

**18-30 Erskine Avenue - Zoning By-law Amendment
Application - Preliminary Report**

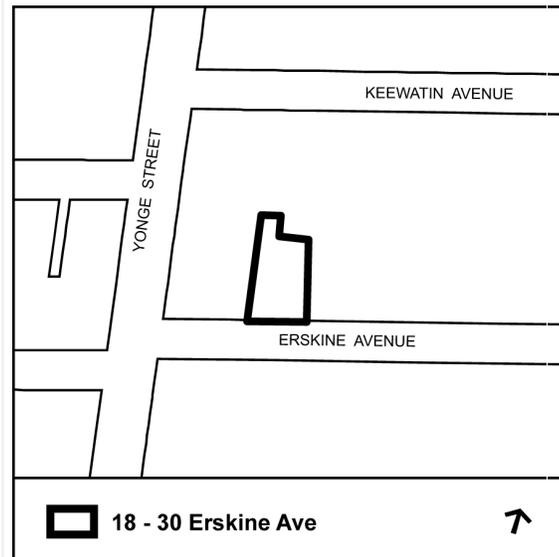
Date:	December 20, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 25 – Don Valley West
Reference Number:	12 267217 NNY 25 OZ

SUMMARY

This application proposes to permit a 35-storey, 300-unit residential condominium building with 153 parking spaces in 8 levels (4 below grade 4 above grade in the podium of the building). The proposed development would have a gross floor area of approximately 21,260 m² resulting in a density of 14.9 FSI.

The proposal involves the demolition of an existing 3-storey, 6-unit rental apartment building municipally known as 30 Erskine Avenue. The applicant has been advised a Rental Housing Demolition and Conversion application and a permit under Section 111 of the *City of Toronto Act* must be submitted.

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



A Final Report is targeted for the fourth quarter of 2013 provided that the applicant submits all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 18-30 Erskine Avenue 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 of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

Pre-application consultation meetings were held on December 11, 2011 and April 11, 2012 with the applicant to discuss the Planning policy framework that would apply to the proposal and the complete application submission requirements.

ISSUE BACKGROUND

Proposal

This is a rezoning application to permit the construction of a 35-storey condominium apartment building at 18-30 Erskine Avenue. The building would contain 300 dwelling units comprising 240 one-bedroom units and 60 two-bedroom units. A total of 153 parking spaces are proposed, including 6 tandem spaces together with 200 bicycle parking spaces. The parking spaces would be provided on 8 levels: 4 below grade (75 spaces) and 4 above grade (78 spaces) within the base of the building (refer to Attachment 1: Site Plan, Attachments 2, 3, 4 & 5 Elevations). The proposed building height and density would be 109 metres and 14.9 times the lot area, respectively.

Vehicular access/egress would be from Erskine Avenue via a two-way 6 metre wide driveway that would lead to a ramp up to the 4 levels of above grade parking and a ramp to the 4 levels of below grade parking, a loading area and the refuse collection facilities. In addition to these ramps the ground floor plan includes the entrance lobby/lounge, mailroom and visitor bicycle parking storage rooms.

Common recreation amenity space is proposed on the 5th floor comprising 420 m² of indoor space (1.4m² per unit) and 690 m² of outdoor amenity space (2.3m² per unit) located off the adjoining podium rooftop garden.

Refer to Attachment 8 (Application Data Sheet) for the complete list of project statistics.

Site and Surrounding Area

The site is located on the north side of Erskine Avenue (three blocks north of Eglinton Avenue) and just east of Yonge Street. The site is irregular in shape with an area of approximately 1,423m², a frontage of approximately 30 metres on Erskine Avenue, a lot depth of approximately 44 metres along the easterly boundary of the site and approximately 57 metres along the western boundary. The development site comprises three properties municipally known as 18-22, 24-26 and 30 Erskine Avenue. The lands at 18-26 Erskine Avenue are currently developed with a commercial surface parking lot. Until 2011, the properties were developed with two, 2-storey commercial buildings. The property at 30 Erskine Avenue presently contains a 3-storey, 6-unit (two-bedroom units), rental apartment building. Two of the units are occupied.

The area immediately surrounding the Yonge-Eglinton intersection is comprised primarily of retail and commercial uses with predominantly residential uses further north and east. The area includes a variety of built forms including detached and semi-detached homes, walk-up apartment buildings from the 1940's and 1950's, high-rise slab apartment towers from the 1960's and 1970's and more recent townhouses and high-rise apartment buildings.

Surrounding uses are as follows:

North: immediately to the north of the site are playing fields associated with John Fisher Public School, 4-storey townhouses (17-29 Keewatin) and a 4-storey apartment building (65 Keewatin Avenue) fronting the south side of Keewatin Avenue, then lands designated *Neighbourhoods* north of Keewatin Avenue:

South: Erskine Avenue then a 16-storey residential apartment building (15 Erskine Avenue), a 10-storey residential apartment building (33 Erskine Avenue) and 2-5 storey commercial buildings fronting Yonge Street:

East: immediately to the east of the site is John Fisher Public School (a listed heritage building), then a series of apartment buildings ranging from 7 storeys (70 Erskine Avenue) to 30 storeys (140 Erskine Avenue) in height:

West: a single storey commercial building currently occupied by Erskine Food Market (10 Erskine Ave) and the rear yards of 1-3 storey commercial buildings that front the east side of Yonge Street between Erskine Avenue and Keewatin Avenue to the north.

