.

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

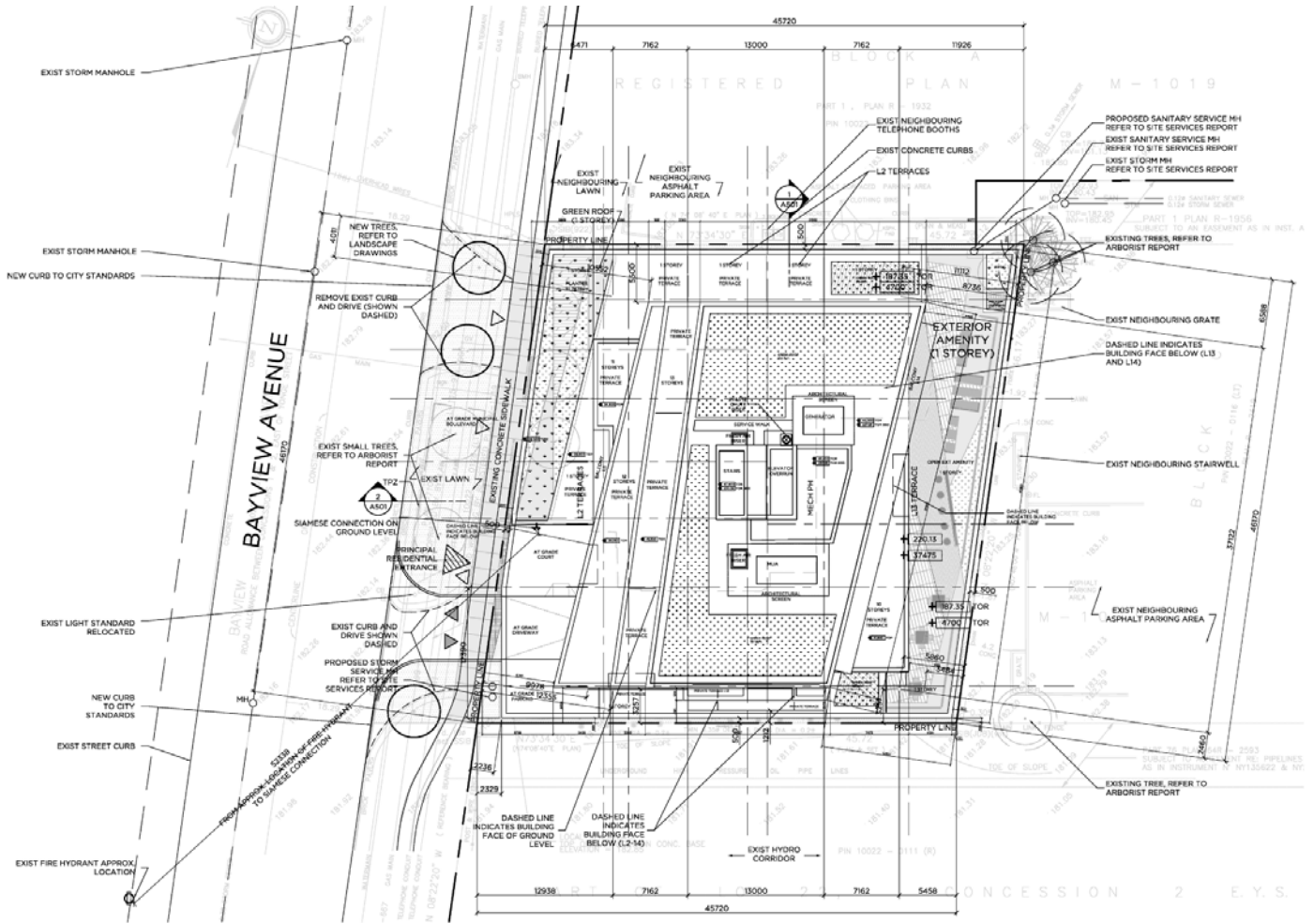
Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning


Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

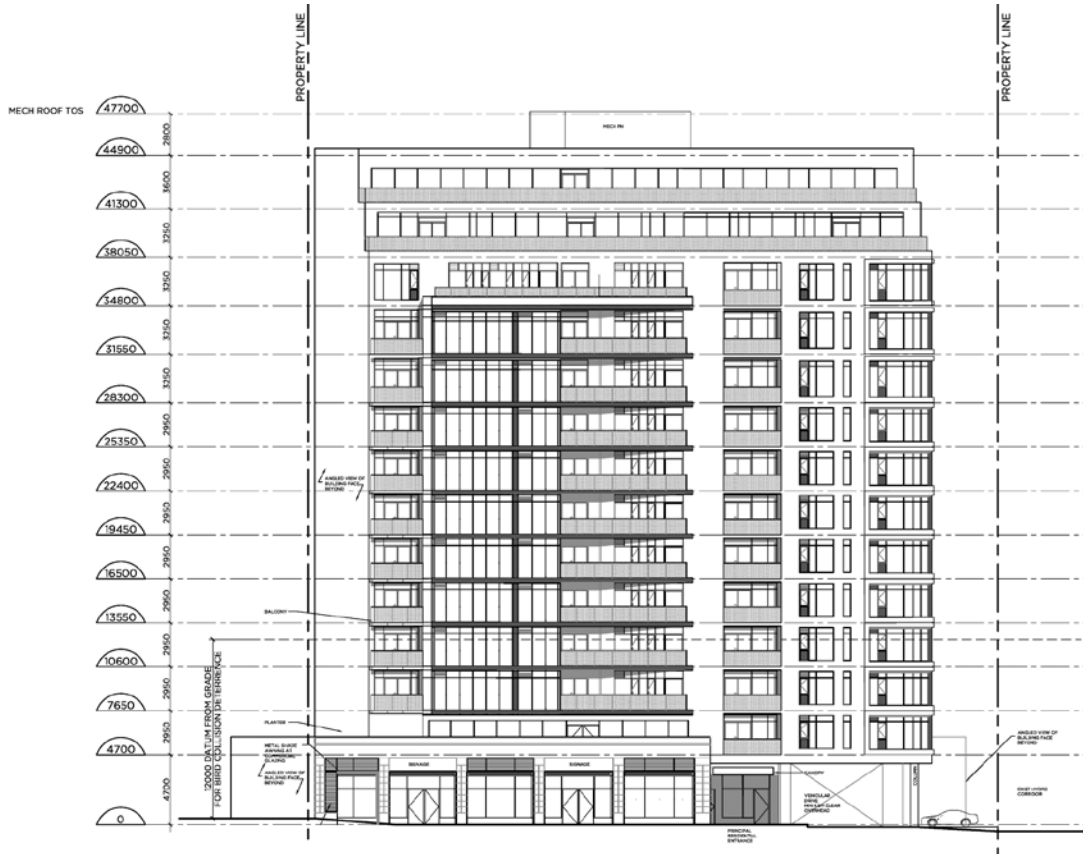
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02/19/2015

