

96 – 104 Coxwell Avenue – Zoning Amendment and Rental Housing Demolition Applications – Final Report

Date:	September 16, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	15-229572 STE 32 OZ and 16-151920 STE 32 RH

SUMMARY

This application proposes a four-storey residential building containing 22 stacked townhome units with associated below grade parking at 96 - 104 Coxwell Avenue. A total of 20 parking spaces are proposed. The related residential rental demolition application proposes to demolish 4 existing buildings on site.

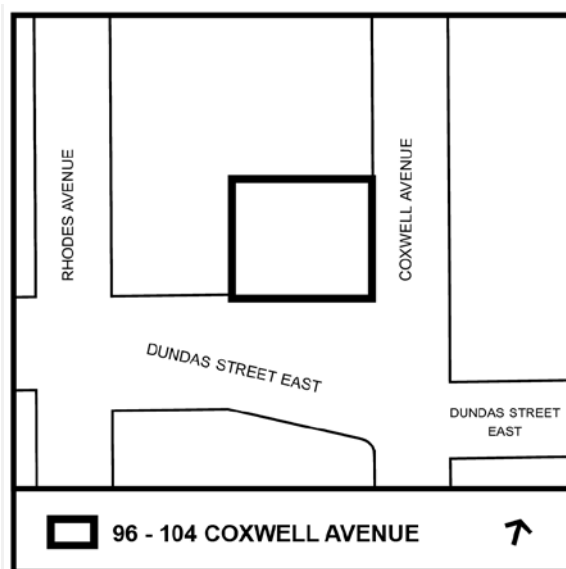
A Rental Housing Demolition and Conversion application was submitted under Section 111 of the *City of Toronto Act* to demolish the 4 buildings located on the subject lands containing 10 residential dwelling units, of which 4 are residential rental dwelling units. This report recommends approval of the rental housing demolition application under Municipal Code Chapters 667 and 363. Replacement of the residential rental dwelling units is not required.

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, for the lands at 96 – 104



Coxwell Avenue substantially in accordance with the draft Zoning By-law Amendment to be available at the October 13, 2016 meeting of Toronto and East York Community Council.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 96 – 104 Coxwell Avenue substantially in accordance with the draft Zoning By-law Amendment to be available at the October 13, 2016 meeting of Toronto and East York Community Council.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
4. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue Preliminary Approval of the application under Municipal Code Chapter 667 for the demolition of the 4 residential rental dwelling units at 96 Coxwell Avenue after all of the following have occurred:
 - a) The Zoning By-law Amendment 15-229572 STE 32 OZ has come into full force and effect;
 - b) The issuance of the Notice Of Approval Conditions for site plan approval by the Chief Planner or her designate, pursuant to Section 114 of the *City of Toronto Act*, 2006; and
 - c) The issuance of the excavation and shoring permits for the development of the site.
5. City Council authorize the Chief Building Official to issue a Section 111 permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval referred to in Recommendation 4 for the demolition of the existing residential rental dwelling units.
6. City Council authorize the Chief Building Official to issue a demolition permit under Section 33 of the *Planning Act* for the existing residential units at 96, 98, 100 and 104 Coxwell Avenue no earlier than issuance of the first building permit for excavation and shoring of the development, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval referred to in Recommendation 4, which permit may be included in the demolition permit for Chapter 667 under 363-11.1, of the Municipal Code, on condition that:
 - a) the owner erect a residential building on site no later than two (2) years from the day demolition of the buildings is commenced; and
 - b) should the owner fail to complete the new building within the time specified in condition a), the City Clerk shall be entitled to enter on the collector's roll,

to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

7. Prior to the introduction of bills, City Council require the owner to:
 - a) revise the Functional Servicing and Stormwater Management Report to the satisfaction of the Executive Director, Engineering and Construction Services;
 - b) make satisfactory arrangements with the Executive Director, Engineering and Construction Services to pay for and construct 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; and;
 - c) provide appropriate documentation of the development having no foundation drainage to the satisfaction of the Executive Director, Engineering and Construction Services; and
 - d) submit applications for the removal of one City tree, removal of four private trees, and permit to injure one private tree, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting on January 19, 2016, Toronto and East York Community Council adopted a Preliminary Report, recommending that staff schedule a community meeting to discuss the proposal with area residents.

The Preliminary report can be accessed at this web link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE13.39>

ISSUE BACKGROUND

The proposed four-storey residential building will have 22 stacked condominium townhouse units with a total gross floor area of approximately 2645 square metres, resulting in a density of 2.04 square metres. The overall height of this building will be 17 metres. 20 vehicular parking spaces will be provided, with 19 for residential use and 1 space for car share. 22 bicycle parking spaces are provided, including 2 for visitors.

The applicant proposes to demolish all 4 existing buildings on the site which contain 10 residential dwelling units; 6 owner-occupied dwelling units and 4 rental dwelling units.

At the time of application, all 4 rental dwelling units and 6 owner-occupied dwelling units were vacant.

The applicant revised their development application as a result of feedback from City staff and area residents. The Coxwell Avenue façade was modified to give animation to the east elevation. Additional changes were made to accommodate ramping concerns into the underground garage, re-location of visitor bicycle parking, screening to prevent vehicular headlights from shining into adjacent properties, the addition of a dedicated garbage room and additional landscaping to tie into the proposed capital works project adjacent to the south property line.

Attachments 1 to 5 contain drawings of the proposed development. Project information is provided on the Application Data Sheet, Attachment No. 8.

Site and Surrounding Area

The subject site is located at the northwest corner of Dundas Street East and Coxwell Avenue. It is directly north of a traffic island, the purpose of which is primarily to facilitate right-turn movements for vehicles travelling southbound on Coxwell Avenue and turning west on to Dundas Street East. The 37 metre wide site is comprised of four contiguous lots – 96, 98, 100 and 104 Coxwell Avenue – and has an overall area of approximately 2637.3 square metres.

The subject site is currently occupied by a 2-storey mixed-use building at 96 Coxwell Avenue, two 2-storey semi-detached houses at 98 and 100 Coxwell Avenue, and a 2-storey mixed use building at 104 Coxwell Avenue, with ground floor commercial use and residential use above. The four buildings contain a total of 10 dwelling units, of which 4 were used for residential rental purposes. All existing buildings at these addresses would be demolished with this proposal.

Uses surrounding the site include:

North: There are primarily 2- and 2 ½-storey detached, semi-detached and row houses along Coxwell Avenue.

South: There is a development of 7 triplexes with a total of 21 residential units on the southwest corner of Dundas Street East and Coxwell Avenue. Further south on Coxwell are primarily 2- and 2 ½-storey detached, semi-detached and row houses.

East: At the northeast corner of Dundas Street East and Coxwell Avenue is 55 Division Toronto Police Station. At the southeast corner of Dundas Street East and Coxwell Avenue are several mixed use buildings with commercial uses on the ground floor and residential above. Further east on Dundas Street East are primarily 2- and 2 ½-storey detached, semi-detached and row houses and a 3-storey walk-up apartment.

West: There are primarily 2- and 2 ½-storey detached, semi-detached and row houses primarily fronting on north-south streets off of Dundas Street East.

In conjunction with water infrastructure upgrades along Coxwell Avenue, a new public gathering space will be created by enlarging the northwest corner of Coxwell Avenue and Dundas Street East and eliminating the right hand traffic island. Developed in conjunction with Toronto Water and Green Streets TO, the gathering space will channel and store rain water to help eliminate basement flooding in the area. This public gathering space will also contain educational elements to help illustrate the history of Toronto's lost rivers and the importance of our watershed.

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.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City's Official Plan sets out a broad strategy for managing future growth by identifying an urban structure of areas where development is appropriate and areas where little physical change is expected to occur. The Plan outlines how growth is to be directed towards areas with supporting infrastructure and provide a transition in scale and density that protects stable neighbourhood areas from the effects of nearby development.

The site is designated *Neighbourhoods* on Map 21, Land Use Plan of the City of Toronto Official Plan. Unlike the designated growth areas, *Neighbourhoods* are stable areas, where significant growth is not encouraged and new development is to respect and reinforce the general physical patterns of the neighbourhood.

Neighbourhoods Policies

The Official Plan identifies *Neighbourhoods* as being 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*.

