TORONTO

STAFF REPORT
ACTION REQUIRED

4111 - 4113 Lawrence Ave E – Rezoning Application – Final Report

Date:	September 10, 2009
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 43 – Scarborough East
Reference Number:	08 165227 ESC 43 OZ

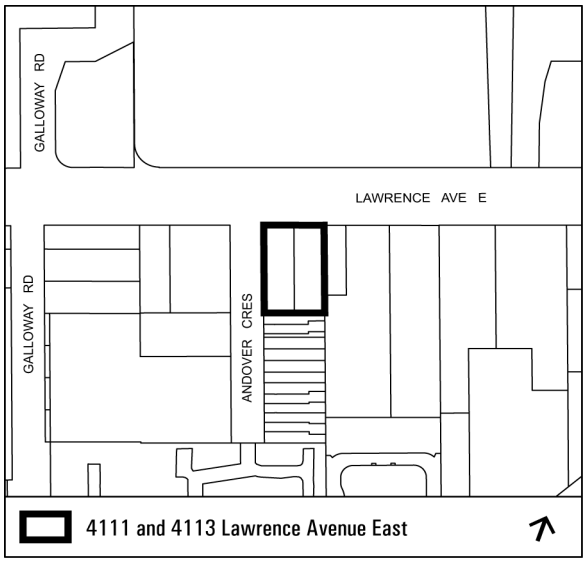
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to rezone the lands at 4111 and 4113 Lawrence Avenue East to permit the construction of a 10-storey mixed use development, consisting of 70 residential dwelling units and 274 square metres (2,949 square feet) of ground floor commercial space.

The proposal represents an appropriate form of intensification for this site which is well served by public transit. The built form, height and massing will be compatible with the surrounding neighbourhood context and provides an appropriate transition to the lower scale townhouses to the south. This proposal represents investment in one of the City's Priority Neighbourhoods.

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 Zoning By-law No. 10327 substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5;

2. City Council enact a site plan control by-law pursuant to Section 114 of the City of Toronto Act to designate 4111 and 4113 Lawrence Avenue East as an area subject to site plan control, substantially in accordance with the draft site plan control by-law in Attachment No. 6;

3. City Council authorize the City Solicitor to make such stylistic and technical changes to draft zoning by-law amendment and site plan control by-law as may be required;

4. Before introducing the necessary zoning by-law amendment Bill for enactment, City Council require the applicant to:

    i. submit and have approved a site plan control application under Section 41(16) of the Planning Act and Section 114 of the City of Toronto Act;

    ii. submit a Site Servicing Review to the satisfaction of the Executive Director, Technical Services Division, and any necessary infrastructure improvements identified, secured to the satisfaction of the Executive Director of Technical Services and the City Solicitor;

    iii. submit a Pedestrian Crossing Warrant Study for Lawrence Avenue and Andover Crescent, to the satisfaction of the Executive Director of Technical Services Division, and any pedestrian crossing protection identified, be secured to the satisfaction of the Executive Director of Technical Services and the City Solicitor.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The applicant proposes to rezone the subject lands to permit a 10-storey, mixed use development comprised of 70 residential dwelling units and 274 square metres (2,949 square feet) of commercial uses on the ground floor. The proposed residential units consist of 26 one bedroom units and 44 two bedroom units. The applicant advises that it is his intention to develop the project as a condominium.

The applicant is proposing a total of 104 parking spaces with 13 surface spaces and 91 spaces provided within a two level underground parking structure. Access to the site would be provided off Andover Crescent.

Site and Surrounding Area

The site is approximately 0.20 hectares (0.5 acres) in area. It has a frontage of 36.5 metres (119 feet) on Lawrence Avenue East and a depth of 55.6 metres (182 feet) on Andover Crescent. It is located at the southeast corner of Andover Crescent and Lawrence Avenue East.

The site currently consists of two properties, 4111 and 4113 Lawrence Avenue East. Both properties are rectangular and relatively flat. Each property contains a 1-storey single detached dwelling that would be demolished to facilitate the proposed development. There are currently three trees on the west side of the site along Andover Crescent and one tree at the north side of the site along Lawrence Avenue East.

North: Across Lawrence Avenue, directly to the north of the subject site, there are two, 11-storey apartment buildings.
South: 3-storey townhouses
East: Immediately to the east is a 1-storey single detached dwelling which is currently being used as an office. Further east on Lawrence Avenue there is a funeral home and a multi-tenant commercial building.
West: There is a daycare and child education centre on the southwest corner of Lawrence Avenue East and Andover Crescent.

Provincial Policy Statement and Provincial Plans

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

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

Official Plan

The subject lands are designated 'Mixed Use Areas' in the Toronto Official Plan. The Mixed Use Areas designation permits a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks, open spaces and utilities.

In Mixed Use Areas, development proposals are evaluated to ensure that the new development will create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community; locate and mass new buildings to provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or a stepping down of heights; locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; provide an attractive, comfortable and safe pedestrian environment; take advantage of nearby transit services; provide good site access and circulation and an adequate supply of parking for residents and visitors; and, locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

Section 3.1 - The Built Environment - in the Official Plan recognizes that new development should exhibit high quality architecture, landscape architecture and urban design. In accordance with the policies of this section, development proposals are evaluated to ensure that new development will be located and organized to fit with its existing and/or planned context; new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the surrounding property and improve the safety and attractiveness of adjacent streets, parks and open spaces; new development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties; and, will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing improvements to adjacent boulevards and sidewalks including street trees, lighting, and other street furniture and co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms.

