

TORONTO STAFF REPORT

March 13, 2003

To: Humber York Community Council

From: Director, Community Planning, South District

Subject: Final Report
Application to amend the Official Plan and Zoning By-law of the (former) City of Toronto
1375 Dupont Street
1534739 Ontario Limited
202014, TC CMB 2002 0010
Davenport, Ward 18

Purpose:

This report reviews and recommends approval of an application to amend the Official Plan and the Zoning By-law for a seven-storey, 80-unit condominium building with at-grade commercial uses and an underground parking garage at 1375 Dupont Street (southeast corner of Lansdowne Avenue and Dupont Street).

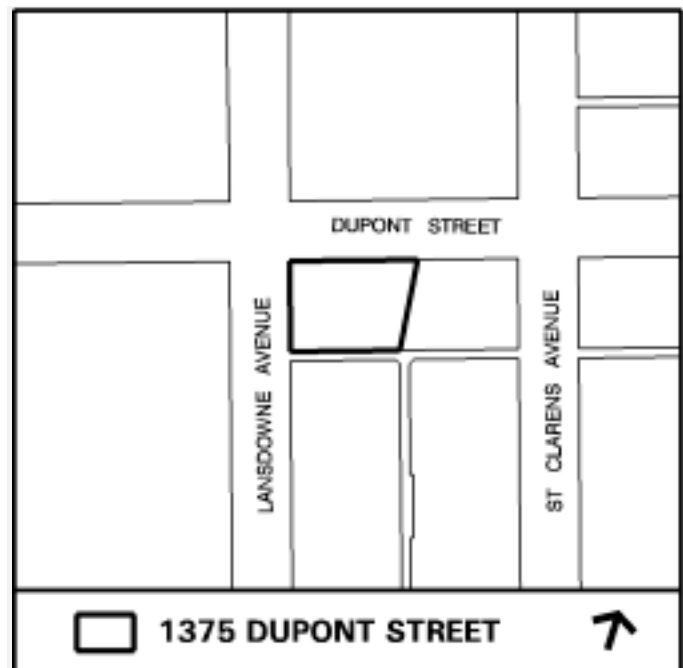
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the (former) City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 9;
- (2) amend the Zoning By-law 438-86 for the (former) City of Toronto substantially in accordance with the



draft Zoning By-law Amendment attached as Attachment No. 10;

- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (4) require the owner to, prior to the introduction of the necessary Bills to City Council for enactment, submit to and have approved by the Commissioner of Works and Emergency Services:
 - (a) a Noise Impact Statement in accordance with City Council's requirements; and
 - (b) a Site Servicing Assessment to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;
- (5) require the owner to submit to the Commissioner of Works and Emergency Services at least three weeks prior to the introduction of the necessary Bills to City Council for enactment:
 - (a) a Strata* Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, delineating thereon by separate PARTS the lands to be conveyed to the City and the remainder of the site (*if required); and
 - (b) final approved drawings of the development, with sufficient horizontal and vertical dimensions of the exterior walls of the proposed buildings to enable the preparation of building envelope plans;
- (6) require the owner to obtain Site Plan Approval and enter into a Site Plan Agreement or Undertaking with the City under Section 41 of the *Planning Act* to require among such other matters as the City deems appropriate:
 - (a) provide 5 new tree plantings in the City road allowance adjacent to the site to the satisfaction of the Commissioner of Economic Development, Culture and Tourism including a tree planting security deposit in the amount of \$2,940.00 (\$588 per tree subject to change), prior to the issuance of a Landscape Permit by the City;
 - (b) convey to the City, at nominal cost, prior to the issuance of a building permit, a 1.98 m strip of land to the full extent of the site abutting the north limit of the public lane to a minimum depth of 0.5 m from the finished grade (if required), such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to a right-of-way for access purposes in favour of the Grantor until such time as said lands have been laid out and dedicated for public highway purposes;

- (c) pave the 1.98 m strip of land to be conveyed to the City in concrete with grades compatible with the existing lane, to City of Toronto standards, at no expense to the City, and to the satisfaction of the Commissioner of Works and Emergency Services;
- (d) execute an agreement, binding on successors on title, if the development's underground parking structure protrudes into the 1.98 m strip of land conveyed to the City for lane widening purposes. Such agreement will include any condition as deemed necessary by the City Solicitor and the Commissioner of Works and Emergency Services in the interests of the Corporation;
- (e) provide and maintain a physical separation between the residents' and the residential visitor parking to secure the availability of the residential parking;
- (f) designate individually the two 5.5 m long parking spaces by means of clearly visible signs as being for use by small cars only;
- (g) construct the access ramp to the underground parking garage with a slope not exceeding 5% within 3.7 m of the limit of the widened lane, not exceeding 8.3% for the next 2.3 m, and not exceeding 15% along the remaining portions;
- (h) provide and maintain convex mirrors at all intersections of the driveway aisles within the underground parking garage;
- (i) provide and maintain a minimum of 1 Type G loading space on site with a generally level surface;
- (j) relocate the proposed Type G loading space to the east side of the entrance/exit to the surface parking garage, approximately 5.2 m further east of the current location, as shown on Drawing No. A202, prepared by Core Architects Inc., date stamped by the Commissioner of Urban Development Services as January 20, 2003;
- (k) design and construct all driveways and passageways providing access to and egress from the Type G loading space with a minimum width of 3.5 m (4 m where enclosed), a minimum vertical clearance of 4.3 m and a minimum inside and outside turning radii of 9 m and 16 m, so that trucks can enter and exit the abutting streets in a forward motion;
- (l) construct the Type G loading space and all driveways and passageways providing access thereto to the requirements of the Ontario Building Code, including allowance for City of Toronto bulk lift and rear bin vehicle loading with impact factors where they are to be built as supported structures;
- (m) provide and maintain a garbage room of at least 20 m² in size and a recycling room of at least 15 m² floor area and install and maintain a stationary compactor

in the garbage room, or alternatively, a combined garbage/recycling room with a minimum size of 35 m² equipped with an automated recycling and waste system (i.e. tri-sorter type). If an automated recycling waste system is not being installed, convenient storage space for recycling material must be provided on each floor of the project for collection by building maintenance staff;

- (n) install and maintain 2.2 m wide double or overhead doors to accommodate the movement of container/totters between the garbage and recycling rooms and the Type G loading space;
- (o) provide and maintain a level access, 2.5 m wide corridor, between the garbage and recycling rooms and the Type G loading space for the transportation of the containers/totters to the collection pad;
- (p) provide and maintain a reinforced concrete storage collection pad immediately in front of the Type G loading space with a maximum slope of 2% (\pm) and 12 m² in size where the containers/totters can be placed on collection days only and manoeuvred for safe and efficient collection;
- (q) install and maintain within each of the driveway aisles of the surface and below grade parking areas, two sets of red warning flashing lights with signage, to warn motorists that “When lights are flashing, waste collection is in progress. Exercise Extreme Caution”, at the following locations:
 - (i) attached to each of the support columns, closest to the entry/exit overhead garage doors; and
 - (ii) strategically placed mid-point through the driveway aisles;
- (r) a trained staff member must be present at all times during collection to:
 - (i) activate the flashing warning lights at the on-set of collection and ensure that it remains active until the collection vehicle leaves the site;
 - (ii) transfer the bins on collections days from garbage/recycling storage rooms and the alcove to the collection pad; and
 - (iii) manoeuvre the containers/totters onto the collection vehicle and act as a flag person when the vehicle is reversing;
- (s) maintain the lids of the garbage/recycling containers/totters, locked at all times for safety reasons, until collection day;
- (t) widen the vehicular access at the intersection of the existing City lane with St. Clarens Avenue, at no expense to the City, such that 11 m and 12.5 m inside and outside turning radii is provided on the northerly leg of the access, to allow for

adequate turning movement of City collection vehicles exiting onto St. Clarens Avenue, which may include costs related to the relocation of street furniture (i.e. curbing, utility and traffic poles), if necessary;