Chapter 4 of the Official Plan further defines development in established *Neighbourhoods* by outlining policies which speak to the specificity of this type of development. A key objective of the Official Plan is to guide new development to respect and reinforce the general physical patterns in a *Neighbourhood*. Policy 4.1.5 in the Official Plan states:

"Development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes."

The Official Plan also states that the prevailing building type will be the predominant form of development in the neighbourhood.

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

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result,

OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Infill Townhouse Guidelines

The Infill Townhouse Guidelines, adopted by Council in 2003, include criteria to ensure that low-rise infill townhouse developments are accessible from the public street and are designed to provide a suitable transition in scale, mass and setbacks to adjacent lower scale buildings.

Townhouse and Low-rise Apartment Guidelines

The City of Toronto has prepared a second draft of the Townhouse and Low-rise Apartment Guidelines (August 2016). The Guidelines are intended to help implement the policies in the Official Plan by achieving the appropriate design of low-rise, primarily residential buildings for a range of building types. These types include townhouses, stacked townhouses, stacked and back-to-back townhouses, low-rise apartments and low-rise hybrid buildings.

The Townhouse and Low-rise Apartment Guidelines address infill townhouse developments as well as mid to larger sites and the more complex and intense types of low-rise, multi-unit development in terms of site context, site organization, building massing, detailed design and private and public realm. The guidelines build upon and once approved by City Council, are intended to replace the Infill Townhouse Guidelines (2003).

The Townhouse and Low-rise Apartment Guidelines were not retroactively applied to this development it was submitted prior to the release of the draft of these new guidelines.

Zoning

The site is zoned R4 Z1.0 in the former City of Toronto Zoning By-law 438-86 and R(d1.0) (x407) in the City of Toronto Zoning By-law 569-2013. The zoning permits a variety of residential uses, including townhouses and apartment buildings to a maximum density of 1.0 times the area of the lot. The height limit is 12 metres.

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner.

Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official plan policies protecting rental housing. Council approval of a demolition under

Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the Ontario Municipal Board.

The applicant submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the 4 rental dwelling units.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan Control (15 229575 STE 32 SA) has been submitted and is being reviewed concurrently with the subject application. The most recent site plan drawings are shown on Attachments 1 to 5. The site plan drawings may be further revised through the review of the applications.

Reasons for Application

A Zoning By-law Amendment application is required because the proposed development does not comply with provisions of both Zoning By-laws 438-86 and 569-2013, as amended. The total permitted density for all uses is 1.0 times the lot area and the maximum permitted height is 14 metres. The proposal requires a Zoning By-law amendment to permit a density of 2.03 times the lot area, a 17 metre tall building, and other zoning standards.

A permit under Section 111 of the *City of Toronto Act* and Chapter 667 of the Municipal Code is required as there are six or more existing residential dwelling units and at least one residential rental dwelling unit located on this site.

Community Consultation

Through the direction of Toronto and East York Community Council, Planning staff hosted a Community Consultation Meeting (CCM) at Royal Canadian Legion (Branch 01/42) at 243 Coxwell Avenue on February 2, 2016. The meeting was attended by approximately 8 community members and the local Councillor who engaged in a discussion about the development proposal.

A summary of the various issues raised related to the proposed development at the CCM are as follows:

- Construction impacts on adjacent properties, particularly with regard to impacts on ancillary structures located in close proximity to the shared lot lines of adjacent lots;

- The east elevation of the proposed development, in order to ensure that the façade of the building along Coxwell Avenue would be more animated;
- Parking and traffic issues on Coxwell Avenue generated from this development;
- Parking for visitors to the proposed development;
- Privacy and overlook issues from proposed terraces, particularly due to the location of the terraces;
- The height and density of the proposed development; and,
- Shadow impacts of the proposed development on adjacent properties.

Several members of the public also submitted comments via electronic correspondence covering the issues raised above.

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 Provincial Policy Statement 2014 (PPS) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of land uses be provided and that intensification and redevelopment opportunities are identified and promoted.

The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS in this regard. The proposed land use and density provides a compact built form that supports an efficient use of land and existing transit infrastructure.

The proposal also conforms to the Growth Plan for the Greater Golden Horseshoe which states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. This site is located in a built up area and the proposal is intensifying the use of land for housing.

The proposal conforms to the Growth Plan.

Land Use

The proposal reflects the Official Plan's objective to provide residential development that is compatible with adjacent uses while maximizing existing infrastructure, providing for an attractive, comfortable and safe pedestrian environment, and taking advantage of nearby transit and other public services.

The proposed 4-storey stacked residential townhouse is a permitted use in the Neighbourhoods policies of the Official Plan, and as-of-right in both applicable Zoning By-laws.

Density, Height, Massing

The existing zoning permits a building up to 12 metres on the entire site. The proposed building has a height of 17 metres. It is noted that the height to the top of the fourth floor is 14 metres.

The proposed building would be the first four-storey building amongst the immediate surroundings. Four-storey apartment buildings are permitted in the *Neighbourhoods* designation. The height to the top of the fourth storey is 14 metres, which is an increase of 2 metres above the as-of-right permission of 12 metres. There is a 3.0 metre high pop-up roof structure for the stairs to access the private terraces on the roof. This pop-up structure is located centrally along the east-west axis of the building. It is well set back from the north and south walls of the building.

Planning staff have studied the building types in the area. There are townhouse buildings to the south and east of the site, as well as a walk-up apartment to the north of the subject property. The proposal generally reinforces this mix of higher density building types and forms in the area. The corner of the intersection of Coxwell Avenue and Dundas Street East has a variable lot pattern and is an appropriate location for a building of greater prominence. As such, Planning staff are of the opinion that the additional height is appropriate at this location.

The setbacks of the proposed building are consistent with setbacks that exist for the buildings along on the Dundas Street and Coxwell Avenue frontages. The setback from the property to the north has been maintained as the proposed building is set back approximately 9.7 metres to facilitate driveway entrance into the site and to the underground parking lot. The setback from property to the west for a portion of the building has been decreased to 0.5 metres, adjacent to an existing garage and shed at the rear of two houses on Rhodes Avenue. In order to mitigate against the impacts of the reduced setback, limited windows have been proposed for the western wall of the building. The remainder of building is setback 6.0 metres from the west lot line to facilitate the ramp into the underground garage. The third and fourth storeys are stepped back 1.3 metres from the first and second storeys on the north and south facades.

The existing zoning permits a density of 1.0 times the area of the lot. The proposed development is 2645 m² of residential resulting in a density of 2.03 times the area of the

entire site. Staff are of the opinion that the site can accommodate a development of this size, scale, and form and the proposed 2.03 times the area of the lot is appropriate.

The east elevation along Coxwell Avenue was revised to provide more street animation compared to the original proposal. Private terraces for the end units face the street, and the windows on the end units give greater articulation to the building face. The garage ventilation grill originally proposed on the east side of the building has now been replaced with a smaller air intake grill, and will have a continuous raised planter to screen and enhance the landscaping along the east façade.

Sun/ Shadow

The applicant submitted a sun/shadow study in support of the proposed development. Staff have determined that the shadow impact is acceptable as it is not significantly different than what would be permitted for an as-of-right building on the subject property.

Privacy and Overlook

Staff have reviewed the drawings with respect to potential privacy and overlook concerns. Privacy screening has been shown around all the private terraces. As an extra precaution, the City will require screening on terraces as part of site plan approval to help prevent overlook and privacy impacts.

Traffic Impact, Access, Parking

Vehicular access for parking is from a driveway access at the north end of the site. The proposal includes 20 below-grade on-site vehicular parking spaces consisting of 19 resident spaces and one car-share space. Access to the below-grade parking spaces will be from a surface driveway and access ramp with a width of 5.5 metres for two-way operation. Under Zoning By-law 569-2013, 26 parking spaces would be required, 22 spaces for residents and 4 for visitors. Under Zoning By-law 438-86, 28 parking spaces would be required, 22 parking spaces for residents and 6 spaces for visitors.

Transportation Services staff have reviewed the proposed parking supply, and are satisfied that the parking supply is sufficient to meet the demand generated by the proposed development.

The proposal includes 20 resident bicycle spaces (long term) and 2 visitor bicycle spaces (short term) which exceed the Zoning By-law requirements.

Site Servicing

The site will be serviced by a proposed 200mm sanitary service, which will be connected to the 225mm sanitary sewer on Coxwell Avenue with a minimum slope of 2.00%. A hydraulic grade line analysis by the applicant's consultant has concluded that the proposed development will not negatively impact the existing municipal infrastructure.

