

STAFF REPORT ACTION REQUIRED

14 Dewhurst Boulevard – Official Plan Amendment and Zoning Amendment Applications – Final Report

Date:	September 29, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 29 – Toronto-Danforth
Reference Number:	15-241882 STE 29 OZ & 16 120897 STE 29 OZ

SUMMARY

The applicant proposes to construct a four-storey residential apartment building containing 32 dwelling units and convey 137.32 square metres of land to the City for a public park. The proposed dwelling would have a gross floor area of 3,195.9 square metres. The overall height of this building is approximately 13.8 metres (16.10 metres including mechanical penthouse) and the proposed density would be 2.15 times the lot area. The subject site is a heritage property designated under Part IV of the *Ontario Heritage Act*. The proposal alters part of the existing church building.

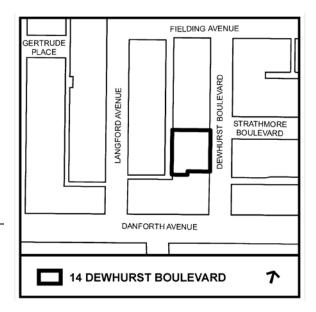
This proposal includes appropriate built form, conserves the heritage attributes of the designated property, and provides a midblock connection in the form of parkland dedication.

This report reviews the proposal and recommends approval of the Official Plan Amendment and the Zoning By-law Amendment applications.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan,



for the lands at 14 Dewhurst Boulevard substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 11 to report dated September 29, 2017.

- 2. City Council amend Zoning By-law 438-86 for the lands at 14 Dewhurst Boulevard substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12 to the report dated September 29, 2017 to be provided on or before the October 17, 2017 Toronto and East York Community Council.
- 3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 14 Dewhurst Boulevard substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13 to the report dated September 29, 2017 to be provided on or before the October 17, 2017 Toronto and East York Community Council.
- 4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
- 5. City Council require that the Owner convey the 137.32 m² portion of the development site for public parkland purposes. The land to be conveyed as parkland shall be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry & Recreation.
- 6. City Council require the Owner to convey the parkland to the City prior to the issuance of the first above-grade building permit for the development.
- 7. City Council require the Owner to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.
- 8. City Council approve a development charge credit against the Parks and Recreation component of the development charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges.
- 9. Before introducing the Bills to City Council for enactment, City Council require the applicant and/or Owner to:

- a. provide a revised Combined Sewer Analysis Report, Site Servicing and Stormwater Management Report, and Hydrogeology Report to the satisfaction of the Executive Director of Engineering and Construction Services; and
- b. enter into a financially secured agreement for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development, according to the Site Servicing and Stormwater Management Report accepted by the Executive Director of Engineering and Construction Services.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On February 10, 2015, City Council stated its intention to designate the Temple Baptist Church on the property at 14 Dewhurst Boulevard under Part IV, Section 29 of the Ontario Heritage Act. City Council's decision and the report from Heritage Preservation Services are available online at:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE3.6

On February 23, 2016, Toronto and East York Community Council adopted the Preliminary Report on the 14 Dewhurst Boulevard development application. In addition to obtaining authority to hold a community consultation meeting, Planning staff were also directed to hold working group meetings with representatives from the community and the applicant.

ISSUE BACKGROUND

Proposal

The applicant proposes to construct a four-storey residential apartment building containing 32 dwelling units. The proposed dwelling would have a gross floor area of 3,195.9 square metres. The overall height of this building is approximately 13.8 metres (16.10 metres including mechanical penthouse) and the proposed density would be 2.15 times the lot area.

To service this development, the applicant proposes to provide 25 residential parking spaces, 24 of which are proposed in four three-tiered parking lift systems. The remaining one parking space is for visitors and is located at grade. Parking is accessible off Dew Lang Lane immediately west (rear) of the property. There are 41 bicycling parking spaces proposed, 33 spaces for residents located in the basement level and 8 spaces for visitors located at grade.

The proposed building consists of 32 dwelling units. The proposed residential unit breakdown is as follows:

Unit Type	Number of Units
1-Bedroom	5
2-Bedroom	22
3-Bedroom	5
Total	32

The applicant proposes 35.9 square metres of indoor amenity space in the basement level. A public linear park is also proposed comprising 154 square metres located on the north side of the property and which will provide an east-west midblock connection through the property. Private balconies or terraces are proposed on all four sides of the building as well as private rooftop terraces.

The subject property is designated under Part IV, Section 29 of the Ontario Heritage Act. The existing buildings on the property include the original 1913 Sunday School building and a 1925 front addition that is identified as a heritage attribute. The applicant proposes to alter the existing property by retaining the front (east) façade (a width of 22.78 metres) and parts of the north and south side walls (a depth of 5.41 metres and 4.82 metres, respectively) of the 1925 front addition, and construct the newly proposed four-storey apartment addition behind and to the south of the facade. The 1913 building, which is not identified as a heritage attribute, is proposed to be removed.

Revisions to the Proposal

The proposal was revised from the initial submission in the following manner:

- A linear park to serve as a midblock connection to be conveyed to the City as a public park pursuant to Section 51.1 of the *Planning Act* was incorporated into the plan;
- The garbage and recycling shed were relocated from at grade to a new basement level. This basement level also includes a larger indoor amenity space, a larger garbage and recycling storage room, and 33 bicycle parking spaces:
- Indoor amenity space increased from 13.3 to 35.9 square metres;
- Windows facing south have been relocated and downsized; and
- West facing balconies and terraces, as well as the rooftop patios, have been pulled back to allow for improved privacy and overlook.

See Attachment No. 9 for the application data sheet and Attachment Nos. 1-5 for drawings of the proposal.

Site and Surrounding Area

The site is located on the west side of Dewhurst Boulevard, north of Danforth Avenue. The site has an overall area of approximately 1,484 square metres. A congregation had occupied the building, historically known as the Temple Baptist Church, until it was sold in 2013. The church, built in 1913 with additions built in 1925, remains on the property, was designated under Part IV of the Ontario Heritage Act in February 2015.

Uses surrounding the site include:

North: Two-storey detached and semi-detached dwellings.

South: Two and three-storey mixed-use buildings fronting on Danforth Avenue and featuring commercial uses at grade and residential or office uses above.