- (u) extend the concrete sidewalk at the public lane location and eliminate and/or depress curb returns across sidewalks to ensure a level surface;
- (v) restore any existing vehicular access ramps along Dupont Street and Lansdowne Avenue that are no longer required, to City standards, at no cost to the City;
- (w) have a qualified Architect/Acoustical Consultant certify, in writing, to the Commissioner of Works and Emergency Services that the development has been designed and constructed in accordance with the Noise Impact Statement accepted by the Commissioner of Works and Emergency Services as per Recommendation 4(a);
- (x) provide, maintain and operate the noise impact measures, facilities and strategies stipulated in the Noise Impact Statement accepted by the Commissioner of Works and Emergency Services;
- (y) submit to the Commissioner of Works and Emergency Services a Record of Site Condition (RSC), all necessary supporting environmental documents and a Statement from a Professional Engineer (sealed and dated), prior to the issuance of an above grade building permit, that based on the environmental RSC and supporting documents, that:
 - (i) the site including the lands to be conveyed to the City for lane widening purposes, is suitable for its intended use; and
 - (ii) based on the above information, it is unlikely that there is any on and off-site contamination on the adjacent rights-of-way that would exceed applicable MOE Guideline objectives or regulations resulting from past land uses;
- (z) pay all costs associated with the City retaining a third-party peer reviewer and submit, prior to the issuance of a building permit, a certified cheque payable to the City, in the amount of \$3,000.00, as a deposit towards the cost of peer review;
- (aa) enter into an agreement, prior to the issuance of an above grade building permit, with the City, should it be determined that remediation of the site and the adjacent right-of-way be required, in which the owner, or the party responsible for the contamination, commit to carrying out a remedial work plan acceptable to the City;

- (bb) pay for any improvements of the municipal infrastructure in connection with Recommendation 4(b) should it be determined that upgrades are required to the infrastructure to support this development;
 - (cc) submit to the Commissioner of Works and Emergency Services, prior to the issuance of a building permit:
 - (i) a Grading and Servicing Plan including drainage to show existing and proposed details of the existing and proposed site services, service connections to municipal infrastructure, existing and proposed grades within the site and at the property line; and
 - (ii) a Stormwater Management Report indicating how the storm run-off from the site is to be addressed;
 - (dd) provide a warning clause in the offers of purchase and sale, or rental/lease agreements, for the building's units advising of the adjacent autobody operation;
 - (ee) provide a screening treatment on the east elevation of the terrace and each balcony located at the east end of each floor facing south;
 - (ff) secure and maintain access for maintenance purposes along the property's east boundary abutting the existing building at 1361 Dupont Street in favour of the owner of the property municipally known as 1361 Dupont Street;
 - (gg) provide a landscape buffer with a minimum depth of 1 metre between the south wall and the outdoor amenity space on the building's rooftop;
- (7) that the owner be advised:
- (a) of the requirements of the Commissioner of Works and Emergency Services with respect to:
 - (i) the need to make a separate application for permits to carryout any works involving construction in, or occupancy of, the abutting public right-of-way inclusive of the widening of the northerly leg of the vehicular access at the intersection of the City lane with St. Clarens Avenue, at no expense to the City, inclusive any relocation of street furniture (i.e. curbing, utility and traffic sign poles), if necessary;
 - (ii) the need to obtain separate approval for the installation of the proposed canopy on Dupont Street and enter into the respective encroachment agreement;
 - (iii) that the public lane used to access and egress the parking garage will be given low priority for snow clearance by the City;

- (iv) that the storm water runoff originating from the site should be disposed of through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and approval by the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm runoff;
 - (v) that eligibility for City collection of refuse generated by this development is dependant on the widening of the northerly leg of the vehicular access at the intersection of the City lane with St. Clarens Avenue, as required in Recommendation No. 6(t);
 - (vi) the City's requirement for payment of a service charge associated with the provision of City containerized garbage collection;
 - (vii) that in the event the on-site person is not available at collection time, the vehicle will leave the site and not return until the next scheduled collection day; and
 - (viii) the need to contact the Solid Waste Management Services Section of Works and Emergency Services to complete the necessary application and waiver forms prior to the commencement of City waste collection;
- (b) that the proposal requires conveyances of land for parks purposes, or payment in lieu thereof, pursuant to Section 42 of the Planning Act;
 - (c) that the issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code;
 - (d) that the proposal is subject to Development Charges pursuant to By-law 476-1999 as amended. For additional information please refer to the said by-law;
 - (e) that the proposal is subject to Education Development Charges, pursuant to the Toronto Catholic District School Board By-law 2001 No. 148. For additional information please refer to the said by-law; and
- (8) request the Minister of Municipal Affairs and Housing to modify Chapter Seven of the new Official Plan, adopted by City Council on November 28, 2002, to include a Site and Area Specific Exception to permit the construction of an Apartment building within the lands designated as Neighbourhoods and if a decision from the Province issues prior to Council's adoption of this report, that Council authorize any needed amendments to the new Official Plan, adopted by Council on November 28, 2002.

Background:

Proposal

The applicant is proposing to construct a seven-storey, 80-unit condominium building with at-grade commercial uses and an underground parking garage at the southeast corner of Lansdowne Avenue and Dupont Street. A partial 8th floor containing mechanical space and indoor amenity space connecting to outdoor amenity space is also proposed.

The building's main residential entrance will be located on the Dupont frontage. Vehicular access and servicing will be from the east-west public lane along the site's southern boundary. New tree plantings along the Lansdowne and Dupont frontages and some on-site landscaping treatment in front of the at-grade units on Dupont Street will also be provided.

The proposal has a total height of 25.25 m, including the partial 8th floor. Overall, the proposal has a total combined gross floor area of approximately 5,839 square metres or 4.85 times the area of the lot (please refer to Application Data Sheet for additional details).

Proposal Modification

The proposal includes five at-grade live/work units along the Lansdowne and Dupont frontages. The applicant has recently requested that these units be given a commercial use permission in addition to a live/work permission so neighbourhood retail space may be provided if desired by purchasers and/or tenants. This is addressed in the report.

Site and Surrounding Area

The site is located at the southeast corner of Lansdowne Avenue and Dupont Street. It is bounded by Dupont Street to the north, Lansdowne Avenue to the west, a public lane to the south and non-residential properties to the east.

The site was previously owned by the Toronto Transit Commission and was used as a transit loop servicing its Lansdowne and Dupont routes. The site is currently vacant.

Surrounding land uses include:

North: a mix of non-residential and high-rise residential uses;

West: across Lansdowne Avenue is the former American Standard site, which is undergoing residential redevelopment. The existing buildings fronting on Lansdowne Avenue range from 6 to 8 storeys;

East: a mix of non-residential uses along Dupont Street including an autobody operation; and

South: a low-density residential neighbourhood.

Official Plan

The Wallace-Emerson Part II Plan designates the site as “Low Density Residence Area”, which permits a range of residential uses provided the total gross floor area does not exceed 1.0 times the area of the lot.

New Toronto Official Plan

At its meeting of November 26-28, 2002, Council adopted the new Official Plan for the City of Toronto. Once the Plan comes into force and effect, it will designate the subject site Neighbourhoods. This designation’s policies include infill criteria for ensuring the integration of new development on properties that vary from the established neighbourhood’s local pattern in terms of lot size, configuration and /or orientation.

Zoning By-law 438-86

The site is zoned I1 D2 by Zoning By-law 438-86 of the (former) City of Toronto. Residential uses and certain commercial uses are not permitted in an I1 D2 zoning category.

Site Plan Control

A Site Plan Approval application has been submitted concurrently with the Official Plan and Zoning By-law Amendment applications.

Reasons for Application

An amendment to the Official Plan is required to permit the development as the proposed gross floor area of 4.85 times the area of the lot exceeds the Official Plan permission of 1.0 times the area of the lot. An amendment to the Zoning By-law is required as a residential use and certain commercial uses are not permitted in an I1 D2 district.

Community Consultation

A community consultation meeting was held at the Wallace - Emerson Community Centre on December 19, 2002. Seven members of the public attended this meeting. For the most part area residents support the proposed development although two general areas of concern were raised. Residents expressed concern regarding the proposal’s parking provisions and the potential impact of parking spill over on neighbouring streets. The second area of concern was the proposal’s compatibility with an adjacent non-residential use. This latter concern was raised by the owner of an autobody operation on the abutting property to the east. City Planning staff have also received written comments from this business owner as well as an owner of an auto services use across the public lane on Lansdowne Avenue. These comments are addressed in this report.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

Built Form

The proposed height, massing, density and scale of the project have been reviewed and are acceptable.

