

**615 Parliament Street – Zoning Amendment Application
– Final Report**

Date:	December 12, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	12 104421 STE 28 OZ

SUMMARY

This application proposes a ground floor pharmacy and medical offices above in a new 3-storey (10.2 metre high) building at 615 Parliament Street. No vehicle parking is proposed, and a total of 8 bicycle parking spaces are proposed at grade, at the rear of the building. The project proposes a non-residential gross floor area of 383.25 square metres, which results in a floor space index of 1.95 times the lot area.

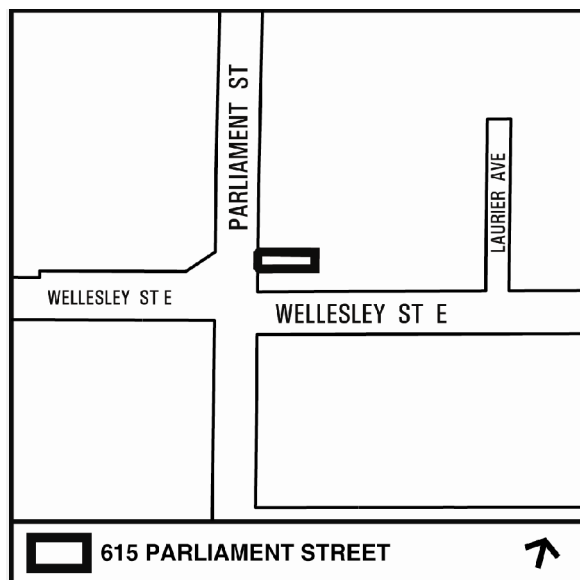
The proposed development has been found to be substantially in compliance with the development criteria for *Neighbourhoods*, Built Form and all other relevant Official Plan policies.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 615 Parliament Street substantially in accordance with the draft Zoning By-law Amendment attached as



Attachment No. 6 to report dated December 12, 2012, 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 Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On March 20, 2012, the Toronto and East York Community Council considered a Preliminary Report dated February 17, 2012, from the Director, Community Planning, Toronto and East York District. Toronto and East York Community Council adopted the recommendations within that report and the report can be found at:

<http://www.toronto.ca/legdocs/mmis/2012/te/bgrd/backgroundfile-45464.pdf>.

ISSUE BACKGROUND

PROPOSAL

The applicant is proposing to construct a 3-storey (10.2 metres plus mechanical and parapet feature above) building with retail at grade and two floors of medical offices above. Access to the medical offices and pharmacy would be from separate entrances along Parliament Street.

The applicant proposes a non-residential gross floor area of 383.25 square metres. The overall density proposed is 1.95 times the area of the site.

No vehicle parking is proposed and a total of 8 bicycle parking spaces are proposed at the rear of the building. The bicycle parking area will be accessed by a pathway 1.34 metres wide along the south side of the building.

The application proposes the following setbacks: 0.98 metres along Parliament Street; 0.24 metres to the north; and 1.34 metres to the south. The rear yard setback varies between 3.96 metres and 7.51 metres. The rear of the building has a greater depth along the southern half of the site (see Attachment No. 1 – Site Plan).

Site and Surrounding Area

The site is currently vacant and is located on the east side of Parliament Street, north of Wellesley Street East.

Surrounding the site are:

South: a 3-storey mixed use building with commercial at grade and residential above. Further south is Wellesley Street East;

West: Parliament Street, and beyond is a 30-storey apartment building, which also forms part of the St. James Town neighbourhood;

North: a 3-storey residential building and further north is a vacant site; and

East: the side and rear yard of a 3-storey residential building which fronts onto Wellesley Street East.

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 subject site *Neighbourhoods* and locates the site within *the Downtown and Central Waterfront*, as shown on Map 2, of the Official Plan's Urban Structure map.

