

**486 Shaw Street – Zoning Amendment Application –
Final Report**

Date:	May 2, 2011
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	11 132720 STE 19 OZ

SUMMARY

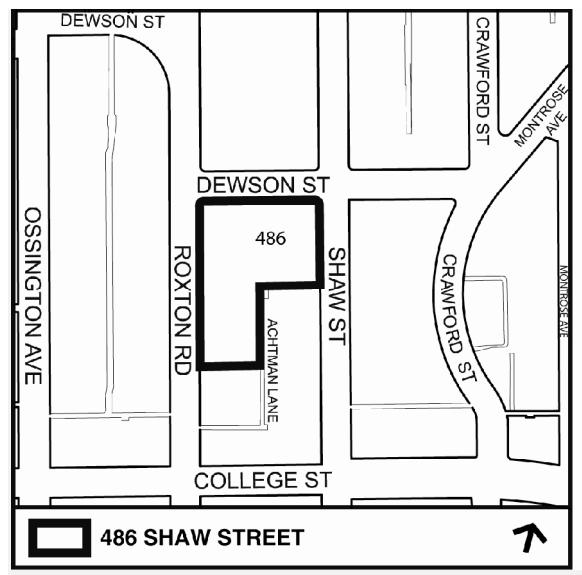
This application proposes to construct 37 three-storey townhouse units at 486 Shaw Street. The townhouses will front Shaw Street and Roxton Road with parking located at the rear of each of the new properties, along Achtman Lane, which will be extended north to connect with Dewson Street. Each of the townhouse units will have a basement apartment with its own separate pedestrian entrance.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 486 Shaw Street, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the report dated May 2, 2011, from the Director, Community Planning, Toronto and East York District.
2. City Council direct staff to amend Zoning By-law 1156-2010



substantially in accordance with the draft By-law to be available at the Toronto and East York Community Council meeting on May 25, 2011.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There are no previous applications or decisions related to the subject property.

ISSUE BACKGROUND

Proposal

The application proposed to construct 37 new townhouse units on the former school site at 438 Shaw Street. The townhouse development will be three storeys (11.5 metres) in height. Two blocks, totalling 25 townhouses, will front Roxton Road and 12 additional units will front Shaw Street. Private landscaped rear yards will be provided for each of the units. Each of the townhouse units will also have a self contained basement apartment with its own separate pedestrian entrance at the front of the unit. The 37 townhouses combine for a total gross floor area of 7,575m², which represents a total density of 1.44 times the area of the lot. The townhouses are intended to be held in separate ownership as freehold lots.

The existing laneway, Achtman Lane, will be extended north to Dewson Street, through the middle of the site, to allow for a detached single car garage at the rear of each of the 37 proposed lots.

Garbage and recycling bins are to be stored in the lower landing that provides pedestrian access to the basement apartment units so that the bins can be wheeled out to the street for curb-side garbage collection.

For further statistical information, refer to the Application Data Sheet found at Attachment 8 of this report.

Site and Surrounding Area

The site, municipally referred to as 486 Shaw Street, is an 'L' shaped lot which has an area of 6,867 square metres with 53.6 metres of frontage on Shaw Street, 75.13 metres flanking Dewson Street and 109.1 metres abutting Roxton Road.

The former three storey school building has been demolished and the lands now sit vacant.

Land uses surrounding the site are as follows:

North: The Central Commerce Collegiate school north across Dewson Street.

South: A vacant lot that has approval for a thirteen unit three-storey townhouse development that fronts Shaw Street and Achtman Lane, two and three-storey semi-detached dwellings and row houses with three-storey mixed use buildings along College Street further south.

East: Two and three-storey semi-detached dwellings and row houses across Shaw Street.

West: Two and three-storey semi-detached dwellings and row houses across Roxton Road.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City of Toronto Official Plan designates the property as *Neighbourhoods*, which are considered physically stable areas made up of residential uses in lower scale buildings.

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 physical character. To ensure development in established *Neighbourhoods* will respect and reinforce the existing physical character, policy 4.1.5 of the Plan states that any proposal shall have regard for:

- 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.

The Toronto Official Plan is available on the City's website at:

www.toronto.ca/planning/official_plan/introduction.htm

Zoning

Under former City of Toronto Zoning By-law 438-86 the subject site is zoned R2 Z0.6. The R2 zoning classification permits a wide range of residential uses up to a total density of 0.6 times the area of the lot. The maximum permitted height for the site is 10.0 metres (Attachment 6).