The proposal has a total height of 25.25 m, including a partial 8th floor. On the Dupont frontage the proposed 7th floor will be set back 2.4 metres from the building's lower levels. This setback allows for outdoor terraces for 7th floor units facing Dupont Street. On the site's south frontage the proposed building will be pulled back from the public lane. The ground floor will be set back 3.75 m while the upper floors will be set back 7 m from the public lane. The proposed 2nd floor units facing south will have terraces located on the roof of the ground floor while the upper level units will have balconies.

This proposed massing effectively addresses the site's dual function as an anchor at the corner of major intersection and a lot on the edge of a low scale residential neighbourhood. The proposed massing creates a strong public street interface on the Dupont and Lansdowne frontages, partially attributable to the five at-grade units. At the same time the ground floor and upper floor setbacks from the south property line coupled with the public lane, which will be widened by 1.98 m, provides a transitional zone to the adjacent low scale residential neighbourhood. This approximately 9 m wide transitional zone will minimize overlook and privacy impacts on residential properties to the south

The proposal's density of 4.85 times the area of the lot exceeds the Official Plan provision of 1.0 times the area of the lot. The added density is effectively organized through the proposal's massing described above so as to minimize potentially negative impacts on the immediate urban environment. As well, the site benefits from its frontage on two major public streets – Lansdowne Avenue and Dupont Street – as well as a public lane.

The proposal's scale is appropriate for the corner of Lansdowne Avenue and Dupont Street. The building's footprint, which is pulled tight to both public street frontages, coupled with its terraced elevation, produces a building scale that effectively anchors the corner of the intersection. The building scale also complements the former American Standard buildings across Lansdowne Avenue to the west. These former industrial buildings have been converted to live/work units. Building 'A' at Lansdowne Avenue and Dupont Street and Building 'C' at Lappin Avenue and Lansdowne Avenue both have a height of approximately 23 m. One exception to this building scale at the Lansdowne Avenue and Dupont Street intersection is a single-storey building containing a "Coffee Time" franchise at the northeast corner. This site is currently underdeveloped and may be able to support a more intensive form of development.

Overall, the proposal's height, massing, density and scale effectively address the built form objectives in Section 3.13(a) and Section 3.14 of the Official Plan.

Housing

Section 6.14 and Section 6.15 of the Official Plan encourage residential intensification and infill developments on vacant lots respectively. The proposal's residential redevelopment of a vacant site addresses these policies. The intent of these policies is achieved through a built form that is compatible with the surrounding built environment, as discussed in the previous section.

Streetscape

The original application proposed an indoor parking garage on the building's ground floor. This would have produced a weak, sterile ground floor/streetscape interface along the site's public frontages; not in keeping with Section 3.19 of the Official Plan regarding development-related parking structures. In response to City Planning's concerns, the application was revised to provide five at-grade live/work units along the Lansdowne and Dupont frontages. As a result, the amount of ground floor space dedicated to parking was reduced and additional parking was provided underground.

The proposal's main residential entrance will be located on the Dupont frontage and each of the five at-grade units will have its own entrance from the street. This design treatment will strengthen the building's ground floor interface with the public sidewalk. This is in keeping with Section 3.15 of the Official Plan, which encourages the design and location of building entrances that enhance the public realm. In addition, new public tree plantings and two on-site landscaped areas on the Dupont frontage, although small, will assist in softening the immediate streetscape.

The applicant has recently requested permission for limited commercial uses for the five at-grade units. This permission would allow an opportunity for small scale retail space to serve the local neighbourhood. It would also strengthen the site's interface with the street. The proposed Zoning By-law Amendment specifies the maximum non-residential gross floor area of a unit and restricts certain types of commercial uses to ensure that these at-grade units are limited to small scale neighbourhood retail uses.

Compatibility with Adjacent Uses

An existing autobody operation abuts the site to the east at 1361 Dupont Street. At the community consultation meeting as well as in written correspondence and telephone conversations with City Planning staff, the owner has expressed concerns regarding the proposal's impact on his business's visibility from the street, maintenance access to the west wall of his building and land use compatibility.

This proposal will reduce the autobody operation's level of visibility from Lansdowne Avenue and Dupont Street. However, a reduction is not uncommon when an abutting property is redeveloped, particularly when that property was previously vacant. To address this concern, the

owner of the autobody operation has identified two options: a front addition to move his building's footprint up to the Dupont frontage and new signage for his operation.

The existing building sits toward the rear (south) portion of the property at 1361 Dupont Street. The area between the Dupont right-of-way and the building is used for customer parking and to marshal cars into the building for repair. The owner has received approval from the Committee of Adjustment for a small front addition. City Planning staff have advised the owner on a number of occasions that it does not support building additions that expand this use and reduce its limited on-site parking area. With respect to the second option, new signage could assist with this business's visibility. New signage may generate a variance to the City's Sign By-law. If so an application to vary the Sign By-law would be required. This application would be reviewed and considered separately by City Planning staff.

Another concern expressed was access to the west wall of the 1361 Dupont Street building for maintenance purposes. The 1361 Dupont Street building has no side lot line setback from the mutual property line with the development site. On the other hand, the proposal will be set back approximately 1 m along the portion of the mutual property line that abuts the 1361 Dupont Street building to permit access for maintenance purposes. Access for maintenance purposes will be secured during the finalization of the Site Plan Approval process.

This business owner also identified land use compatibility concerns between his autobody operation and the proposed development. Neighbourhood residents at the community meeting expressed a similar concern with respect to the autobody operation's compatibility with the adjacent residential neighbourhood to the south.

In addition to the autobody operation at 1361 Dupont Street there are auto-related uses at 1359 Dupont Street and 973 B Lansdowne Avenue. These auto-related uses while legally permitted do not conform with general Official Plan policies for Low Density Residence Areas. Auto-related uses are not compatible with the established residential neighbourhood to the south and do not complement the emerging residential character of area's former industrial sites. Section 16.23 of the Official Plan provides direction for the future of non-conforming uses. It states that these uses should cease to exist in the long run so that these properties may revert to a use in conformity with the intent of the Official Plan.

Furthermore, Section 2.10(a) of the Wallace-Emerson Part II Plan does not support auto-related uses where such uses may be detrimental to adjacent or nearby uses. It is City Planning staff's opinion that these auto-related uses are not appropriate and should be replaced with uses more compatible with the area's predominant residential character.

In the interim the proposal's design seeks to minimize land use conflicts. The building's elevator core will be located on the eastern portion of the property adjacent to the autobody operation. As a result, no residential windows are proposed on building's east elevation, which faces the autobody operation. Secondly, all residential units will be equipped with central air conditioning. This will reduce potential impacts on the proposal's interior living space. Thirdly, residential units fronting Dupont Street do not have balconies although the 7th floor units have terraces as previously discussed. The residential units facing south have either balconies or

terraces. The closest units to the autobody operation are at the east end of each floor. These units are set back approximately 1 m from the east property line. To provide further mitigation from the adjacent use, the applicant has agreed to provide a screening treatment on the east elevation of these balconies. Finally, a warning clause will be placed in the offers of purchase and sale, or rental/lease agreements, for units advising of the adjacent autobody operation.

These mitigation measures in tandem with the autobody operation's compliance with applicable government regulations and good business practises should minimize conflicts between the properties. As stated above, it is the intent of the Official Plan that auto-related uses cease to exist in this area over the long run.

In addition to the above concerns, the owner of an auto-related use at 977 B Lansdowne Avenue has forwarded written comments expressing concern with the development's use of the public lane and potential lane closures during construction activities. This owner uses the public lane to access his business. City Planning staff have not received any comments from other users of the public lane, which services properties on Dupont Street and residential dwellings on both St. Clarens Avenue and Lansdowne Avenue. Section 3.18 of the Official Plan directs that new development use the City's public lane network for access and servicing, where possible. The proposal will convey land for a lane widening as required by City policy. This should improve the lane's operational level. It is anticipated that during reconstruction activities for the portion of the lane adjacent to the development site access to the lane will be maintained from St. Clarens Avenue as well as onto Lansdowne Avenue further to the south.

