

**19 River Street  
Zoning By-law Amendment Application  
Final Report**

<b>Date:</b>	March 9, 2007
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 28 – Toronto Centre - Rosedale
<b>Reference Number:</b>	File No. 06 133208 STE 28 OZ

**SUMMARY**

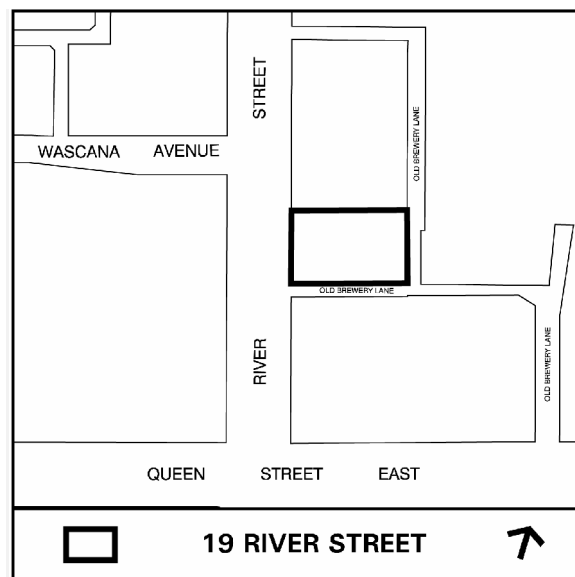
An application has been submitted to permit conversion of an existing three-storey non-residential building located at 19 River Street and construct a two-storey addition for a residential (live-work) development of 36 dwelling units

The proposal is moderately scaled and will result in intensification with an appropriate use for the area while securing a conservation plan for the existing building, which has heritage value. This report reviews and recommends approval of the application to amend the Zoning By-law.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5;
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 Bill to City Council for enactment, City Council require the applicant to enter into a Site Plan Agreement under Section 41 of the Planning Act;
  4. prior to final site plan approval, the applicant be required to:
    - (a) provide a streetscape plan for the public right-of-way adjacent to the subject property satisfactory to the Chief Planner and Executive Director, City Planning Division; and
    - (b) provide a Conservation Plan for the restoration of 19 River Street, satisfactory to the Manager, Heritage Preservation Services;
  5. prior to the issuance of any building permit for 19 River Street, including a permit for the demolition, excavation, and/or shoring of the subject property, City Council require the applicant to:
    - (a) provide a Letter of Credit, in a form and amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all work included in the Conservation Plan, and that prior to the release of the Letter of Credit, the applicant be required to provide and implement an Interpretation Program for 19 River Street satisfactory to the Manager of Heritage Preservation Services;
    - (b) provide a record of the as-found condition of 19 River Street; and
    - (c) provide final plans satisfactory to the Manager of Heritage Preservation Services.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The existing building at 19 River Street is a three-storey industrial building, with a single storey at the rear of the property. The proposal would convert the property to residential use. The existing building would be retained with an addition constructed on top. The new structure would be a total of approximately 21 metres (five storeys) tall, with 3,160 square metres of gross floor area and 36 live-work units. Vehicle parking, bicycle parking, residential amenity space, and storage lockers would be provided in the basement of the building.

Heritage Preservation Services staff recommend that Council list the existing building on the City's Inventory of Heritage Properties.

Attachment 4 of this report displays project data for the proposal.

### **Site and Surrounding Area**

The property at 19 River Street is occupied by a three-storey former industrial building, constructed in the 1920s for industrial uses. The site is located on the east side of River Street north of Queen Street East.

The Queen Street East/River Street area is built up with a mix of land uses and building forms, predominantly of a residential and commercial nature. The site is also within proximity to retail services, commercial, and institutional uses. The immediately surrounding uses are as follows:

North: Immediately north of the site is a three-storey residential condominium building with eight dwelling units.

South: Across a lane is the two-storey Toronto Humane Society headquarters and animal shelter.

