

STAFF REPORT ACTION REQUIRED

2 Gladstone Ave – Rezoning Application – Request for Direction Report

Date:	December 8, 2008
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 18 – Davenport
Reference Number:	07 142554 STE 18 OZ

SUMMARY

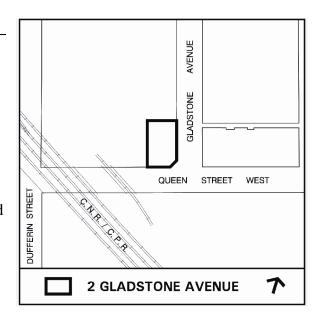
The purpose of this report is to request direction from City Council regarding the pending Ontario Municipal Board hearing regarding the application for a zoning amendment at 2 Gladstone Avenue.

This application proposes an eight-storey mixed use building with setbacks along Queen Street West and at the north end of the building, as well as stepbacks along Gladstone Avenue. Planning staff support the current design as it is appropriate for the site and responds to the concerns expressed by staff about the previous proposal for the site.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1. City Council direct staff to support a Zoning By-law amendment for 2 Gladstone Avenue at the Ontario Municipal Board if the conditions set out in this report are met o the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- 2. City Council direct staff to report directly to City Council on January



- 27th and 28th, 2009, if required, on the status of the negotiations.
- 3. City Council request the Ontario Municipal Board not to release any orders until the proposed private garbage collection model has been deemed satisfactory by the Executive Director, Technical Services.
- 4. City Council direct that the entire acquisition portion of the base 5% of the cashin-lieu of parkland dedication be paid to the South District Parkland Acquisition Fund XR2208 as per City Council's direction from its meeting on September 25th, 26th, 27th and 28th of 2006 (Administration Committee Report 6, Clause 43).
- 5. City Council instruct the City Solicitor, together with the appropriate staff and experts as needed, to attend the Ontario Municipal Board hearing in support of the position recommended in this report.
- 6. City Council direct staff to take such other steps as may be required to implement these recommendations.

Financial Impact

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

DECISION HISTORY

Date	Action
July 24 th , 2006	Application for an eight-storey, mixed use building made to the
	Committee of Adjustment
October 18 th , 2006	Application refused at the Committee of Adjustment
November 6 th , 2006	Committee of Adjustment decision appealed to the Ontario
	Municipal Board by the applicant (this appeal was subsequently withdrawn)
April 5 th , 2007	New application for a Zoning By-law Amendment submitted for a
	seven-storey, mixed use building.
September 26 th /27 th ,	Council refused the application as submitted and adopted a
2007	modified Zoning By-law.
	http://www.toronto.ca/legdocs/mmis/2007/cc/decisions/2007-09-
	<u>26-cc12-dd.pdf</u>
November 26 th , 2007	Council approved Zoning By-law appealed to the Ontario
	Municipal Board by the applicant.

ISSUE BACKGROUND

Proposal

The application is for an eight-storey building at 2 Gladstone Avenue containing 50 residential units and non-residential space at grade. Access for the underground parking and loading is from Gladstone Avenue. The building is set back from Queen Street West and steps back 3 metres above the 4th floor along Gladstone Avenue. The north end of the building is set back 5.5 metres from the northern property line for the western half of the building. The 7th and 8th floors on the eastern half of the north end are also set back 5.5 metres from the northern property line.

Site and Surrounding Area

The 818 sq.m. site is located on the north-west corner of Queen Street West and Gladstone Avenue. While the site itself is relatively flat, Queen Street West dips down in front of the site to pass under the railway bridge. Currently, there is a 1 storey commercial/industrial building on the site with at-grade parking.

South: the railway corridor and a parking lot on the south side of Queen Street West.

North: primarily two-storey commercial/industrial buildings, including design studios and automobile related uses, as well as two-storey houses further up Gladstone Avenue.

East: across the street is the Gladstone Hotel, a heritage designated building.

West: a one-storey warehouse and the railway corridor.

