

100 Davenport Road – Zoning Amendment Application – Preliminary Report

Date: December 9, 2021

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 11 - University-Rosedale

Planning Application Number: 21 231497 STE 11 OZ

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 100 Davenport Road for a 19-storey mixed-use building with 42 dwelling units and 437 square metres of commercial space on the ground floor.

The application has been circulated to all appropriate agencies and City divisions for comment. City Planning staff will proceed to schedule a community consultation meeting for the application in consultation with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 100 Davenport Road together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

On March 10, 2016 Toronto City Council refused an application for a 39-storey mixed-use building at 100 Davenport Road. The owner appealed the application to the Ontario Land Tribunal (OLT) and reduced the proposed height to 29-storeys. A detailed decision history of the previous application is available in the report from Planning staff - 100 Davenport Road - Official Plan Amendment Request for Direction Report, dated March 17, 2017, at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE23.13>

On October 29, 2019 the OLT dismissed the appeal of the proposed 29-storey mixed-use building.

THE APPLICATION

Complete Application Submission Date: November 5, 2021

Application Description

This application proposes a 19-storey (72.0 metres, including 6.0-metre mechanical penthouse) mixed-use building consisting of 42 dwelling units (1 one-bedroom (2%); 13 two-bedroom (31%); 28 three-bedroom (67%)) and 437 square metres of commercial space. A total of 56 parking spaces are provided in a 4-level below-grade parking garage. The proposed density is 8.27 times the area of the lot.

See Attachment 2 of this report, for a three dimensional representation of the project in context.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Reasons for the Application

The Zoning By-law Amendment Application proposes to amend Zoning By-laws 438-86, 569-2013 and site specific Zoning By-law 1331-2008 to vary performance standards including: building height; building setbacks; floor space index; and parking space requirements. Additional amendments to the Zoning By-law may be identified as part of the application review.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application was submitted on November 5, 2021.

POLICY CONSIDERATIONS/PLANNING FRAMEWORK

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy-led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with

the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Planning for Major Transit Station Areas

The Growth Plan (2020) as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities.

Toronto Official Plan

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the Planning Act. The PPS recognizes the Official Plan as the most important document for its implementation. The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities and local improvements.

The site is located on lands designated Mixed Use Areas on Map 17 of the Official Plan. See Attachment 4 of this report for the Official Plan Land Use Map.

Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Downtown Plan

The site is designated Mixed Use Areas 2 - Intermediate. Development in Mixed Use Areas 2 will include building typologies that respond to their site context, including midrise and some tall buildings.

Site and Area Specific Policy (SASP) 211 – Bloor Yorkville / North Midtown Area

SASP 211 in the Official Plan recognizes that the Bloor-Yorkville/North Midtown area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. The area includes Neighbourhoods, Apartment Neighbourhoods, Areas of Special Identity, Mixed Use Areas, and open space provided by parks and ravines. It forms the north edge of the Downtown and provides for transition in density and scale.

The tallest buildings in the Bloor-Yorkville/North Midtown Area will be located in the Height Peak in the vicinity of the intersection of Yonge and Bloor Streets. Buildings will step down from the Yonge and Bloor Street intersection in descending ridges of height along Yonge Street, Bloor Street and along portions of Avenue Road, Bay and Church Streets called Height Ridges. The subject site is not located in a Height Ridge or Height Peak.

Zoning By-laws

The site is also subject to Site Specific By-law 1331-2008 which permits a maximum height ranging from 4.5 metres to 16.1 metres.

The site is not currently zoned under Zoning By-law 569-2013. Under Zoning By-law 438-86, the site is zoned CR T2.0 C2.0 R2.0. This zone permits a range of commercial and residential uses. The maximum permitted height is 18.0 metres, and the maximum permitted density is 2.0 times the area of the lot.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- Tall Building Design Guidelines;
- Retail Design Manual;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Toronto Green Standard (Climate Mitigation and Resilience)

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero

emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

Applications for zoning by-law amendments, draft plans of subdivision and site plan control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives. Applicants are strongly encouraged to pursue higher tiers of the TGS wherever possible.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022.

The Toronto Green Standard can be found at the following link:
<https://www.toronto.ca/city-government/planning-development/official-planguidelines/toronto-green-standard/>

COMMENTS

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. Staff will review this application to determine its consistency with the PPS, conformity with the Growth Plan, and conformity to the Official Plan. The following preliminary issues have been identified to be resolved:

Built Form, Planned and Built Context

Staff will assess the suitability and appropriateness of the proposed height, massing, and other built form issues based on applicable Provincial policies; the City's Official Plan policies; Site and Area Specific Policy 211; and the City's Design Guidelines.

