

**1100 Briar Hill Avenue - Zoning By-law Amendment
Application - Request for Direction Report**

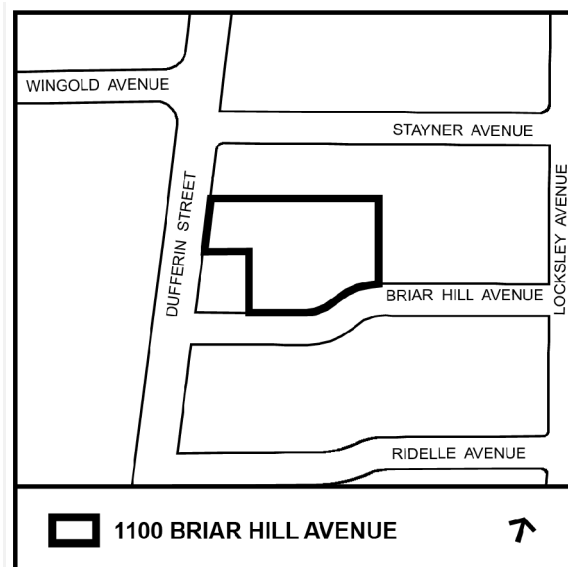
Date:	July 22, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 15 – Eglinton-Lawrence
Reference Number:	13 221087 NNY 15 OZ

SUMMARY

The applicant has appealed the Zoning By-law Amendment application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on the applications within the time prescribed by the *Planning Act*. A hearing has been set for November 25, 2014. The Site Plan Control Application (file no. 13 221111 NNY 15 SA) has not been appealed by the applicant to the OMB.

The application proposes to amend both the former City of North York Zoning By-law No. 7625 and the former City of York Zoning By-law 1-83 to permit the development of 124 stacked back-to-back townhouse units and 4 commercial units with underground parking located at 1100 Briar Hill Avenue.

The report recommends that the City Solicitor, together with City Planning staff, attend the OMB hearing in opposition to the current proposal. It also recommends that staff continue to work with the applicant in an attempt to resolve the outstanding issues and achieve a settlement.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the OMB hearing to oppose the Zoning By-law Amendment application in the current form.
2. City Council authorize City staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in this report.
3. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council direct staff to request that the Board withhold any order to approve a Zoning By-law Amendment for the subject lands until such time as a site plan agreement has been entered into between the City and the owner and any preconditions to site plan approval are fulfilled.
4. City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any final Orders approving the Zoning By-law Amendment until such time as the Owner has entered into and registered a Section 37 Agreement to the satisfaction of the City Solicitor.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The Toronto District School Board, at its meeting on April 11, 2012, adopted a resolution declaring the subject property to be surplus and referred to the Toronto Lands Corporation for disposition. The TLC circulated the proposal to the City for possible interest. City Planning staff met with Parks, Forestry and Recreation (PF&R) staff and TDSB staff in October 2012 to discuss the acquisition of the south-west corner of the site and the future development potential of the remainder of the site.

Parks Forestry and Recreation noted that the south-west corner of the site was utilized by the local community as their park space, which contains a playground area as well as a row of mature trees. At its February 25, 2013 meeting, the Government Management Committee adopted the recommendations of PF&R which outlined the purchase of the 1,490 m², south-west corner of the subject property. The Park is now owned by PF&R and is maintained as a public park.

City Council on March 20, 2014, adopted the following:

1. City Council request the Chief Planner and Executive Director, City Planning to report to North York Community Council on the outcomes and final

recommendations of the additional archaeological assessment work to be conducted at 1100 Briar Hill Avenue.

A Preliminary Report on this application was considered by North York Community Council at its meeting on October 17, 2013. A copy of the report can be found at:

<http://www.toronto.ca/legdocs/mmis/2013/ny/bgrd/backgroundfile-62117.pdf>

ISSUE BACKGROUND

Proposal

The proposal is for 124 stacked, back-to-back townhouse units and 4 commercial units arranged in 6 blocks (Blocks A, B, C, D, E and F) above an underground parking garage (see Attachment 1, Site Plan). The 4 commercial units, one, one-bedroom unit and twelve, two-bedroom townhouse units will be located on one block (Block A) in the *Mixed Use Areas* designation on Dufferin Street. The remaining 5 blocks, designated *Neighbourhood Areas*, will contain 111 townhouse units, all of which would be two-bedroom units. These blocks would be organized as fingers, running north-south, or perpendicular to Briar Hill Avenue and parallel to Dufferin Street. Pedestrian access to the individual units would be provided by a series of linear private open spaces running between the blocks, into the interior of the site. Additional linear space is provided in an east-west direction, at the north end of the site and at the middle of the site. Entrances for individual units would be provided from these linear private open spaces. Block F would have a fronting relationship to the park located at the northeast corner of Dufferin Street and Briar Hill Avenue. The end units facing Briar Hill Avenue would have front doors facing the street. A side yard condition would be provided to the mixed use and residential uses to the north which front onto Dufferin Street and Stayner Avenue. These blocks would be considered to be four-storeys in height by virtue of the below grade entrances located on one side of the block as well as the individual stair access to the private rooftop amenity areas. The proposed development would have a gross floor area of 12,531.38 square metres which represents a Floor Space Index, or density of 1.61.

The applicant proposes to meet a portion of the required parkland dedication on site, by adding lands approximately 7.5 metres by 31 metres onto the north end of the park.

Vehicular access for parking, loading and garbage pick-up would be taken from Briar Hill Avenue, at the east end of the site, directly adjacent to the single detached house at 1074 Briar Hill Avenue, in approximately the same location as the existing driveway that served the former school. There are 127 residential parking spaces, 19 visitor parking spaces and 4 retail parking spaces proposed to be located in an underground garage. Also proposed are 130 bicycle parking spaces (112 for residents, 13 for visitors and 5 spaces service the retail uses).

