

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

Date: October 27, 2021

To: North York Community Council

From: Director, Community Planning, North York District

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

In a report dated February 5, 2021, staff provided preliminary information regarding an application located at 33, 37, 39, 41 and 43 Centre Avenue and recommended that staff proceed to schedule a community consultation meeting for the application together with the Ward Councillor.

At its meeting on March 1, 2021, North York Community Council referred the report back to staff for further discussion with the applicant and directed (Item NY 22.11) staff to report back to Community Council on whether the applicant has addressed the concerns. In response to Community Council's direction, the applicant worked with staff to address concerns and submitted a revised proposal on August 6, 2021.

This report provides information on the revised proposal for the application located at 33, 37, 39, 41 and 43 Centre Avenue and provides an overview of the modifications made by the applicant, as well as identifies matters of concern. Staff are of the opinion that the revised proposal addresses some of the issues raised in the original Preliminary Report and that the application should proceed to community consultation. Staff note that opportunities exist to further refine the proposal as the planning process moves forward in order to secure a well-designed development that achieves compatibility with the surrounding neighbourhood, appropriate built form and site organization, and responds to the City's housing objectives.

Staff are currently reviewing the application and 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 and Community Council's direction 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 CMC 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.

On December 24, 2020, the applicant submitted the subject application to amend the Official Plan and revised application to amend the Zoning By-laws (Application No. 17 253018 NNY 24 OZ) to facilitate a revised proposal. The Official Plan Amendment and revised Zoning By-law Amendment applications proposed five multi-unit buildings with a central courtyard with a total of 83 residential units and a height of 3 storeys and 11 metres. The application was deemed complete on January 20, 2021. A Preliminary Report dated February 5, 2021 on the application was referred back to staff by North

York Community Council (Item NY22.11) on March 1, 2021. The direction from Community Council was for staff to have further discussions with the applicant and report back to Community Council on "whether the applicant has addressed the concerns that had been raised with them on multiple occasions". The Preliminary Report and Motion to Refer can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY22.11>

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 four multi-unit buildings with a total of 86 residential units and a height of 3-storeys and 11 metres. The combined gross floor area (GFA) of all four buildings would equal 8,768 square metres which equates to a floor space index (FSI) of 1.35 times the site area. The following table summarizes statistics related to each of the proposed buildings:

	Building A	Building B	Building C	Building D
Number of Units	16 units	28 units	16 units	26 units
GFA	1,560 m ²	2,493 m ²	1,402 m ²	3,313 m ²
Location on Site	Fronting Centre Ave	Fronting Centre Ave	Fronting Centre Ave	Southern end of site
Building Height	3 storeys and 11 metres			
Building Width	16.9 m	16.9 m	11.4 m	17.4 m
Building Length	25.1 m	41.9 m	41.8 m	53.3 m
Front Yard Setback	3.0 m	3.0 m	3.0 m	N/A
Rear Yard Setback	N/A	N/A	N/A	7.5 m
Side Yard Setback	3.5 m	N/A	5.0 m	3.8 m (west) 5.0 m (east)

Three of the four proposed buildings would front Centre Avenue. These three buildings would be oriented perpendicular to the street with some of the unit entrances to be accessed directly from Centre Avenue and others to be accessed from the site driveway or the central courtyard.

A central courtyard would be located between the middle building (Building B) and easternmost building (Building C) fronting Centre Avenue. The width of the central courtyard would range between 13.9 metres and 15.0 metres wide, measured from

building face to building face. The central courtyard would contain entrances to Buildings B and C and serve as a landscaped amenity space.

A 2.5 metre wide walkway would extend through the central courtyard, connecting Centre Avenue to the southernmost building (Building D). The central courtyard expands into the area formed between the south faces of Buildings B and C and the north face of Building D. The central courtyard in this location would be between 17.8 metres and 20.3 metres wide, measured building face to building face. The unit entrances for Building D are all proposed to be located off the central courtyard or the site driveway terminus. The central courtyard is proposed to be constructed of unit pavers and would contain a series of ornamental trees.

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. A 1.5 metre wide sidewalk would extend along both sides of the site driveway to provide pedestrian access to Buildings A and B. 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 Building B. The ramp would provide access to one level of underground parking with 94 parking spaces, including 86 resident spaces and 8 visitor spaces. While the paved driveway would terminate at the parking ramp, the fire route would continue beyond the ramp to Building D. The fire route portion of the proposed site driveway would be constructed of unit pavers and integrated with the central courtyard.

