

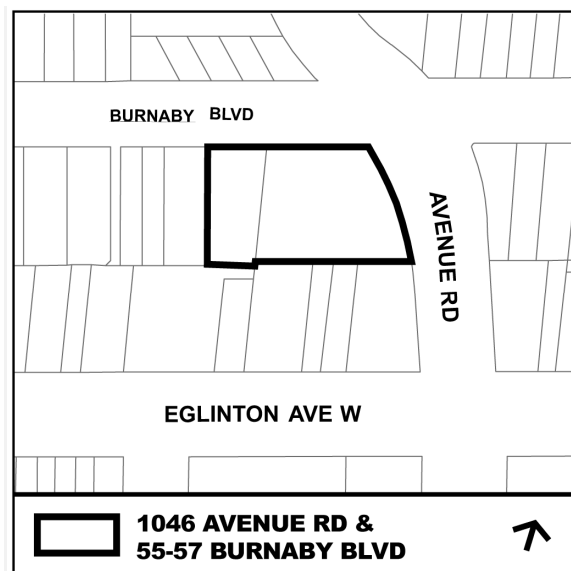
**1046 Avenue Road and 55-57 Burnaby Boulevard -
Zoning By-law Amendment Application, Site Plan
Control Application and Consent Application- Request
for Direction Report**

Date:	March 27, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	10 293313 NNY 16 OZ, 10 293317 NNY 16 SA and B047/10NY

SUMMARY

The applicant has appealed the above Zoning By-law Amendment, Site Plan Control and Consent applications to the Ontario Municipal Board (OMB) citing Council’s failure to make a decision within the time prescribed by the *Planning Act*. A Pre-Hearing Conference has been scheduled for May 17-18, which dates would be used as a Settlement Hearing should parties reach agreement on a revised proposal. A full hearing date beyond that has not been scheduled.

The applications propose to develop the lands with 18 condominium townhouse units of 4-storeys and 14 metres in height with private rooftop amenity areas. All dwellings would be 4-bedroom units with an average unit size of 206 m² (2,220 ft²). The development would be served by a total of 22 parking spaces, comprised of 18 resident spaces and 4 visitor spaces, located within a shared underground garage. Vehicular access to the site would be provided from a shared private driveway off Burnaby Boulevard at the west end of the site.



The purpose of this report is to seek Council's direction on the appeal of these applications to the Ontario Municipal Board and it is recommended that Council authorize appropriate City staff to appear before the Board in support of a revised proposal for 18 townhouse units.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council support the revised development proposal submitted by the applicant in February 2012 subject to the modifications outlined in this report and secured in the draft Zoning By-law Amendment as related to height, privacy and overlook.
2. The City Solicitor and appropriate City staff be authorized to appear before the Ontario Municipal Board in support of the revised proposal for 18 townhouse units as generally illustrated on Attachment 1 and as per the draft Zoning By-law Amendment presented in Attachment 8.
3. The City Solicitor request that the Ontario Municipal Board withhold the final order pending:
 - a. Finalization of the Site Plan Control application to the satisfaction of the Director of Community Planning, North York District; and
 - b. Finalization of the Consent application to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment subject to:
 - i. Written confirmation from the owner's solicitor that the existing easement for vehicular and pedestrian access over Part 4 and any other effected Parts has been removed.
 - ii. Written confirmation to the satisfaction of the City Solicitor from the owner's solicitor that identifies all properties for which benefit will be gained by the new easement and those properties are to be identified in the Certificate of Official.
 - iii. Confirmation of payment of outstanding taxes to the satisfaction of the City's Revenue Services Division.
 - iv. A draft Certificate of Official, as prescribed in O.Reg. 197/96 as Form 2 or 4 and in a form satisfactory to the Deputy Secretary-Treasurer, that includes a completed and registerable description of the land that is the subject of the transaction, which is to be submitted to the Deputy Secretary-Treasurer within one year of the date of the giving of notice of the Board's decision.

- v. Two copies of the reference plan of survey, integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, which is to be filed with the City Surveyor, Survey and Mapping Technical Services.
- vi. The existing semi-detached dwelling at 55 and 57 Burnaby Boulevard and the detached garage at the rear of the property are to be demolished.

Financial Impact

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

DECISION HISTORY

A consent application was submitted to the Committee of Adjustment in August 2010 to facilitate the development proposal. The application proposes to relocate the existing shared private driveway between 55 Burnaby Boulevard and 1046 Avenue Road westwards between 59 Burnaby Boulevard and the proposed new townhouse development. The applicant has advised that the driveway is currently used, and would continue to be used, for vehicular and pedestrian access to the rear of the properties to the west of the subject lands at 59 to 77 Burnaby Boulevard. Staff have requested that the applicant provide additional information confirming whether the homes to the west of these properties, being 79-97 Burnaby Boulevard, also require access over the driveway. The consent application is being reviewed concurrently with the rezoning and site plan applications and has also been appealed to the Ontario Municipal Board.

The Zoning By-law Amendment and Site Plan applications were submitted on November 8, 2010 seeking permission for a 20 unit townhouse development with 20 parking spaces located within a shared underground garage. On February 16, 2011 North York Community Council considered a Preliminary Report on the applications. Community Council directed that City Planning staff schedule a community consultation meeting with the Ward Councillor with an expanded notice area, and that notice for the public meeting be given according to regulations of the *Planning Act*.

The Preliminary Report is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.NY4.36>

In August 2011 the applicant appealed the Zoning By-law Amendment, Site Plan Control and Consent applications to the Ontario Municipal Board (OMB) citing Council's and the Secretary Treasurer's failure to make a decision within the time prescribed by the *Planning Act*.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements. At that meeting, the applicant presented a proposal for a similar townhouse development. The initial proposal was for a smaller and less

intense development for 1046 Avenue Road only, consisting of fourteen 3-storey townhouses without any units fronting the driveway. The proposal did not include the property at 55-57 Burnaby Boulevard and did not propose to relocate the existing driveway westwards.

ISSUE BACKGROUND

Proposal

The applicant has submitted three separate development proposals for the subject lands. The original November 2010 proposal was for a 20 unit condominium townhouse development of 3-storeys and 12 metres in height (plus 2.6 metres for laundry room, furnace and access) with 20 parking spaces located within a shared underground garage which did not include visitor parking. The second proposal was submitted in September 2011 and proposed 19 condominium townhouse units of 4-storeys and 14.6 metres in height with 30 parking spaces, including 4 visitor spaces, located within a shared underground garage.

The current proposal, submitted in February 2012, proposes to develop 18 condominium townhouse units of 4-storeys and 14 metres in height including private outdoor rooftop amenity areas above the third floor. The fourth floor would include space for a study or storage and laundry area. All units are proposed to be 4-bedroom and would average 206 m² in size (2,220 ft²). Units would generally be between 4.04 metres and 4.88 metres wide with two irregular shaped units 5.49 metres and 6.91 metres wide. The proposal would have a Floor Space Index of 1.91.

The townhouses would be divided into 4 blocks. One block would contain 9 units with 5 units fronting Avenue Road and 4 units fronting Burnaby Boulevard. A second block would have 4 units fronting Burnaby Boulevard. The third and fourth blocks would have 5 units fronting an internal courtyard (see Attachment 1). The townhouse blocks would be setback a minimum of 3.0 metres from Avenue Road and 2.5 metres from Burnaby Boulevard, 7.2 metres from the west property line and 0.3 metres from the south property line adjacent to the existing commercial properties on Eglinton Avenue.

Proposed are 22 vehicular parking spaces comprised of 18 resident and 4 visitor spaces located within a shared underground garage. Vehicular access to the site would be provided from the relocated driveway at the west end of the site between 59 Burnaby Boulevard and the proposed Unit 13. There are 22 bicycle parking spaces with 4 allocated for visitors identified on the proposal's site statistics, but these are not shown on the plans.

For further project information please see Attachment 6.

Site and Surrounding Area

The subject site consists of an assembly of two properties located at the southwest corner of Avenue Road and Burnaby Boulevard just north of Eglinton Avenue West. The property at 1046 Avenue Road was formerly occupied by St. Margaret's Anglican Church

and the adjacent property to the west at 55-57 Burnaby Boulevard is occupied by a fourplex rental building. The total development site has a frontage of 37.8 metres on Avenue Road and 49.7 metres on Burnaby Boulevard, and an area of 1,942 m².

Land uses surrounding the subject site are as follows:

North: Directly north of the site across Burnaby Boulevard are five detached dwellings and further north fronting Avenue Road are two 2-storey residential apartment buildings.