East: Two-storey detached and semi-detached dwellings. Further east is the Donlands TTC subway station.

West: Immediately to the west is Dew Lang Lane. Further west are two-storey detached and semi-detached dwellings, and a Toronto Parking Authority surface parking lot.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) (the "PPS") provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment:
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Official Plan

The subject site is designated *Neighbourhoods* in the City of Toronto 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 and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys (Policy 4.1.1).

The stability of our *Neighbourhoods*' physical character is one of the keys to Toronto's success. Physical changes to our established *Neighbourhoods* must be sensitive, gradual, and generally "fit" the existing character. Policy 4.1.5 of the Official Plan states that

development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

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*.

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. The Ontario Municipal Board has held two prehearing conferences in 2017 and the hearing is ongoing. 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.

For more information, please see the Official Plan Review website regarding *Neighbourhoods*:

 $https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=c860abe3a6589410VgnVCM\\10000071d60f89RCRD$

Zoning

This site is zoned R2 Z0.6 in the former City of Toronto Zoning By-law 438-86 which permits low density residential uses including apartment buildings up to a density of 0.6 times the lot area. The maximum permitted height is 10 metres.

This site is zoned R (d0.6) (x322) in the new Zoning By-law 569-2013 which is currently under appeal. This zoning permits a range of residential uses including detached and semidetached homes, townhouses and apartment buildings and limited non-residential uses. The total permitted density for all uses is 0.6 times the area of the lot. The height limit is 10 metres.

Heritage

The application involves the property at 14 Dewhurst Boulevard which was designated by Toronto City Council under Part IV of the *Ontario Heritage Act* on February 10, 2015 for its cultural heritage value, meeting the criteria for municipal designation in the Province of Ontario for design, associative and contextual value. The site contains a 2 ½ storey Sunday School building constructed in 1913 (not included in the list of attributes of the property) and a 2 ½ storey church addition constructed in 1925. City Council's decision and the report from Heritage Preservation Services are available online at: http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE3.6

The applicant proposes to retain the front (east) façade (a width of 22.78 metres) and parts of the north and south side walls (a depth of 5.41 metres and 3.45 metres, respectively) of the 1925 addition. The 1913 building and rear portion of the 1925 church addition would be demolished.

Site Plan Control

A site plan application is required for the subject site and has been submitted (File No. 15 241886 STE 29 SA). It is under review concurrently with the zoning by-law amendment application. Remaining site plan matters include finalizing the linear park design, securing high-quality, durable materials for enhanced building articulation, tree and landscape planting securities, and traffic operations, access, servicing and stormwater management securities. These are common site plan matters and will be secured in the subsequent Site Plan Agreement.

Reasons for Application

The proposed apartment building is within a residential zone with a maximum permitted density of 0.6 times the area of the lot with a height limit of 10 metres. The proposed density is 2.15 times the area of the lot and the proposed height is 13.8 metres (or 16.1 metres including mechanical penthouse). The proposed density and height exceed the maximum permitted density and height in both Zoning By-law 438-86 and 569-2013. A zoning by-law amendment is therefore required.

Official Plan Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood in terms of prevailing building types, and that the prevailing building type is the predominant form of development in the neighbourhood. The proposal is for a 4-storey residential apartment building in a neighbourhood with a prevailing building type of single detached and semi-detached houses of one to two storeys. An Official Plan Amendment is therefore required.

Community Consultation

City Planning staff, in consultation with the Ward Councillor, hosted a community consultation meeting on April 6, 2016 to discuss the 4-storey building. City Planning staff presented the policy framework and an overview of the application. The applicant provided further details with respect to the proposal and its planning rationale.

Following the presentations, City staff and the applicant welcomed comments, questions and concerns from the community. That community feedback is summarized by the concerns outlined below:

- the public laneway's capacity to service additional vehicular movement as manoeuvring is currently difficult and adding more vehicles with exacerbate the issue:
- privacy, particularly for the residents on the west (rear) side who occupy properties fronting on Langford Avenue;
- the four-storey building would block views of the sun for residents on Langford Avenue and cause shadow impacts to nearby residential properties and the building should therefore be reduced to three storeys;
- the building should provide more family-sized units;
- the potential noise impacts of the rooftop terraces; and
- the safety of the proposed park on the north side of the property.

Following the community consultation meeting, staff held three working group meetings on May 11, 2016, July 7, 2016 and September 29, 2016. The first working group meeting was attended by 6 of the working group members, whereas the last two were attended by 4 of the working group members. The working group meetings discussed Transportation, Built Form, the Proposed Parkland and any additional items. The feedback is summarized below:

Relating to Transportation:

- Concerns were raised over the parking stackers, particularly the turning radius of the vehicles entering and leaving the stackers; the queue times for residents waiting to get into their vehicles; and sightlines for vehicles from the parking stackers and from the laneway;
- Concerns were raised with the public laneway's capacity to service additional traffic and with traffic impact overall;
- Snow removal, or lack thereof, on the laneway would pose a problem for vehicular manoeuvrability;
- Laneway is not wide enough to accommodate this many vehicles;
- Concerns were raised with regard to traffic calming on Dewhurst Boulevard, which is often used as a shortcut alternative to Donlands Avenue; and
- Some working group members expressed that the parking should be in an underground parking garage as opposed to parking stackers while others believed that an underground parking garage was impractical.

Relating to Built Form:

- The four-storey building would impact sunlight, privacy and sky views, particularly for the residents on Langford Avenue;
- Some working group members felt the building was too tall and too dense;

- In terms of density, some working group members felt that the proposed number of units and resulting increase in population would be too much for the lot's size to accommodate; and
- Other working group members did not take issue with the height or density, feeling that a physical change to the building was needed to improve the street and the neighbourhood.

Relating to Proposed Parkland:

- The community was generally amenable to the linear park so long as it was designed to deter disruptive and inappropriate behaviour; mitigate issues of noise and lighting; have a good interface with the ground floor units; and be landscaped.

Relating to additional items:

- The community wanted sustainable built form, such as green roofs; and
- Concerns were raised with regard to future construction disturbances and the possibility of a construction management plan.

