

569-573 Christie Street – Zoning By-law Amendment Application – Decision Report - Approval

Date: June 6, 2023

To: Toronto and East York Community Council

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

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 21 239751 STE 12 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Zoning By-law to permit a 12-unit, 14.5-metre (3 storeys, plus 3 rooftop stair enclosures with mechanical equipment) back-to-back townhouse block, with a single-level underground parking garage containing 12 resident vehicular parking spaces. A total of 4 existing rental units would be demolished.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013, for the lands at 569-573 Christie Street, substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 5 to this report.
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. City Council approve that in accordance with Section 42 of the Planning Act, and prior to the first above grade building permit, the owner convey to the City an on-site parkland dedication of a minimum of 34.2 square metres located as shown on Diagram 3 of the draft Zoning By-law Amendment included as Attachment No. 5 to this report, to the satisfaction of the General Manager, Parks, Forestry and Recreation.
4. City Council direct that any remaining requirement pursuant to Section 42 of the Planning Act and Chapter 415, Article III of the Municipal Code be a payment in lieu to the satisfaction of the General Manager, Parks, Forestry and Recreation.

5. City Council approve the acceptance of the on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition. The owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, and such an encumbrance will be subject to the payment of compensation to the City, in an amount determined by the General Manager, Parks, Forestry and Recreation, and the Executive Director, Corporate Real Estate Management.

6. City Council require the owner to provide and implement an acceptable Tenant Relocation and Assistance Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, for Eligible Tenants of the existing 4 rental dwelling units proposed to be demolished, addressing financial compensation and other assistance to lessen hardship.

7. Before introducing the necessary Bills to City Council for enactment, require the owner to:

a) submit a Functional Servicing and Stormwater Management Report, Servicing Report Groundwater Summary Checklist, and Hydrogeological Report and Hydrological Review Summary to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

b) enter into one or more agreements with the City requiring the owner, at no cost to the City, to complete any upgrades or required improvements to the existing municipal infrastructure and/or new municipal infrastructure to support the development, to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements or upgrades and/or new infrastructure are required to support the development.

c) provide a legal undertaking to the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, securing the implementation of the Tenant Relocation and Assistance Plan required by Recommendation No. 5. above.

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

A Preliminary Report on the application was adopted by Toronto and East York Community Council on February 16, 2022. The Toronto and East York Community Council Decision is available here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.TE31.38>

THE SITE

Description: The site is generally flat, and rectangular in shape, with an additional rectangular shaped piece of land at the northeast corner, with an approximate width of 5.7 metres. The site has an approximate area of 1,305 square metres, with an approximate frontage of 29.2 metres along Christie Street. The approximate depth of the site is 49.4 metres at the north end and 43.4 metres at the south end. The north lot line abuts Wychwood Barns Park. A large City trees is growing on the Christie Street road allowance, fronting 573 Christie Street. A private tree is growing south of the site in the front yard of 567 Christie Street, and a second private tree is growing on a shared property line with a property to the east.

Existing Uses: The site is occupied by three 2.5-storey detached dwellings with rear detached garages, collectively containing 4 rental units, 3 of which are occupied.

THE APPLICATION

Description: A 12-unit, 14.5-metre (3 storeys, plus 3 rooftop stair enclosures with mechanical equipment) back-to-back townhouse block, with a north and south orientation, and private rooftop terraces for each unit.

Density: The floor space index is 1.9 times the area of the lot, for a total gross floor area of 2,461.4 square metres.

Dwelling Units: The proposed 12 dwelling units are all three-bedroom (100%).

Access and Parking: The main entrances to the units are through the west (Christie Street facing), the north (Wychwood Barks Park facing), and the south elevations. The proposed vehicular access to the single-level underground parking garage, containing 12 resident vehicular parking spaces is from Christie Street through the centre of the site.

Additional Information

See Attachment Nos. 1, 2, 6 and 7 of this report for the Location Map, Application Data Sheet, Site Plan of the proposal, and three-dimensional representation. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at:

<https://www.toronto.ca/569-573ChristieSt>

Reasons for Application

The amendment to Zoning By-law 569-2013 is required to vary performance standards including: building and main wall heights, building depth, setbacks and separation distances, lot frontage, and gross floor area.

Site Plan Control

A Site Plan application was submitted on December 6, 2021.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS), and shall conform to provincial plans.

Official Plan Designation: The site is designated Neighbourhoods. Neighbourhoods are 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.

See Attachment No. 3 of this report for the Official Plan Land Use Map.

Christie Street is a Major Street according to Map 3.

Site and Area Specific Policy (SASP) 264: Applies to lands bounded by Christie Street, Spadina Road/Davenport Road, St. Clair Avenue West and the Canadian Pacific Rail Midtown Line. SASP 264 is intended to protect the distinctive characteristics of, and maintain views to and from the Nordheimer Ravine the Lake Iroquois Escarpment, and the Casa Loma/Spadina House complex.