West: Across River Street is a one-storey retail establishment (the Beer Store) with a parking lot at the front. North of the Beer Store is a series of house-form buildings with a mix of uses. A three-storey loft building with commercial uses is on the northwest corner of Queen Street East and River Street.

East: Across the lane is a three-storey heritage industrial building converted to a residential condominium. To the north of this is a development of three-storey townhouses fronting onto shared walkways and driveways.

### **Provincial Policy**

The Provincial Policy Statement (2005) includes policy direction with respect to managing and directing land use to achieve efficient development and land use patterns and conservation of significant built heritage resources. In the opinion of City Planning staff, the proposal is consistent with the Provincial Policy Statement.

### **Official Plan**

The Official Plan designates the site and surrounding area as Regeneration Area, within the Downtown and Central Waterfront of the city's urban structure. Regeneration Areas are to provide for a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses. Section 4.7, Policy 2 of the Plan states that for each Regeneration Area, a framework for new development will be set out in a Secondary Plan: "Development should not proceed prior to approval of a Secondary Plan."

A Secondary Plan has not yet been prepared for the area. In the opinion of Planning staff, an Official Plan amendment is not necessary in this case to permit development to proceed prior to approval of a Secondary Plan. The proposal is primarily contained within an existing building, is moderate in scale, and is for a use consistent with existing uses in the area.

## **Zoning**

The site is currently zoned I2 D3 under Zoning By-law 438-86, which permits a limited variety of industrial uses in buildings with a maximum density of three times the lot area. Building heights are limited to 15 metres.

## **Site Plan Control**

The applicant has filed a Site Plan Approval application (No. 06 133211 STE 28 SA), which is being considered concurrently with the Official Plan and Zoning By-law amendment applications.

## **Reasons for Application**

The proposal requires a Zoning By-law Amendment because the proposed residential use is not permitted and because it exceeds the 15 metre height limit. The proposal also requires relief from a number of zoning standards related to bicycle parking, parking, driveway access, and residential amenity space.

## **Community Consultation**

A community consultation was held in the neighbourhood on October 12, 2006, attended by about a half dozen members of the public. Neighbours have also communicated with staff by telephone and email, and have raised concerns respecting shadow impacts on adjacent outdoor decks and impact of the proposal on views.

## **Agency Circulation**

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

## **COMMENTS**

### **Land Use**

The site is currently zoned for Industrial Uses, consistent with its Restricted Industrial designation under the former City of Toronto Official Plan. The new Official Plan designation of Regeneration Area permits a mix of uses, including residential.

The proposed residential use is consistent with and compatible with the evolving character of the Queen-River area. The draft Zoning By-law would permit live-work uses in the building's dwelling units, contributing to the mix of uses located in the area.

## **Density, Height and Massing**

The proposal is for approximately 3,160 square metres of residential gross floor area, resulting a density of 3.8 times the area of the lot. As a comparison, the existing building has a density of approximately of approximately 2.75 times the area of the lot, although some of that density is located below grade. The proposed density exceeds that of other buildings nearby. The Zoning By-law currently permits a density of 3 times the area of the lot for non-residential uses.

The existing building occupies virtually the entire lot. The proposal is contained within the footprint of the existing building and within much of the existing building envelope. The building envelope would expand by extending the second and third floors to the rear of the property and constructing a two-storey addition over the entire structure. The total height of the proposal is 20.75 metres, plus mechanical penthouse. Map 2 of the draft Zoning By-law illustrates the setbacks to be provided at the front and rear of the building. At the front, the setback of the addition from the existing cornice line acknowledges the existing height of the building as it addresses River Street.

The proposal uses the lot somewhat intensely, but is moderately scaled and appropriate to the character of the surrounding area and the dimensions of River Street. It will have minor impact on the public realm while achieving intensification.