The following preliminary issues have been identified:

- Appropriate massing, including setbacks and step-backs in relation to the area's existing and planned context and to preserve the view terminus of the clock tower at 110 Davenport Road;
- Pedestrian level wind conditions along Davenport Road, McAlpine Street, and Blackmore Street;
- Appropriate sidewalk widths and public realm.

Shadow

Shadow studies were prepared in support of the proposal which show the extent of the shadow from the proposed building on March 21 and September 21. Staff will continue to evaluate the potential shadow impacts of the proposed building including the incremental shadow impacts from the proposed development on the existing Belmont House buildings and its open space areas.

Parking and Loading

Staff will review whether the proposed vehicular parking supply of 56 spaces and the proposed internal parking and loading configuration is appropriate.

Infrastructure/Servicing Capacity

Staff will review the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources. An Archaeological Assessment has been submitted and is under review.

Toronto Green Standard

City Planning staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 3 or 4.

Section 37 Community Benefits

The proposal at its current height will be subject to Section 37 contributions under the Planning Act. Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of the required Section 37 community benefits should the application be approved in some form. In the event the owner provides in-kind benefits pursuant to Section 37 of the Planning Act, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

Additional Issues

The application has been circulated to City divisions and public agencies for comment. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Next Steps

City Planning staff will host a Community Consultation Meeting.

City staff will work with the applicant to resolve the preliminary issues discussed in this report and any additional issues that may be identified by staff and the public. City Planning staff will report back at the appropriate time in the review of the application.

A Statutory Public Meeting will be held, as required by the Planning Act, at a Toronto and East York Community Council meeting, when a Final Report is prepared.

CONTACT

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E-mail: David.Driedger@toronto.ca

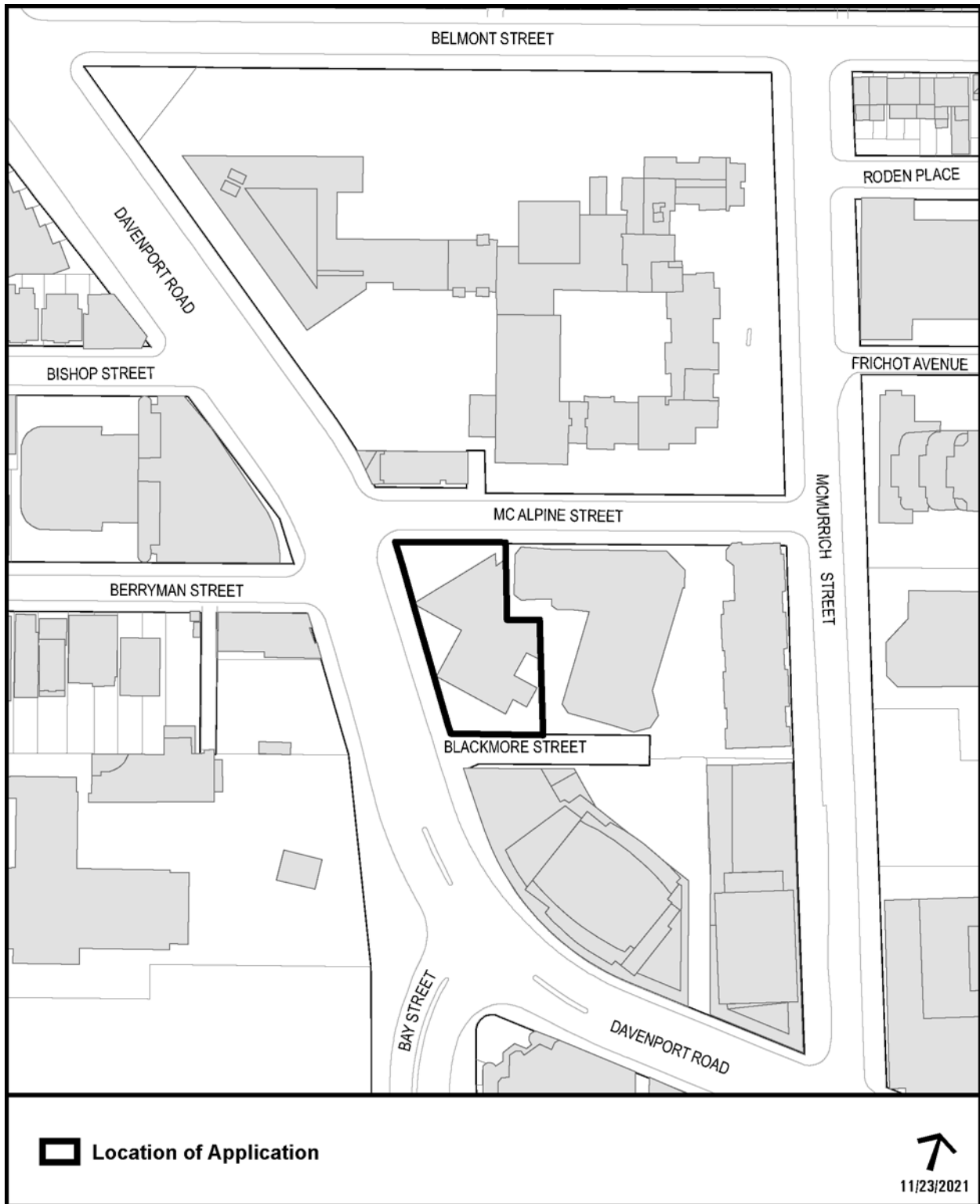
SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning
Toronto and East York District

