

**2800 Bloor Street West - Zoning By-law Amendment
Application and Rental Housing Demolition and
Conversion Application - Preliminary Report**

Date:	August 19, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 - Etobicoke-Lakeshore
Reference Number:	13 185427 WET 05 OZ and 13 185456 WET 05 RH

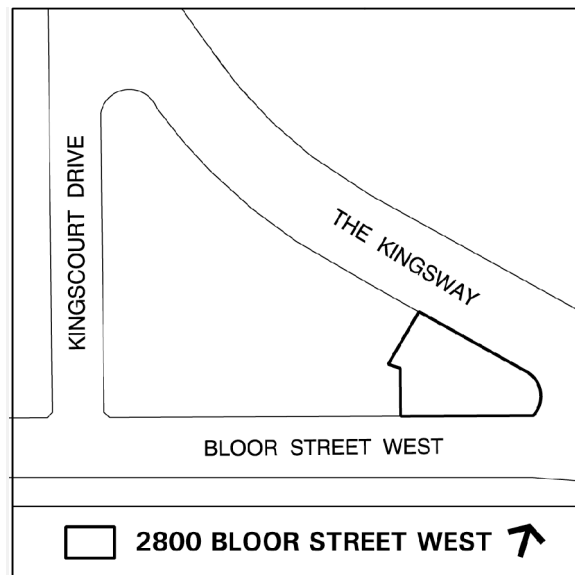
SUMMARY

The rezoning application proposes a 9-storey residential building, comprised of 44 residential dwelling units, including 3 two-bedroom replacement rental units at 2800 Bloor Street West.

An application for Rental Housing Demolition and Conversion under Section 111 of the *City of Toronto Act* pursuant to Chapter 667 of the City of Toronto Municipal Code has been submitted with the rezoning application to permit the demolition of the existing 3-storey, affordable and mid-range 10-unit rental apartment building on the site.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

A community consultation meeting in conjunction with a rental housing matters meeting is recommended to be held in the fourth quarter of this year. A statutory public meeting is targeted for the second



quarter of 2014 subject to the applicant providing all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting in conjunction with a rental housing matters meeting for the lands at 2800 Bloor Street West together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations under the *Planning Act* and the *City of Toronto Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On November 30, December 1, 2, 4 and 7, 2009, City Council approved applications to amend the Official Plan and the former City of Etobicoke Zoning Code to permit a 7-storey senior citizens' retirement home facility having not more than 86 rooms and 3 rental replacement dwelling units designed primarily for seniors at 2800 Bloor Street West. City Council also conditionally approved a related application for Rental Housing Demolition and Conversion to demolish the existing 10-unit residential building on the site. A Section 37 and Section 111 Agreement between the City and Forum (Kingsway) Inc., the previous owner of the lands, was executed to secure community benefits and the terms and conditions of rental demolition approval.

The community benefits included improvements to The Kingsway boulevard and the Kingsway Gate Boulevard Parkette and restoration of the Kingsway Gates. The Section 111 Agreement conditions included the requirement that the owner provide and maintain not less than 3 new rental replacement dwelling units, provide assistance to existing tenants related to notice of tenancy termination, provide financial assistance above and beyond the minimum required by the *Residential Tenancies Act*, and provide compensation for moving expenses.

The November 30, December 1, 2, 4 and 7, 2009 City Council approval and related staff report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.EY31.13>.

Official Plan Amendment No. 110 and site-specific Zoning By-law 1160-2010 were enacted to implement the approval to permit the 7-storey senior citizens' retirement home facility. The Zoning By-law limited development to a maximum of 6,900 m² gross floor

area, a development density of 4.7 times the area of the lot, and a maximum height of 22 m. Site and Area Specific Policy 340 was established in the Official Plan for the subject lands to provide for a reduced number of rental replacement units.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements. In particular, matters related to the submission of the Rental Housing Demolition and Conversion application were discussed.

ISSUE BACKGROUND

Proposal

The proposed 9-storey (31 metre) condominium building consists of 44 residential dwelling units of which five dwelling units would be in a townhouse form, 3 replacement rental units would be located on the second floor, and the remaining thirty-six dwelling units would be located on floors three to nine. The total development density proposed is 8,692 m² and 5.55 times the area of the lot.

The five townhouse units would range in size from approximately 177 m² to 267 m². The three replacement rental units would be approximately 68 m² to 75 m² in floor area. Thirty units are proposed on floors three to seven and would be approximately 131 m² to 192 m² in floor area. The remaining six units would be two-storey occupying the eighth and ninth floors ranging from approximately 166 m² to 274 m² in size. Twenty-two of the 44 units would be three-bedroom units, with the remainder being two-bedroom units.

