



STAFF REPORT ACTION REQUIRED

299 Campbell Avenue – Zoning Amendment Application – Final Report

Date:	October 26, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 18 – Davenport
Reference Number:	12 236801 STE 18 OZ

SUMMARY

This application proposes a 12-storey, 47 metre high (including mechanical penthouse), mixed-use building comprised of 215 residential units (including 6 live-work units), 930 square metres of library/community facility space and 269 square metres of non-residential floor area at 299 Campbell Avenue. There are 214 parking spaces and 168 bicycle parking spaces located in four levels of underground parking.

A zoning by-law amendment is required as the proposed mixed-use building is not permitted by the current industrial zoning.

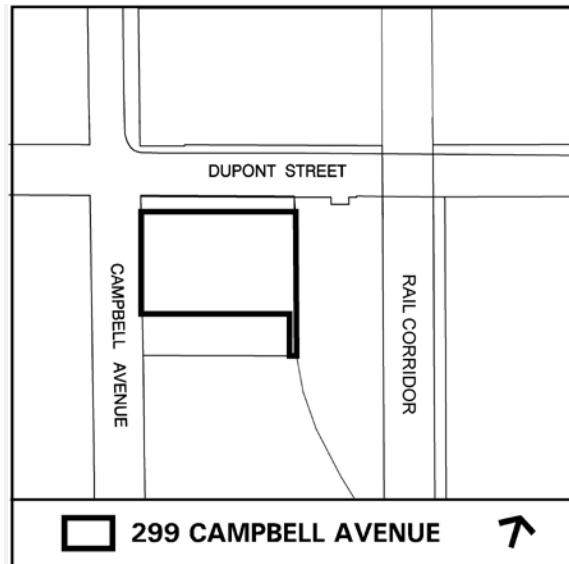
This report reviews and recommends approval of the application to amend the Zoning By-law.

The Draft Zoning By-law Amendment and the community benefits be secured under Section 37 of the *Planning Act* will be included in a Supplementary Report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 for the lands at 299 Campbell Avenue substantially in accordance with the draft Zoning



By-law Amendment to be provided in a Supplementary Report from the Director, Community Planning, Toronto and East York District on or before the November 10, 2015 meeting of Toronto and East York Community Council.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

Applications for Official Plan and Zoning By-law amendments, and Site Plan Control approval, to permit an 18-storey mixed-use building on the site, were submitted on August 28, 2012. A pre-application meeting was held by City staff with the applicant on May 10, 2012. A further pre-application meeting with the applicant was hosted by the Ward Councillor on May 16, 2012.

The Official Plan Amendment application sought to change the land use designation of the site from *Employment Areas* to *Mixed Use Areas*. The Zoning By-law Amendment application was to permit the use, height and density of the proposal.

Since the application was submitted, the City has completed a Municipal Comprehensive Review (MCR) of policies for *Employment Areas*. At its November 21, 2013 meeting, Planning and Growth Management Committee received the Preliminary Planning Report dated October 5, 2012 for information and reviewed the recommendations from the City Planning Division outlined in Site and Area Specific Policy 421. The recommended Policy only allowed employment uses that are compatible with low scale residential dwellings fronting on Campbell Avenue and restricted the uses permitted to: art training facilities, studios and entertainment and recreation facilities. The recommended Policy was amended by Planning and Growth Management Committee in a motion that recommended that residential uses be permitted on the site provided that:

- a) Pedestrian and vehicular access to the site known as 1453 Dupont Street must be maintained.
- b) A minimum of 1,210 square metres of non-residential GFA is provided on the site.
- c) A minimum of 930 square metres of the non-residential space will be dedicated for use by a community facility.
- d) A maximum of 22,950 square metres of residential GFA may be provided on the site.
- e) The maximum height of any building on the site is the lesser of 47 metres or 12 storeys, including the mechanical equipment.
- f) The proposed building provides appropriate transition to the *Neighbourhoods* to the south.

