

## **245-247 Davenport Road – Zoning By-law Amendment Application – Decision Report – Approval**

Date: May 24, 2024  
To: Toronto and East York Community Council  
From: Director, Community Planning, Toronto and East York  
Ward: 11 - University-Rosedale

**Planning Application Number:** 24 113561 STE 11 OZ

### **SUMMARY**

---

This report reviews and recommends approval of the application to amend the Zoning By-law to permit a 16-storey (64.69 metres, including mechanical penthouse) mixed-use building with 67 residential units, and 300 square metres of commercial space on the ground floor.

### **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 245-247 Davenport Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 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.

### **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.

## THE SITE

---

### Description

The site is located on the south side of Davenport Road, west of Avenue Road. It is an irregular shaped lot, with an approximate frontage of 36.6 metres on Davenport Road and a total area of approximately 1,175.9 square metres. The depth of the lot varies from approximately 40 metres on the east, 32 metres in the centre, and 27 metres on the west.

### Existing Use

The site includes two three-storey buildings at 245-247 Davenport Road which contain approximately 1,176 square metres of commercial space.

## THE APPLICATION

---

### Description

A 16-storey (64.69 metres, including mechanical penthouse) mixed-use building.

### Density

6.85 times the area of the lot, with a total gross floor area of 8,300 square metres.

### Non-Residential

The proposal includes a minimum of 180 square metres of retail space at grade.

### Dwelling Units

The proposal includes 67 dwelling units, 15 one-bedroom (23%), 24 two-bedroom (36%), and 28 three-bedroom units (41%).

### Amenity Space

The proposal includes 173.3 square metres of indoor amenity space (2.2 square metres per unit), and 85 square metres of outdoor amenity space (1.26 square metres per unit).

### Access, Bicycle Parking, Vehicle Parking and Loading

The pedestrian entrance for the residential lobby and the retail unit entrance are both located on Davenport Road. Vehicular access for loading and parking will be provided from a drive aisle along the western edge of the site. A total of 46 parking spaces are proposed for residential and visitors within the four levels of underground parking. There

are a total of 129 bicycle parking spaces proposed with 115 long-term spaces and 14 short-term spaces. Also proposed is one enclosed Type-G loading space.

### **Additional Information**

See Attachment 2 of this report for the location map, Attachment 1 for the application data sheet, Attachment 7 for the site plan, 8 for elevations, and 9 for three-dimensional representations of the project in context. 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/247DavenportRd](http://www.toronto.ca/247DavenportRd)

### **Reasons for Application**

The proposal requires an amendment to Zoning By-law 569-2013 to vary performance standards, including maximum building height, density, setbacks, maximum projections, landscaping requirements, vehicular and bicycle parking requirements, among other 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.

### **Official Plan**

Mixed Use Area. See Attachment 3 of this report for the Official Plan Land Use Map.

### **Downtown Secondary Plan**

The site is designated Mixed Use Areas 3 – Main Street in the Downtown Plan. See Attachment 5 of this report.

### **Zoning**

The site is zoned CR 2.0 (c.2.0; r1.5) SS2 (x1893 and x2357) under Zoning By-law 569-2013. The CR zoning category permits a range of commercial and residential uses. The maximum permitted height is 14 metres. 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
- Growing Up Guidelines for Children in Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities

## **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 Toronto Green Standard.

## **COMMUNITY CONSULTATION**

---

A Virtual Community Consultation Meeting was hosted by City staff on May 8, 2024. Approximately 11 people participated. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- support for intensification of the site given the proximity to transit and need for housing;
- support for the architectural design of the building and materiality;
- support for high percentage of large family-sized units;
- concern over transition in height and separation to low-rise residential area south of the site; and
- concern over the collective impact of multiple developments along Davenport Road.

Further correspondence following the community consultation with residents adjacent to the site indicated additional concerns including:

- concerns over construction of the below grade portion of the building given the proximity to adjacent properties; and
- impact of loading area adjacent to properties and lack of visual screening and noise attenuation.

The applicant also met with the Annex Residents Association on October 3, 2023 to present the proposal prior to submitting an application.

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

### **Density, Height, Massing**

The proposed massing of the building conforms with the applicable policies in the Official Plan with respect to built form and massing, and is appropriate for the site.

The site is designated Mixed Use Areas 3 in the Downtown Plan, which permits mid-rise and tall buildings. The height is appropriate given the planned context, and the provision of adequate setbacks to neighbouring properties, including the low-rise areas to the south. The proposed height of 16 storeys is lower in height than existing and planned buildings along the north side of Davenport Road, providing transition towards the Neighbourhoods to the south.

