

# STAFF REPORT ACTION REQUIRED

# 71 – 75 Curlew Drive - Zoning Amendment Application - Preliminary Report

Date:	May 19, 2017		
To:	North York Community Council		
From:	Director, Community Planning, North York District		
Wards:	Ward 34 – Don Valley East		
Reference Number:	17 145887 NNY 34 OZ		

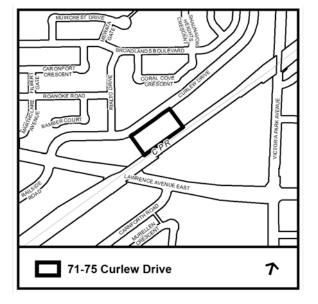
# **SUMMARY**

This application proposes to amend the Zoning By-law to permit 240 stacked and back-to back townhouse dwelling units at 71-75 Curlew Drive. The townhouses are proposed to be arranged in six four-storey townhouse blocks, containing 40 units each. The existing vacant commercial industrial building on the site would be demolished. The proposed gross floor area is 21,960 square metres with a corresponding floor space index of 1.76 times the area of the lot.

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 final report and public meeting under the *Planning Act* will be scheduled following the community consultation process and the resolution of outstanding issues, provided the applicant provides all required information in a timely manner.



# **RECOMMENDATIONS**

## The City Planning Division recommends that:

- Staff be directed to schedule a community consultation meeting for the lands at 71
  75 Curlew Drive 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 held with the applicant on September 28, 2016 regarding a proposal for a ten-storey apartment building comprising 272 apartments, 24 townhouses, office uses, and daycare space. The proposal was subsequently revised to include only townhouse dwelling units, and further pre-application consultation discussions regarding the revised proposal and complete application submission requirements occurred on February 16, 2017.

## **ISSUE BACKGROUND**

## **Proposal**

The application proposes to permit 240 townhouse dwellings in six back-to-back and stacked townhouse blocks, with 40 units in each block. The proposed townhouse blocks are four storeys in height, ranging from 11 metres to 15 metres as the grade of the subject site slopes upward from south to north. The proposed townhouse blocks are oriented perpendicular to Curlew Drive. The western end of each townhouse block proposes to have two townhouse units oriented to Curlew Drive. The total gross floor area is 21,960 square metres with a corresponding density of 1.72 times the area of the lot, as calculated under the City-wide Zoning By-law 569-2013 definition. When calculated under the former City of North York Zoning By-law 7625, the proposed gross floor area is 22,560 square metres and the corresponding floor space index is 1.76 times the area of the lot. The proposed lot coverage for the entire site is 41%.

Five of the townhouse blocks would be set back 1.5 metres from Curlew Drive and the sixth and most southern townhouse block would be set back two metres from Curlew Drive. The townhouse blocks would be set back 20 metres from the rear lot line, abutting the CPR rail line. A 4.5 metre high crash wall at the rear lot line is proposed. The proposed side yard setbacks are 5.5 metres. The separation distance between each

townhouse block would be 11.5 metres, while the two centre-most townhouse blocks are proposed to have a separation distance of 16 metres, as they are fronting on the common private driveway.

Vehicular access to the site is proposed via a six metre wide private driveway from Curlew Drive, which bisects the site and extends along the rear of the site, in a "T" shape. The proposed driveway provides access to the garbage area, loading space, 17 visitor bicycle parking spaces and 16 vehicle parking spaces (resident and visitor), all located at grade. Entrance to the underground parking garage is at the rear of the most northern townhouse block, from this private driveway (see Attachment 1 – Site Plan).

The proposed underground parking garage contains 218 resident parking spaces and 7 visitor parking spaces, for a total of 225 below grade parking spaces. A total of 164 resident bicycle parking spaces are also provided for in the underground garage.