Table 1 – Site Statistics

1100 Briar Hill Ave	1st Submission (August 15, 2014)	2nd Submission (April 10, 2014)
GFA	14,158.33 sq. m	12,531.38 sq. m
FSI	1.77	1.61
Unit Count	One bedroom – 3 Two bedroom – 124 Three bedroom - 9 Total - 136	One bedroom – 1 Two bedroom - 123 Total - 124
Parking Spaces	161	150
North Yard Setback	3.3m	3.3m – to building 'A' 5m – to buildings 'B', 'C' and 'D'
East Yard Setback	17.8m	17.8m
West (Dufferin) Yard Setback	1.8m	7.9m
South (Briar Hill) Yard Setback	2.5m – to Building 'F' 1.3-2.4m – to Building 'E' 2m – to Building 'D'	4.6m – to Building 'F' 3.3-4.5m – to Building 'E' 3.5m – to Building 'D'
Landscaped Area	909 m ² 57%	1325 m ² 76%

Site and Surrounding Area

The site is located on the north-east corner of Dufferin Street and Briar Hill Avenue and is irregular in shape, due to the curve in Briar Hill Avenue. The park is located on the north-east corner. The site grades downwards on an angle from the north-east corner to the Dufferin Street and Briar Hill Avenue intersection. The closest major intersection is Dufferin Street and Eglinton Avenue West. The site has an area of 0.80 hectare with a frontage of approximately 37 metres on Dufferin Street and a frontage of approximately 97 metres on Briar Hill Avenue and a depth of approximately 61 metres at the east side and approximately 81 metres in the centre of the site. The site is vacant.

Land uses surrounding the subject site include:

North: Directly to the north of the site is an automotive repair shop and a car wash. Also north, fronting Stayner Avenue, are one and two-storey detached dwellings.

East: To the east along Briar Hill Avenue are one and two-storey detached dwellings.

South: Directly south of the site are one and two-storey detached dwellings on Briar Hill Avenue. Along the east side of Dufferin Street are detached dwellings, apartment buildings and commercial plazas ranging in height from two to three-storeys.

West: On the west side of Dufferin Street is Fairbank United Church and the Dufferin Business Centre which contains a mix of office, retail and service uses.

Provincial Policy Statement and Provincial Plans

The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key objectives include: building strong communities; wide use and management of resources; and protecting public health and safety. The Province of Ontario has recently issued an updated PPS which is effective April 30, 2014 and applies to any planning decisions made on or after that date.

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. The policies contained in the Growth Plan are to be read in conjunction with all applicable provisions of the PPS.

Official Plan

The Official Plan designates the westerly portion of the subject site as *Mixed Use Areas*. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses in single use or mixed use buildings. The objective of this designation is to allow residents to live, work and shop in the same area and to reduce dependency on private automobiles. Policy 4.5.2 outlines criteria for development in *Mixed Use Areas* and states that development will "create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community."

This portion of Dufferin Street is an *Avenue* as set out on Map 2. Section 2.2.3 of the OP outlines that *Avenues* are where reurbanization is expected and encouraged to occur to generate new housing and job opportunities while improving the look of the street, shopping opportunities, transit and the pedestrian environment. *Avenue Studies* will be conducted to set out a framework for future development.

The remainder of the subject site is designated *Neighbourhoods* by the Official Plan which are considered to be physically stable areas made up of low scale residential development. Policy 2.3.1 outlines that development within *Neighbourhoods* will be consistent with this objective and will reinforce and respect the existing physical character of buildings, streetscapes and open spaces. While *Neighbourhoods* are intended to be physically stable, they are not intended to be static. Chapter 3 of the Official Plan requires development within *Neighbourhoods* to generally "fit" the existing physical character and sets out policies that speak to that.

Section 4.1.9 of the Plan provides for the development of residential uses on properties that vary from the local pattern in *Neighbourhoods* in terms of lot size, configuration and

orientation. Such development is to have heights, massing and scale appropriate for the site and compatible with nearby residential properties. Development on these sites is to provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed.

The Official Plan contains policies which are intended to be applied in conjunction with the land use policies to determine conformity of any given proposal to the Plan. These policies include, among other matters built form and public realm.

Zoning

On May 9, 2013, City Council enacted the new City wide Zoning By-law No. 569-2013. The site is not subject to the new Zoning By-law.

The site is currently subject to two zoning by-laws. The northerly portion of the site is zoned R5 under the former City of North York Zoning By-law No. 7625. The R5 zone permits one-family detached dwellings and accessory buildings, home occupations, recreational uses such as parks and institutional uses such as schools. The southern portion of the site is zoned R2 under the former City of York Zoning By-law No. 1-83. The R2 zone permits detached, semi-detached and duplex dwelling houses, as well as accessory uses, parks, schools, place of worship and home occupations.

Infill Townhouse Guidelines

The Infill Townhouse Guidelines were approved by City Council in 2003 to address the development impacts of infill townhouses with a focus on “protecting streetscapes and seamlessly integrating new development with existing housing patterns”. The Guidelines consider matters such as open spaces, building location, built form and location of parking. They also consider the interaction between the infill development and the pedestrian environment. While the Guidelines do not specifically address back-to-back or stacked townhouses, they do provide standards for matters such as building setbacks, unit widths, entrance grades and landscaping. Staff have used the Guidelines to assist the review of the proposed development.

Site Plan Control

An application for Site Plan Control was submitted in conjunction with the application for a Zoning By-law Amendment. The Site Plan Control application (file no. 13 221111 NNY 15 SA) has not been appealed.

Community Consultation

Staff held a community consultation meeting on November 26, 2013 to present the planning framework and to allow the applicant an opportunity to present their proposal. The purpose of the meeting was to receive community feedback on the proposal. Approximately 130 attended the meeting. At the meeting, the residents raised a number

of concerns with the proposal. The majority of residents expressed opposition to the proposal or aspects of the proposal.

Concern was expressed related to the density of the proposal, and that there were too many units. Residents also expressed concerns with the amount of open space located on site. Safety concerns related to the design of the proposal were also raised. Some residents expressed concerns with the grade changes and sunken courtyards and walkways and indicated it could be an unsafe environment. There were also concerns regarding access to the interior of the site for emergency vehicle use.