## **Heritage**

Heritage Preservation Services staff have determined that the existing building has cultural heritage value and heritage attribute and have recommended that Council list the building on the City of Toronto Inventory of Heritage properties. The Heritage Preservation Services report will be before Community Council for consideration at the same meeting as this Planning report. Heritage Preservation Staff will continue to review the proposal as Site Plan review is completed and have advised that further revisions to the front façade may be requested, particularly with respect to the proposed 5<sup>th</sup> floor balconies.

## **Sun and Shadow**

The applicant has submitted a sun/shadow study to show impacts of the proposal during the spring and autumn equinoxes and the summer solstice. The study demonstrates very little shadow impact on the public realm. Shadows which will be cast on the sidewalk on the west side of River Street will pass by 10:18 am.

Residents of the neighbouring property at 21 River Street have expressed concern about shadow impacts of the proposal on their property. Four live/work condominium units in this property have rooftop decks. Section 3.1.2, Policy 3 of the Official Plan states that new development will limit its impacts on neighbouring properties by “. . . adequately limiting any resulting shadowing of . . . neighbouring streets, properties and open spaces, having regard for the varied nature of such areas.”

The proposal will cast shadow on the rooftop decks of 21 River Street. Staff have considered the shadow impact relative to the shadow which would be caused by an as-of-right building mass 15 metres tall along the north property line. Additional impact would be most pronounced early- to mid-afternoon during the equinoxes. The decks will receive sunlight mid-afternoon to early evening during the summer solstice and late afternoon to early evening during the equinoxes. In the opinion of staff, the impact is reasonable in the context of this Regeneration Area.

### **Light, View and Privacy**

The units in the proposed building are oriented toward River Street, Old Brewery Lane, and a public lane to the south of the property line. Those units which face public laneways have window setbacks from the lanes ranging from 2.1 metres to 3.9 metres. In combination with the laneways, and in the context with the scale and character of development proposed and existing in the area, the separation distances are adequate.

### **Parking**

The proposal provides 18 parking spaces for residents to be located in the existing basement of the development. No visitor parking spaces are provided. The Zoning By-law would require a total of 24 spaces to be provided.

The development's ability to meet the parking requirements of the Zoning By-law is constrained by the space available within the existing building. Retention of this building, recommended to be listed as a on the City of Toronto's Inventory of Heritage Properties, is a positive feature of the proposal.

Transportation Services staff have reviewed the parking study provided by the applicant and additional supporting documentation. Based on the review, staff find the proposed parking supply acceptable and recommend a site-specific parking ratio of 0.5 parking spaces per unit.

The draft Zoning By-law also provides relief with respect to the dimensions of parking spaces and width of driveway access to the spaces. The proposal does not meet these standards due to constraints of the existing building. Transportation Services finds the parking arrangements acceptable.

### **Residential Amenity Space**

The proposal includes 15 square metres of residential amenity space, an amount of space sufficient to provide a meeting room for residents of the building. No shared outdoor amenity space is proposed, although 33 of the 36 proposed units would have balconies or terraces.

The Zoning By-law requires 72 square metres each of shared indoor and outdoor amenity space (two square metres per unit). Staff find the proposal acceptable given the relatively small size of the building, the provision of private outdoor space for nearly all of the units, the fact that the footprint of the existing building occupies nearly the entire lot, and the provision of indoor space for a meeting room.

## **Bicycle Parking**

The proposal provides 24 bicycle parking spaces, three less than the Zoning By-law requirement. While staff encourage the provision of bicycle parking, they find the proposal acceptable in this case as a relatively modest departure from the by-law standards, balanced with constraints of the existing building and other needs, such as provision of indoor amenity space, vehicular parking, and storage lockers.

## **Toronto Green Development Standard**

The application was submitted prior to Council's adoption of the Toronto Green Development Standard. The applicant has not completed the Green Development Standard checklist.

