

**960 to 968 Eastern Avenue – Official Plan Amendment
and Zoning By-law Amendment – Final Report**

Date:	June 11, 2007
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	File No. 06-100246 STE 32 OZ

SUMMARY

This application proposes the construction of a five storey mixed used building consisting of 2 floors of commercial uses and three floors containing up to 29 assisted housing units at 960 to 968 Eastern Avenue.

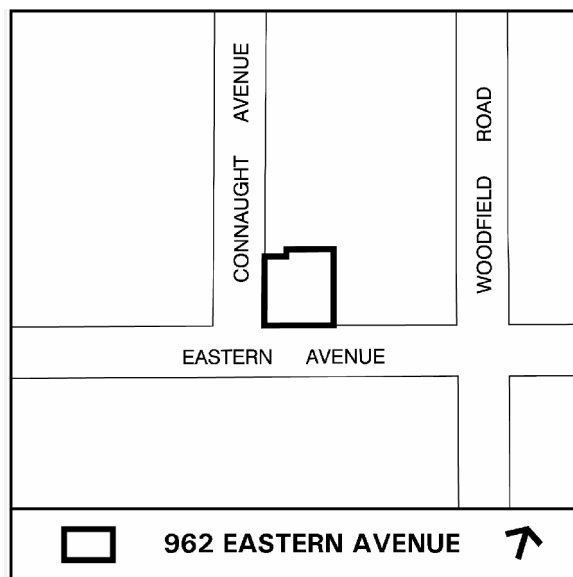
This application has been considered on the basis of its compatibility with the surrounding neighbourhood and on the basis of its compliance with the spirit and intent of the Official Plan and Zoning By-law. Consideration has also been given to the surrounding context and the existing uses in the area.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9;
2. City Council amend the Zoning By-law 438-86, as amended substantially in



accordance with the draft Zoning By-law Amendment attached as Attachment No. 10;

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required; and
4. Prior to the introduction of the Bills in Council, the owner shall submit to the Executive Director of Technical Services for review and acceptance, a site servicing review to determine the sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The proposal is to permit the construction of a five storey mixed-use building containing a credit union and office uses on the first two floors and three floors containing up to 29 assisted housing units. Indoor and outdoor amenity space will be provided at the roof level of the building. The proposed below grade parking will provide for a loading space and 25 parking spaces. Refer to Attachment No. 8 for project data.

Site and Surrounding Area

The site is located on the north east corner of Eastern Avenue and Connaught Avenue. The site is currently occupied by a Credit Union an auto body shop and a house.

The site is abutted by the following:

North: semi-detached house

South: Canada Post Facility

East: a three storey 14 unit apartment building

West: Toronto Transit Commission Connaught Yard

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.

Official Plan

The Official Plan designation for the property is Neighbourhoods. Uses permitted in Neighbourhoods include a full range of residential uses contained within lower scale buildings, consisting of detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are four stories or less.

The Plan contains development criteria in established Neighbourhoods which require development to respect and reinforce the existing physical character of the neighbourhood, including in particular:

- (a) patterns of streets, blocks and lanes, parks and public building sites;
- (b) size and configuration of lots;
- (c) heights, massing, scale and dwelling type of nearby residential properties;
- (d) prevailing building type;
- (e) setback of buildings from the street or streets;
- (f) prevailing patterns of rear yard setback and landscaped open space;
- (g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- (h) conservation of heritage buildings, structures and landscapes.

Policy 3 within Neighbourhoods allow small-scale retail, service and office uses on properties that legally contained such uses prior to the date of the approval of the Plan and also consideration of new small scale retail, service and office uses. The credit union is therefore permitted. The expansion in the overall amount of commercial space is not directly serving the community and requires an Official Plan Amendment.

The development requires an amendment to the Official Plan because it does not meet all of the criteria listed above. The Official Plan Amendment is being recommended because of the sites unique characteristics including size, the existence of non-conforming uses and neighbouring uses.

Zoning

The property is zoned R4 Z1.0 which permits a wide range of residential building types including all forms of grade related residential uses and apartments, up to a maximum density of 1.0 times the area of the lot. The height limit is 12 metres.

Site Plan Control

The proposed development is subject to Site Plan Approval and an application was filed concurrent with the Official Plan Amendment and Rezoning application.

Reasons for Application

The proposal does not comply with the Official Plan in that only walk-up apartments to a maximum height of four storeys are permitted in Neighbourhoods. The proposed apartment building will be 5 storeys in height, plus a rooftop amenity space, and as such will not meet the development criteria contained in the Official Plan.

The use of a portion of the building for the purposes of a financial institution is not permitted, as well as the proposed office space. The proposed density of 3.0 times the area of the lot exceeds

the maximum density permitted by the Zoning By-law of 1.0 times the area of the lot. The proposed building height of 16.9 metres exceeds the maximum height of 12 metres permitted by the Zoning By-law. In addition the proposal does not comply with other development criteria contained in the Zoning By-law, such as setbacks and building depth.

Community Consultation

A community consultation meeting was held on June 1, 2006. Residents of the area expressed light, view and privacy concerns as well as concerns with traffic, parking and water pressure.

After the meeting, the proposal was altered to redesign the parking garage to eliminate the above grade structure that was originally proposed, provide for greater step-backs at the fifth floor, as well as at fourth and fifth level at the north-west corner of the site. Privacy and noise concerns were addressed by the introduction of planters adjacent to the edges of all terraces and the reorientation of the roof-top amenity space to focus the use along the Eastern Avenue edge of the building.

