

**1236 Birchmount Road & 2155 Lawrence Avenue East –  
Rezoning Application – Preliminary Report**

<b>Date:</b>	July 28, 2010
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 37 – Scarborough Centre
<b>Reference Number:</b>	10 164198 ESC 37 OZ

**SUMMARY**

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

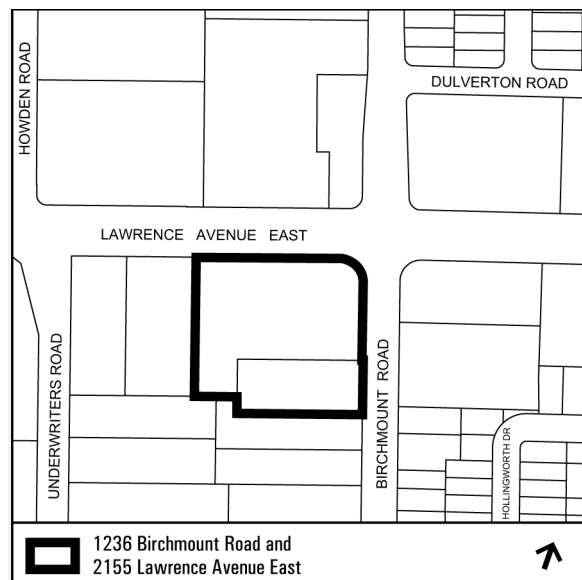
This application to amend the zoning by-law seeks a revision to a previously approved residential development for a 14-storey, 156-unit affordable rental building by proposing an affordable ownership residential condominium with additional density. The application proposes to permit the construction of a 14-storey, 208-unit condominium building at 1236 Birchmount Road.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A final report will be prepared and a public meeting scheduled once all identified issues have been satisfactorily resolved and all required information is provided.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**



1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

Aldebrain Attendant Care Support Services of Toronto (Aldebrain) is a registered charitable organization that provides support services and housing to those persons with a disability, in a family and individual setting. Aldebrain is the owner and operator of a 12-storey, 243-unit residential building, with related ancillary uses and ground floor retail uses, at 2155 Lawrence Avenue East. This residential apartment building, known as Aldebrain Tower, was completed in 1993 with funding provided by the Ministry of Housing and provides rental housing and support services to individuals who are physically disabled and their families.

In 2006, Council enacted By-law No. 817-2006. This zoning by-law provided for the redevelopment of the adjacent site at 1236 Birchmount Road, permitting a 14-storey, 156-unit rental apartment building. All 156 units were intended to be affordable housing under CMHC guidelines. The City secured the affordable rental units under a registered Section 37 agreement with the owner. The new residential building and the existing Aldebrain Tower would have resulted in a total of 399 units on the two sites.

The subject properties fall within the boundaries of the Lawrence Avenue Study. This study has been completed and City Council approved the study recommendations on October 29 and 30, 2008. Zoning By-law Nos. 1119-2008, 1120-2008 and 1121-2008 were enacted by City Council on October 30, 2008. These by-laws implemented the Commercial-Residential (CR) zoning along Lawrence Avenue East between Victoria Park Avenue and Birchmount Road. This study establishes a development framework to guide the development of new mixed use and residential neighbourhoods.

### **Pre-Application Consultation**

Pre-application consultation meetings were held with the applicant to discuss the proposal and complete application submission requirements.

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant has applied for an amendment to the (Wexford) Employment Districts Zoning By-law No. 24982 to permit the construction of a 14-storey, 208-unit affordable

ownership residential building at 1236 Birchmount Road. The site is presently zoned for a 14-storey, 156-unit affordable rental housing building to be developed as a campus with the existing 12-storey, 243-unit subsidized rental building at 2155 Lawrence Avenue East.

The proposal is to increase the density by 52 dwelling units, and amend the Section 37 agreement in order to substitute the requirement to provide affordable rental housing with affordable ownership housing and 1,009 square metre (10,861 square feet) of shelled in community space on the ground floor of the proposed building. 560 square metres (6,028 square feet) of this community space is to be used for a non-profit, adult day care for the physically disabled to be operated by Community Head Injury Rehabilitation Service (CHIRS).

