

20 - 38 Gladstone Avenue – Zoning Amendment Application and Rental Housing Demolition – Final Report

Date:	October 25, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 18 – Davenport
Reference Number:	13 165340 STE 18 OZ & 13 235411 STE 18 RH

SUMMARY

This report reviews and recommends approval of the application for a 7-storey residential condominium building at 20-38 Gladstone Avenue, and the demolition of 10 residential buildings that contain 5 existing residential rental housing units. The proposed building contains 128 residential units and 176 below-grade vehicular parking spaces. Parking is provided in three levels of underground parking for residents and visitors, and loading is shared with the building to the south at 8-14 Gladstone Avenue.

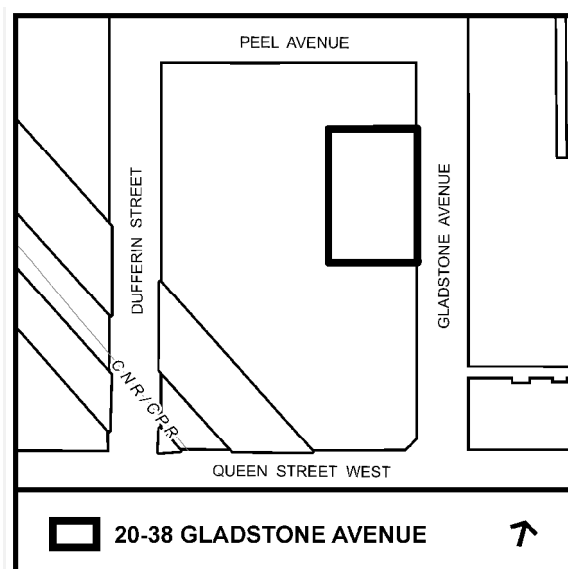
A Rental Housing Demolition application has been submitted with the rezoning application to demolish the 5 existing residential rental units located at 20, 22, 24 and 32 Gladstone Avenue.

This report also recommends approval under Municipal Code 667 of the rental housing demolition application with no replacement of the rental housing units.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, as amended, for the lands at 20-



38 Gladstone Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report (October 25, 2013) 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.
3. City Council direct that the cash-in-lieu of parkland dedication payment, that is above the first 5%, be directed towards the cost to construct the park at 405 Dufferin Street, to the satisfaction of the General Manager, Parks, Forestry and Recreation.
4. City Council approve the application to demolish the existing residential buildings at 20, 22, 24, 26, 28, 30, 32, 34, 36 and 38 Gladstone Avenue, including the 5 residential rental dwelling units, pursuant to Municipal Code Chapters 667 and 363.
5. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval of the application under Municipal Code Chapter 667 for the existing residential rental housing buildings when the following has occurred:
 - a) the zoning by-law amendment in Recommendations No. 1 has come into full force and effect; and
 - b) the issuance of the Notice of Approval Condition for site plan approval for the development by the Chief Planner and Executive Director City Planning Division or her designate, pursuant to Section 41 of the Planning Act, 1990.
6. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division, has given the preliminary approval in Recommendation No. 5 for the existing rental housing buildings.
7. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act for the demolition of the 10 residential buildings no earlier than the date of issuance of a building permit for the shoring and excavation for the residential development permitted by this zoning by-law amendment. This authorization is for the lands on which the existing rental buildings are situated, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation No. 4 which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code , on condition that:
 - a) the owner erect a residential building on site no later than four (4) years from the day demolition of the buildings is commenced; and
 - b) should the owner fail to complete the new building within the time specified in condition 7(a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each

dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The site is subject to Site and Area Specific Policy 403, which was adopted by City Council on February 20, 2013. Policy 403 was the result of a City-Initiated Study intended to ensure that future development within the existing *Mixed Use Areas* is of an appropriate form and scale and compatible with the existing adjacent *Neighbourhoods*.

ISSUE BACKGROUND

Proposal

The application proposes to construct a 7-storey residential condominium building. The building will have a total gross floor area of 8,542 square metres and an overall height of 21.6 metres. The density will be 4.2 times the lot area. The building is sharing underground parking access, vehicular parking spaces, amenity space, and a pedestrian walkway with the proposal at 11 Peel Avenue to the west, which is being developed by the same applicant. The building is also sharing the loading space with the building at 8-14 Gladstone Avenue to the south, which is built and occupied and was a project by the same applicant. See Attachment No. 1 for a context plan showing the proposal's relationship with the other developments in the block bounded by Peel Avenue to the north, Dufferin Street to the west, Gladstone Avenue to the east, and Queen Street West to the south.

There will be a total of 128 dwelling units. The dwelling unit breakdown is as follows:

Dwelling Type	Unit Count
One bedroom units	48
Two bedroom units	80
Total:	128

The applicant proposes the grade-related units to face both Gladstone Avenue and the laneway to the rear of the site. The remaining 112 units are located on the second to seventh floors.

The application includes 173 vehicular parking spaces in three levels of underground parking, including 91 residential parking spaces, and 5 visitor parking spaces. A total of 60 spaces on the P3 level will be dedicated to the proposal at 11 Peel Avenue for residential parking and a total of 17 spaces on the P1 level will be dedicated to the proposal at 11 Peel Avenue for visitor parking. The parking access will be shared with the property at 11 Peel Avenue via a ramp on the 11 Peel Avenue property. For bicycle parking, the building will have 77 residential spaces and 19 visitor spaces.

The amenity space will be shared with 11 Peel Avenue, with a total of 1.5 square metres required for indoor amenity space. Residents of 20 Gladstone Avenue will have access to the outdoor amenity at 11 Peel Avenue which is for a total of 585 square metres. In the event that 11 Peel Avenue does not move

forward before or concurrent with 20 Gladstone Avenue, the 1.5 square metres of indoor amenity space per dwelling unit will be located at 20 Gladstone Avenue.

At the south end of the site, which abuts the development at 8-14 Gladstone Avenue, is an east-west midblock connection accessible from Gladstone Avenue. This connection is approximately 10 metres in width and 6.45 metres in height (two-storeys) and leads to the residential lobby of the proposed building and continues west through the 11 Peel Avenue site and into the proposed City park located at the west portion of the block. The walkway also has 19 visitor bicycle spaces at grade and intersects with a north-south laneway accessible from 8-14 Gladstone Avenue and ends midblock at Peel Avenue.

The application proposes to demolish the existing 10 residential buildings on the site, one of which also includes commercial use. Through a thorough investigation, it was found that the 10 buildings comprised a total of 18 residential units of which 5 were rental and the rest were occupied by the owners or immediate family of the owners.

A Rental Housing Demolition application (File 13 235411 STE 18 RH) for a Section 111 permit pursuant to Chapter 667 of the Municipal Code has been submitted with the subject application for the 5 existing residential rental units located in 20-38 Gladstone Avenue.