The stormwater from the site will be discharged to the existing 1650mm storm sewer on Coxwell Avenue by a 300mm storm service connection with a minimum slope of 2.00%.

The proposed water service connection for the site will be to the 150mm existing water main on the west side of Coxwell Avenue.

A fire hydrant flow test has yet to be completed by the applicant due to weather limitations. The Functional Servicing and Stormwater Management report will need to be updated to confirm whether the municipal water supply main is adequate to service the proposed development.

Solid Waste

Solid Waste Management will provide curbside, multi-residential collection services with shared bins for all residents to this development for garbage, recycling and organics, provided that the development is built in accordance with the “City of Toronto Requirements for Garbage, Recycling and Organics Collection Services for New Developments and Redevelopments” and Chapter 844, Solid Waste of the Municipal Code.

Collection of waste materials for this development will take place curbside on Coxwell Avenue.

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 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second 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 to permit the development of a 4-storey residential building containing 22 stacked townhome 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 293.3 square metres or 22.63% 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 129.6 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as 129.6 square metres would not create a substantial park and the site does not abut an existing park which would be expanded through this dedication. However, this site is located 340 metres away from Orchard Park, a 14,051 square metre park with a playground and splash pad, picnic site, fire pit, outdoor table tennis, and multiple pathways.

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

Streetscape

Policy 3.1.2.4 of the Official Plan requires that new development enhance the existing streetscape by massing new development to define the edges of streets, parks and open spaces at good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and functional for pedestrians through landscaping and setbacks that create attractive transitions from the public to private realms.

The streetscape and landscape plans show the installation of sod and walkways on the Dundas Street East and Coxwell Avenue boulevards.

The minimum 2.1 metre wide pedestrian clearway along Coxwell Avenue and Dundas Street East has now been shown on the plans satisfying the requirements of the Vibrant Streets Guidelines. The site plan and landscape drawings demonstrate compliance with the City's Vibrant Streets design guidelines.

Additional landscape and public realm details, particularly with regard to how the site will interface with the public gathering space immediately south of the site, will be secured through the site plan approval process.

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. Compliance with the TGS performance measures will be secured through the Site Plan Approval process.

Rental Housing

With only 4 residential rental dwelling units within this related group of buildings, the City's Official Plan policy requiring the replacement of the existing rental dwelling units does not apply.

A Rental Housing Demolition Application under Chapter 667, pursuant to Section 111 of the *City of Toronto Act* was filed on May 8, 2016. Based on the information provided by the applicant, a review of historical property records and a site visit, Staff determined at the time of application that the site contained 10 residential dwelling units within the 4 existing buildings.

Based on the occupancy history of the 10 dwelling units provided by the applicant, staff determined that 6 of the 10 dwelling units were owner occupied prior to being purchased by the applicant for the purpose of redevelopment; the remaining 4 dwelling units had

been used for residential rental purposes for an extended period of time. Currently, all 10 dwelling units are vacant.

As there are six or more existing residential dwelling units and at least one dwelling unit that was used for residential rental purposes, a permit under Section 111 of the *City of Toronto Act* and Chapter 667 of the Municipal Code is required.

Tenant Relocation and Assistance

The City's policy is to provide tenant relocation assistance to affected tenants. When the residential rental demolition application was filed in May 2016, all 4 residential rental dwelling units were vacant. As such, no tenant relocation assistance is required.

Conclusion

Staff have reviewed the application to amend the Zoning By-laws for 96 – 104 Coxwell Avenue and are satisfied that the proposed four storey residential stacked townhouse building is appropriate. Staff recommends approval of the proposed Zoning By-law amendment. Bills should be withheld subject to the applicant satisfying the outstanding matters indicated in this report.

CONTACT

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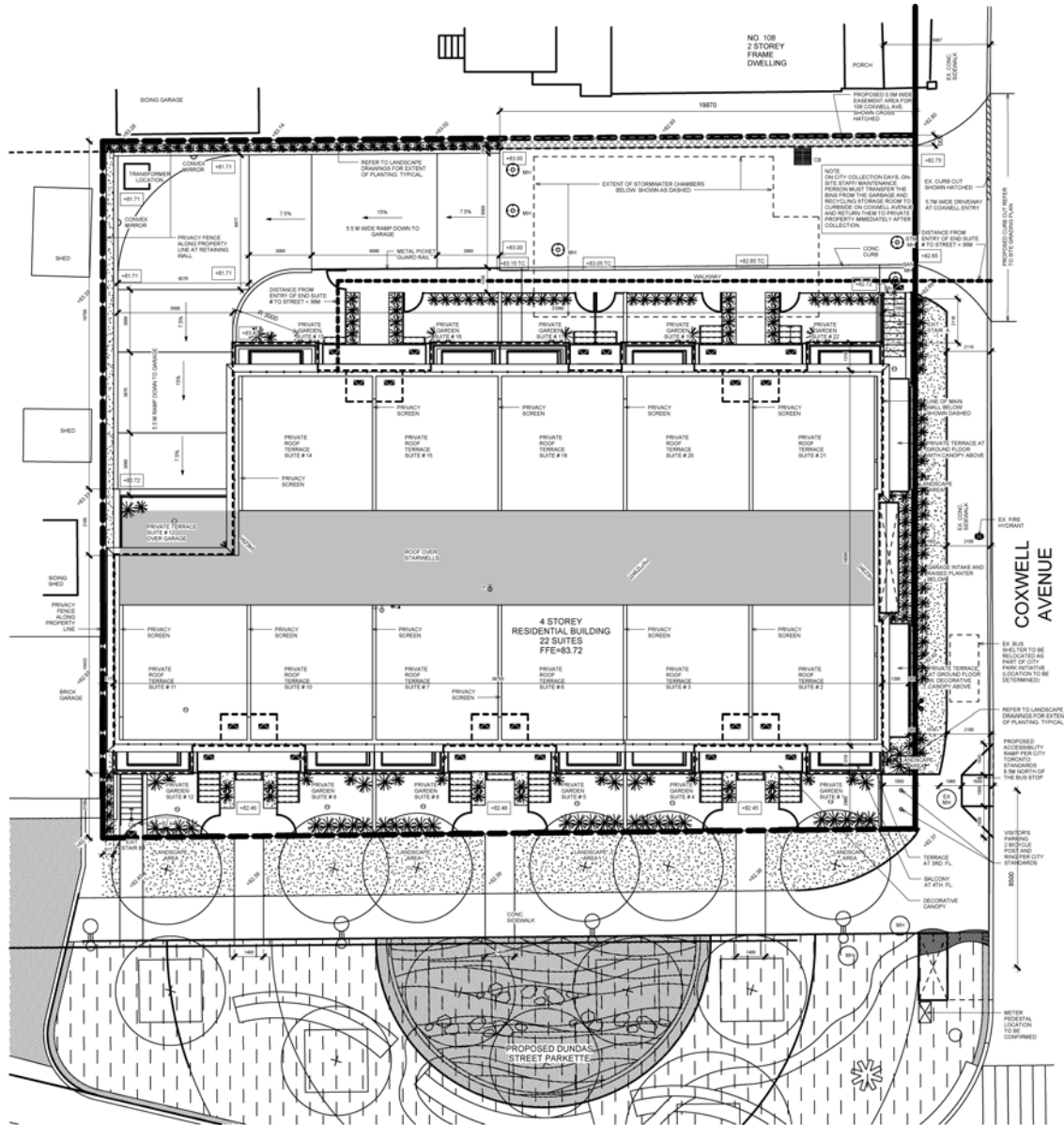
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: South Elevation
- Attachment 3: North Elevation
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- Attachment 6: Zoning
- Attachment 7: Official Plan
- Attachment 8: Application Data Sheet
- Attachment 9: Draft Zoning By-law Amendment (438-86)
- Attachment 10: Draft Zoning By-law Amendment (569-2013)

