

**2932-2942 Bayview Avenue - Official Plan and Zoning
By-law Amendment Applications - Preliminary Report**

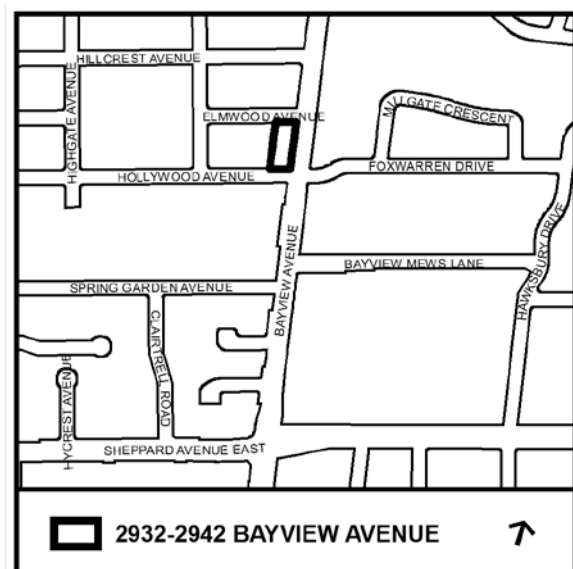
Date:	September 16, 2015
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	15 205085 NNY 23 OZ

SUMMARY

This application proposes to amend the Official Plan and Zoning By-laws to permit a 4-storey apartment building in two blocks containing 48 residential units. Sixty-five (65) parking spaces would be provided on 2 underground levels with vehicular access from Hollywood Avenue. The proposed gross floor area is 5,420 square metres, resulting in an FSI of 1.95. The subject site is a land assembly of six residential lots. All six detached dwellings would be demolished to accommodate this development.

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

It is intended that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor. A final report and public meeting under the *Planning Act* to consider this application will be scheduled provided any required information by the City is submitted in a timely manner by the applicant.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 2932-2942 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.

Pre-Application Consultation

A pre-application consultation meeting was not held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The subject site is comprised of six residential lots. The application proposes to amend the Official Plan and the Zoning By-laws to permit two 4-storey apartment blocks identified as Block A and Block B (Refer to Attachment 1: Site Plan) located above a shared underground parking garage. Each block would contain 24 units for a total of 48 residential units. The two blocks would be separated by a distance of 1.22 metres.

The proposal consists of 48 two-bedroom units that are vertically stacked entirely on top of one another and extend the full length of the building depth. The proposed total gross floor area is 5,420 square metres, resulting in a floor space index of 1.95. There is no direct access to any of the units from the outdoors. Access to all units is proposed entirely by common exterior steps and ramps facing Bayview Avenue, leading to common interior spaces including vestibules, staircases and elevators. These interior common spaces are shared by a cluster of eight units.

The proposed height of the apartment buildings is approximately 12.8 metres plus another 3.2 metres for the mechanical penthouses, for a total overall height of 16.0 metres. The finished first floor would be 1.63 metres above the centre line of the road. The buildings would be setback 3 metres from Bayview Avenue, Hollywood Avenue and Elmwood Avenue. Private outdoor amenity space is proposed only for units on the second and third floors in the form of rear yard balconies.

Vehicular access for the proposed development is by way of a private driveway from Hollywood Avenue providing access to the shared underground two-level parking garage containing 65 parking spaces including 10 parking spaces for visitors. There are 33 long term bicycle parking spaces proposed on the lowest level of the parking garage and 3 short term bicycle parking spaces proposed at grade along Hollywood Avenue.

A separate one-way service road along the west lot line would be provided for private garbage collection gaining entry access from Elmwood Avenue and exit access off of Hollywood Avenue. No loading space is proposed. The proposed rear yard (west) setback is approximately 11.7 metres which includes the 2.6 metre wide service driveway and a 2.6-metre wide landscape strip.

For further project information please see the attached Application Data Sheet (Attachment 8).

Site and Surrounding Area

The subject site is rectangular in shape and is located on the west side of Bayview Avenue at the end of two residential streets, Hollywood Avenue and Elmwood Avenue. The site has a Bayview Avenue frontage of 79.25 metres, a Hollywood Avenue frontage of 33.13 metres, an Elmwood Avenue frontage of 29.63 metres and a lot area of 2,825 square metres. The site currently contains six single detached dwellings. There is an existing 1.84-metre stormwater easement across adjacent properties, immediately to the west of the site.

