

184 Chatham Avenue – Zoning By-law Amendment – Decision Report – Approval

Date: October 27, 2023

To: Toronto and East York Community Council

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

Ward: Ward 14 - Toronto-Danforth

Planning Application Number: 23 109221 STE 14 OZ

SUMMARY

This application proposes to amend the Zoning By-Law to permit a 4-storey residential building with a height of 12.3 meters (excluding stair and elevator overruns) and 34 condominium residential units.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

This report reviews and recommends approval of the application to amend the Zoning By-law. The proposal results in an appropriate built form and massing that fits with the existing and planned context of the surrounding area. The proposal provides appropriate transitions to the adjacent buildings on Chatham Avenue.

RECOMMENDATIONS

The Director, Community Planning Toronto and East York District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 184 Chatham Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, require the owner to:

- a. submit a revised Functional Servicing and Stormwater Management Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
- b. Make satisfactory arrangements to financially secure the construction of any improvements to the municipal infrastructure in connection with the accepted Stormwater Management and Site Servicing Report by the Chief Engineer & Executive Director, Engineering & Construction Services, should it be determined that improvements to such infrastructure are required.

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 Pre-Application Consultation was held on January 28, 2022. The application was submitted on March 8, 2023 and deemed complete on March 23, 2023. A community consultation was held on May 17, 2023, details of which are summarized in the Comments section of this Report.

THE PROPOSAL

The site is located south of Danforth Avenue, between Greenwood and Byron Avenues. The rectangular parcel has an area of 1004.6 square metres and has a frontage of 23.5 metres along Chatham Avenue and a depth of 42.7 metres. At the rear, the site abuts an east-west public laneway. The site is approximately 280 metres from the Toronto Transit Commission's (TTC) Donlands Subway Station and 400 metres from Greenwood Subway Station.

At this time, the site contains a surface parking lot.

This application is proposing a four-storey residential apartment building with a height of 12.3 metres (14.95 metres with elevator and stair overruns) totaling 2,355.5 square metres of residential gross floor area. The density would be 2.34 times the area of the lot.

A total of 34 units are proposed. This includes 5 studio (15%), 18 one-bedroom (53%), 8 two-bedroom (23%), and 3 three-bedroom (9%) units. The units at grade would have terraces with privacy screening. Balconies are proposed for the units on Floors 2 and 3. The fourth floor units would have a private rooftop terrace for each unit with access provided by a stairwell from each unit.

A total of 138 square metres of amenity space is proposed in the basement and on ground floors. There will be 75 square metres of indoor space and 63 metres of outdoor amenity space.

A total of seven vehicular parking spaces will be provided, of which, five will be for residents and two for visitors on the ground floor at the rear of the building. Vehicular access to the parking spaces will be provided at the rear from the laneway. A total of 38 bicycle parking spaces (31 long-term and 7 short-term) are proposed. No loading spaces are proposed.

See Attachments No. 1, 2, 6, and 11 of this report for the Application Data Sheet, Location Map, a site plan of the proposal and a three-dimensional representation of the proposal.

Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre (AIC) at: www.toronto.ca/184ChathamAve

Reasons for Application

The Zoning By-law Amendment application is required to amend Zoning By-law 569-2013 to create appropriate performance standards for building height, depth, building setbacks, outdoor amenity space and soft landscaping.

APPLICATION BACKGROUND

Application Requirements

In addition to architectural and landscape plans and drawings, the following reports/studies were submitted in support of the application:

- Arborist Report;
- Servicing Report;
- Geotechnical Study;
- Transportation Impact Study;
- Hydrogeological Report;
- Methane Gas Study;
- Planning Rationale; and
- Civil and Utility Plans.

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Statutory Public Meeting Comments

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

POLICY AND REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of an authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans including the Growth Plan (2020) for the Greater Golden Horseshow, the Greenbelt Plan and others.

Official Plan Designation

The site is designated as Neighbourhoods in the Official Plan. See Attachment No. 3 of this report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The Official Plan can be found here: <https://www.toronto.ca/city-government/planningdevelopment/official-plan-guidelines/official-plan/>.

Zoning

The site is zoned Residential R (d0.6) (x736) in Zoning By-law 569-2013 with a maximum height limit of 11 metres. The maximum permitted density is 0.6 times the area of the lot. The residential zone category permits a range of residential building types including apartment buildings. 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 Design Guidelines;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Growing Up Guidelines Planning for Children in New Vertical Communities; and
- Toronto Accessibility Design 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 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 Toronto Green Standard.

Site Plan Control

The site is subject to Site Plan Control. A Site Plan Control application has yet to be submitted.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of Provincial interest set out in the Planning Act. Provincial policy directs intensification to Major Transit Station Areas. Staff have reviewed the current proposal for consistency with the PPS (2020) and the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Land Use

This application has been reviewed against the Official Plan policies described in the Policy and Regulation Considerations Section of the Report as well as the policies of the Official Plan as a whole. The site is designated as Neighbourhoods in the Official Plan. The proposed residential use is acceptable and conforms to the policies of the Official Plan.

Built Form, Height and Massing

City Planning staff find that the proposal conforms to the applicable Official Plan policies with respect to the built form and massing. Furthermore, the proposal meets the intent of the Townhouse and Low-Rise Apartment Guidelines.

The proposal is for a four-storey residential apartment building in a T-shaped configuration. Staff are of the opinion that the T-shaped configuration of the proposed building would be compatible with the surrounding context with respect to built form, massing and transitions to the adjacent dwellings to the east, west and south. The T-shaped configuration aligns the front portion of the building with the adjacent buildings along Chatham Avenue and provides a greater setback beyond rear wall of the adjacent buildings to mitigate the depth and height of the proposed building. The proposed building provides an eastern side yard setback of 1.5 metres along the first floor for a depth of 19.1 metres then increases the setback to 5.1 metres. On the western side of the proposed building, there is a 0.8 metre side setback which increases to 5.5 metres at a depth of 21 metres to the rear garage. The site plan drawing in Attachment No. 6

illustrates the setbacks and demonstrates how the massing is mitigated at the sides of the building to increase the separation distance between the adjacent buildings, allow for primary windows, allow for the planting of trees, and increase privacy.

