

455 Dovercourt Road – Official Plan Amendment, Zoning Amendment Applications – Supplementary Report

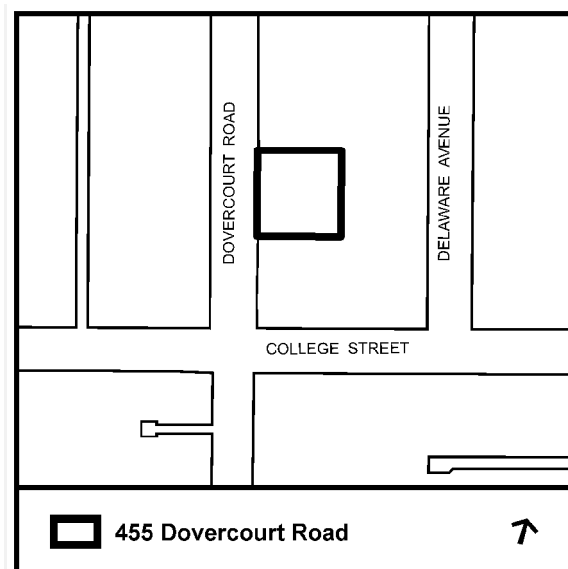
Date:	June 11, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	13 277931 STE 19 OZ & 14 136499STE OZ

SUMMARY

This report is further to the May 30, 2014 report from the Director, Community Planning Toronto and East York recommending approval of the proposed Official Plan Amendment and Zoning By-law Amendment for 455 Dovercourt Road.

The owner has agreed to provide the necessary documentation to demonstrate that a long-term lease agreement has been secured for 4 non-residential parking spaces on a parking lot within 300 metres of the subject site, to the satisfaction of Transportation Services, prior to issuance of a building permit. This change has been reflected through an amendment to Recommendation no. 4 of the May 30, 2014 report.

This report provides draft zoning by-laws attached as Attachment 1 and 2. The residential gross floor area and non-residential gross floor area in the attached Draft Zoning By-laws varies from the gross floor areas noted in the May 30 2014 report as they have been calculated based on detailed calculations included in Zoning By-law 438-86 and 569-2013.



RECOMMENDATIONS

The City Planning Division recommends that the recommendations contained in the May 30, 2014 report from the Director Community Planning, Toronto and East York District be replaced with the following:

1. 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 attached as Attachment No. 1 to the supplementary report (June 11, 2014) from the Director, Community Planning, Toronto and East York District.
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 attached as Attachment No. 2 to the supplementary report (June 11, 2014) from the Director, Community Planning, Toronto and East York District..
4. Prior to introducing the necessary Bills to City Council for enactment, the owner must provide:
 - 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.

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.

CONTACT

Charlene Miranda, Planner

Tel. No. (416) 392-9434

Fax No.

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: Draft Zoning By-law Amendment By-law 438-86

Attachment 2: Draft Zoning By-law Amendment 569-2013

Attachment 1: Draft Zoning By-law Amendment By-law 438-86

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 General Zoning By-law No. 438-86 of the former City of Toronto, with respect to lands municipally known as 455 Dovercourt Road.

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), 4(4), and 4(6), 4(7), Section 6 of By-law 438-86 of 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 and use of a *mixed-use building* on the *lot* which may contain *dwelling units* and non-residential uses and an *accessory parking garage*, provided that:
 - (1) Notwithstanding Section 6(1), only the following non-residential uses shall be permitted:
 - (a) Office
 - (b) *Software design and development establishment*
 - (c) *Data processing establishment*
 - (2) The *lot* is comprised of those lands shown outlined by heavy lines on Map 1 attached and forming part of this By-law;
 - (3) No portion of any building or structure, including the *accessory parking garage*, that may include a *parking stacker*, to be erected or used on the *lot* shall extend beyond the area delineated by the heavy lines on Map 2 attached to and forming part of this By-law;
 - (4) Despite subsection (3) herein, eaves, cornices, lighting fixtures, window sills, landscape planters, awnings, canopies and other minor architectural projections shall be permitted to project no more than 0.45 metres from a building or structure on the *lot*. The entrance canopy shall be permitted as shown on Map 2;

