

**50 and 52 Bartlett Ave – Zoning Amendment Application
– Final Report**

Date:	May 16, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 18 – Davenport
Reference Number:	13 241061 STE 18 OZ

SUMMARY

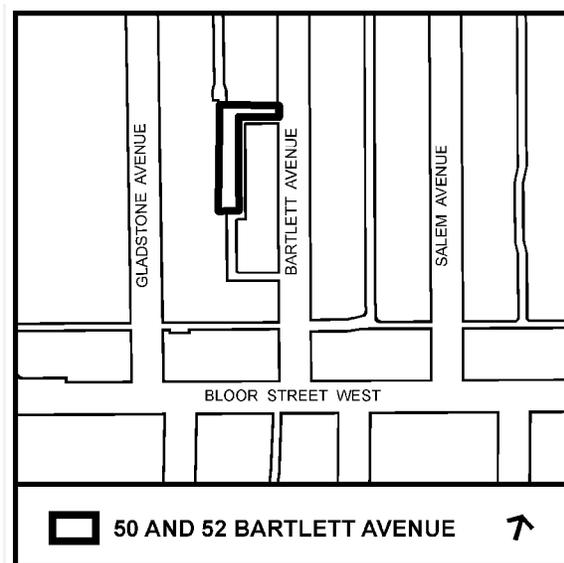
This application proposes a 3-storey, L-shaped apartment building, by conversion of an existing industrial building. The building would contain 16 dwelling units and 17 vehicular parking spaces at 50 and 52 Bartlett Avenue.

The proposal provides an acceptable use of this laneway building within a *Neighbourhoods* designation in keeping with the policies of the Official Plan. 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, and 569-2013 as amended, for the lands at 50 and 52 Bartlett Avenue substantially in accordance with the draft Zoning By-law Amendments to be available at Toronto and East York Community Council meeting on June 17, 2014.



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.

DECISION HISTORY

Community Council adopted the Preliminary Report recommendations at its meeting on November 19, 2013. The Preliminary Report can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-63116.pdf>

ISSUE BACKGROUND

Proposal

The application proposes a 3-storey L-shaped apartment building, by conversion of an existing industrial building to residential use. The building would contain 16 dwelling units with a total gross floor area of 2,978.3 square metres. The overall height of the building is 11.88 metres, and the density would be 2.4 times the area of the lot.

The application proposes 17 residential vehicular parking spaces in a three-tiered parking lift system within a garage located at grade. The garage is to be accessed from an east-west laneway off Bartlett Avenue. No visitor parking spaces are proposed.

See Attachment No. 6 for the application data sheet and Attachment Nos. 1-4 for drawings of the proposal.

Site and Surrounding Area

The subject site is an L-shaped, irregular property located on the west side of Bartlett Avenue, north of Bloor Street West. It is composed of two separate lots municipally known as 50 Bartlett Avenue and 52 Bartlett Avenue, and has an overall area of approximately 1,251.7 square metres.

50 Bartlett Avenue is occupied by a vacant industrial building where wood and coal firing boilers, and then natural gas, oil and methane burners were manufactured. This property is located internal to the block and does not front on Bartlett Avenue, being sandwiched behind grade-related dwellings on Bartlett Avenue and Gladstone Avenue. An L-shaped laneway that runs east-west from Bartlett Avenue and north-south along the east side of 50 Bartlett Avenue is accessible from Bartlett Avenue. 52 Bartlett Avenue occupied by a two-storey single-detached dwelling fronting on Bartlett Avenue.

Uses surrounding the site include:

North: primarily two-storey detached, semi-detached and rowhouse dwellings.

South: primarily two storey detached, semi-detached and rowhouse dwellings. Further

south on the laneway are two former converted industrial buildings: 8 Bartlett Avenue is a two-storey apartment building and at 6 Bartlett Avenue is a three-storey apartment building.

East: primarily two-storey detached, semi-detached and rowhouse dwellings.