The proposed building height of four-storeys and 12.3 metres (15.0 metres with the stair and elevator overruns) is acceptable in areas designated Neighbourhoods. The proposal would mitigate the height of the building by recessing the front and rear of the building on each side and providing a two storey streetwall in keeping with the adjacent properties. The front two storeys would be setback 1.9 metres from the property line to the front face of the ground floor terrace and second floor balcony. The front setback to the face of the building would be 3.5 metres. The third floor has a further stepback of 1.7 metres with the fourth floor stepping back an additional 1.5 metres as seen in the Eastern and Western Elevation Drawings in Attachments No. 8 and 10. The front yard setback will allow for new trees to be planted on site along with a 2.1 metre pedestrian clearway. The building would have a 1.04 metre setback from the rear property line which is adjacent to the rear public laneway.

The proposed height, massing, setbacks and stepbacks provide a built form and transition that is consistent with the Townhouse and Low-Rise Apartment Guidelines and the development criteria in the Neighbourhood policies. Given the existing and the planned context for the subject property and the surrounding area, staff are of the opinion the proposed built form, height and massing are appropriate.

Tree Preservation

An arborist report and tree protection plan were submitted that note a total of 12 trees on and in proximity to the site. The applicant is proposing to preserve two trees and remove ten trees due to the proposed construction. As a result, the applicant will replant 15 new trees to replace the trees that will be removed. The City's standard compensation ratio is 1:1 for the removal of City-owned street trees. Two of the four trees along the road allowance will be preserved. The two trees that will be removed along with road allowance will be replaced.

Staff will continue to work with the applicant during the Site Plan Control process to finalize the tree planting and landscape plans.

Traffic Impact, Access and Parking

Resident access to the proposed building will be from the front of the building and along the eastern side of the building through the indoor amenity area.

Cyclists can access the long-term bike parking by accessing the basement level along with the bike repair station and short-term bicycle parking will be provided at the front of the building. The proposal includes 31 long-term bicycle parking spaces on the basement level and 7 short-term bicycle parking spaces in the front on the ground floor.

Vehicular access to the rear parking spaces will be from the public laneway north of the site. Two access points to the laneway are available along Chatham Avenue. A total of

seven parking spaces are proposed, consisting of five residential parking spaces and two residential visitor parking spaces.

A Transportation Impact Study was submitted to assess the traffic impact, access, parking arrangements for the proposed development. Transportation Services have deemed that no loading space is required due to site constraints. The proposed number of parking spaces satisfies the Zoning By-law requirements for parking.

Transportation Services staff have reviewed the Transportation Impact Study and accepts its conclusions.

Road and Laneway Widening

A 0.67 metre laneway widening is required along the rear (north) property line to satisfy the Official Plan requirement for a 6.0 metre laneway right-of-way. This lane widening will be conveyed to the City as part of the Site Plan Control process.

At the Community Consultation Meeting and following afterwards, there was concern about the interface of construction vehicles with the nearby Danforth Early Learning and Childcare Centre. The Construction Management Plan will include a condition that construction vehicles can travel no further eastward than 184 Chatham Avenue during the construction period to ensure the safety of the children at the Danforth Early Learning and Childcare Centre.

The applicant must submit comprehensive Construction Management Plans (CMP) for each stage of the construction process. These plans must illustrate the location of employee and trades parking, heavy truck access points, material storage, construction site fencing and overhead cranes. We advise the applicant that they cannot use the municipal right-of-way for construction-related purposes without first receiving written authorization from our Permits and Enforcement Section, including payment of the necessary fees.

In addition, three speedbumps have been installed along with crossing signs on the public laneway to reduce vehicular and bicycle speeding and raise awareness as a result of the concerns shared at the Community Consultation Meeting.

Parkland

In accordance with Section 42 of the Planning Act and Chapter 415-29, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The value of the cash-in-lieu of parkland dedication will be appraised through Corporate Real Estate Management. Payment will be required prior to the issuance of the first above grade building permit.

Servicing

The applicant has submitted a Functional Servicing and Stormwater Management Report containing a Downstream Combined Sewer Capacity Analysis in support of the Zoning By-Law Amendment application. Engineering and Construction Services (ECS)

staff have reviewed the report and determined it must be revised to comply with the City's Sewer Capacity Assessment Guidelines in order to confirm there is adequate capacity to service the development.

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.

Staff are recommending that these matters be addressed prior to the bills proceeding to City Council for the proposed development.

Housing Issues

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. The proposal for an apartment building with condominium units is a housing unit mix that meets the intent of the Growing Up Guidelines: Planning for Children in New Vertical Communities (GUG). The GUG provide requirements for low-rise apartment buildings to ensure the needs of families and children are met by providing a diversity of larger sized units. A total of 32 percent of 2- and 3-bedroom units are provided in the development, exceeding the GUG of 25 percent. Nine percent of the units in the development are 3-bedroom units, which is just short of the GUG guideline of 10 percent.

Affordable Housing is a significant priority for the City and City Planning staff advocate for the inclusion of affordable housing units on any project where possible. The applicant will not be subject to a Community Benefit Charge (CBC) requirement at the time of Building Permit issuance because the building is less than 5-storeys in height.

City Planning staff have circulated the application to the Housing Secretariat for their assessment of opportunities for the inclusion of affordable units. The proposal, to date, does not propose any affordable housing units, though Housing Secretariat staff met with the applicant on October 23, 2023 to discuss the Open Door Affordable Housing Program and associated financial incentives.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The 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 Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

Community Consultation

Staff have corresponded and met with residents virtually in the neighbourhood on several occasions. In addition, City Planning held a virtual Community Consultation Meeting on City on May 17, 2023. Approximately 23 people attended, including the Ward Councillor. City staff and the applicant's consultant team presented on the planning framework, the site and area context, and the details of the proposal. The presentations were followed by a question-and-answer period.