Of the 240 townhouse dwelling units proposed, 220 dwelling units are proposed as twobedroom units, and 20 dwelling units are proposed to be two bedroom plus a den. The widths of the proposed units range from 5.7 metres to 6.1 metres, and all units are twostoreys. Access to the dwelling units would be from the shared pedestrian mews separating each of the townhouse blocks.

The lower level townhouse units are proposed to have at-grade patios fronting onto the pedestrian mews and second storey balconies. The upper level townhouses are also proposed to have balconies as well as rooftop terraces. The proposed balconies project 1.5 metres from the building walls and encroach within the separation distance between the townhouse blocks. Common outdoor amenity space comprised of tree plantings and bench seating is proposed at the southeast and northeast corners of the subject site. No indoor amenity space is proposed. See Attachments 1, 2, 3, and 6 for site plan, rendering, elevations and additional details on the Application Data Sheet.

# Site and Surrounding Area

The subject site is located on the east side of Curlew Drive, northwest of Lawrence Avenue East and Victoria Park Avenue. The intersection of Curlew Drive and Lawrence Avenue East is located approximately 290 metres west of the subject site. Curlew Drive is a curved street that begins at Lawrence Avenue East and curves eastward and then northward before intersecting with Victoria Park Avenue.

The subject site has a lot area of 12,787 square metres with a frontage of 161 metres along Curlew Drive. The depth of the subject site is approximately 80 metres (ranging from 81 metres at its southern boundary to 79 metres at its northern boundary). The subject site is generally flat but gently slopes upward from the southern to the northern lot line.

The subject site is developed with a one-storey industrial building, which is currently vacant. This building is proposed to be demolished to facilitate the proposed

development. A permit to demolish this building was issued on April 6, 2017. There are several trees on the subject site which are proposed to be removed.

The surrounding uses are as follows:

North: There is a place of worship on the lot directly abutting the subject site to the north. To the north of this place of worship is Toronto Fire Station #233 at 59 Curlew Drive. Further north beyond the Toronto Fire Station is a residential townhouse development, consisting of two storey residential townhouses fronting on private internal roads.

South: To the south of the subject site is a two-storey building containing a place of worship and the Curlew Montessori School. To the south of this two-storey building are a number of low rise (one and two storey) commercial buildings as Curlew Drive bends to connect with Lawrence Avenue East, including an office building, a medical office building, and a commercial martial arts school.

East: The Canada Pacific Rail (CPR) rail line abuts the property at the east property line. To the east of the CPR rail line, is the Victoria Terrace Shopping Centre, located at the northwest corner of Lawrence Avenue East and Victoria Park Avenue.

West: There is a four-storey residential apartment building fronting onto Curlew Drive located directly opposite the subject site, at 74 Curlew Drive. Further along Curlew Drive, to the east and west of this apartment building are reverse lot single detached dwellings with backyards along Curlew Drive.

# **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, by the *Planning Act*, 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, as the case may be, 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 site is identified as *Employment Districts* on Map 2, Urban Structure and is designated *Employment Areas* on Map 20, Land Use Plan (see Attachment 4). As stated in Policy 4.6.6, development in Employment Areas is to contribute to the creation of competitive, attractive, highly functional areas by:

- a) supporting the economic function of the *Employment Areas* and the amenity of the adjacent areas;
- b) encouraging the establishment of key clusters of economic activity with significant value-added employment and assessment;
- c) avoiding excessive car and truck traffic on the road system within Employment Areas and adjacent areas;
- d) providing adequate parking and loading on-site;
- e) sharing driveways and parking areas wherever possible;
- f) mitigating the effects of noise, vibration, dust, odours or particulate matter that will be detrimental to other businesses or the amenity of neighbouring areas;
- g) providing landscaping on the front and any flanking yard and adjacent to any public parks and open space to create an attractive streetscape and screening parking, loading and service areas;
- h) treating the boundary between Employment Areas and residential lands with landscaping, fencing, or other measures to minimize nuisance impacts; and
- i) ensuring that outside storage and outside processing is:
  - i. limited in extent;
  - ii. generally located at the rear of the property;
  - iii. well screened by fencing and landscaping where viewed from adjacent streets, highways, parks and neighbouring land uses; and
  - iv. not detrimental to neighbouring land uses in terms of dust, noise and odours.

