

33, 37, 39, 41 and 43 Centre Avenue – Official Plan Amendment Application – Preliminary Report

Date: February 5, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 20 232921 NNY 18 OZ

Related Applications: 17 253018 NNY 24 OZ

Notice of Complete Application Issued: January 20, 2021

Current Use(s) on Site: Five detached dwellings

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 33, 37, 39, 41 and 43 Centre Avenue. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 33, 37, 39, 41 and 43 Centre Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

On October 25, 2017, the applicant submitted an application to amend the Zoning By-laws (Application No. 17 253018 NNY 24 OZ) to permit 16 detached dwellings and a new private road. This application was deemed complete on November 15, 2017. A Preliminary Report on the application was adopted by North York Community Council (Item No. NY28.8) on February 21, 2018. The Preliminary Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY28.8>

On March 19, 2018 the applicant appealed the application to amend the Zoning By-laws (Application No. 17 253018 NNY 24 OZ) to the Local Planning Appeal Tribunal (LPAT) and cited the failure of the City of Toronto to make a decision as the reason for the appeal. A case management conference (CMC) was held by the LPAT on September 13, 2018 in which counsel for the City advised the Tribunal that the City had not received instructions to proceed. A second CMC was held on March 6, 2019 in which parties to the appeal were identified. Counsel for the appellant requested a further PHC in fall of 2019 as the appellant had intended to revise the development proposal and file a resubmission with the City in early April of 2019. A third CMC was scheduled for October 23, 2019 but was adjourned at the request of the appellant, in which the City consented, to allow settlement discussions between the City and appellant to continue. A fourth CMC was scheduled for April 6, 2020 by the Tribunal and was ultimately cancelled.

ISSUE BACKGROUND

Application Description

The application to amend the Official Plan and revised application to amend the Zoning By-laws (Application No. 17 253018 NNY 24 OZ) proposes five multi-unit buildings with a total of 83 residential units and a height of 3-storeys and 11 metres. The combined gross floor area (GFA) of all five buildings would equal 8,500 square metres which equates to a floor space index (FSI) of 1.3 times the lot area. The following table summarizes statistics related to each of the proposed buildings:

	Building A	Building B	Building C	Building D	Building E
Number of Units	13 units	21 units	31 units	12 units	6 units
GFA	1,322 m ²	2,376 m ²	2,848 m ²	1,777 m ²	777 m ²
Location on Site	Fronting Centre Ave	Fronting Centre Ave	Fronting Centre Ave	Southeast corner of site	Southwest corner of site
Building Height	3-storeys and 11 metres				
Building Length	28.8 m	48.1 m	50.9 m	18.57 m	17.8 m

	Building A	Building B	Building C	Building D	Building E
Front Yard Setback	3.0 m	3.0 m	3.0 m	N/A	N/A
Rear Yard Setback	N/A	N/A	N/A	7.5 m	7.5 m
Side Yard Setback	3.9 m to 4.3 m	N/A	5.6 m	5.0 m	Setback from 1-storey ramp enclosure to western property line not provided

Three of the five buildings would front Centre Avenue. These three buildings would be oriented perpendicular to the street with some of the unit entrances that would be accessed directly from Centre Avenue and others from a pedestrian connection down both the east and west sides of each building.

A central courtyard would be located between the middle building (Building B) and easternmost building (Building C) fronting Centre Avenue. The central courtyard would be 11 metres wide, measured from building face to building face, and approximately 53 metres deep in this location of the site.

The proposed site driveway off Centre Avenue would be located between the westernmost building fronting Centre Avenue (Building A) and Building B. The proposed site driveway would have a width of 6.0 metres and would continue to the southern portion of the site. For a portion of the site driveway, a 1.5 metre wide sidewalk would run along either side. The site driveway would provide access to a Type 'G' loading space located behind Building A. The site driveway would also lead to a one-storey covered ramp that would be integrated within the massing of the building located at the southwest corner of the site (Building E). The ramp would provide access to one level of underground parking with 87 parking spaces, including 83 resident spaces and 4 visitor spaces. Before terminating, the site driveway would continue east at the entrance to the covered ramp. This portion of the site driveway would form part of the required fire route and provide a pick-up and drop-off space and two visitor parking spaces, one of which would be barrier free.

