STAFF REPORT
ACTION REQUIRED

72 Church Avenue - Zoning By-law Amendment Application - Preliminary Report

Date: September 25, 2013
To: North York Community Council
From: Director, Community Planning, North York District
Wards: Ward 23 – Willowdale
Reference Number: 13 195001 NNY 23 OZ

SUMMARY

This application proposes a 4 storey residential apartment with 22 units proposed as a retirement residence at 72 Church Avenue.

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

It is anticipated that a community consultation meeting could be held in the fall of 2013 with a target date for a statutory Public Meeting in the second quarter of 2014 assuming that the applicant will provide all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 72 Church 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 held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal
The proposed development is for a 4 storey residential apartment building with 22 residential units. The proposed use is described as retirement home. The proposed building has a gross floor area of approximately 1,526 m² on a site area of 632 m² for a resulting floor space index of 2.4.

The building has a total height of 12.63 metres with a step back from the 3rd to the 4th storey. The proposed building has yard setbacks of 4.0 metres, 5.5 metres, 2.1 metres and 0 metres from the front, rear, east and west property lines respectively.

The proposal includes a walkway from the Church Avenue sidewalk with steps up to the first floor. The walkway connects to a porch and main building entrance on the east side of the building. The ramp from Church Avenue to underground parking is located within the building and on the west side of the site. The single level of underground parking contains 9 parking spaces and a garbage and recycling room.

The Site Plan is shown on Attachment 1 and building elevations on Attachments 2 and 3. Further project details are provided in the Application Data Sheet (Attachment 5).

Site and Surrounding Area
The site of the proposed development is currently occupied by a 2 storey detached house. The rectangular lot has 15.24 metres fronting on Church Avenue and a depth of 41.52 metres. This house is on the only portion of the block remaining after the site of the former Northtown Plaza was redeveloped to the 3 storey residential townhouses that now surround the property. All of the surrounding townhouses to the north, east and west are part of the condominium development that has vehicle access on Grandview Way that connects to Doris Avenue to the west.
Land uses surrounding the site include:

North: side yards of 3 storey townhouses fronting on Kenneth Avenue
East: rear yards of 3 storey townhouses fronting on Kenneth Avenue
West: side yard of 3 storey townhouses fronting on Church Avenue
South: on the south side of Church Avenue is the McKee Public School

**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. 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 Official Plan designates the lands *Mixed Use Areas*. The lands are also designated *Mixed Use Area G* within the North York Centre Secondary Plan. This designation permits residential, commercial, and institutional uses, with commercial uses not to exceed 20% of the maximum permitted gross floor area. The lands are also within the North York Centre North Buffer Area, where no commercial uses are permitted. The North York Centre Secondary Plan permits a maximum floor space index of 2.6 times the area of the lands, with the potential through density incentives to achieve an increase of up to 33% or about 3.5 times the areas of the lands. The Secondary Plan provides for a maximum height of the lesser of 15 metres or 4 storeys.

The Secondary Plan includes transportation policies that, among others, guide the supply of parking, encourage the use of public transit and minimize the disruption of service vehicle access to traffic flow and pedestrians. The Secondary Plan identifies Church Avenue as a collector road that connects to Churchill Avenue west of Yonge Street and forms part of the North York Centre Service Road and Associated Road Network.

Urban design policies in the Official Plan and Secondary Plan support buildings that are accessed directly from the street and provide for an attractive pedestrian environment. Building heights and setbacks are to limit impacts on neighbouring streets and properties.
by providing adequate light and privacy and also provide a scale and massing appropriate to each specific context.

Zoning
The lands were excluded from the new City of Toronto Zoning By-law No. 569-2013 and the former City of North York general Zoning By-law No. 7625 continues to apply. The lands are zoned R4 which permits single detached houses and the associated development standards including setbacks, lot coverage, floor area and building height.

Site Plan Control
A Site Plan application has not been filed with the application but will be required.

Tree Preservation
An Arborist report has been submitted with the application and will be reviewed to determine the condition of existing trees and any necessary tree protection and maintenance plan.

Reasons for the Application
The application has been submitted to amend the North York Zoning By-law No. 7625 as the proposal does not meet site-specific development standards for such matters as the proposed multiple-unit use, gross floor area, building height, coverage and parking.

COMMENTS
Application Submission
The following reports/studies were submitted with the application:
- Planning Justification Report
- Draft Zoning By-law Amendment
- Traffic Impact Study
- Arborist Report

A Notification of Incomplete Application issued on July 26, 2013 identifies the outstanding material required for a complete application submission as follows:
- Green Development Standards Checklist
- Parking Study
- Loading Study
- Servicing and Stormwater Management Reports

Issues to be Resolved
On a preliminary basis, matters to be addressed through the review of the application include such matters as:

- applicant's proposed use of the building as a retirement facility/senior citizen residence
- building entrance location, height and connection to the public street
- appropriateness of the proposed building setbacks and stepbacks in relation to adjacent existing uses
- provision of adequate sunlight, access, privacy and landscaped open space and amenity area
- review of pedestrian access, streetscape
- potential traffic impacts, parking supply, vehicle access, loading and site servicing
- meeting the Toronto Green Standard’s Tier 1 requirements

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

**CONTACT**
Robert Gibson, Senior Planner
Tel. No. (416) 395-7059
E-mail: rgibson@toronto.ca

**SIGNATURE**

_______________________________
Allen Appleby, Director
Community Planning, North York District

**ATTACHMENTS**
Attachment 1: Site Plan
Attachment 2: Elevations [as provided by applicant]
Attachment 3: Elevations [as provided by applicant]
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 1: Site Plan
Attachment 2: Elevations

Elevations
Applicant’s Submitted Drawing

72 Church Avenue

File # 13 195001 NY 23 OZ

Staff report for action – Preliminary Report – 72 Church Avenue
Attachment 3: Elevations

WEST ELEVATION

EAST ELEVATION

Elevations
Applicant's Submitted Drawing
72 Church Avenue

Not to Scale
08/18/2013

File # 13 195001 NNY 23 OZ
### Attachment 5: Application Data Sheet

**Application Type:** Rezoning  
**Details:** Rezoning, Standard  
**Application Number:** 13 195001 NNY 23 OZ  
**Application Date:** June 26, 2013

**Municipal Address:** 72 CHURCH AVE  
**Location Description:** PLAN 2400 LOTS 90 AND 91 **GRID N2303  
**Project Description:** Four storey 22 unit residential apartment with one level of underground parking

**Applicant:** SOL-ARCH LTD. JOHN BENCZKOWSKI  
**Agent:** SOL-ARCH LTD. JOHN BENCZKOWSKI  
**Architect:** SOL-ARCH LTD. JOHN BENCZKOWSKI  
**Owner:** YOU GAN WEI

### PLANNING CONTROLS

**Official Plan Designation:** Mixed Use Areas  
**Zoning:** R4  
**Height Limit (m):** 8.8

### PROJECT INFORMATION

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<thead>
<tr>
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<tbody>
<tr>
<td><strong>Site Area (sq. m):</strong></td>
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<td><strong>Frontage (m):</strong></td>
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### DWELLING UNITS

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### FLOOR AREA BREAKDOWN (upon project completion)

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<td>Industrial GFA</td>
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<tr>
<td>Institutional/Other GFA</td>
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**CONTACT:**  
**PLANNER NAME:** Robert Gibson, Senior Planner  
**TELEPHONE:** (416) 395-7059