3237 Bayview Avenue

File # 15 112180 NNY 24 OZ

Attachment 2: Elevations



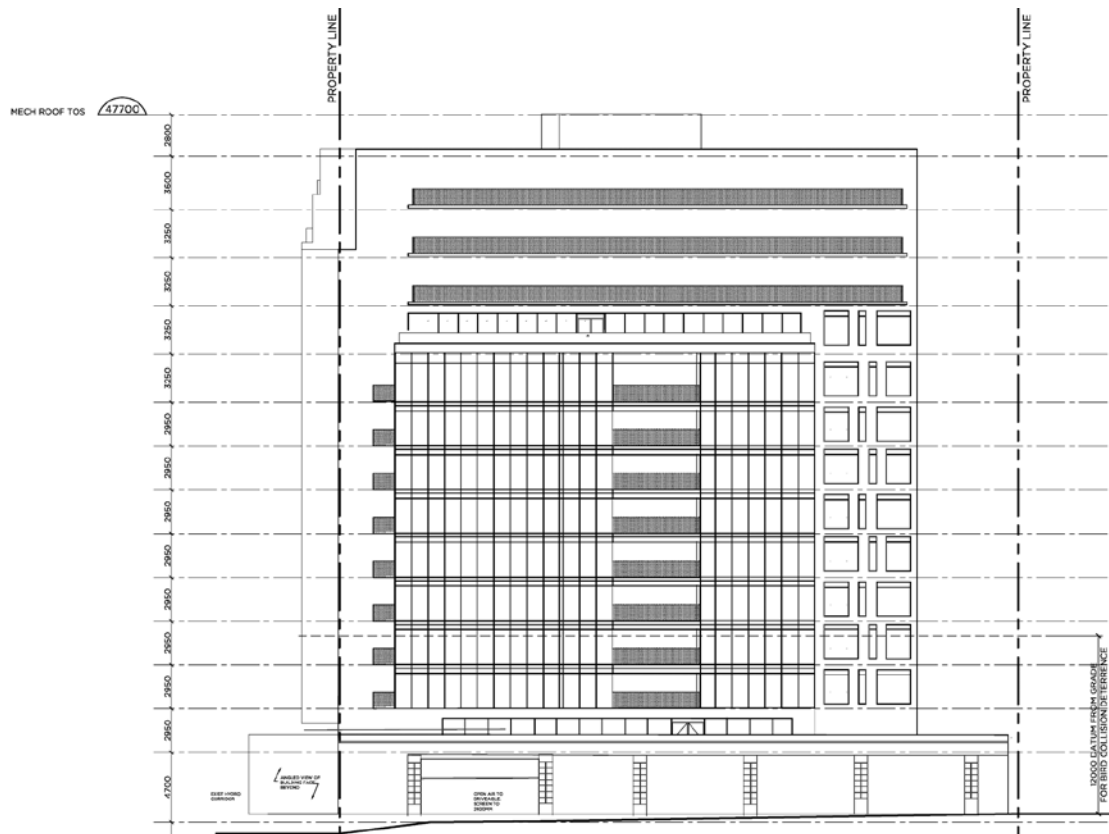
West Elevation

3237 Bayview Avenue

Applicant's Submitted Drawing

Not to Scale
02/19/2015