Zoning: The site is located within a Residential Zone (R (d1.0) (x7)), with a height limit of 13.0 metres, and a maximum permitted density of 1.0 times the lot area. The zone permits a range of residential uses including townhouses and apartment buildings. The required minimum lot frontage for a townhouse with one or more dwelling unit not fronting directly on a street is 30.0 metres. See Attachment No. 4 of this report for the existing Zoning By-law Map.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Townhouse and Low-Rise Apartment Guidelines.

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

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. 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. The TGS can be found here: <https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMUNITY CONSULTATION

Staff have corresponded and met with area residents on several occasions. As well, a virtual Community Consultation Meeting was hosted by City staff on June 1, 2022 at which a presentation was given by City staff and the Applicant. Approximately 27 people participated, as well as the Ward Councillor.

The issues raised about the proposal by the Community relate to the following:

- The appropriateness of the height and density for the site;
- The sufficiency of the setbacks;
- The compatibility and fit with the surrounding area and neighbourhood character;
- Shadow, noise, privacy and overlook impacts on the properties to the east as well as Wychwood Barns Park;
- The provision of modest density and housing diversity in the community with proximity to park space, transit and retail;
- The loss of the three existing dwellings, the existing front yard setbacks providing green space, and the existing affordable rental housing stock;
- Rental unit replacement;
- Provision of community benefits;
- The provision of housing for families along major streets;
- The sufficiency of the number of parking spaces proposed;
- Traffic generated by the number of parking spaces proposed;
- Vehicular, pedestrian and cyclist conflicts, particularly in relation to the ramp to the underground parking;
- A lack of a loading area for service vehicles;
- Tree preservation;
- The amount of proposed soft landscaping, including space for vegetation and new trees to be planted and mature;
- The loss of air circulation and existing wind conditions;
- Accessible building design;
- The use of climate change mitigation, resiliency and sustainability design techniques;
- The proposed architectural design and cladding material;
- Municipal infrastructure capacity to accommodate the development; and
- Construction impacts including noise, dust and traffic disruptions.

The issues raised through community consultation have been considered through the review of the application.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to consider submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application. The Community Council meeting is broadcast live over the internet and recorded for review.

COMMENTS

Provincial Framework

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the PPS, and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). The proposal is consistent with the PPS and conforms with the Growth Plan.

Housing Issues

A Rental Housing Demolition application is not required under Chapter 667 of the Toronto Municipal Code as the site contains less than 6 existing dwelling units.

As a result of the demolition of the 4 existing rental dwelling units, Policy 3.2.1.12 of the Official Plan applies to this proposal requiring the Applicant to provide an acceptable Tenant Relocation and Assistance Plan to lessen hardship on the existing tenants. A Tenant Relocation and Assistance Plan has been proposed by the Applicant that would assist eligible tenants, to find and secure alternative accommodation, and consists of the following:

- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation equal to one months' rent or an alternative unit acceptable to the tenant, as required under the Residential Tenancies Act, 2006 when a tenant receives notice of termination of their tenancy for the purposes of demolition;
- Additional financial compensation, above and beyond the requirements of the Residential Tenancies Act, 2006, in the form of a rent gap payment. The rent gap payment would assist tenants in transitioning to market rents, calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in CMHC Rental Market Survey (RMS) Zone 4 – Toronto (West), and be paid out to each tenant in a lump sum on the date they provide vacant possession of their existing rental unit;
- A moving allowance to cover expenses for moving into alternative accommodation;
- Special needs compensation for applicable tenants; and
- Upon request, make a rental leasing agent available to provide tenants with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide assistance in line with tenant needs.

The eligible tenants are those who resided in the existing rental dwelling units at 569-571 Christie Street at the time of application (November 19, 2021). Tenants who moved into their units after the application was submitted would receive the following:

- At least six months' notice before having to vacate their existing dwelling unit; and
- financial compensation as required by the Residential Tenancies Act, 2006.

The Tenant Relocation and Assistance Plan must be secured through a legal undertaking prior to the enactment of the Zoning By-law.

Land Use

The proposed 3-storey (plus rooftop stair enclosures with mechanical equipment) townhouse block conforms with the Neighbourhoods designation of the site.

Streetscape/ Public Realm

City staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan. The Official Plan states that new development will provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. The proposal will provide a minimum distance of approximately 9.2 metres from the building to the curb, with the exception of stair, porch and window encroachments, allowing for a 2.1-metre pedestrian clearway and landscaping including space for new trees to mature. The final landscaping plan will be determined and secured as part of Site Plan Control.

Tree Preservation

An Arborist Report was submitted indicating that the City-owned street tree fronting 573 Christie Street, and the two privately-owned trees will be impacted by the proposal requiring a permit under the City of Toronto Municipal Code, Chapter 813, the Tree Protection By-law.

The Applicant will be required to replace the City-owned tree proposed for removal, as a result of its poor condition, as well as provide additional tree planting on site in accordance with the requirements of the TGS.