The proposed building would have a gross floor area of 16,332 square metres (175,802 square feet) and a floor space index (FSI) of 4.91, similar to the previously approved development. The non-residential uses proposed are 534 square metres (5,784 square feet) of grade-related commercial and office space, a 560 square metre (6,028 square feet) adult daycare facility and 207 square metres (2,228 square feet) of common indoor amenity space for use by residents.

The intent is that the new building and the existing apartment building at 2155 Lawrence Avenue East would function as an integrated site as originally envisioned. This would allow the physically disabled to own their own homes while accessing the specialized support services for the physically disabled presently provided at 2155 Lawrence Avenue East.

The proposed building would contain 208 dwelling units, including 13 bachelor units, 169 one-bedroom units and 26 two-bedroom units. The proposed built form of the 14-storey building would remain relatively unchanged; however, some of the proposed unit sizes would be reduced to attain the additional 52 residential dwelling units.

Two physical links continue to be proposed to integrate the new building and the existing Aldebrain Tower. First, a bridge on the second floor of the new building would connect to the outdoor amenity area of the existing Aldebrain Tower. This would enable residents of the entire campus to share all common outdoor and indoor amenity space. Secondly, a below-grade vehicular connection is proposed between the existing and proposed underground parking areas.

Seventy-nine parking spaces are proposed for the 208-unit building, the same amount as the previously proposed 156-unit building. Combined with the existing underground and surface parking areas at 2155 Lawrence Avenue East, a total of 481 parking spaces would be provided. The applicant proposes 100 parking spaces to be leased from the existing building at 2155 Lawrence Avenue East. Vehicle access to the new and existing buildings would be via the existing Aldebrain Tower driveway from Birchmount Road.

Refer to Site Plan – Attachment No. 1, Elevations – Attachment No. 2, and Application Data Sheet – Attachment No. 4 for additional project data.

## **Site and Surrounding Area**

The two properties are located on the southwest corner of Birchmount Road and Lawrence Avenue East and have a combined area of 13,440 square metres (3.3 acres). The Birchmount property on which the new building is proposed is approximately 3,625 square metres (0.9 acres) in area and contains an existing one-story industrial building. This building would be demolished as part of the redevelopment.

The subject site is surrounded by the following land uses:

North: Aldebrain Tower, an affordable rental housing building with ground floor commercial uses, is located on the north portion of the subject site at the corner of Lawrence Avenue East and Birchmount Road. Commercial uses exist on the north side of Lawrence Avenue East;

East: immediately across Birchmount Road, at the southeast corner of Lawrence Avenue East and Birchmount Road, is a commercial plaza. To the south of the plaza, is a 6-storey residential apartment building. Single-storey residential homes are located further south;

South: industrial building converted to place of worship; and

West: commercial uses.

## **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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject property is designated as a Mixed Use Area in the Toronto Official Plan. Mixed Use Areas provide for a broad range of residential, commercial and institutional

uses, in single use or mixed use buildings. Mixed Use Areas are intended to create and provide an attractive, comfortable and safe pedestrian environment. They are to have access to schools, parks, community centres, libraries, and childcare, and take advantage of nearby transit services. They are to 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.

Urban Structure Map 2 of the City's Official Plan identifies Lawrence Avenue East as an "Avenue." Avenues are important corridors along major streets where urbanization can create new housing and jobs while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit services for community residents.

The subject properties fall within the boundaries of the Lawrence Avenue Study. This study has been completed and City Council approved the study recommendations on October 29 and 30, 2008. This study outlines implementation strategies to achieve, over time the revitalization of Lawrence Avenue East between Victoria Park Avenue to east of Birchmount Road. A set of urban design guidelines were also adopted which provide specific recommendations on issues such as building orientation and height, application of the 45 degree angular plane; massing for new mid-rise and tall buildings; architectural features, site landscaping; parking and access provisions.

Housing policies within the Official Plan call for providing and maintaining a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods to meet the current and future needs of residents. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Section 3.2.1 of the City's Official Plan provides policies respecting housing. Policy 1 states that "a full range of housing, in terms of form, tenure and affordability...will be provided...A full range of housing includes: ownership and rental housing, affordable and mid range rental and ownership housing...supportive housing...and housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock...". Policy 4 states that "where appropriate, assistance will be provided to encourage the production of affordable housing...". Policy 5 states "significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development, will secure for as long as possible...the existing rental housing units...".