File # 15 112180 NNY 24 0Z



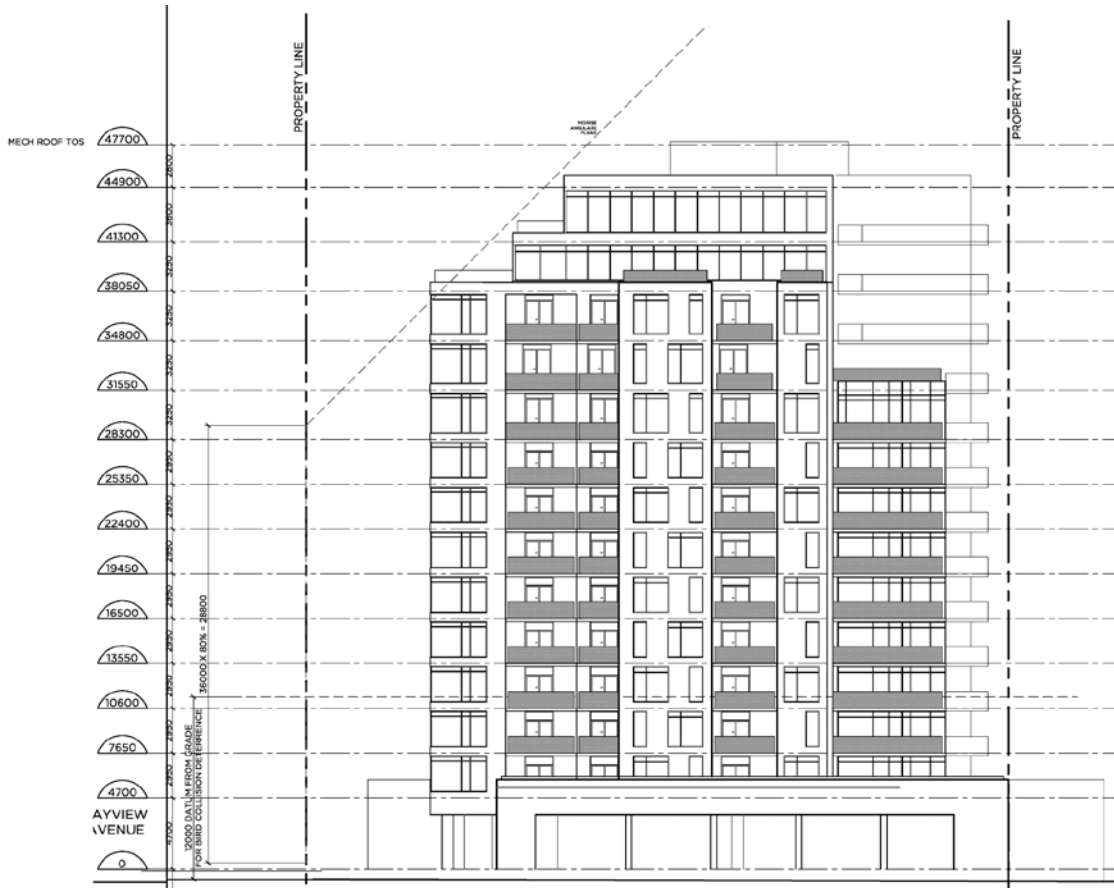
East Elevation

3237 Bayview Avenue

Applicant's Submitted Drawing

Not to Scale
02/19/2015

File # 15 112180 NNY 24 0Z



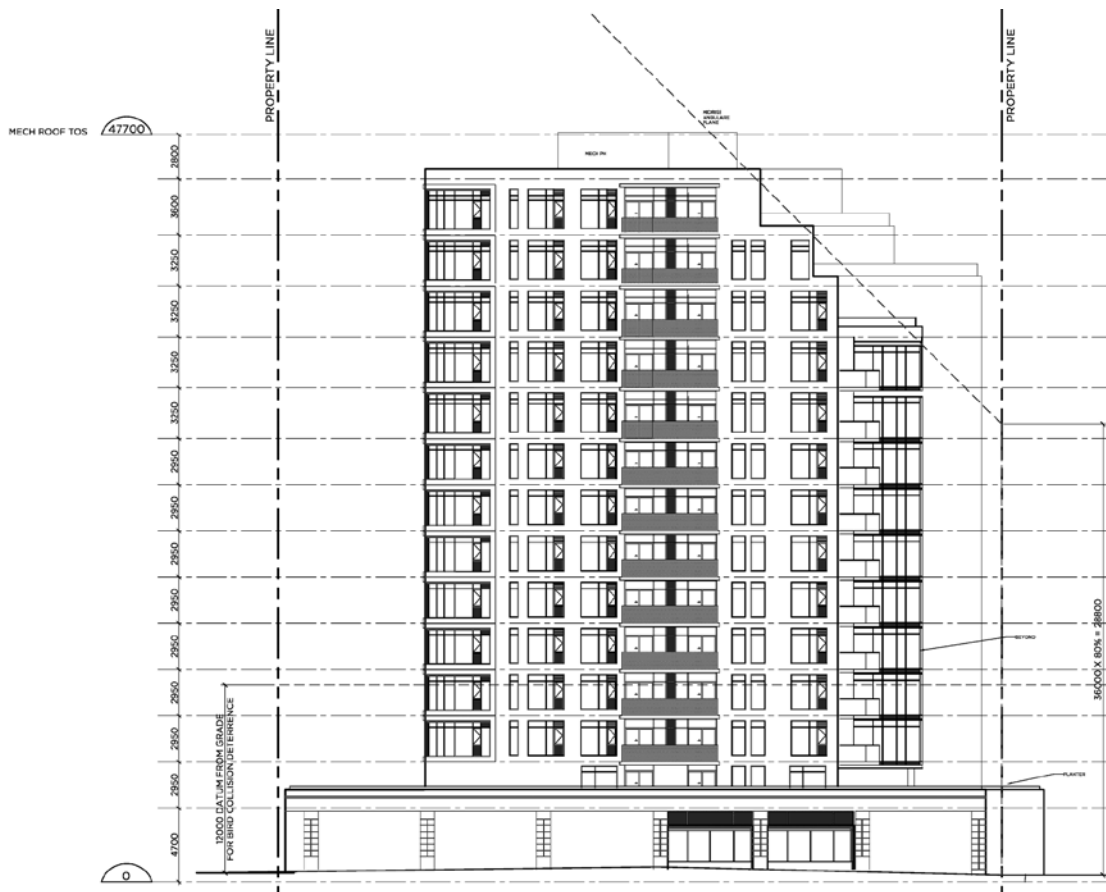
