

TORONTO STAFF REPORT

October 25, 2005

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Subject: Final Report
OPA & Rezoning Application 04-152260 STE 30 OZ
Address: 508 Eastern Avenue
Location: Eastern Avenue and Morse Street
Owner: 1268738 Ontario Limite
Applicant: Greg Bettencourt
Ward 30 - Toronto-Danforth

Purpose:

This report reviews and recommends approval of an application to amend the Official Plan and the Zoning By-law for a proposal to retain an existing heritage structure and convert it into four residential units; add four new units to the north of the existing heritage buildings along Morse Street; and construct two new units along Eastern Avenue for a total of ten units. The property is located at 508 Eastern Avenue, on the northwest corner of Eastern Avenue and Morse Street.

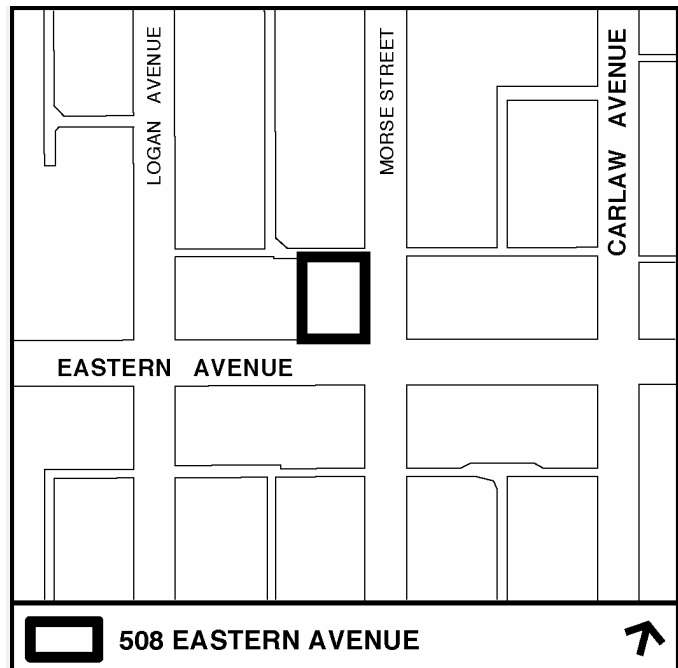
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7;
- (2) direct the City Solicitor to request the Ontario Municipal Board to



modify the Official Plan of the City of Toronto substantially in accordance with Attachment No. 9;

- (3) amend Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8;
- (4) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and
- (5) submit to the Commissioner of Works and Emergency Services for review and acceptance prior to approval of the Official Plan amendment and rezoning application:
 - (i) Final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed houses to enable the preparation of building envelope plans;
 - (ii) A municipal lighting assessment for the site and for the existing lighting on Eastern Avenue and Morse Street; and
 - (iii) A site servicing assessment, including stormwater management, to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development to demonstrate how this site can be serviced; and, whether the existing municipal infrastructure is adequate to service the development.

Background:

On July 5, 2005 Toronto and East York Community Council received a report dated June 21, 2005 from the Director of Community Planning, Toronto and East York District. Community Council adjourned its public meeting to defer consideration of the report, requesting that Community Planning provide a further report on the shadow impact, the sale of the property surrounding the residential addresses on Eastern Avenue, and the history of the site as it relates to “The Toolbox”.

It was also determined that the requirement for a sign to be posted to inform the community of a Public Meeting was not met for the July 5, 2005 Community Council Meeting. Community Planning staff notified the applicant of the need for a public meeting sign and for additional information for a shadow study. An information report was received by Toronto East York Community Council at its meeting of September 19, 2005 which outlined the history of the site as it relates to “The Toolbox”. The applicant has now provided the shadow study and confirmed that they would post a sign for a public meeting. The application is now ready to proceed.

Proposal

The applicant requests Council’s permission for a modification to the new Official Plan and amendments to the Official Plan and to the zoning by-law for the former City of Toronto, in order to retain the existing heritage structure and convert it into four residential units with a third

floor addition on top; add four new three-storey units to the north end of the heritage building, and add two new three-storey units along Eastern Avenue.

Site and Surrounding Area

The property is located at 508 Eastern Avenue, on the northwest corner of Morse Street.

Commercial buildings and parking lots are currently located on the four corners of Eastern Avenue and Morse Street. The adjacent blocks contain a mix of residential, commercial and industrial uses, with residential buildings along Morse Street adjacent to the site.

Official Plan for the former City of Toronto

The site is designated “Low Density Residential” in the Official Plan for the former City of Toronto, which permits residential buildings having a gross floor area up to 1.0 times the area of the lot. This application proposes a gross floor area of 1.57 times the area of the lot.

New Toronto Official Plan

At its meeting of November 26, 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 appealed in its entirety. The Official Plan is now before the Ontario Municipal Board.

When the plan comes into full force and effect, this site will be designated “Employment Area” which are places of business and economic activity. Uses that support this function consist of offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, ancillary retail outlets, and restaurants and small scale stores and services that serve area businesses and workers.

Although originally shown as an Employment District on Map 2-Urban Structure Map, the area in the north side of Eastern Avenue was removed by Minister modifications.

The approval of this application would require a modification to the new Official Plan as residential uses are not permitted in Employment District designation.

Zoning

Zoning By-law 438-86 of the former City of Toronto designates this property as “I2 D2” Industrial, which permits a variety of industrial uses with a density of up to 2 times of the area of the lot. Residential uses are not currently permitted.

