

**145-185 Davenport Road
Zoning Amendment Application - Preliminary Report**

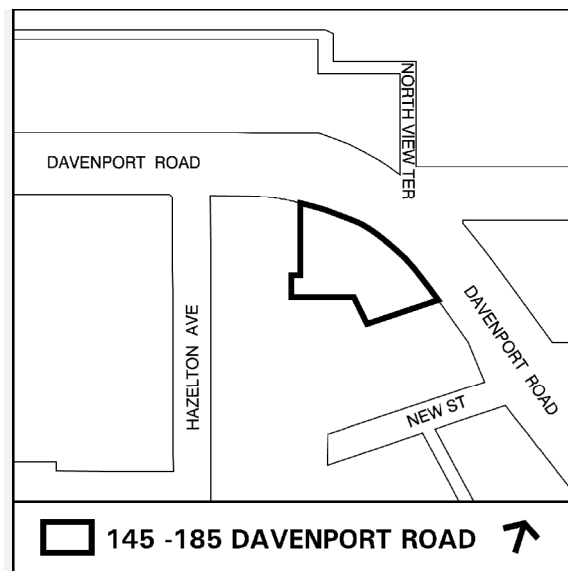
Date:	December 7, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	12 253190 STE 27 OZ

SUMMARY

This application proposes to construct a new 12-storey (40-metre tall, plus elevator overrun) mixed-use building, with ground floor retail and residential units above. The application proposes a site specific by-law, which would permit either office space or residential units on the second floor. In the office floor option, the proposal calls for 101 residential units and 640 square metres of office space. In the option without office space, the proposal calls for a total of 109 residential units. A 5-level below-grade parking garage is proposed to accommodate 124 vehicular parking spaces, including 97 spaces for residential use, 10 spaces for the office use (or additional residential if no office is built), 12 spaces for residential visitor, and 5 spaces for retail.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on the further processing of the application and on the community consultation process.

The next step is to hold a community consultation meeting where the community can review the application, provide comments, and ask questions of City staff and the applicants.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 145-185 Davenport Road together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A pre-application consultation meeting was held to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

A 12-storey (40-metre tall, plus elevator overrun) mixed-use building is proposed with retail at-grade, and residential units above, with an option of office uses located on a portion of the second floor. Other than the elevator overrun, no other structures are proposed above the 12th floor (other than ventilation equipment). The mechanical room is to be located on the ground floor and other areas within the building.

The proposed building sits on an irregularly shaped lot: the north property line (Davenport Road) curves; the west property line jogs beyond the 195 Davenport Road property; the south property line is L-shaped; and, the west property line is angled. The proposed building footprint generally follows the property line pattern (see Attachment No. 1 – Site Plan).

Along Davenport Road, there is a 5-storey streetwall, which curves along the property line, with no setback. The sidewalk width is generally 3.6 metres wide. Above the fifth storey, there is a 1.5 metre stepback to the sixth, seventh, eighth and ninth floors. Above the ninth floor, the building steps back 1.8 metres to the upper floors. Along the west and east property lines, the building is 9 storeys and is generally set back 5.3 metres from the west, and 0.5 metres from the east, property lines. Again, above the ninth floor, the building steps back 1.8 metres to the upper floors. At the rear of the building, there is a 0.5 metres setback to a one storey portion. Above the first storey, there is a 4.6 metre

stepback to the second through ninth floors and then a 1.8 metre stepback to the tenth through to the twelfth floor (see Attachment No. 1 – Site Plan).

The proposed balconies fronting Davenport Road are recessed, while the balconies at the rear of the building will project beyond the building face, above the second floor.

On the ground floor, the residential lobby is proposed to be located adjacent to the driveway, at the western most point of the site. East of the residential lobby is a retail space, totalling 500 square metres. A possible office lobby is to be located at the eastern most edge of the development along Davenport Road.

The proposed residential unit breakdown is as follows:

Unit Type	Office Option	No Office Option
1-bedroom	43	51
2-bedroom	51	51
3-bedroom	7	7
Total	101	109

The application proposes 190 square metres of indoor amenity space (including a guest suite) and 60 square metres of outdoor amenity space. The indoor and outdoor amenity space will be located on the second floor.

The proposal includes a residential gross floor area of 10,750 square metres and 1,140 square metres of non-residential gross floor area (500 square metres of retail and 640 square metres of office), with a Floor Space Index (FSI) of 7.3 times the area of the lot (including amenity space).

