

345 and 349 Carlaw Avenue – Rezoning Application – Final Report

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| Date: | June 3, 2010 |
| To: | Toronto and East York Community Council |
| From: | Director, Community Planning, Toronto and East York District |
| Wards: | Ward 30 – Toronto-Danforth |
| Reference Number: | 09-145196 STE 30 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 proposes to permit office uses, in addition to the industrial uses permitted at 345 and 349 Carlaw Avenue. There is no new development proposed.

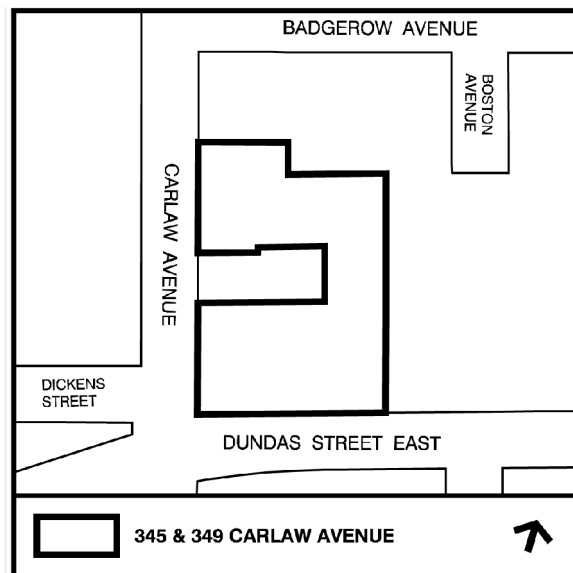
The Official Plan permits consideration of office uses in an Employment Area. Employment Areas are places of business and economic activity.

This report reviews and recommends approval of the application to amend the Zoning By-law to permit office uses within the existing buildings.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 438-86, for the former City of Toronto, for 345 and 349 Carlaw Avenue, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment



- No. 6 to the report dated June 3, 2010, from the Director, Community Planning, Toronto and East York District.
2. Before introducing the necessary Bills to City Council, City Council require the owner to:
 - a. Revise the Site Plan - A1, stamped received by City Planning on February 1, 2010, to clearly illustrate all parking space, loading space and drive aisle dimensions for the review and acceptance of the Executive Director of Technical Services.
 - b. Reduce the width of the Type B Loading Space adjacent to 349 Carlaw Avenue to 3.5 metres, and locate this space directly adjacent to the building wall so as to maintain a minimum drive aisle width of at least 3.35 metres adjacent to the loading space.
 - c. Comply with the Zoning By-law requirements for the number of parking spaces.
 3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required, including site specific amendments to the dimensional requirements for parking space and drive aisle dimensions.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2003, an application was submitted to permit live/work units within the existing buildings at 345 and 349 Carlaw Avenue. The owner decided not to proceed with the application and it was closed.

ISSUE BACKGROUND

Proposal

The proposal is to permit office uses, in addition to the existing permitted industrial uses, within both of the existing three storey buildings. There are 78 shared surface parking spaces located at the rear of the buildings. Attachment No. 5 contains relevant project data.

Site and Surrounding Area

The subject properties are located on the northeast corner of Carlaw Avenue and Dundas Street East. The site areas are approximately 2,645 m² for 345 Carlaw Avenue and 2,569 m² for 349 Carlaw Avenue, resulting in a combined site area of approximately 5,213 m². There are two existing buildings fronting on Carlaw Avenue (containing 6,673.21 m² gross floor area).

347 Carlaw Avenue is located between the two buildings and is not part of the application. 345 and 349 Carlaw Avenue share a parking area at the rear of the buildings. There are a variety of tenancies in the northern building and film related uses in the building to the south during film productions.

North: houses fronting on Badgerow Avenue

South: Dundas Street East and further south a recently approved 11 storey residential building

East: an industrial building and a townhouse development

West: Carlaw Avenue and an industrial building used for employment purposes

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 Official Plan designates the subject properties "*Employment Areas*", which provides for offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the proceeding uses, and restaurants and small scale stores and services that serve area businesses and workers.

In addition to the general policies of the Official Plan, Site and Area Specific Policy No. 154 also applies to the site and states:

A mix of employment and residential uses are permitted provided that:

- a) if the property is designated *Employment Areas*, the building will provide for a satisfactory living environment compatible with the employment uses in the building and adjacent areas.

The application to permit offices in both buildings located at 345 and 349 Carlaw Avenue is consistent with the Official Plan.

