TORONTO STAFF REPORT

December 8, 2003

To:	Toronto North Community Council
From:	Acting Director, Community Planning, North District
Subject:	Final Report Application to Amend Zoning By-law Amica Rean Drive Corporation (Arsenault Architect Inc.) 12, 14, 16 Rean Drive TB ZBL 2003 0003 Ward 24 - Willowdale

Purpose:

This report reviews and recommends approval of an application to amend the Zoning By-law for a 9-storey, 138-unit apartment building for senior citzens at 12, 14 and 16 Rean Drive located in the area east of Bayview Avenue and south of Sheppard Avenue.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- Amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning Bylaw Amendment attached as Attachment No. 6.
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.



- (3) Before introducing the necessary Bills to City Council for enactment, the owner is required to satisfy the following conditions:
 - (i) enter into an Agreement under Section 37 of the Planning Act for:
 - the exemption of indoor private recreational amenity area from the calculation of gross floor area to a maximum of 356m²; and,
 - depositing a letter of credit or certified cheque in the amount of \$5,000.00 to the satisfaction of the Chief Financial Officer and Treasurer, for future traffic monitoring to be undertaken.
 - (ii) obtain Site Plan approval under Section 41 of the Planning Act; and,
 - (iii) satisfy the requirements of the Works & Emergency Service Department as outlined in their memorandum dated October 23, 2003.

Background:

Proposal

The applicant is proposing to amend the zoning by-law to permit a 9-storey, 138-unit condominium apartment building for senior citizens. The proposal has been revised since the original application was made. The original height was 10-storeys. The building has a gross floor area of 13,676m² (147,208ft²), which yields a density of 3.0 FSI, and below grade parking for 182 vehicles. A summary of the project data is provided in Attachment 5.

The proposed senior's building will be connected to the adjacent Amica retirement home building west of the site. Effectively, the adjacent retirement home is the first phase of this seniors' residential complex, with the proposed seniors' condominium building representing the second phase. The two buildings will be connected by an amenity link at the second floor level of the proposed building. Amenities provided include central dining facilities, lounge, home theatre, recreational facilities and a beauty spa.

Vehicular access to the site will be from both Rean Drive and Barberry Place via a temporary driveway arrangement along the north edge of the proposed development. The temporary driveway leads to a common underground parking entrance, which serves the underground parking garage for the proposed building and the existing Amica at Bayview building. A lay-by area for drop-offs and pick-ups is proposed on the south side of the driveway in front of the proposed seniors' building. Loading facilities and related access will be shared with the adjacent Waldorf East apartment building to the south, and accessed from Rean Drive.

Through this application, the applicant is proposing to convey approximately 1,272.89m² of land to the City for dedication as public highway and in the interim, construct a private driveway on the land that will connect Rean Drive to Barberry Place. The private driveway will be temporary since it will be located within the ultimate right-of-way of a future east-west public road planned along the north edge of the site. Until such time as the necessary property required to complete the right-of-way for this road is secured, the east-west connection will function as a private driveway serving the two buildings. The remaining lands to complete the right-of-way

requirements includes the southerly portions of 591 Sheppard Avenue East and 13 Barberry Place (refer to Attachment 4).

The applicant is proposing to consolidate the required park land dedication for this project (approximately 227.9m²) with the park land requirements of two other developments in the neighbourhood ('The Empire', File No. TB ZBL 2002 0008 and 'The Rockefeller', File No. TB ZBL 2002 0020) to create a park on lands at 12 and 14 Kenaston Gardens.

Site and Surrounding Area

The $4,559.70m^2$ (49,082 sq. ft.) site comprises three residential lots on the west side of Rean Drive, each developed with a single detached dwelling. The following is a summary of the area context:

North: single detached dwellings fronting Rean Drive/church at 593 Sheppard Avenue South: 20-storey condominium apartment building (Waldorf East);

East: single detached dwellings fronting Rean Drive/Dervock Crescent/Rean Park;

West: an 8-storey, 140-unit rental retirement home building (Amica at Bayview)

North York Official Plan

The lands are designated Mixed Use (MU) under the Sheppard East Subway Corridor Secondary Plan (OPA 392) which permits mixed use development, multiple family development and parkland. The lands are part of a key development area (Bayview Node) assigned a maximum density of 3.0 FSI.

