SUMMARY

This application was submitted on April 14, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to amend Zoning By-law 7625 of the former City of North York to permit the expansion of an existing private school with additional classroom space and a three storey student dormitory. The proposed development provides much needed student amenity space on site and rationalizes servicing and parking areas. The scale of the proposed building is consistent with existing development on site and along Lawrence Avenue West. Along Fairholme Avenue, the expansion is set back and screened from adjacent residential uses designated Neighbourhoods.

This report reviews and recommends approval of the application to amend the Zoning By-law.
RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of North York Zoning By-law 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

3. Before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41(16) of the Planning Act and Section 114 of the City of Toronto Act.

Financial Impact
The recommendations in this report have no financial impact.

DECISION HISTORY

Previous Application and Litigation
The lands have been subject to numerous Planning applications since 1964 to facilitate the development of the site as a private school for boys (Yeshiva Gedolah of Toronto). Three applications were made to the Committee of Adjustment of the former City of North York for variances to permit the expansion of the existing building on Lawrence Avenue West. As the owner expanded the landholdings to include parcels on Fairholme Avenue, the school expanded further with additional buildings. In 1993, a Site Plan Control application was approved for the construction of a two-storey replacement school on the Fairholme Avenue lands. With the construction of this building, the former three-storey school on Lawrence Avenue West was converted into a residence.

On March 18, 1998, Municipal Licensing and Standards issued a Notice of Violation to the Yeshiva Gedolah of Toronto for contravening the Zoning By-law by operating a student residence in the former school. Following the issuance of the Notice of Violation, an application was submitted to the Committee of Adjustment to permit the student residence (UDCA 99-543). This application was refused by the Committee.

On February 3, 2000 an application was submitted seeking to rezone the subject lands to permit student residences (UDZ 00-01). No development or construction activity was proposed with the original application, only permission for the non-conforming use. On February 4, 2000 the owner plead guilty to the infringement charge laid in 1998 and was fined by the municipal court. The owner was convicted on all charges with an understanding that no further action would take place as long as the school continued to actively pursue the rezoning application. The application was subsequently revised to
include the construction of a dormitory structure as the school acquired additional lands. However, in April of 2007, after a long period of inactivity, the City Planning Division closed the 2000 rezoning file and advised the applicant and the school accordingly. The owner once again wishes to proceed with the development of a dormitory and classroom addition on the subject lands and filed a rezoning application on April 14, 2008.

**Current Application**
A preliminary report on the current application was adopted by North York Community Council on September 9, 2008 authorizing staff to conduct a community consultation meeting with notification given to an expanded area. This report can be accessed via the following link:


**ISSUE BACKGROUND**

**Proposal**
The rezoning application seeks to amend Zoning By-law 7625 of the former City of North York to permit the construction of a three storey student dormitory as an accessory use to the existing school and synagogue. The expansion also proposes additional classroom and study space connecting the two existing buildings on the property.

The proposed dormitory is an L-shaped structure on the western half of the property connecting to the existing 3 storey building fronting Lawrence Avenue West (see Attachment 1). The three-storey building has a gross floor area of 2,163m² and would accommodate 153 beds. A student lounge would be included on each floor as well as laundry and washroom facilities. The basement of the proposed dormitory is proposed to house kitchen and dining facilities as well as a large multipurpose room for student leisure activity. The total gross floor area of the existing and proposed buildings on the site would be 6,062m².

The classroom component of the expansion is proposed to have a gross floor area of 554m² and will contain an additional 7 classrooms. The open area between the expanded existing school and synagogue and the student dormitory is proposed to be landscaped and used as an outdoor recreation area.

The existing parking lot on the east side of the school is proposed to be expanded with an additional 10 parking spaces, bringing the total spaces on site to 24, and will continue to be accessed from Fairholme Avenue. A one-way driveway for service vehicles is proposed along the western property line entering from Fairholme Avenue and existing onto Lawrence Avenue West. The driveway is proposed to be gated at both ends and will be designed to accommodate “right in/right out” movements only.

For additional information, please refer to the Application Data Sheet (Attachment 6).
Site and Surrounding Area

The site is located two blocks west of Bathurst Street on the south side of Lawrence Avenue West. The site has a frontage of 78m on Lawrence Avenue West to the north and Fairholme Avenue to the south and has an area of 4,794m².