Residents raised concerns regarding the type and tenure of the proposed townhouses. There were also concerns regarding the reduction in property values as a result of the proposal.

There were concerns raised about the future use and access to the park. Concerns were also raised about the heritage value of the former school located on site.

Residents expressed concerns about site access, specifically the location of the driveway and that a second access point should be located on Dufferin Street. Some residents also expressed concern regarding the increase in traffic and potential visitor parking on Briar Hill Avenue.

Concerns were raised about the potential future servicing of the site, being that it is located in an area prone to basement flooding.

Prior to and subsequent to the meeting, a large volume of correspondence and telephone calls were received. Many of the issues raised were similar to those raised at the community consultation meeting, as well as concerns regarding the heritage value of the site. Additionally, the local resident's group submitted an appendix to the City drafted Meeting Notes, which outlined their collective concerns. The notes can be found at: <http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=9683d2dd55273410VgnVCM10000071d60f89RCRD&vgnextchannel=490452cc66061410VgnVCM10000071d60f89RCRD>

As a result of the resident concern, a Working Group Meeting was held on June 2, 2014 and was attended by 4 members of the public, the applicant, the Councillor's staff and members of City Planning staff. The purpose of the meeting was to hear specific concerns and attempt to address and work through them.

Reasons for the Application

The current proposal does not meet certain requirements in either of the applicable by-laws, specifically with respect to dwelling type (townhouses), setbacks, coverage, height and permission of commercial uses.

COMMENTS

Provincial Policy Statement and Provincial Plans

Both the PPS and the Growth Plan are high-level and broad reaching. The City is a development area and infill is encouraged under these policies. The PPS states that the most important method of implementing the policies is a municipality's Official Plan which guides the method of intensification and where it should be focused. Should the applicant address the issues set out in this report, the proposal will be consistent with the PPS and Growth Plan.

Outstanding Issues

The Official Plan Policies and Infill Townhouse Guidelines set out criteria for review of development applications. The subject site is unique in both shape and size. It allows for a mix of uses along Dufferin Street. The majority of the *Neighbourhoods* designation on the east side of the site falls under the York Zoning By-law which allows for a range of housing forms including more compact building type, in the form of duplexes. However, in the opinion of staff, the application in its current form cannot be supported. The proposal requires further changes in order to meet the policies and guidelines summarized below.

Official Plan Policy Framework

The Official Plan sets a framework for development in the City and deals with things such as the land uses, public realm, built form, streetscape and the environment. The proposal has been reviewed against these policies and the existing context. A review of the Official Plan policies as they relate to the proposal follows below.

The site is located both on a major street, Dufferin Avenue, which is designated as an *Avenue*, and on a local road, Briar Hill Avenue. A new public park is located on the northeast corner of these two streets. This site and the park forms part of an entrance to the neighbourhood. *Avenues* are where reurbanization is expected and encouraged to occur to generate new housing and job opportunities while improving the look of the street, shopping opportunities, transit and the pedestrian environment. The built form typically envisioned on an *Avenue* is a mid-rise building up to the height of the width of the street, which in this case is 27 metres, or 8-storeys.

The portion of the site, fronting Dufferin Street, is an *Avenue* and is designated as *Mixed Use*. This allows for a combination of a broad array of residential uses, office, retail, services and other uses. Policy 4.5.2 outlines criteria for development in *Mixed Use Areas* and states that development will "create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community."

The remainder of the site is designated as *Neighbourhoods* on Map 16 of the Official Plan. Section 2.3 of the Official Plan sets out detailed policies respecting the City's

neighbourhoods and green space. Policy 2.3.1 states that *Neighbourhoods* are "considered to be physically stable areas". Development in these areas needs to "respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas".

In the preamble to the policies of Section 2.3, the Plan does recognize that neighbourhoods will not stay frozen in time, but that new development should respect the existing physical character of the area and that improvements to a neighbourhood area are expected. Policy 2.3.1.5 encourages environmental improvements in *Neighbourhoods* by investing in "naturalization and landscaping improvements, tree planting and preservation". The plan directs new development to improve existing situations to better the overall community, in part by providing appropriate landscaping.

Chapter 3 of the Plan speaks to how new development will be located and organized to fit with its existing or planned context. The Built Form policies outline that "new development will be massed...to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties". One of the ways in which this can be accomplished would be by "creating appropriate transitions in scale to neighbouring existing and/or planned buildings". This section of the Plan also speaks to appropriately locating vehicular access to minimize the impact on surrounding properties.

Chapter 4 of the Plan further refines development in established *Neighbourhoods* by outlining policies which speak to the specificity of this nature of development in neighbourhoods. Policy 4.1.5 notes that some of the factors to respecting and reinforcing the existing physical character are the "heights, massing, scale and dwelling type of nearby residential properties" and "setbacks from the street or streets." Policy 4.1.9 speaks to infill development on properties that vary from the local pattern and specifically addresses that this infill will "have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties".

The policies in the Official Plan were used in the evaluation of this proposal. The specific policies mentioned above have provided a framework with which to explain in detail the concerns regarding the proposed plan as discussed below. City staff are of the opinion that the above mentioned policies have not been satisfactorily addressed as discussed below.

Organization of the Site

The proposed development site is large and irregular in shape. Adding to the site's irregularity is the location of the new park at the northeast corner of Dufferin Street and Briar Hill Avenue. On this site, typical building location and organization along the street edges would leave space in the rear that would be unused. Typically on sites of this size, a new public street would be created to provide address and access for buildings located deeper into the site and away from the existing street edges. In this proposal, with parking provided underground, the address and access functions of the street have

been replaced with north south linear open spaces and pedestrian walkways throughout the site. The location, scale and organization of the new park, existing streets and the proposed open spaces and walkways are an issue.

The park is located on the north-east corner of Dufferin Street and Briar Hill Avenue and covers over half of the Dufferin Street *Mixed Use Areas* and *Avenue* frontage. Due to this location, the remaining developable portion of the *Mixed Use Areas* and *Avenue* designation is not large enough to accommodate a mid-rise building. The proposed townhouse block located on Dufferin Street proposes commercial uses at grade, which is intended to provide commercial uses for the local community and satisfies Official Plan policies for a mix of uses.