## **Zoning**

The subject property is zoned Commercial Residential (CR), which permits apartments, day nurseries, offices, personal service shops, retail stores, educational/training uses, and

residential care facilities. The maximum number of dwelling units permitted is 156. Refer to Attachment No. 3 – Zoning.

Also stated in the zoning for the site are matters to be provided pursuant to Section 37 of the Planning Act, including providing and maintaining 156 new affordable rental apartment units at 1236 Birchmount Road for at least 20 years commencing from the date of initial occupancy; and making additional improvements to the site and related facilities by providing a minimum of 205 square metres of interior common amenity space in the proposed new rental residential apartment building.

### **Site Plan Control**

The properties are subject to site plan control. There is an existing site plan control application for the original proposal at 1236 Birchmount Road which is currently inactive. Amendments to this site plan application will be required to reflect the revised proposal.

### **Reasons for the Application**

The zoning currently permits a maximum of 156 dwelling units and the applicant is proposing a total of 208 dwelling units. An amendment is also required to the Section 37 provisions in the zoning by-law, which secured matters such as the provision and maintenance of 156 new affordable rental apartment units at 1236 Birchmount Road for at least 20 years commencing from the date of initial occupancy.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale;
- Parking Study Update;
- Geotechnical Investigation; and
- Toronto Green Standard Checklist.

City staff have reviewed the application for completeness and it does not meet the complete application submission requirements of the Planning Act and Toronto Official Plan. An incomplete application letter was sent to the applicant on May 26, 2010 outlining the information and material that has not been provided. This included an outstanding application fee of \$40,213.28 – this is the additional fee for gross floor area excluding the first 500 square metres of \$2.54 per square metre. An updated traffic impact study is also required addressing the additional density proposed. Once the outstanding application fee and traffic study is submitted, City Planning will continue the review of the development application.

## **Section 37 of the Planning Act**

In the original rezoning application a variety of matters were secured in a registered Section 37 agreement. These matters include the requirement to maintain the existing 243 social housing units at 2155 Lawrence Avenue East as social housing until July 1, 2023; providing and maintaining 156 new affordable rental apartment units at 1236 Birchmount Road for at least 20 years commencing from the date of initial occupancy; and additional improvements to the site and related facilities by providing interior common amenity space in the proposed new residential building of a minimum of 205 square metres, and maintain common indoor amenity space of at least 400 square metres for the use and enjoyment of the tenants in the new and existing building.

This revised ownership housing application proposes to substitute the secured matters in the registered Section 37 agreement with 208 dwelling units of affordable ownership housing and 1,009 square metres (10,861 square feet) of shelled in community space on the ground floor of the proposed building at 1236 Birchmount Road. Five hundred and fifty-nine square metres (6,028 square feet) of this community space is to be used for a non-profit, adult day care for the physically disabled to be operated by Community Head Injury Rehabilitation Service (CHIRS).

Staff will review the Section 37 contributions proposed to determine if the substitutions are appropriate. If the substitutions are determined not to be appropriate, staff will look at other opportunities for the applicant to provide community benefits in exchange for the proposed increases in height and density, either on-site or in close proximity to the site.

## **Density and Unit Mix**

The applicant is proposing an additional 52 dwelling units to the already permitted 156 dwelling units, for a total of 208 dwelling units. The applicant has indicated that the increase in the number of units from 156 to 208 is required in order for the proposed development to meet the Canada Mortgage and Housing Corporation (CMHC) unit size and price standards for affordable ownership housing, as well as the criteria for ownership housing assistance under the Federal-Provincial Affordable Housing Program. This is being achieved by reducing the size of the most spacious units. The proposed building would contain 13 bachelor units, 169 one-bedroom units and 26 two-bedroom units. The size, unit mix and accessibility of the units need to be reviewed, as well as the proposed density increase to ensure the development is appropriate and compatible with the surrounding area.

## **Parking and Traffic Impact**

The applicant is proposing a 14-storey, 208-unit residential building with one level of underground parking containing 79 spaces. The applicant has submitted an updated parking study suggesting that there is sufficient excess parking supply available at the Aldebrain Tower facility (2155 Lawrence Avenue East) that can accommodate the projected owner parking demands of the proposed development at 1236 Birchmount Road through shared parking arrangements. The parking study suggests leasing 100 parking spaces from the adjacent Aldebrain Tower site for owner parking. Overall, the

proposed development would operate with a total of 179 parking spaces. This report will be circulated to the appropriate City divisions and agencies for review, to determine whether it adequately addresses the parking requirements of the proposed development. An updated traffic impact study will also be required as part of the review.

