

STAFF REPORT ACTION REQUIRED

126-128 Hazelton Avenue Official Plan Amendment and Zoning Amendment Applications - Preliminary Report

Date:	December 11, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	15 257792 STE 27 OZ

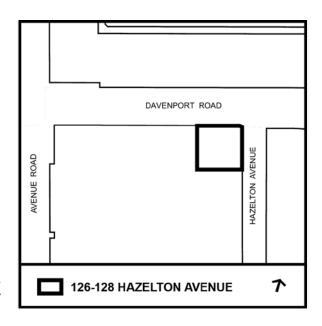
SUMMARY

This application proposes a new 9-storey (33.6 metres, plus a 4.2 metre mechanical penthouse) mixed-use building at 126-128 Hazelton Avenue. The building would have a total of 21 dwelling units and up to 470 square metres of non-residential floor area on the first and second floors. 22 bicycle parking spaces and 47 vehicular parking spaces are proposed. One building in the Yorkville-Hazelton Heritage Conservation District is proposed to be demolished.

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

The next step is to hold a community consultation meeting in the first quarter of 2016 where the community can review the application, provide comments, and ask questions of City staff and the applicant.

A final report is anticipated in the third quarter of 2016 assuming the applicant will provide all required information in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 126-128 Hazelton Avenue together with the Ward Councillor.
- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- 3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The application proposes a 9-storey mixed-use building with 21 dwelling units and up to 470 square metres of non-residential floor area, located at 126-128 Hazelton Avenue. The overall height of the proposed building is 33.6 metres plus a 4.2-metre mechanical penthouse, totalling 37.8 metres. The overall density proposed is 6.2 times the area of the site (see Attachment 9: Application Data Sheet).

The proposed 9-storey building has varying elevations. Along Davenport Road there is a 5-storey streetwall, stepping back 1.5 metres to floors 6-8, stepping back another 1.8 metres to floor 9, and stepping back again 2.7 metres to the mechanical penthouse level.

Along Hazelton Avenue the profile of the 9-storey building matches the Davenport Road elevation but the 5-storey streetwall is set back 1 metre from the property line and there is a 2-storey feature which projects proud of the streetwall (set back 0.4 metres from the property line). At the south end of the Hazelton Avenue frontage the building is set back 4.9 metres to a 3-storey portion that has terraces behind it.

The proposed 9-storey west façade runs along the property line between the subject site and the "Dakota" (5 and 6-storey mixed-use building at 211-225 Davenport Road) and steps back approximately 2 metres to the mechanical penthouse level. The proposal includes windows along the west façade at the property line, above the height of the neighbouring building.

Along the south property line (facing the *Neighbourhood*) a 3-storey portion of the building is set back 0.4 metres up to approximately the depth of the neighbouring dwelling to the south. The primary south façade is 6 storeys and set back 3.9 metres from the south property line. The building then steps back 1.6 metres to floors 7 and 8 and then steps another 1.6 metres to floor 9. The mechanical penthouse is set back 4.2 metres from the south wall of floor 9. The articulated south façade also includes some projections and terraces into the step backs described above (see Attachment 5: South East and South West Axonometric).

The application proposes 21 dwelling units: 9 one-bedroom and 12-two bedroom and a commercial unit on the ground floor with 214 square metres. The application proposes a flexible site-specific zoning by-law which would permit two residential units on the second floor fronting Hazelton Avenue to be used for commercial uses (increasing the total non-residential gross floor area to 470 square metres and reducing the total residential dwellings to 19 units).

The application proposes approximately 111 square metres of indoor amenity space on the ground floor and 33 square metres of outdoor amenity space in the rear yard adjacent to the indoor amenity space.

A total of 47 vehicular (valet) parking spaces are provided, with 0 parking spaces for visitors, in 3 levels of underground parking accessible from Davenport Road via 2 car elevators. Only right-in and right-out movements are proposed for vehicles entering and leaving the site. Bicycle parking is also provided for, with 20 residential spaces in the underground garage and 2 visitor spaces.

No loading space is proposed for the 21-unit proposal. Curbside garbage pickup is proposed on Davenport Road.