Parking and Traffic

The original application provided 23 parking spaces on the ground floor. No underground parking was proposed. As discussed earlier, this parking arrangement was unacceptable. Subsequently, the application was revised to provide 37 parking spaces including one level of underground parking. After further discussions with Works and Emergency Services staff a second level of underground parking was included bringing the total number of spaces to 63. The applicant advises that four spaces have since been eliminated to accommodate a hydro vault and an electrical room.

At the community consultation meeting residents raised concerns about the development's parking allotment, however, at that time the proposal only provided 37 space. The applicant advised residents that revisions would result in another level of underground parking. This parking adjustment appeared to satisfy a number of the residents.

At its meeting on November 12, 2002, Humber York Community Council requested the Commissioner of Works and Emergency Services to comment on the amount of parking proposed for this site, including the provision of visitor parking. Works and Emergency Services (WES) will be forwarding a separate report responding directly to Community Council's request.

Through the City's departmental review process for this application, WES has recommended specific parking ratios for each unit type and visitor parking. Based on the proposal's current unit mix, the provision of 57 spaces is required to satisfy WES's estimated parking demand

generated by this development. A total of 59 parking spaces are provided. The proposal currently provides 5 visitor parking spaces, however, WES's recommended visitor-parking ratio requires the provision of 10 spaces.

City Planning staff have consulted with WES Transportation Services staff regarding its recommended parking ratio of 0.12 visitor spaces per unit. WES Transportation staff advised that its recommended parking ratios are based, in part, on the actual surveyed demand generated by condominium dwelling units in the (former) City of Toronto. WES staff conducted the condominium parking demand survey. Many buildings similar to the proposed building are found in "MCR" districts. Under Zoning By-law 438-86, the "MCR" district has a requirement of 0.06 visitor spaces per unit. The "MCR" requirement applies to various residential tenures (e.g. freehold, rental and condominium); whereas, WES recommended parking ratios are specific to condominium developments such as the proposal.

In light of the aforementioned and the parking prohibition on Lansdowne Avenue and Dupont Street along with restricted 3-hour short term parking on St. Clarens Avenue in close proximity to the development site, City Planning staff concurs with WES's recommended parking ratios. These will be secured in the site specific Zoning By-law.

At the community consultation meeting area residents had asked whether a traffic study would be produced to review potential impacts on the larger neighbourhood. Based on the volume of trips the project is expected to generate, Works and Emergency Services staff did not request a traffic impact study.

Access

Vehicular access is proposed via the public lane that runs between Lansdowne Avenue and St. Clarens Avenue. In order to facilitate access and egress, the applicant is required to convey to the City a 1.98 m wide strip of land along the property's south boundary to widen the public lane. As well, the applicant will be required to pay for the costs of widening the northerly leg of the lane at its intersection with St. Clarens Avenue to allow for adequate turning movement of City collection vehicles exiting onto St. Clarens Avenue. Both these measures will enhance the lane's operational level.

Alternative Modes of Transportation

Section 8.2 of the Official Plan states that Council shall encourage development at locations well serviced by a full range of transportation services, predominantly modes of public transportation, so as to reduce reliance on the private automobile. Future residents of this development will be able to access employment and goods and services across the city by transportation modes other than their automobile. There are surface transit routes on Lansdowne Avenue and Dupont Street, which connect to the subway system. As well, the site is within walking distance of the Bloor subway line.

The proposal also provides resident bicycle parking within each residential unit. The visitors' bicycle parking will be provided through the installation of bicycle standards located along the site's south property line.

Amenity Space and Landscaping Space

The applicant is proposing indoor amenity space on the ground floor and the partial 8th floor, which is contiguous with the rooftop outdoor amenity space. The applicant has agreed to install a landscaped buffer area along the southern portion of the outdoor amenity space to provide soft landscaping and to minimize overlook to the south. This will be secured during finalization of the Site Plan Approval process.

The proposal also provides small landscaped areas in front of the two at-grade units on the Dupont frontage. As well, five new public tree plantings are proposed (three on the Dupont frontage and two on the Lansdowne frontage). Forestry Services are satisfied with this arrangement and have provided the standard conditions to secure these trees in the Site Plan Undertaking.

Municipal Services

Works and Emergency Services advise that existing water and sanitary sewer systems are available to service the proposed development. The applicant will be required to submit a Site Servicing Assessment to determine the stormwater runoff, sanitary flow and water supply demand resulting from the development. The assessment will demonstrate how the site can be serviced and whether the existing municipal infrastructure is adequate.

Works and Emergency Services advise that the City is prepared to provide the collection of garbage and recyclables via the east-west public lane abutting the site. This is conditional, in part, on the previously discussed lane modifications being carried out to the satisfaction of the Commissioner of Works and Emergency Services.

Conclusions:

City Planning staff recommend approval of the proposed Official Plan and Zoning By-law Amendments. The proposed development's mix of non-residential uses at-grade with residential above encourages animation at street level, and a strong interface between the building and its Lansdowne and Dupont public frontages.

Overall, the proposed development is consistent with the intent of the Official Plan of the (former) City of Toronto with respect to residential intensification and built form compatibility with adjacent low scale residential neighbourhoods. Although an apartment building is not one of the uses permitted within the Neighbourhoods designation under the new Official Plan, the built form of the proposed development is compatible with the immediate neighbourhood and provides for residential intensification in a location accessible to public transit.

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Ted Tyndorf

Director, Community Planning, South District

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List of Attachments:

Application Data Sheet

- Attachment 1: Site Plan
- Attachment 2: North Elevation
- Attachment 3: South Elevation
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- Attachment 6: Zoning
- Attachment 7: Official Plan
- Attachment 8: Agency Comments
- Attachment 9: Draft Official Plan Amendment
- Attachment 10: Draft Zoning By-law Amendment

Application Data Sheet

Combination

Site Plan Approval:	Yes	File Number:	202014
Rezoning:	Yes	Application Number:	TC CMB 2002 0010
O.P.A.:	Yes	Application Date:	08/14/2002

Municipal Address: 1375 Dupont Street

Nearest Intersection: Dupont Street and Lansdowne Avenue

Project Description: Construct a 7-storey building containing 80 dwelling units and ground floor commercial permission.

Agent:

Khurann Associates
148 Glendale Avenue
Toronto, Ontario, M6R 2T2
(416) 534-6762

Architect:

Core Architect Inc.
317 Adelaide St. W., Ste. 600
Toronto, Ontario, M5V 1P9
(416) 343-0400

Owner:

1534739 Ontario Limited
80 Richmond St. W., Ste. 601
Toronto, Ontario, M5H 2A4
(416) 362-2922

PLANNING CONTROLS (For verification refer to Chief Building Official)

Official Plan Designation:	Low Density Residential Area	Site Specific Provision:	No
Zoning District:	I1 D2	Historical Status:	No
Height Limit (m):	14 m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area:	1203 m ²	Height: Storeys:	7
Frontage:	42.11 m	Metres:	25.25 & elevator overrun
Depth:	30.57 m		
		Indoor	Outdoor
Ground Floor GFA:	900 m ²	Parking Spaces:	59 0
Residential GFA:	4939 m ²	Loading Docks:	0 1
Non-Residential GFA:	900 (including ground floor parking)		
Total GFA:	5839 m ²		

DWELLING UNITS

Tenure Type:	Condominium
Bachelor:	31
1 Bedroom:	37
2 Bedroom:	7
Live/Work:	5
Total Units:	80
Total Proposed Density:	4.85 (including 0.5 for ground floor parking)

FLOOR AREA BREAKDOWN

	Above Grade
Residential GFA:	4939 m2
Retail GFA:	228 m2
Office GFA:	0
Industrial GFA:	0
Industrial/Other GFA:	612 m2

COMMENTS

Current Status: Open	<u>Latest Event</u>	<u>Actual Date</u>
	Revised Submission	01/20/2003
	Revised Submission	01/16/2003
	Revised Submission	10/11/2002
	Revised Submission	09/30/2002
	Suppl. Submission	08/29/2002
	Received	08/14/2002

Data Valid: March 13, 2003 Planner: Corwin Cambray Phone: (416) 392-0459
Area: District - C Planning Office: Toronto - West (TC)

**Attachment 8
Agency Comments**

1. Urban Development Services, Building (February 8, 2003)

Our comments concerning this proposal are as follows:

Description: Build mixed-use building containing retail stores and 75 dwelling units with below grade and at grade parking.