The comments and questions included:

- The proposed tenure of the units;
- Construction management, particularly related to congestion on Chatham Avenue, impact of construction vehicles on adjacent dwellings, and safety in relation to Danforth Early Learning and Childcare Centre at 1175 Danforth Avenue;
- Maintenance of the laneway in the winter;
- Parking spaces provided;
- Traffic impacts to the surrounding area, both vehicular and bicycle;
- Overlook onto the adjacent properties;
- Protection and preservation of the existing trees on site and on the road allowance; and
- The proposed intensification was supported.

The concerns noted have been taken into consideration through the further review of the proposal and discussions with the applicant.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, and applicable guidelines. Staff are of the opinion that the proposal is consistent with the PPS and does not conflict with the Growth Plan (2020).

The proposal is in keeping with the intent of the Official Plan, particularly as it relates to development in Neighbourhoods and appropriate transition to lower-scaled Neighbourhood areas. The proposal provides a number of residential units in proximity to two transit stations. The proposed development is an appropriate form of intensification that is compatible with the surrounding context. Staff recommend that Council approve the application.

CONTACT

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SIGNATURE



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Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- 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: North Elevation
- Attachment 8: East Elevation
- Attachment 9: South Elevation
- Attachment 10: West Elevation
- Attachment 11: 3D Model of Proposal - North-East View
- Attachment 12: 3D Model of Proposal - South-West View

Attachment 1: Application Data Sheet

Municipal Address: 184 Chatham Avenue **Date Received:** February 1, 2023

Application Number: 23 109221 STE 14 OZ

Application Type: Zoning By-law Amendment

Project Description: To permit a 4-storey residential building.

Applicant	Agent	Architect	Owner
Bousfields	David Charezenko	RAW Design Inc.	Chatham Danforth Developments Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	None
Zoning:	R(d0.6)(x736)	Heritage Designation:	No
Height Limit (m):	11	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m):	1006.6	Frontage (m):	23.56	Depth (m):	42.70
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	-	-	-	-
Residential GFA (sq m):	-	-	2,335	2,335
Non-Residential GFA (sq m):	-	-	-	-
Total GFA (sq m):	-	-	2,335	2,335
Height - Storeys:	-	-	4	4
Height - Metres:	-	-	14.95	14.95

Lot Coverage Ratio (%):	64	Floor Space Index:	2.34
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Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	-	-	-	-
Freehold:	-	-	-	-
Condominium:	-	-	34	34
Other:	-	-	-	-
Total Units:			34	34

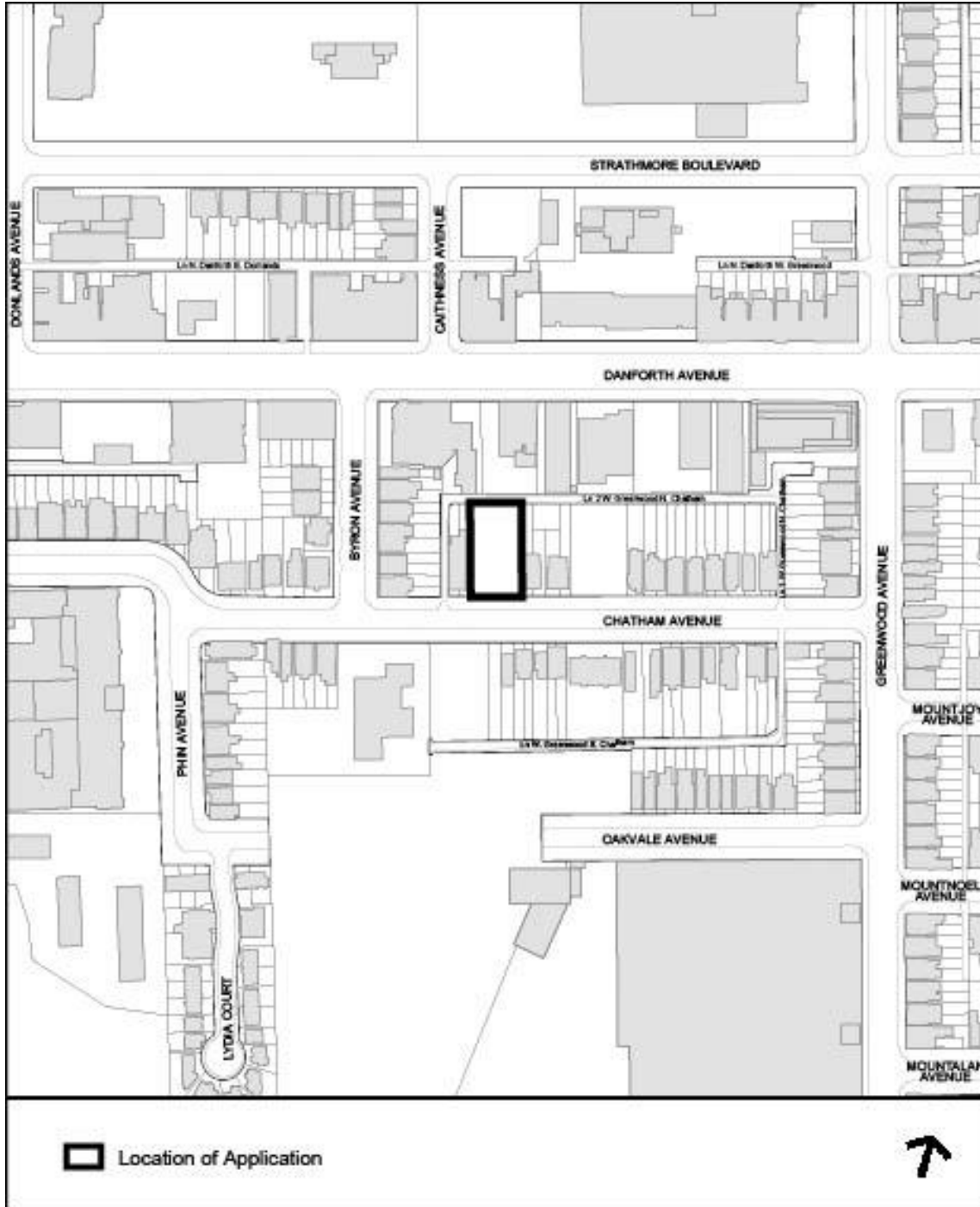
Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		5	18	8	3
Total Units:		5	18	8	3