At its meeting of August 25-27, 2010, City Council adopted a new, harmonized, Zoning By-law for the City of Toronto. Appeals of By-law 1156-2010 are now before the Ontario Municipal Board. No hearing dates have been set. While the appeals are ongoing, the provisions of the in-force former Zoning By-laws as well as the newly enacted Zoning By-law must be considered. The new Zoning By-law identifies 486 Shaw Street as "not part of this By-law" (Attachment 7).

Site Plan Control

An application for Site Plan Approval was submitted on September 16, 2010 and is currently under review.

Reasons for Application

An amendment to the Zoning By-law is required to permit the scale and density of the project requested for this site.

Community Consultation

A Community Consultation Meeting was held on April 13, 2011 to present the proposal for 37 townhouse units. Approximately 20 people attended. Following presentations from the local Councillor, City staff and the applicant a number of issues were discussed, including:

- Concerns were raised on how the garbage bins were proposed to be stored. Some worried that future owners of the townhouses would resort to leaving the bins along the front walkways rather than wheel them between the curb and lower stoop.
- A number of residents would prefer the design of the townhouse units be altered to provide a front stoop. Neighbour interaction is a very important part of the community for many residents; many felt that a front stoop to the units would encourage people to sit in the front of the units and talk to neighbours.
- Some residents expressed a desire for the townhouse blocks to be broken up into semi-detached dwellings. It was felt that this would be more compatible with the neighbourhood and would allow future owners to transport things such as hoses or lawn mowers between the front and rear yards.

- Concern over safety in the laneway was expressed and it was suggested that the applicant should provide some lighting along Achtman Lane.
- It was suggested by some in the community that the design could be slightly altered to provide more dimension or depth to the façade's design so that the townhouses didn't look 'flat'.
- Concerns that the development will overburden on-street parking in the area. Many felt that while one parking space is provided for each lot, many of the future owners most likely will have more than one vehicle, especially if the basement units are rented out to separate tenants.

Letters and e-mails were also submitted by area residents which echoed similar concerns.

A community meeting hosted by the applicant, attended by City staff and the Councillor, was also held on February 9, 2011 for the applicant to obtain preliminary feedback on the proposed design. Similar concerns were also expressed at that meeting. The 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

The proposal is consistent with the PPS.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed residential use is appropriate for this site. The *Neighbourhoods* designation in the Official Plan allows for a range of residential uses including townhouses. The Residential 2 (R2) zoning designation permits row houses. Basement apartments are a permitted use in the neighbourhood and are common for properties in the surrounding neighbourhood.

Density, Height, Massing

The project has a design that is in-line with the existing physical character and streetscape of the neighbourhood and complies with *Neighbourhoods* Policy 4.1.5 in the Official Plan. The town house form of the development is permitted under the existing zoning.

The townhouse proposal reflects the established context of the surrounding neighbourhood. Each of the 37 proposed lots have a lot frontage and width that is consistent with properties in the immediate vicinity and each provide a landscaped front yard and a useable back yard that reflects the lot and development pattern in the area. The 11.5 metre height is consistent with the heights of the 13 townhouse unit development approved for the adjacent site at 456 Shaw Street while the density of 1.44 times the area of the lot is below the density of 1.66 approved for that site.

Traffic Impact, Access, Parking

Parking for each of the units will be provided by a single car detached garage at the rear of the lots that will be accessed off Achtman Lane. One parking spot per unit is the City standard. Achtman Lane will be extended north through the middle of the site to connect with Dewson Street at the north end of the site and it will be lit appropriately. The lane extension will be conveyed to the City in accordance with acceptable public lane standards.

Land Division

The applicants intend to submit a Part Lot Control Application to create 37 separate townhouse lots, and a Consent application to the Committee of Adjustment to convey the lane to the City, subject to an Agreement which will address municipal standards.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 37 residential units on a site of 0.6867 hectares (6,867m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.0493 hectares (493m²), which is 7.2% of the site.

The applicant proposes to satisfy this parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 0.0493 hectares (493m²) would not be of a useable size.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with

financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

Development Charges

It is estimated that the development charges for this project will be \$518,925.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusion

The townhouse proposal reflects the established context of the surrounding area. The lot sizes are consistent with the existing lot patterns in the area and the extension of the rear laneway through the middle of the site to provide parking at the rear of each lot represents good planning. The project has a height, density and design that is sensitive to the existing physical character of the neighbourhood. This report recommends approval of this application.

