

41 Dovercourt Road – Zoning Amendment Application – Final Report

Date:	May 14, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	12 145018 STE 19 OZ

SUMMARY

This application proposes to construct a ten-storey mixed-use building with three levels of underground parking at 41 Dovercourt Road. The building will contain non-residential uses in a two storey podium, with 75 residential units above.

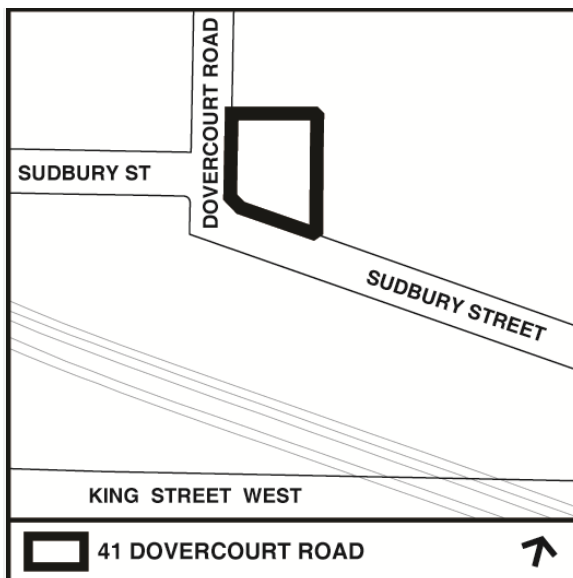
The proposal will have an overall gross floor area of 9,578 square metres, of which 2,434 square metres will be allocated to the non-residential uses on the first two storeys. A total of 82 parking spaces are proposed on site. Parking and loading are accessed off of Sudbury Street from the public lane at the east side of the property.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Zoning By-law 438-86, as amended for the lands at 41 Dovercourt Rd substantially in accordance with the



draft Zoning By-law Amendment attached as Attachment No. 8 to the report (May 14, 2014) from the Director, Community Planning, Toronto and East York District.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A preliminary Report was adopted by Toronto and East York Community Council on January 22, 2013 and can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-53904.pdf>

ISSUE BACKGROUND

Proposal

Since the Preliminary Report was written, revisions have been made to the proposal. The significant changes made have been the reduction in height from a 13 to 10-storey building, a reduction in the number of residential units from 90 to 75, and revisions to the massing of the building above the podium level.

The revised proposal is for a ten-storey mixed-use building containing a total of 2,650 square metres of non-residential uses within the two-storey podium, 75 dwelling units above (6,973 square metres of residential gross floor area) are proposed with a total of 230 square metres of indoor and outdoor amenity space on the third floor. The total density is 5.4 times the area of the lot. The height of the building is 31.5 metres (34.5 including elevator overruns).

The residential unit breakdown is as follows: 10 studio; 42 one-bedroom; 15 two-bedroom; and 8 three-bedroom.

Parking and loading will be located on the east side of the building, accessed off of the public lane leading to Sudbury Street. A total of 80 parking spaces are proposed on three levels of underground parking. 58 parking spaces will be provided for residents and 22 spaces will be allocated as shared spaces between residential visitors and non-residential uses. A total of 88 residential and visitor bicycle parking spaces are proposed. A total of 64 residential spaces will be provided, with 24 located on the ground level, and 40 located on the ground level, both in secured accessed areas. 24 visitor bicycle spaces are to be provided on the ground level.

Refer to Attachments 1-5 for drawings of the proposed development and Attachment 7 for the Application Data Sheet.

Site and Surrounding Area

The subject site is located at the northeast corner of Dovercourt Road and Sudbury Street. The site has an overall lot area of 1,786 square metres, with frontages on both Sudbury Street and Dovercourt Road. The site is currently occupied by a two-storey industrial building and surface parking lot.

The site is surrounded by the following uses:

North: Dovercourt Road consists of single detached, semi-detached and row houses ranging in height from 2 to 2½ storeys.

East: To the east of the site are 4-storey townhouses which front onto Sudbury Street. To the northeast of the site is the Centre for Addiction and Mental Health, a master planned area with buildings ranging in height from 2 to 10 storeys.

South: Immediately south of the site, consists of 4-storey townhouses, and on the southwest side of Sudbury Street development consists of office and commercial spaces in 1 to 2 storey buildings. Additionally, the Lower Galt Subdivision Rail Line (commonly referred to as the Georgetown line) is currently being expanded to provide the new rail service from Union Station to Pearson International Airport, along with the existing GO Transit service.