Land uses surrounding the site area are as follows:

- North: 2-storey detached residential dwellings facing Bayview Avenue and Elmwood Avenue and an 11-unit, 3-storey townhouse development further north on Bayview Avenue.
- South: Nine, 3-storey townhouses on Bayview Avenue, 2-storey townhouses on Meadow Larkway (a private road).
- West: 2-storey detached dwellings on Hollywood Avenue and Elmwood Avenue.
- East: Bayview Village Park and detached dwellings on 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. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy 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. 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 lands are designated *Neighbourhoods* in the Official Plan (Map 16) which are physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

No changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood.

Bayview Avenue is identified as a *major street* on Map 3 of the Official Plan but it is not designated as an *Avenue* on the Urban Structure, Map 2 of the Official Plan. Policy 4.1.7. indicates that proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged by the policies of the Plan. Where a more intense form of residential development than that permitted by existing zoning on a major street in a Neighbourhood is proposed, the application will be reviewed in accordance with Policy 5, having regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*.

The Official Plan also contains built form policies that will be applied to this development. New development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties by creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objective of this Plan, while

providing adequate light and privacy, amongst other things. In addition, new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and will improve the safety and attractiveness of adjacent streets, parks and open spaces.

Sheppard East Subway Corridor Secondary Plan

The boundary for the Sheppard East Subway Corridor Secondary Plan bisects the southern half of the subject site. The Secondary Plan is intended to encourage development to occur within key development areas which are primarily designated *Mixed Use Areas*. The applicable portion of the subject site is not identified as a key development area and is not designated *Mixed Use Areas*. Map 9-2 designates the subject site as *Neighbourhoods* (Refer to Attachment 7: The Sheppard East Subway Corridor Secondary Plan). The Secondary Plan states that development will be supportive of the existing goals and objectives of the Official Plan. These include the urban structure policies and the *Neighbourhoods* policies which limit intensification in stable residential areas. Residential communities which are outside of the areas appropriate for reurbanization in close proximity to the subway stations, are to be protected and enhanced as stable residential communities through the specific policies of the Secondary Plan and the applicable *Neighbourhoods* policies of the Official Plan.

Sheppard East Subway Corridor Secondary Plan is available at http://www1.toronto.ca/static_files/CityPlanning/PDF/9_sheppard_subway_dec2010.pdf

Bayview Avenue Area Study

The Bayview Avenue Area Study, adopted by Council in 2007, provides a framework for the development of appropriate lots for townhouses and single detached dwellings and is to be read in conjunction with the relevant policies contained within the Official Plan and the Council approved Infill Townhouse Guidelines. The resulting guidelines are applicable to the west side of Bayview Avenue, from Hollywood Avenue to the south to Finch Avenue East to the north, including this site. The general objectives of the Bayview Avenue Area Study guidelines are to permit and encourage development for appropriate lots fronting Bayview Avenue while minimizing the potential for adverse impact on the land use characteristics of the adjacent low density residential lands. These guidelines have resulted in the development of various townhouse projects, establishing a new, emerging physical character of this portion of Bayview Avenue.

Zoning

The subject lands are zoned R6 by the former City of North York Zoning By-law 7625 and RD (f12.0; a370) by the new Toronto Zoning By-law 569-2013. Both Zoning By-laws permit single detached dwellings on lots with a minimum frontage of 12 metres, a minimum lot area of 370 m² and maximum lot coverage of 30%.

The former North York Zoning By-law 7625 requires a minimum front yard setback of 6 metres, a minimum side yard setback of 1.2 to 1.8 metres depending on the lot frontage and a minimum rear yard setback of 9.5 metres. The maximum building height permitted is 8 metres and two storeys, for a dwelling with a flat roof.

The City-wide Zoning By-law 569-2013 requires a minimum front yard of 6 metres, varying side yard setbacks depending on the lot frontages and a rear yard setback of 7.5 metres or 25% of the lot depth, whichever is greater. The maximum building height permitted is 7.2 metres and two storeys, for a dwelling with a flat roof.

Site Plan Control

The proposal is subject to Site Plan Control and an application (file no. 15 205077 STE SA) has been submitted. The Site Plan Control application is being reviewed concurrently with this application.