The proposed dwelling units would face Bloor Street West and The Kingsway. The majority of units proposed to face The Kingsway and Bloor Street West would have inset private balconies. External balconies/terraces are proposed on the upper two storey units. An indoor common amenity area would be provided on the second floor for residents with access to an outdoor terrace. The outdoor terrace would be located on the west side of the proposed building.

Pedestrian access to the proposed building would be from both Bloor Street West and The Kingsway. A semi-circular driveway from The Kingsway is proposed for vehicular access to a three-level underground parking garage and loading and garbage/recycling facility contained within the proposed building. The underground parking garage would contain 65 parking spaces, of which 4 parking spaces would be for visitors.

A new landscaped open space in front of the development would be proposed along the municipal boulevard on The Kingsway. For a summary of the application, please refer to Attachments 1 and 2 for the site plan and elevations, and Attachment 4 for the Application Data Sheet.

Site and Surrounding Area

The site is located immediately west of the three-way intersection of Bloor Street West, The Kingsway and Old Mill Road. The Kingsway is located on the north side of the site and Bloor Street West is located on the south side. The site is approximately 0.16 ha in size and is triangular in shape. The site slopes down from west to east towards the intersection.

A vacant 3-storey rental apartment building currently exists on the site. The building has 10 units of which 7 are two-bedroom units approximately 60 m² in size and 3 are three-bedroom units approximately 79 m² in size. Six of the two-bedroom units and two of the three-bedroom units had affordable rents.

The surrounding uses are as follows:

North: Single-detached dwellings.

South: An 8-storey residential condominium apartment building.

East: Kingsway Gate Boulevard Parkette, the intersection of The Kingsway and Bloor Street West and low-rise apartment buildings on the north side of Bloor Street West.

West: 2½ storey apartment buildings and single detached dwellings.

The site is located close to the Old Mill subway station. An easement for the Bloor - Danforth subway tunnel is located under the northerly part of the site.

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 PPS provides for planning authorities to identify and promote opportunities for intensification and redevelopment where it can be accommodated taking into account existing building stock, infrastructure and public service facilities. The PPS also requires that planning authorities provide an appropriate range of housing types and densities, including the provision of affordable housing.

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.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The lands are designated *Apartment Neighbourhoods* on Map 15 – Land Use Plan in the Official Plan. *Apartment Neighbourhoods* are comprised of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. The Official Plan seeks to ensure that residents of *Apartment Neighbourhoods* have a high quality urban environment, safety, quality services and residential amenities.

The section of Bloor Street West within which this site is located is shown as an *Avenue* on the Urban Structure Map (Map 2) of the Toronto Official Plan. Avenues are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. While the Plan does not require an Avenue Segment Study to be undertaken by the applicant in this land use designation, staff will assess the implications of this proposal on the Bloor Street West context in the vicinity of the site.

Significant growth is generally not intended within developed *Apartment Neighbourhoods*. However, the Official Plan recognizes that opportunities for additional infill development on underutilized sites exist in the City and the Plan includes criteria to evaluate these situations. The criteria that will be used to evaluate development in *Apartment Neighbourhoods* in this case are set out in Policy 4.2.2 and include the following considerations:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*; adequately limiting shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes; frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- including sufficient off-street motor vehicle and bicycle parking for residents and visitors and 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-unit residential development, and providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

The development proposal will also be evaluated for conformity with the Healthy Neighbourhoods policies of the Official Plan. Healthy Neighbourhoods Policy 2.3.1.1 considers *Neighbourhoods* and *Apartment Neighbourhoods* to be physically stable areas

and that development within *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective. Development will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

The Healthy Neighbourhoods policies identify that development in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will be compatible with those neighbourhoods, provide a gradual transition of scale and density through stepping down of buildings and setbacks, maintain adequate light and privacy for residents and attenuate resulting traffic and parking impacts on adjacent neighbourhood streets.

The proposal will also be reviewed to ensure compliance with the Built Form policies of the Official Plan. The Built Form Policies contained in Section 3.1.2 of the Official Plan, amongst other matters, ensure that new development will be located, organized and massed to fit harmoniously within its existing and/or planned context.

The Official Plan also contains policies addressing the need to preserve and increase the City's supply of rental and affordable housing.

The proposal to replace only 3 of the existing 10 rental units will be reviewed to achieve compliance with the Official Plan. Site and Area Specific Policy 340, which was passed in 2009 in conjunction with the previous applications to permit a senior citizens' retirement home facility, states that the replacement of the same number and type of rental housing units is not required, provided at least 3 rental replacement units are included in the new development.

