

**21 Swanwick Ave – OPA & Rezoning – Final Report**

<b>Date:</b>	June 12, 2008
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 32 – Beaches-East York
<b>Reference Number:</b>	07-254834 STE 32 OZ

**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

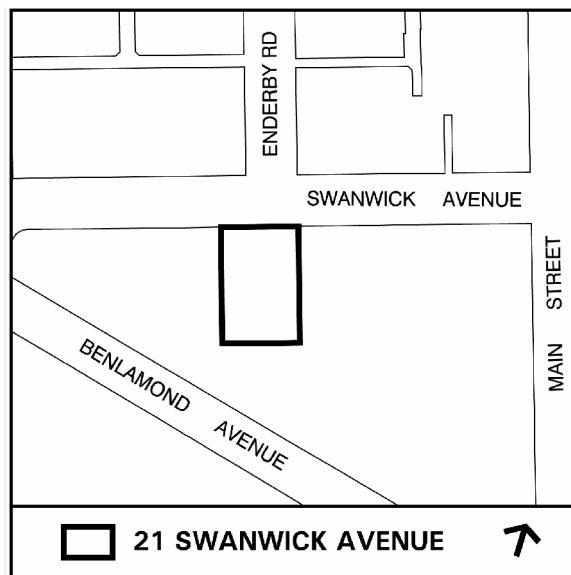
The application proposes to convert the existing church building into a residential building containing 10 dwelling units at 21 Swanwick Avenue. The site was designated as heritage in 2007 by City Council for its cultural value or interest. The proposal represents adaptive reuse of a heritage building.

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

**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 for the former City of Toronto 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.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The proposal is to convert the existing church building to residential use in the form of 10 units, divided vertically. The proposal would involve an addition to the south side of the building and the introduction of dormers in the roof of the building. Private rear yard amenity space would be provided along the east and south sides of the existing building. Surface parking would be provided along the north and west side. Each unit would have a parking space. Refer to Attachment No. 8 for project data.

### **Site and Surrounding Area**

The property is located on the south side of Swanwick Avenue, mid-block between Main Street and Norwood Road, at the terminus of Enderby Road. The property has generally the same depth as the neighbouring properties, but is much wider as it is occupied by a church. The building historically was used as a place of worship and also incorporated accessory uses such as a daycare centre. The building has been used as a fitness gym for the last few years. This is not a permitted use. A daycare centre has remained on the site, but is no longer permitted as it was only permitted as an accessory to the primary use of the building as a place of worship.

The property is abutted by detached houses on all sides.

### **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.

### **Official Plan**

The Official Plan designates this site Neighbourhoods. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings.

Neighbourhoods Policy 5 states:

- “5. Development in established Neighbourhoods will 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(s);
  - e) setbacks of buildings from the street or streets;
  - f) prevailing patterns of rear and side yard setbacks 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.”

The proposal does not meet the requirements of Neighbourhoods Policy 5 with respect to physical patterns and prevailing building type because it is for the conversion of an existing building.

Since this application involves maintaining a church building that has existed on site for over 115 years, this development respects and reinforces the existing character of the neighbourhood through the continuation of a built-form feature that has contributed to the unique physical character of this neighbourhood.

Several policies regarding heritage conservation encourage the conservation and re-use of heritage properties, including but not limited to:

- entering into conservation agreements with owners;
- requiring a Heritage Impact Statement where the development entails an amendment to the Official Plan and/or Zoning By-law; and
- allowing Council to permit additional gross floor area in excess of what is permitted in the Zoning By-law on lands with certain designations and subject to certain conditions.

## **Zoning**

The property is zoned R2 Z0.6, which allows for a wide range of residential uses to a maximum density of 0.6 times the area of the lot. The height limit is 10 metres. Some community facilities and institutions are also permitted.

## **Site Plan Control**

The proposed development is subject to Site Plan Approval. An application for Site Plan Control was submitted concurrently with this application.

## **Reasons for Application**

The site is zoned for residential uses, but the proposed development does not conform to the current zoning on the site. The proposal would result in a residential density of 1.18 times the area of the lot, significantly more than the density of 0.6 times the area of the lot permitted by the Zoning By-law. Several additional aspects of the proposal do not meet the R2 zoning regulations, including but not limited to the height of the building, the depth of the building and setbacks.