West: Immediately west of the site at 40 Dovercourt Road is an 11-storey mixed use building. Further west, development within the West Queen West Triangle area consists of buildings ranging in heights from 8-21 storeys.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

Official Plan

The site is designated *Regeneration Areas* in the City of Toronto Official Plan. *Regeneration Areas* are areas of the City which should include a mix of uses including commercial, residential, live/work, institutional and light industrial. These are areas that are no longer in productive urban use due to shifts in the local or global economies. They represent an opportunity to direct growth in the City.

The site is also within the Garrison Common North Secondary Plan Area. The Secondary Plan's major objectives include:

- ensuring that new development be integrated into the established city fabric;
- including a variety of land uses and densities;
- providing community services and facilities; and
- providing a range of housing types in terms of size, type, affordability and tenure.

With respect to urban structure and built form, the Secondary Plan calls for new developments to be designed to easily adapt to conversion with particular focus on:

- use of street level spaces;
- ability to facilitate changes in market demand for services and activities;
- ability to provide for a range of dwelling types;
- shared open space, parking facilities and servicing areas between development parcels, where possible; and
- where land is adjacent to a lane, vehicular access to a site should be taken from the lane for any use and the existing lane system should be enhanced

In addition to the Garrison Common North Secondary Plan, the Official Plan policies regarding The Public Realm and Built Form, among others, are also applicable. They include objectives such as:

- acknowledging that city streets are a significant public space and that they must be designed to perform their diverse roles;
- new development will locate service areas and vehicular access to limit impact on adjacent street; and
- new development will be massed to fit harmoniously into its existing and/or planned context.

Zoning

The site is zoned I2 D3 in the former City of Toronto Zoning By-law 438-86, as amended. Zoning By-law 569-2013 does not apply to this site.

The I2 D3 zone permits a variety of non-residential Industrial Uses at a density of 3 times the area of the lot and restricts the building height to 18.0 metres. Residential uses are not permitted in this zone category.

Site Plan Control

The development is subject to site plan control. A site plan control application has not been submitted to date.

Reasons for Application

A Zoning By-law amendment application is required to permit residential uses on the site. In addition, the applicant is requesting an increase in density and height.

Community Consultation

A community consultation meeting was held on April 25, 2013. Approximately 10 members of the public attended and raised the following issues:

- concern with overall height
- better transitions needed to the neighbourhood to the north
- better relationship to the townhouses to the east
- access to parking
- provision of sufficient visitor parking
- availability of on-street parking

Additional comments were received after the meeting with issues related to height, massing and park space.

Consideration was given to all the comments received and the issues raised by the community are addressed in the Comments section below.

Agency Circulation

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

COMMENTS:

Provincial Policy Statement and Provincial Plans

Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement, 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposal is for a mixed-use building containing a mix of retail, office and residential uses. Staff have determined that the proposed mixed-use building development is appropriate for this site and complies with the *Regeneration Areas* Policies contained within the Official Plan.

The ground floor space will provide retail and non-residential uses that will animate both Dovercourt Road and Sudbury Street. The existing building is zoned I2 which allows for a range of industrial uses. This application proposes to rezone the subject site to an RA (Reinvestment Area) zoning designation. The uses in an RA zone are similar to the uses in an Industrial zone with the addition of residential and office use permissions.

Density, Height and Massing

The original application submitted proposed a 13-storey building. Following the community consultation meeting and discussions with staff, the applicant revised the proposal by reducing the height to a 10-storey building, with a height of 31.5 metres, plus elevator overruns.

The subject site is zoned Industrial, and has a maximum height permission of 18 metres. Recent developments in the West Queen West Triangle along Sudbury west of the site have heights ranging from 11 to 21 storeys. The higher heights are located at the western edge of Sudbury Street lowering down to 11 storeys at 40 Dovercourt Road, which is directly across the street from the proposal.

Section 3.1.2 of the Official Plan contains Built Form policies that establish a framework for new development, which is required to fit within the existing or planned context. New development is required to provide an appropriate transition in height and massing to areas of different intensity and scale, particularly physically stable lower scale *Neighbourhoods*.

The proposed development will have an overall density of 5.4 times the lot area, or 9,623 square metres of total gross floor area. Although the proposed density of 5.4 times the lot area is greater than the 3.0 times the lot area permitted in the Zoning By-law, Staff are of the opinion that an increase in the height and density is appropriate based on the proposed massing and satisfies the intent of the Secondary Plan policies.

Sun, Shadow, Wind

The applicant submitted a sun/shadow study for the months of March, June and September in support of the proposal. The shadow study shows that there is some incremental shadow impact on the first residential property north of the subject site, as well as a small part of the western limits of the CAMH site. However, the shadow from the proposed building would have minimal impact of the *Neighbourhoods* to the north. Planning staff are of the opinion that the shadow impact is acceptable.