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

Provincial Policy Statement and Provincial Plans

City Council's planning decisions are required to be consistent with the PPS. In the opinion of City Planning staff, the proposal is consistent with the Provincial Policy Statement.

Land Use

The expansion of the credit union and addition of office space is not permitted. The existing use for the majority of the site is a one-storey credit union building, so the re-introduction of a credit union into the proposed building is consistent with the existing use, in accordance with the Official Plan.

The proposed land-use has been deemed to be appropriate given the location of the site and the surrounding context. The commercial uses will be focused towards Eastern Avenue, which has existing commercial and industrial uses.

The residential use is permitted on the site.

Density, Height, Massing

The proposed density is 3.0 times the area of the lot. The density is appropriate given the local context of the building.

The development will exceed the permitted height of 12 metres by almost 5 metres. Concerns respecting the massing of the building and impacts such as shadowing and privacy have been addressed with the introduction of step-backs in the building and the introduction of privacy features.

Access and Parking

The proposed development will provide parking accessed off of Connaught Avenue. Connaught Avenue, in the proximity of the proposed development, is a one-way street, running south from Queen Street East. The proposed parking will be allocated, based on the full Zoning By-law requirement for both the residential and non-residential components, including the provision of visitors' parking.

Tenure

The proposed development will be constructed as assisted housing and will be required to meet the City's eligibility criteria.

Toronto Green Development Standard

The applicant has not submitted the Toronto Green Development Standard checklist and will be required to do so as part of the Site Plan Approval process. The applicant proposes to address the urban heat island on the roof through a green roof.

Development Charges

If the development meets the City's criteria for assisted housing, development charges will be waived.

CONTACT

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E-mail:lmajor@toronto.ca

SIGNATURE

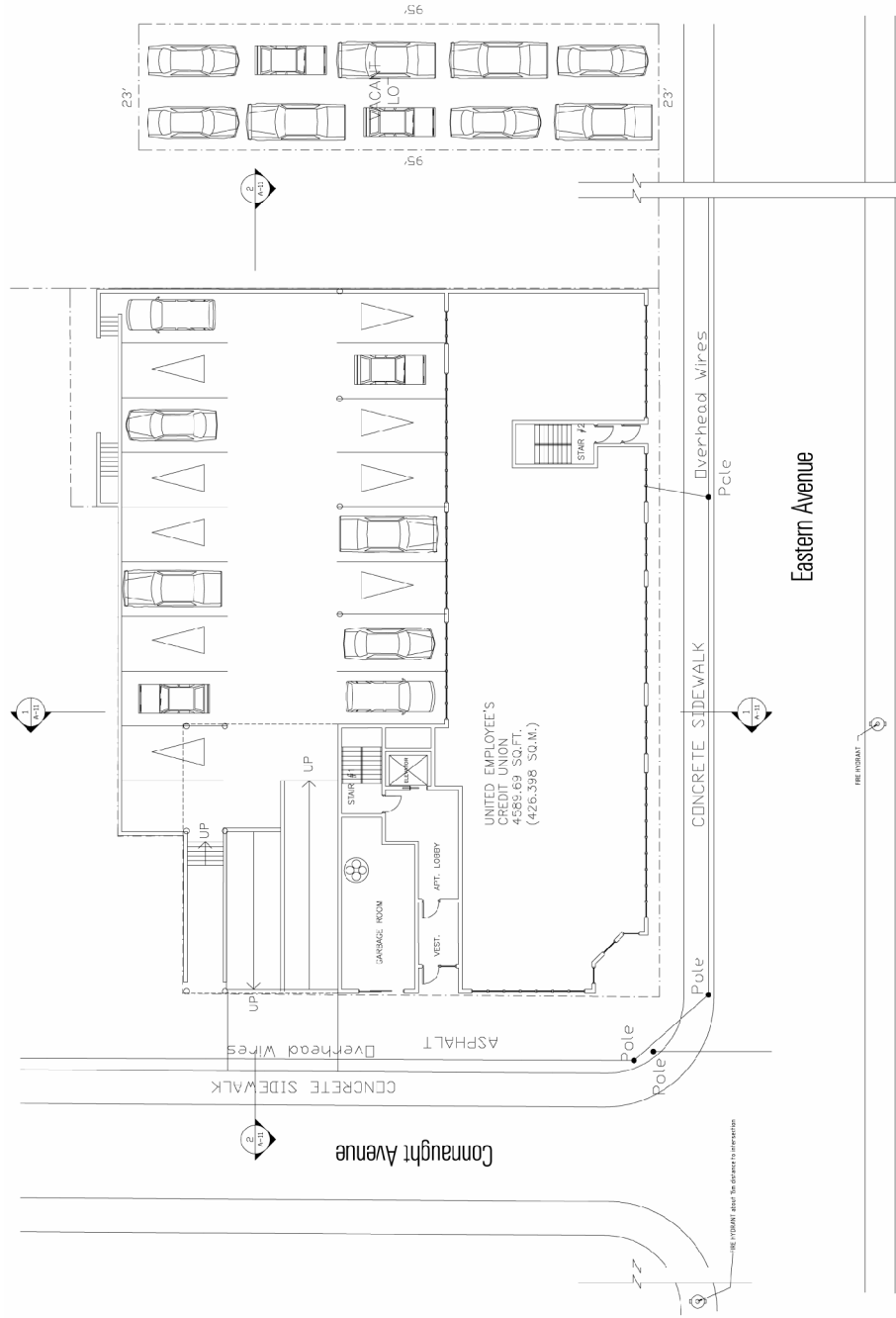
Gary Wright, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3: Elevations
- Attachment 4: Elevations
- Attachment 5: Elevations
- Attachment 6: Zoning
- Attachment 7: Official Plan
- Attachment 8: Application Data Sheet
- Attachment 9: Draft Official Plan Amendment
- Attachment 10: Draft Zoning By-law Amendment

