

707, 709, 711, 715 & 717 Dovercourt Road – OPA & Rezoning Applications – Final Report

Date:	February 22, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	09 108744 STE 19 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.

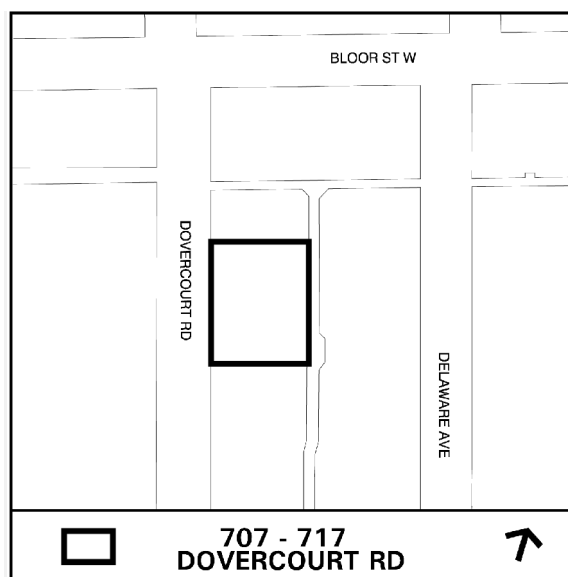
This application proposes to redevelop the properties at 707-717 Dovercourt Road with a 5 storey condominium containing 75 residential units and two levels of underground parking.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for 707, 709, 711, 715 and 717 Dovercourt Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9.
2. City Council amend Zoning By-law 438-86 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 draft Zoning By-law Amendment as may be required.
4. City Council approve the application to demolish the 5 existing buildings, containing 8 residential dwelling units including 5 residential rental housing units located at 707 to 717 Dovercourt Road pursuant to Municipal Code Chapters 667 and 363 subject to the following conditions under Chapter 667:
 - (a) The owner meet the requirements set out in the provincial *Residential Tenancies Act*, which specifies notice to be provided and compensation to be met.
 - (b) The owner provide an undertaking to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning Division which secures the condition outlined in Recommendation 1.
5. City Council authorizes the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval of the application under Municipal Code Chapter 667 after satisfying the conditions in Recommendation 4, and after the Zoning By-law amendments in Recommendation 2 have come into full force and effect.
6. City Council authorize the Chief Building Official to issue a section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation 5.
7. City Council authorize the Chief Building Official to issue a permit under Section 33 of the *Planning Act* no earlier than issuance of the foundation permit for the development, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation 5. The Section 111 permit may be included in the demolition permit as per section 363-11.1E of the Municipal Code on condition that:
 - (a) The owner erect a residential building on site no later than three (3) years from the day demolition of the buildings is commenced; and
 - (b) Should the owner fail to complete the new building within the time specified in condition (a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit for which

a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

8. Before introducing the necessary Bills to City Council for enactment, authorize the appropriate City officials and require the owner to execute one or more agreements pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor. Such agreements shall be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following matters as a legal convenience to support the development:
 - i) As part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the first and second storey portions of the east and west elevations with building materials labelled and the drawings having a sufficient level of detail to illustrate how the building will be perceived by pedestrians. The owner shall incorporate, in the construction of the apartment building, said exterior materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There are no previous applications or decisions related to the subject property.

ISSUE BACKGROUND

Proposal

Original Proposal:

On February 11, 2009 a proposal for an 8 storey condominium at 707-717 Dovercourt Road was submitted by the applicant. The building had a height of 22.4 metres, with the upper 2 floors stepped back on each side. The project proposed a density of 3.54 times the area of the lot and 83 residential units (69 one bedroom units and 14 two bedroom units). A total of 58 parking spaces were to be provided, with 10 being designated as visitor spaces and one as a car-share space. Pedestrian access was off Dovercourt Road with vehicular access to the underground garage provided off the rear laneway.

Revised Proposal:

The applicant submitted a revised proposal on December 15, 2009 in response to concerns presented by the neighbourhood, Ward Councillor and City staff. The revised submission proposes a 5 storey condominium at 15.56 metres in height, with the fifth storey being set back from the first four floors. The ground floor contains townhouse style units with verandas that are oriented to have direct pedestrian access from Dovercourt Road and the rear laneway. The main residential lobby is situated off Dovercourt Road.

A total of 75 residential units are proposed with a breakdown being 7 (9%) studio units, 51 (68%) one bedroom units and 17 (23%) two bedroom units. The total gross floor area for the project is 4,196.0m², which represents a density of 2.19 times the area of the lot.

Vehicular access to the two storey underground garage is located at the northeast corner of the building off the rear laneway. A total of 78 parking spaces are to be provided, 9 of which are visitor spaces and one dedicated as a car-share space. Site servicing, garbage pick-up and loading would occur at the rear of the site. A private mews is to be built along the south side of the condominium to allow the garbage and loading vehicles to access the garbage/loading space at the southeast corner of the building.

For further statistical information, refer to the Application Data Sheet found at Attachment 8 of this report.

Site and Surrounding Area

The development site, which is comprised of properties municipally referred to as 707, 709, 711, 715 and 717 Dovercourt Road, is located on the east side of Dovercourt Road just south of Bloor Street West. The rectangular shaped site has an area of 1,918 square metres with 47.6 metres of frontage on Dovercourt Road and a depth of 40.3 metres.

The subject lands currently contain two, 3-storey semi-detached dwellings at 707 and 709 Dovercourt Road, 711-717 Dovercourt Road contains a vacant 2-storey funeral home and its parking lot. A 3-storey detached dwelling on 717 Dovercourt Road shares a common wall with the funeral home, while the vacant 3-storey single detached dwelling at 711 Dovercourt Road was owned and operated by Cardinal Funeral Homes. All buildings on the subject site would be demolished.

Land uses surrounding the site are as follows:

- North: 2 and 3-storey semi-detached dwellings and mixed use buildings on Dovercourt Road with 2 to 3 storey mixed use buildings further north along Bloor Street West
- South: a former church converted into a 3-storey condominium with a mix of 2 to 3-storey single and semi-detached dwellings further south
- East: a mix of 2 to 3-storey single and semi-detached dwellings
- West: two 19-storey apartment buildings, a 15-storey apartment building, an approved but not yet built 15-storey apartment building and a former church converted into a 2-storey condominium

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 City of Toronto Official Plan designates the property as *Neighbourhoods* (Attachment 6), which are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than 4-storeys.

The stability of our *Neighbourhoods*' physical character is one of the keys to Toronto's success. Physical changes to our established *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character. To ensure development in established *Neighbourhoods* will respect and reinforce the existing physical character, policy 4.1.5 of the Plan states that any proposal shall have regard for:

- 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 patterns of rear and side yard setbacks and landscaped open space;
- e) setbacks of buildings from the streets 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.