All buildings within the proposed development would be of a stacked townhouse configuration with varying unit sizes and layouts. All proposed units would have two levels, with the lower unit occupying the ground floor and basement, and the upper unit occupying the second and third floors. The applicant proposes a mix of twelve (12) different unit layouts, ranging in size from approximately 650 square feet to 1,890 square feet. All proposed units would consist of either two or three bedrooms. All upper and lower units would be accessed at-grade with internal private stairs leading to the upper units. Unit entrances have been consolidated and internalized where possible to minimize the amount of exterior doors on all buildings.

Most upper units would have access to a private screened rooftop terrace, with the exception of the units fronting Centre Avenue. Rooftop terraces have not been provided for the units fronting Centre Avenue to reduce the perceived height of these units and better respect the existing two-storey character of the neighbourhood. Lower units would have access to the at-grade landscaped open space in the courtyard and/or rear yards.

Detailed project information is found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=1DugtTfLGrdwnQWr8NTjVA%3D%3D>

See Attachments 1 and 2 of this report for three dimensional representations of the project in context, Attachment 3 for the Site Location Map, Attachment 4 for the proposed Site Plan and Attachment 5 for the Official Plan Land Use Map.

RESPONSE TO ISSUES OUTLINED IN PRELIMINARY REPORT

The Preliminary Report, referred back to staff on March 1, 2021, outlined staff's concerns with the applicant's proposal. In response to Community Council's referral of the Preliminary Report, the applicant has addressed the following issues in their revised proposal:

Official Plan Conformity and Compatibility with Neighbourhood

The subject site is designated *Neighbourhoods* by the Official Plan. 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. Although some physical change is expected to occur in *Neighbourhoods* over time, a cornerstone policy of the Official Plan is to ensure that new development in *Neighbourhoods* respects the existing physical character of the area including dwelling typology, 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 large site with its adjacency to the Salvation Army site is a unique site that varies from other lots in the neighbourhood and combined with recent Council direction to examine 'missing middle' housing, provides an opportunity to explore a more urban neighbourhood condition with townhouses organized around a central courtyard. Since the proposal introduces a building type not currently found within the surrounding neighbourhood, staff had directed the applicant to ensure that characteristics of the proposed development would contribute to the neighbourhood's existing character.

As noted in the Preliminary Report, the proposed development would have a height of 3-storeys and 11 metres whereas the current zoning permits a maximum height of 2-storeys and 10 metres. Staff identified the need for the buildings fronting Centre Avenue to be massed in a way that respects and reinforces the existing 2-storey expression that is currently found within the surrounding neighbourhood. The application now proposes revised massing for the units fronting Centre Avenue. As shown on the 3D massing models (Attachments 1 and 2), the third storey on the units fronting Centre Avenue have been stepped back to respect the 2-storey expression along Centre Avenue.

Staff had also identified the central courtyard as an opportunity to maintain the landscape patterns typically found within *Neighbourhoods*, which oftentimes include landscaped front and rear yards. Staff worked with the applicant on the treatment of the central courtyard to provide a landscaped open space that would resemble landscape patterns in the surrounding neighbourhood and serve as a passive and informal amenity space for the residential units. The revised proposal includes a central courtyard that would measure between 13.9 metres and 15.0 metres in width, which has been increased from 11.0 metres in the previous proposal, and would also continue south in front of Building D. The increased size of the central courtyard would allow for more landscaped amenity area on the site, to be compatible with the pattern of large landscaped lots found within the surrounding neighbourhood. Furthermore, the revised proposal has removed all primary unit entrances from the east and west side yards of the site, which would allow for units in Buildings A and C to have landscaped rear yards.

The revised proposal continues to include side and rear yard setbacks that would be largely consistent with the prevailing patterns of side and rear yard setbacks that exist within the surrounding neighbourhood. The proposed side yard setbacks exceed the existing zoning by-law requirement of 1.8 metres and the rear yard setback of 7.5 metres maintains the rear yard setback pattern that is common throughout areas with detached dwellings and consistent with the zoning requirements.

Built Form

The proposed built form, four multi-unit buildings with a height of 3-storeys (11 metres), is not currently found within the existing surrounding neighbourhood, however, it is a building type that is broadly permitted within the *Neighbourhoods* designation. When assessing whether the proposed built form was appropriate for the site, staff raised concerns in the Preliminary Report regarding massing, scale, separation distances, unit types, and transition.

While staff explored other built forms with the applicant, such as traditional townhouses and walk-up apartment buildings, the revised application proposes a stacked townhouse built form for all four buildings. This stacked townhouse configuration would result in lower units occupying the basement and ground floor, and upper units occupying the second and third floors. The site grading in the revised proposal would be designed to permit the basement level to extend partially above-grade to allow for adequate lighting. Since there are no units that occupy only the basement, there are no below-grade entrances or patios in the revised proposal, only window wells. The removal of the below-grade patios has reduced the extent of the pit condition that staff had raised concerns with in the previous proposal. Staff are continuing to work with the applicant to minimize the impact of the proposed window wells on the public realm.

