

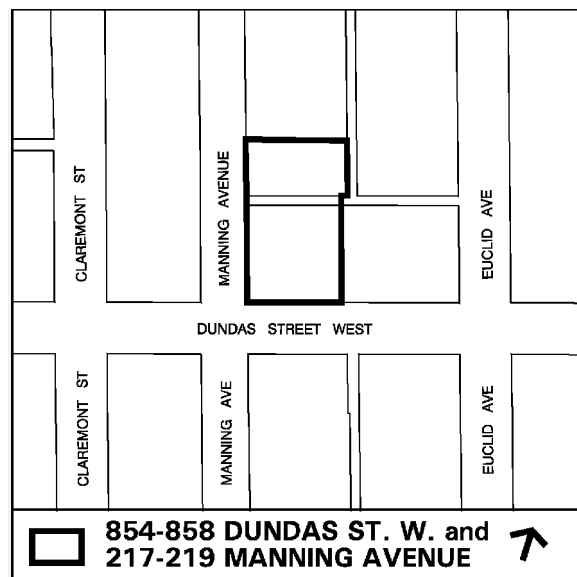
854, 856 and 858 Dundas St West, and 217 and 219 Manning Avenue- Zoning Amendment Application – Final Report

Date:	December 13, 2011
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	10 289457 STE 19 OZ

SUMMARY

An application was made in November 2010 which proposed to construct an 8-storey mixed-use building containing 95 residential dwelling units and retail uses at grade at 854, 856 and 858 Dundas St West. The site at 217 and 219 Manning Avenue, was proposed to be developed with 8 townhouses fronting onto the public laneway that runs east-west between Manning Avenue and Euclid Avenue.

Since the time of original application, and after consultation with the community, the Ward Councillor, and City Divisions, the applicant has revised their application to a 7-storey mixed use building containing 82 residential dwelling units and retail space at grade at 854, 856 and 858 Dundas St West. The site at 217 and 219 Manning Avenue, is now proposed to be developed with 10 townhouses, five of which will front onto Manning Avenue, with the remaining five fronting onto the existing public laneway that runs in a north south direction, between Manning Avenue and Euclid Avenue.



This report reviews and recommends approval of a draft Zoning By-law

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Amendment including modifications to the current proposal as described in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Toronto Zoning By-law 438-86, for the lands at 854, 856 and 858 Dundas Street West and 217 and 219 Manning Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10 to the report dated December 13, 2011 from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
3. Before introducing the necessary Bills to City Council for enactment, City Council require the owner of 854, 856 and 858 Dundas Street West and 217 and 219 Manning Avenue to obtain Notice of Approval Conditions under Section 41(16) of the Planning Act and Section 114 of the City of Toronto Act.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The subject site is located at the north-east corner of Dundas Street West and Manning Avenue. The site is divided by a public lane, which results in two development parcels: one which fronts onto Dundas Street West (southern parcel) and one which fronts onto Manning Avenue (northern parcel).

As part of the applicant's original November 2010 application, the applicant proposed to construct an 8-storey mixed use building which would have contained retail space at grade, with 95 residential dwelling units on the southern parcel. The originally proposed 8-storey building would have had a gross floor area of approximately 7,766m², of which 510 m² was proposed to be allocated for retail uses. The overall building height for this parcel was proposed to be approximately 30.7 metres, to the top of the mechanical penthouse, having a proposed density of 5.74 times the lot area.

That same application proposed to construct 8 townhouses on those lands which front onto Manning Avenue. The originally proposed townhouses would have had an overall height of approximately 12 metres, and a gross floor area of 1.96 times the lot area.

Since the time of the original November 2010 application, and after consultation with the community and the Ward Councillor, and comments from the City Divisions, the applicant has revised their proposal. The applicant now proposes to construct a 7-storey mixed use building which would contain 82 residential dwelling units and retail space at grade on the southern parcel. The 7-storey building is currently proposed to have a gross floor area of approximately 6,897m², of which 484 m² is proposed to be allocated for retail uses. The overall building height for this is proposed to be 27.25 metres, including mechanical penthouse. The proposed density for this lot is approximately 5.0 times the lot area.

The applicant now proposes to develop the northern parcel of the site is with 10, 4-storey townhouses, five of which would front directly onto Manning Avenue, with 5 fronting onto the public lane which runs in a north-south direction between Manning Avenue and Euclid Avenue. The proposed height of these townhouses is 12 metres, and the proposed density for the site is 1.89 times the lot area.

Site and Surrounding Area

The subject site is located at the north east corner of Dundas Street West and Manning Avenue. The site has an overall site area of approximately 2,250 m² and is divided by a public laneway which runs in an east-west direction. The southern portion of the site has a lot area of approximate 1,404m² and is currently occupied by a lumber and building supply store and yard. The northern portion of the site has a lot area of approximately 850m² and is occupied by a storage shed accessory to the lumber and building supply store.

Development along Dundas Street West consists of mixed use developments of a low scale, contained within 2-to-3-storey buildings with retail uses at grade and residential uses above. A gas bar and convenience store is located on the opposite corner to the subject site. To the north and south of Dundas Street West are stable low density neighbourhoods.

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 southern parcel of the subject site is designated *Mixed Use Areas* in the Official Plan. This designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* includes, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale;
- locate and mass new buildings to frame the edges of streets and parks;
- provide an attractive, comfortable and safe pedestrian environment;
- 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-residential development.

The Healthy Neighbourhoods Section of the Official Plan (Section 2.3.1) identifies that the intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. The plan also states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, maintain adequate light and privacy for residents in those *Neighbourhoods*.

The northern parcel of the site is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* 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-stories. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

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The Plan identifies *Neighbourhoods* as established areas that are physically stable, in which development will respect and reinforce the existing physical character of the neighbourhood. Particular aspects of physical character are identified including: patterns of streets, blocks and lanes; lot size; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types, or predominant forms of development in the neighbourhood; and, prevailing patterns of rear and side yard setbacks and landscaped open space.

In addition to the specific land use policies, and the Healthy Neighbourhood Policies, Section 3.1.2 of the Official Plan contains Built Form Policies. This section of the Plan identifies that our enjoyment of streets and open spaces largely depends upon the visual quality, activity, comfortable environment, and perceived safety of these spaces. These qualities are largely influenced directly by the built form of adjacent buildings. The Built Form section of the Plan also identifies that the majority of new growth will take place in the areas of the City where intensification is appropriate. These areas included the *Downtown, Centres, and along Avenues*.

The Plan identifies that developments must be conceived not only in terms of individual building site, but how that site, building and facades fit within the existing and/or planned context of the neighbourhood and the City. Policy 3.1.2.3 (a) states that new development will be massed to fit harmoniously within its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, and open spaces by massing buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportions. In addition, Policy 4 identifies that new development will be massed to define the edges of streets, parks, and open spaces at good proportion.

Section 2.2.3 of the Official Plan speaks to development along the City's *Avenues*. Policy 2.2.3.3 states that development in *Mixed Use Areas* on *Avenues*, prior to an Avenue Study, has the potential to set a precedent for the form and scale of reurbanization along the *Avenues*. In addition to the policies of the Plan for *Mixed Use Areas*, proponents of such proposals will also address the larger context and examine the implications for the segment of the *Avenue* on which the proposed development is located.

Policy 2.2.3.3(b) states that the review of the segment will:

- include an assessment of the impacts of the incremental development of the entire *Avenue* segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- consider whether incremental development of the entire *Avenue* segment as identified in the above assessment would adversely impact any adjacent *Neighbourhoods*;

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- consider whether the proposed development is supportable by available infrastructure; and
- be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.

Development requiring a rezoning will not be allowed to proceed prior to completion of an Avenue Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire *Avenue* segment will have no adverse impacts within the context and parameters of the review.