The above noted issues are discussed 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

City Council's planning decisions are required to be consistent with the Provincial Policy Statement (PPS). The application proposes residential infill in a residential neighbourhood where appropriate infrastructure and public service facilities exist. The infill proposal represents an efficient use of land, in close proximity to public transit, and encourages a sense of place by promoting well-designed built-form and by conserving heritage features that help define character.

Staff are of the opinion that the proposed development application is consistent with the Provincial Policy Statement (2014) and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

Official Plan Amendment

The Official Plan states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood in terms of prevailing building type in the predominant form of development in the neighbourhood. The proposal is for a four-storey residential apartment building in a neighbourhood with a

prevailing building type of single detached and semi-detached houses of one to two storeys.

The application proposes to amend the Official Plan to allow a building containing a total of 32 dwelling units in an apartment building. Staff consider the Official Plan amendment appropriate in this case for several reasons.

Firstly, Policy 4.1.1 of the Official Plan states that *Neighbourhoods* are 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. Such four-storey apartment buildings would only be appropriate where the lot and built form lends itself to that form of development. In this case, the lot is approximately 1,484 square metres, larger than the average lot in the neighbourhood at approximately 213 square metres, and is a lot large enough to accommodate a small-scaled apartment building.

Secondly, Zoning By-laws 438-86 and 569-2013 permit apartment buildings in their respective zoning categories. Therefore, the zoning by-law contemplates apartment buildings in these zones on lots that are appropriate and would not destabilize or adversely impact the surrounding neighbourhood.

Thirdly, the proposed four-storey building conserves the attributes protected under the designation of the existing church building on site. The scale of the existing church building is similar to that of a four-storey residential building and the proposal generally respects the existing building envelope of the church building, which has since the early 1900s formed a part of the existing physical character of this neighbourhood.

The proposal meets the intent of the Official Plan by limiting the height to four-storeys, which Staff consider a sensitive infill project that can take advantage of nearby amenities and infrastructure while maintaining a respectful built form and building type that does not destabilize or adversely impact the surrounding neighbourhood.

Height

The proposed building is 13.8 metres in height to the top of the roof slab of the fourth floor and 16.1 metres to the top of the staircase rooftop enclosures. While the zoning bylaw allows for a maximum building height of 10 metres, the existing church building has a height of 13.25 metres to the peak of the roof and has existed in the neighbourhood for over 100 years. The increase in height from 13.25 to 13.8 metres to accommodate the rear addition is a modest increase. The zoning by-law for properties in the residential zone category also allow for mechanical equipment and enclosed stairwells, including roof access, to exceed the maximum height of the building by 5 metres. The extent of these structures will be limited by the draft Zoning By-law.

Density

The density for the existing building is 1.29 times the area of the lot. The density for the proposed development is 2.15 times the area of the lot. Both the existing and proposed

density exceed the zoning by-law permission of 0.6 times the area of the lot. The majority of the proposed additional density is proposed within the existing building envelope with the creation of an additional fourth floor. The density is appropriately massed to mitigate issues of light, view and privacy which will be further discussed below.

Massing

The proximity of the proposed four-storey apartment building to the two-storey detached and semi-detached houses to the north, west and east and the means of mitigating any impacts associated with the proposed development was the principle topic of the working group meetings and a key consideration in staff's review of the proposal.

The houses to the west of the subject property on Langford Avenue back onto Dew Lang Lane with private detached garages. The separation distance from the building face of the rear of these homes to the building face of the rear of the proposed building is approximately 25 metres and provides enough separation to mitigate issues of light, view and privacy. The zoning by-law for properties in a residential zone category generally requires a rear yard setback of 7.5 metres. For two residential properties back-to-back the separation distance would equate to 15 metres. This distance for the proposed 4-storey apartment building exceeds the minimum requirement in the zoning by-law.

The setback from the north property line, adjacent to the properties fronting on Dewhurst Boulevard, varies from 5.42 metres from the front portion of the existing heritage structure to be conserved and increases to 6.48 metres for the majority of the proposed building. The zoning by-law requires a minimum side yard setback of 7.5 metres for buildings with a height of 12 metres or greater. The setback from the north property line will respect the existing building envelope of the church and a publicly owned linear park further separates the development from the adjacent property to the north. Staff therefore consider the setback acceptable. In addition, balconies were removed from the rear portion of the north elevation to mitigate issues of overlook onto nearby backyards.

To the south, the side yard setback maintains the existing setback of 0.21 metres. In order to mitigate issues of privacy and overlook, some windows were removed from the original submission and the remaining proposed windows will be treated with translucent film, to be secured in the site plan agreement.

The proposed apartment building includes balconies and terraces on all sides of the building. Some of these balconies and terraces were removed while others were further set back to allow for a landscape buffer. The rooftop terraces, accessible through stair enclosures, are set back between 2 metres and 2.9 metres from the edge of the roof and will include privacy screening.

Heritage

The original 1913 Sunday School building is proposed to be demolished as part of the proposal; however, it is not identified as a heritage attribute of the property and staff have no concerns with its removal. The new addition to the rear and south of the 1925 church

building will be higher than the existing building and is set back 4.8 metres from the front face of the parapet to mitigate its impact as seen from the street. The floor of the fourth floor terraces is set well below the existing parapet and will not be visible from Dewhurst Boulevard.

The south portion of the addition to the 1925 church building will be constructed in a redorange brick that will complement the existing brick while differing in size, finish and joints. The rear portion of the addition to the east of the 1925 church will be clad in a charcoal coloured brick with the same dimensions and finish as the proposed red-orange brick of the front portion. These material choices will ensure compatibility with the masonry of the church building and of the residential properties in the surrounding area while remaining legible as new construction. A flat-roofed glass vestibule will be integrated into the new addition at the ground floor to address fire access route requirements and will serve as the main entrance to the building. The vestibule will be set back behind the existing windows on the west elevation of the 1925 building.

The three double-height arched leaded-glass windows on the east elevation of the 1925 church building are identified heritage attributes. The applicant is proposing to replace the central portion of these stained glass windows with clear vision glass with two new operable panels to accommodate new interior units, while retaining the existing green and yellow glass surrounds on all three windows. To mitigate the intersection of the proposed third floor with the upper portion of these windows, the applicant is also proposing to back-paint the glass at the floor edge, preserving the integrity of the glass from the exterior.