Traffic Impact, Access, Parking

The applicant submitted a Transportation Impact Study for review as part of their application. Transportation Services have reviewed the study and agree that the traffic generated by the development is appropriate, and it can be accommodated on the existing road network. The parking supply will be provided according to the ratios set by the Council adopted City of Toronto Harmonized Zoning By-law 569-2013.

The loading and garbage pick-up for the site will be accessed off the public lane, adjacent to the underground parking garage ramp. The public lane on the east side of the site is used not only for this development, but also serves the residential houses north of the site on Dovercourt Road. This site is subject to a 1.43 metre lane widening for a section along the north eastern edge of the property, which will allow for easier access to the parking garage and loading area.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per City Wide Alternative Parkland Dedication By-law 1020-2010.

The application proposes 75 residential units and 2,434.3 square metres of non residential uses on a site with a net area of 1,789 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.11 hectares or 64% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 143 square metres

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 143 square metres would not be of a useable size and the site would be encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Amenity Space

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development, in addition to identifying that each resident will have access to outdoor amenity spaces. Zoning By-law 438-86 has provisions that the both indoor and outdoor amenity space be provided at the rate of 2 square metres per residential unit.

The adequacy of the amenity space proposed was considered through the review of the application. The original and subsequent proposal had indoor space located on the second and third floor and the outdoor space on the third floor. The location and configuration of the outdoor space was conflicting with the outdoor private patios of the third floor residential units, and was not acceptable to staff. The applicant revised the proposal such that the indoor and outdoor amenity space was consolidated and is now all being provided on the third floor. The conflicts between the private patios and outdoor amenity space have been resolved such that the private patios are adjacent only to the green roof which is not accessible to residents, and the outdoor amenity space is not directly abutting private patios. There will be 110 square metres (1.46 square metres per unit) of indoor amenity space, and 120 square metres of (1.6 square metres per unit) of outdoor amenity space. While the percentage of both the indoor and outdoor spaces is below the required amount, Planning staff are of the opinion the current space provided is more appropriate and useable than what was originally proposed.

Mix of Unit Sizes

The proposed development is showing a full range of residential unit sizes from studios to three-bedroom units. There are 8 3-bedroom units which comprises 11% of the overall unit mix. The 8 proposed 3-bedroom units range in size from 116 square metres to 142 square metres, which are an appropriate size for family units. A total of 15 2-bedroom units will be provided, making up 20% of the units. The remainder will be composed of 10 studio units (13%), and 42 1-bedroom units (56%). Staff are of the opinion that the proposal is providing a varied mix of unit sizes that meet the City's policies on provide a range of housing opportunities.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. TGS performance measures will be secured through the Site Plan Approval process.

Section 37

The original application proposed a 13-storey building with a total gross floor area of 11,181 square metres. As stated in the Preliminary Report, the proposed additional height and density, was subject to Section 37 contribution and would have been secured. The application in its current form is under 10,000 square metres and does not meet the threshold for securing public benefits pursuant to the Official Plan Policy 5.1.1.4.

Conclusion

Planning staff recommend approval of the application at 41 Dovercourt Road as it is in keeping with the area's planned context.