Further, proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged by the policies of the Plan. Where a more intense form of residential development than that permitted by existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 4.1.5, having regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*.

To ensure that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will:

- a) have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties;
- b) provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;

- c) front on to existing or newly created public streets wherever possible, with no gates limiting public access; and
- d) locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences.

The housing policies in the Official Plan provide for the provision of a full range of housing, and specifically for the protection of existing rental housing in new developments that result in the loss of six or more rental units.

The Toronto Official Plan is available on the City's website at:
www.toronto.ca/planning/official_plan/introduction.htm

Zoning

Under Former City of Toronto Zoning By-law 438-86 the subject site is zoned R2 Z0.6 (Attachment 7). The R2 zoning classification permits a wide range of residential uses up to a total density of 0.6 times the area of the lot. The maximum permitted height for the site is 10.0 metres.

Site Plan Control

An application for Site Plan Approval was submitted concurrently with the Official Plan Amendment and Rezoning applications and is currently under review.

Reasons for Application

A site specific amendment to the Official Plan is required as the proposal is taller than the 4 storey maximum identified in Section 4.1.1 of the *Neighbourhoods* policies.

An amendment to the Zoning By-law is required to permit the scale and density of the building requested for this site.

Community Consultation

A Community Consultation Meeting was held on April 22, 2009 to present the original 8 storey submission. Approximately 80-90 people attended. Following presentations from the local Councillor, City staff and the applicant a number of issues were discussed, including:

- The proposed height of the building; residents felt it was drastically out of character with the neighbourhood and would cast an unacceptable shadow on the adjacent single and semi-detached dwellings.
- Residents on Delaware Avenue had strong concerns that an 8 storey building backing on to their rear yards would significantly reduce the privacy they currently enjoy, especially with the number and size of balconies proposed at the rear.
- Many in the community questioned whether this site was suitable given that the predominant built form in the area were single and semi-detached dwellings. Many felt that townhouses were more appropriate.

- Owners of units in the converted church condominium to the south felt that the cantilevered upper floors of the condo were set too close to their property. The reduced setback would significantly impact the amount of sunlight available to the condo owners on the north side of the church, as well as limit the view of the prominent stain glassed window on the north façade of the church from the street.
- It was expressed that the proposed mews on the south side of the building to allow garbage trucks to access the garbage area at the rear of the building would reduce the quality of life for unit owners on the ground floor of the church condo.
- The turning radius proposed at the rear laneway for the garbage trucks to turn around to exit the site in a forward motion are unrealistic and would present a disruption to adjacent residents, especially the noise made by reversing vehicles making multiple manoeuvres to turn around.
- The number of parking spaces proposed for the site would increase the traffic in the area, especially off the rear laneway, where the entrance to the underground garage is proposed to be located. Residents complained that the laneway is too narrow to handle the existing traffic, especially when it snows; the introduction of over 50 new cars would create problems.
- Many in the area expressed concerns that the approval of such a proposal would set a precedent that would result in a number of other similar developments submitted within the adjacent low-scale residential neighbourhood.

Letters and e-mails were also submitted by area residents which echoed similar concerns.

In response to the comments made the applicant submitted a revised proposal on December 15, 2009.

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 and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the subject property *Neighbourhoods*, which are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses. While interspersed walk-up apartments that are no higher than four storeys may be permitted, new apartment buildings in excess of 4 storeys are not permitted in *Neighbourhoods*. Therefore, the proposed 5-storey condominium requires an Official Plan Amendment (Attachment 9).

Land Use

The proposed residential use is appropriate for this site. The *Neighbourhoods* designation in the Official Plan allows for a range of residential uses. A multi-unit residential building, as opposed to detached houses, semi-detached houses or townhouses, is also appropriate as there are a number of apartment buildings on adjacent properties and in the surrounding neighbourhood. The Residential 2 (R2) zoning designation permits apartment buildings.

A vacant funeral home currently exists on site. The former funeral home represented a legal non-conforming use that was out of context with the surrounding residential neighbourhood. The proposed condominium will introduce a residential use to the site that is closer to compliance with the Official Plan and Zoning By-law.

Lot Size and Configuration

The majority of the proposed lot is comprised of lands occupied by the former Cardinal Funeral Home lands (711-717 Dovercourt Road). Built in the early 1970's, the funeral home, and associated buildings, are situated on a site that has a frontage of 34.19 metres and an area of 1,375.5 square metres. While larger than typical for the area, the proposed lot is regular in shape and has a depth that matches that of adjacent lots.

To the south of the funeral home lands is a former church, situated on a residential lot having a lot frontage of 29m and area of 1,150m², which also varies from the predominant lot size in the neighbourhood. City Council approved an Official Plan Amendment and Rezoning application in 2007 to convert the church into a condominium.

Given this immediate context, the size of the lot and the existence of other apartment buildings within the neighbourhood, this site creates an appropriate opportunity to develop a small apartment building.

Density, Height, Massing

The original 8 storey submission had a height and massing that staff considered to be incompatible with that of the abutting buildings. The revised 5 storey proposal reflects a building that has used the scale and massing of the adjacent church to inspire the current design while ensuring that the project provides appropriate transitions to the adjacent low scale residential buildings.

The condominium is to have a height of 12.4 metres to the top of the fourth storey with an overall height of 15.7 metres to the top of the fifth storey. The building was designed so that the four storey element would be aligned with the architectural elements on the church's front façade while still maintaining the prominence of the church spires (Attachment 2). The fifth storey, which has been setback from all elevations, supports an appearance of a four storey building from the street. The 15.7 metre height to the top of the fifth storey is shorter than the 18.0 metre height of the heritage church as well as the 16.9 metre and 14.7 metre heights of the third storey additions approved for the rear of the church.

To provide an appropriate transition to the neighbouring 3 storey semi-detached dwellings to the north, the condominium steps down from 5 storeys to 3 (9.5m) and reduces the depth of the building along the north facade. While the condominium has an overall depth of 28 metres (insets reduce that depth along its length), the north elevation has a reduced depth of 20.8 metres for the first two storeys, with the third storey being further reduced to a depth of 11.8 metres (Attachments 1 & 5). The building's overall depth of 28 metres represents the average depth of the adjacent church (40.3m) and the as-of-right by-law permission (17.0m).

The building has a 10.2 metre setback from the rear property line, which increases to 14.5 metres at the north end of the site. The provision of a sufficient rear yard setback has allowed for a landscaped back yard consistent with the development pattern of adjacent residential properties.