The existing sidewalk widths are 2.6 metres along Davenport Road and 4.1 metres along Hazelton Avenue. A 1.0 metre sidewalk widening is proposed at the southeast corner of Hazelton Avenue and Davenport Road. Further ground floor setbacks are provided along Hazelton Avenue including a landscaped residential entrance. Planters are proposed within the Hazelton Avenue sidewalks.

Site and Surrounding Area

The 889 square metre site includes two properties, 126 and 128 Hazelton Avenue. The lot at 128 Hazelton Avenue is rectangular in shape, located at the southwest corner of Davenport Road and Hazelton Avenue, and has frontages of approximately 19.81 metres along Hazelton Avenue and approximately 30.48 metres along Davenport Road. The lot contains a 3-storey brick building currently occupied by commercial uses. The lot at 126 Hazelton Avenue is rectangular in shape, has a frontage of 9.27 metres along Hazelton Avenue, a lot depth of 30.48 metres and contains a 3-storey detached dwelling.

North: of Davenport Road is Davenport Terrace, which consists of 3-storey house-form buildings used for commercial office and retail uses. Further north, at a lower elevation, is Pears Avenue and Ramsden Park.

South: of the site is 124 Hazelton Avenue, a 3-storey detached dwelling, which forms part of the Yorkville-Hazelton Heritage Conservation District and residential neighbourhood to the south.

East: of Hazelton Avenue is 133 Hazelton Avenue, a 9-storey mixed-use building. Further east is 147-185 Davenport Road, a 12-storey mixed-use building currently under construction.

West: of the site is 211-225 Davenport Road, a 5 and 6-storey mixed-use building. Further west is a 6-storey commercial building at the southeast corner of Avenue Road and Davenport Road.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

The City of Toronto Official Plan designates the subject site *Mixed Use Areas* and *Neighbourhoods* and locates the site within *the Downtown and Central Waterfront*, as shown on Map 2, of the Official Plan's Urban Structure map. The subject site is made up of two properties, 126 and 128 Hazelton Avenue. The property at 128 Hazelton Avenue is designated *Mixed Use Areas*, and the property to the immediate south, 126 Hazelton Avenue, is designated *Neighbourhoods*.

The *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential and institutional uses, in single-use or mixed-use buildings. Development in *Mixed Use Areas* is subject to a number of development criteria. In

Mixed Use Areas, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods; locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and, provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

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 (Policy 4.1.1). Parks, low scale institutions, home occupations, cultural and recreational facilities and 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 the *Neighbourhood*. Policy 4.1.5 provides a series of development criteria for development in established *Neighbourhoods*.

Heritage policies are found under Section 3.1.5 of the Official Plan. The Official Plan states that impacts of development within or adjacent to Heritage Conservation Districts will be assessed to ensure that the integrity of the districts' heritage values, attributes, and character are conserved.

Site and Area Specific Policy 211 – Bloor Yorkville / North Midtown Area

Site and Area Specific Policy (SASP) 211, in the Official Plan, recognizes that the Bloor-Yorkville/North Midtown Area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. The area includes *Neighbourhoods*, *Apartment Neighbourhoods*, Areas of Special Identity, *Mixed Use Areas*, and open space provided by parks and ravines. It forms the north edge of the Downtown and provides for transition in density and scale.

SASP 211 provides a height structure plan for the area, comprising of a Height Peak, Height Ridges and Low-Rise Areas. The Height Peak is generally located at Yonge and Bloor Streets. Development along the Height Ridges will be at a lesser height and physical scale than the Bloor/Yonge Height Peak, and in a form compatible with adjacent areas. The subject site is partially located in a Low-Rise Area as identified on Map 2 of SASP 211. This site is also partially located within the Yorkville Triangle Neighbourhood as shown on Map 1 of SASP 211. Development in Mixed Use Areas adjacent to Low-Rise Areas will be designed to adequately limit shadow, wind and privacy impacts upon these lower-scale areas through distance separation and transitions in scale including means such as angular planes and step-downs in heights.