The final number and location of trees to be planted will be determined as part of Site Plan Control to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Building Form

City Planning staff find that the proposal is compatible with the surrounding context, and conforms with the applicable Official Plan policies and meets the intent of the Townhouse and Low-rise Apartment Urban Design Guidelines.

The Official Plan states that development in Neighbourhoods will respect and reinforce the existing physical character including prevailing setbacks of buildings from the street. The proposed front yard setback of approximately 6.0 metres, with the exception of stair, porch and window encroachments, respects the prevailing front yard setbacks, and is consistent with the streetwall and landscaped open space pattern of Christie Street.

The proposed approximate 4.0-metre setback from the north (abutting Wychwood Barns Park), east (rear) and south property lines, with the exception of stair, porch and window encroachments, provides sufficient space for pedestrian circulation to the unit entrances, and landscaping.

The proposed entrances (the front of the townhouses) face Christie Street to the west, Wychwood Barns Park to the north and the side yard of 567 Christie Street to the south. The east elevation will be the side of the townhouse units which abut the rear yards of the properties to the east.

The east and south unit configuration and setbacks provide for an acceptable building separation distance to the adjacent buildings, and are an acceptable condition. The second and third storey windows on the east elevation will be located a minimum of approximately 1.8 metres above the floor level, a 2-metre high privacy fence will be located along the east property line, and an approximately 1.7-metre high privacy screen and landscape planter is proposed along the east side of the rooftop terraces of the eastern units, all of which will be secured as part of the Site Plan Control application.

The proposed building height of 14.5 metres is acceptable. The perceptible 3-storey portion of the building is 11.4 metres, which is lower than the maximum permitted building height requirement of the Zoning By-law. The rooftop stair enclosures, which have a height of approximately 3.1 metres, will be a minimum of approximately 3.1 metres from the Christie Street (front) and rear (east) main walls, and a minimum of approximately 1.2 metres from the north and south main walls, limiting their visibility from the public realm and surrounding properties.

Parkland

The Official Plan contains policies to ensure that the systems of parks and open spaces are maintained, enhanced and expanded in Toronto. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code, and the parkland dedication requirement is 131.0 square metres or 10% of the development site. The proposal provides a 34.2 square metre on-site parkland dedication at the northeast corner of the site to expand Wychwood Barns Park, and the remainder of the parkland dedication requirement will be provided with a cash-in-lieu payment acceptable to Parks, Forestry and Recreation.

The value of the cash-in-lieu of parkland dedication will be appraised through Corporate Real Estate Management. The conveyance of the on-site parkland dedication and cash-in-lieu payment will be required prior to the issuance of the first above grade building permit.

Parking

A Traffic Brief and Parking Justification Study was submitted to assess the traffic impact, access, and parking for the proposal. Transportation Services staff reviewed the submitted studies and accept the proposed parking supply of 12 resident vehicular parking spaces.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items requiring revision, resubmission and acceptance of the Functional Servicing and Stormwater Management Report, Servicing Report Groundwater Summary Checklist, and Hydrogeological Report and Hydrological Review Summary to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services

Should it be determined that upgrades and road improvements are required to support the development, the owner should be required to enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure.

Both of these matters must be addressed prior to the enactment of the Zoning By-law.

Toronto Green Standard

The Applicant is required to meet Tier 1 of the TGS. The site specific Zoning By-law, and future site plan agreement, will secure performance measures for various development features. The Applicant is encouraged to achieve Tier 2 or higher to advance the objectives of the City for resilience and to achieve net-zero emissions by 2040 or sooner.

CONTACT

Catherine Jung, Planner
Telephone: 416-338-3735
E-mail: Catherine.Jung@toronto.ca