The Context Plan for this area adopted City Council in March 2000 will be used to evaluate this application. The Context Plan consists of a structure plan, height diagram, and block pattern diagram integrating the transportation and open space options for the area as well as, urban design guidelines to assist Council in its decisions on development applications. Together, the maps and design principles provide a framework for the co-ordinated incremental development of these lands. Refinements to the development criteria are to be examined as applications proceed through the review process. An amendment to the North York Official Plan is not required.

New Official Plan

At its meeting of November 26-28, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister's decision has been has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board. No hearing date has been set.

Once the Plan comes into full force and effect, it will designate the property as a *Mixed Use Area. Mixed Use Areas* are to consist of a broad range of commercial, residential and institutional uses, as well as parks and open spaces. The current policies of the Sheppard East Subway Corridor Plan have been carried forward and incorporated into the new Official Plan. This application is consistent with the new Official Plan.

Zoning

The lands are currently zoned R4 (One Family Detached Dwelling Fourth Density Zone) which generally permits single detached dwellings.

Site Plan Control

An application for site plan approval is being processed. It is recommended that the applicant obtain site plan approval for the project before introducing any Bills to City Council for enactment.

Reasons for the Application

The current R4 zoning does not permit the proposed use and built form.

Community Consultation

The applicant's proposal was presented to local residents at a Community Consultation meeting held on July 30, 2003. At that time, the applicant presented revised plans. The building height was lowered from 10 storeys to 9 storeys and extended further west. The meeting was attended by the local Councillor and his Executive Assistants, the proponent – Daniels Corporation, the proponent's planner, project architect and City Planning staff. Approximately 15 members of the public were in attendance. The community expressed concerns that the development would increase traffic congestion in the immediate neighbourhood as well as, create a nuisance during the construction phase (i.e., noise, dust, fumes, mud, debris, and traffic). The community was also interested in having a vehicular and pedestrian connection created from Rean Drive to Barberry Place.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

Parking

By-law 7625 requires parking be provided for apartment buildings at a rate of 1.25 parking spaces/unit plus 0.25 parking spaces/unit for visitors. However, given the policies of the Sheppard East Subway Corridor Secondary Plan and the site's access to rapid transit, Works and Emergency Services will accept a reduced rate of 1.0 parking space/unit with visitor parking being maintained at 0.25 spaces/unit.

Given the above parking rates, a minimum of 172 parking spaces would be required for the 138 units. This includes a total of 34 spaces that would need to be reserved for visitors. The applicant's proposal accommodates a total of 182 spaces. Traffic certification relating to site circulation and layout will be addressed through the site plan approval process.

Transportation Planning

The development conforms to the transportation policies of the Sheppard East Subway Corridor Secondary Plan and meets the objectives of the Context Plan for the Southeast Bayview Node. The overall goal of the transportation and roads component is to promote development and linkages that support walking, cycling and the use of public transportation. The provision of eastwest routes help distribute traffic and improve the operations of the intersections with Sheppard Avenue.

A portion of the future east-west road connection proposed north of the site is being achieved through this application. The proposed land assembly facilitates integration of the building into the planned road network concept (Attachment 4). The road will ultimately connect Rean Drive to Kenaston Gardens. As development proposals come forward, opportunities for funding and land acquisition for transportation improvements will be presented to implement the Context Plan.

The intersections of Barberry Place and Sheppard Avenue and Rean Drive are signalized. The signalizations provide opportunities for pedestrians to safely cross Sheppard Avenue. A municipal sidewalk will be provided along the Rean Drive frontage of the site. The sidewalk will provide pedestrian linkages with the neighbouring projects, the subway and Bayview Village Shopping Centre.

The applicant has submitted a traffic study and traffic certification which have been accepted by Works and Emergency Services, Transportation Services. The study concludes that the application is not expected to have any noticeable impact on the boundary road operations.