The proposed development does not conform with the City of Toronto Official Plan. The policies of the Neighbourhoods designation require development in established Neighbourhoods to respect and reinforce the existing physical character of the neighbourhood including physical patterns and prevailing building types. A residential building with 10 dwelling units would not constitute a prevailing building type, even though the physical building already exists. As such an Official Plan Amendment is necessary.

Heritage conservation policies permitting additional gross floor area above that permitted in the Zoning By-law for a lot containing a conserved heritage building do not apply for areas designated Neighbourhoods such as this site.

## **Community Consultation**

A community consultation meeting was held on November 13, 2007. Residents in attendance at the meeting raised concerns with the number of units, the possibility of additional on-street parking pressures, and the impact on protected trees. In addition, concerns were raised with respect to a number of details of the development including the proposed fencing, garbage storage facilities, lighting of the site and the proposed landscaping. These details have been addressed and will be secured by the Site Plan Agreement.

## **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 Provincial Policy Statement (PPS). The PPS reinforces the general intent of the proposed development specifically in Section 2.6.1 where stated that "significant built heritage resources and significant cultural heritage landscapes shall be conserved." In the opinion of City Planning staff, the proposal is consistent with the PPS.

## **Density and Height**

The density for the existing building is 0.73 times the area of the lot. The density for the proposed development is 1.18 times the area of the lot. Both the existing and proposed density exceed the Zoning By-law permission of 0.6 times the area of the lot. The majority of the proposed additional density is occurring within the existing building envelope with the creation of 2 additional floors. A modest 3 storey addition is proposed to the south side of the building. The proposed density of the development has been reviewed and is deemed appropriate.

The existing building height is 16.9 metres at the highest point, which is the top of the tower. The existing building has existed in the community for over 115 years and there is no increase in the overall height being proposed. The proposed zoning by-law includes height for each component of the building to ensure that the existing heights are maintained and to ensure compatible heights on the south side of the building where the addition is proposed.

## **Access and Parking**

The proposed development will provide parking access from Swanwick Avenue. The applicant proposes a total of 10 on-site residential parking spaces and 8 bicycle parking spaces. The existing church building is historically designated, which provides the applicant with an exemption from parking for the units located within the church structure, if the applicant enters into a Heritage Easement Agreement. The Zoning By-law requires parking only for the portion of the building located within the rear addition, which would be 2 spaces. Nonetheless, the applicant is proposing 10 parking spaces and the site specific zoning by-law for the property will require the provision and maintenance of these 10 parking spaces.

The proposed 4.3 metre wide drive aisle does not comply with the drive aisle standard of 5.5 metres required. Technical Services has accepted the 4.3 metres as sufficient for the proposed development. The existing church structure does not allow for the provision of a wider driveway.

## **Servicing**

Technical Services have reviewed the application and will continue to review and evaluate the proposal during the Site Plan Review process.

As the proposal is for a reuse of a historical site, and all units are not fronting onto a public street, the proposed development is not eligible for City garbage collection. The development will be required to contract a private collection service and therefore an enclosed garbage storage area is being provided adjacent to the building. The garbage collection service requirement will be secured through the Site Plan Agreement. Technical Services is satisfied with this arrangement.

The Executive Director of Technical Services has required that the applicant submit, prior to site plan approval, a water supply demand analysis to determine whether the existing municipal infrastructure is adequate to serve the proposed development. Should it be determined that upgrades to existing services are required, the applicant will be required to make those improvements.

The applicant continues to work with Technical Services and City Planning staff to resolve outstanding technical issues prior to the Site Plan Approval.

## **Trees**

The applicant submitted an arborist report which indicates that there is one tree (a Norway Maple) that is required to be removed. This tree is in fair to poor condition and is located along the north property line. In addition there will be encroachment into the tree protection zone around a number of other trees by the addition at the rear of the building and the establishment of a surface parking to the west of the building.