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 four storeys. Small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The Plan identifies these established areas as physically stable in which development will respect and reinforce the existing physical character of *Neighbourhoods*. Policy 4.1.5 provides a series of development criteria for development in established *Neighbourhoods*.

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

Zoning

The site is zoned R3 Z1.0 in Zoning By-law 438-86. This zoning designation permits a variety of residential uses and some non-residential uses such as municipal community centres and public schools. The zoning designation does not permit the proposed medical offices or pharmacy use. The maximum permitted density is 1.0 times the lot area. The maximum height permitted is 12 metres.

Site Plan Control

The proposed development is subject to site plan control. An application for site plan control has been submitted (file no. 12 104426 28 SA), which is being reviewed concurrently with the rezoning application.

Reasons for Application

The proposed medical and pharmacy uses are not listed as permitted uses in an R3 district in Zoning By-law 438-86. As well, the proposed density of 1.95 times the lot area exceeds the permitted density of 1.0 times the lot area. The proposed front, rear and side yard setbacks are less than what is permitted and the proposed depth exceeds what is permitted. The Zoning By-law also requires 1 parking space to be provided, and zero parking spaces are proposed. An amendment to the Zoning By-law is therefore required.

Community Consultation

A community consultation meeting was held on April 4, 2012 with Planning staff, the applicant, the Ward Councillor's staff and approximately 10 members of the community. Following presentations by Planning staff and the applicant's consultants, the community expressed concerns including:

- insufficient number of parking spaces proposed;
- no need for additional pharmacies in the area;
- concerns on how the City will ensure the pharmacy doesn't dispense methadone;
- potential for traffic problems with delivery and loading along Parliament Street; and
- safety concerns for cyclists and pedestrians due to dropping off and picking up of patients along Parliament Street.

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 supports and is consistent with the 2005 Provincial Policy Statement (PPS) which sets out policy direction on matters of provincial interest related to land use planning and development. This application complies with the policies of the PPS with regard to building strong communities by promoting efficient land use.

Policy 1.1.1(b) of the PPS promotes an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs. Policy 1.6.5.4 promotes a land use pattern, density and mixes of uses that minimize the length and number of vehicle trips and supports the development of viable choices and plans for public transit and other

alternative transportation modes. The proposed development is consistent with the above policies and other relevant policies of the Provincial Policy Statement by creating an employment use that is desirable and in close proximity to residential areas, and by being on a transit line.

The proposal also conforms to the policies of the Provincial Growth Plan. The Growth Plan promotes increasing intensification of the existing built-up area while providing a mix of jobs and housing to create opportunities for people to work close to where they live. Section 2.2.2(h) of the Growth Plan promotes "encouraging cities and towns to develop as *complete communities* with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services." This proposal for office and commercial use contributes to an area that contains a diverse mix of residential, commercial and office uses that allows the opportunity for residents to live near where they work and to have good accessibility to services nearby.

Land Use

The proposed pharmacy and medical office uses are appropriate. The subject site is on Parliament Street, in a small pocket of roughly four properties located north of Wellesley Street East and south of St. James Cemetery. South of Wellesley Street East, Parliament Street is mostly a mixed-use street with a variety of commercial and service uses. The character of the area north of Wellesley Street East is similar to what exists to the south, and public transit runs along the length of Parliament Street, from Front Street East to Bloor Street. The shops and offices on Parliament Street support the residents of the local neighbourhoods, and the proposed uses will support these same residents. Based on the above reasons, the proposed uses are appropriate for the site.

The Official Plan states that new small-scale retail, service and office use are permitted in *Neighbourhoods* under certain criteria. This includes being incidental to and supporting *Neighbourhoods*, being compatible with the area and not adversely impacting adjacent residences. The proposed development is compatible with the area and does not adversely impact adjacent residences, and is therefore permitted in the *Neighbourhoods* designation of the Official Plan.