Zoning

The subject lands are zoned 'S'-Single Family Residential in the West Hill Community By-law No. 10327, as amended. Permitted uses within the Single Family Residential zone include: single family dwellings, group homes, and correctional group homes. Domestic or household arts and private home day care uses are also permitted provided they are ancillary to the main use.

Reasons for Application

A rezoning application is required to change the zoning from 'S'-Single Family Residential to the appropriate zone category to permit the proposed 10-storey mixed use development and to establish the appropriate development standards.

Community Consultation

A community consultation meeting was held on November 26, 2008 and was attended by approximately 10 members of the public, City staff, the applicant and the Ward Councillor.

Residents were primarily concerned this development would increase the amount of illegal parking on Andover Crescent.

Residents were also concerned that local schools would not be able to accommodate the increase in student enrolment resulting from this development and that the building may be too large for this area.

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

The proposal is consistent with the PPS. It supports the principles in the PPS for building strong, livable communities. It represents appropriate infill development and appropriate intensification on an underutilized site. The development proposes a mix of both commercial and residential uses and helps broaden the range of housing types in the area.

The proposal conforms with the Growth Plan for the Greater Golden Horseshoe. This proposal promotes intensification of an underutilized urban site and is located in a transit supportive area. It helps build a more complete community by adding to the range of employment and housing types.

Land Use

The proposal is consistent with the Official Plan mixed use policies providing for a mix of residential and commercial uses along a major arterial road. The City encourages mixed-use developments along major arterial roads as they help to reurbanize the area while maintaining commercial amenities nearby that help animate the streetscape, provide jobs and serve the neighbourhood.

The draft zoning by-law proposes commercial and residential uses through a CR-Commercial/Residential Zone. The Commercial/Residential Zone is a mixed-use zone which permits the proposed apartment residential use as well as commercial uses such as offices, personal service shops and retail stores. An exception to the by-law will be used to prohibit restaurants, funeral homes, hotels and motels, places of entertainment and private home daycare.

There are a number of apartment buildings in the area along the north side of Lawrence Avenue East as well as one on Andover Crescent ranging from 4 to 11 storeys. Existing commercial uses in the area include offices and retail uses. The proposed uses for the subject lands are compatible with the surrounding area.

Height and Massing

The 10-storey building height is comparable with other buildings in the surrounding area which range from 4 storeys to the two 11-storey buildings located across the street on the north side of Lawrence Avenue East. The proposal also provides an appropriate transition to the town homes to the south.

The proposed development is consistent with the built form policies in the Official Plan. The proposed building is located along both adjacent street frontages helping to define the street edges. The main building entrances are visible and accessible from the sidewalk and a pedestrian connection from the corner of Andover Crescent and Lawrence Avenue East help give prominence to the street corner.

The ramp to the underground parking and all surface parking is proposed to be located at the rear of the building which creates a separation between the building and the residential area to the south. The rear of the building is stepped down to 8-storeys (or from 30.4 metres to 20.8 metres) to allow for a 45-degree angular plane from the top of the building to the rear lot line to provide a transition to the existing 3-storey townhouses to the south. A 1.5 metre landscape strip along the south property line will be required by the zoning by-law and will also help provide a buffer between the parking and the townhouses.

Urban Design

The applicant has proposed a 10-storey concrete and glass building with tinted, glazed balconies. It combines commercial uses along Lawrence Avenue East with residential condominium units above.

The applicant has addressed Community Planning's request to mass the building on the street frontages to better define the street edge at Andover Crescent and Lawrence Avenue East. The applicant has also located the building on the site toward Lawrence Avenue East and away from the residential area to the south.

The main pedestrian entrance to the residential units will be off Andover Crescent and will be accented with a canopy. It will be connected to Andover Crescent by a new sidewalk. The commercial component will have pedestrian entrances along Lawrence Avenue East.

The applicant is providing indoor amenity space on the ground floor. This includes a lounge area, meeting room and a party room. Some outdoor amenity space will be provided for the residents on the roof. Planning staff will also be pursuing additional outdoor amenity space at ground level as part of the site plan application.

Sun, Shadow, Wind

The proposed building has been designed to minimize shadowing on adjacent residential properties. During the spring equinox (March 21st) shadows fall on the adjacent 1-storey office building to the east at 12:18 pm, the adjacent funeral home after 3 pm and office units after 4 pm. The shadows do not impact on the daycare on the west side of Andover Crescent or the surrounding residential properties.

In the fall equinox (September 21st) the building begins to cast a shadow on the 1-storey office building to the east of the site at 3:18 pm and the funeral home and office units after 4 pm. No shadows are cast on the daycare to the west or the surrounding residential properties.

This proposed development limits shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes.