Policy 2.2.3.3(c) states that development in *Mixed Use Areas* on *Avenues* that precedes the completion of an Avenue Study will:

- support and promote the use of transit;
- contribute to the creation of a range of housing options in the community;
- contribute to an attractive, safe and comfortable pedestrian environment that encourages walking and strengthens local retailing;
- provide universal physical access to all publicly accessible spaces and buildings;
- conserve heritage properties;
- be served by adequate parks, community services, water and sewers, and transportation facilities; and
- be encouraged to incorporate environmentally sustainable building design and construction practices.

Zoning

The subject site has split zoning. The southern portion of the subject site is zoned Mixed Commercial Residential. This zoning category permits a range of residential and commercial uses to a maximum height of 16.0 metres, and a maximum total density of 2.5 times the lot area.

The northern portion of the subject site, those lands which front onto Manning Avenue, are zoned Residential (R2). This zoning category permits a range of residential building types to a maximum height of 10.0 metres, and a maximum density of 0.6 times the lot area.

Site Plan Control

The subject site and development is subject to Site Plan Control. An application for Site Plan Control has been submitted and is being reviewed concurrently with the Zoning Amendment application.

Reasons for Application

A Rezoning application is required to permit the scale and density proposed by the application.

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Community Consultation

A Community Consultation meeting was held on May 31, 2011 at Trinity Bellwoods Recreation Centre. Approximately 50 members of the public were in attendance at the meeting.

Issues raised by the public included:

- ***Mid-rise and Avenue Study work:*** concerns related to the Mid-rise and Avenue Study work included: questions regarding why the proposal could not comply with all the criteria listed in the guidelines, the purpose of the guidelines, concerns that the proposal would set a precedent by not complying with the guidelines.
- ***Height of buildings:*** concerns related to height included: compatibility and fit with adjacent residential uses; the loss of light, views and privacy by residents in the neighbourhood; residents felt that the building should not exceed 20 metres in height as per the Mid-rise and Avenue Study work; and concerns that the proposed height was out of character for Dundas Street West.
- ***Townhouse component:*** concerns related to the townhouses proposed included: the orientation of the proposed town homes off the lane, and the impact that the second row may have on the existing low density residential development; concern that the townhouses were not animating the street, or consistent with the character of the street; suggestions were made that the dividing screens along Manning Avenue be replaced with porches so that the character of the neighbourhood be maintained.
- ***Traffic and Servicing:*** concerns related to traffic and servicing included: increased levels of traffic arising from this development, and about visitor parking for the retail units along Dundas St. West; questions were also raised about the capacity of municipal services and whether there was sufficient capacity to handle the increased development.
- ***Shadows:*** concern was expressed about the impact of new shadows on the neighbourhood to the north.

Planning staff endeavoured to answer the questions asked by those in attendance at the Community Consultation meeting, and required revisions to be made to the plans. Further detail is provided in the comments section of this report.

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

Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement, and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Avenue Segment Study

In response to the *Avenue* Policies contained within the Official Plan, primarily Policy 2.2.3.3, the applicant submitted an Avenue Segment Study (prepared by Andrew Dales Consulting) on November 2, 2010 in support of their rezoning application. The review includes properties fronting on Dundas Street West between Bathurst Street to the east and Gore Vale Street. The intersection of Bathurst Street and Dundas Street West was excluded from the study analysis.

The Avenue Segment Study provides a background review of relevant policies, and an inventory of existing built form, and a community services and facilities assessment, which helps to inform the impacts that incremental development may have on the *Avenue*. The Avenue Segment Study identifies that there are three (3) soft sites along the segment that may be redeveloped in the near or long-term at heights and densities that are similar to those proposed for the subject site. The consultant identifies that due to the requirement to assemble parcels in order to create development sites, there are limited soft sites available in the immediate area. The Avenue Segment Study reveals that the only site that is likely to redevelop in the near future is the 7-Eleven Convenience Store and Gas Bar located at 883 Dundas Street West. The two remaining soft-sites will likely not develop in the near future as they involve the assembly of two or more properties in order to create development parcels. The Avenue Segment Study indicates that the development scenarios results in building heights of 5 to 8 storeys at the soft-sites, with little to no change along the remainder of the segment.

The applicant's Avenue Segment Study indicates that the segment benefits from its central location in the City, being well served by existing community services and facilities, as well as transit and road infrastructure. The applicant's Avenue Segment Study concludes that the existing infrastructure, community facilities and social service capacity is sufficient to support the added population generated by small scale residential and mixed use development anticipated along the segment.

Based on the consultant's analysis and planning rationale, it is staff's opinion that incremental development within the segment would not adversely impact adjacent *Neighbourhoods*. The consultant's soft-site development scenario demonstrates a level Staff report for action – Final Report – 854, 856 and 858 Dundas St W, and 217 and 219 Manning Ave

of reurbanization that, in principle, is in keeping with the Official Plan policies for *Avenues*. The conclusions in the Avenue Segment Study with respect to appropriate building heights, densities and massing are not considered to be conclusive in terms of future consideration of any development applications that the City may receive. Any future development applications submitted in the Avenue Segment will be evaluated on their own merit, with staff having the benefit of reviewing full and detailed development proposal submission materials.

Land Use

The Official Plan identifies that *Mixed Use Areas* are intended to achieve a multitude of planning objectives by combining a broad array of residential, office, retail and service uses. *Mixed Use Areas* are intended to be areas which allow residents to live, work and shop in the same area, even the same building, giving individuals an opportunity to be less dependent upon their automobiles, while creating districts along transit routes that are animated, attractive, and safe. Although *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service uses in the City, not all *Mixed Use Areas* will experience the same scale or intensity of development. The highest buildings and greatest intensity will occur in the *Downtown*, with decreased intensity and scale in the *Centres* and along *Avenues*.

The development criteria contained within Section 4.5.2 of the Official Plan seeks to ensure that, among other matters, development in *Mixed Use Areas* creates a balance of high quality commercial, residential, institutional uses that reduce automobile dependency while meeting the needs of the local community. The Plan also seeks to create and sustain well paid, stable, safe and fulfilling employment opportunities on lands designated *Mixed Use Areas*. The development has non-residential space at grade along Dundas Street West which is in keeping with the commercial character of the *Avenue*. Staff have determined that the proposed mid-rise development, with minor amendments, on the southern parcel is appropriate for this site and complies with *Mixed Use Areas* Policies contained within the Official Plan

The north parcel of the site is designated *Neighbourhoods*. *Neighbourhoods* 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. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. The Plan identifies *Neighbourhoods* as established areas that are physically stable, in which development will respect and reinforce the existing physical character of the neighbourhood. Particular aspects of physical character are identified including: patterns of streets, blocks and lanes; lot size; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types, or predominant forms of development in the neighbourhood; and, prevailing patterns of rear and side yard setbacks and landscaped open space.

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The Healthy Neighbourhood policies within the Official Plan identify that some physical change will occur over time in neighbourhoods as enhancements, additions and infill housing on individual sites. A cornerstone policy in the Plan is to ensure that new development in neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood. Policy 1, under Section 2.3.1 states that *Neighbourhoods* are considered physically stable areas. Development within *Neighbourhoods* will be consistent with this objective, and will respect and reinforce the existing physical character of buildings, streetscapes, and open space patterns in these areas.

The Official Plan identifies that prevailing building type as the residential uses permitted in the Zoning By-law which are intended to establish the benchmark for what is to be permitted in the future. The existing neighbourhood context consists of low-density residential uses in a variety of building typologies, ranging from single detached and semi-detached dwellings, as well as townhouses dwelling. Given the planned context noted, and the role of the site in the low-density residential neighbourhood, the application has been assessed for compatibility with, and impacts on, the adjacent low-density neighbourhood. The *Neighbourhoods* designation in the Official Plan and the zoning allows for a range of residential uses including townhouses. The proposed townhouses on this parcel have a design that is in-line with the existing physical character and streetscape of the neighbourhood and complies with *Neighbourhoods* Policies in the Official Plan. Staff have determined that the proposed townhouse development on the north parcel is appropriate for this site, again with minor modifications as described in this report.