## Site and Area Specific Policy 56

The property at 71-75 Curlew Drive is subject to Site and Area Specific Policy 56 (SASP 56), which also applies to lands municipally known as 61-89 Curlew Drive (excluding #74), and 1244, 1250 and 1260 Lawrence Avenue East, which are located in the vicinity of the subject site. SASP 56 permits residential uses on the above-noted properties. SASP 56 also limits the amount of gross floor area for office uses to 1.0 times the lot area, and prohibits retail and service commercial uses on the above-noted properties. Although residential uses are not permitted in Employment Districts and/or Employment Areas, Policy 5.6.7 in Chapter 5 of the Official Plan directs that, in the case of a conflict between the policies of the Official Plan and the Site and Area Specific Policies contained in Chapters 6 and 7, the site/area specific policy will prevail. As such, residential uses are permitted on the subject site.

#### Public Realm

The public realm policies in section 3.1.1 acknowledge the importance of the public realm and quality urban design in creating great communities and a great city. Among other matters, the policies aim to promote quality architectural, landscape and urban

design; improve physical and visual access from public spaces of the City's natural features; and ensure that sidewalks and boulevards are designed to provide safe, attractive, interesting, and comfortable spaces for pedestrians.

#### Built Form

The Built Form policies in section 3.1.2 of the Official Plan direct that new development in the City fit harmoniously within the existing and/or planned context of the area. This includes locating and organizing new development to frame and support adjacent streets, parks, and open spaces; locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on property and surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces; massing new development to define the edges of streets, parks and open spaces in a way that respects the existing/planned street proportion, providing for amenity for adjacent streets and open spaces, and providing indoor and outdoor amenity space for residents of the new development.

Policy 3.1.2.1 directs that new development is to be located and organized to fit with its existing and/or planned context and frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development by:

- a) generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback;
- b) locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- c) providing ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces; and
- d) preserving existing mature trees wherever possible and incorporating them into landscaping designs.

#### Public Realm and Amenity Space

As detailed in policy 3.1.2.5, new development is to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- a) improvements to adjacent boulevards and sidewalks respecting sustainable design elements, which may include one or more of the following: trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities;
- b) co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms;
- c) weather protection such as canopies, and awnings;
- d) landscaped open space within the development site;
- e) landscaped edges of surface parking lots along streets, parks and open spaces to define the street edge and visually screen the parked autos;
- f) safe pedestrian routes and tree plantings within surface parking lots; and

g) public art, where the developer agrees to provide this, to make the building and its open spaces more attractive and interesting.

Policy 3.1.2.6 requires that every significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development.

#### **Parks**

The Parks and Open Space policies in section 3.1.2.1 of the Official Plan aim to maintain, enhance and expand the system of parks and open spaces, which are a necessary element of city-building.

#### Housing

Section 3.2.1 of the Official Plan requires 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 housing stock is to be maintained and replenished, and new housing supply is encouraged through intensification and infill that is consistent with the policies of the Official Plan.

#### Section 37

Section 5.1.1 of the Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided the development constitutes good planning, is consistent with the policies and objectives of the Plan and complies with the built form policies and all applicable neighbourhood protection policies of the Plan. The community benefit to be secured must bear a reasonable relationship to the increased height and/or density of the proposed development and have an appropriate geographic relationship with the proposed development.

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

## Official Plan Amendment 231

Official Plan Amendment 231 (OPA 231) was adopted by Council in December 2013, approved by the Minister of Municipal Affairs and Housing in July 2014 and portions of the amendment are under appeal at the Ontario Municipal Board.

The subject site is designated *Core Employment Area* and is not subject to a site or area specific appeal to OPA 231. As noted above, SASP 56, permits residential uses on the subject lands and is not impacted by OPA 231.