This site is adjacent to the West Queen West Triangle (located south of Queen Street West from the rail corridor to Dovercourt Road). The Ontario Municipal Board has approved a number of 8-storey buildings fronting onto the south side of Queen Street West between the rail corridor and Abell Street. There are currently two other site specific applications in the immediate area, one for a ten-storey building and one for a nine-storey building both on the south side of Queen Street West.

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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Mixed Use Area* and is identified as an *Avenue* on Map 2. In addition, Section 3.1.5 Heritage Resources (Policy 2) of the Official Plan must also be considered given the adjacent historic Gladstone Hotel.

Zoning

The site is currently split-zoned Mixed Commercial Residential ("MCR") along Queen Street West and Light Industrial ("I1") for the northern portion of the site. On the MCR portion, residential and commercial uses are permitted to a maximum total density of 3.0 times the area of the lot including a maximum residential density of 2.5 times the area of the lot. The height limit on the MCR portion is 16 metres, with an additional 5 metres for mechanical penthouses. There is a 45 degree angular plane requirement at 13 metres above the property lines along both Queen Street West and Gladstone Avenue.

On the I (Industrial) portion, industrial uses are permitted to a maximum density of 2 times the area of the lot. The height limit on the I portion is 14.0 metres, with an additional 5 metres for mechanical penthouses.

Site Plan Control

No application for Site Plan Control has been submitted.

Reasons for Application

Zoning By-law variances required to permit this application include but are not limited to:

- change of use from industrial to residential on a portion of the site;
- increase in height;
- increase in total density and residential density; and
- amendment to the angular plane requirement along both Queen Street West and Gladstone Avenue.

Community Consultation

Two community consultation meetings have been held specifically about this site, and the design has been shown to the public in conjunction with other meetings on the West Queen West Triangle area.

The first meeting was held on May 30^{th} , 2007 at the site. Approximately 15 members of the public attended. Major issues included, but were not limited to:

- height;
- angular planes on Queen Street West and Gladstone Avenue;
- shadow impacts;
- relationship to the adjacent Gladstone Hotel, a historically designated building;
- impact on further development along Queen Street West;

- traffic impacts at the intersection of Queen Street West and Gladstone Avenue, given the current configuration of the Dufferin Jog and the proposed garage entry location;
- adequacy of local parkland; and
- relationship between the building and the street, especially along Gladstone Avenue.

A second Community Consultation meeting was held on December 4th, 2008 to review the revised design. Comments raised at the second meeting included:

- size of retail units (one large space or smaller units);
- parking for the retail space;
- this building setting a precedent for other sites along Queen Street West; and
- the unappealing appearance of crash wall which could be improved through the incorporation of a green wall.

These issues have been addressed in the Comments section of this report.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal for a mixed use building is generally consistent with the Provincial Policy Statement and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed mixed commercial and residential land use is appropriate for the site and is supported by the *Mixed Use Area* Official Plan designation. The non-residential uses at grade will continue the animation at the ground level which is important on Queen Street West, and the residential uses above will provide the intensification along this *Avenue*.

The application proposes that 0.42 times the area of the lot be dedicated to non-residential uses which is less than the Council adopted by-law requirement of 0.5 times the area of the lot. However, this proposal sets the building back from the lot lines at the intersection of Gladstone Avenue and Queen Street West to accommodate additional pedestrians and preserve views to the Gladstone Hotel. Were this area to be filled in, the proposal would meet the 0.5 times non-residential requirement. Given the benefits of the increased setback of the building at the corner, a slightly reduced amount of non-residential gross floor area is acceptable.

Avenue Designation in the Official Plan

Queen Street West is shown as an *Avenue* on Map 2, Urban Structure. Section 2.2.3 of the Official Plan states that prior to any development on an Avenue, an Avenue Study

should be undertaken that involves "extensive public and stakeholder consultation in order to determine the appropriate scale and intensity of development to be reflected in the zoning for the Mixed Use Areas along the Avenue." No Avenue Study has been complete for this section of Queen Street West.