The proposed condominium would replace a two storey funeral home that has no front or rear yard setback and a density and massing considerably out of context with the neighbouring pattern of development.

The revised proposal represents a reduction in proposed density from 3.54 to 2.19 times the area of the lot. The height has also been reduced from the original 8 storey (22.4m) proposal to the current 5 storeys (15.7m). The 2.19 density is lower than the 2.78 times the area of the lot approved for the converted church.

Shadow Impacts

The shadow diagrams illustrate that the proposed building will cast a shadow during the summer months that will not extend beyond the garages at the rear of the Delaware Avenue properties abutting the site to the east. During the shoulder seasons (based on the March 21st and September 21st equinoxes) the building will result in a shadow that will not have any meaningful impact on the Delaware properties until approximately 5:00 p.m., at which point the shadow will completely envelope the rear yards directly to the east. However, the garages at the rear of the Delaware Avenue properties already cast a shadow over roughly eighty percent of the rear yards at that time. The only property to the north that will experience any incremental shadowing as a result of the building is the one directly adjacent to the subject site. During the summer months the shadow only slightly encroaches on the adjacent property. In the spring and fall seasons the building will begin to cast a shadow over the entire rear yard of the property by 3:00 p.m., however, around 4:00 p.m. the majority of the rear yard was already consumed by the shadow cast by the 2-storey semi-detached dwelling on the property.

Light, View and Privacy

The applicant's original proposal for an 8 storey building on the subject lands would have created a number of privacy, overlook and separation issues with adjacent properties. The revised submission provides adequate privacy through a number of mitigating design and landscaping elements while ensuring appropriate separation distances and setbacks from adjacent buildings to ensure sunlight and views for neighbouring residential properties.

The church on the adjacent property to the south was built up to the abutting property line, which presented a number of setback concerns not only from sunlight/sky view concerns for future residents of the church lofts but also in maintaining views of the prominent features on the north façade of the heritage structure. As-of-right permissions in the Zoning By-law would have allowed a 10-metre tall dwelling to be built 0.9 metres from the abutting lot line, which would have had detrimental impacts to future church loft owners on the north side of the building as well as on views of the church's north façade from the street. In light of this, the proposed condominium offers a 5.5 metre setback from the church lofts, which will ensure sunlight and sky views for future residents while offering a better view of the large stained glass window on the north side of the church from the street than is currently enjoyed (Attachments 1 & 2).

To address any concerns that a five storey, multi-unit building may result in a loss of privacy for residents in the dwellings to the rear of the site the rear façade of the condominium's first four storeys has been designed with a reduced number of windows and opaque materials for the balconies to diminish overlook impacts. The fifth storey has been set back at a distance (3.5m) where it will be barely visible from the rear yards of the Delaware Avenue properties. A 1 metre wide planter box will also be installed along the edge of the fifth floor terraces which has been designed and will be planted to ensure any future resident will not be able to look into the adjacent properties. A row of trees will be planted within a 3.5 metre wide landscape strip along the rear property line to further mitigate privacy concerns (Attachments 1 & 3). The landscape strip will be unencumbered by the underground parking garage to ensure that the trees can grow to a healthy and mature size.

Streetscape

At grade units face both Dovercourt Road and the rear property line. Each townhouse unit has a small veranda with individual entrances that let out onto either Dovercourt Road or the private landscaped area at the rear, each protected by landscaping and a decorative fence. The entrance to the lobby of the condominium is provided off Dovercourt Road at the south west corner of the site, adjacent to the mews connecting the rear of the property to Dovercourt (Attachment 1).

The proposal has incorporated a high level of design at the ground plane that should create a pleasant streetscape along the Dovercourt Road elevation. The design and treatment of the first three floors of the condominium provide an appearance that replicates the scale and feel of the semi and single detached dwellings that are predominant in the area. The four storey base building of the condo is consistent with the elevation of the adjacent church lofts and steps down towards the neighbouring semi-detached dwellings to the north to create a consistent built form along the street (Attachment 2). The proposed project will represent a significant improvement to the street in comparison to the abandoned funeral home.

The materials and design of the lower floor elevations will be secured through 1:50 scale drawings in a Section 37 agreement.

Traffic Impact, Access, Parking

The proposed condominium provides a total of 78 parking spaces; 68 for residents, 9 visitor spaces and 1 car-share space. The parking total satisfies the By-law requirement for visitor spaces and exceeds the minimum required spaces for residents. Access to the two levels of underground parking is provided off the laneway at the rear of the building at the north east corner of the site. To address resident concerns that the rear laneway is already heavily used and difficult to navigate, especially during winter months, the applicants have offered to plough the laneway system (up to their southerly property line) throughout the winter.

The loading and service area will be located at the rear of the building. A private mews is to be built along the south side of the condominium, adjacent to the church lofts, to allow garbage and loading vehicles access to the garbage/loading space at the south-east corner of the building. The separation of the proposed condominium from the church to improve views of the heritage elements of the church's façade from the street dictated the logical location for the mews.

Transportation Planning and Works and Emergency Services (WES) staff have reviewed the revised application and have no concerns with the traffic impacts of the proposal in terms of the surrounding street and laneway network.

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 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 in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 75 residential units on a site of 0.1918 hectares (1,918m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.100 hectares (1,000m²). However, a cap of 10% applies and hence the parkland dedication would be 0.01918 hectares (191.8m²).

The applicant proposes to satisfy this parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 0.01918 hectares (191.8m²) would not be of a useable size and the site would be encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard

The Green Development Standard contains performance targets and guidelines that relate to site and building design to promote better environmental sustainability of development in Toronto. Some of the targets the proposed development is intended to achieve include:

- A green roof to be installed with a minimum of 50% coverage of the roof that will be designed to meet the City's performance criteria;
- 10% of materials harvested, manufactured and supplied will come from within 800km of the project;
- A dedicated parking spot will be provided for car sharing;
- Secure bicycle storage for long-term parking and the provision of bicycle parking that meets the 0.75 spaces per dwelling unit;
- Zero use of CFC-based refrigerants and Halons in fire suppression;
- 45% of materials, including adhesives, sealants, paints, coatings, composite wood and agrifiber products are low emitting
- Compliance to ASHRAE 62-2004 Thermal Comfort and Ventilation standards; and
- Compliance with all pedestrian infrastructure measures.

Staff will continue to work with the applicants through the Site Plan application review to identify further performance targets for the project to promote better environmental sustainability.