Zoning

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013, which is currently under appeal at the Ontario Municipal Board. Zoning By-law 569-2013 does not apply to the property at 128 Hazelton Avenue but does apply to 126 Hazelton Avenue. Thus, Zoning By-law 569-2013 partially applies to the subject site and the former City of Toronto General Zoning By-law 438-86 applies to the entire site.

Under Zoning By-law 438-86, as amended, the northern portion of the site (128 Hazelton Avenue) is zoned CR T2.0 C2.0 R2.0 and the southern portion of the site (126 Hazelton Avenue) is zoned R3 Z1.0.

At 128 Hazelton Avenue the Zoning By-law permits residential and commercial uses including apartment buildings, retail, office and other commercial uses. The total density permitted is 2.0 times the area of the lot with a maximum permitted height of 14 metres.

At 126 Hazelton Avenue, both Zoning By-laws permit a number of uses, including apartment buildings having a gross floor area of up to 1.0 times the lot area with a maximum permitted height of 12 metres.

Heritage / Yorkville - Hazelton Heritage Conservation District

The subject site is partially located within the Yorkville-Hazelton Heritage Conservation District (HCD) designated under the *Ontario Heritage Act* per By-Law 622-2002. The property at 126 Hazelton Avenue is in the HCD and the property at 128 Hazelton Avenue is adjacent to the HCD.

The three-storey brick residential building at 126 Hazelton Avenue, built in 1991, is proposed to be demolished. It is a reproduction Queen Anne Revival dwelling. The first floor is dominated by a garage door with shed roof and a long stair accessing the main entrance on the second floor.

Council has endorsed a set of guidelines with regard to alterations, demolition and new construction within the district. Section 2 of the Yorkville – Hazelton Heritage Conservation District Plan defines the Heritage District Characteristics and sets out guidance for alterations and new development that will complement the existing character.

Demolition is discouraged, but to be considered for demolition a building in the district may be demolished if it meets all of the following criteria; (1) poor condition, (2) minimal heritage value, (3) not essential to the heritage character of the area, and (4) the replacement building complies with the Guidelines and Zoning By-law.

In 2008 Toronto City Council adopted the Parks Canada document *Standards and Guidelines for the Conservation of Historic Places in Canada* as the official document guiding the planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto. *The Standards* include the following:

- Conserve the *heritage value* of a historic place. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not move a part of a *historic place* if its current location is a *character-defining element*.
- Conserve heritage value by adopting an approach calling for minimal intervention.
- Find a use for an historic place that requires minimal or no change to its character-defining elements.
- Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- Maintain *character-defining elements* on an ongoing basis. Repair *character-defining elements* by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of *character-defining elements*, where there are surviving prototypes.
- Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.
- Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

The *Standards and Guidelines* also include several key definitions. Central to these is the definition of Conservation. Conservation: all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life.

The HCD Plan is available at:

http://www.toronto.ca/heritage-preservation/pdf/hcd_yorkville_proposal.pdf

Bloor - Yorkville/North Midtown Urban Design Guidelines

The Bloor –Yorkville/North Midtown Urban Design Guidelines give guidance to improve the physical quality of the area and ensure that its special character is respected in terms of new development. The main planning objectives of the Design Guidelines include:

- enhancement of Areas of Special Identity and historic buildings;
- protection of residential areas from adverse impacts of commercial and/or higher density development;

- improvement of public realm and publicly accessible areas; and
- excellence in urban design, architecture, and landscaping.

The Bloor-Yorkville/North Midtown area is comprised of a number of precincts and corridors, each defined by its attributes in terms of function, built form and character. The subject site is split between the Davenport Bay Precinct and the Yorkville Triangle Precinct.

TOcore

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. A report back to Toronto and East York Community Council is targeted by the end of 2016 on the results of the second phase and the next steps on implementation. The issues considered under TOcore will inform the review of this application. The TOcore website is www.toronto.ca/tocore.

Tree Preservation

There is one city-owned tree along Hazelton Avenue and one private tree in the rear yard of the adjacent property at 215 Davenport Road which require permit for removal. Three new street trees are proposed along Hazelton Avenue.

Site Plan Control

The proposal is subject to Site Plan Control. The applicant submitted a site plan application (15 257797 27 SA), which is being reviewed concurrently with the Official Plan Amendment and Zoning By-law Amendment application.