In addition, the Official Plan states that in order to maintain the residential amenity of *Neighbourhoods*, new small-scale retail, service and office uses must serve the needs of area residents, potentially reduce local automobile trips and have minimal noise, parking or other adverse impacts upon adjacent or nearby residents. The proposed medical offices and pharmacy are within walking distance of residential areas and will serve the needs of area residents. Due to the small size of the proposed development, there will be minimal noise, parking and other negative impacts on nearby residents.

Density, Height, Massing

The Official Plan also states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood. The proposed development is in keeping with the physical character of the neighbourhood, with respect to the prevailing building type, prevailing patterns of rear and side yard setbacks, setback from the street, as well as height, massing and scale.

The proposed development is 3-storeys, or 10.2 metres in height, with a density of 1.95 times the area of the lot. The building is located 0.24 metres from the north property line, 1.34 metres from the south property line, between 3.96 and 7.51 metres from the east property line and 0.98 metres from the west property line.

The height of the proposed development is within the building standards set out in the Zoning By-law, and is roughly the same as the adjacent buildings.

On the east elevation, staff worked with the applicant to mitigate privacy and overlook concerns for the property to the east by removing the windows that face due east.

Staff also worked with the applicant to increase the north and south side yard setbacks. The increased setback on the north side creates 1.2 metres of space between the buildings, which creates a better condition, as the building to the north has windows on the south elevation. The increased setback of 1.34 metres on the south side provides enough space for a cyclist to walk their bike through to the bike parking area at the rear of the proposed building.

Given the proposed changes to the building envelope and architecture, staff are satisfied that the massing, height and density are appropriate.

Traffic Impact, Access, Parking

Zoning By-law 438-86 requires the provision of 1 parking space and no vehicle parking is proposed. The proposed Parking Utilization Study submitted by the applicant shows that during the weekday peak periods there are on average 150 on-street parking spaces available within a 300 metre radius of the proposed development. The Study states this supply of on-street parking satisfies the Zoning By-law requirement of 1 parking space. Transportation Services staff have reviewed the proposed Parking Utilization Study that was submitted by the applicant and have found its conclusions to be acceptable.

Concerns were raised at the community consultation meeting with regards to the lack of loading space and delivery access for the proposed building. As the size of the building is 383.25 square metres, no loading space or driveway access is required under the Zoning By-law.

Bicycle Parking

The Zoning By-law requires the provision of six bicycle parking spaces, and eight spaces are proposed. The spaces will be located at grade to the rear of the building, and will be accessed by the pathway along the south side of the proposed building.

Servicing

The applicant has submitted a storm water management plan report, a site servicing plan, a site grading plan, an erosion and sediment control plan and a municipal servicing report in support of the proposed development to the Executive Director of Technical Services for review and acceptance prior to entering into a Site Plan Agreement with the City.

Tree preservation, Removal and Planting

Urban Forestry staff have reviewed the application and the associated arborist report. One tree on site meets the criteria for protection under the City's Private Tree By-law, and the applicant proposes the retention of this tree on private property. The proposal is for one new tree to be planted within the Parliament Street City road allowance. All of the details related to the tree protection and planting will be secured through Site Plan Approval.

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 application proposes 383.25 square metres of non-residential uses on a site with a net area of 196.6 square metres. The non-residential use is subject to a 2% parkland dedication as per City Wide Parkland Dedication By-law 1020-2010. In total the parkland dedication requirement is 4 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

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.

Applicable TGS Tier 1 performance measures will be secured through the Site Plan Approval process. The applicant has indicated they will pursue Tier 2 of the TGS which includes possible refunds against Development Charges payable for the development.

