

1400 Gerrard Street East – Zoning By-law Amendment Application – Decision Report – Approval

Date: April 18, 2024

To: Toronto and East York Community Council

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

Ward: Ward 14 - Toronto-Danforth

Planning Application Number: 22 140740 STE 14 OZ

SUMMARY

This application proposes to amend the Zoning By-law to permit a 7 storey mixed-use building with 19 rental dwelling units and 121.8 square metres of retail/commercial space at grade at 1400 Gerrard Street East.

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). The proposed development also conforms to the City's Official Plan.

This report reviews and recommends approval of the application to amend the Zoning By-law. The mixed-use building is an appropriate scale for the site and fits within the existing and planned context of the surrounding area. Additionally, the proposal contributes to the overall supply and mix of housing units and tenure.

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 1400 Gerrard Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 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. Before introducing the necessary Bills to City Council for enactment, the Owner must address all outstanding comments in Sections A and B of the memo from Engineering and Construction Services dated February 23, 2024 in relation to solid waste management, functional servicing and stormwater management matters to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

4. City Council request the General Manager, Transportation Services, to review and report back on the feasibility of amending Schedule B of the City of Toronto Municipal Code Chapter 925, Permit Parking, to exclude the development located at 1400 Gerrard Street East from Permit Parking.

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 for the application was considered by Toronto and East York Community Council on June 29, 2022. The decision is available here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.TE34.101>

Staff conducted a virtual Community Consultation Meeting for the application on February 1, 2023. Community consultation is summarized in the Comments section of this Report.

THE SITE

Description

The site is located on the north side of Gerrard Street East, between Woodfield Road and Hiawatha Road. The site is approximately 333.5 square meters in size and fronts onto Gerrard Street East, at the south.

Existing Use

The site currently contains a two storey mixed-use building with two commercial units and one residential unit above the westerly commercial unit.

THE APPLICATION

Description

The application proposes partial demolition of the existing mixed-use building to construct a 7 storey (27.2 metres including mechanical penthouse) mixed-use building with 19 rental dwelling units and two commercial units. A total of gross floor area of 1,522.3 square metres is proposed, consisting of 1,400.5 square metres of residential and 121.8 square metres of non-residential uses.

Density

The proposal has a density of 4.8 times the area of the lot.

Dwelling Units

The proposal includes 19 rental dwelling units, consisting of 6 studio (32%), 2 one-bedroom (10.5%), 8 two-bedroom (42%), one three-bedroom (5%) and 2 four-bedroom (10.5%) units.

Non-Residential Component

The proposal includes 121.8 square metres of non-residential uses in the form of two commercial units on the ground floor fronting Gerrard Street East.

Access, Bicycle Parking, Vehicle Parking and Loading

The proposal includes a total of 2 vehicular parking spaces located at the rear of the building off the rear lane and a total of 26 bicycle parking spaces, with 20 long-term and 6 short-term spaces. Bicycle facilities are located in two storage areas on the ground floor and in the basement, as well as a bicycle rack along Gerrard Street East.

Additional Information

See the attachments of this report for the Application Data Sheet, Location Map, a site plan, and elevations 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 at: www.toronto.ca/1400GerrardStE

Reasons for Application

The Zoning By-law Amendment application proposes to amend City of Toronto Zoning By-law 569-2013 to create site specific performance standards, including: building height, setbacks, floor space index and parking requirements, as well as to permit residential uses on the ground floor in the Commercial Residential zone.

APPLICATION BACKGROUND

Application Requirements

The following reports/studies were submitted in support of the application:

- Arborist Report;
- Energy Strategy Report;
- Environmental Site Assessments (Phases 1 and 2);
- Geotechnical Study;
- Hydrogeological Report;
- Methane Gas Study;

- Pedestrian Level Wind Study;
- Planning Rationale;
- Public Consultation Strategy Report;
- Servicing Report;
- Stormwater Management Report; and
- Transportation Demand Management Plan.

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.

POLICY & REGULATION 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 (2020), and shall conform to provincial plans, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

Official Plan

The Official Plan Urban Structure Map 2 identifies the site as being located along one of the City's Avenues. The land use designation for the site is Mixed Use Areas. See Attachment 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/planning-development/official-plan-guidelines/official-plan/>.

Zoning

The site is zoned Commercial Residential (CR 2.0 (c1.0;r2.0) SS2 (x1573)) under Zoning By-law 569-2013. The Commercial Residential (CR) zoning category permits mixed-use buildings. The permitted height for this site is 12 metres with a permitted density of 2 times the lot area. See Attachment 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:

- Mid-Rise Building Performance Standards;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting;

- Retail Design Manual; and
- Toronto Accessibility Design Guidelines

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-planguidelines/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 been submitted and is under review.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was held on February 1, 2023 in conjunction with another application at 1761-1763 Dundas Street East. A total of 77 people attended along with the Ward Councillor, City staff and the applicant team. At the meeting, City staff and the applicant team gave presentations on the site and surrounding area, existing planning policy framework, and proposed development. Following the presentations, City staff led a question-and-answer format discussion. Comments and questions included:

- The suitability of the proposed massing, including setbacks and stepbacks;
- Impact on adjacent properties, including appropriate transitions to Neighbourhoods, shadowing, privacy and overlook;
- Opportunities for improved streetscaping; and
- Adequate site circulation and access

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 been given an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

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. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). In the opinion of Staff, the proposal is 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 proposal is an acceptable form of mixed-use development in Mixed Use Areas along an Avenue. The development will contribute to the rental housing supply and unit mix in the surrounding area.