West: The south side of Burnaby Boulevard to the west of the site has been developed with fourplex rental buildings, which include detached garages at the rear of the lots accessed from a private driveway. This east-west driveway is accessed from two points off Burnaby Boulevard, the previously identified shared private driveway, located between the two subject properties and a public lane located between 65 and 67 Burnaby Boulevard. The north side of Burnaby Boulevard contains a number of detached residential dwellings with many of these homes divided into duplexes and triplexes.

East: There are a number of low scale detached residential dwellings east and northeast of the site across Avenue Road. These dwellings have rear yard detached garages that are accessed from an east-west driveway accessed from Oriole Parkway.

South: There are predominantly one and two-storey commercial buildings fronting the north and south sides of Eglinton Avenue West. Immediately abutting the site to the south are a number of one-storey commercial uses.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. 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; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Neighbourhoods* on Map 17, Land Use Plan of the Official Plan (see Attachment 4). *Neighbourhoods* are considered physically stable areas made up 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. The *Neighbourhoods* designation is intended to protect and reinforce the existing physical character of the surrounding low scale residential area.

Policy 4.1.5 of the Official Plan requires development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, including in particular: heights, massing, scale and dwelling type of nearby residential properties; setbacks of buildings from the streets and property lines; and prevailing building types.

Additionally, Policy 4.1.7 of the Official Plan indicates that proposals for intensification on major streets in *Neighbourhoods* are not encouraged by the policies of the Plan. Where a more intense form of residential development than that permitted by existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 4.1.5, having regard to both the form of development along the street and its relationship to adjacent development in the Neighbourhood.

The subject site is designated *Neighbourhoods* in the Yonge-Eglinton Secondary Plan. The Yonge-Eglinton Secondary Plan area consists of a wide variety of residential and commercial areas focused on Yonge Street, Eglinton Avenue, Mount Pleasant Road and Bayview Avenue.

A primary objective of the Secondary Plan is to maintain and encourage a full range of housing forms and tenure suitable for family and other households in a manner that is contextually appropriate and compatible with existing residential uses and residential built form. The stability of *Neighbourhoods* are to be maintained and reinforced to minimize conflicts in terms of land use, scale and vehicular movement. Another objective is to ensure that the form of buildings promote a compatible physical and land use relationship between development within the various land use designations and forms a positive visual relationship to the street. The Yonge-Eglinton Secondary Plan also encourages a variety of unit sizes, and larger units suitable for families.

The Toronto Official Plan is available on the City's website at:
www.toronto.ca/planning/official_plan/introduction.htm

Zoning

Zoning By-law 438-86 of the former City of Toronto zones the subject site "R2 Z0.6 H9.0". This zone permits a variety of residential building types including: detached house, semi-detached house, row house, duplex, triplex and an apartment building, with a maximum density of 0.6 times the lot area and a maximum building height of 9 metres.

Site Plan Control

A site plan control application was submitted with the rezoning application and has also been appealed to the Ontario Municipal Board.

Application Submission

The following reports/studies were submitted with the applications:

- Planning Rationale;
- Toronto Green Standard Checklist;
- Arborist Report/Tree Preservation Plan;
- Stormwater Management Report;
- Traffic Impact Assessment;
- Report of the Phase I Environmental Site Assessment;
- Report of the Phase II Environmental Site Assessment;
- Site Report (Environmental Risk Information Service); and
- Stage 1 Archaeological Assessment.

A Notification of Complete Application was issued on December 1, 2010.

Reasons for the Applications

Former City of Toronto Zoning By-law 438-86 permits townhouses. An amendment to the Zoning By-law is required to permit the townhouses at the density and scale being proposed and to implement appropriate performance standards to regulate the proposal. These performance standards include: height, density, setbacks, parking, landscaped open space and amenity areas.

The Site Plan application is required to secure the details of the proposed development, including matters such as: landscaping, stormwater management, parking and building elevations, through plans and drawings registered on title. The Consent application has been submitted to relocate the existing easement to provide vehicular and pedestrian access over the proposed private driveway.

Community Consultation

A community consultation meeting was held by City Planning staff on April 11, 2011 and approximately 25 members of the public attended along with the applicant and its consultants, and the Ward Councillor.

The following issues were raised at the community consultation meeting:

- Impacts of additional traffic on the local area;
- Adequacy of the proposed resident and visitor parking supply, leading to the potential for additional parking on abutting residential streets;
- Access to the driveway and its operation particularly during construction and reconstruction of the public lane by the City;
- Height, density and sufficiency of open space;
- Roof deck amenity areas and related overlook and privacy issues;
- Introduction of townhouses on Burnaby Boulevard and their fit with the character of the surrounding area;
- The continuous wall of townhouses along Burnaby Boulevard with no break or interruption in the façade;

- The appearance of the south façade of the townhouse buildings abutting the commercial properties;
- Sidewalks in the area being too narrow and that congestion on sidewalks would increase after the Eglinton Crosstown LRT is completed; and
- The location of garbage storage and pick-up as residents did not want to see Burnaby Boulevard and Avenue Road lined with garbage from individual townhouses.

Agency Circulation

The applications were circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the applications.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The site is located within the Yonge-Eglinton Secondary Plan area on a major street just north of Eglinton Avenue and the future Eglinton Crosstown LRT. The proposal utilizes appropriate development standards that support an efficient use of land and existing infrastructure.

The proposal conforms to the Growth Plan for the Greater Golden Horseshoe. It accommodates redevelopment within a Built-Up Area, which optimizes the use of existing infrastructure to support growth in a compact and efficient form.

Land Use

The Avenue Road and Burnaby Boulevard area contains a mix of residential uses in a variety of built forms. Low-scale residential uses in building forms such as single detached, duplexes, triplexes and fourplexes exist in the area. To the north of the site there are 2-storey apartment buildings and a 7-storey apartment retirement residence. Eglinton Avenue contains a number of commercial uses and is also the subject of the Eglinton Crosstown LRT study that is currently underway. Townhouses of a less intense form than those proposed are permitted as of right in the existing R2 zoning. A residential townhouse use with underground parking is appropriate at this location given the variety of residential uses in the area and the proximity of the future Eglinton Crosstown LRT.

Lot Configuration and Neighbourhood Fit

The proposed lot configuration, building setbacks and landscaped open space should respect and reinforce the existing physical character of the neighbourhood. Official Plan Built Form policies (Section 3.1.2) require that new development be located and organized to fit with its existing and/or planned context. Development should frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces by, amongst other matters, locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk.

The current proposal is for 18 units with below grade parking and at grade landscaping and amenity. The current proposal has been revised to eliminate previously proposed units fronting onto the private lane. Walkways have been revised to provide clear, safe and direct access into and through the development site. The 13 grade related townhouse units fronting both Avenue Road and Burnaby Boulevard provide for appropriate definition and support for the streets while the remaining 5 units face a private amenity courtyard interior to the site.

Building setbacks are consistent with the prevailing/planned pattern along local streets. The proposed front yard setback along Burnaby Boulevard has been revised to meet the prevailing street setback of 2.5m and the setback along Avenue Road has been increased to 3 metres. The proposed setbacks allow for appropriate front landscape amenity areas, help improve privacy for these units and fit with the prevailing street pattern.

Privacy and Overlook

The applicant has revised the proposed building layout and eliminated previously proposed front to rear building relationships that created privacy and overlook issues within the development. Units are now all oriented with a back to back or a back to side facing relationship with appropriate building separation distances. As part of the site plan review, the applicant should provide details of the rooftop amenity areas so it can be determined whether the areas are appropriately screened from existing adjacent residential homes to ensure there are no issues related to overlook and privacy.

Additionally, a provision has been included in the draft Zoning By-law Amendment relating specifically to Unit #13 adjacent to the existing residential fourplex at 59-61 Burnaby Boulevard. This provision limits any rooftop amenity area from being located closer than 8.7 metres from the west property line and 5.5 metres from the north property line. This will ensure that the rooftop amenity area is setback 1.5 metres from the building's west edge and 3 metres from the building's north edge.

Height

The proposed townhouses would be 4 storeys and 13.5 metres in height while dwellings along Burnaby Boulevard and the surrounding area are generally 2 storeys and 9 metres in height. The applicant has reduced the overall height of the proposal by approximately 1 metre from the original submission. The proposed heights on Avenue Road and Burnaby Boulevard are generally appropriate. However staff are of the opinion that the height of the proposed townhouse closest to the existing homes at 59-61 Burnaby Boulevard should be reduced. Unit #13 should be more sensitive to the existing context with respect to height and number of storeys and should provide transition to the lower dwellings to the west.

The fourth floors of all units contain rooftop amenity areas, access stairs/elevator overrun and a study or laundry and storage facilities. In order to ensure an appropriate transition with respect to height, a provision has been included in the draft Zoning By-law Amendment to limit Unit #13 to 3-storeys and 11 metres in height and allow for a limited

enclosure on the rooftop for stairs and elevator access only to the rooftop amenity area. The elevations illustrated in Attachments 3A-E do not reflect this change to Unit #13.