CONTACT

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SIGNATURE

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Director, Community Planning
Toronto and East York District

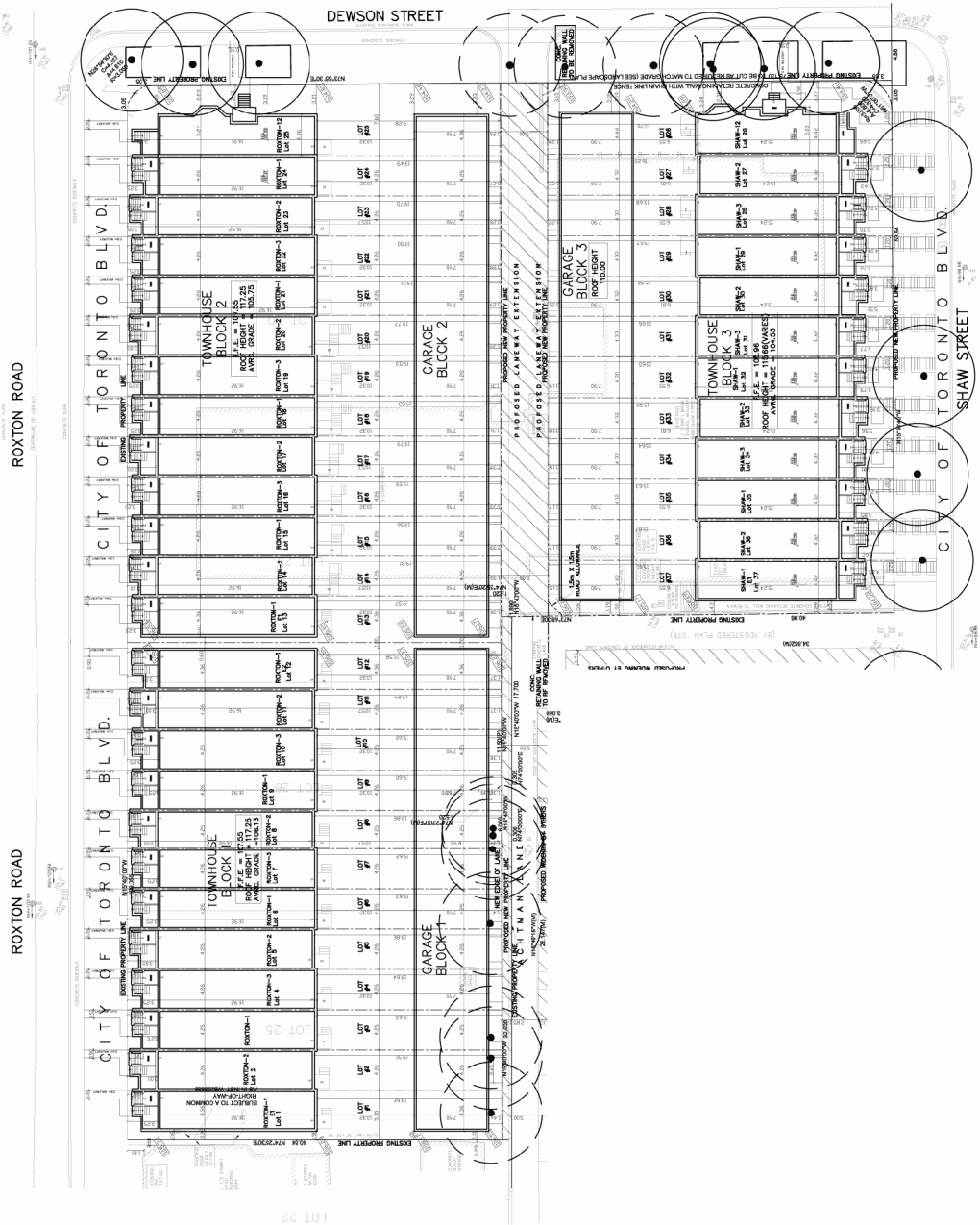
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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Front Elevations
- Attachment 3: North Elevation – Block 2
- Attachment 4: North and South Elevations – Block 3
- Attachment 5: Rear Elevations
- Attachment 6: Zoning By-law 438-86 (map)

- Attachment 7: Zoning By-law 1156-2010 (map)
- Attachment 8: Application Data Sheet
- Attachment 9: Draft Zoning By-law Amendment (By-law 438-86)