Zoning

The property is zoned I1 D3 which permits a variety of industrial uses up to a density of three times the area of the lot. The height limit is 18 metres. Although offices as a distinct use are not permitted in an industrial zone, accessory office use to a principle use is permitted.

Site Plan Control

The proposal is not subject to site plan control.

Reasons for Application

Offices as a distinct use are not permitted under the existing zoning.

Community Consultation

A community consultation meeting was held in the neighbourhood on October 21, 2009. One member of the public attended the meeting and indicated that the proposal was acceptable. No concerns or written submissions have been submitted to the City.

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.

Land Use

The request to permit office uses in the existing buildings will provide additional employment opportunities in the Carlaw area and is consistent with the Official Plan.

Density, Height, Massing

There is no change to density, height and massing. The proposed additional use will be accommodated within the existing buildings.

Traffic Impact, Access, Parking

The zoning requires a total of 72 parking spaces for both buildings and 78 parking spaces are being proposed. The parking layout means that 349 Carlaw Avenue may be dependant on one space on the 345 Carlaw Avenue site. As now proposed, 345 Carlaw

Avenue provides parking over and above the minimum parking requirement. However, the layout and dimensions need to be confirmed before the By-law can be finalized. The proposed draft Zoning By-law acknowledges the shortfall for 349 Carlaw Avenue and requires that it be secured at 345 Carlaw Avenue. Should these properties be separated in the future, the obligation to provide the necessary parking space for 349 Carlaw Avenue will remain with the property at 345 Carlaw Avenue, if required.

The rear parking area has been recently paved/striped and provides shared parking for both buildings. Some of the existing parking space and drive aisle dimensions are substandard but appear to be operational and well-used. Technical Services staff require dimensioned plans for the parking area and this may result in adjustments to parking stall and aisle width dimensions and a reduction in the number of surplus parking spaces. As outlined in recommendation 2, when these details are determined the draft Zoning Bills will be finalized and brought forward for adoption.

Loading

Technical Services staff have reviewed and accepted the Loading Study prepared by Trans-Plan Incorporation under date of March 2010, in support of the project. On the basis of this study, one Type B loading space for each of the two buildings is acceptable.

The existing building at 345 Carlaw Avenue is served by a loading dock with access directly off Carlaw Avenue. The applicant's traffic consultant advised that this loading dock provides the only building access to the elevator for the second and third floor. They advise that this loading facility has been primarily associated with film and production tenants and that the removal of this loading facility is not feasible. The consultant commented that this loading activity usually occurs during off-peak hours, which is a less busy time for vehicular and pedestrian flows.

Also staff have requested that the width of the Type B Loading Space adjacent to 349 Carlaw Avenue be reduced to 3.5 metres, and located directly adjacent to the building wall. This will maintain a minimum drive aisle width of at least 3.35 metres adjacent to the loading space. This change is captured in recommendation 2(2).

Given the concerns raised by staff about the existing site condition, the owner has agreed to establish restricted loading times for the Carlaw Avenue loading dock during peak traffic hours (i.e. no loading between 7:30 a.m. to 9:30 a.m. and 4:30 p.m. to 6:30 p.m.). Transportation Services staff may also consider the introduction of Bills in Council to prohibit stopping or standing on Carlaw Avenue during peak periods, including the street segment in front of the Carlaw Avenue loading dock. This is not related to the introduction of the office use.

Toronto Green Standard

The Toronto Green Standard applies to all new planning applications made after January 31, 2010. This application was submitted prior to the requirement. For applications made prior to January 31st the Toronto Green Standard is applied on a voluntary basis.

The applicant is proposing a reflective white EPDM single ply roofing membrane replacing the existing built up roofing. Staff will continue to encourage the applicant to consult the City's draft *Design Guidelines for "Greening" Surface Parking Lots* for guidance on appropriate surface treatments and landscaping for surface parking lots.

Development Charges

It is estimated that the development charges for this project are approximately \$218,453 based on the ground floor office space. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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SIGNATURE

