

TORONTO STAFF REPORT

June 27, 2006

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Subject: Final Report
OPA & Rezoning Application 05 130122 STE 18 OZ
Applicant: William Holman
Architect: N/A
29 -51 Florence St
Ward 18 - Davenport

Purpose:

This report reviews and recommends approval of an application to amend the Official Plan and the Zoning By-law for 36 townhouses at 29-51 Florence Street.

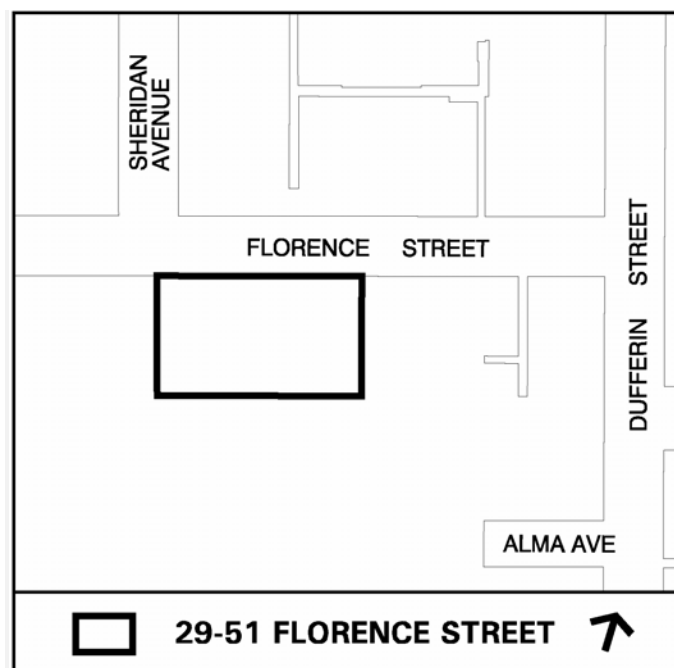
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) amend the new Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7;
- (2) amend the Zoning By-law 438-86 for the former City of Toronto substantially in accordance with the Zoning By-law Amendment described in this report;



- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (4) require as a condition of approval, the owner to provide an irrigation system for all street trees in the public right-of-way on Florence Street adjacent to the site with automatic timer at the applicant's expense and that the irrigation system be designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Executive Director, Technical Services, including requirements to maintain the entire system in continuing good order and operation; and
- (5) require, as a condition of approval, the materials and detailing of the southernmost units in the development be designed to minimize any noise and vibration from the rail corridor or uses to the south.

Background:

Proposal

The proposal is to permit 36 back-to-back residential townhouse units. Resident parking is located underground. Visitor parking and garbage and recycling facilities are provided at grade.

Site and Surrounding Area

This rectangular, relatively flat site is located on the south side of Florence Street, just west of Dufferin Street. There are three, small 1 to 2-storey industrial buildings on the site and two 2-storey residential buildings.

The site is surrounded by the following uses:

North: rowhouses and semi-detached houses

South: a large industrial property, the adjacent portion of which is used for parking and outdoor storage

East: industrial uses (a warehouse, parking area, offices and small factory) and residential uses (single and semi-detached houses)

West: an industrial use immediately west of the site and single and semi-detached houses further to the west.

Official Plan of the former City of Toronto

The site is designated Mixed Industrial-Residential Areas in the in-force Official Plan for the former City of Toronto. This designation permits a wide range of residential uses, community services and facilities, street-related retail and service uses and those industrial uses which are environmentally compatible with adjacent and neighbouring uses. The Plan contemplates residential uses with a maximum density of 2.0 times the area of the lot.

New Official Plan

The hearing on the new Official Plan is continuing at the Ontario Municipal Board. The Board has approved most of the Plan and it is anticipated that the approved portions will come into force in June 2006. The housing and Section 37 policies remain under appeal and will be adjudicated in September and October 2006. As well the hazard land policies for 'Special Policy Areas' remain under appeal.

Once the Plan comes into full force and effect, it will designate this land as Employment Areas. Employment Areas are places of business and economic activity. Residential uses are not permitted in Employment Areas.

