

**45 Dovercourt Road – Zoning Amendment Application – Final Report**

<b>Date:</b>	August 18, 2016
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 19 – Trinity-Spadina
<b>Reference Number:</b>	15-177235 STE 19 OZ

**SUMMARY**

This application proposes to amend the Zoning By-law to permit the construction of a 6-storey 25-unit residential building at 45 Dovercourt Road.

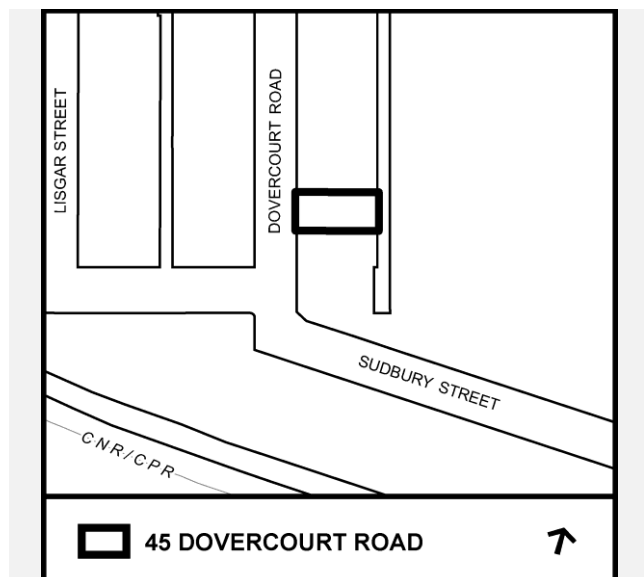
The proposal will have an overall gross floor area of 2945 square metres. A total of 24 parking spaces will be provided in parking stackers. The proposed development is an appropriate infill development on the subject site.

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, as amended for the lands at 45 Dovercourt Road substantially in accordance with the draft Zoning By-law Amendment to be available at the September 7, 2016 Toronto and East York Community Council Meeting.
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.

3. Before introducing the necessary Bills to City Council for enactment, require the owner(s) to:
  - a. Provide a revised functional servicing and stormwater management report to the satisfaction of the Executive Director, Engineering and Construction Services for review and acceptance.
  - b. Make satisfactory arrangements with the Executive Director, Engineering and Construction Services for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, in accordance with the functional servicing report accepted by the Executive Director, Engineering and Construction Services.
  - c. Obtain and submit a discharge agreement/permit from City of Toronto, Toronto Water, Environmental Monitoring and Protection Section for discharging groundwater to city sewers, if applicable.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

A Preliminary Report was adopted by Toronto and East York Community Council on September 8, 2015 and can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2015/te/bgrd/backgroundfile-82588.pdf>

### **ISSUE BACKGROUND**

#### **Proposal**

The proposed development consists of a 6-storey residential building with 25 residential units. Parking spaces for 24 cars will be provided in parking stackers within the rear of the building.

Since the Preliminary Report, revisions have been made to the proposal. The significant changes have been revisions to the massing on the north side of the 3<sup>rd</sup> and 4<sup>th</sup> floor at the rear of the building, an increase in the amount of indoor amenity space, and more privacy screening measures on the outdoor balconies and roof top patios.

The revised proposal contains a total of 2,945 square metres of residential gross floor area. A total of 50 square metres of indoor amenity space will be provided in the lower level of the building. The total density for the site is 4.36 times the lot area. The height of the building is 18 metres (21 metres including mechanical penthouse and staircase overruns).

The residential unit breakdown is as follows: 5 one-bedroom; 18 two-bedroom; and 2 three-bedroom.

Parking for 24 cars will be provided with parking stackers inside the rear of the building, accessed off the public lane. The stackers will be accessed on the ground floor and are lowered into the basement level and raised to the second floor. No visitor parking spaces are proposed. A total of 26 residential and visitor bicycle parking spaces are proposed. 23 residential bicycle spaces will be provided in the basement level in a secured accessed area. A total of 3 visitor bicycle spaces are to be provided in front of the building on Dovercourt Road.

The existing public lane to the east of the site will be widened by 1.5 metres to accommodate vehicular access to the residential parking.

The proposal does not have a loading space, as one is not required by the Zoning By-law. Garbage and recycling storage areas are proposed in the basement level with a secondary storage area on the ground floor.

