

STAFF REPORT ACTION REQUIRED

455 Dovercourt Rd – Official Plan Amendment, Zoning Amendment – Final Report

Date:	May 30, 2014
То:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	13 277931 STE 19 OZ (ZBA) 14136499 STE 19 OZ (OPA)

SUMMARY

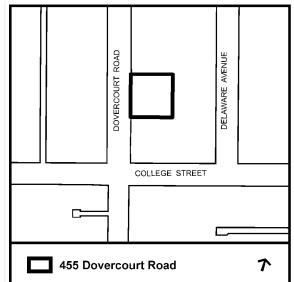
This application is for an Official Plan Amendment and Zoning By-law Amendment to permit a fourstorey mixed-use building with commercial uses at grade and on the second floor and 12 two-storey condominium units above. Currently, a 3-storey building exists on the site, the first two storeys will be retained and the third will be partially demolished to accommodate an addition. A total of 25 parking spaces are being provided for the proposed development along the north, south and east sides of the property as well as off-site, of which 12 are for residential use and 13 are for non-residential use.

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

RECOMMENDATIONS

The City Planning Division recommends that:

 City Council amend the Official Plan, for the lands at 455 Dovercourt Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6 to the report (May 30, 2014), from the Director, Community Planning, Toronto and East York District.



- 2. City Council amend Zoning By-law 438-86, for the lands at 455 Dovercourt Road substantially in accordance with the draft Zoning By-law Amendment to be available at the Toronto and East York Community Council meeting on June 17, 2014.
- 3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 455 Dovercourt Road substantially in accordance with the draft Zoning By-law Amendment to be available at the Toronto and East York Community Council meeting on June 17, 2014.
- 4. Prior to introducing the necessary Bills to City Council for enactment, City Council require the owner must provide the following:
 - i. Documentation to demonstrate that the owner is entitled to erect four parking stackers within the 1.0 metre wide easement on the east side of the site, to the satisfaction of the City Solicitor and Executive Director of Engineering and Construction Services;
 - ii. Documentation to demonstrate that the owner has secured through a long-term lease agreement four non-residential parking spaces on a parking lot within 300 metres of the subject site to the satisfaction of the City Solicitor and Executive Director of Engineering and Construction Services.
- 5. City Council 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.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Preliminary Report for this application can be found at: <u>http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-66483.pdf</u>

ISSUE BACKGROUND

Proposal

The proposed development consists of a four-storey mixed-use building with commercial uses below grade and on the ground and second floors and residential condominium units above. A three-storey building currently exists on the site, of which the first two floors will be retained and renovated; the third floor will be partially demolished and replaced with two floors. The third and fourth floor additions will cantilever over the existing building by approximately 1.8 to 2 metres along the north, northwest, east and southeast faces of the building.

The proposed development will be comprised of approximately 1,531 square metres of non-residential gross floor area (GFA) and 1,297 square metres of residential GFA. The height of the proposed building is 17.5 metres to the rooftop and an additional 2.75 metres for the mechanical rooftop elements. The total proposed density for the site is approximately 1.7 times the lot area.

Vehicular access will be maintained through the existing one-way driveway that loops around the building. A total of 25 parking spaces are being proposed, of which 12 are for residential uses and 13 are for non-residential uses. The Site Plan (Attachment 1) identifies a total of 25 parking spaces on the site, of which the 12 residential parking spaces will be accommodated in 4 parking stackers that hold 3 cars each at a height of 5.25 metres; and 13 non-residential parking spaces, 2 of which are proposed as shared parking spaces for non-residential and visitors and the remaining 11 as dedicated non-residential parking spaces. Staff have negotiated with the applicant to reduce the height of the parking stackers from 5.25 metres to 4.4 metres, such that each stacker will accommodate a maximum of 2 cars. As such, the parking on site will be revised on the Site Plan to identify the following:

- 1. 4 parking stackers along the east property line, each of which will be a maximum height of 4.4 metres and hold a maximum of 2 cars each. These will provide 8 residential parking spaces;
- 2. 4 residential surface parking spaces;
- 3. 9 on-site non-residential surface parking spaces, of which 2 spaces will be shared parking spaces reserved for residential visitor parking; and
- 4. 4 off-site non-residential parking spaces to be secured on a parking lot within 300 metres of the subject site.