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.

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 *Mixed Use Areas* on Land Use Map 17 of the Official Plan. This designation provides for a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings as well as parks and open spaces. Policies relevant to this application include Sections 3.1.2 (Built Form), 3.1.3 (Built Form – Tall Buildings), 3.2.1 (Housing), 4.5(2) (Development Criteria in *Mixed Use Areas*) and 5.1.1 (Section 37 – Height and/or Density Incentives).

Built Form Policies 3.1.2 and 3.1.3 of the Official Plan specify that new development should be located and organized to fit with its context, be massed to limit impacts on neighbouring streets, parks, open spaces and properties by creating appropriate transitions in scale to neighbouring buildings, provide adequate light and privacy, and limit shadowing and uncomfortable wind conditions.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units.

Development criteria in *Mixed Use Areas* are set out in Policy 4.5(2). Generally, the policy includes matters pertaining to building location and massing, height transitions, light and privacy impacts, reducing automobile dependency, parking supply, site circulation and access.

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

Yonge-Eglinton Secondary Plan

The site is located within the boundary of the Yonge-Eglinton Secondary Plan and more specifically, within the Yonge-Eglinton Centre of the Plan (see Attachment 7). The Yonge-Eglinton Centre within the Secondary Plan is generally bounded by Mount Pleasant Road on the east, by Soudan Avenue/Berwick Avenue on the south, by Duplex Avenue/Yonge Street on the west and by Keewatin Avenue on the north.

The Secondary Plan contains policies that are area-specific and at a greater level of detail than those of the Official Plan. The Secondary Plan generally defers to the Official Plan with respect to rental housing matters and development criteria for the subject site. However, some specific Secondary Plan policies that apply to this site include:

Section 2.4

It is a primary objective to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among uses in *Mixed Use Areas*, *Neighbourhoods*, *Apartment Neighbourhoods* and *Parks and Open Spaces* in terms of land use, scale and vehicular movement.

Section 2.7(d)

"ensure that development of the greatest height, density and scale are situated within *Mixed Use Area 'A'*, and that developments of a lesser scale that are contextually appropriate and compatible with adjacent areas will occur in *Mixed Use Areas 'B', 'C' and 'D'*." This site is designated *Mixed Use Areas* in the Official Plan but is not within any of the *Mixed Use Areas* referenced for greatest height, density and scale in the Secondary Plan.

Section 2.10

"new development will be required to provide an adequate supply of parking and loading to meet site requirements while balancing the City's goal to reduce reliance on automobile use. Parking requirements may be reduced for the development in *Mixed Use Areas* and *Apartment Neighbourhoods* which are in close proximity to subway and light rapid transit access provided the proponents can demonstrate how projected travel can be accommodated by other modes. The purpose of such relief is to: reduce reliance on automobiles; reduce conflicts between vehicular traffic and on-street servicing; and maximize the utilization of existing parking facilities".

Section 5.0, Yonge-Eglinton Centre

The Province's Growth Plan for the Greater Golden Horseshoe contains policies to direct a significant portion of future population and employment growth into a number of intensification areas. These areas include five "Urban Growth Centres" (UGCs) within the City. Under the Growth Plan, municipalities are required to delineate the boundaries of the UGCs within their Official Plans.

The proposed development is within one of the City's five designated Urban Growth Centres and as noted previously, is within the area defined as the Yonge-Eglinton Centre by Official

Plan Amendment 116 (amendment to the Yonge-Eglinton Secondary Plan). Section 5 of the Yonge-Eglinton Secondary Plan includes the following Urban Growth Centre policies which are applicable to the site:

- 5.2 Within the Yonge-Eglinton Centre, the highest heights, densities and scale of development will be within *Mixed Use Area 'A'* on the blocks at the four quadrants of the intersection of Yonge Street and Eglinton Avenue.
- 5.7 New development in the Yonge-Eglinton Centre will be compatible with maintaining the character of surrounding *Neighbourhoods*.

The Secondary Plan for the area speaks to the Yonge Street properties in the vicinity of the site designated *Mixed Use* developing with mid-rise buildings with a scale in the range of 8 to 12 storeys with retail uses at-grade). Lands east of the site are designated *Apartment Neighbourhoods*.

To review the Yonge-Eglinton Secondary Plan and all sections of the Toronto Official Plan refer to the City's website at: www.toronto.ca/planning/official_plan/introduction.htm.

Design Criteria for the Review of Tall Building Proposals

A tall building is generally defined as a building that is taller than the road right-of-way adjacent to the site. The Design Criteria provide policy recommendations for tall buildings on issues of transition, building placement and orientation, entrances, massing of base buildings, tower floor plate sizes, tower setbacks and separation distances, pedestrian realm considerations and sustainable design. If this site is considered appropriate for a tall building this document will be used in the evaluation of the proposed development.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law, contained in Chapter 667 of the City's Municipal Code, implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units in buildings containing six or more rental units without obtaining a permit from the City issued under Section 111 of the City of Toronto Act.

