

5, 7 and 9 Dale Avenue - Official Plan Amendment and Zoning Amendment Applications - Preliminary Report

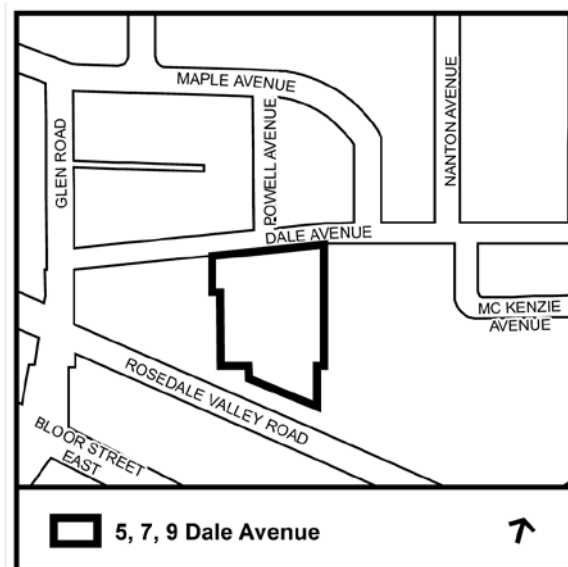
Date:	September 15, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	16 202229 STE 27 OZ

SUMMARY

This application proposes to redevelop the site at 5, 7 and 9 Dale Avenue with a 4-storey (14.6 metres plus a 1.5 metre mechanical penthouse) multi-unit residential building. The building would have a total of 26 dwelling units, 8,784 square metres of residential gross floor area, 27 bicycle parking spaces, and 58 vehicle parking spaces within a one level underground parking garage. Three buildings in the South Rosedale Heritage Conservation District are proposed to be demolished.

The southern portion of the site is located in Rosedale Ravine. An application to amend the Official Plan has been made to allow rear ground floor terraces to encroach into the required 10 metre setback from the top-of-bank of the ravine.

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. Staff recommend that a community consultation meeting be scheduled for the fourth quarter of 2016. Staff anticipate submitting a final report on the application to Community Council in the third quarter of 2017. These target



dates assumes that the applicant will provide all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff to schedule a community consultation meeting for the lands at 5, 7 and 9 Dale 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

Pre-application consultation meetings were held with the applicant on April 8, 2016 and May 4, 2016 to discuss the proposal and complete application submission requirements.

ISSUE BACKGROUND

Proposal

The applicant proposes to construct a 4-storey multi-unit residential building. The overall height of the proposed building is 14.6 metres, plus a 1.5 metre mechanical penthouse, for a total height of 16.1 metres. The proposed building has 8,784 square metres of residential floor area with a density of 1.99 times the area of the site. The three one-storey buildings currently occupying the site and located in the South Rosedale Heritage Conservation District are proposed to be demolished.

The proposed building would consist of 26 dwelling units. The proposed residential unit breakdown is as follows:

Unit Type	Number of Units
2-Bedroom	6
3-Bedroom	20
Total	26

The building footprint can be distinguished in two halves. The western half of the building is set back from the front lot line 7.1 metres at the ground floor, 8.3 metres at second floor, 7.1 metres at the third floor, and 12.6 metres at the fourth floor. The eastern half of the building is set back from the front lot line 23.5 metres at the ground floor, 16.3

metres at second and third floors, and 21.5 metres at the fourth floor. Both the western and eastern halves of the building have a 10.97 metre streetwall with the fourth floor wall stepped back. The west lot line setback ranges from 1.2 to 2.1 metres. The east lot line setback is 2.7 metres.

The applicant is proposing a total of 416 square metres of indoor amenity space located in the basement with only internal access and 0 square metres of outdoor amenity space. Each dwelling unit will have direct access to its own outdoor terrace.

A total of 58 vehicular parking spaces and one Type B loading space would be provided in a one-level underground parking garage accessible from Dale Avenue. 5 parking spaces are proposed for residential visitors. The proposal also includes a drop-off lay-by area in front of the eastern half of the building which is set back further from the street. A total of 27 bicycle parking spaces would be provided in a secure room located on the ground floor.

The southern portion of the site is located in Rosedale Ravine. As part of this application, the applicant has agreed to convey to the City the ravine land including the stable top-of-bank and a portion of the required 10 metre setback from the top-of-bank of the ravine. While none of the building above or below grade will encroach into the required 10 metre setback, the applicant is proposing to construct four rear yard ground floor terraces partially within this zone. As such, an application to amend the Official Plan has been made to allow rear ground floor terraces to encroach into the required 10 metre setback.

See Attachment No. 5 for the application data sheet and Attachment Nos. 1 and 2 for drawings of the proposal.