The architect has worked with the arborist to determine the best surface treatment of the parking area and the method by which the paving should be installed, to ensure minimal damage to the trees. The paving will be with Geoblock, which is both air and water permeable and will ensure the distribution of the vehicular load more evenly to minimize the soil compaction around the roots of the protected trees. As these trees are being injured, there is the requirement to make an application to Urban Forestry and this application needs to be dealt with and approved prior to issuance of Site Plan Approval for the project.

## **Heritage**

The Emmanuel Presbyterian Church, at 21 Swanwick Avenue, was listed on the City of Toronto's Inventory of Heritage Properties on May 28, 1984. The property was designated under Part IV of the Ontario Heritage Act: enacted by City Council on April 24, 2007 (By-law No. 383-2007).

Heritage Preservation Services staff are recommending approval of the alterations to the heritage building in accordance with the Heritage Impact Statement (Conservation Strategy) that was submitted. This report will be before the Heritage Preservation Committee meeting of June 19, 2008 and will be on the same Community Council agenda as this report.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people.

Parks, Forestry and Recreation staff have advised that the development site is subject to the alternate rate park levy. The parkland contribution that would apply to this site is 9.5%. The required parkland dedication will be satisfied through cash in lieu.

## **Toronto Green Development Standard**

The applicant has completed The Toronto Green Development Standard checklist. The proposed development achieves several targets set out in the checklist. These include, but are not limited to; re-use of an existing building, the use of local materials, minimization of air emissions and dust during construction and demolition, insulation, space heating and cooling system, and energy efficient light fixtures and home appliances.

## **Tenure**

The owner had advised that the proposed development will be a standard condominium. City Planning staff support the development as a standard condominium corporation. The applicant will be required to submit draft plan of standard condominium in the future.

## **Development Charges**

It is estimated that the development charges for this project will be \$71,870.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **Conclusion**

The application has been carefully considered with respect to the compatibility of a church use converted to a residential use in the surrounding neighbourhood. A detailed assessment of the fit of the development with the neighbourhood, as well as the reuse and conservation of a valuable heritage building has been undertaken.

Given that the proposed density increase is primarily within the existing building envelope, and that the preservation of a heritage property conforms to the intent of the Official Plan, the Provincial Policy Statement and the Zoning By-law, City Planning staff recommend approval of the proposed Official Plan and Zoning By-law Amendments.

## **CONTACT**

Leontine Major, Senior Planner  
Tel. No. (416) 397-4079  
Fax No. (416) 392-1330  
E-mail: lmajor@toronto.ca