CONTACT

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SIGNATURE

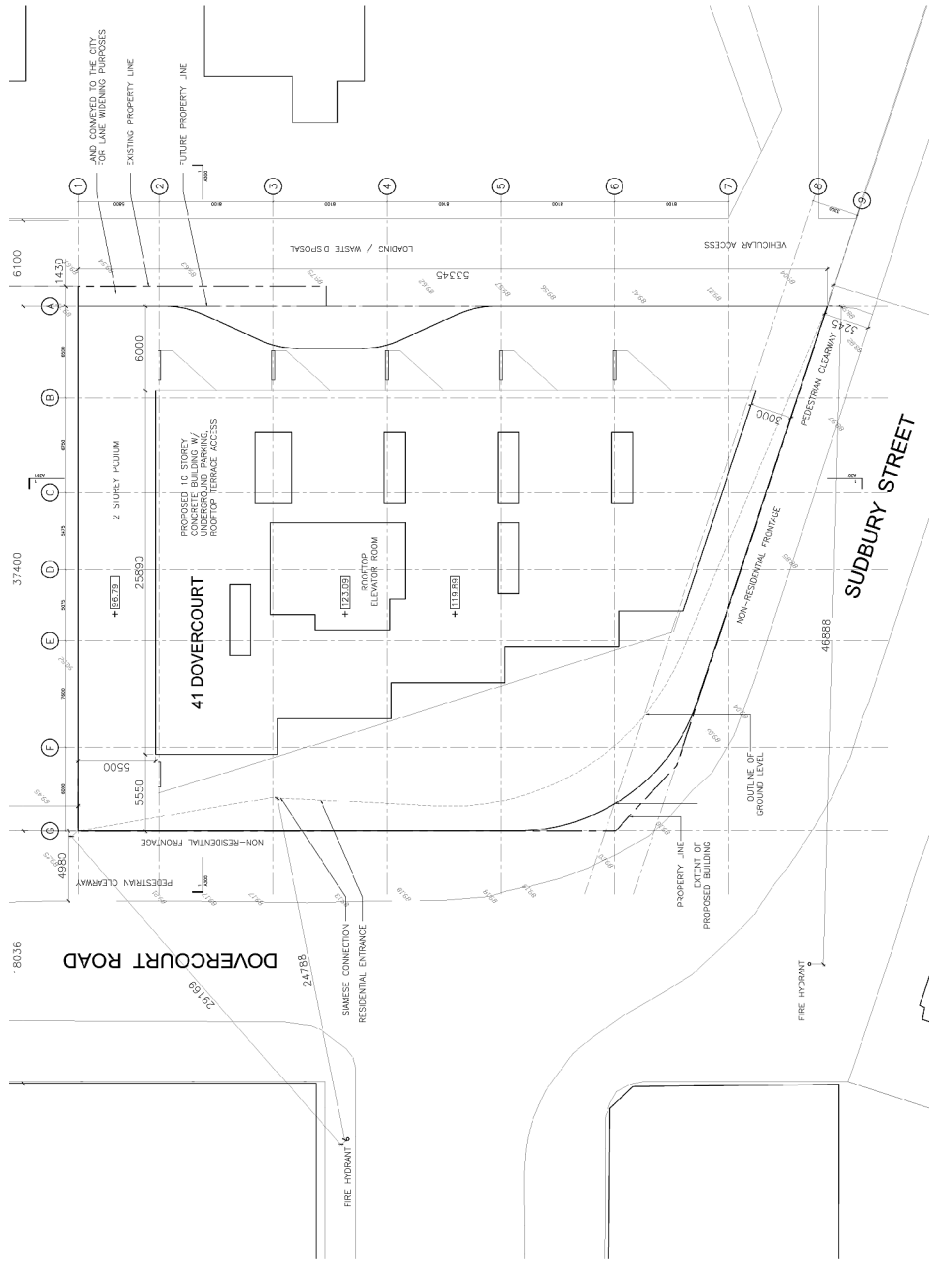
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: East Elevation
Attachment 4: South Elevation
Attachment 5: West Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