Attachment 1: Site Plan



962 Eastern Avenue

Ground Floor/Site Plan

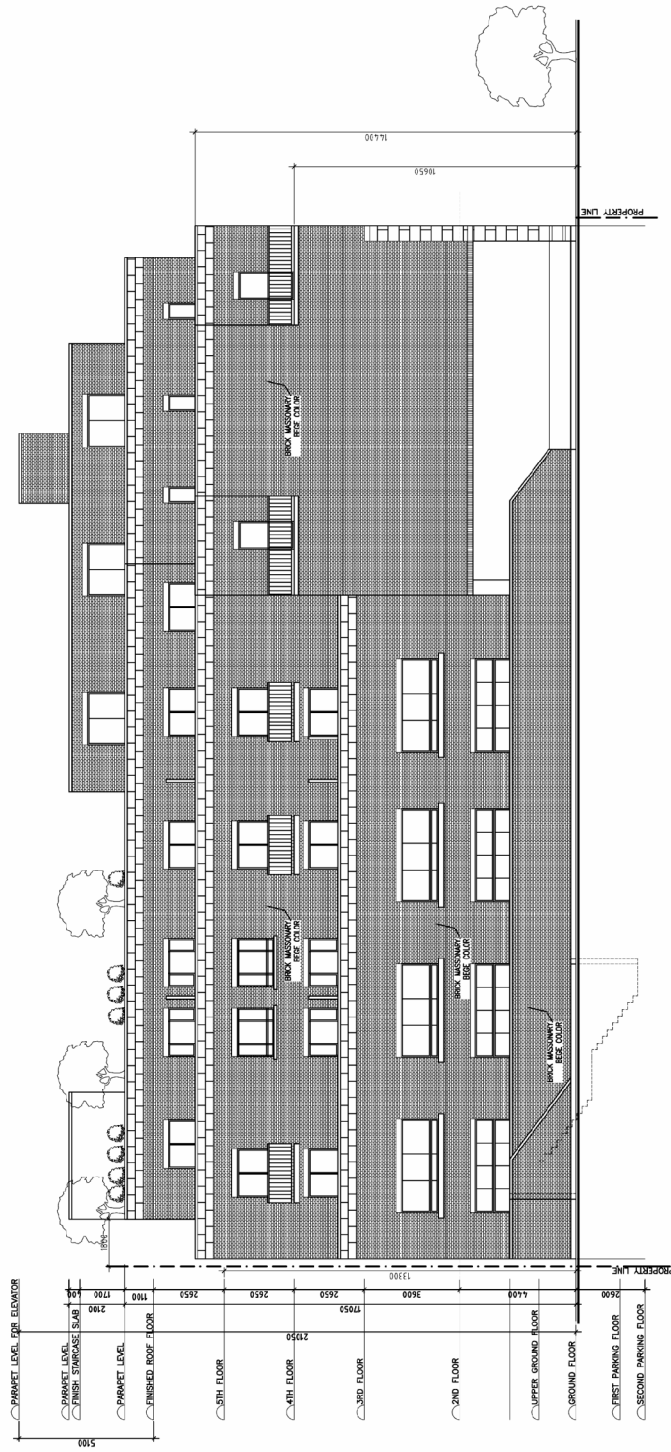
Applicant's Submitted Drawing

Not to Scale
02/03/06



File # 06_100246

Attachment 2: Elevations



North Elevation

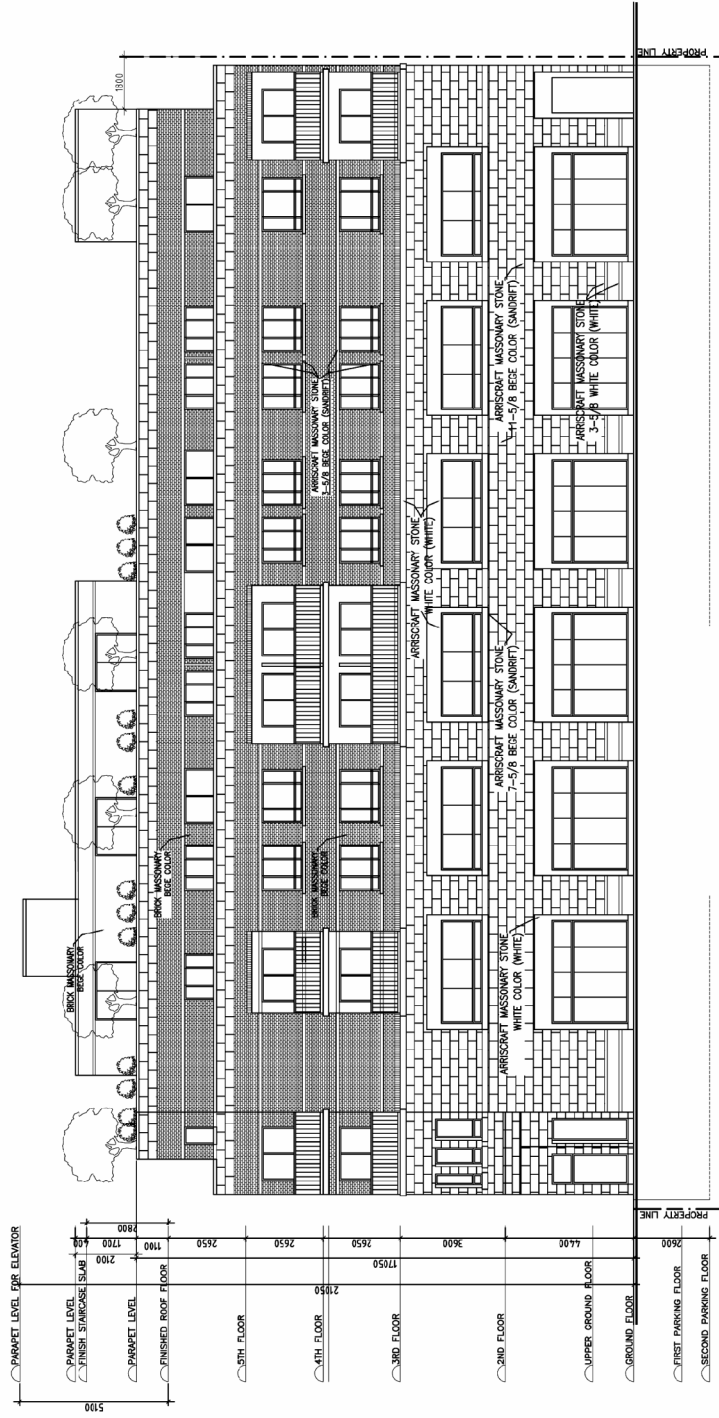