## **SIGNATURE**

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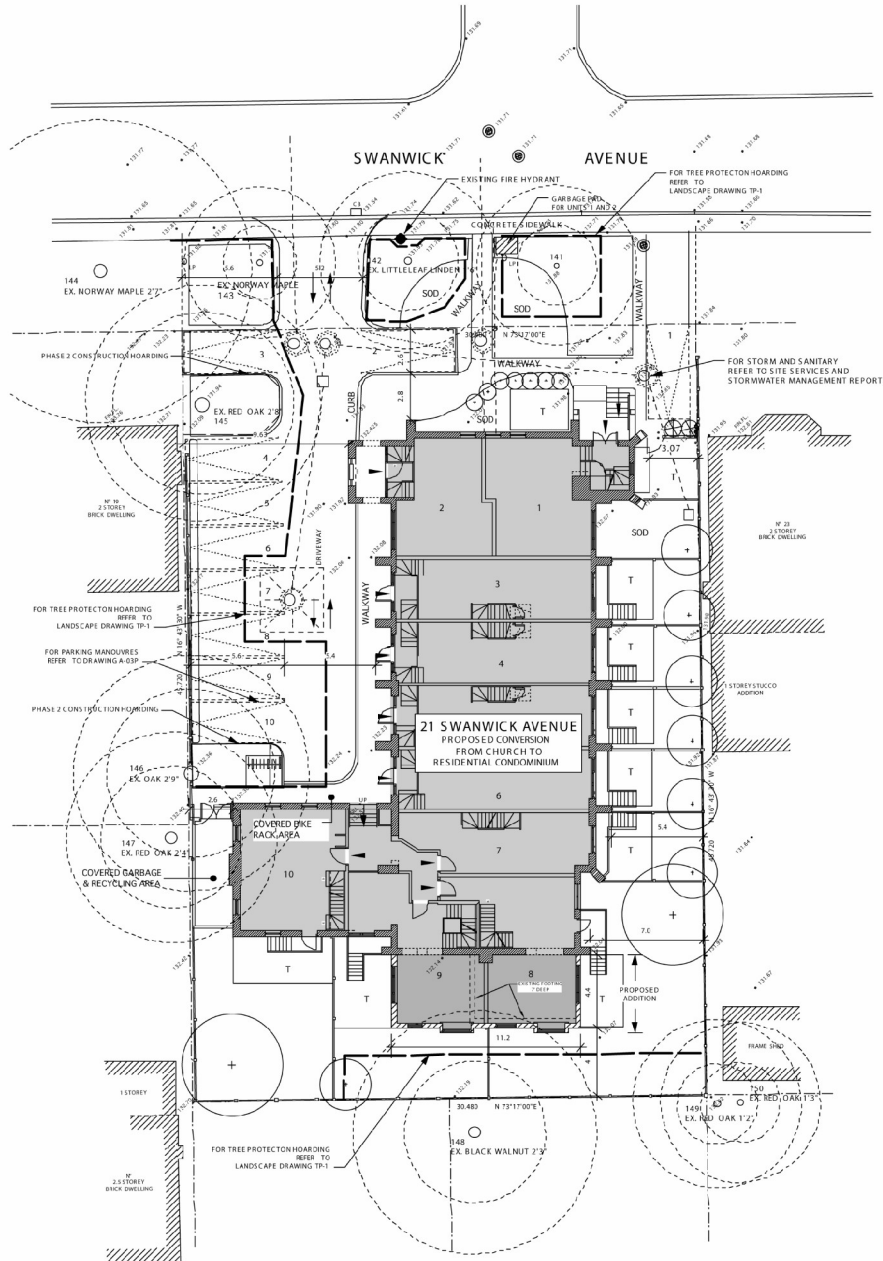
Raymond David, Acting Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: North Elevation
- Attachment 3: South Elevation
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- 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



## Site Plan

## 21 Swanwick Avenue

Applicant's Submitted Drawing

Not to Scale 

File # 07\_254834



## Attachment 2: North Elevation



NORTH EXISTING



NORTH PROPOSED

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### North Elevations

Applicant's Submitted Drawing

Not to Scale  
05/16/03

21 Swanwick Avenue

File # 07\_254834

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### Attachment 3: South Elevation



SOUTH EXISTING



SOUTH PROPOSED

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## South Elevations

Applicant's Submitted Drawing

Not to Scale  
05/16/03

## 21 Swanwick Avenue

File # 07\_254834

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## Attachment 4: East Elevation



EAST EXISTING



EAST PROPOSED

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### East Elevations

Applicant's Submitted Drawing

Not to Scale  
05/16/03

21 Swanwick Avenue

File # 07\_254834

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## Attachment 5: West Elevation