Zoning

The site is zoned I1 D2 H14.0, allowing industrial uses to a maximum density of 2.0 times the area of the lot within a 14-metre height limit. Light industrial uses are permitted. Residential uses are not permitted.

Site Plan Control

An application for site plan approval has been filed.

Tree Preservation

The applicant has submitted a declaration stating that there are no trees on the site to which Tree Protection By-laws apply.

Reasons for the Application

While the proposed residential use conforms with the in-force Official Plan of the former City of Toronto, it does not conform with the New Official Plan for the City of Toronto. The proposal does not conform to the regulations of the Zoning By-law 438-86, as amended. An amendment to the Zoning By-law 438-86 and, if the New Official Plan has come into force, an amendment to the Official Plan for the City of Toronto are required to implement the proposal.

Community Consultation

A community consultation meeting was held on November 17, 2006 at the McCormick Community Centre. Approximately fifteen members of the public attended the meeting. Issues raised by the public include:

- the height of the proposed buildings (3 storeys vs. 2 storeys);
- the depth of the front yard setback;
- traffic;
- adequacy of the proposed parking for residents and visitors; and
- refuse/recycling storage and pick-up.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

Land Use and Economic Impact

The Provincial Policy Statement (PPS) requires the city to promote economic development and competitiveness by:

- (a) providing for a mix and range of employment;
- (b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment activity;
- (c) planning for, protecting and preserving employment areas for current and future uses; and
- (d) ensuring the necessary infrastructure is provided to support current and projected needs.

The PPS offers significant support for the objective of ensuring there are employment opportunities for City residents. It articulates stringent conditions that must be met in order for Council to approve an application to convert land to non-employment uses. Section 1.3.2 outlines the test that must be met in order for Council to approve a conversion of land within employment areas to non-employment uses. Employment areas are defined as areas designated in an official plan for clusters of business and economic activities.

Under the PPS, prior to redesignating land from employment purposes to residential purposes, a review is required to demonstrate, in a two-part test, that:

- (a) the land is not required for employment purposes over the long-term; and
- (b) there is a need for the conversion (eg. to meet population and housing targets).

While the Official Plan for the former City of Toronto remains in-force, the PPS does not apply to this site because that plan includes residential permissions. When the new Official plan for the City of Toronto comes into force and effect, the PPS will apply to this site because the new Plan designates this site Employment Areas, where no residential uses are permitted.

Under the Official Plan for the former City of Toronto, this site is part of a Mixed Industrial Residential (MIR) Area stretching from Peel Avenue in the east, across Dufferin Street, to the railway corridor to the south-west and north to Florence Street. Council policy states that prior to rezoning a property from industrial to residential use, Council should evaluate the compatibility of the proposal with adjacent uses, particularly where an identifiable pocket of residential or industrial use exists.

At one point in time there were five large industrial parcels on the south side of Florence Street in the MIR area in addition to 10 existing residential house lots fronting onto Florence Street. Two rezonings have taken place over time, including conversions from industrial to residential uses at 79-81 Florence Street (11 new rowhouses on a vacant lot by Bylaw No. 5-2003) and 77 Florence Street (conversion of an existing 3-storey industrial building for residential purposes by By-law No. 1997-0537). If Council approves this rezoning at 29-51 Florence Street, all but one site on the south side of the street, in addition to all sites on the north side, will have either existing residential buildings or residential permissions.

To the south of the site, there is a large industrial parcel with access from Dufferin Street, which along with the industrial parcels east of Dufferin, forms an identifiable pocket of industrial uses.

The proposed change in use will not adversely affect the continued compatibility of neighbouring uses. To the west along Florence Street, there is an identifiable stretch of compatible residential uses. To the east along Florence Street, there is one remaining industrial site (13 Florence Street, the premises of a moving company) and one mixed use site (11 Florence Street, the premises of a single detached dwelling and manufacturer of electrical goods). The proposed development includes a 7.5 metre set back from the east property line. To the south, there is a large industrial parcel. A loading and parking area is located adjacent to the property line of the subject site. A small landscaped buffer is provided on the subject site between the proposed buildings and the adjacent parking and loading area.