962 - 968 Eastern Avenue

Applicant's Submitted Drawing

Not to Scale
06/04/07

File # 06 - 100246

Attachment 3: Elevations



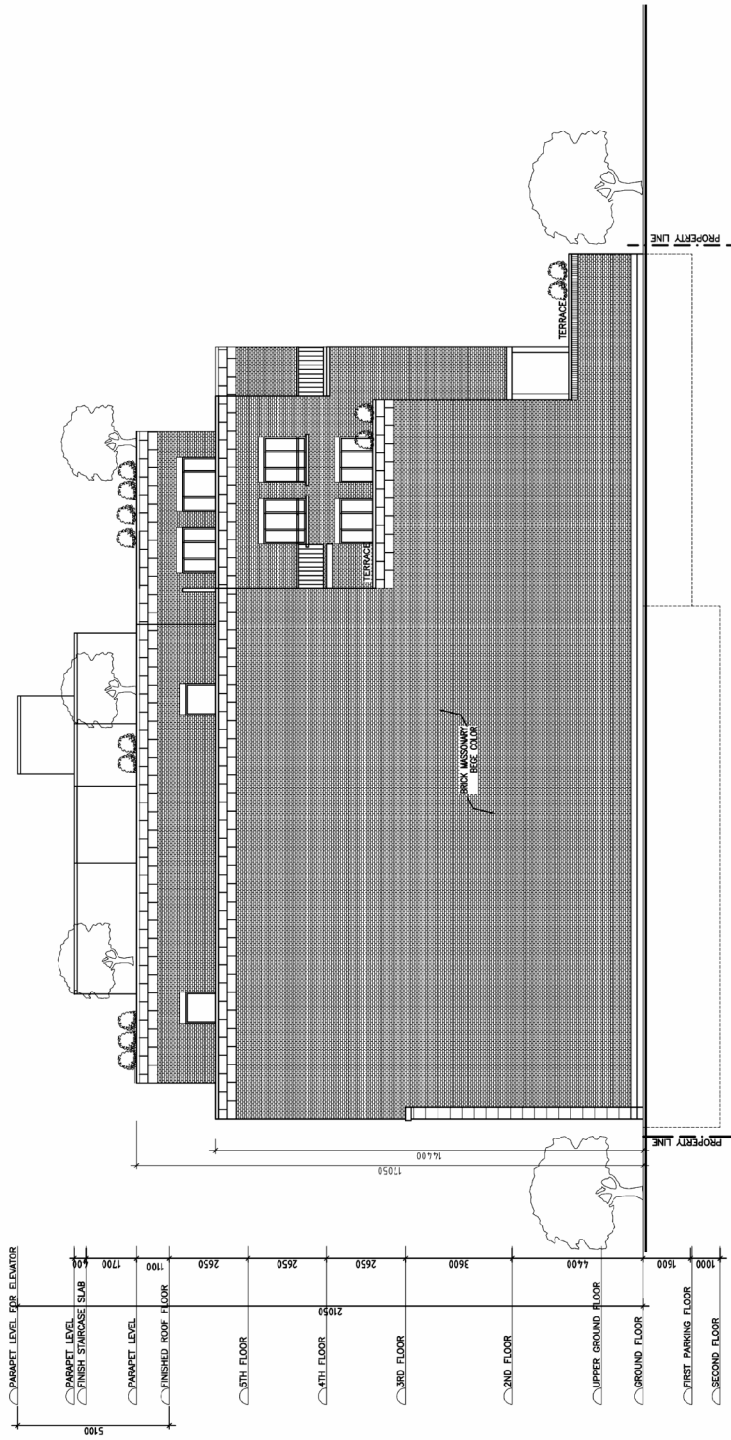
962 - 968 Eastern Avenue

South Elevation
Applicant's Submitted Drawing

File # 06 100246

Not to Scale
06/04/07