- (5) The *height* of the building or structure on the *lot*, must not exceed the height permitted as indicated by the letter "H" as shown on Map 2 attached to and forming part of this By-law, as measured from the Canadian Geodetic Datum elevation of 104.624 metres;
- (6) Despite subsection (5) herein, parapets, fences, safety railings, mechanical equipment, stairs, terraces, landscape planters, trellises or privacy screens must not project more than 1.2 metres beyond the roof height shown at 17.5 metres on Map 2;
- (7) The total combined *residential gross floor area* and *non-residential gross floor area*, excluding the *accessory parking garage*, on the *lot* shall not exceed a maximum of 3,020 square metres, and:
 - (a) the *residential gross floor area* shall not exceed 1,390 square metres; and
 - (b) the *non-residential gross floor area* shall not exceed 1,630 square metres.
- (8) The *ancillary parking garage* must be located within the heavy lines identified as the double car structure on Map 2 and the area of the *ancillary parking garage* must not exceed 150 square metres;
- (9) The maximum permitted number of *dwelling units* shall be twelve (12), comprised of ten (10) two bedroom units and two (2) three bedroom units;
- (10) A minimum of 235 square metres of *landscaped open space* shall be provided on the *lot*.
- (11) A total of 25 *parking space(s)* must be provided for the development in accordance with the following:
 - (a) A minimum of 12 *parking spaces* must be provided on the *lot* for the 12 *dwelling units*;
 - (b) A minimum of 13 *parking spaces* must be provided for 1,630 square metres of non-residential use on the *lot*, of which:
 - (i) A maximum of 4 of the required non-residential *parking spaces* shall be provided through a long-term lease on a parking lot within 300 metres of the *lot*; and
 - (ii) A minimum of 2 of the required non-residential *parking spaces* on the lot shall be shared residential visitor parking spaces, with each of the designated shared visitor/non-residential *parking spaces* having signage to identify them as shared parking spaces available to visitors of the residential use.
- (12) A *parking stacker* may be located on the *lot* within the outlined area on Map 2 and may have dimensions of not less than 2.6 metres by 5.2 metres and a height of

1.5 metres, except that the platform of such *parking space* may have dimensions of not less than 2.5 metres by 5.0 metres;