CONTACT

Avery Carr, Assistant Planner
Tel. No. 416-392-0423
Fax No. 416-392-1330
E-mail: acarr2@toronto.ca

SIGNATURE

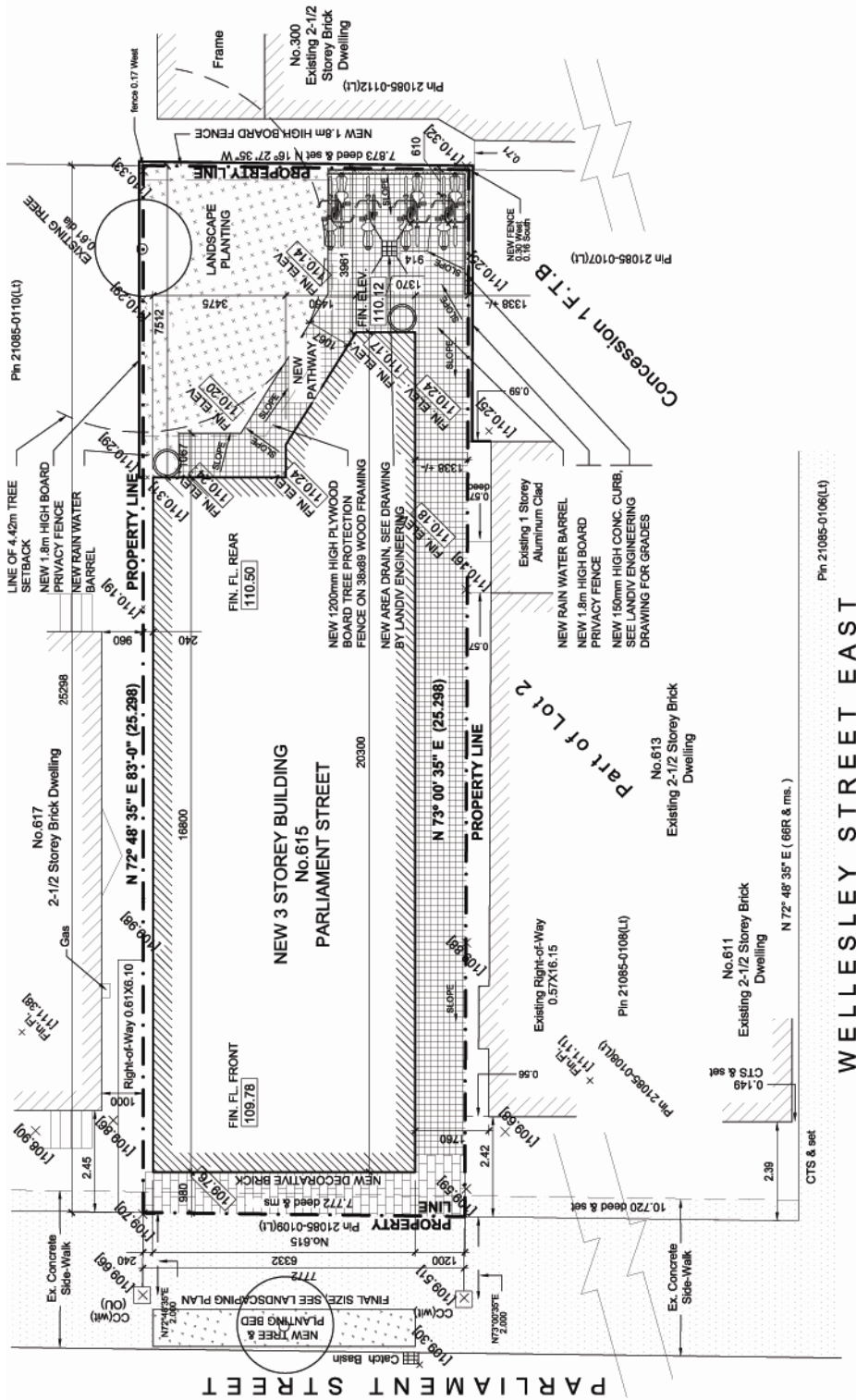
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(p:\2013\Cluster B\pin\teycc19661540043) - vc

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: South and West Elevations
Attachment 3: North and East Elevations
Attachment 4: Zoning Map
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Site Plan