Site Plan Approval

An application for site plan approval has been filed concurrently with this application.

Heritage Listing

The Ayre Hotel was built in 1887 by Charles Ayre, who operated the facility as a small hotel which served the working class neighbourhood “Riverside” (now part of Leslieville). The building is architecturally notable. It is a good example of a neighbourhood hotel that is distinguished by its pattern of brickwork, bay windows and a corner entrance.

The Ayre Hotel (later known as the Simcoe House) was owned by several different groups over the years as a destination for food, lodging and drink. Toronto actor and director Al Waxman’s family owned the building for over 40 years, starting in 1947. In 1987, in its centennial year, the building was purchased and began operation as The Toolbox, a gay leather bar. The neighbours, who had been dealing with the difficulties when patrons would leave the Simcoe House, were pleasantly surprised to find that the patrons of the new Toolbox were leaving the building quietly. The Toolbox formed a steady diverse clientele and had a reputation as being tolerant, welcoming and accepting of all aspects of gay life. The Toolbox became an important centre of gay culture that was outside of the established gay neighbourhood in Toronto. In recent years the owners of The Toolbox decided to retire. The Toolbox, as a gay leather bar, did not continue, but the history and notoriety of the building remains in Toronto's history.

With the recent sale of the property at 508 Eastern Avenue, and application to redevelop the site, there was community concern that the existing building (Ayre Hotel) would be demolished. Staff researched the property and determined that it merited inclusion on the City of Toronto Inventory of Heritage Properties. At its meeting of September 14, 2004, Toronto and East York Community Council approved a motion that Council consider listing the property on the Inventory of Heritage Properties. This motion was adopted at the Council meeting on September 28, 29 and 30, 2004.

At its meeting of June 9, 2005, the Toronto Preservation Board approved the proposed alternations to the building that were submitted by Bettencourt Designs Ltd. and recommended that the applicant enter into a Heritage Easement Agreement for the hotel building as a condition of site plan approval; submit a Conservation Plan for heritage building and submit revised plans and proposed finishes to the satisfaction of the Manager of Heritage Preservation Services.

Reasons for Application

This application for Official Plan and Zoning By-law amendments is required because the Zoning By-law does not permit residential uses and the former City of Toronto Official Plan Low Density Residential designation does not permit the proposed density. A modification to the new City of Toronto Official Plan is required to permit residential development.

Community Consultation

A Community Consultation Meeting was held on Tuesday, March 1, 2005 at the Ralph Thornton Community Centre. City staff in attendance included Community Planning and Urban Design staff, along with Heritage Preservation Services staff. Eight people attended from the community.

Members of the community were generally supportive of the proposal and were pleased that the heritage building was being retained in its entirety. As well, they felt that the proposal would be a good addition to the area. There were some concerns regarding parking, greenspace, the third storey addition's setback, and shadow impact on the property to the north.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. As a result of this review, comments have been incorporated into the report as recommendations.

Comments:

The applicant has worked with Planning and Heritage Preservation Services staff to address heritage, landscaping, lot configuration and building design issues.

The applicant agreed to reconfigure the development to satisfy issues of urban design and landscape treatment. The applicant also agreed to reconfigure the third storey as a mansard roof along the façade to meet urban design and heritage concerns. Staff are satisfied that the application meets parking requirements and that the proposed building's height is in keeping with the surrounding neighbourhood.

Shadow Impact

A shadow study for the proposed development at 508 Eastern Avenue was prepared by James T. Ziegler of Novation Design and is dated September 15, 2005. The study concludes that shadows projecting from the proposed development are consistent with the shadow projections from the neighbouring buildings and will have a minimal impact on the surrounding area.

The proposed development is 3 storeys. The building abutting to the west side of the site is 4 storeys. The building across the public lane on the North side of the site is 3 storeys. The proposed building is one storey higher than the existing building and will create additional shadow on Morse Street.

Planning staff support the conclusions in this study and agree that the proposed development will have minimal impact on the surrounding area.

Trees

One tree with a diameter of 30 cm or more has been identified on the site along Morse Street in an Arborist Report that was prepared by Al Miley & Associates, and is dated October 4, 2005. The tree is a Silver Maple and has been identified as being in poor condition. The applicant was proposing to retain the tree and add 2 more trees in the setback area between the front of the buildings and the sidewalk along Morse Street. Two new trees are proposed in the setback area along Eastern Avenue. Details of the landscape plan and the tree retention will be formalized at during the site plan process.

Development Charges

It is estimated that the Development Charges for this proposal will be \$72,220.00 based on July 2005 Development Charges. This is an estimate and the actual charge is assessed and collected upon issuance of the Building permit.

Conclusions:

The retention and reuse of the Ayre Hotel as a townhouse development preserves a heritage feature within the Leslieville community. The proposed development is an acceptable in-fill project that maintains the character of the existing heritage building.

In response to feedback provided by the community and staff, the applicant has retained the heritage structure in its entirety and revised the proposal. This application represents good planning and is recommended for approval.