Zoning Designation: I1 D2 Map: 48J-313

Applicable By-law(s): 438-86, as amended

Plans prepared by: Core Architects Plans dated: September 30, 2002 and October 11, 2002 and January 20, 2003

Gross Floor Area (GFA): 5358 m²

Residential GFA: 4309 m²

Non-Residential GFA: 1049m²

Zoning Review

The list below indicates where the proposal does not comply with the City's Zoning By-law 438-86, as amended, unless otherwise referenced.

1. The by-law requires a parking space to have minimum unobstructed dimensions of at least 5.9 metres in length by 2.6 metres in width. Four of the required parking spaces will have a length less than the minimum required 5.9 metres. (Section 2, definition of 'parking space'.)
2. The by-law requires a minimum of 75 parking spaces to be provided. The number of proposed parking spaces is 63. (Section 4(4)(b))
3. The building will have a height of 25.25 metres in lieu of the maximum permitted 14.0 metres. Section 4(2) a.
4. The by-law requires a parking facility to be accessible by a driveway having a minimum width of 5.5 metres, for two-way operation. The width of a portion of the proposed driveway is 5.4 metres. (Section 4(4))
5. The by-law requires one loading space - type G (3.5 metres by 11 metres with a vertical clearance of at least 4 metres). No loading space - type G is proposed. (Section 4(6)(c))

6. The proposed indoor residential amenity space will not be contained within contiguous rooms. Section 4(12).
7. The bicycle parking spaces for the occupants will be located within the dwelling units. Section 4(13).
8. The proposed uses, (retail stores and dwelling units) are not permitted in an I District. Section 9(1)(f).

Other Applicable Legislation and Required Approvals

1. The proposal requires Site Plan approval under Section 41 of the Planning Act.
2. The proposal requires conveyance of land for parks purposes, or payment in lieu thereof pursuant to Section 42 of the Planning Act.
3. The proposal DOES NOT require the approval of Heritage Preservation Services under the Ontario Heritage Act.
4. The issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code.
5. The proposal is subject to Development Charges pursuant to By-law 476-1999 as amended. For additional information please refer to the said by-law.
6. The proposal is subject to Education Development Charges, pursuant to the Toronto Catholic District School Board By-law 2001 No. 148. For additional information please refer to the said by-law.

2. Works and Emergency Services, Technical Services (March 7, 2003)

This is in reference to the application made on behalf of the owner, Toronto Transit Commission, for the construction of a 7-storey condominium building consisting of 80 live-work units. A total of 63 parking spaces are being proposed at ground level and in a 2-level parking garage.

The comments and recommendations noted below are based on the review of Drawing Nos. A001, A100, A101, A200-A205, A400-A403 and A410, prepared by Core Architects Inc., date stamped by your Department as January 20, 2003. We note that although the accompanying letter from the applicant's consultant, Namara Developments Ltd., requests a change from live-work units on the ground floor to service retail type, the drawings do not reflect such change and on that basis the review of this application is based what is shown on the drawings.

Please advise us if any changes or modifications are required to the conditions identified in this memorandum.

Recommendations:

1. That the owner be required to:
 - (a) Provide and maintain a minimum number of parking spaces on the site to serve the project, in accordance with the following ratios:

Bachelor Units	-	0.3 spaces per unit
1-Bedroom Units	-	0.7 spaces per unit
2-Bedroom Units	-	1.0 space per unit
Live/Work Units	-	1.0 space per unit
Visitors	-	0.12 spaces per unit
 - (b) Provide and maintain a physical separation between the residents' and the residential visitor parking to secure the availability of the residential parking;
 - (c) Designate individually the two 5.2 m long parking spaces by means of clearly visible signs as being for use by small cars only;
 - (d) Convey to the City, at nominal cost, prior to the issuance of a building permit, a 1.98 m strip of land to the full extent of the site abutting the north limit of the public lane to a minimum depth of 0.5 m from the finished grade, such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to a right-of-way for access purposes in favour of the Grantor until such time as said lands have been laid out and dedicated for public highway purposes;
 - (e) Execute an agreement, binding on successors on title, to:
 - (i) Indemnify the City from and against all actions, suits, claims, or demands and from all loss, costs, damages, charges and expenses that may result from the construction of the garage beneath the public highway;
 - (ii) Maintain the structure in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
 - (iii) Indemnify the City from and against any loss or damage to the waterproofing and structure resulting from the maintenance and reconstruction of the street and/or lane pavement;
 - (iv) Include additional conditions as deemed necessary by the City Solicitor and the Commissioner of Works and Emergency Services in the interests of the Corporation;
 - (f) Pave the 1.98 m strip of land to be conveyed to the City, as noted in Recommendation No. 1(d), in concrete with grades compatible with the existing

lane, to City of Toronto standards, at no expense to the City, and to the satisfaction of the Commissioner of Works and Emergency Services;

- (g) Submit to the Commissioner of Works and Emergency Services, a Strata Reference Plan of Survey, in metric units and integrated with the Ontario Coordinate System, delineating thereon by separate PARTS the lands to be conveyed to the City and the remainder of the site;
- (h) Construct the access ramp to the underground parking garage with a slope not exceeding 5% within 3.7 m of the limit of the widened lane, not exceeding 8.3% for the next 2.3 m, and not exceeding 15% along the remaining portions;
- (i) Provide and maintain convex mirrors at all intersections of the driveway aisles within the underground parking garage;
- (j) Provide and maintain a minimum of 1 Type G loading space on site with a generally level surface;
- (k) Relocate the proposed Type G loading space to the east side of the entrance/exit to the surface parking garage, approximately 5.2 m further east of the current location, as shown on Drawing No. A202, prepared by Core Architects Inc., date stamped by the Commissioner of Development Services as "January 20, 2003";
- (l) Design and construct all driveways and passageways providing access to and egress from the Type G loading space with a minimum width of 3.5 m (4 m where enclosed), a minimum vertical clearance of 4.3 m and a minimum inside and outside turning radii of 9 m and 16 m, so that trucks can enter and exit the abutting streets in a forward motion;
- (m) Construct the Type G loading space and all driveways and passageways providing access thereto to the requirements of the Ontario Building Code, including allowance for City of Toronto bulk lift and rear bin vehicle loading with impact factors where they are to be built as supported structures;
- (n) Provide and maintain a garbage room of at least 20 m² in size and a recycling room of at least 15 m² floor area and install and maintain a stationary compactor in the garbage room, or alternatively, a combined garbage/recycling room with a minimum size of 35 m² equipped with an automated recycling and waste system (i.e. tri-sorter type). If an automated recycling waste system is not being installed, convenient storage space for recycling material must be provided on each floor of the project for collection by building maintenance staff;
- (o) Install and maintain 2.2 m wide double or overhead doors to accommodate the movement of container/totters bins between the garbage and recycling rooms and the Type G loading space;

