

**73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue
– Zoning Amendment Application – Final Report**

Date:	December 15, 2015
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 to permit 11 three-storey townhouses with private garages on a future common element private driveway at 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue.

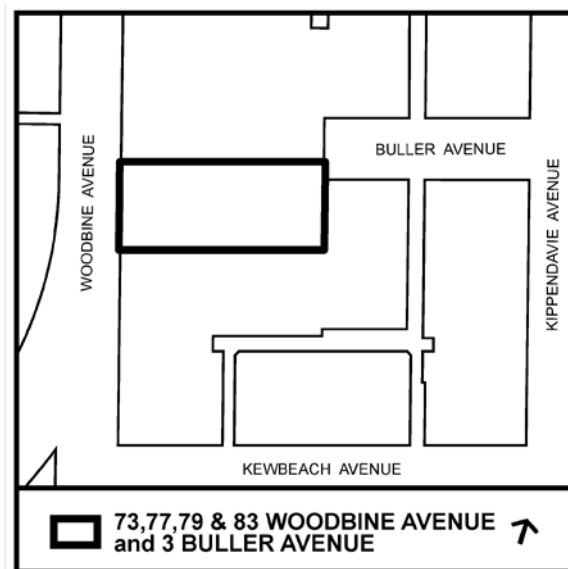
The proposal represents a residential infill of a property that currently has 5 houses with 11 new townhouses. The development is similar to other developments in the neighbourhood, including the development immediately to the south. The proposed development is an appropriate infill development on the subject site.

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 Zoning By-law 438-86, for the lands at 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to report dated December 15, 2015 from the Director, Community Planning, Toronto and East York District.



2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to report dated December 15, 2015 from the Director, Community Planning, Toronto and East York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

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 The application was withdrawn.

On September 10, 2013, the Toronto and East York Community Council considered a Preliminary Report dated July 30, 2013, from the Director, Community Planning, Toronto and East York District and adopted the recommendations of that report which can be found at: <http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-60648.pdf>.

ISSUE BACKGROUND

Proposal

This application proposes the construction of 11 townhouses at 73, 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue. Three of the proposed townhouses face Woodbine Avenue, with remaining 8 townhouses facing an internal driveway. Each of the proposed houses has an integral garage for parking, with the rear units having two parking spaces each. Access is provided off of Woodbine Avenue. The Application Data Sheet is attached as Attachment 5.

The site is proposed to be developed as a common element condominium, where each of the eleven townhouses would eventually form freehold parcels of tied lands associated with a common element that would comprise the private drive servicing the development, walkways, landscaping, and associated common facilities. An application for common element condominium approval has not yet been submitted.

Site and Surrounding Area

The property is located on the east side of Woodbine Avenue, south of Queen Street East, and on Buller Avenue. A pair of semi detached and two detached houses currently exist on the Woodbine Avenue frontage. A detached house currently exists on the Buller Avenue frontage.

The property is surrounded on the north and east by detached and semi detached houses. Immediately to the south of the property is an infill development consisting of fourteen 3½ storey semi-detached houses that were constructed in 1998, with four units facing Woodbine Avenue and ten units facing a private driveway.

Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets out matters of provincial interest, which City Council shall have regard to in carrying out its responsibilities. The matters include: the orderly development of safe and healthy communities; the adequate provision of a full range of housing; and the appropriate location of growth and development, to name a few.

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities by accommodating a range and mix of uses; providing an appropriate range of housing types and affordability to meet projected requirements of current and future residents; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required 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; providing housing options to meet the needs of people at any age; 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.

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 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*.

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 has been reviewed concurrently with the Rezoning application.

Reasons for 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.

Community Consultation

A community consultation meeting was held on November 6, 2013 at SH Armstrong Community Centre. There were 12 members of the public in attendance at the meeting.

There was concern with respect to the massing of the proposed building in relation to the units to the south. In addition there was much discussion related to the impact on trees, and the potential impact on the neighbours' ability to maintain their trees with a development on this lot.

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 proposal is consistent with the PPS. The proposed development is consistent with the Official Plan, which implements the PPS by focusing growth within an existing settlement area, by intensifying and redeveloping a site where suitable infrastructure is available, and by

developing cost effective development standards to minimize land consumption and servicing costs.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposed development conforms to these policies as it proposes growth within a built up area of the community through intensification and it is supportive of transit, walking and cycling for everyday activities.