The eastern portion of the site is currently occupied by a three-storey school building and synagogue fronting Lawrence Avenue West, and a two-storey school building fronting Fairholme Avenue. Both street frontages are occupied by two single detached dwellings on the western half of the site. A recent application proposes to demolish the two single detached dwellings fronting Fairholme Avenue and replace them with a temporary portable containing a study hall for the school.

A 14 space parking lot exists between the school buildings and the east property line. A temporary classroom and storage structure lies to the north of the parking area along Lawrence Avenue West.

Land uses in the surrounding area are as follows:

North: Across Lawrence Avenue West, a four storey apartment building;
East: One and two storey detached dwellings;
South: Across Fairholme Avenue, one and two storey detached dwellings and Dell Park; and
West: One and two storey detached dwellings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council’s planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council’s planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the subject lands Neighbourhoods and Policy 4.1.1 provides for low scale institutions such as schools which play an important role in the rhythm of the daily life of Neighbourhoods. Policy 4.2.2 requires schools to provide outdoor open space for student activities and landscaping and requires that schools be designed and operated to limit noise, privacy and traffic impacts on neighbouring residents.
The stability of the physical character *Neighbourhoods* is a key theme of the Official Plan. Any physical changes to established *Neighbourhoods* must be sensitive, gradual and generally “fit” the existing physical character. The *Neighbourhoods* designation requires new development to respect and reinforce the existing pattern of streets and open space, built form, height, massing and scale of nearby residential developments.

Infill development on properties that vary from the local pattern of lot size, configuration, and/or orientation must still have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties. Adequate privacy, sunlight and sky views must be provided for residents of new and existing buildings by ensuring adequate distance and separation between building walls and by using landscaping, planting and fencing to enhance privacy when needed. In addition, service and garbage areas must be suitably located and screened to minimize the impact on existing streets and residences.

**Zoning**
The property is zoned “One-Family Detached Fourth Density (R4) Zone” which permits single detached dwellings and accessory uses.

A school is a permitted institutional use within the R4 zone provided that:

- Front and rear yard setbacks shall be the same as the minimum requirements of the R4 zone,

- Side yard setbacks shall be 3m or half the height of the building, whichever is greater; and

- Building height shall be two storeys or 9.5m whichever is lesser.

Student residences are not permitted in an R4 zone. Other student residences accessory to private schools have been permitted within the North York District where appropriate through site specific zoning.

**Site Plan Control**
An application for Site Plan Control approval is required but has not been submitted. Staff are recommending that the Bills enacting a Zoning By-law amendment not be introduced to City Council until such time as the applicant enters into a Site Plan Agreement with the City.

**Reasons for Application**
An amendment to Zoning By-law 7625 for the former City of North York is required to permit student residences as an accessory use to the existing school.
Community Consultation
A community consultation meeting was held on November 13, 2008 at Glen Park Public School and was attended by the Ward Councillor, representatives of the applicant, City staff and approximately 60 members of the public.

Some attendees spoke of the importance of the school as a use within the community given its proximity to the religious community it serves and supported the construction of a student dormitory on site as a safe place for its students to be housed. Other attendees voiced strong concerns with the existing operation of the school. These concerns ranged from problems with the existing state of repair of the property to student pick up and drop off occurring at odd hours. They did not support the additional classrooms and a student dormitory because they believed it would worsen the existing situation, particularly if it resulted in additional students beyond the school’s current enrolment.

Questions were raised about the behaviour of the school’s students outside of school hours and whether appropriate indoor and outdoor space would be made available on site for students to enjoy. Concerns were also expressed with respect to the height of the proposed residence as well as setbacks to adjacent single detached dwellings. The concern was a third storey may result in unacceptable overlook conditions and a loss of privacy. With respect to traffic issues, concerns were raised with the proposed service laneway along the western property line being used as a shortcut for traffic from Fairholme Avenue to Lawrence Avenue West.

Agency Circulation
The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans
The Provincial Policy Statement (PPS) contains numerous policies promoting development in built up areas where services and infrastructure are available to make efficient use of land and resources. Public service facilities, including health and education programs, are to be integrated with planning for growth to meet current and projected needs but also to use existing infrastructure.