As a result of the Municipal Comprehensive Review (MCR), OPA 231 was approved by City Council on December 18, 2013. OPA 231 contains new policies and designations for

employment areas including a site and area specific policy for 299 Campbell Avenue, as outlined above. The Minister of Municipal Affairs and Housing approved the OPA 231 on July 9, 2014. As there were a number of specific and general appeals to the Ontario Municipal Board, the Official Plan Amendment for 299 Campbell Avenue for a change of land use designation was put on hold. The requested *Mixed Use Areas* designation for 299 Campbell Avenue came into force by an Ontario Municipal Board order dated June 22, 2015.

ISSUE BACKGROUND

Proposal

This application proposes to amend the Zoning By-law to permit a mixed-use building on a site re-designated to *Mixed Use Areas* in the Official Plan but zoned Industrial (I2).

The revised proposal is a 12-storey mixed-use building, comprised of 215 residential units, (including 6 live-work units), 930 square metres of library/community facility space and 269 square metres of non-residential floor space at 299 Campbell Avenue. The existing 1-storey building containing employment and business uses on the site will be demolished.

The proposed density of the new building is 9.0 times the area of the lot. There are 214 vehicular parking spaces and 168 bicycle parking spaces in the proposed 4-level underground parking garage. The main floor of the building includes library/community institutional space, retail space, live-work units, the residential lobby and loading areas.

The main residential entrance of the proposed building faces west toward Campbell Avenue. The secondary residential entrance, and the front entrances of the six live-work units in the building, face south.

A public-right-of-way currently runs parallel to Dupont Street across the north end of the site, in front of the existing building. This right-of-way provides access to the "Cash and Carry" warehouse on the property (1453 Dupont Street) directly east of the site. The applicant proposes to replace the existing right-of-way, and provide vehicular access to the "Cash and Carry" building and the new 299 Campbell Avenue building via a new public lane along the south boundary of the subject site. The entrance for the below-grade parking garage and loading bays are located off the new lane.

For further information, please refer to Attachment Nos. 1-5 for proposal drawings and to Attachment No. 7 for the Application Data Sheet.

Site and Surrounding Area

The site is located on the southeast corner of Dupont Street and Campbell Avenue, just west of the Dupont rail underpass. The site is approximately 2,571 square metres, with a 60 metre frontage on Dupont Street and a 42 metre depth on Campbell Avenue.

Uses surrounding the site are:

North: Immediately north is Dupont Street, which has a significant grade change to the rail underpass to the east. A set of stairs at the front of the property east of the site allows pedestrian access between 1453 Dupont Street and the sidewalk along the south side of Dupont Street. On the north side of Dupont Street are low-rise employment buildings, one containing a restaurant.

South: Immediately south is a narrow, one-storey employment building at 297 Campbell Avenue. Further south is a group of two and three-storey townhouses, some with rear yards adjoining the south property line of 297 Campbell Avenue. On the south side of Antler Street is the Campbell Avenue Playground.

West: On the west side of Campbell Avenue is a 3-storey employment building.

East: Immediately east is a "Cash and Carry" warehouse at 1453 Dupont Street, accessed by the existing right-of-way across the north end of the site from Campbell Avenue. East of the "Cash and Carry" warehouse, is the Metrolinx Barrie rail corridor.

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 site is designated *Mixed Use Areas* in the Official Plan (Map 18). This designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria for Mixed Use Areas include:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;

- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

The policies in Chapter 3 of the Official Plan complement and support the City's growth strategy by integrating social, economic and environmental perspectives in decision-making to create an attractive City, with a strong economy and liveable communities. Policy 3.1.1.1 states that quality architecture, landscape and urban design will be promoted by ensuring new development enhances the quality of the public realm and the pedestrian experience.

Section 3.1.2 of the Official Plan calls for new development to be located and organized to fit its existing and/or planned context. Policies 3.1.2.3 and 3.1.2.4 state that the massing of new development is to fit within the existing context by massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbourhood buildings; providing for adequate light and privacy; providing appropriate sun/shadow and wind conditions; and locating taller buildings to ensure adequate access to sky views.

The site is also subject to Site and Area Specific Policy 421 as described in the Decision History section of this report. Policy 421 addresses pedestrian and vehicular access to the property to the east, the provision of non-residential GFA which includes a community facility, residential GFA and building height, and transition to *Neighbourhoods* to the south.

