73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue - Zoning Amendment Application - Preliminary Report

Date: July 30, 2013

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Wards: Ward 32 – Beaches-East York

Reference Number: 13-153946 STE 32 OZ

SUMMARY

This application proposes the construction of 9 townhouses and one detached house at 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue.

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 Community Consultation meeting is anticipated to be held in the fall of 2013. The final report is targeted for the first quarter of 2014. The target date assumes 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 73, 77, 79 and 83 Woodbine Avenue and 3 Buller 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 under the Planning Act.

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

DECISION HISTORY
A Rezoning application was submitted in 2005 for an 11 unit townhouse development. At that time, the property did not include 73 Woodbine Avenue. The application was withdrawn.

Pre-Application Consultation
A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND
Proposal
This application proposes the construction of 9 townhouses and one detached house at 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue. Three of the proposed townhouses face Woodbine Avenue, a detached house faces Buller Avenue and the remaining 6 townhouses face an internal driveway. Each of the proposed houses has two parking spaces. See Application Data Sheet attached as Attachment 5.

Site and Surrounding Area
The property is located on the east side of Woodbine Avenue, south of Queen Street East, and on Buller Avenue, which is accessed off of Kippendavie Avenue, south of Queen Street East. A pair of semi detached and two detached houses currently exists on the Woodbine Avenue frontage. A detached house currently exists on the Buller Avenue frontage.

The property is surrounded on the north, east and south by detached and semi detached houses.

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 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 property is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are considered 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*. “Low scale local institutions” play an important role in the rhythm of daily life in *Neighbourhoods* and include such uses as places of worship.

The Official Plan contains development criteria for assessing new development in *Neighbourhoods*. Specifically, Policy 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.

Further, Policy 5 states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood. The policies state that the prevailing building type will be the predominant form of development in the neighbourhood and that some *Neighbourhoods* will have more than one prevailing building type.

**Zoning**

The site is zoned R2 z0.6 by the former City of Toronto Zoning By-law 438-86 and R (d0.6) by new City-wide Zoning By-law 569-2013, enacted by City Council on May 9, 2013 and currently under appeal to the Ontario Municipal Board. Both zoning by-laws...
would permit a variety of residential uses and some non-residential uses such as places of worship and public schools at a density of 0.6 times the area of the lot. The height limit is 10 metres.

**Site Plan Control**
The subject development is subject to Site Plan Control. An application for Site Plan Control has been submitted and is being reviewed concurrently with the Rezoning application.

**Tree Preservation**
An Arborist Report has been submitted with the application and is being reviewed by Urban Forestry. There are 11 trees identified for removal and 2 trees that will be injured with the current proposal.

**Reasons for the Application**
The proposal does not conform to the existing zoning restrictions. A Zoning By-law amendment is required for development standards such as, density, height, building location, setbacks and landscaped open space. A full review for compliance with the Zoning By-law is being undertaken.

**COMMENTS**

**Application Submission**
The following reports/studies were submitted with the application:

- Plan of Survey
- Site Plan
- Architectural Plans, Elevations, Sections and Renderings
- Arborist/Tree Preservation Report
- Landscape Plan and Details
- Planning Rationale
- Sun/shadow Study
- Stormwater Management Report
- Functional Servicing Report
- Toronto Green Standards Checklist

The application was deemed complete on June 6, 2013.

**Issues to be Resolved**

**Massing, Density and Setbacks**
The proposed 4-storey building exceeds the permitted density of 0.6 times the area of the lot and the height limit of 10 metres. The internal units are not permitted by the Zoning By-law because they do not front onto a public street. The proposed development has minimal setbacks from the existing infill development to the south. In addition, there are
many terraces proposed for each unit which will directly overlook these units. City Planning staff will examine the impacts of the proposed density, massing and setbacks.

**Infrastructure**

As part of the application, the applicant submitted a Functional Servicing and Stormwater Management Report which is under review by City staff. The proposed development is within the area of the Eastern Beaches Basement Flooding Investigation Environmental Assessment Study for Study Area 32. The applicant will be required to show that the proposed development will not have any negative impact on the existing flooding situation in the area and that there is sufficient existing infrastructure to service the proposed development.

Compliance with the City's Development Infrastructure Policy Standards Review (DIPS) or an acceptable alternative will be necessary.

**Landscaped Open Space**

The Official Plan requires that new development in *Neighbourhoods* respect and reinforce the existing prevailing pattern of rear and side yard setbacks and landscaped open space.

**Toronto Green Standard**

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. Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council.

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

**CONTACT**

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**SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: Woodbine Avenue Elevation
Attachment 3: Front Elevation (Internal Units)
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 1: Site Plan

73, 77, 79 & 83 Woodbine Avenue and 3 Buller Avenue

Site Plan
Applicant's Submitted Drawing
Metz & Salka
07/10/08

File # 13-53946 OZ

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Attachment 2: Woodbine Avenue Elevation
Attachment 5: Application Data Sheet

Application Type: Rezoning  
Application Number: 13-153946 STE 32 OZ
Details: Rezoning, Standard  
Application Date: April 19, 2013
Municipal Address: 73 WOODBINE AVE
Location Description: PLAN 496 PT LOT 50 **GRID S3213
Project Description: Rezoning application for to permit 9 town houses and one detached dwelling.
Applicant: Goldberg Group
Agent: 
Architect: 
Owner: 

PLANNING CONTROLS

Official Plan Designation: Neighbourhoods  
Site Specific Provision: N
Zoning: R2 Z0.6  
Historical Status: N
Height Limit (m): 10  
Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m): 2132.7  
Height:  
Frontage (m): 30.48  
Storeys: 4  
Depth (m): 70  
Metres: 12.9
Total Ground Floor Area (sq. m): 793.3  
Total
Total Residential GFA (sq. m): 3036.1  
Parking Spaces: 20
Total Non-Residential GFA (sq. m): 0  
Loading Docks 0
Total GFA (sq. m): 3036.1
Lot Coverage Ratio (%): 37.2
Floor Space Index: 1.4

DWELLING UNITS

Tenure Type: Freehold  
Residential GFA (sq. m): 3036.1
Above Grade  
Below Grade
Rooms: 0  
Residential GFA (sq. m): 3036.1
0
Bachelor: 0  
Retail GFA (sq. m): 0
1 Bedroom: 0  
Office GFA (sq. m): 0
2 Bedroom: 0  
Industrial GFA (sq. m): 0
3 + Bedroom: 10  
Institutional/Other GFA (sq. m): 0
Total Units: 10

FLOOR AREA BREAKDOWN (upon project completion)

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