Parking and Traffic

The applicant submitted a Traffic Impact Assessment indicating that the street network and the intersection of Avenue Road and Burnaby Boulevard can accommodate the increased traffic generated by this site, which would be about 9 to 10 trips in the peak hour. The proposed parking supply of 18 spaces and 4 visitor parking spaces is also sufficient. The draft Zoning By-law includes minimum parking rates to ensure the site is developed with an appropriate parking supply. Transportation Services staff have reviewed the proposal and are satisfied that the parking and traffic impact are appropriate. The proposal also includes 22 bicycle parking spaces. The applicant is required to identify where these spaces are to be located on the site plan. This will be resolved through the site plan process and therefore staff are recommending this be secured prior to the OMB issuing its final order.

Access

There is an existing driveway, which is substandard in width, between 1046 Avenue Road and 55-57 Burnaby Boulevard. There is an existing easement over that driveway which provides access to the subject properties and to a number of existing properties on the south side of Burnaby Boulevard. The existing driveway is proposed to be relocated between 59 Burnaby Boulevard and proposed Unit #13. The applicant has submitted a consent application to relocate that driveway westwards as described above and re-establish the easement in favour of the same properties that originally had access over the existing driveway. The new driveway would be a two way driveway that also includes a 1.2 metre walkway along its east side. The new driveway and access arrangement is acceptable to Transportation Services staff.

To secure this, it is recommended the City Solicitor be directed to request that the Ontario Municipal Board to withhold the final order pending finalization of the Consent application to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment subject to:

- a. Written confirmation from the owner's solicitor that the existing easement for vehicular and pedestrian access over Part 4 and any other effected Parts has been removed.
- b. Written confirmation to the satisfaction of the City Solicitor from the owner's solicitor that identifies all properties for which benefit will be gained by the new easement and those properties are to be identified in the Certificate of Official.
- c. Confirmation of payment of outstanding taxes to the satisfaction of the City's Revenue Services Division.
- d. A draft Certificate of Official, as prescribed in O.Reg. 197/96 as Form 2 or 4 and in a form satisfactory to the Deputy Secretary-Treasurer, that includes a completed and registerable description of the land that is the subject of the transaction, which is to be submitted to the Deputy Secretary-Treasurer within one year of the date of the giving of notice of the Board's decision.

- e. Two copies of the reference plan of survey, integrated to NAD 83 CSRS (3 degree Modified Transverse Mecerator projection), delineating by separate Parts the lands and their respective areas, which is to be filed with the City Surveyor, Survey and Mapping Technical Services.
- f. The existing semi-detached dwelling at 55 and 57 Burnaby Boulevard and the detached garage at the rear of the property are to be demolished.

Concerns were raised at the community consultation meeting regarding vehicular access for properties along the south side of Burnaby Boulevard during construction of the project. The applicant has advised that residents will be able to use the lane during various periods of construction, however the lane will be closed at some point. There is an existing City owned public lane located between 65 and 67 Burnaby Boulevard that was reconstructed in November 2011 that can provide access to all properties on the south side of Burnaby Boulevard during construction. As part of the site plan approval process, staff will require a construction management plan detailing site access and other matters such as: dust/mud control on and offsite; the location of truck loading points and trailer parking; and parking for construction trades.

Solid Waste

The applicant is proposing private solid waste collection from a garbage enclosure to be located at the southern terminus of the private driveway adjacent to Units 16-18. The site plan needs to be revised to indicate that the site will be served by private garbage collection and conditions would need to be incorporated into a site plan agreement advising of this.

Urban Forestry

The landscape plan identifies four private trees on the subject site that are 30 cm or greater in diameter that would be directly impacted by the proposed development. The applicant would be required to submit an application requesting permission to injure or destroy these trees. Should an application to injure or destroy these trees be permitted, and based on the City's 3:1 replacement requirement, the applicant would be required to plant 12 trees on site which have not been incorporated into the landscaping plans. The landscape plan identifies two large red maple replacement trees proposed for the site and an additional 10 trees would be required.

The landscape plan identifies 13 new City trees to be planted on Burnaby Boulevard and Avenue Road. Urban Forestry staff do not accept the proposed tree species or their proposed locations and requires the landscape plan to be revised.

Toronto District School Board

TDSB staff advise there is insufficient space at the local schools to accommodate students anticipated from this proposed development and others in the area. TDSB staff have indicated that children from this development will not displace existing students at local schools. Alternative arrangements will be identified to optimize enrolment levels at all schools across the TDSB, however it is unknown at this time which schools are anticipated to serve this proposed development. TDSB staff are requesting that signs be

erected on site by the developer and that the developer include warning clauses in all offers of purchase and sale advising potential purchasers of TDSB's requirements.

Toronto Transit Commission

The proposed development is located just north of the proposed Eglinton Crosstown LRT route and north of the proposed Avenue Road LRT station. The TTC were circulated all three revisions of the proposed plans for their comment. The TTC does not object to the proposed development provided that any site plan agreement and offers of purchase and sale include TTC transit interference warning clauses.

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 green house gas emissions and enhance the natural environment.

The applicant submitted a TGS checklist with the initial 20 unit townhouse proposal and a revised list for the 18 unit proposal, however it did not include details necessary to adequately assess compliance with the TGS. The applicant would need to submit a revised TGS checklist with a subsequent site plan resubmission advising how the proposal complies with Tier 1 of the TGS.

Site Plan

Staff have identified a number of issues with the current 18 unit proposal, throughout this report and as identified below, that require further revisions to plans and reports before site plan approval could be granted. Outstanding site plan matters include, but are not limited to, the following:

- Revise the site plan to remove steps and retaining walls from the public right-of-way.
- The sidewalk fronting Burnaby Boulevard and Avenue Road must be reconstructed with the curb and sidewalk constructed separately to the City of Toronto's current sidewalk standards of 2.0 m and clearly labelled on the plans.
- Fire hydrants should not be located more than 45 m from a fire department Siamese connection and their location shown on the plans.
- Identify the required 6.1 m radius corner rounding at Avenue Road and Burnaby Boulevard.
- The driveway entrance should be designed as per City Standards.
- Show the location of all existing services on the plan and label all existing services to be abandoned.
- Revise Site Servicing Plan, Grading Plan and Stormwater Management Report as detailed in Technical Services memo dated February 29, 2012.
- Provide an access easement registered on title allowing the properties to the west to use the driveway off Burnaby Boulevard.

- Provide grading information illustrating landscaped slopes, need for retaining walls, gradients for pedestrian accessibility, first floor levels, entrance grades and stairs, and grading relationship along the south property line.
- Provide adjacent neighbouring building context information on all elevation and section drawings, particularly the relationship between the site and the neighbouring properties to the south on Eglinton Avenue, which should also include grading details.
- Retaining walls where necessary should be screened from the public realm with landscaping.
- Clarify discrepancies that exist on various plans submitted with respect to site grading, including the number of stairs required at entrance locations and retaining walls as this information varies on site plan, landscape plan and grading plan.
- First floor levels of townhouse units should not be higher than 0.9 metres above the sidewalk grade.
- Provide a garage door to the underground parking garage area.
- Provide details for proposed rooftop patio areas as they should fit into the design of the building, provide for privacy and green space amenity.
- Fencing and brick walls located within the rear yards and interior courtyard area should be replaced with shorter fencing/walls and or visibly permeable material.
- Provide further details with respect to: site lighting, which should be coordinated with internal tree planting, landscaping, utilities and public walkways; planters; retaining walls/wood fences; garbage enclosure and screening fence; other landscaping features proposed within courtyard.
- Provide a TGS checklist and statistics table completed in full including adequate details. The TGS should make reference to the relevant drawings and reports submitted and a description should be provided in the checklist demonstrating how these measures should be achieved.
- Provide a construction management plan.
- Provide revised elevations to reflect the recent revisions as outlined in this report.

Given the number and extent of the site plan issues to be resolved, it is recommended the City Solicitor be directed to request the Ontario Municipal Board to withhold the final order pending finalization of the site plan application to the satisfaction of the Director of Community Planning, North York District.

Conclusions

Following the community consultation meeting, the proposal has been revised to: delete two units; increase the setback for townhouse units fronting Avenue Road to a minimum of 3 metres; provide for appropriate building facing relationships by having units face front to front or back to back; provide for transition to the lower scale dwellings to the west; eliminate residential buildings with units fronting a private shared driveway as their primary access; include visitor parking spaces and include appropriate and safe pedestrian connections with sufficient space for landscaping. The townhouse development as recently revised would be in keeping with the character of the

surrounding neighbourhood with respect to matters such as lot configuration and neighbourhood fit. The proposal represents appropriate intensification of a site located just north of the proposed Eglinton Crosstown LRT and is an acceptable development.