See Attachment No. 7 for the Application Data Sheet and Attachment Nos. 2-4 for drawings of the proposal.

Site and Surrounding Area

The subject site is located on the west side of Gladstone Avenue, north of Queen Street West. The site has an overall area of approximately 2,021 square metres. 20 Gladstone Avenue contains a commercial unit and two dwelling units, of which one was most recently owner-occupied. 22 Gladstone Avenue was two rental units, 24 and 32 each contained an owner-occupied unit and a rental unit. 26 and 36 Gladstone Avenue were entirely one house each and occupied by the families that owned them. 28, 30, 34 and 38 Gladstone Avenue each contained multiple units but were entirely occupied by multi-generational families.

The surrounding built form and uses include:

East: Opposite the subject site, on the east side of Gladstone Avenue, is a grocery store with surface parking, two-storey commercial buildings, and two-storey semi-detached dwellings and row houses. The Gladstone Hotel, a designated heritage building, is located at the corner of Queen Street West and Gladstone Avenue.

North: Immediately north of the subject site is a two-storey furniture store and office building. North of this building is a three-storey art gallery.

South: Directly south of the subject property is a new 8-storey mixed use condominium known as 8-14 Gladstone Avenue. Further south is another 8-storey mixed use building known as 2 Gladstone Avenue. Both are built.

West: The site is bounded on the west by a private lane and by the property on the west side of the lane known as 11 Peel Street, which is the subject of an application to amend the Official Plan and Zoning By-law to permit the construction of a 20-storey mixed use building.

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 subject site is designated *Mixed Use Areas* in the City of Toronto Official Plan. This designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

To the north, south, and east of the site are *Mixed Use Areas*, which share the same development criteria and policy framework as the subject site. To the west of the site is *Employment Areas*, which are places

of business and economic activity. The current application at 11 Peel Avenue proposes to change the *Employment Areas* designation to *Mixed Use Areas*.

The southwest corner of the block on which the subject site is located is designated *Utility Corridors* for the railway line. The Official Plan defines *Utility Corridors* as hydro and rail corridors primarily used for movement and transmission of energy, information, people, and goods.

Further north, across from Peel Avenue, are *Neighbourhoods*, which are considered physically stable areas made up of residential uses in lower scale buildings such as detached, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than 4-storeys.

The site is subject to Site and Area Specific Policy 403, which was adopted by City Council on February 20, 2013. The policy states that the maximum height at the southern edge of 20 Gladstone Avenue should be consistent with the lowest height of the development at 8-14 Gladstone Avenue, which is approximately 20 metres. This policy provides for a gradual stepping-down of heights from south to north. Site and Area Specific Policy 403 also includes policies related to transitions in height, setbacks and step-backs, built form, and retaining the visual prominence of the Gladstone Hotel.

The Official Plan also contains policies addressing the need to preserve and increase the City's supply of rental and affordable housing. Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units.

Applicants proposing to demolish six or more residential rental units, except where all of the rents are above the mid-range rent category, are required by Policy 3.2.1.6 to replace the rental units with the same number, size and type of rental housing units and maintain them with rents similar to the rents of existing units on the site. An acceptable tenant relocation and assistance plan is also required to address moving related costs, alternative accommodation, and other assistance to lessen hardship.

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

See Attachment No. 5 for the Official Plan map.

Zoning

The newly adopted Citywide Zoning By-law 569-2013 does not apply to the site. Zoning By-law 438-86, as amended, zones the site as industrial, I1 D2. This zoning permits industrial uses to a maximum density of 2.0 times the area of the lot and a height limit of 14.0 metres.

See Attachment No. 6 for the Zoning By-law map.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007) implements the City's Official Plan policies protecting rental housing. The By-law established Chapter 667 of the Municipal Code and was approved by City Council on July 19, 2007. The By-law prohibits demolition or conversion of housing

units without a permit issued by the City under Section 111 of the City of Toronto Act. Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law amendment require a decision by City Council under Section 111 of the City of Toronto Act. Council may refuse an application or approve the demolition with conditions which typically involve the replacement of rental housing and assistance to any tenants affected by the proposed demolition, before a Section 111 permit is issued. The conditions are based on the Official Plan policies and established practices the City has in place when considering rental housing demolition. In addition, approval of related planning applications, such as a zoning by-law amendment, should be conditional upon the applicant receiving a Section 111 permit.

If the demolition of rental housing is approved under Municipal Code 667, approval to issue a demolition permit for residential buildings under Municipal Code 363 and Section 33 of the Planning Act is also required. The By-law provides for the co-ordination of these approvals and issuance of the permit. Typically, City Council receives a joint report on the related planning applications as well as the application under Municipal Code 667 so that the decisions on demolition and redevelopment may be made at the same meeting. Unlike Planning Act applications, City Council decisions to approve or refuse rental housing demolitions under Section 111 of the *City of Toronto Act* are not subject to any appeal to the Ontario Municipal Board.

Site Plan Control

A Site Plan Approval application (File no. 2013 165346 STE 18 SA) was submitted May 9, 2013 and city staff expect to complete the review of the application shortly.

Reasons for Application

The proposed residential condominium is within an industrial district (I1 D2). The proposed residential use is not permitted within an industrial district. A zoning by-law amendment is therefore required. Moreover, the proposal requires changes to the zoning that include an increase in height and total density.

The development parcel is comprised of an assembly of 10 properties that contained 5 rental housing units and at least 11 owner-occupied units. The applicant must apply under Chapter 667 of the Municipal Code for a Section 111 permit, pursuant to Section 111 of the *City of Toronto Act* to demolish the residential rental buildings that contain the 5 rental dwelling units.

The applicant must also apply for a demolition permit for all 10 residential properties under Chapter 363 of the Municipal Code, pursuant to Section 33 of *The Planning Act*.

Community Consultation

A Community Consultation meeting was held on September 16, 2013 with the local Councillor, planning staff, the applicant, and approximately 12 members of the public. The meeting started with presentations from planning staff on the rezoning and the residential rental demolition applications and the applicant, followed by questions and concerns from those in attendance. Concerns raised included:

- the appropriateness of the shared parking and shared loading;
- the impact on on-street parking; and
- the scale and location of the proposed walkway through the site.

Residents were less concerned with the built form of the proposal as they felt the proposal reflected Site and Area Specific Policy 403 which provides guidance on height, built form, and massing.

The concerns which were raised are 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 and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the proposal and have determined that it is consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed residential uses are permitted in the *Mixed Use Area* designation of the Official Plan and are therefore appropriate. The application also includes live/work units on the ground floor which are also permitted in the *Mixed Use Area* designation.