On the north and south flanking walls of the 1925 building, the removal of an existing interior staircase and new interior floor levels will require the reconfiguration of the existing window openings. On the north wall, the existing window to the north side of the flanking wall on the second storey will be maintained while the window to the south side of the flanking wall that spans the new first and second storey will be infilled. The brick will be inset and existing lintel and sill preserved to ensure legibility of the historic window opening. Three new window openings will be introduced on the north wall for the new interior spaces and will be detailed to be legible as a contemporary intervention. A similar treatment is proposed for the south flanking wall with the retention of the existing upper storey window. The window will be infilled with inset brick and the sill will be maintained for the second storey and first storey window openings.

Sun and Shadow

The Official Plan states that new development will adequately limit any resulting shadowing of neighbouring streets, properties in *Neighbourhoods* and open spaces.

Residents raised the issue of shadow impact on residential properties to the west and north of the proposal at the community consultation meeting and subsequent working group meetings. The applicant submitted a shadow study for September/March 21st and June 21st for City staff to review.

The shadows cast on September/March 21st on the residential properties to the west will be on the detached garages instead of rear yard landscaped space. The majority of the shadow impact on the west will be on the surface parking lot owned by the Toronto Parking Authority. There will be some shadow impact on the rear yards of the properties on the north, although these shadows are generally the same as the shadow cast by the existing heritage church building.

No shadows are cast on the residential properties on June 21st. Staff have determined that the shadows cast by the proposed building are in keeping with the Official Plan.

Unit Mix

The application proposes 32 dwelling units. There are a total of 22 two-bedroom units and 5 three-bedroom units, which are 84% of the total dwelling unit mix. This mix of two and three bedroom units is appropriate and is secured in the draft zoning by-law amendment.

Parking, Traffic Impact

Section 2.2 of the Official Plan, "Structuring Growth in the City: Integrating Land Use and Transportation," indicates that future growth within Toronto will be directed to areas that are well served by transit, the existing road network and which have properties with redevelopment potential, the redevelopment of which will have no significant impact on existing traffic flow or pedestrian safety, and that provide appropriate parking and site access.

The proposal includes four parking stackers. Transportation Services had requested further documentation showing technical details of these stackers in order to be satisfied. Upon review of the submitted documents, Transportation Services accepts the parking standards for this proposal and advises the applicant that all users of the parking stackers must obtain an operating license from the Technical Standards and Safety Authority. Moreover, Transportation Services accepts the supply of 25 residential parking spaces, given the proximity to the Donlands TTC Station and having 22 family-sized units whose residents would most likely require a vehicular parking space.

Transportation Services do not have concerns with traffic impacts on the area road network given the relatively small scale of the proposed 4-storey and 32-unit development within walking distance of a TTC subway station.

Solid Waste

When a development proposes more than 30 dwelling units, the zoning by-law requires a type "G" loading space; however, in this case, Solid Waste Management Services are providing an exception and granting curbside pickup. The reason for the exception is because the amount of space required for a loading space and turn around space would have a significant impact on the heritage aspect of the building.

Solid Waste Management will provide bulk lift compacted garbage, recycling and organic collection services to this component of the development. Collection of waste

materials from this component will be in accordance with the "City of Toronto Requirements for Garbage Collection and Recycling Collection from New Developments and Re-Developments" and Chapter 844, Solid Waste of the Municipal Code.

Collection of waste materials for this development will take place curbside on Dewhurst Boulevard.

Servicing

Engineering and Construction Services are generally satisfied with respect to water demands and sewer capacity; however, further revisions to the Combined Sewer Capacity Analysis Report, Site Servicing and Stormwater Management Report and Hydrogeological Report are required before it is acceptable to Engineering and Construction Services.

This report recommends that the bills to implement the proposed rezoning be held until a revised Combined Sewer Analysis Report, the Site Servicing and Stormwater Management Report and the Hydrogeological Report is provided to the satisfaction of the Executive Director of Engineering and Construction Services.

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 provision 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 acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 427 square metres or 29% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 148.4 square metres.

The applicant is required to satisfy the parkland dedication requirement through an onsite dedication. The park is to be located on the north side of the site, connecting Dewhurst Boulevard to the municipal lane to the west.

Currently the applicant is showing 137.32 square metres on-site park. Any shortfall of parkland dedication must be satisfied through cash-in-lieu of land. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

Parks is interested in securing the design and construction, by the Owner, of Above Base Park Improvements. There may be opportunities to use the Parks and Recreation component of the Development Charges for this work. Recommendation 5 of this report

recommends that the Parks and Recreation component of the Development Charges be allocated to the design and construction of the Above Base Park Improvements.

Attachment No. 6 for landscape plan illustrating the proposed linear park. Attachment No. 10 – Parkland Terms of Reference outlines the conditions of approval required for the park.

Amenity Space

The zoning by-law requires a minimum of 2 square metres per dwelling unit for indoor and outdoor amenity space. As the proposal provides 32 dwelling units, the applicant would be required to provide 64 square metres of indoor and 64 square metres of outdoor amenity space.

The proposal provides 35.9 square metres of indoor amenity space in the basement level. Staff accept this provision of indoor amenity space given the small scale of the development.

The proposal does not provide a common outdoor amenity space for the exclusive use of the residents. However, private balconies, terraces, patios and rooftop terraces are provided for the exclusive use of the residents in the building. The proposed public linear park, which is viewed as a public benefit and a much needed midblock connection within the neighbourhood, is an outdoor space that can be used by the residents of the building and the general public.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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.

Conclusion

The application has been carefully considered with respect to the 4-storey apartment building and its integration with the low-rise neighbourhood and heritage. An assessment of the fit of the development with the neighbourhood, as well as the reuse and conservation of a valuable heritage building has been undertaken.

Given that the proposed density increase is primarily within the existing building envelope, and that the preservation of heritage attributes conforms to the intent of the Official Plan, the Provincial Policy Statement and the Zoning By-law, City Planning staff recommend approval of the draft Official Plan and Zoning By-law Amendments.