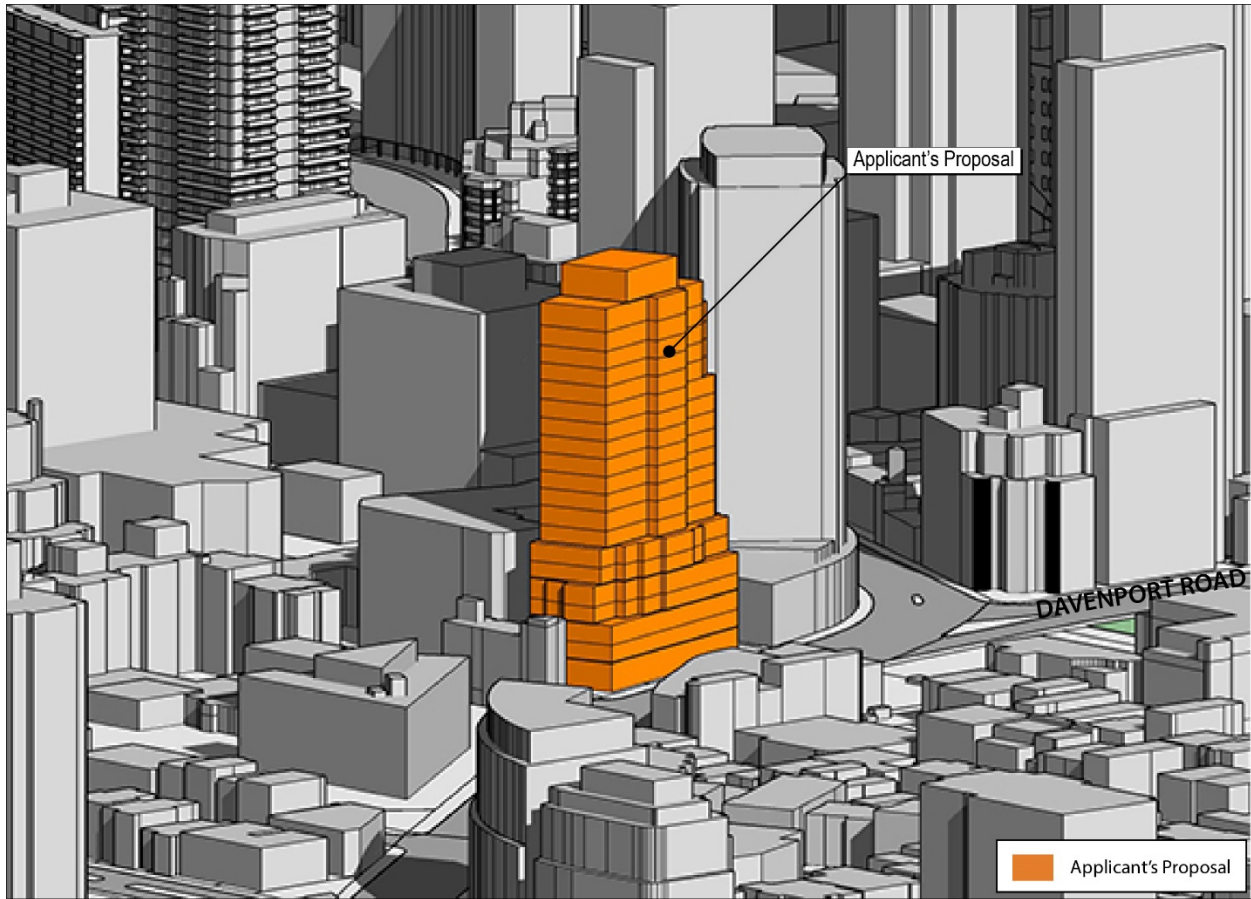
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: 3D Model of Proposal in Context
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: Zoning By-law Map
Attachment 6: Application Data Sheet