Refer to Attachment Nos. 1-5 for drawings of the proposed development and Attachment 7 for the Application Data Sheet.

### **Site and Surrounding Area**

The subject site is located on the east side of Dovercourt Road north of Sudbury Street. The site has a frontage of 17.98 metres on Dovercourt Road and a depth of 38.92 metres, with an overall lot area of approximately 700 square metres. The existing site is a surface parking lot currently occupied by a temporary sales centre for the development.

Development in the vicinity of the site consists of a mix of residential, commercial and institutional uses as follows:

North: North of the site on Dovercourt Road are single detached, semi-detached and rowhouses ranging in height from 2 to 2 ½ storeys which are designated *Neighbourhoods* in the Official Plan.

East: East of the site is a public laneway. Further east is the Centre for Addiction and Mental Health, with buildings ranging in height from 2 to 10-storeys.

South: Immediately south of the site, is 41 Dovercourt Road, currently occupied by a two-storey industrial building and surface parking lot, with zoning permissions for a 10-storey mixed use building containing 75 residential units with office and commercial on the 1<sup>st</sup> and 2<sup>nd</sup> storeys. Further south is Sudbury Street with 4-storey townhouses to the east of Dovercourt Road and on the west side of Dovercourt Road are two office and commercial buildings ranging in height from 1 to 2-storeys. The Lower Galt Subdivision Rail Line runs along the south side of the properties abutting Sudbury Street, and is commonly referred to as the Metrolinx GO Georgetown line, which has been recently expanded to accommodate the UP Express from Union Station to Pearson International Airport.

West: Immediately west of the site is 8 Dovercourt Road, an 11-storey mixed use building. Further west is the West Queen West Triangle Area which consists of buildings ranging in height from 8 to 21-storeys.

## **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, by the *Planning Act*, to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The site is designated *Regeneration Area* in the City of Toronto Official Plan. *Regeneration Areas* are areas of the City with a mix of uses including commercial, residential, live/work, institutional and light industrial. These are areas that are no longer in productive urban use due to shifts in the local or global economies, but they represent an opportunity to direct growth in the City.

The site is also within the Garrison Common North Secondary Plan Area. The Secondary Plan's major objectives include:

- ensuring that new development be integrated into the established city fabric;
- permitting a variety of land uses and densities;
- providing community services and facilities; and
- ensuring a range of housing types in terms of size, type, affordability and tenure.

With respect to urban structure and built form, the Garrison Common North Secondary Plan calls for new developments to be designed to easily adapt to conversion with particular focus on:

- use of street level spaces;
- ability to facilitate changes in market demand for services and activities;
- ability to provide for a range of dwelling types, with an emphasis on grade-related units that are suitable for households with children;

- shared open space, parking facilities and servicing areas between development parcels, where possible; and
- where land is adjacent to a lane, vehicular access to a site should be taken from the lane for any use and the existing lane system should be enhanced.

In addition to the Garrison Common North Secondary Plan, the Official Plan policies regarding Healthy Neighbourhoods and Built Form, among others, are also applicable. They include objectives such as:

- developments in *Regeneration Areas* that are adjacent to *Neighbourhoods* will:
  - be compatible with those *Neighbourhoods*;
  - provide a gradual transition of scale and density, as necessary to achieve the objectives of the Official Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
  - maintain adequate light and privacy for residents in those *Neighbourhoods*;
  - attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*;
  - new development will locate service areas and vehicular access to limit impact on adjacent street; and
  - new development will be massed to fit harmoniously into its existing and/or planned context.

## **Zoning**

The site is subject to former City of Toronto Zoning By-law 438-86, as amended. Zoning By-law 569-2013 does not apply to the site.

Under the former City of Toronto Zoning By-law 438-86, the site is zoned for Industrial Uses, I2 D3, permitting a variety of non-residential uses at a density of 3.0 times the lot area and restricting the building height to 18.0 metres. Residential uses are not permitted in this zoning category.

## **Site Plan Control**

A site plan application has also been submitted with this application and is under review.

## **Reasons for Application**

A Zoning By-law amendment application is required to permit residential uses on the site. In addition, the applicant is requesting an increase in density.