Contact:

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Gary Wright
Director, Community Planning, South District

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List of Attachments:

Application Data Sheet

Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Elevations

Attachment 4: Elevation & Section

Attachment 5: Elevations

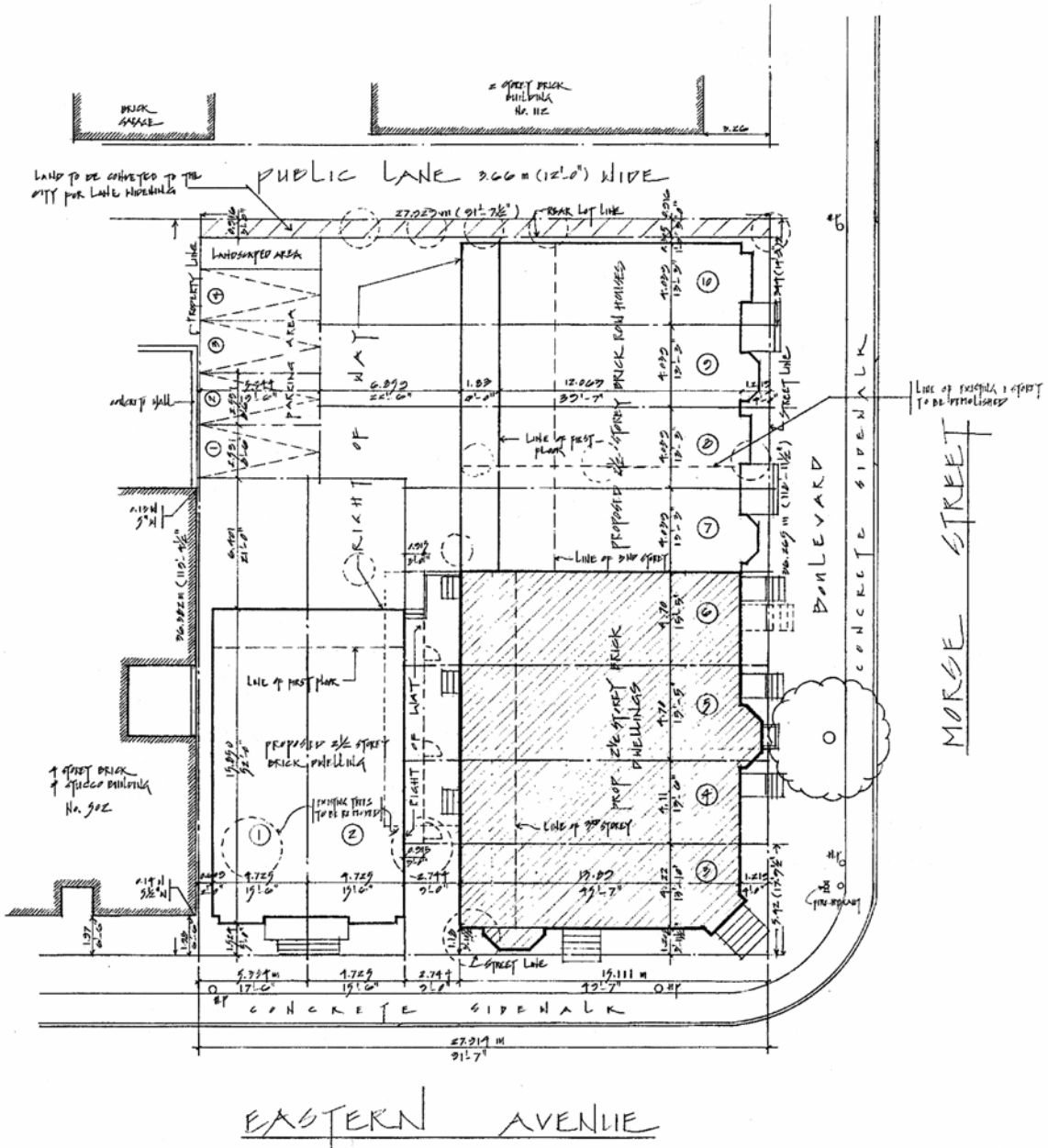
Attachment 6: Zoning

Attachment 7: Draft Official Plan Amendment

Attachment 8: Draft Zoning By-law Amendment

Attachment 9: Proposed Modification 37 to the City of Toronto Official Plan

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

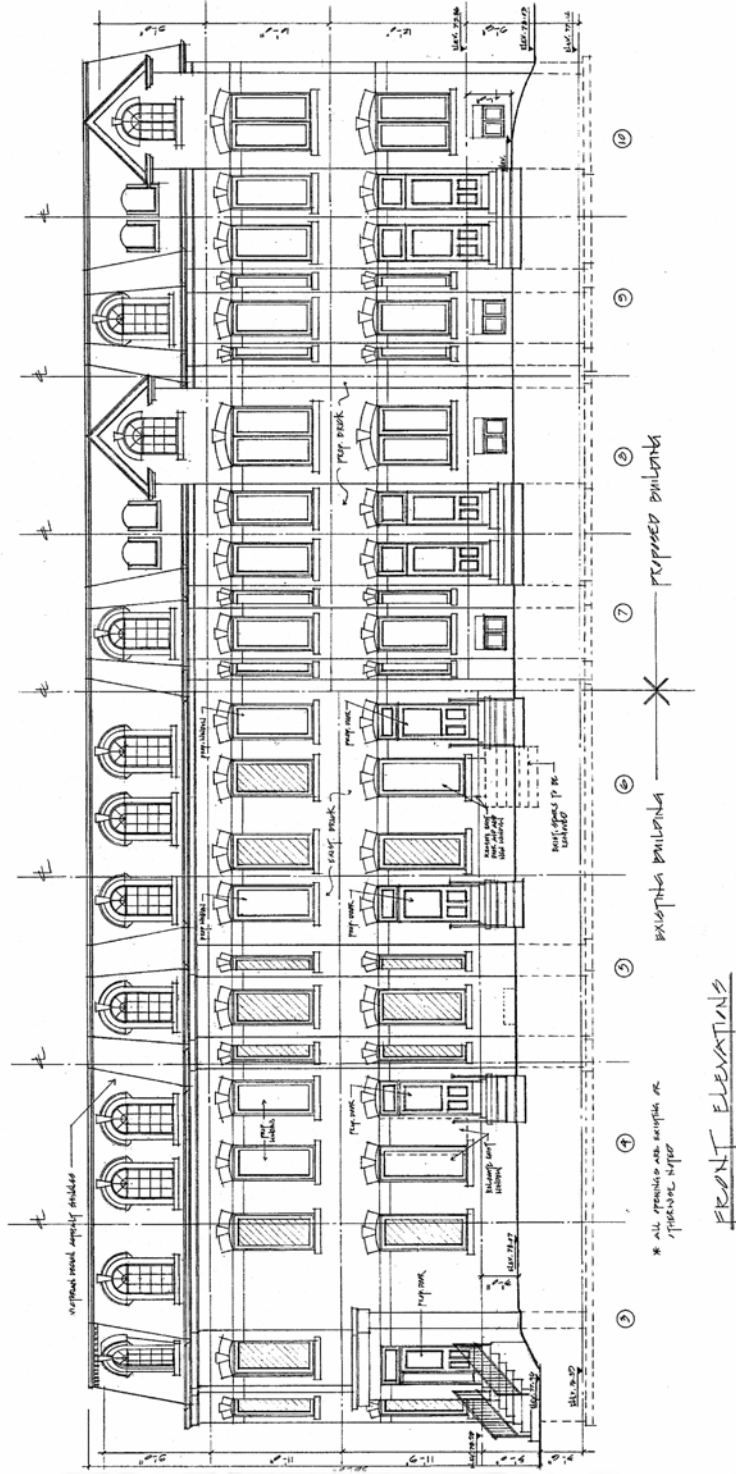
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508 Eastern Avenue