West: primarily two-storey detached, semi-detached and rowhouse dwellings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes the local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided the provincial interests are upheld. 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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated *Neighbourhoods* in the 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, triplexes 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.

The Official Plan notes that scattered throughout many *Neighbourhoods* are properties such as former industrial sites that differ from the prevailing patterns of lot size, configuration and orientation. In converting these sites to residential uses, there is an opportunity to add to the quality of neighbourhood life. Due to the site configuration and orientation, it is often not possible or desirable to provide the same site standards and pattern of development in these infill projects as in the surrounding Neighbourhood. Special infill criteria are provided for dealing with the integration of new development for these sites in policy 4.1.9.

Policy 4.1.9 states that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established Neighbourhoods will be reviewed to ensure that any development will:

- a. Have heights, massing and scale appropriate for the site and compatible with that permitted by zoning for adjacent and nearby residential properties;
- b. Provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- c. Front on to existing or newly created public streets wherever possible, with no gates limiting public access; and
- d. Locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences.

The Toronto Official Plan is available on the City's website at:
www.toronto.ca/planning/official_plan/introduction.htm

Zoning

Within the former City of Toronto General Zoning By-law 438-86, as amended, the site is zoned R2 Z0.6. Within the Citywide Zoning By-law 569-2013, the site is zoned R(d0.6). The zoning permits residential uses to a maximum density of 0.6 times the area of the lot. The maximum permitted height is 12 metres.

Site Plan Control

The Site Plan Approval application (File no. 2013 241059 STE 19 SA) has been submitted and is being reviewed concurrently with the Zoning By-law Amendment application.

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. The proposed density is 2.4 times the area of the lot and exceeds the maximum permitted density in both Zoning By-law 438-86 and 560-2013. In addition, the proposal does not meet by-law requirements related to parking space size and dimensions, bike parking, driving in and out forward motion, setbacks, lot frontage, and open space. A zoning by-law amendment is therefore required.

Community Consultation

A community consultation meeting was held on November 13, 2013. At the meeting, residents raised concerns with privacy, overlook, traffic, water/sewage infrastructure, garbage and environmental contamination. Staff also received some written submissions

and phone calls from residents with respect to the building height, shadowing impacts and traffic direction on the rear laneway.

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

At the meeting on July 25, 26 and 27, 2006, Council approved the recommendations of a staff report on Construction of Housing in Laneways, as follows:

1. The City not permit construction of housing on existing laneways, except in special circumstances where there are no adverse privacy, overlook, shadowing and engineering implications; and
2. The City not permit construction of housing on proposed/future laneways.

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060725/wks5rpt/c1005>

The recommendations of the "Housing in Laneways" report were based on a review of both the planning and engineering/servicing considerations.

The "Housing in Laneways" report relied on the Official Plan, and specifically the Neighbourhoods policies of the Plan, to outline the planning considerations for laneway housing proposals. The report and Plan state that, Neighbourhoods are considered to be physically stable areas and that any changes must be sensitive, gradual and generally "fit" the existing physical character. Therefore, determining whether or not a laneway housing proposal complies with the intent of the Official Plan largely depends on the immediate physical context. The report goes further to state that in Toronto there are several streets where there is already a context of laneway lots where an additional house would fit the neighbourhood character and conform to the Official Plan, although issues of overlook and privacy may still have to be resolved.

The "Housing in Laneways" report also identified a number of engineering and servicing restrictions that limit the practicality of constructing laneway houses given that there is generally no municipal infrastructure or services in public lanes. The connection of laneway houses to the sewer, storm, and water systems, garbage collection and emergency vehicle/fire truck access were identified as specific impediments to the feasibility of laneway housing.

The report concluded that the construction of houses on lanes can be considered only in special circumstances where there are no significant privacy, overlook, shadowing and engineering servicing implications. Any application for laneway housing must demonstrate that it complies with, or satisfy, the above considerations.