The proposal is consistent with the PPS as it intensifies an existing educational institution and utilizes existing infrastructure. It also provides intensification along an arterial road while being compatible with adjacent land uses.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. As with the PPS, the principle of efficient mixes of uses within Built-Up Areas is a key theme within the policies of the Growth Plan. By intensifying an existing institutional use with a residential component in a manner compatible with
adjacent residential uses, the proposal allows for a mix of uses on site which is appropriate on an arterial road well served by existing transit infrastructure.

**Land Use**

The existing school is provided for by the policies of the *Neighbourhoods* designation in the Toronto Official Plan. The provision of a student dormitory as an accessory use to the school would also be provided for by the Plan as a low scale institution that plays an important role in the rhythm and daily life of *Neighbourhoods*. This fact was echoed by comments from some community members in support of the proposal given the proximity of the school to the religious community it serves.

The proposal provides outdoor space for student activity as directed by Policy 4.1.2 of the Official Plan and landscape buffers along each property line. A key concern raised in community consultation was the lack of recreation space on site for students. The students congregate on the sidewalk or on Fairholme Avenue itself outside of class hours. The need for recreation and social space becomes greater with the addition of the dormitory use as students will be onsite on a 24 hour basis. By orienting the dormitory as an L-shaped wing off the existing building, this landscaped space would be provided internally to the site as a courtyard. This would keep outdoor activity central to the site and would limit noise impacts on adjacent residential properties as directed by the Plan. Landscaped strips on the east and west property lines are proposed to buffer adjacent residential properties from parking and servicing areas.

In addition to the outdoor activity space, the applicant proposes a significant amount (300m²) of indoor social space for students in the form of lounges on each floor of the dormitory as well as a larger multipurpose room on the basement level. This is in addition to the recreation area within the existing school. Both indoor and outdoor activity space would be secured through the proposed site specific Zoning By-law.

Two guest rooms are proposed for the ground floor of the dormitory near the main entrance. These rooms contain a single bed and are intended for use by faculty in a supervisory role or by visiting instructors to the campus. This is intended to address the concerns of neighbours regarding the lack of adult supervision of the students after school hours and the provision of two rooms are a requirement of the proposed Zoning By-law.

**Built Form and Landscaping**

The front wing of the L-shaped student dormitory would be located parallel to Lawrence Avenue West matching the setback of the existing 3 storey school and synagogue structure to create a consistent streetscape. Generous landscaped setbacks would reinforce the existing streetscape on the south side of Lawrence Avenue West by reflecting the landscaped front yards of the abutting low scale residential uses.

The dormitory addition would meet all existing setback standards for institutional uses in an R4 zone including side yard setbacks. The proposed west side yard setback is approximately 1m greater than is required and the proposed east side yard setback is over
8m greater than required. In both instances, a landscape buffer of at least 1.5m would provide additional screening and landscaping for adjacent residential properties.

The height of the classroom addition is permitted by the existing zoning which limits the height of institutional buildings within R4 zones to 9.5m or 2 storeys, whichever is less. The 3 storey height of the proposed dormitory is provided for by the Neighbourhoods land use designation in the Official Plan provided the development fits within the existing context.

Although the 3 storey proposal exceeds the By-law permission, at 10.5m in height, the proposed dormitory is 1.0m higher than the 9.5m maximum height limit for institutional buildings in R4 zones. Along Lawrence Avenue West, the existing school and synagogue building is 3 storeys in height and is matched by the proposed dormitory which is appropriate for a major street. The proposed dormitory’s floor plan has been designed with the majority of bedrooms being oriented inward to the landscaped courtyard or towards the adjacent streets with washrooms, storage and laundry facilities along the western walls. In addition to set back and landscaping, this layout would further minimize overlook conditions from the third storey. Along the Fairholme Avenue frontage of the site, the 3 storey component of the proposal would be set back 3 meters beyond its minimum requirement and mitigate its impact on the existing 1 and 2 storey single detached dwellings and the existing two storey school.

The landscaping of this additional setback would reinforce the streetscape pattern of the residential street that consists of large landscaped front yards with minimal hard surface driveways. At a proposed coverage of 40%, the school, synagogue and dormitory would exceed the existing R4 limit by 10% but is similar to variances granted for development of single detached houses in the area by the Committee of Adjustment for 36-38% coverage.

**Traffic Impact, Access and Parking**

Given the proximity of the school to the religious community it serves, the submitted traffic impact analysis observed a high number of pedestrian trips. In addition, the site is well served by surface transit along Lawrence Avenue West with a bus stop immediately in front of the existing school and synagogue building at 575 Lawrence Avenue West.