A 5-level below-grade parking garage is proposed to accommodate 124 vehicular parking spaces, including 97 spaces for residential use, 10 spaces for the office use (or additional residential if no office is built), 12 spaces for residential visitor, and 5 spaces for retail. Vehicles are proposed to access the site via a driveway from Davenport Rd. One enclosed type G loading space will be provided within the building.

A total of 124 bicycle parking spaces are proposed. A total of 110 bicycle parking spaces will be provided for residential use (including 22 visitor spaces), which are located on the first 4 levels of the underground parking garage. A total of 7 spaces are proposed for the retail use (1 occupant and 6 visitor) and 7 spaces for the office use (1 occupant and 6 visitor), which are located on the first level of the parking garage.

Site and Surrounding Area

The subject site is located on the south side of Davenport, just east of Hazelton Avenue. The site is approximately 1,532 square metres in area and is irregular in shape with a

frontage of approximately 69 metres along Davenport Road. The site is comprised of two properties:

Property	Description
145-161 Davenport Rd	A two-storey commercial/office building, with surface parking at the rear. Currently, there is a fitness centre on the ground floor and offices above.
185 Davenport Rd	A three-and-a-half storey mixed-use building with commercial office on the first and second floor and a residential unit above.

Uses and structures near the site include:

North: of Davenport Rd. is Davenport Terrace, which consists of 3-storey house-form buildings used for commercial office and retail uses. To the north-east are two 24-storey apartment buildings fronting onto Hillsboro Ave.

South: is a two-storey office building at 4 New St. (Ontario Dental Association) and a private lane with no access to the site, which is the subject of this report. To the south west of the site are low-rise residential homes fronting onto Hazelton Ave.

East: of the site, is a three-storey City of Toronto Emergency Medical Services (EMS) station at the corner of Davenport Rd. and New St. East of Davenport Rd., is a low-rise residential neighbourhood with dwellings fronting onto Hillsboro Ave. and Belmont St.

West: is a recently approved 9-storey (32 metres plus a 4-metre mechanical penthouse) mixed-use building with retail and residential/office at-grade and residential above at 195 Davenport Rd. and 131 Hazelton Ave. The site plan application for this project is still under review.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council’s planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council’s planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City of Toronto Official Plan designates the subject site *Mixed Use Areas* and locates the site within the *Downtown and Central Waterfront*, as shown on Map 2, of the Official Plan's Urban Structure map. The Official Plan outlines a growth strategy for the City that highlights the importance of the *Downtown* as one of a number of locations where growth in employment and residential uses are encouraged.

The *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential and institutional uses, in single-use, or mixed-use buildings, as well as parks and open spaces and utilities.

Development in *Mixed Use Areas* is subject to a number of development criteria. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Toronto Official Plan is available on the City's Website at:
www.toronto.ca/planning/official_plan/introduction.htm

Area Specific Policy 211 – Bloor Yorkville / North Midtown Area

The site is located within Area Specific Policy 211, in the Official Plan. It recognizes that the Bloor-Yorkville/North Midtown Area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. The area includes *Neighbourhoods*, *Apartment Neighbourhoods*, *Areas of Special Identity*, *Mixed Use Areas*, and open space provided by parks and ravines. It forms the north edge of the Downtown and provides for transition in density and scale. The subject site is not located within a Height Peak, Height Ridge, or Low-Rise Areas as illustrated on Map 2 of 2 in Policy 211.

Zoning

The subject site is zoned CR T2.0 C2.0 R2.0 by Zoning By-law 438-86. The Commercial Residential (CR) zoning classification permits residential and commercial uses including apartment buildings, retail, office and other commercial uses. The total density permitted is 2.0 times the area of the lot. The maximum permitted height for the site is 14 metres.

Yorkville – Hazelton Heritage Conservation District Plan

The south west appendage of the 145-161 Davenport Rd. property falls within the boundary of the Yorkville-Hazelton Heritage Conservation District (HCD). The property at 185 Davenport Rd. is not in the HCD. Therefore, an approximate 84 square metre portion of 145-161 Davenport Rd is designated under the *Ontario Heritage Act* per By-Law 622-2002. Currently, there is no structure on the portion of the site within the HCD.