The Official Plan does allow for development to proceed prior to an Avenue Study using a process which mirrors a full Avenue Study. Policy 3.b) of the Official Plan states that:

Development in *Mixed Use* Areas on Avenues, prior to an Avenue Study, has the potential to set a precedent for the form and scale of reurbanization along the Avenue. In addition to the policies of the Plan for Mixed Use Areas, proponents of such proposals will also address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located.

Planning staff have considered the implications of the proposed development on the subject site and on the rest of the north side of Queen Street West between Dufferin

Street and Ossington Avenue. Part of the assessment included a review of an Avenue Segment Study submitted by the previous applicant on the site which looked broadly at Queen Street West from Bathurst Street to Roncesvalles Avenue, and more specifically at the area between Ossington Avenue and Brock Street. This document also concluded that the proposed development at 2 Gladstone will not set an adverse precedent for other sites on the north side of Queen Street West between Dufferin Street and Ossington Avenue. This study satisfactorily addressed the criteria in subsection i), ii), and iii) of Avenues Policy 3.b).

Distinguishing Circumstances of the 2 Gladstone Site

The site at 2 Gladstone Avenue is distinguishable from other sites on the north side of Queen Street West between Dufferin Street and Ossington Avenue in a number of ways.

Firstly, it is a site which does not have *Neighbourhoods* immediately to the north, and it is surrounded by sites which are anticipated to be redeveloped. Areas designated *Neighbourhoods* in the Official Plan are stable residential areas that should be protected from negative impacts from development on adjacent sites. A *Mixed Use Area* is to the north along Gladstone Avenue, and an *Employment Areas* is to the northwest. The closest *Neighbourhoods* to the site are on the north side of Peel Street, and along the east side of Gladstone Avenue north of the Price Chopper store. In contrast, all other potential development sites along the north side of Queen Street West between the rail bridge and Ossington Avenue are immediately adjacent to *Neighbourhoods* which would impact their ability to develop to the same degree as this proposal because of the potential impacts on the adjacent *Neighbourhoods*.

To the northwest of the site there are industrial uses and, mixed use buildings along Gladstone Avenue to the north. The rest of this stretch of Queen Street West is built out

with stable *Neighbourhoods* to the north and stable mixed use buildings fronting onto Queen Street West.

Secondly, the subject site is immediately adjacent to the rail corridor which Queen Street West goes under to the west of the site. The adjacency to the rail corridor, while imposing some restrictions on the permissible proximity of residential units, is also a use which can absorb a high degree of impact. Consequently, the site, although across the street from the historic Gladstone Hotel (which is unique in scale and design along this stretch of Queen Street West), essentially is isolated from other uses on the street. While this site is adjacent to a rail corridor, and the five-storey Gladstone Hotel, other sites on Queen have an immediate context of two-storey mixed use building with residential dwellings behind.

How the development addresses the Mixed Use Area Policies

Staff have reviewed the application to ensure that it meets the policies outlined in the Official Plan with respect to *Mixed Use Areas*. By securing non-residential space on the ground floor, with residential units above, the proposal provides a mix of uses which is typical for buildings fronting on Queen Street West, and satisfies the policies in the Official Plan.

The proposed building massing steps down towards the north acknowledging that lower scale buildings are appropriate further north on Gladstone Avenue. Approximately one half of the building is setback from Queen Street West to meet the angular plane, and allow for increased space for pedestrians on the corner of Gladstone Avenue and Queen Street West. The building also provides an appropriate pedestrian scale along Gladstone Avenue by stepping back 3 metres above the 4th floor. The location of the site itself ensures access to public transit (the Queen streetcar and the Dufferin Street bus), schools and libraries.

Heritage

Section 3.1.5 of the Official Plan contains policies that must be complied with when redeveloping a heritage building, or developing on an adjacent site. Policy 2 states, "...Development adjacent to properties on the City's *Inventory of Heritage Properties* will respect the scale, character and form of the heritage buildings and landscapes."

This site is adjacent to the historic Gladstone Hotel which is on the City's *Inventory of Heritage Properties*. Both staff and the community requested the applicant to made changes to the proposal to ensure that the Hotel is respected and remains the pre-eminent building in the area in order to meet the Official Plan policies.