# **Design Guidelines for Infill Townhouses**

The purpose of the City's Design Guidelines for Infill Townhouses (2003) is to clarify the City's interest in addressing development impacts of townhouses, with a focus on protecting streetscapes and seamlessly integrating new development with the existing context. The Guidelines provide an evaluation framework with respect to site design,

location and organization as well as built form and public realm, in order to achieve high quality urban design outcomes. The Guidelines can be found at:

www1.toronto.ca/city\_of\_toronto/city\_planning/urban\_design/files/pdf/townhouseguideline.pdf

# **Townhouse and Low Rise Apartment Guidelines**

City staff are currently preparing updated City-wide design guidelines for townhouses and low-rise developments. These guidelines will address infill townhouse developments as well as mid to larger sites, and more complex and intense types of low-rise, multi-unit development in terms of site context, site organization, building massing, detailed design and private and public realm. The guidelines build upon and, once approved by City Council, are intended to replace the Infill Townhouse Guidelines (2003). Prior to presenting a finalized version of these Guidelines for Council consideration, City staff are refining and consulting upon the draft Guidelines, in part through their use during the review of development applications.

More information on these guidelines can be found here: <a href="https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM100000">www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM100000</a> 71d60f89RCRD.

# **Zoning**

The subject site is subject to two Zoning By-laws. Under former City of North York Zoning By-law 7625, the subject site is zoned M1 "Industrial Zone One" (See Attachment 5a). The M1 zone permits a number of commercial, industrial and institutional uses such as a place of worship, but does not permit residential uses.

The maximum floor space index permitted in the M1 zone is 1.0 times the area of the lot and the maximum permitted height is 8.8 metres when within 20 metres of a lot line abutting a Residential Zone. The maximum permitted height is 15 metres in all other areas.

Under the City-wide Zoning By-law 569-2013, the subject site is zoned EL "Employment Light Industrial" (See Attachment 5b). The EL zone permits a variety of non-residential uses such as offices, laboratories, warehouses, and certain types of manufacturing uses. Residential uses are not permitted. The maximum permitted gross floor area is 1.0 times the area of the lot, and the maximum permitted height is 18.5 metres.

#### Site Plan Control

The proposed development is subject to Site Plan Approval. An application for site plan approval was submitted with the rezoning application and is being reviewed concurrently (File No. 17 145896 NNY 34 SA).

# **Tree Preservation**

The Arborist Report submitted with the application states that there are eight trees on site, and five street trees on the Curlew Drive boulevard along the frontage of the site, ranging

in health from poor to fair-good. All 13 trees are proposed to be removed in order to accommodate the proposed development. As part of the proposed Landscape Plan, approximately 67 deciduous trees are proposed to be planted on site and within the Curlew Drive right-of-way.

The Arborist Report, Tree Preservation and Landscape Plans have been circulated to the City's Urban Forestry Staff for their review.

# **Reasons for the Application**

Amendments to the former City of North York Zoning By-law No. 7625 and the City of Toronto Zoning By-law No. 569-2013 are required as the zoning does not permit the proposed residential uses.

The zoning by-law amendment is also required to permit the proposed gross floor area, lot coverage, setbacks, separation distances, height, landscaped open space, and the proposed amount of parking spaces, amongst other development standards.

#### COMMENTS

# **Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale
- Draft Zoning By-law Amendments
- Functional Servicing and Stormwater Management Implementation Report
- Community Services and Facilities Study
- Geotechnical Investigation
- Geohydrology Assessment
- Arborist Report
- Toronto Green Standards Checklist
- Transportation Impact Study
- Environmental Site Assessment (Phase One and Two)
- Noise / Vibration Impact Study, and
- Energy Efficiency Report.

A Notification of Complete Application was issued on May 18, 2017.