- (p) Provide and maintain a level access, 2.5 m wide corridor, between the garbage and recycling rooms and the Type G loading space for the transportation of the containers/totter to the collection pad;
- (q) Provide and maintain a reinforced concrete storage collection pad immediately in front of the Type G loading space with a maximum slope of 2% (\pm) and 12 m² in size where the containers/totter can be placed on collection days only and manoeuvred for safe and efficient collection;
- (r) Install and maintain within each of the driveway aisles of the surface and below grade parking areas, two sets of red warning flashing lights with signage, to warn motorists that “When lights are flashing, waste collection is in progress. Exercise Extreme Caution.”, at the following locations:
 - (i) Attached to each of the support columns, closest to the entry/exit overhead garage doors; and
 - (ii) Strategically placed mid-point through the driveway aisles;
- (s) A trained staff member must be present at all times during collection to:
 - (i) Activate the flashing warning lights at the on-set of collection and ensure that it remains active until the collection vehicle leaves the site;
 - (ii) Transfer the bins on collection days from garbage/recycling storage rooms the alcove, to the collection pad; and
 - (iii) Manoeuvre the containers/totter onto the collection vehicle and act as a flagperson when the vehicle is reversing;
- (t) Maintain the lids of the garbage/recycling containers/totter, locked at all times for safety reasons, until collection day;
- (u) Widen the vehicular access at the intersection of the existing City lane with St. Clarens Avenue, at no expense to the City, such that 11 m and 12.5 m inside and outside turning radii is provided on the northerly leg of the access, to allow for adequate turning movement of City collection vehicles exiting onto St. Clarens Avenue, which may include costs related to the relocation of street furniture (i.e. curbing, utility and traffic poles), if necessary;
- (v) Extend the concrete sidewalk at the public lane location and eliminate and/or depress curb returns across sidewalks to ensure a level surface;
- (w) Restore any existing vehicular access ramps along Dupont Street and Lansdowne Avenue that are no longer required, to City standards, at no cost to the City;

- (x) Submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the introduction of Bills in Council, a Noise Impact Statement in accordance with City Council's requirements;
- (y) Have a qualified Architect/Acoustical Consultant certify, in writing, to the Commissioner of Works and Emergency Services that the development has been designed and constructed in accordance with the Noise Impact Statement accepted by the Commissioner of Works and Emergency Services;
- (z) Provide, maintain and operate the noise impact measures, facilities and strategies stipulated in the plan accepted by the Commissioner of Works and Emergency Services;
- (aa) Prior to the issuance of an above grade building permit, submit a Record of Site Condition (RSC), all necessary supporting environmental documents and a Statement from a Professional Engineer (sealed and dated), that based on the environmental RSC and supporting documents, that:
 - (i) The site including the lands to be conveyed to the City for lane widening purposes, is suitable for its intended use; and
 - (ii) Based on the above information, it is unlikely that there is any on and off-site contamination on the adjacent rights-of-way that would exceed applicable MOE Guideline objectives or regulations resulting from past land uses;
- (bb) Pay all costs associated with the City retaining a third-party peer reviewer and submit, prior to the issuance of a building permit, a certified cheque payable to the City, in the amount of \$3,000.00, as a deposit towards the cost of peer review;
- (cc) Enter into an agreement, prior to the issuance of an above grade building permit, with the City, should it be determined that remediation of the site and the adjacent right-of-way be required, in which the owner, or the party responsible for the contamination, commit to carrying out a remedial work plan acceptable to the City;
- (dd) Submit to the Commissioner of Works and Emergency Services, for review acceptance, prior approval of the Rezoning application, a site servicing assessment to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;
- (ee) Pay for any improvements of the municipal infrastructure in connection with Recommendation No. 1(dd), should it be determined that upgrades are required to the infrastructure to support this development;

- (ff) Submit to the Commissioner of Works and Emergency Services, prior to the issuance of a building permit:
 - (i) A grading and servicing plan including drainage to show existing and proposed details of the existing and proposed site services, service connections to municipal infrastructure, existing and proposed grades within the site and at the property line;
 - (ii) A Stormwater Management Report indicating how the storm run-off from the site is to be addressed; and
 - (gg) Submit to the Commissioner of Works and Emergency Services for review and acceptance, revised drawings/additional information with respect to Recommendation Nos. 1(b), 1(d), 1(i), 1(k), 1(n), 1(o), 1(p), 1(q), 1(r), 1(u), and 1(v), above.
2. That the owner be advised:
- (a) Of the need to make a separate application to the Commissioner of Works and Emergency Services for permits to carryout any works involving construction in, or occupancy of, the abutting public right-of-way inclusive of the widening of the northerly leg of the vehicular access at the intersection of the City lane with St. Clarens Avenue, at no expense to the City, inclusive any relocation of street furniture (i.e. curbing, utility and traffic sign poles), if necessary;
 - (b) Of the need to obtain separate approval from the Commissioner of Urban Development Services for the installation of the proposed canopy on Dupont Street and enter into the respective encroachment agreement;
 - (c) That the public lane used to access and egress the parking garage will be given low priority for snow clearance by the City;
 - (d) The storm water runoff originating from the site should be disposed of through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and approval by the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm runoff;
 - (e) That eligibility for City collection of refuse generated by this development is dependant on the widening of the northerly leg of the vehicular access at the intersection of the City lane with St. Clarens Avenue, as required in Recommendation No. 1(u), above;
 - (f) Of the City's requirement for payment of a service charge associated with the provision of City containerized garbage collection;

- (g) That in the event the on-site person is not available at collection time, the vehicle will leave the site and not return until the next scheduled collection day; and
- (h) Of the need to contact the Solid Waste Management Services Section of Works and Emergency Services to complete the necessary application and waiver forms prior to the commencement of City waste collection.

Comments:

Roadways

Abutting the site to the north is a substandard east-west public lane, extending between Lansdowne Avenue and St. Clarens Avenue. This lane which is classified as “residential/industrial” in Appendix F of the Official Plan, has a uniform width of 3.05 m. In accordance with the City standards, this lane should be ultimately widened to a minimum width of 6 m.

While Drawing No. A202 show the 1.98 m wide strip of land abutting the north limit of the lane to be conveyed to the City which is acceptable, Drawing No. 410 needs to be revised to show this same dimension rather than the 1.52 m indicated. This strip of land must be constructed, in concrete, to the satisfaction of the Commissioner of Works and Emergency Services, to grades that are compatible with the existing City lane.

In order to provide for this widening, the applicant must submit a Reference Plan of Survey, in metric units, referenced to the Ontario Co-ordinate System, delineating thereon by separate PARTS the lands required for the widening of the lane and the remainder of the site. The applicant must submit, at least three weeks prior to the introduction of Bills in Council, final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed building to enable the preparation of building envelope plans.

Sidewalks/Public Boulevards/Streetscaping

Approval for any work within the public right-of-way must be received from this Department inclusive of the widening of the northerly leg of the vehicular access at the intersection of the existing City lane with St. Clarens Avenue, at no expense to the City, as noted above in Recommendation No. 1(u). Although the proposed vehicular accesses are acceptable, in principle, changes may be required as a result of the detailed review of the application for work within the public right-of-way. For further information in this regard, and to discuss application requirements with staff, the applicant should contact Right of Way Management, District 1, Construction Activities at (416) 392-7877.

Encroachments

The drawings submitted show that a proposed metal and glass canopy will encroach over the public right-of-way on Dupont Street. Approval for this type of installation is within your

Department's jurisdiction and therefore, the applicant must be advised of the need to submit the necessary application to your Department and enter into the respective encroachment agreement.

Parking

The proposed provision of 63 parking spaces located at grade and within a 2-level underground parking garage is acceptable in that it satisfies the estimated parking demand generated by this project for 60 spaces, based in part on the surveyed demand of condominium dwelling units, including 50 spaces for the exclusive use of the residents and 10 spaces for the residential visitors. As can be ascertained, the general Zoning By-law requirement is for 83 spaces, including 53 spaces for the exclusive use of the residents and 20 spaces for the residential visitors.

Driveway Access and Site Circulation

Vehicular access to and egress from the surface parking spaces and the underground parking garage is proposed directly off the abutting east-west public lane via two separate access locations. The dimensions and configuration of both the driveway leading to the surface spaces and the ramp serving the underground parking garage are generally acceptable.

The plan illustrates the access ramp to have a slope of 8.3% for 6 m starting from a point 3.7 m from the public lane, as widened. Although the Zoning By-law requires the slope of a ramp not to exceed 5% within 6 m of the public lane, as widened, and not exceeding 15% over the remaining portions, given the site constraints, the slope of the access ramp to the underground parking garage is acceptable.

The general layout and dimensions of the drive aisles contained within the at-grade and below-grade portions of the parking garage are acceptable. However, in order to improve the sightlines at the intersection of the drive aisles within the underground parking garage, convex mirrors should be provided at these locations.