Finally, in order to monitor the traffic impacts of this development, the applicant has agreed to provide a financial contribution of \$5,000.00 to Urban Development Services to undertake a traffic monitoring study in the future.

Built Form, Massing and Landscaping

The proposed height exceeds the building height of 6 storeys recommended on this portion of the Context Plan. The Height Diagram contained within the Context Plan is intended to provide a generalized concept of the preferred distribution of building heights in the neighbourhood. It is intended to have reasonable flexibility, with opportunities for refinements as projects proceed in the quadrant and the concepts may change as long as they conform to the urban design principles.

The proposal for a 9-storey building has generally been massed and organized to satisfy a number of urban design policies of the Secondary Plan and design objectives of the Context Plan. In accordance with the Context Plan, a 3-storey base building expression has been provided along the street edges continuing a treatment incorporated on neighbouring buildings. In view of the site topography, the height of the building will match the height of the adjacent 8-storey Amica retirement home building to the west (refer to Attachment 2c). The building is sited to define the street edges of the site as a streetwall building with setbacks from the streets to provide for landscaped areas adjacent to the public sidewalk as encouraged by the Secondary Plan. These spaces will provide a setting for the proposed building and provide general amenity for residents and visitors.

The location of parking and servicing has minimal physical and visual impact on the public streets. All parking is located below grade and the service area will be incorporated within the plan approved for the adjacent Waldorf Towers project to the south.

In general, the application fulfils objectives for the public realm and built form set out in the Context Plan.

Indoor Recreational Area

OPA 392 includes an incentive for providing indoor private recreational areas by exempting the use from the calculation of gross floor area. The applicant is proposing to provide 356m² (3,831 sq.ft.) of space on the second floor of the building, at the same level as the amenity space provided for the neighbouring Amica building.

Site Plan Control

As noted previously, an application for site plan approval is being processed. Detailed items such as the design of the refuse collection area, grading and drainage, landscaping, lighting, and pedestrian amenities, will be addressed through the review of the site plan application. In addition, the concerns expressed by the local community regarding construction activities will be addressed by requiring a construction management plan as a condition of site plan approval. The plan will need to be submitted prior to the issuance of any permits, including an excavation permit.

Affordable Housing

Part C.4 (Housing) of the North York Official Plan requires at least 25% of new multiple unit residential buildings with 20 or more units be affordable housing. Accordingly, the draft zoning by-law specifies that a minimum of 25% of the units must be any combination of: bachelor units of a maximum size of 55m²; 1-bedroom units of a maximum size of 70m²; 2-bedroom units of a maximum size of 80m²; and 3-bedroom units of a maximum size of 120m².

Works and Emergency Services Requirements

Works and Emergency Services have reviewed the application and advise that before introducing the necessary Bills to City Council for enactment, the owner is required to provide the following:

- deeds for the lands to be conveyed to the City for dedication as public highway;
- as a result of the conveyance for land dedication, the location of the proposed driveway will encroach on lands that will eventually form part of the new municipal road north of the site. The driveway will be temporary until access can be taken in the future when the roadway is constructed. The owner is required to enter into an easement agreement for the purposes of maintaining and the eventual removal of the private driveway. This agreement must be entered into prior to the adoption of amending zoning by-law;
- financial securities for the following works:
 - the owner's contribution towards the estimated cost of constructing a new eastwest public road from Rean Drive to Barberry Place; and,
 - a 1.5 metre wide concrete sidewalk along the frontage of the site.

The Department further advises the following:

- the proposed lay-by/drop-off area proposed on the future east-west road allowance is not acceptable and must be deleted;
- access to the underground parking structure will be shared with the property immediately west (Amica). As a result, an easement agreement is required to protect to protect reciprocal rights-of-way. The agreement must be executed and registered on title in perpetuity for all properties involved;
- an easement agreement must be executed and registered on title to protect for reciprocal rights-of-way for the shared service access driveway and loading area arrangements proposed with the Waldorf Towers site;

These and other matters related to grading, drainage and solid waste and recycling collection arrangements will be addressed through the review of the site plan application.