The building as proposed will be taller than the Gladstone Hotel. However, the design has set back the building from the Queen Street West and Gladstone Avenue intersection to maintain views of the Hotel when travelling east, and coming out from under the rail bridge. The upper four storeys are stepped back 3 metres from the property line to acknowledge the cornice line at the third storey of the Hotel.

The proposed design is modern, and not a replication of past times. It is therefore important that the materials used on the building respect the heritage buildings. Staff will continue to work with the applicant to ensure that the materiality of the building is respectful of the adjacent heritage buildings.

Height and Massing

This proposal calls for an eight storey building with setbacks on Queen Street West and at the north end of the building, and a significant stepback on the Gladstone frontage. This proposal, although it varies from the City Council adopted by-law that is now appealed to the Ontario Municipal Board, is more appropriate then the proposal that City Council refused previously on this site (City Council, September 26th and 26th, 2007, Item TE8.3).

This proposal meets the 45 degree angular plane requirement on Queen Street West for most of the building. The west half of the building, at the 6th, 7th and 8th floors does penetrate into the angular plane, as does the 8th floor of the east half. Given the rail bridge at the southwest corner of the site, and the difference in grade along Queen Street West as the road proceeds under the rail corridor, the penetration of the angular plane on the west side of the building is acceptable. The angular plane is most important on the east side of the site, where the views to the Gladstone Hotel needs to be preserved.

The application also proposes a minimum 3 metre stepback above the 4th floor along Gladstone Avenue. The City Council approved by-law on this site (which is now in front of the Ontario Municipal Board) required a 2 metre stepback above the 4th floor, and an additional 2 metre stepback above the 6th floor. Staff believe that a minimum 3 metre stepback above the 4th floor serves the same intent as the required stepbacks in the Council approved by-law. In addition, balconies are only proposed where the building face is 4 metres from the property line, for a maximum projection of 1.8 metres.

The treatment and massing of the north end of the building is important, as it sets the context for further development to the north on Gladstone Avenue. The west half of the north end of the proposed building is set back 5.5 metres from the property line from the second to the eighth floors. This allows for primary windows and provides appropriate distance between this building and the property to the north. Any building proposed for the site north of the subject site would have to provide a similar 5.5 metre setback from their southern property line. The proposed design has also added detail and secondary windows where primary windows are not permitted (where the building steps back 1.2 metres from the property line) to ensure that the north façade is not a blank wall.

The mechanical penthouse has been pushed to the northwest part of the roof and has been reduced to 3.5 metres in height. Staff will secure the City's right to approve the materials used to screen the mechanical penthouse as part of the site plan approval process.

The overall height of eight-storeys is acceptable to staff given the overall massing of the building and the setbacks and stepbacks proposed from the south, east and north property lines.

Sun, Shadow, Wind

Staff have reviewed shadow studies for this application and have concluded that the shadowing that will occur from this project is acceptable as it falls on sites that will be redeveloped in the future as mixed-use sites. There is no shadow impact on any property designated as *Neighbourhoods*.

Traffic Impact, Access, Parking

The access to the parking garage will be located off Gladstone Avenue. While there is a private laneway to the north of the site the owners of 2 Gladstone Avenue do not have a right-of-way over the laneway. Given the circumstances the point of access is acceptable to staff.

Due to the size of the building, a full Transportation Impact Study was not submitted. The applicants consultant submitted a letter estimating that 30 peak-hour, peak-direction, vehicle trips would be generated by the development. Transportation Services staff reviewed the letter and did not require that any further information.

There are 41 parking spaces proposed for the project which will be located underground. Staff are reviewing the number of parking spaces in conjunction with the proposed number and type of units and an appropriate number of parking spaces for the development will be required.

Garbage Pick-up

No on-site loading space is proposed for this small site. The inclusion of a loading space on-site would require a larger driveway with a higher door which would substantially reduce the amount of non-residential useable space on the ground floor. As the City will not pick-up garbage from this site the applicants are required to provide documentation to the City that private pick-up on-site is achievable. Staff recommend that City Council request the Ontario Municipal Board to withhold the release of any final orders until the General Manager of Technical Services has signed off on the garbage plan.