City staff recommend that the materials and design of the southernmost units take into account the noise and vibration from the adjacent parking and loading area and railway corridor. This matter will be addressed during site plan approval.

The in-force Official Plan also states that Council should evaluate the architectural or historical merit of existing industrial buildings in good structural condition prior to rezoning for residential uses. The existing buildings are not architecturally or historically significant.

Based on the in-force Official Plan for the former City of Toronto, the proposal for residential uses is appropriate.

The New Official Plan for the City of Toronto identifies this site as an Employment Area. Employment Areas are areas of business activity and do not include residential uses. Consideration of this application should focus on local, contextual issues including:

- potential impacts for nearby business of introducing residential use;
- the role of the site in the local employment picture;
- adjacency conditions;
- concerns for the new residents in proximity to continuing employment activity; and
- other Official Plan objectives.

The south side of Florence Street between Dufferin Street and Brock Avenue is already primarily composed of residential uses. This is not an introduction of a new use, either on the Florence Street blockface or adjacent to the remaining industrial uses at 11 and 13 Florence Street and 50 Alma Avenue.

Approval of this proposal will increase development pressure for conversion from industrial to residential uses on the remaining parcel containing industrial activities on Florence Street (Nos. 11R and 13 Florence Street). This may lead to the loss in the area of some non-residential space (a small factory and small warehouse) and approximately 20 jobs associated with the two companies currently located there.

In the Queen and Dufferin area, east of the railway corridor, employment uses are primarily in the creative industries, including studios, workshops, performance spaces, offices, and associated retail facilities. Two remaining food distribution centres and a baked goods factory also contribute significantly to local employment. The industrial uses located on Florence Street are not associated with these sectors. These parcels are distinguished from other industrial parcels in the area in that vehicular access is via a primarily residential street.

Adjacency conditions (residential to the west and industrial to the south and east) have been appropriately addressed through setbacks and landscaped buffers. Warning clauses in purchase agreements will be required indicating that noise (predominantly from the railway corridor but occasionally from the industrial loading area to the south of the site) will be further addressed through the use of materials and design at the site plan stage.

The proposed residences at 29-51 Florence Street are adjacent to commercial parking lots and will be subject to some noise, vibration and light pollution from those activities. The industrial zoning (I1) permits light industrial uses as-of-right on the south side of the block which are not generally noxious in nature.

The conversion from industrial to residential uses at 29-51 Florence Street will increase the buffer between the remaining industrial uses and the existing residential uses on Florence Street. City Planning acknowledges that this proposal does not satisfy the second part of the test set out in the PPS for conversion from employment uses to residential uses. However, given that the application is subject to the Official Plan for the former City of Toronto which was in-force in spring 2005 when the application was submitted, the previous rezonings on Florence Street and the existing context, City Planning is satisfied that the proposal for residential uses is appropriate and is not premature given appropriate mitigation of impacts from the industrial sites to the east and south.

The arguments outlined above support the conversion from industrial to residential uses on the sites fronting onto Florence Street only. Should this proposal be approved, all but one of the sites fronting onto Florence Street between Dufferin Street and Brock Avenue will contain residential buildings. The Employment Area to the south of this site, extending south to the railway corridor and east to Dufferin Street, was not included in this evaluation. This recommendation should not be interpreted to support a change of use from industrial to residential on those other sites.

Density, Height, Massing

The adjacent residential area to the north is zoned R4 Z1.0, allowing a residential density of up to 1.0 times the area of the lot although few sites have been built up to the maximum density. The proposed density for the townhouse development is 1.46 times the area of the lot. While the proposed density is somewhat higher than the existing densities in the area to the north, City Planning staff are satisfied that it can be accommodated.

The proposed buildings are 3 storeys tall, with access to roof top decks. The existing and approved residential buildings on the south side of Florence Street include 2 storey and 2 ½ storey singles, semis and rowhouses as well as a 3 storey converted industrial building. The main mass of the building is 11.4 metres tall. There are several small rooftop huts providing access to the 4th storey rooftop decks. These huts rise to 12.5 metres in height. Both the main building mass and the roof top huts are within the industrial height limit of 14 metres for the subject site but taller than the height limit of 10 metres for residential uses across the street. The proposed building height is less than that of the existing 3 storey converted residential

(previously industrial) building at 77 Florence Street and similar to the approved 3 storey townhouses at 81 Florence Street.

