

2223 and 2225 Gerrard St E – Zoning Amendment – Final Report

Date:	December 12, 2011
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	10-122275 STE 32 OZ

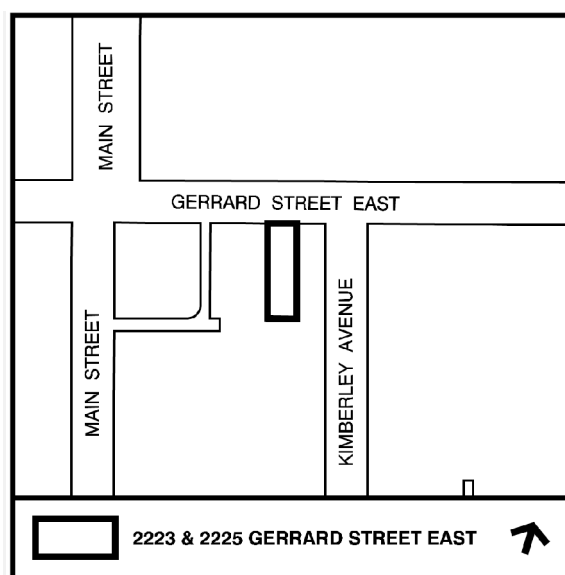
SUMMARY

This report reviews and recommends approval of the application for a 6-storey, mixed-use building at 2223 and 2225 Gerrard Street East. Commercial and Live/Work uses will be located at-grade with 22 residential units above. Resident parking is provided underground.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, as amended, for the lands at 2223 and 2225 Gerrard Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to report dated December 12, 2011 from the Director of Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.



Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The application is for permission to construct a 6-storey mixed use building containing commercial uses on the ground floor (including live/work uses) and 22 residential units. One level of below grade parking is proposed, containing 15 parking spaces. The Application Data Sheet is attached (Attachment 6).

Site and Surrounding Area

The property is located on the south side of Gerrard Street East, east of Main Street. The property is currently occupied by two 2-storey buildings containing commercial uses on the ground floor with residential uses above.

Lands surrounding the property include:

North: Ted Reeve Arena and parkland.

West: A vacant site which was previously approved for a 3-storey mixed-use development.

East: An 8-unit townhouse development, fronting onto Kimberley Avenue.

South: Kimberley Public School.

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 Official Plan designates the property within a *Mixed Use Area*.

Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

The Official Plan requires that development in *Mixed Use Areas* that are adjacent to *Neighbourhoods* will be compatible with those *Neighbourhoods* and provide a gradual transition in height, scale and intensity to ensure the stability and general amenity of the adjacent residential area is not adversely affected. Appropriate transition in scale can be achieved with many geometric relationships and design methods in different combinations including angular planes, stepping height limits, appropriate location and orientation of the building and the use of setbacks and step backs of building mass. Given the *Mixed Use Areas* designation of the properties located immediately east and west of the subject site, this transition in scale would be from the south boundary of these properties.

The Official Plan also requires that development provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Zoning

The property is zoned CR T2.0 C0.5 R2.0. The mixed-use zoning permits a wide range of commercial and residential uses with a maximum density of 2.0 times the area of the lot, of which a maximum of 0.5 times may be non-residential and a maximum of 2.0 times may be residential. The property has a height limit of 12 metres.

Site Plan Control

A Site Plan Control application was submitted concurrently with the rezoning application.

Reasons for Application

The proposed 6-storey building exceeds the permitted density of 2 times the area of the lot with a proposed density of 3.27 times the area of the lot. The proposed development exceeds the height limit of 12 metres, with a proposed height of 19.9 metres (plus mechanical penthouse).

Community Consultation

On April 18, 2011, a community consultation meeting on the application was held at Centre 55. Approximately fifteen members of the public attended the meeting. Planning staff presented an overview of the planning process and the applicant presented their application. The community raised issues relating to parking, overlook, potential noise from balconies and terraces, shadow on adjacent townhouses and concerns respecting disruption during the construction period.