Zoning

The existing zoning on the site is I2 D2 (Industrial) with a height limit of 14 metres per Zoning By-law 438-86, as amended (see Attachment 6). The I2 zone permits a wide range of employment uses such as storage yards, industrial workshops, manufacturing operations and commercial uses, up to a total density of 2.0 times the area of the lot. Residential uses, live-work units, and retail units are not permitted in the I2 zone.

Site Plan Control

A Site Plan Approval application for the proposed development is under review.

Reasons for Application

A Zoning By-law Amendment application is required because the proposed residential, live/work and retail uses and the proposed building height are not permitted by the Zoning By-law.

Community Consultation

A Community Consultation meeting held on March 26, 2014 at the 'Casa de Maderia' centre was attended by 15 members of the public who raised the following concerns: availability of on-site parking, traffic impact on Dupont Street, vehicular access to the adjacent "Cash and Carry" warehouse, adequacy of proposed laneway for fire access, and the need for bicycle rings, benches and street trees. Support was expressed for relocating the Perth-Dupont Public Library branch to the proposed building.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The proposal conforms with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed change in the zoning of the site from I (Industrial) zone to CR (Commercial Residential) zone will permit the proposed residential, retail and community uses in conformity with policies of the *Mixed Use Areas* designation. The site will continue to have an industrial zoned property (1453 Dupont) buffering it from the rail corridor to the east.

The proposed Zoning By-law amendment conforms to Site and Area Specific Policy 421 of the Official Plan which requires a maximum amount of residential space, and a minimum amount of non-residential space and community facility space, on the site.

Height and Massing

The built form of the proposed development provides an acceptable transition of building height and stepbacks to adjacent development. The height of the building is 41 metres (47 metres including mechanical penthouse). On the west façade, the building is built to the property line, with a stepback of approximately 4 metres above the eighth floor. The north façade has a stepback of approximately 2 metres between the fourth and six floors. On the east façade, the building is built to the property line, stepping back 3 metres above the eighth floor, with the mid-point of the building stepping back a further 5.5 metres to allow more glazing for the residential units.

The south façade has steeper stepbacks to provide greater transition to the neighbourhood to the south. Above the two-storey live-work units, the building steps back 1.5 metres at the third floor, with an increased stepback to 3 metres from the fourth floor. The stepback depth increases at the upper floors, with a stepback of 4.25 metres at the seventh floor, increasing to 6.4 metres at the ninth floor and 7.95 metres at the twelfth floor.

The proposed building will be located approximately 30 metres from the townhouses located to the south of the site. The six proposed live-work units are located in the south portion of the ground floor of the building, approximately 9 metres from the south (rear) property line.

Sun, Shadow, Wind

The Official Plan requires mixed-use developments to adequately limit shadow impact on adjacent *Neighbourhoods*.

There are no shadow impacts on the *Neighbourhoods* to the south. The shadow impacts are acceptable on the adjacent sidewalks and properties.

There is shadow on the north Dupont Street sidewalk on June 21st in the morning for approximately two hours. As well, there is limited shadow on the property between the two residential towers at 800 Lansdowne Avenue on the east side of the rail corridor. Staff is satisfied that the shadow impacts have been limited adequately.

A Pedestrian Level Wind Preliminary Assessment by Theakston Environmental for the original 18-storey proposal concluded that the wind-friendly design elements such as a building base and balconies would mitigate wind effects at the pedestrian level. The study was not updated for the revised 12-storey proposal, but as the lower building has more stepbacks, terraces and balconies, wind impacts should be acceptable.

Traffic Impact, Access, Parking

Parking for the proposed mixed-use building is contained in the four-level underground parking garage. The vehicular access ramp is located at the rear (south) of the proposed building off the new public lane. There are 188 parking spaces for residents, 21 parking spaces for visitors, 1 parking space for the library/community facility use and 3 parking spaces for the retail space. Transportation Services has no further requirements of the applicant regarding parking at this time.

Servicing

A Functional Servicing and Stormwater Management Report by Cole Engineering was submitted on August 29, 2012. The report concludes that sufficient sanitary and water supply is available for the proposed building. An underground storage tank is proposed for stormwater management to meet City standards. Servicing and stormwater management will be further reviewed by Engineering and Construction Services during the Site Plan Approval process.