Attachment 1: Site Plan



Site Plan

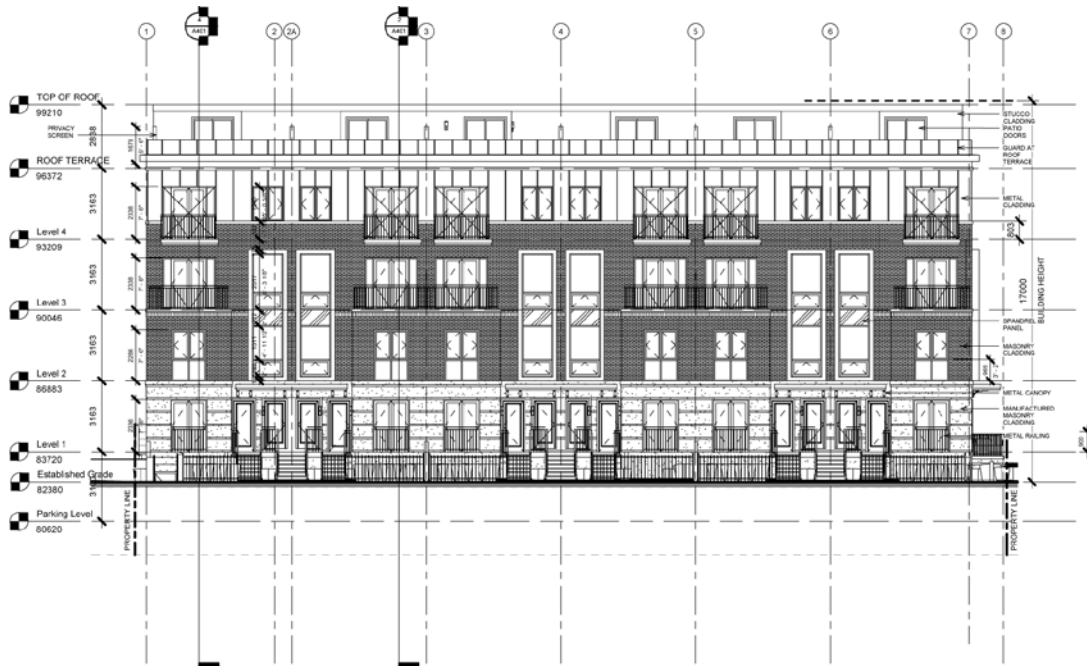
96 - 104 Coxwell Avenue

Applicant's Submitted Drawing

Not to Scale 
09/12/2016

File # 15 229572 STE 32 0Z

Attachment 2: South Elevation



② South 1-100
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South Elevation

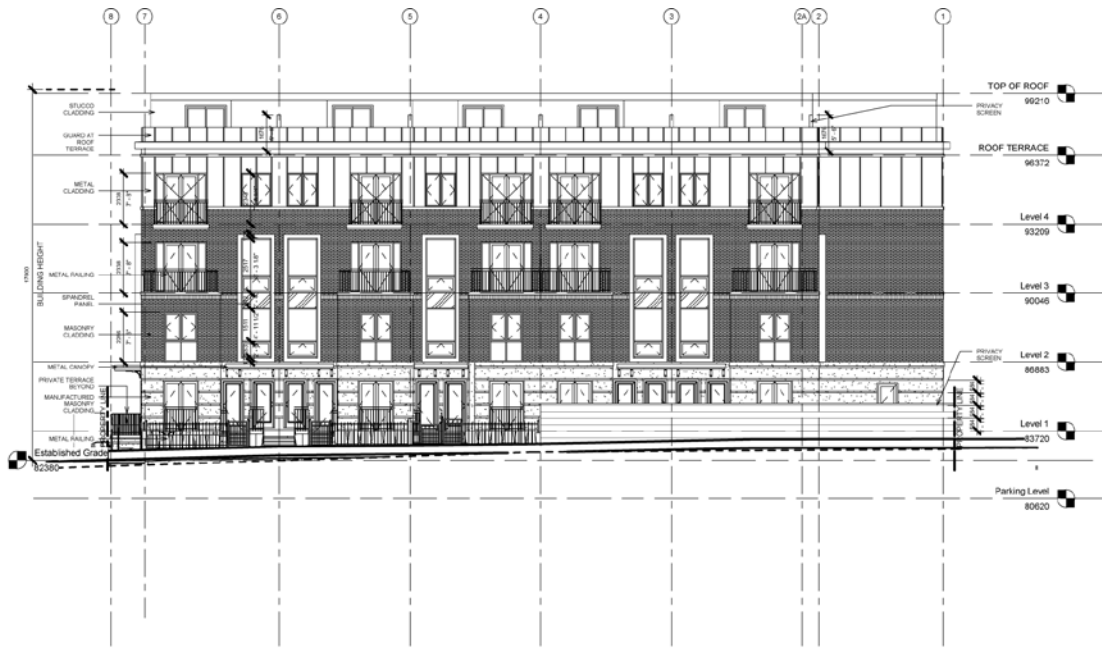
Applicant's Submitted Drawing

Not to Scale
09/12/2016

96 -104 Coxwell Avenue

File # 15 229572 STE 32 OZ

Attachment 3: North Elevation



4 North 1-100
1 : 100

North Elevation

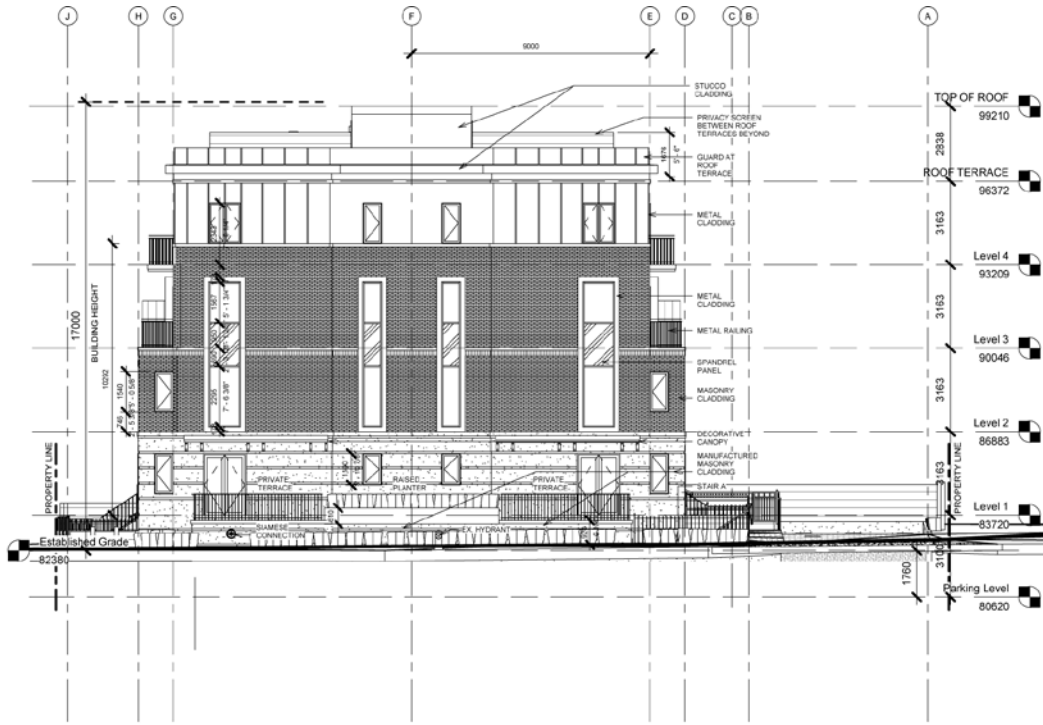
96 -104 Coxwell Avenue

Applicant's Submitted Drawing

Not to Scale
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File # 15 229572 STE 32 OZ