SIGNATURE

Oren Tamir, Acting Director
Community Planning
Toronto and East York District

ATTACHMENTS

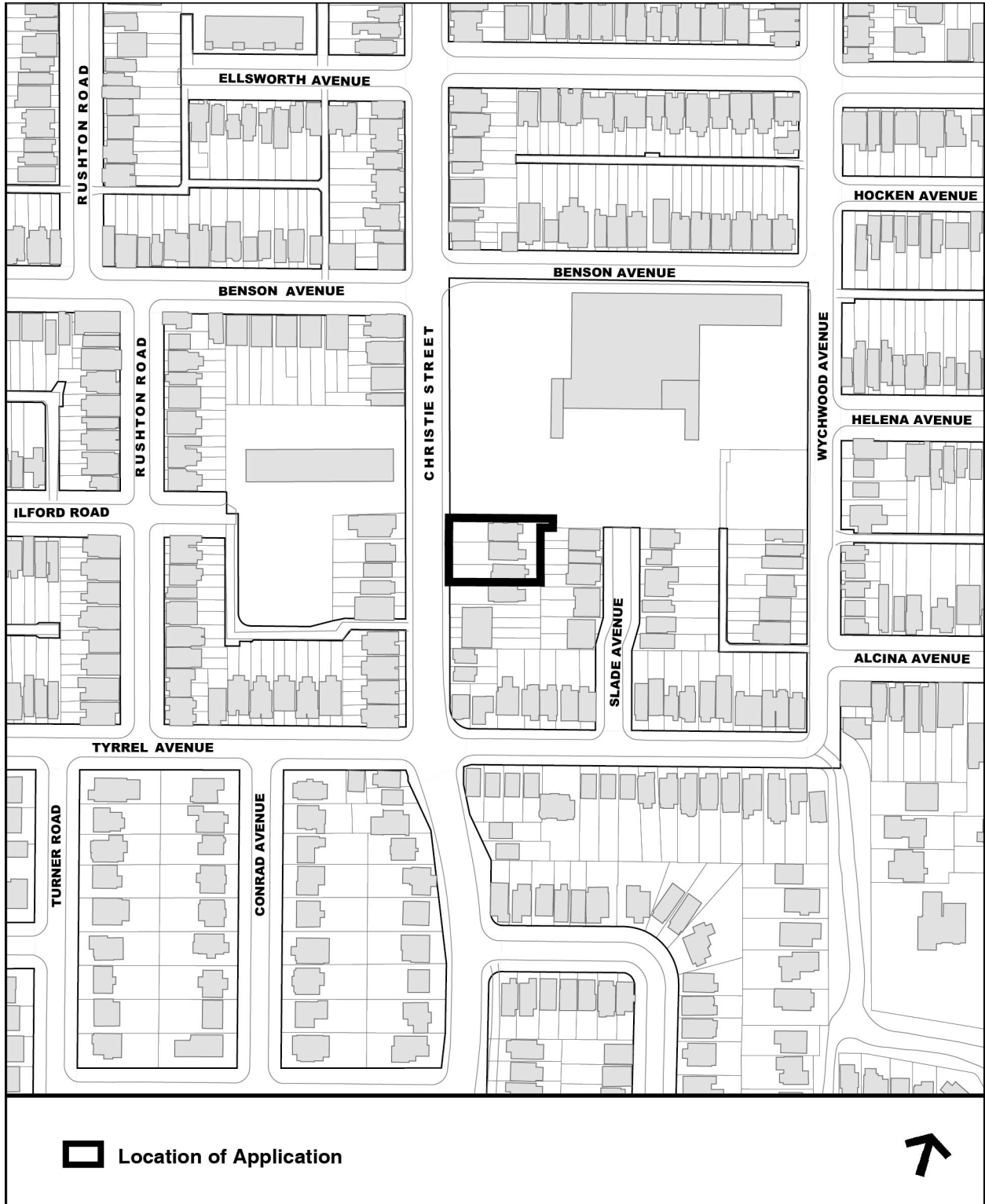
City of Toronto Data/Drawings

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings

- Attachment 6: Site Plan
- Attachment 7: 3D Model of Proposal in Context

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 569-573 Christie Street **Date Received:** November 19, 2021

Application Number: 21 239751 STE 12 OZ

Application Type: Zoning By-law Amendment

Project Description: 12-unit townhouse block

Applicant

C2 Planning Land Use
Planners

Architect

Studio Architectonic
Inc.

Owner

Christie Street Developments
Ltd.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	SASP 264
Zoning:	R (d1.0) (x7)	Heritage Designation:	N
Height Limit (m):	13.0	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1,305 **Frontage (m):** 29 **Depth (m):** 43

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			741	741
Residential GFA (sq m):	590		2,461.4	2,461.4
Non-Residential GFA (sq m):				
Total GFA (sq m):	590		2,174	2,174
Height - Storeys:	3		3	3
Height - Metres:	10		14.5	14.5

Lot Coverage Ratio (%): 56.78 **Floor Space Index:** 1.9

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 2,461.4

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	4		12	12
Freehold:				
Condominium:				
Other:				
Total Units:	4		12	12