Railway Vibration and Noise

The applicant submitted a Noise & Vibration Feasibility Assessment prepared by Novus Environmental. The assessment concluded that due to the proximity of the proposed building to the rail corridor, vibration levels are expected to exceed the applicable criterion at grade, but intervening foundation and floors of the building will result in lower vibration levels. Therefore, applicant's consultant recommends no vibration mitigation measures.

The noise assessment of the potential impact of transportation and industrial noise on the proposed building concludes that upgrading of glazing systems may be required in some areas of the building, air conditioning is required for all residential units, and a warning clause respecting vibration and noise is required. Staff proposes that this requirement be included in the Section 37 agreement as a legal convenience.

The proposed building is located approximately 34 metres from the Metrolinx Barrie rail corridor. Metrolinx staff has reviewed the Assessment and has no objections to the proposed development. City Planning staff believes that the setback of the proposed building from the rail corridor is acceptable.

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 site is in an area with 0.2-0.78 hectares of local parkland per 1,000 people. Parks, Forestry and Recreation staff has advised that the development is subject to the alternative park levy rate. The parkland contribution that applies 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.

Streetscape/Public Realm

The proposed development supports policies related to the public realm in Section 3.1.1 of Chapter 3 of the Official Plan by improving the Dupont Street frontage of the site and creating a more interesting pedestrian experience. Improvements will include a vibrant and attractive building face onto Dupont Street, and the addition of library/community space. The existing retaining wall along the Dupont Street frontage will be removed to provide better connections between the proposed building and the public realm.

The proposed building design and massing has been reduced and refined to an appropriate size and configuration for the proposed land use, promoting street-oriented development and providing space for parking and servicing needs at the rear of the building. Details of Dupont Street and Campbell Avenue streetscaping and the landscaping for this development are being reviewed through the Site Plan Approval process.

Policy 3.1.2.2 describes how the location of vehicle access, parking and loading should be organized to minimize the impacts on the safety and attractiveness of the public realm. This application proposes to move the public lane and vehicular access to the south end of the site,

away from the intersection of Campbell Avenue and Dupont Street, to improve the public realm at the street corner.

Protected Species

Chimney Swifts, a protected bird species under Ontario Regulation 242/08 and the *Migratory Birds Convention Act*, were confirmed by an accredited source on June 16, 2015, as actively nesting in the existing building on the site. The Ontario Ministry of Natural Resources was contacted. The Management Biologist at the Ministry advised that the existing building must not be demolished until the birds have left after the nesting season at the end of the summer. If the nest is to be removed, authorization under the *Endangered Species Act* is required. The applicant has agreed to follow required protocols.

Toronto Green Standard

Toronto Green Standard (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. The applicant is required to meet Tier 1.

Section 37

The Section 37 community benefits to be secured as part of this development will be outlined in a Supplementary Report.