File # 04_152260

Attachment 2: Elevations



Elevations

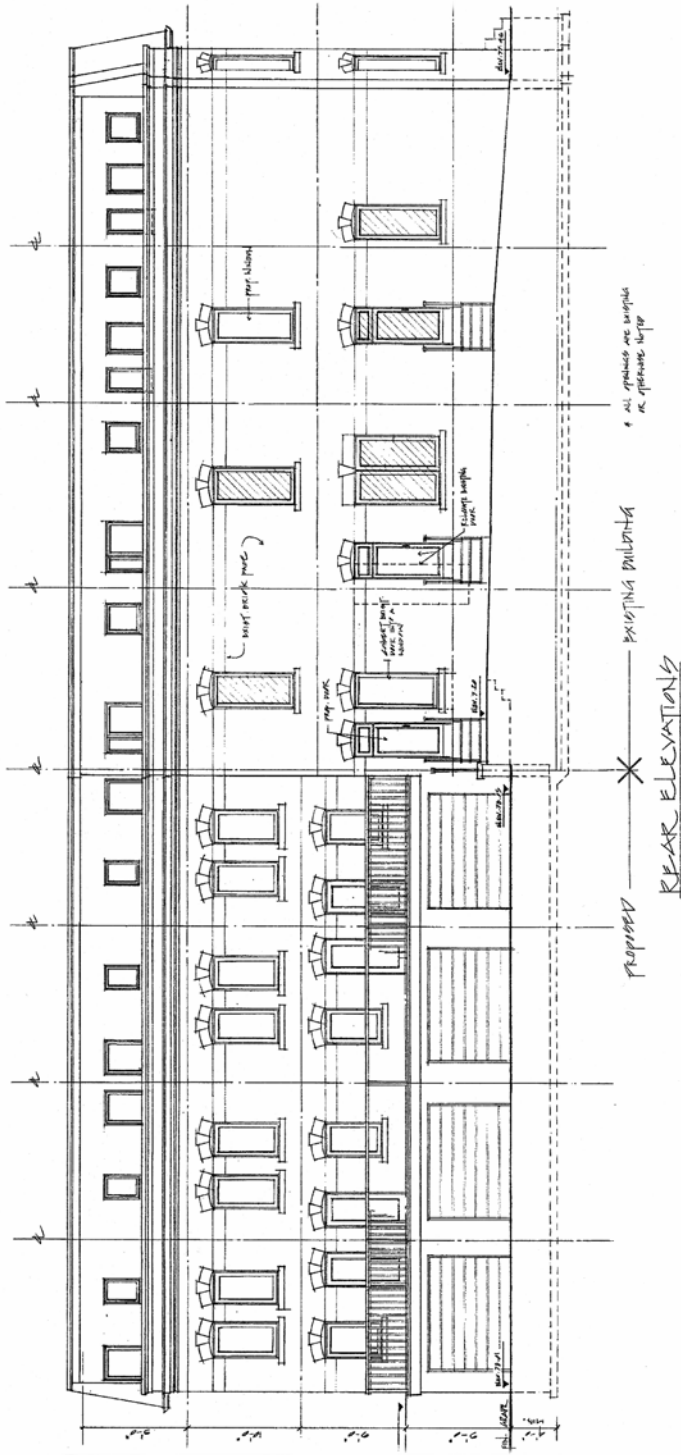
Applicant's Submitted Drawing

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508 Eastern Avenue

File # 04 152260

Attachment 3: Elevations



508 Eastern Avenue

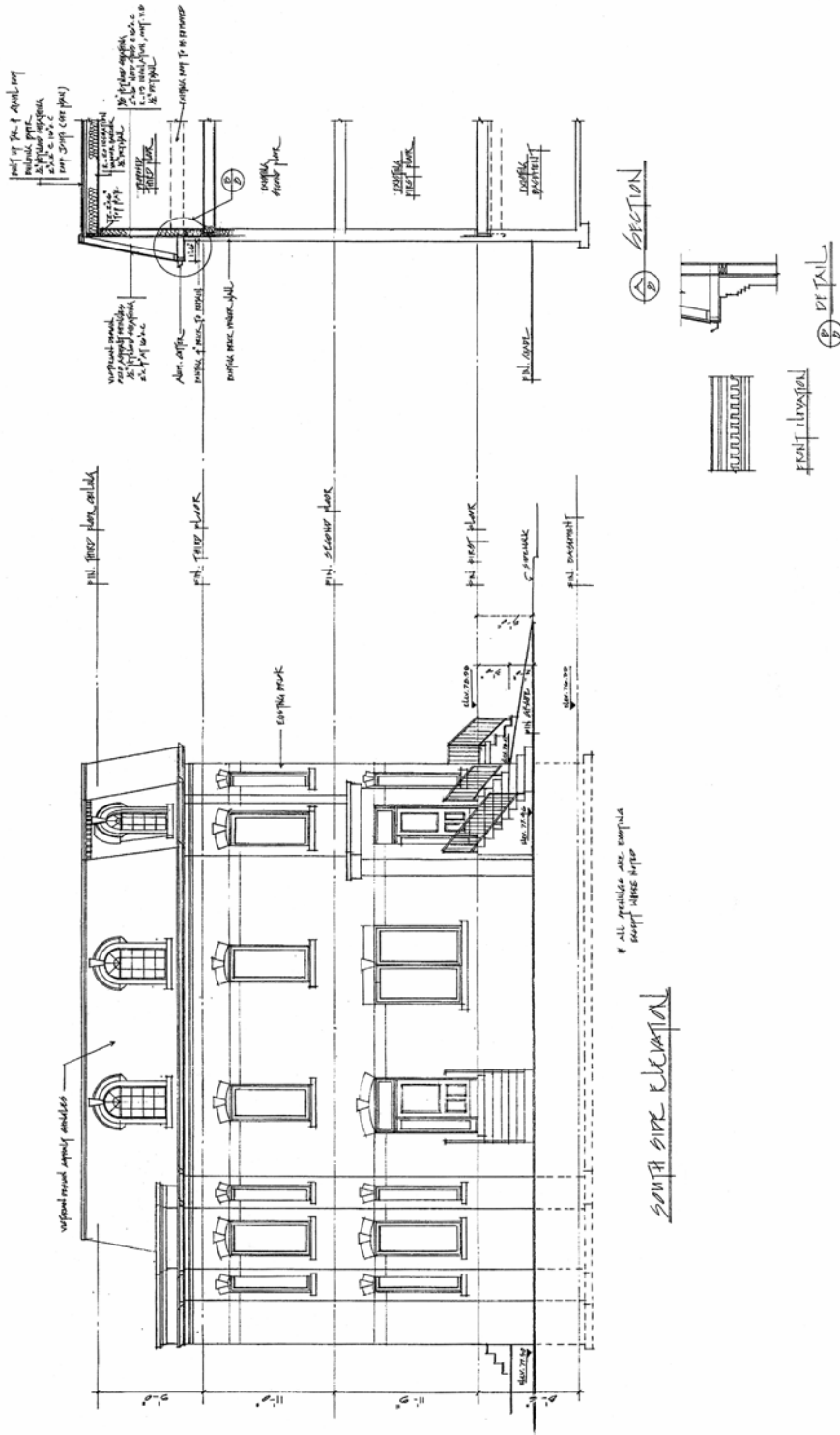
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Elevations