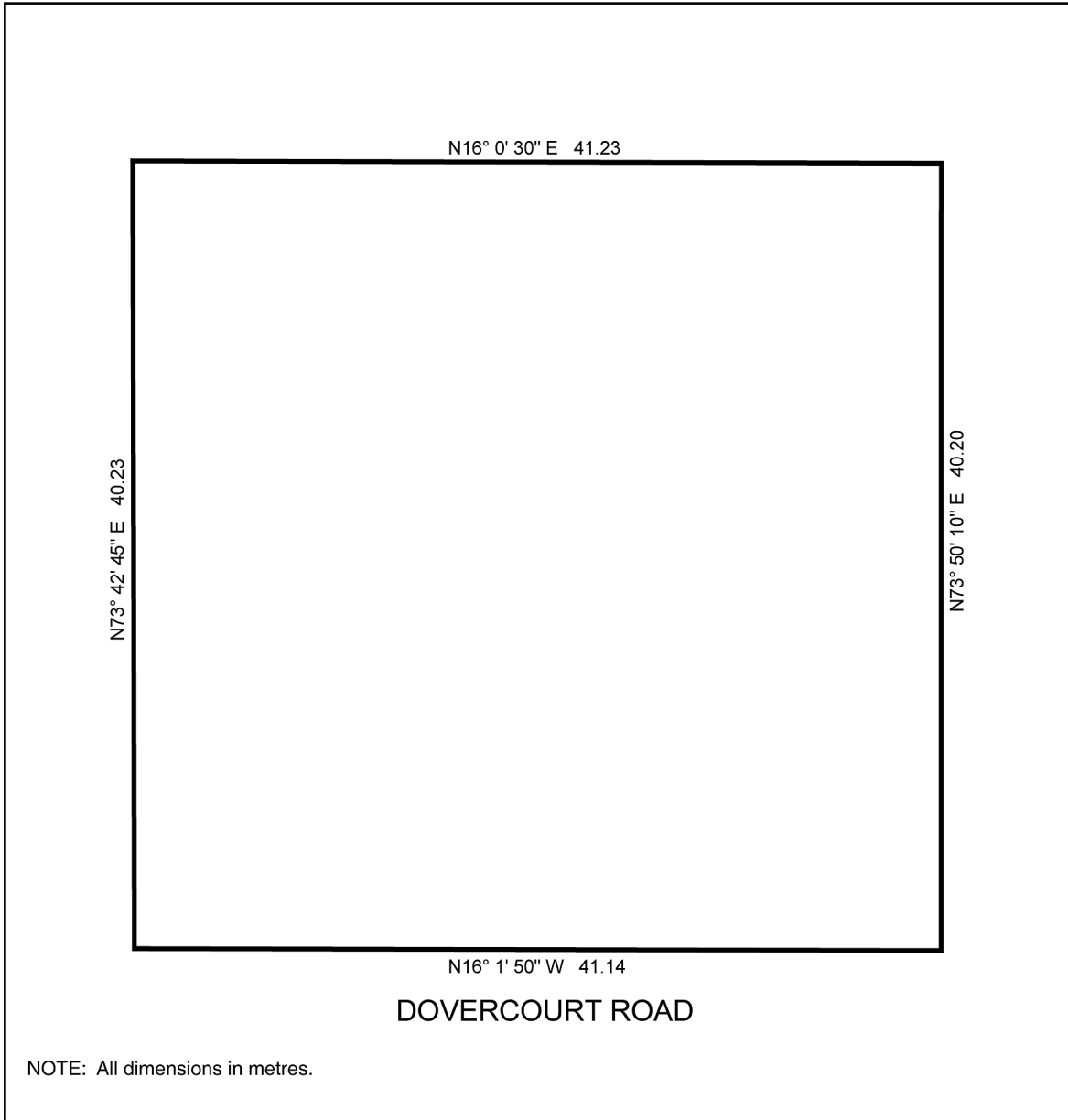
- (13) Despite Section 4(17)(b), (c) & (e), an additional 0.3 metres of widening for one or more obstructions is not required;
- (14) Notwithstanding Section 6(3)Part IV 1(E) of By-law 438-86, a maximum of 1 *parking space* may be permitted on the portion of the *lot* between the front lot line and the front wall of the building.
- (15) A minimum of 20 *bicycle parking spaces* shall be provided and maintained on the *lot*, of which:
- (a) A total of 12 will be *bicycle parking spaces- occupant* , provided for the exclusive use of the residents of the building and located in a secure room or area;
 - (b) A total of 6 will be *bicycle parking spaces- visitor* , provided for the exclusive use of visitors of the residential use of the *building*;
 - (c) A total of 2 will be *bicycle parking spaces- visitor* , provided for the exclusive use of the non-residential use of the *building*;
 - (d) Notwithstanding Section 4(13) of By-law 438-86, 100 per cent of the *bicycle parking space-occupant* may be provided in a manner that requires a person to park the bicycle in a vertical position.
 - (e) *Bicycle parking spaces* that are to be parked in a vertical position, shall have horizontal dimensions of at least 0.375 metres by 0.800 metres and a vertical dimension of at least 2.0 metres;
- (16) Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
- (17) No person shall use any land or erect or use any building or structure on the *lot* 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.