CONTACT

Barry Brooks, Senior Planner
Tel. No. (416) 392-1316
E-mail: bbrooks@toronto.ca

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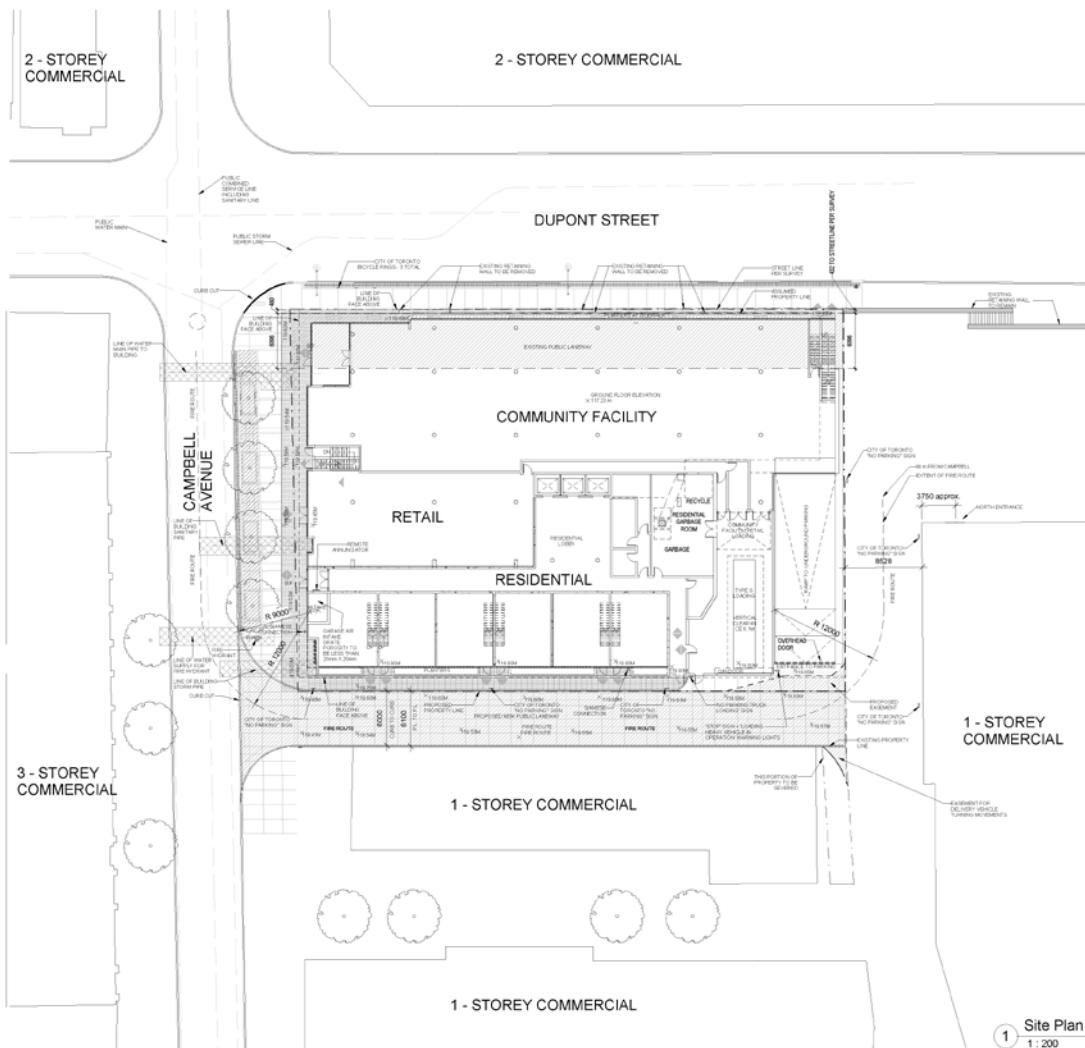
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: North Elevation
- Attachment 3: South Elevation
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- Attachment 6: Zoning
- Attachment 7: Application Data Sheet
- Attachment 8: Draft Zoning By-law Amendment and Section 37 Conditions
- Attachment 9: Terms Sheet for Library Shell Space