South Elevation

3237 Bayview Avenue

Applicant's Submitted Drawing

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File # 15 112180 NNY 24 0Z



North Elevation

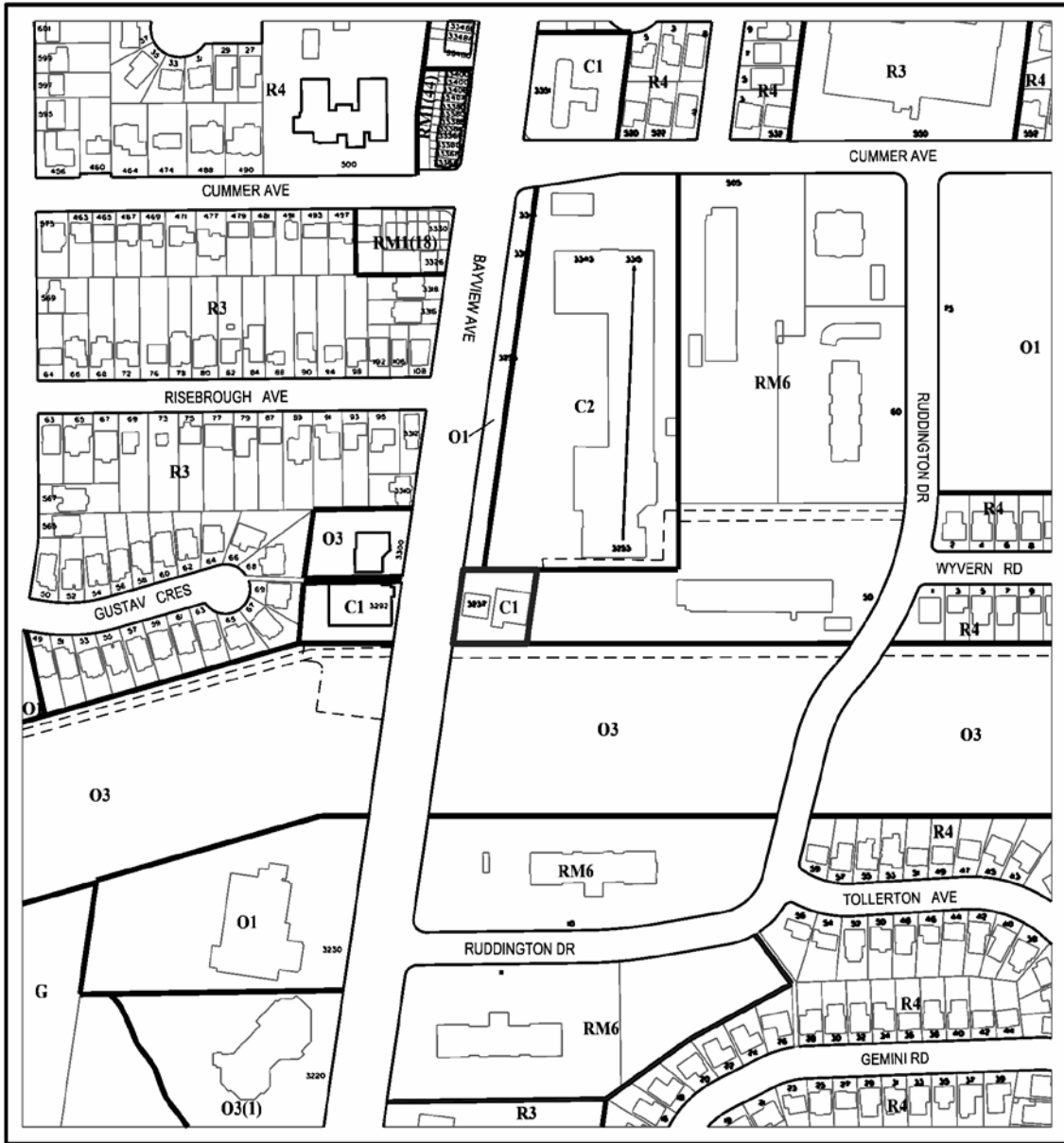