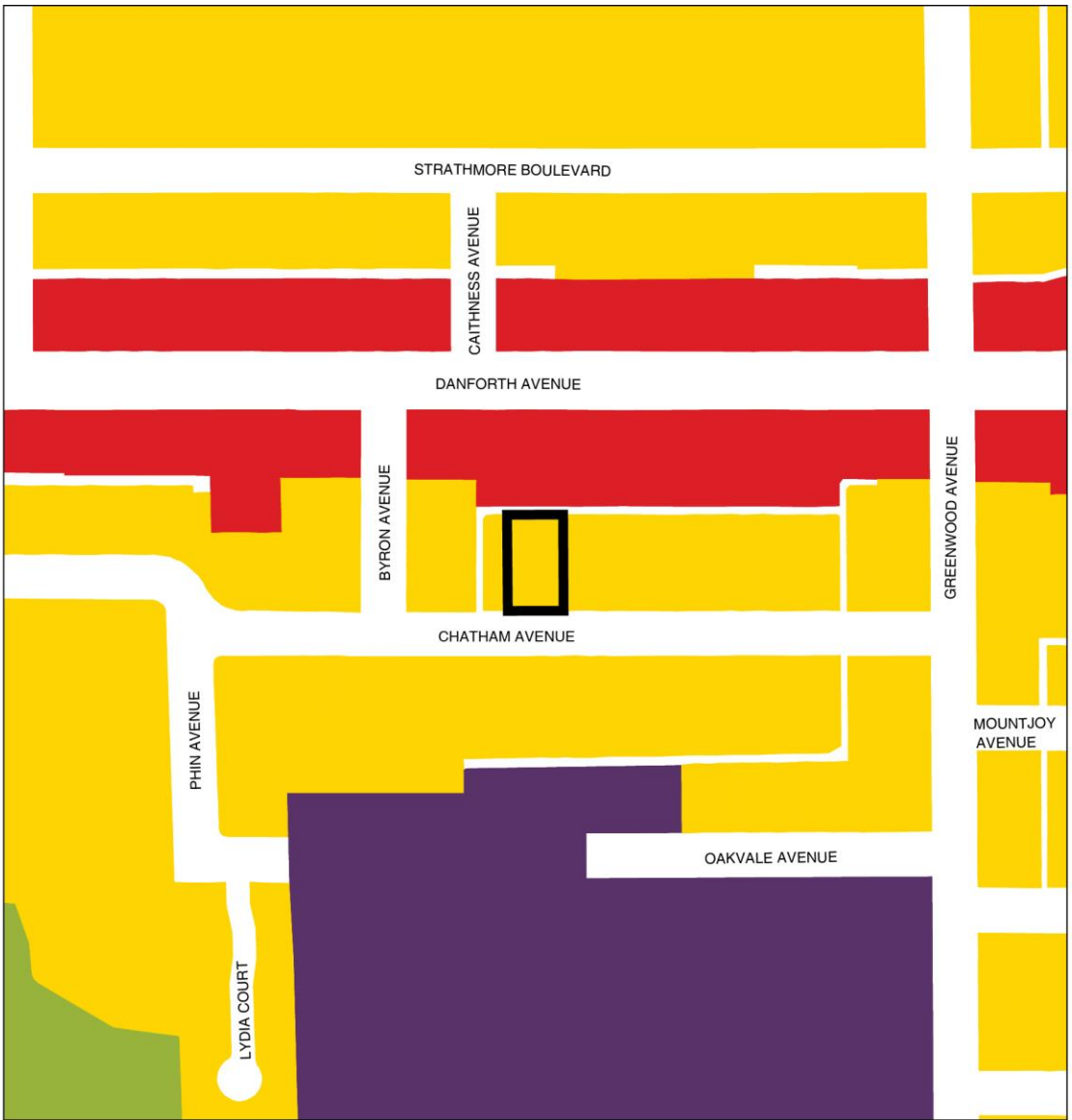
Parking and Loading

Parking Spaces:	7	Bicycle Parking Spaces:	38	Loading Docks:	-
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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #21