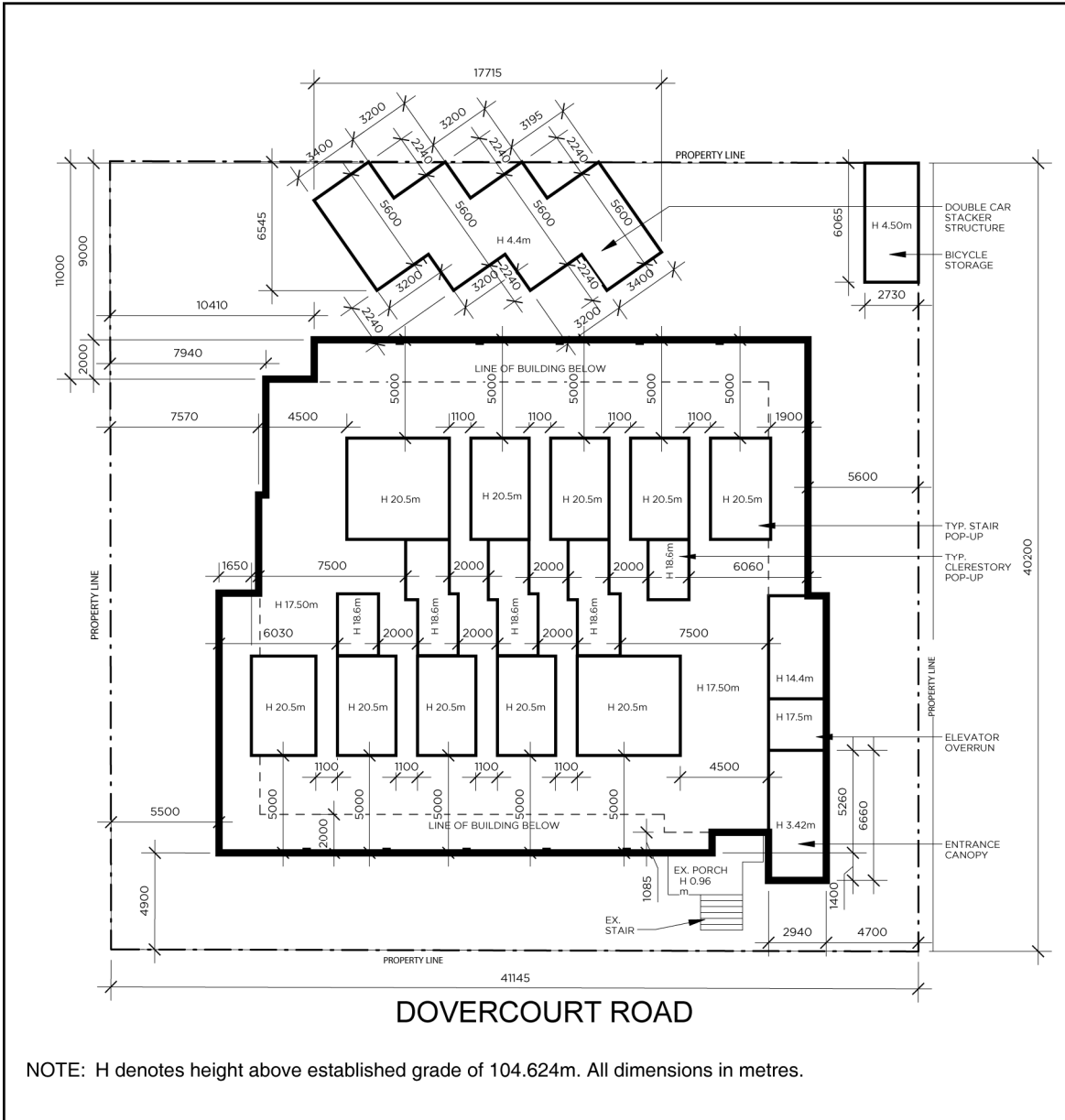
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)





Attachment 2: Draft Zoning By-law Amendment 569-2013

Authority: Toronto and East York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council; ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. [0002, 2014]

To amend the Zoning By-law for the City of Toronto, being By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2014 as, 455 Dovercourt Road.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of 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 HEREBY ENACTS as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by adding to Exception 900.2.10 (735), under the heading 'Site Specific Provisions:' regulations (A) to (P) so that it reads:

Exception [R][x735]

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 455 Dovercourt Road a **mixed use building** or **structure** that complies with the following is permitted:
 - (i) None of the provisions of 10.5, and 10.10, and 200.5.10.1 (1), 200.5.1.10(2) and 220.5.10.1 (5), and 230.5.1.10 (2), (4), (5), (6), and (7), and 230.5.10.1 (1) of City of Toronto By-law No. 569-2013, as amended, shall apply to prevent the erection and use of a **building** on the **lot** that contains **dwelling units**, non-residential **gross floor area**, and the

erection and use of an **ancillary parking garage** with **stacked parking space** on the **lot**, if (B) to (P) are complied with.