Mid-rise and Avenue Study

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications. The main objective of this City-wide Study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The Avenues and Mid-rise Buildings Study identifies a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement both the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan.

The application has been reviewed against the Performance Standards contained within the Avenues and Mid-Rise Buildings Study. The applicant has been able to satisfy a

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majority of the 36 performance standards contained within the study. The applicant was unable to satisfy the following performance standards:

- Performance Standard #1 – Maximum Allowable Height
 - The proposed height of the mid-rise building is 27.25 metres to top of building, including mechanical penthouse. The maximum permitted height is the width of the road, which in this case would be 20.0 metres.

- Performance Standard #5A- Rear Transition to Neighbourhoods: Deep Properties
 - The performance standard requires a setback of 7.5 metres. The applicant is providing a 6 metre setback from the lands designated *Neighbourhoods*.

- Performance Standard # 6 – Corner Sites: Heights & Angular Plane
 - Portions of the mid-rise building project into the 45 degree angular plane at the sixth and seventh storey.

- Performance Standard #7A – Minimum Sidewalk Zones
 - The proposal provides a 4.5 metre sidewalk zone along Dundas Street West. The performance standard requires a minimum sidewalk zone of 4.8 metres.

Height

Performance Standard 1 of the Mid-rise and Avenues Study identifies that the maximum allowable height of the *Avenues* will be no taller than the wide of the *Avenue* right-of-way. On Dundas Street West, which has a right-of-way width of 20 metres at this location, the mid-rise building consisting of commercial uses at grade and residential dwelling units above, can be 20-metres in height, or 6 storeys. The study also recognizes that building height is only one aspect of regulating building design. Performance Standard 13 – Roofs and Roofscapes, identifies that mechanical penthouses may exceed the maximum height limit by up to 5 metres, but may not penetrate the angular plane.

Staff, in reviewing the application, has determined that a building with an overall height of 25 metres to top of mechanical penthouse would be acceptable. In this case, the units can be wrapped around the mechanical penthouse, while not projecting into the angular plane for an overall building height of 25 metres (20 metre height limit plus a 5 metre mechanical penthouse above) with wrapped units, would meet the general intent of the Mid-rise and Avenues study.

The applicant's current proposal is for a 7-storey building with a height of 27.52 metres to the top of mechanical penthouse. Planning Staff have had discussions with the applicant regarding the proposed height, and indicated that Staff could not support a height that exceeds 25 metres to the top of the building, inclusive of the mechanical penthouse. The

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draft Zoning By-law contained as Attachment 10 only permits a building with an overall building height of 25 metres. No exemption will be given for mechanical penthouse over-runs, and the mechanical units will have to be contained within this 25-metre height limit.

The townhouse development proposed for the northern block currently identifies that both blocks of townhouse units will have heights of 12 metres. Staff have reviewed the proposed townhouse development, and have determined that a height of 12-metres for the units fronting onto Manning is acceptable. The proposed height of 12 metres is consistent with the recently approved townhouse development at 250 Manning Avenue which has heights that range between 11.5 metres and 11.96 metres. The 4-storey townhouses that front onto Manning Avenue also act as a transition between the mid-rise building fronting on Dundas Avenue West and the low density "*Neighbourhoods*" to the north.

The second block of townhouses which front the laneway that runs in a north south direction parallel to Manning Avenue and Euclid Avenue are not acceptable at 12 metres. Staff have concerns with the proposed fourth storey, and the loss of privacy as well as the overlook issues which arise due to this height. Staff have indicated to the applicant that they would only support a 10-metre height limit for this block of townhouses. That performance standard is included in the draft Zoning By-law Amendment contained as Attachment 10, to this report.

Built Form

The policies contained within the Official Plan assist in the review of development applications. The Official Plan identifies that developments may be considered not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City. Section 4.5 of the Official Plan sets out criteria to evaluate development within the "*Mixed Use Areas*" designation. All new development within "*Mixed Use Areas*" is required to locate and mass new buildings to frame the edge of the streets, maintain sunlight and comfortable wind conditions, and locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives contained within the Plan. These objectives are addressed by ensuring that developments provide appropriate setbacks and/or stepping down of heights, between areas of different development intensity and scale, and by locating and massing of new buildings in a manner that is sensitive and limits shadow impacts during the spring and fall equinoxes. The proposed 7-storey building is stepped back at the upper storeys in order to comply with the angular plane requirements in the Mixed Commercial Residential (MCR) zones. In addition, the townhouses on the northern portion of the site act as a transition between the mid-rise building which fronts onto Dundas Street West and the low density neighbourhood to the north. The proposed siting, massing and built form of the proposed mid-rise development, as modified by the recommendations in this report, is in keeping with the built form policies and the development criteria contained within the

“*Mixed Use Areas*” designation. The applicant’s proposal has adequately addressed the “*Mixed Use Areas*” policies contained within Section 4.5 of the Official Plan.

The north parcel of the site is designated "*Neighbourhoods*". “*Neighbourhoods*” 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 Official Plan identifies that prevailing building type as the residential uses permitted in the Zoning By-law which are intended to establish the benchmark for what is to be permitted in the future. The proposed townhouses have a design that is in-line with the existing physical character and streetscape of the neighbourhood and complies with *Neighbourhoods* policies within the Official Plan.

Sun and Shadow

The applicant was required to submit a sun/shadow study showing the comparable shadows of an as-of-right development (within the required setbacks and height limit) and the proposed development. The shadow studies reveal that the mid-rise building which fronts onto Dundas Street West does not significantly increase the amount of shadow which would be permitted by an as-of-right building on the southern parcel of the development site. Reducing the overall building height to 25-metres, inclusive of mechanical penthouse, creates shadows comparable to the as-of-right permission, and would be acceptable on this site.

The townhouses on the northern parcel are currently proposed to be 12-metres in height, whereas the permitted height limit for these lands is 10 metres. The townhouses as currently proposed do cast additional shadow on the neighbourhood to the north. Staff has concerns with the amount of shadow that is cast by the eastern block of townhouses. In order to mitigate the impact of shadows cast by this block, Staff is recommending that the height be reduced to 10-metres, or 3-storeys, whichever is the lesser. The reduction in the height of this block of townhouses would assist in reducing the shadow impact on the adjacent residential properties and comply with the as-of-right permissions.

Automobile Access and Parking

Parking for the mid-rise building will be provided in 2 levels of underground parking, which is accessed from the public lane located north of the Dundas Street West and Manning Avenue intersection. The applicant is required to provide parking in accordance with a ratio as per the draft Zoning By-law contained in Attachment 10. Visitor parking will also be provided within the underground garage.

The townhouse component of the development will have their own assigned parking spaces which are part of each individual townhouse unit under a decked area on the north parcel of the site. These spaces will be accessed from a common driveway from the same lane that is north of the Dundas Street West and Manning Avenue intersection.

Technical Services has indicated that the proposed parking for both parcels is acceptable.

In accordance with the Toronto Green Standards (TGS), when providing more than the minimum parking requirement under the Zoning By-law, any additional spaces are required to provide rough-in conduits to allow for future electrical outlets for plug-in electric vehicles. These conduits will be secured as part of the Site Plan Control Application.

Traffic Assessment

As part of the development proposal, the applicant was required to have a consultant prepare a Transportation Impact Study. The consultant's study concluded that the projected site traffic would have minimal impacts on the area intersections, and therefore could be acceptably accommodated on the adjacent road network. The City's Technical Services staff reviewed the study provided by the consultant, and based on the nature of the application, they concurred with the consultants conclusions, and have determined that the traffic impacts of the proposal will be acceptable.