The five townhouse blocks that have been located perpendicular to Briar Hill Avenue are organized around a series of linear private open spaces 12.5 metres in width with pedestrian walkways ranging in size from 1.8 metres to 2.0 metres, extending from Briar Hill Avenue the full depth of the site to the north property line. This arrangement places a public walkway along the rear of the properties facing Stayner Avenue and results in inappropriate side to rear yard and front to rear yard relationships to neighbouring uses. The north-south driveway along the east edge of the property is proposed with pedestrian, vehicular, loading and garbage area access along the existing single detached house to the east, and without an appropriate width and landscape buffer this relationship is problematic. The proposed site layout, including the location of the park on the corner, also removes the majority of front entrances for the new development away from either Dufferin Street or Briar Hill Avenue and into interior private open spaces. Due to the depth of the lot, ranging from 61 metres to 81 metres, the resulting length of these linear private open spaces with pedestrian walkways that provide address and access to the interior townhouse units raises a number of issues concerning visibility, safety and access to interior units.

An east-west pedestrian walkway has been proposed at the midpoint of the site and at the north end of the site. The midpoint walkway cuts through the townhouse blocks and links the development to the north end of the new public park and the Dufferin sidewalk. Staff like this east-west walkway as it joins the units on site with the new park and Dufferin Street. Currently, this walkway is compromised by the proposed additional on-site parkland dedication, to be located on the north side of the park, and by the proposed grading, both of which limit the function and accessibility of this east-west walkway. The east-west walkway along the north end of the site is narrow and provides little room for appropriate planting and screening to the existing neighbourhood and places the public along the rear of houses to the north. Staff recommend that the mid-block focus should be on the central east-west connection, enhancing pedestrian movement and providing clear access and address deeper into the site as well as creating better access for emergency vehicles, moving vans and other drop-off functions. If this central organizing feature could be accomplished effectively, a minor connection at the north of the site would no longer be necessary.

Staff are of the opinion further discussion on all walkways and connections, with specific emphasis on an east-west central organizing feature, is important to resolving the fractured organization of the site.

Park and Open Space

As mentioned above, the location of the park at the north-east corner of Dufferin Street and Briar Hill Avenue reduces the *Mixed Use Areas* and *Avenue* designation on Dufferin Street, thereby limiting the developable portion of this area. Locating the park elsewhere on the site would provide for a more uniform development block that may have the potential to achieve an appropriate built form for a mid-rise building type and would allow for opportunities for different transitional elements between proposed development and the existing neighbourhood.

The proposed on-site parkland dedication is to be located directly abutting the north side of the park. This raises a number of planning concerns. The proposed additional parkland further reduces the *Mixed Use Areas* and *Avenue* portion of the site and exacerbates the limited availability for development. Due to the placement of the on-site parkland dedication, there is no direct visual or pedestrian connection from the east end of the site to Dufferin Street which is an important element to site organization, connectivity and safety.

There is an existing grove of mature trees located along the bend on Briar Hill Avenue, approximately between Building F and the proposed driveway. Policy 2.3.1.5 of the Plan encourages environmental improvements, including the preservation of trees. The southern portion of Buildings D and E are located in such a way that will result in the removal of those existing mature trees. Providing a large setback for Blocks D and E would allow for the preservation of the mature trees and the surrounding open space would reinforce the streetscape along Briar Hill Avenue and would result in a better fit of this new development with the existing context. Should the existing park and required additional lands for on site parkland dedication be relocated further into the interior of the site, on Briar Hill Avenue, it would be possible to preserve the existing grove of trees and preserve open space in the Neighbourhoods designation.

Planning staff are of the opinion the site would function more cohesively if the park was in a different location. Understanding this may not be a reality, Planning staff have raised concerns with Parks Forestry & Recreation staff that the proposed parkland dedication should not be located on site as it compromises a key organizing feature of the site which in turn affects the pedestrian access and safety of the site. As these matters are unresolved and require further discussion, the application cannot be supported in its current form. Planning staff would like to continue to work with PF&R staff and the applicant on an appropriate location and design.

Relationship to Surrounding Uses

The site is bounded by single detached dwellings along a portion of the north property line and along the east property line. Commercial uses, consisting of a 24 hour car wash

and automobile repair shop, are also found along the remainder of the north property line closer to Dufferin Street. Appropriate transition and setbacks should be provided to these differing adjacent uses and the new townhouse development, to ensure that light, views and privacy impacts are reduced. The proposed setbacks along the north property line of 3.3 metres to Block A and 5 metres to Blocks B, C and D should be increased to provide appropriate separation distances between the new development and adjacent uses. In addition, the proposed 3.1 metre setback to the driveway along the east property line, and associated loading and servicing functions found along this driveway should be increased to provide for appropriate space to ensure these functions are screened by landscaping from adjacent neighbours.

Staff are of the opinion that the relationship of the proposal to the surrounding sites should be further examined in order to provide appropriate relationships.

Massing and Built Form

Built form Policy 3.1.2.3 of the Official Plan speaks to "massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion". The character of existing dwellings along Briar Hill Avenue are one and two storeys in height. The proposed buildings have heights of 4-storeys, which are taller than this adjacent context. In order to provide a more appropriate transition and built form relationship to the existing context, the proposed 4-storey buildings should step down in height at Briar Hill Avenue. The ends of these blocks (E and F) facing Briar Hill Avenue should also work as end units with doors and windows which would act as transitional elements to the context of dwellings across the street.

Some of the proposed units have lowered front entrances and terraces. This arrangement has some implications from a massing and built form perspective that are not consistent with some built form policies as outlined in the Official Plan and as mentioned above.

In addition, with heights of approximately 13.9 metres and separation distances between the buildings of 12.5 and 11.5 metres, further consideration should be given to providing increased separation distances between buildings that are closer to a 1:1 relationship, to ensure appropriate sunlight and privacy is provided within these open spaces.