The subject application has demonstrated that it has addressed the above considerations as discussed in the following sections of this report.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement (PPS), because it proposes residential use in a neighbourhood that allows for the efficient use of the subject lands, infrastructure and public service facilities. The PPS states that municipal official plans are the most important vehicle for its implementation.

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

Land Use

The *Neighbourhoods* policies in the Official Plan discourage laneway housing because it can result in a lot and development pattern that is out of context with the prevailing character in the surrounding area. The existing context of 50 and 52 Bartlett Avenue, however, includes the subject site and existing laneway housing in a two and a three storey building further south on the same block.

Section 4.1.9 of the Plan outlines a number of criteria to evaluate development to ensure that it fits the existing character. The existing physical character of the neighbourhood is diverse in that it is comprised of rowhouses, semi-detached and single-detached two storey dwellings, as well as several other adaptively reused buildings as described earlier in this report.

The built form of the proposed development is compatible with the surrounding residential buildings because it respects the varied physical character of the existing neighbourhood through its height, massing, materiality and scale.

In addition, much of the proposed building is located behind existing rowhouse dwellings on the west side of Bartlett Avenue, making a large portion of the development less visible from the street.

The existing building at 50 Bartlett Avenue is not designated as a heritage structure according to the City's heritage records, but it does represent a part of the industrial heritage of the west end of the City and is considered to be a special built-form feature within the predominantly residential neighbourhood.

The physical character of the proposed development is compatible with the existing stable neighbourhood. By utilizing the existing building at 50 Bartlett Avenue and a contextually designed replacement building at 52 Bartlett Avenue, the development proposal will not have a negative or destabilizing effect on its surroundings. This is reinforced by the similar adaptive reuse projects in proximity to the subject property, including the residential buildings at 6 and 8 Bartlett Avenue.

Density, Height, Massing

The proposal represents infill development within a *Neighbourhood* on a lot that differs from the prevailing pattern of lot size, configuration and orientation. Policy 4.1.9 of the *Neighbourhood* policies expressly envisions new development of such properties. The subject site has an irregular L-shape and is about five times the area of typical lots in the immediate area.

The proposed redevelopment is in keeping with the criteria for infill development in *Neighbourhoods* as outlined in Policy 4.1.9 of the Official Plan. The proposed building height is within the as-of-right (12.0 m) limit. The existing building is two storeys and the proposed third floor has a sloped roof to maintain a massing and scale that is compatible with the zoning permissions for adjacent properties. The overall density of 2.4 times the area of the lot exceeds the 0.6 density permitted by the Zoning By-law, however the additional density requested for the new third floor is modest (508 m²) relative to the approximately 2000 m² existing structure.

Balconies on the building are east facing and located on the third floor. They have wood louvered privacy screening to limit overlook of the adjacent rear yards and vice versa. Further, the top two panes of the large east facing windows are being treated with translucent film for the privacy of both the future building occupants and adjacent neighbours on Bartlett Avenue.

The adaptive reuse of the existing building with modest additions has been designed to satisfy the Official Plan policies and provide an appropriate relationship to the adjacent residential properties.

Sun, Shadow

The issue of shadow impact on residential properties to the west and north of the proposed site was raised by residents at the November 2013 community meeting and at subsequent community consultations. The original square flat roofline was changed to a smaller sloped roof which improved the relationship with rear yards on the east side of Gladstone Avenue by: eliminating the overlook from the previously proposed skylights, better maintaining existing skyviews and further minimizing the shadow impact.

At the north end of the proposed L-shaped building the applicant has reduced the proposed height of the roof over the exit stairwell at the rear of units 1 – 3 to minimize shadow impact on the first property to the north on Bartlett Avenue.

The original Sun/Shadow Study was recently updated to reflect this further height reduction at the north end of the building. It shows very limited shadow impact on adjacent properties from the proposed development compared to existing shadow conditions on March 21 and September 21 between 9:18 am and 6:18 pm.