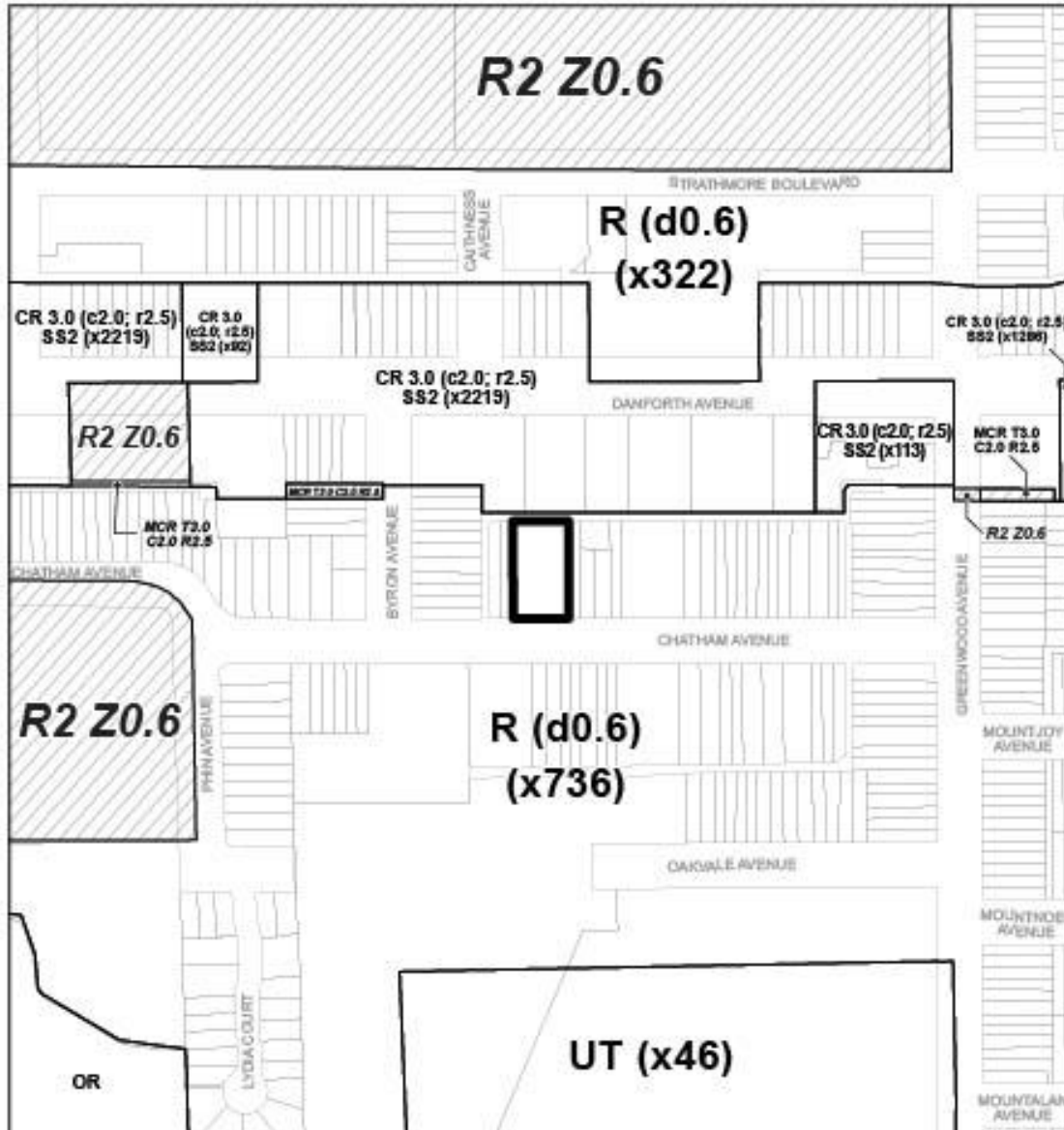
184 Chatham Avenue

File # 23 109221 STE 14 0Z

- Location of Application
- Neighbourhoods
- Mixed Use Areas
- Parks
- Core Employment Areas

Not to Scale
 Extracted: 05/10/2023

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

184 Chatham Avenue

File # 23 109221 STE 14 0Z

Location of Application

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

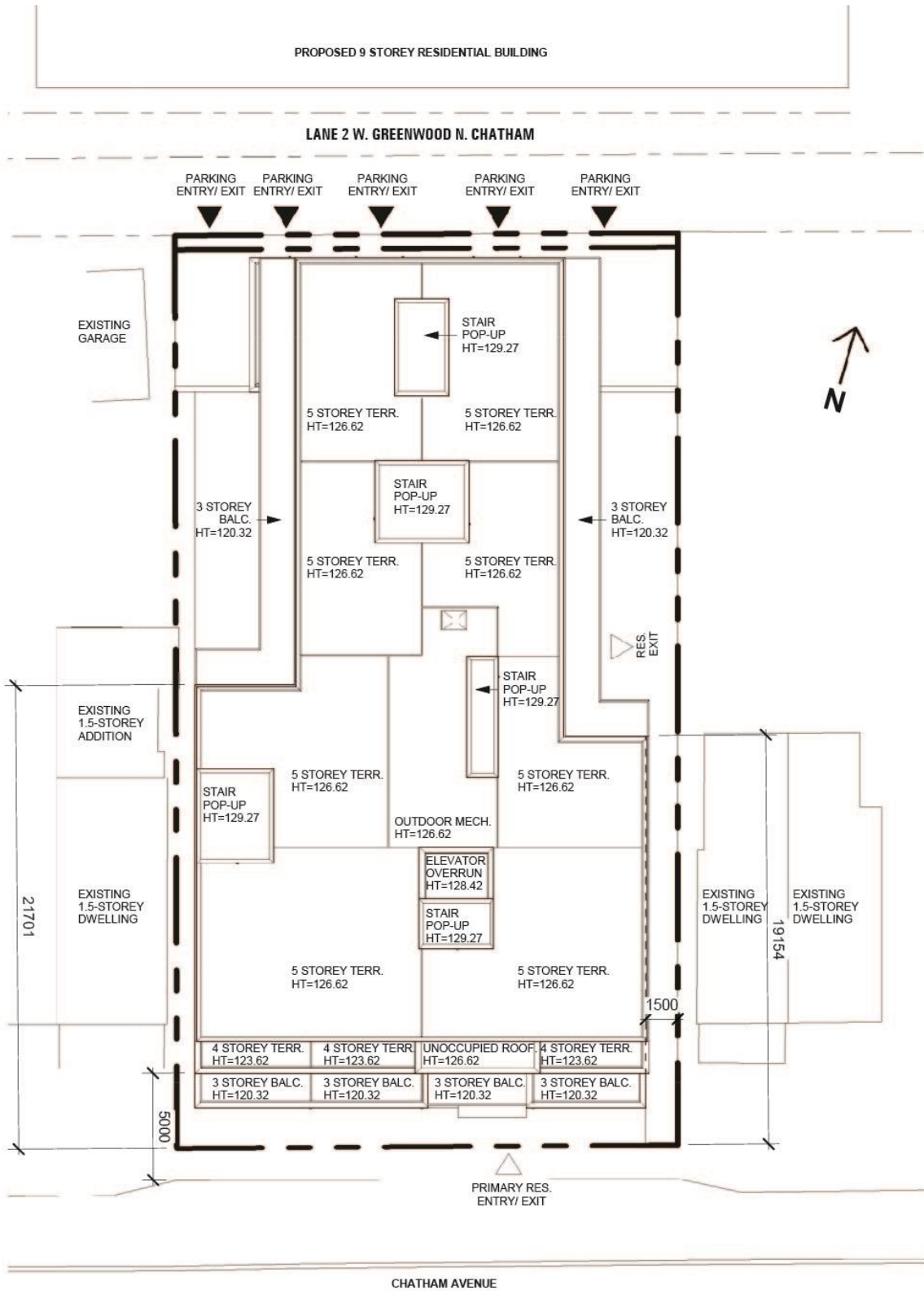
- R Residential
- CR Commercial Residential
- OR Open Space Recreation
- UT Utility and Transportation
- R2 Residential District
- MCR Mixed-Use District