An easement as set out in Instrument No. AT3356827 which is approximately 1 metre wide runs along the east side of the property. The rear section of the enclosed parking spaces is encumbered by this easement. The owner will have to provide documentation that demonstrates the right to encumber this right-of-way with enclosed and/or surface parking spaces.

The proposal does not have a loading space, as one is not required by the By-law. Separate garbage and recycling storage areas are proposed in the basement for the residential and non-residential components of the building. The proposal also includes 12 occupant bicycle spaces at the rear of the property and 8 visitor (residential and commercial) bicycle spaces along Dovercourt Road.

Please see Attachments 1 and 2A to 2D for drawings of the proposal and Attachment 5 for the application data sheet.

Site and Surrounding Area

The site is located north of College Street on the east side of Dovercourt Road. The site is square with an approximate area of 1,655 square metres with a frontage of 41 metres along Dovercourt Road and a depth of 40 metres. The site contains a three storey brick office building in the middle, encircled by an asphalt driveway that provide access to Dovercourt Road and surface parking.

Located just north of College Street, the site is in close proximity to a mix of commercial and residential uses. The following uses surround the subject property.

- North: North of the site are residential dwellings, comprised of a mix of single-detached and semidetached dwellings.
- South: To the south of the site is a laneway that provides access to the rear of mixed-use buildings that front onto College Street.
- East: The eastern edge of the property faces rear yards of a mix of two to three storey residential dwellings that front onto Delaware Avenue.
- West: The west side of the Dovercourt Road right-of way is comprised of single detached 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 healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that 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 subject site is designated *Neighbourhoods* in the City of Toronto Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low-scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

New small-scale retail, service and office uses that are incidental to and support *Neighbourhoods* and that are compatible with the area and do not adversely impact adjacent residences may be permitted through an amendment to the Zoning By-law, where required, on major streets shown on Map 3. Dovercourt Road is identified on Map 3 of the Official Plan as a major street with a right-of-way width of 20 metres.

A key objective of the Official Plan is to guide new development to respect and reinforce the general physical patterns in a *Neighbourhood*. The Plan does recognize lots that are larger than the typical lots in a neighbourhood and it contains policies that guide development on these lots so as to not negatively impact the adjacent properties.

Please see Attachment 3 for the Official Plan map.

Zoning

The site is zoned R2 Z0.6 in the City of Toronto Zoning By-law 438-86. The R2 zone permits a range of residential uses including apartment buildings and triplexes, among others, as well as non-residential uses such as public parks, public playground and community centres. The maximum density permitted on the site is 0.6 times the lot area which is 992 square metres. The maximum height permitted on the site is 10 metres.

City Council enacted Harmonized By-law 569-2013 on May 9, 2013. The subject site is zoned Residential R (d0.6) (x735) with a maximum density of 0.6 times the lot area. The site is also subject to Exception 735, which outlines that the lot is subject to Section 12(2) 68 of the former City of Toronto By-law 438-86, which states that a rooming house is not a permitted use.

Please see Attachment 4 for the zoning map.

Site Plan Control

A Site Plan Control application has not been submitted for the proposed development. The applicant has advised City Planning Staff that a Site Plan application will be submitted at a later date once the Official Plan Amendment and Zoning By-law Amendment have been considered.