Council endorsed a set of guidelines with regard to alterations, demolition and new construction within the district. Section 2 of the Yorkville – Hazelton Heritage Conservation District Plan defines the Heritage District Characteristics and sets out guidance for alterations and new development that will complement the existing character.

The Conservation District Plan is available on the City's website at:

http://www.toronto.ca/heritage-preservation/pdf/hcd_yorkville_proposal.pdf

Bloor – Yorkville/North Midtown Urban Design Guidelines

The Bloor –Yorkville/North Midtown Urban Design Guidelines were approved by Council in July 2004 and are intended to give guidance to improve the physical quality of the area and ensure that its special character is respected in terms of new development.

The main planning objectives of these recently adopted Design Guidelines include:

- Enhancement of Areas of Special Identity and historic buildings;
- Protection of residential areas from adverse impacts of commercial and/or higher density development;
- Improvement of public realm and publicly accessible areas; and
- Excellence in urban design, architecture, and landscaping.

The Bloor-Yorkville/North Midtown area is comprised of a number of precincts and corridors, each defined by its attributes in terms of function, built form and character. The subject site is part of the Davenport Bay Precinct.

The Urban Design Guideline is available on the City's website at:

<http://www.toronto.ca/planning/urbdesign/blooryorkville.htm>

Site Plan Control

The proposal is subject to Site Plan Control. The applicant submitted a site plan application (12 253194 STE 27 SA), which is being reviewed concurrently with the Zoning By-law Amendment application.

Reasons for the Application

The proposal is for a 12-storey, 40-metre tall building (plus elevator overrun) with a density of 7.3 times the area of the lot. The Zoning By-law permits a building with a height of 14 metres and a density of 2.0 times the area of the lot. A Zoning By-law

amendment is therefore required. Through the review of this application staff may identify additional areas of non-compliance with the Zoning By-law.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Boundary Plan and Topographical Survey
- Architectural plans, including Site, Plan, Context Plan, Statistics, Toronto Green Standard Statistics Template, Underground Garage Plans, Floor Plans, Elevations and Section
- 1:50 Scale Colour Building Elevation, Perspective Rendering and 3D Views
- Shadow Study
- Landscape Plans
- Tree Survey/Arborist Report
- Urban Transportation Considerations Report
- Stage 1 Archaeological Assessment
- Heritage Submissions Requirement Letter
- Pedestrian Wind Study
- Functional Servicing and Stormwater management Implementation Report
- Planning Rationale and Community Services and Facilities Study
- Draft Zoning By-law Amendment
- Toronto Green Standard Checklist
- Letters of support from some local residents and the ABC Resident's Association

A Notice of Complete Application was issued on November 20, 2012.

Issues to be Resolved

Height, massing, density

The proposed development will be assessed in terms of height, massing, scale and density. The *Mixed Use* policies of the Official Plan require that new development be massed to fit harmoniously into the existing and planned context, provide transition in scale to adjacent buildings, providing for adequate light and privacy, and limit the impacts of shadowing on adjacent *Neighbourhoods*. Staff will review the setbacks and stepbacks of the proposed building, including the proposed balconies and terraces.

Staff will assess how the proposed built form addresses the policies in the Official Plan, including Site and Area Specific Policy 211, as well as the Bloor-Yorkville/North Midtown Urban Design Guidelines.

The applicant submitted a shadow study, which Planning staff will review to assess the shadow impacts on nearby lower scale *Neighbourhoods*. A Pedestrian Level Wind Study has also been submitted, and the report will be reviewed by Planning staff.

Indoor and Outdoor Amenity Space

The proposal provides 190 square metres of indoor amenity space (including a bachelor-guest suite) on the second floor and an adjoining 60 square metres of outdoor amenity space on the terrace at the rear of the proposal. The Zoning By-law requires a minimum of 2 square metres, for each residential unit, of indoor and outdoor amenity space. Planning staff will review the adequacy of the proposed amenity spaces.

Vehicular Access, Parking and Servicing

The development proposes vehicular access to the site from Davenport Rd. Service vehicles will access the site via the same driveway and a type G loading space is provided within the building, at the rear of the development. This development is proposed to accommodate the solid waste pickup from the neighbouring development (known as 131 Hazelton Ave.), so that the loading and removal of the waste can be consolidated within the proposed loading space. Next to the loading space is the ramp to the underground garage where 124 vehicular parking spaces are proposed, including 97 spaces for residential use, 10 spaces for the office use (or additional residential if no office is built), 12 spaces for residential visitor, and 5 spaces for retail. Staff are reviewing the application in terms of possible traffic impacts, vehicular movement, and servicing plan.