The proposed central courtyard would continue south past Buildings B and C to form a courtyard between the two southern most buildings, Building E and the building at the southeast corner of the site (Building D). The central courtyard would be between 12.3 metres and 11.3 metres wide, measured from building face to building face, and approximately 23.5 metres deep in this location of the site. The central courtyard would terminate south of Buildings D and E within the 7.5 metre rear yard setback that is currently proposed to be landscaped open space. The unit entrances for Buildings D and E are all proposed to be accessed off the central courtyard or off a sidewalk adjacent to the fire route.

Units would be arranged within a stacked configuration in each building with units proposed on the main, second, and third levels. The front entrances for the upper units

would be located at-grade and a private staircase would lead to the extent of the unit on the second or third level. Buildings C and D also propose units in a lower level that is below grade. Access to light for these units would be provided through a patio that is also located below grade and window wells. In addition to the central courtyard, a series of 1.5 metre wide pedestrian sidewalks are proposed throughout the site and would mainly provide access to unit entrances.

The application doesn't propose formalized amenity space but some of the lower units would have access to a patio, specifically units within Buildings C and D. In addition, most of the upper units would have access to a private rooftop terrace. Private terraces with privacy screens are shown on the roof plans for units within all five buildings.

The proposed central courtyard is proposed to be constructed of unit pavers and would contain a series of ornamental trees and benches. The fire route portion of the proposed site driveway would also be constructed of unit pavers.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 and 2 of this report, for three dimensional representations of the project in context.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;

- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the *Planning Act*, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act*. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Map 16 of the Official Plan designates the subject site as *Neighbourhoods*. *Neighbourhoods* are considered physically stable areas made of residential uses in lower scale buildings, such as detached houses, semi-detached houses, duplexes, triplexes, townhouses, as well as interspersed walk-up apartments that are no higher than four-storeys. Policy 4.1.5 provides the development criteria in which development in established *Neighbourhoods* is to be evaluated against. Further, Policy 4.1.9 identifies the development criteria for infill development on properties that vary from the local pattern in terms of size, configuration, and/or orientation.

On September 11, 2020, Official Plan Amendment (OPA) 479 (Public Realm) and 480 (Built Form) came into force. These OPAs introduced new or revised policies regarding building types, building design and massing, parks, Privately Owned, Publicly

Accessible Spaces (POPS), trees and natural areas, among other policies. OPA 479 also introduced Block Context Plan requirements for some applications that show how the physical form of the proposed development fits within the existing and planned context.

Yonge Street North Planning Study

The City initiated the Yonge Street North Planning Study in June of 2011. On November 13, 2013, City Council referred the study back to staff for further review and requested City Planning consult with residents on a Draft Implementation Plan for the area of Yonge Street North. A Draft Implementation Plan was released for consultation with the community in 2014. The Draft Implementation Plan considered alternative densities for sites within the study area, including the subject site which have not been reported to City Council for consideration. The Secondary Plan and the Draft Implementation Plan currently have no legislative status. Staff held a community consultation meeting on May 22, 2019 to re-launch the study given the gap in time since the previous consultation, and obtain feedback from the community on the work undertaken for the study. As part of further consultation that was held virtually on September 9, 2020, staff presented a draft expanded Secondary Plan boundary based on feedback provided at the May 2019 study re-launch.

The intent of the expanded draft boundary would be to provide missing middle housing options within lands designated *Neighbourhoods*. The proposed draft expanded Secondary Plan boundary would include the subject site. Staff are working on the study and will be presenting a final report and draft Official Plan Policies to City Council. A date for this report has not been scheduled.

Zoning By-laws

The subject site is currently zoned "One Family Detached Dwelling Fourth Density Zone (R4) under the former City of North York Zoning By-law No. 7625 and "Residential Detached Zone RD(f15.0; a550)(x871) in the City of Toronto Zoning Bylaw No. 569-2013. This zoning permits single detached dwellings and accessory structures.

The RD Exception No. 871 requires a minimum front yard setback of 12 metres and a minimum side yard setbacks of 1.8 metres.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guideline will be used in the evaluation of this application:

- Townhouse and Low-Rise Apartment Guidelines

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

The application to amend the Official Plan proposes a Site and Area Specific Policy (SASP) to permit five multi-unit buildings with 83 residential units. The Official Plan amendment is required to permit the proposed building type as it is not the prevailing building type in the *Neighbourhoods* as well as the proposed height, massing, scale, and setbacks.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Official Plan Conformity

The application proposes five multi-unit buildings with a proposed height of 3-storeys and 11 metres. While some *Neighbourhoods* contain a full range of residential uses, the area in which the subject site is located is comprised largely of detached dwellings. *Neighbourhoods* will experience some degree of change but the general physical character of Toronto's residential *Neighbourhoods* is meant to remain largely the same. Physical changes to the established *Neighbourhoods* should be sensitive, gradual and "fit" the existing physical character.

