

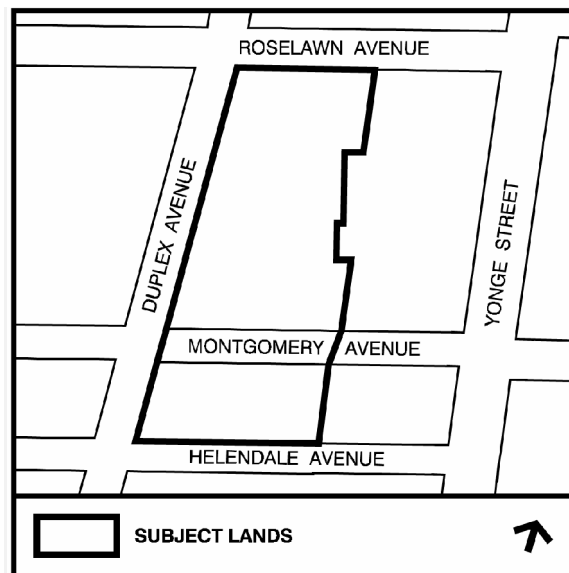
**Refusal Report
35, 47, 49 & 57 Roselawn Avenue, 479-487 & 499 Duplex
Avenue, 31-70 Montgomery Avenue, and 30 – 58
Helendale Avenue
Official Plan Amendment & Zoning By-law Amendment
Applications**

Date:	March 3, 2008
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	07 249746 NNY 16 OZ 07 286783 NNY 16 OZ

SUMMARY

The two development applications submitted by Top of the Tree Developments Inc. affect lands in the area north of Eglinton Avenue and west of Yonge Street. These applications were made after January 1, 2007 and are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

The Official Plan Amendment application seeks to redesignate the lands bounded by Roselawn Avenue, Duplex Avenue, Helendale Avenue and the rear of the lands fronting Yonge Street between Roselawn and Helendale from *Neighbourhoods* to *Apartment Neighbourhoods*. A separate application to amend Zoning By-law 438-86 of the former City of Toronto was submitted for the lands on the north side of Montgomery Avenue to permit the construction of a 25 storey apartment



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building. The application to redesignate the lands to *Apartment Neighbourhoods* would provide for similarly scaled development across the entire quadrant.

These applications represent a significant departure from the structure of the neighbourhood and do not meet the intent of the Official Plan to protect stable residential neighbourhoods. Within the local context, and on a City-wide basis, there is no need to redesignate lands in *Neighbourhoods* to meet population goals as there are sufficient lands available in designated growth areas to accommodate the City's anticipated population increase. As such, this report reviews and recommends refusal of the applications to amend the Official Plan and Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the Official Plan Amendment and Zoning By-law Amendment applications.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

Two development applications have been submitted by Top of the Tree Developments Inc. regarding the lands bounded by Roselawn Avenue to the north, Duplex Avenue to the west, Helendale Avenue to the south and the rear of the lands fronting Yonge Street between Roselawn and Helendale to the east. An application to amend the Official Plan proposes to redesignate the entirety of the subject lands from *Neighbourhoods* to *Apartment Neighbourhoods*. In conjunction with this application, Top of the Tree has also submitted an application to rezone a portion of the lands on the north side of Montgomery Avenue to permit the construction of a 25 storey apartment building containing 328 units at a density of 8.96 times the area of the lands. The proposed Official Plan Amendment would permit similarly scaled development across the entirety of the area of application.

Attachment No. 7 presents the Application Data Sheet for the rezoning application.

Site and Surrounding Area

The area covered by the proposed Official Plan Amendment is roughly two blocks in size comprising an area of 1.39 hectares. The quadrant contains a variety of residential uses including two three storey walk-up apartment buildings, a two storey double duplex, single- and semi-detached dwellings of various sizes and a surface parking lot. The

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surrounding uses can be described as follows:

- North: Across Roselawn Avenue, single and semi-detached dwellings;
- West: Across Duplex Avenue, single and semi-detached dwellings and a 34 storey apartment building with a density of 2.5 times the area of the lot;
- South: Across Helendale Avenue, single detached dwellings and a 13 storey apartment building above a two storey public library with a density of 3.45 times the area of the lot; and
- East: Two-storey commercial/retail and residential uses fronting Yonge Street, a two storey postal station, City of Toronto Fire Station #134, listed on the City of Toronto's Inventory of Heritage Properties, and a two storey heritage designated building housing the Anne Johnston Health Station.

The lands subject to the rezoning application are located on the north side of Montgomery Avenue at Duplex Avenue and are hatched on the Context Plan found in Attachment 1. These lands are presently occupied by six semi-detached dwellings and one single detached dwelling.

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 City of Toronto Official Plan sets forth a broad strategy for managing future growth by identifying an urban structure of areas where development is appropriate and areas where little physical change is expected to occur. The Plan outlines how growth will be directed to *Centres, Avenues, Employment Districts* and *the Downtown* as shown on Map 2, Urban Structure. The subject lands are not located within these areas but rather in a neighbourhood which is to be protected from development pressures. Residential neighbourhoods are expected to see little physical change.

Within the context of the Plan's growth strategy, *Mixed Use Areas* in *Centres* and along *Avenues* are intended to absorb the majority of the growth while providing a transition in

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scale and density to protect stable neighbourhoods from the effects of this higher order development. The need to mitigate the effects of growth on stable residential neighbourhoods across the City is repeated throughout the Official Plan in policies respecting *Centres, Avenues, Healthy Neighbourhoods* and *Built Form*, through Land Use Designations and in numerous Secondary Plans including the Yonge-Eglinton Secondary Plan.