## **Development Charges**

It is estimated that the development charges for this project will be \$147,284. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

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Fax No. (416) 392-1330  
E-mail: [kknoeck@toronto.ca](mailto:kknoeck@toronto.ca)

## **SIGNATURE**

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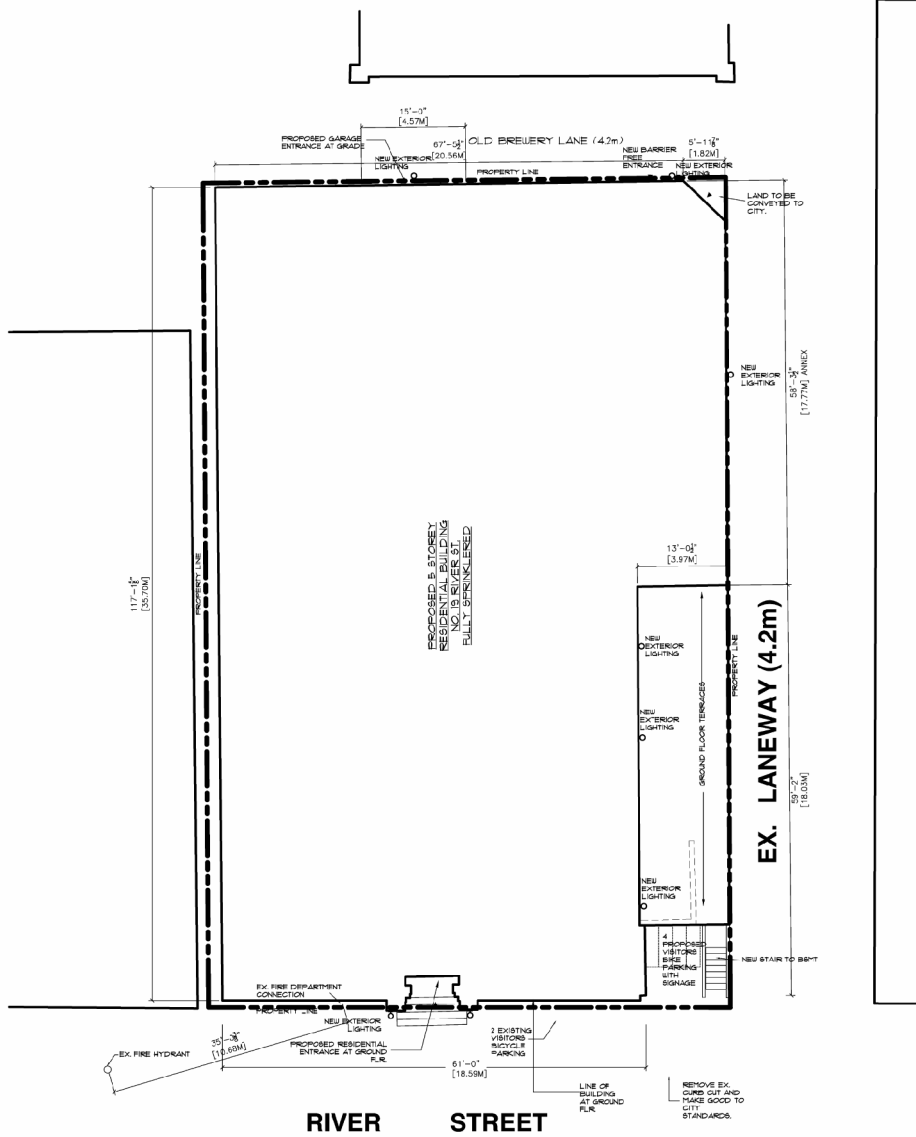
Gary Wright, Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations – A, B, C  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet  
Attachment 5: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