#### Issues to be Resolved

The following issues have been identified on a preliminary basis:

- conformity with the Official Plan;
- built form / massing considerations including adequacy of proposed separation distance between townhouse blocks and proposed building setbacks;
- adequacy of variation in townhouse block design;
- appropriateness of proposed density and lot coverage;
- adequacy of proposed landscaping, streetscaping, and site grading;

- assessment of townhouse design against Infill Townhouse Guidelines and proposed Townhouse and Low-Rise Apartment Guidelines;
- relationship with abutting properties in terms of setbacks and layout;
- garbage storage and pick-up location and design;
- loading space location and design;
- appropriateness of mitigation to the CPR rail line;
- determination of appropriate indoor and outdoor amenity space;
- provision of on-site parkland dedication;
- location, design, and treatment of proposed driveway;
- appropriateness of the proposed amount of vehicle and bicycle parking spaces;
- appropriateness of the proposed amount of surface vehicle parking;
- compatibility with surrounding employment zone;
- assessment of site servicing, stormwater management, and hydrogeology; and
- provision of community benefits pursuant to Section 37 of the *Planning Act*.

The TGS 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

Valeria Maurizio, Planner Tel. No. (416) 395-7052 Fax No. (416) 395-7155

E-mail: valeria.maurizio@toronto.ca

#### **SIGNATURE**

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Joe Nanos, Director Community Planning, North York District

### **ATTACHMENTS**

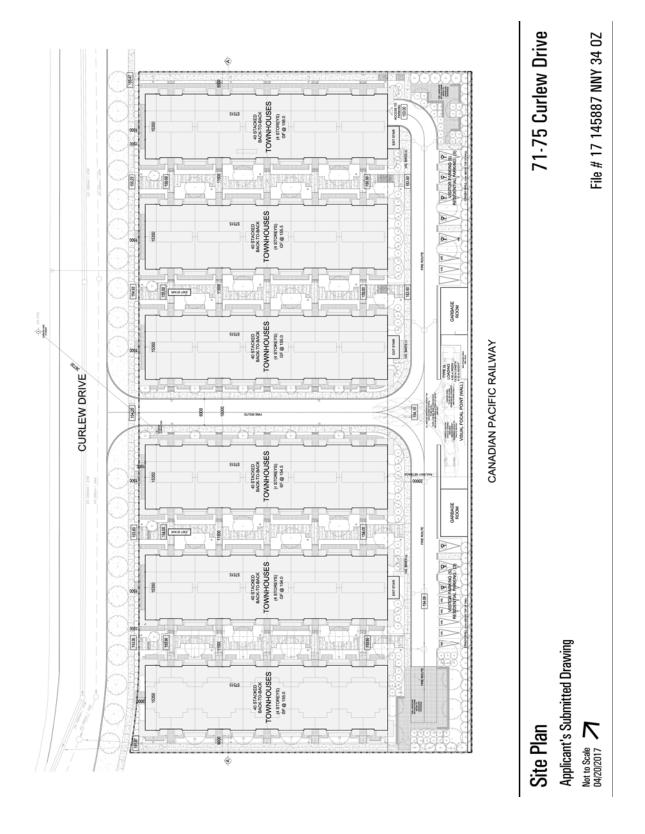
Attachment 1: Site Plan

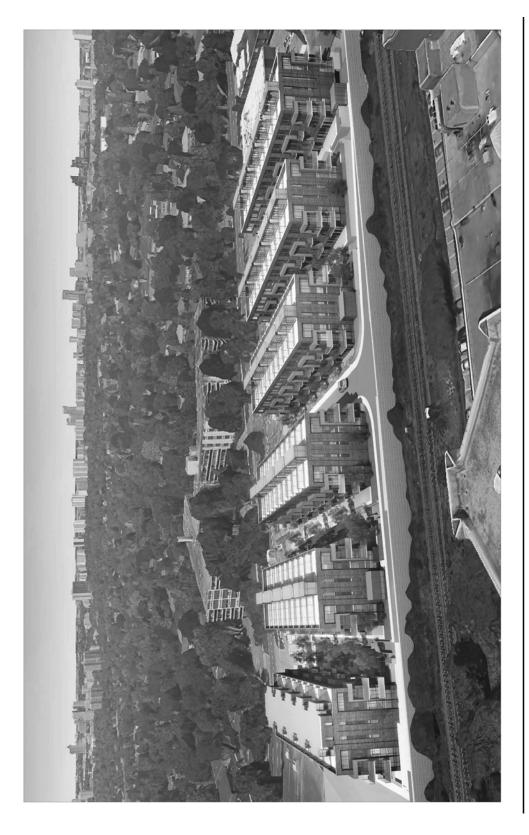
Attachment 2: Applicant's Project Rendering