However, community consultation revealed concerns with traffic congestion along Fairholme Avenue during peak pick up and drop off times as well as overflow parking. The existing parking lot on site contains 14 parking spaces, and the zoning by-law would require a minimum of 81 parking spaces for the synagogue, existing school and classroom addition.

A parking demand study submitted by the applicant indicated a peak parking demand of 15 to 22 spaces which includes a measure of peak pick up and drop off operations. As only 14 spaces currently exist on site, the analysis explains that some of these pick up and drop off operations occur along Fairholme Avenue causing the congestion and traffic impacts noted by local residents. With the proposed expansion of the parking lot to 24...
spaces, these pick up and drop off functions could be accommodated entirely on site. With no increase to the total number of students contemplated by the addition of the student dormitory and classrooms, this parking supply was acceptable to Transportation Services staff and would be secured in the proposed site specific Zoning By-law.

**Servicing**

A one way service driveway is proposed along the west property line from Fairholme Avenue to Lawrence Avenue West to allow service and delivery vehicles to be accommodated on site. These operations currently occur on Fairholme Avenue or Lawrence Avenue West. There was concern from the community that this one way service driveway could be used as a shortcut by local traffic to Lawrence Avenue West. The applicant has indicated on the most recent plans that traffic control gates would be installed at both ends of the driveway to control this.

A functional servicing report submitted by the applicant indicated there is adequate service infrastructure to support the proposed redevelopment. This was reviewed and accepted by Technical Service staff. Details of the servicing and stormwater design will be secured through the Site Plan Control process.

**Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto’s system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands subject to this application are in an area with 0.43-0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland and in a parkland priority area as per Alternative Parkland Dedication By-law 1420-2007.

Parks, Forestry and Recreation staff have advised that the additional classrooms are exempt from parkland dedication. However, the dormitory would be subject to a 2% parkland dedication under By-law 30152 of the former City of North York.

Parks, Forestry & Recreation staff have required the applicant to satisfy the parkland dedication requirement through a cash-in-lieu payment. This is appropriate as the proposal forms an expansion of an existing development and the on site dedication would be too small to be of functional use. The actual amount of cash-in-lieu payment will be determined by the Facilities and Real Estate Division prior to building permit issuance.

**Toronto Green Standard**

The applicant has been encouraged to implement various Green Standards that will be secured via the Site Plan Control process. The reduction of required parking spaces to a minimal amount is the main Green Standard being secured through the site specific Zoning By-law being recommended for approval.
Development Charges
It is estimated that the development charges for this project will be $151,600. This is an estimate. The actual charge is assessed and collected upon building permit issuance.

CONTACT
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Fax No.  (416) 395-7155
E-mail:  cventre@toronto.ca

SIGNATURE

___________________________
Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: North and South Elevations
Attachment 3: West and East Elevations
Attachment 4: Zoning
Attachment 5: Official Plan
Attachment 6: Application Data Sheet
Attachment 7: Draft Zoning By-law Amendment
Attachment 1: Site Plan

Site Plan

Applicant's Submitted Drawing

Not to Scale 12/07/2010

567, 575 & 577 Lawrence Avenue West and 70, 72, & 74 Fairholme Avenue

File # 08_147016

Staff report for action – Final Report – 567, 571 and 575 Lawrence Avenue West and 70, 72 and 74 Fairholme Avenue
Attachment 2: North and South Elevations
Attachment 3: West and East Elevations

![West Elevation](image1)

![East Elevation](image2)
Attachment 4: Zoning

567, 575 & 577 Lawrence Ave W and 70, 72, & 74 Fairholme Ave

File # 08.147018 2

R4 One-Family Detached Dwelling Fourth Density Zone
R6 One-Family Detached Dwelling Sixth Density Zone
RM5 Multiple-Family Dwellings Fifth Density Zone
O1 Open Space Zone

Not to Scale
Zoning By-law 7625
Extracted 09/28/2008

Staff report for action – Final Report – 567, 571 and 575 Lawrence Avenue West and 70, 72 and 74 Fairholme Avenue 14
Attachment 5: Official Plan