A Geotechnical Study has also been submitted and will be circulated to the appropriate City divisions and agencies for review and verification of the feasibility of the proposed underground parking.

### **Relationship between Buildings**

The tenure of the proposed building at 1236 Birchmount Road is intended to be condominium. The Aldebrain Tower at 2155 Lawrence Avenue East is a rental building. The two buildings are intended to operate as an integrated campus style development. This relationship needs to be reviewed because the two buildings share a number of features, such as parking, bridge connections, access and egress from Birchmount Road, and indoor/outdoor amenity space. Mutual cross-easements and legal agreements will be required for these shared features.

### **Built Form and Urban Design**

The City's Official Plan policies respecting urban design promote a high level of urban design to encourage an attractive living and working environment, and a sense of community pride. Attractive streetscapes are to be promoted through the co-ordination of site, building and landscape design on and between individual sites. The City will work with the applicant to improve the proposal for the site, specifically with respect to its elevations.

### **Toronto Green Standard**

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and supports green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

### **Additional Issues**

Additional issues may be identified through the review of the application, City division and external agency comments, and the community consultation process.



## **CONTACT**

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## **SIGNATURE**

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Allen Appleby, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan

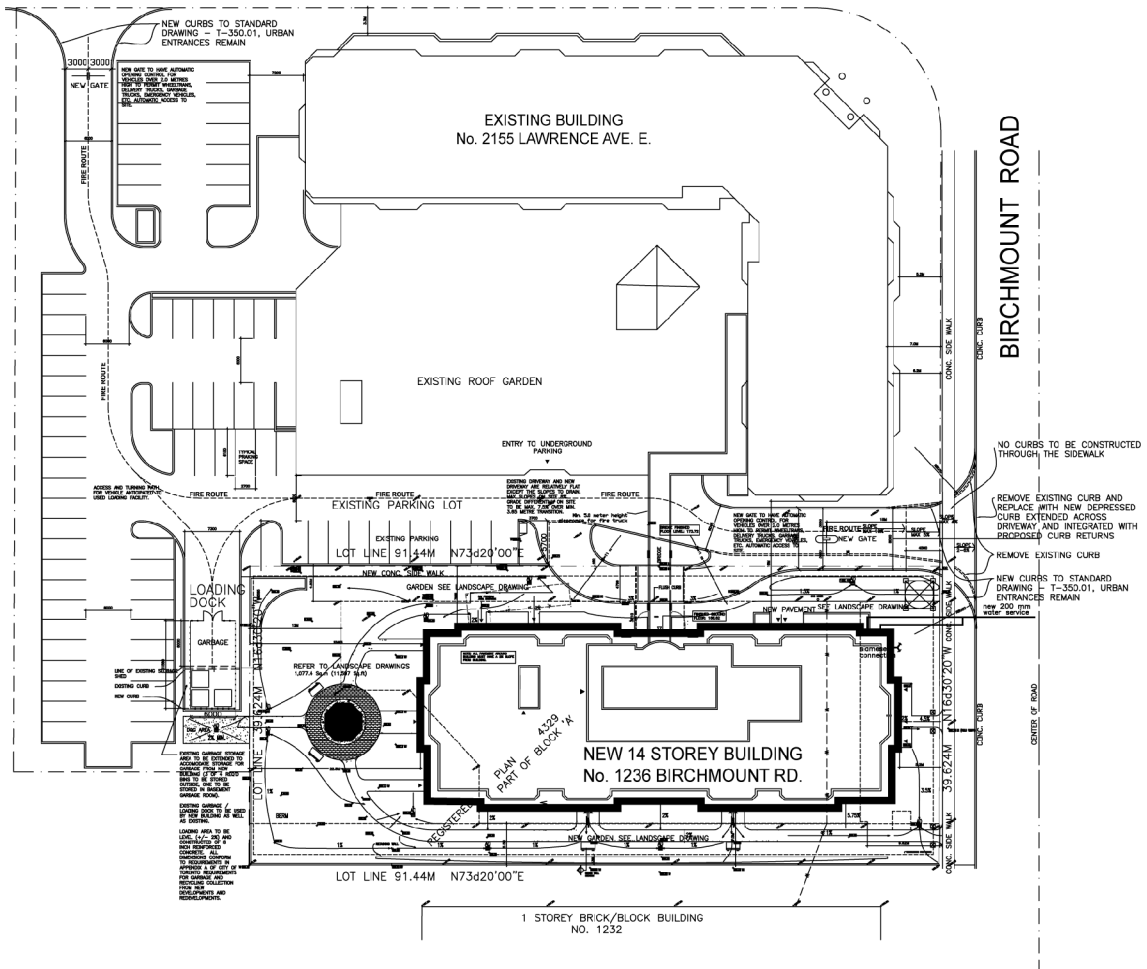
Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