The proximity of the subject lands to these growth areas does not imply these lands are also designated for growth. These lands are designated *Neighbourhoods* by the Official Plan and are considered a physically stable area. *Neighbourhoods* are made up of a variety of residential uses such as detached houses, semi-detached houses, duplexes, triplexes and townhouses as well as interspersed walk-up apartment buildings of no greater than four storeys. Development within *Neighbourhoods* will be consistent with the objective to maintain stability and is to “respect and reinforce the existing physical character of the neighbourhood” including lot patterns, heights, massing, scale and dwelling type of nearby residential properties.

Abutting the area of application are parcels of land which are designated *Apartment Neighbourhoods*. Like *Neighbourhoods*, *Apartment Neighbourhoods* are considered stable areas of the City where significant growth is generally not anticipated. They are distinguished from *Neighbourhoods* due to their greater scale of development which requires different scale-related criteria to guide sensitive infill development to mitigate any impacts on surrounding low scale residential uses in *Neighbourhoods*.

Yonge-Eglinton Secondary Plan

The area of application falls within the Yonge-Eglinton Secondary Plan which consists of a wide variety of residential and commercial areas generally focussed on Yonge Street, Eglinton Avenue, Mount Pleasant Road and Bayview Avenue. The Secondary Plan directs the major concentration of retail, service commercial, office and residential uses to the intersection of Yonge Street and Eglinton Avenue which is designated *Mixed Use Area “A”*. The boundary of *Mixed Use Area “A”* on Map 21-1 approximates the boundary of the *Yonge-Eglinton Centre* and the designation recognizes the intersection’s role as the transportation and commercial focal point of the local community. This is reinforced by policies within the *Mixed Use Area “A”* designation stipulating that development within this area will have a height, density and scale greater than anywhere else in the Secondary Plan area. Within the Secondary Plan, growth is not directed to lands designated *Neighbourhoods* and the *Neighbourhoods* policies of Chapter Four, Land Use Designations, apply.

It is a primary objective of the Secondary Plan to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflict among uses in *Mixed Use Areas, Neighbourhoods, Apartment Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. To ensure that the form of buildings promotes a compatible physical and land use relationship within land use designations

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and between sites in abutting land use designations, the scale of development must be maintained within stable *Neighbourhoods* and a transition in height and scale must be secured from developments in *Mixed Use Areas* and *Apartment Neighbourhoods to Neighbourhoods*. Moreover, development that is to occur on portions of land which project into *Neighbourhoods* will be designed in a manner so as to be of a height and scale consistent with the abutting residential uses.

Focussed Review: *Yonge-Eglinton Centre*

With current and anticipated development pressures in the Yonge-Eglinton area as a backdrop, City Council directed staff to review the Yonge-Eglinton Secondary Plan with a focus on the *Yonge-Eglinton Centre*. As stated previously, the area of application is not located within the *Yonge-Eglinton Centre* under review. A Working Group consisting of representatives of local businesses and residential communities was established to act as an advisory panel for City Planning and TTC staff. Over the course of three years, after numerous Working Group meetings, City Planning staff formulated draft Secondary Plan Policies and Urban Design Guidelines which address the massing of potential development as well as the preferred new TTC bus terminal design.

The draft documents foresee the majority of growth and redevelopment in the *Yonge-Eglinton Centre* to be centered in the southwest quadrant of the intersection of Yonge Street and Eglinton Avenue. The draft Urban Design Guidelines provide policies to ensure that new development will “fit” into the existing neighbourhood context characterized by a dense growth area immediately abutting stable, low density residential *Neighbourhoods*. This provision of transitional heights within the block and other massing techniques has resulted in heights and densities which vary from property to property with maximums being centered at the intersection of Yonge Street and Eglinton Avenue.

This review is ongoing as staff continue to solicit feedback from stakeholders. Until the development of these more specific Secondary Plan policies for the area identified as a Special Study Area on Map 21-1 is completed and approved by City Council, the current provisions of the Official Plan will apply.

Zoning

The properties subject to the Zoning By-law Amendment application are currently zoned R2 Z1.0 by Zoning By-law 483-86 of the former City of Toronto. This permits a wide range of residential uses including detached dwellings, semi-detached dwellings and apartment buildings. The maximum density permitted is 1.0 times the area of the lands and the maximum permitted height is 9.0m.

Site Plan Control

The applicant has not submitted an application for Site Plan Control approval for the properties subject to the Zoning By-law Amendment application.

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Reasons for Application

An application to amend the Official Plan is required as the *Neighbourhoods* designation does not permit buildings of the height and density proposed by the Zoning By-law Amendment application.

An application to amend the Zoning By-law is required as the applicant is proposing a 25 storey (78m) apartment building with a density of 8.96 times the area of the lands. The Zoning By-law permits lower scale residential uses with a maximum density of 1.0 times the area of the lands and a maximum height of 9.0m.

Community Consultation

A formal community consultation meeting has not been held. However, the Ward Councillor hosted a meeting with a number of owners in the lands subject to the Official Plan Amendment application and City Planning staff attended this meeting.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions for review and comment.

COMMENTS

Land Use

The proposed redesignation and rezoning applications are not acceptable and should be refused for the following reasons (which are outlined in further detail below):

- the site is not in an area planned to accommodate the physical changes necessary to absorb future population growth;
- the application is an inappropriate redesignation of a stable low-scale residential neighbourhood;
- the proposed rezoning application is not compatible with the physical character of the neighbourhood; and
- the stable residential area is not to provide a transitioning function between areas designated for higher and lower density.

