

**2 Eastern Avenue and 90 Trinity Street - Official Plan Amendment and Zoning Application– Final Report**

<b>Date:</b>	March 4, 2008
<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>	07 227124 STE 28 OZ

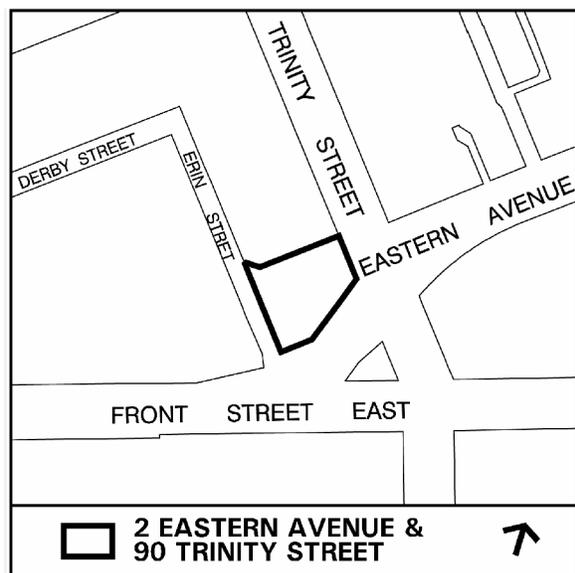
**SUMMARY**

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.

This application proposes to demolish the existing one-storey commercial building at 2 Eastern Avenue and 90 Trinity Street to facilitate the development of an eight-storey (30 metre high) mixed-use building consisting of 61 residential condominium units and one retail unit at-grade. The total gross floor area for the proposed development is 5,980 square metres, creating an overall site density of 5.27 times the lot area.

The proposed eight-storey building represents a built form, massing and materiality that is appropriate and will result in an important redevelopment of an under-utilized parcel in King-Parliament on a view terminus.

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



## **RECOMMENDATIONS**

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### **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. 10.
2. City Council amend the Zoning By-law substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11.
3. City Council authorize the City Solicitor, in consultation with the Chief Planner and Executive Director of City Planning, to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the applicant to resolve any outstanding concerns with the City's Technical Services Division, including, but not limited to:
  - a. ramp slope requirements;
  - b. loading space requirements;
  - c. calculations for water demand analysis with hydrant testing; and
  - d. any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades to such infrastructure is required to support the development.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

In December 2005, an application was submitted to the Toronto and East York Committee of Adjustment for the subject property. The property owner at the time was seeking relief from the provisions of the Zoning By-law 438-86, to construct a two-storey addition to the northwest elevation, a 2nd floor addition over the existing ground floor and interior alterations to convert the building from a rental/sale garage to an auto service & repair facility. The application was withdrawn in early 2006 prior to being heard by the Committee of Adjustment.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant, Goldero Properties, is proposing to demolish the existing commercial building and develop an eight-storey (30 metre high) mixed-use building consisting of 61 residential units and one retail unit at-grade. The total gross floor area for the proposed

development is 5,980 square metres, creating an overall site density of 5.27 times the lot area. The building has a rounded façade along the Trinity Street and Eastern Avenue frontages, a wrapped mechanical penthouse and a gradual stepback from zero to three metres above the sixth floor along the Eastern Avenue frontage.

The proposed unit breakdown consists of 6 bachelor units, 24 one-bedroom units, 30 one-bedroom plus den or two-bedroom units, and 1 two-bedroom plus den unit. The proposal provides a total of 32 resident parking spaces in two levels of underground parking, as well as three visitor parking spaces, one car-share parking space and one type 'G' loading space at grade. Access to parking and loading is on the west side of the building from Erin Street, opposite the existing access to the 51 Division police station to the west. A total of 37 resident bike parking spaces either at-grade or one level below grade, and 10 visitor bike parking spaces at-grade, are proposed.

The original application submitted in June 2007 consisted of a six-storey mixed-use building with 45 dwelling units, one retail unit at-grade, one level of underground parking with 22 parking spaces and no loading spaces.

Refer to the Attachment No. 1 for the proposal's site plan, Attachment Nos. 2-5 for elevation drawings and Attachment No. 9 for the application data sheet.

## **Site and Surrounding Area**

The lands are located on the north side of Eastern Avenue between Erin Street and Trinity Street, directly north of the traffic island that separates Eastern Avenue from Front Street East (see context map on page 1). The property is flat, irregular in shape and approximately 0.11 hectares (0.28 acres) in area. It is currently occupied by a commercial building (formerly the Downtown Kia car dealership), with the balance of the site consisting of surface parking.

North: North of the site is a three-and-a half storey apartment building fronting Trinity Street with surface parking at the rear accessed from Erin Street. Further north are the Enoch Turner Schoolhouse (built in 1848) on Trinity Street and Little Trinity Anglican Church (built in 1843), fronting on Queen Street East.

East: On the east side of Trinity Street fronting Eastern Avenue is a two-storey office building surrounded by surface parking. To the north, on the east side of Trinity Street are predominately two-storey attached dwellings. Further east, along Eastern Avenue are a mix of two and three-storey commercial buildings.

South: To the south of these lands is the West Don Lands Precinct that is slated for mixed-use development. Southeast of Eastern Avenue and Trinity Street at 45 Eastern Avenue are two automobile dealerships, one recently completed (Infiniti - January 2009) and the other (Volkswagen) approved and not yet under construction. On the south side of Front Street East is an existing automobile

sales establishment, then the Distillery District located one block south of Front Street East at the terminus of Trinity Street at Mill Street.

West: On the lands west of Erin Street is the 51 Division police station. An existing access to the police station vehicle compound approximately aligns with the proposed driveway entrance location for the proposed building.

## **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. City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The properties are located within the "Downtown and Central Waterfront" area on Map 2 - Urban Structure and are designated "Mixed-Use Areas" on Map 18 - Land Use Plan. Attachment 6 provides an excerpt of the Official Plan designation for this and surrounding properties. The Mixed Use Areas designation permits a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. This application was reviewed against the policies in the Official Plan, particularly the following:

- Section 2.2.1 (Downtown): a full range of housing opportunities will be encouraged through residential intensification in the *Mixed Use Areas* of *Downtown*;
- Section 3.1.1 (Public Realm): quality architectural, landscape and urban design will be promoted; sidewalks will be designed to provide safe, attractive and comfortable spaces for pedestrians;
- Section 3.1.2 (Built Form): new development will be located and organized to frame and support adjacent streets; new development will locate parking, access, and servicing to minimize their impact on surrounding properties and to improve the safety and attractiveness of adjacent streets;
- Section 4.5.2 (Mixed Use Areas): new development in Mixed Use Areas will:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale... through means such as providing appropriate setbacks and/or a stepping down of heights;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians ;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Toronto Official Plan is available on the City's website at:

[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

### **King-Parliament Secondary Plan and Community Improvement Plan**

The proposed development is also subject to policies and principles contained within the King-Parliament Secondary Plan and specifically, Section 9.2, policies for the Mixed-Use Area 'A' (Corktown). This section stipulates that a change of use on a lot from industrial or light industrial to residential is permitted, provided that the development meets the following criteria:

- in the case of the erection and use of a new building, the building does not exceed the height limit;
- the proposal achieves a high quality living environment;
- in the case of new buildings, the design, massing and scale of the proposal is consistent with and reinforces the physical character of the area, including its heritage character; and
- the amount of parking and loading and their sitting is satisfactory.

The proposed development was also reviewed with reference to the Major Objective in the Secondary Plan, as well as the sections on Urban Structure and Built Form and Pedestrian Environment, Transportation and Parking. Attachment 7 provides Map 15-1, Land Use Plan, from the Secondary Plan.

The King-Parliament Secondary Plan is available on the City's website at:

[www.toronto.ca/planning/official\\_plan/pdf\\_secondary/15\\_king\\_parliament\\_june2006.pdf](http://www.toronto.ca/planning/official_plan/pdf_secondary/15_king_parliament_june2006.pdf)

The King-Parliament Community Improvement Plan provides several themes for redevelopment and reinvestment within the King-Parliament area, particularly with respect to improving physical identity and pedestrian amenity through place-building. The intersection of Trinity Street with Eastern Avenue and Front Street East, including

the traffic island has been identified as ‘Place’ for potential civic improvements. This Plan was reviewed as part of the assessment of this application.

## **King Parliament Urban Design Guidelines**

Urban Design Guidelines for development within the King-Parliament Secondary Plan area were adopted by City Council in June 2004. Recommendations for the Corktown Mixed Use Area speak to new development:

- reinforcing the scale and continuity of street wall enclosure along the street;
- respecting the historical and urban design significance of the area; and
- providing landscape plans containing a majority of soft surfaces.

The King-Parliament Urban Design Guidelines are available on the City's website at: <http://www.toronto.ca/planning/urbdesign/pdf/14kingparliament.pdf>

## **Zoning**

Under the former City of Toronto Zoning By-law 438-86, as amended, the site is zoned I1 D3, an industrial zone, which permits a number of industrial uses, as well as other complementary non-residential uses, developed to a density of three times the area of the lot. Attachment 8 provides an excerpt of the zoning map for the site and immediate area.