Density, Height, Massing

The proposed height of 21.6 metres, including the mechanical penthouse, for the majority of the building, stepping down to 18.2 metres for the northernmost 11 metres of the building is appropriate for the site. The overall height matches the height of the building at 8-14 Gladstone Avenue to the south, and the stepping down towards the north is appropriate for transition to *Neighbourhoods* on the north side of Peel Avenue.

The proposed density is 4.23 times the area of the lot and is lower than the approved density at 2 Gladstone Avenue (5.96 times the area of the lot) and the approved density at 8-14 Gladstone (4.29 times the area of the lot). The proposed density is appropriate given the allocation of density on the site. Planning staff used the Mid-Rise Guidelines, among other tools, to review the allocation of density on the site as discussed below.

Mid-Rise Guidelines

In 2010, City Council adopted the Avenues and Mid-Rise Buildings Study. The study includes guidelines which are intended to encourage the construction of better designed mid-rise buildings on the City's Avenues where growth is expected and desirable.

These Guidelines apply to mid-rise developments which are proposed to be constructed on the Avenues. This site is not located on an Avenue on Map 2 of the Official Plan, however the site has similar characteristics to Avenues including a *Mixed Use Areas* designation in the Official Plan, and a 20-metre right-of-way width.

In addition, the staff report on the Mid-Rise Study noted that although the Guidelines were to provide performance standards and recommendations for mid-rise buildings on the Avenues, they may also be

appropriate and useful to guide the review of proposals for mid-rise buildings in *Mixed Use Areas* not on Avenues.

The Mid-rise Guidelines, as well as other policies within the Official Plan and the Tall Buildings Design Guidelines in relation to the 11 Peel Avenue development proposal, include various building performance standards. The proposed building complies with a number of Guidelines including:

- a minimum sidewalk zone of 4 metres along Gladstone Avenue;
- a 3-metre setback at the fifth floor to provide sky views and mitigate the pedestrian perception of height;
- a separation distance of 21.5 metres from the rear of 20 Gladstone Avenue to the proposed 11 Peel Avenue tall building proposal;
- balconies and projections which do not negatively impact the public realm;
- high quality building materials, which will be secured in the Site Plan Agreement;
- while there is no setback provided from the north property line, the north wall is designed as a future party wall condition with interesting materials and articulation, which will be secured in the Site Plan Agreement. The sites to the north would be developed in a compatible manner;
- no curb cuts because of the shared loading and servicing facilities at 8-14 Gladstone Avenue;
- loading and servicing located at the rear of the building and therefore does not detract from the use or attractiveness of the pedestrian realm.

Site and Area Specific Policy 403 – Gladstone and Peel

The Official Plan Review of Gladstone and Peel Avenues, initiated in April 2011, studied the properties designated as *Mixed Use Areas* in the area generally bounded by Queen Street West, Northcote Avenue, Peel Avenue, and Dufferin Street. The purpose of the study was to identify the appropriate built form on the *Mixed Use Area* properties, and the appropriate relationship between the *Mixed Use Area* and the adjacent *Neighbourhoods*. The subject site is within the study area and is designated *Mixed Use Areas*.

At community meetings held on June 16, 2011 and September 13, 2011, general principles were developed which included a stepping down of the building heights along the west side of Gladstone Avenue towards Peel Avenue and the *Neighbourhoods* on the north side of Peel Avenue.

The proposed building at 20 Gladstone Avenue is 7 storeys, stepping down to 6 storeys at the north end of the site. This reduction in the height towards the north is generally consistent with the principles of the Site and Area Specific Policy 403 and the community was generally supportive of the massing and built form of the proposal.

Sun, Shadow, Wind

The Official Plan requires that new development in *Mixed Use Areas* maintains adequate light for residents of abutting neighbourhoods. A design performance standard for mid-rise buildings is that the building envelope should allow for a minimum of 5 hours of sunlight on the (arterial) sidewalks between March 21st and September 21st.

While zoned and designed for mixed use development, Gladstone Avenue is not an arterial road. However, the applicant's submitted shadow study for the months of March, June and September shows that the proposed building meets the Official Plan requirement and the design performance standard for mid-rise buildings.

Traffic Impact, Access, Parking

Section 2.2 of the Official Plan, "Structuring Growth in the City: Integrating Land Use and Transportation," indicates that future growth within Toronto will be directed to areas that are well served by transit and the existing road network, have properties with redevelopment potential the redevelopment of which will have no significant impact on existing traffic flow or pedestrian safety, and that provide appropriate parking and site access.

Traffic Impact

The applicant submitted a Traffic Impact Study and Transportation Impact Study which was reviewed by the City's Transportation Services Division. The study concludes that the site is well-suited for the proposed residential development from a transportation perspective. Transportation Services staff have accepted the Traffic Study.

Access

A new privately-owned but publicly-accessible laneway, which will run from Gladstone Avenue to Peel Avenue, is the access configuration where all developments on the block will access their underground parking, their servicing, and their loading. The subject property will share an underground parking ramp with the development at 11 Peel Avenue. This ramp is located on the 11 Peel property and Transportation Services have accepted this access arrangement.

Parking

The applicant is proposing 91 residential vehicular parking spaces, 31 of those spaces will be located on the P1 level and 60 spaces will be located on the P2 level; 5 visitor spaces are located on the P1 level; 60 residential spaces are dedicated to 11 Peel Avenue and are located on the P3 level; and 17 visitor spaces are dedicated to 11 Peel Avenue and are located on the P1 level. In support of the proposal, the applicant provided a parking study, a further study of parking usage at a nearby site, sales numbers for the residential parking spaces, and citywide studies on parking. Transportation Services staff have reviewed all the information and have accepted on the proposed number of parking spaces and their distribution.

Servicing

As part of the application process a Functional Servicing and Stormwater Management Report, a Site Servicing Plan, and a Site Grading Plan were submitted, reviewed by staff, and have been accepted by Engineering and Construction Services staff.

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 local parkland provisions across the City. The lands which are the subject of this application are in an area with .78 to 1.55 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 128 residential units on a site with a net area of 2,021 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.172 hectares or 85% 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. In total, the parkland dedication requirement is 202 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no location for an on-site parkland dedication that would be of a useable size.

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

Streetscape

Section 4.5.2(f) of the Official Plan requires that new development within *Mixed Use Areas* provide an attractive, comfortable and safe pedestrian environment. Policy (e) of that section also requires new development to locate and mass buildings to frame the edge of streets. The front wall of a mixed use mid-rise building is generally expected to be built to the front property line unless there is a setback required by the Zoning By-law or unless the existing sidewalk width is insufficient.