Attachment 3a: West Elevation Attachment 3b: East Elevation Attachment 3c: North Elevation Attachment 4: Official Plan

Attachment 5a: Zoning By-law No. 7625 Attachment 5b: Zoning By-law No. 569-2013 Attachment 6: Application Data Sheet

# **Attachment 1: Site Plan**

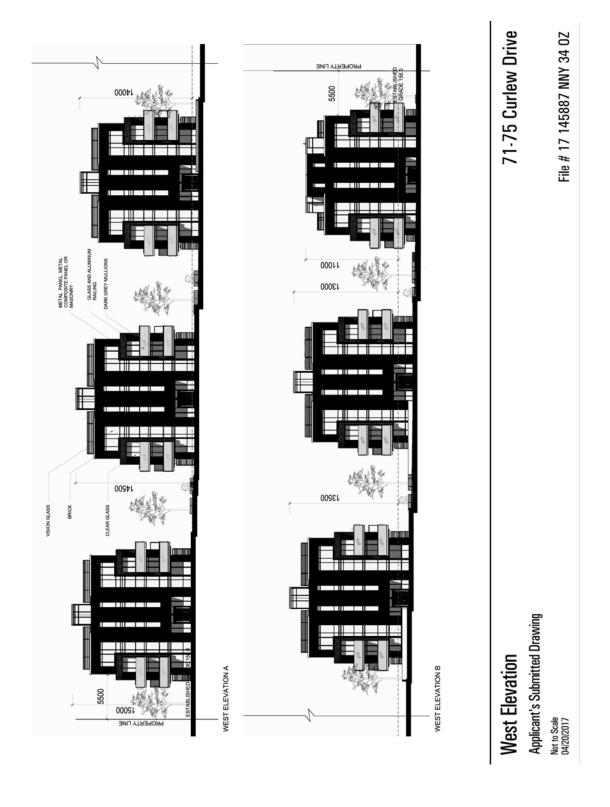




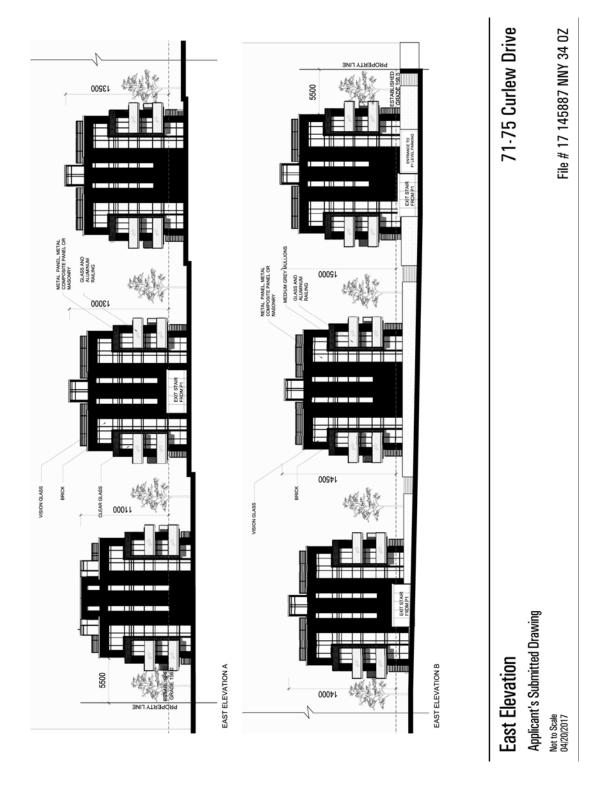
Project Rendering