Traffic Access, Parking

Traffic access is acceptable to Transportation Services. The applicant has agreed to a possible future restriction on vehicles southbound.

A lane widening is being taken to increase the width of the east-west laneway that accesses the proposed parking garage to 5.0 metres.

A total of 17 resident parking spaces are proposed to serve the development, in 5 triple-car stackers at grade and in 2 single car stackers in the basement accessed by car elevator. Based on the zoning by-law requirement and the estimated parking demand, the proposed parking is acceptable to Transportation Services staff.

Servicing

The proposed 16 new laneway units would connect to the existing sewage, storm and water supply systems on Bartlett Avenue.

Garbage collection in the City typically occurs on municipal streets and is not available on public lanes. Any proposed laneway housing must demonstrate that its garbage can be collected from a municipal street. The garbage collection point for the proposed dwelling units is at the curb of Bartlett Avenue, in front of 52 Bartlett. A garbage storage room would be provided directly off the east-west laneway abutting the garage. Private collection is also being assessed by the applicant to limit the amount of space required for curbside garbage storage on collection day and to allow for selective time pickups directly through the garbage room doors off the east-west laneway.

The City's laneway systems are typically not wide enough to provide access to emergency vehicles, and lanes usually do not have fire hydrants, so any laneway housing proposal must address emergency access and fire response. The proposed L-shaped residential building will be sprinklered and has two existing fire hydrants within the required distance to service the development. The existing laneway access allows for direct access from Bartlett Avenue for emergency medical access.

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 0.42-0.78 hectares of local parkland per 1,000 people. Parks, Forestry and Recreation has advised that the development on the site is subject to the alternative rate park levy. The parkland contribution that would apply to this site is 10% as the site is less than 1 hectare in size. The required parkland dedication will be satisfied through cash in lieu.

Soil/Groundwater Conditions

As a former industrial site, an assessment of potential soil and groundwater contamination has been conducted. The owner has submitted a Phase 1 Environmental

Site Assessment dated January 16, 2003 and a Phase 2 Environmental Site Assessment prepared by Candec Engineering, dated July 2013. A peer review of the site assessments is required by the City. Concurrence by the peer reviewer and filing of a Record of Site Condition will be required during the Site Plan Approval process.

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 that applies to low-rise residential buildings.

The site-specific zoning by-law will secure performance measures for the following Tier 1 features: Automobile Infrastructure; Storage and Collection of Recycling and Organic Waste. Since the application is for a low-rise residential building, the bicycling parking requirements do not apply.

Other applicable TGS performance measures will be secured through the Site Plan Approval process. These would include providing roof treatments using 100% light coloured metal for steeped pitched roofs and light coloured ballasted roofs, providing 50% light coloured unit paving for the laneway surface treatment, ensuring exterior lights are shielded and providing approved solid waste storage.

Tenure

The owner has advised that the proposed development will be a condominium and a draft plan of standard condominium will be submitted.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: East- West Elevations