The revised stacked townhouse configuration enables the applicant to reduce the footprints and increase the separation distances of the proposed buildings, while maintaining a viable unit count. Building C has been scaled back to propose a single-loaded stacked townhouse with a width of 11.4 metres and length of 41.8 metres, whereas the previous proposal contemplated Building C as back-to-back townhouses with a width of 17.0 metres and a length of 51.0 metres. The width of Building A has been reduced from 17.0 metres to 16.9 metres, and the length has been reduced from 28.9 metres to 25.1 metres. Likewise, the width of Building B has been reduced from 17.0 metres to 16.9 metres, and the length has been reduced from 48.1 metres to 41.9 metres.

The revised proposal also incorporates increased open space throughout the site, an enhanced site driveway streetscape, and improved visibility of the rear block from Centre Avenue.

Site Organization

In the Preliminary Report, staff raised concerns with the organization of the proposed buildings on the subject site, as the southernmost buildings, Buildings D and E, were not visible from Centre Avenue and did not have a relationship with the public realm. The revised proposal now contemplates a single building, Building D, at the southern end of the site. Building D would be visible from Centre Avenue through the expanded

central courtyard and site driveway, and the permeability created by the open space and walkways through the central courtyard and site driveway would better connect Building D to the public realm.

The previous proposal included pedestrian walkways along the eastern and western property lines of the site, which provided access to primary unit entrances facing the property lines. Staff had noted concern with the number of unit entrances located along the property lines, where sightlines and visibility would be poor. Staff had encouraged the applicant to locate primary unit entrances within highly visible areas of the site, including off Centre Avenue, the site driveway, or the central courtyard. In the applicant's revised proposal, all unit entrances now front onto either Centre Avenue, the site driveway or the central courtyard. Since there are no longer unit entrances along the eastern and western property lines, the pedestrian walkways in these locations have been removed and replaced with rear landscaped yards. Further, the reduced footprints of Buildings A, B and C enabled the minimum separation distance between Buildings A and B to be increased from 11.0 metres to 14.47 metres, allowing for a landscaped streetscape to enhance the unit entrances fronting the site driveway.

The below-grade units included in the previous proposal caused a number of issues that staff identified in the Preliminary Report. The Townhouse and Low-Rise Apartment Guidelines indicate that below-grade entrances and terraces are to be avoided in landscaped walkways and open spaces, such as the proposed central courtyard. The below-grade patios proposed off the central courtyard risked "over-privatizing" the area and prevented adequate landscaping. Staff were concerned that the below-grade patios would greatly limit opportunities to improve the design and functionality of the central courtyard. In response to staff's concerns, the applicant revised their proposal to remove the below-grade patios and widen the central courtyard in order to improve its design and function as a common landscaped amenity area. The revised proposal proposes window wells fronting the central courtyard to allow light into the basements. Staff are continuing to work with the applicant on the design of the window wells to ensure they do not impact the purpose or function of the central courtyard.

In addition to the removal of the below-grade patios, the reconfiguration of the southern block and increased separation distance between Building D and Buildings B and C enabled the continuation of the central courtyard into the rear of the site. The modified fire route, removal of at-grade parking, and the integration of the parking ramp into Building B have also facilitated the expansion of the central courtyard. Building D would now front onto a landscaped amenity area significantly larger and more functional than what was contemplated in the previous proposal.

COMMENTS

Reasons for the Application

The application to amend the Official Plan proposes a Site and Area Specific Policy (SASP) to permit four multi-unit buildings with 86 residential units. The Official Plan amendment is required to permit the proposed building type as it is not the prevailing building type in the neighbourhood as well as the proposed height, massing, scale, and setbacks.

ISSUES TO BE RESOLVED

While the applicant's revised proposal addresses a number of the concerns raised in the Preliminary Report, there are further modifications and refinements that should be made with the application as the process moves forward. Staff will continue discussions with the applicant about the following matters:

Official Plan Conformity and Compatibility with Neighbourhood

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* and *Healthy Neighbourhoods* policies. Staff's review of the development will ensure the proposal is compatible and fits within the neighbourhood in which it is 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, limiting noise and smell through the integration of servicing areas into building massing, where possible, and limiting the size of rooftop terraces.

Built Form

The revised application proposes four stacked townhouse buildings, which are composed of three above-grade storeys and a basement. The applicant has measured the height of the buildings from the average grade to the main roof as 3-storeys and 11 metres. Based on the plans submitted, the basement level extends 1.7 metres above the average grade. Combined with the rooftop terraces, the height of the buildings may be perceived as greater than 3-storeys in some cases. While 4-storey buildings are permitted in *Neighbourhoods*, staff will continue to explore the impact of the height on adjacent properties or design alternatives to lower the perceived height, and associated impacts, of the buildings.