The proposed 5-storey streetwall responds to the existing and emerging context along Davenport Road. The upper portion of the building steps back 1.2 metres along Davenport Road. The east and west sides of the building are built to the property line up to the 5<sup>th</sup> floor, with setbacks of approximately 5.5 metres from the 6<sup>th</sup> floor to the 12<sup>th</sup> floor. An additional stepback of 1.5 metres is proposed on the east and west side at the 13<sup>th</sup> floor, with a final stepback of 1.5 metres proposed at the 15<sup>th</sup> floor on both sides.

The proposal includes two stepbacks of 1.5 metres along the south elevation at the 3<sup>rd</sup> and 4<sup>th</sup> storeys. The applicant has made a revision to the submission following consultation and feedback from staff, adding a third step back of 1.6 metres at the south west corner of the building to further improve separation to the rear yards of 14 and 16 Bernard Avenue.

The irregular southern property line results in setbacks for the upper levels varying from 5.5 to 15.8 metres, with an average setback of 9.9 metres. These step backs and setbacks allow for appropriate transition to the low-rise area and East Annex Heritage Conservation District to the south of the site. The rear setback along the south east side of the site accommodates a private green space with new trees and landscaping acting as a buffer to the residential dwellings immediately south.

### **Streetscape and Public Realm**

The proposal conforms with the applicable public realm policies of the Official Plan and Downtown Secondary Plan.

The ground floor fronting Davenport Road serves as a residential lobby and includes non-residential space to animate this frontage. The ground floor is set back between 1.7

to 2.67 metres from the north property line, providing a 2.1-metre pedestrian clearway on Davenport Road. An existing street tree is also being maintained on the Davenport Road frontage.

### **Shadow Impact**

The submitted shadow study shows the extent of the shadow from the proposed building in the summer (June 21) and winter (December 21) solstices, and spring (March 21) and fall (September 21) equinoxes.

The shadow impact resulting from this proposal is acceptable. The shadow impact on Joseph Tough Park, located northwest of the site on Davenport Road, is adequately limited during the spring and fall equinoxes. The proposal does not cast any new net shadows on the Neighbourhood and the East Annex Heritage Conservation District south of the site.

### **Wind Impact**

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained in the study. The study indicates that areas at grade will be suitable for their intended uses throughout the year, with no dangerous conditions predicted.

### **Access, Parking, Loading**

A Transportation Impact Study was submitted to assess the traffic impact, access, bicycle parking and loading arrangements for this development. Two accessible vehicular parking and 129 bicycle parking spaces are proposed, along with a Type G loading space. Vehicular access for loading and parking will be provided through a drive aisle along the western edge of the site, accessed from Davenport Road. Transportation Services staff have reviewed the Transportation Impact Study and accepted its conclusions.

### **Unit Mix**

The Growing Up Guidelines indicate that a building should provide a minimum of 25% large units, of which 10% should be three-bedroom units, and 15% should be two-bedroom units. The Downtown Plan further requires that an additional 15% of units be a combination of 2-bedroom and 3-bedroom units, or units that can be converted to 2 and 3-bedroom units using accessible or adaptable design measures. The proposed development meets these requirements with the provision of 15% two-bedroom units and 10% three-bedroom units.

### **Heritage**

A Heritage Impact Assessment was submitted and reviewed by city staff that addresses the relationship of this proposal to the East Annex Heritage Conservation District (EAHCD) due to its adjacency. Staff are satisfied with the conclusions of the report, and the proposed revisions to the built form improve the transition towards the EAHCD.

## **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 submitted Arborist Report identifies a total of 6 trees on and in proximity to the site, of which 1 tree is proposed to be retained. Of the 5 trees proposed to be removed to accommodate the development, all 5 are regulated by the City's tree By-laws and all are private trees. The applicant is proposing 3 replacement trees in the landscaped private space along the south property line. Permits will be secured through the tree permit process to the satisfaction of Urban Forestry, Tree Protection and Plan Review, Parks Forestry and Recreation.

## **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, including, but not limited to, the following:

- 129 bicycle parking spaces (including 115 long-term and 14 short-term spaces) are provided to reduce single occupancy vehicle trips including 61 Electrical Vehicle Supply Equipment Spaces; and
- 46 parking spaces are proposed, equipped with Electric Vehicle Supply Equipment infrastructure.