Attachment 4: East Elevation



1 East 1-100
1 : 100

East Elevation

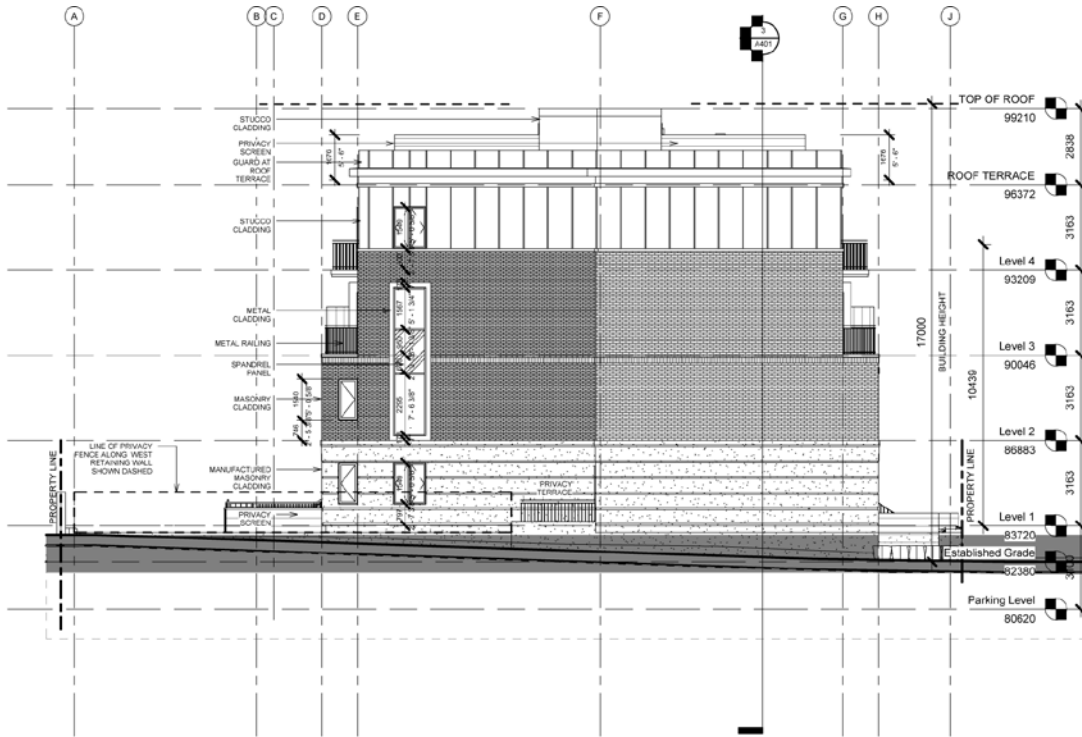
Applicant's Submitted Drawing

Not to Scale
09/12/2016

96 - 104 Coxwell Avenue

File # 15 229572 STE 32 OZ

Attachment 5: West Elevation



3 West 1-100
1:100

West Elevation

Applicant's Submitted Drawing

Not to Scale
09/12/2016

96 - 104 Coxwell Avenue

File # 15 229572 STE 32 OZ

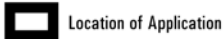
Attachment 6: Zoning



Zoning By-Law No. 569-2013

95-104 Coxwell Avenue

File # 15 229572 STE 32 02



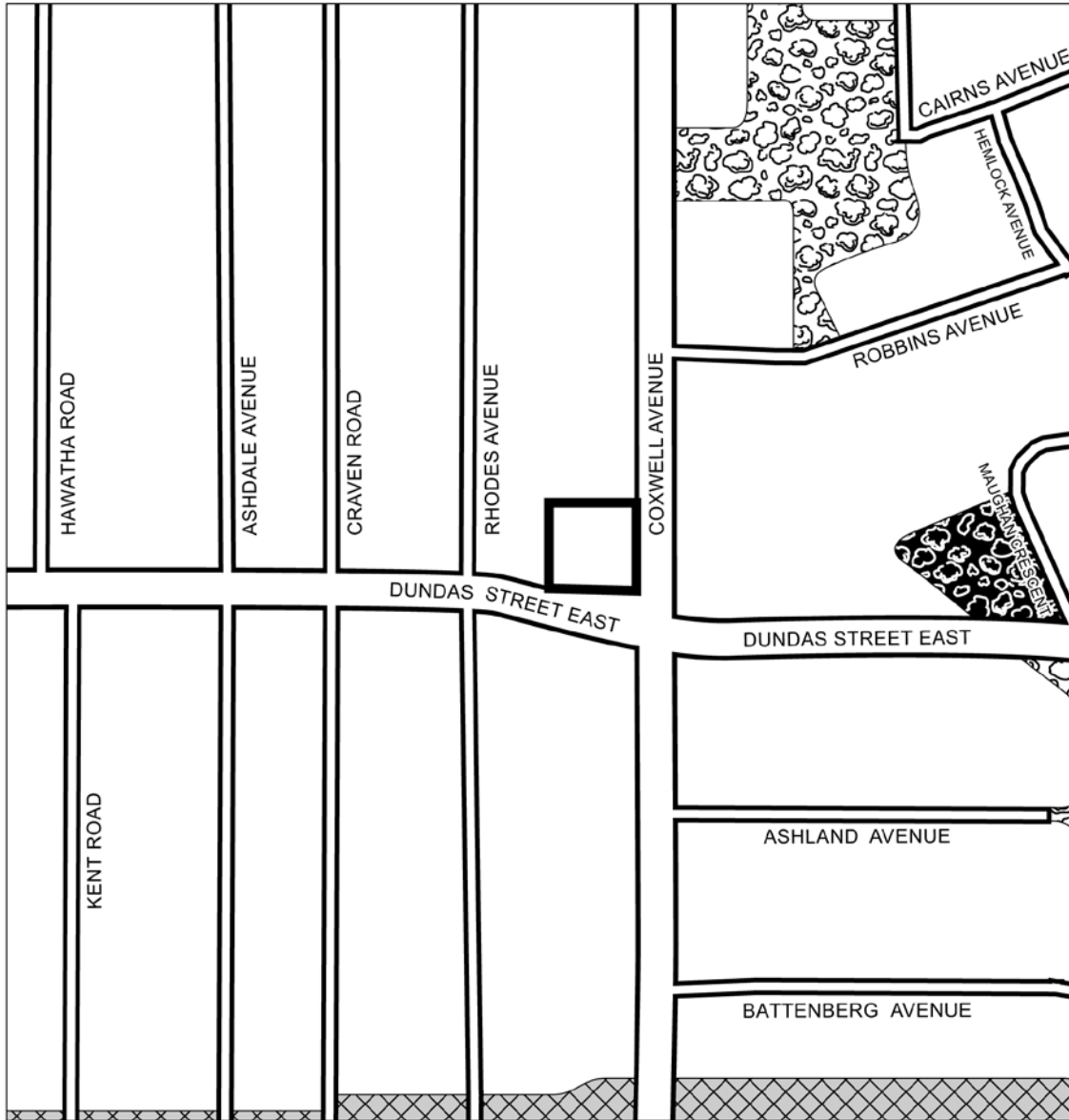
R Residential

ON Open Space Natural
OR Open Space Recreation



Not to Scale
Extracted: 09/12/2016

Attachment 7: Official Plan



Toronto City Planning
Extract from Official Plan

96 -104 Coxwell Avenue

File # 15 229572 STE 32 0Z

- | | |
|---|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Mixed Use Areas |  Parks |


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 09/12/2016

Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	15 229572 STE 32 OZ
Details	Rezoning, Standard	Application Date:	September 28, 2015
Municipal Address:	96 COXWELL AVE		
Location Description:	PLAN 655 PT LOTS 20 & 21 **GRID S3207		
Project Description:	The Owner is proposing to redevelop the subject lands for a four-storey, approximately 2,637 sq m(28,343.43 sq ft) residential building containing 22 stacked townhome units with associated below grade parking. The proposal also includes a rooftop terrace that is accessible to the units on the third and fourth floors. The proposed Floor Space Index (FSI) is 2.03.		

Applicant:	Agent:	Architect:	Owner:
Macnaughton Hermsen Britton Clarkson Planning		Audax Architecture Inc.	Exclusive Travel Group Inc

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R (d1.0) (x407)	Historical Status:	
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1296	Height:	Storeys:	4	
Frontage (m):	37		Metres:	17	
Depth (m):	32				
Total Ground Floor Area (sq. m):	871				Total
Total Residential GFA (sq. m):	2645		Parking Spaces:	20	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	2645				
Lot Coverage Ratio (%):	67.2				
Floor Space Index:	2.03				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	2645	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	22	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	22			

CONTACT: PLANNER NAME: Jason Tsang, Assistant Planner
TELEPHONE: 416-392-4237

Attachment 9: Draft Zoning By-law Amendment (438-86)

To be available at the October 13, 2016 meeting of Toronto and East York Community Council

Revised Attachment 9 - Distributed at the October 13, 2016 meeting of Toronto and East York Community Council

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

BY-LAW No. ~-20~

To amend former City of Toronto Zoning By-law No.438-86, as amended, with respect to the lands municipally known as 96, 98, 100 and 104 Coxwell Avenue

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to the lands known municipally in the year 2016 as 96, 98, 100 and 104 Coxwell Avenue; 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*; and