Streetscaping

Staff will review how the proposed development addresses the street, in terms of massing, scale, materials and fenestration. As well, Planning, Urban Design and Urban Forestry staff will review the proposed, tree removal/planting, landscape plan and open space plan. Many of these matters will be secured through the Site Plan Control process.

Heritage

A portion of 145-161 Davenport Rd is designated under the *Ontario Heritage Act* per By-Law 622-2002. A letter regarding the heritage submissions requirement was prepared by E.R.A. Architects Inc., to address the impact on the HCD.

Council endorsed a set of guidelines with regards to alterations, demolition and new construction within the district. Section 2 of the Yorkville – Hazelton Heritage Conservation District Plan defines the Heritage District Characteristics and sets out guidance for alterations and new development that will complement the existing character.

Heritage staff have reviewed the justification letter submitted with the application and require a complete Heritage Impact Assessment addressing both the proposed development within and adjacent to the HCD.

The Conservation District Plan is available on the City's website at:

http://www.toronto.ca/heritage-preservation/pdf/hcd_yorkville_proposal.pdf

Section 37

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a particular project that is greater than what the zoning by-law would otherwise permit in return for community benefits. Details of a Section 37 Agreement between the applicant and the City will be worked out, in consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

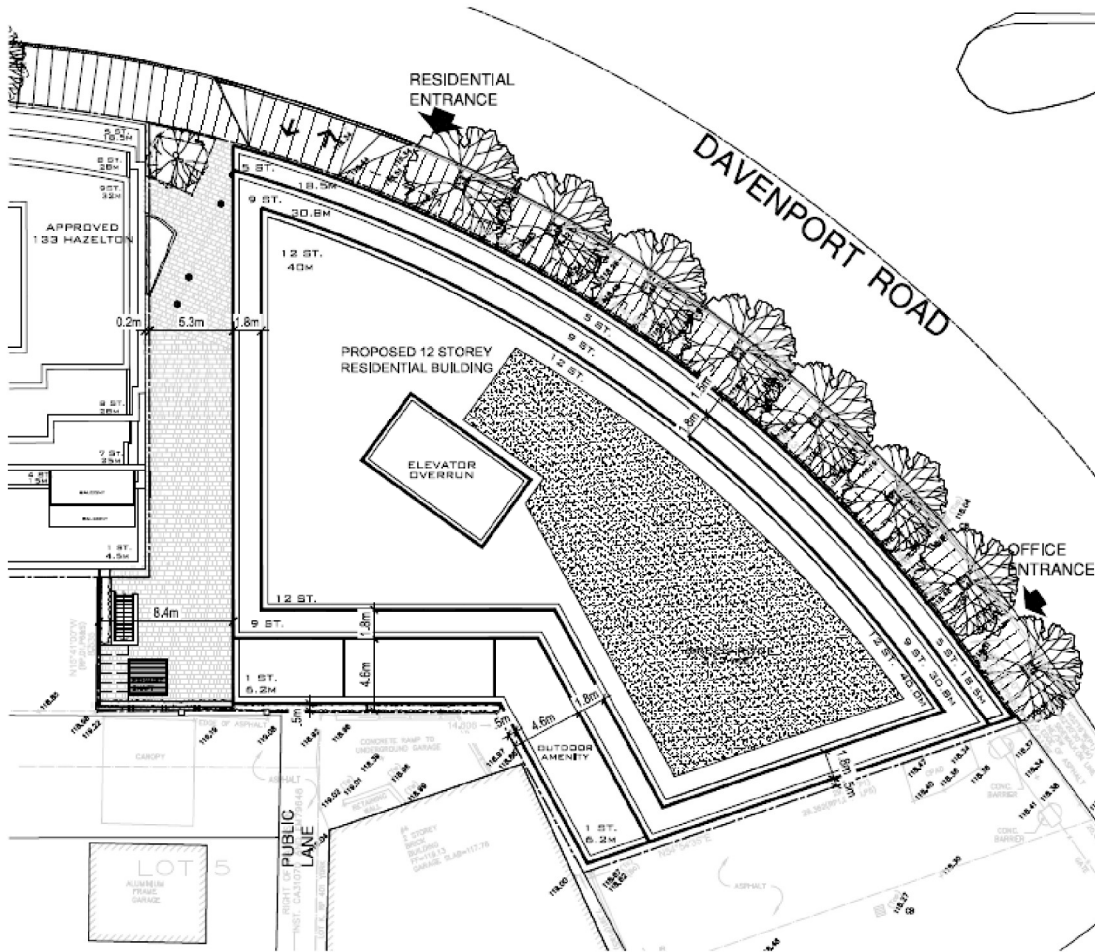
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan/Subdivision Plan
Attachment 2: North Elevation
Attachment 3: East Elevation
Attachment 4: West Elevation
Attachment 5: South Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