Land Use

The Official Plan recognizes that the subject property, which is designated *Neighbourhoods*, is an appropriate site for residential uses. The proposed building type - townhouses - conforms to the uses permitted in the *Neighbourhoods* designation.

The proposed residential townhouses are compatible with the existing fabric of the surrounding area which includes a mix of detached and semi-detached dwellings, as well as townhouses and some low-rise apartment buildings, ranging in height between 2 and 4 stories.

Infill Townhouse Guidelines

The Infill Townhouse Guidelines were adopted in 2003 and provide guidelines that seek to produce a high quality living environment for all residents while maintaining an appropriate overall scale and pattern of development within its context. It also seeks to minimize shadow, blocked view and overlook onto existing residential buildings and open spaces while promoting efficient and cost effective infrastructure for future users. New Townhouse guidelines were before Planning and Growth Management Committee in November 2015. The proposed new guidelines continue to seek as high quality townhouse development but update the 2003 guidelines to incorporate lessons learned during the last 12 years. This application was received in 2013 and was reviewed against the 2003 guidelines.

The proposed development meets the objectives by establishing front door entrances onto a public road, (Woodbine Avenue) along with an uninterrupted street wall that is line with existing buildings on Woodbine Avenue. By utilizing a shared private driveway access point it reduces the car/pedestrian conflicts that might otherwise arise where each private driveway has direct access to the public road.

The proposed block of eight townhouse units along the back of the site also generally meets the objectives of the guidelines. Proposed unit widths are 5.0 metres in wide, with a shared driveway width of 8 metres. The building orientation of the units that do not face onto Woodbine Avenue will form a back to back relationship with the existing in-fill development to the south. The rear yard setback is consistent with the setback of the adjacent buildings at approximately 4.0 metres. This will enable a small private outdoor amenity space for these units and allow for the planting of a tree in each rear yard. While not meeting the setbacks required by the guidelines, the size of the rear yards is consistent with other similar developments in the neighbourhood.

Density, Height, Massing

The proposed townhouse units will have setbacks, heights (13.5 metres), coverage and massing that are compatible with the existing built form in the surrounding neighbourhood. The proposed density is 1.3 times the area of the lot. This is similar to the density and massing of the existing adjacent townhouse development to the south of the subject site.

The proposed townhouses are 4 storeys in height, which is compatible with the 3 ½ storey semi-detached houses immediately to the south and the 4 storey semi-detached houses located on the west side of Woodbine Avenue.

Infill residential development is expected to respect and reinforce the character of the surrounding area. The existing neighbourhood context is one with dwellings of varying types. There is a mixture of single detached, semi-detached, townhouses and small apartments within the immediate neighbourhood. The massing of the proposed buildings is consistent with the built form policies of the Official Plan which requires, among other things, that new development be located, organized and designed to fit harmoniously into its existing and/or planned context.

Planning staff are of the opinion that the proposed development is compatible with adjacent neighbourhood in terms of height, massing and scale.

Development Infrastructure Policy and Standards (DIPS)

The proposed development complies with DIPS. The private driveway widths have been designed to the 8.0-metre standard and meet the requirements as a fire route, including the provision of a hammerhead to allow vehicles to enter and exit the site in a forward motion.

A pedestrian walkway is proposed along the south side of the east-west driveway to provide for safe pedestrian access to the rear units. The 3 units facing Woodbine Avenue will take direct access from Woodbine Avenue.

Access and Parking

A private driveway is proposed for this development that would provide access to all eleven proposed units. No vehicular access will be off of Buller Avenue. The driveway has a width which will accommodate 2-way traffic as well as provide for visitor parking on the north side.

Parking for each of the dwelling units will be provided within an integrated garage. Seven of the units will have 2 tandem parking spaces. The remaining 4 units will have one parking space each.

The driveway will be subject to a future Draft Plan of Common Element Condominium Application.

Servicing

The site is located within a chronic basement flooding area that is documented in the Basement Flooding Environmental Assessment Study for Area 32. This area has a well known history of

basement flooding during major rain events. Improvements to alleviate and relieve the flooding problem will commence in 2016.

The applicant has been working with City engineering staff to ensure that the proposed development will not contribute to the flooding issue in the neighbourhood and also to ensure that the proposed townhouses will not experience future flooding. At this time Engineering staff are satisfied that the proposed development will meet all of the City's requirements. The Stormwater Management Plan, Site Servicing Plan and Site Grading Plan will all be secured in the Site Plan Agreement for the proposed development.