Reasons for the Application

The proposal calls for a 9-storey (33.6 metres, plus a 4.2 metre mechanical penthouse) building with a density of 6.2 times the area of the subject site. The proposed density and height exceeds the permissions in the Zoning By-laws. A Zoning By-law amendment is therefore required. Through the review of the application, staff may identify additional areas of non-compliance with the Zoning By-laws.

The proposed 9-storey mixed-use building steps down in height to 4 and 3 storeys. A portion of the building located within in the *Neighbourhoods* designation is taller than the four storey limit in the Official Plan. The height and massing of the proposed

development does not comply with the *Neighbourhoods* policies of the Official Plan, thus an Official Plan Amendment is required. Through the review of the application, staff may identify additional areas of non-compliance with the Official Plan.

COMMENTS

Application Submission

The following plans, reports and studies were submitted with the application:

- Architectural and Landscape Plans, and Building Mass Model
- Civil Engineering Plans, including Erosion Control Plan, Site Grading Plan and Site Servicing Plan
- Planning and Urban Design Rationale, including Community Service and Facilities Report
- Shadow Study
- Pedestrian Level Wind Study
- Functional Servicing and Stormwater Management Report
- Arborist Report
- Transportation Impact Study
- Energy Modeling Report
- Stage 1 Archaeological Assessment
- Heritage Impact Statement
- Accessibility Design Guidelines
- Mechanical Design Brief
- Electrical Design Brief
- Draft Official Plan Amendment and Draft Zoning Amendments
- Toronto Green Standards Checklist

A Notification of Complete Application was issued on December 8, 2015 confirming that the application meets the complete application submission requirements of the Planning Act and the Official Plan as of November 27, 2015.

Issues to be Resolved

This application has been circulated to City divisions and external agencies, where appropriate, for comment. Planning staff have identified a number of preliminary issues with this proposal.

Height, Massing and Density

The 9-storey mixed use proposal is partially in a *Mixed Use* designation and partially in a *Neighbourhoods* designation and does not conform to the Official Plan policies. Planning staff will review the appropriateness of the proposed height, massing and density in terms its fit, transition and compatibility with the existing and planned context.

Planning staff will also assess the proposed height and massing in terms of its relationships with the immediate area and the abutting properties. In particular Staff will review and evaluate the proposed setbacks and stepbacks, terraces and balconies. Staff will also assess the impact of the proposed terraces and projecting balconies in terms of overlook and privacy for the rear yards of the neighbourhood houses.

Access, Parking and Traffic

Staff will review the location of the proposed vehicular access from Davenport Road to the 2 vehicle elevators and any of its potential impacts. There are two spaces proposed at grade for the queuing of vehicles off Davenport Road. The overall traffic impact and any site specific related impacts resulting from the proposed parking and loading schemes will be reviewed by Traffic Planning staff.

Heritage

The subject site is partially in a HCD. Heritage Preservation Services staff will assess the proposed demolition of the existing building in the HCD and the overall massing of the proposal will be evaluated further in terms of its conformity with the Yorkville-Hazelton Conservation District Plan.

Section 37

Section 37 of the *Planning Act* allows the City to grant a height and/or density increase that is greater than what the zoning by-law would otherwise permit in return for community benefits. The proposed gross floor area is 5,500 square metres. Notwithstanding the size of the proposal, the Official Plan policies do allow for the use of Section 37 when agreed upon by the owner. The details of a Section 37 Agreement between the applicant and the City will be worked out, in consultation with the Ward Councillor, if project is ultimately considered to be good planning and recommended for approval.