Site and Surrounding Area

The site is located on the south side of Dale Avenue, east of Mount Pleasant Road and north of Bloor Street East, in the area known as South Rosedale. The irregular-shaped lot is 9,383 square metres in area and has 91 metres of frontage on Dale Avenue. The site ranges in depth from approximately 93 metres along the western edge to 134 metres along the eastern edge. The site is currently occupied by three one-storey single family detached houses which would be demolished.

The southern portion of the site is subject to the jurisdiction of the TRCA and is heavily vegetated with a well-defined slope condition forming part of the Rosedale Ravine. In May 2015, City and TRCA staff staked the stable top-of-bank and drip line of the ravine to determine the developable table land which represents a total area of 4,411 square metres.

Within the immediate context, are the following uses:

North: 2- and 3-storey detached houses on the north side of Dale Avenue. Further north are more 2- and 3-storey detached houses.

South: Rosedale Ravine and Rosedale Valley Road. Further south are Bloor Street East and the north edge of the Downtown area.

West: Immediately west are 1 and 3 Dale Avenue, both of which are 3-storey detached houses. Further west is a 3-storey apartment building at 1A Dale Avenue, Glen Road, the Glen Road pedestrian bridge, and a 3-storey apartment building at 40 Glen Road.

East: Immediately east is 15 Dale Avenue, a 2-storey detached house and 21 Dale Avenue, a 4-storey apartment building that extends into Rosedale Ravine. Further east are 2- and 3-storey detached houses.

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, by the *Planning Act*, 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, as the case may be, 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 site is designated as *Neighbourhoods* on Map 18 - Land Use of the Official Plan. *Neighbourhoods* are considered physically stable areas and are made up of low scale residential uses along with parks, schools and local institutions. **Section 2.3.1** – "Healthy Neighbourhoods" indicates that while some physical change will occur to neighbourhoods over time as enhancements, additions and infill housing occur on individual sites, a cornerstone policy is to ensure that new development in our neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood. The stability of the physical character of *Neighbourhoods* is one of the keys to Toronto's success.

Section 4.1 – "*Neighbourhoods*" includes policies and development criteria to ensure that physical changes to established neighbourhoods are sensitive, gradual and generally "fit" the existing physical character. Development criteria in Policy 5 state that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, in particular:

- a. Patterns of streets, blocks and lanes, parks and public building sites;
- b. Size and configuration of lots;
- c. Height, massing, scale and dwelling type of nearby residential properties;
- d. Prevailing building type(s);
- e. Setbacks of buildings from the street or streets;
- f. Prevailing patterns of rear and side yard setbacks and landscaped open space;
- g. Continuation of special landscaped or built-form features that contribute to the unique physical character of a neighbourhood; and
- h. Conservation of heritage buildings, structures and landscapes.

Policy 5 further states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of a *Neighbourhood*.

Chapter Three – "Building a Successful City" identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. **Section 3.1.2** – "Built Form" indicates that development will be located, organized and massed to fit harmoniously with the existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, limiting impacts of servicing and vehicular access on the property and neighbouring properties; and limiting shadow and wind impacts.

Section 3.1.5 – "Heritage" addresses the conservation of heritage resources and includes policies that state that Heritage Impact Assessments will evaluate the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register, to the satisfaction of the City. Policy 26 identifies that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impacts on it. Policy 33 states that Heritage Conservation Districts should be managed and conserved by approving only those alterations, additions, new development, demolitions, removals and public works in accordance with respective Heritage Conservation District plans.

The ravine lands which are located below the stable top-of-bank are identified as being part of the Natural Heritage System on Map 9 – Natural Heritage System of the Official Plan. **Section 3.4** – "The Natural Environment" advises that development will be set back at least 10 metres from the top-of-bank of valleys, ravines and bluffs. Land below

the top-of-bank may not be used to calculate permissible density in the zoning by-law or used to satisfy parkland dedication requirements. All proposed development in or near the ravine will be evaluated to assess the development's impacts on the natural heritage system.

Section 5.6 – "Interpretation" provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Further, **Section 1.5** – "How to Read the Plan" indicates the Official Plan is a comprehensive and cohesive whole. This proposal will be reviewed against the policies described above as well as the policies of the Official Plan as a whole.

The Official Plan can be accessed at:

www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

See Attachment No. 3 for the Official Plan map.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

Relevant to this application, OPA 320 adds new policy to Section 4.1 Policy 5 that provides direction on how to delineate a geographic neighbourhood and instructs that when reviewing new development within *Neighbourhoods*, evaluation of the physical character of a particular neighbourhood should first consider properties in the same block that also face the same street as the development site and other properties in the wider geographic neighbourhood.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Council's decision and the staff report can be found at:

app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG8.5

Zoning

Zoning By-law 438-86

Under Zoning By-law 438-86, as amended, the property is zoned R1 Z0.6 with a height limit of 10 metres and a maximum density of 0.6 times the area of the lot. The R1 zoning category allows detached houses, parks, places of worship and home occupations.