Attachment 1: Location Map



Attachment 2: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Southeast



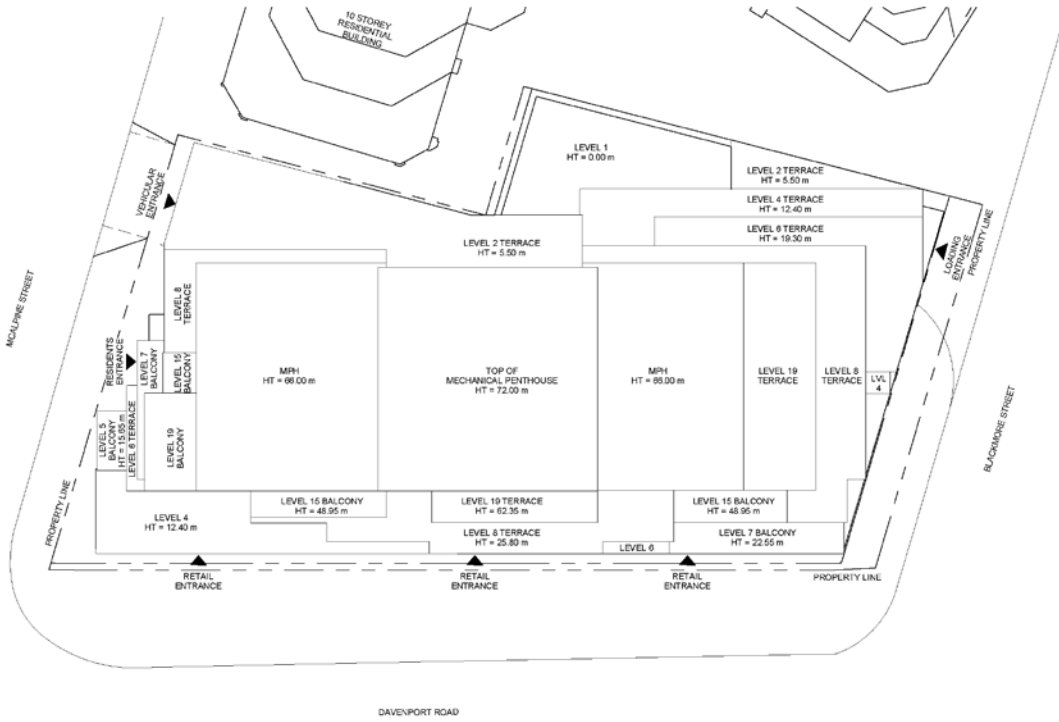