567, 575 & 577 Lawrence Ave W and 70, 72, & 74 Fairholme Ave

File #: 08_147016_op
Attachment 6: Application Data Sheet

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Municipal Address: 567 LAWRENCE AVE W  
Location Description: PLAN 3203 LOT 29 TO 30 CLOSED PT DALEMOUNT AVE RP 64R 8080 PARTS 1-4 **GRID N1504

Project Description:

**Official Plan Designation:** Neighbourhoods  
**Zoning:** R4  
**Height Limit (m):**  

**MUNICIPAL ADDRESS:**
- 567 LAWRENCE AVE W  
- 70, 72 and 74 Fairholme Avenue

**PROJECT INFORMATION**

- Site Area (sq. m): 4793.64  
- Frontage (m): 78  
- Depth (m): 60.5  
- Total Ground Floor Area (sq. m): 1947  
- Total Residential GFA (sq. m): 0  
- Total Non-Residential GFA (sq. m): 6062.1  
- Total GFA (sq. m): 6062.1  
- Lot Coverage Ratio (%): 40.6  
- Floor Space Index: 1.26

**PROJECT INFORMATION**

- Height: Storeys: 3  
- Metres: 10.36  
- Parking Spaces: 24  
- Loading Docks: 0

**FLOOR SPACE INDEX**

- Total Ground Floor Area: 1947  
- Total GFA: 6062.1  
- Lot Coverage Ratio: 40.6  
- Floor Space Index: 1.26

**DWELLING UNITS**

- Tenure Type: Other  
- Rooms: 153  
- Bachelor: 0  
- 1 Bedroom: 0  
- 2 Bedroom: 0  
- 3+ Bedroom: 0  
- Total Units: 0

**CONTACT:**
- **PLANNER NAME:** Christian Ventresca, Planner  
- **TELEPHONE:** (416) 395-7129

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Staff report for action – Final Report – 567, 571 and 575 Lawrence Avenue West and 70, 72 and 74 Fairholme Avenue  
16
Attachment 7: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

BY-LAW No. xx – 2010

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 567, 575 and 577 Lawrence Avenue West and 70, 72 and 74 Fairholme Avenue

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules “B” and “C” of the former City of North York Zoning By-law 7625 are amended in accordance with Schedule “1” of this By-law.

2. Section 64.13 of the former City of North Zoning By-law is amended by adding the following subsection:

64.13(95) R4 (95)

DEFINITIONS

a. For the purposes of this exception, a “Dwelling Room” shall mean a habitable room containing a maximum of three beds but not culinary or sanitary facilities.

b. For the purposes of this exception, “Student Residence” shall mean premises owned and operated by the existing school consisting of Dwelling Rooms used exclusively for the housing of not more than 153 students attending the school situated on the property.

c. For the purposes of this exception, “Guest Suite” shall mean a Dwelling Room containing no more than one bed located on the ground floor of the Student Residence.
d. For the purposes of this exception, “Established Grade” shall mean 181.1.m above sea level.

PERMITTED USES

e. The following uses shall be permitted:
   i. School
   ii. Place of Worship
   iii. Student Residence
   iv. Guest Suite

EXCEPTION REGULATIONS

f. The maximum permitted lot coverage shall be 41%.

g. The maximum gross floor area shall be 6,480m², of which a maximum of 2,200m² shall be used for a Student Residence.

h. The minimum setbacks shall be as indicated on Schedule R4(95).

i. The maximum height of each building on site above Established Grade shall be as indicated on Schedule R4(95) excluding roof access enclosures, parapets, ornamental architectural features, mechanical and exhaust shafts, and guard rails.

j. A minimum of 24 parking spaces shall be provided on site.

k. The maximum number of Dwelling Rooms shall be 53.

l. A minimum of two Guest Suites shall be provided.

m. A minimum of 2.0m² of indoor student recreation space shall be provided for each bed.

n. A minimum of 3.5m² of outdoor student recreation space shall be provided for each bed.

o. Notwithstanding any future severance, partition or division of the lot, the provisions of this By-law shall continue to apply to the whole of the lot as if no severance, partition or division occurred.

3. Section 64.13 of By-law No. 7625 is amended by adding Schedule "R4(95)" attached to this By-law.
4. Within the lands shown on Schedule “1”, attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

   a. All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and

   b. All water mains and sanitary sewers, and appropriate appurtenances have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,                               ULLI S. WATKISS,
   Mayor                                      City Clerk

(Corporate Seal)