Reasons for Application

The proposed development consists of a mix of commercial and residential uses. The basement, first and second floors of the existing building are to be retained and will contain approximately 1,531 square metres of office space. The existing building was constructed in 1958, prior to the current Official Plan and Zoning By-law, and contained Toronto Community Services uses including offices and a day care. These uses were permitted through a permissive exception under Section 11(1) of Zoning By-law 438-86 allowing a variety of municipal uses on the property. The building was vacant when purchased by the applicant. This exception does not extend to private sector office uses.

The proposal does not conform to a number of existing zoning provisions including the proposed office use, density, height, parking structure and number of parking spaces.

The introduction of office uses in the *Neighbourhood* designation which are beyond the small scale permitted requires a site specific Official Plan Amendment.

Community Consultation

A Community Meeting was held on March 19, 2014 with Planning staff, the applicant, the local Councillor and approximately 25 members of the community. Following presentations by Planning staff and the architect, the floor was opened up for comments and questions from the community. These comments are outlined below and are addressed in the Comment section of this report.

Parking

Members of the public were concerned about the impact of the increase in residential and office uses on parking along Dovercourt Rd. Residents noted that there is a shortage of parking in the neighbourhood as many houses along Dovercourt Road do not have driveways. In addition, the YMCA, located at 931 College Street, attracts a number of users who also utilize the street parking, and contribute to the street parking shortage. Residents in the area were concerned with the number of parking spaces being proposed by the developer and that visitors and office employees driving to the site may further impact the existing parking deficiencies along Dovercourt Rd.

Trees

Property owners that are adjacent to the subject site, to the immediate north and those fronting on to Delaware Avenue were concerned about the removal of 3 trees on the east side of the property. They were concerned removal of the trees would result in a loss of privacy and shade in the summer.

Height/Density

Concerns were raised regarding the height of the building and resultant shading on the houses on Delaware Avenue as well as the amount of sky visible to those houses. Privacy concerns were also raised about the height of the proposed building versus the height of the mixed-use buildings along College Street. Some residents commented on the density of the proposed project, supporting the re-use an existing building but commenting that the proposal may be too dense for the site.

Retail/Commercial Use

Residents were concerned about the uses that would occupy the non-residential part of the building and noted that retail and service uses were not desired. Office uses were seen as more appropriate so long as they do not generate increased traffic.

Garbage and Recycling

Residents had concerns regarding the location of the garbage and recycling as well as the separation of residential and commercial garbage collection.

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 and it conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe as it proposes the re-use of a building in a neighbourhood, allowing for efficient use of the subject lands, infrastructure and public service facilities.

Land Use

The proposal will introduce new office uses into a *Neighbourhood*. The Official Plan permits new offices uses in *Neighbourhoods* as long as the uses are incidental to and support the *Neighbourhood*, they are compatible with the area and do not adversely impact adjacent residences.

The existing building was previously owned and used by the City of Toronto for office and day care uses. These uses were able to co-exist with the adjacent neighbourhood without conflict. Under City By-laws the City is permitted to use its properties for non-residential uses in a *Neighbourhood*. These permissions do not apply to the office use once it is owned by a private owner unless they are relatively small scale. In this case, the new owner proposes to retain the office use on site and add residential

above. The retention of the office space in the existing building requires an Official Plan Amendment in order for it to be permitted in an area designated *Neighbourhood*. The retention of the building for reuse also leads to the maintenance of the irregular sized lot, but this is appropriate given the re-use of the building and the history of the site.

In this circumstance City Planning is supporting an Official Plan Amendment to permit the office use given the previous use, the location of the building on a major street, its proximity to College Street and the College Street streetcar, as well as its immediate adjacency to the Mixed Use area on College Street. The retention of the office use also allows for the adaptive reuse of the building as a mixed-use project.

Height, Density, Massing

The existing building is three-storeys in height. The height of the existing building to the top of the existing roof of the second floor is 9.8 metres.