Attachment 1: Site Plan



Site Plan

486 Shaw Street

Applicant's Submitted Drawing

Not to Scale
04/07/2011



File # 11_132720

Attachment 2: Front Elevations



FRONT ELEVATION - ROXTON ROAD - LOTS 1 - 12



FRONT ELEVATION - ROXTON ROAD - LOTS 13 - 25



FRONT ELEVATION - SHAW STREET - LOTS 26 - 37

FRONT Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
04/07/2011

486 Shaw Street

File # 11_132720

Attachment 3: North Elevation – Block 2

BLOCK 2



FLANKAGE UNIT - ROXTON ROAD - LOT 25

FLANKAGE Elevation

Elevations

Applicant's Submitted Drawing

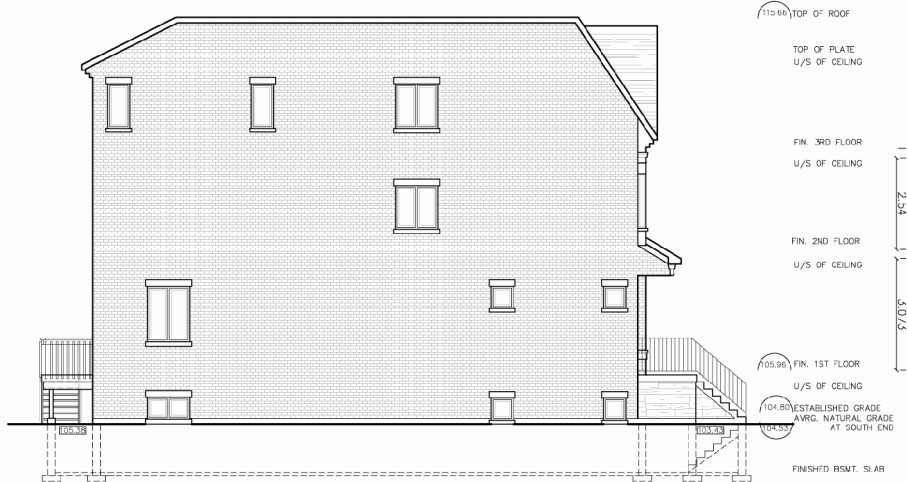
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486 Shaw Street