There is no front yard setback required on the subject site. The width of the sidewalk is approximately 4 metres and the building is in line with the adjacent neighbour to the north. The development continues the streetwall from the developments at 2 Gladstone Avenue and 8-14 Gladstone Avenue. At the southern portion of the development is access to the proposed laneway which is to connect the development at 11 Peel Avenue and the proposed park along Dufferin Street. The laneway is approximately 7.5 metres wide, 27.03 metres deep, and cuts through the first two full storeys of the building. The addition of street trees, a wide sidewalk, and a pedestrian connection creates a safe and attractive pedestrian environment.

The applicant will not be constructing the final streetscaping along Gladstone Avenue as this portion of Gladstone Avenue was part of an Environmental Assessment (EA). The result of this EA is that both Gladstone Avenue and Peel Avenue will become neighbourhood streets, narrower, with the addition of tree plantings, additional on-street parking, and most significantly, they will become one-way north (Gladstone Avenue) and west (Peel Avenue). The design of the two streets is part of the EA, which the applicant is complying with.

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. Among other measures, the applicant is proposing to provide 747 square metres of green roof space.

Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Rental Housing Demolition

The 10 existing buildings from 20-38 Gladstone Avenue contain 18 residential dwelling units including 5 rental units. The Official Plan policy requiring replacement of 6 or more rental housing units does not apply. As a condition of approval for a Section 111 permit, the City typically requires tenant relocation assistance to be provided, even when the number of rental units involved is less than 6. However, there are currently no tenants occupying any of the 5 rental units. These buildings are house-form buildings, many of which were wholly or partially occupied by the individual owners or their immediate family members, and had only been recently acquired by the applicant. Most of them were acquired as vacant buildings, and the few dwelling units occupied consisted of owners or their family members. As a result, no tenant relocation assistance is being required as a condition of the Section 111 permit.

Penalty to Complete the New Building

Under Section 33(7) of the *Planning Act*, a twenty thousand dollar (\$20,000.00) penalty is attributed for each dwelling unit for which a demolition permit is issued if the applicant fails to complete the new residential building within four (4) years from the day the demolition of the buildings have commenced. The purpose of the penalty is to discourage empty lots.

Conclusion

The proposed 7-storey residential condominium will contain 128 residential units and 176 below-grade vehicular parking spaces. Parking is provided in three levels of underground parking for residents and visitors, and loading is shared with the building to the south at 8-14 Gladstone Avenue. The proposal conforms with Official Plan policies for *Mixed Use Areas* and the Site and Area Specific Policy 403 for Gladstone Avenue and Peel Avenue. City Planning recommends that Council approve the proposed zoning by-law amendment, which is attached as Attachment 8 to this report. A future site plan application will provide the opportunity to consider the design details of the building and surrounding site in greater detail.

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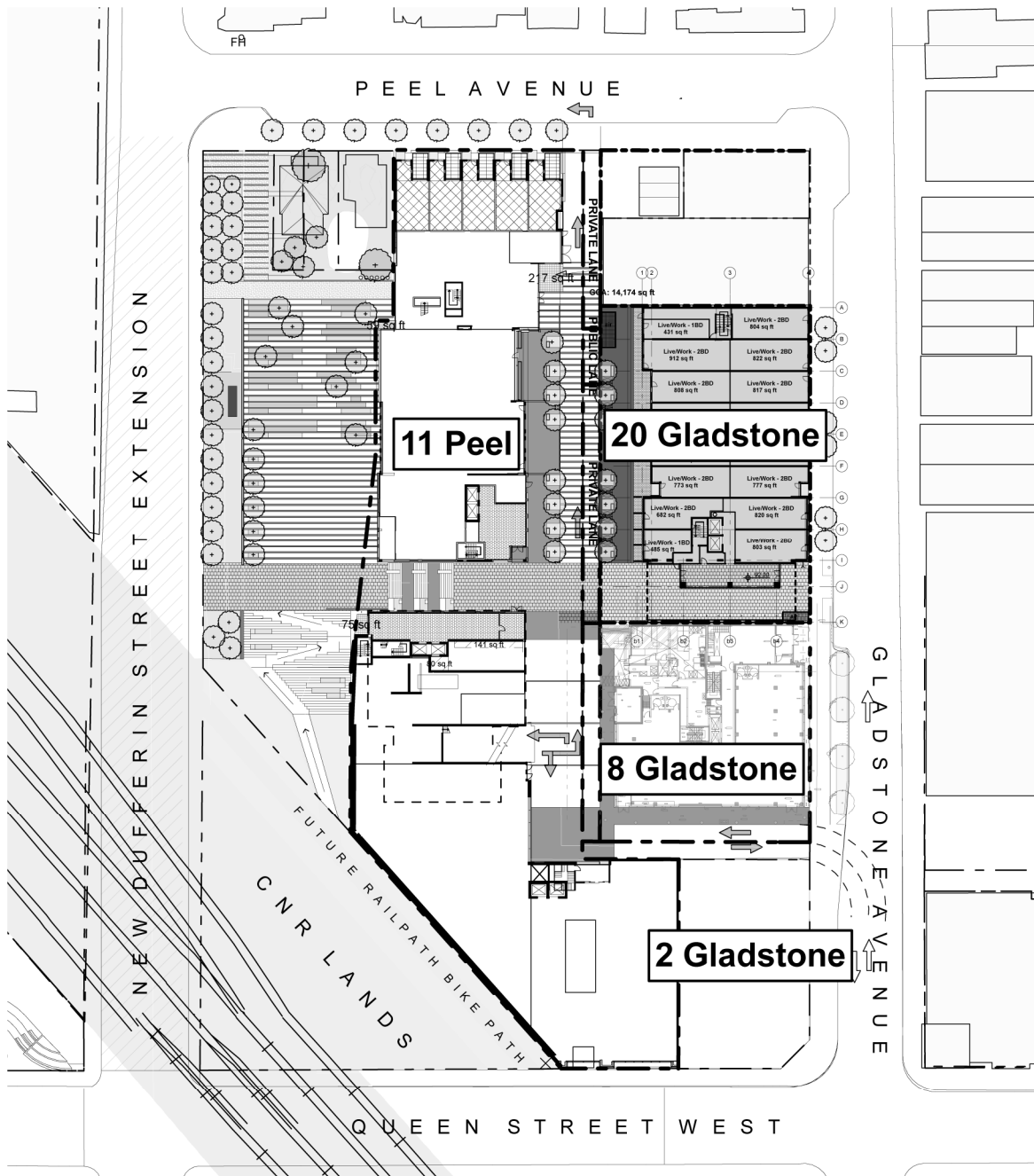
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

- Attachment 1: Context Plan
- Attachment 2: Ground Floor Plan
- Attachment 3: East and West Elevation
- Attachment 4: North Elevation
- Attachment 5: Official Plan Map
- Attachment 6: Zoning By-law Map
- Attachment 7: Application Data Sheet
- Attachment 8: Draft Zoning By-law

Attachment 1: Context Plan



Context Plan

Applicant's Submitted Drawing

Not to Scale
06/21/2013



20-38 Gladstone Avenue

File # 13 165340 0Z

Architectural floor plan of a 10-unit residential building. The plan shows a central corridor with stairs and a lobby area. Units are arranged in two rows of five. Each unit is labeled with its name, number, and area. The building has a fire truck access on the left and a garage intake grate on the right. The plan includes various annotations such as 'LANEWAY ELEVATIONS TO MATCH 11P', 'PRIVATE TERRACES FOR LIVE/WORK UNIT', and 'EXISTING FIRE HYDRANT'. The overall dimensions are 29.25 by 44.97.