Tree Preservation

The applications are subject to the City of Toronto Private Tree By-law. A permit is required to remove, cut down or injure a tree with a diameter of 30 centimetres or more on private property. An Arborist Report and Tree Preservation Plan have been submitted and are under review by the City's Urban Forestry staff.

Reasons for the Application

A site-specific Official Plan amendment is required because the applicant is proposing a built form (4-storey apartment building) and density not found in the neighbourhood.

An amendment to both Zoning by-laws is required because the proposed apartment house dwelling use, density, building height, gross floor area and setbacks do not meet the provisions of the former City of North York Zoning By-law 7625 and the Toronto Zoning By-law 569-2013, as amended. In addition, proposed performance standards may require zoning amendments.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale;
- Functional Serving and Stormwater Management Report;
- Transportation Study;
- Arborist Report;
- Tree Preservation Plan; and
- Toronto Green Standard Checklist.

A Notification of Complete Application was issued on August 28, 2015.

Issues to be Resolved

The Official Plan designates the site as *Neighbourhoods* which are considered physically stable and new development should "fit" within the existing physical character. Development should "respect and reinforce" this character which includes prevailing buildings types as well as heights, massing, scale and dwelling type of nearby residential

properties. Proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged by the policies of the Plan. Where more intense forms of intensification are proposed, they must be reviewed to ensure that they respect and reinforce the existing physical character of the neighbourhood. Further, the policies state that intensification of land on major streets is not encouraged and that any proposal should respect and reinforce the existing physical character and should have regard for the existing built form along the street and its relationship to adjacent buildings.

The applicant is proposing a forty-eight unit apartment building complex on the site. The proposal is proposing a building type which is not found in the neighbourhood. Further, it is introducing forty-eight units onto a site which previously contained six detached dwellings. The number of units on the site introduces a significant intensification of the site.

On a preliminary basis, the following issues have been identified:

- Conformity with the policies of the Official Plan, including but not limited to: *Neighbourhoods*, Built Form and the Public Realm;
- Appropriateness of introducing the proposed building type given the existing context of the neighbourhood;
- The potential of setting a precedent of apartment buildings on Bayview Avenue;
- Assessment of the proposal against the Sheppard East Subway Corridor Secondary Plan policies;
- Assessment of the proposal against the Bayview Avenue Area Study;
- Appropriateness of the proposed level of intensification, number of dwelling units and the compatibility of the development to the surrounding neighbourhood context;
- Impact on community services and facilities;
- Fit of the proposed building type to grade along Bayview Avenue and the west side of the site;
- Constraints of the stormwater management easement across adjacent properties, at the western perimeter of the lot;
- Assessment of the proposed height including the mechanical penthouse, setbacks, and landscape open space to ensure they respect and reinforce the existing physical character of the neighbourhood;
- Review of the site organization and building massing to ensure appropriate transition in scale towards the adjacent low-rise neighbourhood, including privacy and overlook issues;
- Suitability of the location of the service driveway, provision of loading, garbage storage and garbage pick-up area and the proposed buffers between the service driveway and the adjacent residential neighbourhood to the west;
- Assessment of the location of the underground garage ramp to the rear of Block A;
- The adequate provision of parking and loading spaces including bicycle spaces and the location of the bicycle parking area;

- The sufficient supply of indoor and outdoor amenity space located on site and the landscape area at the rear of Block A and Block B;
- Assessment of the proposed Stormwater Management Report;
- The review of the relationship of the proposal to the public realm, particularly Bayview Avenue including pedestrian access, grading and streetscape issues;
- Potential traffic impacts generated by the proposed development on the adjacent streets; and
- Compliance with the Toronto Green Standards, 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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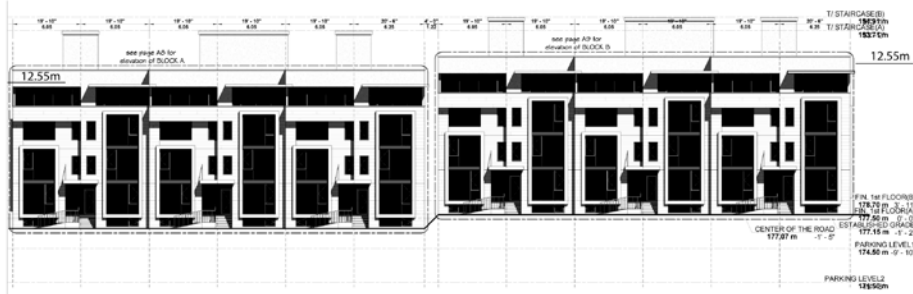
SIGNATURE