Toronto Green Standard

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

Additional Issues

Additional issues will be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North and East Elevations Attachment 3: South and West Elevations

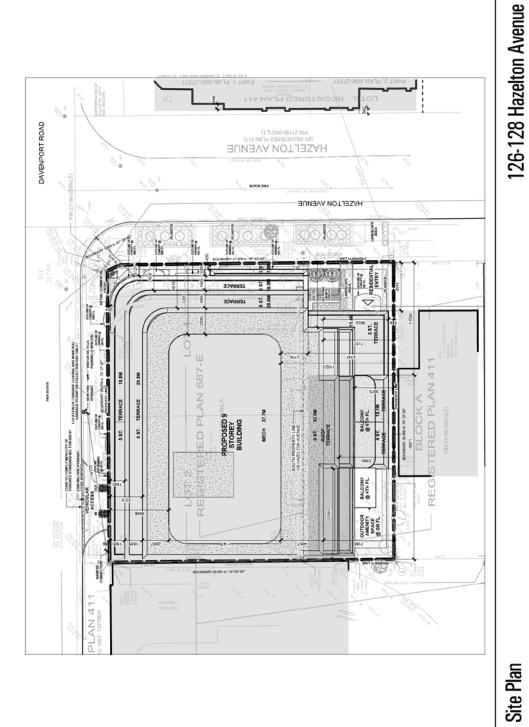
Attachment 4: North West and North East Axonometric Attachment 5: South East and South West Axonometric