Units and Areas:

- Live/Work - 1BD 10: 505 sq ft
- Live/Work - 2BD 106: 911 sq ft
- Live/Work - 2BD 106: 796 sq ft
- Live/Work - 2BD 105: 772 sq ft
- Live/Work - 2BD 104: 743 sq ft
- Live/Work - 2BD 103: 649 sq ft
- Live/Work - 2BD 102: 662 sq ft
- Live/Work - 1BD 101: 718 sq ft
- Live/Work - 2BD 36 Gladstone: 709 sq ft
- Live/Work - 2BD 34 Gladstone: 879 sq ft
- Live/Work - 2BD 32 Gladstone: 796 sq ft
- Live/Work - 2BD 30 Gladstone: 777 sq ft
- Live/Work - 2BD 28 Gladstone: 770 sq ft
- Live/Work - 2BD 26 Gladstone: 717 sq ft
- Live/Work - 2BD 24 Gladstone: 665 sq ft
- Live/Work - 2BD 22 Gladstone: 723 sq ft

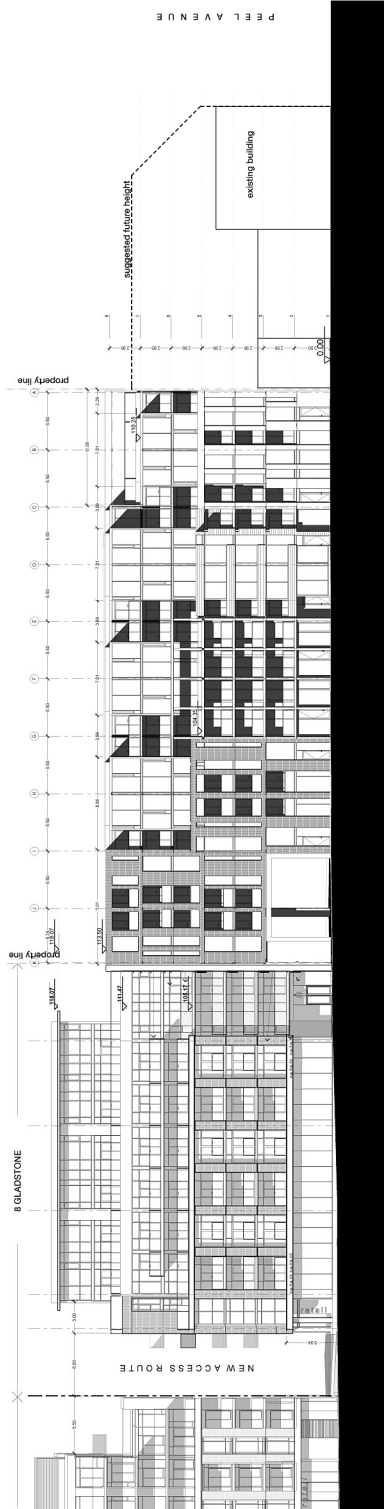
Other Features:

- LANEWAY ELEVATIONS TO MATCH 11P
- PRIVATE TERRACES FOR LIVE/WORK UNIT
- EXISTING FIRE HYDRANT
- PROPOSED SIAMESE CONNECTION LOCATION
- GAS METER
- PEDESTRIAN WALKWAY
- 20 GLADSTONE 19 RESIDENTIAL VIS. BICYCLE STORAGE AT GRADE (0.6 X 1.8m)
- VESTIBULE
- CACF
- LOBBY
- air