Joe Nanos, Director
 Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
 Attachment 2: East (Bayview Avenue) and North (Elmwood Avenue) Elevations
 Attachment 3: West and South (Hollywood Avenue) Elevations
 Attachment 4: Former North York Zoning By-law 7625
 Attachment 5: City-wide Zoning By-law 569-2013
 Attachment 6: Official Plan
 Attachment 7: The Sheppard East Subway Corridor Secondary Plan
 Attachment 8: Application Data Sheet

Attachment 2: East (Bayview Avenue) and North (Elmwood Avenue) Elevations



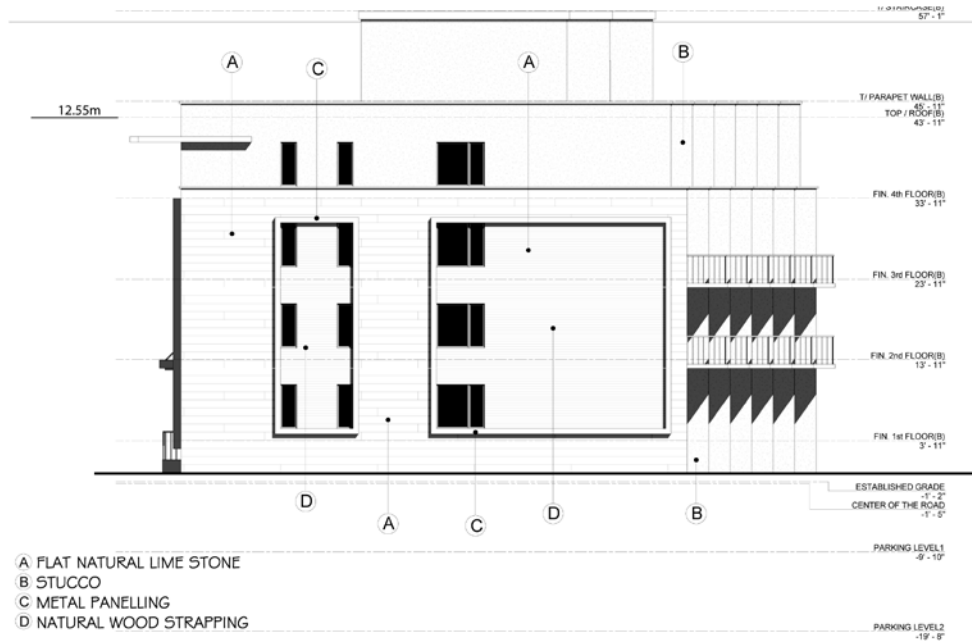
East Elevation - Bayview Avenue

2932-2942 Bayview Avenue

Applicant's Submitted Drawing

Not to Scale
08/20/2015

File # 15 205085 NNY 23 02



North Elevation - Elmwood Avenue

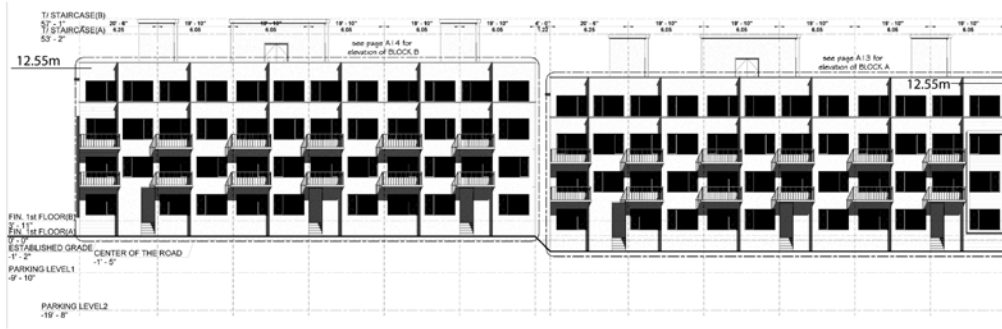