Applications under Chapter 667 for rental demolition are typically addressed concurrently with an application to amend the Zoning By-law and City Council may decide on both applications at the same time. Unlike *Planning Act* applications, City Council decisions to approve or refuse demolitions are not subject to appeal to the Ontario Municipal Board.

A recent site visit conducted by Planning staff has confirmed the existing rental apartment building at 30 Erskine Avenue contains six rental units. As such, the applicant is required to submit a Rental Housing Demolition and Conversion Application and pursuant to By-law No. 885-2007, the applicant has been advised an application under Section 111 of the *City of Toronto Act* is required.

Zoning

The site is zoned MCR T3.0 C2.0 R2.5 with a height limit of 16.0 metres by former City of Toronto Zoning By-law 438-86.

The MCR (Mainstreets Commercial Residential) zone permits a wide range of residential uses including apartment buildings and a range of non-residential uses including community services, cultural and arts facilities, institutional uses, retail and service shops, workshops, studios and offices. The applicable zoning permits a total density of 3.0 times the lot area, with a maximum non-residential density of 2.0 times the lot area and a maximum residential density of 2.5 times the lot area.

Site Plan Control

This application is subject to site plan control. An application has been submitted and is being reviewed concurrently with the subject application.

Tree Preservation

A permit is required to remove, cut down or injure a tree with a diameter of 30 cm or more on private property and appropriate retention and protection measures will be required for trees that qualify for protection under applicable City of Toronto By-laws.

The Arborist Report filed with the application indicates a total of 12 trees were inventoried. The development proposes the removal of five privately-owned trees on the subject site and the injury to or potential removal of four other privately-owned trees on adjacent properties (within 6 metres of the subject site) that qualify for protection under the Private Tree By-law. There are no City-owned trees within the adjacent public boulevard of Erskine Avenue. The applicant is proposing to plant new trees within the public boulevard adjacent to the site.

Reasons for the Application

The applicant is requesting to amend the provisions of former City of Toronto Zoning By-law 438-86 to permit the proposed building height of 109 metres and a density of 14.9 times the lot area. Other appropriate standards (e.g., setbacks, parking, loading, etc.) would be established through a site specific exception.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Architectural Plans and Drawings;
- Planning and Urban Design Rationale including the Community Services and Facilities Report;
- Transportation Impact Study and Parking Study;
- Sun/Shadow Study;

- Servicing Report and Stormwater Management Report;
- Pedestrian Level Wind Study;
- Stage 1 Archeological Assessment;
- Arborist Report; and
- Toronto Green Standards Checklist.

A Notification of Incomplete Application issued on December 5, 2012 identifies the outstanding material required for a complete application submission as follows:

- Rental Housing Demolition and Conversion Application;
- Rental Housing Demolition and Conversion Declaration of Use and Screening Form;
- Housing Issues Report; and
- Revised Planning and Urban Design Rationale that reflects the status of the building at 30 Erskine Avenue.

Issues to be Resolved

The applicants are proposing a significant redevelopment of a small site which raises issues with respect to density, height, quality of the public realm, the orderly development of the block and impacts on adjacent neighbours. Any redevelopment of the site must be carefully considered within the existing and planned context of the Yonge-Eglinton Centre and the policies of the Official Plan. Prior to presenting a Final Report to North York Community Council, the following issues will be reviewed and evaluated:

- The appropriateness and impacts of a tall building on a small site.
- Compliance with the City's Built Form – Tall Buildings Policy and the City's Tall Building Guidelines (if the site is appropriate for a tall building).
- The appropriateness of the proposed density and massing of the proposal.
- Compliance with the City's Built Form Policies.
- The scale and design of the base building.
- The appropriateness of a 4 level above grade parking structure and its impacts on the public realm.
- The compatibility of the proposed development with the existing and/or planned built form context of the area.
- Transition of building height and massing to nearby stable low density residential areas.
- Shadow, privacy and safety impacts on adjacent properties including the school property and outdoor play areas to the immediate north and east.
- Rental housing protection and replacement.
- Traffic impacts.
- Assessment of the proposed access, parking supply, vehicular circulation and pick-up/drop-off arrangements.
- Assessment of the loading, refuse and recycling operations of the proposed development.
- Adequacy of the proposed indoor and outdoor amenity space.

- The assessment of community services and facilities in the area and the facilities needed to support development.
- Assessment of site servicing including stormwater management.
- Compliance with the Toronto Green Standards Tier 1 performance measures.
- Determination of appropriate Section 37 community benefits.

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

CONTACT

Steve Forrester, Senior Planner

Tel. No. (416) 395-7126

Fax No. (416) 395-7155

E-mail: sforrest@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: South (Erskine Avenue) Elevation