That said, Section 2.3.1 of the Official Plan, Healthy Neighbourhoods, recognizes that, while the shape and feel of neighbourhoods can be preserved, they will not stay frozen in time. Some physical change is expected to occur over time as enhancements, additions and infill housing occurs on sites. A cornerstone policy of the Official Plan is to ensure that new development in neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood.

Staff recognize that this site presents a unique opportunity to examine missing middle housing alternatives in North York. The abnormally large site with its adjacency to the Salvation Army site combined with recent Council direction to examine missing middle housing led Staff, in consultation with the local Councillor, to initiate a conversation with the applicant on a different approach to this site. The revised proposal looks at a more urban neighbourhood condition with townhouses organized around a central courtyard.

As staff continue their review of the application, they will continue to balance the policies of the Official Plan related to the City's *Neighbourhoods*. Although the application proposes to introduce a building type that is not currently found within the surrounding

neighbourhood, staff are of the opinion that a number of the characteristics that contribute to the neighbourhood's existing character can be incorporated into the proposed development. The application proposes a height of 3-storeys and 11 metres whereas the current zoning permits a maximum height of 2-storeys and 10 metres. The proposed buildings, particularly those that front Centre Avenue, can be massed in a way that respects and reinforces the existing two-storey expression that is currently found within the surrounding neighbourhood. The proposed side and rear yard setbacks are largely consistent with the prevailing patterns of side and rear yard setbacks that exist within the surrounding neighbourhood. The proposed side yard setbacks largely exceeds the existing 1.8 metres setback requirement and the rear yard setback of 7.5 metres maintains the rear yard setback pattern that is common throughout areas with detached dwellings.

Furthermore, the proposed central courtyard provides an opportunity to maintain the landscape patterns typically found within neighbourhoods, which oftentimes include landscaped front and rear yards. Staff will work with the applicant to develop a treatment of the central courtyard that maintains the landscaped patterns currently found within the surrounding neighbourhood and that can contribute to the courtyard's dual function of providing access to units and acting as a passive and informal amenity space.

Staff's review of the development will also ensure the proposal is compatible and fits within the neighbourhood in which it's located. In ensuring the proposed development is compatible, staff will assess possible adverse impacts, which include but are not limited to, changes to the Centre Avenue streetscape, privacy and overlook, sunlight and sky views for residents of new and existing buildings, and limiting noise and smell through the integration of servicing areas into building massing, where possible, and limiting the size of rooftop terraces.

Built Form, Planned and Built Context

The proposed built form, five multi-unit buildings with a height of three-storeys, is not currently found within the existing surrounding neighbourhood, however, it is a building type that is broadly permitted within the *Neighbourhoods* designation.

Staff are of the opinion that the proposed built form can be designed to reflect characteristics of the detached dwellings found within the surrounding area. This includes incorporation of a two-storey expression along Centre Avenue, incorporation of materials typically found within the neighbourhood, setbacks, particularly on Centre Avenue, landscape character, and articulation of the building massing to emulate the massing of existing dwellings.

Due to the subject site's *Neighbourhoods* designation, the planned context is largely informed by the existing context since new development in *Neighbourhoods* is required to respect and reinforce the existing physical character. While the permissions of the *Neighbourhoods* designation are subject to further study through the North Yonge Planning Study and the City-wide initiative of expanding housing options in *Neighbourhoods*, the current permissions and character will frame staff's assessment of the application. While the proposed SASP introduces a new built form to the

neighbourhood, staff believe the proposed buildings can be designed to respect and reinforce the character of dwellings currently found within the existing neighbourhood of which, type, is only one of the criteria listed.

In assessing the proposed built form, staff will also determine the appropriateness of the proposed scale, number of units, site organization, setbacks, facing distances, transition and landscaped open space, and resulting density.

Site Organization

While staff believe that through further review and through the incorporation of additional design considerations that reflect the existing physical character of the neighbourhood, the proposed built form and type may be deemed acceptable, staff have concerns with components of the proposed site organization in its current form.