The proposed stacked townhouse built form represents a 'missing middle' development for the site that will be reviewed to ensure the appropriate design considerations are incorporated. While the stacked townhouses represent a denser urban form than originally envisioned for the site, the stacked built form allows for reduced building footprints and increased separation distances which contribute to improved site organization and function. This includes a significant expansion of the central courtyard, which is a fundamental feature of the development. However, staff are cautious about the impacts on the surrounding neighbourhood, and will continue to review the proposed built form as it relates to angular plane, overlook or privacy concerns, and achieving an appropriate transition to the adjacent low-rise dwellings.

Site Organization

The revised proposal includes window wells throughout the site to provide light to the basement levels. Staff have asked the applicant to provide additional details on the size and design of the proposed window wells, as staff are concerned about the impact they will have, particularly on the central courtyard and along the Centre Avenue frontage. Staff have also asked the applicant to provide further information on the programming of the central courtyard.

Staff believe the modifications made to the building footprints and unit arrangement represent an improvement over the previous proposal. With the widening of the central courtyard and reduced width of Buildings A, B and C, Building D has an improved relationship to Centre Avenue in the revised proposal. However, staff continue to have concerns with the design of Building A, particularly with the units fronting onto the proposed loading and garbage area. Staff will continue to have discussions with the applicant regarding the design of this block and would like to see an improved interface for these units.

While staff will continue to work with the applicant on the amenity opportunities and programming in the central courtyard, the removal of the below-grade patios and expansion of the open space represents a substantial improvement from the previous proposal.

The Official Plan and 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 Preliminary Report had identified concerns with the Type 'G' loading space and garbage collection being located behind Building A and not internalized. The applicant's revised proposal has reduced the depth of Building A to provide increased separation distance from the loading and garbage area, and also to provide space for landscape buffering with a screen wall integrated into the exit stair enclosure. While staff recognize that this is an improvement from the previous proposal, staff would like to continue to work with the applicant to find design alternatives to minimize the impact of the servicing area.

Housing Opportunities

Expanding housing options in the City is a City-wide priority in order to ensure housing is available to residents of all ages, incomes and needs. Staff have discussed with the applicant the importance of ensuring the proposed development includes a mix of unit types to provide for multi-generational housing options within the development. The revised proposal includes a total of 86 residential units, currently proposed as two and three-bedroom units of varying sizes and layouts. The unit sizes, ranging from 650 square feet to 1,890 square feet, allows for flexibility in unit layouts and bedroom counts to be further explored as the detailed design progresses. The proposed development would provide a housing option not currently found within the neighbourhood, which would address the need for missing middle housing.

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 79 existing trees on and abutting the subject site and 10 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/Servicing 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.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS), which is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision, and Site Plan Control are required to satisfy and demonstrate compliance with Tier 1 of the TGS. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement. Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