Zoning By-law 569-2013

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013, which is currently under appeal at the Ontario Municipal Board. Therefore, both Zoning By-law 569-2013 and former City of Toronto General Zoning By-law 438-86 currently apply to the site.

Under Zoning By-law 569-2013, the site is zoned RD (f15.0; d0.6) (x1438) with a height limit of 10 metres and a maximum density of 0.6 times the area of the lot. The RD zoning category allows detached houses, parks, places of worship and home occupations.

See Attachment No. 4 for the Zoning map.

Site Plan Control

The site and proposed development are subject to Site Plan Control. An application has not yet been submitted.

Heritage Preservation

The site has been designated under Part V of the Ontario Heritage Act as being within the South Rosedale Conservation District. A Heritage Impact Assessment (HIA) prepared by Philip Goldsmith Architect, dated August 3, 2016 addressing the demolition of the three contributing houses and the details of the proposed development has been submitted for staff review.

Ravine Control

The proposed development is subject to the Ravine and Natural Features Protection Bylaw. A Ravine Stewardship Plan (constituting part of the Natural Heritage Impact Study) has been submitted and is being reviewed by City and TRCA staff.

Tree Preservation

The applicant has submitted an Arborist Report, including Tree Inventory and Preservation Plans, in support of this application. This document proposes the removal of 130 trees, 54 of which are located within the limits of the Ravine and Natural Feature Protection by-law, 1 of which is located within the limits of the City Tree by-law, and 75 of which are located within the limits of the Private Tree by-law. 70 of the trees subject to the Private Tree by-law have a diameter at breast height (DBH) that is less than 30 centimetres, therefore only 5 trees will require a permit to injure or remove. This document is being reviewed by Urban Forestry staff. The owner will be required to obtain the necessary permits and submit a satisfactory replanting plan prior to the removal of any protected trees.

Reasons for the Application

A zoning by-law amendment application is required for the proposed apartment building in an area zoned for detached houses, density, height, setbacks, and building depth.

Additional areas of non-compliance with the Zoning By-law will be assessed as the review of the application advances.

An official plan amendment application is required to allow rear ground floor terraces to encroach into the required 10 metre setback from the top-of-bank of the ravine.

COMMENTS

Application Submission

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

- Architectural Plans, Elevations and 3D perspective drawings;
- Landscape Plans;
- Natural Heritage Impact Study including Ravine Stewardship Plan and Restoration Matrix;
- Arborist Report and Tree Preservation Plan;
- Stormwater Management Report;
- Functional Servicing Report;
- Transportation Impact Study, Traffic Operations, Parking, Loading, and Site Circulation Assessment;
- Stage 1 and 2 Archaeological Resource Assessment;
- Heritage Impact Statement;
- Geotechnical Study;
- Memorandum on Allowable Bearing Capacity;
- Toronto Green Standard Checklist; and
- Planning Justification Report.

A Notification of Complete Application was issued on August 26, 2016.

Issues to be Resolved

The application has been circulated to City divisions and public agencies for comment. Preliminary issues to be addressed include the following:

- Conformity with the Official Plan policies and development criteria for *Neighbourhoods* and OPA 320;
- Compatibility with the surrounding neighbourhood land uses;
- Whether the Heritage Impact Statement sufficiently addresses heritage concerns associated with the site and whether any on-site conservation of heritage resources is required;
- Appropriateness of demolishing three contributing buildings within the Heritage Conservation District;
- Appropriateness of the proposed built form siting, height and massing;
- Proposed public realm and the relationship of the building at grade;
- Landscaping and lighting features;

- Appropriateness of the proposed tree protection and tree removal on the tableland and ravine edge;
- Adequacy and suitability of the amount and location of the proposed indoor and outdoor amenity space;
- Adequacy of the proposed vehicular parking supply and whether the proposed vehicular access is appropriate;
- Adequacy of the proposed loading space to service the development and whether the access to this space is appropriate;
- Supply and location of proposed bicycle parking spaces;
- Capacity of existing servicing to accommodate the proposed development;
- Compliance to the TGS Tier 1 performance measures; and
- Confirmation that the proposed Official Plan Amendment is appropriate and maintains the intent of the Natural Environment policies;