3237 Bayview Avenue

Applicant's Submitted Drawing

Not to Scale
02/19/2015

File # 15 112180 NNY 24 0Z

Attachment 3: Zoning



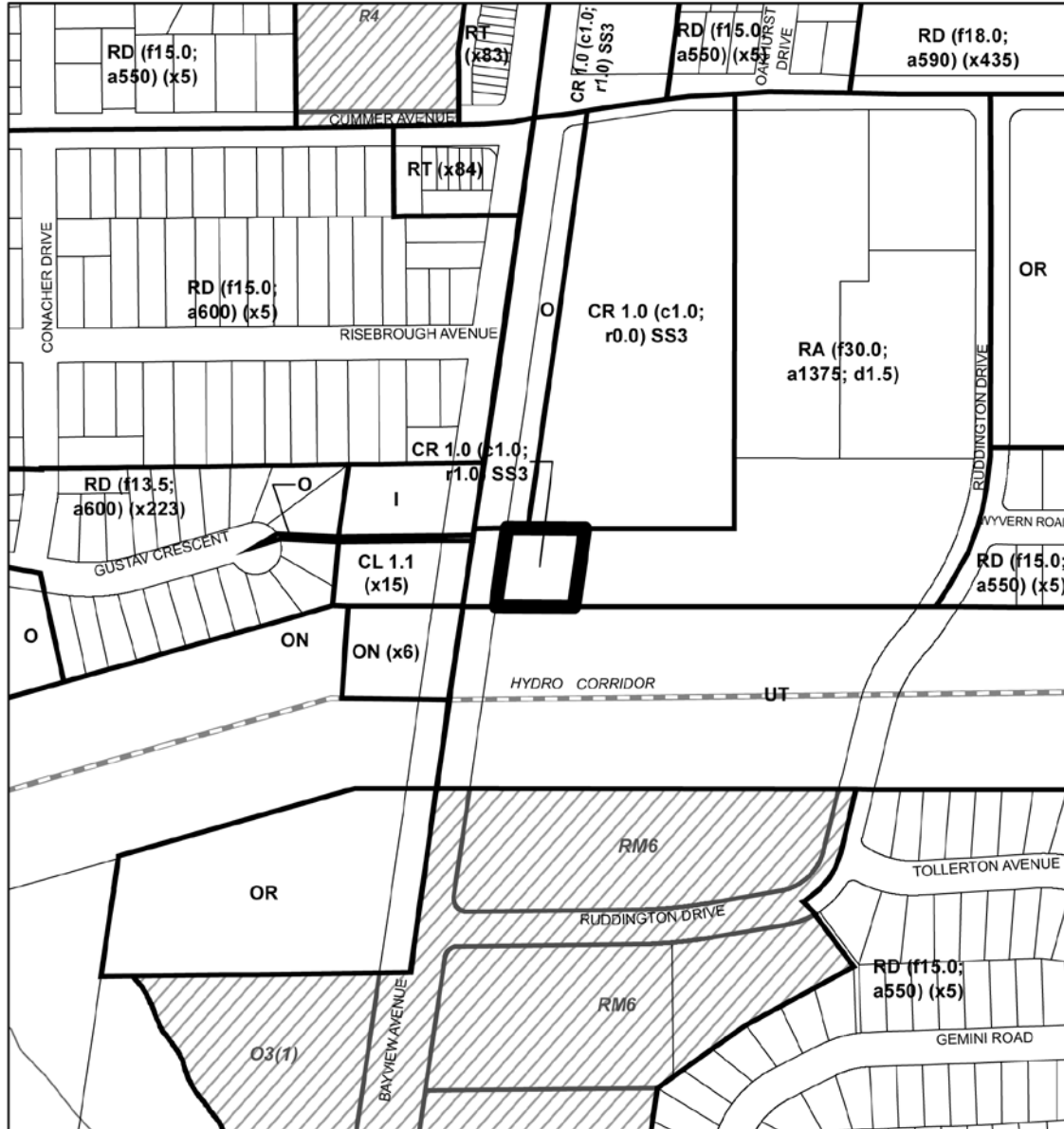
3237 Bayview Avenue
 File # 15 112180 NNY 24 0Z