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 existing local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 53 residential units on a site of 0.0817 hectares (817.7m2). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.07066 hectares (706.6m2). However, a cap of 10% applies and hence the parkland dedication for the development would be .00817 hectares (81.7m2).

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of .0082 hectares (82m2) would not be of a useable size and the site would be fully encumbered with below grade parking.

As a result of a parkland dedication and parkland acquisition by the City in the West Queen West Triangle, the entire acquisition portion of the base 5% of the cash-in-lieu of parkland be paid to the South District Parkland Acquisition Fund.

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

Streetscape

It is intended that the non-residential uses at grade will animate the intersection of Gladstone Avenue and Queen Street West, and a 3.8 metre ground floor height will allow for flexibility in the use of the space. It is likely, although not mandatory, that only 1 retail tenant will occupy the ground floor due to its size and the amount of frontage on Queen Street West and Gladstone Avenue.

Urban Forestry staff indicate that the location of existing underground utilities and the bus shelter will currently prevent any tree planting on Gladstone Avenue in front of the site. However, both Gladstone Avenue and Peel Street will be transformed once the Dufferin Jog project is completed and there may then be room for tree pits along Gladstone Avenue. Urban Forestry staff recommend that funds be secured from this project to plant trees along Gladstone Avenue as part of the redesign of the street.

Railway Corridor

This development is in close proximity to the rail corridor but does not include a crash berm between the residential use and the railway corridor. There is, however, a substantial one storey industrial building existing on the adjacent lot, between the railway corridor and the proposed development and a crash wall has been built into the ground floor of the building. Through the Site Plan Approval application the applicant will study how the crash wall will be treated to add interest to this large structure. The railways have agreed that no further safety measures are required. As a condition of site plan approval, a noise and vibration study will be required.

Toronto Green Development Standard

The Green Development Standard contains performance targets and guidelines that relate to site and building design to promote better environmental sustainability of development in Toronto. The Standard has 62 possible green development targets. Based on the applicant's submission of the Toronto Green Development Standard Checklist, the proposed development is intended to achieve 42 targets. Some of the targets proposed to be met include:

- the primary entrance of the proposed building is within 200 metres of a transit stop and direct integration with existing pedestrian routes;
- zero use of CFC-based refrigerants and Halons in fire suppression;

- light coloured roofing materials installed for 75% of the roof;
- 45% of materials including adhesives, sealants, paints, coatings, carpets, composite wood and agrifiber products are low-emitting;
- 70% of the appliances are Energy Star compliant;
- all water features meet efficiency standards;
- user friendly and accessible handling and storage facilities provided for recyclable and organic waste;
- 7.5% of the projects materials are comprised of recycled content; and
- bird friendly development guidelines are adhered to.

Family Units

All of the approved developments in the West Queen West Triangle area to the south have a required percentage of units that must be appropriate for families. Family units are defined as units that have 2 or more bedrooms. The required percentage of 2 or 3 bedroom units on each site in the Triangle varies from 15% to 25%. On this site we are requiring that 25% of the residential units on the site must have at least 2 bedrooms.

Development Charges

It is estimated that the development charges for this project will be \$250,500.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusion

Planning staff recommend that City Council support a Zoning By-law amendment for 2 Gladstone Avenue generally in conformance with the drawings attached to this report and with the conditions described in the body of the report and as follows:

- the inclusion of appropriate materials for the building, and penthouse screen, to reflect the adjacent heritage building;
- adequate provision of parking spaces;
- sign-off by the General Manager, Technical Services, on the garbage plan for the development;
- study the details for the crash wall to make it interesting and dynamic; and
- ensuring that at least 25% of the residential units have 2 or more bedrooms.

The proposed built form is appropriate for the site and it will not set an adverse precedent for other sites on the north side of Queen Street West between Dufferin Street and Ossington Avenue due to the distinguishable characteristics of this site. Planning staff recommend that City Council support a Zoning By-law amendment for this site.