Policy 3.2.1 of the Official Plan includes housing policies that encourage the provision of a full range of housing in terms of form, tenure and affordability. 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 to replace the rental units with at least 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 for a period of 10 years and to retain them as rental for 20 years. An acceptable tenant relocation and assistance plan is also required to address moving related costs, alternative accommodation, and other assistance to lessen hardship.

The Housing Policies of The Official Plan define rental housing to be a building or related group of buildings containing one or more rented residential units, including vacant units that have been used for rented residential purposes, and units that are being or have last been used for rented residential purposes in equity co-operative or co-ownership housing, but does not include condominium-registered or life-lease units.

The proposal will be reviewed to ensure compliance with the Land Use and Housing policies of the Official Plan, as well as other relevant Official Plan policies, such as Transportation.

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

Performance Standards for Mid-Rise Buildings

City Council on July 6, 7 and 8, 2010, adopted the recommendations of the Avenues and Mid-Rise Buildings Study and Action Plan. The study developed performance standards for mid-rise buildings to encourage the development of more well designed mid-rise buildings on the *Avenues*. The performance standards will be considered in the evaluation of the rezoning application and provide guidance to assist in the transition from the *Apartment Neighbourhoods* lands to the adjacent *Neighbourhoods* lands and parkette lands located next to the site and in minimizing potential adverse impacts related to light, views and privacy associated with the development of the lands.

Zoning

The site is zoned R4 Fourth Density Residential Zone subject to site-specific Zoning By-law 1160-2010 in the former City of Etobicoke Zoning Code. Zoning By-law 1160-2010 permits the land to be used only for a Senior Citizens' Retirement Home Facility containing 86 senior citizens' retirement home facility rooms and 3 rental replacement dwelling units. Zoning By-law 1160-2010 also sets out specific Section 37 community benefits that were secured as part of the approval of the development application for a senior citizens' retirement home.

Since the site is subject to site-specific Zoning By-law 1160-2010 under the former City of Etobicoke Zoning Code, the site is exempt from the new City-wide Zoning By-law 569-2013.

Site Plan Control

The proposed development is subject to Site Plan Control approval. A Site Plan Control approval application has not been submitted. Once the application is submitted, staff will have an opportunity to review matters such as grading, landscaping, street tree planting, building design and access in more detail.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. An Arborist report and Tree Preservation Plan were submitted with the application and are currently under review by City staff.

Rental Housing Demolition and Conversion

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City.

By-law 885-2007, also known as the Rental Housing Demolition and Conversion By-law, established Chapter 667 of the Municipal Code. The By-law makes it an offence to demolish, or cause to be demolished, the whole or any part of a residential rental property unless approval has been granted for a Section 111 permit for the demolition of the residential rental property. Proposals in which six or more rental housing units will be affected require a decision by City Council. In addition, approval of related planning

applications, such as a rezoning, should be conditional upon the applicant receiving a Section 111 permit. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions are based on the Official Plan policies and established practices the City has in place when considering rental housing demolition. Typically these conditions include the full replacement of the rental units to be removed, as well as tenant assistance and the right for tenants to return. Unlike *Planning Act* applications, the City's decisions on refusal or approval of a Section 111 permit under By-law 885-2007 are not subject to appeal to the Ontario Municipal Board.

The applicant has submitted the required Rental Housing Demolition and Conversion Application under Chapter 667 of the Municipal Code for the City's review, as 10 residential rental units are to be demolished in the existing building on the site. A Housing Issues Report has been submitted with the required application and is currently under review for consistency with the Official Plan. This application will be reviewed in co-ordination with the rezoning application, with the intent of making recommendations on both applications to City Council at the same time.

Reasons for the Applications

An amendment to the former City of Etobicoke Zoning Code is required as a 9-storey residential apartment building is not a permitted use.

As the demolition of a rental building containing 10 units of affordable and mid-range rents is proposed, a Section 111 permit is required under Chapter 667 of the *City of Toronto Act* to permit the redevelopment of this site.

COMMENTS

Application Submission

The following reports/studies were submitted with the applications:

- Planning Rationale Report and Community Facilities and Services Report;
- Housing Issues Report;
- 3D Building Mass Model;
- Arborist Report;
- Functional Servicing and Stormwater Management Report;
- Geotechnical Investigation Report;
- Traffic Impact and Parking Study;
- Sun/Shadow Study;
- Archaeological Assessment Report and Acceptance Letter;
- Toronto Green Standard (TGS) checklist;
- Noise and Vibration Feasibility Study; and
- Pedestrian Level Wind Study.