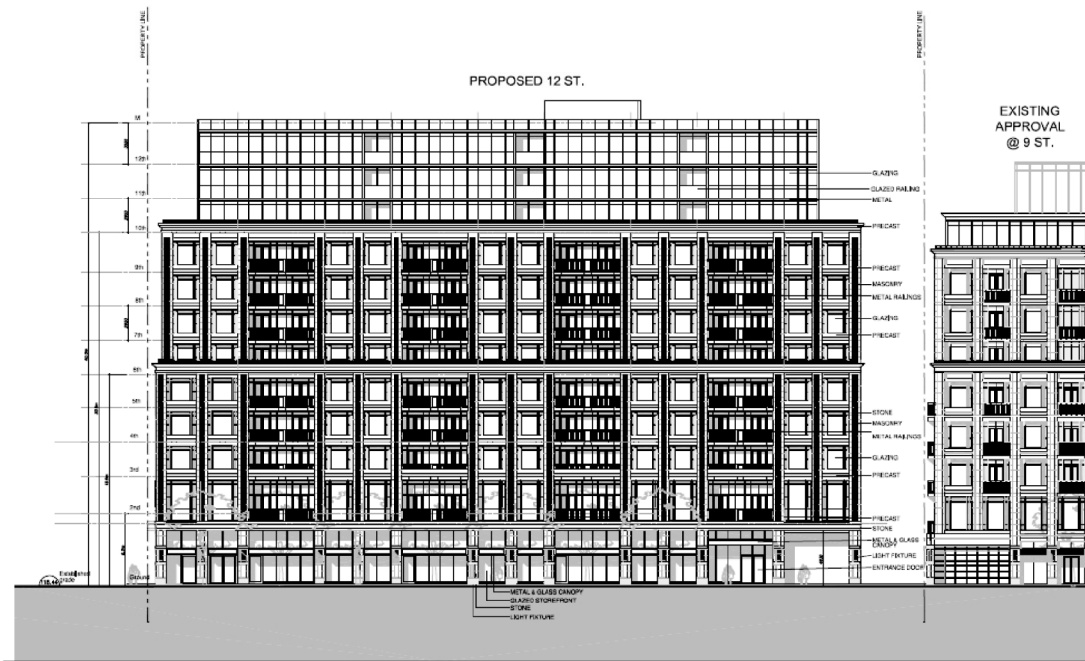
145-185 Davenport Road

Applicant's Submitted Drawing

Not to Scale 

File # 12_253190_OZ

Attachment 2: North Elevation



North Elevation

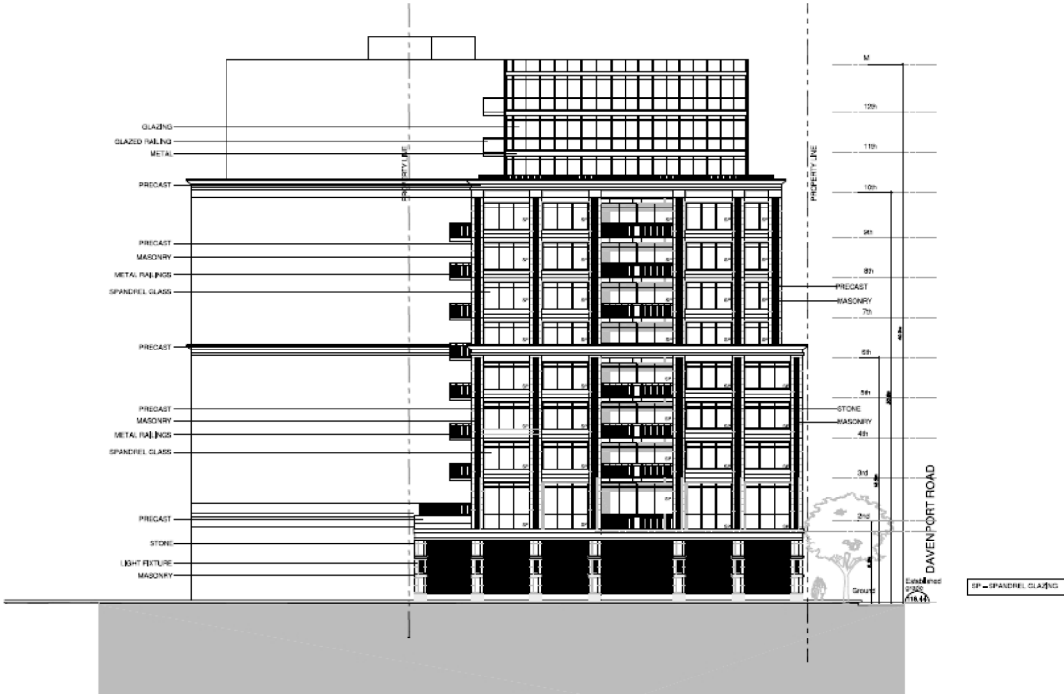
Applicant's Submitted Drawing

Not to Scale
10/25/2012

145-185 Davenport Road

File # 12_253190_02

Attachment 3: East Elevation



East Elevation

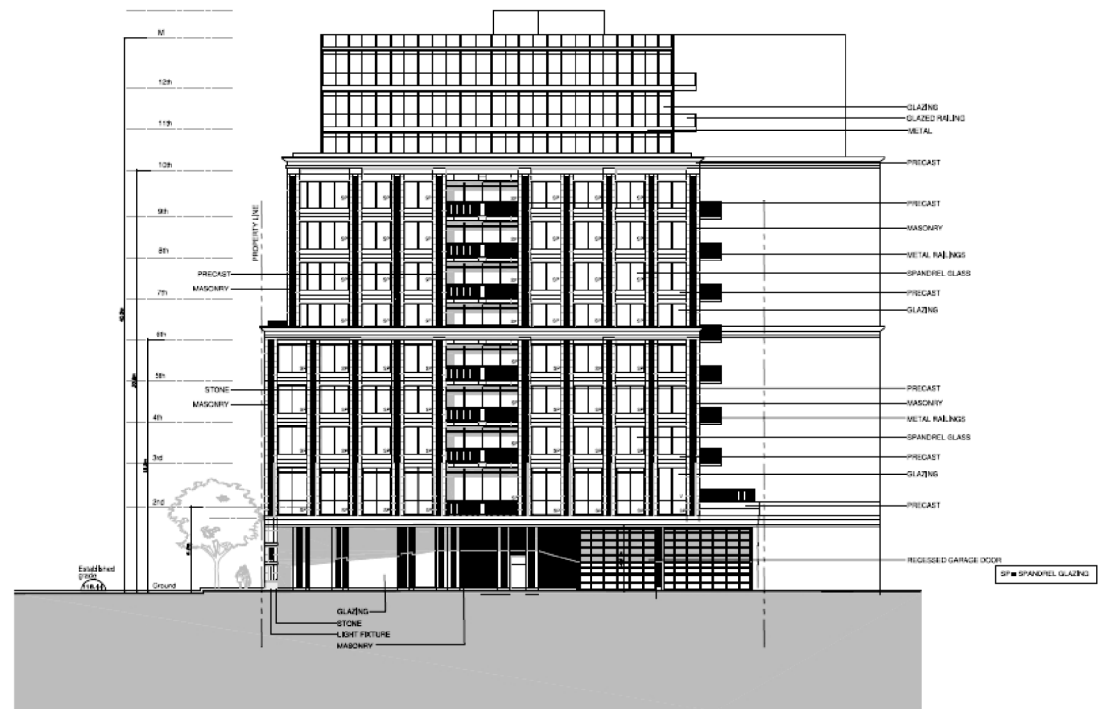
Applicant's Submitted Drawing

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145-185 Davenport Road

File # 12_253190_02

Attachment 4: West Elevation



West Elevation

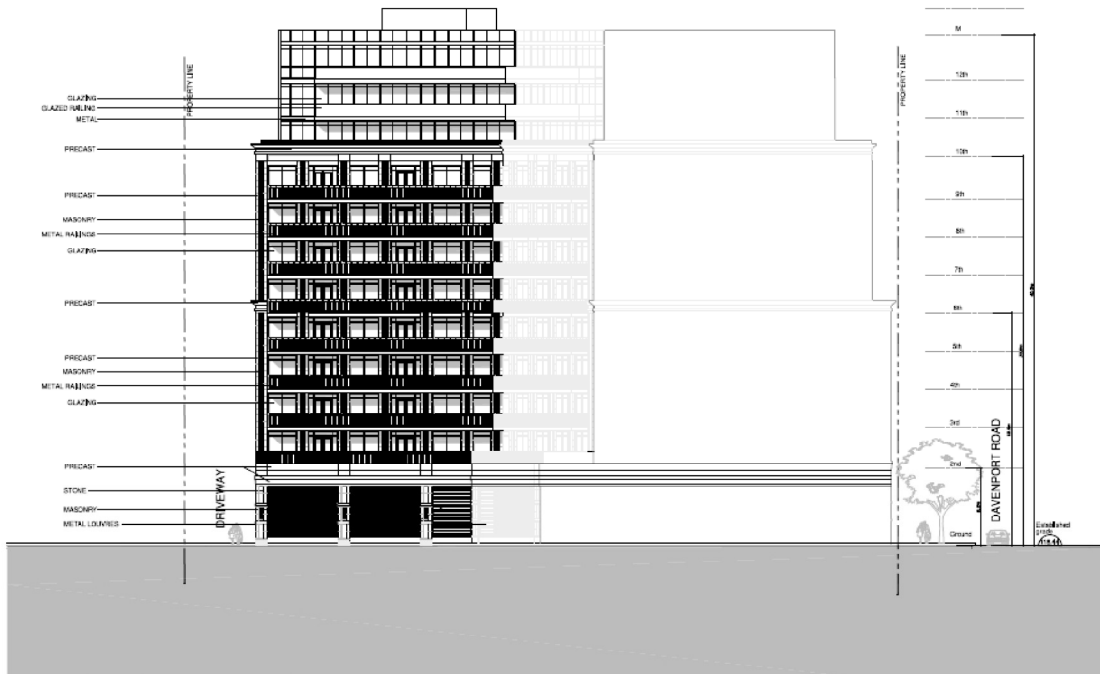
Applicant's Submitted Drawing

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145-185 Davenport Road

File # 12_253190_02

Attachment 5: South Elevation



South Elevation