It is recommended that City Council support the recently revised proposal for the reasons set out in this report and authorize the City Solicitor and appropriate staff to attend any Ontario Municipal Board hearing in support of the revised submission and the attached draft Zoning By-law Amendment. It is also recommended that the City Solicitor be directed to request the Ontario Municipal Board withhold the final order pending: finalization of the Site Plan Control application to the satisfaction of the Director of Community Planning, North York District; and finalization of the Consent application to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment.

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Underground Garage Plan
Attachment 3A-E: Elevations
Attachment 4: Official Plan
Attachment 5: Zoning By-Law
Attachment 6: Application Data Sheet
Attachment 7: Consent Application Plan
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



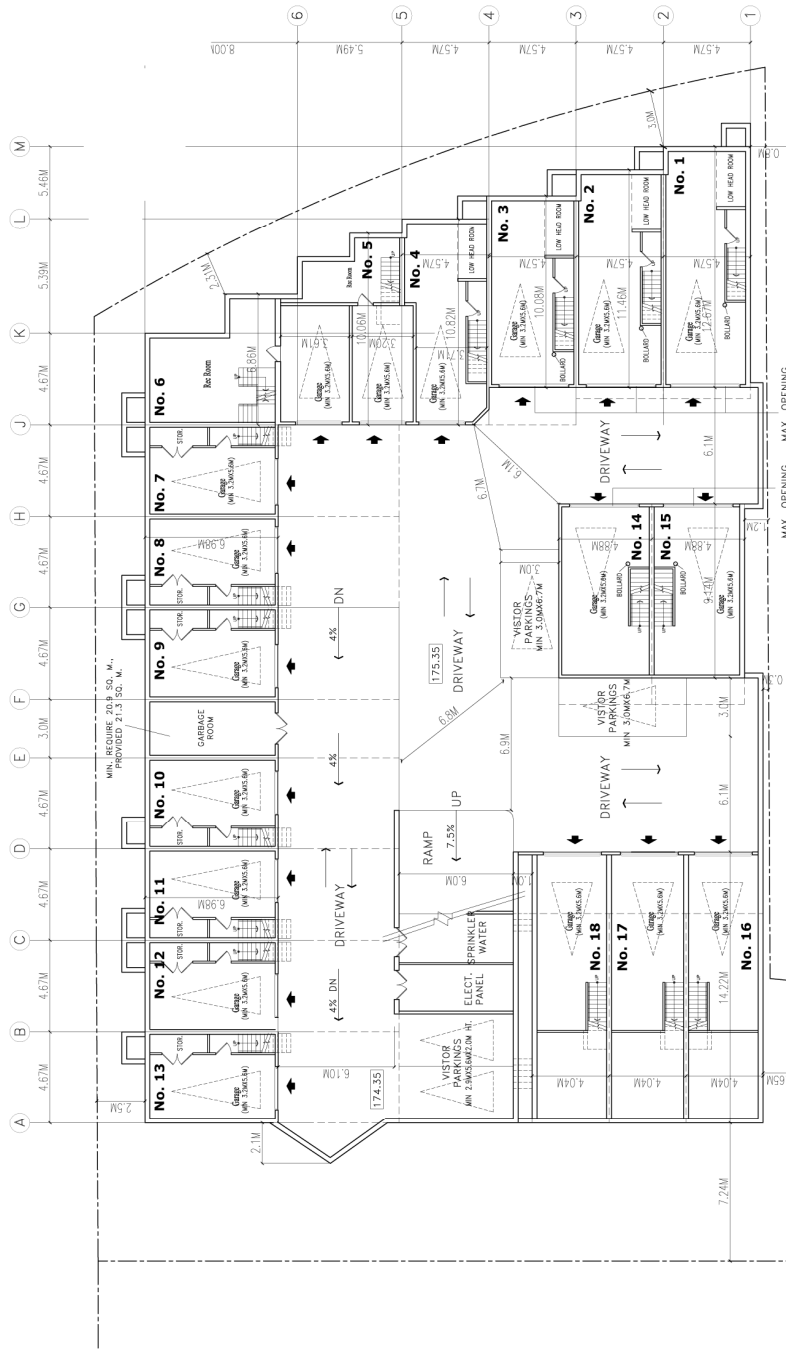
1046 Avenue Rd. & 55-57 Burnaby Blvd.

Site Plan
Applicant's Submitted Drawing

Not to Scale
03/21/2012

File # 10 293313 NMY 16

Attachment 2: Underground Garage Plan



NOTE: ALL PARKING SPACES
MIN 3.2MX5.6MX2M HEIGHT

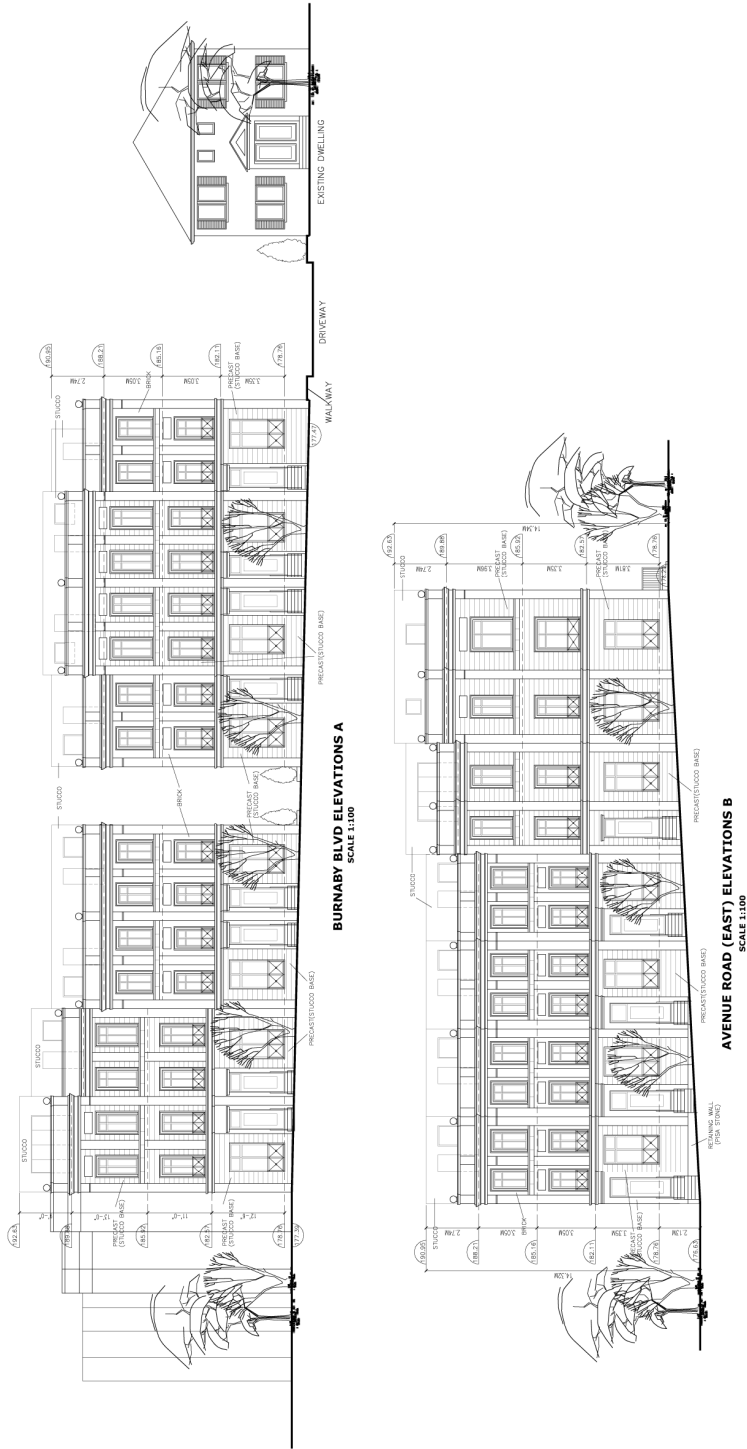
Underground Garage Plan
Applicant's Submitted Drawing