Amenity Space

The indoor amenity space, located on the ground floor, is 49m² and contains both kitchen space and a washroom. A separate room is located close to the residential lobby with access also available from the exterior at the rear of the building, where a common veranda has also been provided for outdoor amenity space (38m²) (Attachment 1). While the interior and exterior amenity space provided are far less than required (87m² vs. 284m²) the space is appropriate. The interior amenity space is of sufficient size and outfitted to accommodate annual general meetings and other social functions. The modest amount of outdoor amenity space is supplemented by private balconies available to the majority of the 75 units. Staff can accept the reduction in amenity space given the modest size of the building but would be reluctant to support such a level of non-compliance for a larger condominium.

Section 37

The application is not subject to Section 37 contributions as the development does not exceed 10,000 square metres of gross floor area. However, the materials and design of the lower floor elevations, to the satisfaction of the Chief Planner, will be secured in 1:50 scale drawings through a Section 37 Agreement.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007) implements the City's Official Plan policies protecting rental housing. The by-law established Chapter 667 of the Municipal Code and was approved by City Council on July 19, 2007.

The By-law prohibits demolition or conversion of rental housing units without a permit issued under Section 111 of the *City of Toronto Act*. Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law or Official Plan amendment require a decision by City Council. Although the proposal is to

demolish only 5 rental units, as there are a total of 8 residential dwelling units involved in the overall development application, the rental demolition by-law applies. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a permit is issued under the *Building Code Act*.

Under Section 33 of the *Planning Act* and Municipal Code Chapter 363, Council has the authority to approve or refuse a demolition permit, except in cases where a building permit has been issued to construct a new building. The proposed demolition requires approval under both Section 33 of the *Planning Act* and Section 111 of the *City of Toronto Act*. Section 363-11.1 of the Municipal Code provides for the co-ordination of these two processes. The Chief Building Official may issue one demolition permit for the purposes of Section 33 of the *Planning Act* and Chapter 667 of the Municipal Code, and the Chief Planner in consultation with the Chief Building Official may report on the application for a City Council Decision.

Rental Housing

Two of the houses involved in the application, 707 & 717 Dovercourt Road, contain rental housing. A total of 5 rental units are located in these two homes. Information from City records suggests that these houses were converted to rental accommodation in the late 1970's and early 1980's. Prior to that and for the majority of their existence, these two houses were likely owner occupied dwellings. It is not uncommon for larger and older housing stock in Toronto to be converted from ownership to rental tenure, and sometimes to be reconverted back to single-occupancy ownership.

There are currently 4 remaining tenancies in the two houses. All current tenants have moved into the units in the past year and have entered into short term tenancy agreements with the owner. As such, additional compensation or notice, above and beyond requirements set out in the *Residential Tenancies Act* is not recommended. A tenant consultation meeting was held on February 11, 2010 to discuss rental housing matters. No tenants of these rental units were in attendance.

In the circumstance of this application, staff are not recommending the replacement of the five rental housing units. Staff are satisfied that the rental use of the property is of a limited nature and plays a very small part of the secondary rental market. Further, as the proposed demolition involves only 5 rental units, it is consistent with the Official Plan policy 3.2.1.6, pertaining to the loss of 6 or more rental units. The Official Plan policies distinguish between rental properties with 6 or more rental units and those with 5 or less units, as it is recognized that individual houses or properties with 1 or 2 rental units need the flexibility to respond to market conditions and to personal circumstances by adding units to the rental market or removing them to meet the demand for ownership. As such, this type of rental use is generally of a temporary nature.

Staff are recommending that the owner provide a letter of undertaking to the City to secure assistance for any sitting tenants at the time of demolition as required by the provincial *Residential Tenancies Act*.

Development Charges

It is estimated that the development charges for this project will be \$403,819.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusion

The majority of the development site is comprised of lands occupied by a vacant funeral home built in the early 1970's. The proposed condominium apartment would introduce a residential use to the site that is in closer compliance with the Official Plan and Zoning By-law as the funeral home was a legal non-conforming use.

While the condominium has used the scale and massing of the adjacent converted church to inform the proposal, the design of the building at the ground level provides a streetscape consistent with the single and semi-detached houses in the neighbourhood. The massing of the building also provides an appropriate transition to the adjacent single and semi-detached houses to the north and rear of the site. The proposed building is shorter than the existing church and approved additions. The fifth storey of the proposed building has been set back suitably from all elevations and a number of mitigating design and landscaping elements have been incorporated into the submission to address privacy and overlook concerns for neighbouring residents.

This report recommends approval of this application.

CONTACT

Jeff Markowiak, Planner
Tel. No. (416) 397-4647
Fax No. (416) 392-1330
E-mail: jmarkow@toronto.ca

SIGNATURE

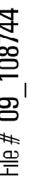
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

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

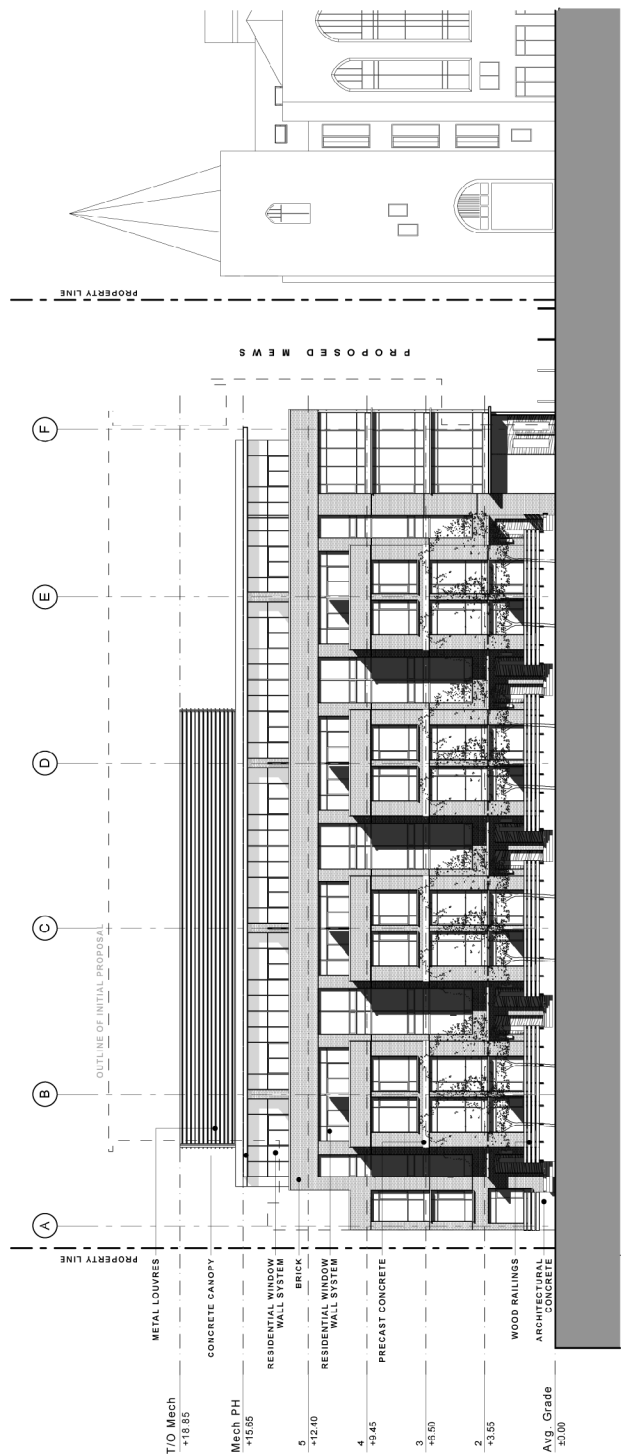
Staff report for action – Final Report – 707-717 Dovercourt Rd