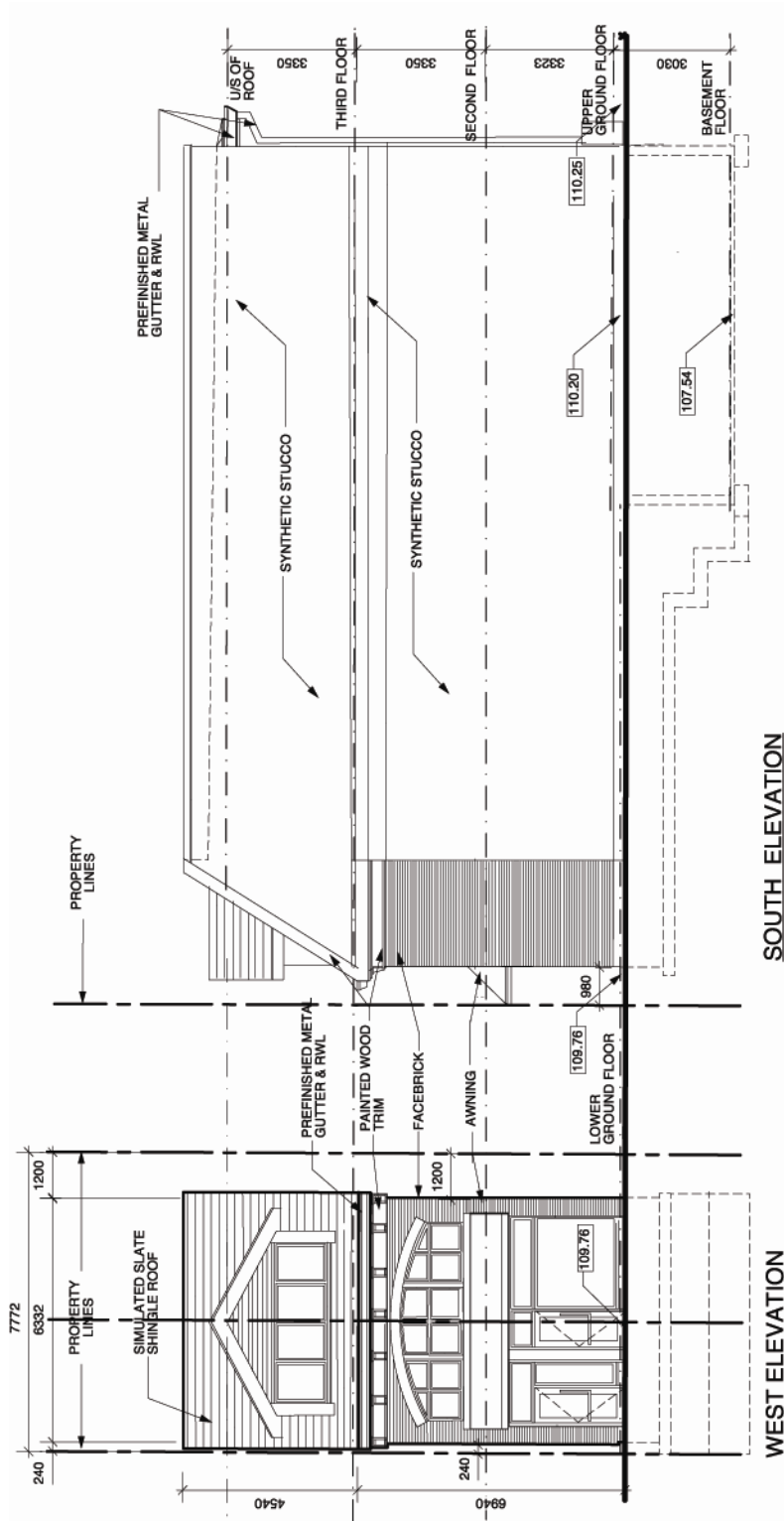
615 Parliament Street

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 11/21/2012

File # 12_104421

Attachment 2: South and West Elevations



615 Parliament Street

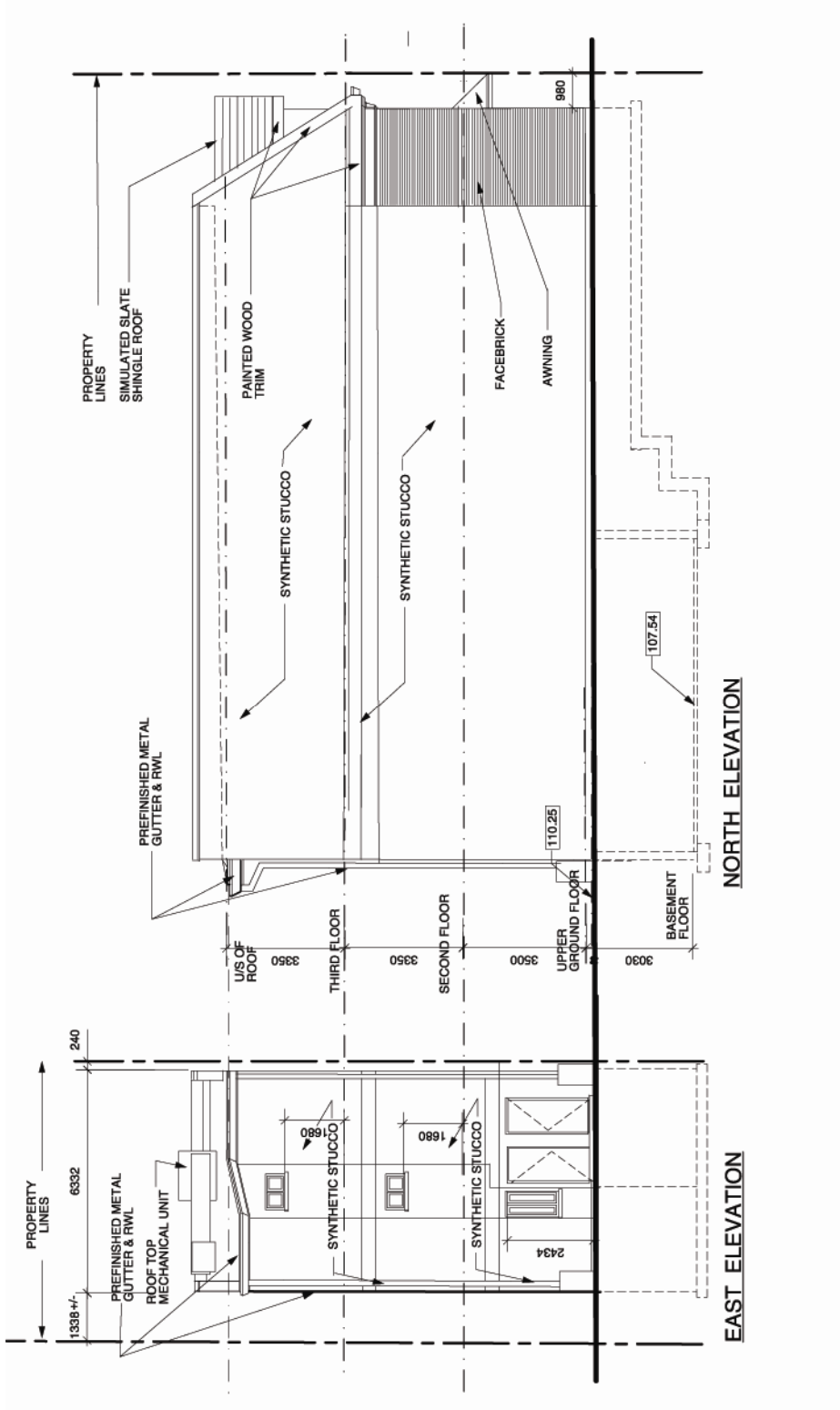