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.

## **CONTACT**

---

Chris Pereira, Planner, Tel. No. 416-338-7418, E-mail: [Chris.Pereira@toronto.ca](mailto:Chris.Pereira@toronto.ca)

## **SIGNATURE**

---

Oren Tamir  
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: Downtown Plan, Mixed Use Areas
- Attachment 6: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

- Attachment 7: Site Plan
- Attachment 8: Elevations and/or Ground Floor Plan
- Attachment 9: 3D Massing Model



## Attachment 1: Application Data Sheet

**Municipal Address:** 245-247 Davenport Road      **Date Received:** February 9, 2024

**Application Number:** 24 113561 STE 11 OZ

**Application Type:** Rezoning

**Project Description:** A 16-storey (64.69 metres) mixed-use building with a total of 67 residential units and 300 square metres of non-residential gross floor area.

**Applicant**

Aird & Berlis LLP

**Agent**

**Architect**

Richard Wengle  
Architects

**Owner**

247 Davenport  
Road Ltd

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas      Site Specific Provision:

Zoning: CR 2.0 (c.2.0;  
r1.5) SS2 (x1893 and  
x2357)

Heritage Designation: Adjacent to  
East Annex  
HCD

Height Limit (m): 14

Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 1,176

Frontage (m): 37

Depth (m): 33

**Building Data**

**Existing**

**Retained**

**Proposed**

**Total**

Ground Floor Area (sq m):

358

**358**

Residential GFA (sq m):

7,769

**7,769**

Non-Residential GFA (sq m):

287

**287**

**Total GFA (sq m):**

**8,056**

**8,056**

Height - Storeys:

3

16

**16**

Height - Metres:

65

**65**

Lot Coverage Ratio (%): 30.45

Floor Space Index: 6.85

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	7,769	
Retail GFA:	287	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			67	67
Other:				
<b>Total Units:</b>			<b>67</b>	<b>67</b>

#### **Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:			15	24	28
<b>Total Units:</b>			<b>15</b>	<b>24</b>	<b>28</b>