With regards to the access arrangement from the public lane, although this arrangement is acceptable, the owner should be advised that the City's current winter maintenance policies (i.e. snow removal) give low priority to public lanes. Furthermore, public lanes are salted only, and not ploughed. As a result, the future residents may experience difficulty in accessing and egressing both the surface and underground parking garage immediately after snowfalls.

With respect to the public lane access at Lansdowne Avenue, the proposed curb returns across the sidewalk are not permitted. The sidewalk must be continuous across the public lane and site access and the curb returns depressed to ensure a level surface.

Loading

The provision of 1 type G loading space to serve the project satisfies the estimated loading demand generated by this project and, as far as can be ascertained, the Zoning By-law requirement for alike amount. The plans indicate that the proposed Type G loading space to

serve the building is to be provided in the form of a lay-by off of the public lane, as widened. From what is shown on the plans, it appears that bulk-lift vehicles will access the loading space in a forward motion from Lansdowne Avenue and be required to then reverse partially onto the public right-of-way in order to exit the site, which is not acceptable. A relocation of the Type G loading space is required as discussed below in detail.

Solid Waste and Recycling

Under the Municipal Code, Chapter 309, Solid Waste, the following loading, storage and handling facilities are required in order for this residential development to be eligible for City bulk-lift garbage collection:

- A garbage storage room equipped with a compactor with a minimum size of 20 m² floor area, designed to be used without direct access by residents/tenants and a recycling materials storage room with a minimum size of 15 m² or, alternatively, a combined garbage/recycling room of 35 m² equipped with an automated recycling and waste system (i.e. tri-sorter type);
- Double doors or an overhead door with a minimum width of 2.2 m;
- A level service corridor, 2.5 m wide leading from each of the storage rooms to the loading facility;
- A level ($\pm 2\%$) reinforced concrete pad of 12 m² in size for the placement and manoeuvring of the containers (bins/totters on collection day for safe and efficient collection);
- A Type G loading space located on the site and designed such that garbage trucks using the loading space are able to enter and exit the site in a forward motion without the need to back-up onto a public right-of-way;
- Driveways and passageways providing access to and egress from the Type G loading space with a minimum width of 3.5 m (4 m where enclosed), a minimum vertical clearance of 4.3 m and a minimum inside and outside turning radii of 9 m and 16 m, respectively; and
- The loading space, driveways and passageways providing access thereto must be designed to the requirements of the Ontario Building Code, including allowance for the City of Toronto bulk lift and rear bin vehicle loading with impact factors where they are to be built as supported structures.

The applicant's drawings show that the required storage rooms, corridor, and collection storage concrete pad are being provided, all of which are undimensioned, as well as a proposed concrete alcove for the storage of three containers. Although not indicated on the drawing, it appears that the Type G loading space (3.74 m wide) is being proposed immediately adjacent the westerly driveway entrance/exit to the surface parking area.

As noted earlier, the proposed location of the loading space is of concern in that it presents a visibility hazard for motorists when exiting the surface and underground parking areas and for pedestrians when the vehicle reverses over the right-of-way to leave the site. To improve this situation, the loading space must be relocated to the east side of the surface parking entrance/exit (approximately 5.2 m east of the present location) and 2-sets of red flashing lights with signage, installed within each of the driveways leading to/from the surface and underground parking areas. One set is to be installed on each of the columns closest to the overhead entrance/exit doors while the other is to be strategically positioned mid-point through the driveway aisles to warn motorists that “When lights are flashing, waste collection is in progress. Exercise Extreme Caution.” These lights must be activated at the on-set of collection and remain active until the vehicle leaves the site. As well, the proposed location of the 12 m² outdoor concrete collection pad will have to be adjusted accordingly, so as to be immediately in front of the relocated loading space. Upon completion of the refuse collection, the vehicle must not reverse until such time as the on-site flagperson is present to help with the manoeuvring of the vehicle.

The proposed alcove that will be used for the temporary storage of the overflow of garbage containers and recycling totters, although not required, is acceptable provided that, for safety reasons, the lids of such containers/totter are kept locked, at all times, until collection day.

Due to the narrowness of the vehicular access at the intersection of the City lane with St. Clarens Avenue which would make it impossible for the City collection vehicle to exit, the applicant has agreed to widen the access at that point, at no expense to the City, so as to provide the required 11 m and 12.5 m inside and outside turning radii. A sketch, (Drawing No. SK-1), has also been submitted to this Department, under separate cover, to show the width of the existing vehicular access at the intersection point, along with the required widening of the intersection of the lane with St. Clarens Avenue. Since St. Clarens Avenue is a “one-way” street, this Department is agreeable to only widening the northerly leg of the access. The applicant should be further advised that the cost to undertake this change may include additional costs relating to relocation of any street furniture (i.e. utility/traffic poles, curbing) necessary to undertake the work.

Additionally, the applicant must submit revised drawings to include all dimensions of the required facilities, and address the above requirements including the widening of the northerly leg of the vehicular access at the intersection of the lane with St. Clarens Avenue, for further review and acceptance.

It is the policy of Toronto City Council to levy a service charge on all new developments, payment of which is a condition for receiving City containerized garbage and recycling collection. The levy is currently \$34.50 per month including taxes multiplied by the number of garbage containers on site. The levy includes the provision and maintenance of City garbage and recycling containers. Should the owner choose to provide private garbage containers, the levy will still be charged and the containers must meet City specifications and be maintained privately at the expense of the building owner.

Storm Drainage

The applicant must submit a Stormwater Management Report, including a grading and drainage plan to demonstrate how run-off from the site is proposed to be addressed and show existing and proposed grades.

It is City Council's policy to require infiltration of storm water run-off into the ground for all new buildings, whenever possible. Therefore, storm connections to the City sewer system will only be permitted if it can be demonstrated that infiltrating storm water into the ground is not feasible. Storm Sewers are available on Dupont Street and Lansdowne Avenue to serve this project should infiltration prove to be not possible. Further information regarding storm drainage can be obtained by contacting Mr. Nhat Nguyen of this Department at 392-8320.

Sanitary Drainage

Sanitary sewers are available on Dupont Street and Lansdowne Avenue to serve this project.

Pending on the conclusions of the site servicing assessment, sanitary sewers may need to be upgraded, as noted in Recommendation No. 1(dd).

Water Supply

There is a 150 mm diameter, watermain on Lansdowne Avenue available to serve this project.

Pending on the conclusions of the site servicing assessment, sanitary sewers may need to be upgraded, as noted in Recommendation No. 1(dd).

Service Connections

A separate application is to be made to this Department for servicing of this site. For further information regarding service connections the applicant is to contact Ms. Ruth Ann Smith of Water and Wastewater Services at (416) 392-7676 for details.

Fire Services

The site plan should be revised to address the following with respect to Fire Access Route requirements of the Ontario Building Code:

- (i) Fire access route shall be within 3 to 15 m of every building face having access openings (unsprinklered buildings); and
- (ii) A fire hydrant must be located no more than 45 m from a fire department siamese connection and no greater than 90 m horizontally from any point along the perimeter of the building face(s) required to face a street.

Noise

The owner is required to submit a satisfactory Noise Impact Statement for this development.

Soil Contamination

This site was previously used as a Toronto Transit Commission bus loop and is now being redeveloped for residential purposes. The owner must submit a Record of Site Condition and supporting environmental reports to this Department for peer review. The statement should address both on-site and off-site conditions at the site that may have impact on the development and the City right-of-way. If off-site contamination is determined during the environmental site assessment and the contamination affects City property and/or utilities, the proponent or the polluter is required to address the issue by either:

- Cleaning up the affected area to meet MOE soil and groundwater criteria listed in the current MOE Guidelines; or
- Ensuring that the contamination, if left at the affected area, will not have a negative impact on the proposed development or the affected off-site area.

In this regard, the proponent is required to submit environmental report(s) for peer review the costs of which are to be paid by the applicant. If the City's peer reviewer concurs with the proponent's consultant that contamination may be left at the affected area, the proponent or the polluter shall sign an indemnity agreement with the City. A further supplementary environmental report(s) or assessments prepared by a qualified environmental consultant, is to be submitted to confirm that the lands to be conveyed to the City for lane widening purposes meet current and applicable MOE environmental guidelines for road purposes.