Traffic and Access

Transportation Planning and Transportation Services have reviewed the submitted plans and traffic impact study. The study estimates post-development traffic volumes on Andover Crescent will increase by 47 total trips in the am peak hour and 65 total trips in the pm peak hour. Based on the low traffic volumes expected to be generated by this proposal, no traffic concerns have been identified by staff.

The applicant will be required to submit a Pedestrian Crossing Warrant Study to determine if pedestrian crossing protection is required to accommodate the proposed development. If pedestrian crossing protection is required, the applicant will be responsible for providing any improvements at their cost. The zoning bill will be withheld until this is addressed to the satisfaction of the Executive Director of Technical Services.

This area is served by the 54 Lawrence East bus route which operates from Eglinton Station to Starspray Boulevard east of Port Union Road. The buses on this route also connect to the Lawrence East SRT station. This bus route operates 24 hours a day providing one of the best bus services in the City. In addition, an LRT stop is planned for the Lawrence Avenue East and Kingston Road intersection as part of the TTC's Transit City Scarborough Malvern LTR.

Access to this site will be provided off Andover Crescent and will serve both the surface and underground parking. Transportation Services has identified design concerns with the ramp to the underground parking. The applicant will be required to revise the design for the underground parking ramp to the satisfaction of Transportation Services as part of the site plan control application.

Parking

During the public consultation process, residents expressed concern about parking for the proposed development and whether or not there would be "spill-over" into the surrounding residential areas. The parking required for a development of this nature is typically 1 space per unit for residents and 0.2 spaces per unit for visitors for a ratio of 1.2 parking spaces per unit. The typical supply of parking would be 84 spaces. To address the concerns of area residents, the applicant is proposing 95 spaces for residential uses resulting in a parking ratio of 1.35 spaces per unit.

The commercial uses require 3 parking spaces per 100 square metres for a total of 8.22 spaces. The applicant has provided 13 shared surface spaces, which include 9 spaces for the commercial uses and 4 for resident visitors. The remaining resident visitor and resident parking will be located underground.

In total the applicant is providing 13 surface parking spaces and 91 underground parking spaces for a total of 104 spaces. The proposed development will provide adequate parking for residents and their visitors as well as the commercial uses.

The proposal also includes a bicycle parking area along Andover Crescent for approximately 15 bicycles.

Priority Neighbourhood Area

The proposed development is located in the Kingston Galloway Priority Neighbourhood Area. This is one of the City's 13 designated priority areas identified in the Neighbourhood Action Plan. This proposal represents a substantial investment in the area. It will improve the surrounding streetscape, introduce new customers to the existing local businesses and provide cash-in-lieu for local park space. The new commercial units will create new business opportunities in the area.

Community facilities in the area include: Cedar Ridge Community Centre, Heron Park Community Centre, West Hill Community Services, the Scarborough Boys and Girls Club, and the East Scarborough Storefront which provides a full range of services including, employment assistance, after school clubs, seniors groups and computer access.

Schools

The Toronto District School Board has commented that there is sufficient space at their schools in the area to accommodate the additional enrolment resulting from this development. The Toronto Catholic District School Board has advised that they are currently over-subscribed and it may be necessary for students from this development wishing to attend catholic school to be accommodated outside of the community depending on the availability of space.

Servicing

The applicant is required to submit a Site Servicing Review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and to demonstrate how this site can be serviced. If the report determines infrastructure improvements are necessary, the applicant will be responsible for providing these improvements at their cost. The zoning bill will be withheld until servicing is addressed to the satisfaction of the Executive Director of Technical Services.

Open Space/Parkland

The use is proposed to be combined residential/commercial. The site is in the second highest quintile of current provision of parkland, as per Map 8B/C of the Official Plan (1.56 to 2.99 of hectares of local parkland per 1,000 people). The site is in a parkland priority area, as per Alternative Parkland Dedication Rate By-Law 1420-2007.

The application proposes 70 residential units on a site of 0.203 hectares (2029.9 square metres). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.09 hectares (900 square metres). However, a cap of 10% applies and hence the parkland dedication would be 0.02 hectares (200 square metres).

Having reviewed the development proposal it is apparent that an on-site parkland dedication would not be feasible as the parkland dedication requirement of .02 hectares (200 metres squared) would not be of a useable size. The development site is also in proximity to existing City parkland. Therefore, Parks requires that cash-in-lieu of parkland dedication payment be made for the development. The parkland payment is required as a condition of the building permit application process.

Trees

Three City-owned trees and five private trees will need to be removed to facilitate the proposal. The applicant is proposing 11 new street trees along Lawrence Avenue East and Andover Crescent to replace the three City-owned trees. Urban Forestry has reviewed the arborist report and landscape plan provided, and are requiring a minimum of 3 replacement trees for every private tree to be removed. Where all replanting cannot be accommodated on site, cash-in-lieu of planting may be accepted. Tree protection requirements and tree replacement opportunities will be pursued through the site plan approval application. A detailed, revised landscape plan will be required as part of the site plan submission to the City.

Toronto Green Standard

City Council approved a set of recommendations that work towards the implementation of the Toronto Green Standard. The use of the term “Green” is intended to be associated with the concept of sustainability and sustainable development. Staff have discussed these voluntary standards with the applicant.