A Notification of Complete Application for the rezoning was issued on July 23, 2013. A Notification of Complete Application for the Rental Housing Demolition and Conversion application was issued on July 31, 2013.

Issues to be Resolved

City Planning staff have circulated the applications, plans and studies to other City divisions and agencies for review and comment.

Issues that require further review and analysis in relation to this development include but are not limited to:

- consistency with the policies within the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe;
- compliance with the applicable Official Plan policies, including the *Apartment Neighbourhoods*, Built Form, Housing and Healthy Neighbourhoods policies;
- an assessment of the proposal's consistency with the rental housing policies of the Official Plan, including the replacement of rental housing units to be demolished;
- built form and physical context issues including appropriate density, height and massing of the building and light, view and privacy;
- appropriate design and integration of the proposal within the public realm, and integration and transition in scale of the development within its existing and planned context, with particular regard to the low scale neighbourhood to the north and west and the east/west Bloor Street West context;
- treatment of the grade-related floor of the building and its relationship to the streetscape;
- shadowing of adjacent properties;
- assessment of the proposal relative to the City's Performance Standards for Mid-Rise Buildings;
- assessment of on-site parking and loading;
- assessment of the impact of the proposal upon the Toronto Transit Commission subway facilities located under the lands;
- the relationship of the proposed building to the adjacent parkette;
- tree preservation; and
- a review and evaluation of suitable Section 37 community benefits as applicable and appropriate.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2a: North Elevation