Attachment 3: North Elevation

Attachment 4: East Elevation

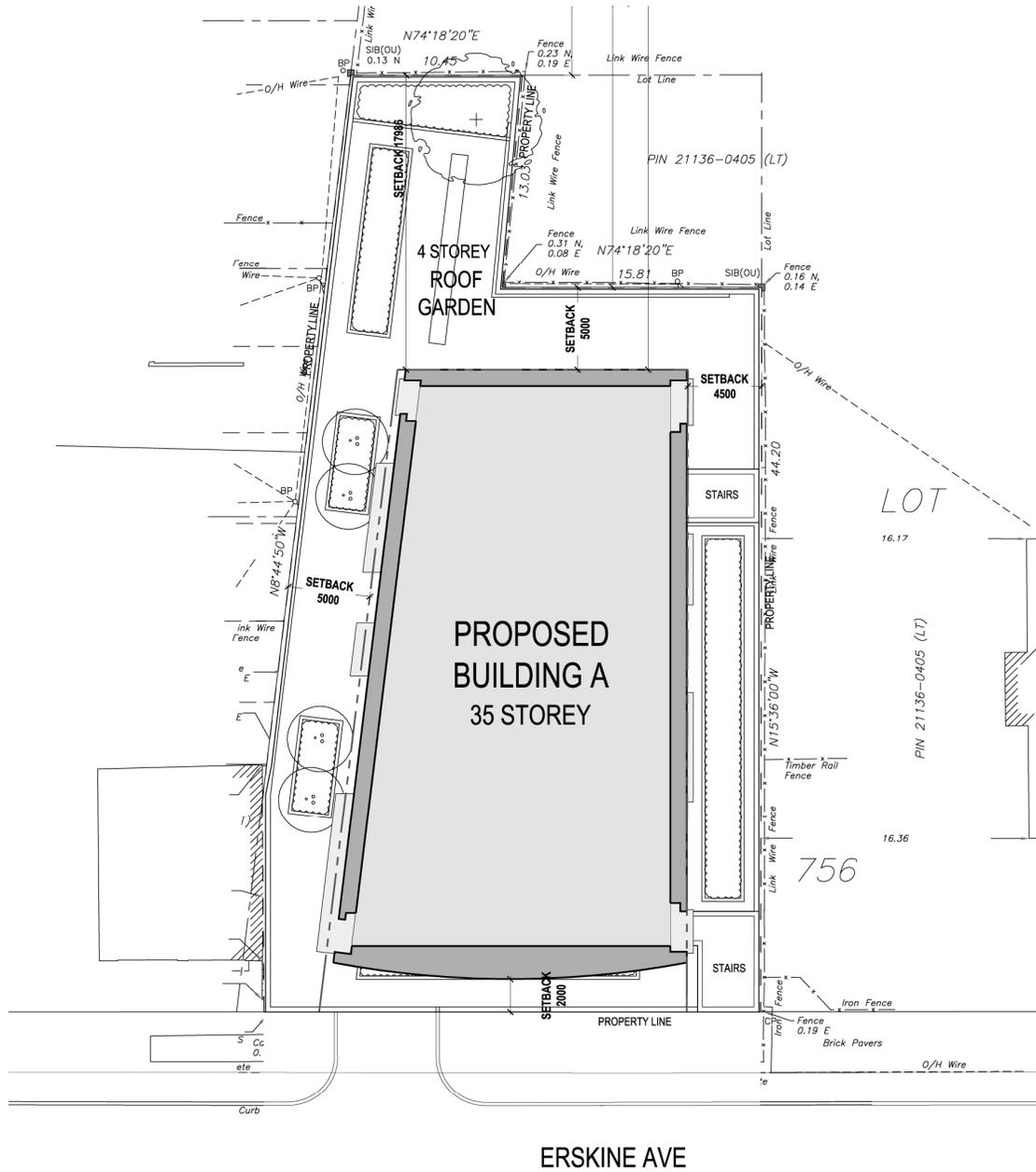
Attachment 5: West Elevation

Attachment 6: Zoning

Attachment 7: Yonge-Eglinton Secondary Plan

Attachment 8: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

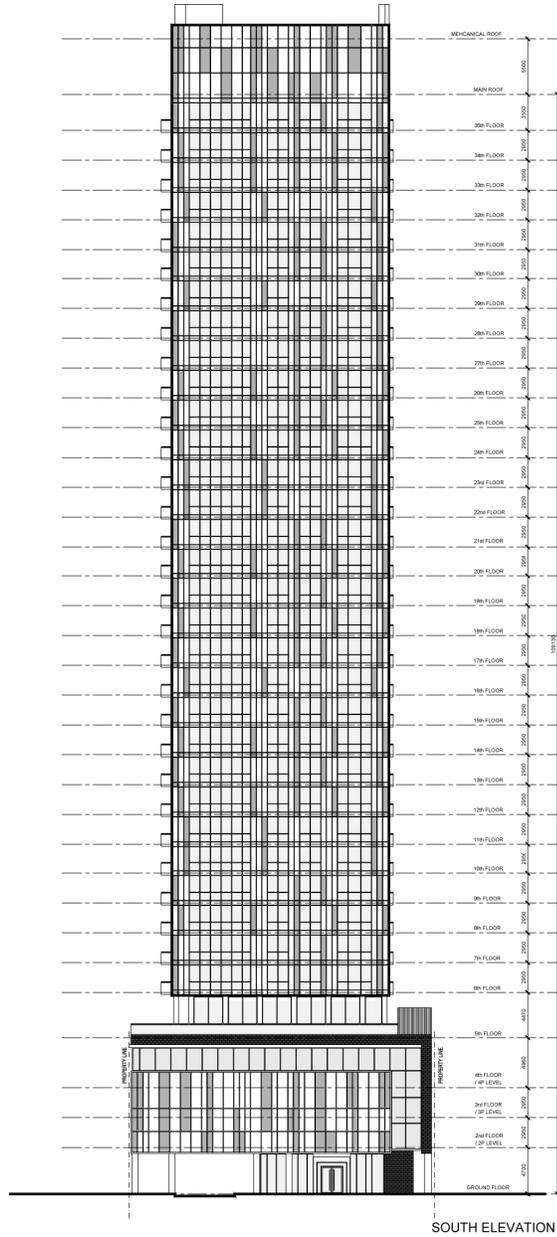