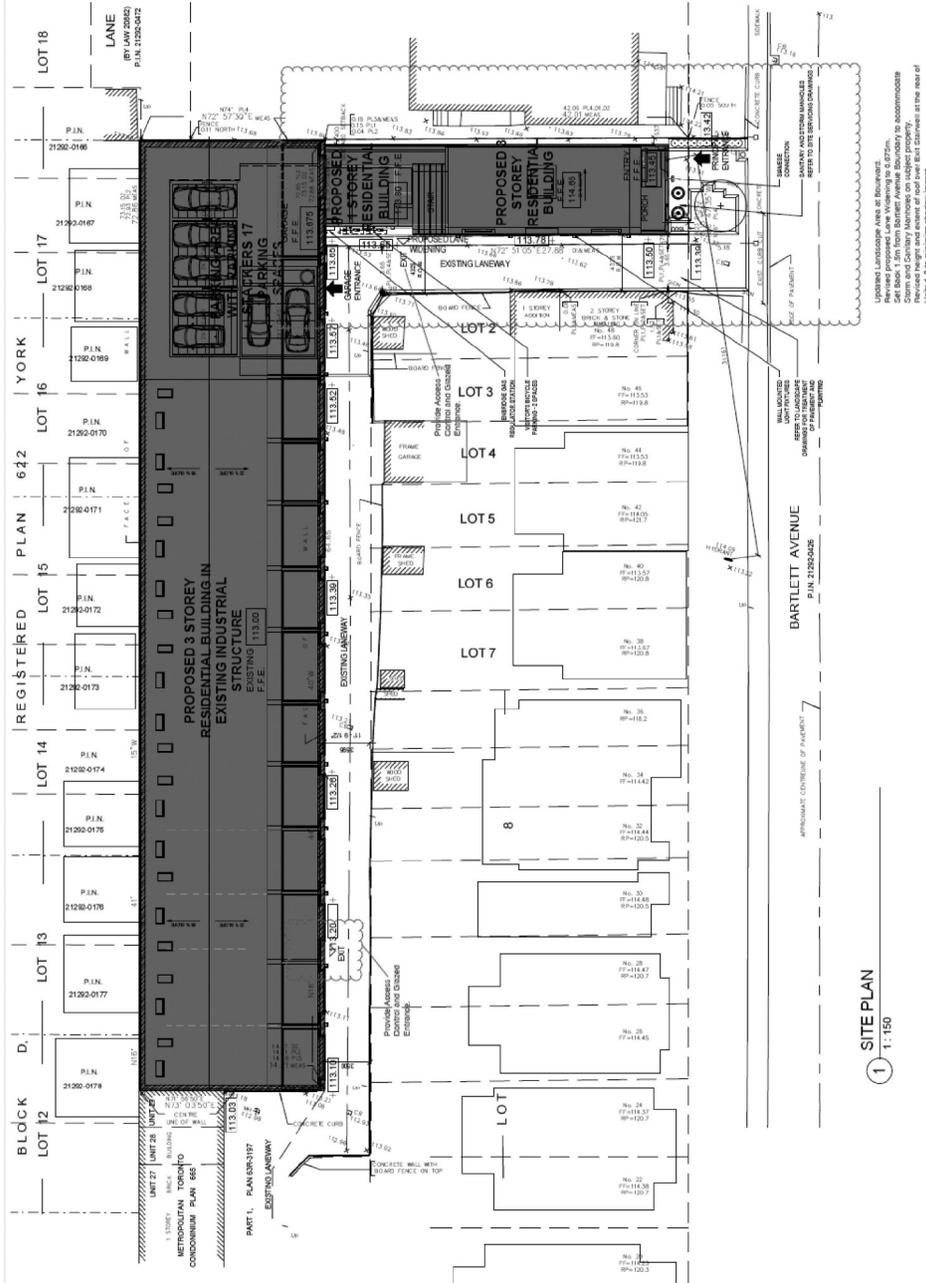
Attachment 3: North Elevation

Attachment 4: South Elevations

Attachment 5: Zoning

Attachment 6: Application Data Sheet