Applicant's Submitted Drawing

Not to Scale
06/20/05

Attachment 4: Elevation & Section



508 Eastern Avenue

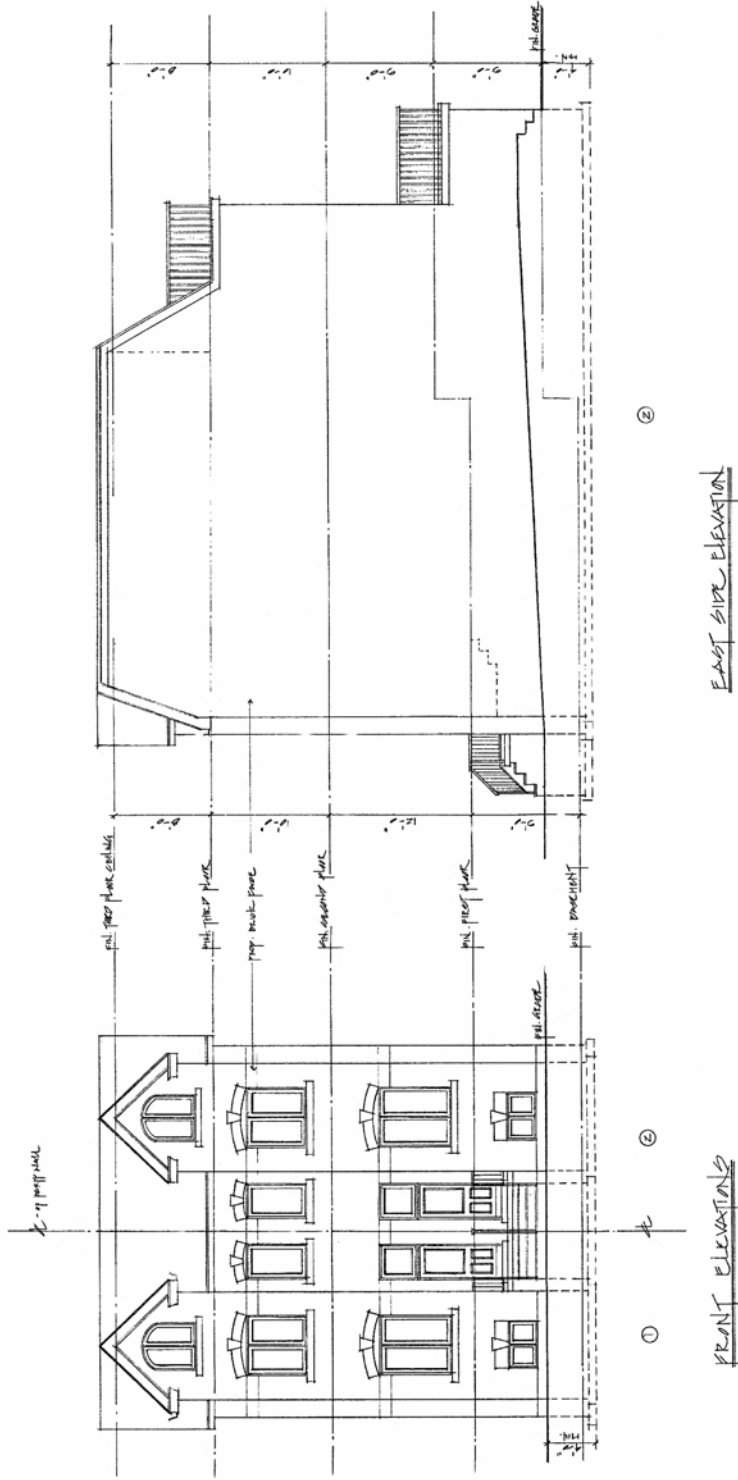
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Elevation & Section