Not in a Designated Growth Area

The Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe indicate that it is the role of the municipal Official Plan to direct development to suitable areas. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or the ability of infrastructure and facilities to meet projected needs.

The City of Toronto Official Plan and its associated Secondary Plans identify a land use structure to direct redevelopment into areas where intensification is appropriate. Policies

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in the Official Plan clearly articulate a growth strategy that directs growth towards *Centres, Avenues* and the *Downtown* including the *Central Waterfront*, and *Employment Districts* as illustrated on Map 2. These growth areas are expected to absorb the majority of the City's residential and employment growth over the next 25 years or so. The subject lands do not fall within any of these identified growth areas but are within a neighbourhood where little physical change is expected.

Almost three-quarters of the City's land area is taken up by residential neighbourhoods (*Neighbourhoods* and *Apartment Neighbourhoods*), water courses, ravines and parks which are expected to undergo limited physical change. In these areas, the approach to managing change emphasizes the maintenance and enhancement of existing assets. These objectives apply whether neighbourhoods are comprised of low scale houses or are predominantly high-rise apartments and are reinforced by Policy 2.3.1.1 that identifies *Neighbourhoods* and *Apartment Neighbourhoods* as physically stable areas. Both land use designations contain objectives and policies intended to reinforce existing physical character.

Inappropriate Redesignation of a low-scale Residential Area

The majority of the City of Toronto Official Plan, including the growth management strategies and the land use designations, was brought into force and effect by the Ontario Municipal Board through Order 1928 issued on July 6, 2006. Subsequently, Board Orders have been issued bringing into force and effect other outstanding matters.

The growth management policies of the Plan strictly direct development to areas of the City that contain adequate services and infrastructure required to meet population and employment projections with efficient consumption of land and resources while protecting stable residential neighbourhoods from incompatible development. Amendments to the Official Plan that are not consistent with this general intent will be discouraged. Council will be satisfied that any development permitted under an amendment to the Plan is compatible with its physical context and will not affect nearby *Neighbourhoods* or *Apartment Neighbourhoods*. These applications represent a significant departure from the structure of the neighbourhood and do not meet the intent of the Official Plan to protect stable residential neighbourhoods.

There remain significant opportunities for intensification along the *Avenues*, in the four *Centres*, in the *Downtown* and the *Central Waterfront* which can accommodate the City's expected growth of 537,000 residents by 2031. Within the Yonge-Eglinton Secondary Plan area there exist significant opportunities to intensify within the context of the growth management policies of the Official Plan. The lands which formerly housed the TTC bus facility as part of Eglinton Station and other underutilized sites within the southwest quadrant of the Yonge-Eglinton intersection have been subject to a comprehensive planning review which provides for intensification on these prime sites while protecting abutting low scale residential uses. Lower-scale forms of intensification potential also exist along the *Avenues* radiating out from the Yonge-Eglinton intersection. Existing one

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and two-storey retail/commercial properties with surface parking to the rear could yield redevelopment in a main-street typology with retail uses at grade and residential uses above.

Within the local context, and on a City-wide basis, there is no need to redesignate the lands in *Neighbourhoods* to meet population growth targets. Adequate underutilized land exists in designated growth areas to meet these projections and provide infrastructure and services to the increased population. The City's five year Official Plan review is the most appropriate mechanism to consider whether lands designated *Neighbourhoods* should be redesignated to become part of a growth area and absorb major growth to meet population and/or employment targets.

Only through this legislated review can the City-wide and local impacts of such a significant change in the planned function of lands be properly considered and comprehensively evaluated. These impacts include, but are not limited to rental housing protection, transportation and parkland provision:

a) Rental Housing Protection

Section 3.2.1 of the Official Plan provides for a full range of housing in terms of form, tenure and affordability across the City and within neighbourhoods while setting out strict requirements for development that would result in the loss of six or more rental housing units. The application area contains a significant number of rental housing units, the majority of which are found in two three storey walk-up apartment buildings at 485 and 487 Duplex Avenue. Additional rental housing units exist in houseform buildings including on the site of the proposed apartment building at 34-70 Montgomery Avenue. A housing issues report responding to Official Plan policies on housing provision and rental housing protection was requested by City Planning staff, but has not been submitted by the applicant. Details on the tenure of the existing dwellings to be demolished to facilitate the construction of an apartment building at 34-70 Montgomery Avenue have not been submitted by the applicant. If more than six rental housing units exist on the subject site, replacement of any lost rental housing would be required.

b) Transportation

Across the entirety of the area of application, the existing 188 residential units would be replaced by a total of 1,434 residential units if full build-out were to occur at the densities proposed. This represents a significant increase in the population of the quadrant and could have an impact on the transportation network within the neighbourhood. A Transportation Impact Study was submitted by the applicant reviewing the ability of the local road network to accommodate these increased traffic levels. It remains under review by Transportation Services staff.

c) Parks and Open Space

The area subject to the Official Plan Amendment application is 1.39ha in size, but no provision is made by the applicant for any additional parkland to be dedicated to the City. For an application of this size, the City would prefer the dedication of land for parks purposes, informed by the parkland acquisition strategies of the Official Plan. Map 8 of the Official Plan demonstrates three of the four quadrants immediately surrounding the intersection of Yonge Street and Eglinton Avenue are ranked in the lowest percentile of per capita parkland and could be identified as “deficient” of adequate parkland. The northwest quadrant including the area of application is not quite as poorly served by existing parkland. The introduction of an additional 1,400 units without the dedication of land for parks purposes would add further strain to an area experiencing below-average parks service.