The site's depth contributes to the challenges in organizing the five buildings within the subject site to provide address and access. The subject site is approximately 90 metres at its deepest point, whereas most sites within the surrounding neighbourhood have an approximate lot depth between 38 and 45 metres. The proposed central courtyard and site driveway helps to open up the subject site and allows views into the back of the site. Staff will work with the applicant to improve the design of the driveway to be more street like with appropriate setbacks and landscaping as well as the courtyard to ensure the southernmost buildings, Buildings D and E, have a relationship with the public realm and are visible from Centre Avenue.

In addition, special design considerations will need to be given to the pedestrian walkways along the western and eastern property lines of the site. As a result of the subject site's configuration, these walkways will provide access to unit entrances fairly deep into the site. It is not clear to staff, based on the elevations provided by the applicant, how the unit entrances will be designed. In accordance with the Townhouse and Low-Rise Apartment Guidelines, staff will ensure the primary unit entrances to each unit are well-designed, enhance privacy for the resident, while maintaining good sightlines on the common areas and path. To limit the number of unit entrances located deep into the site, particularly along the western and eastern property lines, staff together with the applicant, will explore opportunities to locate as many unit entrances within highly visible areas of the site which includes off Centre Avenue, the central courtyard, or the site driveway. Further, the Townhouse and Low-Rise Apartment Guidelines provide direction related to the design of a low-rise hybrid building where ground level units have individual entrances with direct access to grade and upper units gain access through shared entrances into the building by vertical circulation and corridors. This building design and orientation of the unit entrances may help to improve the access and visibility of unit entrances, privacy concerns with neighbours, as well as increase soft landscaping.

Staff have concerns with the provision of the lower level units located below-grade. The Townhouse and Low-Rise Apartment Guidelines identify a number of issues related to below-grade units and their entrances. The guidelines indicate below-grade entrances and terraces are to be avoided in landscaped walkways and open spaces, such as the proposed central courtyard. Staff are looking for the applicant to provide additional

justification that addresses the need for these units located within Buildings C and D. Below-grade patios and entrances proposed off the central courtyard risk "over-privatizing" the area and preventing adequate landscaping. Staff are looking to improve the design and treatment of the central courtyard to maintain the landscape patterns found within the existing neighbourhood while also improving its function to provide access and address to unit entrances and acting as a passive and informal amenity space. Staff are of the opinion the proposed below-grades patios and entrances will impact opportunities to improve the design and functionality of the central courtyard.

The Townhouse and Low-Rise Apartment Guidelines look to limit situations where buildings are proposed behind other buildings that limit direct views and access to the public realm. Throughout the 20th century, garden apartments provided a form of gradual and subtle intensification in neighbourhoods and were arranged around a courtyard and oftentimes, address would be taken from the courtyard if there was no direct street frontage. While the organization of buildings around a central courtyard is commonly found within other areas of the City, staff are potentially looking for changes to how Buildings D and E are arranged around the central courtyard because these buildings are approximately 63 metres from the site's front lot line. As currently proposed, there is no portion of Building D that is visible from the street, through the central courtyard. In addition, the only portion of Building E that is visible from the street, through the site driveway, is the one-storey ramp enclosure. As staff work with the applicant to improve the design and functionality of the central courtyard, staff will assess if changes should be made to the configuration and location of Buildings D and E to improve their visibility and relationship with the public realm.

Both the Built Form policies of the Official Plan and the Townhouse and Low-Rise Apartment Guidelines speak to locating servicing activities internal to buildings to minimize their impact on the property and on surrounding properties. The underground parking plan identifies there is a garbage storage room located within it, however, the proposed Type 'G' loading space and garbage collection area behind Building A isn't internalized. The proposed ramp to access the underground parking level is internalized within a one-storey enclosure. The proposed elevations don't clearly illustrate the extent of this proposed ramp enclosure. In addition, the site plan doesn't dimension how far the ramp enclosure is setback from the western property line. The applicant is to provide further details so staff can assess the appropriateness of the proposed ramp enclosure's design and location.

The proposed location and configuration of the fire route is currently under review by Fire Services staff. While staff recognize a fire route is required to provide access to the back of Buildings B and C and the entirety of Buildings D and E, staff are looking for ways to reduce the extent of the proposed fire route and at-grade parking spaces, where possible, to allow for the continuation of the central courtyard and possible expansion in the area between Buildings B and C and Buildings D and E.

As staff, together with the applicant, work to address the aforementioned site organization concerns, additional comments may arise.