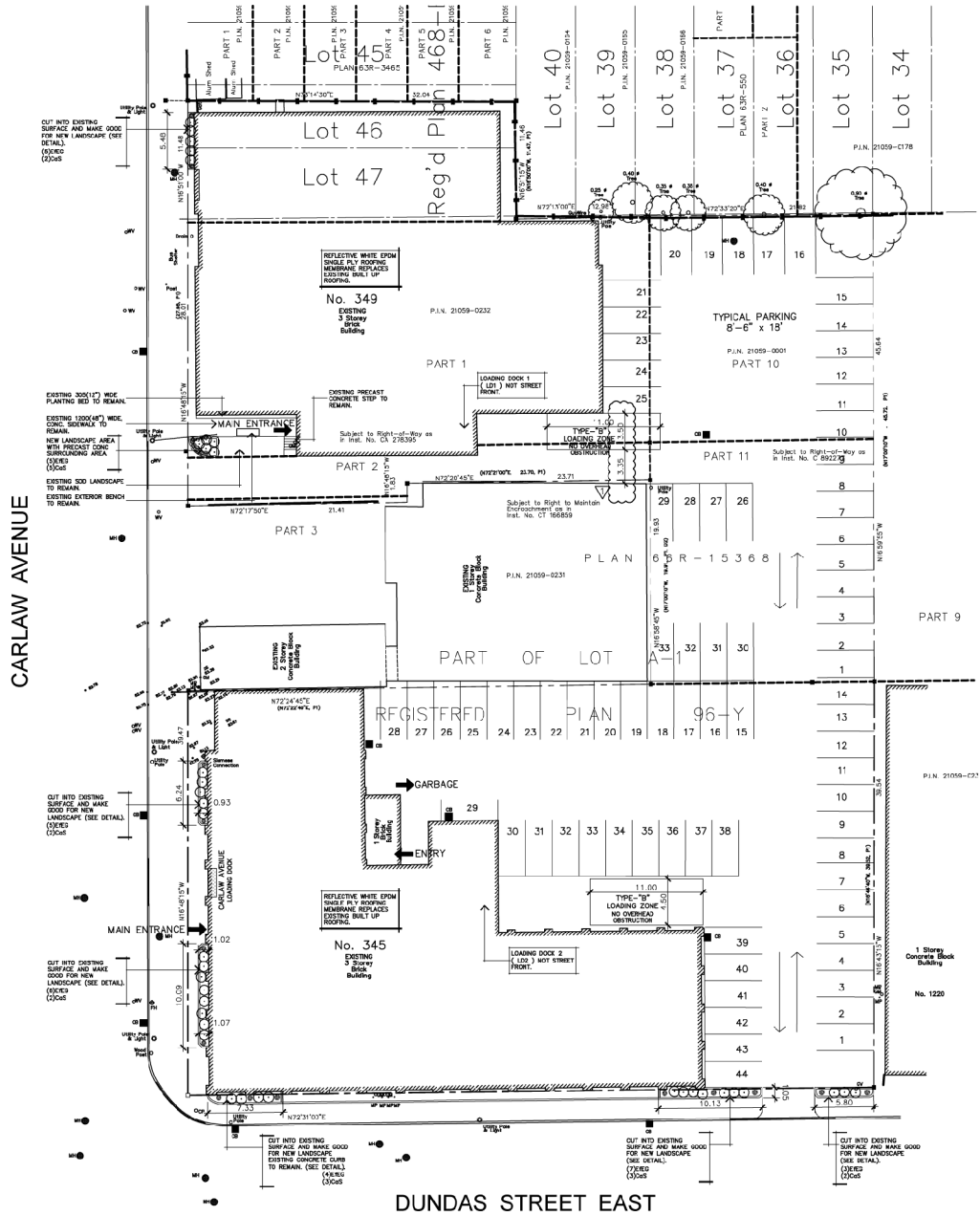
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations – 345 Carlaw Avenue
Attachment 3: Elevations – 349 Carlaw Avenue
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

345 & 349 Carlaw Avenue

Applicant's Submitted Drawing

Not to Scale
06/03/2010

File # 09_145196

Attachment 2: Elevations – 345 Carlaw Avenue



East Elevation



West Elevation



North Elevation



South Elevation

Elevations - 345 Carlaw Avenue

345 & 349 Carlaw Avenue

Applicant's Submitted Drawing

Not to Scale
08/05/2009

File # 09_145196

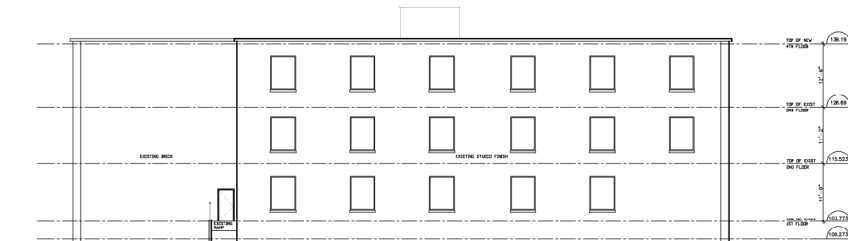
Attachment 3: Elevations - 349 Carlaw Avenue