The proposed building will be four storeys, approximately 17.5 metres high to the roof, plus an additional 2.75 metres to the top of the pop-up roof which provides access to the individual unit roof top decks. The proposed building is in a residential *Neighbourhood*, where the Official Plan permits a maximum height of four storeys which generally would be approximately 12 metres high. Although, the proposed development is approximately 7.5 metres above the By-law height provision of 10 metres, the building meets the Official Plan maximum of four storeys. The existing building's first floor is located 1.88 metres above grade. Additionally the floor to floor heights of the first and second floor are 3.96 metres each, which will be used for commercial uses, resulting in the increased height.

The site is area is 1,655 square metres. The total GFA is 2,828 square metres which results in a proposed density of 1.7 times the site are. This higher density number is in part due to the basement area of the existing building that is partially above grade.

The front yard setback is 5.01 metres and the rear yard setback is 9.12 metres. The proposed side yard setback on the north side is 5.63 metres and on the south side is 4.73 metres. The addition will cantilever over the existing structure by approximately 2 metres on the west and east sides and approximately 1.9 metres on the north side and 1.86 metres on the south side. Despite the cantilevering of the new third and fourth storeys a setback of 2.8 to 3 metres is maintained from all sides. In addition, on staff's recommendations to reduce overlook and privacy issues, the applicant has setback the roof top terraces by an additional 2 metres and added a planted area as screening on the east side and partially on the north side of the building.

Sun and Shadow

A shadow study was submitted by the applicant and staff reviewed the dates in March and September.

The study shows that there will be some minor shadow impact on the properties directly north of the site, and some impact on the properties directly east of the site. However, the impact lasts only for an additional hour in the early evening, and is considered acceptable to staff.

Access, Parking and Loading

Access will continue to be provided via a u-shaped driveway which loops around the building. The location of the driveway and the site circulation have been reviewed and accepted by Transportation Services.

The proposed development will provide a total of 25 parking spaces. There will be 12 residential parking spaces, 8 of which will be provided in 4 parking stackers at 4.4 metres high and 4 will be surface parking spaces on site. Additionally, a total of 13 parking spaces will be provided for non-residential uses, 9 of which will be on-site surface parking and 2 of the on-site parking spaces will be used as shared parking spaces for non-residential uses and residential visitor parking. As well, 4 non-residential parking spaces will be secured off-site on a parking lot within 300 metres of the subject site. The proposed parking stackers are located along the east property line, abutting residential lots (within the R (d0.6) (x735) zone), some of which have accessory structures adjacent to the site. The proposed parking stackers are just above the permitted accessory structure height of 4 metres and is considered acceptable to staff. Additionally, the required parking supply based on the parking ratios provided by Development Engineering would be 12 residential spaces, 2 residential visitor spaces and 15 office spaces. The proposal is short 4 parking spaces, however the site location and proximity to public transit, makes the reduction in parking acceptable to Development Engineering.

No loading spaces are proposed for this project. Although the by-law requires one loading space for the proposed office use, the existing building had commercial uses and operated without a loading space. Development Engineering has reviewed and accepted the loading assessment.

Trees

The applicant proposes to preserve the City-owned trees no. 1, 2 and 3 located along Dovercourt Road. The applicant proposes to remove tree no. 4 and tree no. 5 which are located on the adjacent property to the east. Under the provisions of the Private Tree By-law, six replacement trees are required to be planted. Since no new trees are proposed, the applicant is required to provide a cash-in-lieu payment of \$583.00 per tree for a total amount of \$3,498. In addition, the applicant has proposed to preserve tree no. 6 which is also located on the adjacent property to the east. Urban Forestry Staff have highlighted that

tree no. 6 is in fair to poor condition and are not opposed to it's removal. In the case that tree no. 6 is proposed to be removed at the Site Plan Control application stage, the applicant will be required to make a further cash-in-lieu payment.