The height limit for the property is 12 metres plus 5 metres for a mechanical penthouse to a total of 17 metres. The applicant seeks to amend the existing zoning permissions to permit the proposed mixed-use development.

## **Site Plan Control**

The proposed development is subject to site plan control. An application for site plan control (File No. 07 227132 STE 28 SA) was submitted concurrently with the Official Plan and Zoning Amendment application. It is expected that this application will proceed to Notice of Approval Conditions shortly after Council's consideration of this report and subsequent enactment of the amendments to the Official Plan and Zoning Bylaw.

## **Reasons for Application**

The applicant seeks to amend the Official Plan, specifically sub-section 9.2 of the King-Parliament Secondary Plan, as the proposed development exceeds the permitted height, whereas the Mixed-Use Area ‘A’ (Corktown) section stipulates that the erection and use of a new building is not to exceed the height limit.

In addition, the proposal does not comply with Zoning By-law 438-86, as amended, for the following reasons:

- the mixed-use (residential/commercial) building is not permitted under the existing I1 D3 (Industrial) zoning;
- the eight-storey (30 metre, including mechanical) height exceeds the height permission of 12 metres plus a 5 metre mechanical penthouse;
- the proposed density of 5.27 exceeds the 3.0 limit (for industrial uses);

- a minimum setback of 3 metres to a lot within an R district is required, whereas the applicant is seeking a 0.42 metre setback to the north property line; and
- an upper level stepback of 3 metres above 20 metres in height is required, whereas the applicant is proposing a gradual stepback above the sixth storey (21 metres) along the Eastern Avenue frontage, whereby the stepback starts at zero metres at the southeast corner of the building and increases to 3 metres at the southwest corner, above 21 metres. (See elevation drawings in Attachments 2, 3 and 5 for graphic representation of the stepback from the south, east and west, respectively.)

## **Community Consultation**

The first community consultation meeting on this application was held on October 25, 2007 to discuss the original six-storey proposal. There were approximately 10 members of the public in attendance, all of whom were generally supportive of the exterior building design, the six-storey built-form, and the location of access/loading off of Erin Street. Concerns raised were more focused on the potential environmental elements that would be incorporated into the project and the potential for either the normalization (i.e. straightening) or signalization of the Eastern Avenue and Trinity Street intersection.

With the revision of the application in November 2008 from a six-storey to an eight-storey building, staff deemed it necessary to return to the community to solicit comment on the increased height and density. A second community consultation meeting on the project was thus held on February 4, 2009. Approximately 10 residents attended this meeting and the general sentiment was one of support for the revised proposal, based on: the building's proposed step-down transition at the northeast corner along the Trinity Street frontage, the bump-out of the building at the northwest corner, the rounded building treatment, the unique mix of building materials, and the revitalization of the derelict site. Questions and concerns raised included:

- location of garbage disposal facilities;
- depth of the second floor terrace;
- noise attenuation and activity restrictions on the terrace;
- shadowing on the rear yards of the apartment complex to the north;
- expected number and size of units;
- suitability of parking provisions;
- vehicular egress from Erin Street to Eastern Avenue;
- details of car-sharing facility;
- type of retail use;
- impact of the reduced setback to the north; and
- articulation of the north façade beyond the depth of the apartment building to the north.

Each of these questions and concerns were addressed to the satisfaction of the residents at the meeting. One resident spoke in opposition to the project and also submitted a letter further expressing their concerns, namely: the height being excessive and out of character with the area to the north, east and west and the reduced north side yard setback of 0.42 metres creating adverse impacts on privacy and light to the apartment complex to the

north. The letter mentions support for a mixed use proposal, but that it needs to be scaled down.

### **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**

The proposal is consistent with the PPS, as it provides for residential intensification and redevelopment of an under-utilized property in an identified settlement area. It contributes a range of uses in an area serviced by existing infrastructure, including transit.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It provides for an infill development in an identified urban growth centre and will contribute to the area's emergence as a 'complete community' featuring residential, commercial and employment uses within walking distance. The proposed building helps to further establish the area as a compact, mixed-use, transit-supportive and pedestrian-friendly neighbourhood.

### **Land Use**

The subject property is designated Mixed Use Areas and zoned I1 D3 (Industrial). The mixed use designation supports the proposed residential and commercial uses and the applicant proposes to change the zoning to a mixed use zone. The King-Parliament Secondary Plan allows for changes in use from industrial to residential only when an application: does not exceed the height limit; achieves a high quality living environment; provides a design, massing and scale which is consistent with and reinforces the physical character of the area, including its heritage character; and contains a satisfactory supply of parking and loading for which the siting is satisfactory. Staff think that the criteria for this application have been met and the change in use is warranted. The industrial zoning is remnant of the industrial character of the Corktown area, but is not indicative of the emerging character of the neighbourhood. Much of area's zoning is now residential or mixed use, including the entire area to the south, scheduled to be developed as the mixed-use community of the West Don Lands.

The proposed building height of 30 metres does exceed the permitted height limit of 12 metres (plus 5 metres mechanical) at 30 metres. However, because of its location at an intersection of two major streets (Front Street East and Eastern Avenue), with the right-of-way width of almost 50 metres, the increased height can be supported. Furthermore, the built form provides a step-back at the seventh and eighth storeys, similar to that required for the West Don Lands to the south, creating a streetscape appearance that will be similar on both sides of the street. The building also creates a step-down to 15 metres on the Trinity Street frontage helping to create a transition from the 30 metre building down

to the lower scale 12 metre height limit for the rest of Trinity Street. The design of the building with its mixture of materials, including red-brick and different tones of metal, is consistent with and respectful of the heritage and warehouse character of the area. Finally, staff in Technical Services have confirmed that the proposed underground resident parking is satisfactory. Planning staff are confident that the concerns associated with the location of the loading space can be overcome and that it too will be satisfactory, to meet the criteria of the Secondary Plan for a change in use.

### **Density, Height, Massing**

The overall gross floor area of the proposed development is 5,980 square meters, or 5.27 times the area of the lot. Given its location on a corner lot, framed by three streets (Trinity Street, Eastern Avenue and Erin Street) thereby reducing neighbouring property impacts, the proposed density is appropriate. The 30 metre building includes a wrapped mechanical penthouse, a rounded southeast façade and a built form that is in-keeping with the proposed built-form on Development Blocks 1 and 2 of the West Don Lands on the south side of Front Street East. The proposal contains adequate upper-level stepbacks along Eastern Avenue and a step-down along Trinity Street that help to minimize its impacts on the streetscape and the residential area to the north. The property is in a unique location on a lot which acts as a terminus for westbound vehicular and pedestrian traffic along Eastern Avenue. The widened right of way width to the south of the site, as a result of the intersection of Trinity Street, Front Street East and Eastern Avenue, provides further justification for the increase in height and density. The rounded massing, as well as the interplay of materials in the facades lends itself to this terminus location and wide right of way and helps to create visual appeal from all directions, particularly the east and south.

### **Sun, Shadow, Wind**

In the redesign of the proposal which resulted in the November 2008 re-submission, the applicant focused on the reduction of skyview, light and shadow impacts. The entire northwest quadrant of the building has thus been removed above the second floor to minimize shadowing on the rear yard of the apartments to the north, particularly during the late morning and mid-day periods throughout the year. This modification to the built form will also help to improve skyview conditions and access to light for the rear yard and rear windows of these residential units to the north.

Concern was raised at the second public consultation meeting regarding the early morning shadow impacts from the proposed building on the rear yards of the townhouse apartments to the north. It was noted that there are two mitigating factors: the first being the shadow effects of the existing apartments and their impact on morning sunlight to the rear yards and the second that an as-of-right 12 metre building would still create a similar shadow impact on the rear yards of the building to the north.

The applicant has proposed continuous weather protection with a minimum depth of two metres in the form of a canopy along the Trinity Street and Eastern Avenue frontages, which will help to reduce wind impacts on the realm. The requirement for this canopy has been included in the site specific zoning bylaw for the site.

## **Traffic Impact, Access, Parking/Loading**

A Traffic Impact Study was prepared for the site by MMM Group in March 2007, with an update for the revised 8-storey proposal submitted in November 2008. Both the study and update conclude that the traffic generated by the proposed development can be accommodated by the existing road network with little impact to roadway or intersection operations. The City's Transportation Services staff have reviewed both submissions and concur with the conclusions on traffic impacts. It is anticipated that the proposed signalization of the intersection at Trinity Street and Eastern Avenue would enhance access conditions for the site off of Erin Street, by reducing speeds along Eastern Avenue and creating intermittent stops to facilitate left ins, left outs, and right outs for the site. It should be noted that in response to a question raised at the first community consultation meeting regarding the potential normalization of the Eastern Avenue/Trinity Street intersection, this is not a component of this development. The normalization has been designed through the West Don Lands Precinct Plan and will be implemented through public realm improvements associated with the phasing of development for this area. It will involve the removal of the right turn channel along Front Street East and a continuous landscaped open space area, to be called Trinity Square.