Staff are of the opinion further discussion regarding the massing, built form and transitional elements both to the existing context on Briar Hill Avenue, and within the site is required.

Private and Shared Amenity Space

The proposed development functions as a cohesive community, with below grade parking and centralized garbage and mail. In such a context, it is important to provide a sufficient amount of both indoor and outdoor amenity space. The individual units provide for private outdoor amenity space in the form of balconies and terraces. The proposed shared amenity space would consist of 75 square metres of indoor amenity space and 98 square metres of outdoor amenity space. Shared indoor and outdoor amenity space should be

provided in a prominent and centralized location and they should be located adjacent to each other to promote the use of each. Both shared indoor and outdoor amenity space is proposed, however the amount and location raises some questions yet to be resolved.

Heritage

The land-owner has been directed to complete a Stage 4 Archaeological Assessment of the site. This additional archaeological review has begun by Archaeology Services Inc (ASI). Once this latest investigation is complete ASI will review and interpret their findings in a report to be provided to the City Planning Division (Heritage Preservation Services) and to the Province (Ministry of Tourism, Culture and Sport). This report will advise on an appropriate means of interpretation or commemoration based on the as-found integrity of the archaeological resource. Once Heritage Preservation Services staff has received and reviewed the report from ASI and any comments to that report provided by the Province, an information report will be prepared by Heritage Preservation Services and forwarded to North York Community Council.

Avenue Segment Study

At its meeting of October 17, 2013, North York Community Council directed the applicant to submit an *Avenue* Segment Study for a portion of Dufferin Street. The typical lot depths of properties fronting Dufferin Street are 32 metres to 115 metres. The *Avenue* Segment Study would apply to a depth of approximately 48 metres along Dufferin Street. To date, staff have not received a submission reflecting the direction.

Site Plan

A Site Plan application was submitted concurrently with the Zoning By-law Amendment application. It is currently under review and changes are required to address the issues outlined in this report and discussed in recommendation 2.

Staff will work with the applicant to resolve outstanding site plan issues, including:

- Materiality and treatment of building facades;
- Location, type and amount of landscaping; and
- Organization and design of features such as mailboxes, sight lighting, and paving materials.

This report recommends that in the event the Ontario Municipal Board allows the appeal in whole or in part, City Council direct staff to request that the Board withhold any order to approve a Zoning By-law Amendment for the subject lands until such time as a site plan agreement has been entered into between the City and the owner and any preconditions to site plan approval are fulfilled.

Section 37

Staff have had no discussions regarding Section 37 of the *Planning Act*. The proposal in its current form would be subject to Section 37 provisions due to the increase in density and height proposed. This report recommends that City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any final Orders approving the Zoning By-law Amendment until such time as the Owner has entered into and registered a Section 37 Agreement to the satisfaction of the City Solicitor.

Conclusion

City staff oppose the proposed development in its current form. Although the applicant has made modifications to the proposal in an attempt to address staff and local residents concerns, the revised proposal is not acceptable. The proposal requires modifications to deal with site organization, park location, area and configuration, relationships to surrounding uses and massing and built form.

This report outlines a number of outstanding issues to be resolved including:

- Park location and on-site parkland dedication;
- Treatment of the *Mixed Use Areas* block;
- Organizing elements;
- Shared amenity space;
- Preservation of the grove of mature trees on Briar Hill Avenue;
- Briar Hill Avenue streetscape; and
- Transition to the *Neighbourhoods* designated lands to the north, east and south.

This report recommends that the City Solicitor, together with City Planning staff, attend the OMB hearing in opposition to the current proposal. It also recommends that staff continue to work with the applicant in an attempt to resolve the outstanding issues as set out in this report.

CONTACT

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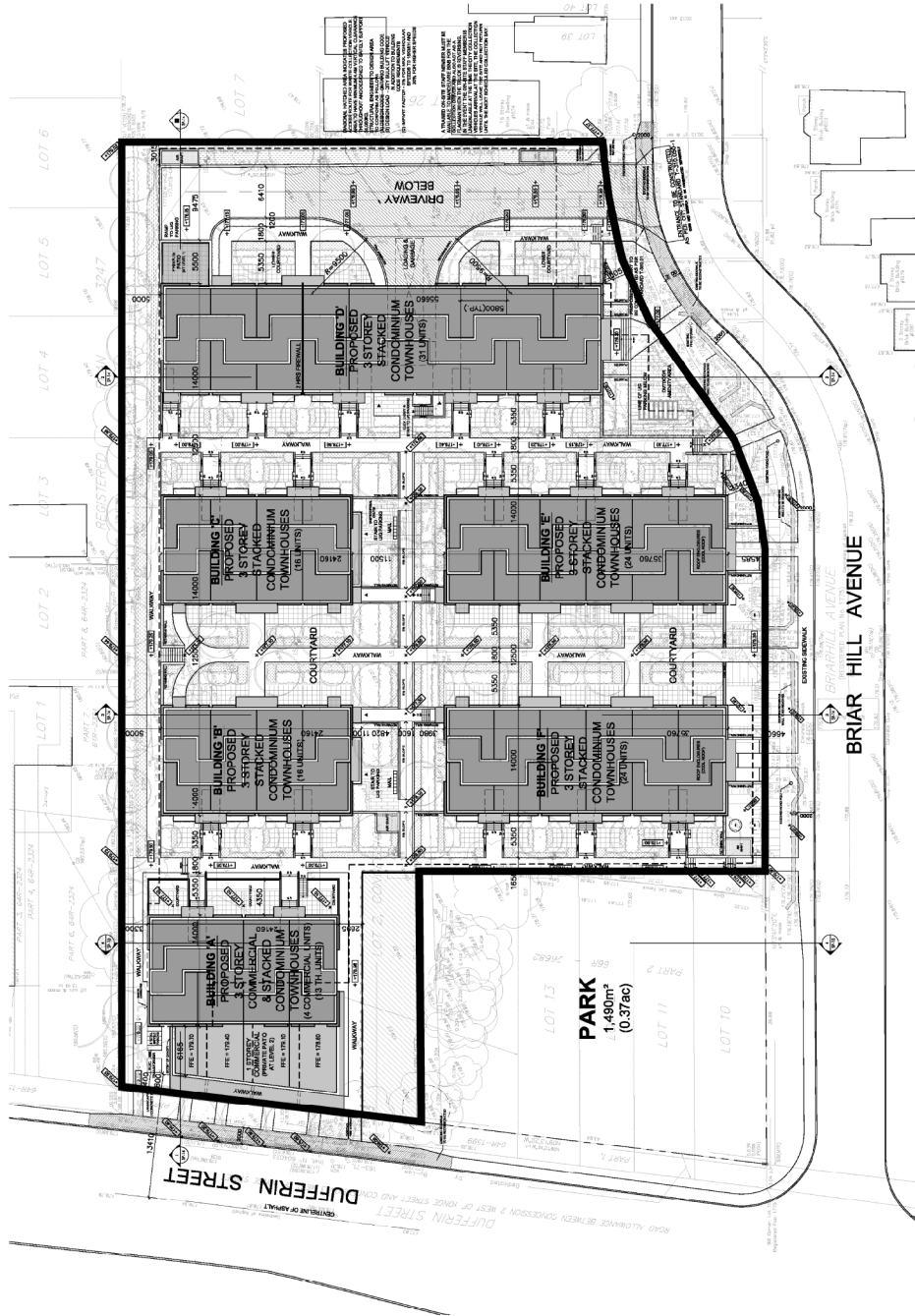
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet

Attachment 1: Site Plan



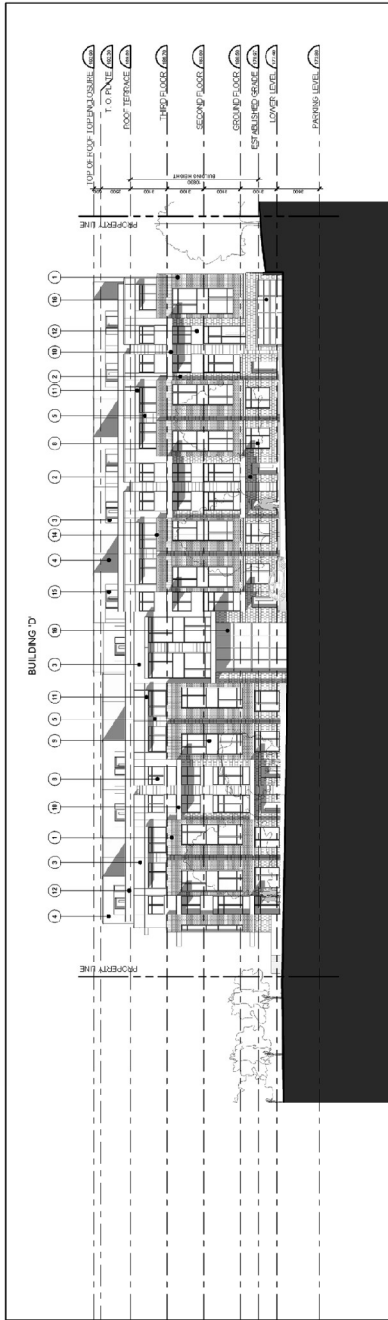
1100 Briar Hill Avenue

Site Plan
 Applicant's Submitted Drawing

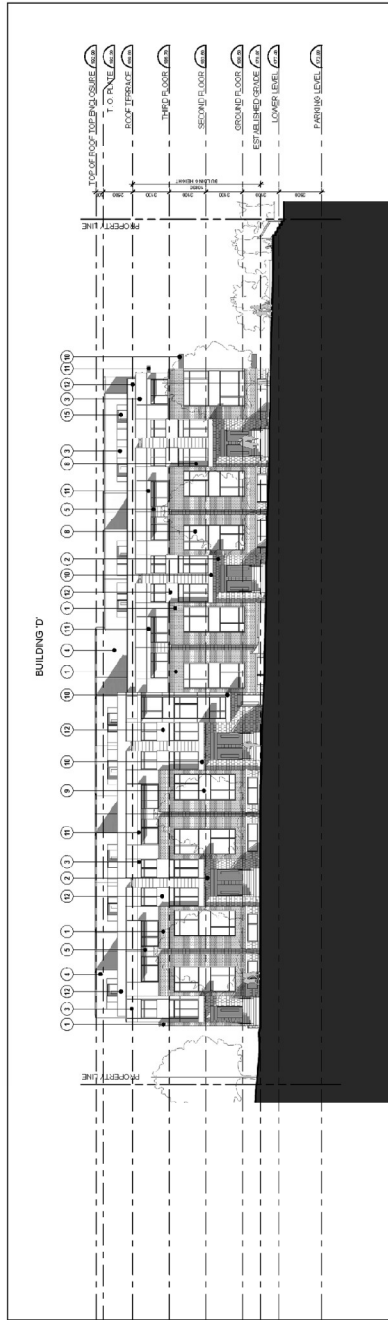
Not to Scale
 07/17/2014

File # 13 221087 NNY 15 0Z

Attachment 2: Elevations



BUILDING D - EAST ELEVATION (REAR)



BUILDING D - WEST ELEVATION (FRONT)