Lane Widening

The site is serviced by a public lane located north of the Dundas Street West and Manning Avenue intersection. In accordance with the City Council policy, this laneway is required to be widened to 6.0 metres.

Solid Waste Collection

The City's Technical Services Division has indicated that the residential component of the mid-rise development will be collected by the City of Toronto. The retail component of the mid-rise development is ineligible for City of Toronto Collection, and thus is required to make arrangements for collection of that portion of the development's waste collection separately from the residential component.

The townhouse component of the development will have curbside collection services using share multi-residential bins, from Manning Avenue.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City. The applicant proposes to provide 102 occupant bicycle parking spaces, and 31 visitor bicycle parking spaces. The proposed bicycle parking is satisfactory to the City and will be secured as a performance standard within the Zoning By-law Amendment.

Residential Amenity Areas

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development, in addition to identifying that each resident will have access to outdoor

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amenity spaces. In addition, the former City of Toronto Zoning By-law requires that a minimum of 2m² per unit of indoor and outdoor amenity space be provided.

Within the mid-rise building, the applicant proposes to provide approximately 139 m² (1.7 m per unit) of common residential indoor amenity space at the mezzanine level of the ground floor. A small outdoor terrace of 14.0m² is located off the indoor amenity area. The configuration of the common spaces provides a sense of continuity between the areas. While the indoor amenity space is less than the 164m² of indoor amenity space which is required by the Zoning By-law, the configuration of the indoor and outdoor space is appropriate. In addition, the applicant has proposed that a majority of the dwelling units within the building have balconies, which provide outdoor space for individual respite. The patios and terraces proposed for the townhouse units are an acceptable means of providing outdoor amenity space for these individual units.

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 the City Wide Parkland Dedication By-law 1020-2010.

The north parcel proposes 10 residential units on a site with a net of 788.7m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.0133 hectares or 16.9% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use. In total, the parkland dedication requirement for the North Parcel is 79m².

The south parcel proposes 82 residential units and 487m² of non residential uses on a site with a net area of 1,352m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.109 hectares or 86.5% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement for the South Parcel is 128m².

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement (including both the north parcel and the south parcel) of 207m² would not be of a useable size. 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

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure, Cycling Infrastructure, Storage and Collection of Recycling and Organic Waste. Other applicable TGS performance measures will be secured through the Site Plan Approval process. The other applicable performance measures include rough-in for electric conduits, and native plantings in landscape areas.

Development Charges

It is estimated that the development charges for this project will be \$644,682.91. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusion

The project has a design that is consistent with the Built Form, *Mixed Use Areas* and *Neighbourhoods* policies of the Official Plan and is generally consistent with the Avenues and Mid-Rise Buildings Study. Subject to the modifications as recommended by staff, the proposal is appropriate development for the site and Planning staff recommend approval of the proposal in a revised form that is consistent with the draft Zoning By-law as contained within Attachment 10.

CONTACT

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E-mail: mprejel@toronto.ca

SIGNATURE

Gregg Lintern, Director, MCIP, RPP
Community Planning, Toronto and East York District

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Staff report for action – Final Report – 854, 856 and 858 Dundas St W, and 217 and 219 Manning Ave

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: South Elevation Midrise Building