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

CONTACT

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SIGNATURE

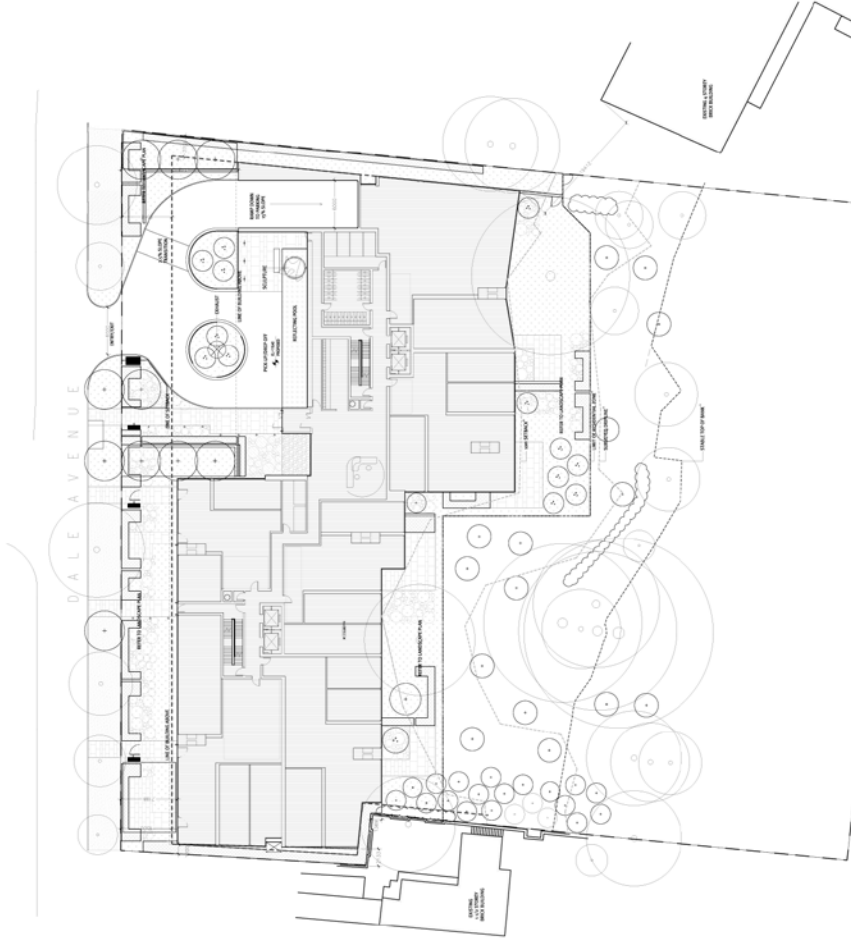
Gregg Lintern, MCIP, RPP
 Director, Community Planning
 Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
 Attachment 2: Elevations
 Attachment 3: Official Plan
 Attachment 4: Zoning
 Attachment 5: Application Data Sheet