Attachment 4: Elevations



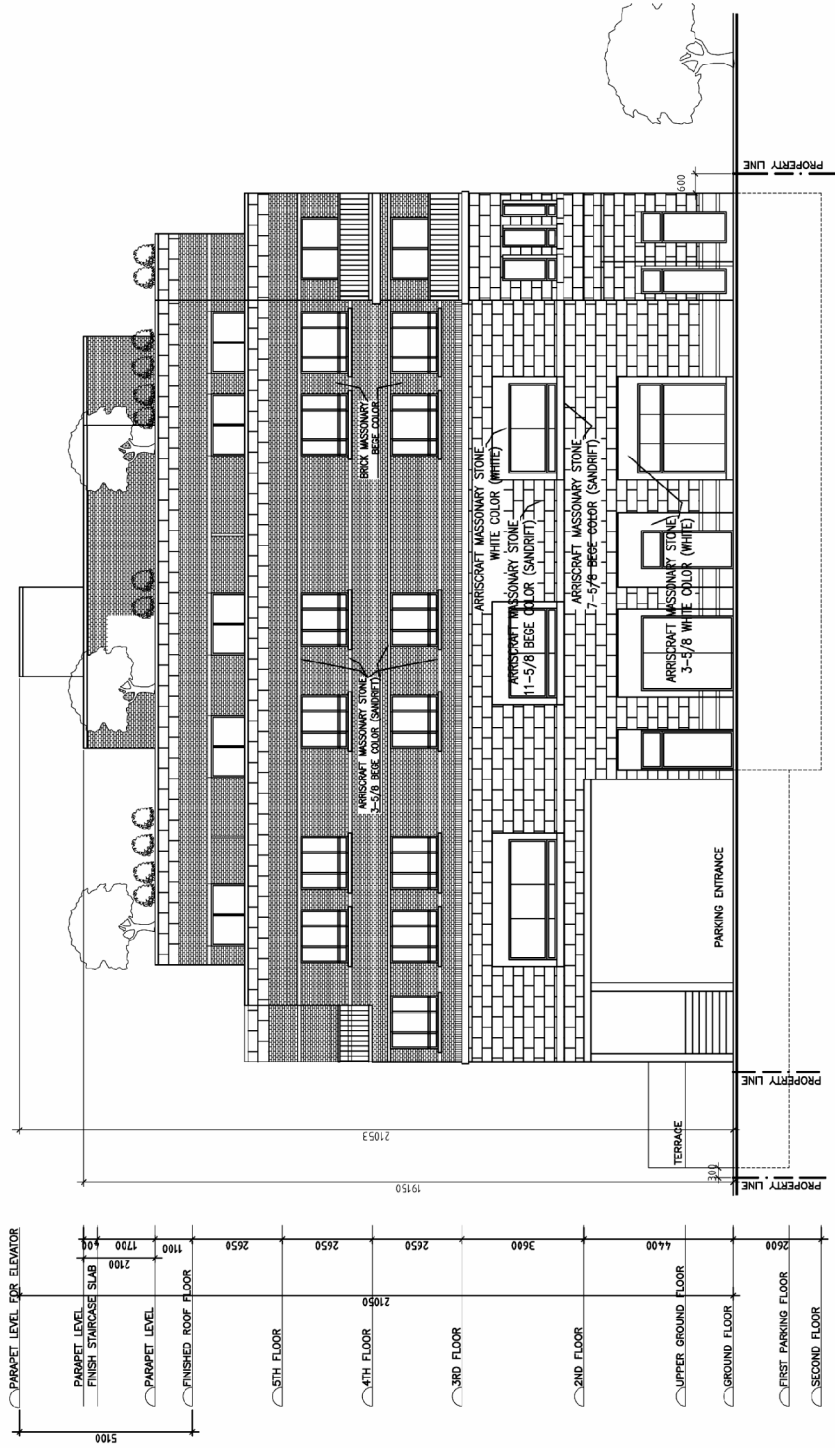
962 - 968 Eastern Avenue

East Elevation
 Applicant's Submitted Drawing

File # 06 - 100246

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Attachment 5: Elevations



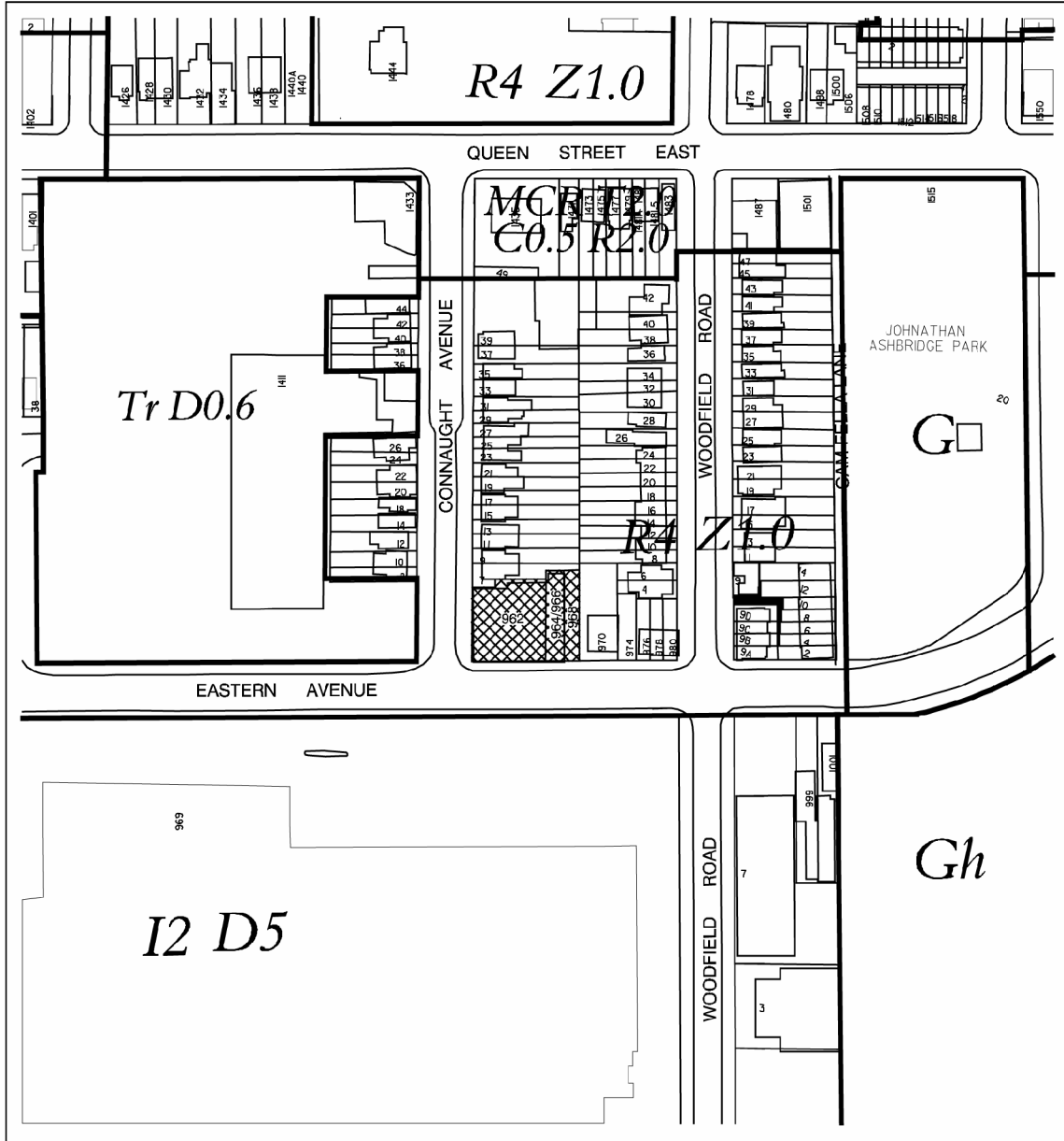