Attachment 5: Draft Zoning By-law Amendment

(To be available prior to the November 15, 2023, Toronto and East York Community Council Meeting)

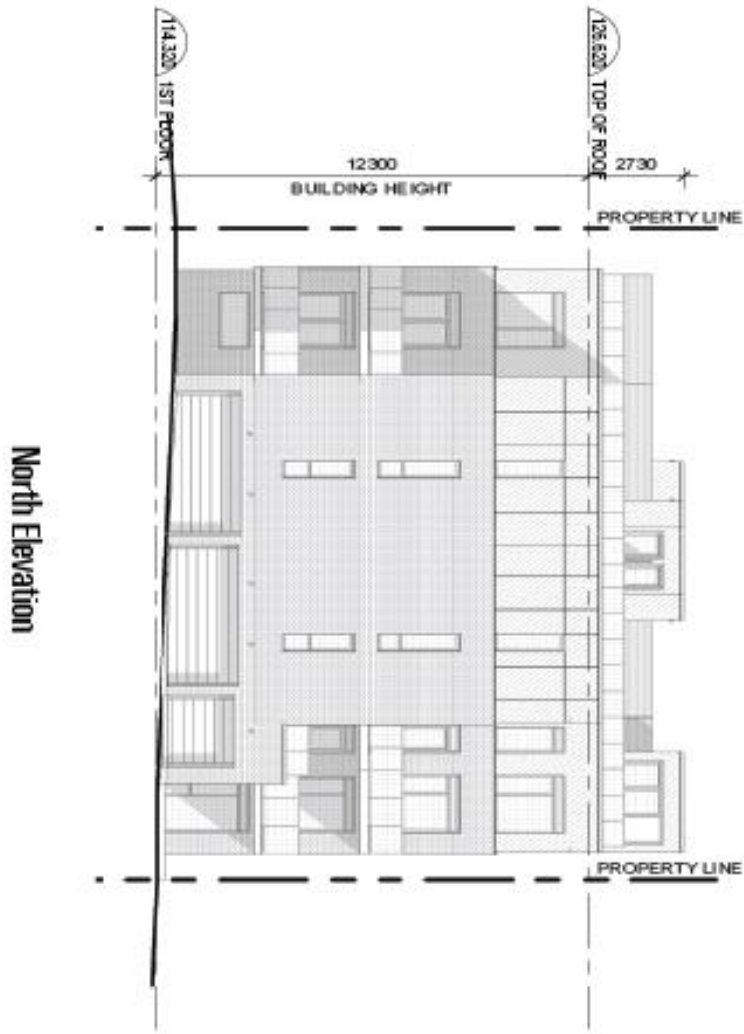