2932-2942 Bayview Avenue

Applicant's Submitted Drawing

Not to Scale
08/20/2015

File # 15 205085 NNY 23 02

Attachment 3: West and South (Hollywood Avenue) Elevations



West Elevation

2932-2942 Bayview Avenue

Applicant's Submitted Drawing

Not to Scale
08/25/2015

File # 15 205085 NNY 23 0Z



South Elevation – Hollywood Avenue

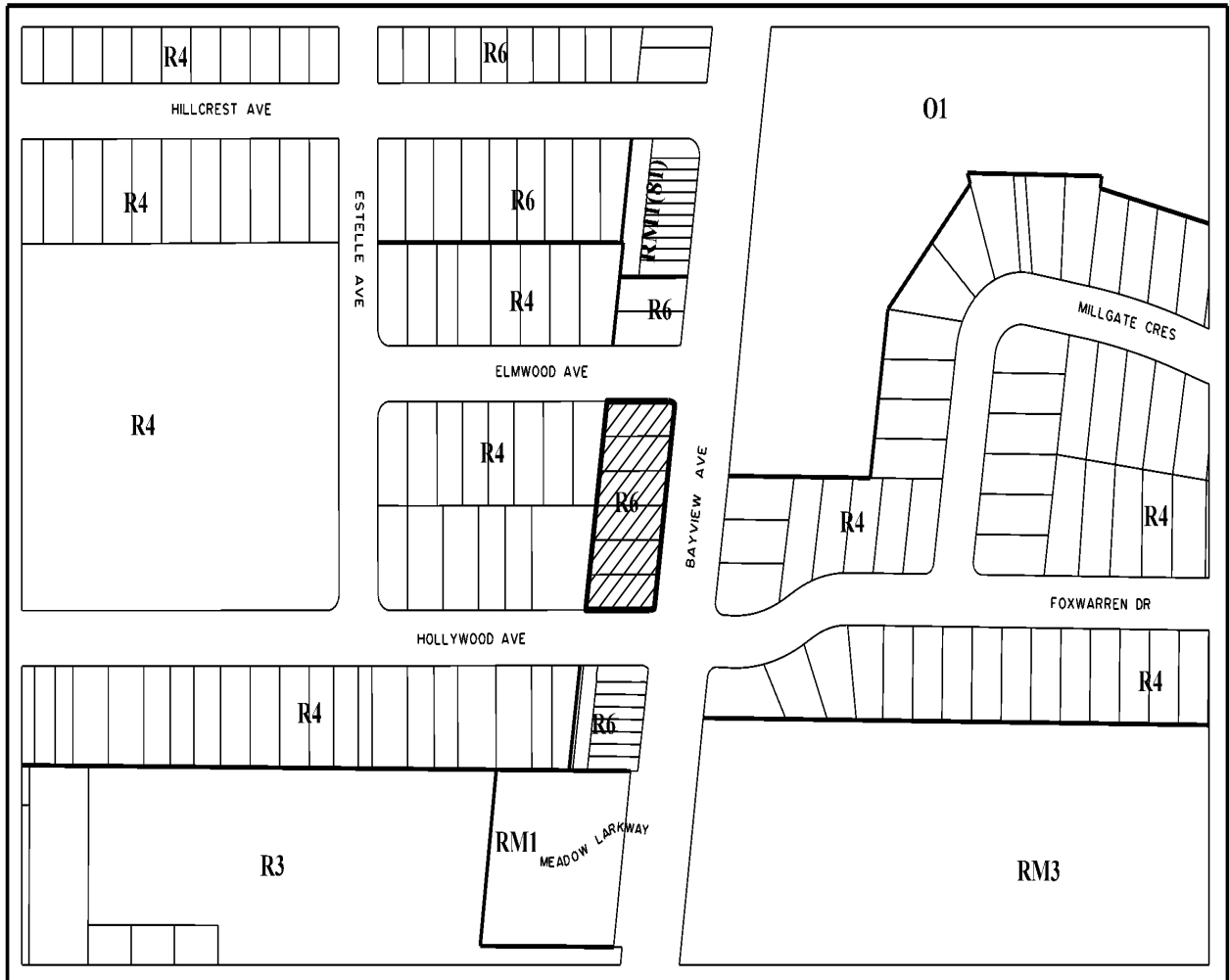
2932-2942 Bayview Avenue

Applicant's Submitted Drawing

Not to Scale
08/20/2015

File # 15 205085 NNY 23 0Z

Attachment 4: Former North York Zoning By-law No. 7625



Toronto City Planning
Zoning By-Law No. 7625

2932-2942 Bayview Avenue

File # 15 205085 NNY 23 0Z

 Location of Application

- R3 One-Family Detached Dwelling Third Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone

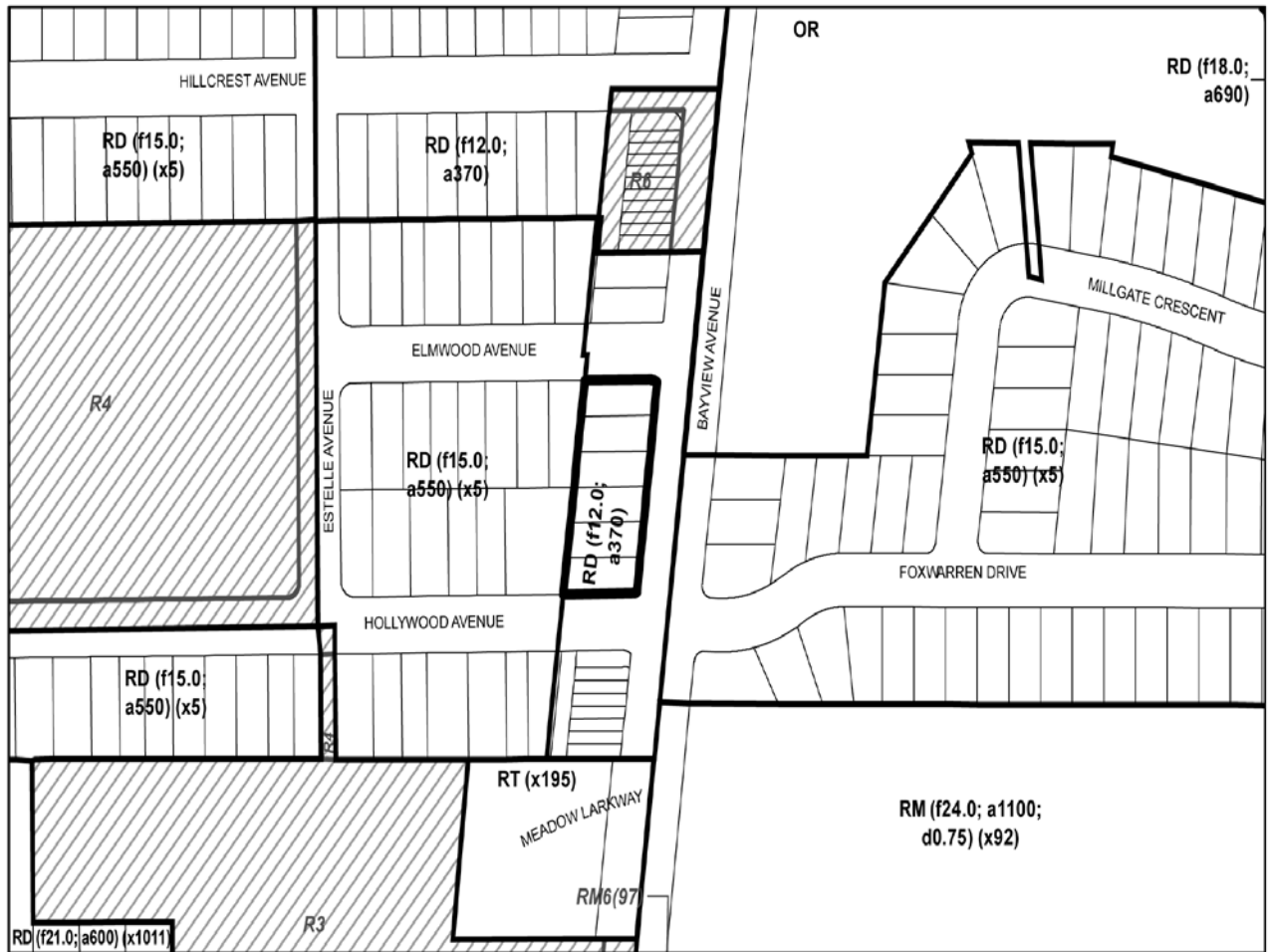
- RM1 Multiple-Family Dwellings First Density Zone
- RM3 Multiple-Family Dwellings Third Density Zone
- O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