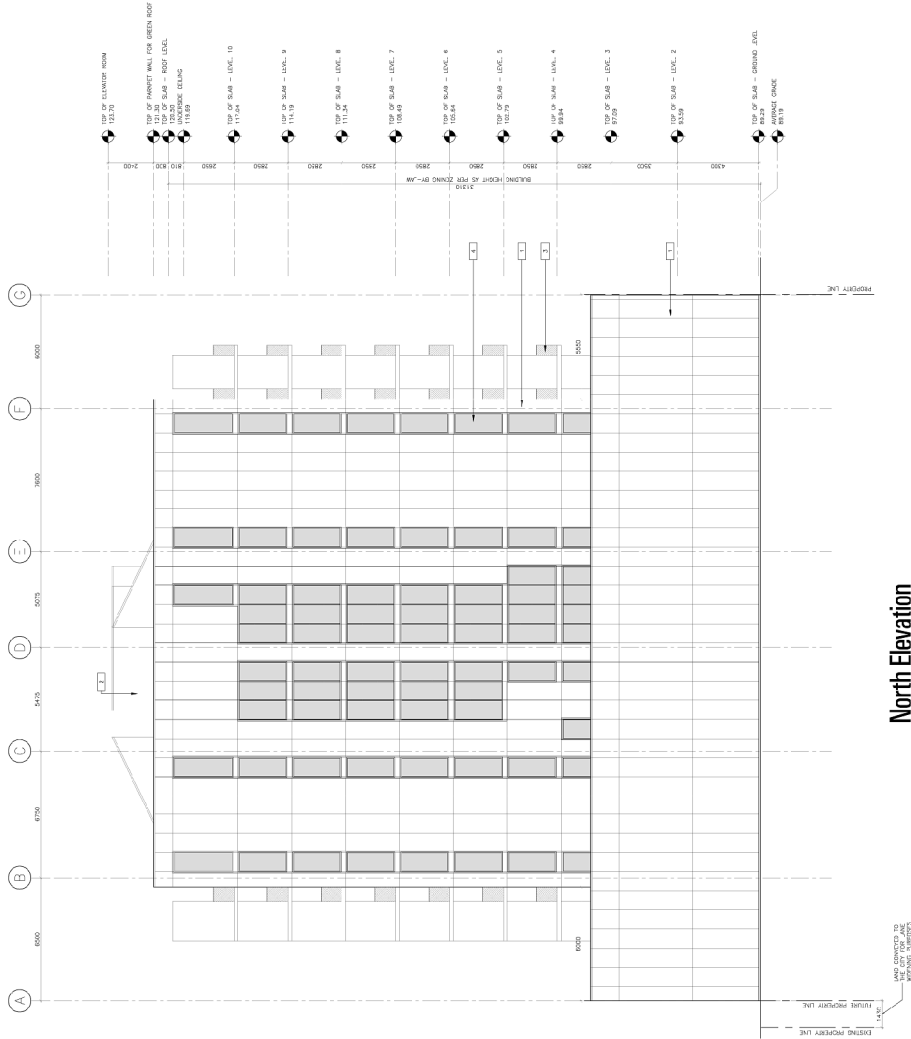
41 Dovercourt Road

Site Plan
Applicant's Submitted Drawing

File # 12 145018 STE 19 0Z

Not to Scale
05/07/2014

Attachment 2: North Elevation



North Elevation

41 Dovercourt Road

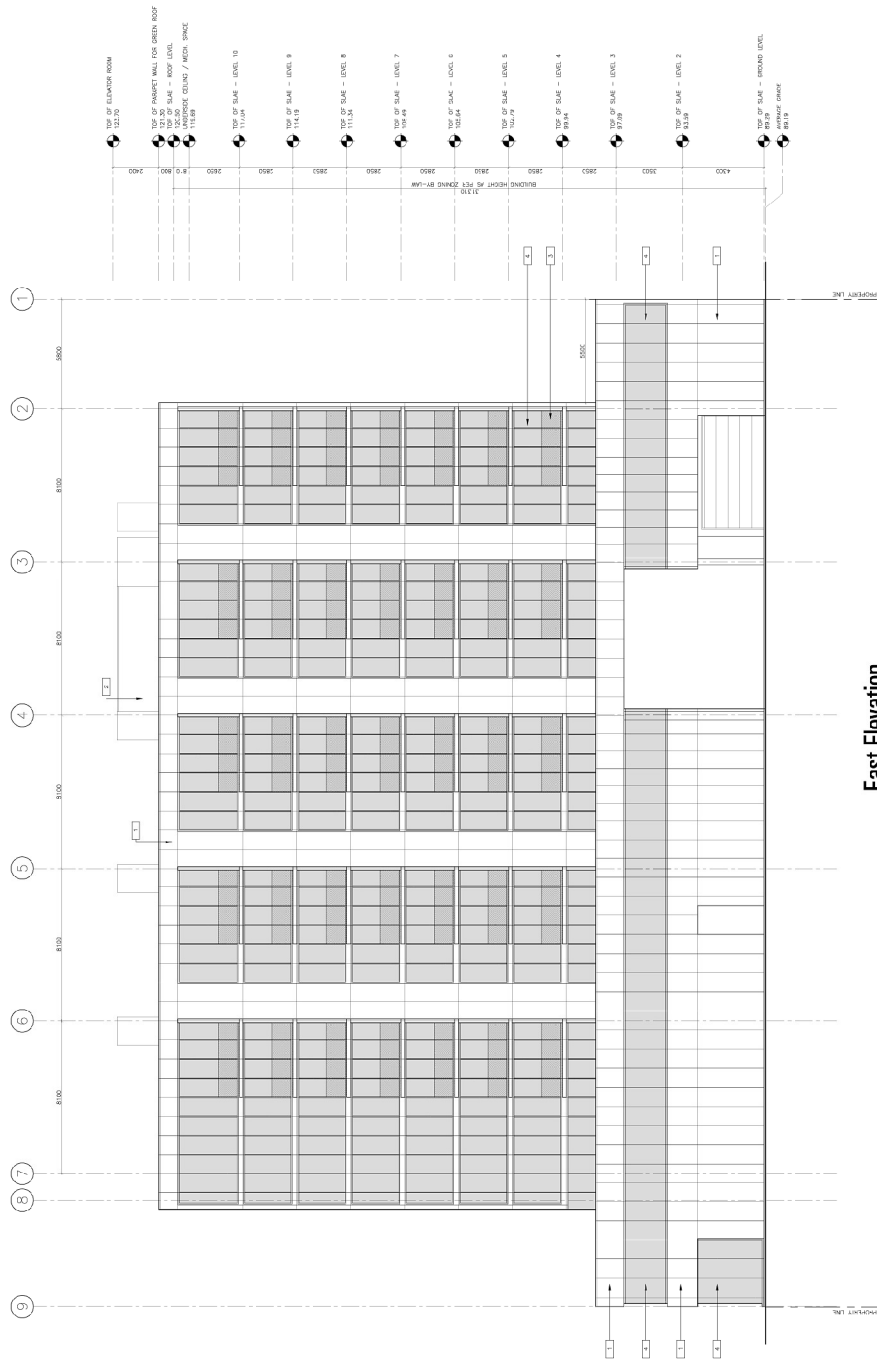
Elevations

Applicant's Submitted Drawing

Not to Scale
05/07/2014

File # 12 145018 STE 19 0Z

Attachment 3: East Elevation



East Elevation

41 Dovercourt Road

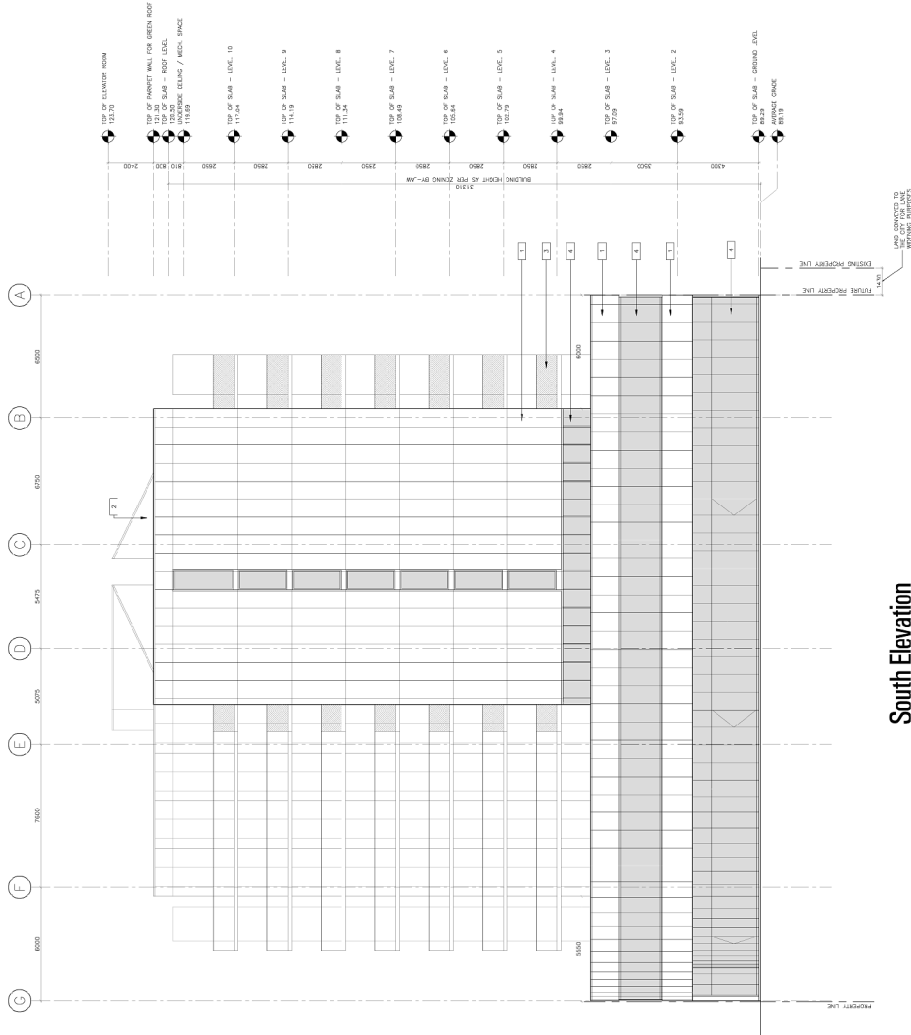
Elevations

Applicant's Submitted Drawing

Not to Scale
05/07/2014

File # 12 145018 STE 19 0Z

Attachment 4: South Elevation



South Elevation

41 Dovercourt Road

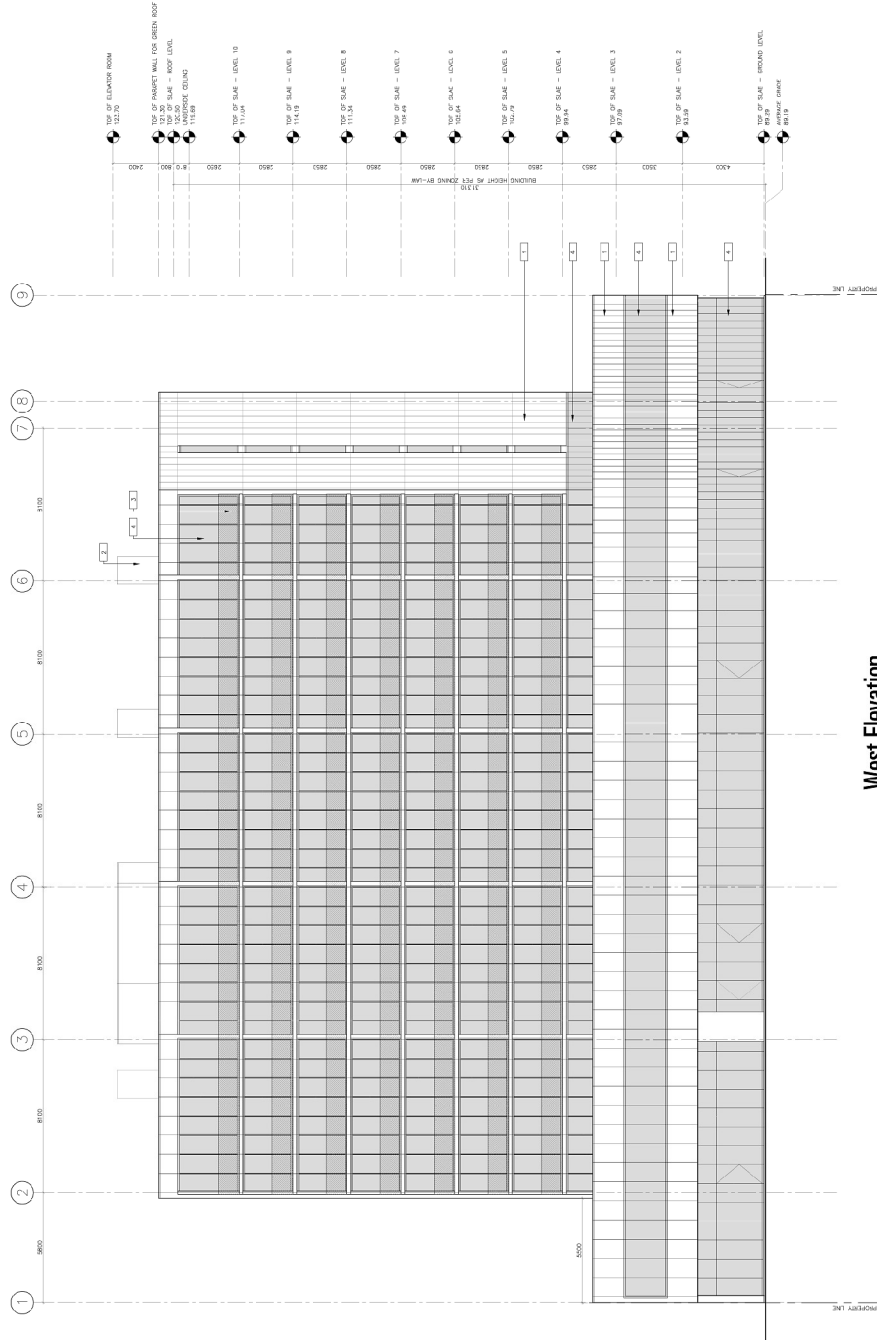