# Attachment 1: Site Plan

## LAWRENCE AVENUE EAST



### Site Plan

Applicant's Submitted Drawing

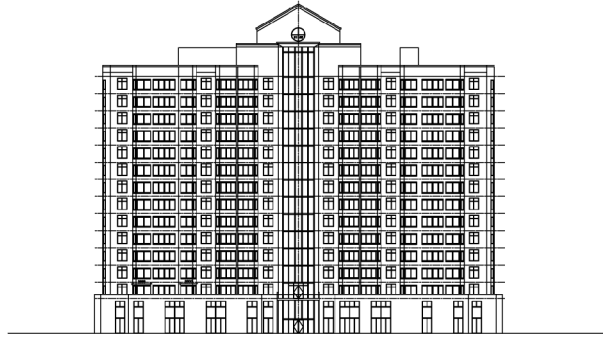
Not to Scale

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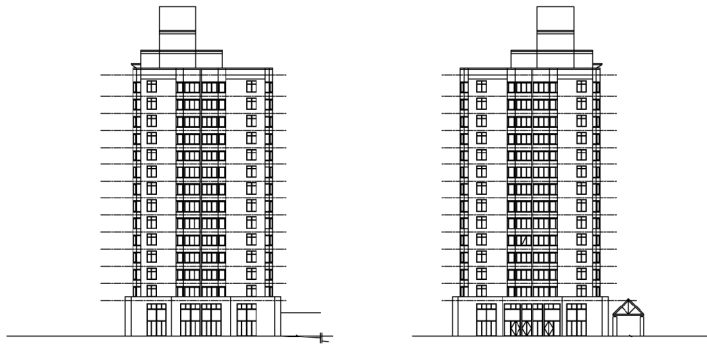
### 1236 Birchmount Road and 2155 Lawrence Avenue East

File # 10-164198 OZ

## Attachment 2: Elevations



North Elevation



West Elevation

East Elevation  
(Birchmount Road)