The applicant will be required to pay all costs associated with the City retaining a third-party review consultant to undertake a review of submitted environmental reports/documents to ensure that the assessment/remediation has been conducted in a manner consistent with the information provided in the current Ministry of Environment Guidelines, and that soil and groundwater conditions at the site are suitable for the proposed development. In addition, the applicant must also submit a deposit of \$3,000.00 to cover the cost of a peer review. The City will request additional funds or return the remainder of the deposit depending on the complexity of the review, at the end of the peer review process.

Construction Permits

The applicant must obtain, from the Commissioner of Works and Emergency Services, prior to the commencement of any work within the public right-of-way, as discussed earlier, any required construction permits inclusive of temporary road occupation permits. For further information in this regard, the applicant is to contact Right of Way Management, District 1, Construction Activities at (416) 392-7877.

3. Economic Development, Culture & Tourism, Urban Forestry (January 21, 2003)

This will acknowledge the revised plans pertaining to the above noted development application which were circulated to Urban Forestry on 17 January 2003. I have reviewed the circulated plans and advise that:

There are no existing trees involved with this project.

Conditions

City-owned Trees - Planting

1. The owner shall conduct an investigation of underground utilities prior to new tree planting within the City road allowance. If planting is not possible due to a utility conflict, a utility locate information sheet from the respective utility company must be provided to the Supervisor of Urban Forestry Planning and Protection.
2. The owner shall plant 5 new trees within the City road allowance as shown on Ground Floor A202 date stamped 16 January 2003 to the satisfaction of the Commissioner of Economic Development, Culture and Tourism and in accordance with the following details:

Street Trees in Tree Pits: In accordance with Planting Detail Nos. 103, 103-1, 103-2 & 103-3 for 1.2m x 2.4m Tree Pit, dated March 1997. Tree pits must be constructed in accordance with the Continuous Tree Pit details outlined in the Construction Details Section of the City of Toronto Streetscape Manual as Drawing Nos. RE-1833M-1, -2, -3, -4, -5, and -6, 1 of 2 and 2 of 2.
3. The owner shall ensure a clearance of 1.2 metres from the edge of a tree's root ball to the edge of the underground utility(s). For clearance less than 1.2 metres but greater than or equal to 0.6 metres, a root deflector must be installed in the tree pit between the tree's root ball and the utility(s).
4. The owner shall provide a two-year renewable guarantee for all new tree plantings within the City road allowance and shall notify Mark Procnier, Supervisor of Urban Forestry Planning and Protection in writing, of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee.
5. The owner shall maintain all new tree plantings within the City road allowance in good condition. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees.
6. The owner shall be responsible for the maintenance or replacement of all new tree plantings within the City road allowance if during or at the end of the renewable

guarantee period the trees are not in good condition, require maintenance or require replacement. The owner will be responsible for rectifying the problem as determined by and to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.

7. The owner shall maintain all newly replanted trees within the City road allowance in good condition and shall provide an additional two-year renewable guarantee.
8. Prior to the issuance of a Landscape Permit (by Works and Emergency Services, Transportation Services, Right of Way Management), the owner shall provide a tree planting security deposit in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto, in the amount of \$ 2,940.00 (\$588 per tree subject to change) for new tree planting within the City Road allowance. The tree planting security deposit must be submitted to the attention of Mark Procnier, Supervisor of Urban Forestry Planning and Protection. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period.
9. The Commissioner of Economic Development, Culture and Tourism shall hold the tree planting security deposit for the duration of the renewable guarantee period.

I advise that the plans prepared by core architects inc, date stamped as received by Urban Development Services on 16 January 2003, and on file with the Commissioner of Urban Development Services will be acceptable provided that the above noted conditions are fulfilled.

**Attachment 9
Proposed Official Plan Amendment**

Authority:

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. ____-2003

To adopt an amendment to the Official Plan for the former City of Toronto with respect to lands known municipally in the year 2003 as 1375 Dupont Street.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The text and map attached as Schedule "A" to this by-law are hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. x.

ENACTED AND PASSED this ____ day of _____, A.D. 2003.

SCHEDULE “A”

Section 18 of the Official Plan for the former City of Toronto is hereby amended by adding the following Section 18.xxx and the attached Map 18.xxx:

18.xxx Lands known in the year 2003 as No. 1375 Dupont Street

Notwithstanding any provisions of the Plan, Council may pass by-laws applicable to the lands delineated by heavy lines on Map 18.xxx to permit the erection and use of a mixed-use building having a maximum residential gross floor area of _____ square metres, a maximum non-residential gross floor area of _____ square metres, and a maximum total gross floor area of _____ square metres.

For the purpose of this amendment, the term “mixed-use building” shall have the same meaning as in By-law 438-86, as amended, of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto’.

Deputy Mayor

City Clerk

Attachment 10
Draft Zoning By-law Amendment

Authority:

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. ____-2003

To amend By-law No. 438-86 of the former City of Toronto with respect to lands known municipally in the year 2003 as 1375 Dupont Street.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Section 2(1) with respect to the definition of “parking space”, Section 4(4)(b), Section 4(2)a, Section 4(4), Section 4(12), Section 4(13) and Section 9(1)(f) of Zoning By-law No. 438-86, as amended, shall apply to prevent on the lot the erection and use of a *mixed-use building* containing 80 units, retail spaces and underground parking provided that:
 - (1) the *lot* consists of at least those lands delineated by dashed lines on Plan 1;
 - (2) no portion of the building erected and used above *grade* is located otherwise than wholly within the building envelope identified on Plan 1
 - (3) the aggregate of the *residential gross floor area* and the *non-residential gross floor area* erected or used on the lot does not exceed 5,839 square metres, of which
 - (a) the *residential gross floor area* do not exceed 5,227 square metres; and
 - (b) the *non-residential gross floor area* does not exceed 900 square metres;
 - (4) the *height* of the building does not exceed 25.25 metres, exclusive of elements referred to in Section 4(2)(a)(i) and (ii) of By-law 438-86, provided such elements comply with the restrictions set out in such Section and do not exceed a height of 2 metres measured from the height of the partial eighth floor roof parapet;

- (5) not less than 59 *parking spaces* are provided and maintained on the *lot*, of which none are located in the hatched portion on Plan 1 and the remainder *parking spaces* provided in an underground parking garage and
 - (a) a maximum of 10 of the required *parking spaces* are designated as *small car space*; and
 - (b) the following parking ratios are complied with:
 - (i) Bachelor Units - 0.30 spaces per unit
 - (ii) 1-Bedroom Units - 0.70 spaces per unit
 - (iii) 2-Bedroom Units - 1.00 space per unit
 - (iv) Live/Work Units - 1.00 space per unit
 - (v) Visitors Parking - 0.12 spaces per unit
 - (6) the combined number of *dwelling units* and *live-work units* contained in the building does not exceed 80 units;
 - (7) a maximum of 300 square metres of non-residential gross floor area, exclusive of the at-grade parking spaces, is provided at-grade level, with principal entrances directly accessible via Dupont Street and/or Lansdowne Avenue, and no individual non-residential unit may exceed a gross floor are of 200 square metres;
 - (8) the following non-residential uses are not permitted on the *lot*: *club*, commercial baths, *concert hall*, *day nursery*, *place of amusement*, *place of assembly*, *restaurant*, *commercial bakery*, *massage establishment*, *dry-cleaning shop*, *union hall* and arena, stadium and race track;
 - (9) the provisions of Section 4(12) of Zoning By-law 438-86 are applicable, notwithstanding the indoor *residential amenity space* will not be contained within contiguous rooms;
 - (10) not less than 12 *bicycle parking spaces-visitor* are provided and maintain on the *lot* and the required *bicycle parking spaces-occupant* will be located within the dwelling units;
 - (11) a minimum driveway width of 5.4 metres for the driveways accessing the building's *parking garage*
2. For the purposes of this by-law, the following expressions shall have the following meaning:
- (a) "small car space" means a parking space with a width of 2.3 metres and a length of 5.5 metres

- (b) each other word or expression that is italicized in this By-law shall have the same meaning as that word or expression as defined in the said By-law No. 438-86, as amended:

ENACTED AND PASSED this ____ day of _____, A.D. 2003.

Deputy Mayor

City Clerk