Proposal not Compatible with the Physical Character of the Surrounding Neighbourhood

Policies throughout the Official Plan speak to the protection of stable residential areas from incompatible physical change. Given the existing and planned context noted previously, the application has been assessed for compatibility with and impacts on the adjacent low scale residential areas. The proposal will adversely impact the stability of these areas as it does not respect the following elements of physical character:

a) Density

The redesignation of the subject lands from *Neighbourhoods* to *Apartment Neighbourhoods* would enable the consolidation of lands containing low-scale residential uses for redevelopment with higher scale residential uses. The rezoning application for 34-70 Montgomery Avenue proposes the redevelopment of low-scale residential properties with a high-rise apartment building at a density of 9.0 times the area of the lands. Materials submitted by the applicant in support of the Official Plan Amendment application envision development on other apartment blocks within the subject lands. For example, the applicant suggests the block at Duplex and Helendale Avenues could have a development density of over 9.0 times the land area, and the block at Duplex and Roselawn Avenues could support a development of over 4.0 times the land area. A third possible building incorporates the properties fronting onto Yonge Street and envisions a development potential of nearly 6.0 times the area of the land. Across the entirety of the area of application, the average density would be 6.5 times the area of the lands. If redeveloped at this density, the existing 188 residential units would be replaced by a total of 1,434 residential units.

These densities far exceed the densities found in the *Apartment Neighbourhoods* to the immediate west and south of the subject lands which are developed at a density of 2.5 times the area of the lot at 500 Duplex Avenue and 3.45 times the area of the lot at 40 Orchard View Boulevard (a development that includes a two storey library). On the

surrounding lands designated *Neighbourhoods*, the density is limited by the underlying zoning to 1.0 times the area of the lot.

The densities proposed and the minimal provision of open space is more typical of development found within the *Mixed Use Area “A”* designation at the intersection of Yonge Street and Eglinton Avenue. It is to this area that the Secondary Plan directs uses with the greatest heights, densities and scale. Consolidation and redevelopment of this magnitude would impact the City’s ability to plan for growth and deliver the necessary infrastructure and public facility improvements to suitable areas. It would also contravene the Official Plan’s direction for *Neighbourhoods* that any physical changes to established *Neighbourhoods* must be sensitive, gradual and generally “fit” the existing physical character.

b) Built Form

The built form and density potential of the subject lands if developed as envisioned by the applicant is not consistent with existing development in the *Apartment Neighbourhoods*. While not anticipating significant growth in *Apartment Neighbourhoods*, the Official Plan establishes clear tests requiring development to reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Development in the *Apartment Neighbourhoods* surrounding the subject lands and on the east side of Yonge Street is characterized by a “tower in the park” typology where buildings cover a small portion of the site in favour of significant at grade open space or surface parking. Compatible infill development on underutilized portions of these sites is provided for by the Official Plan if adequate sunlight, privacy and landscaped open space remain for new and existing residents. These tests are meant to fulfill the objectives of the *Apartment Neighbourhoods* designation to reinforce and respect the existing context of these high density neighbourhoods while protecting adjacent lower-scale *Neighbourhoods* from the impact of new development.

The apartment building proposed by the rezoning application at 34-70 Montgomery Avenue represents the introduction of a denser urban form and unfamiliar building type to an area well removed from where these buildings are directed to be located by the Secondary Plan (*Mixed Use Area “A”*). The development envisioned by the application in the subject quadrant would leave minimal open space at grade, and does not reinforce or respect the existing or planned context in the surrounding *Apartment Neighbourhoods* and *Neighbourhoods*. The proposed apartment building provides a poor transition in scale to the low-scale residential uses located on abutting *Neighbourhoods* designated lands.

The apartment building proposed for 34-70 Montgomery Avenue has minimal setbacks to the lands to the north, and relies on the redevelopment of those lands to maintain adequate transitional elements such as building separation and setbacks. Shadow studies

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submitted by the applicant demonstrate that the proposed building would shadow the existing uses to the north of the lands subject to the rezoning application. Even if the lands were an existing *Apartment Neighbourhoods* designation, it is questionable whether the proposed rezoning would meet the compatibility tests set out in the Official Plan for compatible infill development in this area of the City.

c) Building Height

The prevailing building height in the area subject to the Official Plan Amendment application reflects the 9.0m height limitation in the underlying zoning for single and semi-detached dwellings. There are also existing interspersed walk-up apartment buildings which are three storeys in height. The rezoning application for 34-70 Montgomery Avenue proposes a maximum height of 25 storeys (76.2m). This height is not provided for by the *Neighbourhoods* designation which limits building height to a maximum of four storeys. The proposed redesignation of these lands to *Apartment Neighbourhoods* is required to provide for this large scale apartment building. The Official Plan Amendment application seeking to redesignate lands from *Neighbourhoods* to *Apartment Neighbourhoods* extends beyond the limits of the proposed rezoning to permit a 25 storey apartment building at 34-70 Montgomery Avenue and would permit these larger scale uses across the entire quadrant.