Attachment 1: Site Plan



Site Plan

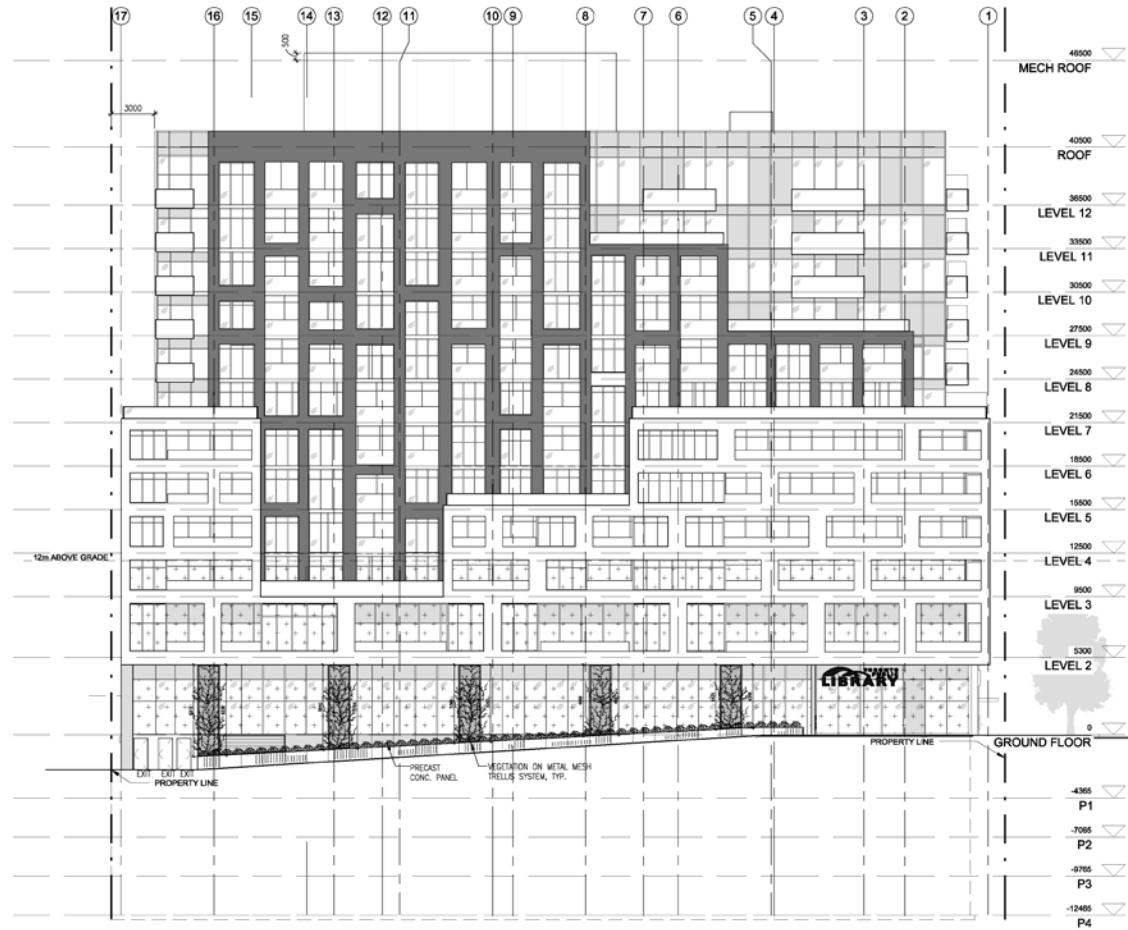
Applicant's Submitted Drawing

Not to Scale
07/14/2015

299 Campbell Avenue

File # 12 236801 STE 18 07

Attachment 2: North Elevation



North Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
07/14/2015

299 Campbell Avenue

File # 12 236801 STE 18 OZ

Attachment 3: South Elevation



Elevations

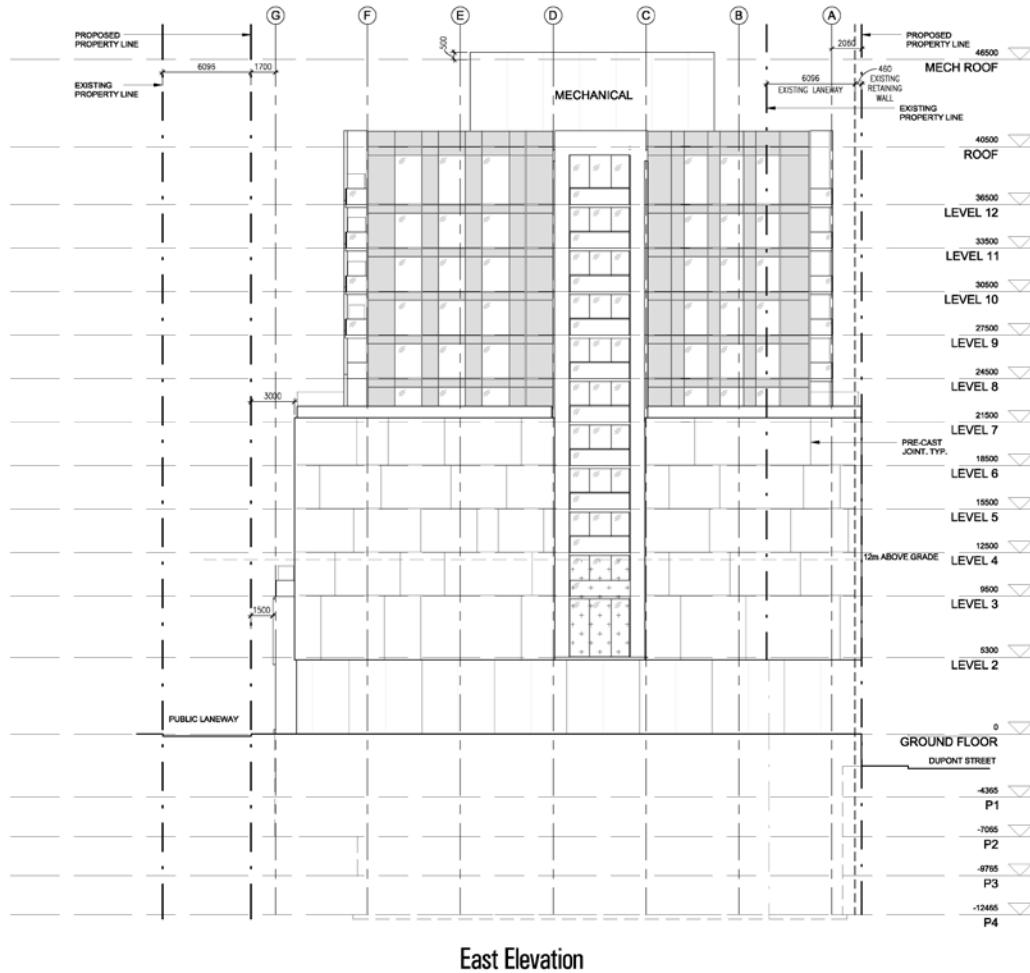
Applicant's Submitted Drawing

Not to Scale
07/14/2015

299 Campbell Avenue

File # 12 236801 STE 18 OZ

Attachment 4: East Elevations



Elevations

Applicant's Submitted Drawing

Not to Scale
07/14/2015

299 Campbell Avenue

File # 12 236801 STE 18 OZ

Attachment 5: West Elevation



West Elevation

Elevations

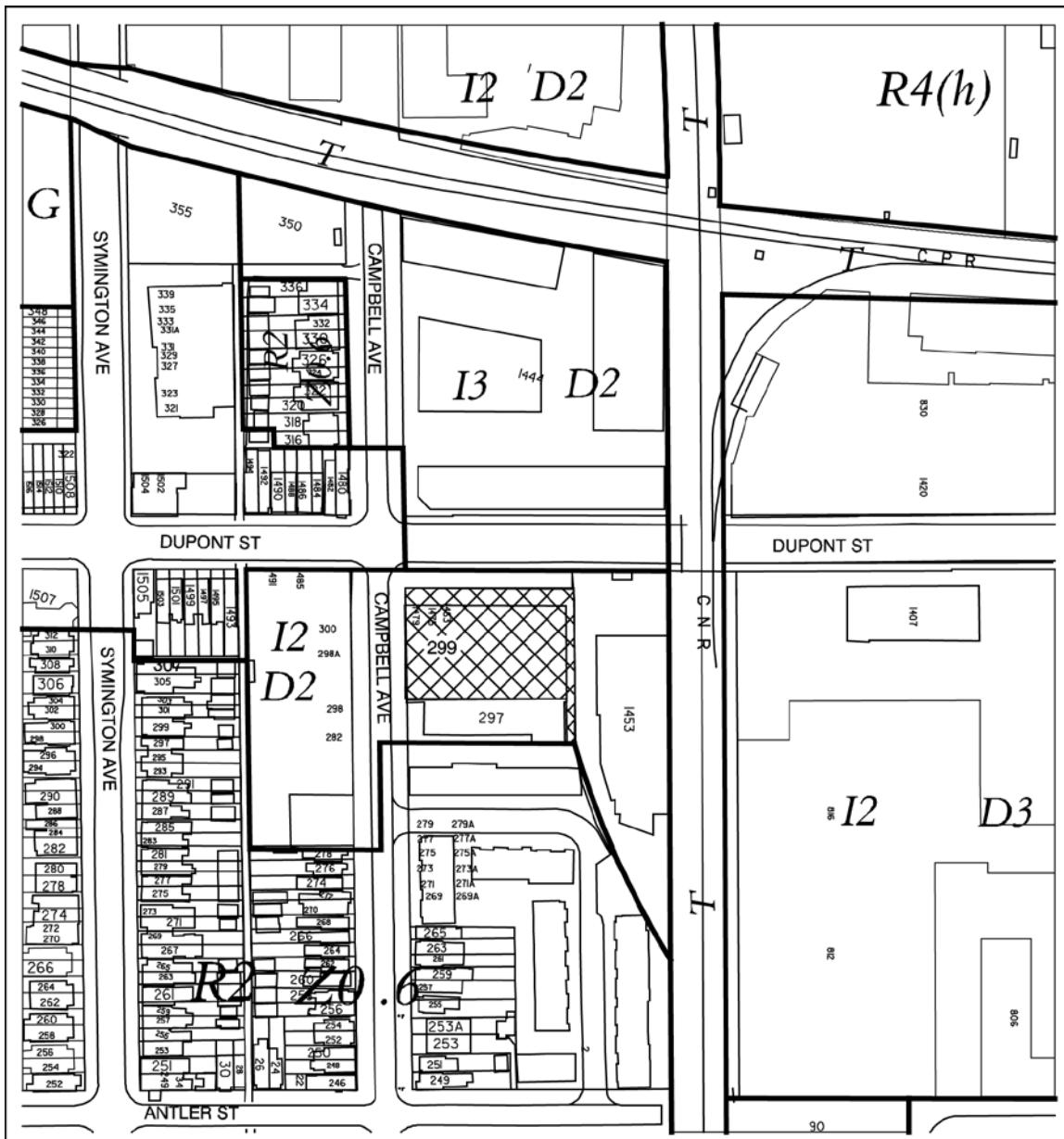
Applicant's Submitted Drawing

Not to Scale
07/14/2015

299 Campbell Avenue

File # 12 236801 STE 18 OZ

Attachment 6: Zoning



TORONTO
City Planning
Zoning

G	Industrial District
R2	Residential District
R4	Residential District

I2	Industrial District