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

1. Except as otherwise provided herein, the provisions of *By-law No. 438-86*, as amended shall continue to apply to the *lot*.
2. None of the provisions of Sections 6(3) Part I 1, 6(3) Part II 2 (III), 6(3) Part II 3 (II), 6(3) Part II 4, 6(3) Part II 5(I), 4(2), 4(4), 4(10)A, 4(12), 6(3) Part III 1(B) of *By-law No. 438-86* of the 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 or use of an 4-storey *apartment building* on the *lot* provided that:
 - a) the *lot* on which the proposed building is to be located comprises at least those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - b) no portion of any building or structure is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law;
 - c) the *height* of any building or structure, as measured from *grade* along the Coxwell Avenue frontage of the subject property or portion thereof, does not exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law;
 - d) notwithstanding c), balconies and canopies can project 1.3 metres beyond the heavy lines on Map 2 attached to and forming part of this By-law;
 - e) notwithstanding c), privacy screens and balcony railings can exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law by 1.8 metres;

- f) the number of *dwelling units* shall not exceed 22;
 - g) the *residential gross floor area* erected on the *lot* does not exceed 2,640 square metres;
 - h) The minimum *landscaped open space* on the *lot* shall be 19%;
 - i) A surface driveway and access ramp to the underground garage shall have a minimum width of 5.5 metres;
 - j) The access ramp leading to the underground garage shall be provided with
 - a. A maximum slope of 15.0%;
 - b. Transition areas at the top and bottom which have maximum slopes of 7.5% over a minimum distance of 3.0 metres; and
 - k) *Parking spaces* must be provided and maintained on the lot in accordance to the following:
 - a. A minimum of 19 *parking spaces* for the 22 dwelling units; plus,
 - b. 1 *car-share parking space*.
6. For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86 of the former City of Toronto, as amended, with the exception of the following:
- (a) "*lot*" means those lands outlined on Map 1 attached hereto;
 - (b) "*grade*" means the established grade on the on the Coxwell Avenue frontage of 82.3 metres above Canadian Geodetic Datum;
 - (c) "*car-share motor vehicle*" means a motor vehicle available for short-term rental, including an option for hourly rental for the use of at least the occupants of the building erected on the lot; and,
 - (d) "*car-share parking space*" means a parking space used exclusively for the parking of a *car-share motor vehicle*.
7. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure 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.

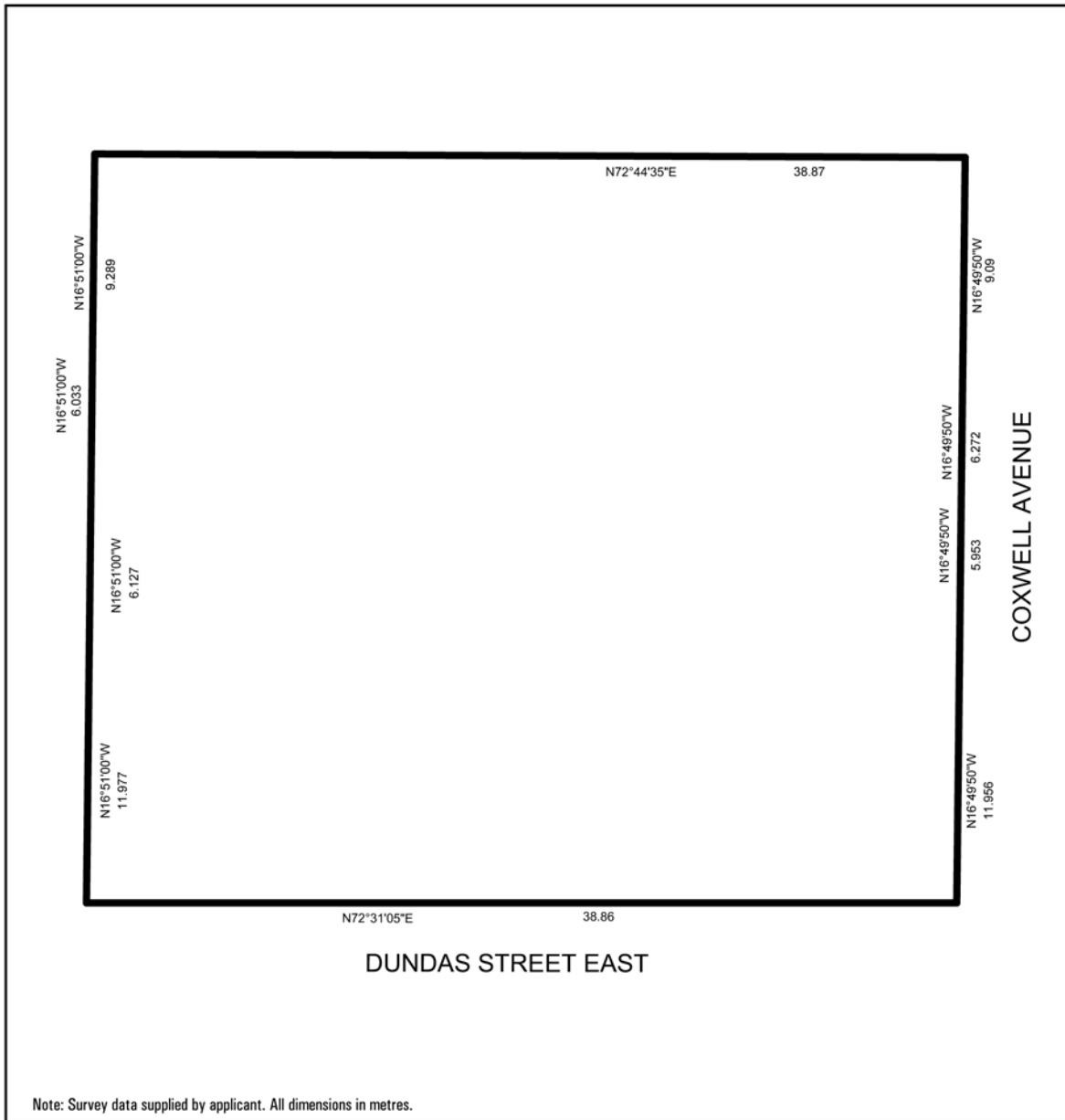
8. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.