Unit Size/Type and Amenity Space

The proposal is for a total of 12 residential condominium units. Of these ten are 2-bedroom units and two are 3-bedroom units. The average unit size is 106m2 (1,140 sq.ft), and will range from 96m2 to 140m2 (1,033-1,507sq.ft). In looking at the appropriateness of the development for a variety of owners, including families, staff considered the overall size of the units. Staff believe that the proposal offers a range of housing suitable for families as well as other potential owners.

The proposed building has 12 residential condominium units. The by-law does not require common, shared amenity space for buildings under 20 units.

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 0-0.42 ha of parkland per 1000 people, which is the lowest provision level. The site is in a parkland priority area, as per Alternative Rate Parkland Dedication By-law No. 1020-2010.

The application proposes 12 residential units on the $1075m^2$ site. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.016 hectares (9.67% of the net site area). The commercial uses currently exist and are not being enlarged, and are therefore exempt from parkland dedication.

The applicant is requested to satisfy the parkland dedication requirement by cash-in-lieu and this is appropriate as the parkland requirement is too small to 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. The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure and Cycling Infrastructure. Other applicable TGS performance measures will be secured through the Site Plan Approval Process.

Conclusion

The applicant proposes to reuse the existing office building and add residential units above. The mixed use project will be a total of 4 storeys immediately adjacent to the *Mixed Use* area on College Street. Planning staff is recommending approval of Official Plan and Zoning By-law Amendments to allow the continuation of the office use on the site and the addition of residential uses.

CONTACT

Charlene Miranda, Planner Tel. No. (416) 392-9434 Fax No. (416) 392-1330 E-mail: cmirand2@toronto.ca

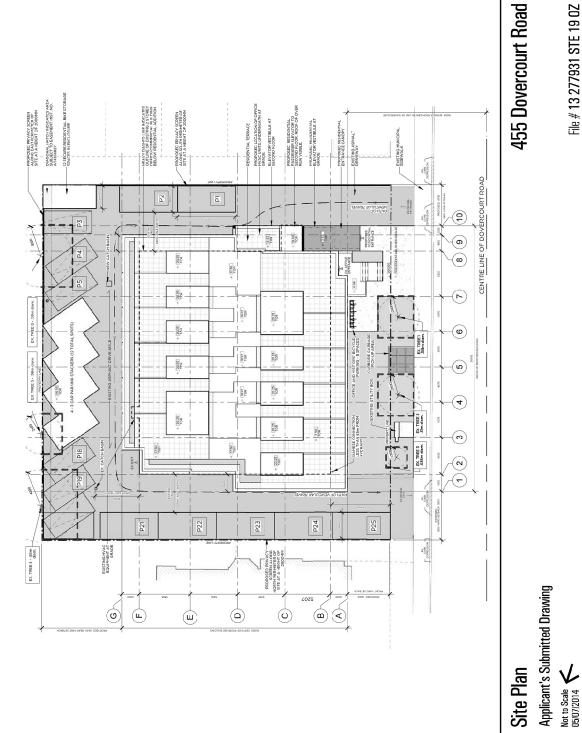
SIGNATURE

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

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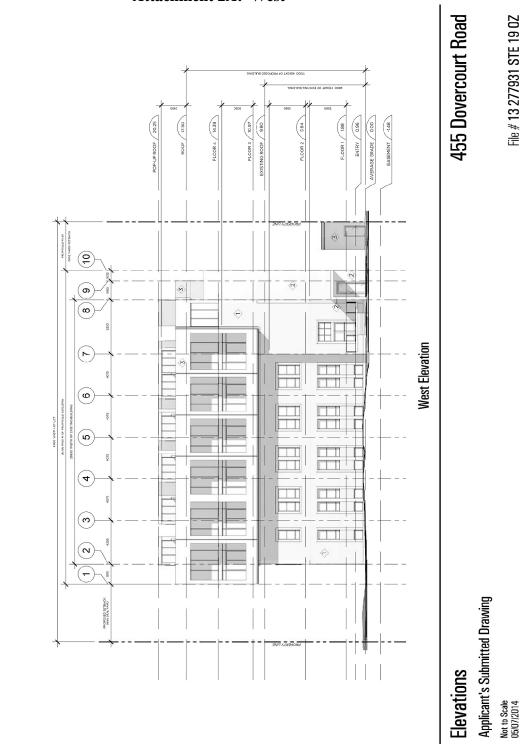
ATTACHMENTS