East Elevation



West Elevation



North Elevation



South Elevation

Elevations - 349 Carlaw Avenue

345 & 349 Carlaw Avenue

Applicant's Submitted Drawing

Not to Scale
08/05/2009

File # 09_145196

Attachment 5: Application Data Sheet

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|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 09 145196 STE 30 OZ |
| Details | Rezoning, Standard | Application Date: | June 3, 2009 |

Municipal Address: 345 CARLAW AVE
 Location Description: PL 96Y PT LT A1 RP 63R 4207 PTS 4, 5, & 6 **GRID S3008
 Project Description: Rezoning application to allow for conversion of existing industrial building to permit office uses - surface parking at grade - please note that the buildings are on two separate parcels of land with contiguous parking.

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|--|---------------|-------------------|---------------------|
| Applicant: | Agent: | Architect: | Owner: |
| D. Maniates Architect Demosthenes (Denny) Maniates | | | 1079743 Ontario LTD |

PLANNING CONTROLS

| | | |
|----------------------------|------------------|--------------------------|
| Official Plan Designation: | Employment Areas | Site Specific Provision: |
| Zoning: | I1 D3 | Historical Status: |
| Height Limit (m): | 18 | Site Plan Control Area: |

PROJECT INFORMATION

| | | | | | |
|------------------------------------|---------|---------|-----------------|----|--------------|
| Site Area (sq. m): | 5213.45 | Height: | Storeys: | 0 | |
| Frontage (m): | 78.96 | | Metres: | 0 | |
| Depth (m): | 66.93 | | | | |
| Total Ground Floor Area (sq. m): | 2317.83 | | | | Total |
| Total Residential GFA (sq. m): | 0 | | Parking Spaces: | 78 | |
| Total Non-Residential GFA (sq. m): | 6673.21 | | Loading Docks | 0 | |
| Total GFA (sq. m): | 6673.21 | | | | |
| Lot Coverage Ratio (%): | 44.5 | | | | |
| Floor Space Index: | 1.28 | | | | |

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

| | | | Above Grade | Below Grade |
|--------------|---|----------------------------------|-------------|-------------|
| Tenure Type: | | | | |
| Rooms: | 0 | Residential GFA (sq. m): | 0 | 0 |
| Bachelor: | 0 | Retail GFA (sq. m): | 0 | 0 |
| 1 Bedroom: | 0 | Office GFA (sq. m): | 6673.21 | 0 |
| 2 Bedroom: | 0 | Industrial GFA (sq. m): | 0 | 0 |
| 3 + Bedroom: | 0 | Institutional/Other GFA (sq. m): | 0 | 0 |
| Total Units: | 0 | | | |

CONTACT: PLANNER NAME: Denise Graham, Senior Planner - East Section
TELEPHONE: (416) 392-0871

Attachment 6: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council

Enacted by Council:

CITY OF TORONTO

BY-LAW NO. -2009

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 345 and 349 Carlaw Avenue

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

1. This By-law shall apply to those lands outlined by a heavy black line and identified as “Area subject to Amendment”, on Map 1, attached hereto (the “Subject Lands”).
2. None of the provisions of Sections Section 9 (1) (f), Section 4 (4) (b) and Section 4 (6) 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 use of the buildings on the Subject Lands for offices provided:
 - (a) at least one *parking spaces* is provided on the lands municipally known in 2009 as 345 Carlaw Avenue for the sole use of 349 Carlaw Avenue;
 - (b) at least one loading space – type “B” is provided on the lands municipally known in 2009 as 345 Carlaw Avenue;
 - (c) at least one parking space – type “B” is provided on the lands, municipally known in 2009 as 349 Carlaw Avenue; and
 - (d) there are no additions to the existing buildings as they exist on January 31, 2010.
3. Despite the definition of *parking space*, for the purpose of this By-law all *parking spaces* provided and maintained will meet the dimensional requirements of Section 4 (17) of the former City of Toronto By-law No. 438-86 except: **Note: parking space dimensions to be inserted after receipt and review of revised, fully dimensioned plan as per Recommendation No. 2 above.**
4. Despite the provisions of Section 4(4)(c)(ii) of the former City of Toronto By-law No. 438-86 respecting minimum driveway widths for one-way and two-way

driveways, the minimum driveway width for one-way operation may be reduced to 3.35 metres adjacent to the Type B Loading Space.

5. Notwithstanding any defined terms by this By-law each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in former City of Toronto Zoning By-law No. 438-86, as amended.

