

NY36.79	ACTION			Ward: 16
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Final Report - Rezoning Application - 58, 60, 64 and 68 Orchard View Boulevard and 439, 441, 443 and 445 Duplex Avenue

Public Notice Given

Statutory - Planning Act, RSO 1990

Committee Recommendations

North York Community Council recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 58, 60, 64 & 68 Orchard View Boulevard and 439, 441, 443 & 445 Duplex Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the report (July 26, 2010) from the Director, Community Planning, North York District, as follows:
 - a. the residential gross floor area be reduced to “not exceed 15,000 m²”;
 - b. the maximum number of dwelling units be reduced to “not exceed 223”;
 - c. that the building envelope and height as shown on Schedule 2 be amended as follows:
 - i. 20 storey (60.2m) for the tower portion;
 - ii. an increase in a setback to 3.6m from the north property line;
 - iii. an increase in a setback of 18m for the 5 to 20 floors from the north property lines;
 - iv. a reduction from 6 storeys to 5 storeys (15m) for the stepped portion of the building along the west and north portion of the building;
 - v. a 2 metre setback of the 4 to 20 floors from the south property line; and
 - vi. that the number of storeys be included on the schedule.
2. City Council 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, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning

Act as follows:

- a. the community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. a payment of \$400,000.00 prior to the introduction of the necessary Bills to City Council. Such payment will be directed to the Planning Act Reserve Fund to be budgeted for capital improvements for the Yonge-Eglinton area, which includes streetscape furniture and other pedestrian amenity, to be determined in consultation with the local Councillor.
 - b. the following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. as part of the Site Plan Approval Process, the owner shall provide 1:50 scale drawings illustrating the 3-storey podium portion of the building for the north, west and south elevations with building materials labelled;
 - ii. the Owner shall incorporate in the construction of the building, and thereafter maintain, exterior building and landscape materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and
 - iii. prepare a Construction Management Plan and Neighbourhood Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Executive Director Technical Services in consultation with the Chief Planner and Executive Director City Planning.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the applicant to enter into a Site Plan Agreement under Section 41(16) of the

Planning Act and Section 114 of the City of Toronto Act.

5. City Council require that five percent (5%) of units be affordable and at least five percent (5%) of units be larger units to accommodate families.
6. City Council require that the Toronto Green Building Standards be applied.
7. City Council require that no encroachments be allowed onto the public right-of-way.
8. City Council direct that a working group be established to determine how Section 37 money will benefit the community.
9. City Council direct that a working group be established for the Site Plan process.
10. City Council direct the General Manager, Transportation Services Division, to undertake a transportation study, to be presented at the first meeting of the North York Community Council in 2011, of the area bounded by Eglinton Avenue on the south, Roselawn Avenue to the north, Edith Avenue to the west and Yonge Street to the east.

Decision Advice and Other Information

North York Community Council held a statutory public meeting on August 17, 2010, and notice was given in accordance with the Planning Act.

North York Community Council:

1. Requested the Director, Community Planning, North York District, to report directly to City Council for its meeting on August 25 and 26, 2010, on the social housing proposal to unlock 120 units of social housing at the Toronto District Library.

2. Requested the appropriate staff in Urban Design, City Planning Division, to review the pedestrian realm in and around the building and make recommendations directly to City Council for its meeting on August 25 and 26, 2010, to improve the pedestrian realm, with particular attention to accessibility for persons with disabilities.

Origin

(July 26, 2010) Report from Director, Community Planning, North York District

Summary

This application was made on July 16, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The application proposes to amend the Zoning By-law to permit the construction of a 17 storey apartment building with a height of 50.4 metres containing 229 dwelling units at the subject properties. The proposal consists of a 14-storey tower on top of a 3-storey (10.3m) base massed along the west, north and south façades of the site, a stepback at 6 storeys (18.8m) is found along Duplex Avenue. The base building is massed and articulated to read as grade related townhouse units with direct access for ground floor units from the Duplex Avenue sidewalk. The tower is located on the southeast end of the property with a 3 metre stepback at the 3rd storey along Orchard View Boulevard.

The proposal allows for compatible infill development on underutilized lands within an Apartment Neighbourhoods designation within the Official Plan. The development of these lands intensifies residential uses on lands in close proximity to a subway station and adjacent to an area designated for growth and intensification by the PPS, Growth Plan and Official Plan. The proposal fits within the high density context created by neighbouring buildings and provide a step down in height from the commercial and residential towers within the Yonge-Eglinton Centre to the low scale uses designated Neighbourhoods on the west side of Duplex Avenue and the north side of Helendale Avenue. The proposal is appropriate considering an emerging standard of transition along the edge of the Yonge-Eglinton Centre area.

This report reviews and recommends approval of the application to amend the Zoning By-law.

Background Information

Staff Report and Attachments 1-8 - Final Report - Rezoning Application - 58, 60, 64 and 68 Orchard View Blvd and 439, 441, 443 and 445 Duplex Ave

(<http://www.toronto.ca/legdocs/mmis/2010/ny/bgrd/backgroundfile-32171.pdf>)

Communications

(July 30, 2010) E-mail from Nancy Hayahara (NY.New.NY36.79.1)
(August 4, 2010) E-mail from Charlie Hoang (NY.New.NY36.79.2)
(August 13, 2010) E-mail from Anne Bailey, Director, Branch Libraries, Toronto Public Library, submitted by Councillor Stintz (NY.New.NY36.79.3)
(August 14, 2010) E-mail from Joy Tyndall (NY.New.NY36.79.4)
(August 16, 2010) E-mail from Dorothy Smyth, President, Avenue Road Eglinton Community Association (NY.New.NY36.79.5)
(August 16, 2010) E-mail from Terry Mills (NY.New.NY36.79.6)
(August 17, 2010) Submission from Terry Mills (NY.New.NY36.79.7)
(August 17, 2010) Submission from Don Weitz (NY.New.NY36.79.8)
(August 17, 2010) Petition from Matthew Kou, submitting 186 signatures in opposition to the proposed development (NY.New.NY36.79.9)

Speakers

Neil Waldron

Terry Mills, Arris Partner, on behalf of (ARECA) Avenue Road Eglinton Community Association (Submission Filed)

Michael Coll

Charlie Hoang, Architect

Ann King, Chair, Board of Directors, Stanley Knowles Housing Co-op

Thomas Cohen, Eglinton Park Residents' Association

Elizabeth Cohen, Member, Orchard View Duplex Working Group

Lydia Levin, Eglinton Park Residents' Association

Don Weitz, Stanley Knowles Housing Co-op (Submission Filed)

Ursel Trauer, Stanley Knowles Housing Co-op

Delsia Brideau, Stanley Knowles Housing Co-op

Helen Oakes

Marvyne Jenoff, Stanley Knowles Housing Co-op

Christina Doyle, Stanley Knowles Housing Co-op

Katerina Fisher, Stanley Knowles Housing Co-op

Matthew Kou (Submission Filed)

Adam Brown, Solicitor, Sherman Brown Dryer Karol, on behalf of the applicant

Juanita Sumner, Stanley Knowles Housing Co-op

Frank Colin

Xuezhen Wang