707-717 Dovercourt Road

Not to Scale
02/10/2010

Attachment 2: West Elevation



West Elevation

Elevations

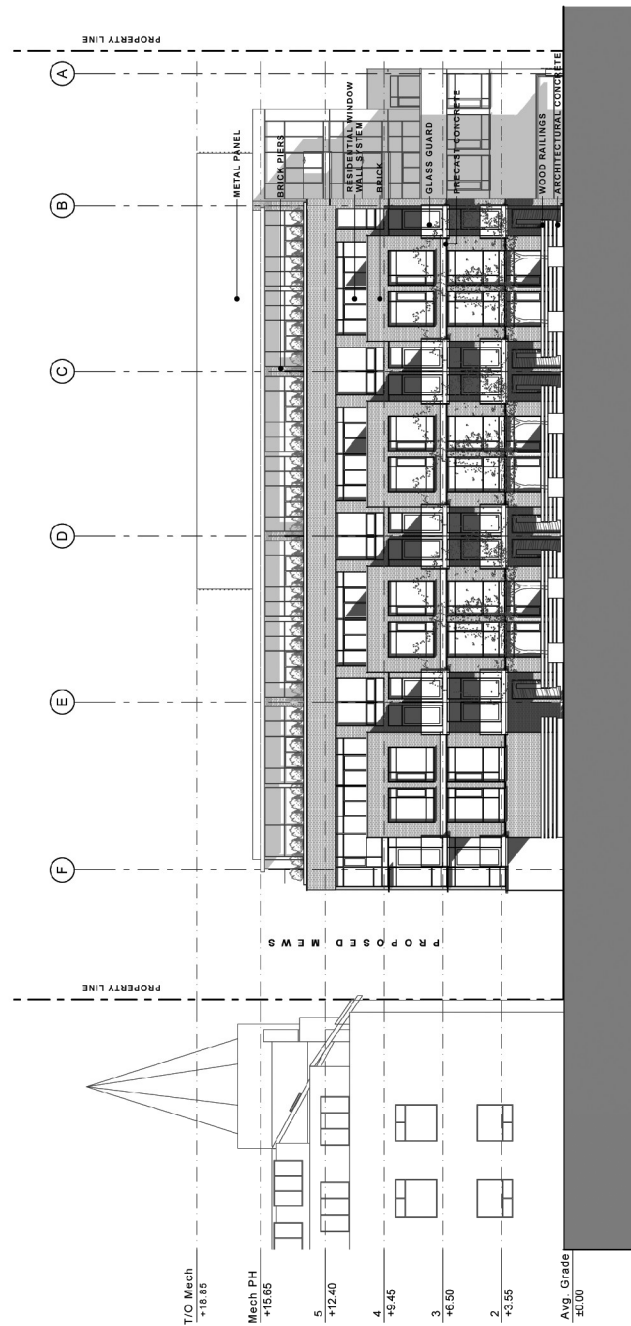
707 - 717 Dovercourt Road

Applicant's Submitted Drawing

Not to Scale
02/10/2010

File # 09 108744

Attachment 3: East Elevation



East Elevation

Elevations

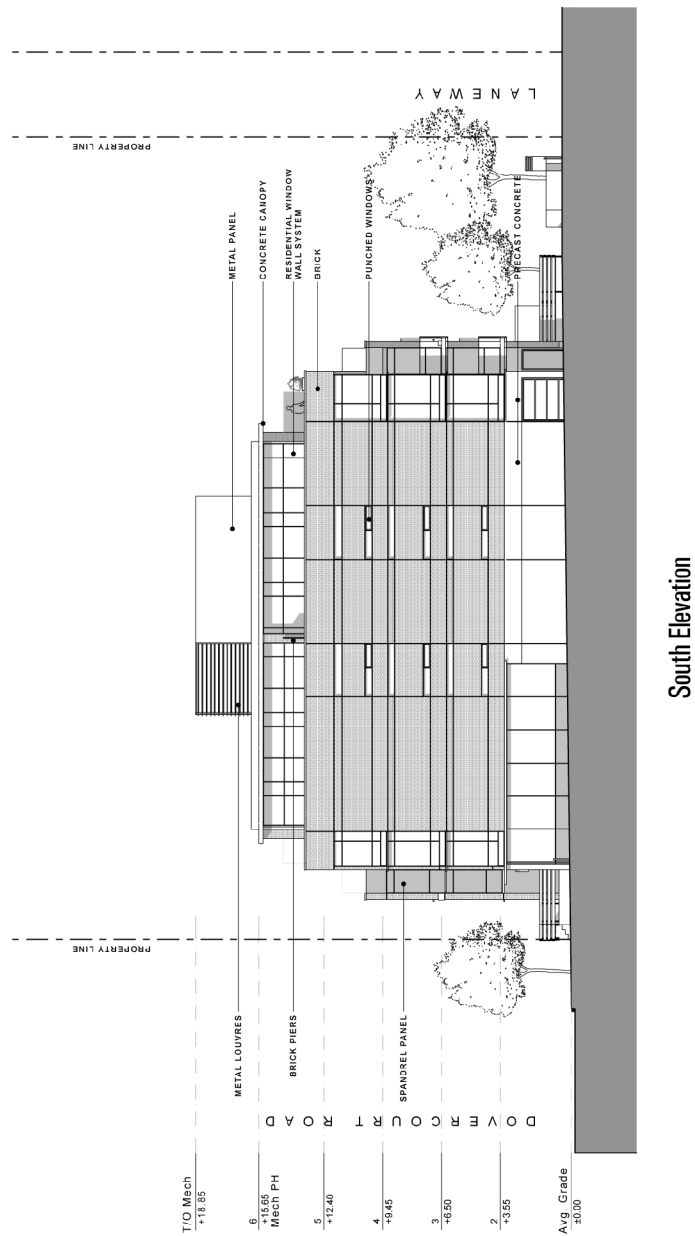
707 - 717 Dovercourt Road

Applicant's Submitted Drawing

Not to Scale
02/10/2010

File # 09 108744

Attachment 4: North Elevation



Elevations

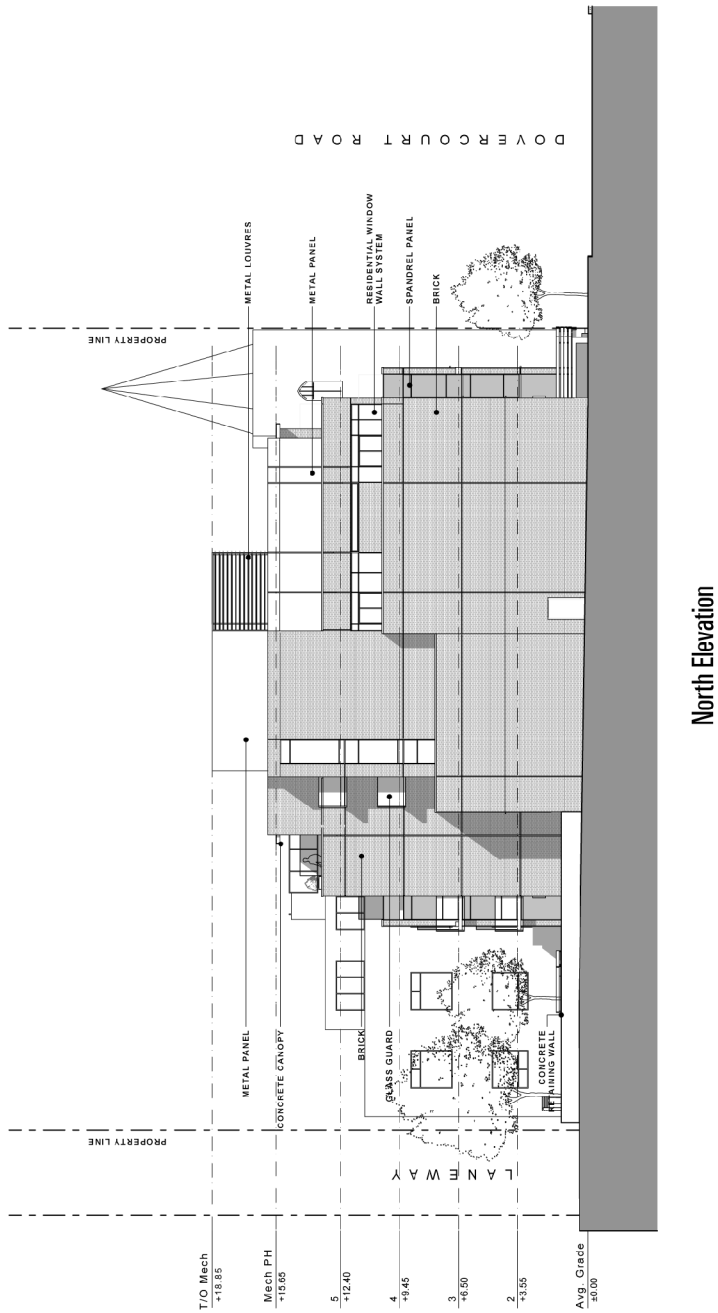
707 - 717 Dovercourt Road

Applicant's Submitted Drawing

Not to Scale
02/10/2010

File # 09 108744

Attachment 5: South Elevation



Elevations

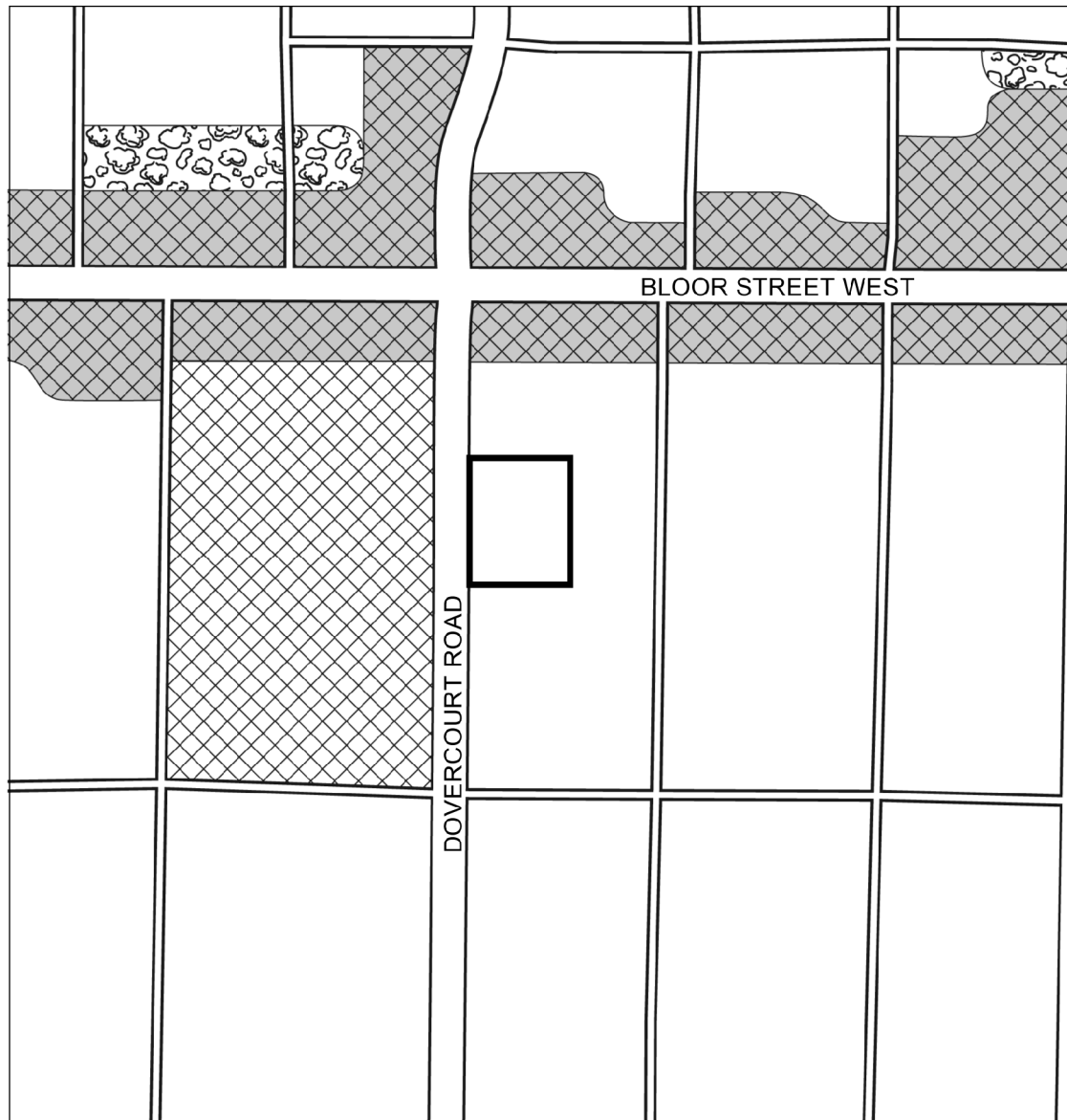
707 - 717 Dovercourt Road

Applicant's Submitted Drawing

Not to Scale
02/10/2010

File # 09 108744

Attachment 6: Official Plan



TORONTO City Planning
Official Plan

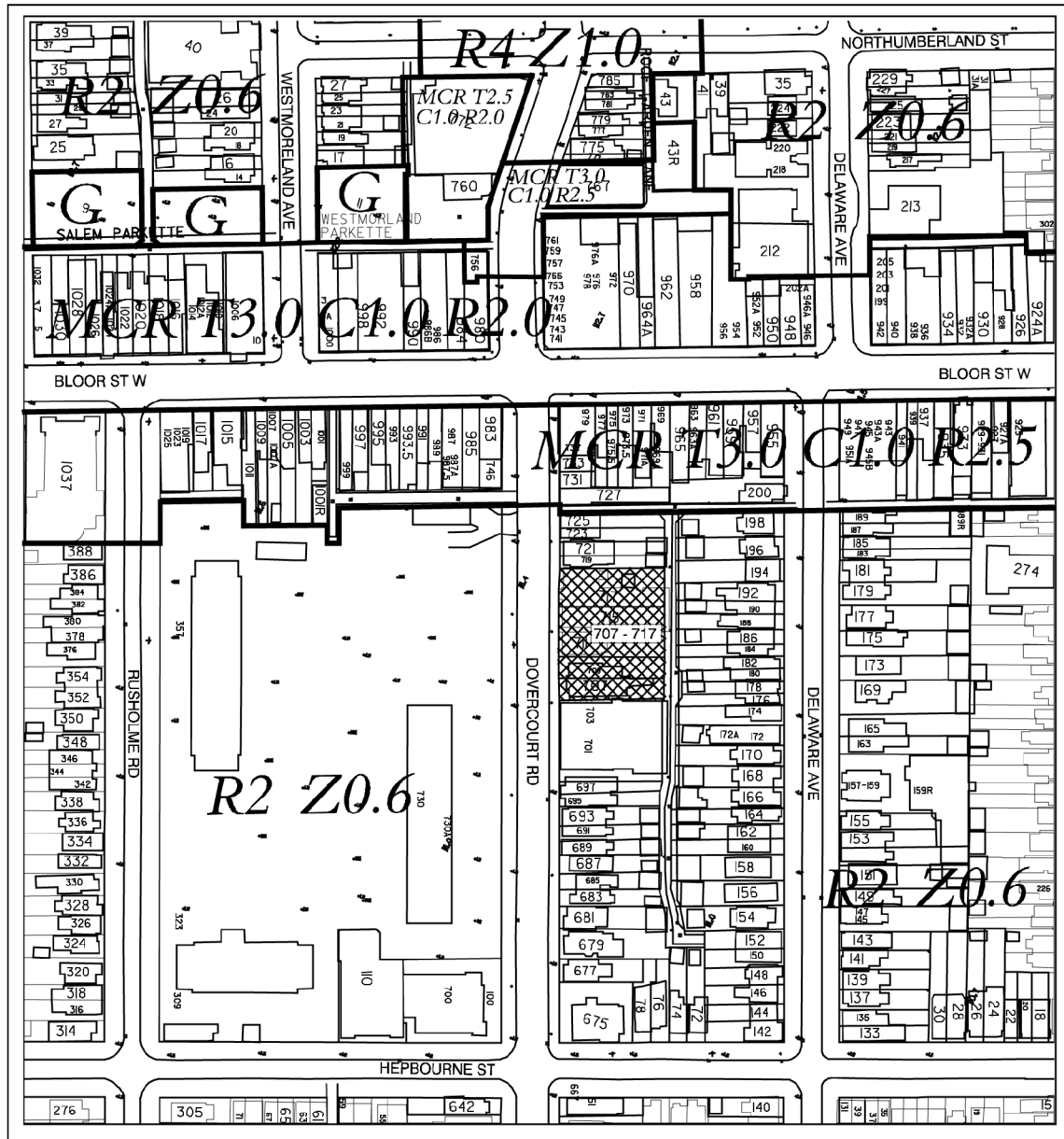
707 - 717 Dovercourt Road

File # 09_108744




Not to Scale
03/17/09

Attachment 7: Zoning