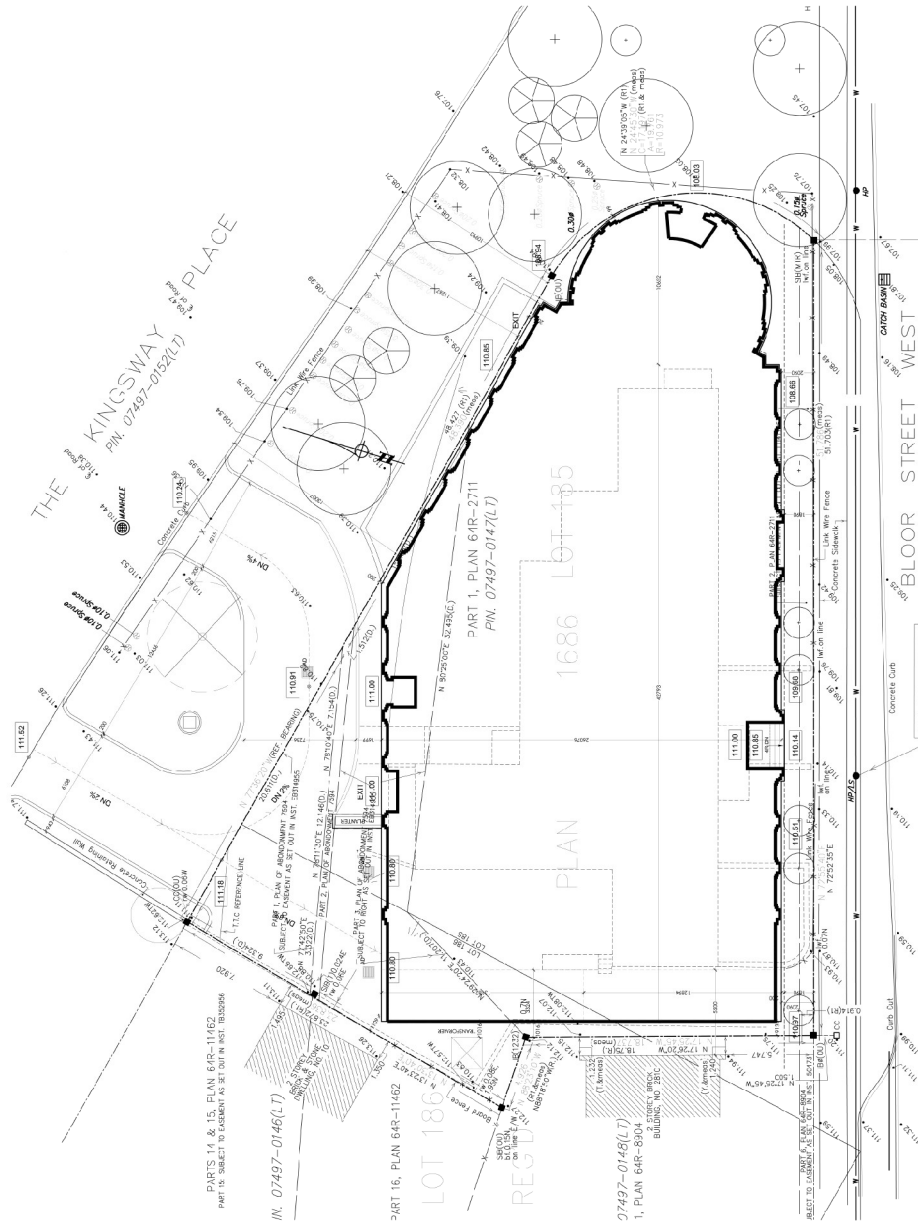
Attachment 2b: South Elevation

Attachment 2c: West and North-West Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