## **Community Consultation**

A community consultation meeting was held on October 13, 2015. Approximately 15 members of the public attended and raised the following issues:

- concern with the overall height;

- better transitions needed to the neighbourhood;
- shadows on the adjacent house to the north;
- overlook and privacy from rooftops;
- front yard setback of building to match the houses to the north;
- noise from parking stacker mechanical penthouse;
- solid waste management;
- laneway traffic and speeds; and
- no provision of visitor parking;

Consideration was given to all the comments received and the issues raised by the community are addressed in the Comments section below.

### **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**

Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement, 2014 as it complies with the Official Plan, one of key considerations in the PPS. It also conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### **Land Use**

The proposal is for a residential building. Staff have determined that the proposed residential use is appropriate for this site and complies with the *Regeneration Areas* Policies contained in the Official Plan.

The existing site is zoned I2 which allows for a range of industrial uses. This application proposes to rezone the subject site to an RA (Reinvestment Area) zoning designation. The uses in an RA zone are similar to the uses in an Industrial zone with the addition of residential and office use permissions.

### **Density, Height, Massing**

The original application submitted proposed a 6-storey residential building. Following the community consultation meeting and discussions with staff, the applicant revised the proposal by reducing the mass along the rear portion of the north elevation on the 3<sup>rd</sup> and 4<sup>th</sup> storey. This will allow a better transition to the *Neighbourhoods* to the north.

The overall height has remained the same as the original proposal. The subject site is zoned Industrial and has a maximum height permission of 18 metres. The abutting property to the

south has zoning permissions for a 10-storey (31.5 metre) mixed use building. Other recent developments in the West Queen West Triangle along Sudbury Street west of the site have heights ranging from 11 to 21 storeys. The higher heights are located at the western edge of Sudbury Street lowering down to 11 storeys at 40 Dovercourt Road, which is directly across the street from the proposal. The houses north of the property are heights of 2 to 2 ½ -storeys.

Section 3.1.2 of the Official Plan contains Built Form policies that establish a framework requiring new development to fit within the existing or planned context. New development is required to provide an appropriate transition in height and massing to areas of different intensity and scale, particularly physically stable low scale *Neighbourhoods*.

The lots to the north of the subject site are designated as Neighbourhoods in the Official Plan, and they are zoned for residential use with a maximum height of 10 metres. Therefore, an appropriate transition from the heights on the subject site which is designated *Regeneration Area*, and the properties to the north is required. The proposed building steps down in height to 11.8 metres (4 storeys) on the north part of the building. In addition, there is a courtyard area in the middle of the northern half of the building that is approximately 9 metres in width and provides outdoor space for the ground, 3<sup>rd</sup> and 4<sup>th</sup> floor units.

The mechanical penthouse and staircase overruns are permitted in small zones set back on the roof to a maximum height of 21 metres.

The proposed development will have an overall density of 4.36 times the lot area, or 2,945 square metres of total gross floor area. Although the proposed density of 4.36 times the lot area is greater than the 3.0 times the lot area permitted in the Zoning By-law, staff are of the opinion that the proposed height and the increase in density is appropriate as the proposed massing provides a suitable transition to the low density residential to north and satisfies the intent of the Secondary Plan policies.

### **Sun and Shadow**

The applicant submitted a sun/shadow study for the months of March, June and September in support of the proposal. During the equinoxes (Sept 21<sup>st</sup>/March 21<sup>st</sup>) there is some incremental shadow impact on the first few residential properties to the north of the subject site during the morning and mid-day, as well as a small part of the western limits of the CAMH site mid-day. However, the shadow shown is mainly within the as-of-right building envelope permissions and has a minimal impact to the Neighbourhoods to the north.

### **Traffic Impact, Access, Parking**

The applicant submitted a Parking and Traffic Assessment for review as part of their application. Transportation Services have raised no concerns with regard to the proposed impacts associated with the 25-unit proposal and have determined that the traffic generated by the development is appropriate and can be accommodated on the existing road network.

The vehicular access for the site will be accessed from the rear of the building off the public lane.

The garbage pick-up for the site will be accessed off the public lane. The public lane on the east side of the site is used not only for this development but also serves the residential houses north of the site on Dovercourt Road. This site is subject to a 1.5 metre lane widening for a section along the northeastern edge of the property, which will allow for easier access to the parking garage.