Applicant's Submitted Drawing

Not to Scale
06/20/05

Attachment 5: Elevations



Elevations

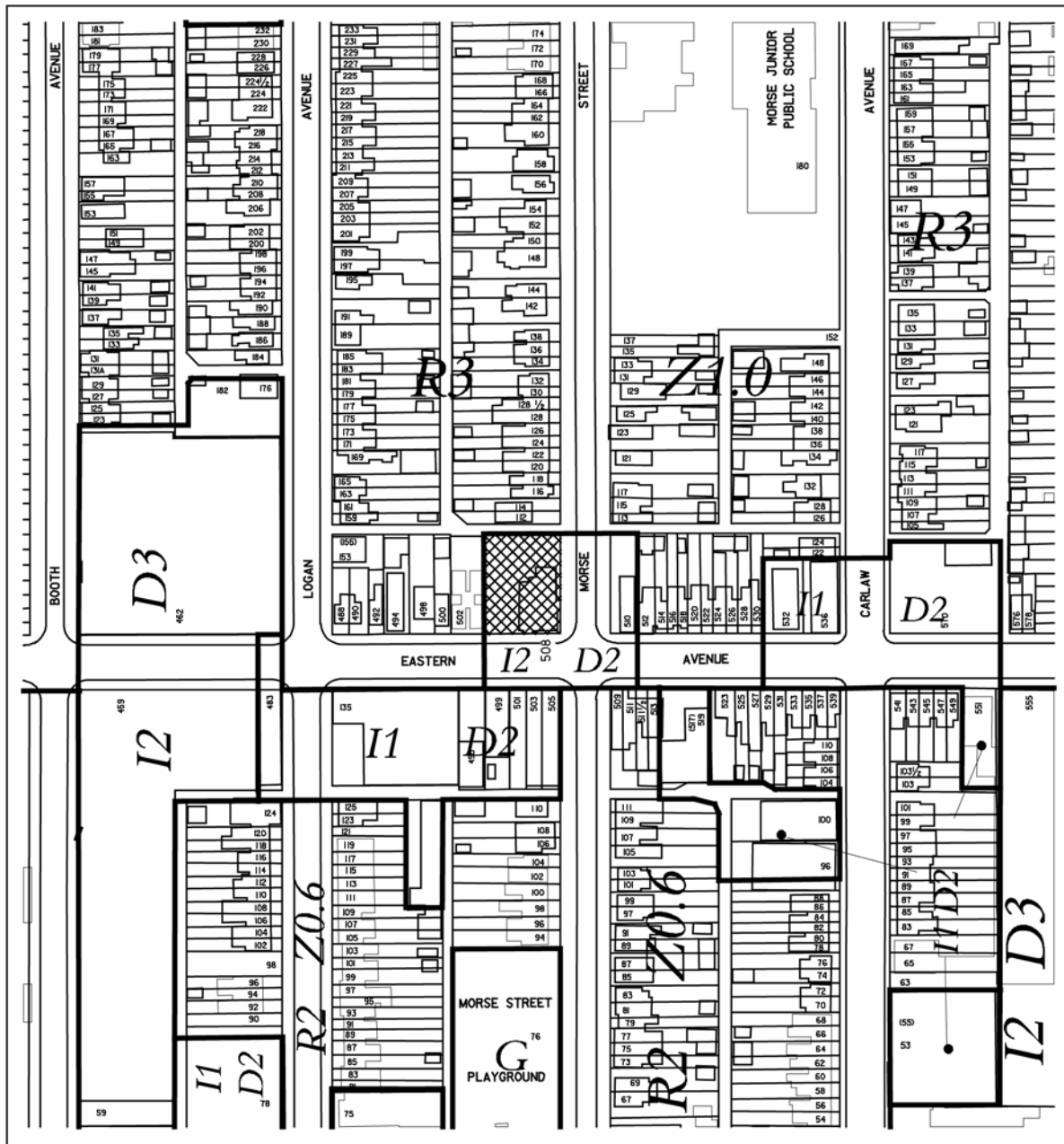
Applicant's Submitted Drawing

Not to Scale
06/20/05

508 Eastern Avenue

File # 04 152260

Attachment 6: Zoning



508 Eastern Avenue

File # 04_152260

- G Parks District
- R2 Residential District
- R3 Residential District
- I1 Industrial District
- I2 Industrial District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 09/09/04 - rz

Attachment 7: Draft Official Plan Amendment

Draft Official Plan Amendment

CITY OF TORONTO

BY-LAW No. ____-2005

To adopt an amendment to the Official Plan for the former City of Toronto

**Respecting
Lands known as 508 Eastern Avenue**

WHEREAS the Council of the City of Toronto has been requested to amend its Official Plan, pursuant to Section 21 of the Planning Act, R.S.O. 199c.P.13, respecting the lands municipally known in the year 2005 as 508 Eastern Avenue; and

WHEREAS the Toronto and East York Community Council conducted a public meeting on ____, 2005 under Section 17 of the *Planning Act* regarding the proposed Official Plan Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held on ____, 2004 determined to amend the Official Plan for the former City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan for the former City of Toronto; and
2. This is Official Plan Amendment No. __.

ENACTED AND PASSED this ____ day of ____, 2005.

City of Toronto By-law No. ____-2005

Schedule "A"

- 1) Section 18 of the Official Plan Part I for the former City of Toronto is hereby amended by adding the following Section 18. ____ as follows:

" 18. ____ LANDS KNOWN AS 508 EASTERN AVENUE

See Map 18. __ at the end of this Section

1. Notwithstanding those provisions of this Plan which may restrict the density of the lands shown on Map 18. __, (the "Site"), Council may pass by-laws applicable to the Site to permit the erection and use of one or more residential buildings on the Site provided that the total gross floor area for all buildings and structures on the Site does not exceed 1586.97 square metres.

Attachment 8: Draft Zoning By-law Amendment

DRAFT ZONING BY-LAW

CITY OF TORONTO

BY-LAW NO. –2005-06-20

To amend By-law No. 438-86 of the former City of Toronto, as amended with respect to lands known municipally in the year of 2005 as 508 Eastern Avenue.

WHEREAS the Council for the City of Toronto has been requested to amend its zoning by-law, pursuant to Section 34 of the *Planning Act*, R.S.O. c.P 13, respecting the lands municipally known in the year as 2005 as 508 Eastern Avenue; and