Public Realm

The proposed development is set to the front property line, consistent with development on Gerrard Street East. The proposal provides an unobstructed 2.1 metre pedestrian clearway, along with a bench and one street tree, along Gerrard Street East, which are acceptable to the City. The bench and street tree are in keeping with the City's Streetscape Manual and urban design direction for streetscaping along major streets.

Density, Height, Massing

City Planning staff find that the proposal conforms with the applicable Official Plan policies. The proposed development is appropriate within lands designated as Mixed Use Areas and provides an appropriate transition in density and scale to adjacent low-rise residential buildings to the north.

The proposed development is a 7 storey (27.2 metres including mechanical penthouse) mixed-use building consisting of 19 rental dwelling units and two non-residential units at grade. The building meets the general direction of the Mid-Rise Building Performance Standards by providing a series of upper-storey stepbacks along the north and south elevations which pull the massing of the building back as the building rises.

On the south elevation fronting Gerrard Street East, there are a series of stepbacks beginning at the fifth floor of 1.35 metres. Additional stepbacks occur at the sixth floor of 2.2 metres and at the seventh floor of 2.7 metres. On the north elevation, there are also a series of stepbacks beginning at the fifth floor of 2.67 metres, the sixth floor of 3 metres and at the seventh floor of 1.7 metres.

Light wells are provided at the north, east and west elevations. On the north elevation, a light well is provided for the bedrooms in the basement unit to provide light to the primary windows along the rear of the building. On the east and west elevations, there

are four light wells, two on each side, that begin at the second floor and extend to the top of the building that provide light to bedrooms.

The series of stepbacks meet the intent of the Mid-Rise Building Performance Standards to achieve appropriate transition in scale to existing buildings in Neighbourhoods while also maintaining a human-scaled street character along Gerrard Street East.

The proposal is appropriate for the site and fits within the existing and planned contexts.

Sun, Shadow, Wind

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy and Regulation Considerations Section of the Report.

A Pedestrian Level Wind Study was submitted in support of the application. The study indicates that generally all areas at grade will be suitable for their intended uses year-round. City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with its assessment, conclusions and recommendations.

Access, Parking, Loading

The primary pedestrian access to both the residential and commercial units is from Gerrard Street East. There is a secondary rear entrance for residents from the rear lane. Elevator access is provided to all floors, along with a stairwell located in the centre of the building.

Two vehicular spaces are provided via the rear lane, both of which are supplied with electric vehicle supply equipment (EVSE). At City Council's direction, Transportation Services staff recommend the subject development be reviewed for exclusion from on-street permit parking. A separate report will be submitted, and a Public Notice will be placed on the City's website to allow deputations at a future Toronto and East York Community Council meeting.

A total of 26 bicycle parking spaces, with 20 long-term and 6 short-term spaces are provided. Bicycle facilities for long and short term spaces are located in two storage areas with one on the ground floor and one in the basement, as well as a bicycle rack along Gerrard Street East.

A loading space is not required for the site as the requirement of the Zoning By-law applies to developments of 31 units or more or retail uses of less than 500 square metres.

A submitted Transportation Demand Management (TDM) Report by Tedesco Engineering identified that a one-year car share and/or bike share membership should be provided in addition to the City's recommendation of providing a bicycle repair station, to be secured through the Site Plan Control approval process. Transportation Services staff have reviewed the report and proposed development. Due to its small

scale and relatively small number of expected trips, there is no concern with the impacts to traffic to the area road network. Transportation Services staff are satisfied with its findings and conclusions.

Road Widening

In order to satisfy the Official Plan requirement of a 6 metre right-of-way for this segment of the rear lane, a 1.67 metre road widening along the lane is required. The widening will be conveyed to the City through the Site Plan Control approval process.

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. This proposal is for a rental housing unit mix that meets the Growing Up Guidelines.

The proposed development will contribute to the City's supply of rental housing, along with a greater proportion of units with more than one bedroom (i.e. units with two bedrooms and more). The development will have 57.5% of its units consisting of 8 two-bedroom (42%), one three-bedroom (5%) and 2 four-bedroom (10.5%) units.

Affordable Housing is a significant priority for the City and City Planning staff advocate for the inclusion of affordable housing units where possible. The applicant will be subject to a Community Benefit Charge (CBC) requirement at the time of Building Permit issuance. The CBC can be satisfied by a cash payment or an in-kind contribution, provided both the applicant and City agree to the proposal, and are directed towards growth-related capital facilities and matters consistent with the CBC Strategy adopted by City Council on August 15, 2022.

Parkland

In accordance with Section 42 of the Planning Act, the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The submitted Arborist Report identifies two by-law-protected trees in neighbouring ownership that will require removal to permit the proposed development. The applicant is to submit a tree planting deposit to ensure the planting and survival of one new City tree. In addition, Urban Forestry requires the planting of four new trees to replace the two private trees proposed for removal.

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. Performance measures for Tier 1 development features, secured through the zoning by-law process, include provision of greater than required number of bicycle parking spaces, supplying EVSE for vehicular parking and providing 100% of all exterior glazing within the first 12 metres above-grade with bird-friendly glazing, in accordance with the Zoning By-law.

Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

The proposal conforms to the Official Plan, particularly as it relates to appropriate development and built form in Mixed Use Areas. Staff worked with the applicant and the community to address and resolve key concerns, including appropriate building setbacks and transition. This proposed development will provide a compatible mixed-use development that will increase the supply of rental housing while contributing to the built form character along Gerrard Street East. Staff recommend that Council support approval of the application.

CONTACT

Raymond Tung, Community Planner, Tel. No. 416-392-3812
E-mail: Raymond.Tung@toronto.ca

SIGNATURE

Carly Bowman, M.Sc.Pl., MCIP, RPP
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: Elevations

Attachment 8: 3D Massing Model

Attachment 1: Application Data Sheet

Municipal Address: 1400 GERRARD ST E Date Received: May 2, 2022

Application Number: 22 140740 STE 14 OZ

Application Type: Rezoning

Project Description: Rezoning to permit a 7-storey mixed-use building of 19 new residential dwelling units and 2 commercial units.

Applicant	Agent	Architect	Owner
MIKE DROR	BOUSFIELDS	BRANDER ARCHITECTS	GERRARD WOODFIELD HOLDINGS INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: N

Zoning: CR 2.0 (c1.0;
r2.0) SS2 (x1573) Heritage Designation: N

Height Limit (m): 12 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 334 Frontage (m): 9 Depth (m): 37

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			267	267
Residential GFA (sq m):			1,400.5	1,400.5
Non-Residential GFA (sq m):			121.8	121.8
Total GFA (sq m):			1,522.3	1,522.3
Height - Storeys:	2		7	7
Height - Metres:			22.5	22.5

Lot Coverage Ratio (%): 79.9 Floor Space Index: 4.8

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	1,315	85
Retail GFA:	90	36
Office GFA:		

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	1		19	19
Freehold:				
Condominium:				
Other:				
Total Units:	1		19	19

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		6	2	8	3
Total Units:		6	2	8	3

Parking and Loading

Parking Spaces: 2 Bicycle Parking Spaces: 26 Loading Docks: 0

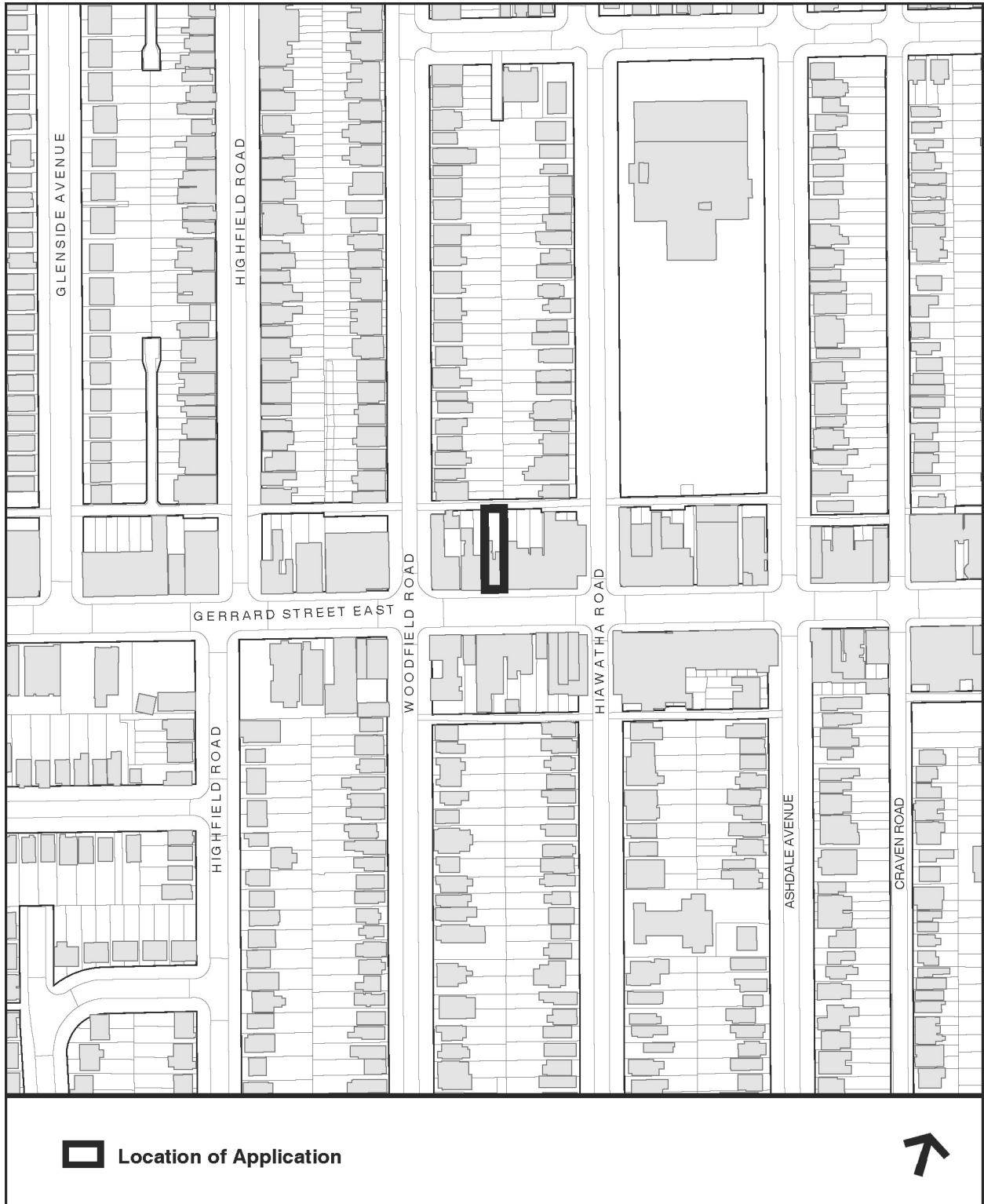
CONTACT:

Raymond Tung, Planner, Community Planning

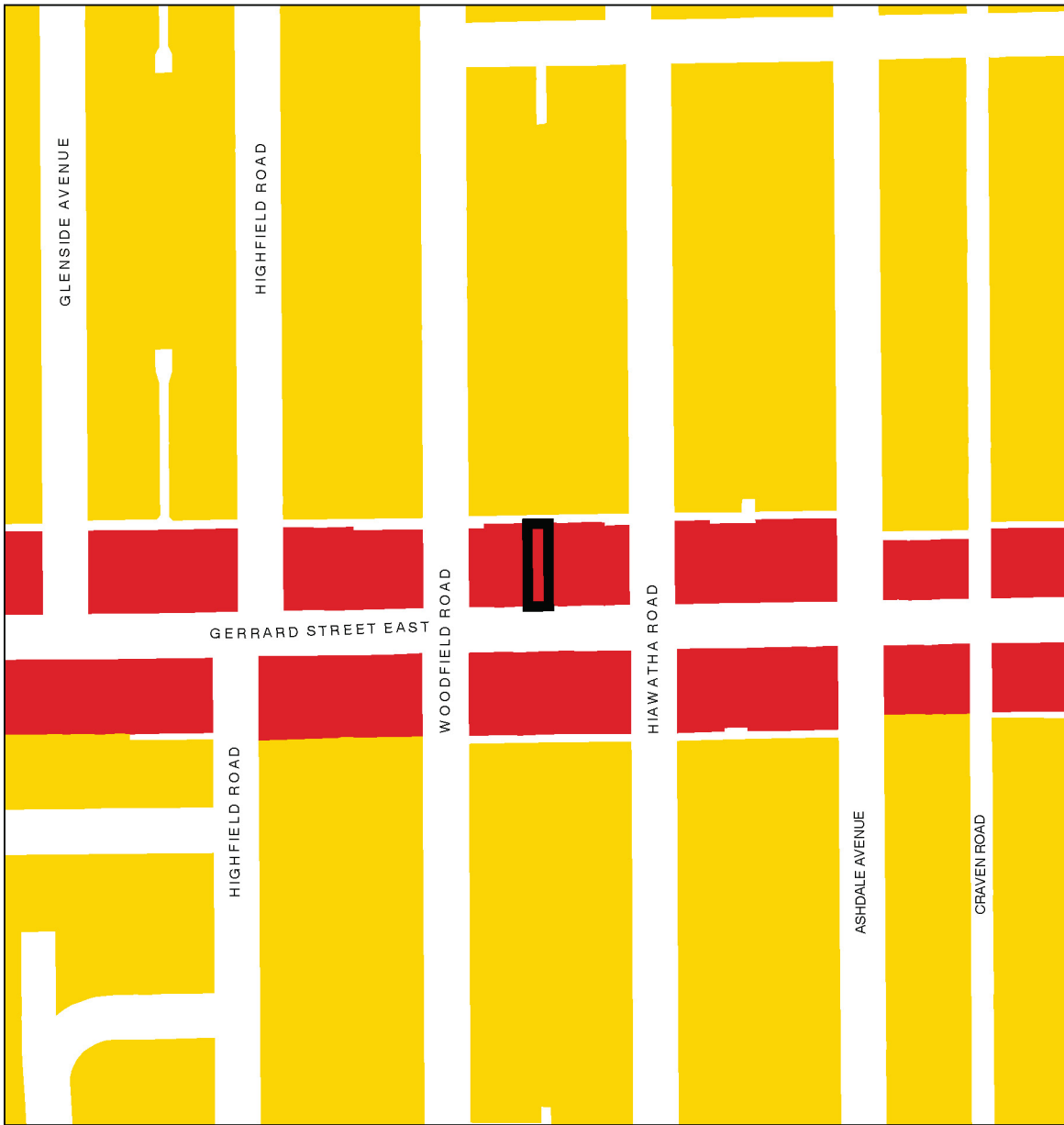
416-392-3812

Raymond.Tung@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #21

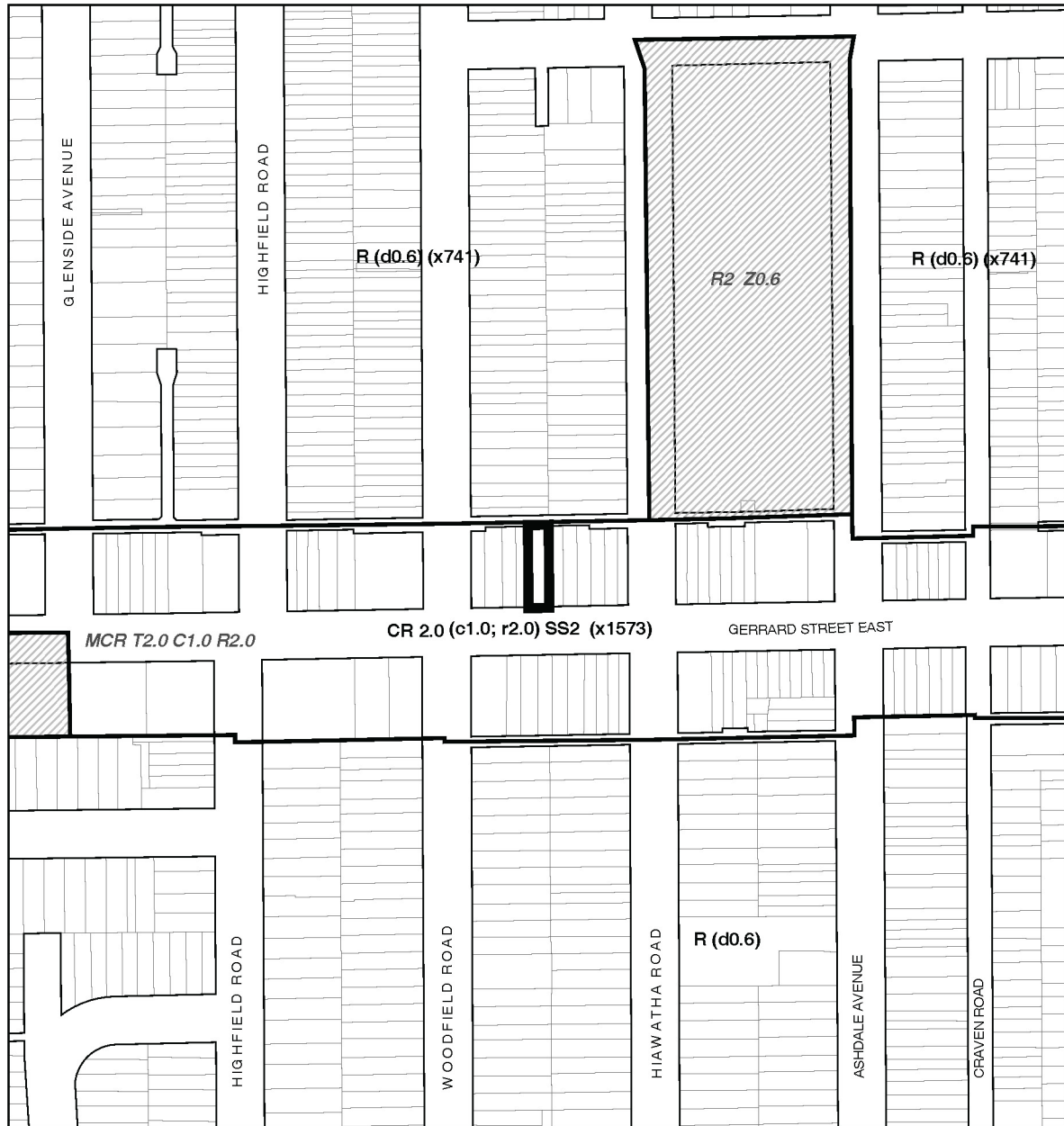
1400 Gerrard Street East

File # 22 140740 STE 14 OZ

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas


Not to Scale