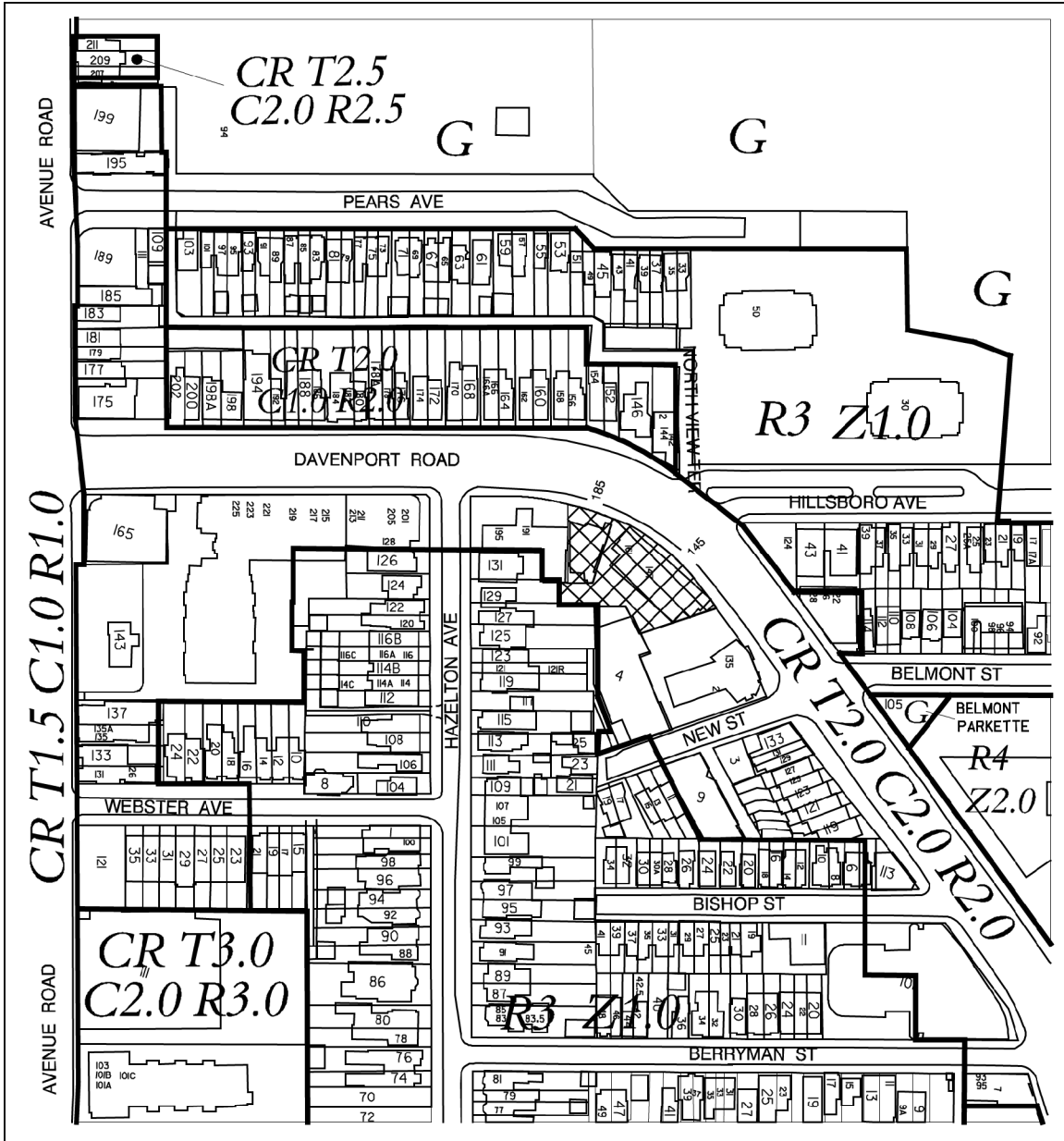
Applicant's Submitted Drawing

Not to Scale
10/25/2012

145-185 Davenport Road

File # 12_253190_OZ

Attachment 6: Zoning



145-185 Davenport Road
File # 12_253190_0Z

- G Parks District
- R3 Residential District
- R4 Residential District
- CR Mixed-Use District



Not to Scale
Zoning By-law 438-86 as amended
10/25/2012

Attachment 7: Application Data Sheet

Application Type: Rezoning Application Number: 12 253190 STE 27 OZ
 Application Date: September 25, 2012

Municipal Address: 145-185 DAVENPORT RD

Location Description: PLAN E689 LOT 5 LOT 6 PT LTS 7 AND 8 PLAN 401 PT LOT K PLAN 411 PT LT 4 **GRID S2703

Project Description: A new 12-storey (40 metres tall plus elevator overrun) mixed-use building, with ground floor retail and residential units above. The