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

John Tory,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



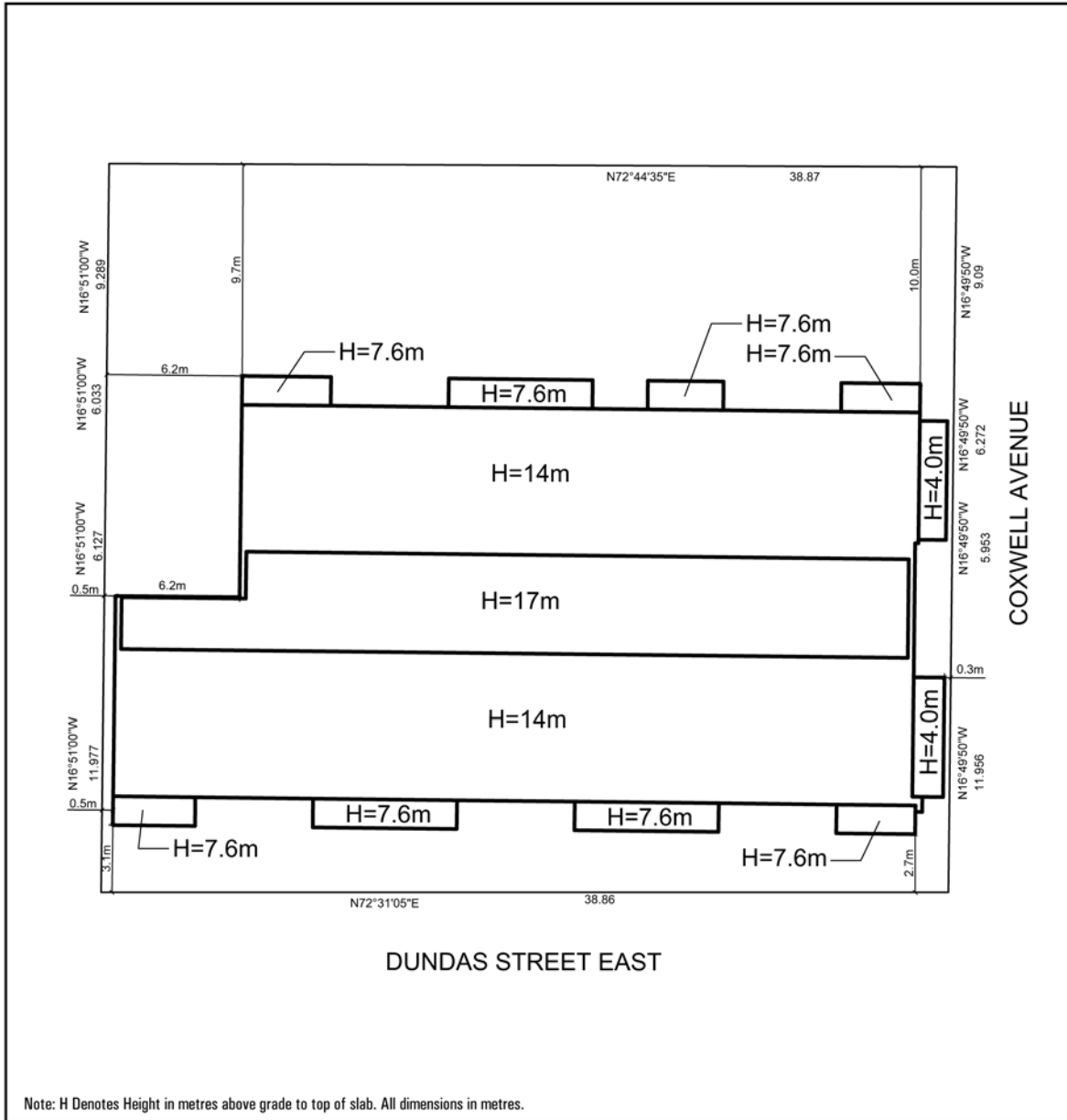
96-104 Coxwell Avenue

Map 1

File # 15 229572 STE 32 0Z



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96-104 Coxwell Avenue

Map 2

File # 15 229572 STE 32 0Z



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09/16/2016

Attachment 10: Draft Zoning By-law Amendment (569-2013)

To be available at the October 13, 2016 meeting of Toronto and East York Community Council

Revised Attachment 10 - Distributed at the October 13, 2016 meeting of Toronto and East York Community Council

Authority: Toronto and East York Community Council ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2016]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as, 96 - 104 Coxwell Ave

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; 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*; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are municipally known in the year 2016 as 96, 98, 100 and 104 Coxwell Avenue, as delineated 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 amending Article 900.2.10 Exception Number 25 so that it reads:

Exception R 25

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 96, 98 100 and 104 Coxwell Avenue, none of the regulations of 10.10.40.50 (1) (A)(B)(C) and 10.5.50.10(5) apply to prevent the erection or use of a **building, structure**, addition or enlargement, permitted by regulations (B) to (Q) below;
- (B) A maximum of 22 **dwelling units** are permitted;
- (C) The maximum **floor space index** is 2.03;
- (D) No portion of any **building** or **structure** is located otherwise than wholly within the areas delineated by heavy lines shown on Diagram 3 of By-law [Clerks to supply by-law ##];

- (E) The height of a **building** or **structure** must not exceed the height in metres from **established grade**, specified by the numbers following the symbol "H" as shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (F) Notwithstanding (D), balconies and canopies can project 1.3 metres beyond the heavy lines shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (G) Notwithstanding (E), privacy screens and balcony railings can exceed the height in metres specified by the numbers following the symbol "H" as shown on Diagram 3 of By-law [Clerks to insert By-law ##] by 1.8 metres;
- (H) Despite 10.5.40.60(7), roof eaves on the west and east side of the **building** may be 0 metres from the **lot line**.
- (I) Despite 10.5.40.60 (3) (A) (iii), the stairs on the south elevation must be at least 0.3 metres from the east **lot line** and may be 0.0 metres from the south lot line.
- (J) Despite 10.5.50.10 (4)(A)(B), a minimum of 19% of the **lot** must be **landscaped**, and of the required **landscaped** area, a minimum of 27.5% must be **soft landscaping**.
- (K) Despite 10.10.80.40 (2), vehicular access must be from Coxwell Avenue.
- (L) Despite 10.5.100.1 (2), a surface driveway and access ramp to the underground garage must have a minimum width of 5.5 metres.
- (M) Despite 200.5.10.1, 20, **parking spaces** must be provided and maintained on the **lot** in accordance to the following:
- a. A minimum of 19 **parking spaces** for the 22 **dwelling units**; plus
 - b. 1 **parking space** that may be used as a **car-share parking space**.
- (N) **Established grade** is the Canadian Geodetic Datum elevation of 82.3 metres.
- (O) **car-share motor vehicle** means a motor vehicle available for short-term rental, including an option for hourly rental for the use of at least the occupants of the building erected on the **lot**.
- (P) **car-share parking space** means a parking space used exclusively for the parking of a **car-share motor vehicle**.

Prevailing By-laws and Prevailing Sections (None Apply)

Enacted and passed on month ##, 20##.

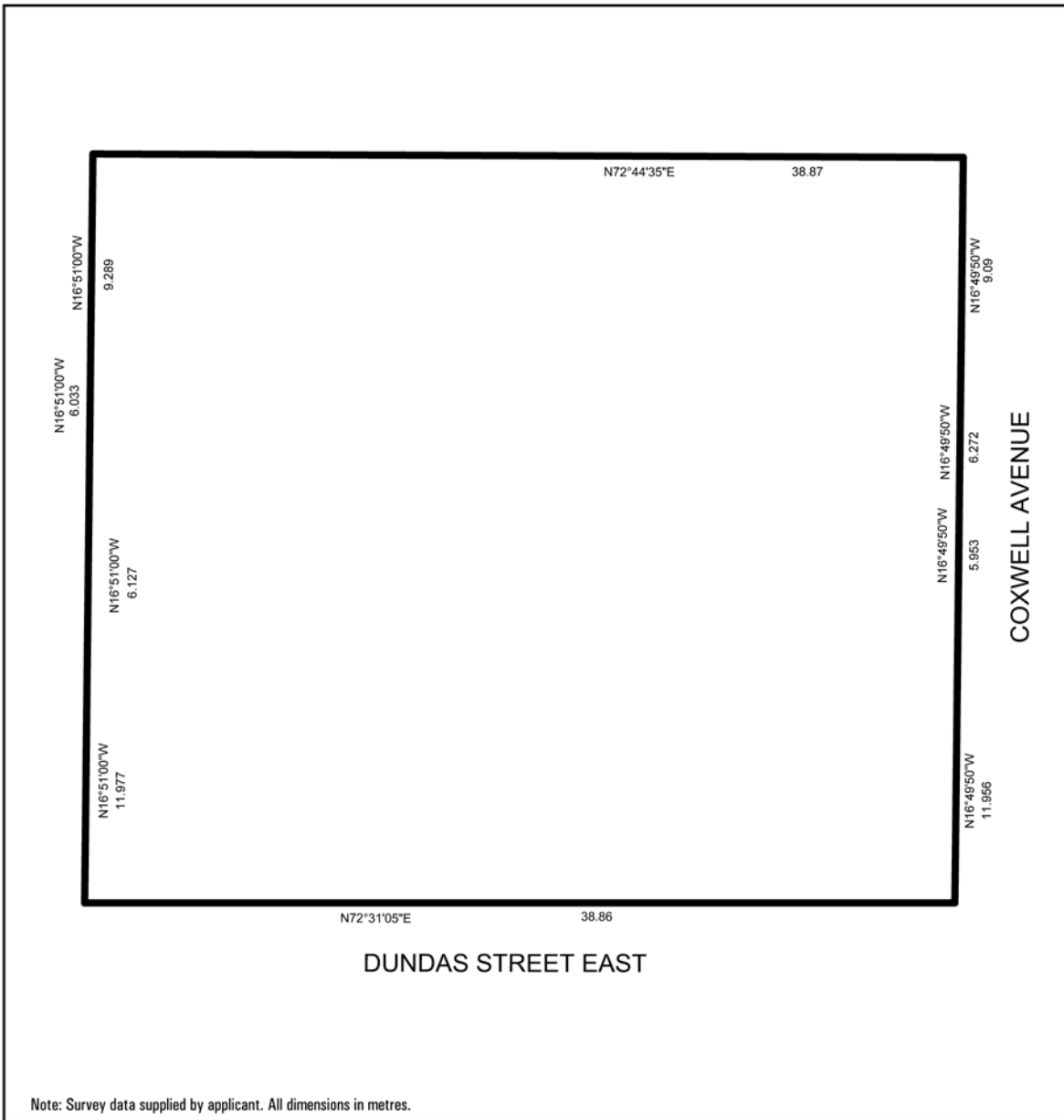
Name,

Ulli S. Watkiss,

Speaker

City Clerk

(Seal of the City)