2800 Bloor Street West

File # 13 185427 WET 05 0Z
 File # 13 185456 WET 05 RH

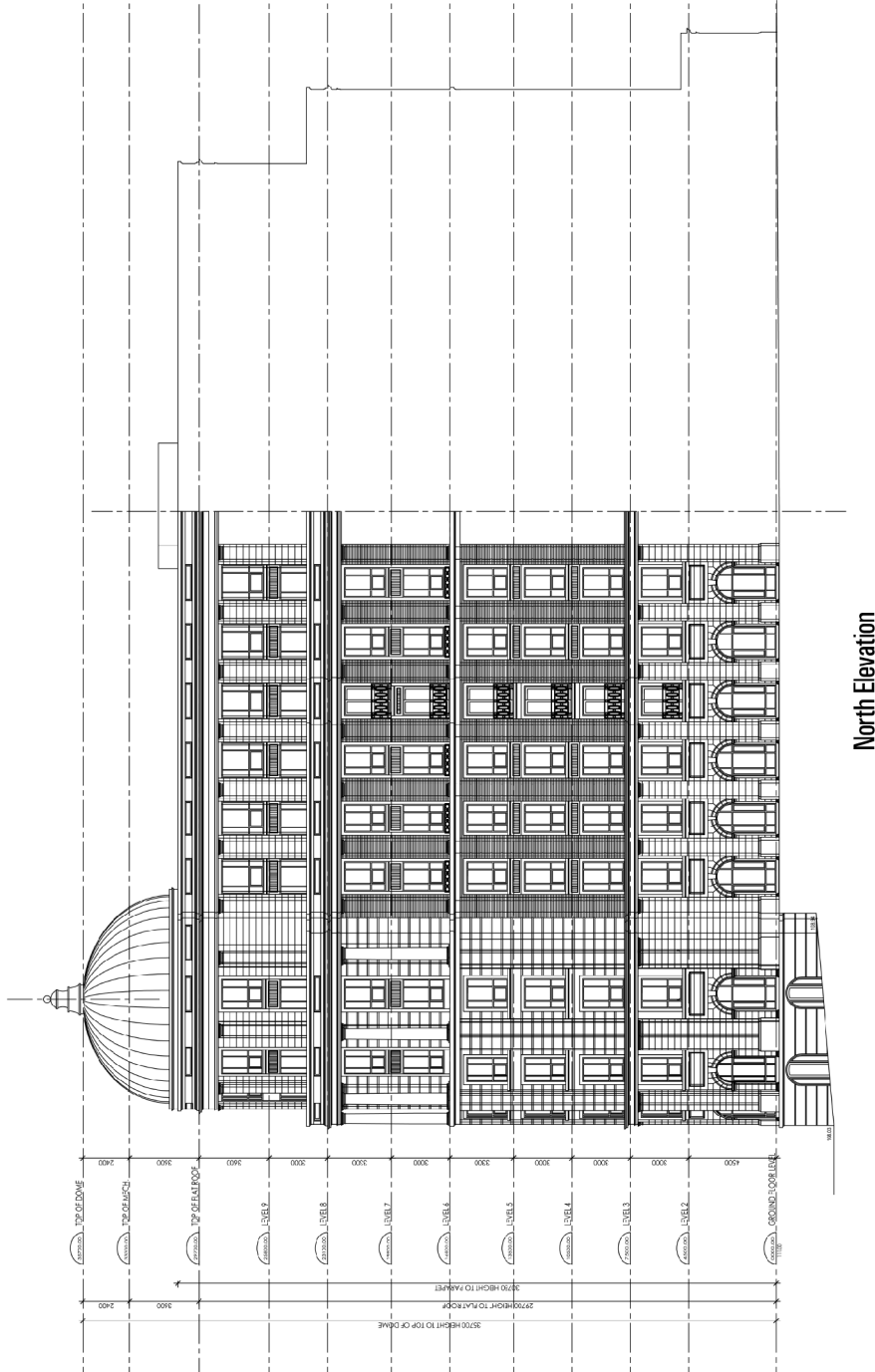
Site Plan

Applicant's Submitted Drawing

Not to Scale
 07/31/13



Attachment 2a: North Elevation

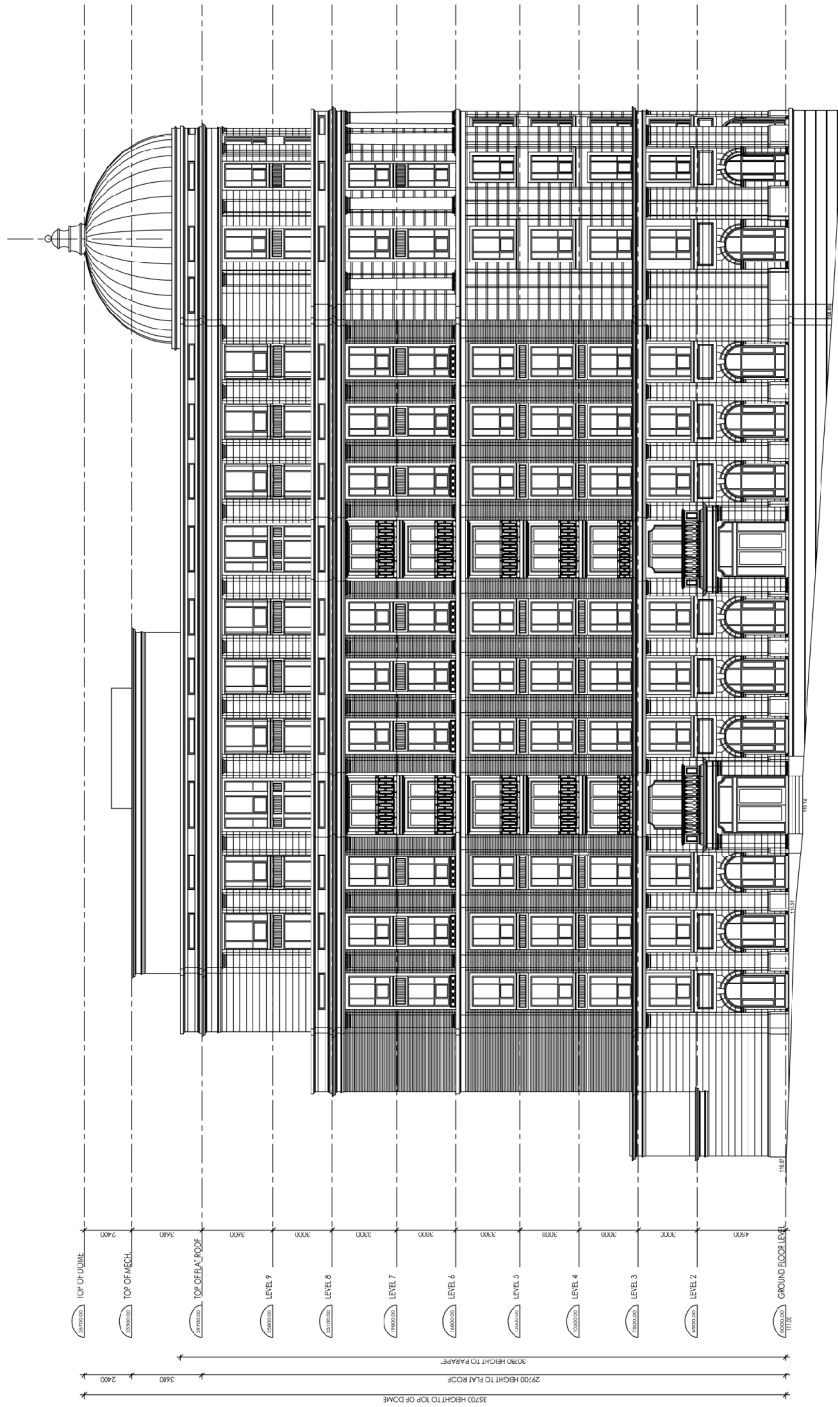


Elevations
2800 Bloor Street West

Applicant's Submitted Drawing
