

# TORONTO STAFF REPORT

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June 29, 2005

To: Toronto and East York Community Council

From: Director, Community Planning, South District

Subject: Supplementary Report  
Rezoning Application 02 035311 SHY 18 OZ  
Applicant: Sterling Silver Development  
Architect: Northgrave Architect Inc.  
730 Dovercourt Rd  
Ward 18 - Davenport

Purpose:

To request direction from Council for the September Ontario Municipal Board hearing.

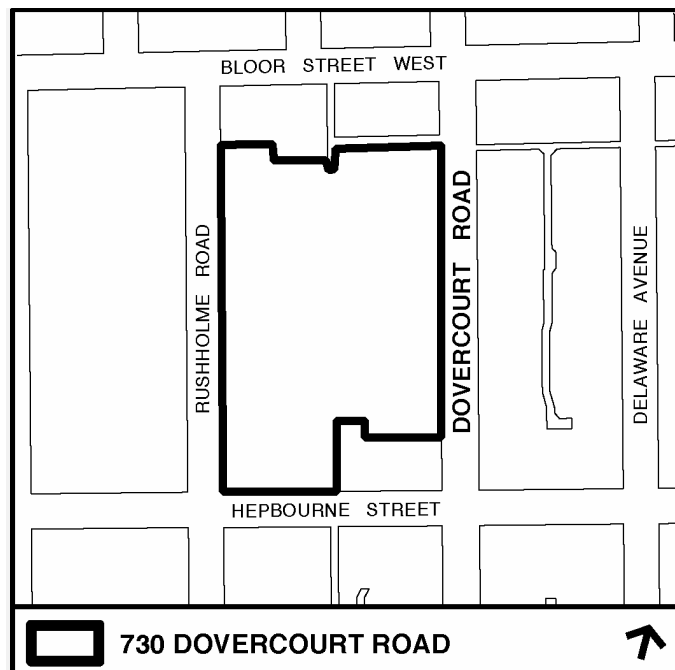
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that Council:

- (1) adopt the additional direction outlined in this report regarding acceptable shadow impacts from this development and appropriate tenant and community benefits, to supplement the principles outlined in the January 24, 2005 report from the Director of Community Planning, South District;
- (2) direct staff to continue to negotiate with the owner and community and tenant representatives, with the input of Deputy Mayor Pantalone; and



- (3) direct staff, to report to the July 19-21, 2005 Council meeting for further direction if necessary.

Background:

On November 7, 2002, Sterling Silver Developments applied for Zoning and Official Plan Amendments to build a new, 19-storey, fourth apartment building on a site which already has three apartment buildings, built circa 1965.

In July 2004, the applicant filed an appeal to the Ontario Municipal Board. Three pre-hearings have been held and the full hearing is scheduled for late September 2005. City staff and representatives of area residents and tenants attended the pre-hearings.

At its meeting of September 28, 29, 30 and October 1, 2004, Council directed staff to oppose the original submission at the Ontario Municipal Board but to continue negotiations regarding further revisions to the proposal.

In response to comments made by staff, a revised application was submitted on September 23, 2004 for an 8-storey L-shaped building along Dovercourt Road and 13 storeys facing the central open space. The new proposal contains 285 dwelling units with a total gross floor area of 22,780 square metres bringing the total density of the site to 3.43 times the area of the lot. Images of the revised proposal, including site plan, elevations, and the Application Data Sheet are attached to the January 24, 2005 report from the Director, Community Planning, South District.

Chronology of revised applications

Date Received	Description	Total Density	New Gross Floor Area	New Dwelling Units
Nov. 7, 2002 (original submission)	Tower (19 storeys) with podium (4 storeys)	3.16	16,784 sq.m.	179
Mar. 18, 2003 (informal submission)	L-shaped building of 17 and 12 storeys and townhouses throughout the site	3.40	21,027 sq.m.	no information provided
Sep. 23, 2004 (revised application)	L-shaped building of 13 and 8 storeys	3.43	22,780	285

The revised application was presented at a community meeting on November 23, 2004. Approximately 250 residents, including tenants of the existing apartment buildings on the site and residents from the surrounding area, attended the meeting. Nearly all attendees strongly opposed the proposed development. A further meeting was held on December 13, 2004, with representatives of the tenants, residents of the area and Deputy Mayor Pantalone to gather additional detail about the opposition to the revised application.