Sun, Shadow, Wind

Wide side yards (7.5 metres) are proposed along the east and west property line. Sun and shadow impacts are acceptable. No unacceptable wind impacts are expected from this low-rise development.

Traffic Impact, Access, Parking

Vehicular access to the underground parking is provided at the western edge of the site. Forty-five underground parking spaces are provided, of which 41 spaces for residents and 4 spaces for visitors on-site. Access to the loading area is provided through a vehicular access at the eastern edge of the site. This loading area includes a storage area for garbage and recycling. The proposed parking and loading is satisfactory. There is no significant traffic impact from this project.

Open Space/Parkland

The proposed development includes large rooftop decks on each unit as well as a satisfactory amount of landscaped open space on-site. The wide side yards primarily provide a green buffer between this development and the adjacent properties to the east and west. The central courtyard is 12.0 metres wide. The rooftop decks provide adequate private outdoor amenity areas for each of the units and the central courtyard provides a suitable outdoor amenity area for the proposed development.

The development is subject to the 5% cash-in-lieu of parkland dedication.

Trees

The applicant has stated that no privately owned trees protected under the City of Toronto's Private Tree By-law will be impacted by the proposed development.

Streetscape

The proposal includes 7 trees in the public boulevard.

Environment

Prior to issuance of a building permit for residential development, the applicant will be required to submit a Record of Site Condition approved by the Ministry of the Environment stating that the soil conditions are appropriate for residential development.

Section 37

Section 37 of the Planning Act does not apply to this proposal because the increase in density is less than the maximum residential density outlined in the former City of Toronto Official Plan and all conditions of that Plan have been satisfied. Section 37 may be used to secured the materials and design of the southernmost units in relation to noise and vibration mitigation.

Rental Housing

There are 3 rental dwelling units on site. City policies do not require replacement of affordable or mid-range rental housing if there are less than 6 units on the property.

Grade-related units for families with children

City policies encourage the provision of a wide range of housing types, including units suitable for families with children. The proposed development consists entirely of 3 bedroom grade-related units.

Development Charges

It is estimated that the Development Charges for this project will be \$227,448. This is an estimate. The actual charge is assessed and collected upon issuance of the Building Permit.

Conclusions:

The proposed residential development is in keeping with the Official Plan for former City of Toronto. It requires amendments to Zoning By-law 438-86 and to the New Official Plan. City Planning recommends approval of the required amendments to Zoning By-law 438-86 to allow residential development on an industrially-zoned lot and in an Employment Area in the New Official Plan. The local context and the history of substantial residential redevelopment on the lots fronting onto the south side of Florence Street form the basis of this recommendation on use. The proposed built form provides for a satisfactory residential development, is compatible with uses on adjacent properties and does not introduce a new use adjacent to remaining industrial uses.

Contact:

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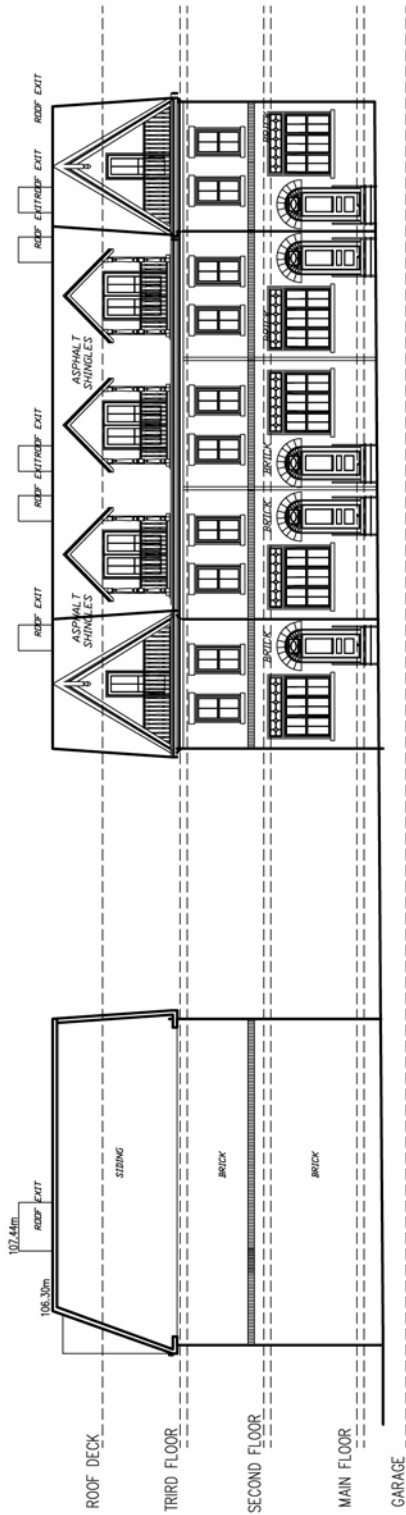
Gary Wright