Attachment 3: West Elevation

Attachment 4: North Elevation Midrise Building

Attachment 5: East Elevation

Attachment 6: West Elevation Townhouses

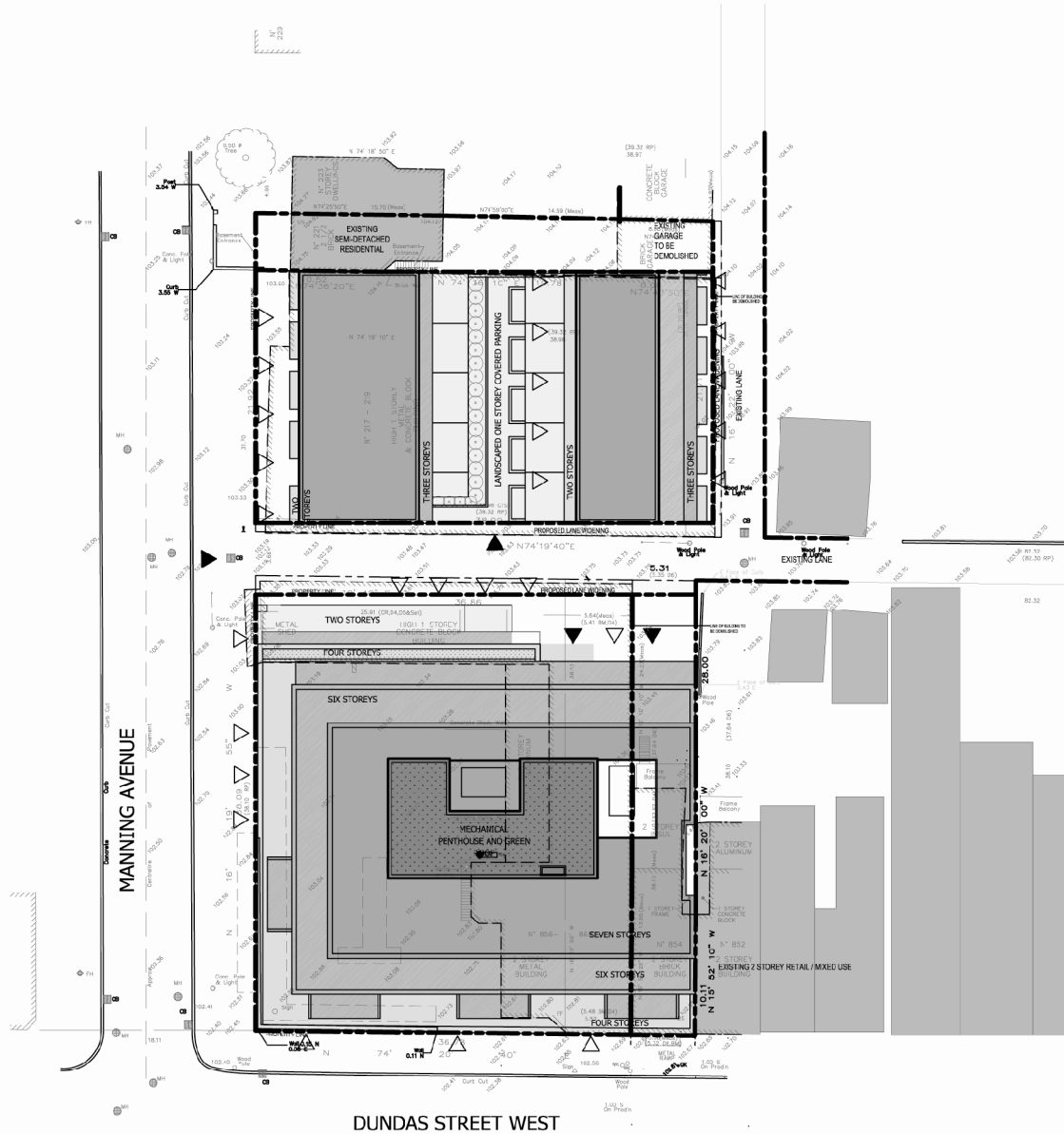
Attachment 7: East Elevation Townhouses

Attachment 8: Zoning

Attachment 9: Application Data Sheet

Attachment 10: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
12/05/11

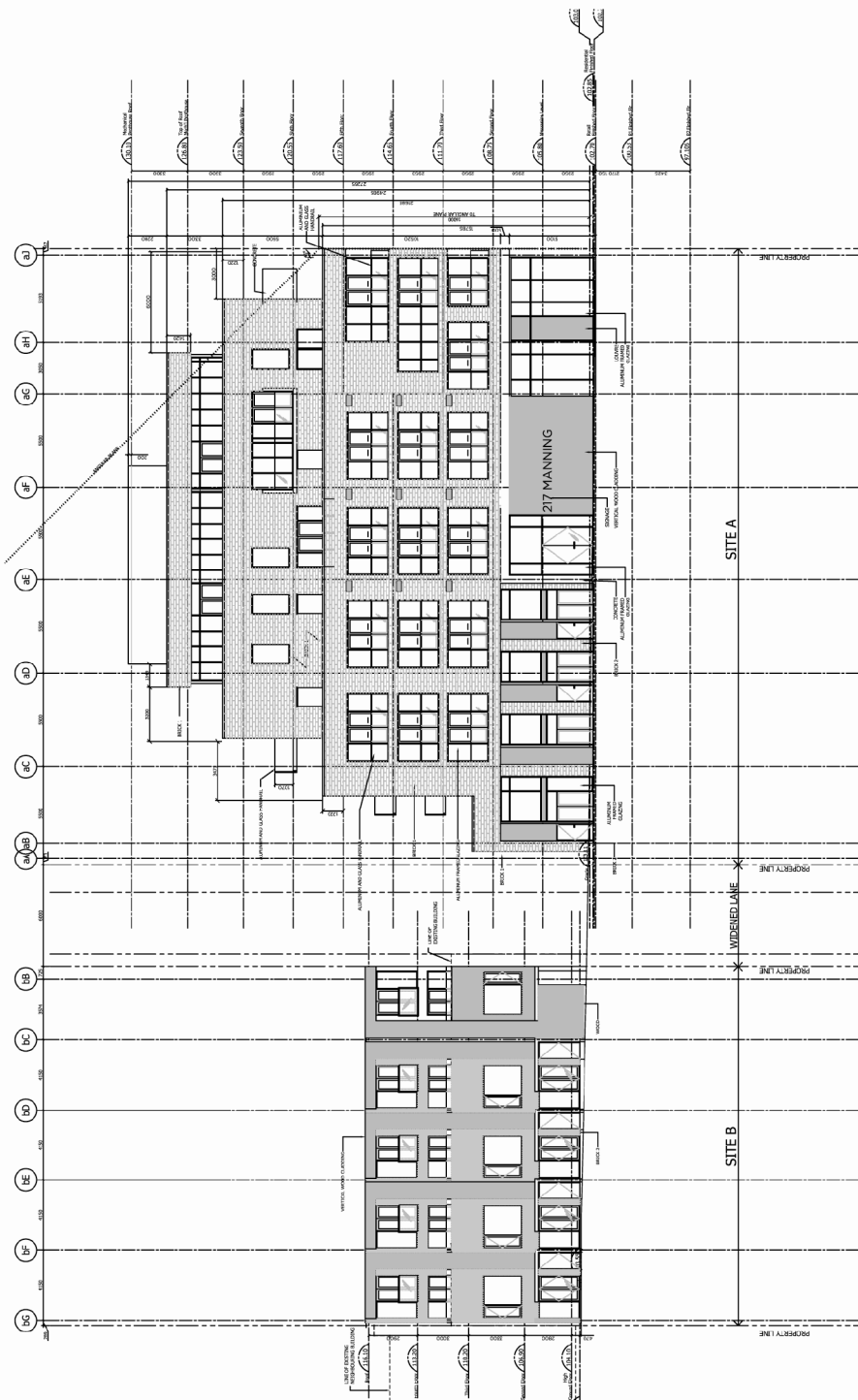


854,856 & 858 Dundas Street West
217 & 219 Manning Avenue

File # 10_289457_02

Staff report for action – Final Report – 854, 856 and 858 Dundas St W, and 217 and 219 Manning Ave