WEST EXISTING



WEST PROPOSED

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### West Elevations

Applicant's Submitted Drawing

Not to Scale  
05/16/03

21 Swanwick Avenue

File # 07\_254834

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# Attachment 6: Zoning



21 Swanwick Avenue

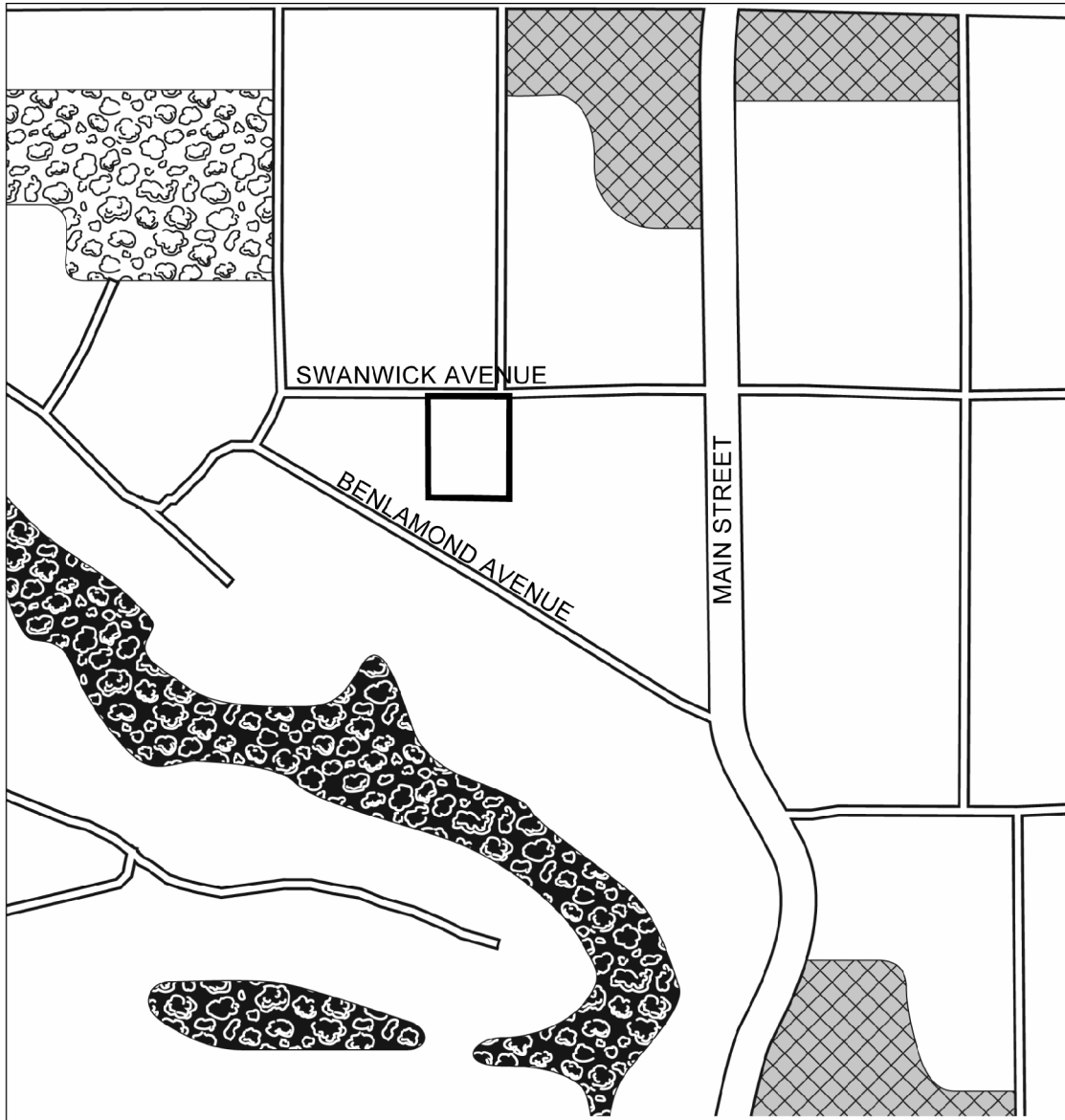
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- G Parks District
- R1 Residential District
- R1S Residential District
- R4 Residential District
- R4A Residential District
- CR Mixed-Use District



Not to Scale  
 Zoning By-law 438-86 as amended  
 Extracted 05/16/08 - EM

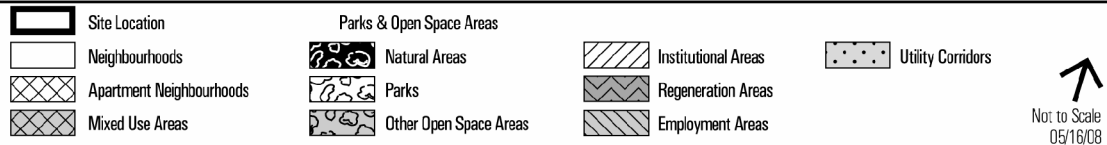
## Attachment 7: Official Plan



**TORONTO** City Planning Division  
**Official Plan**

**21 Swanwick Avenue**

File # 07\_254834



### Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	07-254834 STE 32 OZ
Details	OPA & Rezoning, Standard	Application Date:	August 21, 2007