Comments:

The January 24, 2005 report from Community Planning sets out a series of principles to be met by any development at 730 Dovercourt Road. These principles addressed built form, the impact on the surrounding neighbourhood and amenities for tenants as well as the larger community.

This report recommends fine tuning of one of the principles in that report and makes more precise comments on tenant improvements and community benefits to be secured with any new development on the site. This report is intended to add to and clarify the direction set out in January.

It is important to reiterate that the City's review of additional development on this site is premised on achieving tenant improvements for existing residents, some protection of rental housing and appropriate community benefits. New development which will increase the intensity of use of this site and increase the demand for amenity in the area should not be considered unless an appropriate increase in amenity is achieved to serve new and existing residents.

Evaluation of Shadow Impacts on the east side of Dovercourt

The January 24, 2005 report stated that there should be no change to existing shadows on the east side of Dovercourt after 4:00 p.m. in the spring and winter solstice. In reviewing what would be an appropriate development on the west side of Dovercourt, a number of factors need to be considered. These factors include: setback from the street, wind conditions created by new buildings, a transition from the taller buildings to the south, and appropriate massing of the new building in the context of the site and neighbourhood. These points are all identified in the previous report.

Additional information regarding shadows created by the proposed building was received in March 2005. It indicates that the 8 and 13-storey proposed building creates unacceptable shadows on the sidewalk on the east side of Dovercourt and on the low density residential area to the east of Dovercourt.

There may be reasonable solutions for developing this site which meet the City's overall planning principles but which may have some impact on shadows. In this context, Planning is recommending that there be no significant shadow impacts on the east side of Dovercourt and that there be a minimum of 5 hours of sunlight on the east sidewalk. Staff will continue to negotiate with the applicant to maximize sunlight on the east sidewalk during the late afternoon.

Recommended improvements/renovations to the existing buildings and site

To address tenant needs and improve the capacity of the site for new residents, the following should be secured as part of any agreement for additional development:

#### Site improvements

- improve drainage of walkways;
- improve front entryways and landscaping; and
- replace pedestrian access huts to the underground garage with particular regard to addressing safety issues.

#### Secure rental status of the existing buildings for 25 years

Securing rental units Consistent with Section 5 of the new Official Plan which states:

“5. Significant new development on sites containing six or more rental units where existing rental units will be kept in the new development, will secure for as long as possible:

- (a) the existing rental housing units, in either affordable or mid-range rents, as rental housing; and
- (b) any needed improvements and renovations to the existing rental housing with no pass through of such costs in the rents to the tenants.”

#### Tenant improvements

Further tenant improvements to be secured are to:

- create outdoor amenity areas;
- move waste/recycling areas and re-landscape those areas;
- provide new playground facilities for preschool and school age children; and
- provide indoor amenity areas for tenants of existing buildings at grade with direct access to the central commons (either split between one of the existing buildings and the new building or all in the new building). This space could also be used a community space.

#### Community benefits

In addition to the above tenant improvements; the following should be secured through Section 37 of the Planning Act as community benefits from any new development:

- public access to walkways through the site and playgrounds;
- a new, sizable community space, on-site in the new building with a local organization to operate it or off-site if necessary be secured under City jurisdiction for community/social development/meeting purposes;

- 25% of rental housing units in the new building at CMHC affordable rates; and
- implementation of green building objectives in the new construction.

#### Built form

A wider separation is requested between the proposed building and the existing building at 730 Dovercourt.

A wider separation between the proposed building and the existing building at 357 Rusholme may no longer be requested to meet light, view and privacy requirements. Review of the wind impact study is not complete. Once this review is complete, additional comments on the placement of the building and separation distances from adjacent buildings may be forthcoming.

#### Conclusions:

The above comments refine those in the January 24, 2005 report from the Director, Community Planning, South District and should be used as additional direction to City staff in negotiations with the owner and in representing the City at the Ontario Municipal Board.

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#### List of Attachments:

None