CONTACT

George Pantazis, Planner Tel. No. 416-392-3566

E-mail: george.pantazis@toronto.ca

SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

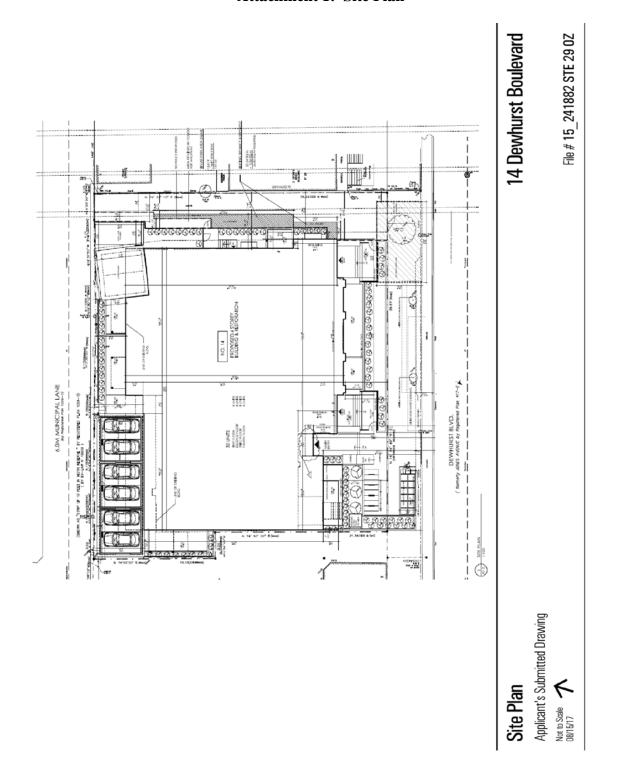
Attachment 2: East Elevation
Attachment 3: West Elevation
Attachment 4: North Elevation
Attachment 5: South Elevation
Attachment 6: Landscape Plan
Attachment 7: Official Plan

Attachment 8: Zoning By-law 569-2013 Attachment 9: Application Data Sheet

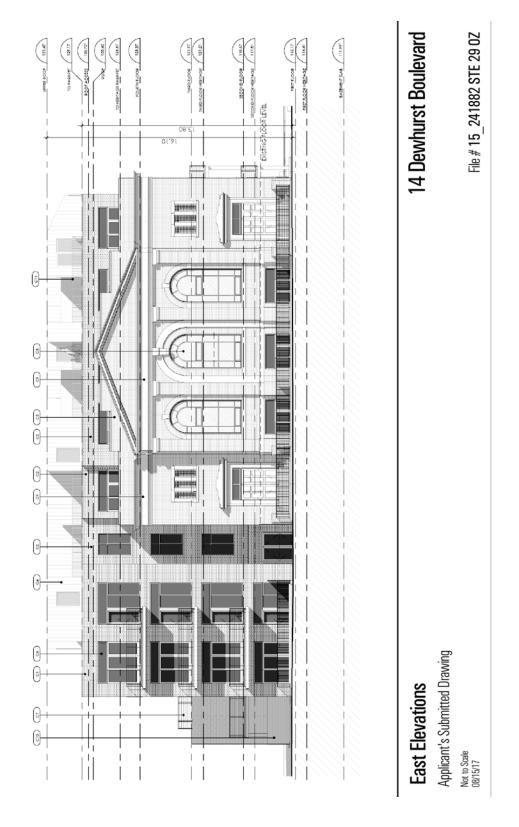
Attachment 10: Parkland Terms of Reference

Attachment 11: Site Specific Official Plan Amendment Attachment 12: Site Specific Zoning By-law 438-86 Attachment 13: Site Specific Zoning By-law 569-2013