File # 12 104421

Elevations

Applicant's Submitted Drawing

Not to Scale
11/21/2012

Attachment 3: North and East Elevations



615 Parliament Street

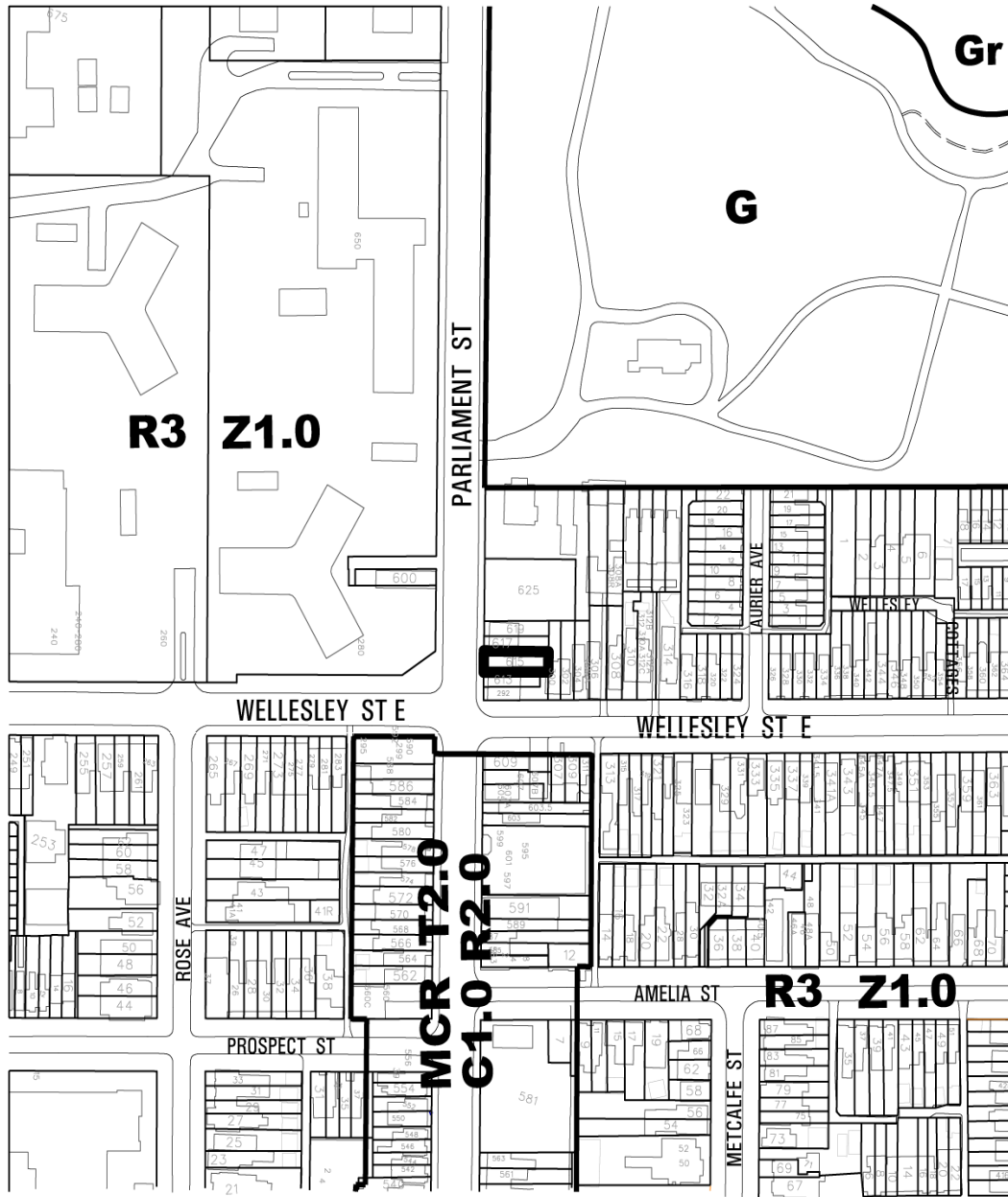
File # 12_104421

Elevations

Applicant's Submitted Drawing

Not to Scale
11/21/2012

Attachment 4: Zoning Map



Zoning City of Toronto By-law 438-86

615 Parliament Street

File # 12_104421_OZ

- G Parks District
- Gr Parks District
- R3 Residential District
- MCR Mixed Commercial Residential