Not to Scale
03/21/2012

1046 Avenue Rd. & 55-57 Burnaby Blvd.

File # 10 293313 NMY 16

Attachment 3A: Elevations



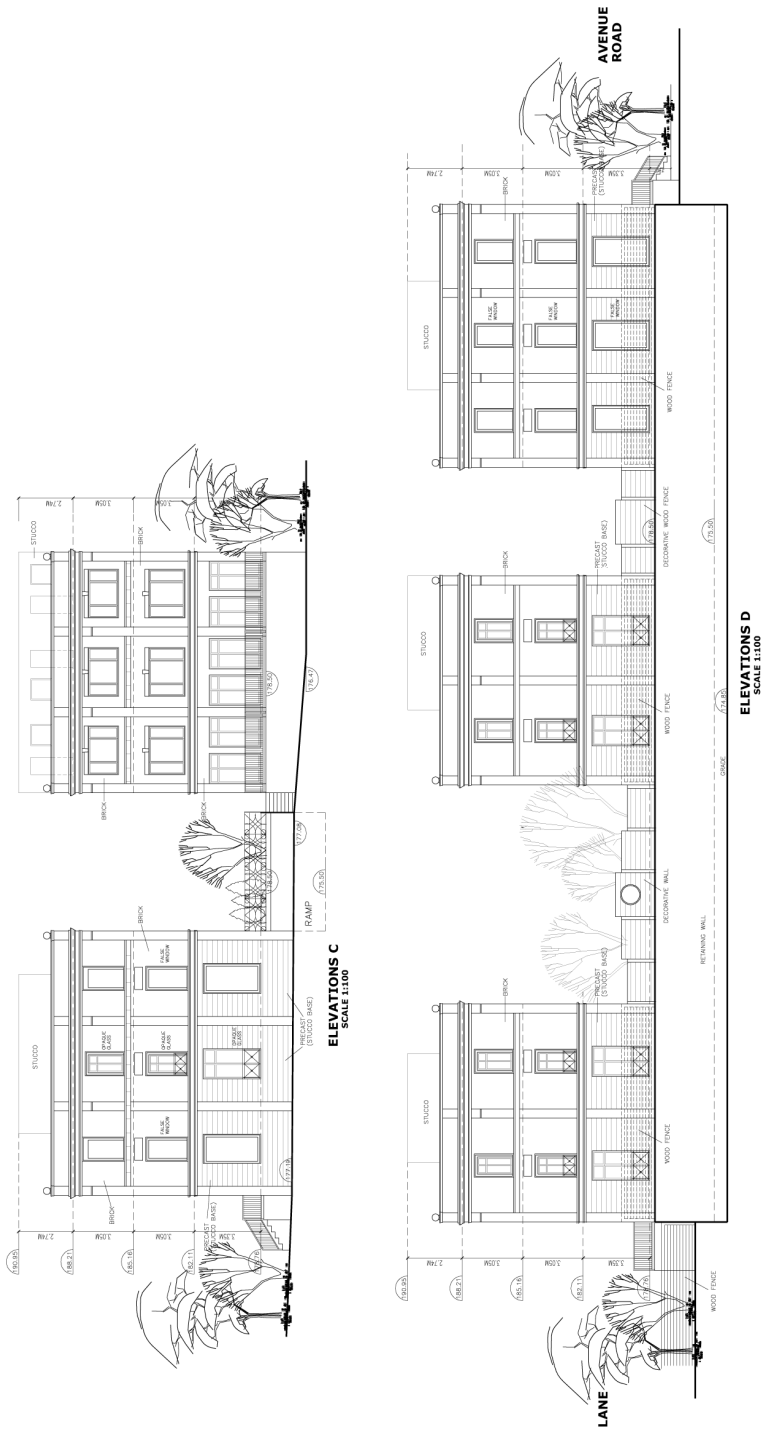
1046 Avenue Rd. & 55-57 Burnaby Blvd.

Elevations
 Applicant's Submitted Drawing

File # 10 293313 NNY 16

Not to Scale
 03/21/2012

Attachment 3B: Elevations



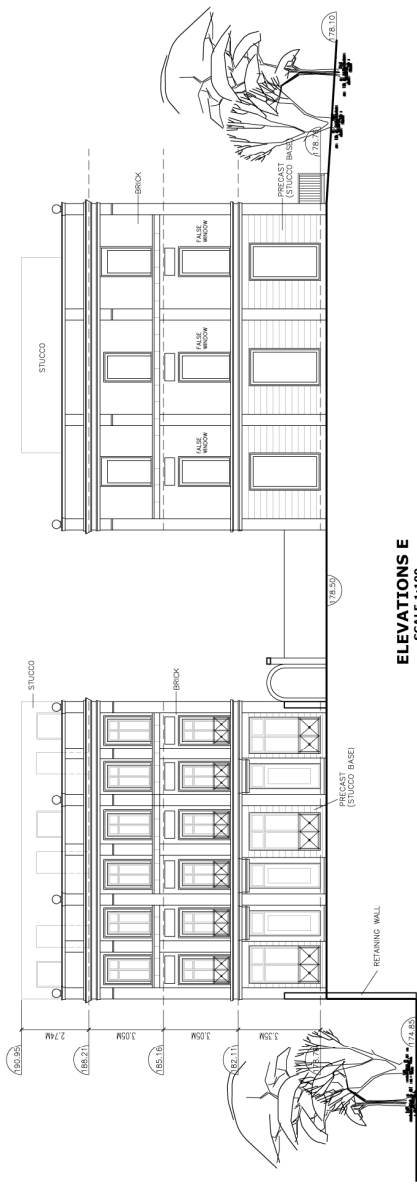
1046 Avenue Rd. & 55-57 Burnaby Blvd.

Elevations
 Applicant's Submitted Drawing

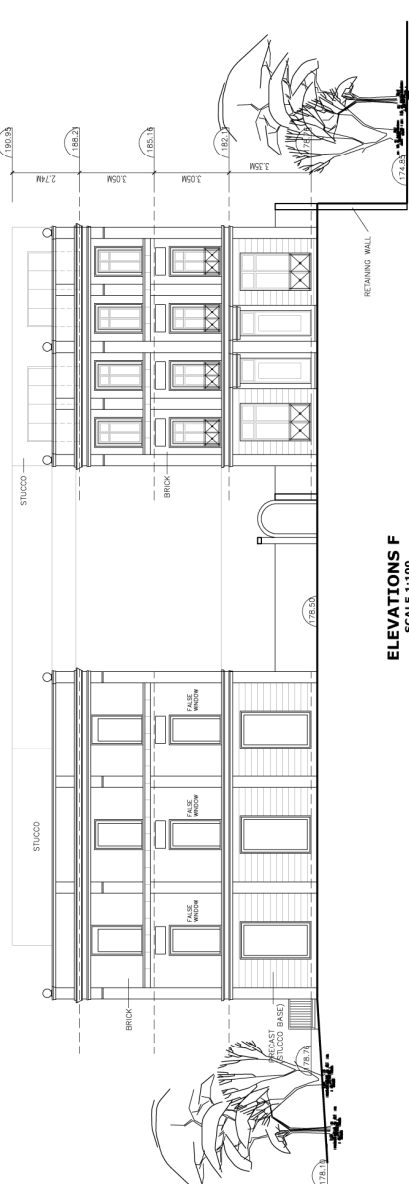
Not to Scale
 03/21/2012

File # 10 293313 NNY 16

Attachment 3C: Elevations



ELEVATIONS E
SCALE 1:100



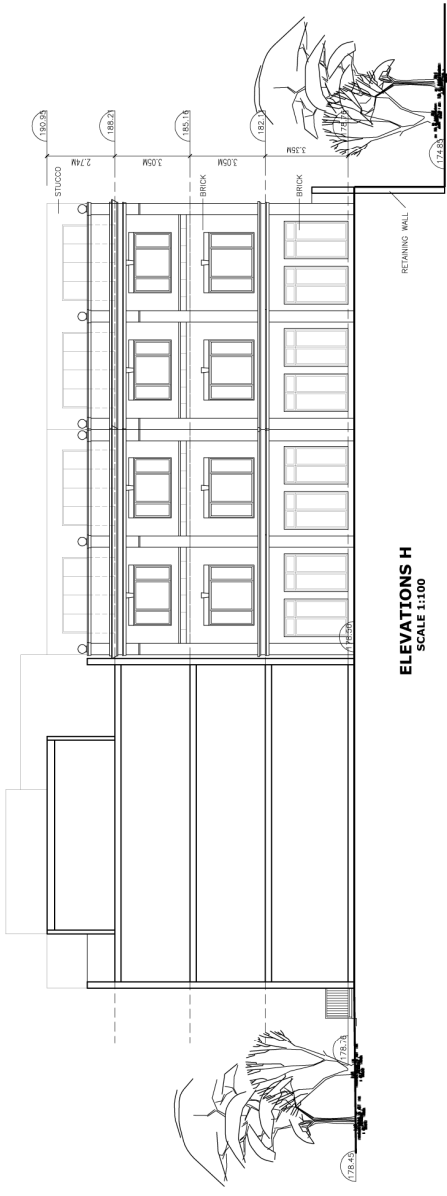
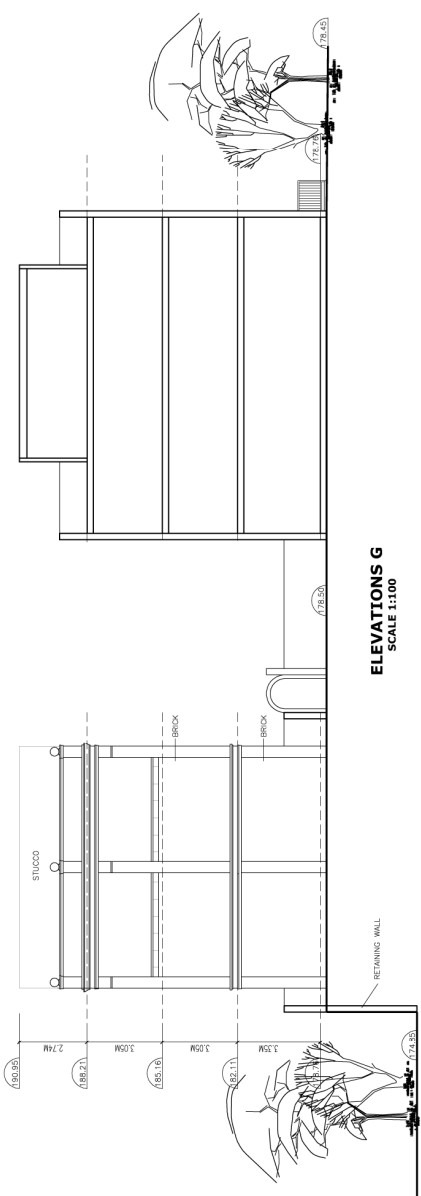
ELEVATIONS F
SCALE 1:100