Applicant's Submitted Drawing

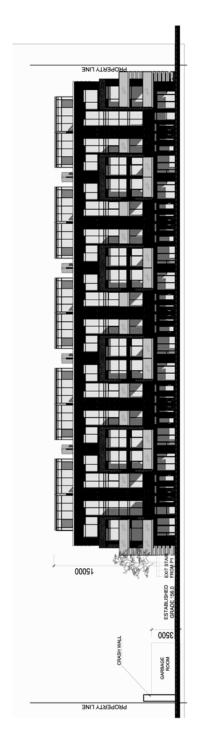
# **Attachment 3a: West Elevation**



# **Attachment 3b: East Elevation**

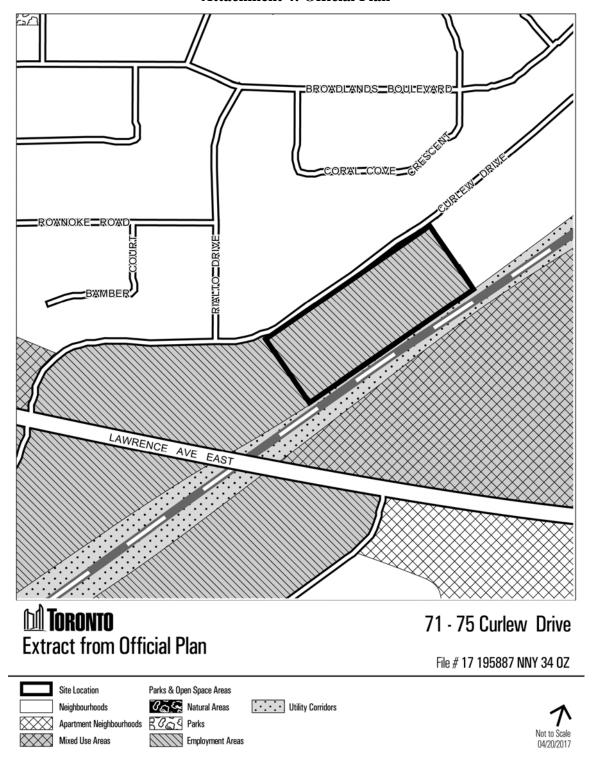


# **Attachment 3c: North Elevation**

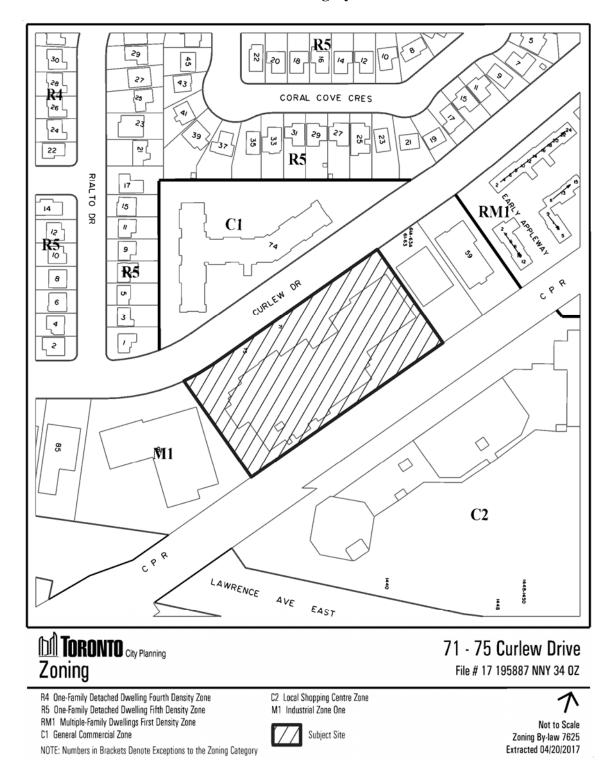


71-75 Curlew Drive File # 17 145887 NNY 34 0Z Applicant's Submitted Drawing North Elevation