 Not to Scale
 07/31/13

File # 13 185427 WET 05 OZ
 File # 13 185456 WET 05 RH

Attachment 2b: South Elevation



South Elevation

2800 Bloor Street West

Elevations

Applicant's Submitted Drawing

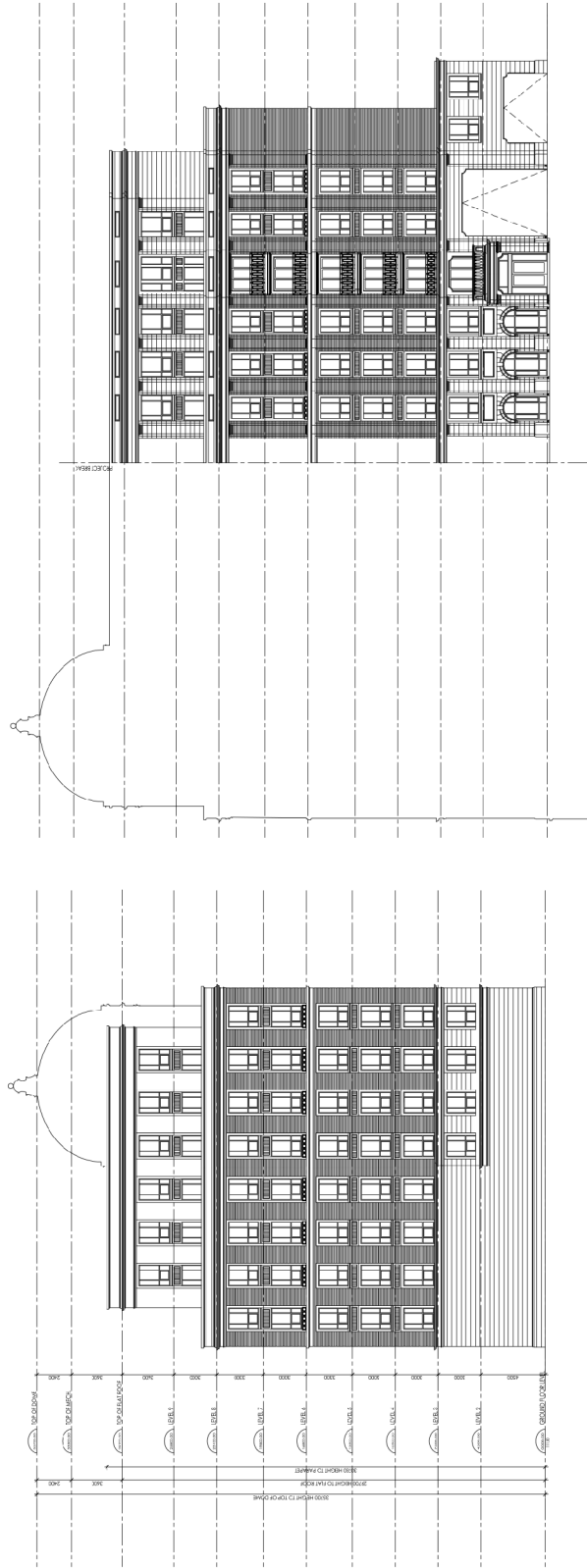
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07/31/13