The applicant has applied draft Urban Design Guidelines brought forward through the City-initiated review of the *Yonge-Eglinton Centre* as a justification for the building heights proposed across the area of application, including the rezoning site. These draft guidelines are intended to guide development in the southwest quadrant of the *Yonge-Eglinton Centre*, an established growth area designated *Mixed Use Area "A"* by the *Yonge-Eglinton Secondary Plan*. This quadrant is one of the four areas where the *Secondary Plan* directs uses of the greatest height, density and scale. The transitioning requirements of the draft guidelines are intended to govern development within a growth area which immediately abuts low scale residential uses. The applicant has incorrectly applied the transition guidelines to justify height on lands north of the *Yonge-Eglinton Centre* which are not intended for growth.

To transition the heights from the *Yonge-Eglinton Centre* to the area of application, the applicant relies on assigning additional height to the block bounded by Helendale Avenue to the north, Duplex Avenue to the west, Orchard View Boulevard to the south and Yonge Street to the east. This block is not subject to either of the two development applications under review, and its *Apartment Neighbourhoods* designation does not envision accommodating significant physical growth here.

The major existing use on the Orchard View block is a 13 storey apartment building on top of a 2 storey public library sited roughly in the center of the block and having a height of 49.5m. Rather than use the existing context as a guide for transitioning height from the *Yonge-Eglinton* node towards the subject lands, the applicant used the transition parameters for the growth area to assign a maximum height of 28 storeys (86.5m) to the

centre of the block. This allows for a transition to the proposed heights (and densities) on the subject lands, but relies on the demolition of a co-op apartment building and public library and involves the complete redevelopment of an entire block at more than double the existing height and density. Such a redevelopment would not be in keeping with the physical stability objectives of the *Apartment Neighbourhoods* designation and would represent a significant change in the planned function of the lands from stable neighbourhood to growth area. The unwarranted introduction of higher and denser built form changes the planned function of lands outside of the application area and would destabilize the existing physical character of the existing *Neighbourhoods* on the subject lands.

Inappropriate Transition

The area of application abuts lands designated *Apartment Neighbourhoods* on the west side of Duplex Avenue and the south side of Helendale Avenue, and lands designated *Mixed Use Areas* to the east. The abutting *Apartment Neighbourhoods* lands contain low scale residential buildings as well as a 34 storey apartment building to the west of the area of application and a 13 storey apartment building above a 2 storey public library to the immediate south. The lands to the east fronting Yonge Street have the potential to be redeveloped from the existing two-storey retail form into mid-rise buildings with retail at grade and multiple residential storeys above. This redevelopment would be in keeping with the Official Plan's Growth Strategy that identifies this portion of Yonge Street as an *Avenue* and designates the lands as *Mixed Use Areas*.

The applicant argues that the proximity of the subject lands to these higher and denser land use designations has a destabilising effect on the low scale uses within the *Neighbourhoods* designated area of application. However, *Neighbourhoods* are protected by Official Plan policies that clearly provide for compatibility between areas of varying development intensity and scale. Policies found throughout the Official Plan, and further specified in the Yonge-Eglinton Secondary Plan, require development within growth areas to include a built form transition to adjacent stable residential areas.

If intensification were to occur in the Yonge Street *Mixed Use Areas*, the built form would be required to terrace down to a level that would respect the existing low-scale residential context within the area of application. Similar requirements, such as building setbacks and terracing, would govern any infill development on abutting sites designated *Apartment Neighbourhoods* to ensure an appropriate transition between areas of different development intensity. These requirements ensure that the appropriate fit and transition elements of new development is provided on the development sites themselves and not through the redevelopment of sites adjacent to areas of higher intensity (i.e., by destabilizing lower-scale residential uses abutting redevelopment areas).

CONCLUSION

The proposed Official Plan Amendment application represents a significant departure from the existing and planned structure of the neighbourhood and would destabilize this and the surrounding neighbourhoods. The proposed redesignation area is not a growth area in the context of the Official Plan, and the proposal is incompatible with the physical character of the area. As such, staff recommend that both applications be refused.

CONTACT

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SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Context Plan Outlining Proposed Official Plan Amendment
Attachment 2: Site Plan for Proposed Apartment Building at 34-70 Montgomery Avenue
Attachment 3: North and East Elevations of Proposed Apartment Building
Attachment 4: South and West Elevations of Proposed Apartment Building
Attachment 5: Official Plan
Attachment 6: Zoning
Attachment 7: Application Data Sheet for Proposed Apartment Building at 34-70
Montgomery Avenue

Attachment 1: Context Plan Outlining Proposed Official Plan Amendment



Toronto City Planning
Context Plan

34 - 70 Montgomery Avenue

File # 07_286783

-  Site
-  Applicant's Proposed Official Plan Amendment Area Neighbourhoods to Apartment Neighbourhoods