I3	Industrial District
T	Industrial District

299 Campbell Avenue
File # 12_236801_0Z



Not to Scale
Zoning By-law 438-86 as amended
Extracted 09/07/2012

ATTACHMENT 7: Application Data Sheet

Application Type	Rezoning	Application Number:	12 236801 STE 18 OZ
Details	Rezoning, Standard	Application Date:	August 28, 2012
Municipal Address:	299 CAMPBELL AVE		
Location Description:	PLAN M13 LOT 150 & 151 PT LOT 149 & 152 PLAN M13 PT LT 155 156 & 161 **GRID S1801		
Project Description:	Mixed use 12-storey building with retail and public library on main floor and 215 residential units above (includes 6 live/work units). There are 214 parking spaces in the 4 level underground garage, and 168 bicycle parking spaces. See 12 236808 STE 18 SA for Site Plan Approval application.		
Applicant:	Agent:	Architect:	Owner:
TAS DESIGN BUILD	Ali Saneinejad	Stephen Teeple	299 CA DEVELOPMENT INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	I2 D2	Historical Status:	N
Height Limit (m):	14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2525.65	Height: Storeys:	12
Frontage (m):	0	Metres:	46.5
Depth (m):	0		
Total Ground Floor Area (sq. m):	2236		Total
Total Residential GFA (sq. m):	21749	Parking Spaces:	214 (2 Library)
Total Non-Residential GFA (sq. m):	1250	Loading Docks	1
Total GFA (sq. m):	22687		
Lot Coverage Ratio (%):	87		
Floor Space Index:	9.0		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Other	Above Grade	Below Grade
Live/work:	6	Residential GFA (sq. m):	21749
Bachelor:	5	Retail GFA (sq. m):	269
1 Bedroom:	45	Office GFA (sq. m):	0
2 Bedroom:	153	Industrial GFA (sq. m):	0
3 + Bedroom:	6	Institutional/Other GFA (sq. m):	930
Total Units:	215		

CONTACT: **PLANNER NAME:** **Barry Brooks, Senior Planner**
TELEPHONE: **(416) 392-1316**

Attachment 8: Draft Zoning By-law Amendment and Section 37

**** To be provided on or before the November 10, 2015
Toronto & East York Community Council Meeting ****

Attachment 9: Terms Sheet for Library Shell Space

**** To be provided on or before the November 10, 2015
Toronto & East York Community Council Meeting ****