File # 11_132720

Attachment 4: North and South Elevations – Block 3

BLOCK 3



Lot 37
END UNIT - SHAW STREET - LOT 37



Lot 26
FLANKAGE UNIT - SHAW STREET - LOT 26

END AND FLANKAGE UNIT Elevations

Elevations

Applicant's Submitted Drawing

Not to Scale
04/07/2011

486 Shaw Street

File # 11_132720

Attachment 5: Rear Elevations



REAR ELEVATION - ROXTON ROAD - LOTS 1 - 12



REAR ELEVATION - ROXTON ROAD - LOTS 13 - 25

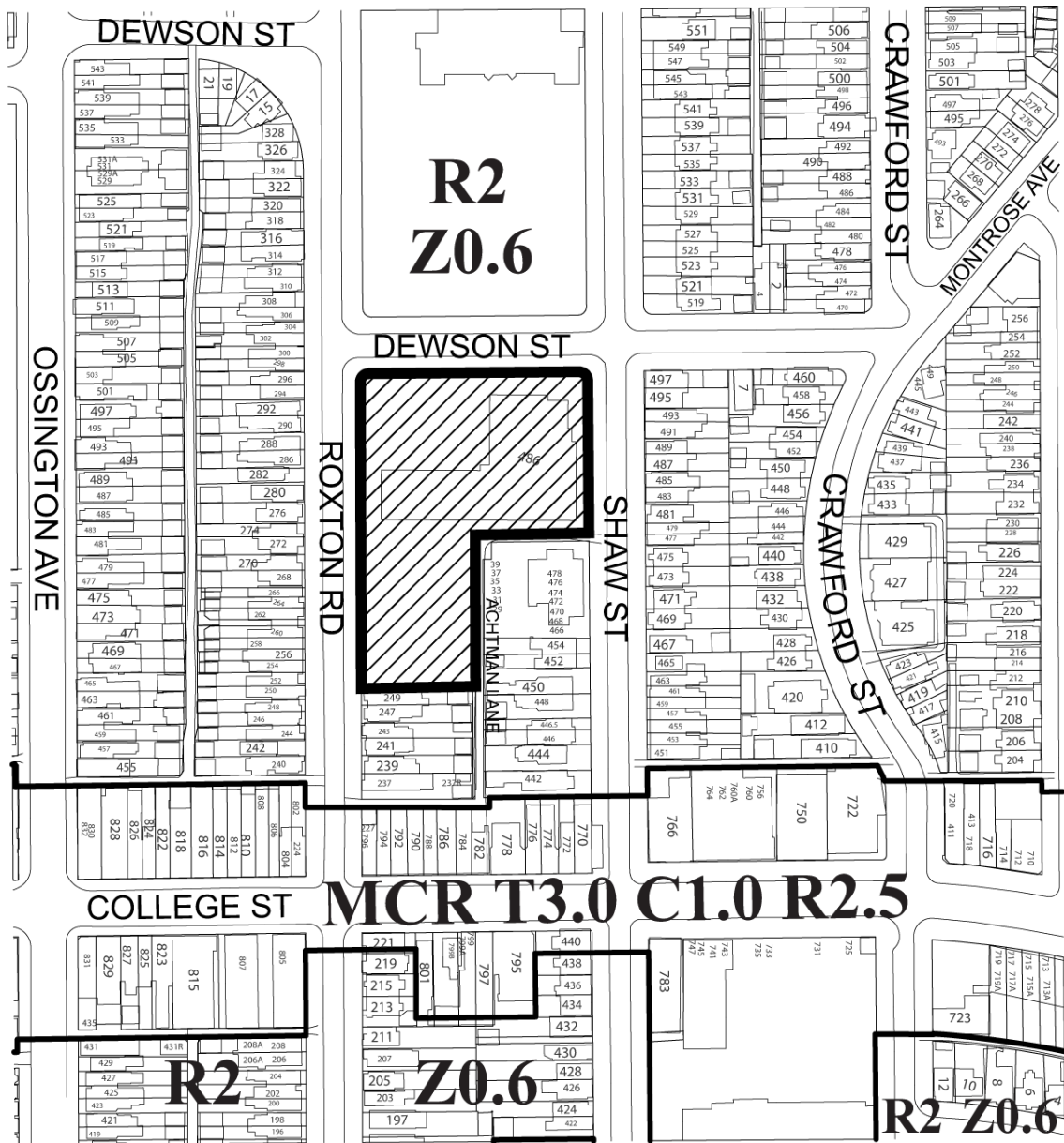


REAR ELEVATION - SHAW STREET - LOTS 26 - 37

REAR Elevation

<p>Elevations</p> <p>Applicant's Submitted Drawing</p> <p>Not to Scale</p> <p>04/07/2011</p>	<p>486 Shaw Street</p>	
		<p>File # 11_132720</p>

Attachment 6: Zoning By-law 438-86 (map)