Not to Scale
Zoning By-law 438-86 as amended
Extracted 02/09/2012

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	12 104421 STE 28 OZ
Details	Rezoning, Standard	Application Date:	January 11, 2012

Municipal Address: 615 PARLIAMENT ST
 Location Description: CON 1 FB PT PARK LOT 2 **GRID S2802
 Project Description: Rezoning application to construct a 3-storey building with a ground floor pharmacy and medical offices above, non-residential gross floor area of 383.25 square metres, no vehicle parking, and a total of 8 bicycle parking spaces at grade, at the rear of the building..

Applicant:	Agent:	Architect:	Owner:
ST. MARY PROPERTIES LTD, 2900 Warden Avenue, P.O. Box 92277, Toronto, ON, M1W 2S8	ACTION PLANNING 1655 Angela Cres. Mississauga, ON L5J 1C1	BALIND ARCHITECT INC., 1138 Eglinton Ave W 2 nd Floor, Suite 2, Toronto, ON, M6C 2E2	ST. MARY PROPERTIES LTD, 2900 Warden Avenue, P.O. Box 92277, Toronto, ON, M1W 2S8

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	R3 Z1.0	Historical Status:	N
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	196.6	Height:	Storeys:	3
Frontage (m):	7.8		Metres:	10.2
Depth (m):	25.3			
Total Ground Floor Area (sq. m):	114			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	383.25		Loading Docks	0
Total GFA (sq. m):	383.25			
Lot Coverage Ratio (%):	58			
Floor Space Index:	1.95			

DWELLING UNITS	N/A	FLOOR AREA BREAKDOWN (upon project completion)		
Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	62	0
1 Bedroom:	0	Office GFA (sq. m):	321.25	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: Avery Carr, Assistant Planner
TELEPHONE: 416-392-0423

E-MAIL: acarr2@toronto.ca

Attachment 6: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of
Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend Zoning By-law No. 438-86, as amended,
with respect to the lands municipally known as
615 Parliament Street.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

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

1. None of the provisions of Sections 4(5)(B), 6(1)(a), 6(3) Part I 1, 6(3) Part II 2(ii), 6(3) Part II 3 G, 6(3) Part II 4, 6(3) Part II 5(i), and 6(3) Part II 8, of By-law No. 438-86, 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 three-storey building with a pharmacy at grade and *medical offices* above, and uses and structures *accessory* thereto, on the *lot*, provided:
 - (a) the *lot* comprises at least the lands delineated by the dashed line on Map 1 attached to and forming part of this By-law;
 - (b) the aggregate of the *non-residential gross floor area* does not exceed 384 square metres;
 - (c) the maximum *non-residential gross floor area* devoted to retail pharmacy uses shall be 65 square metres;
 - (d) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the *lot* and wholly within the areas delineated by the solid lines on Map 2 attached hereto subject to the following

which may extend beyond the areas delineated by such solid lines: cornices, lighting fixtures, ornamental elements, parapets, trellises, eaves, window sills, planters, balustrades, guard rails, stairs, wheelchair ramps, landscape and site servicing features, public art features, railings, ramp to underground garage, which may extend beyond the areas delineated by such solid lines;

- (e) there shall be no minimum required parking to be provided
- (f) awnings projecting from the main front wall of the *medical office* building are permitted provided that they are located below the second storey.

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