- R3 One-Family Detached Dwelling Third Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone

- C2 Local Shopping Centre Zone
- O3 Semi-Public Open Space Zone
- O1 Open Space Zone
- G Greenbelt Zone



Not to Scale
 Zoning By-law 7625 as amended
 Extracted 02/19/2015




Zoning By-Law No. 569-2013

3237 Bayview Avenue

File # 15 112180 NNY 24 0Z

 Location of Application

 See Former City of North York By-Law No. 7625

- | | |
|---------------------------|-------------------------------|
| RD Residential Detached | I Institutional |
| RT Residential Townhouse | O Open Space |
| RA Residential Apartment | ON Open Space Natural |
| CL Commercial Local | OR Open Space Recreation |
| CR Commercial Residential | UT Utility and Transportation |

- | |
|---|
| R3 One-Family Detached Dwelling Third Density Zone |
| R4 One-Family Detached Dwelling Fourth Density Zone |
| RM6 Multiple-Family Dwellings Sixth Density Zone |
| O3 Semi-Public Open Space Zone |



Not to Scale
Extracted: 02/19/2015

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	15 112180 NNY 24 OZ
Details	Rezoning, Standard	Application Date:	February 4, 2015

Municipal Address: 3237 BAYVIEW AVENUE
 Location Description: PLAN M1019 BLK B **GRID N2402
 Project Description: Application to permit proposed 14-storey mixed-use building consisting of 542 square metre retail floor area at grade and 13,238 residential gross floor area.

Applicant:	Agent:	Architect:	Owner:
1877298 ONTARIO INC		RAW DESIGN	1877298 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	569-2013: CR1.0 (c1.0; r1.0) SS33	Historical Status:	N
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2090	Height:	Storeys:	14	
Frontage (m):	46.1		Metres:	47.7 m	
Depth (m):	45.7				
Total Ground Floor Area (sq. m):	714				Total
Total Residential GFA (sq. m):	13238		Parking Spaces:	187	
Total Non-Residential GFA (sq. m):	542		Loading Docks	1	
Total GFA (sq. m):	13780				
Lot Coverage Ratio (%):	98				
Floor Space Index:	6.6				

DWELLING UNITS

Tenure Type:	
Rooms:	0
Bachelor:	0
1 Bedroom:	114
2 Bedroom:	49
3 + Bedroom:	2
Total Units:	165

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	13238	0
Retail GFA (sq. m):	542	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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