CONTACT

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SIGNATURE

Raymond David, Acting Director Community Planning, Toronto and East York District

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ATTACHMENTS

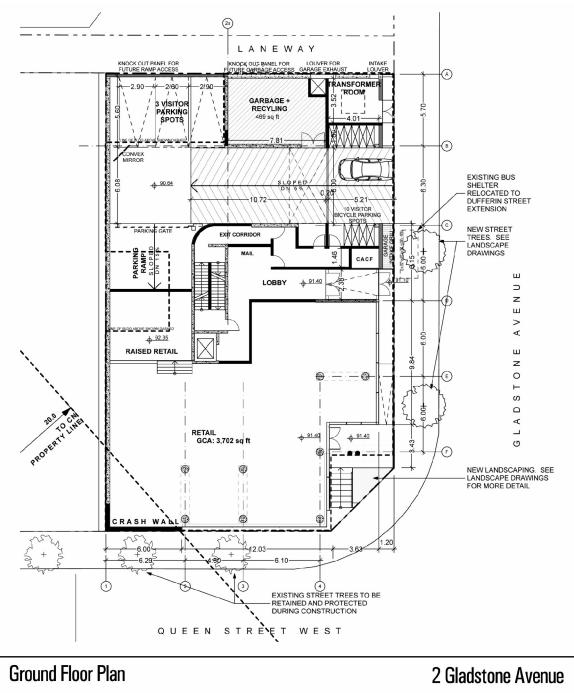
Attachment 1: Site Plan

Attachment 2: North Elevation Attachment 3: South Elevation Attachment 4: East Elevation Attachment 5: West Elevation

Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 1: Site Plan



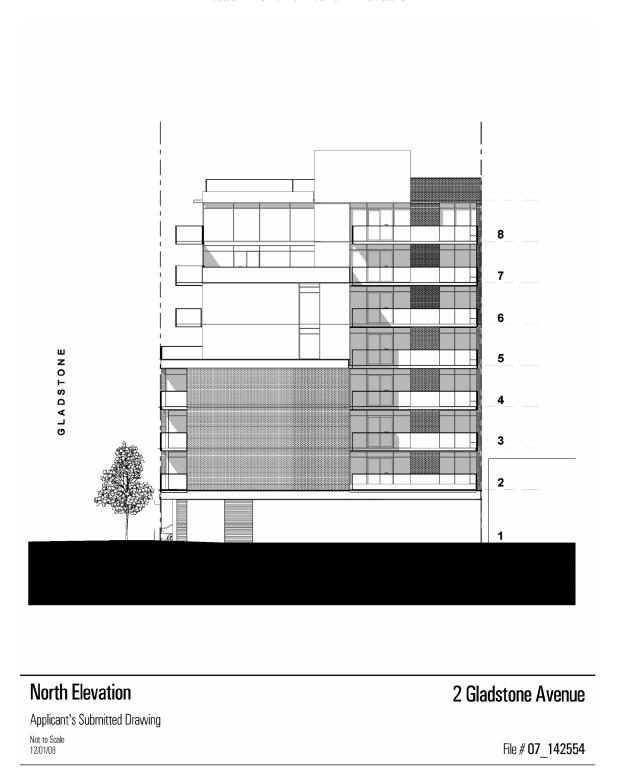
Ground Floor Plan

Applicant's Submitted Drawing

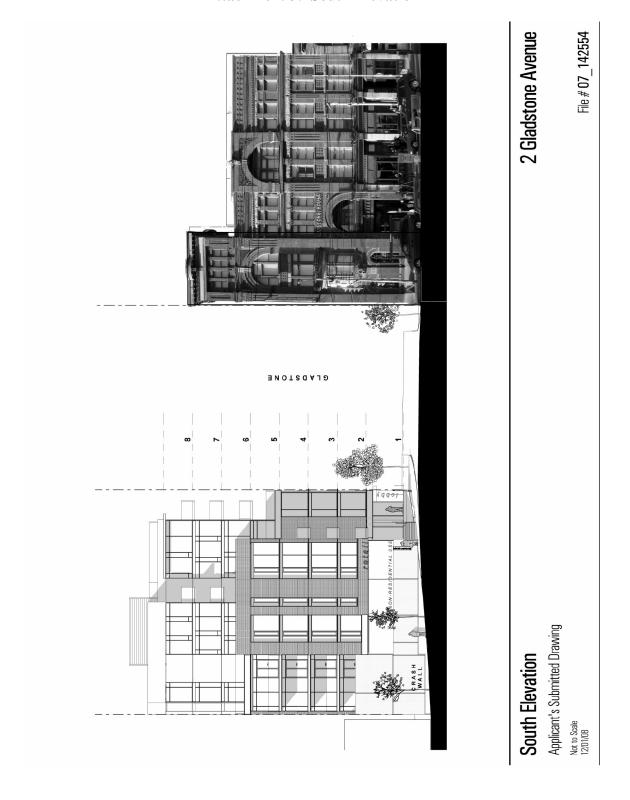
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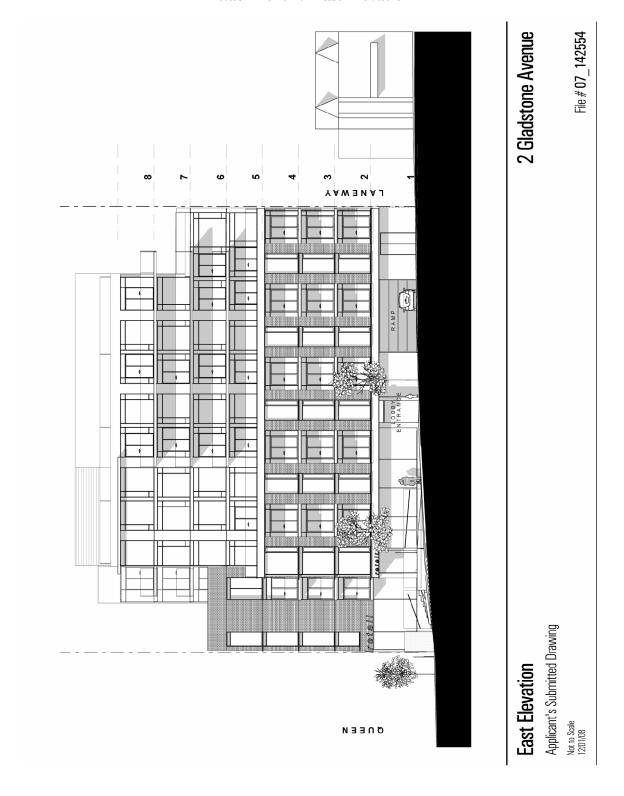
Attachment 2: North Elevation