96-104 Coxwell Avenue

Diagram 1

File # 15 229572 STE 32 0Z



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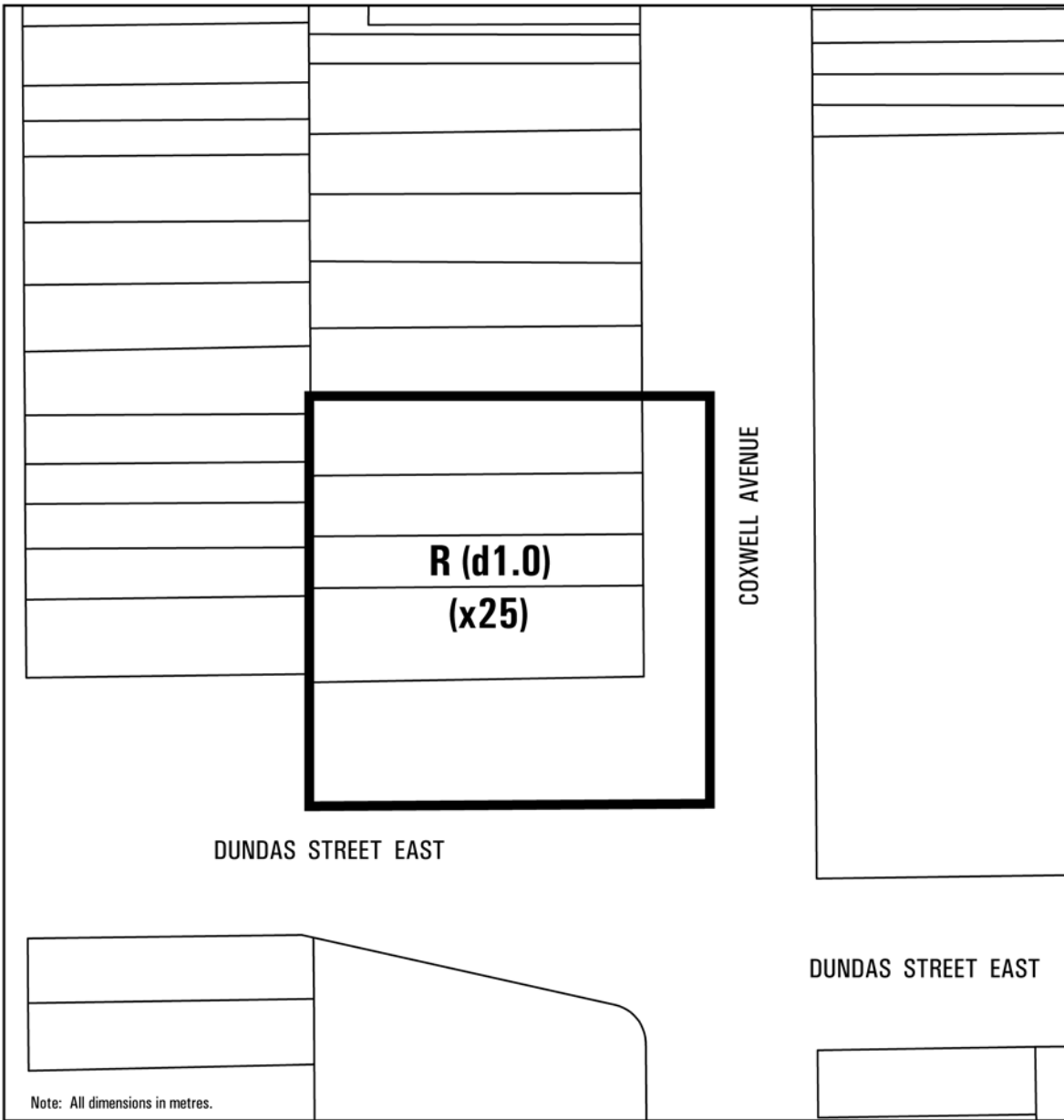
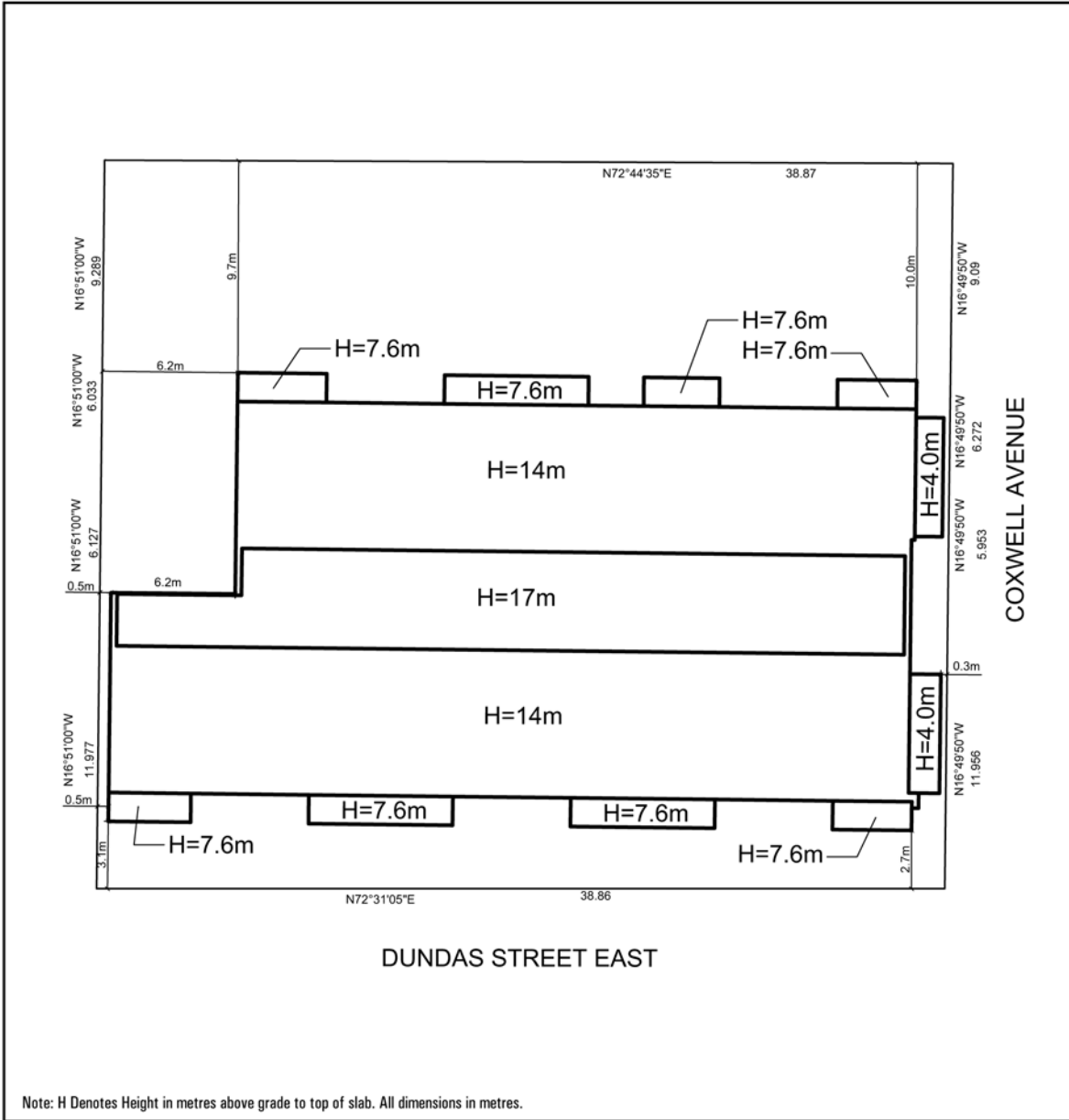


Diagram 2

96-104 Coxwell Avenue

File # 15 229572 STE 32 0Z

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96-104 Coxwell Avenue

Diagram 3

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