Attachment 1: Site Plan



5,7,9 Dale Avenue

File # 16 202229 STE 27

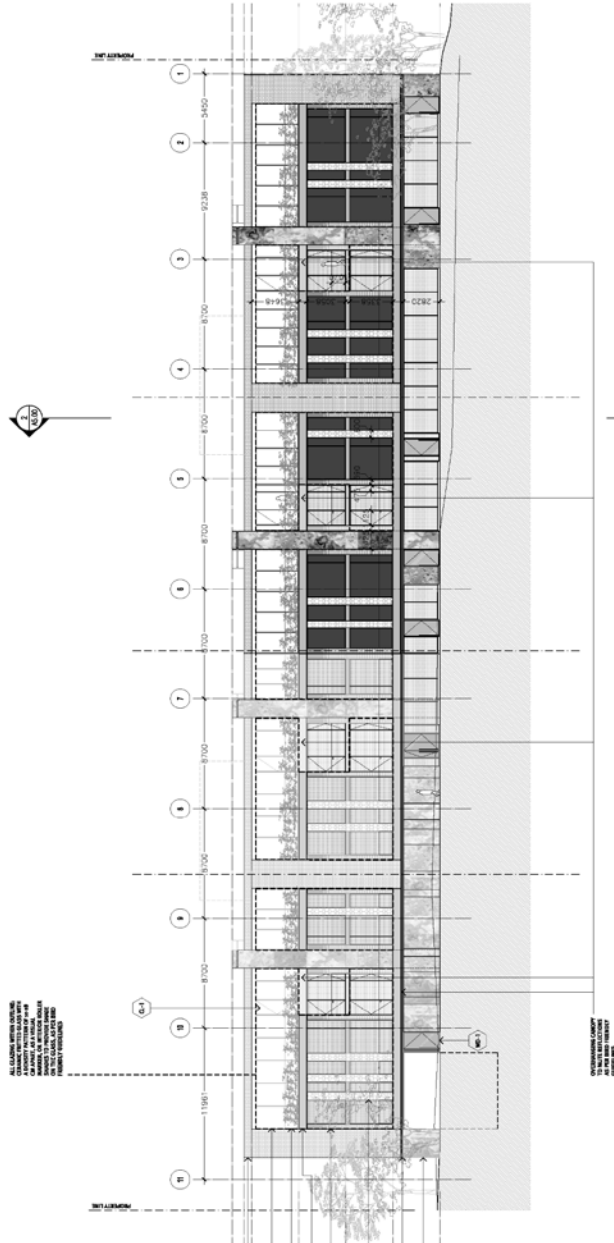
Site Plan

Applicant's Submitted Drawing

Not to Scale
09/09/2016



Attachment 2: Elevations



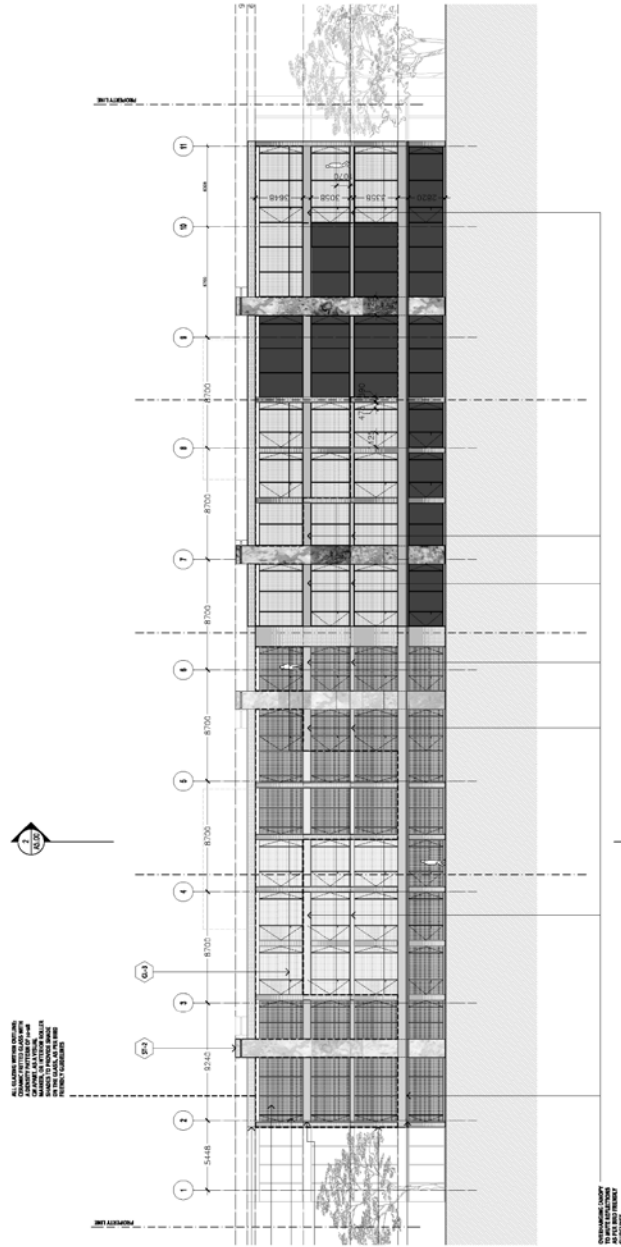
North Elevation

Applicant's Submitted Drawing

Not to Scale
09/09/2016

5,7,9 Dale Avenue

File # 16 202229 STE 27



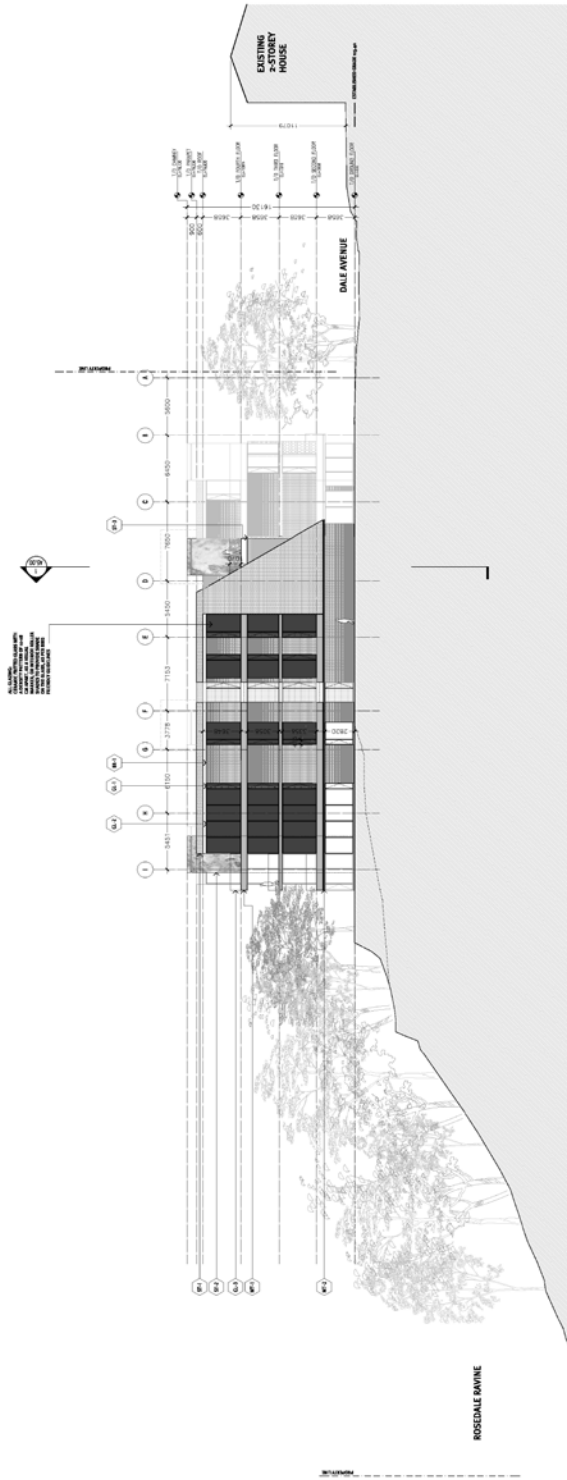
5,7,9 Dale Avenue

File # 16 202229 STE 27

South Elevation

Applicant's Submitted Drawing

Not to Scale
09/09/2016



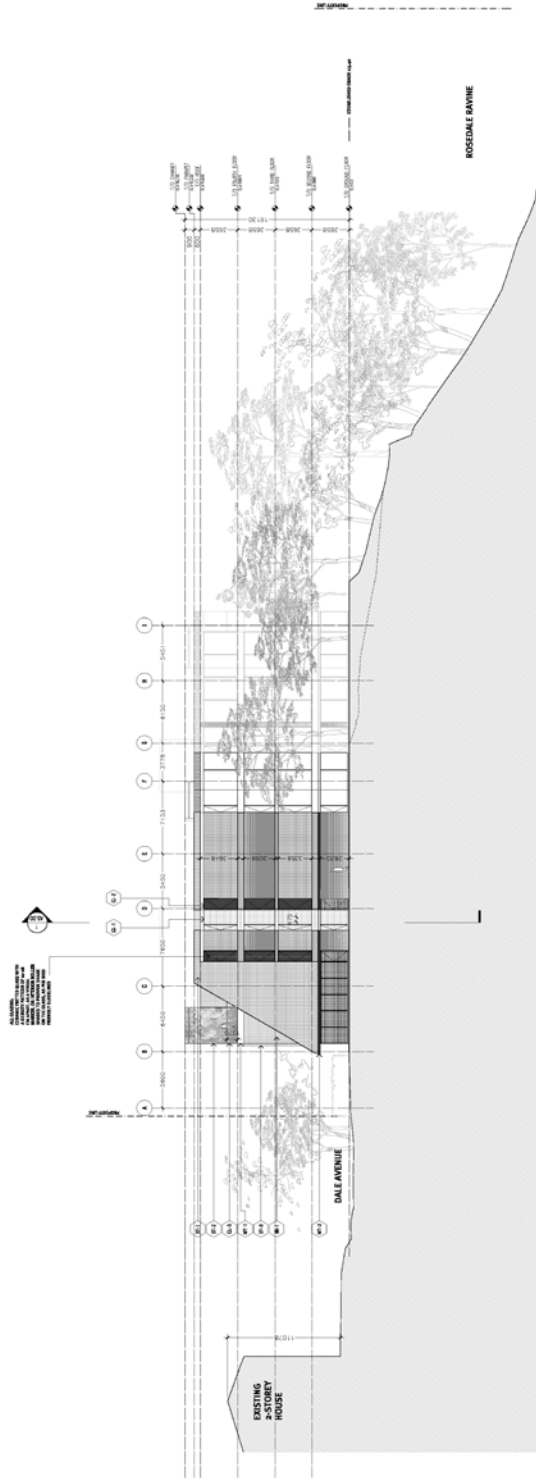
East Elevation

Applicant's Submitted Drawing

Not to Scale
09/09/2016

5,7,9 Dale Avenue

File # 16 202229 STE 27



West Elevation

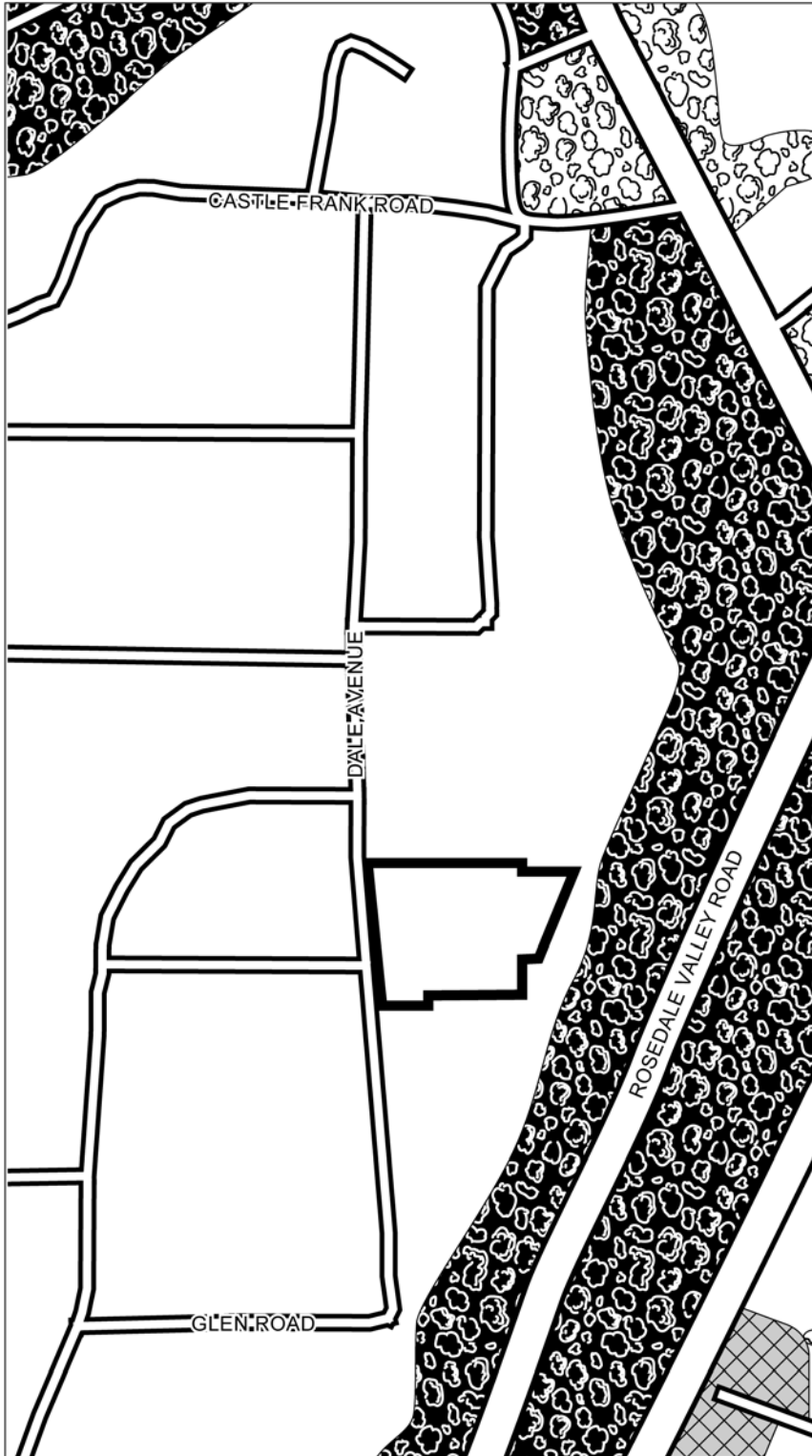
Applicant's Submitted Drawing