962 - 968 Eastern Avenue

West Elevation
 Applicant's Submitted Drawing

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Attachment 6: Zoning



TORONTO City Planning Division
Zoning

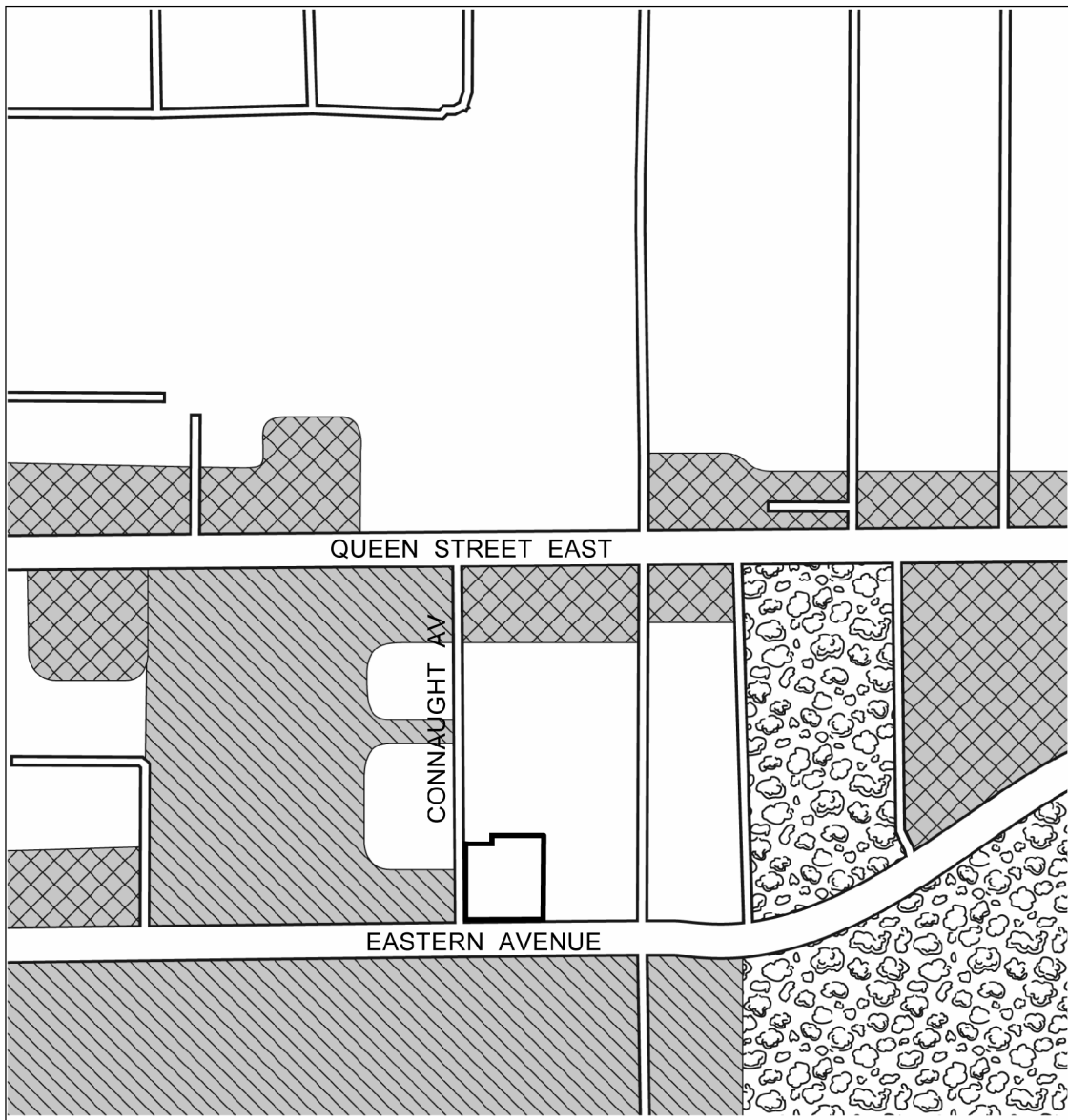
962 - 968 Eastern Avenue
 File # 06_100246