The vehicular access to the parking and loading areas of the building is proposed along the western edge of the site off of Erin Avenue. This street provides vehicular access to the existing residential building to the north, as well as the police station to the west. The siting of access from this point also meets several of the City's Official Plan policies with respect to consolidating accesses, locating parking and loading at the rear of buildings using existing streets/lanes, eliminating curb cuts and enhancing the safety of the public realm by reducing potential vehicle/pedestrian conflicts.

One auto-share space is proposed as part of the project, which will help to off-set the reduced parking ratios for the development. Transportation Services staff have indicated that the proposed parking supply, including the car-share space is acceptable in principle. An area of concern is the proposed layout of the car-share space and the three visitor parking spaces adjacent to the loading space. This layout has been deemed unacceptable by Technical Services staff, as it means that these parking spaces will be blocked during loading activities. Planning staff are therefore recommending in this report that the Bill for Official Plan and Zoning Bylaw amendments for this development not proceed to enactment until a solution has been found to the satisfaction of Technical Services staff.

## **Servicing**

Technical Services staff have reviewed the Municipal Servicing Assessment and Stormwater Management Report prepared by Marshall Macklin Monaghan in June 2007. They have recommended that as a condition of the Official Plan amendment and zoning bylaw that the owner is required to: provide for any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades to such infrastructure is required to support the development. This has been added as a condition to be fulfilled prior to enactment of the amendments to the Official Plan and Zoning Bylaw.

Staff in Technical Services have also identified one outstanding issue regarding the calculation of the water demand analysis with hydrant testing and that it should be conducted in accordance with the Fire Underwriter's Survey. City planning staff have recommended approval of the development, on condition that the Technical Services issues be resolved prior to the enactment of the Official Plan amendment and zoning bylaw.

### **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 within an area with 0.0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is therefore in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

Parks, Forestry and Recreation staff have advised that the development site is subject to the alternative parkland dedication. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.084 hectares (840m<sup>2</sup>). However, a cap of 10% applies and hence the parkland dedication for the residential component of the development would be 0.01134 hectares (113.4m<sup>2</sup>). The non residential component of the development is less than 1000m<sup>2</sup>, therefore exempt from the parkland dedication requirements under section 165-7 of the Municipal Code.

The on-site parkland dedication requirement would not be of a useable size and would be encumbered by an underground garage; therefore the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. Planning staff recommend that the cash-in-lieu dedication in excess of 5% be directed to park improvements in the immediate area of the proposed development, in consultation with the Ward Councillor.

### **Residential Amenity Space**

The Zoning Bylaw (438-86) requires 122 square meters of indoor and outdoor amenity space for a total of 244 square meters. The proposed development provides 105 square meters of indoor and 140 square meters of outdoor, for a total of 245 square meters. The space is provided in the form of second floor amenity rooms connected to the outdoor terrace at the northwest corner of the building. Further indoor amenity is provided in a lounge area adjacent to the residential pedestrian entrance on the ground floor. Staff find the proposal acceptable, given that it meets the total required amenity space.

### **Streetscape**

The proposed development provides several features which will contribute to a significant enhancement of the local streetscape. The proposed pre-finished metal canopy will extend over the entire Eastern Avenue and Trinity Street frontages, creating a nearly two metre wide protective covering from sun, wind and rain. A gradual stepback

up to three metres along the Eastern Avenue frontage above the sixth floor will not only create visual interest from either direction along the street, but will also help to ensure that the street wall of the proposed building reads as a six storey, 21 metre building from a pedestrian perspective. In a similar fashion, the step-down at the northeast corner of the proposed building above the fourth storey at 15 metres, which is achieved through a change in both height and materials, will help to establish the transition for pedestrians from the taller built form along Eastern Avenue to the low-rise, small-scale buildings within the 12 metre height limit along Trinity Street.

Eliminating the existing curb cuts and vehicular accesses along both street frontages will help to improve pedestrian safety and enable the proposed building to provide a continuous built form street edge. This initiative, combined with the placement of the pedestrian entrance at the intersection Trinity Street and Eastern Avenue and the establishment of a retail unit at-grade, will significantly improve the public realm in the vicinity of the building by increasing pedestrian traffic and establishing new sources of animation and 'eyes on the street'.

Planning staff have also been advised by Transportation Services staff that the Trinity Street/Eastern Avenue intersection will be signalized and painted with zebra stripe crosswalks before the end of 2009. This will improve the convenience and safety of pedestrian travel in the area from historic sites in Corktown (Enoch Turner schoolhouse, Little Trinity Church, Bright Street, and St. Paul's Basilica) to the Distillery District to the south, particularly as new residential and retail units are added to the subject property. As well, the addition of street trees to the both the Eastern Avenue and Trinity Street public realms will create shade opportunities along the sidewalk and will contribute to a softening of the predominantly hard surfaces that exist in the area at present.

### **Cycling Infrastructure**

Given the site's proximity to existing bike lanes on Sherbourne Street, Shuter Street, River Street, Queens Quay, the Don Valley trail and the Martin Goodman trail, as well as proposed lanes along Front Street, Adelaide Street and Richmond Street, staff think that the provision of adequate bike parking facilities is a priority.

The applicant is proposing the installation of ten visitor bike parking spaces at grade along the Trinity Street frontage, adjacent to the building entrance, under the weather protection of the canopy. The city will also be installing traditional post and ring racks along the two main frontages of the building within the public right-of-way. Resident bike parking will be in the form of 23 vertical and horizontal spaces in a protected room at grade, directly accessible from the vehicular entrance on Erin Street and the main entrance of the building on Eastern Avenue. The remaining 14 resident parking spaces will be located one level below grade. Staff have included these provisions in the draft zoning bylaw and will ensure that their locations are secured upon review and approval of the Site Plan Control application.

The proposed bicycle parking space layouts meet the City's draft 2008 Guidelines for the Design and Management of Bike Parking Facilities, in particular, the use of weather

protection for visitor spaces, the provision of resident spaces at grade and the use of bike-specific vertical or horizontal racks rather than storage lockers.

## **Transit Infrastructure**

The proposed development is well-serviced by existing surface transit routes along King Street East, Queen Street East, Parliament Street and The Esplanade, as well as being within approximately 1.5 kilometres of the King Subway Station. Furthermore, future plans for the West Don Lands include new streetcar line along Cherry Street and Front Street East, which would enhance transit access to the Downtown core from the subject property.

## **Environment**

Phase 1 and 2 Environmental Site Assessments on the site were conducted by Fisher Environmental and have indicated that the soils exhibit unacceptable levels of Polynuclear Aromatic Hydrocarbons (PAH). The assessments mention that these levels are likely associated with cinders within the fill material imported to the site and/or with the construction/operation of the CN railway tracks which previously occupied the site. The reports recommend that additional boreholes be drilled to assess the full lateral and vertical extent of contamination. This investigation would thus assist in obtaining an accurate evaluation of the extent of PAH-impacted soil that should be removed and disposed of to a Ministry of Environment licensed treatment facility.

## **Noise**

The applicant provided a Noise Control Study, prepared by MMM Group, which found that no new source of stationary noise would be introduced by the proposed development and that there would be no noise impact to adjacent residential uses. This responds to a question raised at the second community consultation meeting regarding the generation of noise from use of the proposed outdoor terrace at the northwest corner of the building. Notwithstanding the consultant's recommendation in the Noise Control Study that noise mitigation is not required, staff will secure a privacy screen for the perimeter of the second floor terrace area at the Site Plan Approval stage, which may also minimize noise disturbance to residents to the north.

## **Toronto Green Standard**

The Toronto Green Standard contains performance targets by which development may be measured to determine its effective sustainability. The Standard has 63 possible green development targets, 5 of which are not applicable to this project as it is not a non-residential building, there are no trees on site and it is not adjacent to a natural area, watercourse or Lake Ontario. A revised Green Standard checklist was submitted by the applicant on March 4, 2009 for the proposed eight-storey building. The checklist indicates that they intend to achieve 43 targets. Noteworthy among the proposed targets to be met include:

- providing a car-share space;
- establishing a quota of bike parking spaces that exceeds the bylaw requirement;

- meeting all the targets for pedestrian infrastructure, including weather protection, integrated routes, appropriate grading, adequate lighting, avoiding pedestrian/vehicular conflicts and eliminating exhaust and air-intake systems along pedestrian routes;
- achieving 75% roof coverage with either a green roof or light coloured materials;
- using passive solar heating in the building design;
- creating a rainwater harvesting system whereby rainwater is collected in the basement and used for irrigation;
- providing energy and water efficient fixtures and appliances; and
- utilizing the Bird-Friendly Guidelines in the design of the building and not creating upward light at night.

### **Development Charges**

It is estimated that the development charges for this project will be \$433,949. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **Conclusion**

City Planning is supportive of the proposed Official Plan and Zoning Bylaw amendments. This proposal represents an appropriate intensification of an under-utilized site in King-Parliament that can accommodate the increased height and density due to, amongst other considerations, its adjacency to a wider than normal right of way. Through modifications to the built-form, the applicant is proposing a building that is compatible with surrounding buildings and which provides a significantly enhanced streetscape and architectural character.