19 River Street

File # 06\_133208

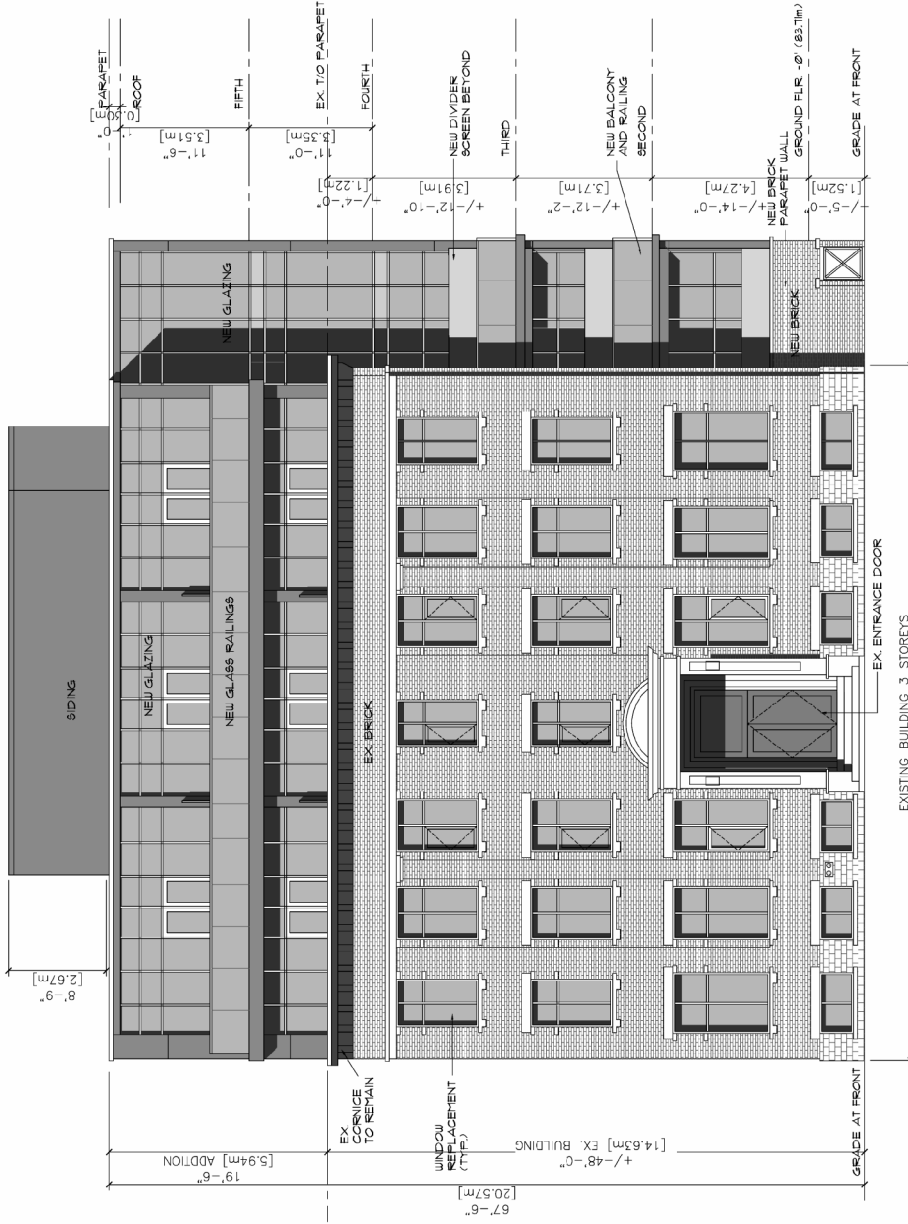
Site Plan

Applicant's Submitted Drawing

Not to Scale  
02/27/07



Attachment 2A: Elevations



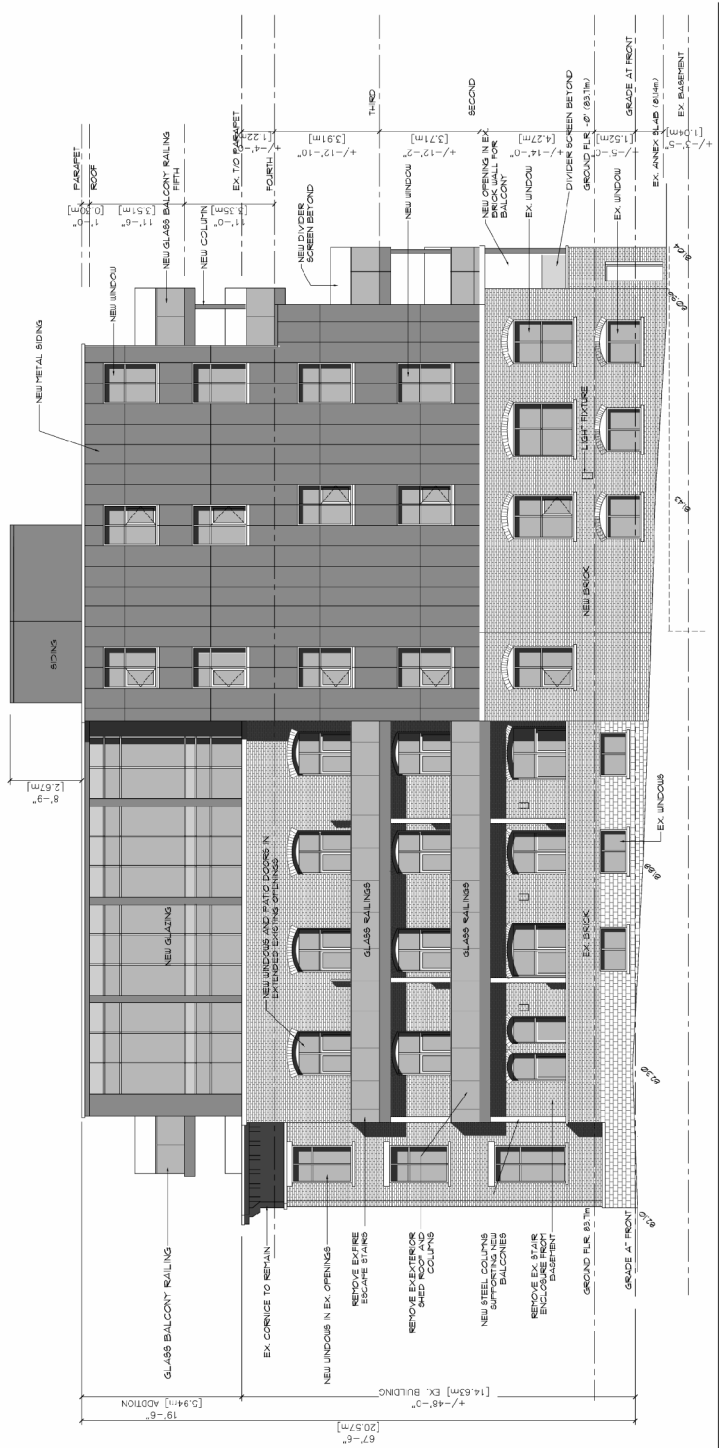
19 River Street

West Elevation  
Applicant's Submitted Drawing

File # 06\_133208

Not to Scale  
02/27/07

Attachment 2B: Elevations



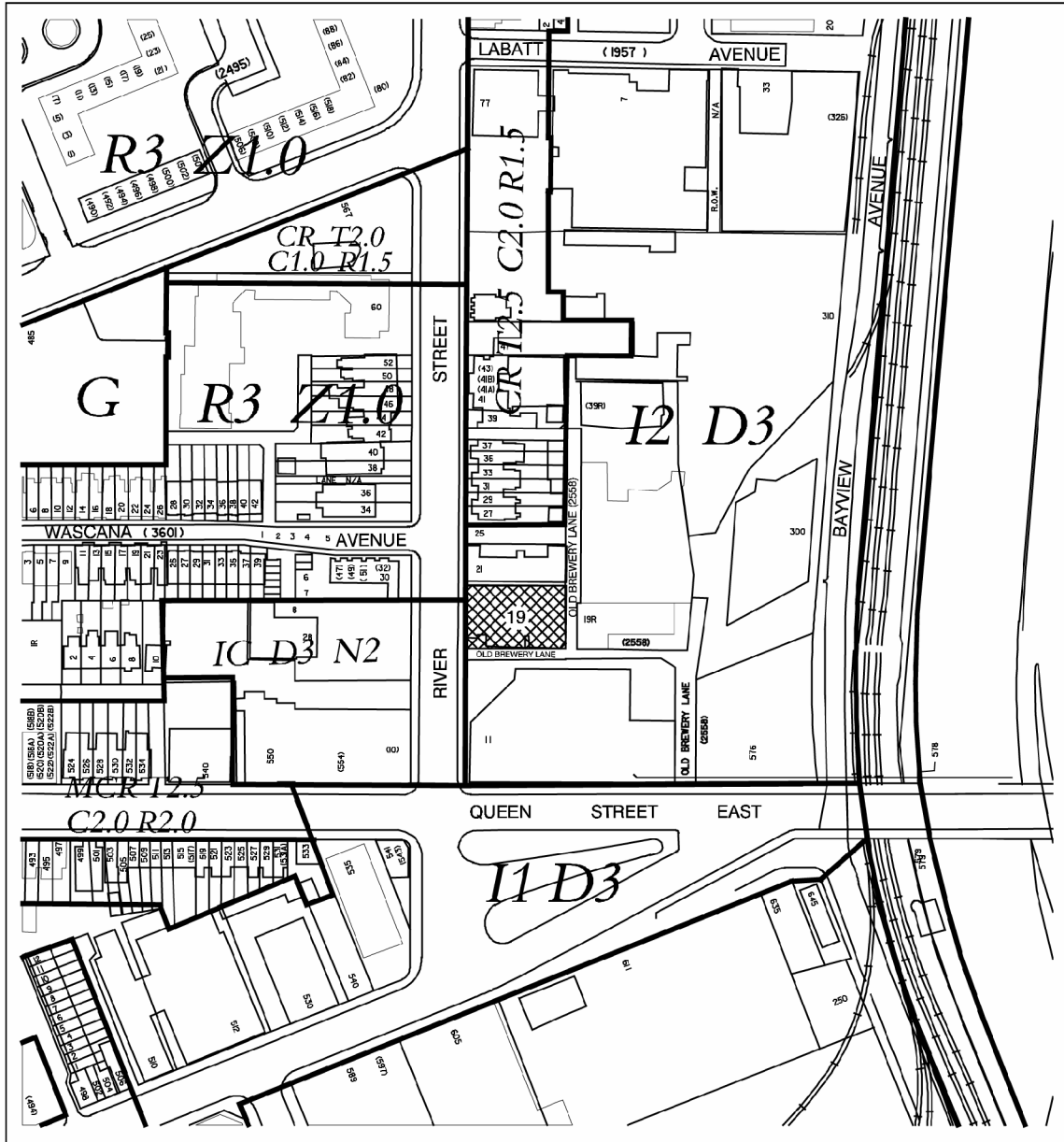
19 River Street

South Elevation  
 Applicant's Submitted Drawing  
 Not to Scale  
 02/27/07

File # 06\_133208



### Attachment 3: Zoning



**TORONTO** City Planning Division  
**Zoning**

**19 River Street**  
 File # 06\_133208

- G Parks District
- R3 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District
- I1 Industrial District
- I2 Industrial District



Not to Scale  
 Zoning By-law 438-86 as amended  
 Extracted 02/27/07 - DR

### Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	06 133208 STE 28 OZ
Details	Rezoning, Standard	Application Date:	May 9, 2006

Municipal Address: 19 RIVER ST, TORONTO ON  
 Location Description: PL 227 PT LT4 PL 108 LT1 \*\*GRID S2805  
 Project Description: Proposed two-storey addition to existing building to contain 36 live/work units.  
 Concurrent Site Plan Application 06 133211 STE 28 SA

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
STREETCAR 19 RIVER STREET, INC.		JOSEPHINE YOUNG ARCHITECT	WING HANG CORPORATION LTD