Elevations

Applicant's Submitted Drawing

Not to Scale
05/07/2014

File # 12 145018 STE 19 0Z

Attachment 5: West Elevation



41 Dovercourt Road

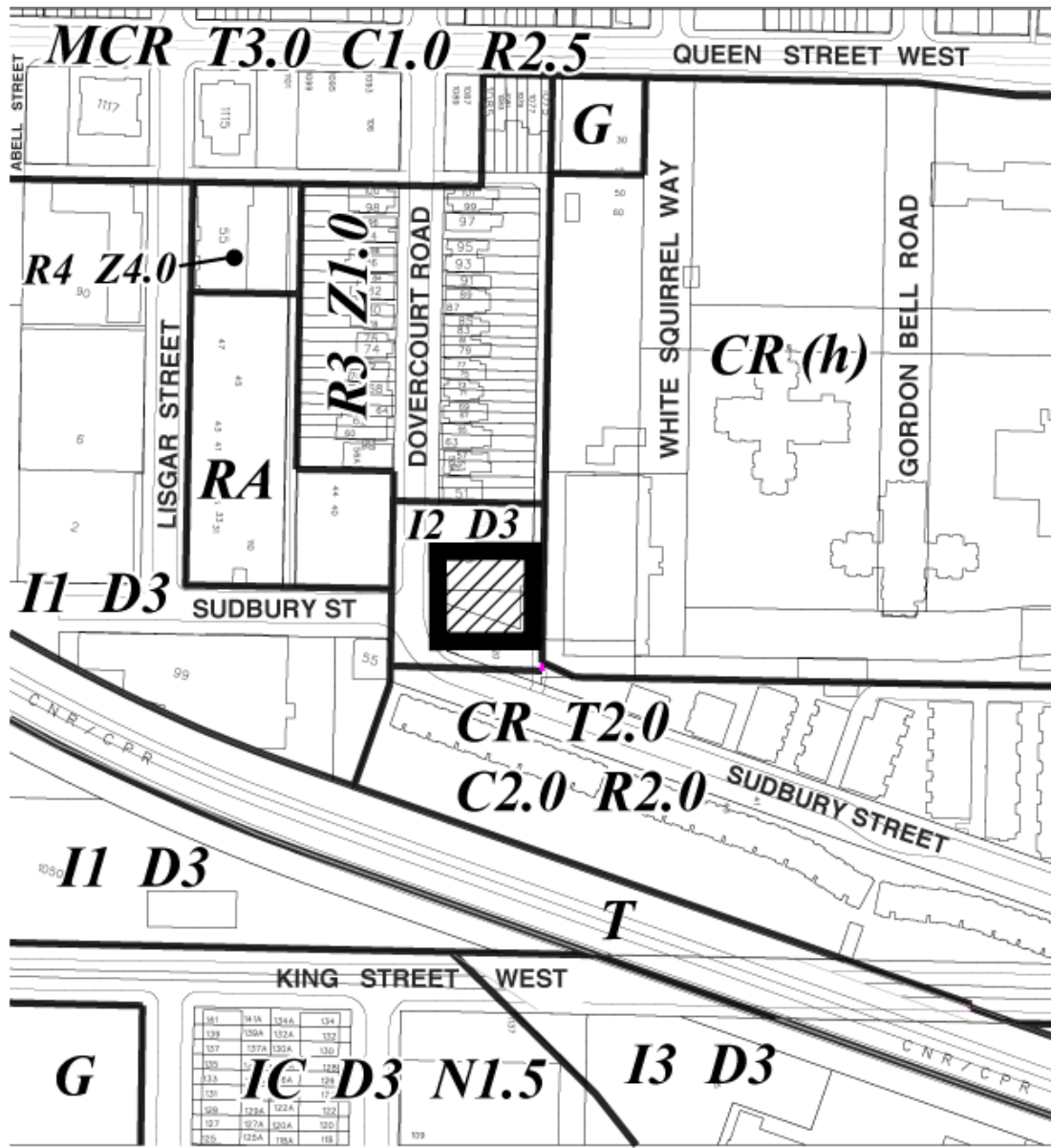
Elevations

Applicant's Submitted Drawing

Not to Scale
05/07/2014

File # 12 145018 STE 19 0Z

Attachment 6: Zoning



41 Dovercourt Road

File # 12_145018_OZ

G Parks District
R4 Residential District
RA Mixed Use District

CR Mixed Use District
MCR Mixed Use District
T Transportation & Utilities
(h) Holding District

↑
Not to Scale
Zoning By-law 438-86 as amended
Extracted 12/10/2012

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	12 145018 STE 19 OZ