Attachment 1: Site Plan Attachment 2A to D: Elevations Attachment 3: Zoning Attachment 4: Official Plan Attachment 5: Application Data Sheet Attachment 6: Draft Official Plan Amendment Attachment 7: Draft Zoning By-law Amendment



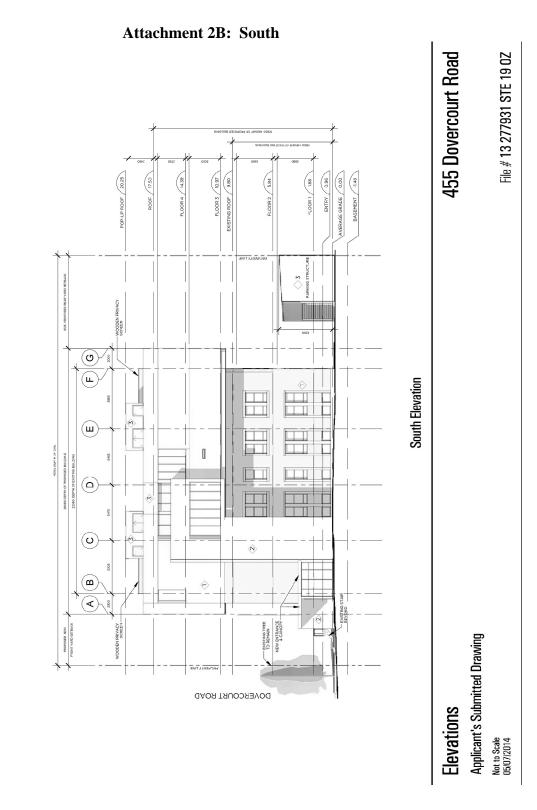
Attachment 1: Site Plan

File # 13 277931 STE 19 0Z

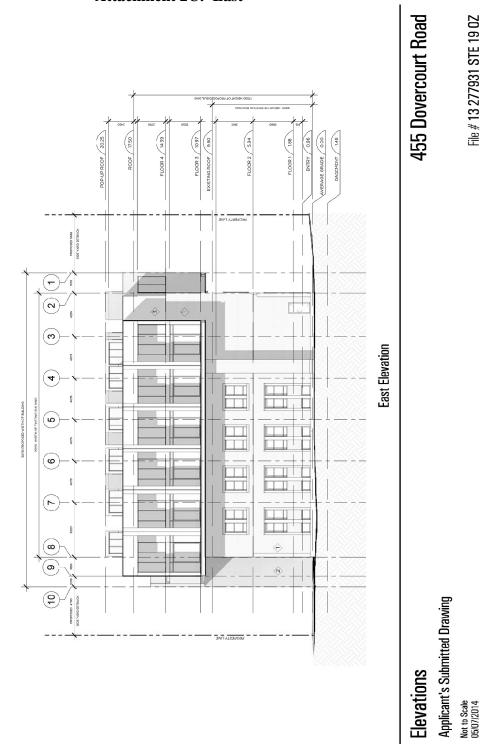


Attachment 2A: West

Elevation

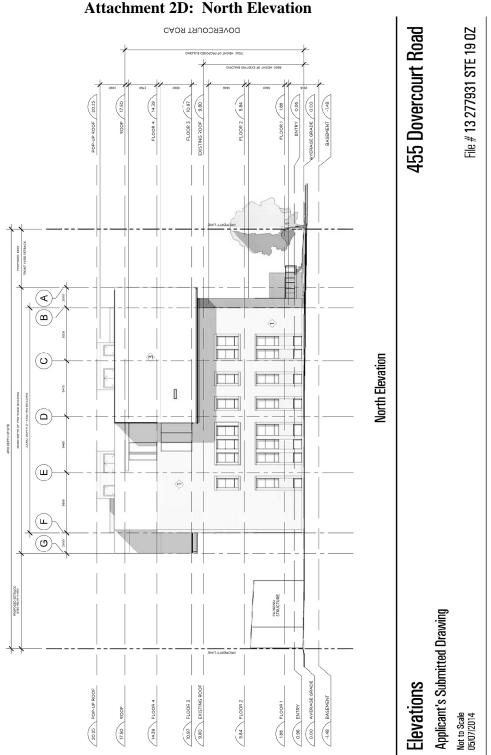


Elevation

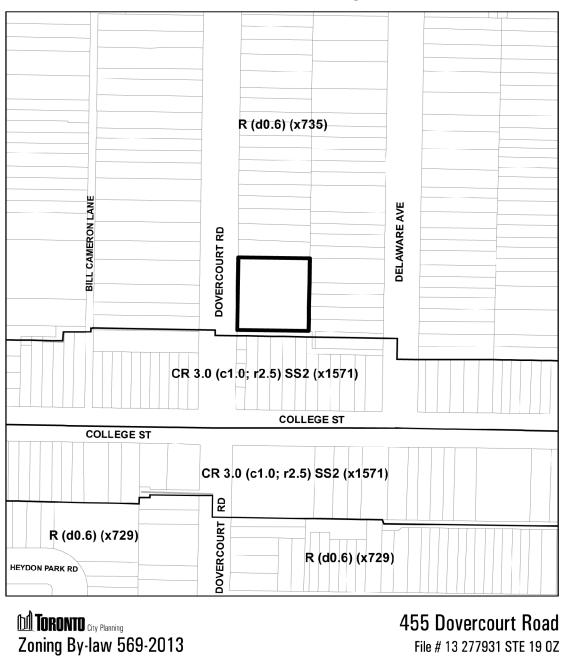


Attachment 2C: East

Elevation



Attachment 2D: North Elevation

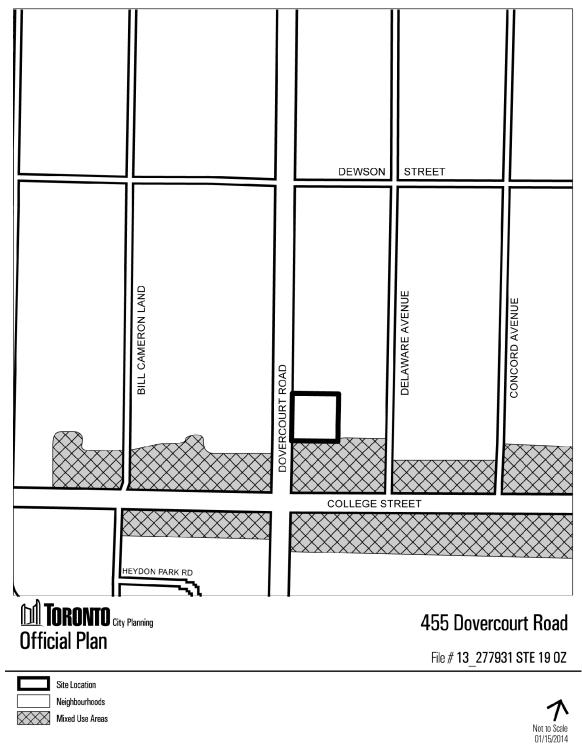


Attachment 3: Zoning



Location of Application Residential Commercial Residential

Not to Scale Extracted 01/13/2014



Attachment 4: Official Plan

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Application Type Rezoning			Application Numbe			: 13 277931 STE 19 OZ		
Details	Rezo	Rezoning, Standard		Application Date:			December 13, 2013		
Municipal Addre	ss: 455	455 DOVERCOURT RD							
Location Descrip	tion: PLA	PLAN 329 BLK M PT LOTS 7 TO 9 **GRID S1902							
Project Description	com store	Rezoning application to an existing 3 storey building to renovate and retain existing commercial uses at the ground and second floors, partial demolition of the 3rd storey and construction of 12, two storey residential condominiums lofts with a total of 1297 square metres of residential gross floor area.							