Extracted: 05/09/2022

Attachment 4: Existing Zoning By-law Map





Zoning By-law 569-2013

1400 Gerrard Street East

File # 22 140740 STE 14 0Z

 Location of Application
R Residential
CR Commercial Residential

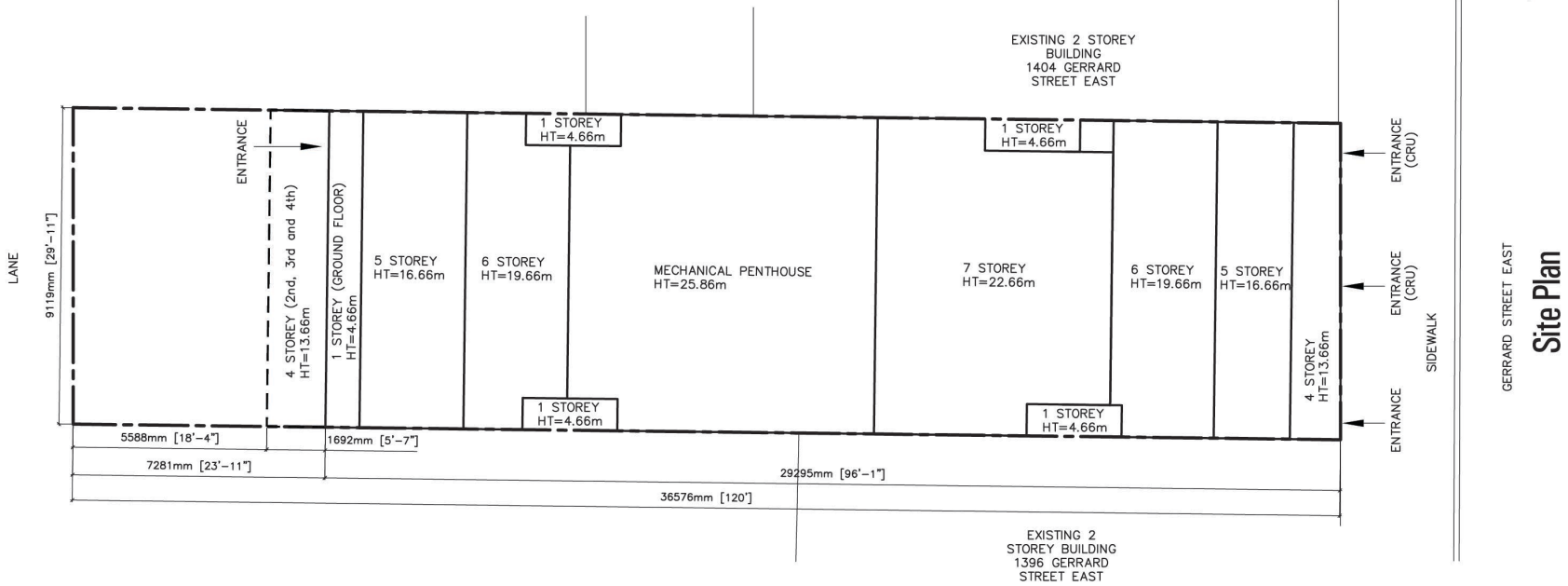
 See Former City of Toronto By-law No. 438-86
R2 Residential District
MCR Mixed-Use District