Details	Rezoning, Standard	Application Date:	March 28, 2012

Municipal Address: 41 DOVERCOURT RD
 Location Description: RP 66R16652 PARTS 1 5 12 14 RP 64R13923 PARTS 3 6 7 & 13 **GRID S1908
 Project Description: Proposal to construct a 10 sty condo with commercial in a 2 sty podium, 75 residential units, and 3 levels of below grade parking.

Applicant:	Agent:	Architect:	Owner:
BUILD GREEN SOLUTIONS		KOHN SHNIER	DUFFLET PASTRIES

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:
Zoning:	I2 D3	Historical Status:
Height Limit (m):	18, 0, 0	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	1786	Height:	Storeys:	10
Frontage (m):	41.25		Metres:	34.5
Depth (m):	53.5			
Total Ground Floor Area (sq. m):	1284			Total
Total Residential GFA (sq. m):	6974		Parking Spaces:	80
Total Non-Residential GFA (sq. m):	2650		Loading Docks	1
Total GFA (sq. m):	9624			
Lot Coverage Ratio (%):	72			
Floor Space Index:	5.4			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	10
1 Bedroom:	42
2 Bedroom:	15
3 + Bedroom:	8
Total Units:	75

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	6974	6974	0
Retail GFA (sq. m):	1038	1038	0
Office GFA (sq. m):	1612	1612	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT: **PLANNER NAME:** **Aviva Pelt, Planner**
TELEPHONE: **416-392-0877**

Attachment 8: Draft Zoning By-law Amendment