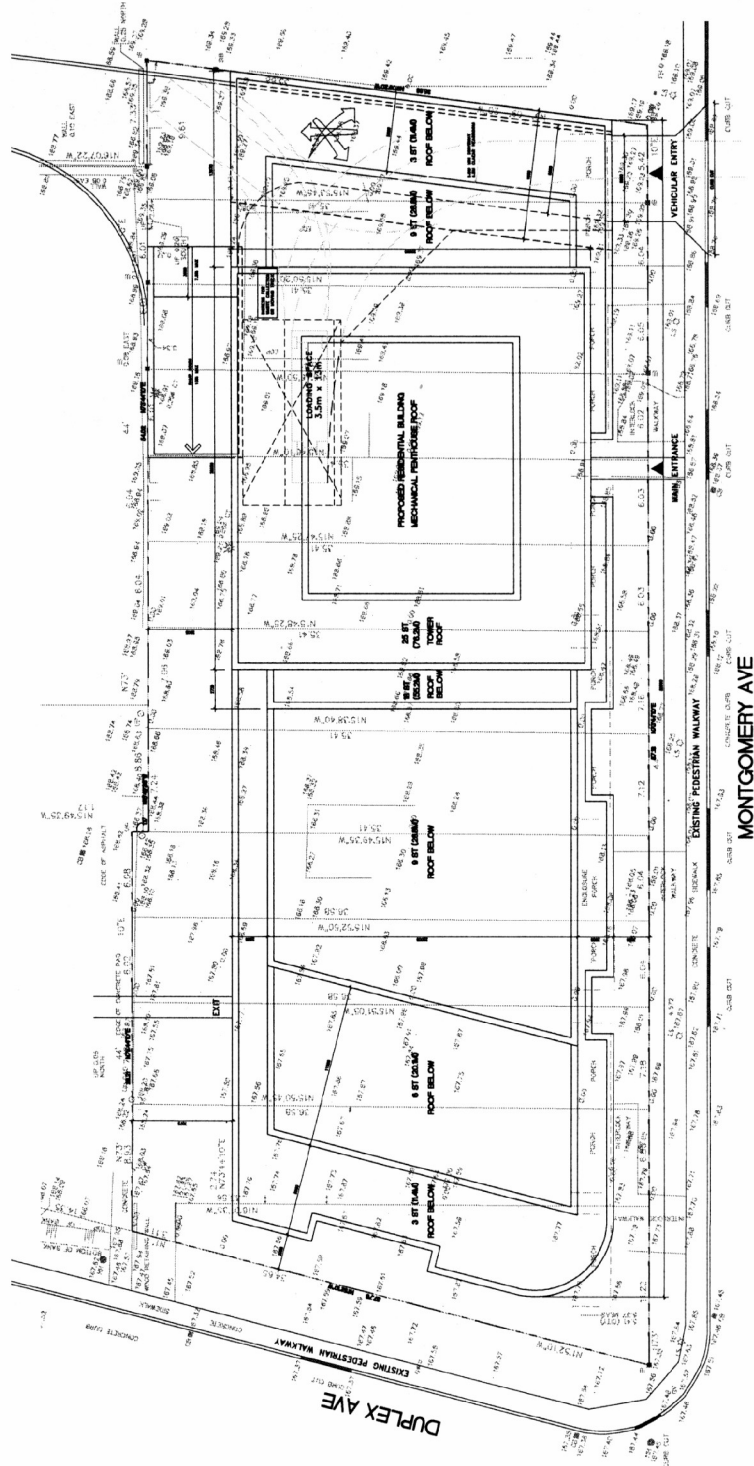


Not to Scale

Extracted 03/06/2008

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**Attachment 2:
Site Plan for Proposed Apartment Building at 34-70 Montgomery Avenue**



34 - 70 Montgomery Avenue

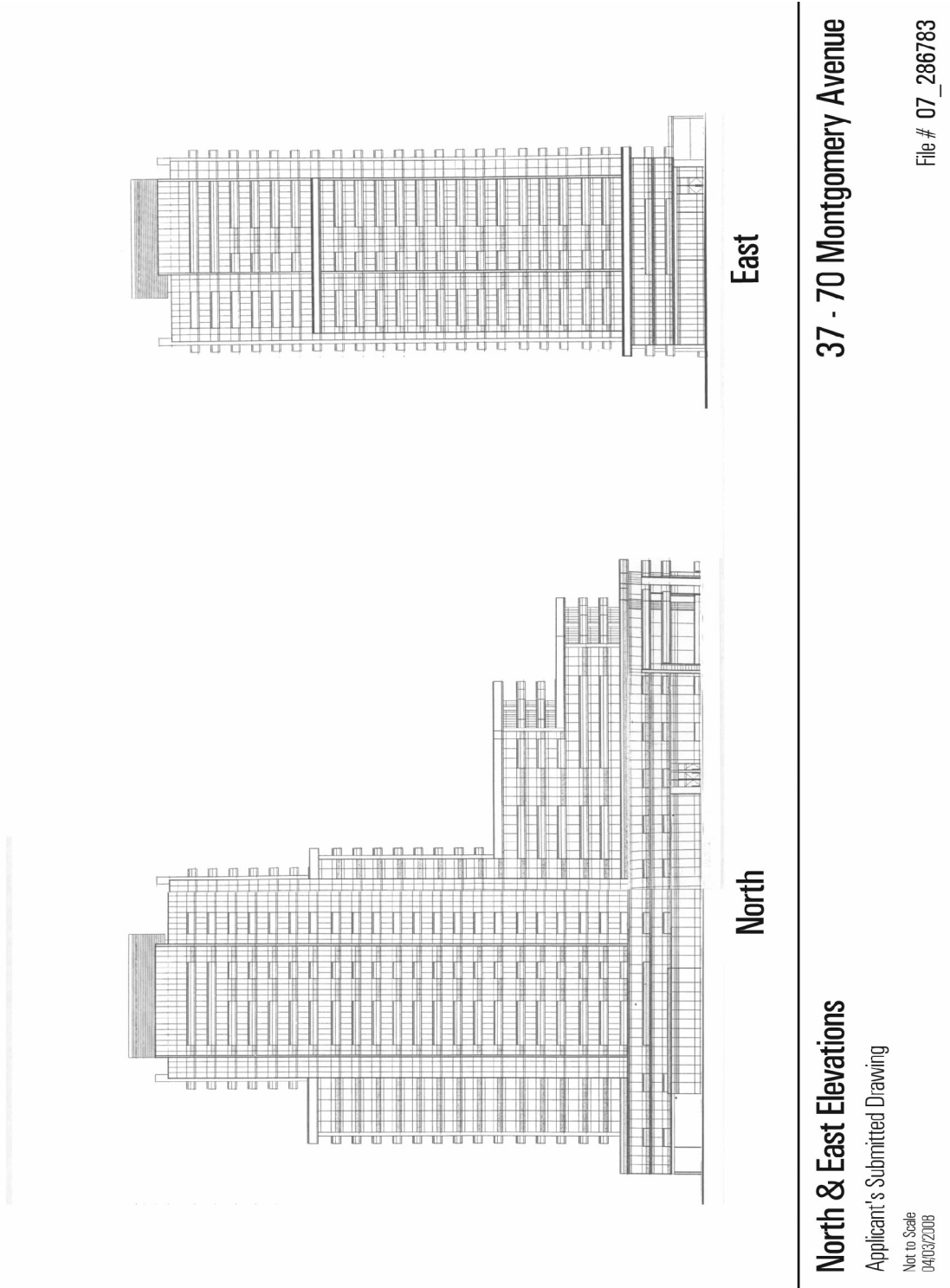
Site Plan
Applicant's Submitted Drawing
Not to Scale
12/24/2007