Other Matters

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

CONTACT

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SIGNATURE

David Sit MCIP, RPP,
Director, Community Planning, North York District

ATTACHMENTS

City of Toronto Drawings

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

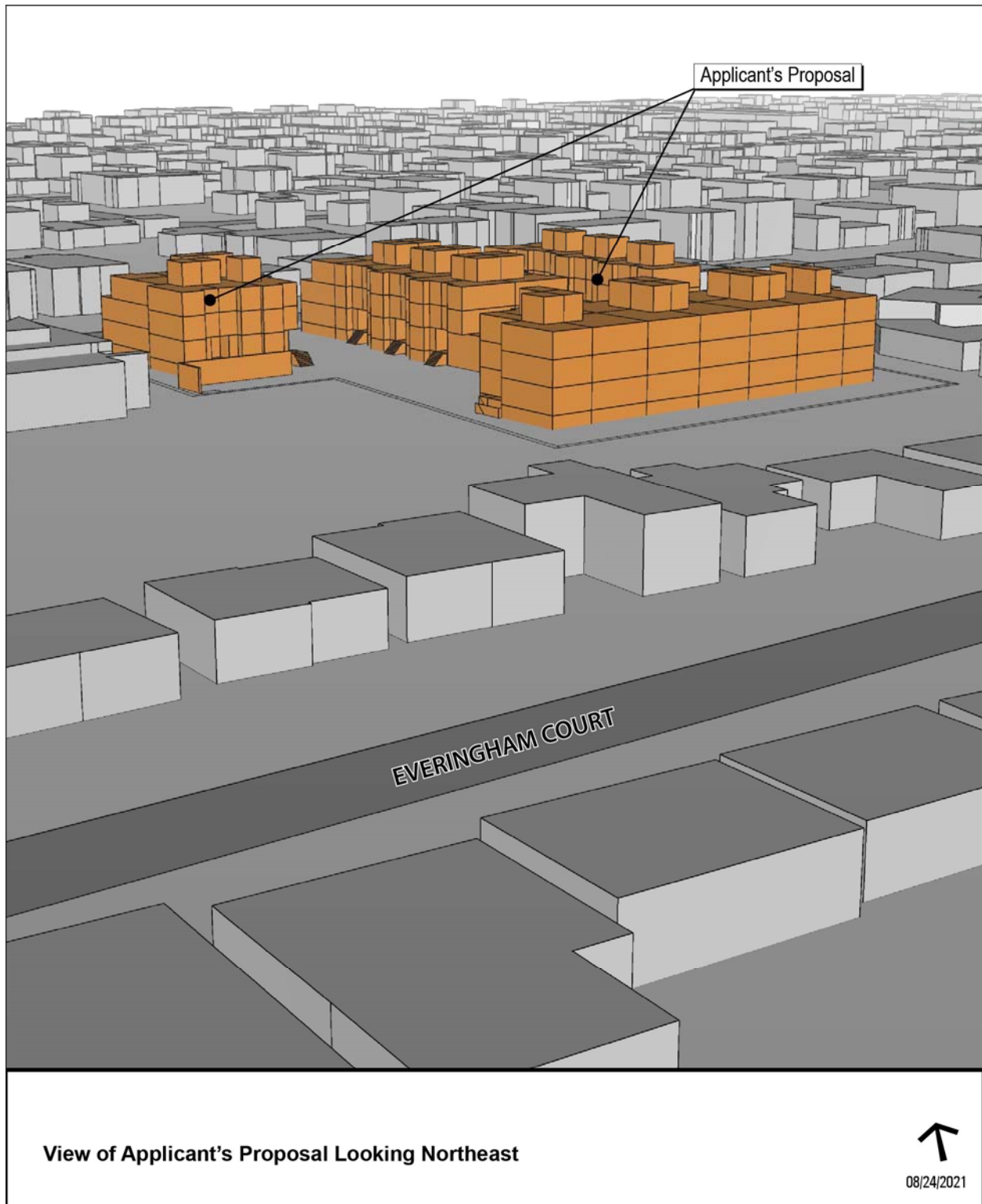
Attachment 2: 3D Model of Proposal in Context (Looking Southwest)