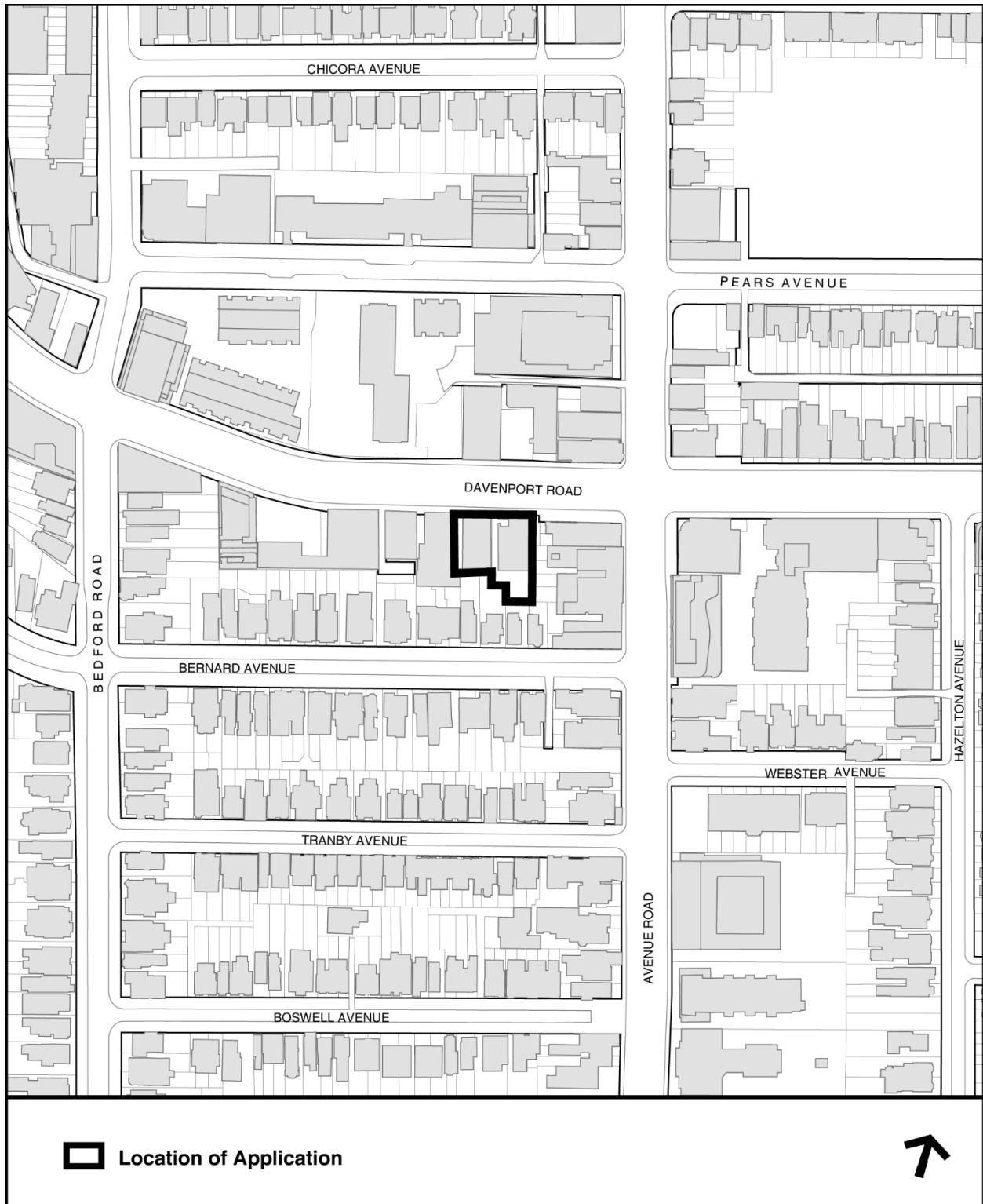
#### **Parking and Loading**

Parking Spaces: 46      Bicycle Parking Spaces: 129      Loading Docks: 1

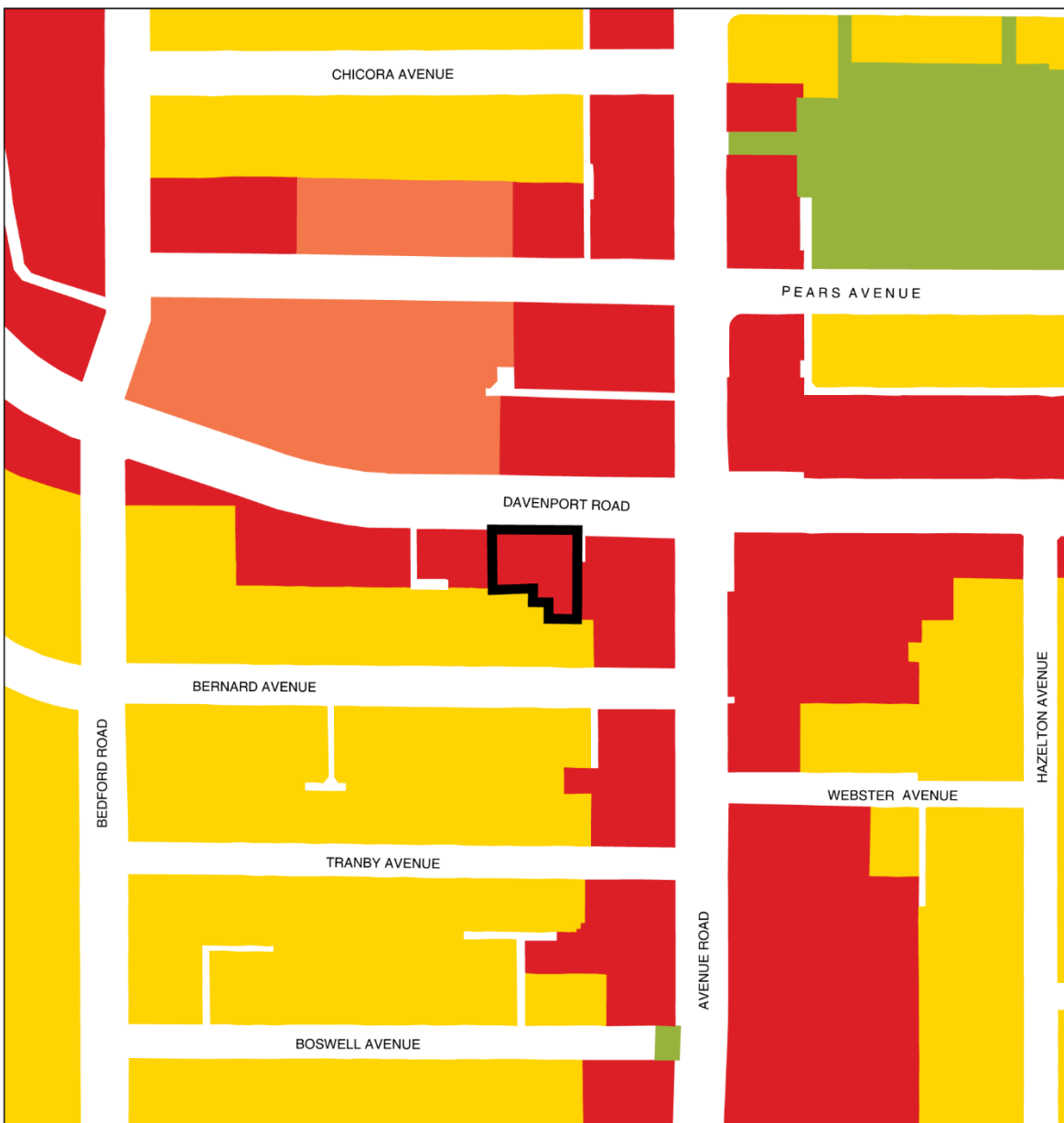
#### **CONTACT:**

Chris Pereira, Planner  
416-338-7418  
Chris.Pereira@toronto.ca

## Attachment 2: Location Map



## Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

247 Davenport Road

File # 24 113561 STE 11 0Z



Not to Scale  
Extracted: 02/13/2024

[illegible]

File # 24 113561 STE 11 0Z



Page 13 of 19

## Attachment 5: Downtown Plan, Mixed Use Areas



**TORONTO**  
Downtown Plan  
MAP 41-3 Mixed Use Areas

245-247 Davenport Road

File # 24 113561 STE 11 0Z

- ★ Location of Application
- Downtown Plan Boundary
- ▨ Mixed Use Areas 1 - Growth
- ▧ Mixed Use Areas 2 - Intermediate
- ▩ Mixed Use Areas 3 - Main Street
- ▤ Mixed Use Areas 4 - Local
- Central Waterfront Secondary Plan