## **Servicing**

The applicant will be required to submit a revised Functional Servicing Report to the satisfaction of the Executive Director, Engineering and Construction Services, prior to the Zoning By-law being forwarded to City Council for approval. In the event that any improvements to municipal infrastructure are required to support the development, the applicant will be required to enter into an agreement with the City for the construction of those improvements.

## **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 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for one new building with 25 residential units. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 333 square metres or 48 % of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 70 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in lieu. This is appropriate as the site is 250 metres from Paul Garfinkel Parkette and the 70 square metres would be too small an area to be a functional park.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **Amenity Space**

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development, such as access to balconies and terraces, courtyards, rooftop gardens and other types of outdoor spaces. In addition, the former City of Toronto Zoning By-law 438-86 requires that a minimum of 2 square metres per unit of indoor and outdoor amenity space be provided.



The adequacy of the amenity space proposed was considered through the review of the application. The original application proposed 30 square metres of indoor amenity space in the basement level with no outdoor amenity space. Planning staff had concerns regarding the location and limited size of the indoor amenity space. The applicant revised the plan to increase the size of the indoor amenity space to meet the required 50 square metres, and also incorporated a kitchen and a washroom within the space.

In regards to the lack of outdoor space, the applicant has proposed that each of the dwelling units will have access to a balcony or terrace, which provides outdoor space for individual respite.

Given the size of the building, the balconies and terraces provided for each unit are an acceptable means of providing outdoor amenity space.

Amenity space and balconies will be secured in the zoning by-law

### **Mix of Unit Sizes**

The proposed development includes a range of residential unit sizes with a mix of 5 one-bedroom units (20%); 18 two-bedroom units (72%); and 2 three-bedroom units (8%). The size of the units range between 717 to 1504 square metres, with the average size being 1018 square metres.

Staff are of the opinion that the proposal is providing a varied mix of unit sizes that meet the City's policies on providing a range of housing opportunities.

### **Streetscape**

A 2.1 metre sidewalk is proposed, in addition to 3.4 metres of front yard landscaping which will be secured through the site plan process. The applicant will have to confirm compliance with the City's Vibrant Streets Design Guidelines.

### **Toronto Green Standard**

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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.

### **Conclusion**

Staff recommend approval of the application at 45 Dovercourt Road as it is in keeping with the area's planned context, is appropriate for the site and consistent with the Regeneration

Areas policies in the Official Plan and the policies in the Garrison North Common Secondary Plan.

## **CONTACT**

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E-mail: apelt@toronto.ca

## **SIGNATURE**

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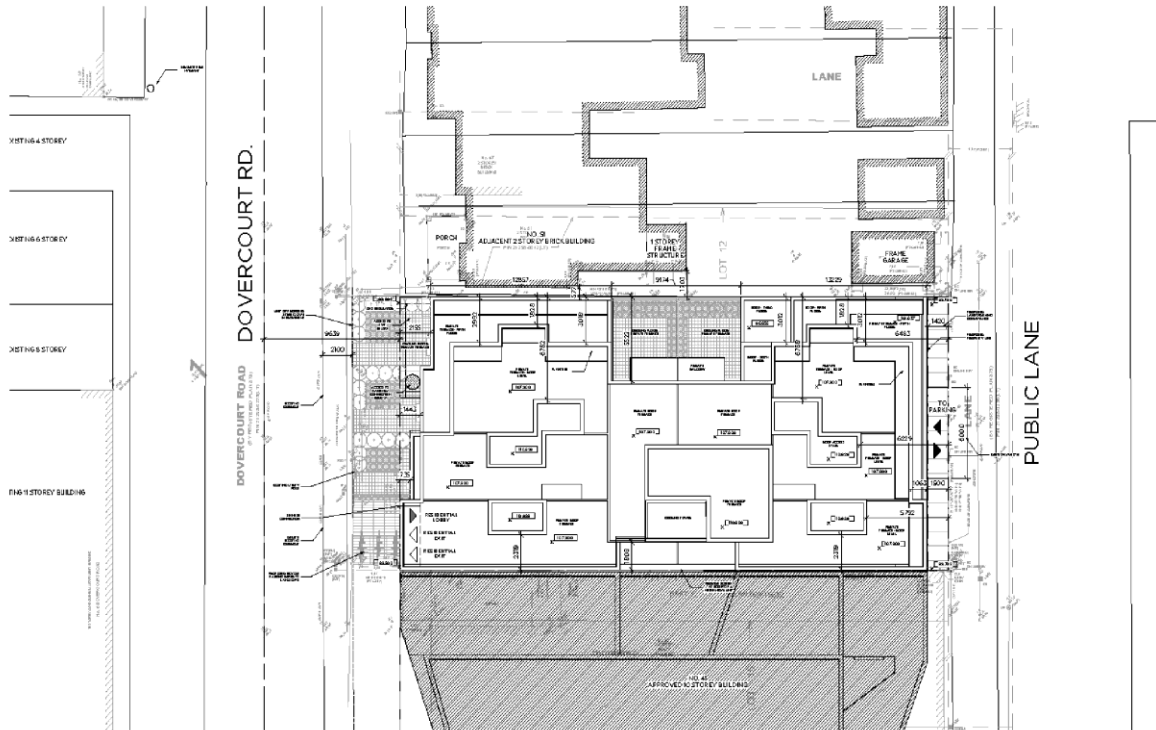
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: West Elevation  
Attachment 3: North Elevation  
Attachment 4: South Elevation  
Attachment 5: East Elevation  
Attachment 6: Zoning  
Attachment 7: Application Data Sheet  
Attachment 8: Draft Zoning By-law Amendment 438-86  
Attachment 9: Draft Zoning By-law Amendment 569-2013