Attachment 3: Location Map

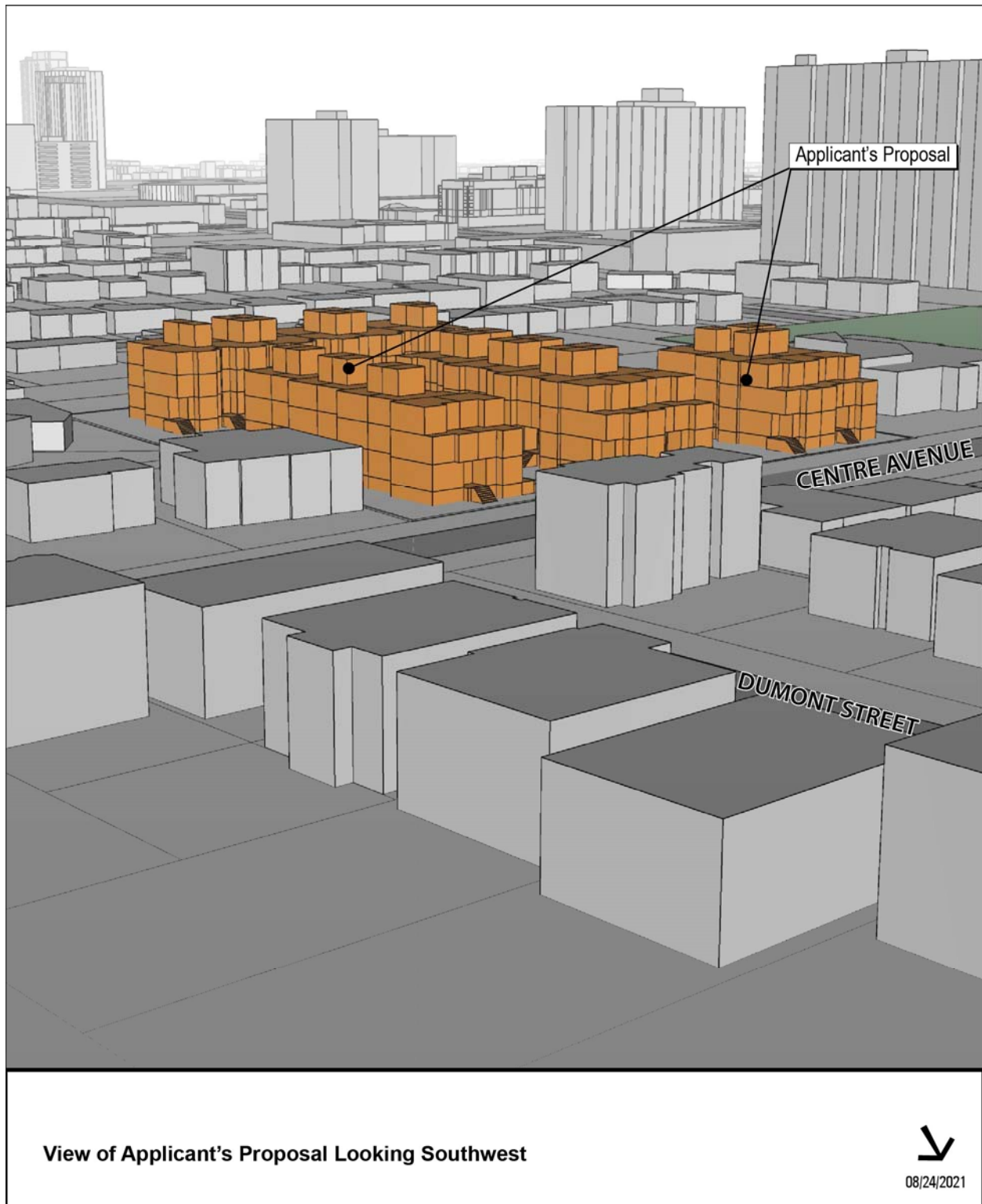
Attachment 4: Site Plan

Attachment 5: Official Plan Map

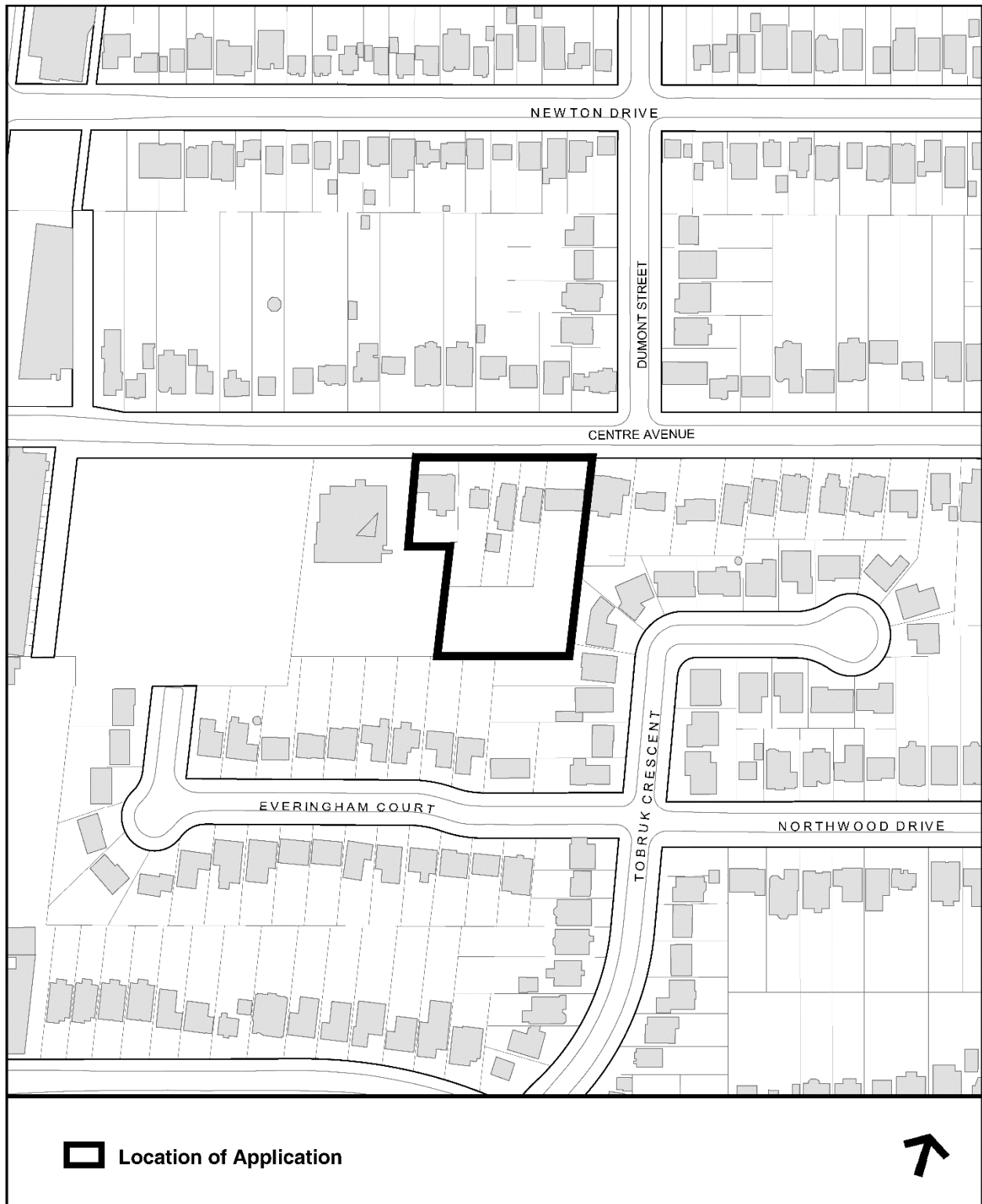
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