South Elevation

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### Elevations

Applicant's Submitted Drawing

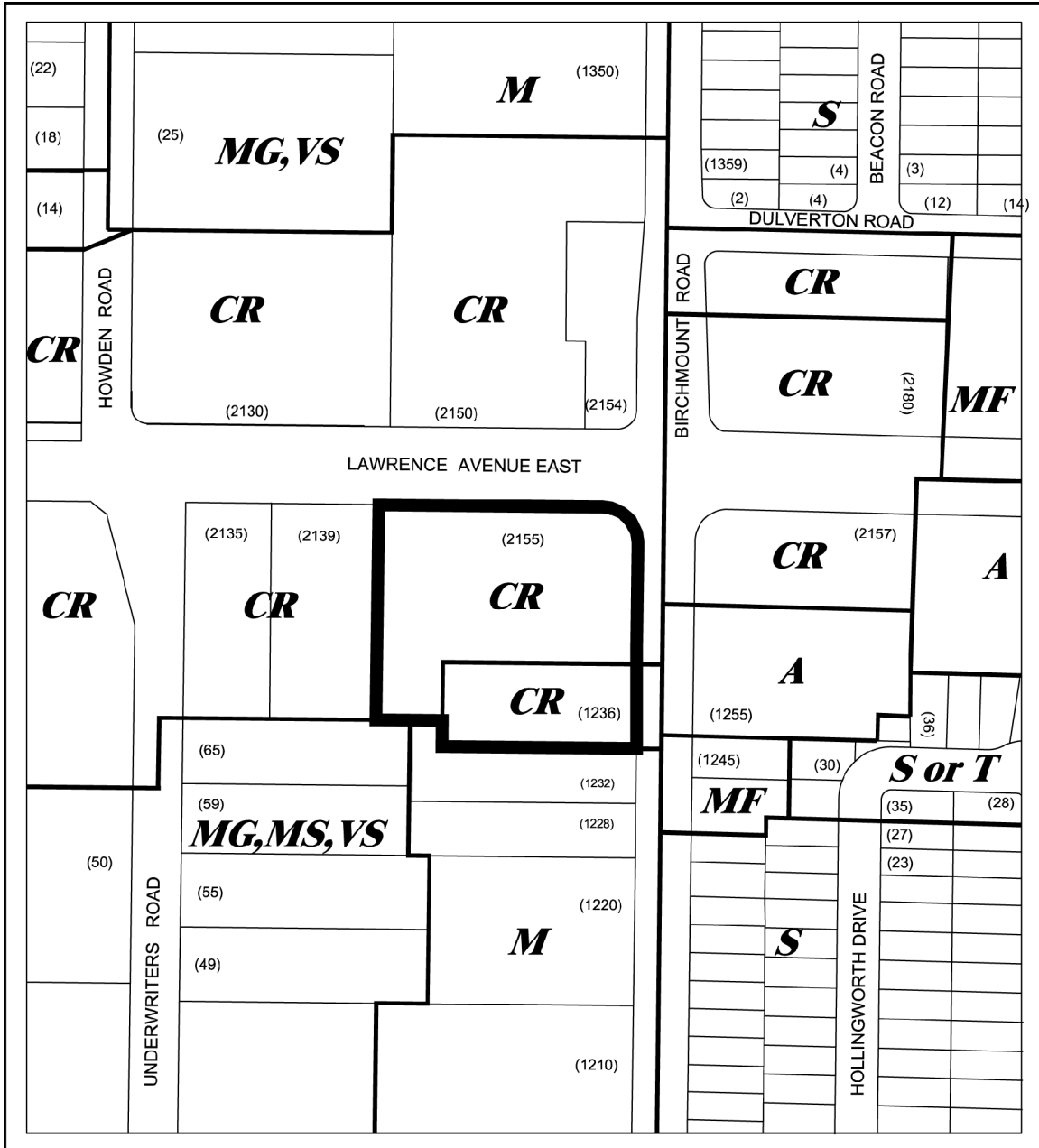
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1236 Birchmount Road and  
2155 Lawrence Avenue East

File # 10-164198 OZ

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### Attachment 3: Zoning



1236 Birchmount Rd. and 2155 Lawrence Ave. E.

File # 10-164198 0Z

**CR** Commercial / Residential Zone  
**M** Industrial Zone  
**MG** General Industrial Zone  
**MS** Special Industrial Zone

**VS** Vehicle Service Zone  
**S** Single - Family Residential  
**T** Two - Family Residential  
**MF** Multiple - Family Residential

**A** Apartment Residential

Wexford Employment District Bylaw  
 Not to Scale  
 5/12/10



## Attachment 4: Application Data Sheet

(Statistics are for 1236 Birchmount Road only)

Application Type	Rezoning	Application Number:	10 164198 ESC 37 OZ
Details	Rezoning, Standard	Application Date:	April 27, 2010

Municipal Address:	1236 BIRCHMOUNT ROAD (& 2155 Lawrence Avenue East)
Location Description:	PLAN 4329 PT BLK A
Project Description:	14 storey, 208 unit affordable ownership residential building.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
NEIGHBOURHOOD CONCEPTS NON-PROFIT CORPORATION			ALDEBRAIN SUPPORT SERVICES OF TORONTO

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	Commercial Residential (CR)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	3623	Height:	Storeys:	14
Frontage (m):	39.624		Metres:	51.24
Depth (m):	91.44			
Total Ground Floor Area (sq. m):	1466			<b>Total</b>
Total Residential GFA (sq. m):	14966		Parking Spaces:	79
Total Non-Residential GFA (sq. m):	1300.8		Loading Docks	1
Total GFA (sq. m):	16332			
Lot Coverage Ratio (%):	40.5			
Floor Space Index:	4.9			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condominium			
Rooms:	0	Residential GFA (sq. m):	16332	N/A
Bachelor:	13	Retail GFA (sq. m):	316.8	N/A
1 Bedroom:	169	Office GFA (sq. m):	216.7	N/A
2 Bedroom:	26	Industrial GFA (sq. m):	N/A	N/A
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	767.3	N/A
Total Units:	208			

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