Not to Scale 

11/05/2012

18 - 30 Erskine Ave

File # 12 267217 NNY 25 0Z

Attachment 2: South (Erskine Avenue) Elevation



Elevations

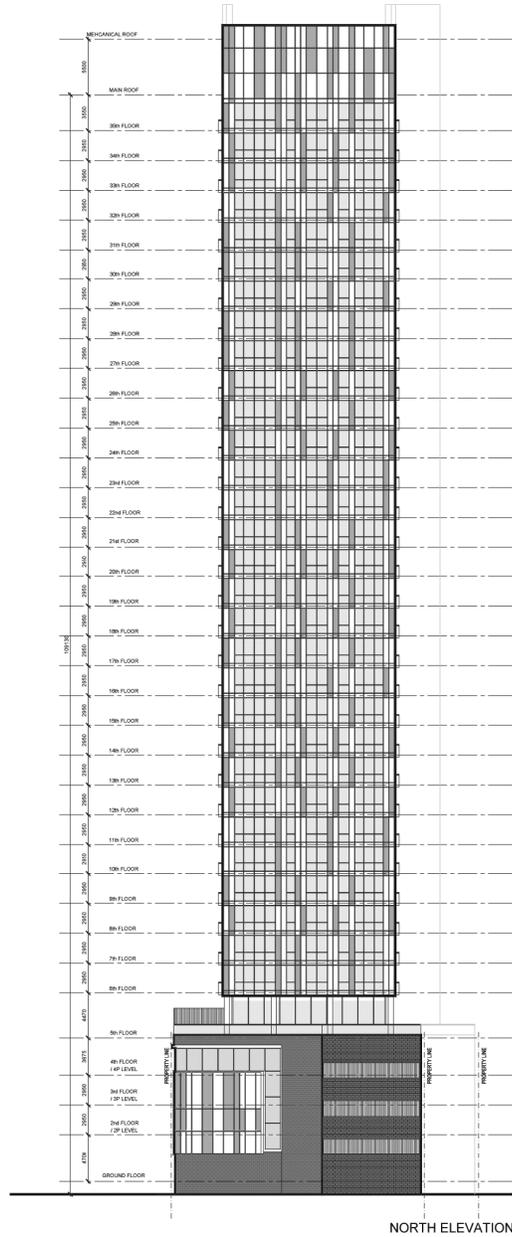
Applicant's Submitted Drawing

Not to Scale
11/05/2012

18 - 30 Erskine Ave

File # 12 267217 NNY 25 0Z