Based on the applicant's submission, some of the targets that the development will meet include: a greenroof covering 50% of the roof, light coloured construction materials to help reduce the urban heat island effect, 40% improvement over the National Model Energy Code for Buildings, all fixtures and appliances to be high efficiency, on-site renewable energy (geothermal) for heating the building, on-site stormwater retention to the same volume as predevelopment flow, rainwater collected and used for flushing toilets and irrigation and grey water reuse from laundry or bathing, collected, treated and used for toilets or other appropriate uses. Further "Green" features will be explored by the owner during the site plan review process.

Site Plan

The subject lands are not currently in a site plan control area. It is recommended that site plan control be applied to the site. A site plan control application has not been submitted to date. Although staff are prepared to support the zoning by-law and site plan concept in principal there are still a number of site plan issues that need to be resolved, including the provision of ground floor outdoor amenity space, the provision of appropriate landscape buffers, detailed landscape plans, snow storage, the general design of the parking structure ramps and the application of Toronto's Green Standard. A site plan control application is the appropriate tool to refine this development. This report recommends that the Zoning Bills not be introduced until the applicant submits and has approved a site plan control application.

Section 37

No Section 37 agreement is proposed for this development as it does not meet the minimum GFA threshold of 10,000 m^2 outlined in the Official Plan.

Development Charges

It is estimated that the development charges for this project will be $509,711.42. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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Fax No. 416-396-4265
E-mail: ateixei@toronto.ca

SIGNATURE

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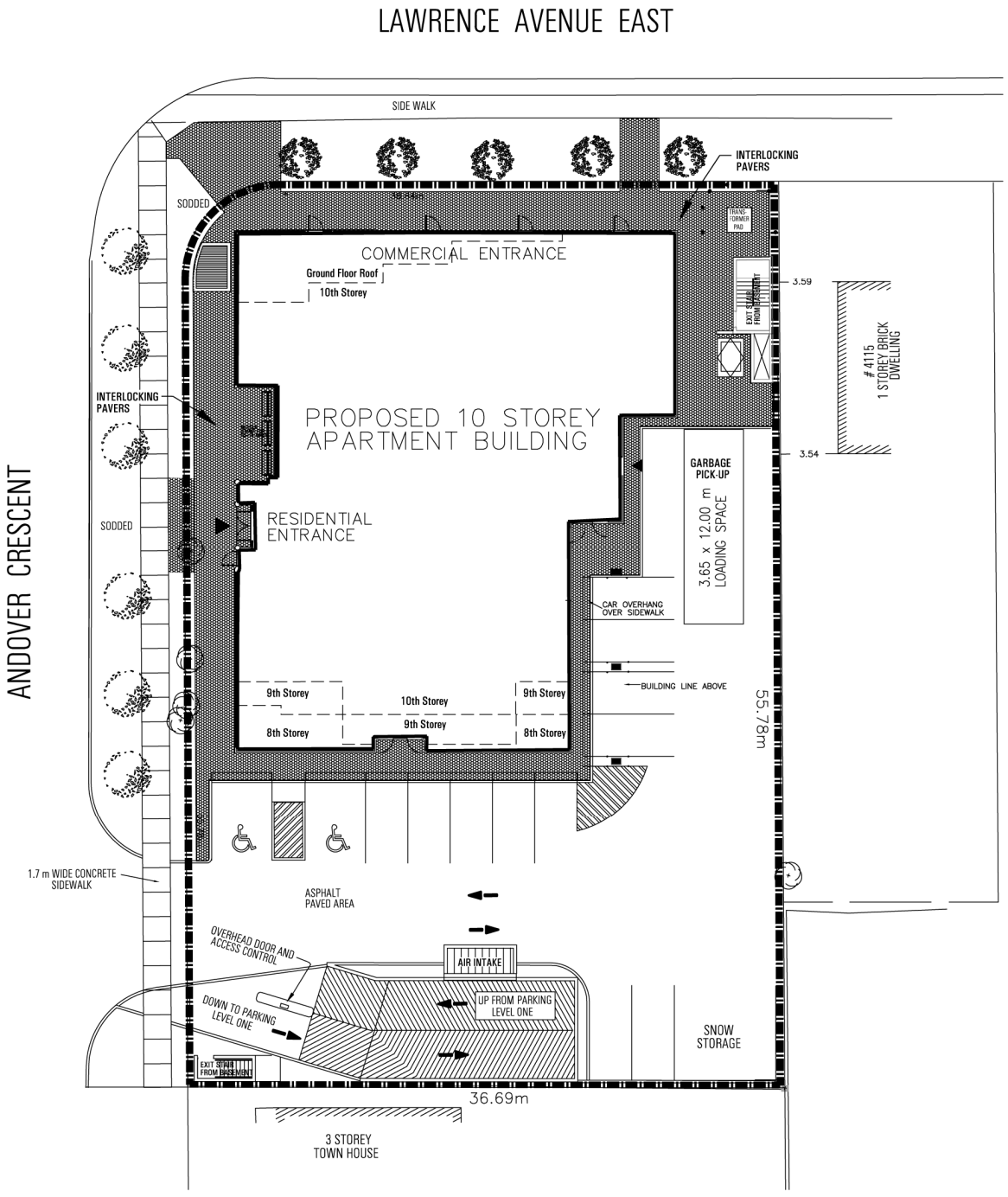
Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Application Data Sheet
Attachment 4: Zoning
Attachment 5: Draft Zoning By-law Amendment
Attachment 6: By-law Designating Site Plan Control Area