proposal requests a site specific by-law which would permit either office space or residential units on the second floor. In the office floor option, the proposal calls for 101 residential units and 640 square metres of office space. In the option without office space the proposal calls for a total of 109 residential units. A 5 level below-grade parking garage is proposed to accommodate 124 vehicular parking spaces, including 97 spaces for residential use, 10 spaces for the office use (or additional residential if no office is built), 12 spaces for residential visitor, and 5 spaces for retail.

Applicant/Agent:

Sherman Brown Dryer
 Karol C/O Adam J. Brown

Architect:

Page + Steele
 IBI Group Architects

Owner:

Mizrahi Soaring
 Developments Inc.

PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: 211 - Bloor Yorkville/
 North Midtown Area

Zoning: CR T2.0 C2.0 R2.0 Historical Status: Yorkville –Hazelton
 HCD

Height Limit (m): 14 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	1,532	Height:	Storeys:	12
Frontage (m):	69.1		Metres:	40
Depth (m):				
Total Ground Floor Area (sq. m):	1,200			Total
Total Residential GFA (sq. m):	10,750		Parking Spaces:	124
Total Non-Residential GFA (sq. m):	1,140		Loading Docks	1
Total GFA (sq. m):	11,250			
Lot Coverage Ratio (%):	78.3			
Floor Space Index:	7.3			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	51 (or 43 in office option)
2 Bedroom:	51
3 + Bedroom:	7
Total Units:	109

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	10,750	0
Retail GFA (sq. m):	500	0
Office GFA (sq. m):	640	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0