Applicant:	Applicant: Agent:		gent: A		Architect:		Owner:		
HUNTER & ASSOCIATES LTD				RAW Design			BUILD TORONTO INC		
PLANNING CO	NTROLS								
Official Plan Des	hbourhoods Site Specific Provision:				ion:				
Zoning: R2 Z0.6			*						
Height Limit (m)	: 10			Site Plan Control Area:					
PROJECT INFO	ORMATION								
Site Area (sq. m)	:	1655		Height:	Storeys:	4			
Frontage (m):		41		C	Metres:	2	0.25		
Depth (m):		40							
Total Ground Floor Area (sq. m):511							Tota	al	
Total Residential GFA (sq. m): 129					Parking	Spaces:	25		
Total Non-Residential GFA (sq. m): 1531					Loading	Docks	0		
Total GFA (sq. m	ı):	2828							
Lot Coverage Ratio (%):		31							
Floor Space Index:		1.7							
DWELLING UN	NITS		FLOOR AF	REA BREA	KDOWN	(upon j	project c	ompletion)	
Tenure Type:	Con	do				Above	Grade	Below Grade	
Rooms:	0		Residential G	FA (sq. m)	:	1297		0	
Bachelor:	0		Retail GFA (s	sq. m):		0		0	
1 Bedroom:	0		Office GFA (sq. m):		1531		0	
2 Bedroom:	10		Industrial GF	A (sq. m):		0		0	
3 + Bedroom:	2		Institutional/0	Other GFA	(sq. m):	0		0	
Total Units:	12								
CONTACT:	PLANNER NA	ME:	Charlene Mir	anda, Plan	ner				
	TELEPHONE	(416) 392-943	4						
Staff report for V.05/13	action – Final R	eport – 45	5 Dovercourt R	d				18	

Attachment 6: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item [] as adopted by City of Toronto Council on _____, 2014.