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

Not to Scale  
07/28/2016

45 Dovercourt Road

File # 15 177235 STE 19 0Z

## Attachment 2: West Elevation



### West Elevation

Applicant's Submitted Drawing

Not to Scale  
07/28/2016



45 Dovercourt Road

File # 15 177235 STE 19 0Z

### Attachment 3: East Elevation



## East Elevation

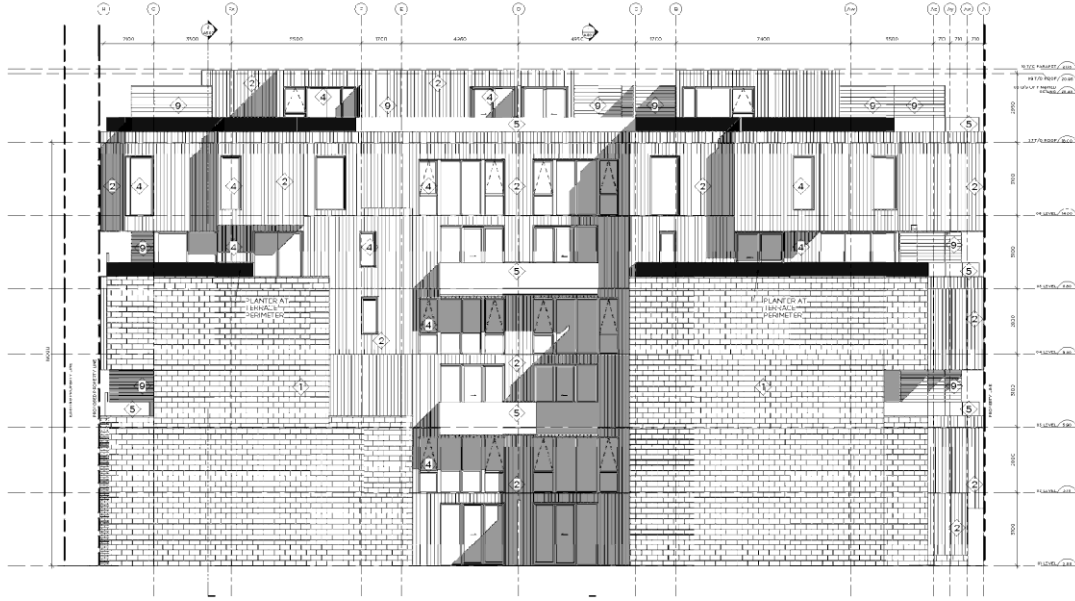
Applicant's Submitted Drawing

Not to Scale  
07/28/2016

45 Dovercourt Road