Attachment 1: Site Plan



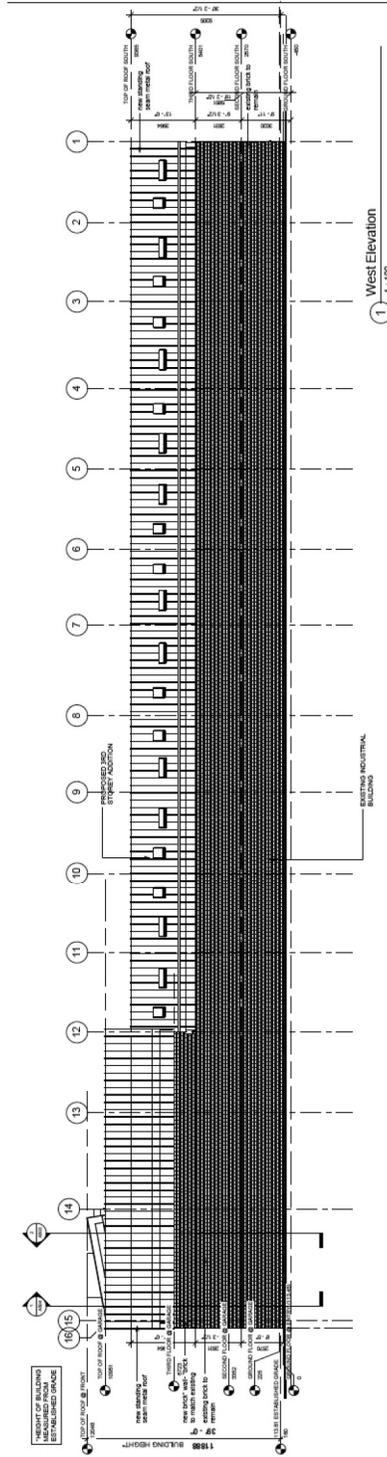
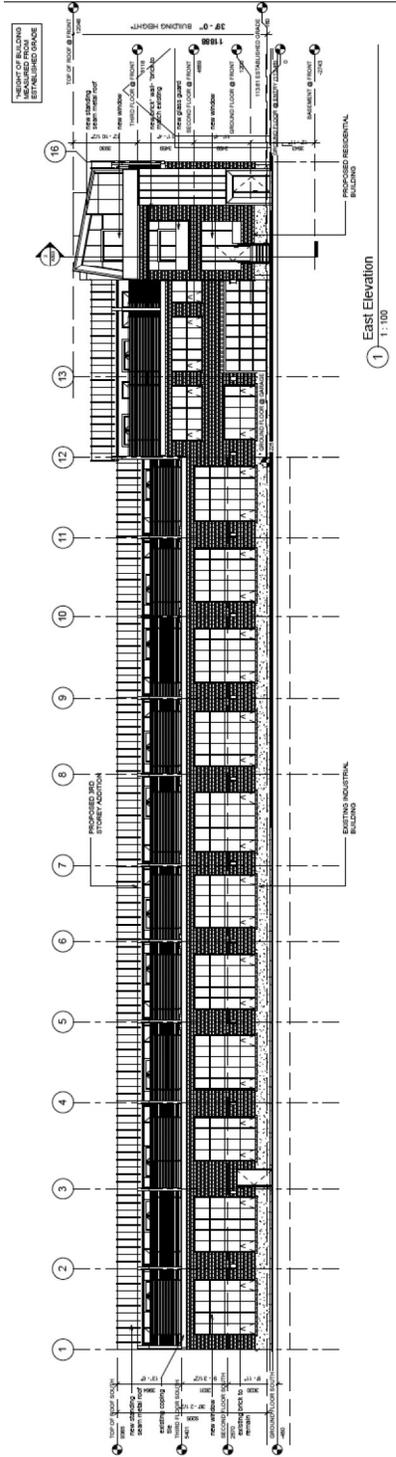
50 and 52 Bartlett Avenue