Attachment 6: Street Frontage Elevations

Attachment 7: Official Plan Map

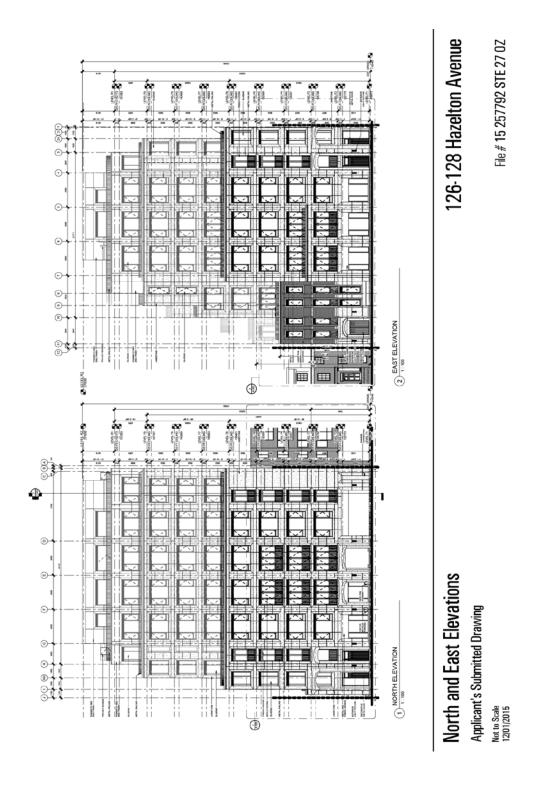
Attachment 8: Zoning Map

Attachment 9: Application Data Sheet

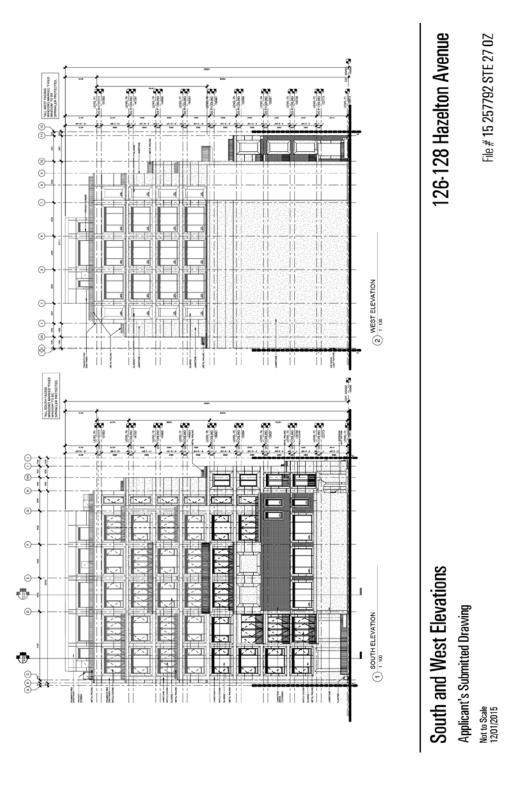


Applicant's Submitted Drawing

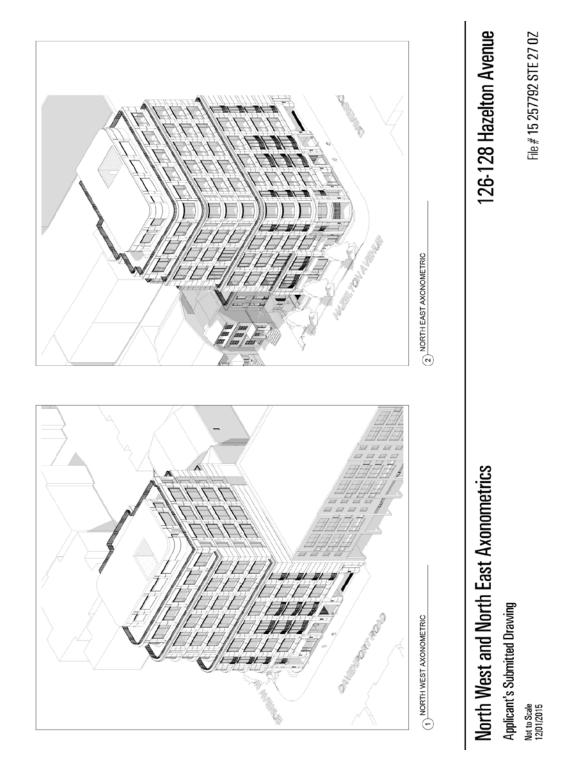
Attachment 2: North and East Elevations



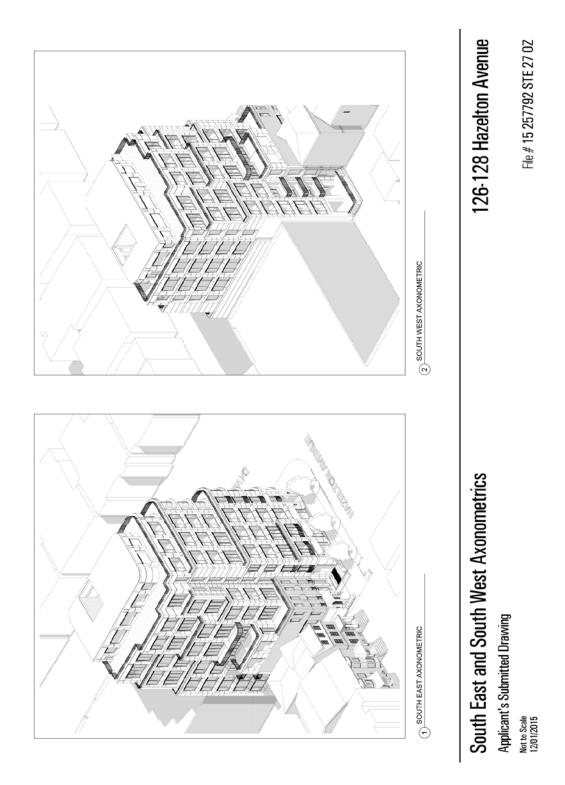
Attachment 3: South and West Elevations



Attachment 4: North West and North East Axonometric



Attachment 5: South East and South West Axonometric



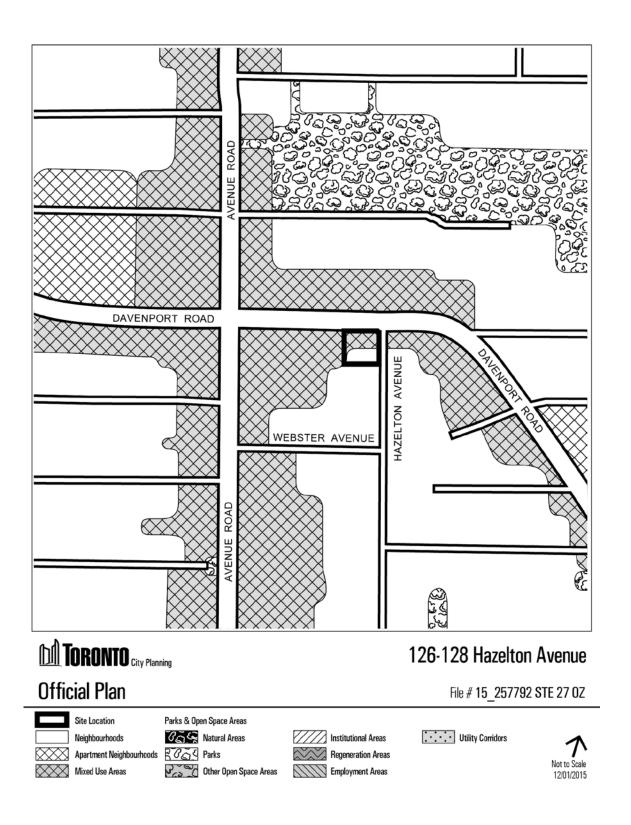
North Elevation at Davenport Road and East Elevation at Hazelton Avenue