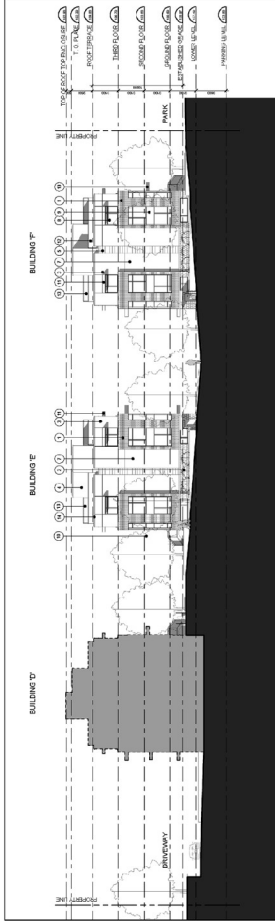
Elevations

Applicant's Submitted Drawing

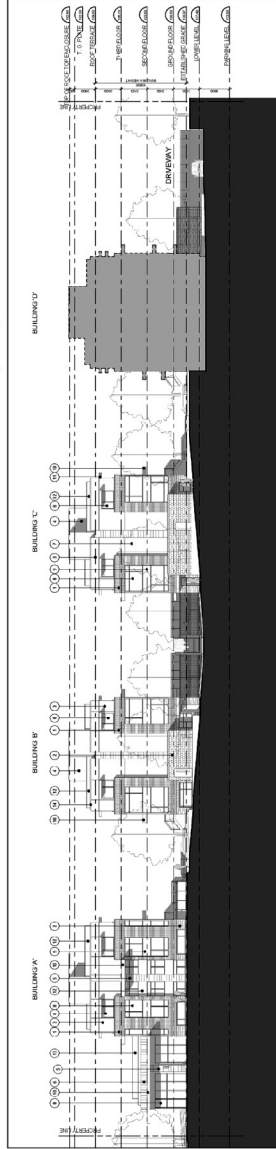
Not to Scale
07/17/2014

1100 Briar Hill Avenue

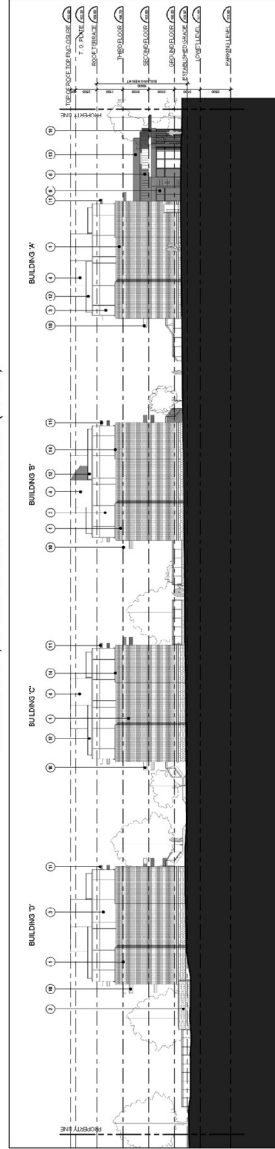
File # 13 221087 NNY 15 0Z



BUILDING E & F NORTH ELEVATION (SIDE)



BUILDING A, B & C SOUTH ELEVATION (SIDE)



BUILDING A, B, C & D NORTH ELEVATION (SIDE)

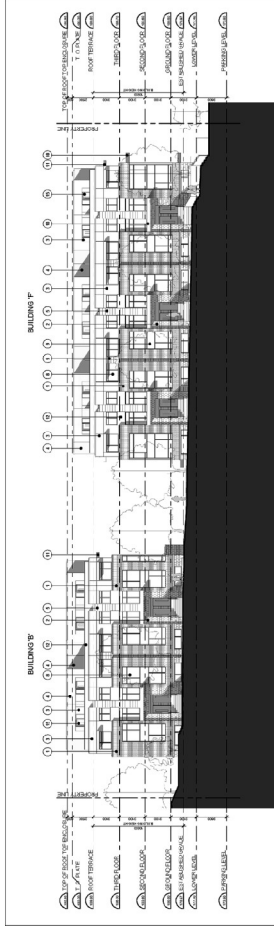
Elevations

Applicant's Submitted Drawing

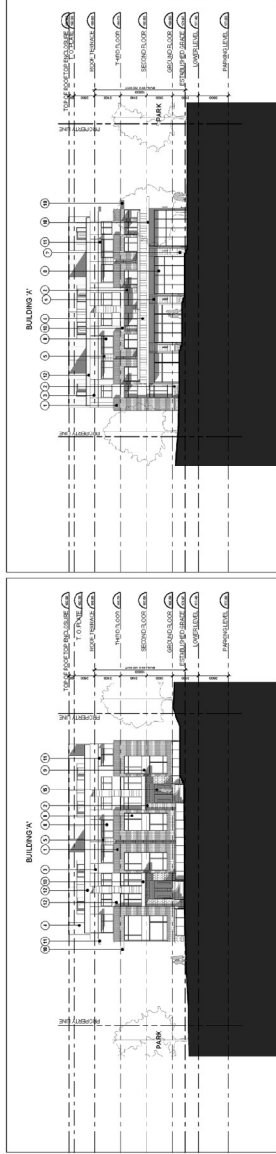
Not to Scale
07/17/2014

1100 Briar Hill Avenue

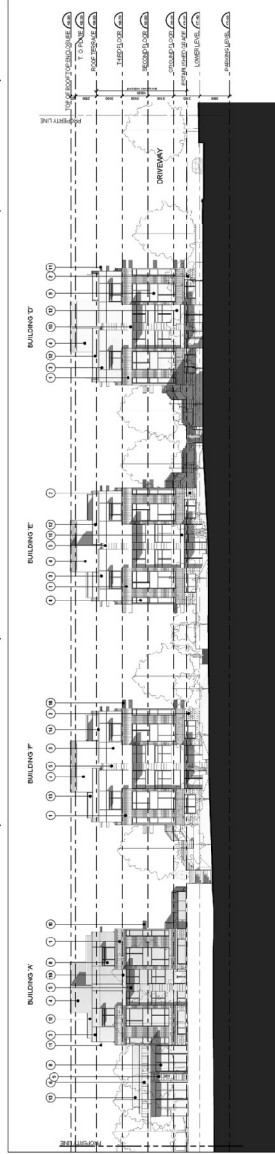
File # 13 221087 NNY 15 0Z



BUILDING B & F - WEST ELEVATION (FRONT)



BUILDING A - WEST ELEVATION (RETAIL FRONT)



BUILDING A - EAST ELEVATION (RESIDENTIAL FRONT)

BUILDING D, E, & F - SOUTH ELEVATION (ALONG BRIAR HILL AVENUE)