WHEREAS the Toronto and East York Community Council conducted a public meeting on ____, 2005, under Section 34 of the *Planning Act* regarding the Zoning Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held ____, 2005, determined to amend Zoning By-law 438-86, as amended, for the former City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provision of By-law No. 438-86, as amended, being “A By-law to regulate the use of lands and the erection, use, bulk, spacing and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, shall continue to apply to the *site*.
2. District Maps No. 52G-323 Contained in Appendix ‘A’ of By-law 438-86, as amended, is further amended by redesignating to R2 Z1.0 the lands outlined by heavy lines on Map 1 attached hereto and forming part of this By-law as shown thereon as R2 Z1.0.
3. Notwithstanding the provisions of Section 6(3) of Part I of By-law No. 438-86, as amended, the maximum *residential gross floor area* of all buildings or structures erected within the *site* shall not exceed 1586.97 square metres.
4. Notwithstanding Section 4(2)(a) of By-law No. 438-86, as amended, no person shall erect after the passage of this By-law, a building or structure within the site having a height greater than those *heights*, in metres above *grade*, shown following the symbol “H” on May __ attached hereto.
5. Notwithstanding the provisions of Section 6(1)(f) of By-law No. 438-86, as amended, no person shall use a *lot* or erect or use a building or structure on the *site*:

- (a) for any purpose except for the following residential uses, *apartment building, detached house, duplex, row house, rowplex, semi-detached house, semi-detached duplex, semi-detached triplex, triplex*; and
 - (b) the following uses *accessory thereto, parking area, parking garage, parking station, private garage*.
6. Notwithstanding the provisions of Subsections 2,3,4,5,7 and 8 of Section 6(30 Part II of By-law No. 438-86, as amended, no part of any building or structure erected or used within the *site* shall be located, above grade, other than within a *Building Envelope*.
7. The preceding Section hereof, does not apply to the type of structure listed in the column entitled "STRUCTURE" in the following chart, provided that the restrictions set out opposite the structure in the columns entitled "MAXIMUM PERMITTED PROJECTION" are complied with:

Structure	Maximum Permitted Projection
Eaves, cornices or ornament	Maximum of 1.0 metre projection
Fences and safety railings	No restriction on the extent of the projection provided the height of the structure does not exceed 2.0 metres
Canopies	Maximum of 3.0 metre projection
Balconies, bay windows	Maximum 1.5 metre projection
Patios, decks, retaining walls	No restriction

9. For the purposes of this By-law, the following expressions shall have the following meaning:
- (a) "*Building Envelope*" means a Building Envelope as delineated on Map ___ attached hereto,
 - (b) "*site*" means those lands delineated as the Site on Map ___ attached hereto, and
 - (c) each other word or expression, which is italicised in this by-law, shall have the same meaning as each such word or expression as defined in the said By-law No. 438-86, as amended.

ENACTED AND PASSED this ___ day of ___, A.D. 2004.

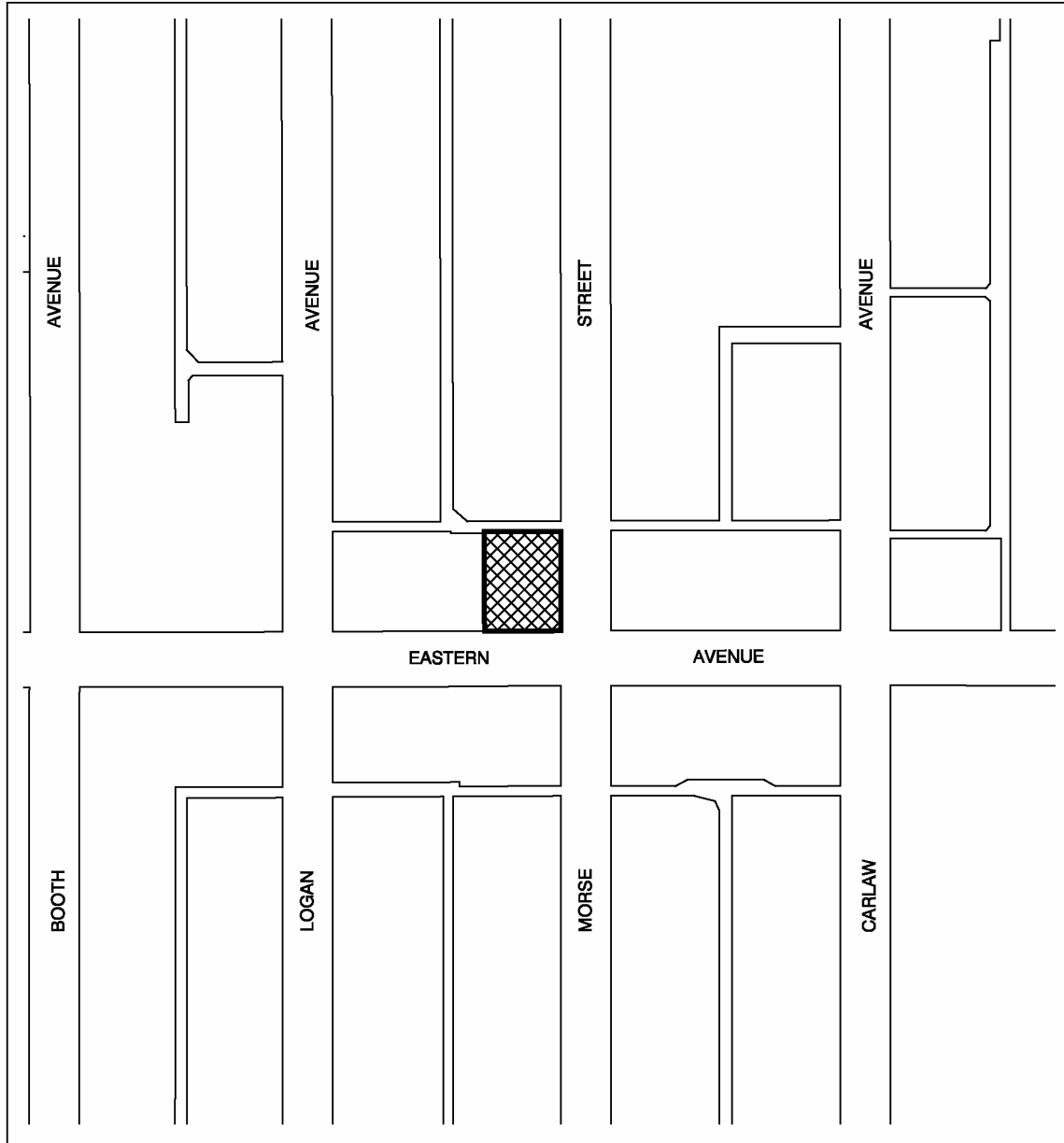
Attachment 9

**PROPOSED MODIFICATION #37 TO
THE CITY OF TORONTO OFFICIAL PLAN**

The Official Plan of the City of Toronto is modified as follows:

1. Maps 12 and 16, Land Use Plan, are modified by re-designating the lands municipally known as 508 Eastern Avenue from “Employment Areas” to “Neighbourhoods”, as shown on attached Map A.

Map A



From Employment Areas to Neighbourhoods



Not to Scale
June 2005