Enacted by Council: _____, 2014

CITY OF TORONTO

BY-LAW No. ~ 2014

To adopt Amendment No. 256 to the Official Plan for the City of Toronto respecting the lands know municipally in the year 2014 as 455 Dovercourt Road

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

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

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

1. The attached Amendment No. 256 to the Official Plan is hereby adopted pursuant to the *Planning Act* as amended.

ENACTED AND PASSED this ~ day of ~ A.D. 2014

ROB FORD, Mayor ULLI S. WATKISS, City Clerk

(Corporate Seal)

AMENDMENT NO. 256 TO THE OFFICIAL PLAN

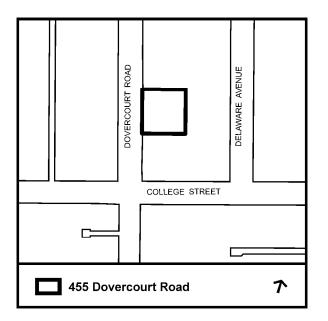
LANDS MUNICIPALLY KNOWN IN THE YEAR 2014 AS 455 Dovercourt Road

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 472 for the lands known municipally in 2014 as 455 Dovercourt Road as follows:

472. 455 Dovercourt Road

An apartment building that contains a maximum of 1,531 square metres of office gross floor area in the basement, first and second floors of the building is permitted.



2. Chapter 7, Map 29, Site and Area Specific Policies, is revised to add the lands known municipally in 2014 as 455 Dovercourt Road shown on the map above as Site and Area Specific Policy No. 472.

Attachment 7: Draft Zoning By-law Amendment