File # 07_286783



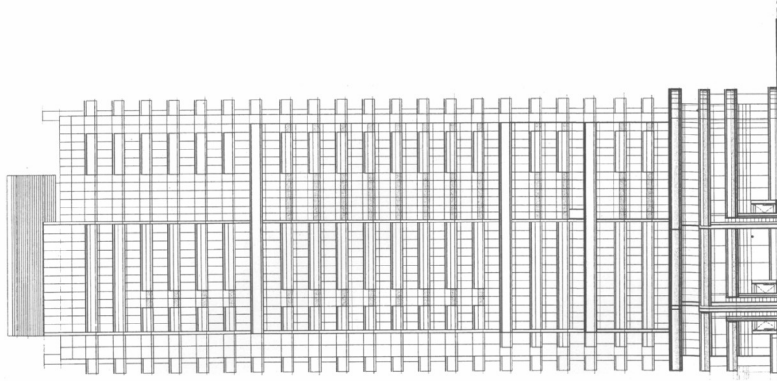
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Attachment 3: North and East Elevations of Proposed Apartment Building

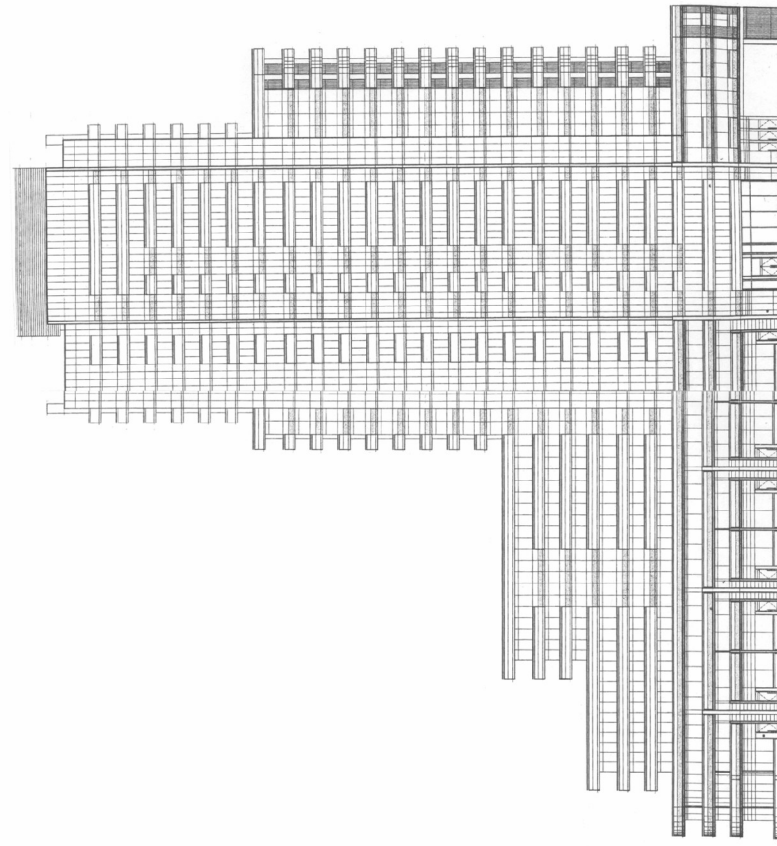


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Attachment 4: South and West Elevations of Proposed Apartment Building



West



South

37 - 70 Montgomery Avenue

South & West Elevations

Applicant's Submitted Drawing

Not to Scale
04/03/2008

File # 07_286783

Attachment 5: Official Plan



TORONTO City Planning
Official Plan

35-57 Roselawn Avenue, 479-499 Duplex Avenue,
 34-70 & 31-61 Montgomery Avenue, and 30-58 Helendale Avenue