Attachment 1: Site Plan



Site Plan

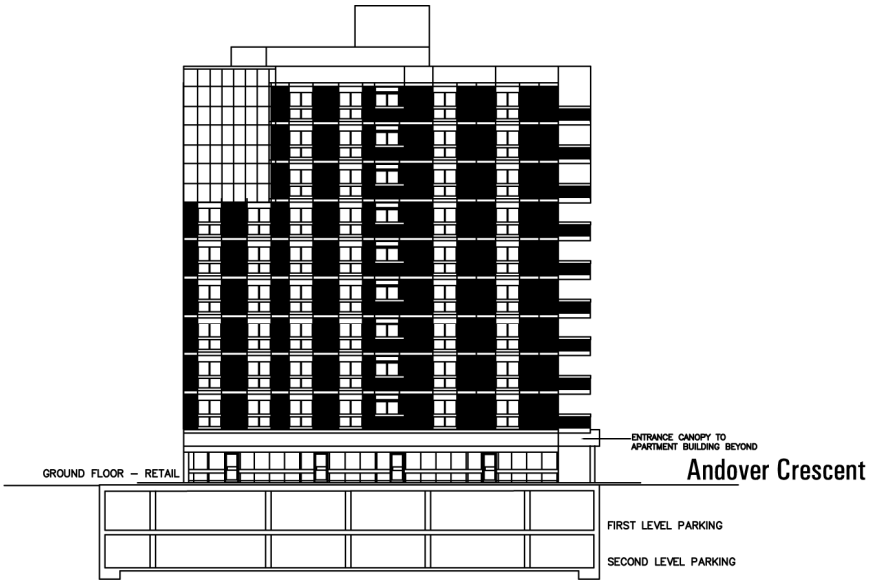
Applicant's Submitted Drawing

Not to Scale
8/28/09

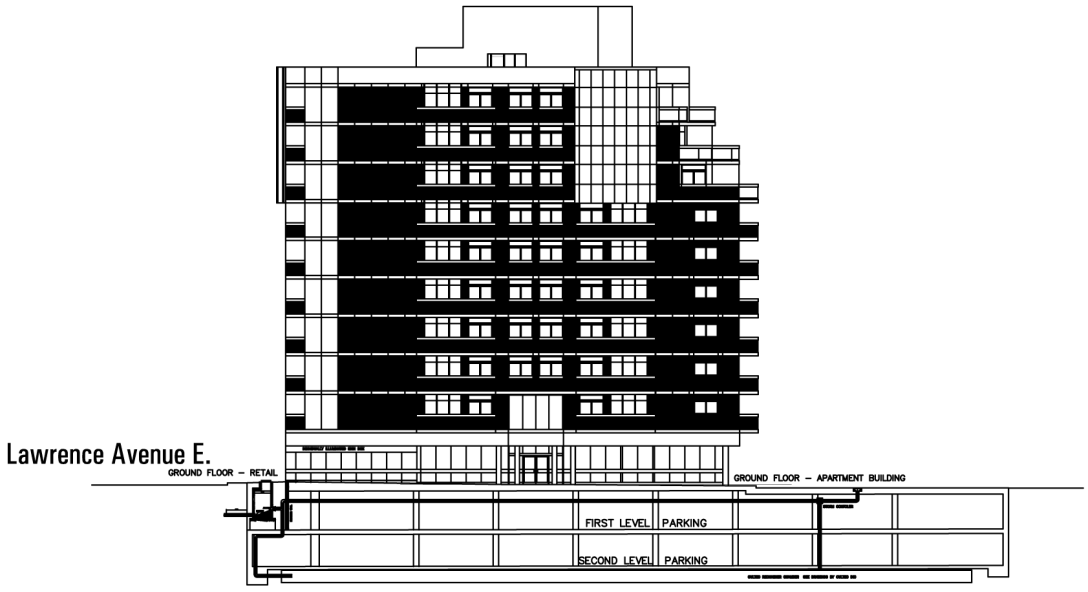
4111 and 4113 Lawrence Avenue

File # 08-165227 OZ

Attachment 2a: Elevations



North Elevation
(Lawrence Avenue East)



West Elevation
(Andover Crescent)