## **CONTACT**

Willie Macrae, Planner  
Tel. No. 416-392-7572  
Fax No. 416-392-1330  
E-mail: wmacrae@toronto.ca

## **SIGNATURE**

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

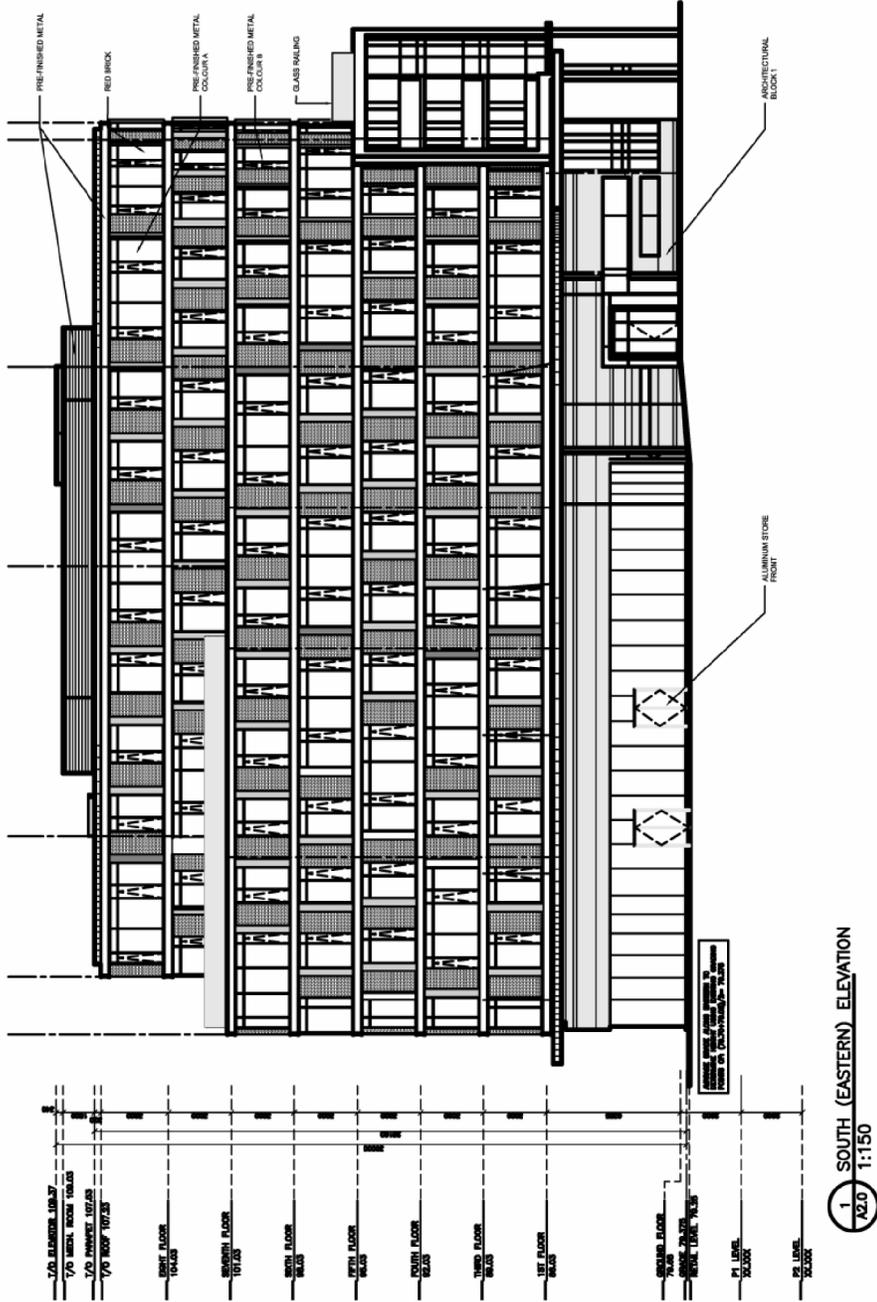
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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: South Elevation  
Attachment 3: East Elevation  
Attachment 4: North Elevation  
Attachment 5: West Elevation  
Attachment 6: Official Plan Designation  
Attachment 7: King-Parliament Secondary Plan Map  
Attachment 8: Zoning  
Attachment 9: Application Data Sheet  
Attachment 10: Draft Official Plan Amendment  
Attachment 11: Draft Zoning By-law Amendment