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 Extracted 08/25/2015

Attachment 5: Toronto Zoning By-law No. 569-2013



Zoning By-Law No. 569-2013

2932-2942 Bayview Avenue

File # 15 205085 NNY 23 0Z

Location of Application

RD Residential Detached RM Residential Multiple
 RT Residential Townhouse OR Open Space Recreation

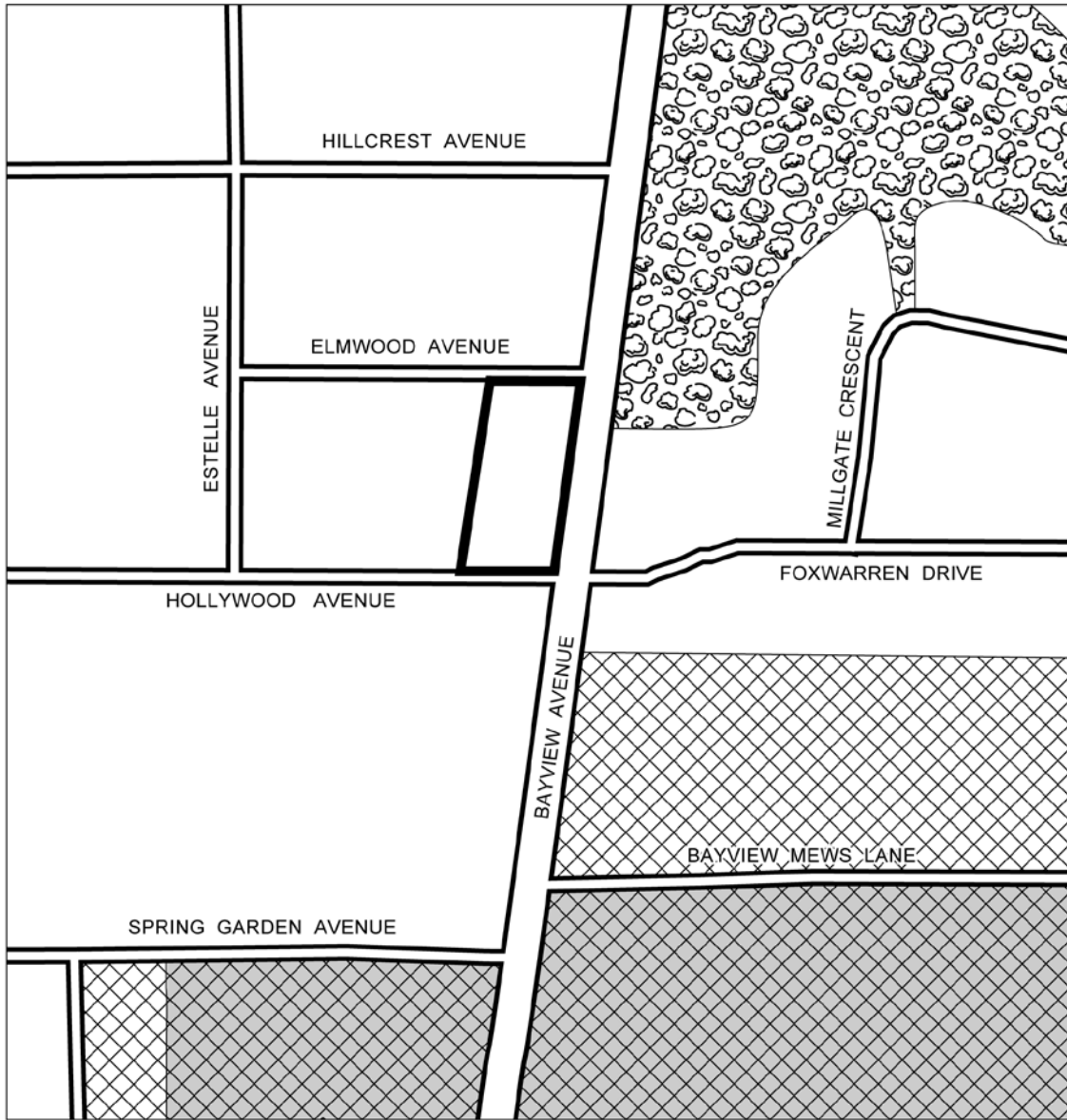
See Former City of North York By-Law No. 7625