Elevation Plans

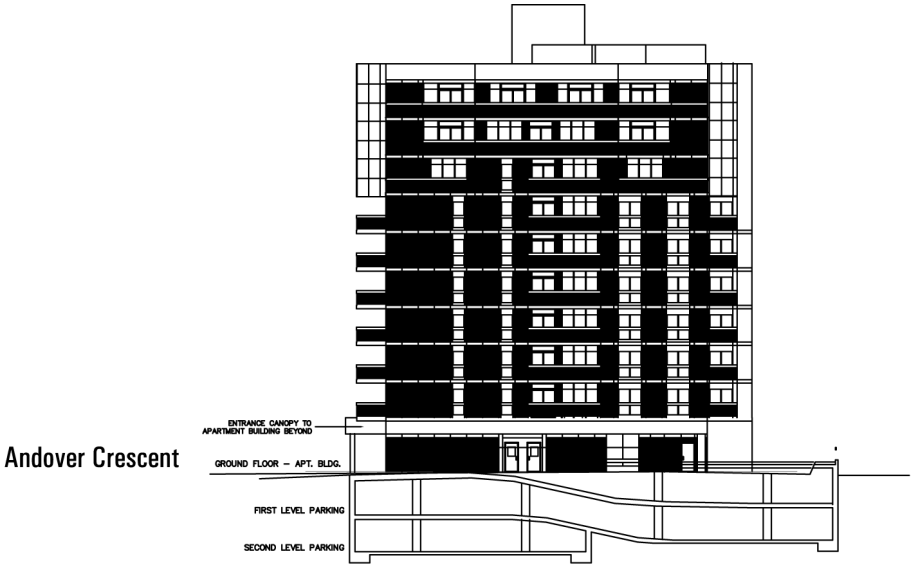
4111 and 4113 Lawrence Avenue East

Applicant's Submitted Drawing

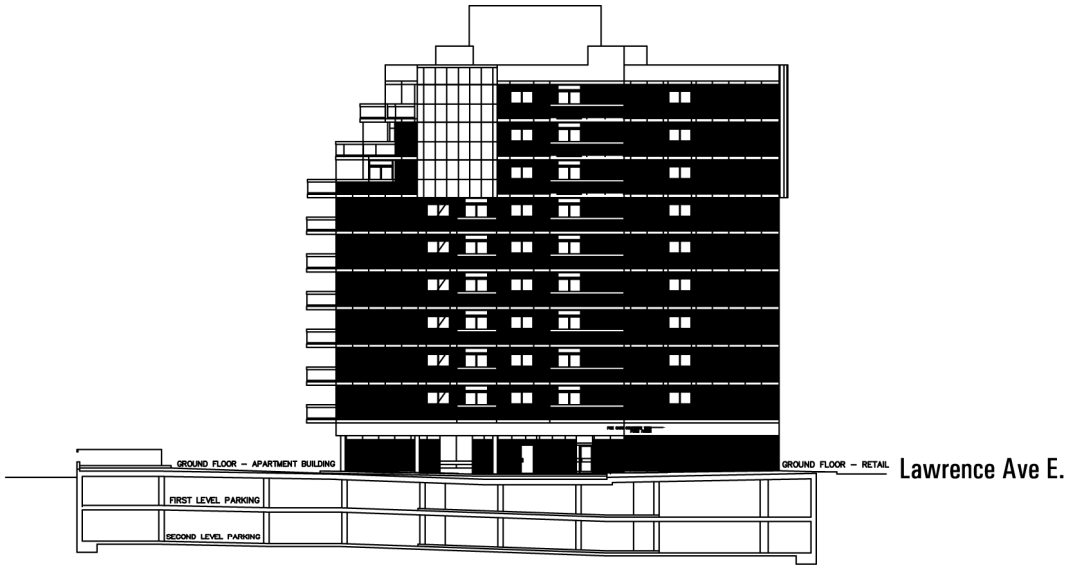
Not to Scale
9/1/09

File # 08-165227 OZ

Attachment 2b: Elevations



South Elevation



East Elevation

Elevation Plans

Applicant's Submitted Drawing

Not to Scale
9/1/09

4111 and 4113 Lawrence Avenue East

File # 08-165227 OZ

Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	08 165227 ESC 43 OZ
Details	Rezoning, Standard	Application Date:	June 3, 2008

Municipal Address:	4111 and 4113 LAWRENCE AVE E
Location Description:	PL M600 LT13 **GRID E4306
Project Description:	To permit a 10-storey, mixed use development comprised of 273.7 square metres (2,946 square feet) of commercial uses on the ground floor and 70 residential dwelling units on the upper floors. The proposed residential dwellings consist of one bedroom and two bedroom units.

Applicant:	**Agent:**	**Architect:**	**Owner:**
G D XIGGOROS		G D XIGGOROS	G D XIGGOROS

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	S-Single Family Residential	Historical Status:	
Height Limit (m):		Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	2030.6	Height:	Storeys:	10
Frontage (m):	36.57		Metres:	33.2
Depth (m):	55.64			
Total Ground Floor Area (sq. m):	742.3			**Total**
Total Residential GFA (sq. m):	6020.22		Parking Spaces:	104
Total Non-Residential GFA (sq. m):	273.69		Loading Docks	1
Total GFA (sq. m):	7728.32			
Lot Coverage Ratio (%):	12.32			
Floor Space Index:	3.39			