# Attachment 2: South Elevation



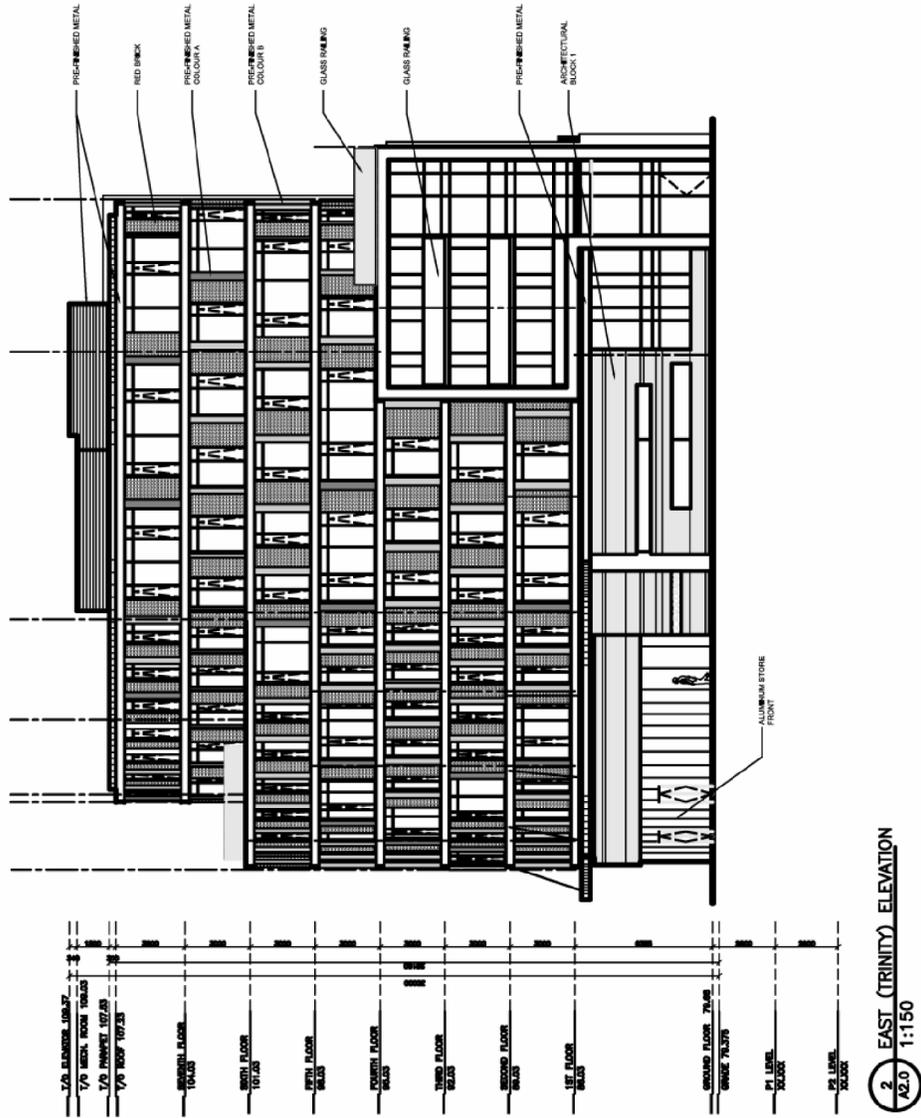
2 Eastern Avenue and 90 Trinity Street

**South Elevation**  
 Applicant's Submitted Drawing

File # 07\_227124

Not to Scale  
 02/23/09

### Attachment 3: East Elevation



2 Eastern Avenue and 90 Trinity Street

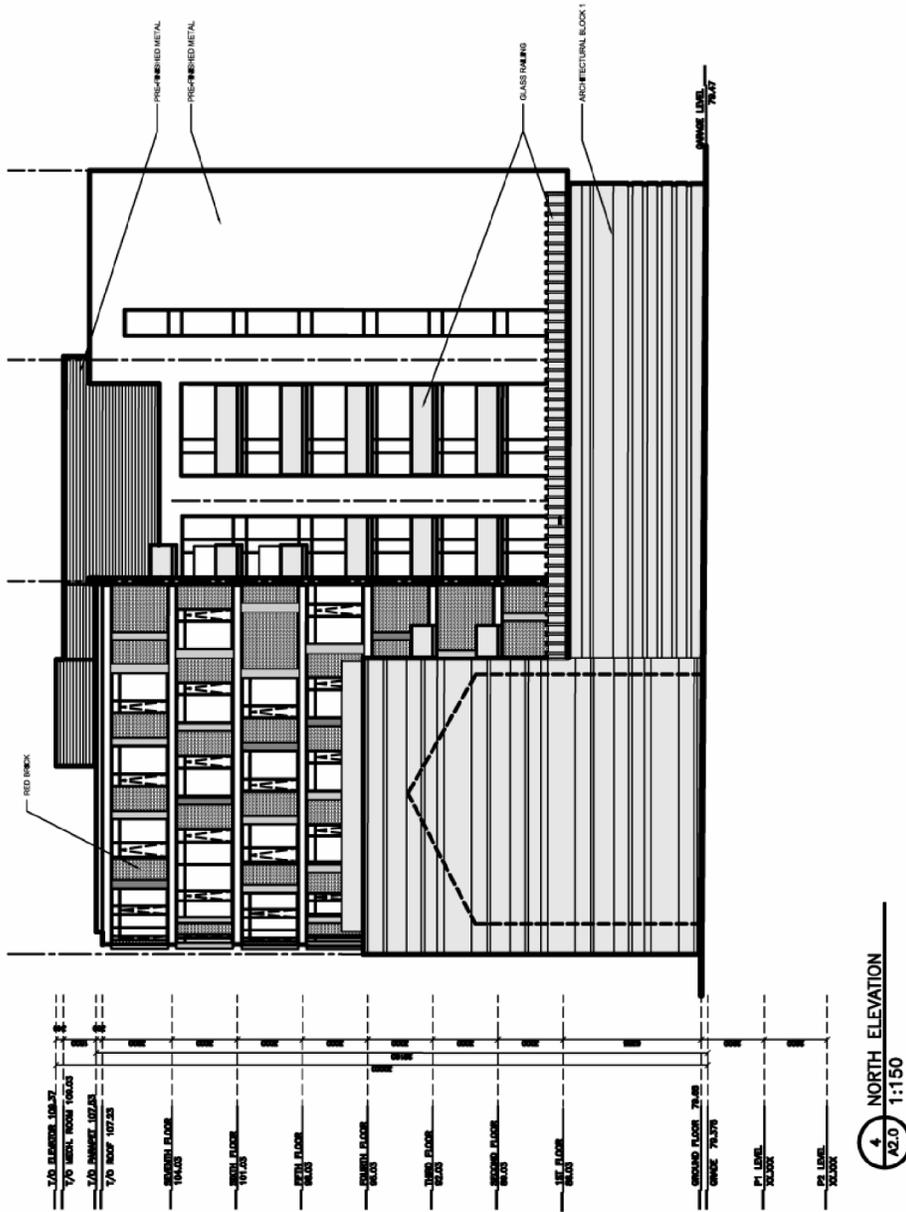
File # 07\_227124

East Elevation

Applicant's Submitted Drawing

Not to Scale  
02/23/09

Attachment 4: North Elevation



2 Eastern Avenue and 90 Trinity Street

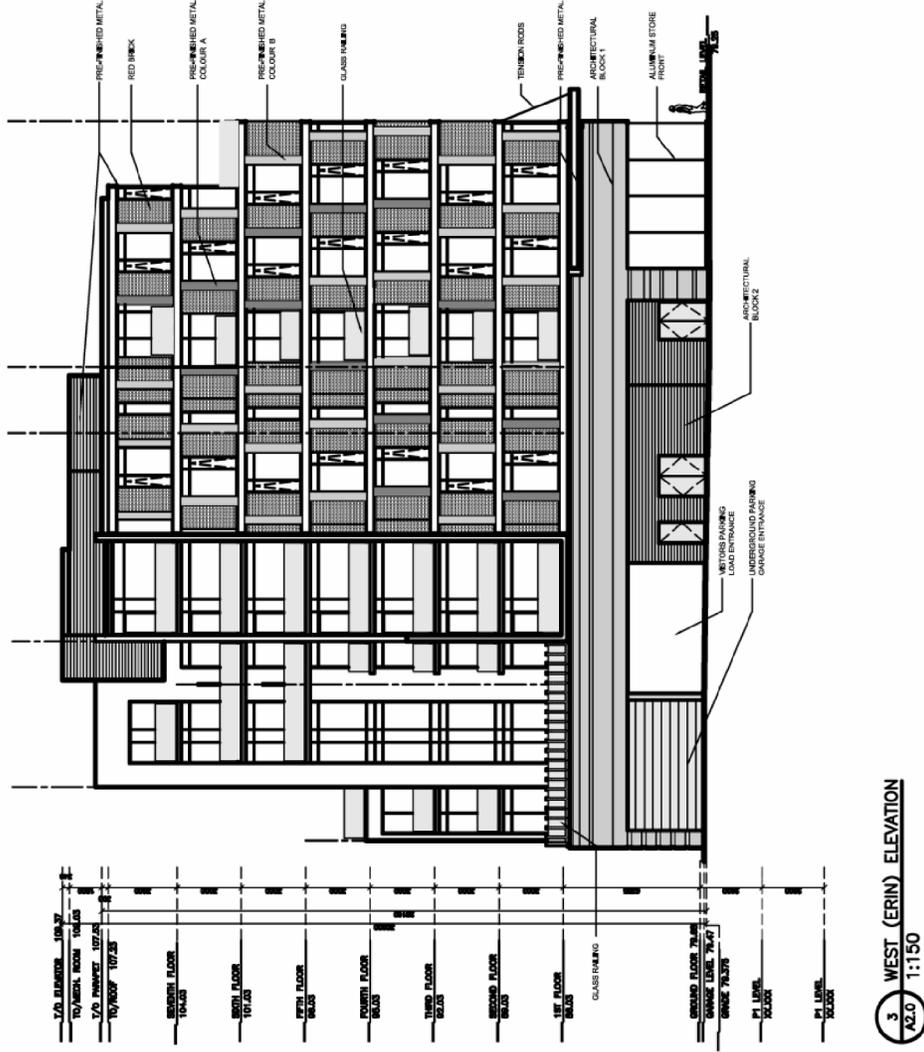
File # 07\_227124

North Elevation

Applicant's Submitted Drawing

Not to Scale  
02/23/09

Attachment 5: West Elevation



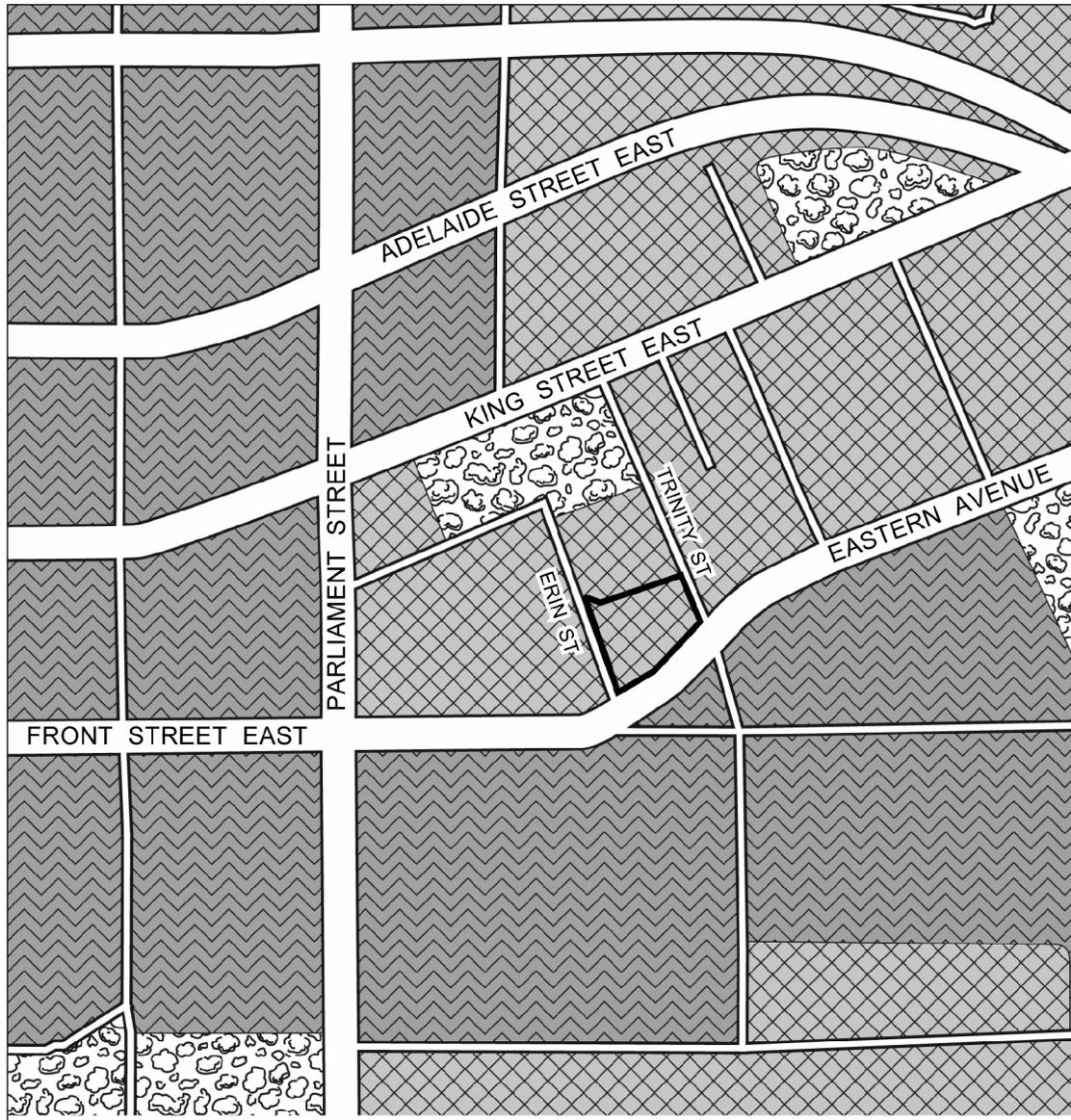
2 Eastern Avenue and 90 Trinity Street

File # 07\_227124

3 WEST (ERIN) ELEVATION  
A2.0 1:150

West Elevation  
Applicant's Submitted Drawing  
Not to Scale  
02/23/09

## Attachment 6: Official Plan



**Toronto** City Planning  
Official Plan

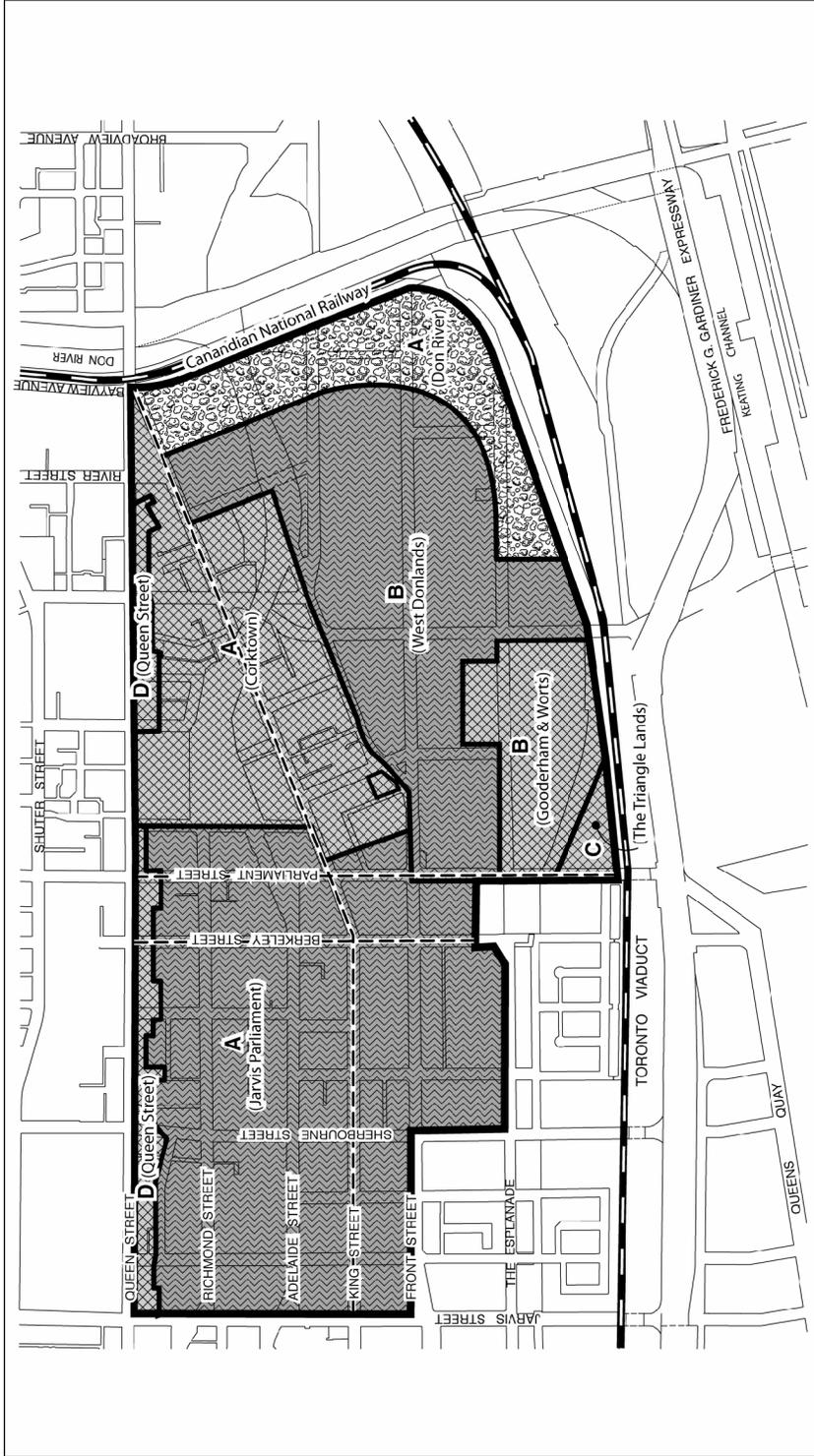
2 Eastern Avenue & 90 Trinity Street

File # 07\_227124



  
Not to Scale  
02/19/09

# Attachment 7: King-Parliament Secondary Plan



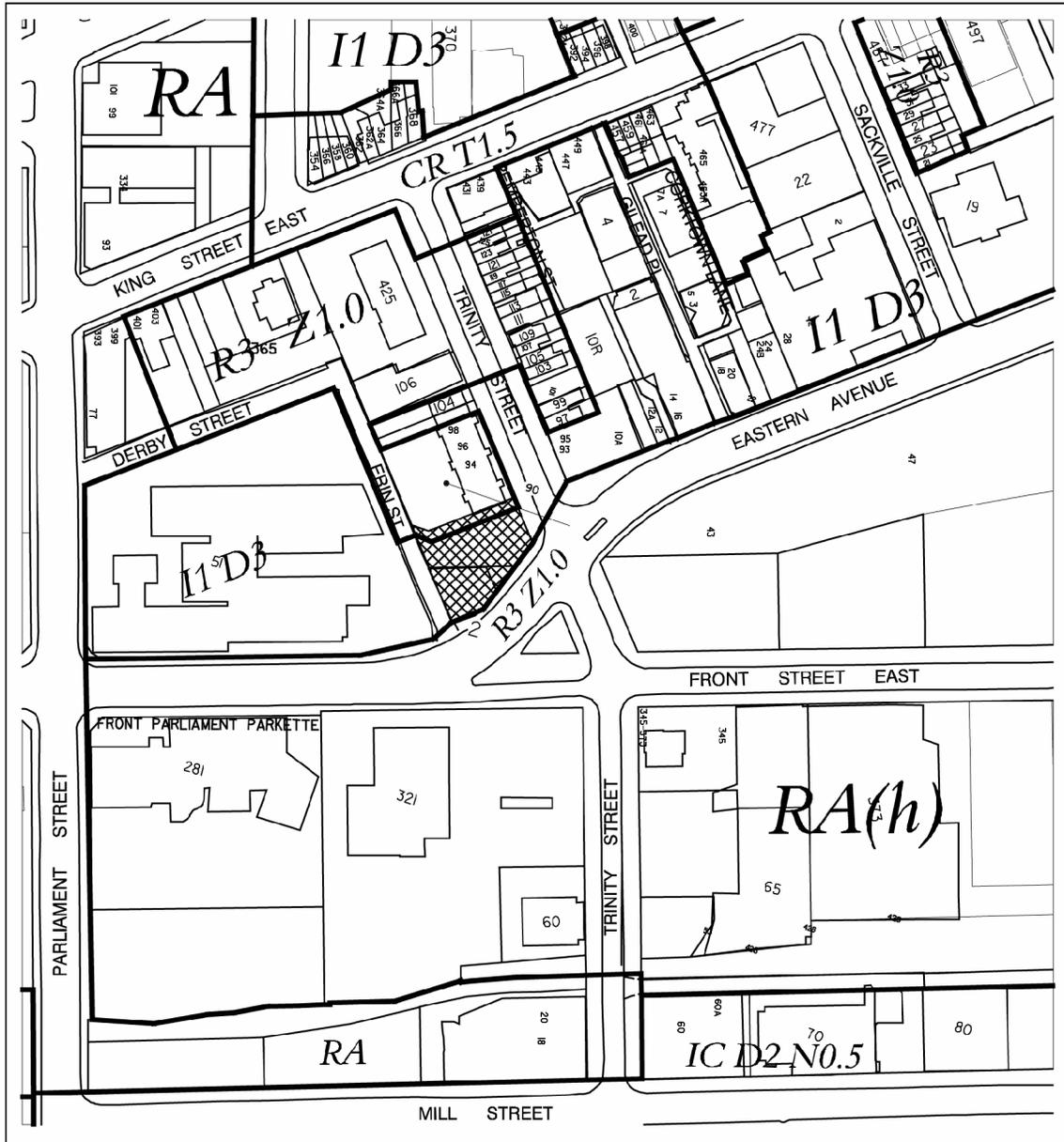
**Toronto** City Planning  
**King-Parliament Secondary Plan**  
 MAP 15-1 Land Use Plan

**2 Eastern Avenue and  
 90 Trinity Street**  
 File # 07\_227124

	Site Location		Utility Corridors