- (B) In addition to the uses permitted within the R Zone an office that is not a medical office and **software development and processing** are also permitted uses on the **lot**.
- (C) The **lot** is comprised of those lands shown outlined by heavy lines on Diagram 1 of By-law [Clerks to supply by-law ##];
- (D) No portion of any **building** or **structure**, including the **ancillary parking garage**, to be erected or used on the **lot** shall extend beyond the lines delineated by the heavy lines on Diagram 2 of By-law [Clerks to supply by-law ##];
- (E) Despite subsection (D) herein, eaves, cornices, lighting fixtures, window sills, landscape planters, awnings, canopies and other minor architectural projections is permitted to project no more than 0.45 metres from a **building** or **structure** on the **lot**. The entrance canopy is permitted to project no more than what is shown on Diagram 2 of By-law [Clerks to supply by-law ##];
- (F) The height of any **building** or **structure** on the **lot** must not exceed the maximum height permitted as indicated by the letter “H” as shown on Diagram 2 of By-law [Clerks to supply by-law ##], measured from the Canadian Geodetic Datum elevation of 104.624 metres;
- (G) Despite (F), a parapet wall, fence, safety railing, mechanical equipment, stair, terrace, landscape planter, trellis or privacy screen must not project more than 1.2 metres beyond the height of the roof of the **building** measured at 17.5 metres as indicated on Diagram 2 of By-law [Clerks to supply by-law ##];
- (H) The total **gross floor area** of the **building** must not exceed a maximum of 2,824 square metres and must not exceed:
 - (i) 1,344 square metres for the residential uses **dwelling units** in the **building**; and
 - (ii) 1,480 square metres for the non-residential use.
- (I) The **ancillary parking garage** must be located within the heavy lines identified as the double car structure on Diagram 2 and the area of the **ancillary parking garage** must not exceed a **gross floor area** of 150 square metres.
- (J) The maximum permitted number of **dwelling units** is twelve (12), comprised of ten (10) two bedroom **dwelling units** and two (2) three bedroom **dwelling units**;
- (K) A minimum of 235 square metres of **soft landscaping** shall be provided on the **lot**.
- (L) A total of 25 **parking spaces** must be provided for the development in accordance with the following:

- (i) A minimum of 12 **parking spaces** must be provided on the **lot** for the 12 **dwelling units**;
- (ii) A minimum of 13 parking spaces must be provided for the 1,480 square metres of non-residential use on the **lot**, of which:
 - (a) A maximum of 4 of the required non-residential **parking spaces** must be provided through a long-term lease on a parking lot within 300 metres of the **lot**; and
 - (b) A minimum of 2 of the required non-residential **parking spaces** on the lot must be shared residential visitor parking spaces, with each of the designated shared visitor/non-residential **parking spaces** having signage to identify them as shared parking spaces available to visitors of the residential use.
- (M) Despite 200.5.1.10(2), the minimum dimensions for a of the **stacked parking space** in the **ancillary parking garage** is 2.6 metres wide by 5.2 metres long and a height of 1.5 metres, except that the platform of such parking space may have dimensions of not less than 2.5 metres by 5.0 metres;
- (N) Despite 200.5.1.10(2) (A)(iv), (B)(iv),(C)(iv) and (D), an additional 0.3 metre widening for one or more obstructions is not required;
- (O) A minimum of 20 **bicycle parking spaces** shall be provided and maintained on the *lot*, of which:
 - (i) A total of 12 will be **bicycle parking spaces** provided for the exclusive use of the residents of the building and located in a secure room or area;
 - (ii) A total of 6 will be **bicycle parking spaces** provided for the exclusive use of visitors of the residential use of the **building**;
 - (iii) A total of 2 will be **bicycle parking spaces** provided for the exclusive use of the visitors of the non-residential use of the **building**;
 - (iv) Notwithstanding Article 230.5.10.1 of By-law 569-2013, 100 per cent of the resident **bicycle parking spaces** may be provided in a manner that requires a person to park the bicycle in a vertical position; and
 - (v) **Bicycle parking spaces** that are to be parked in a vertical position, may have horizontal dimensions of at least 0.375 metres by 0.800 metres and a vertical dimension of at least 2.0 metres; and
- (P) Except as otherwise provided herein, the provisions of By-law No. 569-2013, as amended, shall continue to apply to the **lot**;

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

Name,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