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

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Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement, and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The site is designated *Mixed Use Areas* in the Official Plan. Lands so designated are intended to accommodate most of the anticipated growth in the City in terms of retail and service employment as well as much of the new housing. The applicant is proposing a 6-storey mixed-use building that will provide for both new housing and employment opportunities. The proposed development will take advantage of existing public infrastructure and encourage additional ridership on public transit. The proposed development conforms to the land use provisions of the Official Plan and the site is appropriate for modest residential intensification.

Massing, Height, Density

Mid-rise housing is an important form of development that can create new housing and shopping opportunities and can help the City to address reurbanization objectives on Avenues.

The Zoning By-law currently permits building heights of 12 metres on this site. The site is part of a *Mixed Use Area* and abuts a *Neighbourhood*. As such, the transition in height to the neighbourhood is an important consideration. Although the overall height of the proposed building is 19.9 metres plus a mechanical penthouse, the building steps down towards the neighbourhood (school) with the portion of the building exceeding the 12 metre height limit being at least 12.75 metres back from the rear property line, whereas the CR zoning for the property does not require any rear yard setback.

The proposed density of 3.27 times the area of the lot is appropriate given the allocation of density on the site. The Mid-Rise Guidelines, among other tools, were used to review the allocation of density on the site, as discussed below.

Mid-Rise Guidelines

In 2010, City Council adopted the Avenues and Mid-Rise Buildings Study. The study includes guidelines which are intended to encourage the construction of better designed mid-rise buildings on the City's Avenues where growth is expected and desirable.

These Guidelines apply to mid-rise developments which are proposed to be constructed on the Avenues. This site is not located on an Avenue on Map 2 of the Official Plan, however the site has similar characteristics to Avenues including a *Mixed Use Area* designation in the Official Plan, and a 20 metre right-of-way, and the proposal is for a mixed-use, mid-rise building which is the type of building that the Guidelines address.

In addition, the staff report on the Mid-Rise Study noted that although the Guidelines were to provide performance standards and recommendations for mid-rise buildings on the Avenues, they may also be appropriate and useful to guide the review of proposals for mid-rise buildings in *Mixed Use Areas* not on Avenues.

The Mid-Rise Guidelines include various building performance standards. The performance standards which are relevant to this application have been met through the design of the proposed building, including appropriate rear transitions to Neighbourhoods, appropriate heights and angular planes and appropriate location of the mechanical penthouse.

Sun, Shadow

The applicant was requested to submit a sun/shadow study showing the comparable shadows of an as-of-right development (within the required setbacks and height limit) and the proposed development, which demonstrates that there is no significant difference in the shadow impact on adjacent properties. The shadow study has been reviewed by City staff and its findings are acceptable.

Privacy and Overlook

The proposed building will be located with zero setback from the east and west property line, as permitted by the Zoning by-law. There are a series of recently developed semi-detached houses adjacent to the east property line that front onto Kimberley Avenue. The houses have modest rear yards and are also located in a zoning category that allows for buildings to be built with a zero setback from the lot line.

Measures have been implemented to reduce the impact of the development on these houses, which include: the incorporation of a step back in the middle of the building with a depth of 1.36 metres with only secondary windows for light purposes to provide a visual relief; an additional side setback for the top storey of the building; a minimum setback from the rear property line of 12.75 metres (and increasing to 17.85 metres by the 5th storey); and the incorporation of opaque materials for balcony railings and planters on the terraces to reduce overlook and increase privacy.

Access, Parking

The proposal includes 15 below grade parking spaces that will be accessed off of Gerrard Street East. The property is in very close proximity to the Main Street subway station, the Gerrard streetcar line and the Danforth GO station. The proposal does not provide for any on-site visitor parking. Off-peak parking is permitted on both sides of Gerrard Street East adjacent to the site which should accommodate the majority of the visitor parking. The proposal complies with the bicycle parking space requirements of the Zoning By-law requirements.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces is 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 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second 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 24 residential units (including the live/work units) on a site of 0.0627 hectares (627 m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.032 hectares (320 m²). However, a cap of 10% applies and hence the parkland dedication for the residential component of the development would be 0.00627 (62.7 m²).

The non residential component of the development is less than 1000m² and is therefore exempt from the parkland dedication requirements under Section 165-7 of the former City of Toronto Municipal Code (which remains in full force and effect) to implement Section 42 of the Planning Act RSO 1990, c.P.13.

The applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication would be encumbered with below grade parking. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Tenure

All residential units are proposed to be condominium.

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.

Some of the targets the proposed development is intended to achieve include a green roof for 88% of the roof area, parking supply that does not exceed the minimum requirement in the Zoning by-law and bicycle parking that meets the 0.75 spaces per dwelling unit and includes secure bicycle storage for long-term parking.

Staff will continue to work with the applicants through the Site Plan application review to identify further performance targets for the project to promote better environmental sustainability.

Development Charges

It is estimated that the development charges for this project will be \$123,711.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North and South Elevations

Attachment 3: West Elevation

Attachment 4: East Elevation

Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 7: Draft Zoning By-law Amendment

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2223 & 2225 Gerrard Street East

Not to Scale
12/02/2011

Not to Scale
12/02/2011

Attachment 2: North and South Elevations



Elevations

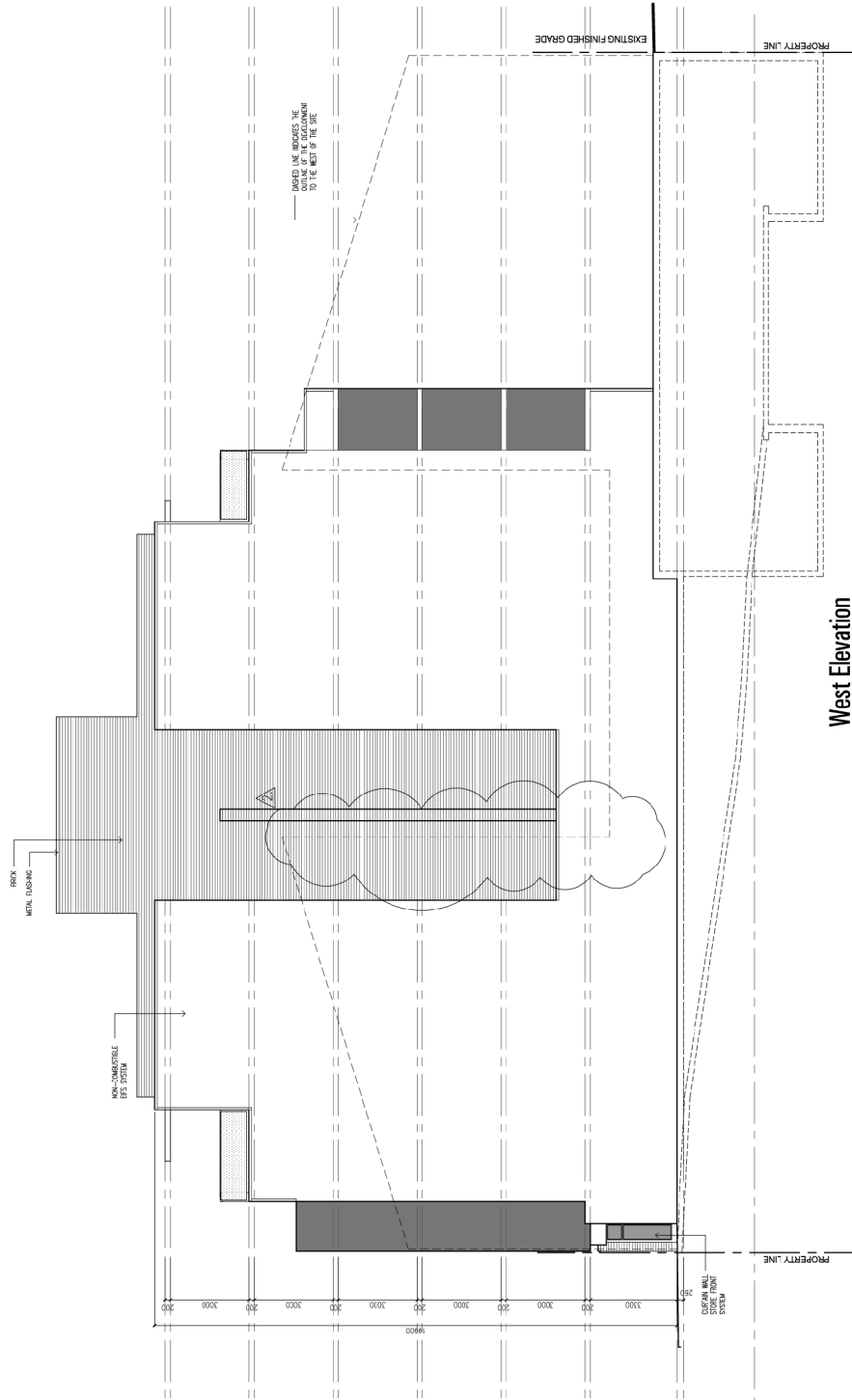
Applicant's Submitted Drawing

Not to Scale
12/02/2011

2223 & 2225 Gerrard Street East

File # 10 122275 02

Attachment 3: West Elevations