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 03/21/2012

1046 Avenue Rd. & 55-57 Burnaby Blvd.

File # 10 293313 MNY 16

Attachment 3D: Elevations



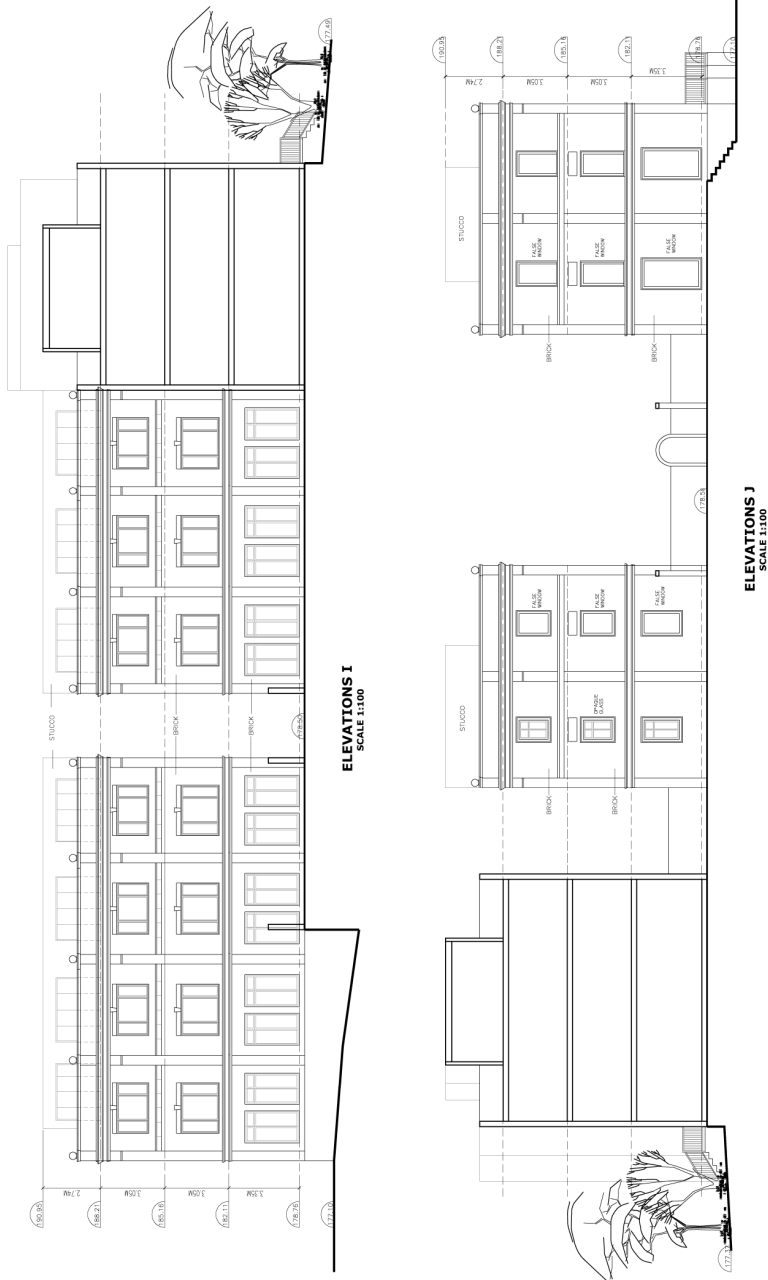
1046 Avenue Rd. & 55-57 Burnaby Blvd.