TORONTO City Planning
Zoning

707 - 717 Dovercourt Road

File # 09_108744

R2 Residential District
R4 Residential District
MCR Mixed-Use District
G Parks District

Not to Scale
Zoning By-law 438-86 as amended
Extracted 03/17/09 - DR



Attachment 8: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	09 108744 STE 19 OZ
Details	OPA & Rezoning, Standard	Application Date:	February 11, 2009

Municipal Address:	707 DOVERCOURT RD
Location Description:	PL 329 BLK T PT LT16 **GRID S1902
Project Description:	OPA and Rezoning for construction of new 5 storey residential building containing 75 dwelling units with 2 levels below grade parking with 78 parking spaces (9 visitors) 4196m ² . Development includes 51 1-bedroom, 17 2-bedroom, and 7 Studio

Applicant:	Agent:	Architect:	Owner:
DAVID BIEMAN	Slobodsky Associates	TACT Design Inc./Onespace Unlimited	2164008 ONTARIO LIMITED

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	1918	Height:	Storeys:	5	
Frontage (m):	47.59		Metres:	15.65	
Depth (m):	40.25				
Total Ground Floor Area (sq. m):	909				Total
Total Residential GFA (sq. m):	4196		Parking Spaces:	78	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
Total GFA (sq. m):	4196				
Lot Coverage Ratio (%):	47.4				
Floor Space Index:	2.19				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	7
1 Bedroom:	51
2 Bedroom:	17
3 + Bedroom:	0
Total Units:	75

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	4196	0	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:	Jeff Markowiak, Planner
	TELEPHONE:	(416) 397-4647

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 ~, 2010

Enacted by Council: ~, 2010

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2010

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2009, as
707, 709, 711, 715 & 717 Dovercourt Rd**

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*;

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

1. The text and maps attached hereto as Schedule 'A' are hereby adopted as Official Plan Amendment No. 112 to the Official Plan of the City of Toronto.