File # 15 177235 STE 190Z

# Attachment 4: North Elevation



North Elevation

Applicant's Submitted Drawing

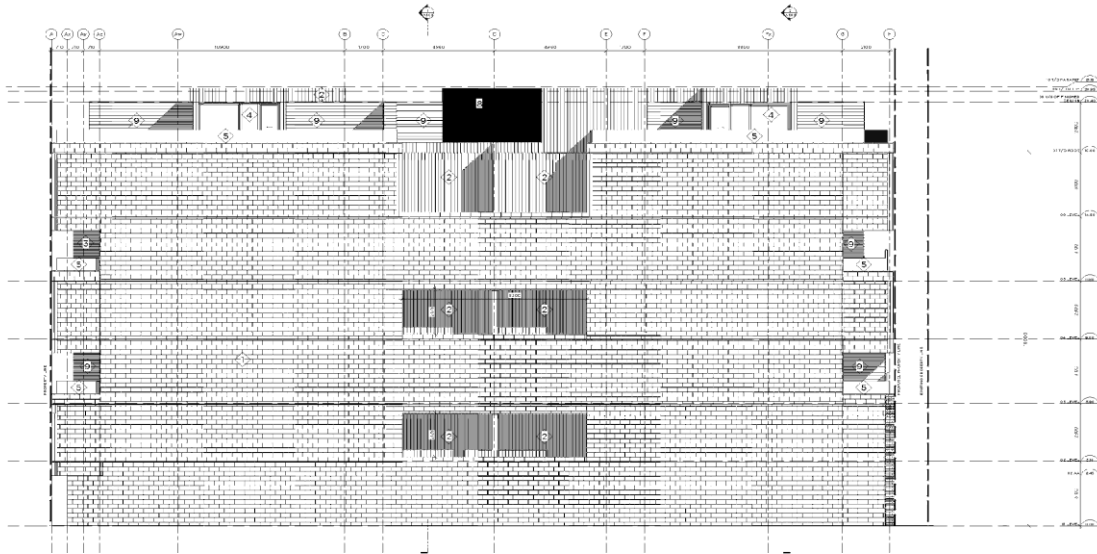
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45 Dovercourt Road

File # 15 177235 STE 19 0Z

## Attachment 5: South Elevation



### South Elevation

Applicant's Submitted Drawing

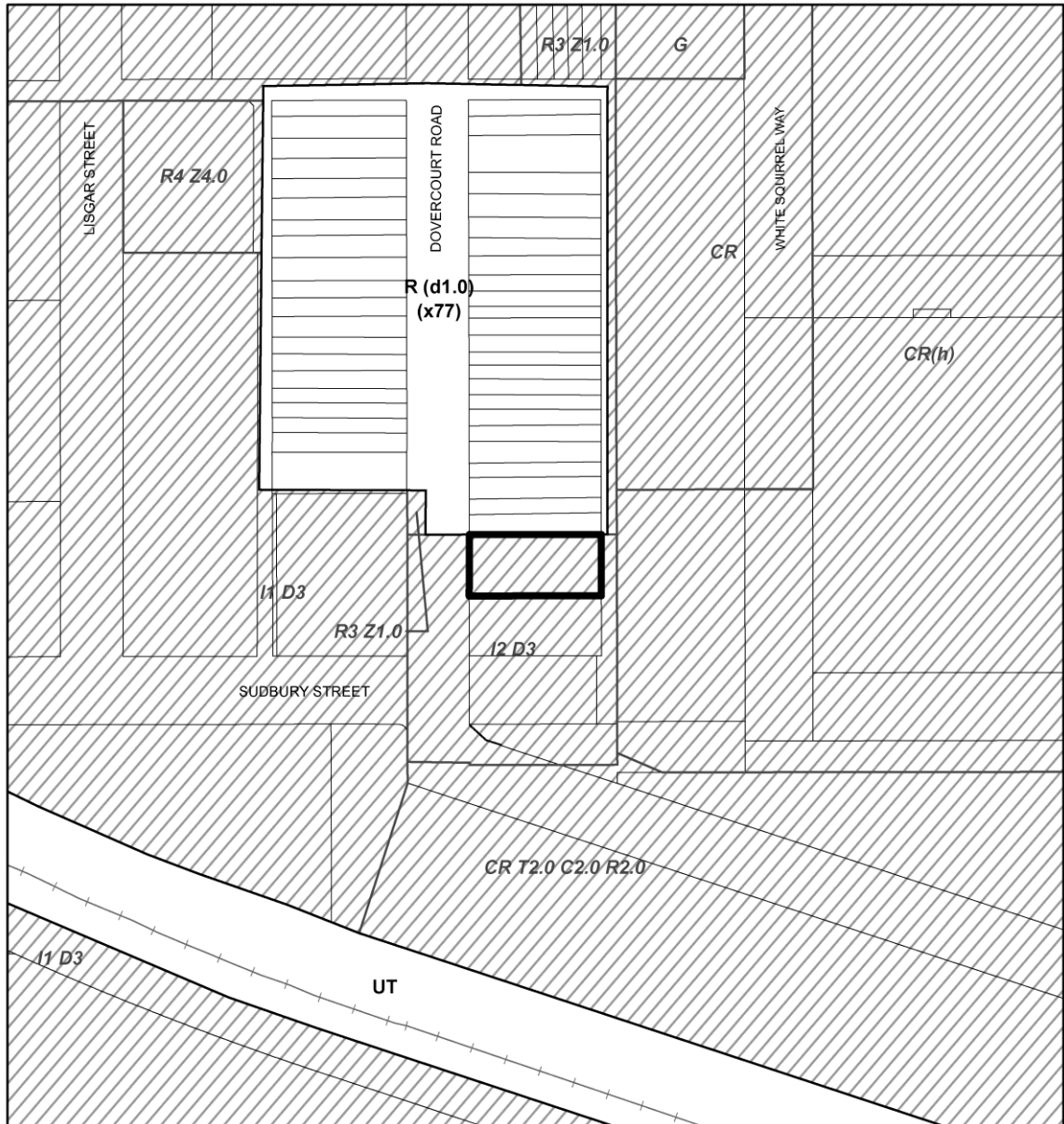
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45 Dovercourt Road