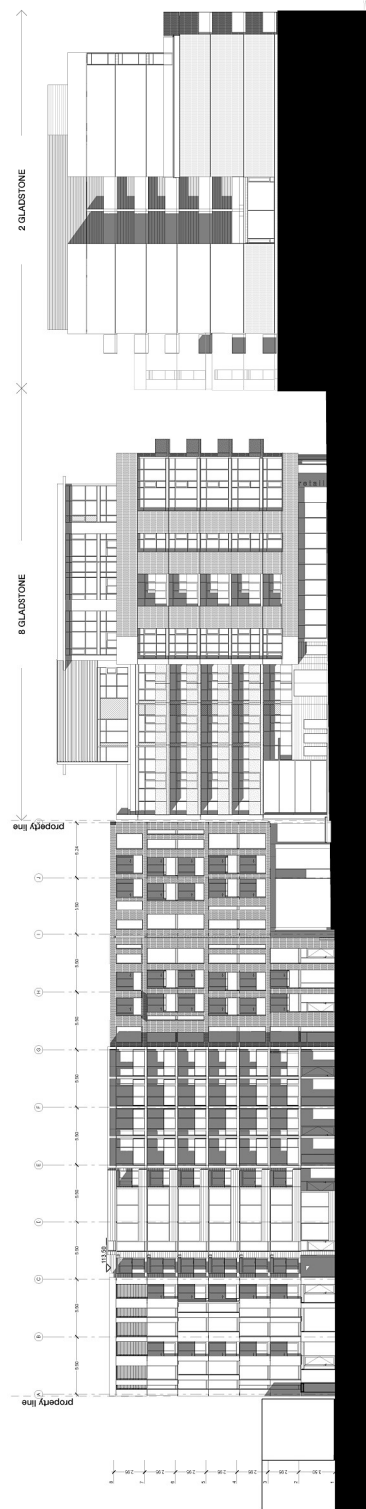
Dimensions: 29.25 by 44.97

File # 13 165340 0Z

Attachment 3: East and West Elevation



East Elevation



West Elevation

Elevations

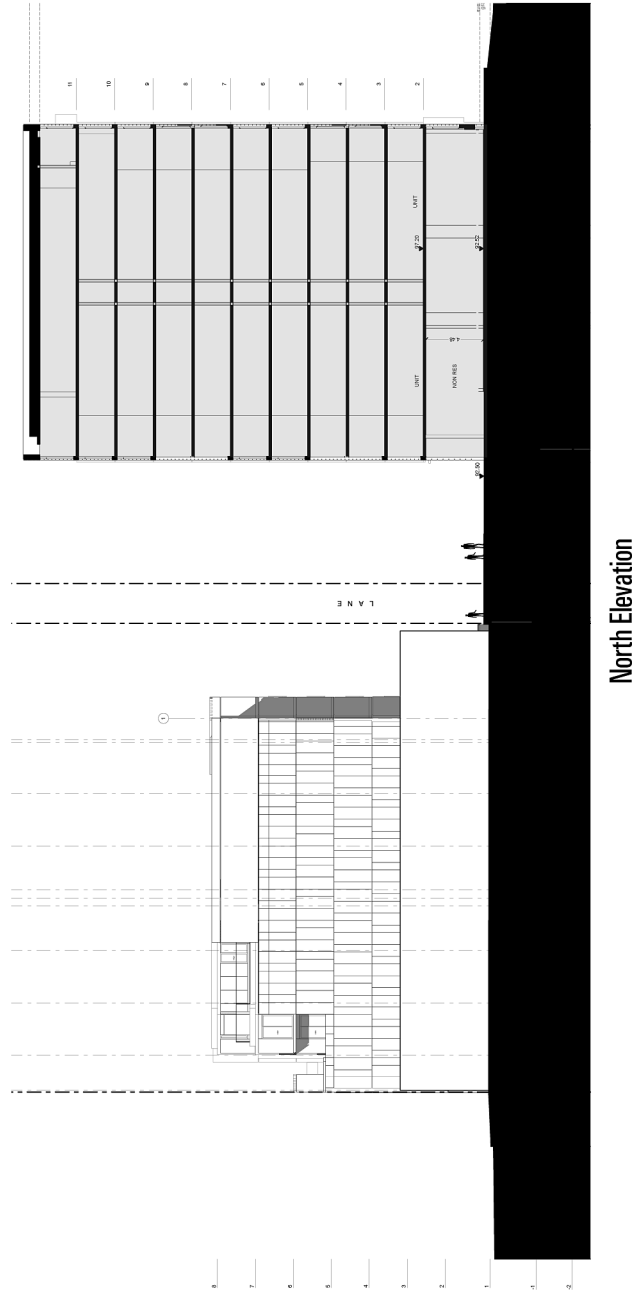
Applicant's Submitted Drawing

Not to Scale
10/25/2013

20-38 Gladstone Avenue

File # 13 165340 OZ

Attachment 4: North Elevation

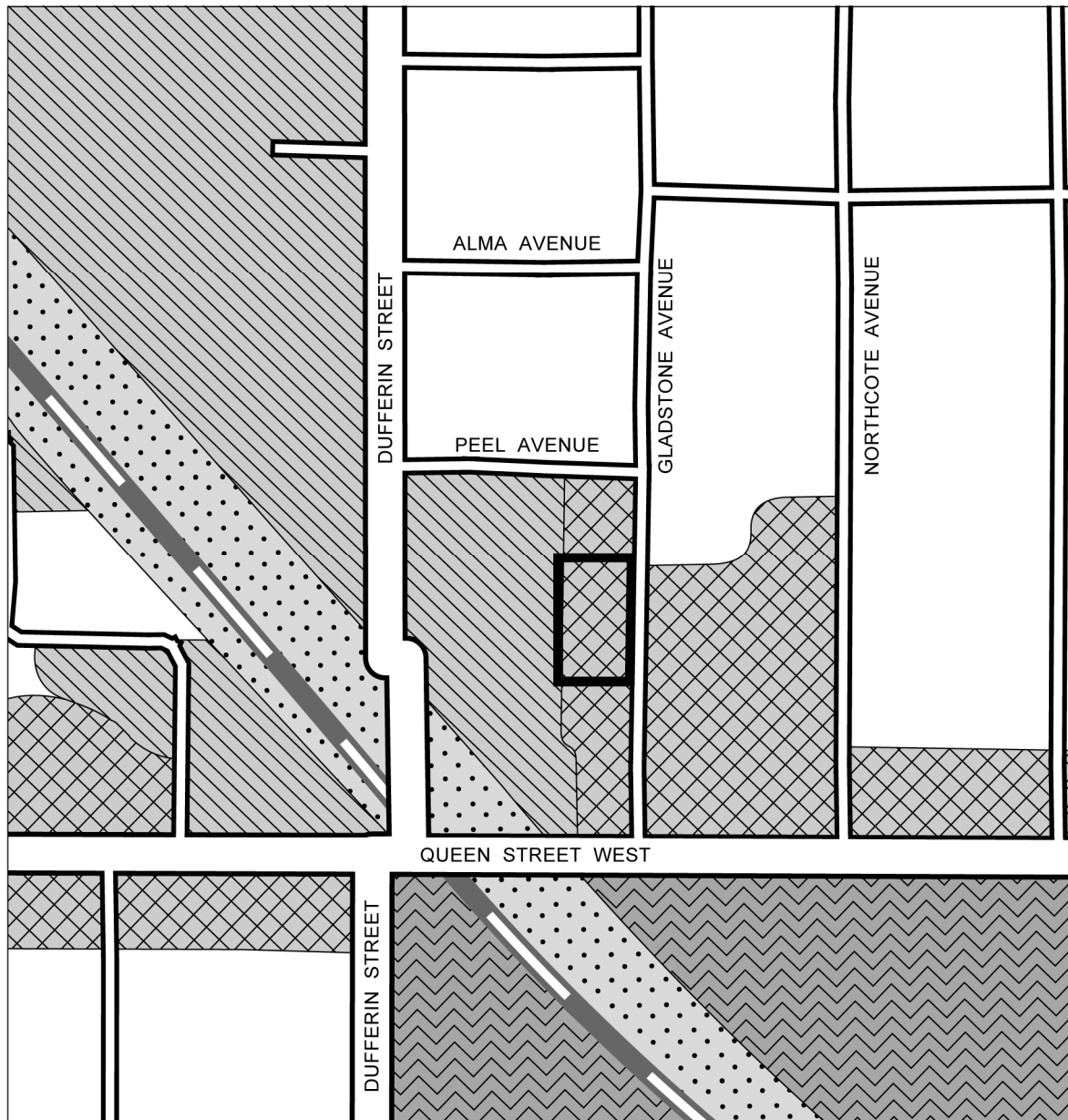


Elevations
Applicant's Submitted Drawing
Not to Scale
10/25/2013

20-38 Gladstone Avenue

File # 13 165340 OZ

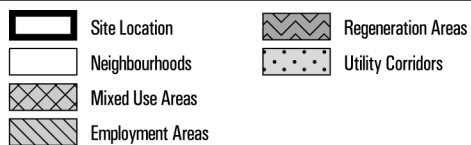
Attachment 5: Official Plan Map



Toronto City Planning
Official Plan

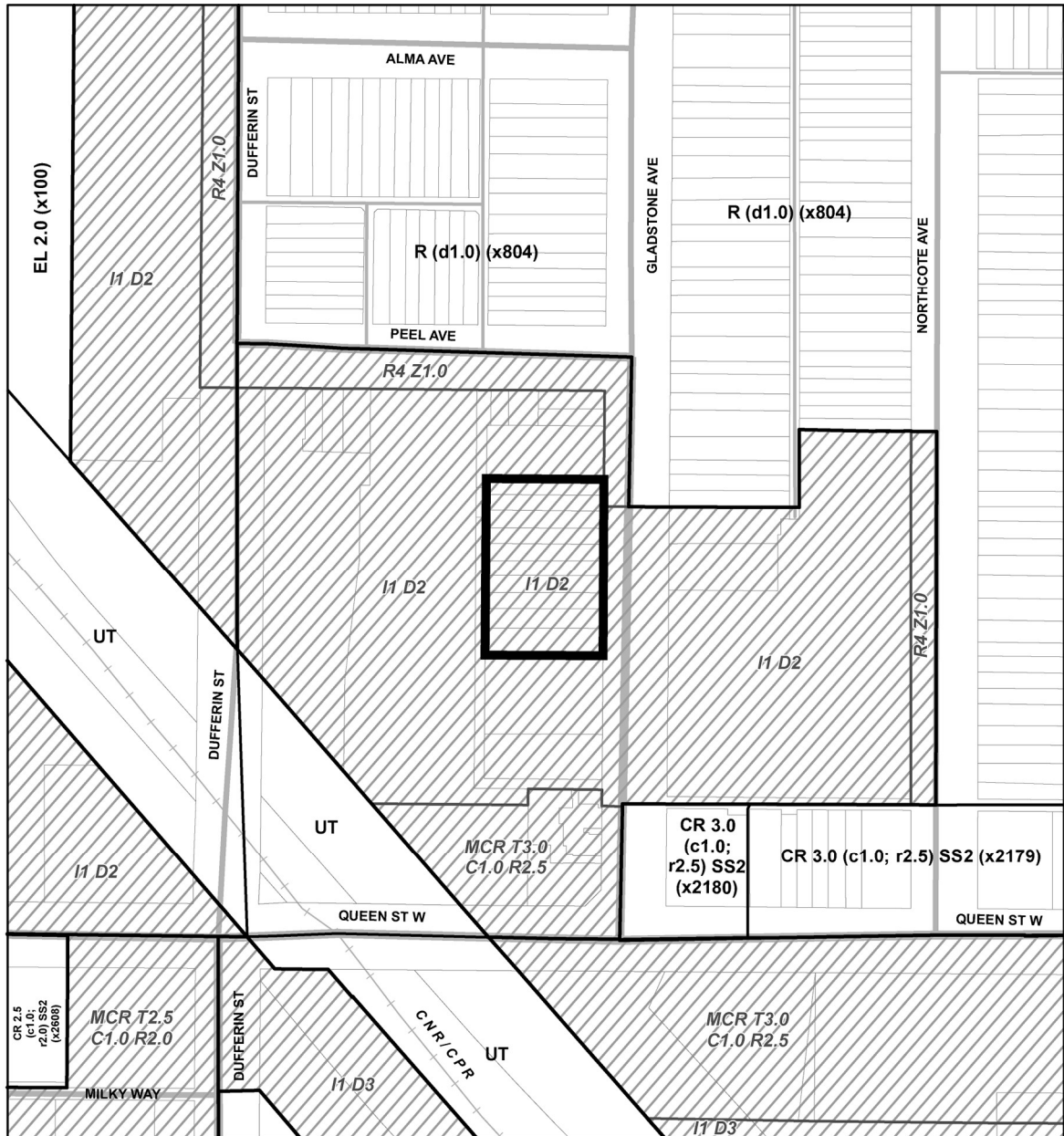
20-38 Gladstone Avenue

File # 13 165340 02



Not to Scale
06/21/2013

Attachment 6: Zoning By-law Map



Toronto City Planning

Zoning By-law 569-2013

20-38 Gladstone Avenue

File # 13 165340 STE 18 0Z



Location of Application

R
CR
EL
UT

Residential
Commercial Residential
Employment Light Industrial
Utility and Transportation



See Former City of Toronto Bylaw No. 438-86

R4
MCR
I1

Residential District
Mixed-Use District
Industrial District



Not to Scale
Extracted 07/05/2013

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	13 165340 STE 18 OZ
Details	Rezoning, Standard	Application Date:	May 9, 2013
Municipal Address:	20 GLADSTONE AVE		
Location Description:	CON 1 FTB PT PK LOT 28 **GRID S1807		
Project Description:	Application to permit the construction of a new 7-storey (21.6 m) residential building with below-grade parking. The proposal consists of 128 condominium units with a total gross floor area of 8542 m2 and has a density of 4.2 FAR.		

Applicant:	Agent:	Architect:	Owner:
Streetcar Developments 43 Davies Avenue Toronto ON M4M 2A9	Streetcar Developments 43 Davies Avenue Toronto ON M4M 2A9	TACT Architecture Inc. 660 R College Street Toronto ON M6B 1G8	Streetcar Developments 43 Davies Avenue Toronto ON M4M 2A9

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	I1 D2	Historical Status:
Height Limit (m):	14	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	2021	Height:	Storeys:	7	
Frontage (m):	55		Metres:	21.6	
Depth (m):	37.5				
Total Ground Floor Area (sq. m):	1317				Total
Total Residential GFA (sq. m):	8542		Parking Spaces:	173	
				*77 spaces	
				dedicated to 11	
				Peel Avenue	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
				*shared with 8-14	
				Gladstone Avenue	
Total GFA (sq. m):	8542				
Lot Coverage Ratio (%):	65.2				
Floor Space Index:	4.2				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Other		Above Grade	Below Grade
Studio:	0	Residential GFA (sq. m):	8542	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	48	Office GFA (sq. m):	0	0
2 Bedroom:	80	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	128			

CONTACT:	PLANNER NAME:	George Pantazis, Assistant Planner
	CONTACT:	Tel: (416) 392-0776 Email: gpantaz@toronto.ca

Attachment 8: Draft Zoning By-law

Authority: Toronto and East York Community Council Item ~ as adopted by City of
Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend former City of Toronto Zoning By-law No. 438-86, as amended,
with respect to the lands municipally known as 20-38 Gladstone Avenue**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and
The Council of the City of Toronto HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provisions of former City of Toronto By-law No. 438-86 shall continue to apply to the *lot*.
2. None of the provisions of Sections 2 with respect to the definitions of *grade*, *height*, and *residential amenity space* or sections 4(2), 4(4)(b), 4(6), 4(7), 4(12), 4(13), 4(16), 9, 12(1)307 and of former City of Toronto By-law No. 438-86 shall apply to prevent the erection or use of one or more *mixed-use buildings*, *apartment buildings*, and structures *accessory* thereto, on the *lot*, provided that all of the provisions of this by-law are complied with.
3. The *lot* shall consist of those lands delineated by heavy lines on Map 1 attached to and forming part of this by-law.