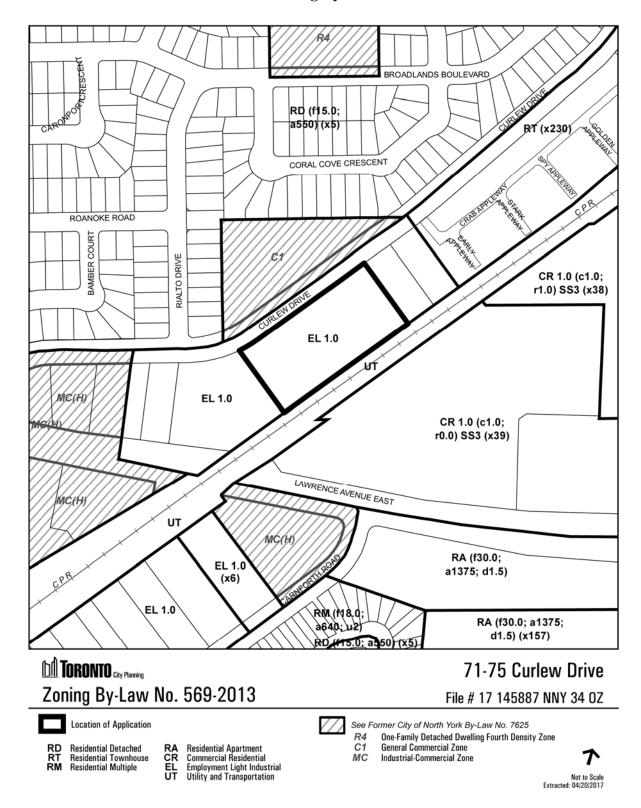
**Attachment 4: Official Plan** 



# Attachment 5a: Zoning By-law No. 7625



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



## **Attachment 6: Application Data Sheet**

Rezoning Application Type Application Number: 17 145887 NNY 34 OZ

17 145896 NNY 34 SA

Same as Applicant

Details Rezoning, Standard Application Date: April 19, 2017

Municipal Address: 71 - 75 CURLEW DR

PLAN M766 PT BLK MM RP R513 PART 1 RP R787 PART 1 RP R1016 PART 1 Location Description:

\*\*GRID N3404

**Project Description:** Six four storey townhouse blocks for a total of 240 units with 1 storey below grade parking

structure.

**Applicant:** Agent: **Architect:** Owner:

Curlew Park Inc.

2225 Sheppard Avenue East, Suite 1100

Toronto, ON M2J 5C2

SHERMAN BROWN 5075 Yonge Street, Suite 900

Toronto, ON M2N 6C6

Page & Steele / IBI Group Architects

55 St Clair Ave West, 7th

Floor

Toronto, ON M4V 1N5

PLANNING CONTROLS

Official Plan Designation: **Employment Areas** Site Specific Provision: N Zoning: EL 1.0 **Historical Status:** N Height Limit (m): 18.5 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m): 12787 Height: Storevs:

11-15 Frontage (m): 161.75 Metres:

81.14 Depth (m):

Total Ground Floor Area (sq. m): 5335 **Total** 

21960 Total Residential GFA (sq. m): Parking Spaces: 241 Total Non-Residential GFA (sq. m): Loading Docks 1 0

Total GFA (sq. m): 21960 Lot Coverage Ratio (%): 41.7 Floor Space Index: 1.76

#### **DWELLING UNITS** FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	21960	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	240	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	240			

**CONTACT: PLANNER NAME:** Valeria Maurizio, Planner

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