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 local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is not in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application proposes of 11 residential units on a site with a net area of 2,132.7 m² in replacement of the existing 3 detached dwellings as well as 2 semi-detached dwellings.

As specified in Chapter 415, Article III of the Toronto Municipal Code, development sites that are outside a Parkland Acquisition Priority Area, a dedication rate of 5% is applied to the residential use. In total, the parkland dedication requirement is 107 m².

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as a parkland dedication of 107m² would not create a substantial park and does not abut an existing park which could be expanded through this dedication. However, this site is located 930 metres away from Pantry Park, a 14,993m² park with an outdoor track and soccer field. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Trees

The proposal will result in the removal of 6 existing trees on the site and 2 trees on adjacent properties. Applications have been made to Urban Forestry for the tree removals. The proposed removal of the tree on the adjacent property to the south, as approved by Urban Forestry, has eliminated the concern expressed at the community consultation meeting. A total of 18 new trees will be planted as part of the development proposal. In addition, 3 new trees will be planted within the City road allowance.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce greenhouse gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. These performance measures will be secured through the site plan approval process. Performance measures to be secured include: urban heat island reduction, both at grade and on the roof; achieving a minimum of EnerGuide 80 energy efficiency rating; stormwater retention balance; provision of water efficient plant material, and minimum soil volumes for new trees.

Staff will continue to work with the applicant through the site plan application review process to address these performance measures.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: West Elevation

Attachment 3: North Elevation

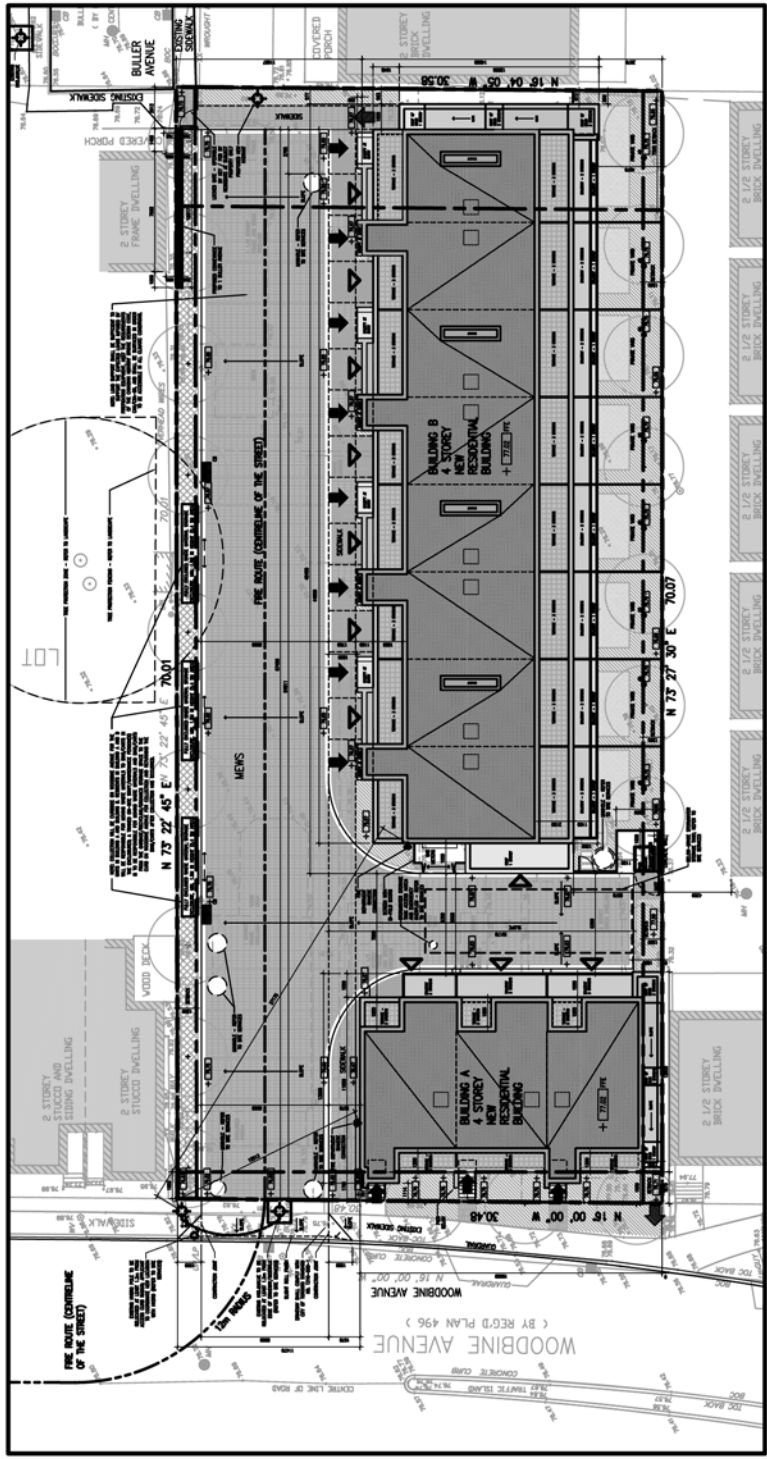
Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 6: Draft Zoning By-law Amendment – 438-86