Forestry & Trees

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

The existing tree inventory provided by the applicant identifies that there are 54 existing trees within the subject site and 5 trees are proposed to be preserved. Staff acknowledge that a number of the existing trees are undersized and are therefore exempt from the City's tree protection policies. The landscape plans and tree preservation details are currently under review by staff, however, staff are looking to work with the applicant to preserve as many healthy trees as possible and provide significant opportunities for replacement trees on the subject site. In accordance with the Townhouse and Low-Rise Apartment Guidelines, the extent of below-grade parking structures are not to limit opportunities for mature landscape and tree growth on the subject site by providing the appropriate soil volumes and depths.

Infrastructure/Service Capacity

The applicant submitted a Functional Servicing and Stormwater Management Report, Hydrogeological Assessment, and Geotechnical Investigation Report. The Functional Servicing Report is intended to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and to identify the need for any new infrastructure and upgrades to existing infrastructure necessary to provide for adequate servicing for the proposed development. Staff are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development, in addition to the potential cumulative impact of all proposed applications in the area surrounding the subject site.

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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ATTACHMENTS

City of Toronto Drawings

- Attachment 1: 3D Model of Proposal in Context (Looking Northeast)
- Attachment 2: 3D Model of Proposal in Context (Looking Southwest)
- Attachment 3: Location Map
- Attachment 4: Site Plan
- Attachment 5: Official Plan Map

Attachment 1: 3D Model of Proposal in Context (Looking Northeast)