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5,7,9 Dale Avenue

File # 16 202229 STE 27



Attachment 3: Official Plan



5, 7, 9 Dale Avenue

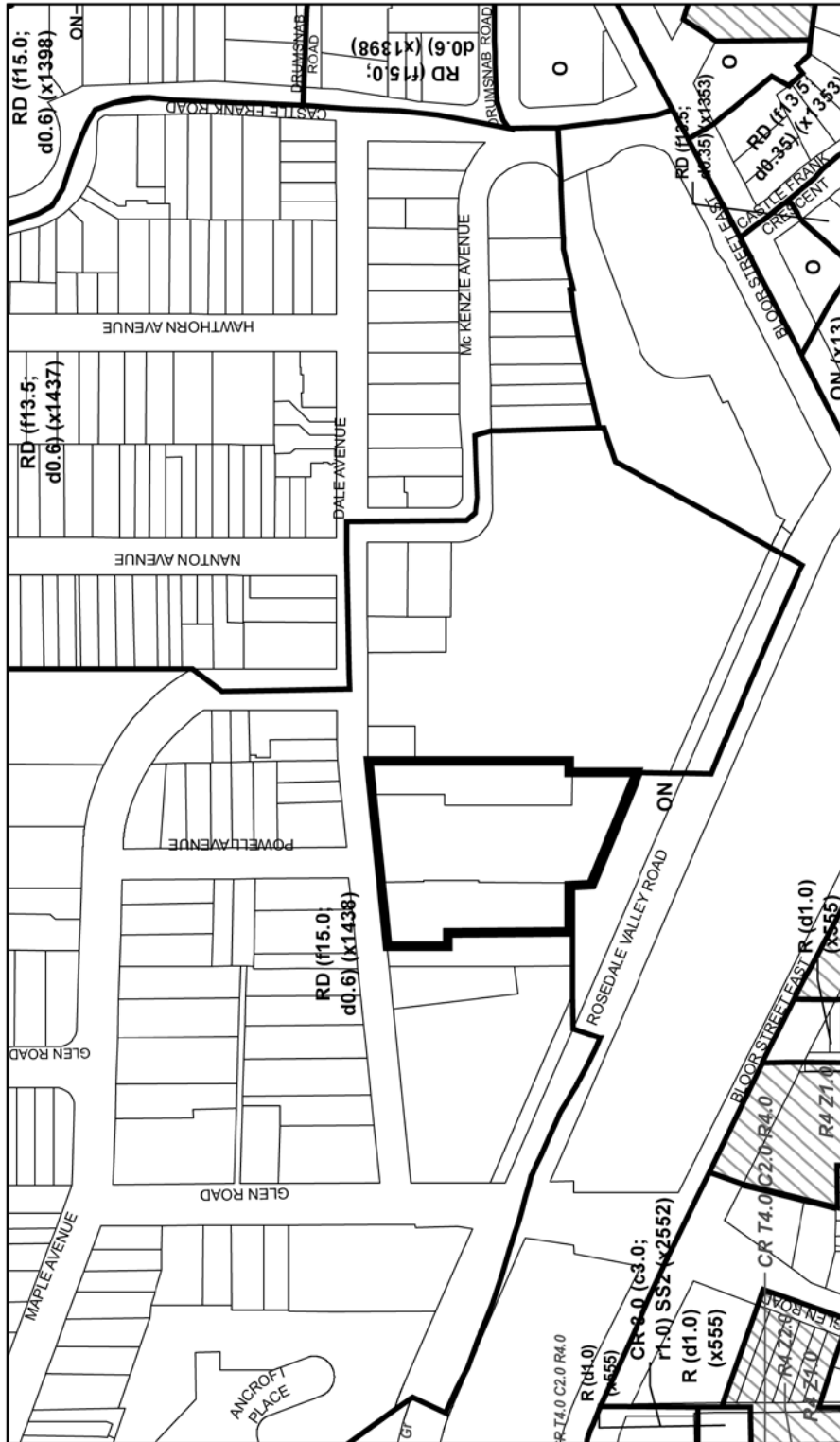
Toronto
Extract from Official Plan

File # 16 202229 STE 27 0Z

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Natural Areas
-  Parks

↑
Not to Scale
09/09/2016

Attachment 4: Zoning



Toronto City Planning
Zoning By-Law No. 569-2013
5, 7, 9 Dale Avenue
File # 16 202229 STE 27 0Z

See Former City of Toronto By-Law No. 438-86
 R1 Residential District
 R4 Residential District



Location of Application
 R Residential
 RD Residential Detached
 CR Commercial Residential
 O Open Space
 ON Open Space Natural



Not to Scale
 Extracted: 09/09/2016