Attachment 7: Draft Zoning By-law Amendment – 569-2013

Attachment 1: Site Plan



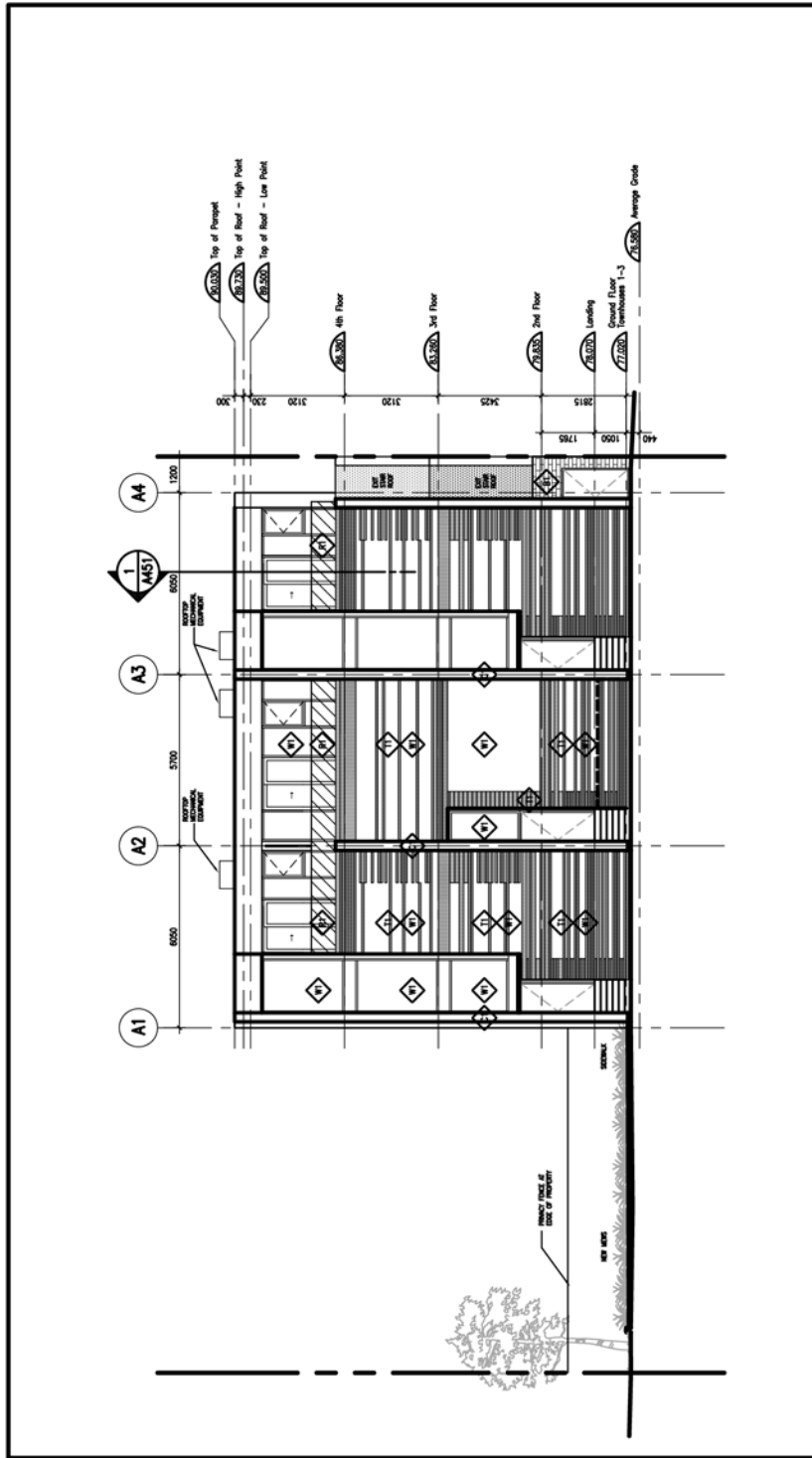
73,77,79 & 83 Woodbine Avenue and 3 Buller Avenue