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					12
Total Units:					12

Parking and Loading

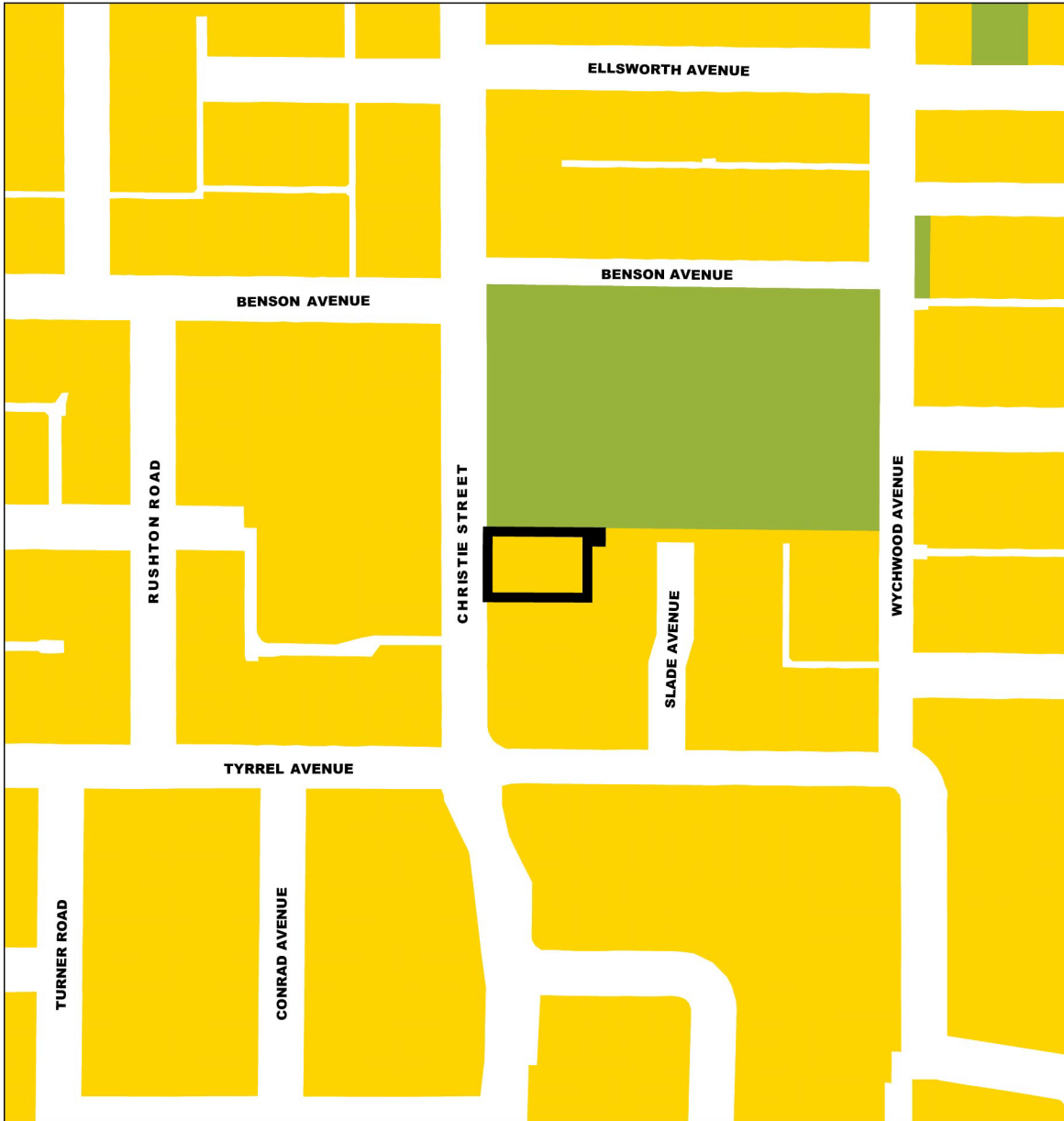
Parking Spaces: 12 Bicycle Parking Spaces: 0 Loading Docks: 0

CONTACT:

Catherine Jung, Planner
416-338-3735

Catherine.Jung@toronto.ca

Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

569-573 Christie Street

File # 21 239751 STE 12 OZ



Location of Application

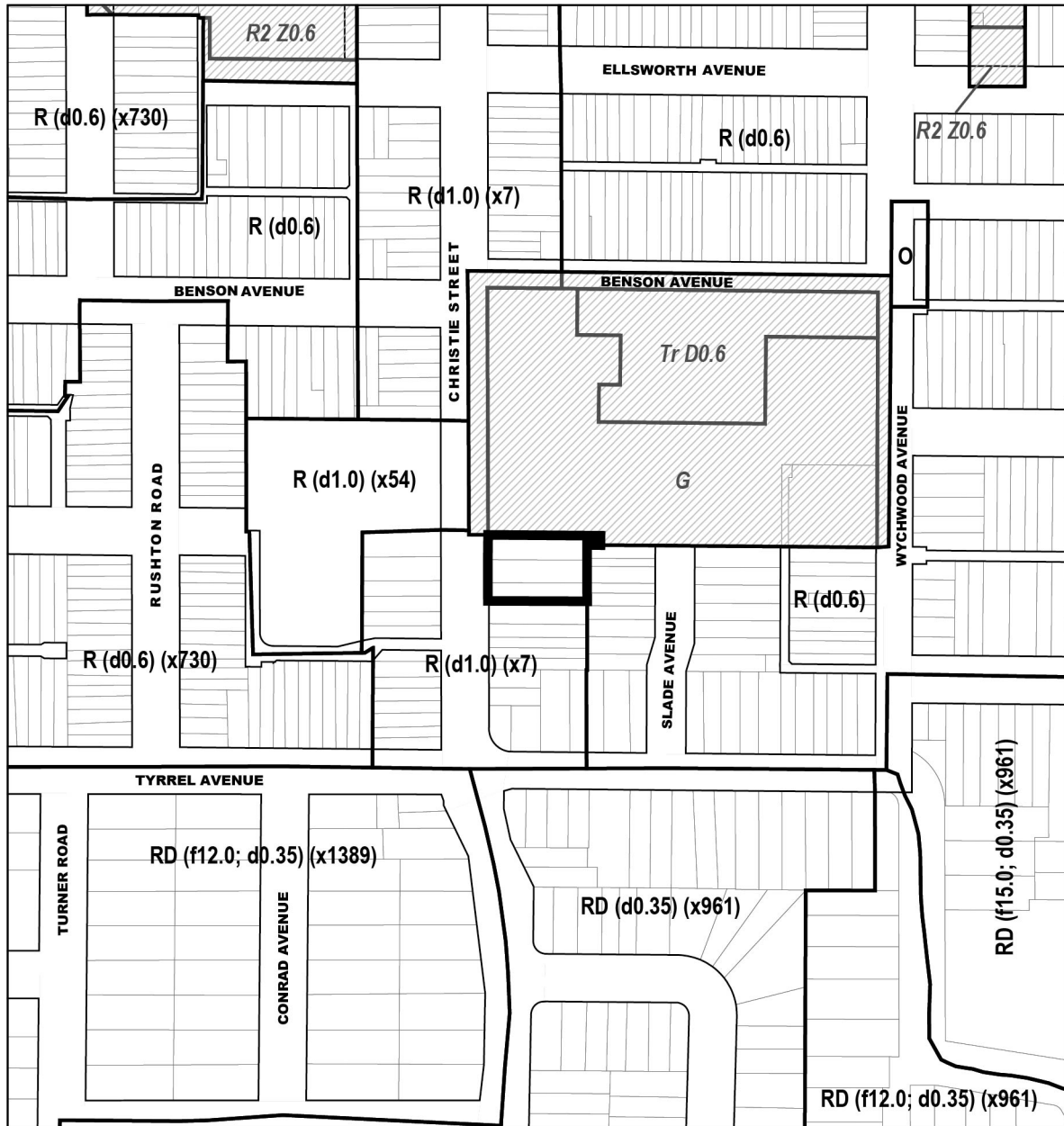
Neighbourhoods

Parks



Not to Scale
Extracted: 11/22/2021

Attachment 4: Existing Zoning By-law Map




Zoning By-law 569-2013