ENACTED AND PASSED this ~ day of ~, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

SCHEDULE ‘A’

AMENDMENT NO. 112 TO THE OFFICIAL PLAN

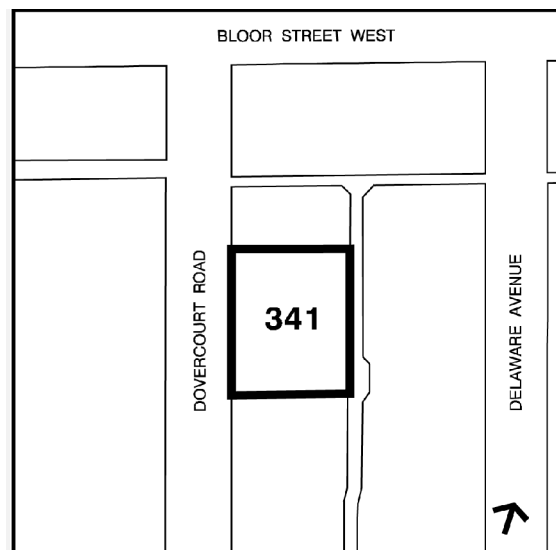
**LANDS MUNICIPALLY KNOWN IN THE YEAR 2009 AS
707, 709, 711, 715 & 717 DOVERCOURT ROAD.**

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

1. Chapter Seven, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 341 for the lands known municipally in 2009 as 707, 709, 711, 715 and 717 Dovercourt Road, as follows:

“341. 707, 709, 711, 715 and 717 Dovercourt Road

A residential building with a maximum of 5 storeys is permitted.



2. Maps 28 and 29, Site and Area Specific Policies, are amended for the lands shown municipally in 2009 as 707, 709, 711, 715 and 717 Dovercourt Road, as shown on the map above as Site and Area Specific Policy No. 341.

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 ~, 2010
Enacted by Council: ~, 2010

CITY OF TORONTO

Bill No. ~

BY-LAW No. --2010

To amend Zoning By-law No. 438-86, as amended, With respect to the lands municipally known as, 707 – 717 Dovercourt Road

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

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. None of the provisions of Sections 4(2)(a), 4(4)(b) and (d), 4(12), 4(13)(a) and (c), 4(16), 6(1)(f)(a), 6(3) Part I, 6(3) Part II, and 6(3) Part III of By-law No. 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of an *apartment building* on the *lot*, known municipally in the year 2010 as 707 to 717 Dovercourt Road, provided that:
 - (1) the *lot* shall consist of the lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - (2) a maximum of 75 *dwelling units* are permitted on the *lot*;
 - (3) a maximum of 4238 square metres of *residential gross floor area* is permitted on the *lot*;
 - (4) no portion of any building or structure located above *grade* is located otherwise than wholly within the areas delineated by heavy lines as shown on Map 2 attached to and forming part of this By-law, with the following exceptions:
 - (i) entrance canopies, awnings, eaves, architectural features, light fixtures, underground garage ramps and associated ramp

structures, door swings, fences, terrace and balcony railings, dividers and screens, landscape features, guard-rails, retaining walls, patios, decks, surface driveways, walkways and wheel chair ramps;

- (5) no portion of any building or structure located above *grade* shall exceed the *height* limits specified by the numbers following the symbol “H” as shown on Map 2, attached to and forming part of this By-law, with the following exceptions:
 - (i) architectural features, lighting fixtures, fences, terrace and balcony railings, dividers and screens, landscape features, and guard-rails, provided they exceed the permitted height by no more than 3.0 metres;
 - (ii) window washing equipment and elements of a green roof;
 - (iii) heating, cooling or ventilating equipment provided they exceed the permitted height by no more than 3.5 metres and are not located outside of the hatched area on Map 2;
 - (iv) stairs, stair enclosures, elevator overrun, provided they exceed the permitted height by no more than 3.5 m and are not located outside of the hatched area on Map 2;
 - (v) parapets provided they exceed the permitted height by no more than 0.5m; and
 - (vi) the projections permitted by Section 1(4)(i).
- (6) *parking spaces* will be provided and maintained on the *lot*, in accordance with the following minimum standards:
 - (i) 0.3 *parking space* for each bachelor *dwelling unit*;
 - (ii) 0.7 *parking space* for each one bedroom *dwelling unit*;
 - (iii) 1.0 *parking space* for each two bedroom *dwelling unit*;
 - (iv) 1.2 *parking spaces* for each three bedroom *dwelling unit*;
 - (v) 0.12 *parking space* for each *dwelling unit* for the exclusive use of visitors to the building.
- (7) a maximum of 4 *parking spaces* which are obstructed on one side in accordance with Section 4(17)(e) of By-law No. 438-86, as amended, shall have minimum dimensions of 5.6 metres in length and 2.6 metres in width;
- (8) one *loading space – type G* shall be provided and maintained on the *lot*;

- (9) a minimum of 49 square metres of *residential amenity space* located indoors and a minimum of 122 square metres of *residential amenity space* located outdoors shall be provided on the *lot*; and
 - (10) a minimum of 46 *resident bicycle parking spaces* shall be provided on the *lot* for occupants of the *dwelling units* and a minimum of 11 *visitor bicycle parking spaces* shall be provided on the *lot*.
2. The density and height of the development permitted by this By-law is subject to the owner of the lands to which this by-law applies entering into, and registering against the title to such lands, one or more agreements with the City of Toronto, pursuant to Section 37 of the *Planning Act* R.S.O. c.P. 13, as amended, to ensure the following facilities, services and matters. Although the following matters are not considered to be Section 37 contribution benefits, they will be secured in the Section 37 agreement:
 - (1) As part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the first and second storey portions of the east and west elevations with building materials labelled and the drawings having a sufficient level of detail to illustrate how the building will be perceived by pedestrians. The owner shall incorporate, in the construction of the apartment building, said exterior materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and
3. For the purpose of this By-law, each word or expression that is italicized shall have the same meaning as each such word or expression as defined by By-law No. 438-86, as amended, with the exception of the following:
 - (i) “*grade*” shall mean 111.27 metres Canadian Geodetic Vertical Datum.
4. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
5. 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. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