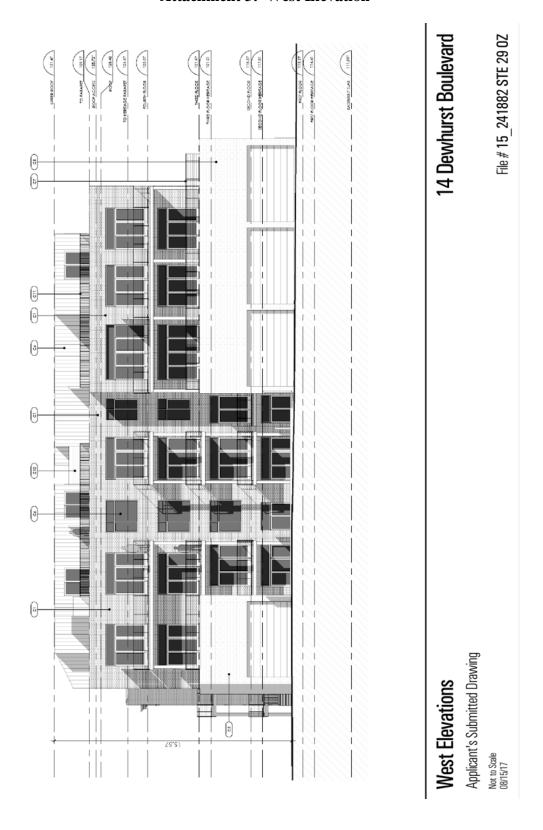
Attachment 1: Site Plan



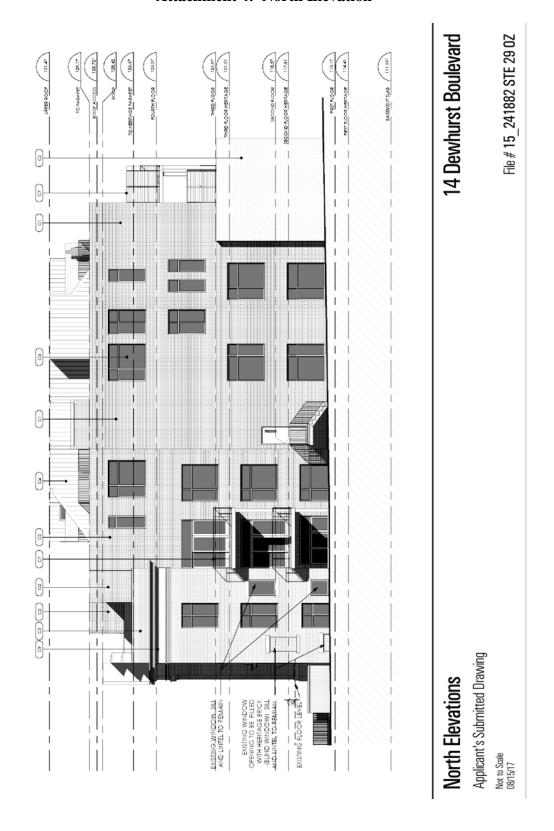
Attachment 2: East Elevation



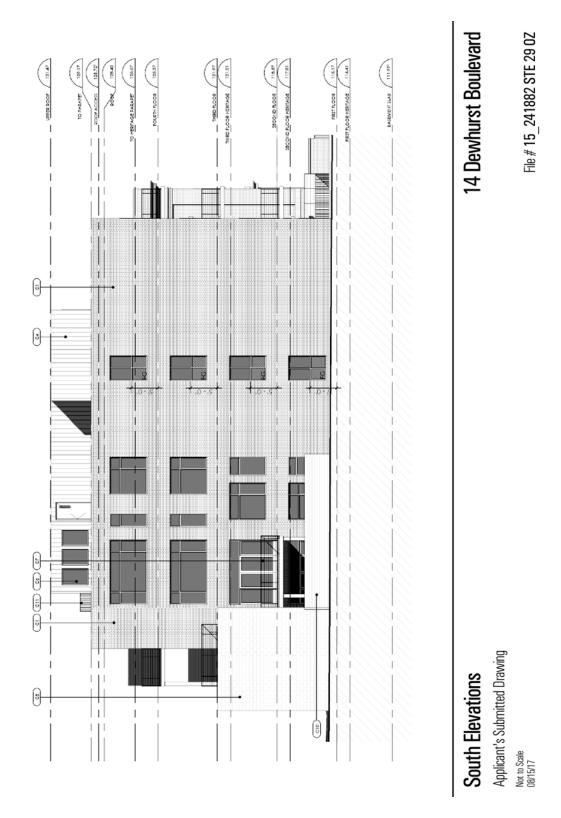
Attachment 3: West Elevation



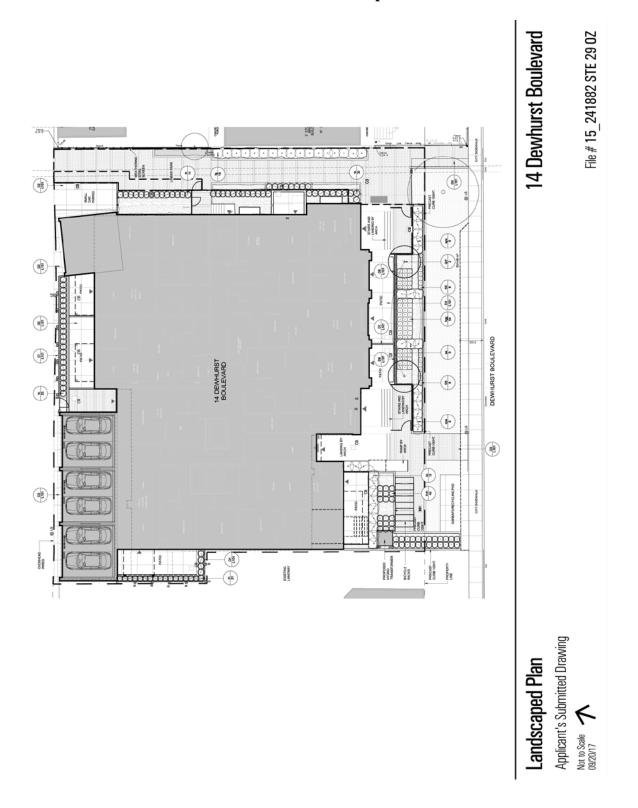
Attachment 4: North Elevation



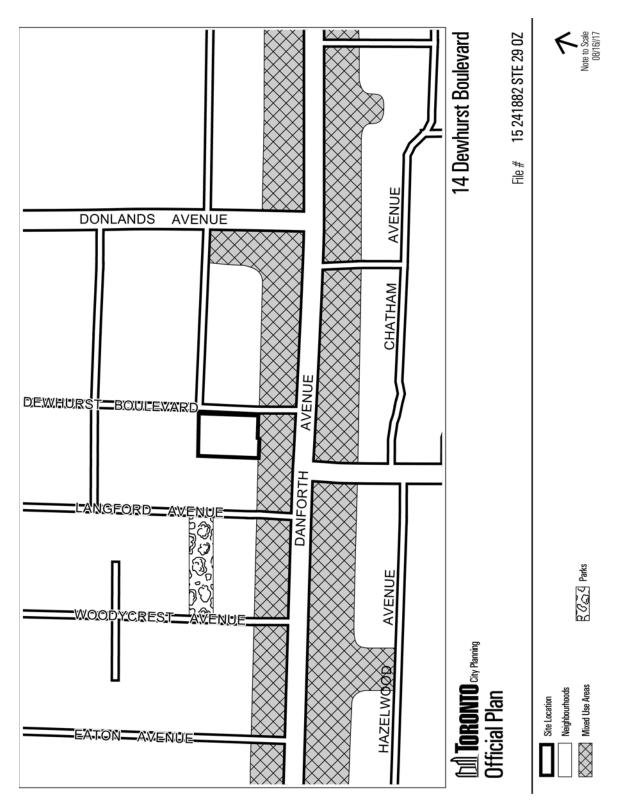
Attachment 5: South Elevation



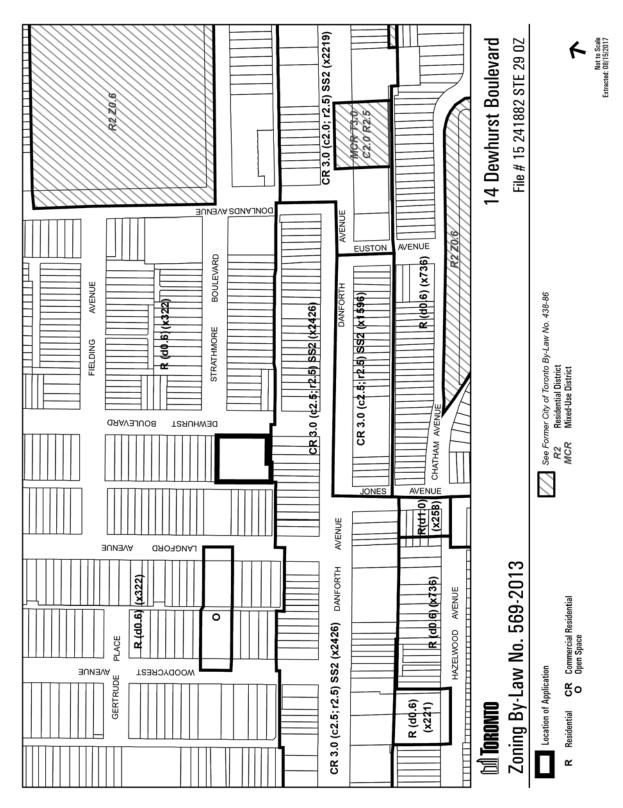
Attachment 6: Landscape Plan



Attachment 7: Official Plan Land Use Designation



Attachment 8: Zoning By-law 569-2013



Attachment 9: Application Data Sheet

Application Type Rezoning Application Number: 15 241882 STE 29 OZ Details Rezoning, Standard Application Date: October 23, 2015

14 DEWHURST BLVD Municipal Address:

PLAN 417E LOTS 221 TO 226 PT LOTS 220 AND 227 **GRID S2906 Location Description:

Project Description: The applicant proposes to construct a 4-storey residential apartment building

> containing 32 dwelling units. The proposed dwelling would have a gross floor area of 3,195.9 square metres. The overall height of this building is approximately 13.8 metres (16.10 metres including mechanical penthouse) and the proposed density

would be 2.15 times the lot area.

Owner: Applicant: Agent: **Architect:**

George Popper Architect Inc., 344 Bloor St. W., Toronto ON M5S 3A7

George Popper Architect Inc., 344 Bloor St. W., Toronto ON M5S 3A7

George Popper Architect Inc., 344 Bloor St. W., Toronto ON M5S 3A7

14 Dewhurst Inc. 80 Carlton Street Toronto ON M5B 1L6

PLANNING CONTROLS

Site Specific Provision: Official Plan Designation: Neighbourhoods n/a

Zoning: 438-86: R2 Z0.6 569-2013: **Historical Status:** Designated

R(d0.6)(x322)

Site Plan Control Area: Height Limit (m): 10 Yes

PROJECT INFORMATION

Site Area (sq. m): 1,484.06 Height: Storeys: 4

Frontage (m): 39.67 Metres: 13.8 (16.1 incl. mech.)

Depth (m): 36.36

804.2 Total Ground Floor Area (sq. m): **Total**

Total Residential GFA (sq. m): 3.195.9 Parking Spaces: 25 vehicular spaces

41 bicycle spaces

Total Non-Residential GFA (sq. m): 0 **Loading Docks**

Total GFA (sq. m): 3,195.9 Lot Coverage Ratio (%): 54.5 Floor Space Index: 2.16

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	3,195.9	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	5	Office GFA (sq. m):	0	0
2 Bedroom:	20	Industrial GFA (sq. m):	0	0
3 + Bedroom:	5	Institutional/Other GFA (sq. m):	0	0
Total Units:	32			

Total Units:

CONTACT: PLANNER NAME: George Pantazis, Planner

> **CONTACT:** 416-392-3566 / george.pantazis@toronto.ca

Attachment 10: Parkland Terms of Reference

- 1. The Owner will be required to convey the 137.32 m² portion of the development site for public parkland purposes. The land to be conveyed as parkland shall be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry & Recreation (PFR).
- 2. The Owner is required to convey the parkland to the City prior to the issuance of the first above grade building permit for the development.
- 3. The Owner is to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.

Environmental Assessment

- 4. Prior to conveying the parkland to the City, the Owner must:
 - 4.1. Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the Owner's Qualified Person, as defined in O. Reg. 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services;
 - 4.2. Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit towards the cost of the peer review in the form of a certified cheque, to the Executive Director, Engineering & Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City);