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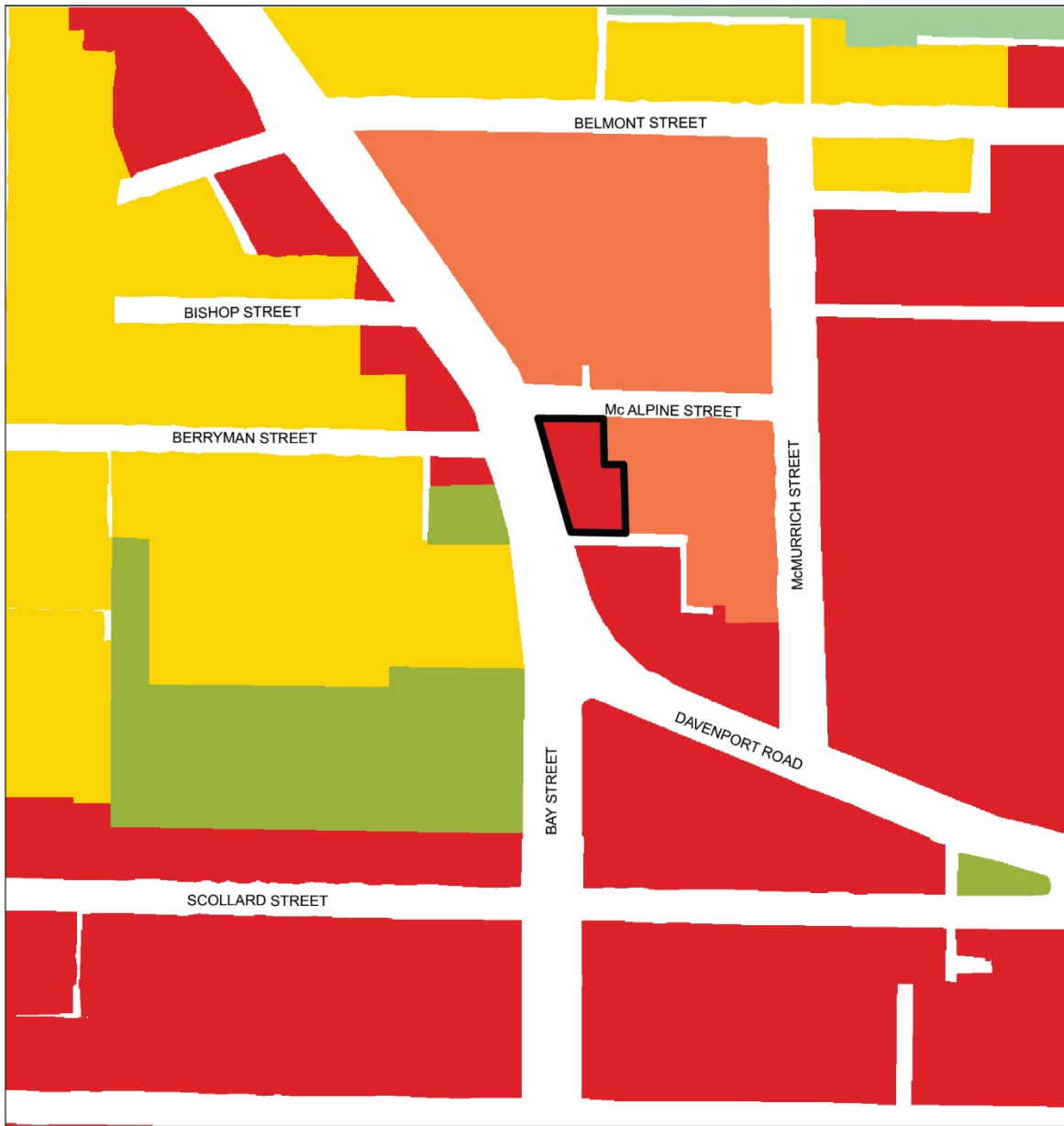
View of Applicant's Proposal Looking Northwest