**PLANNING CONTROLS**

Official Plan Designation:	Restricted Industrial Area	Site Specific Provision:	
Zoning:	I2 D3	Historical Status:	Listing recommended
Height Limit (m):	15	Site Plan Control Area:	Y

**PROJECT INFORMATION**

Site Area (sq. m):	832.76	Height:	Storeys:	5	
Frontage (m):	22.38		Metres:	22.45	
Depth (m):	35.7				
Total Ground Floor Area (sq. m):	667.51				<b>Total</b>
Total Residential GFA (sq. m):	3157.22		Parking Spaces:	18	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	3157.22				
Lot Coverage Ratio (%):	80				
Floor Space Index:	3.79				

**DWELLING UNITS**

**FLOOR AREA BREAKDOWN** (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	3157.22	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	29	Office GFA (sq. m):	0	0
2 Bedroom:	7	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	36			

**CONTACT: PLANNER NAME: Kyle Knoeck, Senior Planner**  
**TELEPHONE: (416) 392-7215**

**Attachment 5**  
**Draft Zoning By-law Amendment**

Authority: Toronto and East York Community Council Report No. ~, Clause No. ~ as adopted by City of Toronto Council on ~, 2007  
Enacted by Council: ~, 2007

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2007**

**To amend ~ Zoning By-law No. 438-86~, as amended,  
with respect to the lands municipally known as  
19 River Street**

WHEREAS authority is given to Council by Section 34 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*;

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

1. None of the provisions of Sections 4(2)(a), 4(5)(B), 4(5)(i)(ii), 4(10)(D), and 4(12), and 4(13), and 9(1)(F), and the definition of *parking space* in Section 2(1) of By-law 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of 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”, as amended, shall apply to prevent the erection or use of an *apartment building* on the *lot*, provided that:
  - (1) the *lot* on which the proposed building is to be located comprises not less than the lands outlined by heavy lines on Map 1, attached to and forming part of this By-law;
  - (2) no portion of any building or structure is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law, except for 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
Front entrance steps	No restriction.
Parapets	Maximum 1.0 metre projection, provided the height of such “STRUCTURE” is not greater than 1.0 metre above the height limits established in Section 1(3) of this By-law
Decorative sills, cornices, eaves	Maximum 1.0 metre projection, provided the height of the “STRUCTURE” is not higher than that portion of the building to which it is attached;
Light fixtures	Maximum 1.0 metre projection, provided the height of the “STRUCTURE” is not higher than that portion of the building to which it is attached
Railings and guardrails	No restriction on the extent of the projection provided the height of such “STRUCTURE” does not exceed 2.0 metres
Eavestroughs, vent pipes, exhaust ducts	Maximum 0.5 metre projection, provided the height of such “STRUCTURES” does not exceed 1.0 metres
Balconies	Maximum 2.1 metres projection, provided the balcony is not higher than that portion of the building to which it is attached

- (3) the height of any building or structure, or portion thereof, including those elements referred to in Section 4(2)(a)(i) of Zoning By-law No. 438-86, as amended, does not exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law;
- (4) the *apartment building* contains a maximum of 36 *dwelling units*, which units may be used as *live-work units*;
- (5) the *residential gross floor area* of the building erected on the *lot* does not exceed 3,180 square metres;
- (6) no *residential gross floor area* or *non-residential gross floor area* shall be erected or used above a height of 20.75 metres;

- (7) a minimum of 18 *parking spaces* is provided and maintained on the *lot*;
  - (8) the *parking spaces* required by this by-law are located below-grade and are a minimum of 5.6 metres in length;
  - (9) a minimum of 15 square metres of *residential amenity space* – indoor is provided and maintained on the *lot*;
  - (10) a minimum of 24 *bicycle parking spaces* are provided and maintained on the *lot*, of which a minimum 18 are *bicycle parking spaces – occupant*.
2. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.
3. Within the lands shown on Map 1 attached to this By-law, 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.

ENACTED AND PASSED this ~ day of ~, A.D. 2007.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