Attachment 3: West Elevation



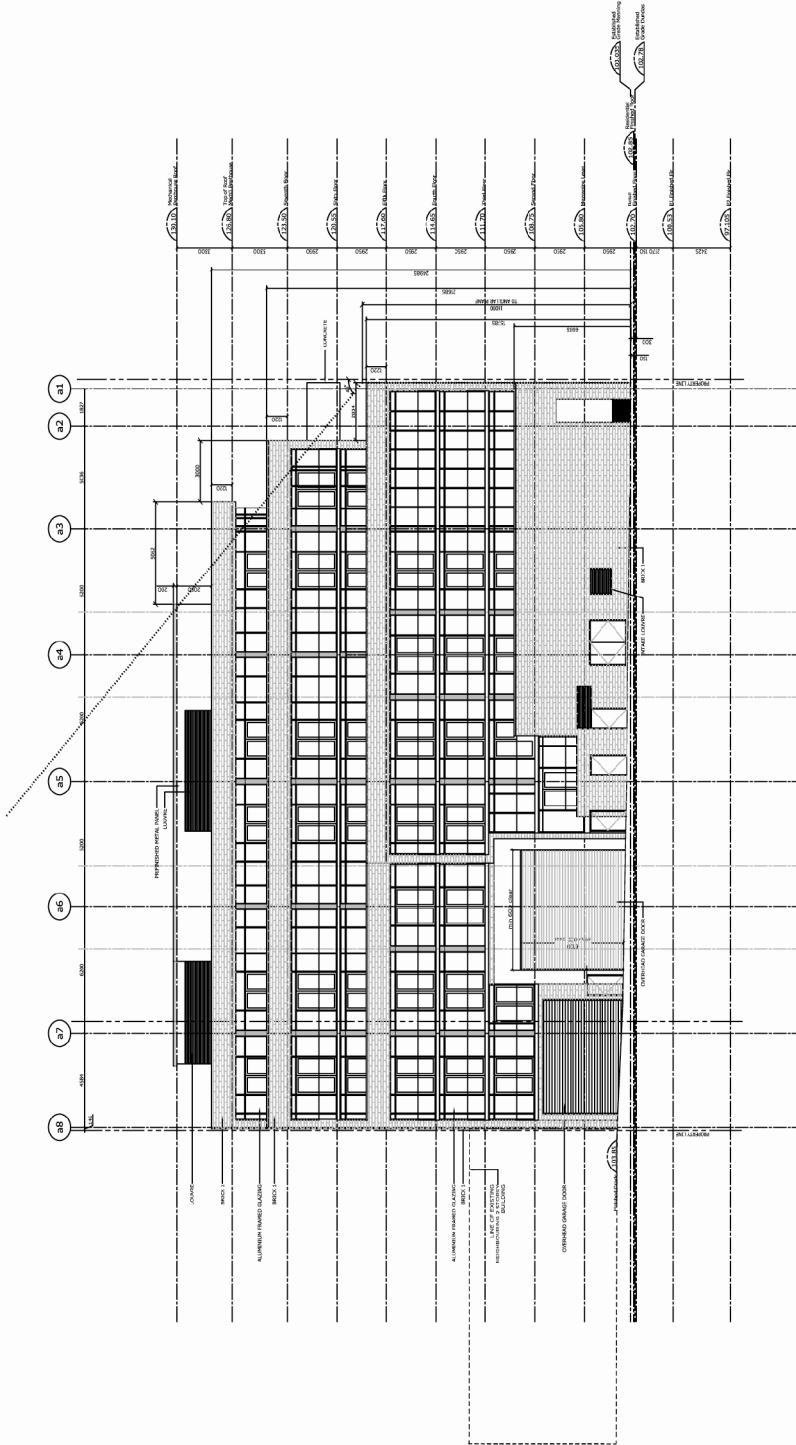
WEST Elevation

854,856 & 858 Dundas Street West
217 & 219 Manning Avenue

File # 10_289457_02

Elevations
Applicant's Submitted Drawing
Not to Scale
12/05/11

Attachment 4: North Elevation Midrise Building



NORTH Elevation - Mid Rise

854,856 & 858 Dundas Street West
217 & 219 Manning Avenue

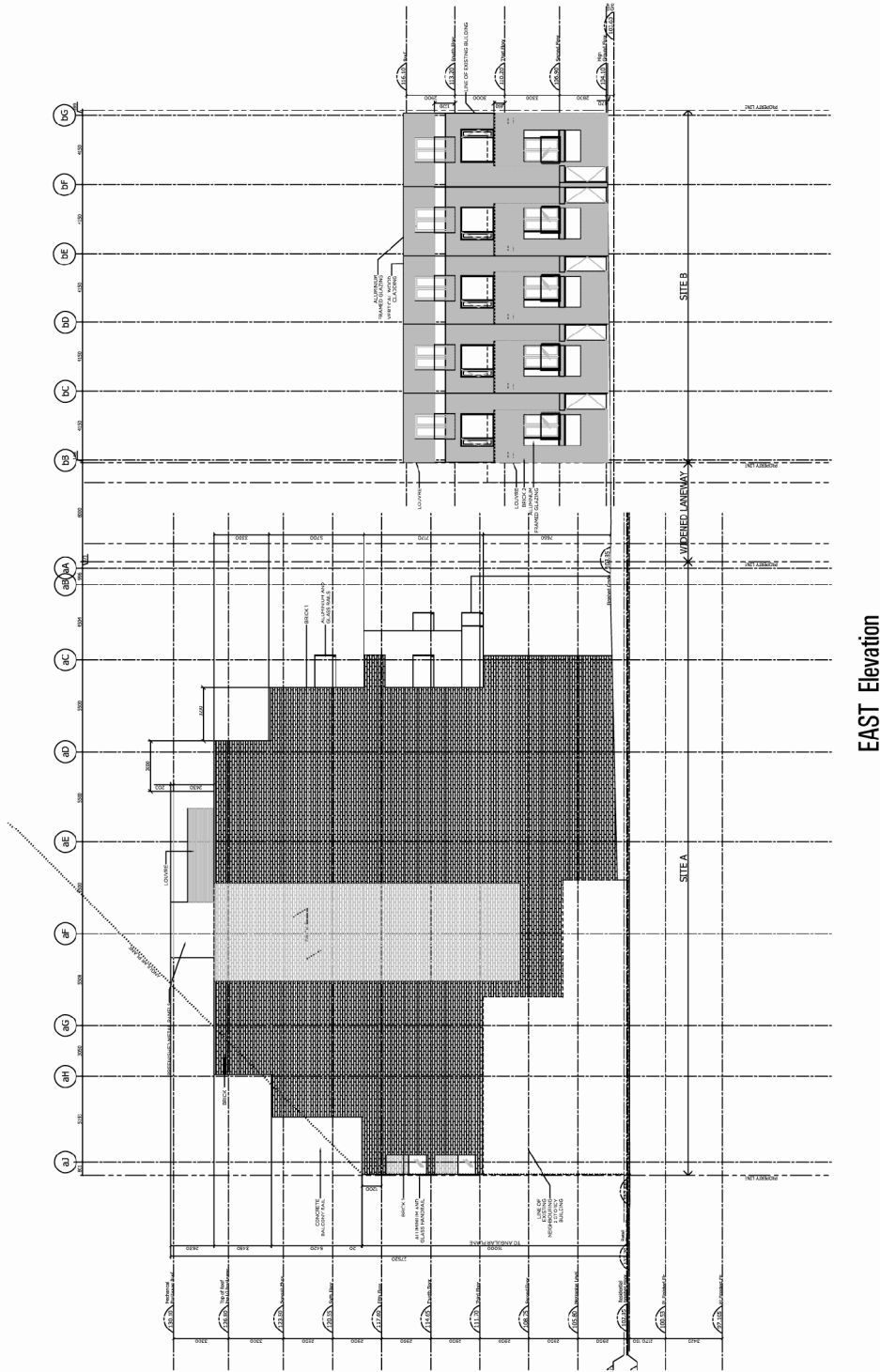
File # 10_289457_02

Elevations

Applicant's Submitted Drawing

Not to Scale
12/05/11

Attachment 5: East Elevation

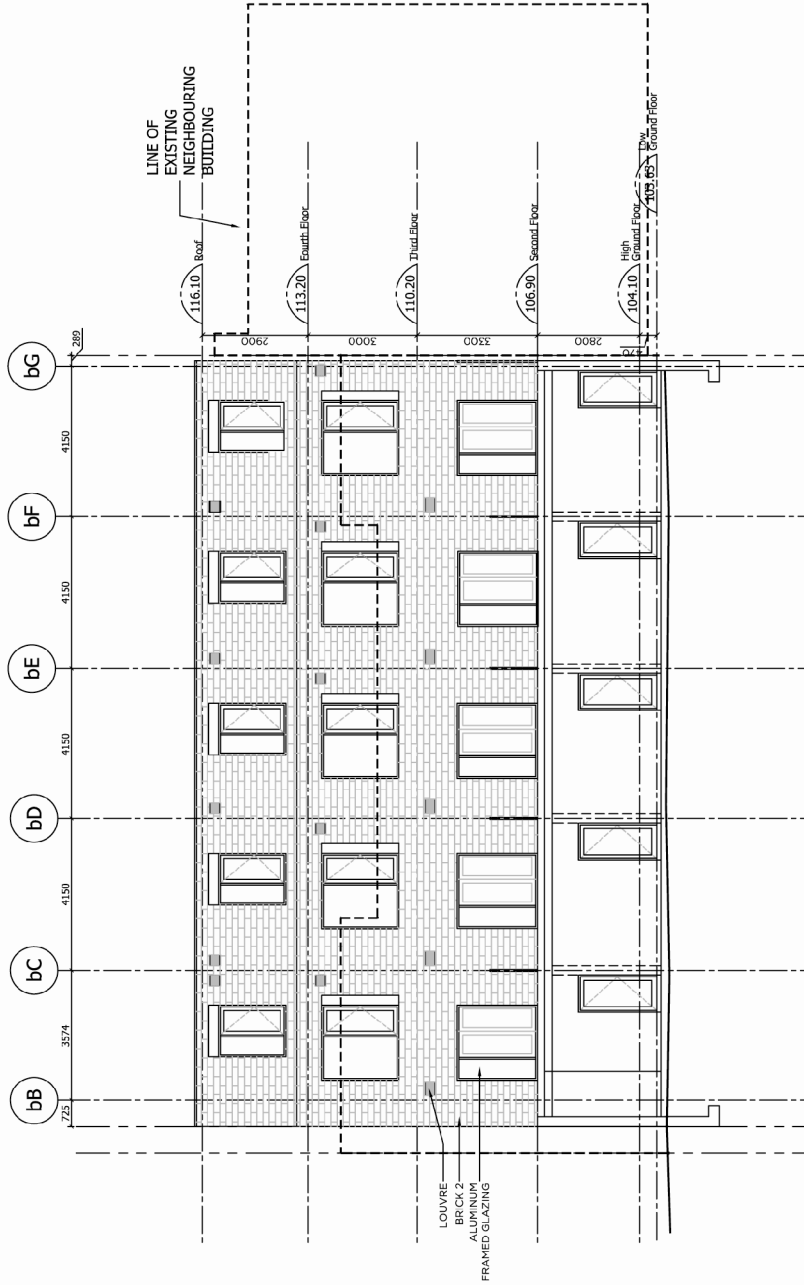


EAST Elevation

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 12/05/11

854,856 & 858 Dundas Street West
 217 & 219 Manning Avenue
 File # 10_289457_02

Attachment 6: West Elevation Townhouses



WEST Elevation - Townhouses at Interior Courtyard

854,856 & 858 Dundas Street West
217 & 219 Manning Avenue

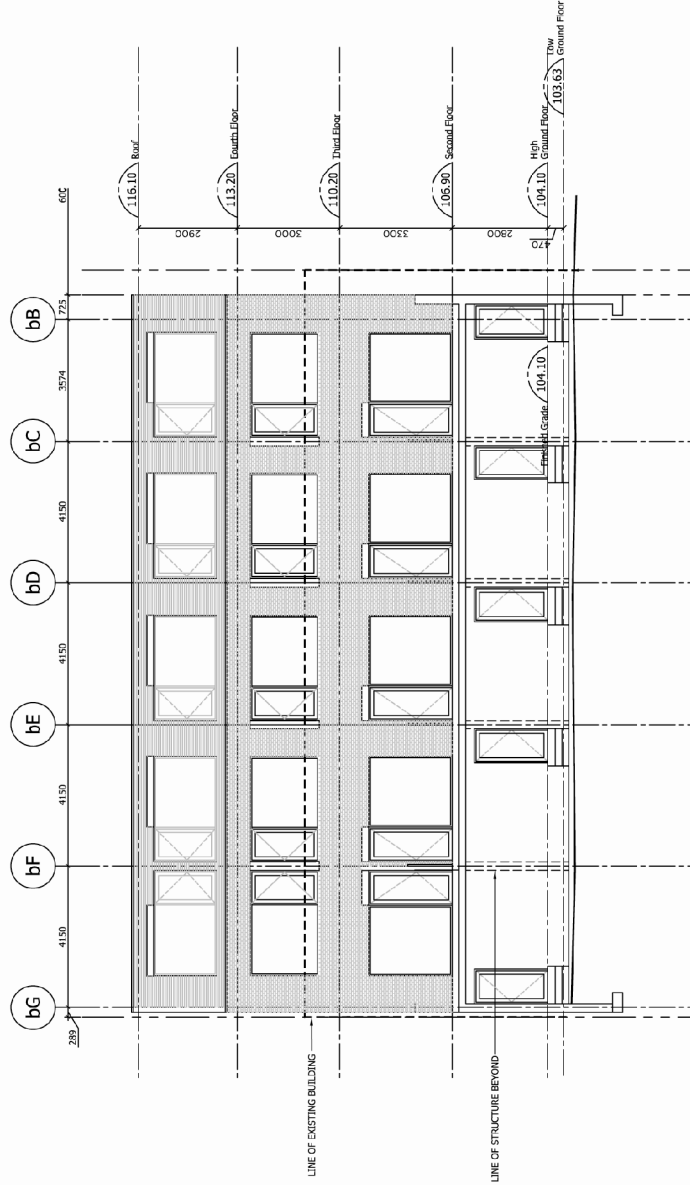
File # 10_289457_02

Elevations

Applicant's Submitted Drawing

Not to Scale
12/05/11

Attachment 7: East Elevation Townhouses

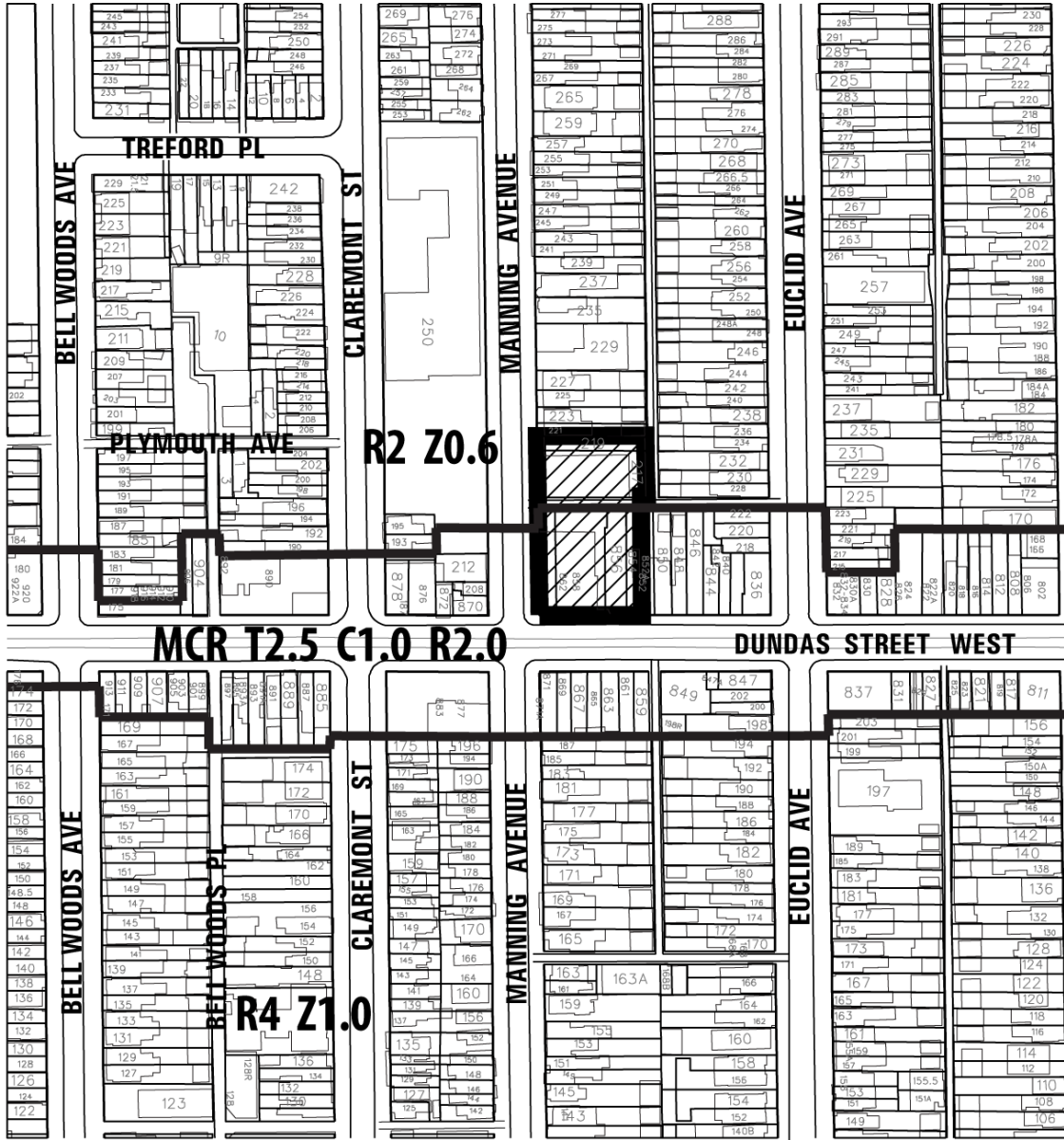


EAST Elevation - Townhouses at Interior Courtyard

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 12/05/11

854,856 & 858 Dundas Street West
217 & 219 Manning Avenue
 File # 10_289457_0Z

Attachment 8: Zoning



854, 856, and 858 Dundas Street West
 217 and 219 Manning Avenue
 File # 10_289457_0Z

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

↑
 Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 12/06/2011

Staff report for action – Final Report – 854, 856 and 858 Dundas St W, and 217 and 219 Manning Ave

Attachment 9: Application Data Sheet

Application Type Rezoning Application Number: 10 289457 STE 19 OZ
 Details Rezoning, Standard Application Date: November 2, 2010
 Municipal Address: 856 DUNDAS ST W
 Location Description: PLAN 74 PT LOT 89 **GRID S1905
 Project Description: Rezoning application for 2 projects - North Parcel and South Parcel - North Parcel - One rowhouse with 10 dwelling units - 4 stories - South Parcel - 7 storey mixed use building with retail at grade - 82 residential units - 55 parking spaces for residents and 5 visitor parking spaces. 2 levels below grade parking.