Elevations
Applicant's Submitted Drawing

Not to Scale
03/21/2012

File # 10 293313 MNY 16

Attachment 3E: Elevations



ELEVATIONS I
SCALE 1/160

ELEVATIONS J
SCALE 1/160

Elevations

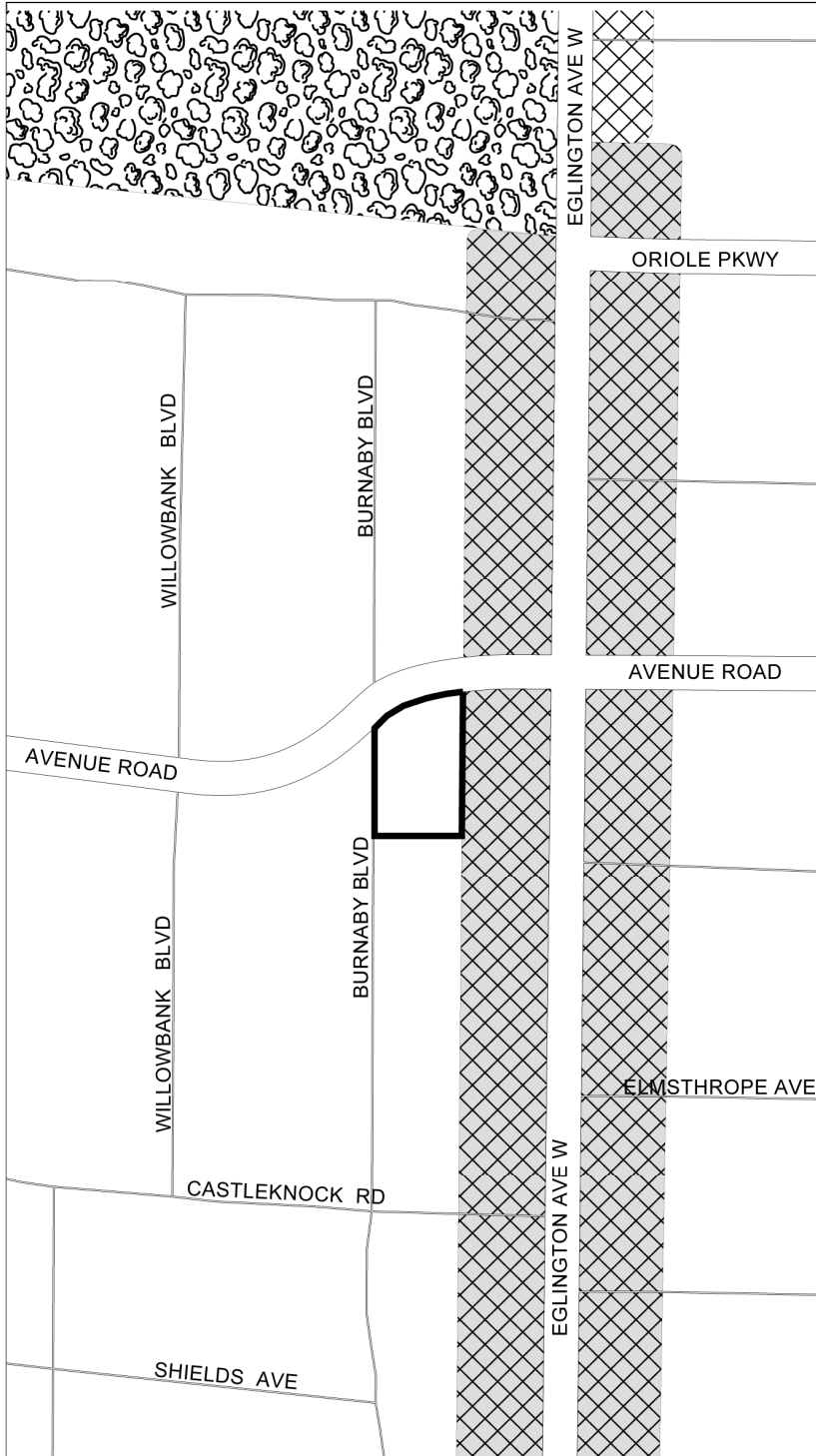
Applicant's Submitted Drawing

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03/21/2012

1046 Avenue Rd. & 55-57 Burnaby Blvd.

File # 10 293313 NMY 16

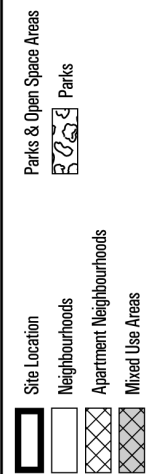
Attachment 4: Official Plan



1046 Avenue Rd & 55-57 Burnaby Blvd.

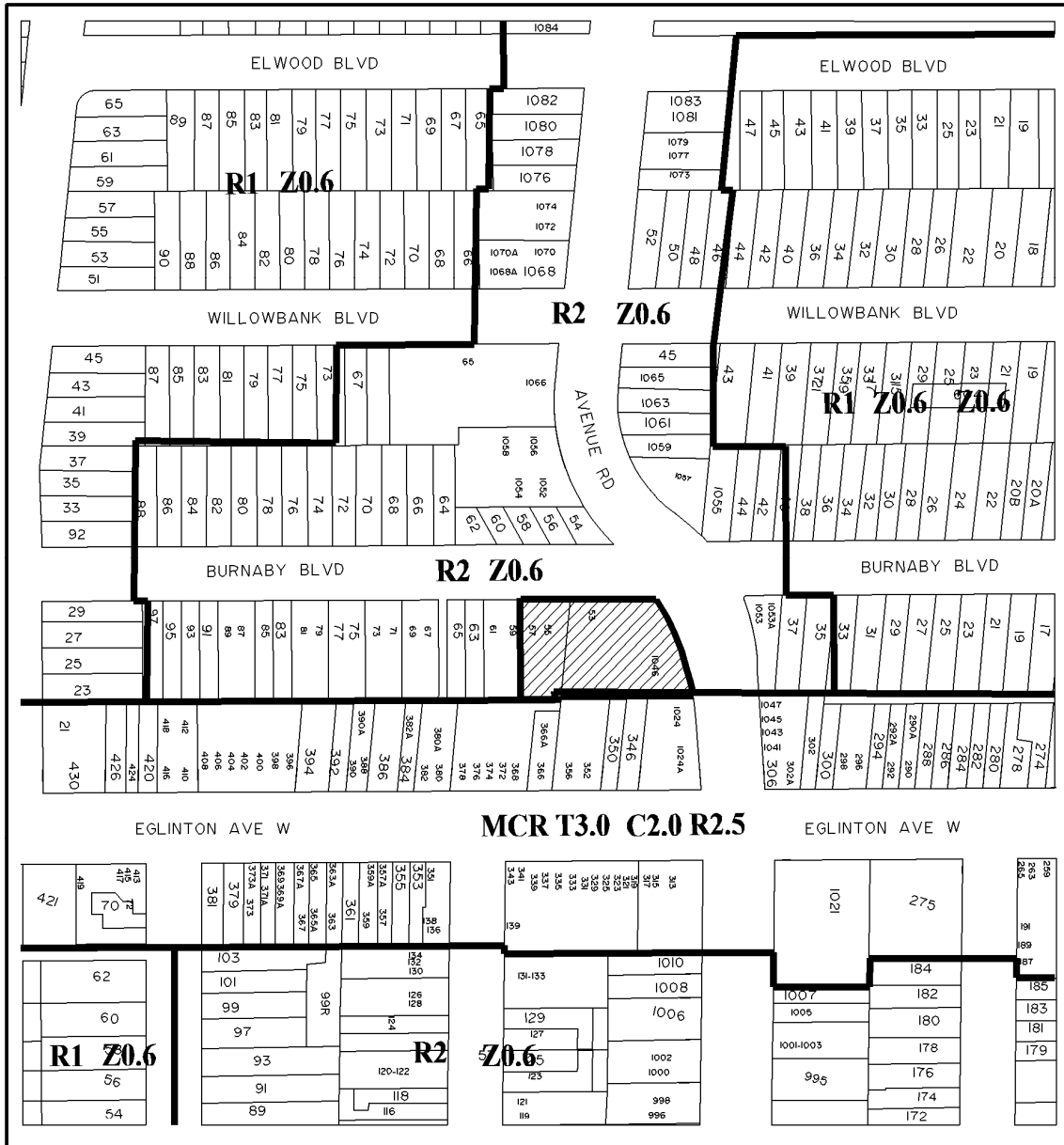


File# 10_293313



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12/23/2010

Attachment 5: Zoning By-law



1046 Avenue Rd & 55 - 57 Burnaby Blvd

File # 10 293313 NNY 16

- R1 Residential District
- R2 Residential District
- MCR Mixed-Use District



Not to Scale
Zoning By-law 438-86
Extracted 10/06/2011

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	10 293313 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	November 8, 2010
Municipal Address:	1046 AVENUE RD		
Location Description:	PLAN M380 PT LOTS 28 TO 30 **GRID N1606		
Project Description:	This application proposes to develop the lands with 18 condominium townhouse units of 4-storeys and 14 metres in height with private rooftop amenity areas. All dwellings would be 4-bedroom units with an average unit size of 206 m ² (2,220 ft ²). The development would be served by a total of 22 parking spaces, comprised of 18 residential spaces and 4 visitor parking spaces, located within a shared underground garage. Vehicular access to the site would be provided from a driveway off Burnaby Boulevard at the west end of the site.		

Applicant: Alex Boros Design INC. 289 Bridgeland Ave., #200 Toronto, ON M6A 1Z6	Agent:	Architect:	Owner: Slubor Goup LTD. 118 Helendale Ave. Toronto, ON M4R 1C7
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PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R2 Z0.6 H9.0	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1942.3	Height:	Storeys:	4
Frontage (m):	37.8		Metres:	14.6
Depth (m):	49.7			
Total Ground Floor Area (sq. m):	1022			Total
Total Residential GFA (sq. m):	3711		Parking Spaces:	22
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	3711			
Lot Coverage Ratio (%):	53			
Floor Space Index:	1.91			

DWELLING UNITS

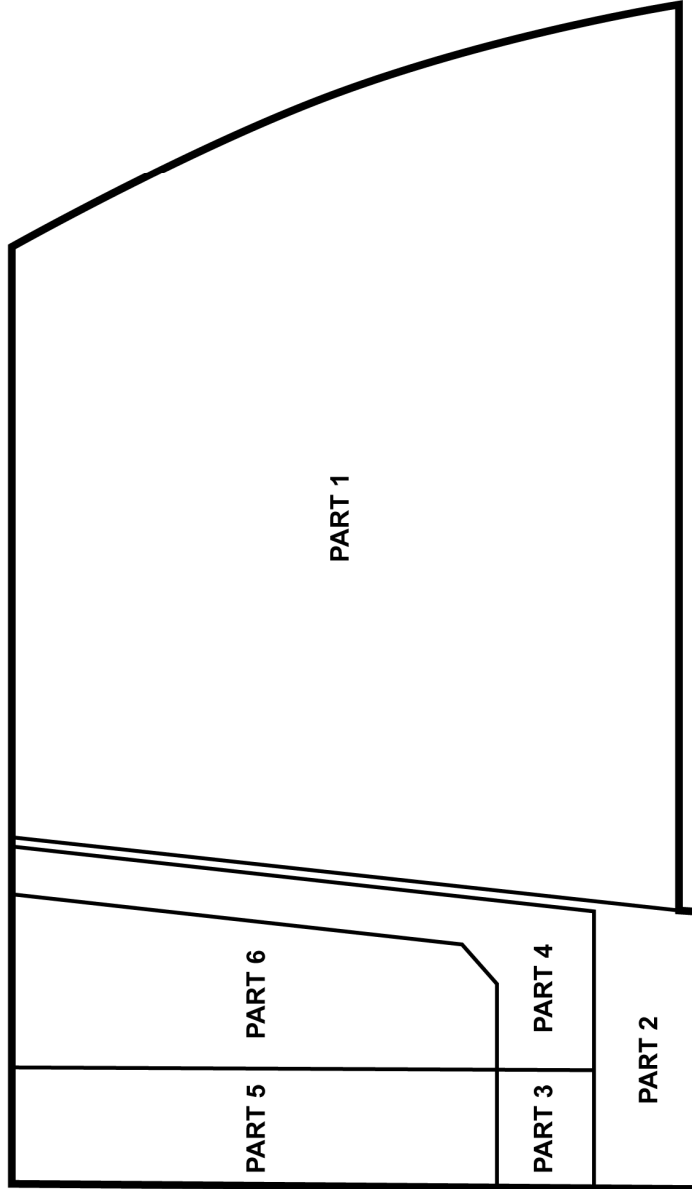
Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	18
Total Units:	18