Attachment 3: North Elevation



Elevations

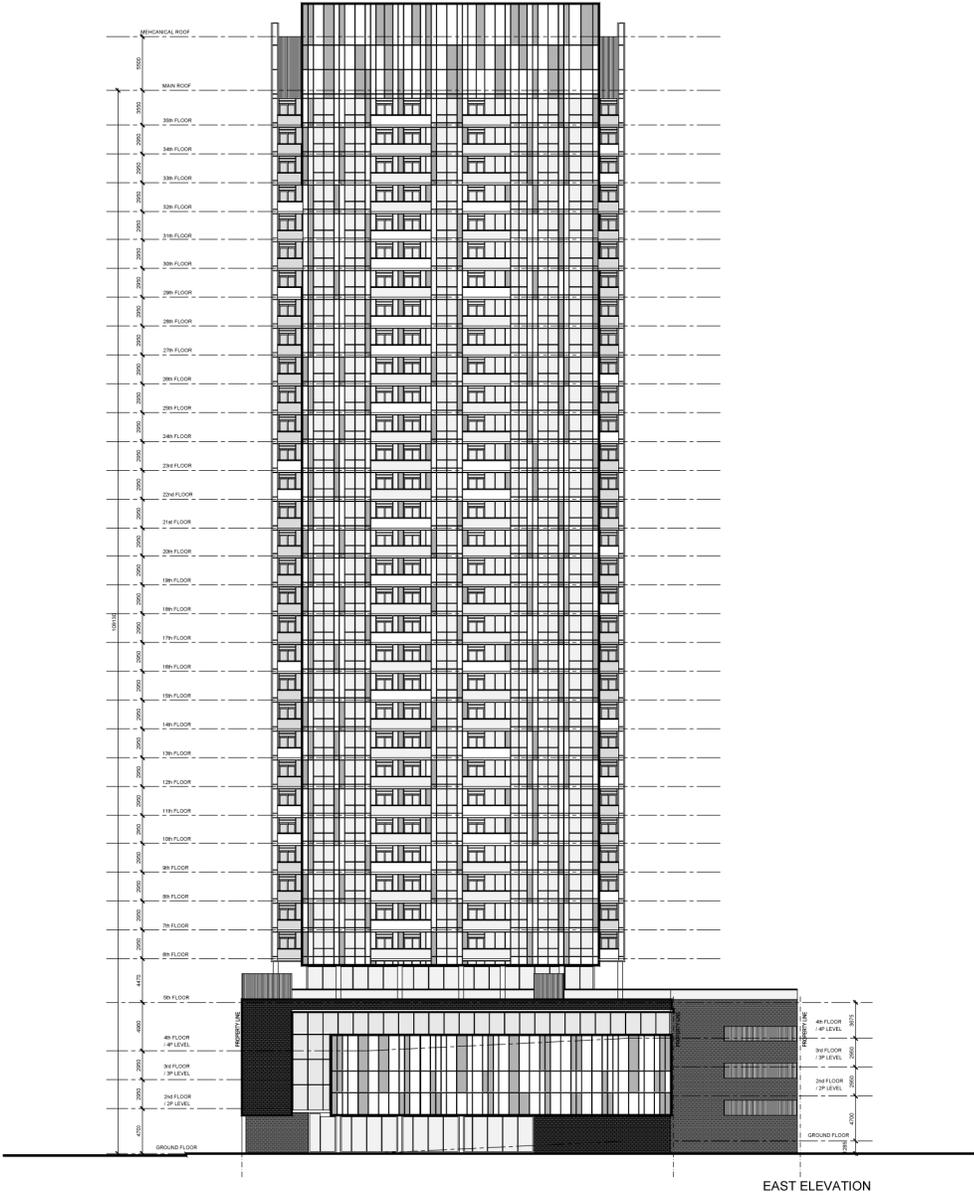
Applicant's Submitted Drawing

Not to Scale
11/05/2012

18 - 30 Erskine Ave

File # 12 267217 NNY 25 02

Attachment 4: East Elevation



Elevations

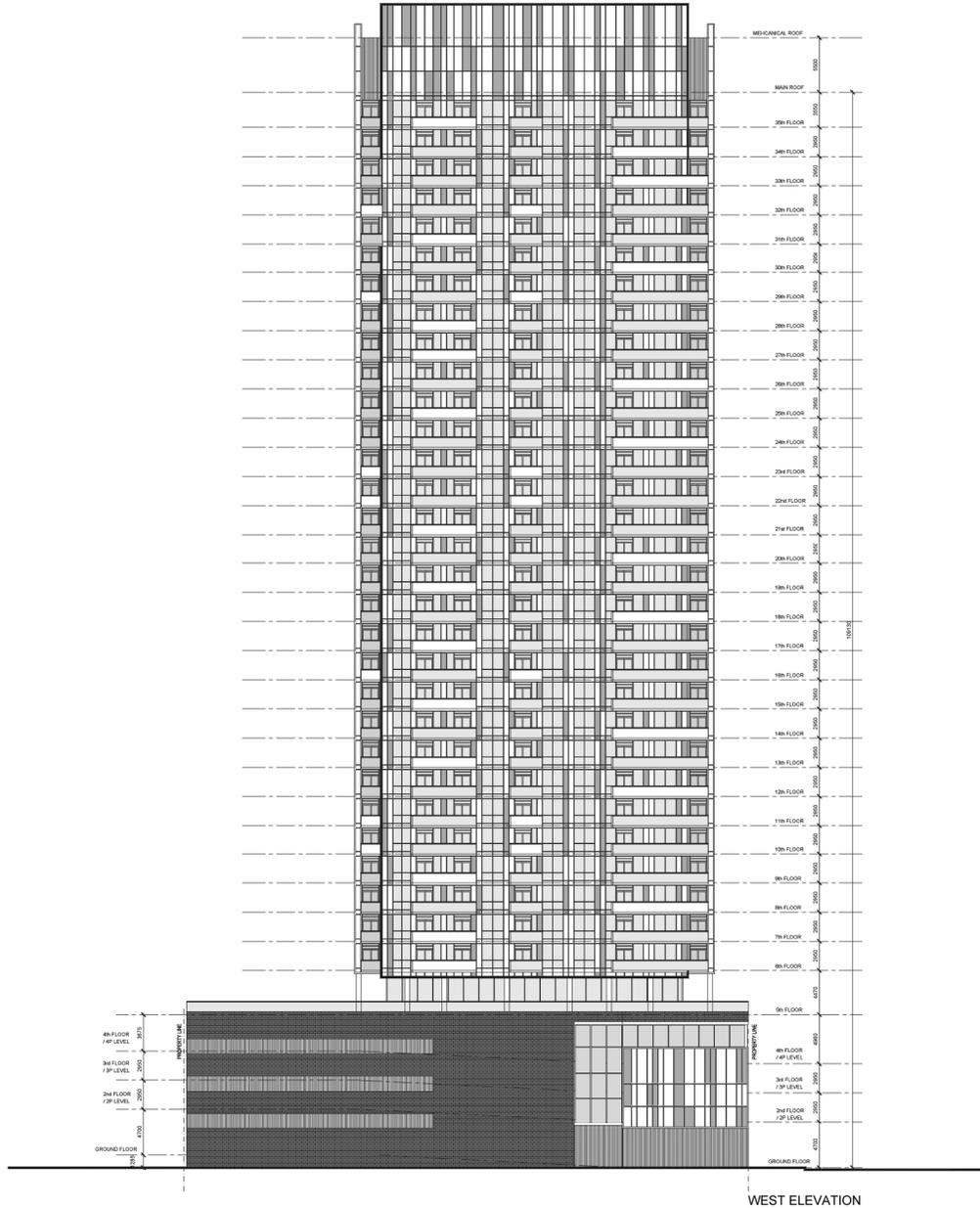
Applicant's Submitted Drawing