	Secondary Plan Boundary		Parks and Open Space Areas
	Mixed Use Areas		Special Streets
	Regeneration Areas		

Note to Scale  
 07/30/07

## Attachment 8: Zoning



**2 Eastern Avenue & 90 Trinity Street**

File # 03\_123456

- |    |                      |     |                  |
|----|----------------------|-----|------------------|
| R3 | Residential District | (h) | Holding District |
| CR | Mixed-Use District   |     |                  |
| RA | Mixed-Use District   |     |                  |
| I3 | Industrial District  |     |                  |
| IC | Industrial District  |     |                  |



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 07/30/07 - EM

## Attachment 9: Application Data Sheet

Application Type	Official Plan Amendment, Rezoning & Site Plan Approval	Application Numbers:	07 227124 STE 28 OZ & 07 227132 STE 28 SA
Details	OPA, Rezoning & SPA, Standard	Application Date:	June 4, 2007; revision December 29, 2008

Municipal Address: 2 EASTERN AVE  
 Location Description: PL 108 PT LT12 PL 122 PT LTS 17 TO 21 PT LANE \*\*GRID S2813  
 Project Description: PROPOSED EIGHT-STOREY MIXED-USE BUILDING WITH 61 DWELLING UNITS, ONE RETAIL UNIT AT GRADE AND TWO LEVELS OF UNDERGROUND PARKING.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Walker Nott Dragicevic Associates Ltd.	Sherman Brown Dryer Karol	Giannonne Petricone Associates	Goldero Properties (Eastern) Inc.