569-573 Christie Street

File # 21 239751 STE 12 0Z

-  Location of Application
- R** Residential
- RD** Residential Detached
- O** Open Space
- OR** Open Space Recreation

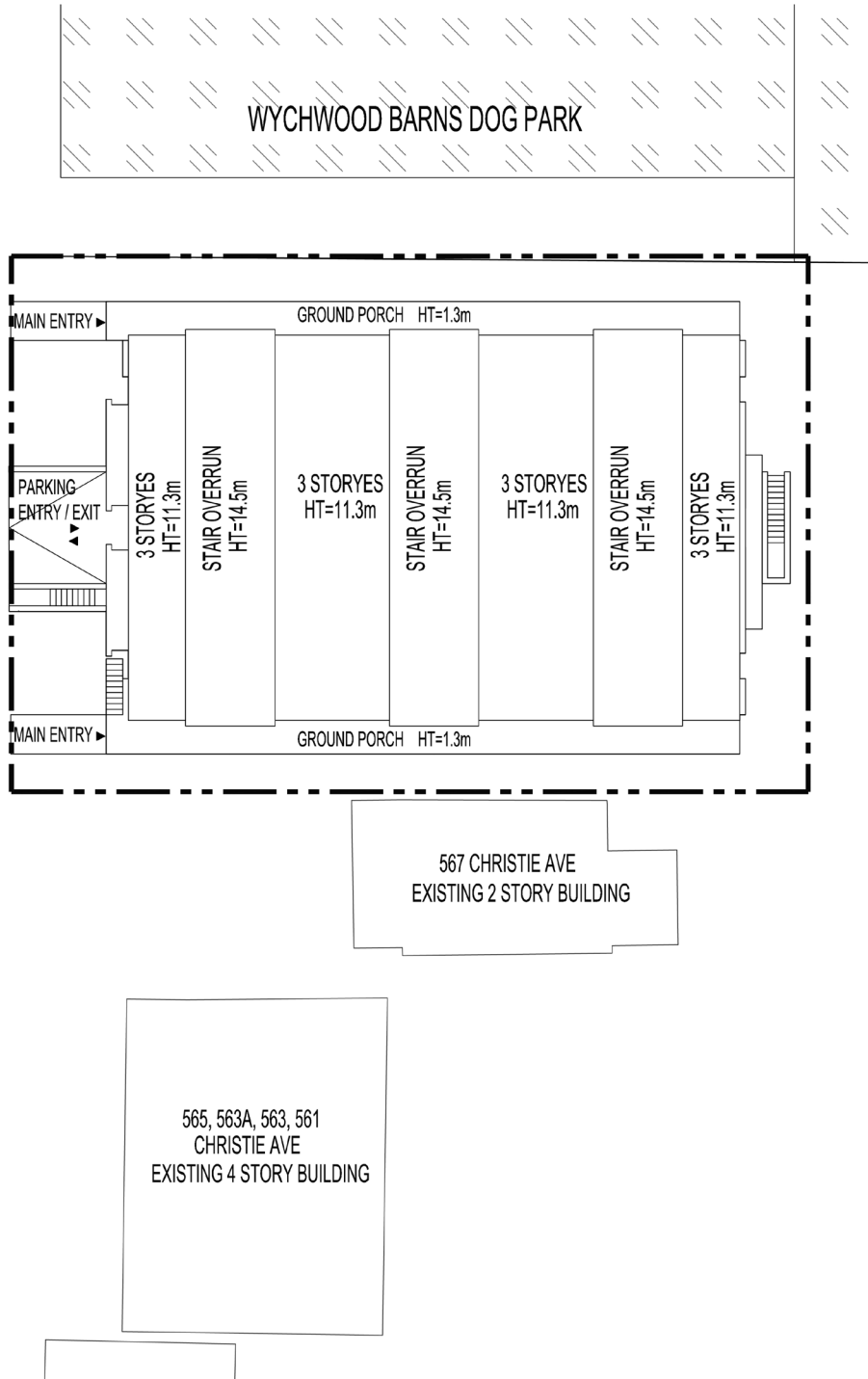
-  See Former City of Toronto By-law No. 438-86
- R4** Residential District
- MCR** Mixed-Use District
- Tr** Industrial District
- G** Parks District