 Not to Scale
 Extracted: 05/09/2022

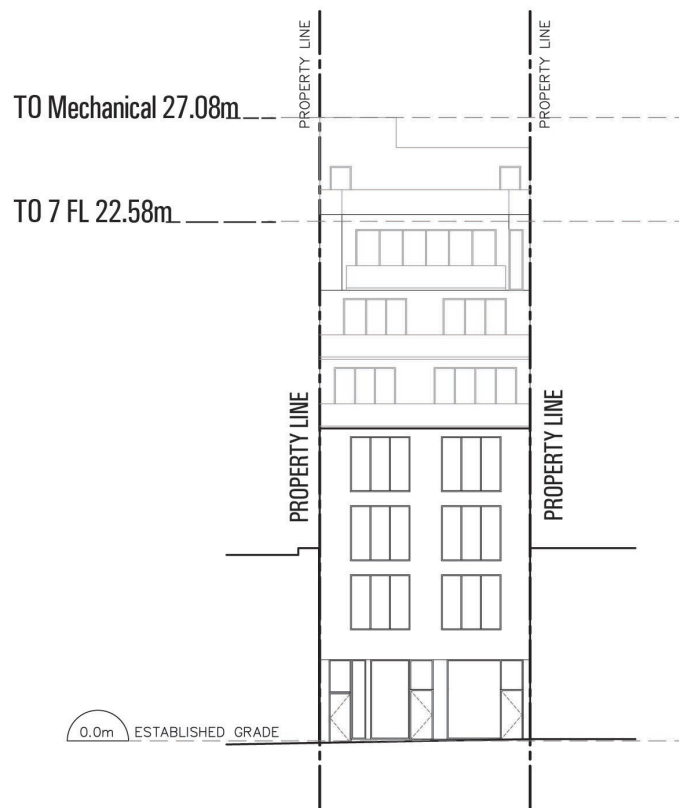
Attachment 5: Draft Zoning By-law Amendment