Municipal Address: 21 SWANWICK AVE, TORONTO ON M4E 1Z2  
 Location Description: PL 635 BLK 9 LTS 2 & 3 PT LT20 RP 63R4380 PT 1 \*\*GRID S3205  
 Project Description: Proposal to convert existing place of worship into 10 row-houses. See SPA - 07 254821

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Bernard H. Watt Architect			1625568 Ontario Limited

#### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	NA
Zoning:	R2 Z0.6	Historical Status:	Y
Height Limit (m):	10	Site Plan Control Area:	Y

#### PROJECT INFORMATION

Site Area (sq. m):	1393.55	Height:	Storeys:	3
Frontage (m):	30.48		Metres:	15.7
Depth (m):	45.72			
Total Ground Floor Area (sq. m):	518.4			<b>Total</b>
Total Residential GFA (sq. m):	1648.3		Parking Spaces:	10
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	1648.3			
Lot Coverage Ratio (%):	37			
Floor Space Index:	1.18			

#### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	6
3 + Bedroom:	4
Total Units:	10

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

		Above Grade	Below Grade
Residential GFA (sq. m):	1648.3	1648.3	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

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

**Attachment 9: Draft Official Plan Amendment**

Authority: Toronto and East York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2008**

**To adopt an amendment to the Official Plan  
respecting the lands municipally known as,  
21 Swanwick Avenue**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS the Council for the City of Toronto, at its meeting of ~ 20~, determined to amend the Official Plan for the City of Toronto adopted by By-law No. 1082-2002; 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 text and map annexed hereto as Attachment “A” are hereby adopted as amendments to the Official Plan for the City of Toronto.
2. This is Official Plan Amendment No. 55.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

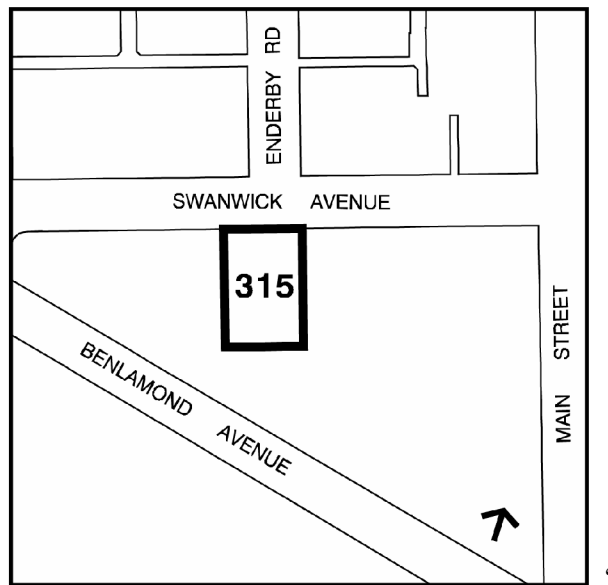


**ATTACHMENT “A”**  
**OFFICIAL PLAN AMENDMENT NO. 55**  
**TO THE CITY OF TORONTO OFFICIAL PLAN**

1. The Official Plan of the City of Toronto is amended as follows:
  - (a) Chapter 7, Site and Area Specific Policies, is amended by adding the following Site and Area Specific Policy No. 315 for the lands known municipally in 2008 as 21 Swanwick Avenue, as follows:

**“315. 21 Swanwick Avenue**

A building containing a total of 10 dwelling units is permitted.



- (b) Map 32, Site and Area Specifics Policies, is amended for the lands known municipally in 2008 as 21 Swanwick Avenue shown on the map above as Site and Area Specific Policy No. 315.