Attachment 2c: West and North-West Elevations



North-West Elevation

West Elevation

2800 Bloor Street West

Elevations

Applicant's Submitted Drawing

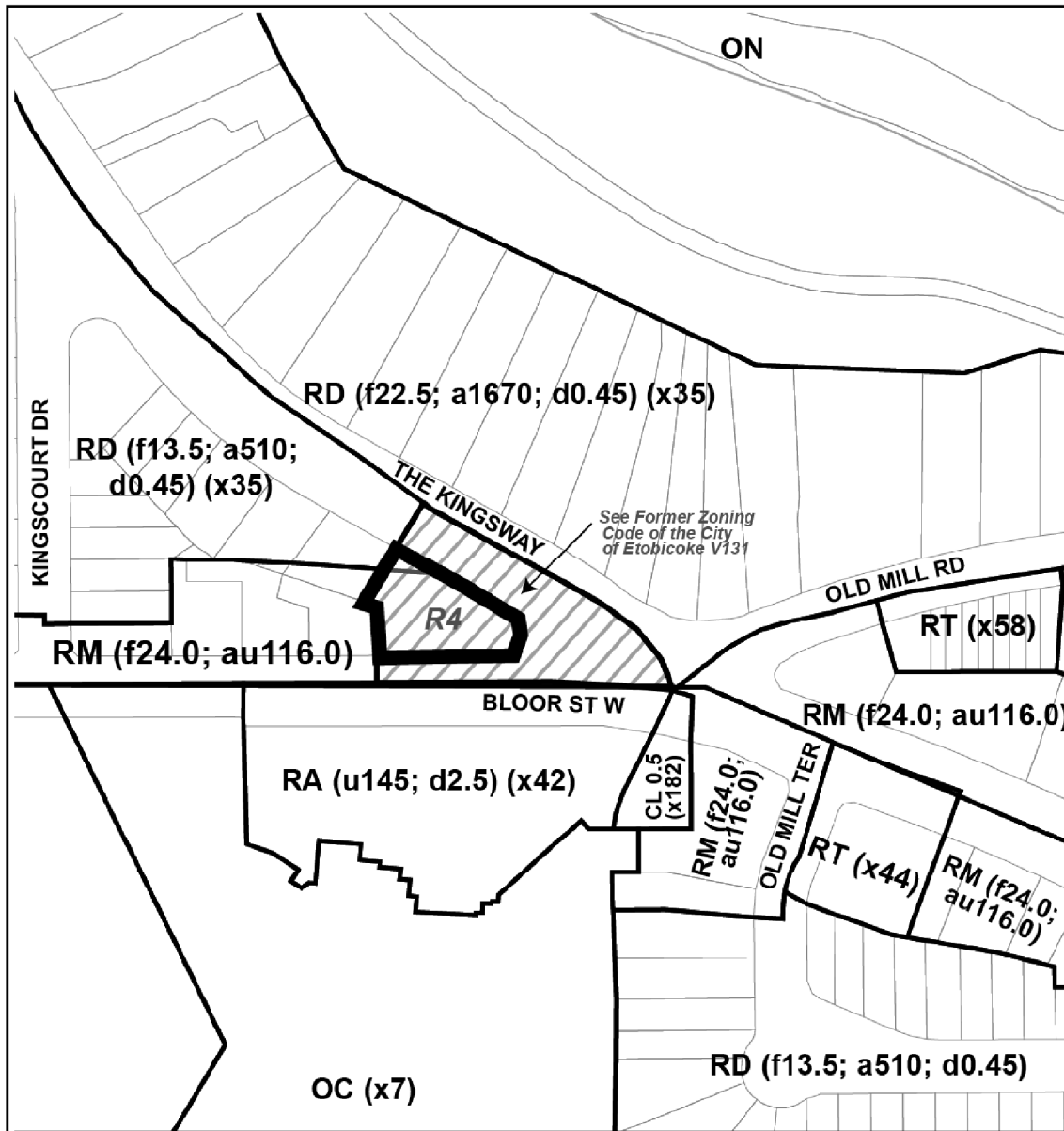
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07/31/13

Attachment 3: Zoning




TORONTO City Planning
Zoning By-law 569-2013

2800 Bloor Street West
 File # 13 185427 WET 05 0Z
 File # 13 185456 WET 05 RH

-  Location of Application
- RD Residential Detached
- RT Residential Townhouse
- RM Residential Multiple
- RA Residential Apartment

- ON Open Space Natural
- OC Open Space Cemetery

-  See Former Zoning Code of the City of Etobicoke V131
- R4 Residential Fourth Density


 Not to Scale
 Extracted 07/30/13

Attachment 4: Application Data Sheet

Application Type	Rezoning & Rental Housing Demolition and Conversion	Application Number:	13 185427 WET 05 OZ 13 185456 WET 05 RH
Details	Rezoning, Standard	Application Date:	June 11, 2013
Municipal Address:	2800 BLOOR STREET WEST		
Location Description:	PLAN 1686 PT LOTS 185 & 186 RP 64R2711 PARTS 1 & 2 **GRID W0503		
Project Description:	Zoning Amendment to the former City of Etobicoke Zoning Code to permit the development of a 9-storey, 44-unit residential building, including 3 replacement rental units.		

Applicant:	Agent:	Architect:	Owner:
GOODMANS LLP		Richard Wengle	NDI (2800 BLOOR STREET WEST) INC

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision: Zoning By-law No. 1160-2010
Zoning:	R4 Fourth Density Residential	Historical Status: N/A
Height Limit (m):	22	Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq. m):	1567.06	Height:	Storeys:	9
Frontage (m):	51.786		Metres:	30.78
Depth (m):	48.390			
Total Ground Floor Area (sq. m):	101.46			Total
Total Residential GFA (sq. m):	8691.77		Parking Spaces:	65
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	8691.77			
Lot Coverage Ratio (%):	.65			
Floor Space Index:	5.55			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	22
3 + Bedroom:	22
Total Units:	44

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	8691.77	8691.77	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT:	PLANNER NAME:	Greg Hobson-Garcia, Planner
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