Not to Scale
11/05/2012

18 - 30 Erskine Ave

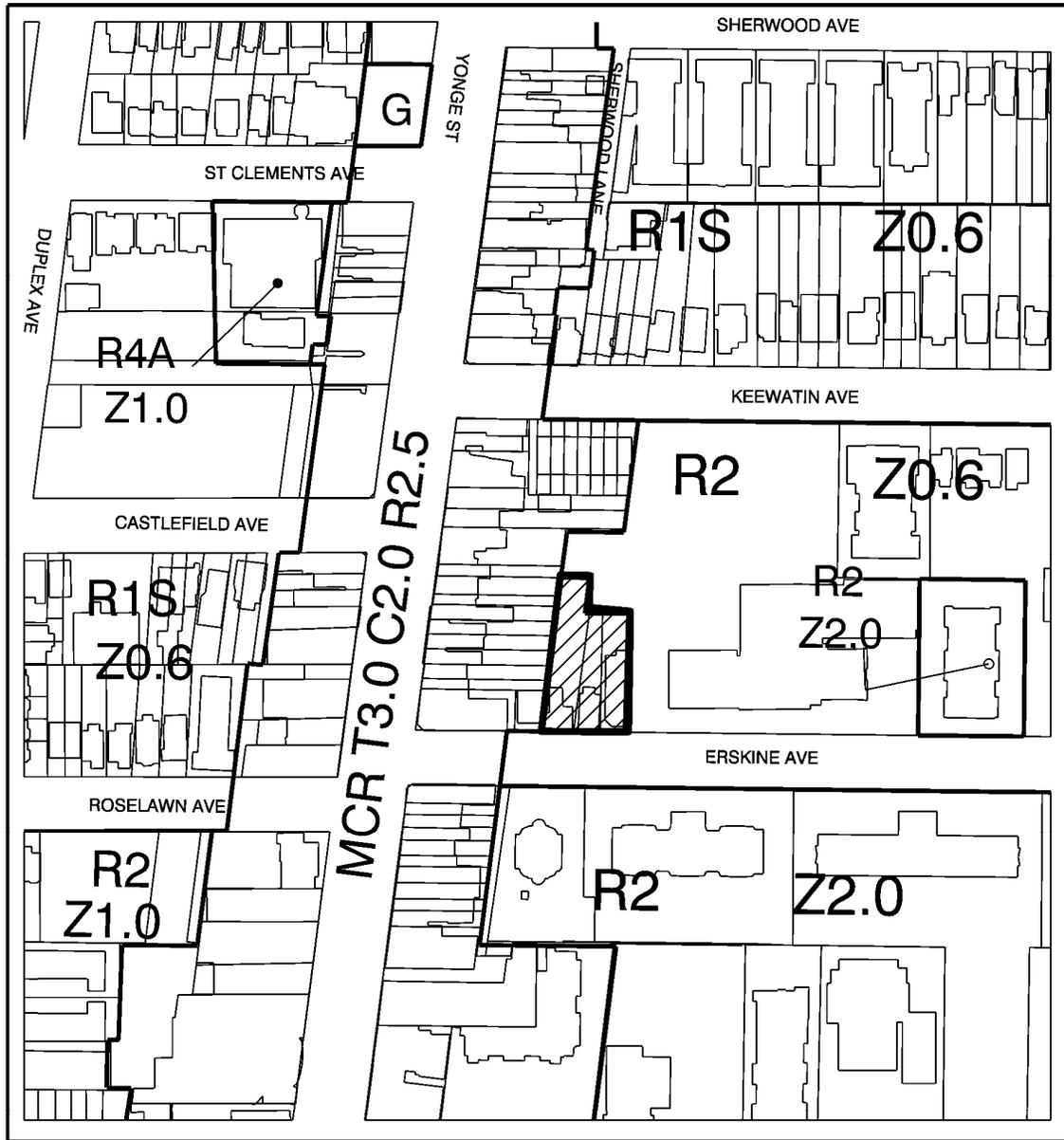
File # 12 267217 NNY 25 0Z

Attachment 5: West Elevation



<p>Elevations</p> <p>Applicant's Submitted Drawing</p> <p>Not to Scale 11/05/2012</p>	<p>18 - 30 Erskine Ave</p> <p>File # 12 267217 NNY 25 0Z</p>
--	---