File # 13_241061_STE 18 0Z

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 05/15/2014

Attachment 2: East-West Elevations



East and West Elevations

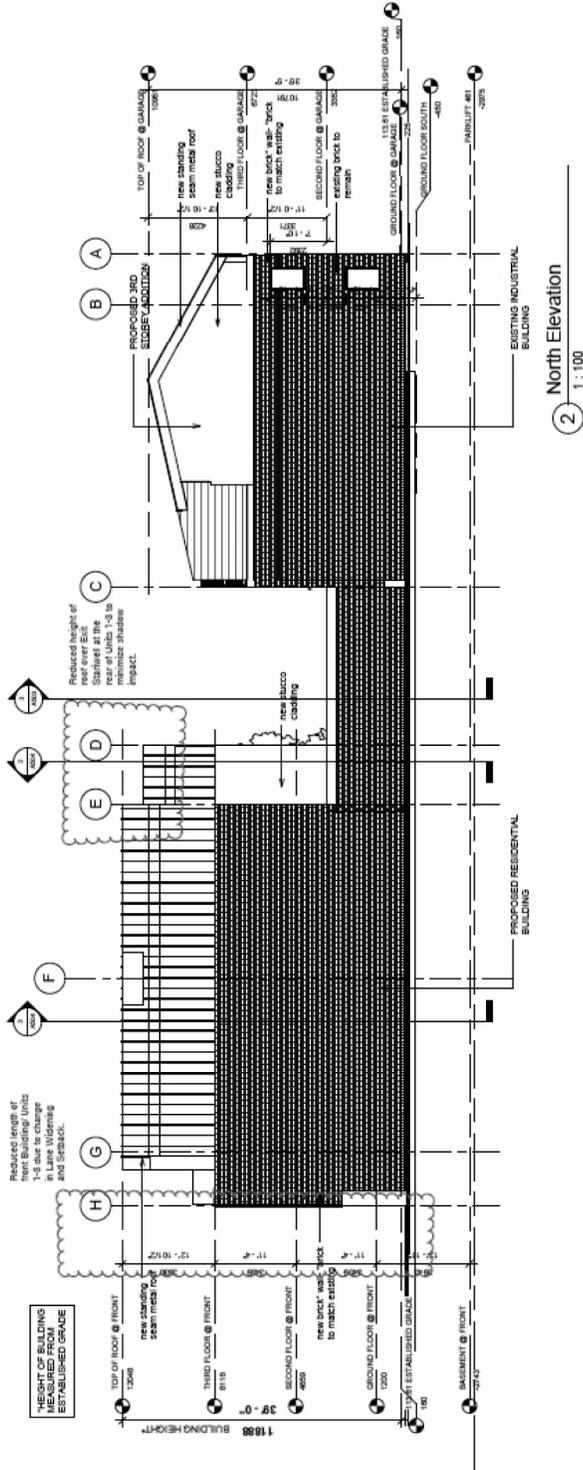
Applicant's Submitted Drawing

Not to Scale
05/15/2014

50 and 52 Bartlett Avenue

File # 13_241061_STE 18 0Z

Attachment 3: North Elevation



50 and 52 Bartlett Avenue

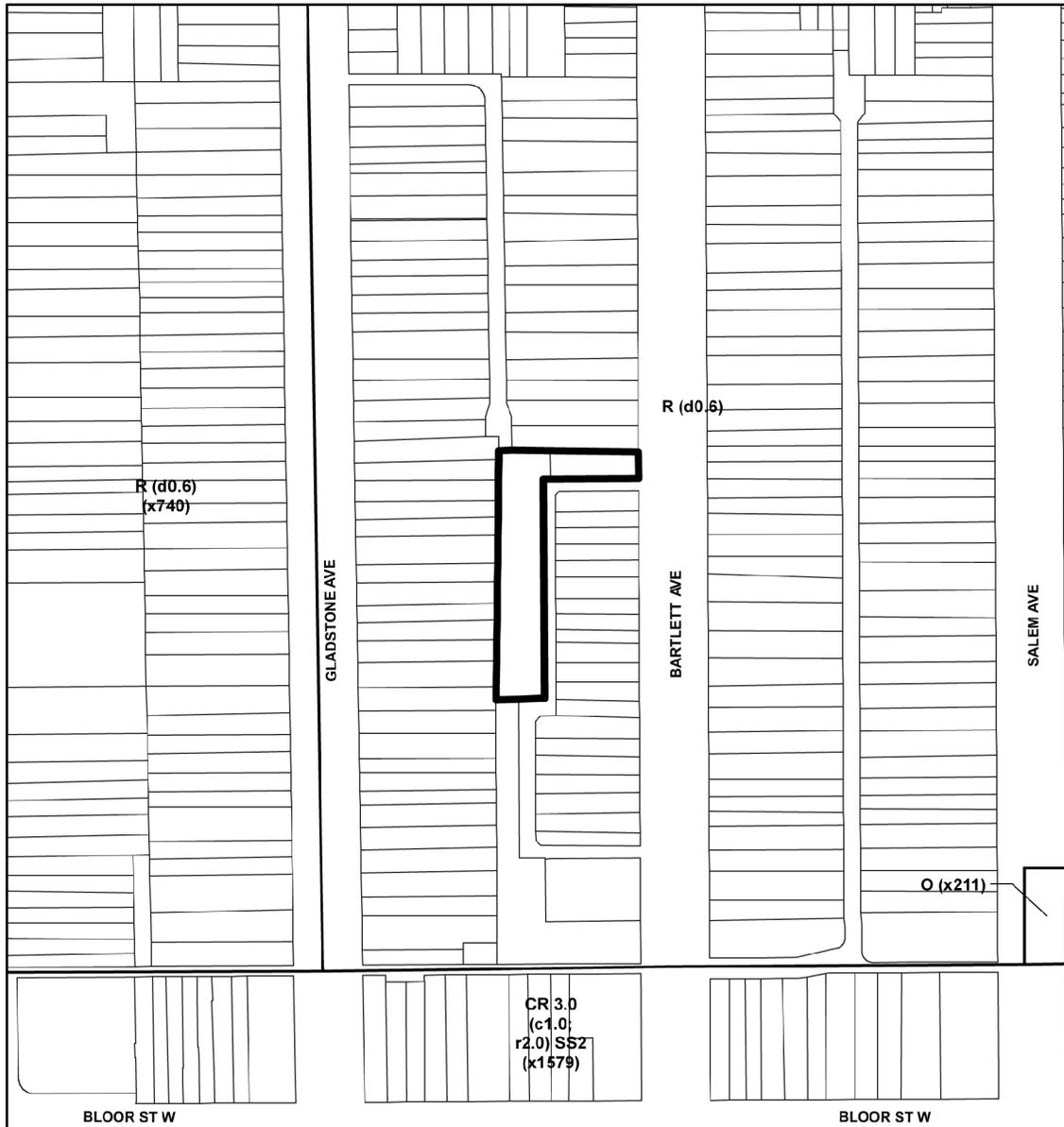
North Elevation

Applicant's Submitted Drawing

Not to Scale
05/15/2014

File # 13_241061_STE 18 0Z

Attachment 5: Zoning



Zoning By-law 569-2013

50 and 52 Bartlett Avenue

File # 13 241061 STE 18 0Z

-  Location of Application
- R Residential
- CR Commercial Residential
- O Open Space



Not to Scale
Extracted: 05/14/2014

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	13 241061 STE 18 OZ
Details	Rezoning, Standard	Application Date:	September 24, 2013
Municipal Address:	52 BARTLETT AVE		
Location Description:	PLAN 881 PT LOT 1 **GRID S1803		
Project Description:	To permit a redevelopment containing 16 residential units and 17 vehicular parking spaces at 50 and 52 Bartlett Avenue. The proposal is to add a partial third storey to the existing industrial building on 50 Bartlett Avenue and to construct a three storey building at 52 Bartlett Avenue with a one-storey component linking the two buildings to form a single L-shaped building.		

Applicant:	Agent:	Architect:	Owner:
DALES CONSULTING	N/A	AUDAX architecture	CURATED LOFTS INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R2 Z0.6	Historical Status:	
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1261.7	Height:	Storeys:	3
Frontage (m):	0		Metres:	11.89
Depth (m):	0			
Total Ground Floor Area (sq. m):	1206.8			Total
Total Residential GFA (sq. m):	2985.5		Parking Spaces:	17
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2985.5			
Lot Coverage Ratio (%):	95.7			
Floor Space Index:	2.4			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	2
2 Bedroom:	14
3 + Bedroom:	0
Total Units:	16

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	2894.7	90.8
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

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