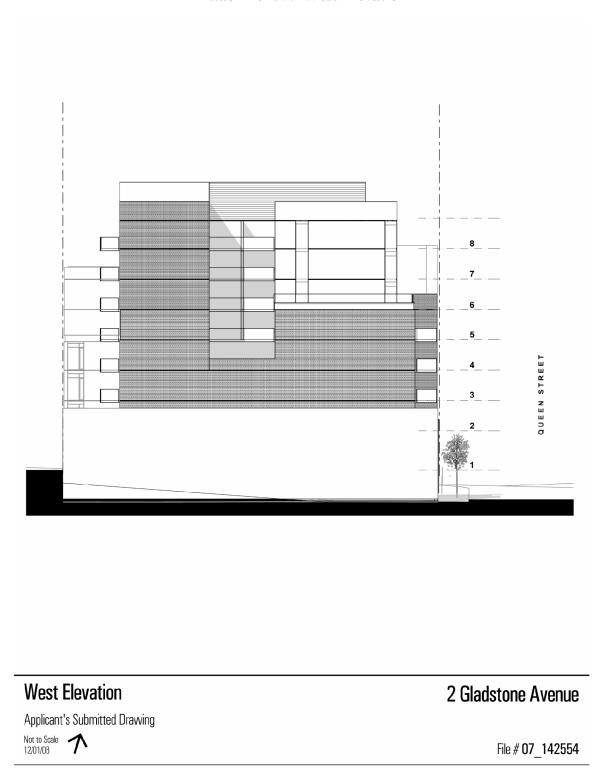
Attachment 3: South Elevation



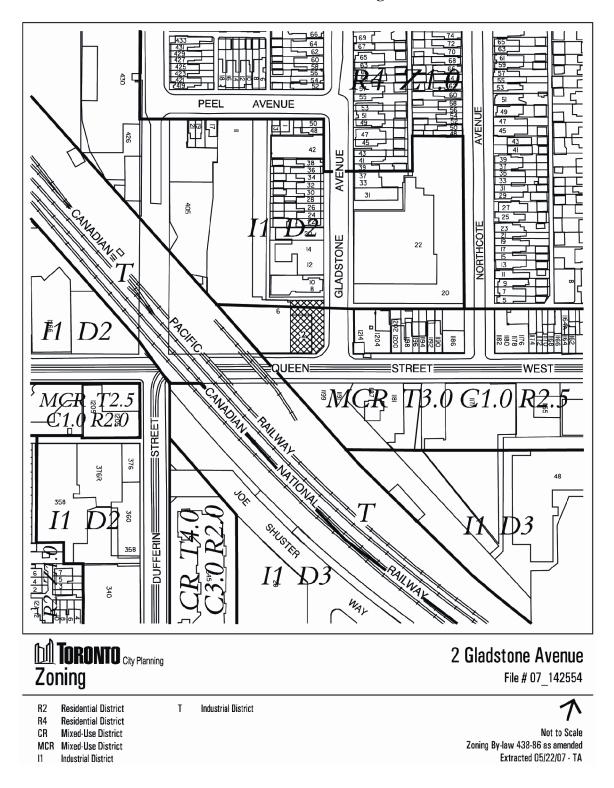
Attachment 4: East Elevation



Attachment 5: West Elevation



Attachment 6: Zoning



Attachment 7: Application Data Sheet

Application Type Rezoning Application Number: 07 142554 STE 18 OZ

Details Rezoning, Standard Application Date: April 5, 2007

Municipal Address: 2 GLADSTONE AVE, TORONTO ON M6J 3K6

Location Description: CON 1 FTB PT PARK LT28 **GRID S1807

Project Description: DEVELOPMENT OF AN 8-STOREY, MIXED-USE BUILDING CONTAINING

53 CONDO UNITS WITH COMMERCIAL USES AT GRADE AND PARKING

GARAGE BELOW GRADE

Applicant: Agent: Architect: Owner:

STREETCAR ATKINS GROUP GLADSTONE TIRE DEVELOPMENTS INC. CORPORATION DISTRIBUTORS LTD

PLANNING CONTROLS

Official Plan Designation: Mixed Use Site Specific Provision:

Zoning: MCR T3,0 C1.0 R2.5, I1 D2 Historical Status:

Height Limit (m): 16, 14 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m): 818 Height: Storeys: 8

Frontage (m): 31.27 Metres: 24.5

Depth (m): 22.86

Total Ground Floor Area (sq. m): 248.3 **Total**

Total Residential GFA (sq. m): 4040 Parking Spaces: 41
Total Non-Residential GFA (sq. m): 344 Loading Docks 0

Total GFA (sq. m): 4384
Lot Coverage Ratio (%): 30
Floor Space Index: 6

DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type: Rental, Other Above Grade **Below Grade** Rooms: 0 Residential GFA (sq. m): 4040 0 Bachelor: 4 344 0 Retail GFA (sq. m): 1 Bedroom: 30 0 Office GFA (sq. m): 0 2 Bedroom: 19 Industrial GFA (sq. m): 0 0 3 + Bedroom: 0 Institutional/Other GFA (sq. m): 0 0 **Total Units:** 53

CONTACT: PLANNER NAME: Sarah Phipps, Planner

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