Zoning City of Toronto By-law 438-86

486 Shaw Street

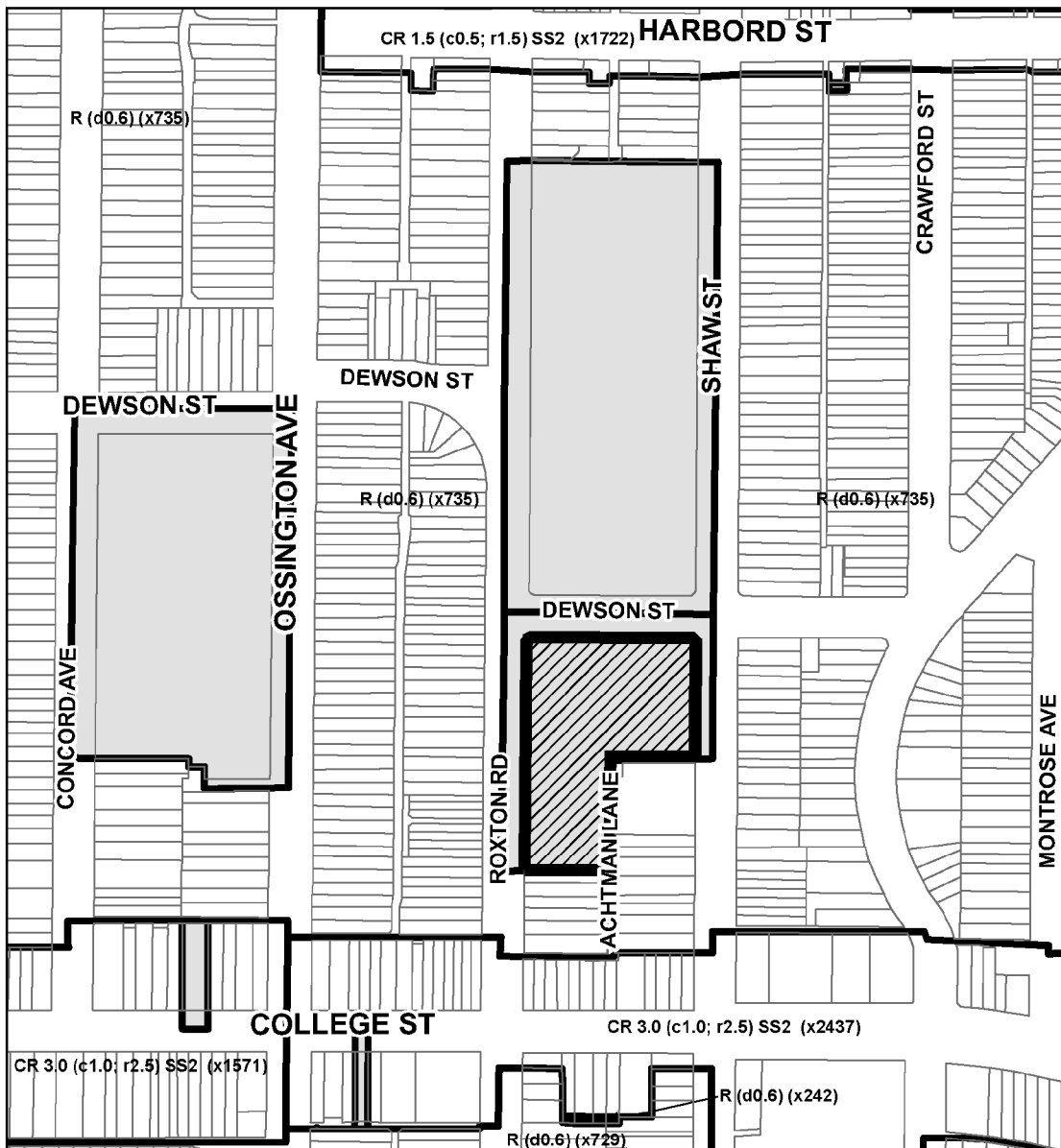
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R2 Residential District
MCR Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 03/31/2011

Attachment 7: Zoning By-law 1156-2010 (map)



Zoning City of Toronto By-law 1156-2010

486 Shaw Street

File # 11 132720 02

- Subject Site
- Not Part of Zoning By-law 1156-2010
- R Residential Zone
- CR Commercial Residential Zone



Not to Scale

04/19/2011

Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	11 132720 STE 19 OZ
Details	Rezoning, Standard	Application Date:	February 24, 2011
Municipal Address:	486 SHAW ST		
Location Description:	PL 302 PT LTS 25 & 26 + PT LTS 28-31 - EXEMPT PER SEC. 3(1)4 OF THE ASSMT ACT R.S.O.(90) C.A.31 **GRID S1902		
Project Description:	Zoning by law amendment to permit the redevelopment for the lands for 37 towhouse infill dwelling units complete with rear detached garages serviced by a new public lane. Refer to related Site plan approval application		

Applicant:	Agent:	Architect:	Owner:
VINTAGE SKY DESIGN GROUP LTD			VINTAGE SKY DESIGN GROUP LTD

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R2 Z0.6	Historical Status:
Height Limit (m):	10	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	6867	Height:	Storeys:	3
Frontage (m):	53.64		Metres:	11.55
Depth (m):	81.24			
Total Ground Floor Area (sq. m):	2533.26			Total
Total Residential GFA (sq. m):	7575		Parking Spaces:	37
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	7575			
Lot Coverage Ratio (%):	36.9			
Floor Space Index:	1.1			

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	37
Total Units:	37

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	7575	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:	Jeff Markowiak, Planner
	TELEPHONE:	(416) 397-4647

Attachment 9: Draft Zoning By-law Amendment (By-law 438-86)

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-201~

To amend the General Zoning By-law No. 438-86, as amended of the former City of Toronto with respect to the lands municipally known in the year 2010 as 486 Shaw Street