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	I1 D3	Historical Status:	N
Height Limit (m):	12	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1134	Height:	Storeys:	8
Frontage (m):	18.3		Metres:	30
Depth (m):	38.3			
Total Ground Floor Area (sq. m):	914			<b>Total</b>
Total Residential GFA (sq. m):	5620		Parking Spaces:	36
Total Non-Residential GFA (sq. m):	360		Loading Docks	1 Type G
Total GFA (sq. m):	5980			
Lot Coverage Ratio (%):	81.7			
Floor Space Index:	5.27			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	6
1 Bedroom:	24
2 Bedroom:	30
3 + Bedroom:	1
Total Units:	61

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):		5612.1	0
Retail GFA (sq. m):		254.5	0
Office GFA (sq. m):		0	0
Industrial GFA (sq. m):		0	0
Institutional/Other GFA (sq. m):		0	0

**CONTACT:**      **PLANNER NAME:**      **Willie Macrae, Planner**  
**TELEPHONE:**      **416-392-7572**

**Attachment 10: Draft Official Plan Amendment**

Authority: Toronto and East York Community Council Report No. ~,  
Clause No. ~, Toronto  
as adopted by City of Toronto Council on ~, 2009  
Enacted by Council: ~, 2009

**CITY OF TORONTO**

**BY-LAW NO. \_\_\_\_-2009**

**To adopt Amendment No. 74 to the City of Toronto Official Plan respecting lands known municipally as 2 Eastern Avenue and 90 Trinity Street.**

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 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*;

NOW THEREFORE, the Council of the City of Toronto HEREBY ENACTS as follows:

1. Amendment No. 74 to the City of Toronto Official Plan, consisting of the attached text, is hereby adopted.

ENACTED AND PASSED this \_\_\_\_ day of \_\_\_\_, A.D. 2009.

SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

## OFFICIAL PLAN AMENDMENT

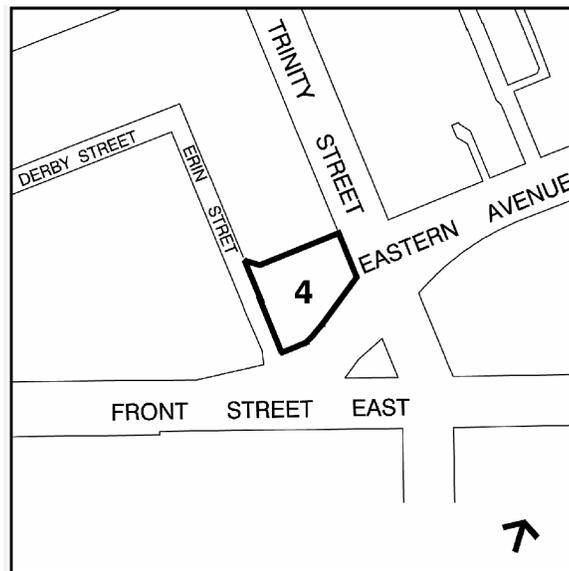
**To adopt Amendment No. 74 to the City of Toronto Official Plan respecting lands known municipally as 2 Eastern Avenue and 90 Trinity Street.**

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

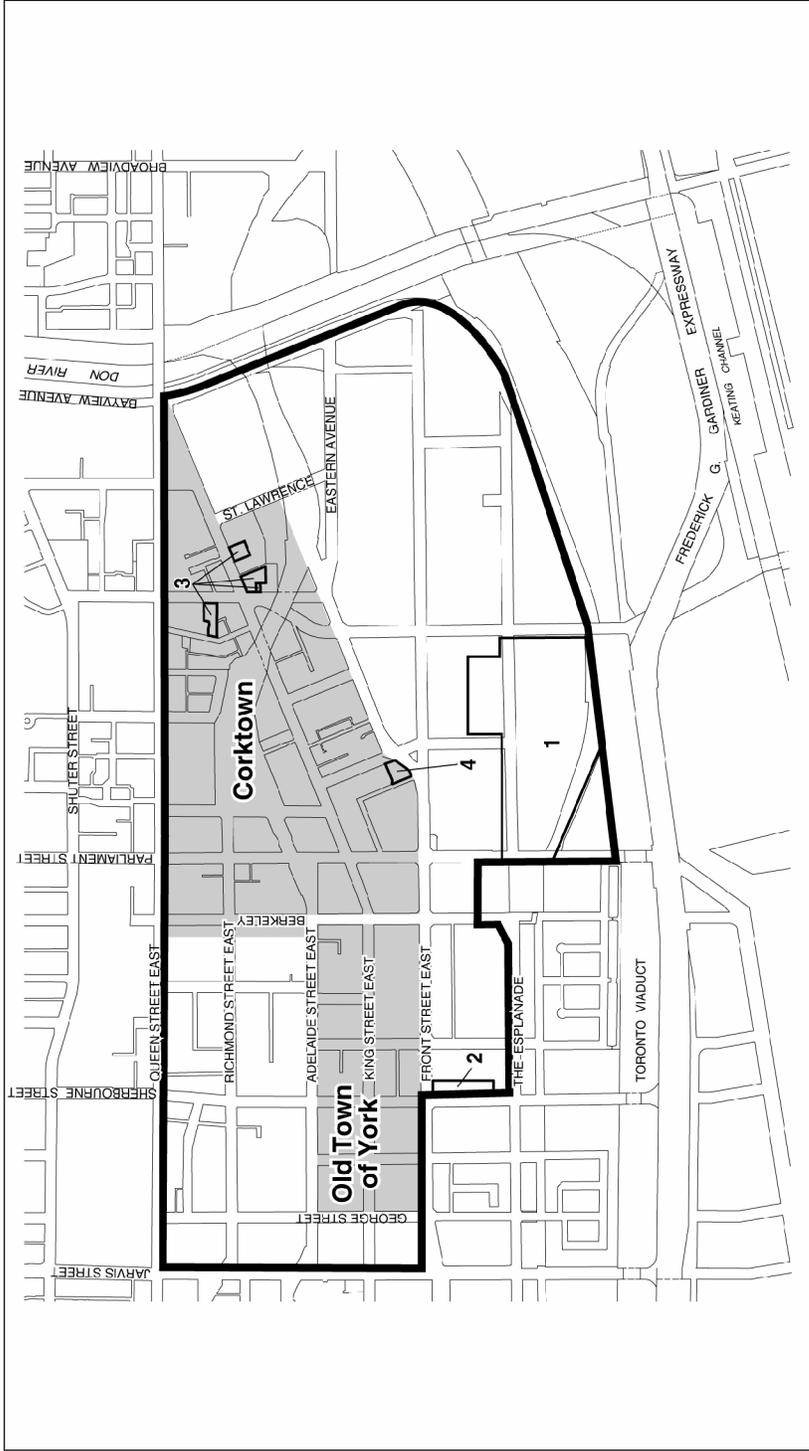
1. Notwithstanding Section 9.2 (a) of the King-Parliament Secondary Plan, the Secondary Plan is amended by inserting into Section 15 Site and Area Specific Policies the following:

**“4. 2 Eastern Avenue and 90 Trinity Street**

A mixed-use building with a maximum building height as prescribed in the site specific zoning by-law is permitted on the lands shown as 4 on Map 15-3.”



2. Map 15-3, Areas of Special Identity of the King-Parliament Secondary Plan is amended to show the lands known municipally as **2 Eastern Avenue and 90 Trinity Street**, as Site and Area Specific Policy Area Number 4, as shown on the above map.