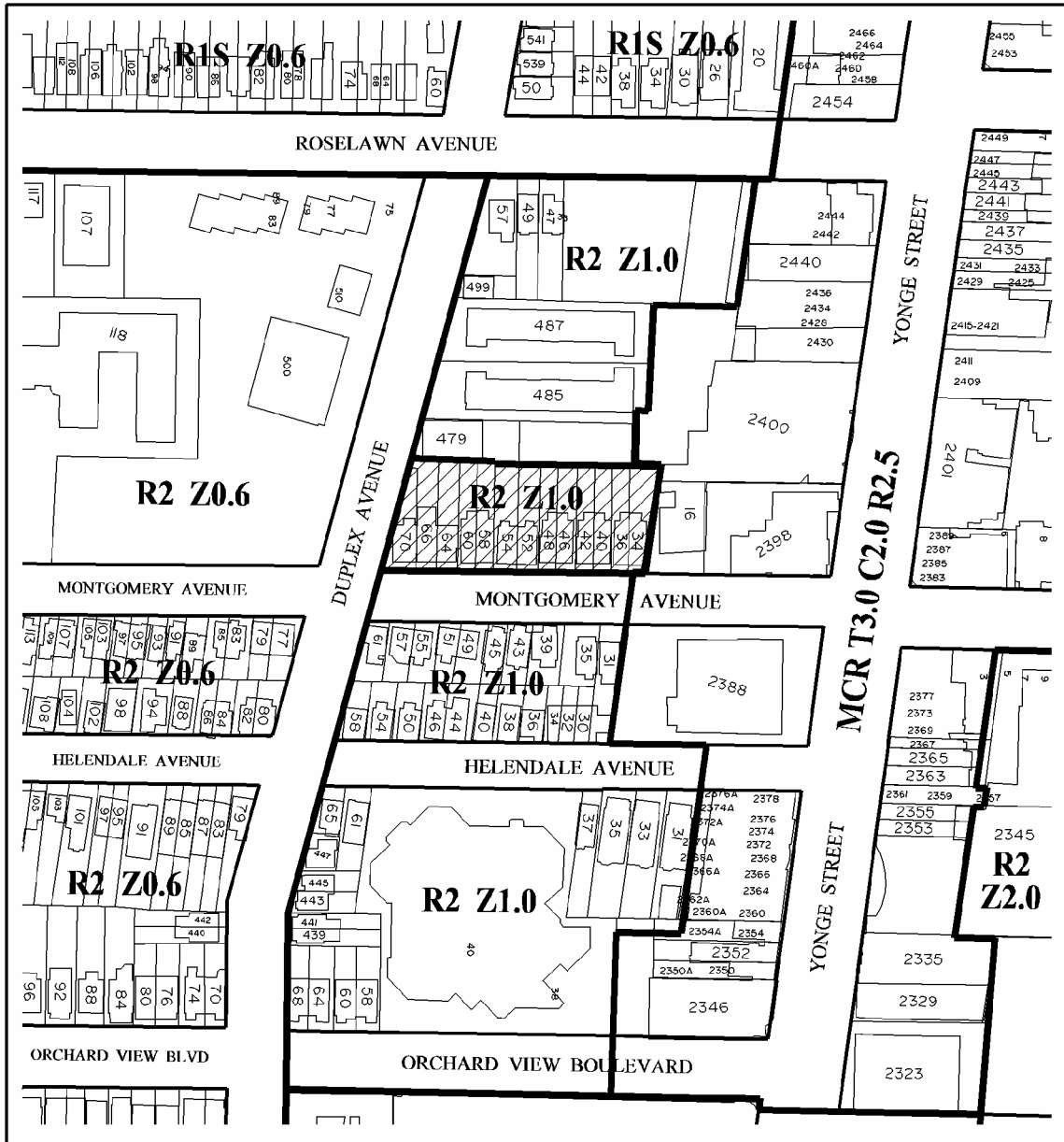
File # 07_249746

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas


 Not to Scale
 12/31/2007

Staff report for action – Final Report – 35, 45, 47, 49 & 57 Roselawn Avenue, 479-487 & 499 Duplex Avenue, 31-70 Montgomery Ave, and 38-58 Helendale Avenue

Attachment 6: Zoning



Toronto City Planning
Zoning

34 - 70 Montgomery Avenue

File # 07_286783

- R1 Residential District
- R1S Residential District
- R2 Residential District
- MCR Mixed-Use District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 12/19/2007

Staff report for action – Final Report – 35, 45, 47, 49 & 57 Roselawn Avenue, 479-487 & 499 Duplex Avenue, 31-70 Montgomery Ave, and 38-58 Helendale Avenue

Attachment 7:
Application Data Sheet for Proposed Apartment Building at 34-70 Montgomery Avenue

Application Type	Rezoning	Application Number:	07 286783 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	December 13, 2007

Municipal Address: 70 MONTGOMERY AVE
 Location Description: PL 563 PT LT6 **GRID N1606
 Project Description: The application is to permit a 25 storey residential apartment building having a gross floor area of 27,209.8m2

Applicant:	Agent:	Architect:	Owner:
PMG PLANNING CONSULTANTS			CONCERTINA DEVELOPMENTS L

PLANNING CONTROLS

Official Plan Designation:	NEIGH	Site Specific Provision:
Zoning:	R2, Z1.0	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	3037.5	Height:	Storeys:	25
Frontage (m):	37.76		Metres:	76.2
Depth (m):	87.18			
Total Ground Floor Area (sq. m):	1937.2			Total
Total Residential GFA (sq. m):	27209.8		Parking Spaces:	338
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	27209.8			
Lot Coverage Ratio (%):	63.8			
Floor Space Index:	8.96			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	129
2 Bedroom:	168
3 + Bedroom:	10
Total Units:	307

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	27209.8	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Christian Ventresca, Planner
TELEPHONE: (416) 395-7129

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