## Attachment 10: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. ~, as amended,  
With respect to the lands municipally known as,  
21 Swanwick Avenue**

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(4)(c)(ii), Section 6(3) Part I, Section 6(3) Part II, Section 6(3) Part III and Section 6(3) Part IV 1.(e) 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 and to prohibit certain buildings and structures in various areas of the City of Toronto”, shall apply to prevent the erection and use of a residential building on the *lot* provided:
  - (1) the *lot* consists of those lands delineated by the heavy lines on Map 1 attached to and forming part of this By-law,
  - (2) no portion of any building or structure to be erected or used on the *lot* shall extend beyond the lines delineated by the heavy lines on Map 2 attached to and forming part of this by-law.
  - (3) despite subsection (2) herein, eaves and cornices shall be permitted to project no more than 0.45 metres beyond the heavy lines on Map 2;
  - (4) The *height* of the building on the *lot* shall not exceed the maximum *height* permitted as indicated by the letter “H” as shown on Map 2 attached to and forming part of this By-law;

- (5) despite subsection (4) herein, fences, safety railings, or privacy screens shall be permitted to project beyond the *height* permitted provided the *height* of the fence, safety railing or privacy fence does not exceed 2.0 metres.
  - (6) a maximum of 10 dwelling units shall be permitted on the *lot*;
  - (7) the maximum *residential gross floor area* of the building on the *lot* shall not exceed 1,650 square metres;
  - (8) a minimum of 10 *parking spaces* shall be provided;
  - (9) ingress and egress to and from the parking facility shall be provided by unobstructed driveways or passageways providing access to a public highway and having a minimum width of 4.3 metres for two-way operation; and
  - (10) the existing church building shall be maintained in accordance with the provisions of a Heritage Easement Agreement between the City of Toronto and the owner of the *lot* pursuant to the *Ontario Heritage Act*.
2. For the purposes of this by-law all words, terms and phrases appearing in italics shall have the same meaning as they have for the purposes of the aforesaid By-law No. 438-86, as amended, except as herein provided.
  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.

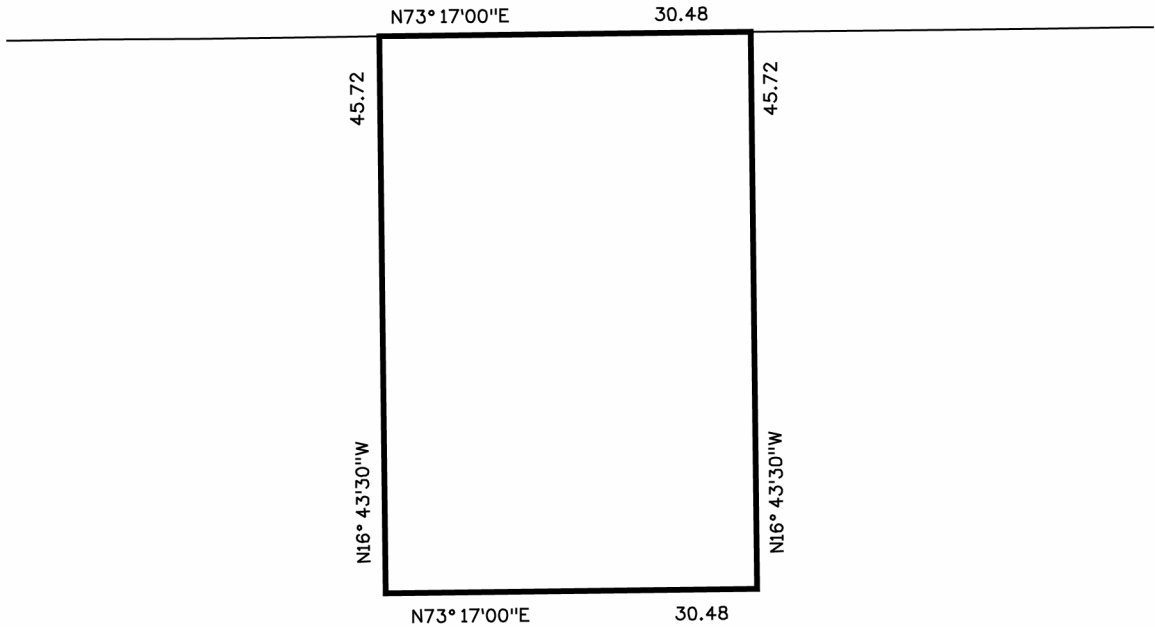
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

SWANWICK AVENUE



NOTE:  
Bearings and Dimensions taken from a Surveyor's Real Property Report  
(REF No.07-6726) Submitted by DONALD E. ROBERTS., OLS  
(All Dimensions are in Metres)