 - 4.3. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (Ontario Regulation 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services;

- 4.4. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Executive Director, Engineering & Construction Services for peer review and concurrence, which states:
 - 4.4.1. In the opinion of the Qualified Person:
 - i. t is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and
 - ii. To the extent that the opinion in 4.4.1(i) is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.
 - 4.4.2. Land to be conveyed to the City meets either:
 - i. the applicable Ministry Generic Site Condition Standards for the most environmentally sensitive adjacent land use; or
 - ii. the Property Specific Standards as approved by the Ministry for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein.
- 4.5. The Qualified Person's statement, referenced in 4.4 above, will include a Reliance Letter that is dated and signed by the Owner's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services.
- 4.6. For conveyance of lands requiring a Record of Site Condition:
 - 4.6.1. File the Record of Site Condition on the Ontario Environmental Site Registry; and
 - 4.6.2. Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in

accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering & Construction Services.

Park Construction
Base Park Improvements

- 5. The Owner, at their expense, will be responsible for base construction and installation of the parkland. The Base Park Improvements include the following:
 - i. demolition, removal and disposal of all existing materials, buildings and foundations;
 - ii. grading inclusive of topsoil supply and placement, minimum of 150 mm;
 - iii. sod #1 nursery grade or equivalent value of other approved park development;
 - iv. fencing to City standard (where deemed necessary);
 - v. all necessary drainage systems including connections to municipal services;
 - vi. electrical and water connections (minimum 50 mm) directly to the street line, including back flow preventors, shut off valves, water and hydro meters and chambers;
 - vii. street trees along all public road allowances, which abut future City owned parkland; and
 - viii. standard park sign (separate certified cheque required)
- 6. All work is to be completed to the satisfaction of the General Manager, PFR.
- 7. Prior to the issuance of the first above grade building permit, the Owner shall submit a cost estimate and any necessary plans for the Base Park Improvements, to the satisfaction of the General Manager, PFR.
- 8. Prior to issuance of the first above grade building permit, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.
- 9. The construction of the Base Park Improvements to the park block shall be completed within one year after the issuance of the first above grade building permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.
- 10. Should the Owner undertake Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Park Supervisor for that Ward. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree

removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

Temporary Fencing

11. Prior to conveyance of the parkland the Owner shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the park block is completed.