Applicant:	Agent:	Architect:	Owner:
Armstrong Hunter & Associtated Hunter Craig	Armstrong Hunter & Associtated Hunter Craig	RAW Architects	Maria Da Conceicao Silva

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas, Neighbourhoods	Site Specific Provision:
Zoning:	MCR T2.5 C1.0 R2.0, R2 Z0.6	Historical Status:
Height Limit (m):	16, 10	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	2141.19	Height:	Storeys:	7
Frontage (m):	36.78		Metres:	25.42
Depth (m):	60.01			
Total Ground Floor Area (sq. m):	1458			Total
Total Residential GFA (sq. m):	8021		Parking Spaces:	70
Total Non-Residential GFA (sq. m):	484		Loading Docks	1
Total GFA (sq. m):	8505			
Lot Coverage Ratio (%):	68.1			
Floor Space Index:	3.97			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo, Freehold		
Rooms:	0	Residential GFA (sq. m):	8021
Bachelor:	4	Retail GFA (sq. m):	484
1 Bedroom:	61	Office GFA (sq. m):	0
2 Bedroom:	17	Industrial GFA (sq. m):	0
3 + Bedroom:	10	Institutional/Other GFA (sq. m):	0
Total Units:	92		

CONTACT: PLANNER NAME: Marian Prejel, Senior Planner
TELEPHONE: (416) 392-9337

Attachment 10: Draft Zoning By-law

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2012

**To amend former City of Toronto Zoning By-law No. 483-86, as amended,
with respect to the lands municipally known as
854, 856 and 858 Dundas Street West, and 217 and 219 Manning Avenue**

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2011 as 854, 856 and 858 Dundas Street West, and 217 and 219 Manning Avenue;

AND WHEREAS the Council of the City of Toronto has provided adequate information to the public and has conducted at least one public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

AND WHEREAS the Council of the City of Toronto, at its meeting on ~, 2012, determined to amend Zoning By-law No. 438-86;

THEREFORE By-law No. 438-86, the General Zoning By-law of the former City of Toronto, as amended, is further amended as follows:

1. None of the provisions of Section 4(2), 4(3), 4(4), 4(11)(b)(c)(e), 4(12), 4(13), 4(14), 6(3), 8(3) Part I (1), (2), (3)(a), 8(3) Part II (4)(a)(b)(c), 8(3) Part III (1)(a)(b), 8(3) Part IV, 8(3) Part V (1), and 8(3) Part XI (1) of By-law 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 a *mixed-use* building and *townhouses* on the *lot*, provided that:
 - (1) the *lot* on which the *mixed-use building* is located comprises of the lands outlined by heavy lines, and identified as *Part A of the lot* on Map 1 attached to and forming part of this By-law;
 - (2) the *lot* on which the *townhouses* are located comprises of the lands outlined by heavy lines, and identified as *Part B of the lot* on Map 1 attached to and forming part of this By-law;
 - (3) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* does not exceed 8,505 square metres, provided:

Staff report for action – Final Report – 854, 856 and 858 Dundas St W, and 217 and 219 Manning Ave

- (i) the *residential gross floor area* of *Part A of the lot* shall not exceed 6,450 square metres;
 - (ii) the *residential gross floor area* of *Part B of the lot* shall not exceed 1,610 square metres;
 - (iii) the *non-residential gross floor area* of *Part A of the lot* shall not exceed 500 square metres; and
 - (iv) the *non-residential uses* shall only be permitted on the first *storey* above *grade* on *Part A of the lot*.
- (4) a maximum of 82 *dwelling units* shall be provided on *Part A of the lot*;
 - (5) a maximum of 10 *dwelling units* shall be provided on *Part B of the lot*;
 - (6) the *mixed-use building*, including all mechanical equipment, stair enclosures and elevator overruns, is located wholly within the areas delineated by heavy lines and the *height* limits specified by the numbers following the symbol “H” as shown on Map 2, as it relates to *Part A of the lot*, attached and forming part of this By-law, with the following exceptions:
 - (1) the maximum height for terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, window washing equipment, ornamental architectural features, chimney stacks and structures used for safety or wind protection purposes shall be the sum of 1.5 metres and the applicable height limit shown on Map “2”;
 - (2) the maximum height for diver screens shall be the sum of 2.0 metres and the applicable height limit shown on Map “2”;
 - (3) the maximum height for a ladder for maintenance purposes shall not exceed the sum of 1.2 metre and the applicable height limit shown on Map “2”;
 - (4) balconies and canopies provided they extend no more than 2.0 metres beyond the areas delineated by heavy lines on Map “2” attached to and forming part of this By-law;
 - (5) none of the building elements listed in (i), (ii), (iii), and (iv) above may extend beyond the *lot* lines;

- (7) the *townhouses*, including all mechanical equipment and stair enclosures, is located wholly within the areas delineated by heavy lines and the *height* limits specified by the numbers following the symbol “H” as shown on Map 2, as it relates to *Part B of the lot*, attached and forming part of this By-law.
- (8) *parking spaces* are provided on *Part A of the lot* and *Part B of the lot* in accordance with the following minimum standards:
- (i) 0.5 *parking spaces* for each *bachelor dwelling unit*;
 - (ii) 0.5 *parking spaces* for each one bedroom *dwelling unit*;
 - (iii) 0.75 *parking spaces* for each *dwelling unit* having 2 or more bedrooms; and
 - (iv) 0.06 *parking spaces* for each *dwelling unit* for the exclusive use of visitors to the *dwelling units*;
- (9) a minimum of 133 *bicycle parking spaces* shall be provided and maintained on *Part A of lot* and *Part B of the lot*, of which;
- (1) a total of 83 *bicycle parking spaces* shall be provided and maintained for the exclusive use of residents of the building, and shall be located on the parking levels below *grade* in the building located at either *Part A of the lot* or *Part B of the lot*;
 - (2) a total of 19 *bicycle parking spaces* shall be provided and maintained for the exclusive use of residents of the building, and shall be located at grade, on either *Part A of the lot* or *Part B of the lot*;
 - (3) a total of 21 *bicycle parking spaces* shall be provided and maintained for the exclusive use of visitors, and shall be located at ground level on either *Part A of the lot* or *Part B of the lot*, or accessed via the building vestibule or lobby on *Part A of the lot*.
- (10) a minimum of 1.7 square metres per unit of indoor *residential amenity space* shall be provided in a multi-purpose room or rooms at least one of which contains a kitchen and a washroom on *Part A of the lot*;
- (11) a minimum of 14.0 square metres of outdoor *residential amenity space* shall be provided on *Part A of the lot*;

- (12) a minimum of 6.0 square metres of outdoor *residential amenity space* shall be provided for each of the *townhouses* located on *Part B of the lot*;
2. No person shall use any land or erect or use any building or structure on the *lot* unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (i) 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
 - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
3. Despite any future severance, partition or division of *Part A of the lot* and *Part B of the lot* as shown on Map 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.
4. For the purposes of 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 By-law No. 438-86, as amended, with the exception of the following terms:
- (i) "*Part A of the lot*" shall mean the parcel of land outlined by heavy lines on Map 1 and known municipally as 854, 856 and 858 Dundas Street West in the year 2011;
 - (ii) "*Part B of the lot*" shall mean the parcel of land outlined by heavy lines on Map 1 and known municipally as 217-219 Manning Avenue in the year 2011;
 - (iii) "*townhouses*" shall mean a series of one or more attached buildings, where each building comprises of one dwelling unit, and each building is divided vertically from one another by a party wall, but no dwelling unit is entirely or partially above another.
5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