Director, Community Planning, Toronto and East York District

List of Attachments:

- Attachment 1: Site Plan
- Attachment 2: Elevations (North and West)
- Attachment 3: Elevations (Courtyard)
- Attachment 4: Elevations (South and East)
- Attachment 5: Zoning
- Attachment 6: Application Data Sheet
- Attachment 7: Draft Official Plan Amendment

Attachment 3: Elevations (Courtyard)



WEST ELEVATION UNITS 22-26 AND 27-31



EAST ELEVATION UNITS 1-5 AND 14-21

Elevations
Applicant's Submitted Drawing
Not to Scale
05/25/06

29 - 51 Florence Street

File # 05_130122

Attachment 4: Elevations (South and East)



REAR ELEVATION

EAST ELEVATION UNITS 22-26 AND 32-36

Elevations

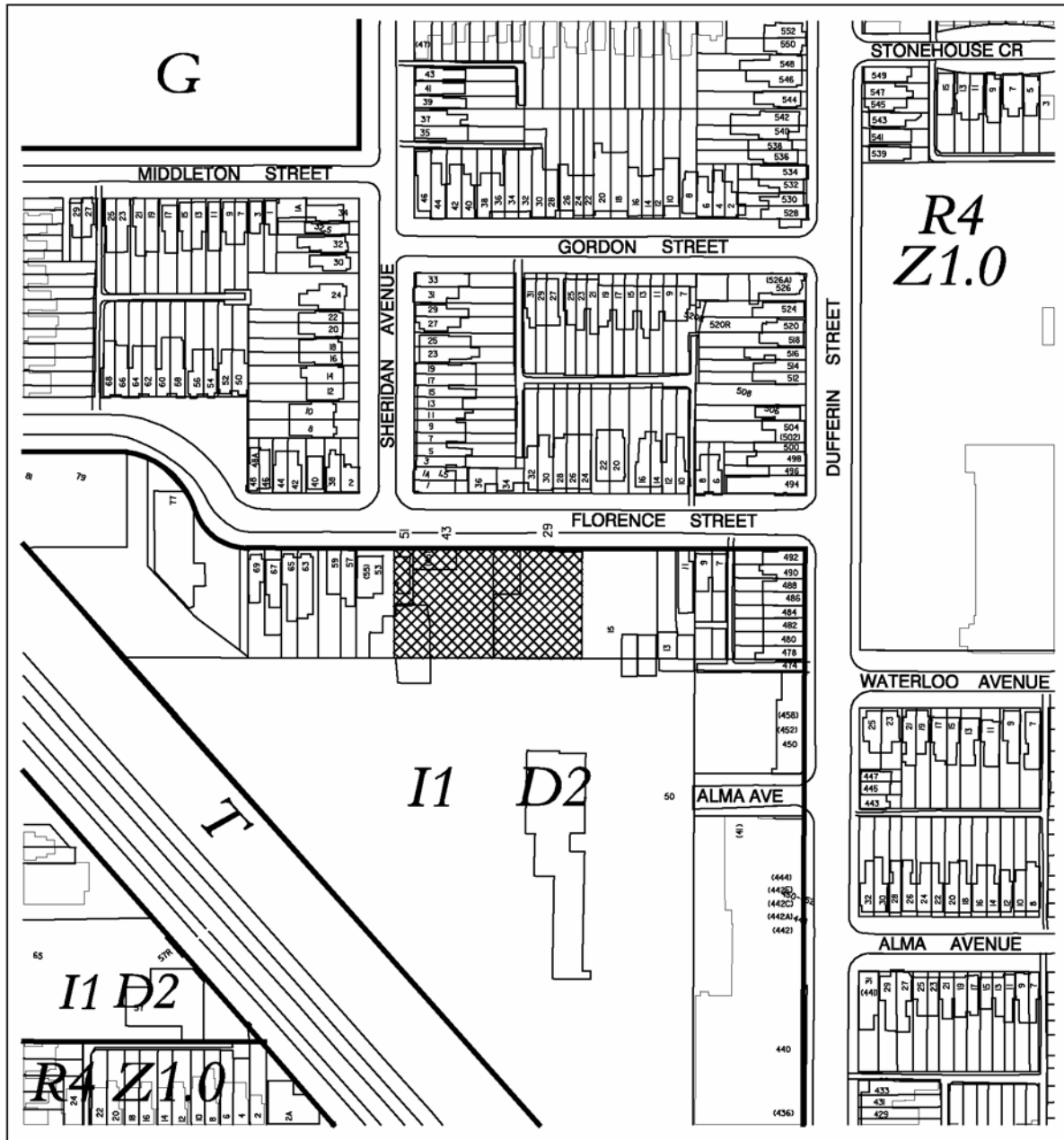
Applicant's Submitted Drawing

Not to Scale
05/25/06

29 - 51 Florence Street

File # 05_130122

Attachment 5: Zoning



 **Toronto** City Planning Division
Zoning

29-51 Florence Street
 File # 05_130122 & 05_130155

- G Parks District
- R4 Residential District
- I1 Industrial District
- T Industrial District

↑
 Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 06/01/05 - EM

Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	05 130122 STE 18 OZ
Details	OPA & Rezoning, Standard	Application Date:	May 6, 2005
Municipal Address:	29-51 FLORENCE ST, TORONTO ON		
Location Description:	PL 438 LTS 88 & 89 PT LT90 **GRID S1806		
Project Description:	Proposed redevelopment of industrial lands into 36 residential townhouse units.		

Applicant:	Agent:	Architect:	Owner:
William Holman			1630069 Ontario Limited

PLANNING CONTROLS

Official Plan Designation:	Mixed Industrial-Residential Areas	Site Specific Provision:
Zoning:	I1 D2	Historical Status:
Height Limit (m):	14	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	3385.03	Height:	Storeys:	3
Frontage (m):	68.5		Metres:	12.53
Depth (m):	49.35			
Total Ground Floor Area (sq. m):	1648.7			Total
Total Residential GFA (sq. m):	4946.1		Parking Spaces:	45
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	4946.1			
Lot Coverage Ratio (%):	49			
Floor Space Index:	1.46			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	4946.1	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	36	Institutional/Other GFA (sq. m):	0	0
Total Units:	36			

CONTACT: PLANNER NAME: Elise Hug, Planner
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Attachment 7: Draft Official Plan Amendment

**AMENDMENT TO THE OFFICIAL PLAN FOR THE CITY OF TORONTO
29-51 Florence Street**

The following Text and Map, designated as Schedule A, constitute amendment No.~ to the City of Toronto Official Plan. The sections headed “Purpose and Location” and “Basis” are explanatory only, and shall not constitute part of this amendment.

PURPOSE AND LOCATION:

This amendment to permit residential uses in an Employment Area located at 29-51 Florence Street.

BASIS:

The amendment is to allow residential uses in an Employment Area is supported on the basis that the large majority of sites on the south side of Florence Street either have existing residential uses or permission for future residential development.

OFFICIAL PLAN AMENDMENT:

Chapter 7 of the Official Plan is amended by amending the site and area specific policy No.154 to include reference to:

1. the lands at 29-51 Florence Street; and
2. the map below.