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11/29/2021

Attachment 3: Site Plan



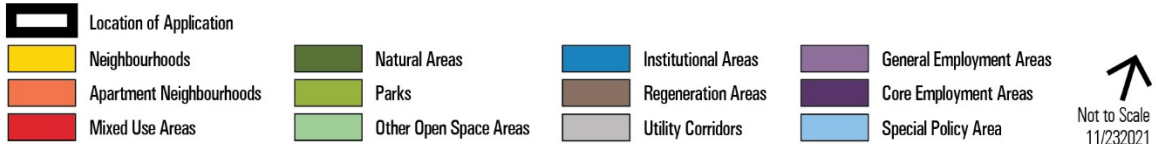
Attachment 4: Official Plan Map



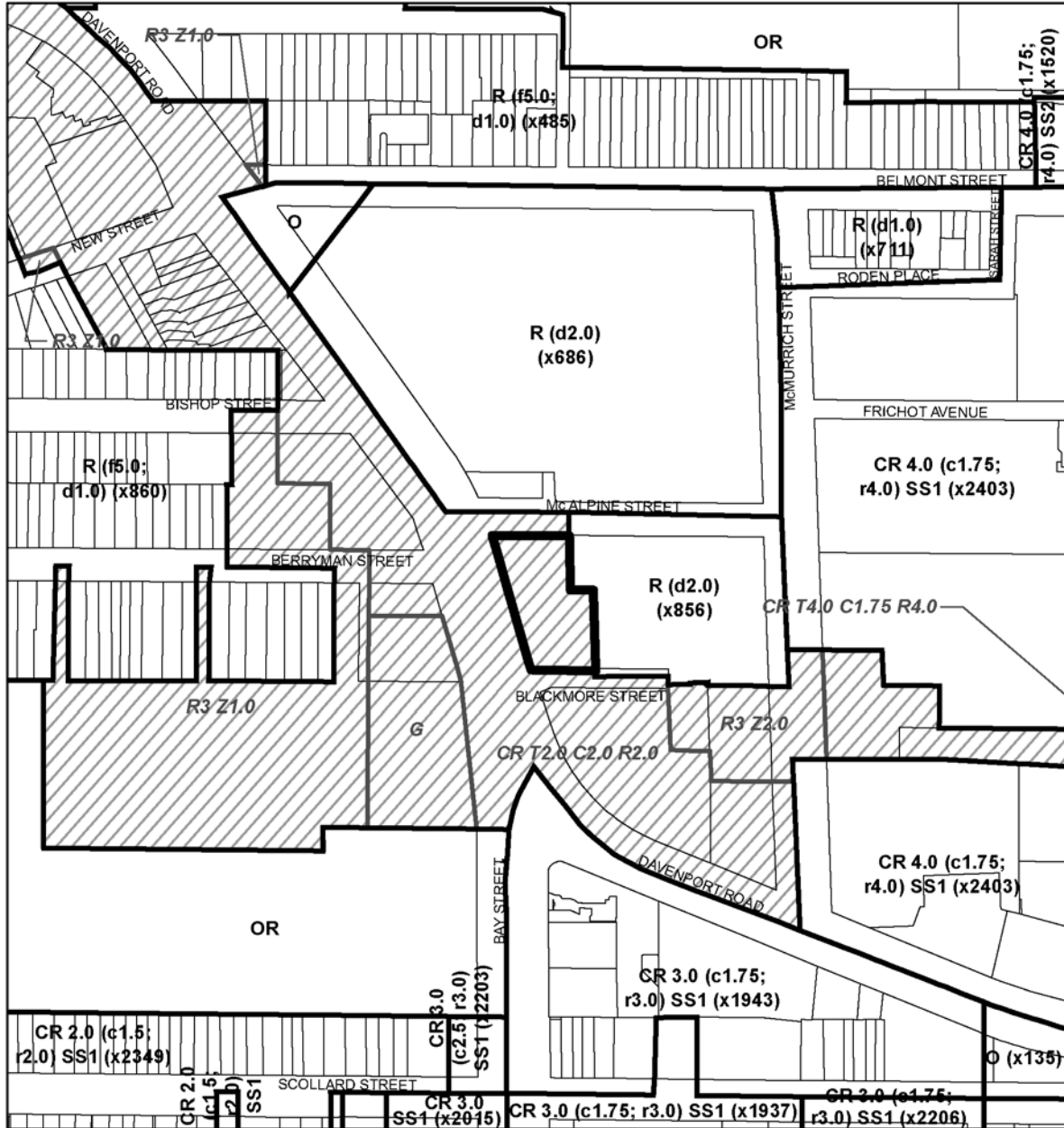
100 Davenport Road

Official Plan Land Use Map #17

File # 21 231497 STE 11 0Z



Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

100 Davenport Road

File # 21 231497 STE 11 0Z

Location of Application

R Residential
CR Commercial Residential
O Open Space
OR Open Space Recreation

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

R3 Residential District
CR Mixed-Use District
G Parks District



Not to Scale
Extracted: 11/23/2021

Attachment 6: Application Data Sheet

Municipal Address: 100 DAVENPORT RD Date Received: October 28, 2021

Application Number: 21 231497 STE 11 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: A 19-storey mixed-use building containing 42 residential dwelling units.

Applicant	Agent	Architect	Owner
DEVINE PARK LLP, 250 Yonge Street, Suite 2302, Toronto, ON M5B 2L7	DEVINE PARK LLP, 250 Yonge Street, Suite 2302, Toronto, ON M5B 2L7	Scott Shields Architects, 317 King Street W, 2nd Floor, Toronto, ON M5V 1J5	100 DAVENPORT GP LTD.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: Heritage Designation: N

Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,292 Frontage (m): 51 Depth (m): 30

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,072	1,072
Residential GFA (sq m):			10,148	10,148
Non-Residential GFA (sq m):	438		437	437
Total GFA (sq m):	438		10,585	10,585
Height - Storeys:			19	19
Height - Metres:			66	66

Lot Coverage Ratio (%) : 82.99 Floor Space Index: 8.19

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	10,148	
Retail GFA:	437	
Office GFA:		

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			42	42
Other:				
Total Units:			42	42

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			1	13	28
Total Units:			1	13	28

Parking and Loading

Parking Spaces: 56 Bicycle Parking Spaces: 75 Loading Docks:

CONTACT:

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