**Toronto** City Planning  
**Official Plan Amendment # 74**  
 Revisions to King-Parliament Secondary Plan Map 15-3, Areas of Special Identity, by adding Site and Area Specific Policy # 4

**2 Eastern Avenue and 90 Trinity Street**

File #07\_227124

-  Secondary Plan Boundary
-  Areas of Special Identity
-  Site and Area Specific Policies

↑  
 Note to Scale  
 02/24/09

## Attachment 11: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Report No. \_\_, Clause  
No. \_\_\_\_, as adopted by City of Toronto Council on \_\_\_\_\_, 2009  
Enacted by Council: ~, 2009

### CITY OF TORONTO

#### BY-LAW No. – 2009

**To amend the General Zoning By-law No. 438-86 for the former City of Toronto, as amended, respecting lands known as Nos. 2 Eastern Avenue and 90 Trinity 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 Section 2 with respect to *height* and *grade* and Sections 4(2)(a), 4(5)(B), 4(12), 4(13), 4(17), 9 and 12(2)246(a) of By-law No. 438-86, being “A By-law and specific amending 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 and use of a *mixed use building* and uses and structures *accessory* thereto, on the *lot*, provided:
  - (1) the *lot* consists of those lands delineated by heavy lines on MAP 1 attached to and forming part of this By-law;
  - (2) the *residential gross floor area* of the *apartment building* on the *lot* shall not exceed 5,620 square metres;
  - (3) the *non-residential gross floor area* on the *lot* shall not exceed 360 square metres, to be located in the retail unit at-grade (260 square meters) and the associated mezzanine area (100 square meters) above the rear section of the retail unit;
  - (4) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* shall not exceed 5,980 square metres;
  - (5) the *mixed use building* contains not more than 61 *dwelling units*;

- (6) no portion of the *mixed use building* or structures above *grade* are located otherwise than wholly within the area delineated by heavy lines on the attached MAP 2, with the exception of the following:
- i) cornices, sills, pilasters, parapets, light fixtures, ornamental elements, eaves, and balustrades which may project 0.4 metres outside of the heavy lines on the attached MAP 2;
  - ii) canopy, which may project 2 metres outside of the heavy lines on the attached MAP 2;
  - iii) bollards, bicycle racks, underground garage ramps and their associated structures, retaining walls, fencing, decks, railings, air vents or intake grills and planters, which may extend beyond the heavy lines on the attached MAP 2 of this By-law.
- (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 with the exception of the following:
- i) 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 1.8 metres and the applicable height limit shown on MAP 2; and
  - ii) the maximum height for chimney stacks shall be the sum of 2.5 metres and the applicable height limit shown on MAP 2.
- (8) *residential amenity space* shall be provided in accordance with the following:
- (i) a minimum of 105 square metres of *indoor residential amenity space* shall be provided; and
  - (ii) a minimum of 140 square metres of *outdoor residential amenity space* shall be provided;
- (9) a maximum of 15 square metres of *indoor amenity space* may not be contiguous or adjacent to the *outdoor amenity space* and may be located within the ground floor lobby;
- (10) a minimum of 35 *parking spaces* shall be provided and maintained at or below *grade* on the lot in accordance with the following:
- (i) 0.3 *parking spaces* for each bachelor dwelling unit;

- (ii) 0.5 *parking spaces* for each one bedroom dwelling unit;
  - (iii) 0.75 *parking space* for each two bedroom dwelling unit;
  - (iv) 1.2 *parking spaces* for each three bedroom dwelling unit;  
and
  - (v) 0.05 *parking spaces* for every dwelling unit for visitor use.
- (11) *Parking spaces* required in Section 1(10) shall be a minimum *parking space* dimension of 3.0 m wide and 6.0 m long when both sides of the *parking space* are obstructed in accordance with Section 17 (e) of By-law 438-86;
- (12) One (1) *parking space* shall be provided for *car sharing*;
- (13) At least one *loading space – Type G* shall be provided and maintained on the *lot*;
- (14) A minimum 47 *bicycle parking spaces* be provided, 37 for occupants located either at grade or one level below grade and 10 for visitors located at grade;
- (15) *Bicycle parking spaces* shall be common element and not combined with storage lockers;
- (16) Continuous and solid weather protection with a minimum depth of 2 metres, in the form of a canopy, is provided along the entire Eastern Avenue and Trinity Street frontages of the building; and
- (17) No person shall use a lot or erect or use a building within the site for any purpose except one or more of the following uses:
- i) an *apartment building*;
  - ii) *live work unit*;
  - iii) *any use permitted in the MCR zone Section 8 (1) b*); and
  - iv) uses accessory thereto, including a *parking area* located below and above finished ground level.

## 2. Definitions

- (i) For the purposes of this By-law, the terms set forth in italics, subject to Section 2.(i) & (ii) of this By-law, have the same meaning as such terms have for the purposes of By-law 438-86, as amended; and

- (ii) the following definitions shall apply:

*grade* means 79.87 metres above Canadian Geodetic Datum; and

*temporary sales office* means a building, structure, facility or trailer on the lot use for the purpose of the sale of *dwelling units* to be erected on the lot;

*car sharing* means the practice of a number of people sharing the use of one or more cars that are owned by a profit or non-profit car sharing organization; cars are reserved in advance and fees for use are normally based on time and/or kilometres driven.

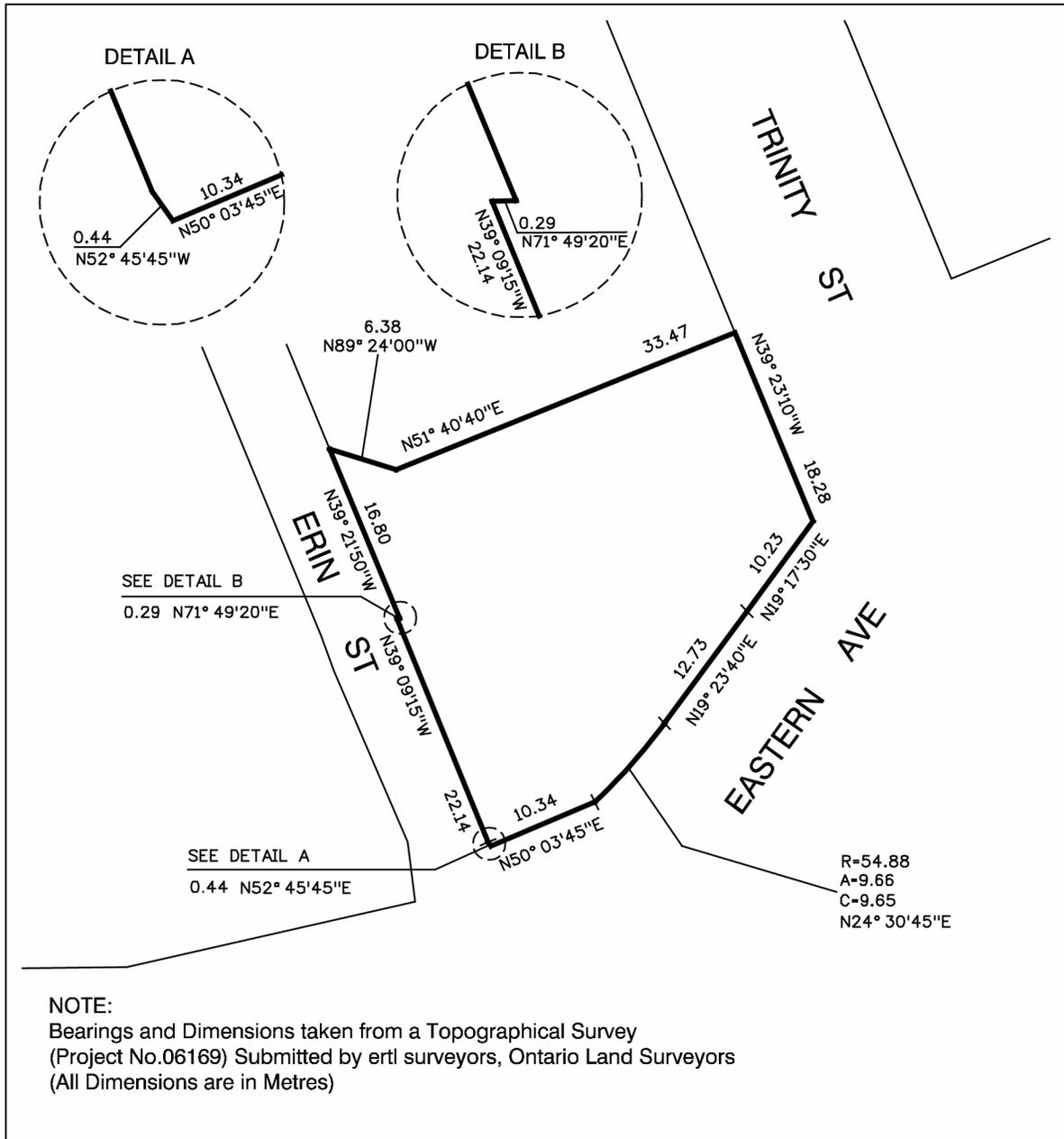
3. None of the provisions of By-law 438-86, as amended, or of this By-law shall apply to prevent the erection or use within the lot of a temporary sales office.

ENACTED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2009

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



NOTE:  
 Bearings and Dimensions taken from a Topographical Survey  
 (Project No.06169) Submitted by ertl surveyors, Ontario Land Surveyors  
 (All Dimensions are in Metres)