*To be provided prior to Toronto and East York Community Council meeting

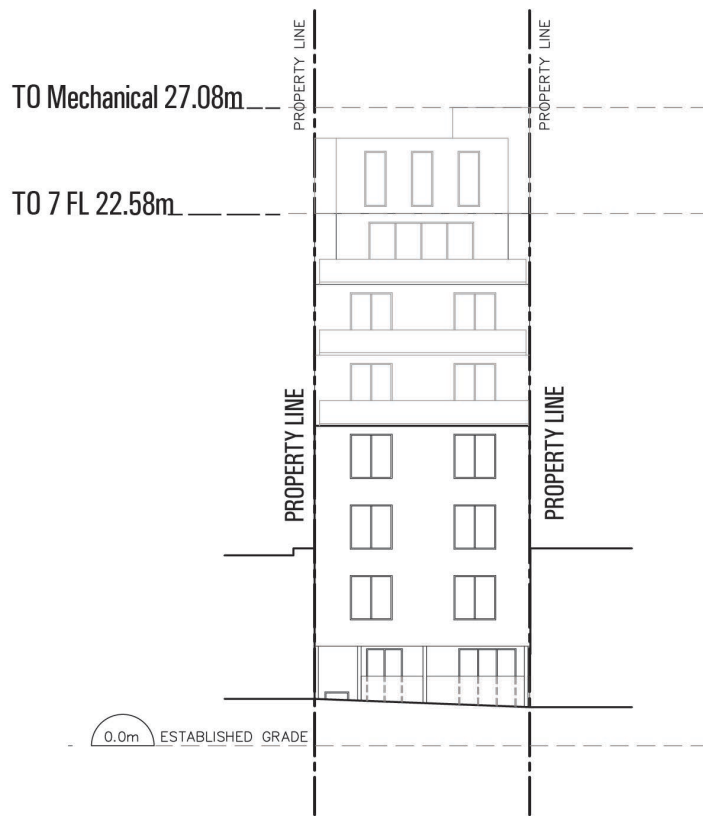
Attachment 6: Site Plan



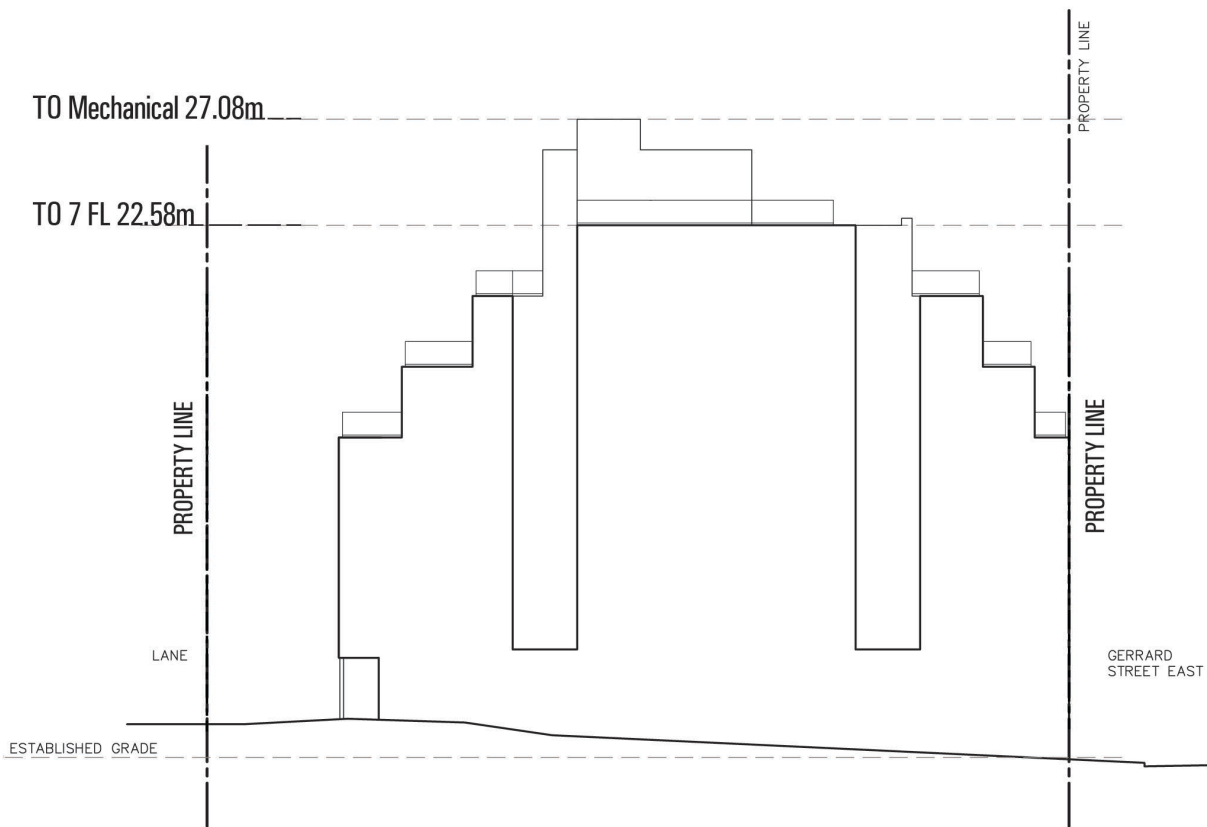
Attachment 7: Elevations



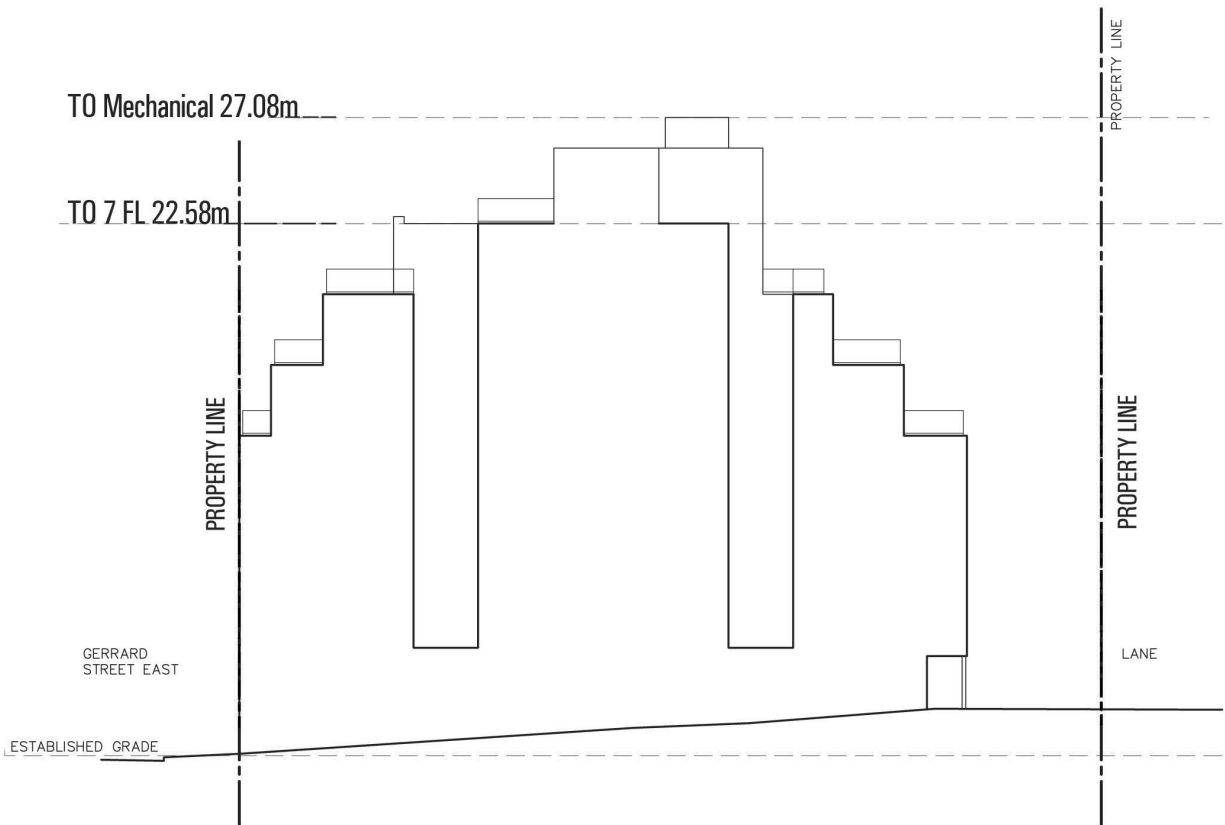