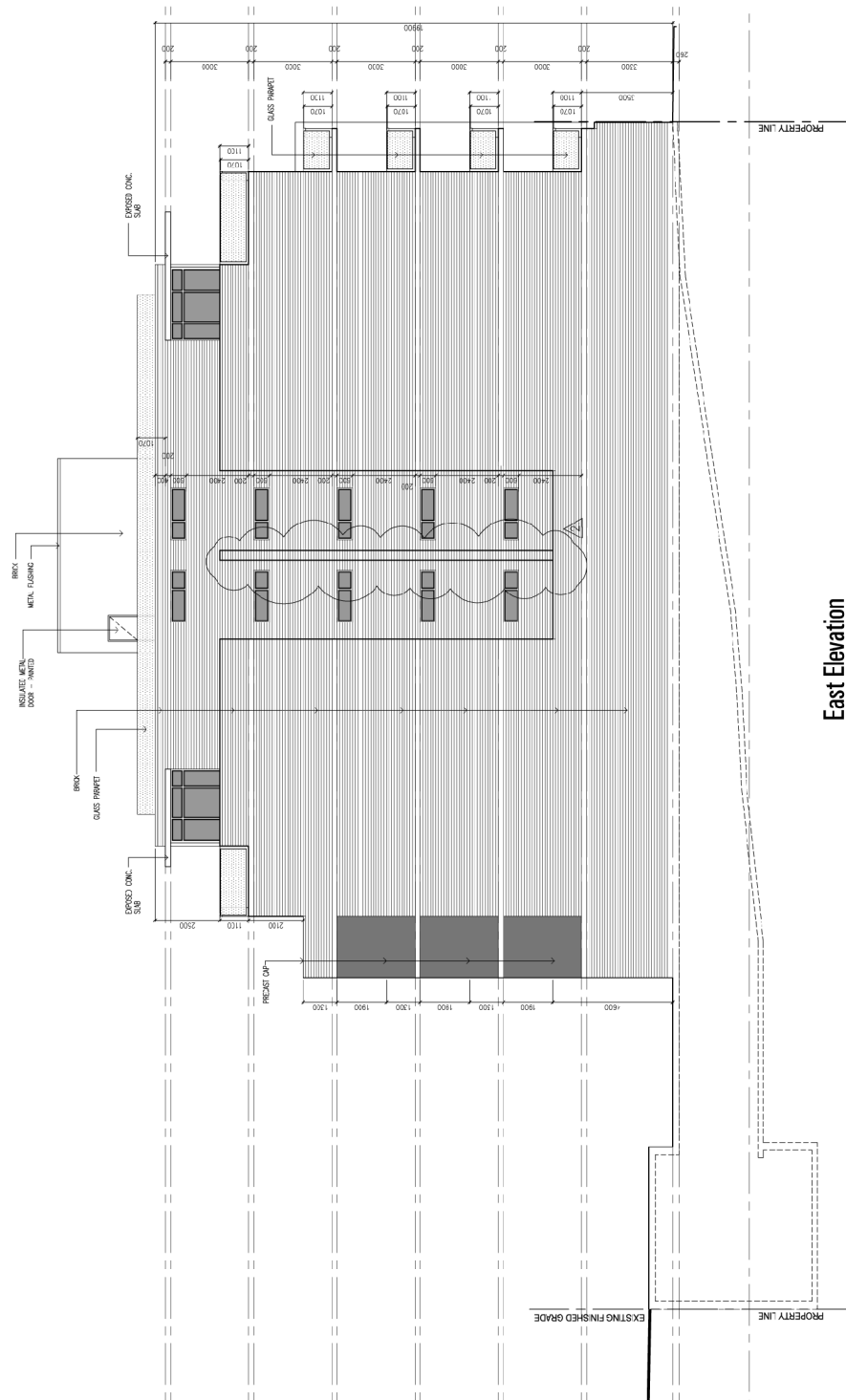
2223 & 2225 Gerrard Street East

Elevations

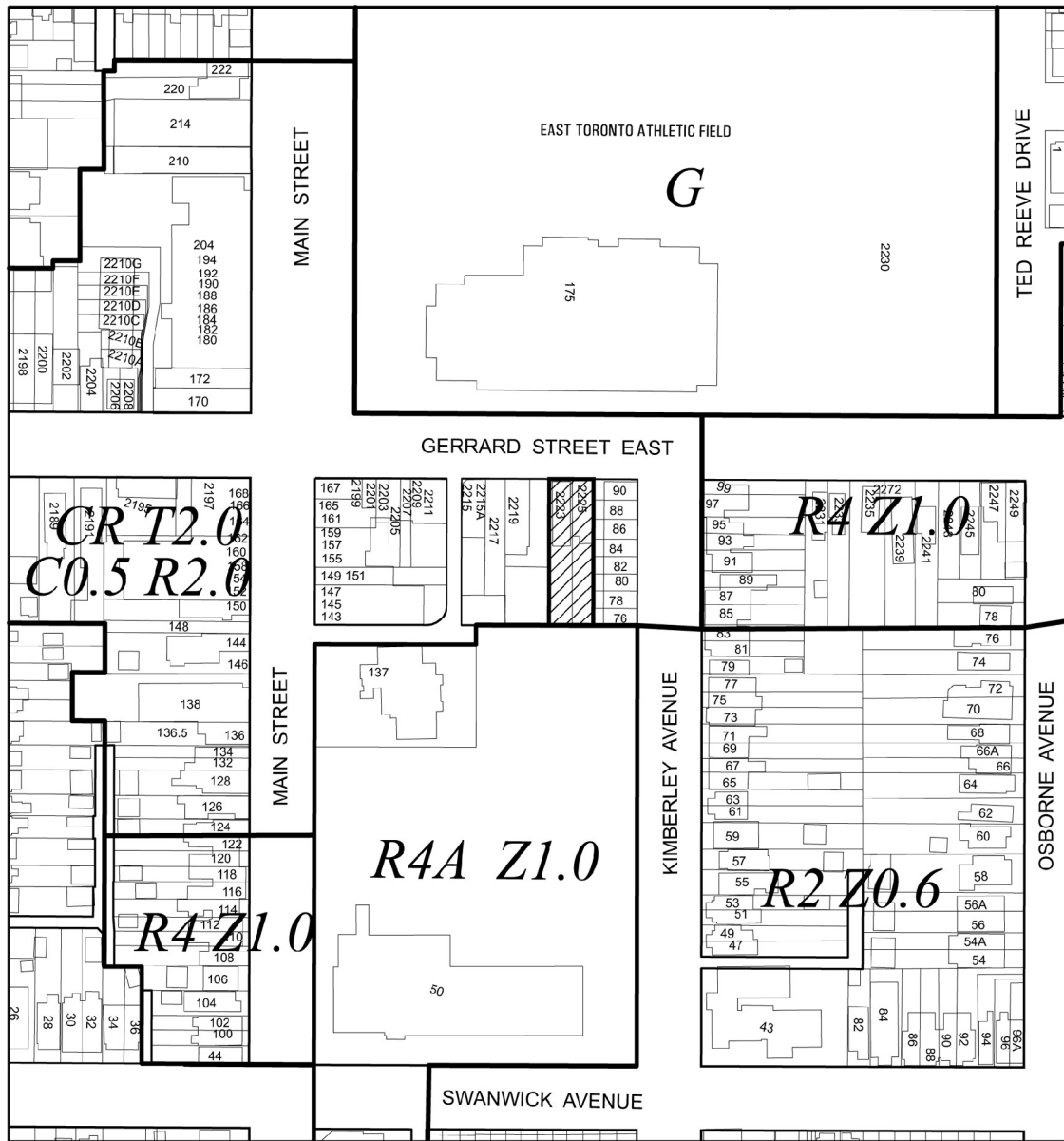
Applicant's Submitted Drawing

Not to Scale
12/02/2011

File # 10 122275 02



Attachment 5: Zoning



Toronto City Planning
Zoning

2223 & 2225 Gerrard Street East

File # 10_122275

R2 Residential District
R4 Residential District
R4A Residential District

CR Mixed-Use District
G Parks District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 03/11/2010

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	10 122275 STE 32 OZ
Details	Rezoning, Standard	Application Date:	February 23, 2010
Municipal Address:	2223 and 2225 GERRARD ST E		
Location Description:	PL 635 BLK 10 PT LT6 **GRID S3206		
Project Description:	Rezoning application for new mixed use commercial residential building containing commercial and 2 live work units on ground floor and 22 residential units above		

Applicant:	Agent:	Architect:	Owner:
Armstrong Hunter & Associates			Eccamma Consultants Limited

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR T2.0 C0.5 R2.0	Historical Status:
Height Limit (m):	12	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	627.09	Height:	Storeys:	6
Frontage (m):	13.72		Metres:	19.9
Depth (m):	45.72			
Total Ground Floor Area (sq. m):	308.7			Total
Total Residential GFA (sq. m):	1992.6		Parking Spaces:	15
Total Non-Residential GFA (sq. m):	55.2		Loading Docks	0
Total GFA (sq. m):	2047.8			
Lot Coverage Ratio (%):	49.2			