Attachment 5: Application Data Sheet

Application Type	OPA & Rezoning	Application Number:	16 202229 STE 27 OZ
Details	OPA & Rezoning, Standard	Application Date:	August 5, 2016
Municipal Address:	5,7 & 9 DALE AVENUE		
Location Description:	PLAN 541 PT LOTS 16 TO 18 **GRID S2706		
Project Description:	4-storey residential building with 26 dwelling units, 27 bicycle parking spaces, 53 residential vehicle parking spaces and 5 visitor vehicle parking spaces, and to permit rear ground floor terraces to be constructed within the 10 metre setback from the top-of-bank of Rosedale Valley Ravine. The three existing heritage designated buildings would be demolished.		

Applicant:	Agent:	Architect:	Owner:
WALKER NOTT DRAGICEVIC ASSOC LTD	WALKER NOTT DRAGICEVIC ASSOC LTD	HARIRI PONTARINI ARCHITECTS	DALE INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	R1 Z0.6 (x1438)	Historical Status:	Y
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4411	Height:	Storeys:	4
Frontage (m):	91.1		Metres:	16.1
Depth (m):	100			
Total Ground Floor Area (sq. m):	2209			Total
Total Residential GFA (sq. m):	8784		Parking Spaces:	58
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	8784			
Lot Coverage Ratio (%):	50			
Floor Space Index:	1.99			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	6
3 + Bedroom:	20
Total Units:	26

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	8784	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Kevin Friedrich, Planner
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	EMAIL:	kfriedr@toronto.ca