DWELLING UNITS

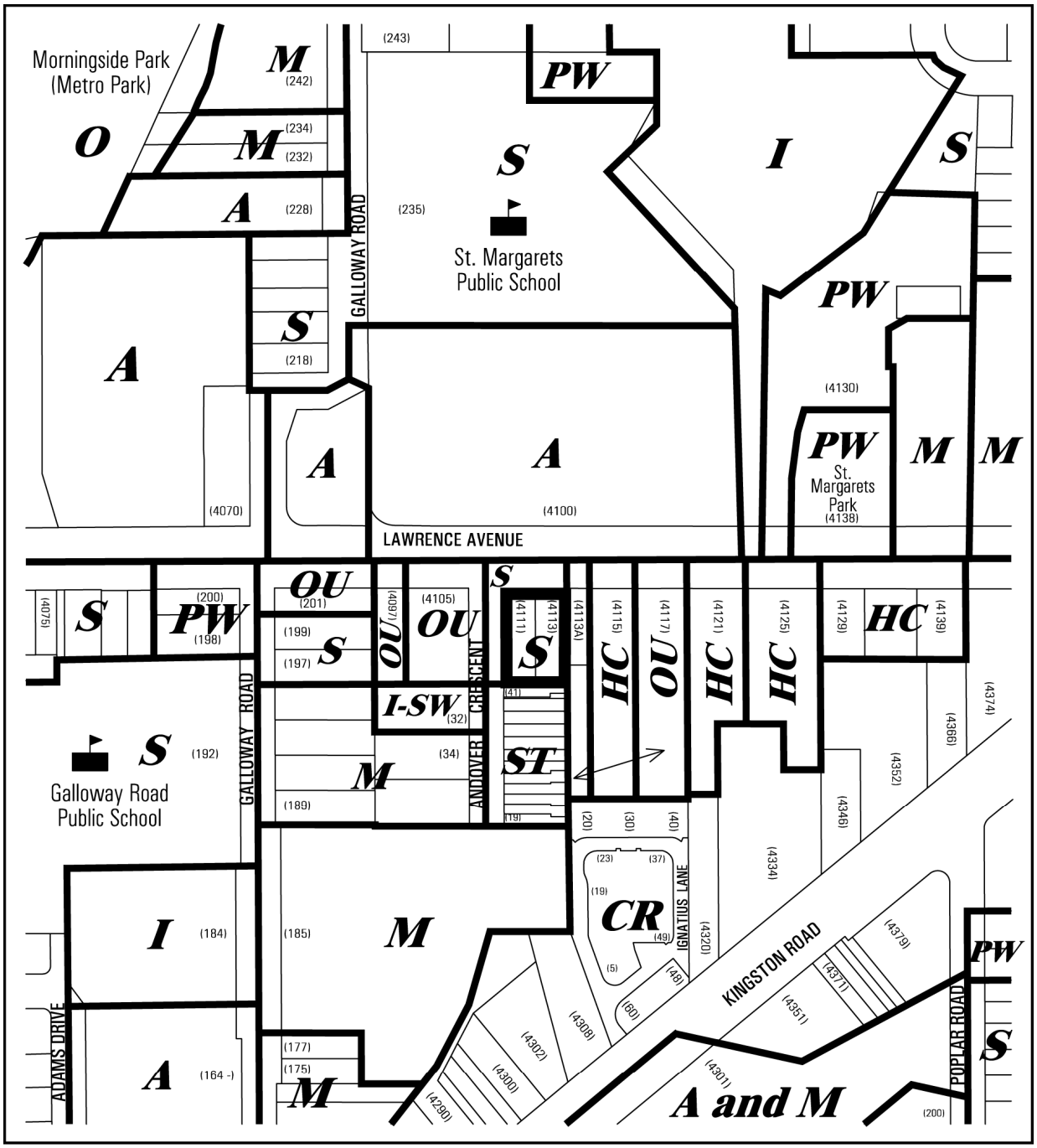
Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	26
2 Bedroom:	44
3 + Bedroom:	0
Total Units:	70

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	**Below Grade**
Residential GFA (sq. m):	6020.22	0
Commercial GFA (sq. m):	273.69	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0
	0	0

CONTACT: **PLANNER NAME:** **Alex Teixeira, Planner**
TELEPHONE: **416-396-5279**

Attachment 4: Zoning



TORONTO City Planning Division

Zoning

4111 and 4113 Lawrence Avenue

File # 08-165227 OZ

S	Single-Family Residential	ST	Street Townhouse Residential	I-SW	Institutional - Social Welfare	West Hill Community Bylaw	
A	Apartment Residential	HC	Highway Commercial	I	Institutional Uses	Not to Scale	
M	Multiple-Family Residential	OU	Office Uses	O	Major Open Spaces	8/31/09	
CR	Commercial / Residential	PW	Place(s) of Worship				

Attachment 5: Draft Zoning By-law Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-200-~

To amend the West Hill Community Zoning By-law No. 10327, as amended, With respect to the lands municipally known as, 4111 Lawrence Avenue East and 4113 Lawrence Avenue East

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*;

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

1. Schedule "A" of the West Hill Community (West) By-Law 10327, is amended by deleting the existing Single-Family Residential (S) Zone and replacing it with a Commercial/Residential Zone (CR), so the amended zoning reads as follows as shown on schedule 'l':

CR -60F-93-199H-314-390-400-600-614-616-617 (101)

2. Schedule "B" Performance Standards Chart of the West Hill Community (West) By-Law 10327 is amended by adding the following performance standards:

Intensity of Use
199H. Maximum of 70 **dwelling units**.