R3 One-Family Detached Dwelling Third Density Zone
 R4 One-Family Detached Dwelling Fourth Density Zone
 R6 One-Family Detached Dwelling Sixth Density Zone



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
Attachment 6: Official Plan



TORONTO City Planning
 Extract from Official Plan

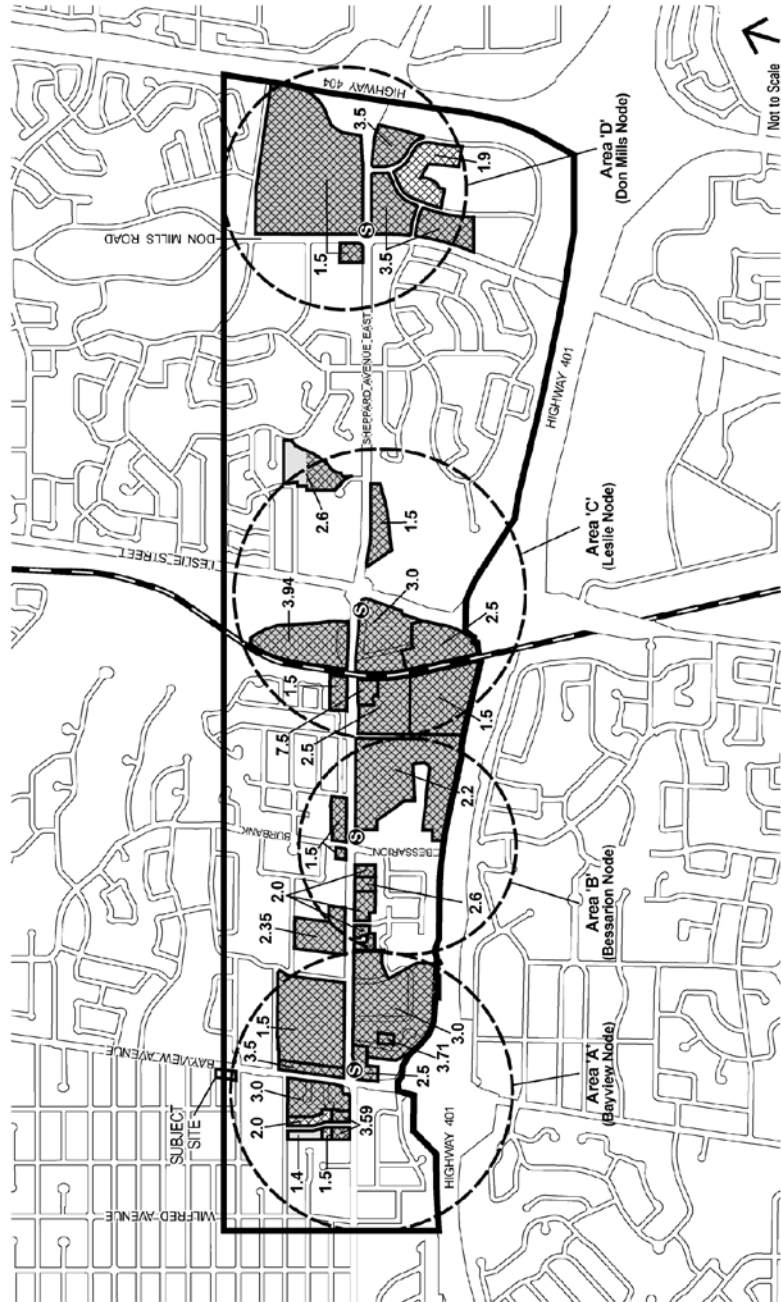
2932-2942 Bayview Avenue

File # 15 205085 NNY 23 0Z

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|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods | |
|  Mixed Use Areas | |

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Attachment 7: The Sheppard East Subway Corridor Secondary Plan



Toronto
City Planning

Sheppard East Subway Corridor Secondary Plan
MAP 9-2 Key Development Areas

- Secondary Plan Boundary
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- 1.5 Density
- Subway Station

August 2015