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 12/07/2015

File # 13 153946 STE 32.0Z

Attachment 2: West Elevation



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

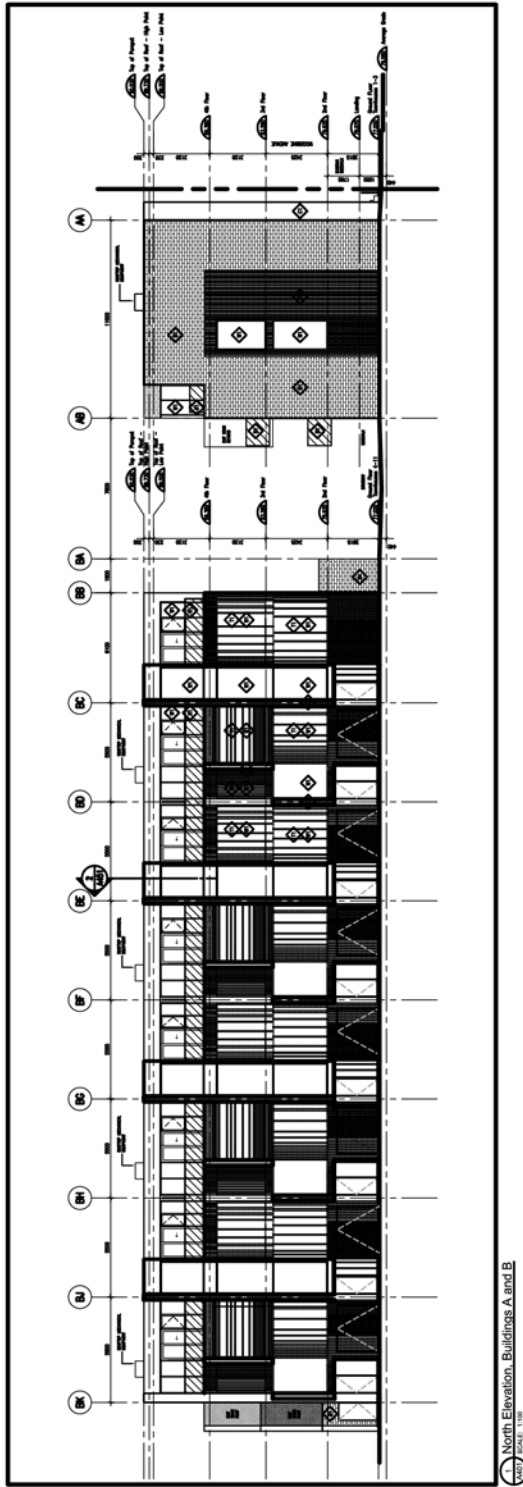
West Elevation

Applicant's Submitted Drawing

Not to Scale
12/07/2015

File # 13 153946 STE 32.0Z

Attachment 3: North Elevation



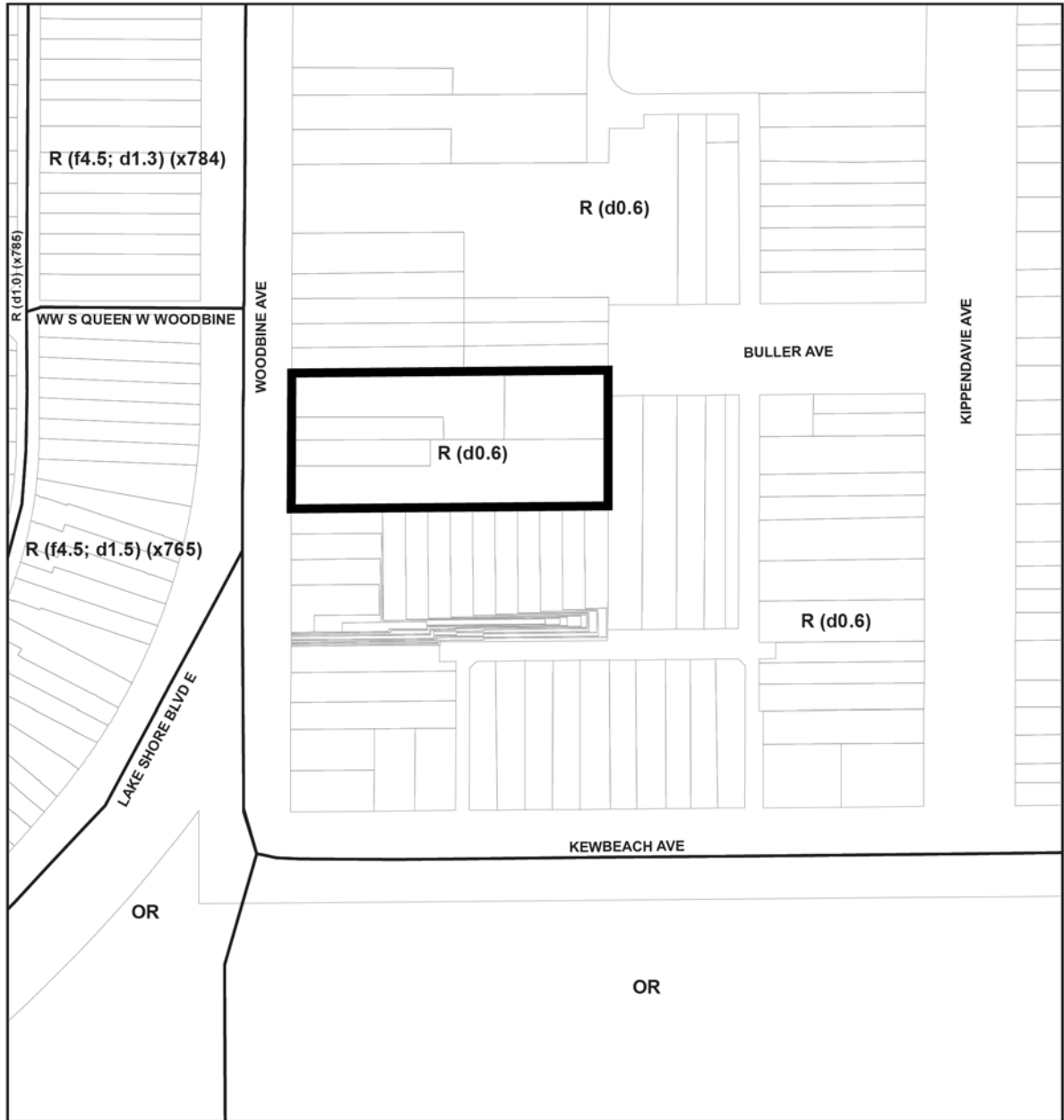
73,77,79 & 83 Woodbine Avenue and 3 Buller Avenue

North Elevation
Applicant's Submitted Drawing

Not to Scale
12/07/2015

File # 13 153946 STE 32.0Z

Attachment 4: Zoning



Toronto City Planning
Zoning By-law 569-2013

73,77,79 & 83 Woodbine Ave. and 3 Buller Ave.

File # 13 153946 STE 32 OZ

- Location of Application
- R** Residential
- OR** Open Space Recreation

Not to Scale
 Extracted 07/16/2013

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 to permit 11 town houses in two buildings.

Applicant:	Agent:	Architect:	Owner:
GOLDBERG GROUP			BERNARD FARBER

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:	Storeys:	4	
Frontage (m):	30.48		Metres:	13.2	
Depth (m):	70				
Total Ground Floor Area (sq. m):	627.7				Total
Total Residential GFA (sq. m):	2722.9		Parking Spaces:	11	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	2722.9				
Lot Coverage Ratio (%):	29.4				
Floor Space Index:	1.3				

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	11
Total Units:	11

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	2722.9	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Leontine Major, Senior Planner
TELEPHONE: (416) 397-4079

Attachment 6: Draft Zoning By-law Amendment – Bylaw 438-86

Draft By-law Amendments will be available prior to the Toronto and East York Community Council Meeting on January 19, 2016.

Attachment 7: Draft Zoning By-law Amendment – Bylaw 569-2013

Draft By-law Amendments will be available prior to the Toronto and East York Community Council Meeting on January 19, 2016.