File # 15 177235 STE 19 0Z

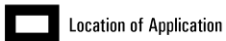
## Attachment 6: Zoning



**Zoning By-Law No. 569-2013**

**45 Dovercourt Road**

**File # 15 177235 STE 19 02**



Location of Application

**R** Residential

**UT** Utility and Transportation



See Former City of Toronto By-Law No. 438-86

**R3** Residential District  
**R4** Residential District  
**CR** Mixed-Use District  
**MCR** Mixed-Use District

**I1** Industrial District  
**I2** Industrial District  
**G** Parks District



Not to Scale  
 Extracted: 07/16/2015



## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	15 177235 STE 19 OZ
Details	Rezoning, Standard	Application Date:	June 19, 2015
Municipal Address:	45 DOVERCOURT RD		
Location Description:	PLAN M67 PLAN M13 N PT LOT 14 **GRID S1908		
Project Description:	Rezoning application to permit the construction of a 6-storey 25-unit residential building with 24 parking spaces.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Dales Consulting	Andrew Dales	RAW	Jodno Limited

### PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	
Zoning:	I2 D3	Historical Status:	
Height Limit (m):	18	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	700	Height: Storeys:	6
Frontage (m):	17.98	Metres:	18
Depth (m):	38.92		
Total Ground Floor Area (sq. m):	394		<b>Total</b>
Total Residential GFA (sq. m):	2945	Parking Spaces:	24
Total Non-Residential GFA (sq. m):	0	Loading Docks:	0
Total GFA (sq. m):	3550		
Lot Coverage Ratio (%):	89.3		
Floor Space Index:	4.36		

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	2945	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	5	Office GFA (sq. m):	0	0
2 Bedroom:	18	Industrial GFA (sq. m):	0	0
3 + Bedroom:	2	Institutional/Other GFA (sq. m):	0	0
Total Units:	25			

**CONTACT: PLANNER NAME: Aviva Pelt, Planner**  
**TELEPHONE: 416-392-0877**

**Attachment 8: Draft Zoning By-law Amendment to By-law 438-86**

To be available at the September 7, 2016 meeting of Toronto and East York Community Council

Final design of

**Attachment 9: Draft Zoning By-law Amendment to By-law 569-2013**

To be available at the September 7, 2016 meeting of Toronto and East York Community Council