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	3711	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:	John Andreevski, Senior Planner
	TELEPHONE:	416-395-7097

Attachment 7: Consent Application Plan



Consent Application B047/10NY

1046 Avenue Rd. & 55-57 Burnaby Blvd.

Applicant's Submitted Drawing

Not to Scale
03/21/2012

File # 10 293313 NNY 16

Attachment 8: Draft Zoning By-law Amendment

Authority: Ontario Municipal Board Decision/ Order dated 2012

CITY OF TORONTO BY-LAW No. ~-20~ (OMB)

To amend Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 1046 Avenue Road and 55-57 Burnaby Boulevard

WHEREAS authority is given to the Ontario Municipal Board under Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

WHEREAS the Ontario Municipal Board, pursuant to its Decision/Order dated _____ has determined to amend By-law No. 438-86 of the former City of Toronto,

THEREFORE pursuant to the Order of the Ontario Municipal Board issued on _____ in Board File No. PL110794, the Ontario Municipal Board orders that By-law No. 438-86, as amended, of the former City of Toronto, is amended as follows:

1. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
2. For the purpose of this By-law, the *lot* shall consist of the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law.
3. None of the provisions of Section 2 with respect to *grade*, *height* and *lot*, 4(2)a, 4(4)b, 4(11) (b) and (c), 4(13), 6(3) Part I 1, and 6(3) Part II 1, 2, 3, 4, 5 and 6 of By-law No. 438-86, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters related to buildings and structures and to prohibit certain uses of land and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of a *residential building* on the *lot*, subject to the following:
 - (a) The maximum *residential gross floor area* erected or used on the *lot* does not exceed 3,715 square metres;
 - (b) The maximum number of *dwelling units* erected or used on the *lot* does not exceed 18;
 - (c) No part of any building or structure erected above *grade* on the *lot* is located otherwise than wholly within the areas delineated by the heavy

lines as shown on Map 2 attached to and forming part of this By-law, with the exception of:

- (i) Awnings, lighting fixtures, ornamental elements, trellises, window sills, balustrades, stairs, wheelchair ramps, underground garage ramps, landscape and public art features which may extend beyond the heavy lines shown on Map 2.
- (d) The *height* of any building or structure, or portion thereof, including mechanical and stair overrun, shall not exceed those heights as indicated by the numbers following the symbol H on Map 2 and a maximum of 4-storeys.
- (e) Despite (d) above, the *height* of any building or structure, or portion thereof, excluding mechanical and stair overrun, located within the hatched area as shown on Map 2, shall not exceed a maximum height of 11 metres and 3-storeys. Furthermore, the mechanical and stair overrun shall be limited to a maximum area of 3 metres in width by 5 metres in length to a maximum height of 2.74 metres.
- (f) Any building or structure, or portion thereof, located within the hatched area as shown on Map 2, located above a maximum height of 11 metres shall only be used as outdoor amenity space and for a mechanical and stair overrun area.
- (g) Any rooftop amenity area located with the hatched area as shown on Map 2 shall be setback a minimum of 8.7 metres from the west property line and a minimum setback of 5.5 metres from the north property line.
- (h) The minimum number of *parking spaces* provided and maintained on the *lot* shall not be less than the number calculated in accordance with the following minimum ratios and shall be located in the *underground parking garage*:
 - (i) 1.0 parking spaces per dwelling unit – residential occupant
 - (ii) 0.2 parking spaces per dwelling unit – visitor
- (i) The minimum number of bicycle parking spaces provided shall be 18 for residents and 4 for visitors.

4. DEFINITIONS

For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86, as amended, with the exception of the following:

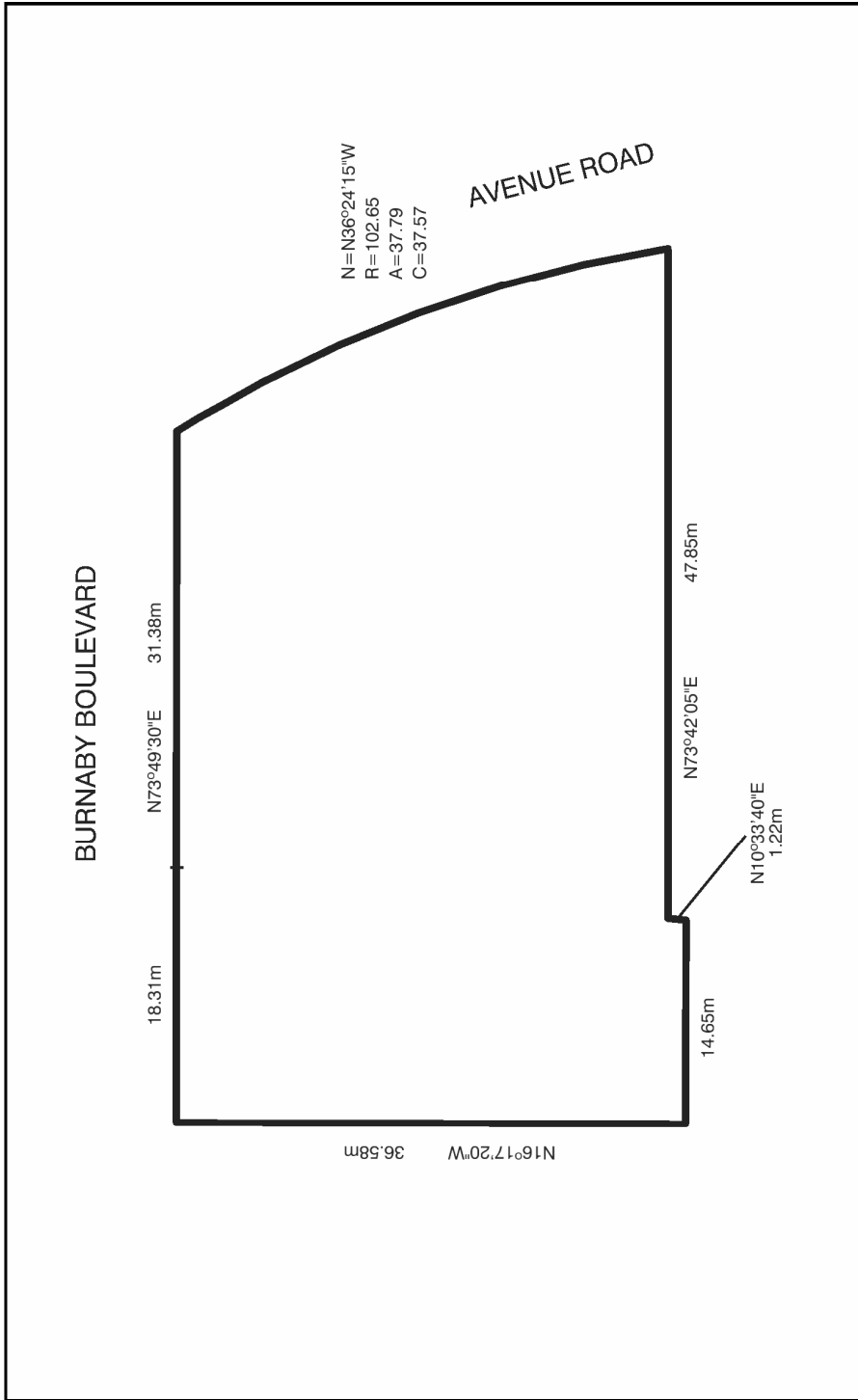
- (a) “*Lot*” means the lands delineated by heavy lines on Map 1.
 - (b) “*Grade*” means the average elevation of the natural or the finished level of the ground, whichever is the lower, adjoining the wall containing the main entrance of each individual dwelling unit within a building.
 - (c) “*Height*” means the vertical distance between *grade* as defined in this By-law and the highest point of the roof.
5. Within the *lot*, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt; and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
6. Despite any existing or future consent, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no consent, partition or division had occurred.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Map 1

P.O.S. Part of Lots 28, 29 & 30, R.P. M-380 Lot 88 & Part of Lot 89, R.P. M-512

Rowan-Stanciu Ltd. Ontario Land Surveyors

Date: 03/21/2012

Approved by: J.A.

File # 10 293313 NNY 16 0Z



Not to Scale