South Elevation



North Elevation

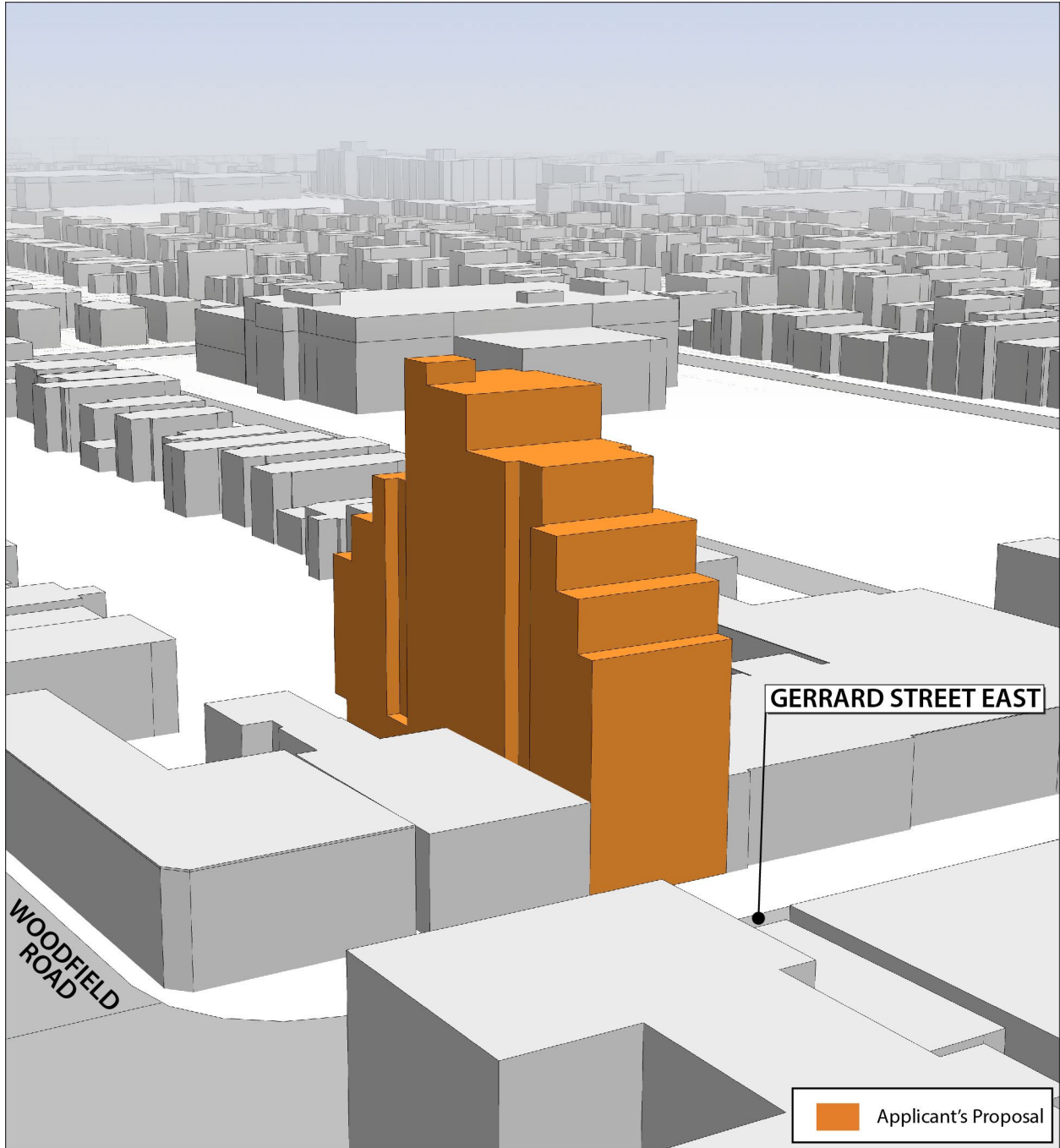


West Elevation



East Elevation

Attachment 8: 3D Massing Model



View of Applicant's Proposal Looking Northeast



04/11/2024



View of Applicant's Proposal Looking Southwest



04/11/2024