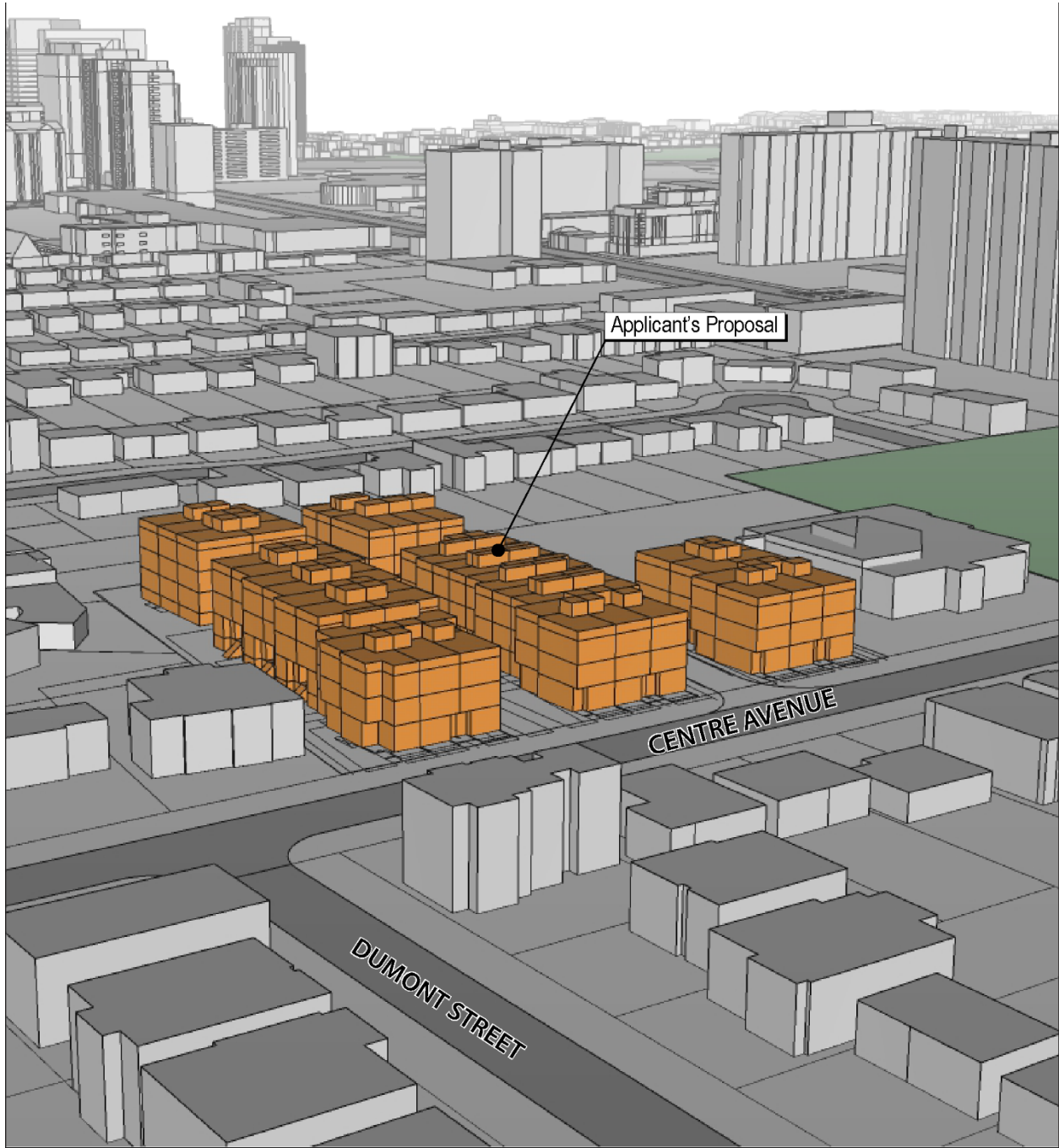


View of Applicant's Proposal Looking Northeast



01/18/2021

Attachment 2: 3D Model of Proposal in Context (Looking Southwest)