Applicant's Submitted Drawing

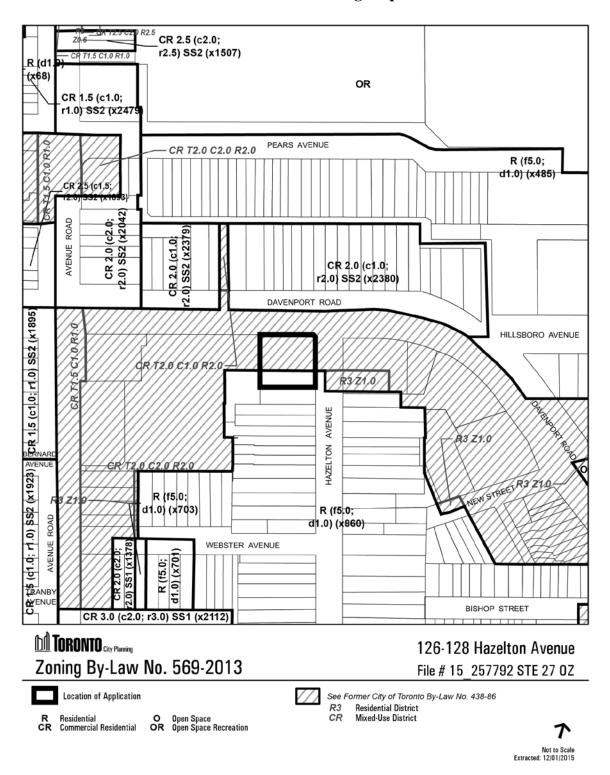
(2) DETAIL EAST ELEVATION AT HAZELTON AVENUE

Staff report for action - Preliminary Report - 126-128 Hazelton Ave

Attachment 7: Official Plan Map



Attachment 8: Zoning Map



Attachment 9: Application Data Sheet

Application Type Official Plan & Zoning Application Number: 15 257792 STE 27 OZ

Amendments

Application Date: November 27, 2015

Municipal Address: 126-128 Hazelton Avenue

Location Description: PLAN 411 PT BLK A **GRID S2703

Project Description: A 9-storey mixed-use building with commercial uses on the first and second floors and

residential above the first floor. The development proposes 21 residential units and 470 m2 of non-residential floor area. A total of 47 vehicular parking spaces and 22

bicycle parking spaces are proposed.

Applicant: Architect: Owner:

Adam Brown AUDAX architecture + design Mizrahi (128 Hazelton) Inc.

PLANNING CONTROLS

Official Plan Mixed Use Areas / Neighbourhoods Site Specific Provision: SASP 211

Designation:

Zoning: CR T2.0 C2.0 R2.0 / R3 Z1.0 Historical Status: Yorkville-Hazelton HCD

Height Limit (m): 14 / 12 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m): 889.4 Height: Storeys: 9
Frontage (m): 27.9 Metres: 37.8

Depth (m): 29.9

Total Ground Floor Area (sq. m): 745 **Total**Total Residential GFA (sq. m): 5,133 Parking Spaces: 47
Total Non-Residential GFA (sq. m): 470 Loading Docks: 0
Total GFA (sq. m): 5,500 Bicycle Spaces 22

Lot Coverage Ratio (%): 84
Floor Space Index: 6.2

DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	5,133	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	9	Office GFA (sq. m):	214 - 470	0
2 Bedroom:	12	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	21			

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