Attachment 6: Site Plan



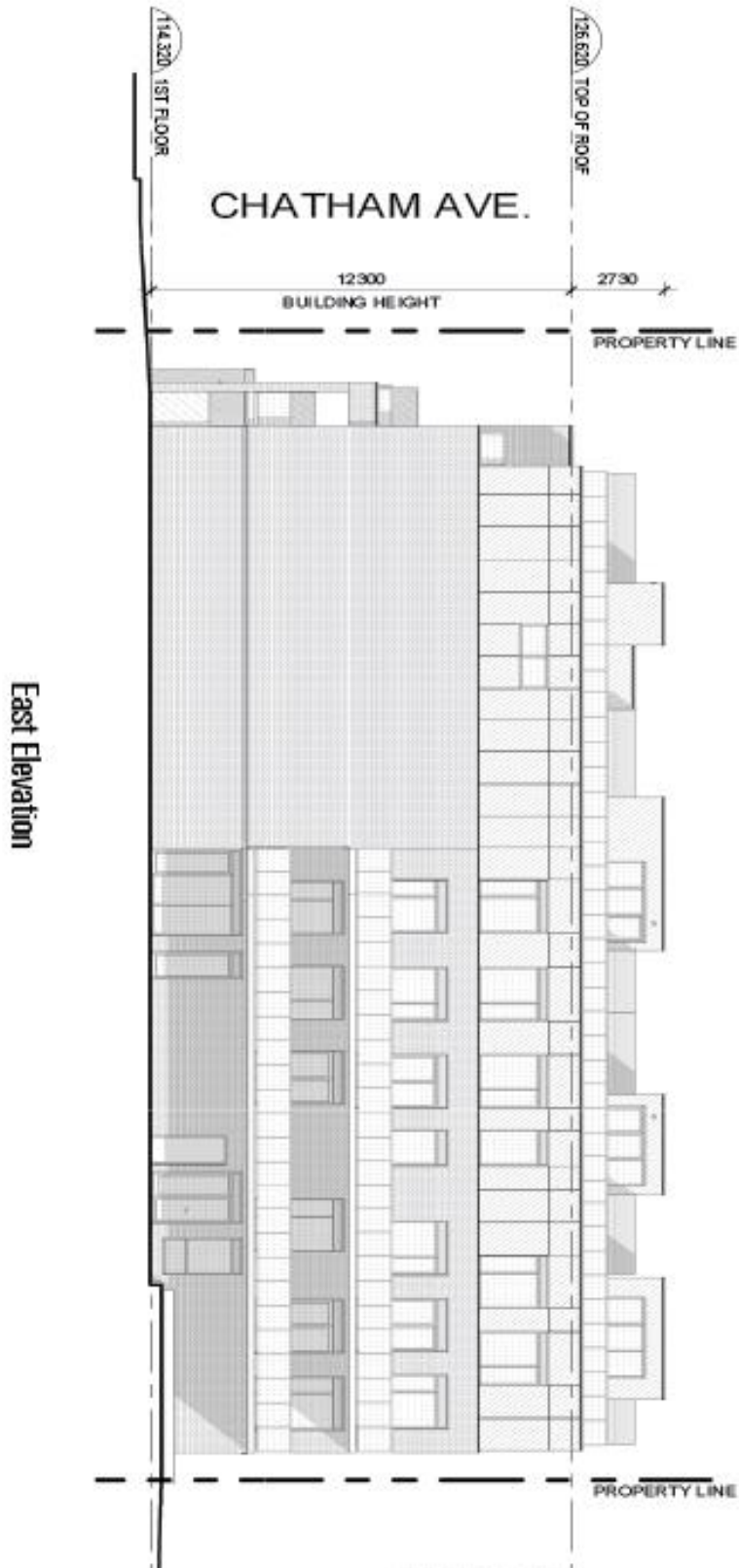
Site Plan



Attachment 7: North Elevation



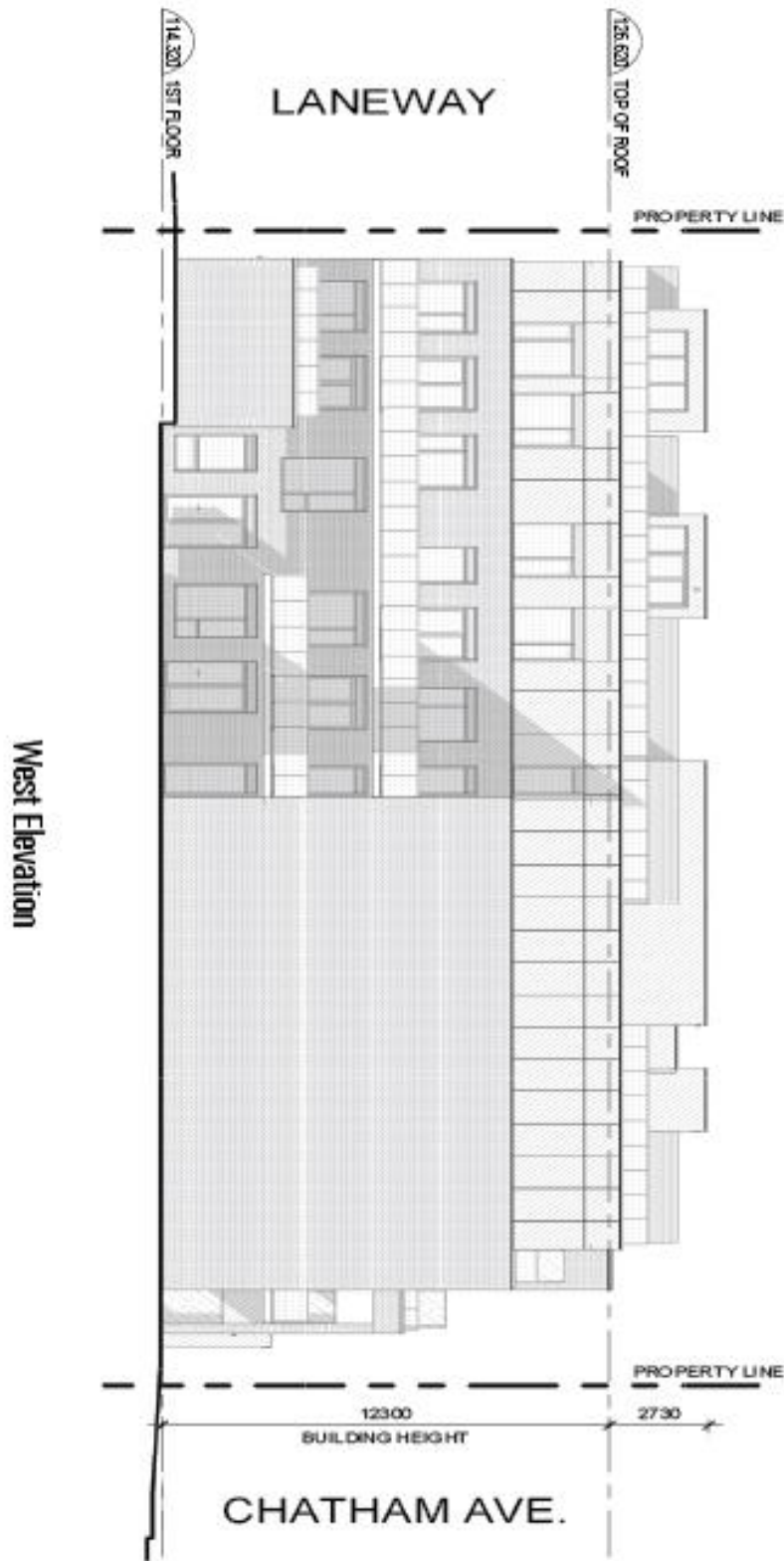
Attachment 8: East Elevation:



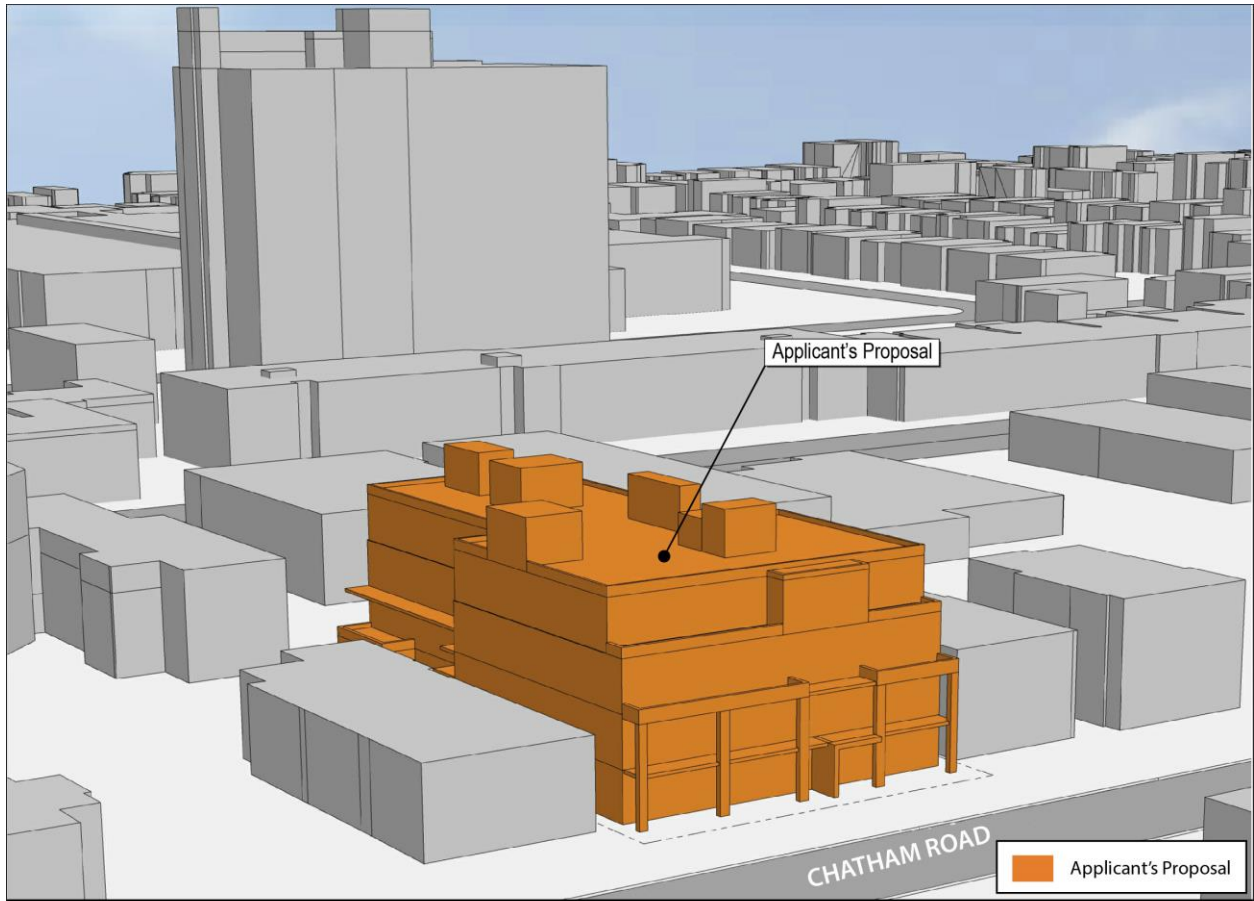
Attachment 9: South Elevation:



Attachment 10: West Elevation:



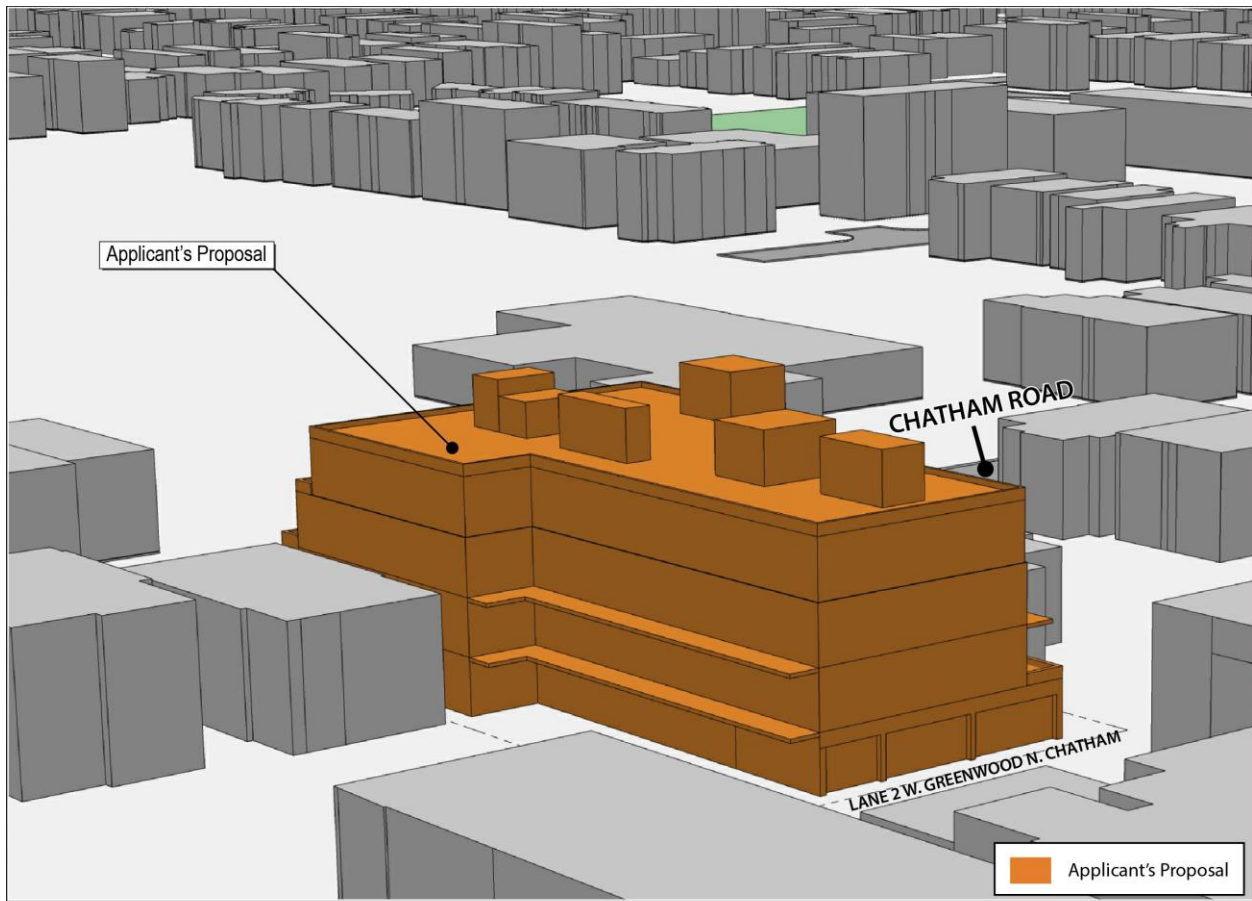
Attachment 11: 3D Model of Proposal - North-East View



View of Applicant's Proposal Looking Northeast

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08/16/2023

Attachment 12: 3D Model of Proposal - South-West View



View of Applicant's Proposal Looking Southwest

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08/16/2023