GROSS FLOOR AREA

4. The total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* shall not exceed 8,560 square metres.

UNITS

5. A maximum of 128 *dwelling units* shall be permitted on the *lot*.
6. A minimum of 66 of the *dwelling units* on the *lot* shall contain at least two bedrooms.

PROJECTIONS

7. No portion of any building or structure erected and used above *grade* is located otherwise than wholly within the area delineated by heavy lines on Map 3, attached hereto and forming part of this By-law, with the exception of the following:
 - (a) cornices, sills, pilasters, parapets, light fixtures, ornamental elements, eaves, and balustrades which may project 0.4 metres outside of the heavy lines on the attached Map 3;
 - (b) underground garage ramps and their associated structures, retaining walls, fencing, canopies, decks, railings, and planters, which may extend beyond the heavy lines on the attached Map 3 of this By-law;

HEIGHT

8. No person shall erect or use a building or structure on the *lot* having a greater height in metres than the height limits specified by the numbers following the symbol H on the attached Map 3, with the exception of the following:
 - (a) the maximum height for parapets, terrace and balcony guards and dividers, planters, elements of a green roof, landscape features, vents, flues, light fixtures, railings, decorative screens, window washing equipment, and ornamental architectural features shall be the sum of 1.8 metres and the applicable height limit shown on the attached Map 3;
 - (b) the maximum height for parapets shall be the sum of 1.0 metres and the applicable height limit shown on Map 3;
 - (c) in the areas labelled “MPH” on the attached Map 3, the maximum height for mechanical penthouses and stair enclosures shall be the sum of the applicable height limit and the number following the “+” symbol.

STOREYS

9. No person shall erect or use a building or structure on the *lot* having a greater number of storeys than as shown by the number following the symbol S on the attached Map 3.
10. Notwithstanding the provisions of Section 2 of By-law No. 438-86 with respect to the definition of *storey*, a mechanical penthouse shall not constitute a *storey*.

RESIDENTIAL AMENITY SPACE

11. A minimum of 1.5 square metres of indoor *residential amenity space* per *dwelling unit* shall be provided on the *lot* or on *11 Peel Avenue* in addition to the indoor *residential amenity space* required for residents of the building on *11 Peel Avenue*.

PARKING AND LOADING

12. *Parking spaces* shall be provided in accordance with the following:
- (a) Parking for residents shall be provided on the *lot* as follows:
 - i. 0.7 *parking spaces* for each *bachelor dwelling unit*
 - ii. 0.8 *parking spaces* for each *one bedroom dwelling unit*
 - iii. 0.9 *parking spaces* for each *two bedroom dwelling unit*
 - iv. 1.1 *parking spaces* for each *three bedroom dwelling unit*
 - (b) Notwithstanding subsections (a)i to (a)iv above, the total number of *parking spaces* required by these ratios for the residents of *dwelling units* may be reduced by 20 *parking spaces*.
 - (c) In addition to (a) above, up to 62 *parking spaces* may be provided on the *lot* for the exclusive use of the residents of the building on *11 Peel Avenue*
 - i. Notwithstanding the definition of *non-residential gross floor area*, the 62 *parking spaces* outlined in (f) shall not be counted towards *non-residential gross floor area*.
 - (d) A minimum of 0.06 *parking spaces* per dwelling unit shall be provided for the exclusive use of residential visitors and there shall be no charge for their use.
 - i. Notwithstanding (d), a maximum of 3 of the *parking spaces* required for residential visitors may be provided on *11 Peel Avenue* within a *commercial parking garage* and they must be dedicated to the visitors of the residents to *11 Peel Avenue*.

- (e) Notwithstanding (d), up to 17 parking spaces may be provided on the *lot* for the exclusive use of residential visitors to *11 Peel Avenue*, provided that there shall be no charge for their use.
 - i. Notwithstanding the definition of *non-residential gross floor area*, the visitor parking spaces outlined in (f) shall not be counted towards *non-residential gross floor area*.
 - (f) Notwithstanding Section 4(17) of By-law No. 438-86, up to 3 of the required *parking spaces* may be obstructed on one side and have a minimum width of 2.6 metres and a length of 5.6 metres.
- 13.** A minimum of 96 *bicycle parking spaces* shall be provided, 77 *bicycle parking spaces – occupants* at or below grade, and 19 *bicycle parking spaces - visitors* at grade;
- (a) *Bicycle parking spaces* required by (13) above shall not be provided within a *dwelling unit* or a balcony.
- 14.** A minimum of one *loading space – type “G”* shall be provided, and may be located at 8-14 Gladstone Avenue and shared with the *mixed-use building* at 8-14 Gladstone Avenue.

PERMITTED USES

- 15.** No person shall use a *lot* or erect or use a building within the *lot* for any purpose except one or more of the following uses:
- (a) a *mixed-use building*;
 - (b) any use permitted in the MCR zone pursuant to By-law No. 438-86 Section 8(1)b;
 - (c) an *apartment building*; and
 - (d) uses accessory thereto.
- 16.** No *dwelling units* to be located below grade.

PEDESTRIAN OPENING

- 17.** A pedestrian opening is provided in the area labelled on Map 3 as “pedestrian opening “. The pedestrian opening shall:
- (a) provide unobstructed pedestrian access with the exception of pillars and structural elements required to support the building above, bicycle parking, landscape features, and outdoor seating areas;
 - (b) be a minimum height of 4.5 metres in height;

- (c) be a minimum width as shown on Map 3;

MUNICIPAL SERVICES

18. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

DEFINITIONS

19. For the purposes of this By-law, the terms set forth in italics shall have the same meaning as such terms have for the purposes of former City of Toronto By-law No. 438-86, as amended, except for the following expressions which shall have the following meaning:

- (a) *11 Peel Avenue* means the adjacent property shown as “11 Peel Avenue” on the attached Map 3.
- (b) *8-14 Gladstone Avenue* means the adjacent property shown as “8-14 Gladstone Avenue” on the attached Map 3.
- (c) *grade* means the Canadian Geodetic elevation of 92.0 metres
- (d) *height* shall mean the vertical distance between *grade* and the highest point of the structure
- (e) *residential amenity space* shall mean a common area or areas within a *lot* which are provided for the exclusive use of residents of a building for recreational or social purposes and may be located at and shared with the residents of the building at *11 Peel Avenue*; and

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