Parkland Grading and Drainage

- 12. Prior to conveyance of the parkland, the Owner shall ensure that the grading and drainage for the parkland is compatible with the grades of the adjacent lands to the satisfaction of the General Manager, PFR and the Director of Technical Services.
- 13. The Owner must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.

Credit against DC's for Above Base Park Improvements

Should the owner agree to design and construct the Above Base Park Improvements for a development charge credit against the parks and Recreation component of the Development charges, the following condition applies:

14. The Owner agrees to design and construct the Above Base Park Improvements to the new park for a development charge credit against Parks and Recreation component of the Development Charges to the satisfaction of the General Manager, PFR. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of installing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of Development Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time. The Owner is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120% of the Parks and Recreation Development Charges payable for the development. The design, cost estimate and ultimately the letter of credit will be required prior to the issuance of the first above grade building permit.

Above Base Park Improvements

15. The Owner will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, PFR. Areas to be addressed in the design of the Park are: park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating,

- vandalism etc. Final design and programming of the parkland shall be at the discretion of the General Manager, PFR.
- 16. Prior to the issuance of the first above grade building permit for the development of the site, the Owner is required to submit working drawings, specification and landscape plans showing the scope and detail of the work for the Above Base Park improvements for review and approval by the General Manager, PFR.
- 17. The construction of Above Park Improvements to the park block shall be completed within one year after the issuance of the first above grade building permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.
- 18. Should the Owner undertake Above Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Park Supervisor for that Ward. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

Warranty

- 19. The Owner, upon satisfactory completion of the construction and installation of the Base and Above Base Park Improvements shall be required to guarantee such work and associated materials. The Owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. Should the cost to construct the Above Base Park Improvements as approved by the General Manager, PFR be less than the Parks and Recreation component of the Development Charges for the development, the difference shall be paid to the City by certified cheque prior to a reduction of the Above Base Park Improvement Letter of Credit. Upon the City's acceptance of the certificate, the Letter(s) of Credit will be released less 20% which will be retained for the 2 year guarantee known as the Parkland Warranty Period.
- 20. Upon the expiry of the Parkland Warranty Period, the outstanding park security shall be released to the Owner provided that all deficiencies have been rectified to the satisfaction of the General Manager, PFR.
- 21. As-built drawings in print/hardcopy and electronic format, as well as a georeferenced AutoCAD file, shall be submitted to PFR. A complete set of "as built" plans shall be provided electronically on CD in PDF format, and two (2) sets full size bond hard copy the General Manager, PFR. The plans shall include, but not limited to specifications, locations of all hidden services, and all deviations

from the design drawings, shop drawings, inspection reports, minutes of meeting, site instructions, change orders, invoices, certificates, progress images, warrantees, close out documentation, compliance letters (for any play structures and safety surfaces), manuals etc. The files are to be organized in folders, including a file index and submitted. Written warranties and related documents such as lists of contractor, sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.

22. Spare or replacement parts, special tools, etc. as provided by manufacturers, if any, are to be provided to PFR.

Advisory Comments

Parkland Occupation - Construction Staging

The stockpiling of any soils or materials or use as an interim construction staging area on the conveyed parkland is prohibited unless an agreement, other than a POP, has been obtained from the Manager of Business Services – Ryan Glenn, 416-392-8578. The agreement, if approved, will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, duration, restoration plan and costs, and compensation to the satisfaction of the General Manager, PFR. The agreement must be secured prior to the issuance of any shoring and excavation permits. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park. Any compensation accrued shall be applied to park improvements within the ward in consultation with the Ward Councillor.

The Owner will be required to provide an environmental assessment report, prepared by a qualified engineer, at the end of the permitted occupation to verify that the parklands continue to meet the applicable laws, regulations and guidelines respecting sites to be used for public park purposes. The Owner will be required to provide an RSC after the staging period, prior to conveyance. The construction of the park shall commence after the occupation to the satisfaction of the General Manager, PFR. The Owner will be responsible for paying all costs associated with the City retaining a third-party peer reviewer for the environmental addendum.

Limiting Distance

Prior to the transfer of fee simple of the Park Block to the City, the Park Block shall nonetheless be deemed to be parkland in respect of the limiting distance requirements of the *Ontario Building Code Act*, 1992.

Prior to the issuance of any above grade building permit, the applicant will be required to demonstrate adequately that the OBC requirements have been achieved to the satisfaction of the General Manager, PFR.

Attachment 11: Draft Site Specific Official Plan 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. XXX-2017

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2017 as

14 Dewhurst Boulevard

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

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. The attached Amendment "A" to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.
- 2. This is Official Plan Amendment No. 389.

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

JOHN TORY, Mayor ULLI S. WATKISS,

City Clerk

(Corporate Seal)

OFFICIAL PLAN AMENDMENT NO. 389

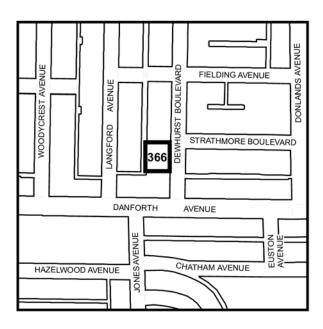
LANDS MUNICIPALLY KNOWN IN THE YEAR 2017 AS 14 DEWHURST BOULEVARD

- 1. The Official Plan of the City of Toronto is amended as follows:
 - (a) Chapter 7, Site and Area Specific Policies, is amended by adding the following Site and Area Specific Policy No. 366 for the lands known municipally in 2017 as 14 Dewhurst Boulevard, as follows:

"366.14 Dewhurst Boulevard

A building containing a total of 32 dwelling units is permitted.

A minimum of 137 square metres of the land at the north edge of the lands may only be used for public park purposes.



(b) Maps 31 and 32, Site and Area Specific Policies, are amended for the lands known as municipally in 2017 as 14 Dewhurst Boulevard shown on the map above as Site and Area Specific Policy No. 366."

Attachment 12: Draft Site Specific Zoning By-law Amendment 569-2013

Available on or before October 17, 2017

Attachment 13: Draft Site Specific Zoning By-law Amendment 438-86

Available on or before October 17, 2017