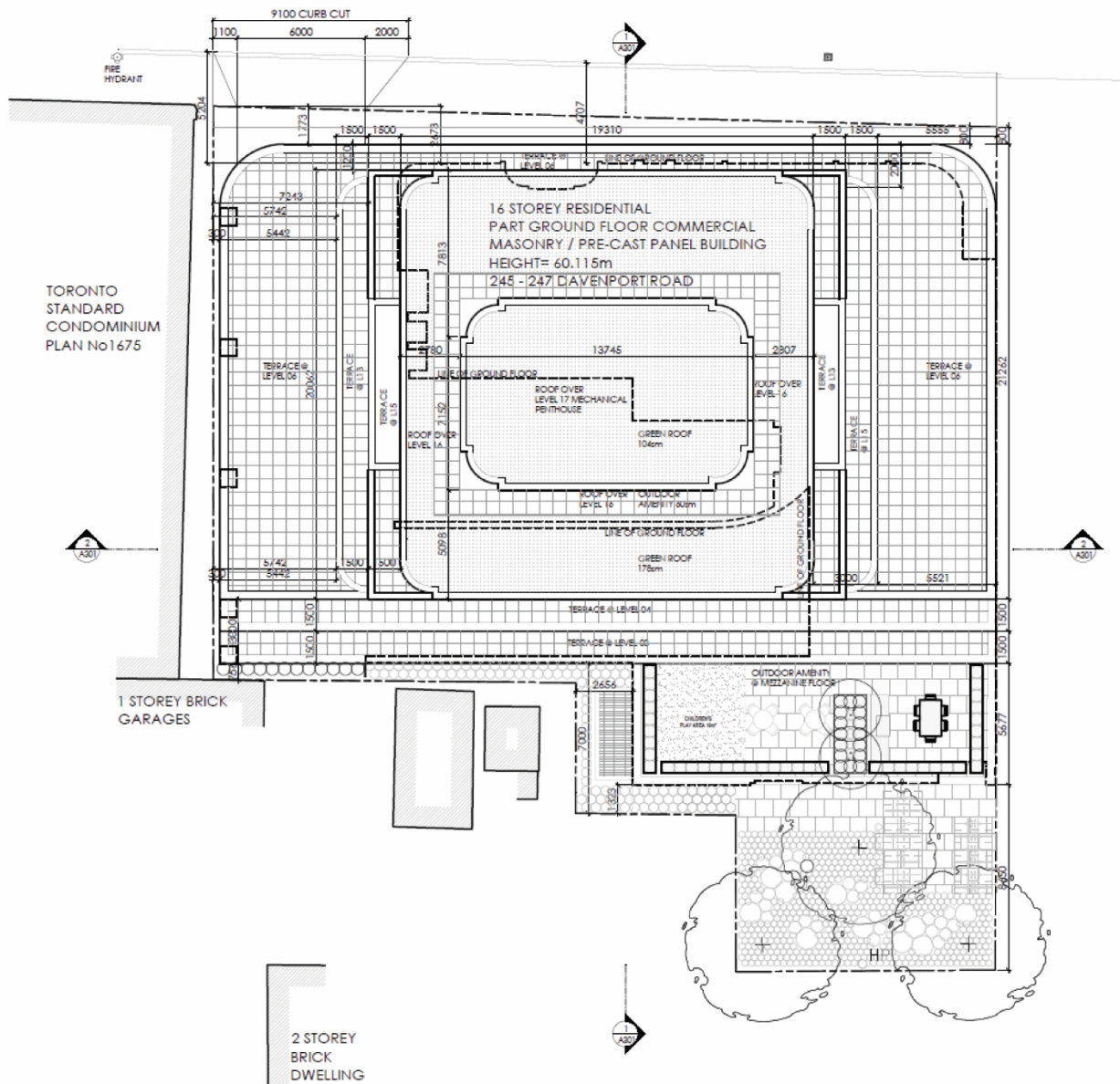


Not to Scale  
Extracted: 02/13/2024

## Attachment 6: Draft Zoning By-law Amendment

The draft by-law amendment will be made available on or before the June 11, 2024, Toronto and East York Community Council meeting.