 Not to Scale
 Extracted: 11/22/2021

Attachment 5: Draft Zoning By-law Amendment

To be available prior to the June 22, 2023 Toronto and East York Community Council Meeting.

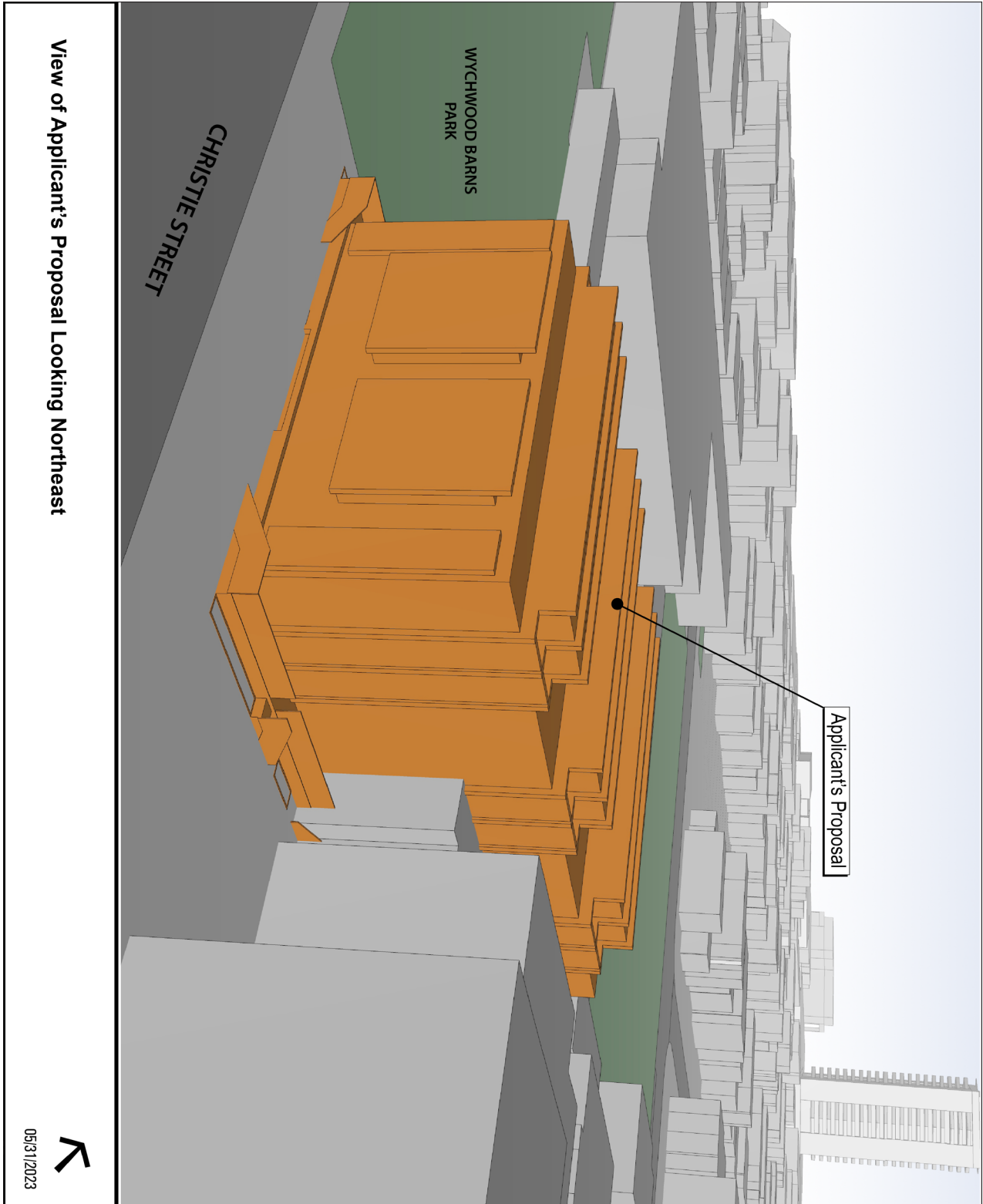
CHRISTIE AVE

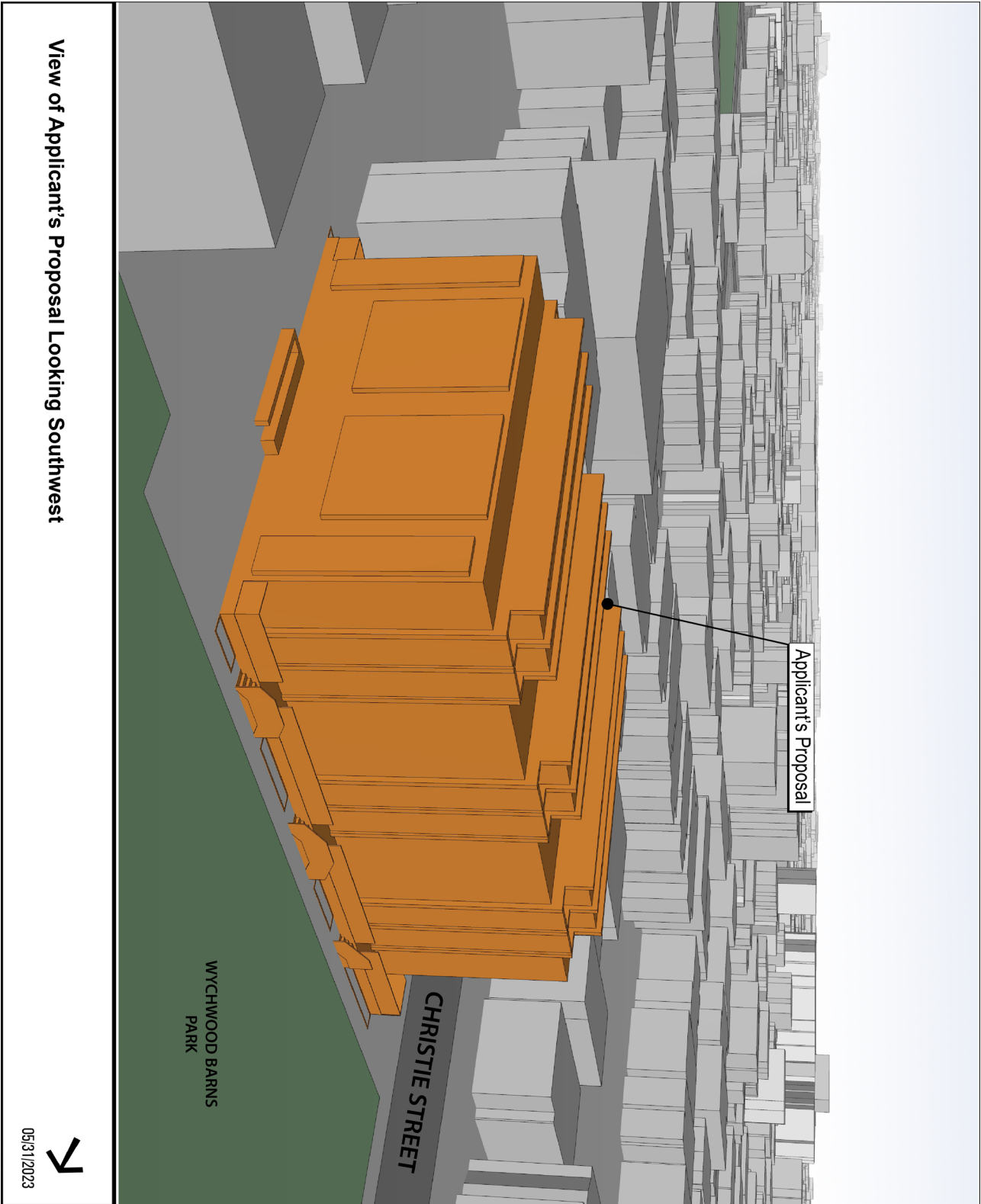


Site Plan



Attachment 7: 3D Model of Proposal in Context





View of Applicant's Proposal Looking Southwest