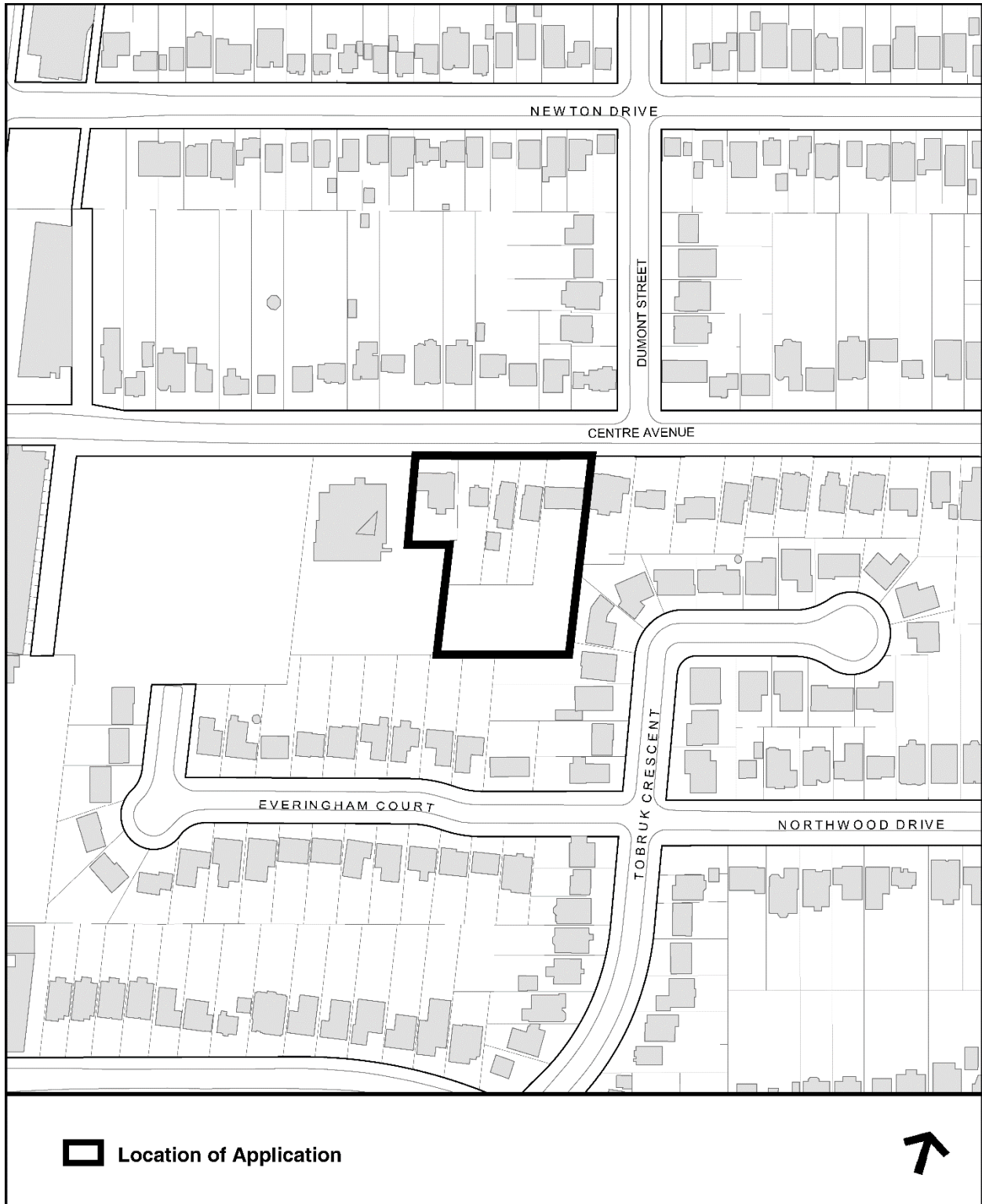


View of Applicant's Proposal Looking Southwest

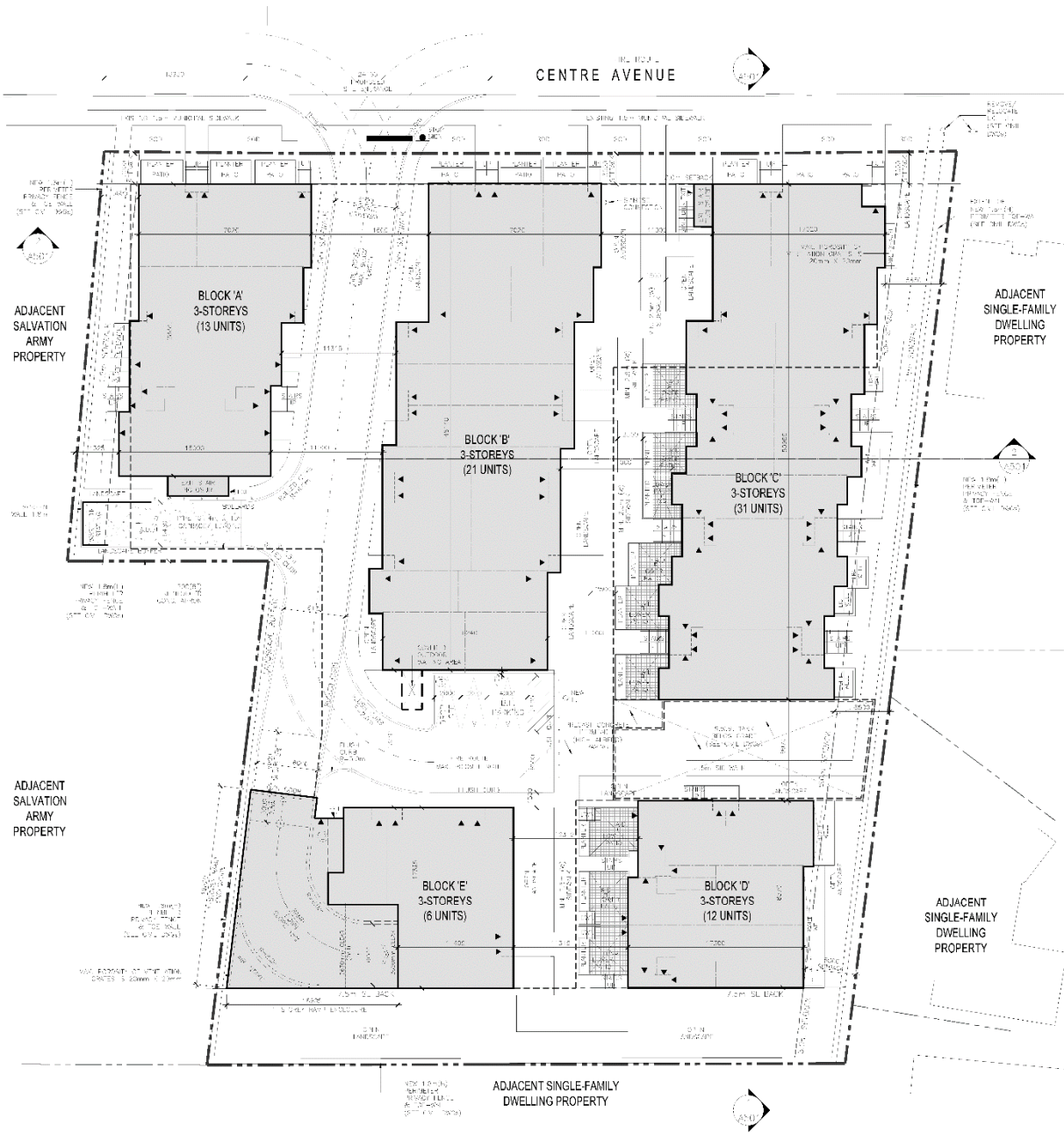


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Attachment 3: Location Map

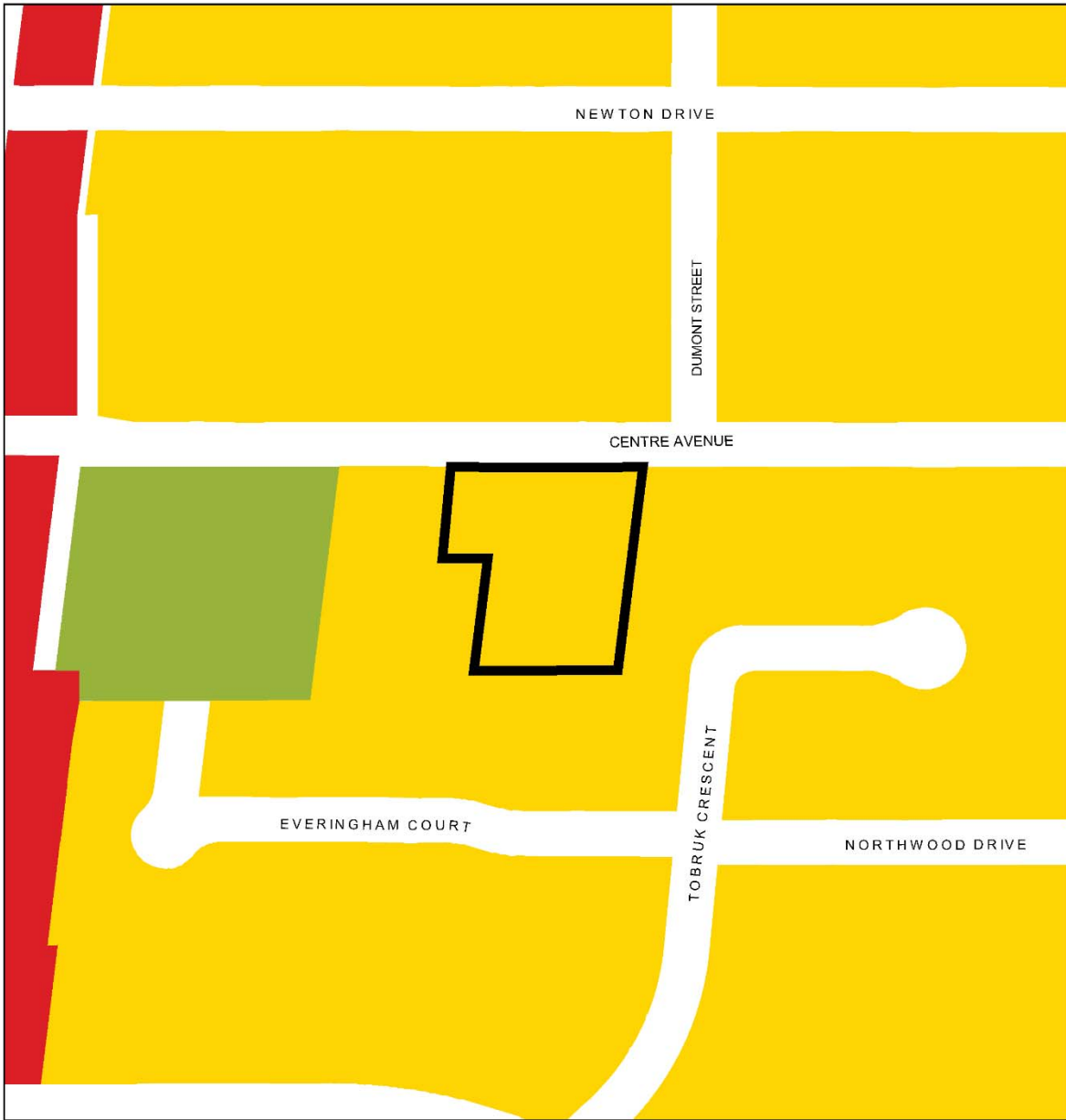


Attachment 4: Site Plan








Site Plan ↑


Attachment 5: Official Plan Map



Official Plan Land Use Map #18

33-43 Centre Avenue
File # 20 232921 NNY 18 0Z

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|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Mixed Use Areas | |


Not to Scale
Extracted: 01/13/2021