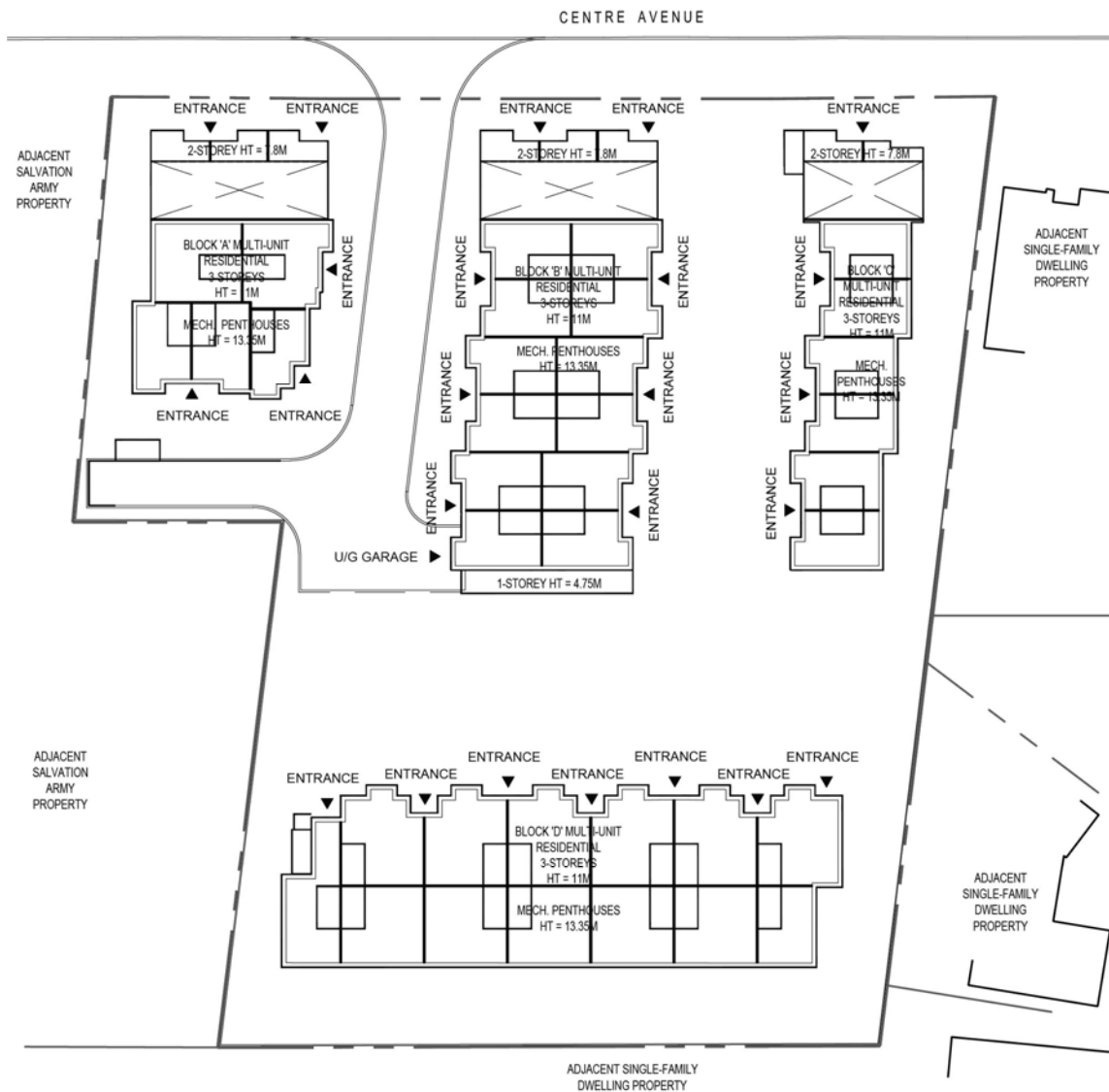
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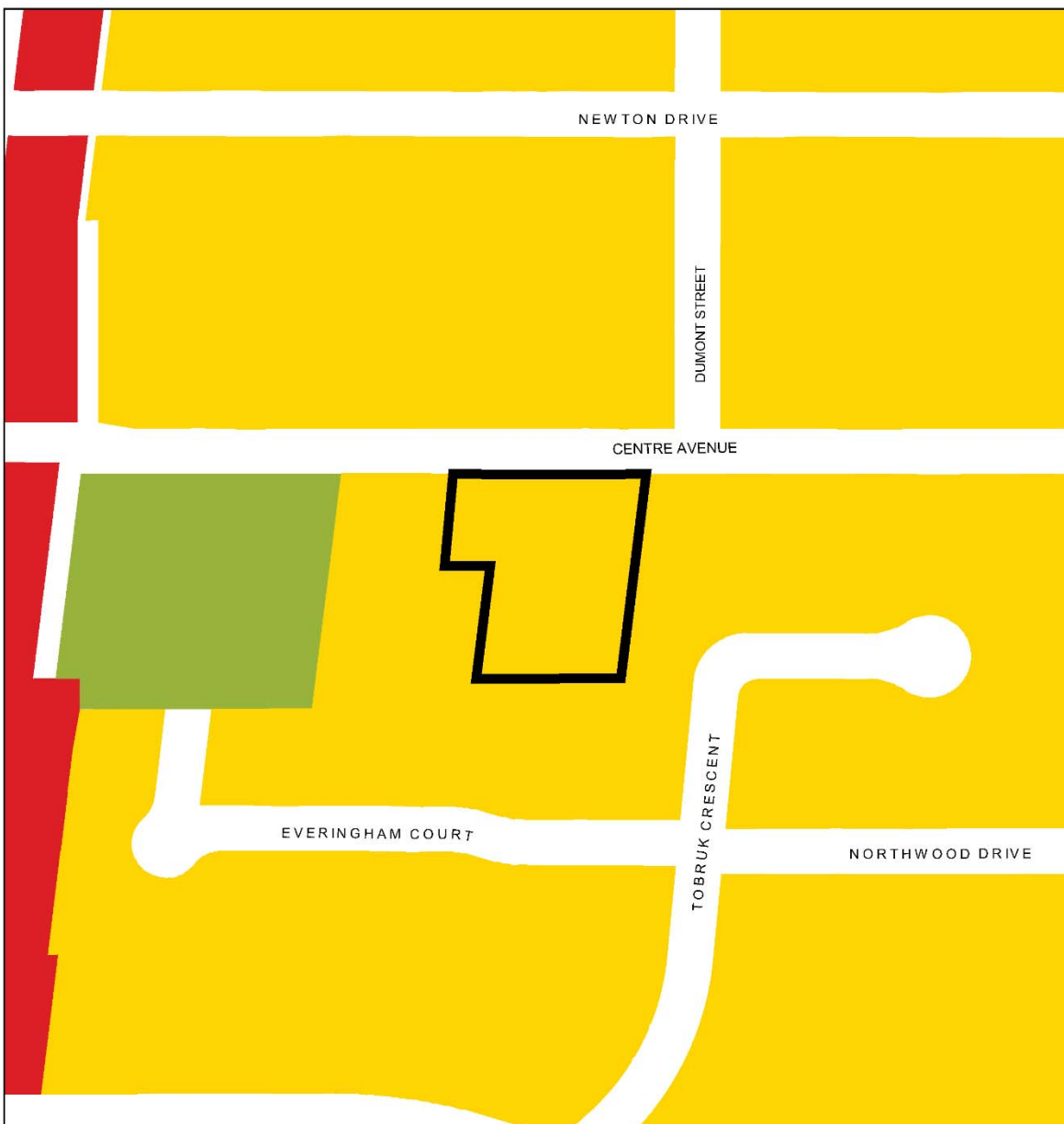


Attachment 4: Site Plan



Site Plan 

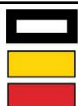
Attachment 5: Official Plan Map



Official Plan Land Use Map #18

33-43 Centre Avenue

File # 20 232921 NNY 18 0Z



Location of Application

Neighbourhoods

Mixed Use Areas

Parks & Open Space Areas

Parks



Not to Scale
Extracted: 01/13/2021