Conclusions:

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The proposed apartment building is in keeping with the Official Plan policies in the Sheppard East Subway Corridor Secondary Plan and will take advantage of the public investment in the Sheppard subway. The municipal objectives for future road connections and appropriate built form outlined in the Context Plan for the Southeast Bayview Node are fulfilled.

The report recommends amendments to the zoning by-law. Prior to adoption of the zoning bylaw amendment the owner is required to obtain site plan approval and satisfy the requirements of the Works & Emergency Services Department.

Contact:

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Thomas C. Keefe, Acting Director Community Planning, North District

List of Attachments:

Attachment 1: Site Plan Attachment 2: Elevations Attachment 3: Zoning Attachment 4: Road Network Plan Attachment 5: Application Data Sheet Attachment 6: Draft Zoning By-law Amendment Attachment 7: Comments from Works and Emergency Services Department



12, 14 & 16 Rean Drive

Applicant's Submitted Drawing

Not to Scale 10/03/03

Site Plan

File # **TB ZBL 2003 0003**







North Elevation

Elevations

Applicant's Submitted Drawing Not to Scale 10/03/03

12, 14 & 16 Rean Drive

File # TB ZBL 2003 0003

Attachment 2b



Elevations

Applicant's Submitted Drawing Not to Scale 10/03/03

12, 14 & 16 Rean Drive

File # **TB ZBL 2003 0003**



Attachment 2c



R4 One-Family Detached Dwelling Fourth Density Zone
RM3 Multiple-Family Dwellings Third Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone

C2 Local Shopping Centre Zone O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

1

Not to Scale Zoning By-law 7625 Extracted 05/09/03



APPLICATION DATA SHEET

Application Type	Rezoning	Rezoning Applicati		03 035	348 NNY 24 OZ
Details	Rezoning, Sta	ezoning, Standard Application Date:		March	14, 2003
Municipal Address: Location Description: Project Description:	PLAN 3583 L	, Toronto ON LOT 6 : 9 storey, 138-unit apartment buil	ding for ser	nior's (co	ndominium)
Applicant:	Agent:	Architect:		Owner:	
				AMICA I CORP.	REAN DRIVE
PLANNING CONTROLS					
Official Plan Designation:	MU	Site Specific Pro	vision:		
Zoning:	R4	Historical Status	:		
Height Limit (m):	8.8	Site Plan Contro	l Area:	Y	
PROJECT INFORMATIC	DN				
Site Area:	4559.85	Height: Store	eys: 9)	
Frontage:	65.87	Metr	es: 2	26.055	
Depth:	63.85				
Ground Floor GFA:	1139.61		Total		
Residential GFA:	13676.84	Parking Spaces:	Parking Spaces: 182		
Non-Residential GFA:	0	Loading Docks	1		
Total GFA:	13676.84				
Lot Coverage Ratio:	24.99				
Floor Space Index:	3				
DWELLING UNITS		FLOOR AREA BREAK	DOWN		
Tenure Type:	Condo		Above	Grade	Below Grade
Rooms:	0	Residential GFA:	13676.	84	0
Bachelor:	0	Retail GFA:	0		0
1 Bedroom:	90	Office GFA:	0		0
2 Bedroom:	48	Industrial GFA:	0		0
3 + Bedroom:	0	Institutional/Other GFA	: 356		0
Total Units:	138				
CONTACT: PLANNER NAME:		Steve Forrester, Senior Plan	ner		
TELEP	HONE:	(416) 395-7126			

Authority: North Toronto Community Council Report No.____ Clause No.____, as adopted by City of Toronto Council on _____.

Enacted by Council:

CITY OF TORONTO

BY-LAW No. _____ -2004

To amend former City of North York By-law 7625 in respect of lands municipally known as 12, 14 & 16 Rean Drive

WHEREAS authority is given to Council by Sections 34 and 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and,

WHEREAS Amendment No. 392 of the Official Plan of the former City of North York contains provisions relating to the authorization of increases in density of development; and,

WHEREAS pursuant to Section 37 of the *Planning Act*, the council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as are set out in the By-law; and,

WHEREAS sub section 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in the height and density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and,

WHEREAS the owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and,

WHEREAS the increase in the density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto; and,