Height
Maximum 31.5 m excluding basement and rooftop mechanical penthouses

Miscellaneous

616. Enclosed Amenity space shall be provided on the basis of 2.5 square meters per dwelling unit.

617. Minimum building setbacks do not apply to underground parking structures.

3. SCHEDULE "C" EXCEPTIONS LIST, is amended by adding exception number 101 as follows:

On the lands identified as Exception Number 101 on the accompanying Schedule "C" map, the following provisions shall apply:

(a) Prohibited Uses:

-Funeral Homes
-Hotels and Motels
-Places of Worship
-Places of Entertainment
-Private Home Daycare
-Restaurants

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Attachment 6: By-law Designating Site Plan Control Area

Authority: Scarborough Community Council Report No. ~, Clause No. ~
as adopted by City of Toronto Council on ~, 2009
Enacted by Council: ~, 2009

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~

To designate a Site Plan Control Area (~Community).

WHEREAS authority is given to Council by Section 41 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to designate the whole or any part of the area covered by an Official Plan as a Site Plan Control Area;

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

1. By-law No. 21319 is amended by designating the land shown outlined by a heavy black line on Schedule '1' of this By-law as a Site Plan Control Area.

ENACTED AND PASSED this ~ day of ~, A.D. 2009.

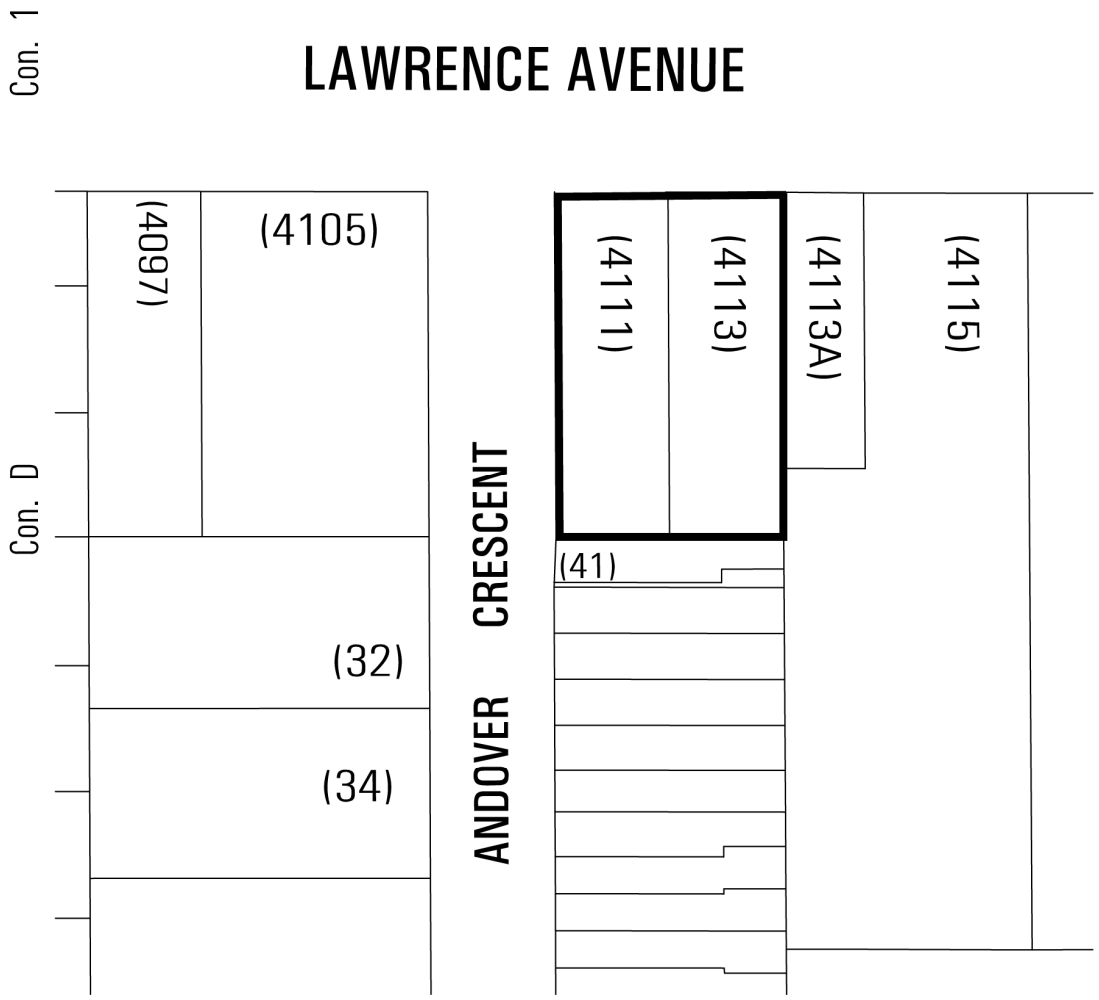
DAVID R. MILLER, Mayor

ULLI S. WATKISS City Clerk

(Corporate Seal)

Schedule '1'

Lot 12



TORONTO City Planning Division

Site Plan Control Amendment

4111 and 4113 Lawrence Avenue East

File # 08-165227 OZ

Area Affected By This By-Law

West Hill Community Bylaw

Not to Scale

9/2/09