## Attachment 7: Site Plan

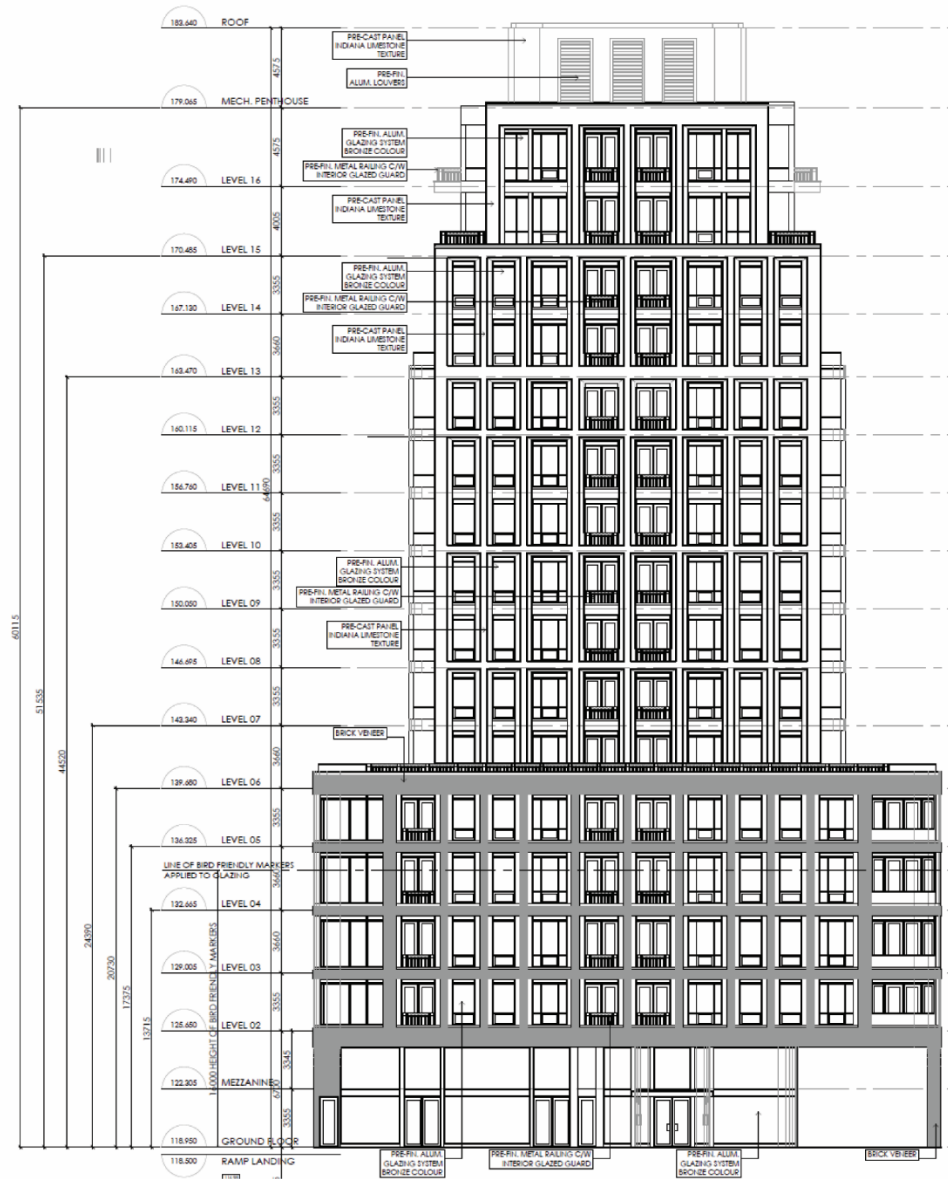


Site Plan

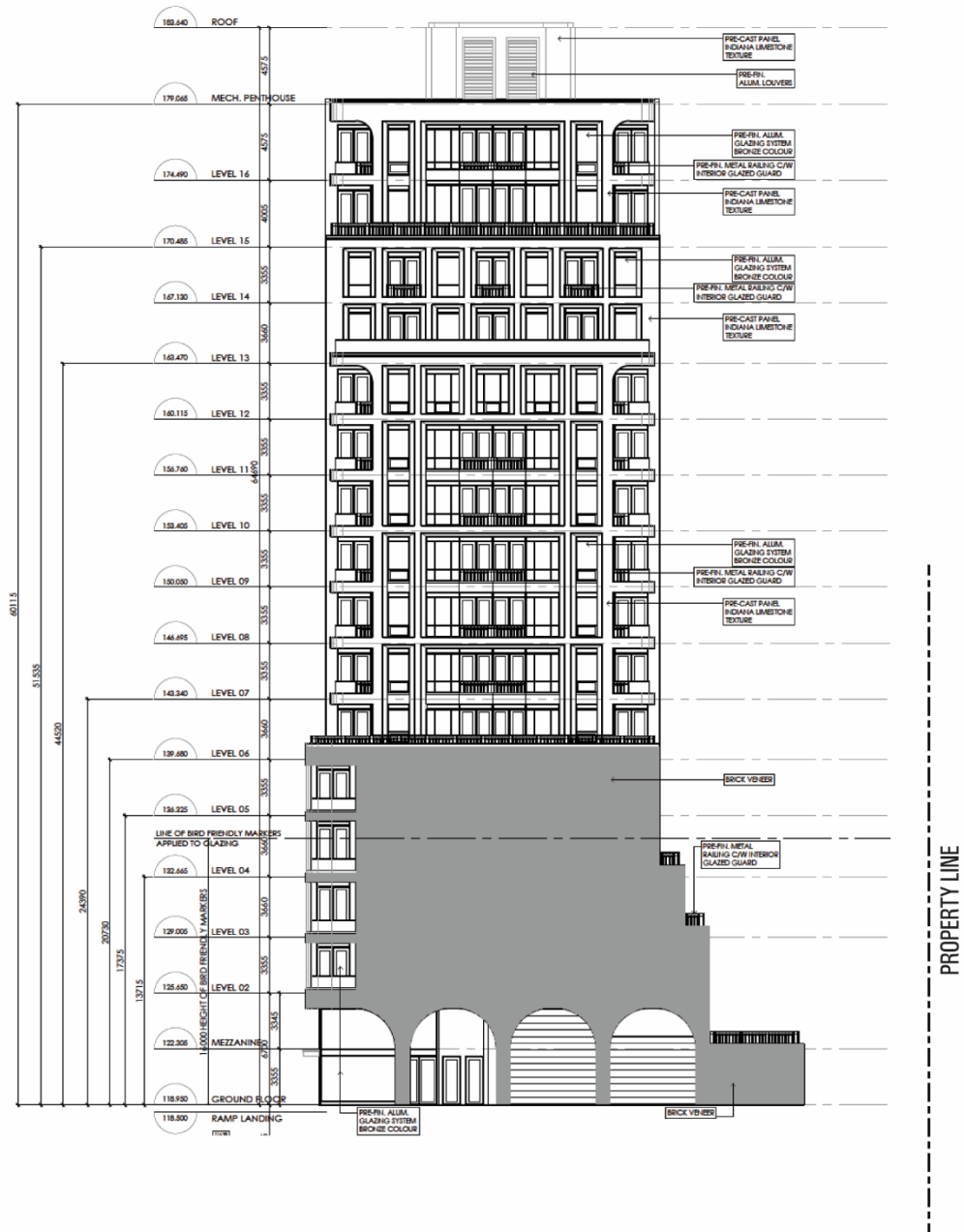




## Attachment 8: Elevations

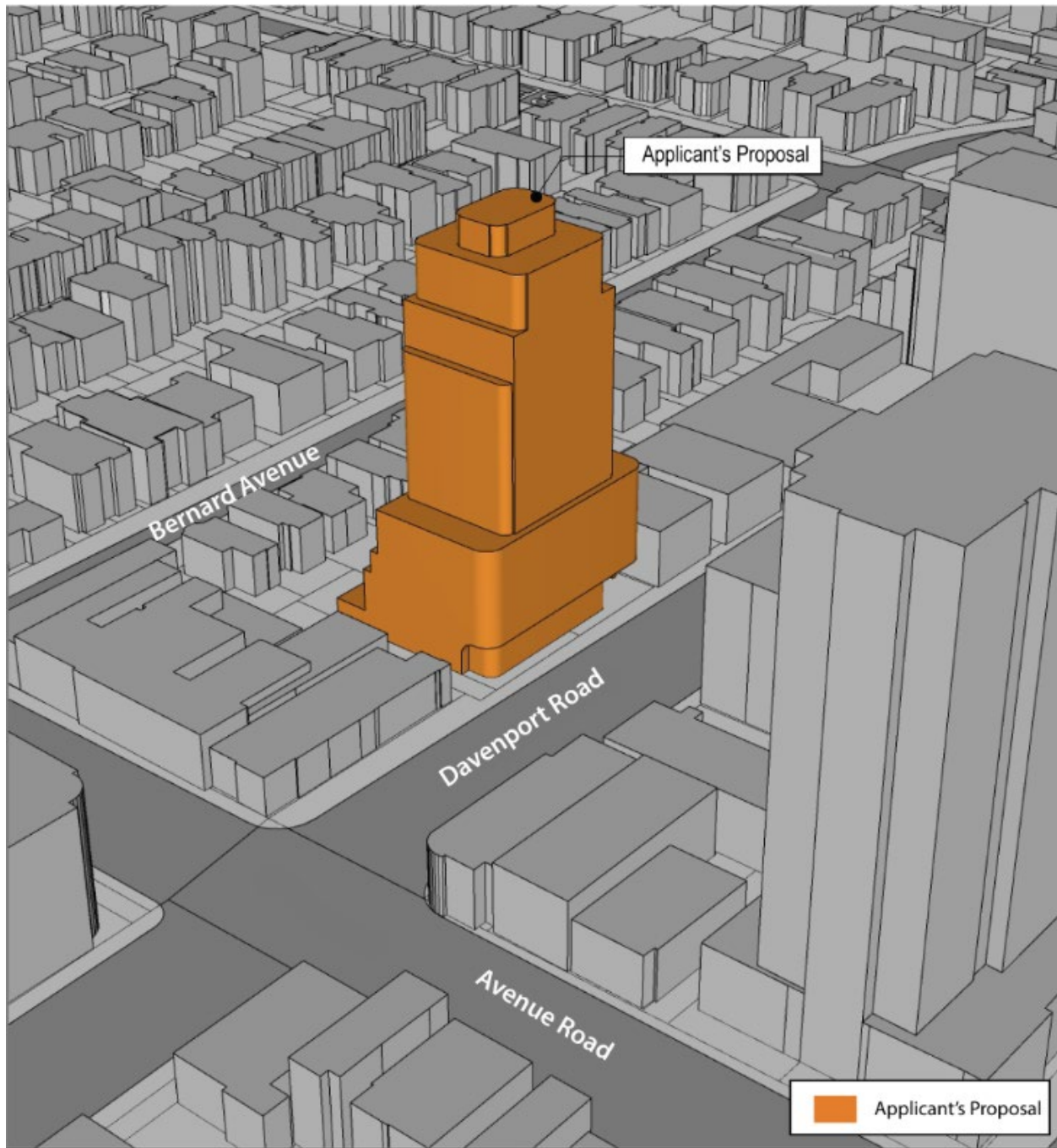


North Elevation



West Elevation

## Attachment 9: 3D Model of Proposal in Context



**View of Applicant's Proposal Looking Southwest**



02/13/2024