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

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

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

1. None of the provisions of Section 2(1) with respect to the definition of *grade*, *height*, *lot* and *row house* and Sections 4(2)(a), 4(2)(d), 4(4)(b), 6(2)1(ii), 6(3) Part I 1, 6(3) Part II 2, 6(3) Part II 3A, 6(3) Part II 4, 6(3) Part II 5, 6(3) Part II 8 D., 6(3) Part III 3, 6(3) Part III 4, and 6(3) Part VII 1, of By-law No. 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection or use of *residential buildings* on the lands identified on Map 1, attached to an forming part of this By-law, including *accessory* uses thereto provided that:
 - (a) the *residential gross floor area* on a *lot* shall not exceed 10,170 square metres;
 - (b) for the purposes of this By-law, *residential gross floor area* shall be defined as in Section 2(1) "*residential gross floor area*" (i), of which 7,680 square metres can be located above *grade*.
 - (c) no portion of any building or structure erected and used above *grade* (including a private garage) is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law.
 - (d) subsection 1(c) of this By-law does not apply to the type of structure listed in the chart in section 6(3) Part II 8 of By-law 438-86, as amended, provided that the restrictions set out in such chart are complied with, and subject to the following:

- (i) stairs, heating, cooling or ventilating equipment, retaining walls, and landscape features may project beyond the heavy lines shown on Map 2;
- (ii) an uncovered platform that is *landscaped open space* and attached to a *front wall, flank wall* or rear wall of a *residential building* may project beyond the heavy lines shown on Map 2, provided:
 - A. the platform does not project more than 2.5 metres from the wall to which it is attached;
 - B. the platform does not project beyond the side walls of the building as projected; and
 - C. the height of the platform is no higher than the finished first floor level located at, or closest to *grade*.
- (iii) a roof over a first floor platform or terrace, which platform or terrace is attached to a wall facing a *street* and no higher than the finished first floor level located at, or closest to *grade*, may project beyond the heavy lines shown on Map 2 provided:
 - A. the roof is not more than 1.0 metres from the wall to which it is attached;
 - B. the roof, if not solely supported by the wall to which it is attached, may only be additionally supported by columns or posts;
 - C. the roof does not form part of the main building roof;
 - D. the roof does not extend beyond the side walls of the building as projected; and
 - E. the top of the roof is not used or designed to be used as a deck or terrace.
- (e) no portion of any building or structure shall have a *height* in metres greater than the *height* limits specified by the numbers following the symbol H as shown on Map 2 attached to and forming part of this By-law, except for:
 - (i) projections permitted under section 4(2)(a)(i) and (ii) of By-law 438-86, as amended; and,
 - (ii) projections identified in subsection 1(d) of this By-law subject to the restrictions contained therein;

- (f) not less than 50 per cent of the portion of the *lot* between the *lot* line that divides a *lot* from the *street*, except for a public lane, and the wall of the *residential building* facing such *street*, as produced to the *site lot line*, is provided and maintained as *landscape open space*;
 - (g) the maximum width of a walkway located between any wall of the building facing a *lot* line that abuts a *street*, as produced to the *side lot lines* shall be:
 - (i) 2.8 metres for a building facing Roxton Road,
 - (ii) 1.2 metres for a building facing Shaw Street, and
 - (iii) 1.5 metres for each segment of a walkway located within 3.3 metres from the *lot* line that abuts Dewson Street;
 - (h) the minimum width of a *dwelling unit* is 4.2 metres;
 - (i) 37 motor vehicle *parking spaces* shall be provided and maintained on the *lot* and located within a *private garage*; and,
 - (j) the owner conveys to the *Corporation*:
 - (i) a 1.13 metres widening on the north side of Achtman Lane; and,
 - (ii) a 5.15 metre wide extension of the public lane providing access to Dewson Street from Achtman lane.
2. Within the lands shown on Schedule "A" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
3. For the purpose of this By-law, the following expressions shall have the following meaning:
- (k) *grade* shall mean the Canadian Geodetic Datum shown in brackets for each building as shown on Map 2 attached to and forming part of this By-law.
 - (l) *height* shall mean the vertical distance between *grade* and the highest point of the roof of the building or structure;

- (m) *lot* shall mean the lands outlined in a heavy line as shown on Map 1 attached to and forming part of this By-law;
 - (n) each other word or expression that is italicized shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.
4. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lands identified on Map 1, as if no severance, partition or division occurred.
 5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the lands identified on Map 1.

ENACTED AND PASSED this ~ day of ~, A.D. 201~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