Floor Space Index:	3.27			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	1992.6	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	14	Office GFA (sq. m):	55.2	0
2 Bedroom:	10	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	24			

CONTACT:	PLANNER NAME:	Leontine Major, Senior Planner
	TELEPHONE:	(416) 397-4079

Attachment 7: Draft Zoning By-law 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. ~-20~

**To amend the former City of Toronto Zoning By-law No. 438-86, as amended,
With respect to the lands municipally known as,
2223 and 2225 Gerrard St E**

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 Sections 4(2)(a), 4(4)(b), 4(10)(a), 4(12), 4(17), 8(2)q14, 8(3)(Part I) and 8(3)(Part II)(A) and 8(3) Part XI #2(ii) of By-law 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 a *mixed-use building* on the *lot* for:
 - (a) not more than 24 dwelling units of which 2 may be a *live/work unit* provided that they are located on the ground floor;
 - (b) any uses permitted in a CR district under Zoning By-law 438-86, as amended.

provided that:

- (1) the *lot* on which the proposed building is to be located comprises at least those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
- (2) no portion of any building or structure 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, except for the type of structure listed in the column entitled “STRUCTURE” in the following chart, provided that the restrictions set out opposite the structure in the columns entitled “MAXIMUM PERMITTED PROJECTION” are complied with:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
eaves or cornices	Required setback area from any lot line	0.45 metres	none
fences and safety railings	Required setback area from any lot line	no restriction	height of fence or safety railing not to exceed 2.0 metres

- (3) the *height* of any building or structure, as measured from the average grade along the Gerrard Street East frontage of the subject property or portion thereof, does not exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law;
 - (4) the *residential gross floor area* of the building erected on the *lot* does not exceed 1995 square metres;
 - (5) *non-residential gross floor area* of the building erected on the *lot* does not exceed 58 square metres;
 - (6) a minimum of 48 square metres of *residential amenity space – indoor* and 48 square metres of *residential amenity space – outdoor* is provided and maintained on the *lot*; and
 - (7) the minimum size of a parking space is no less than 2.6 metres in width, 5.6 metres in length and 2.0 metres in height and the platform associated with a parking stacker must have a minimum dimension of 2.5 metres in width, 5.4 metres in length and 2.0 metres in height.
2. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.
 3. Within the lands shown on Map 1 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.

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

ROB FORD,
Mayor

(Corporate Seal)

ULLI S. WATKISS,
City Clerk