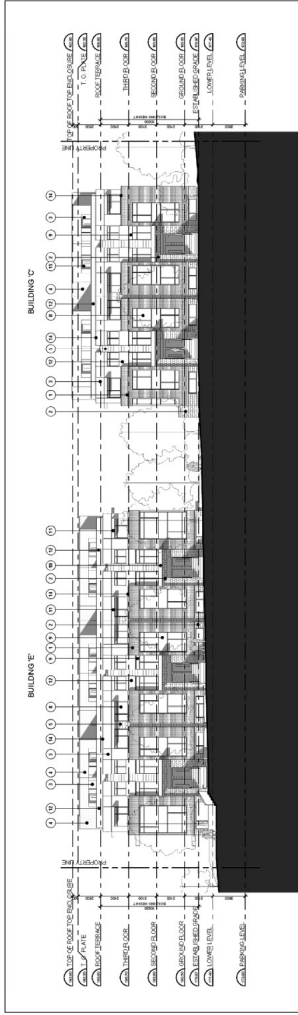
Elevations

Applicant's Submitted Drawing

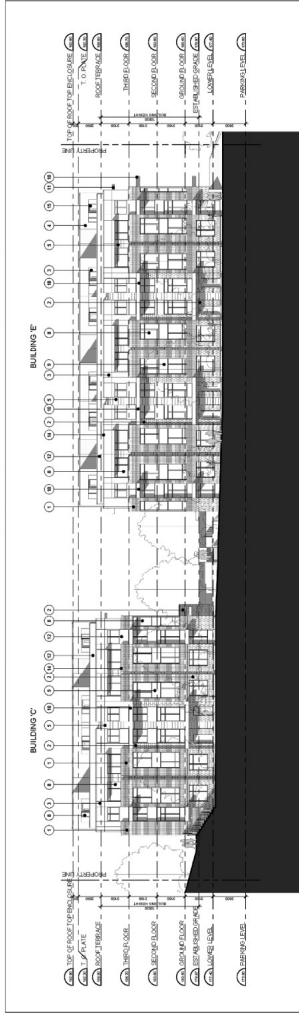
Not to Scale
07/17/2014

1100 Briar Hill Avenue

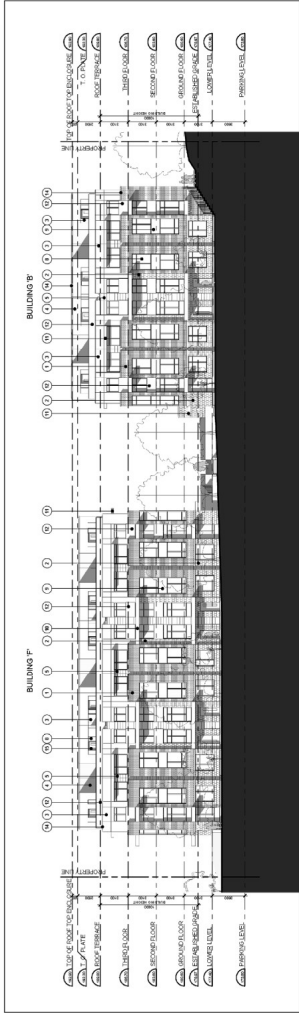
File # 13 221087 NNY 15 0Z



BUILDING C & E - EAST ELEVATION (FRONT)



BUILDING C & E - EAST ELEVATION (REAR)



BUILDING B & F - EAST ELEVATION (REAR)

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 07/17/2014




1100 Briar Hill Avenue
 File # 13 221087 NNY 15 0Z


Attachment 3: Zoning



TORONTO City Planning
Zoning By-law 569-2013

1100 Briar Hill Avenue
 File # 13 221087 NNY 15 02

- | | | |
|---|--|--|
|  Location of Application |  See Former City of North York Bylaw No. 7625 |  See Former City of York Bylaw No. 1-83 |
| RD Residential Detached | R2 One-Family Detached Dwelling Second Density Zone | R2 Residential Zone |
| RM Residential Multiple | R5 One-Family Detached Dwelling Fifth Density Zone | CE Commercial Employment Zone |
| CR Commercial Residential | R6 One-Family Detached Dwelling Sixth Density Zone | |
| E Employment Industrial | MC Industrial-Commercial Zone | |
| OR Open Space Recreation | | |


 Not to Scale
 Extracted 09/23/2013

Attachment 4: APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	13 221087 NNY 15 OZ
Details	Rezoning, Standard	Application Date:	August 15, 2013

Municipal Address: 1100 BRIAR HILL AVE
 Location Description: PLAN 1775 LOTS 10 TO 25 BRIAR HILL PUBLIC SCHOOL **GRID N1506
 Project Description: To permit 124 townhouse dwelling units with one level of underground parking and 4 commercial units of 615 square metres in total.

Applicant:	Agent:	Architect:	Owner:
MADISON BRIAR HILL LTD 369 Rimrock Road Toronto, ON M3J 3G2	MADISON BRIAR HILL LTD 369 Rimrock Road Toronto, ON M3J 3G2	Kirkor Architects 20 Martin Ross Toronto, ON M3T 2K8	MADISON BRIAR HILL LTD 369 Rimrock Road Toronto, ON M3J 3G2

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	R5 (North York ZBL) & R2 (YORK ZBL)	Historical Status:	N
Height Limit (m):	8.8	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	8008.21 (net site area after dedications 7773.0)	Height:	Storeys:	3
Frontage (m):	37.96		Metres:	11.5
Depth (m):	1190.5			
Total Ground Floor Area (sq. m):	3343			Total
Total Residential GFA (sq. m):	12030.38		Parking Spaces:	150
Total Non-Residential GFA (sq. m):	501		Loading Docks	1
Total GFA (sq. m):	12531.38			
Lot Coverage Ratio (%):	41%			
Floor Space Index:	1.61			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	12030.38	0
Bachelor:	0	Retail GFA (sq. m):	501	0
1 Bedroom:	1 (1%)	Office GFA (sq. m):	0	0
2 Bedroom:	123 (99%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	124			

CONTACT:	PLANNER NAME:	Emily Rossini, Planner
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	E-MAIL:	erossini@toronto.ca