- G Parks District
- Gh Parks District
- R4 Residential District
- MCR Mixed-Use District
- I2 Industrial District
- Tr Industrial District

Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 06/04/07



Attachment 7: Official Plan



TORONTO City Planning
Official Plan

962 - 968 Eastern Avenue

File # 06_100246

- | | | |
|---|--|--|
|  Site Location |  Parks & Open Space Areas |  Employment Areas |
|  Neighbourhoods |  Parks | |
|  Mixed Use Areas | | |


Not to Scale
06/12/07

Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	06 100246 STE 32 OZ
Details	OPA & Rezoning, Standard	Application Date:	January 4, 2006

Municipal Address: 962 EASTERN AVE, TORONTO ON M4L 1A6
 Location Description: PL 426E LTS 28 TO 30 PT LT31 **GRID S3212
 Project Description: Proposed 27 unit affordable housing. Commercial use on ground and second floor. See Site Plan # 06-100255

Applicant:	Agent:	Architect:	Owner:
United Employees			Credit Union Limited

PLANNING CONTROLS

Official Plan Designation:	NEIGH	Site Specific Provision:	No
Zoning:	R4 Z1.0	Historical Status:	No
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1188.38	Height:	Storeys:	5
Frontage (m):	34.064		Metres:	16.9
Depth (m):	26.569			
Total Ground Floor Area (sq. m):	932.9			Total
Total Residential GFA (sq. m):	1839.5		Parking Spaces:	25
Total Non-Residential GFA (sq. m):	1702.2		Loading Docks	1
Total GFA (sq. m):	3541.7			
Lot Coverage Ratio (%):	78.5			
Floor Space Index:	3			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	1839.5	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	14	Office GFA (sq. m):	1702.2	0
2 Bedroom:	13	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	27			

CONTACT: PLANNER NAME: Leontine Major, Senior Planner
TELEPHONE: (416) 397-4079

Attachment 8: Draft Official Plan Amendment

Authority: 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 adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands municipally known as,
962 to 968 Eastern Ave**

WHEREAS authority is given to Council under 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. The attached Amendment No. 28 to the Official Plan is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 28 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2007 AS 962 to 968 EASTERN AVENUE

The following text and maps constitute amendment No. 28 to the City of Toronto Official Plan.

The Sections headed “Purpose and Location” and “Basis” are explanatory only, and shall not constitute part of this amendment.

PURPOSE AND LOCATION

The amendment is to include lands municipally known in 2007 as 962 to 968 Eastern Avenue to permit a five-storey mixed-use building.

BASIS

An application was filed on January 6, 2006 by the United Employees Credit Union Ltd.. The owner proposes to construct a five-storey mixed-use building containing 2 floors of office use, including a credit union and 3 storey of residential use, consisting of 29 affordable housing units. The proposal is appropriate given its unique context at the edge of the Neighbourhood, adjacent to an Employment Area, in a location where there is already a legal non-conforming credit union building.

OFFICIAL PLAN AMENDMENT

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

- (a) Chapter 7, Site and Area Specific Policies is amended by adding Site and Area Specific Policy No. 295 for the lands at 962 to 968 Eastern Avenue, as follows:

295. 962 to 968 Eastern Avenue

A five storey mixed-use assisted housing building is permitted



- (b) Map 32, Site and Area Specific Policies, is amended by identifying Site Specific Policy No. 295 for the lands as shown on the map above.

Attachment 9: Draft Zoning By-law Amendment

Authority: Toronto Community Council Item ~ [or 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. ~, as amended,
With respect to the lands municipally known as,
960 to 968 Eastern Ave**

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 Section 4 (2), Section 4(6)(b), Section 4(10)(a), Section 4(17), Section 6(3) Part I 1, Section 6(3) Part II, Section 6(3) Part III and Section 6(3) Part IV 2 of By-law No. 438-86 as amended, 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”, shall apply to prevent the erection and five storey mixed-use building on the lands known municipally in the year 2007 as 960 to 968 Eastern Avenue, provided:
 - (1) the lands comprise the area shown on Map 1 attached hereto;
 - (2) the aggregate *residential gross floor area* erected or used on the lands shown on Map 1 does not exceed 2,370 square metres;
 - (3) the *mixed use building* contains not more than 29 *dwelling units*;
 - (4) the aggregate *non-residential gross floor area* erected or used on the lands shown on Map 1 does not exceed 1,600 square metres and shall be used for the purposes of office or the *branch of a bank or financial institution*;
 - (5) no portion of any of the buildings shall extend beyond the lines delineating the building footprints on Plan 2 attached hereto;
 - (6) notwithstanding (5), the following projections are permitted:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
eaves or cornices	required setback area from any lot line	0.45 metres	none
balconies	required setback area from any lot line	1.5 metres	Attached to the north elevation
fences and safety railings	required setback area from any lot line	no restriction	height of fence or safety railing not to exceed 2.0 metres
exterior insulation and facing material, including any supporting foundation	required setback area from any lot line	0.16 metres	None
repair, replacement or vertical extension of the existing foundation of a residential building	required setback area from any lot line	no closer to the lot lines than the existing foundation	height of existing foundation may be increased by up to 0.3 metres