WHEREAS the former City of North York has required the owners of the aforesaid lands to enter into one or more agreements having been executed dealing with certain facilities, services and matters in return for the increase in density in connection with the aforesaid lands as permitted by this By-law; The Council of the City of Toronto HEREBY ENACTS as follows:

- 1. Schedules "B' and "C" of By-law No. 7625 are hereby amended in accordance with Schedule "1" of this By-law.
- 2. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

64.20 -A (143) RM6(143)

DEFINITIONS

- (a) For the purpose of this exception, "apartment house dwelling" shall mean a building containing more than four (4) dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.
- (b) For the purposes of this exception, "established grade" is defined as 170.80 metres above sea level.
- (c) For the purposes of this exception, "underground" is defined as below established grade.

PERMITTED USES

(d) The only permitted use shall be an apartment house dwelling and uses accessory thereto, including private recreational amenity area.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

(e) The maximum permitted gross floor area shall be $13,680m^2$.

DWELLING UNITS

- (f) A minimum of 25% of all dwelling units shall comply with the following maximum floor areas:
 - (i) 55 m^2 for bachelor units; or,
 - (ii) 70 m^2 for one-bedroom dwelling units; or,
 - (iii) 80 m^2 for two-bedroom dwelling units; or,
 - (iv) 120 m^2 for three-bedroom dwelling units; or,
 - (v) any combination thereof.
- (g) The maximum number of dwelling units shall be 138.

LANDSCAPING

(h) The provisions of Section 15.8 for landscaping shall not apply. RECREATIONAL AMENITY AREA

(i) A minimum of $1.5m^2$ of outdoor private recreational amenity area per dwelling unit shall be provided.

LOT COVERAGE

(j) The provisions of Section 20-A.2.2 for lot coverage shall not apply.

YARD SETBACKS

- (k) The minimum yard setbacks for all buildings and structures above established grade shall be as et out on Schedule "RM6(143)", where there is no minimum yard setback indicated on Schedule "RM6(143)", the minimum yard setback shall be 0 metres.
- (1) The minimum yard setbacks for underground parking structures shall be 0 metres.

HEIGHT

- (m) The maximum buildings heights shall be the lesser of the number of storeys or metres above established grade as defined in clause (b) as shown on Schedule "RM6(143)".
- (n) No habitable space shall be permitted above the maximum height.

PARKING

(o) A minimum of 1.25 parking spaces per dwelling unit, of which 0.25 parking space per dwelling unit is reserved for visitor parking.

PROJECTIONS

- (p) The provisions of Section 6(9)(c) for permitted projections into one minimum side yard setback only shall not apply.
- (q) Exterior stairways, wheelchair ramps, canopies, balconies, bay windows, and covered porches and decks, shall be permitted to project into the minimum yard setbacks.

LOCKER SPACE

(r) A minimum of 1 locker with a minimum area of 1.6m² shall be provided for each apartment house dwelling unit.

DIVISION OF LANDS

(s) Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

LOADING SPACE

(t) Section 6A(16)(c)(i) shall not apply.

OTHER

(u) No cell phone receivers, transmitters, or other broadcasting or receiving devices are permitted except those for the exclusive use of residents.

SECTION 37 AGREEMENT

- (v) The owner of the lands set out in Schedule "RM6(143)" shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and mattes referred to below, which agreement or agreements may be registered against the title of the lands to which this by-law applies in the manner and to the extent specified in the agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit an increase above the maximum gross floor area cited in clause (e) of this exception:
 - (i) a minimum of $3.0m^2$ of indoor private recreational amenity area per dwelling unit, to a maximum gross floor area of $356m^2$, provided that such gross floor area is used solely for the purposes of a private recreational amenity area; and,
 - (ii) a letter of credit or certified cheque in the amount of \$5,000.00 to the satisfaction of the Chief Financial Officer and Treasurer for future traffic monitoring to be undertaken.

3. Section 64.20-A of By-law 7625 is amended by adding Schedule "RM6(143)" attached to this by-law.

ENACTED AND PASSED this

day of

, A.D. 2004

Mayor

City Clerk

21 City of Toronto By-law No.



22 City of Toronto By-law No.