Attachment 6: Zoning



Toronto City Planning
Zoning

18 - 30 Erskine Ave
File # 12 267217 NNY 25 02

- R1 Residential District
- R2 Residential District
- R4 Residential District

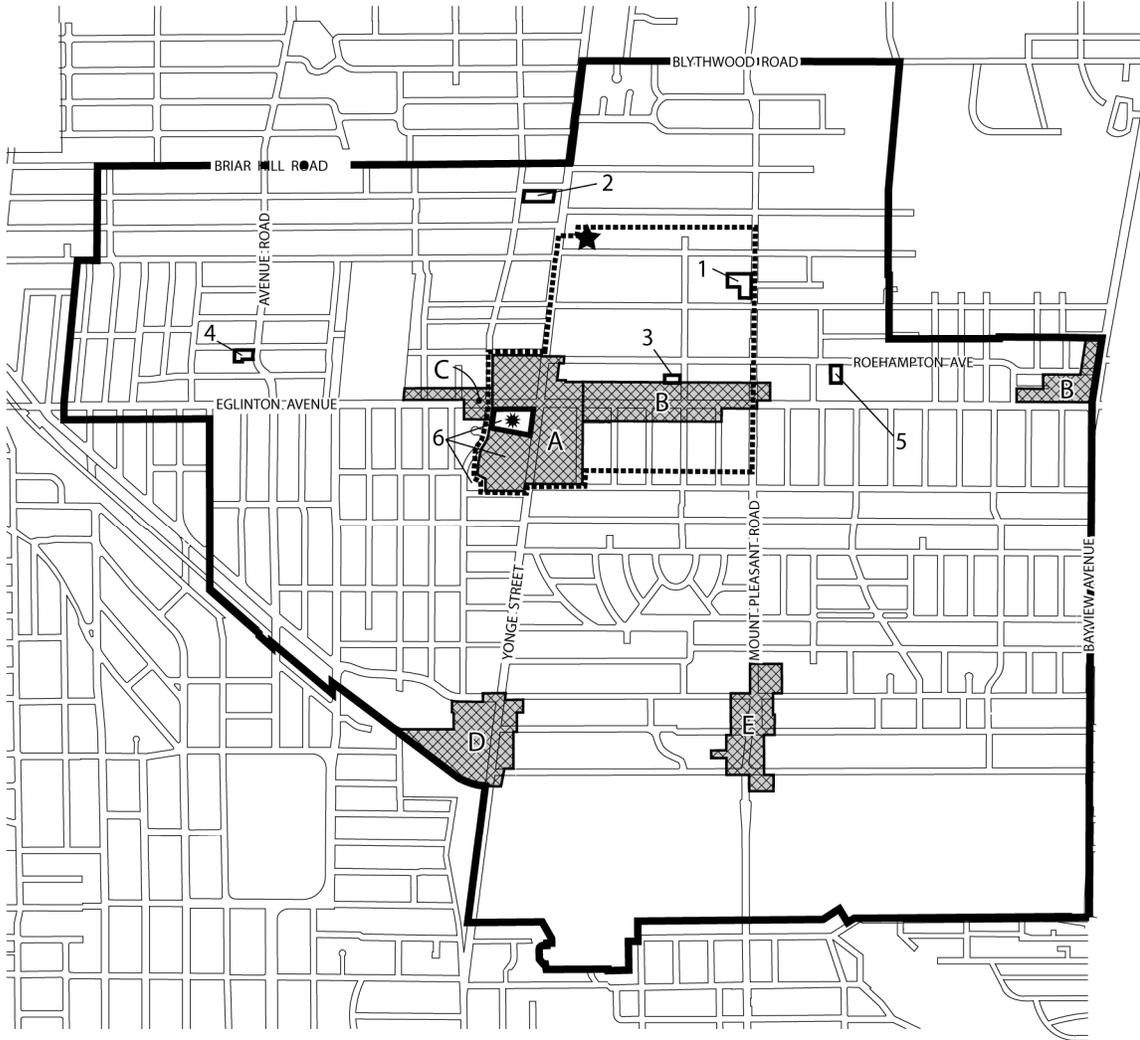
MCR Mixed-Use District

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 11/06/2012

Attachment 7: Yonge-Eglinton Secondary Plan



- Secondary Plan Boundary
- Mixed Use Areas
- Special Study Area
- Yonge-Eglinton Centre
- 1 to 6 Site and Area Specific Policies
- Proposed Development Location

Yonge-Eglinton Secondary Plan

18-30 Erskine Avenue

MAP 21-1 Land Use Plan

Not to Scale

File # 12 267217 NNY 25 0Z

Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	12 267217 NNY 25 OZ
Details	Rezoning, Standard	Application Date:	October 23, 2012
Municipal Address:	18-30 ERSKINE AVE		
Location Description:	PL 756 PT LT96 << ENTRANCE ADDRESS FOR 20 ERSKINE AVE **GRID N2507		
Project Description:	Applications to amend former City of Toronto Zoning By-law 438-86 and Site Plan Approval to accommodate a residential development comprising a 35-storey, 300-unit, condominium apartment building with 153 parking spaces.		

Applicant:	Agent:	Architect:	Owner:
SHERMAN BROWN	ADAM BROWN	RAFAEL + BIGAUSKAS ARCHITECTS	ERSKINE PARK HOLDINGS INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	MCR T3 C2.0 R2.5	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	1422.63	Height:	Storeys:	35
Frontage (m):	30		Metres:	109.12
Depth (m):	57			
Total Ground Floor Area (sq. m):	420			Total
Total Residential GFA (sq. m):	21260		Parking Spaces:	153
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	21260			
Lot Coverage Ratio (%):	29.52			
Floor Space Index:	14.94			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	240
2 Bedroom:	60
3 + Bedroom:	0
Total Units:	300

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	21260		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:	Steve Forrester, Senior Planner
	TELEPHONE:	(416) 395-7126