- (7) no person shall erect or use a building or structure on the *lot* having a greater *height* in metres than the *height* limits specified by the numbers following the symbol H on the attached Map 2;
- (8) notwithstanding Section 1(6) of this By-law, the maximum *height* for parapets, terrace and balcony guards and dividers, planters, railings, decorative screens, window washing equipment, and ornamental architectural features shall be the sum of 1.7 metres and the applicable height limit shown on Map 2;
- (9) *residential amenity space* shall be provided in accordance with the following:
- (a) a minimum of 74 square metres of *residential amenity spaces - indoor*; and
 - (b) a minimum of 74 square metres of *residential amenity space - outdoor*.
- (10) *parking spaces* shall have a minimum width of 2.6 metres and a minimum length of 5.3 metres;
- (11) driveways shall have a minimum width of 6.0 metres;
- (12) an on-site loading space with dimensions of at least 3.5 metres in width and 5.3 metres in length is provided; and
- (13) the development shall be built and maintained a *social housing*.

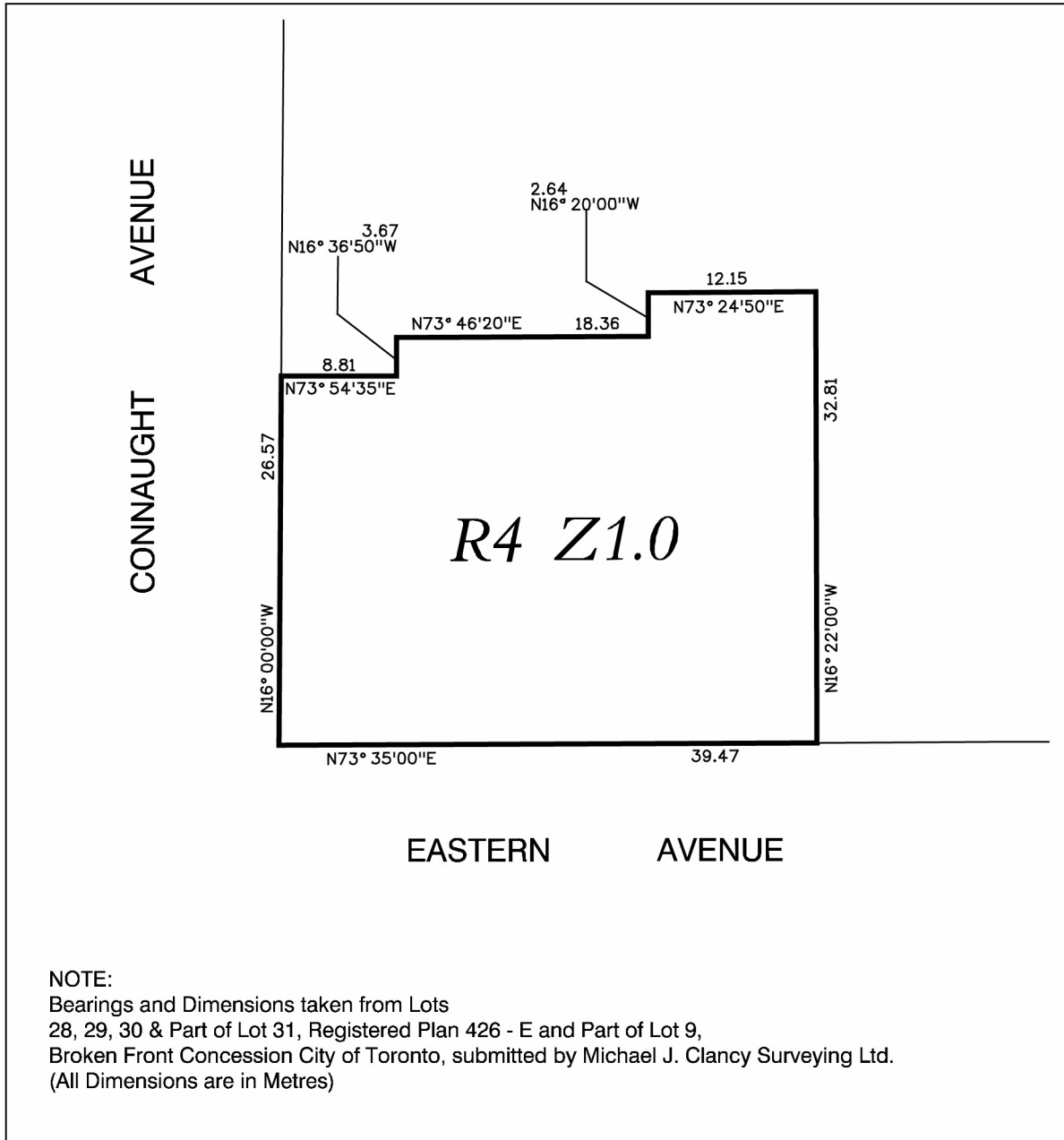
2. For the purposes of this By-law, the terms set forth in italics shall have the same meaning as such terms have for the purposes of By-law 438-86; and
3. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the all water 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)



NOTE:
 Bearings and Dimensions taken from Lots
 28, 29, 30 & Part of Lot 31, Registered Plan 426 - E and Part of Lot 9,
 Broken Front Concession City of Toronto, submitted by Michael J. Clancy Surveying Ltd.
 (All Dimensions are in Metres)

