

**117, 121, 123 and 129 Roselawn Avenue  
Zoning By-law Amendment and Rental Housing  
Demolition Applications  
Preliminary Report**

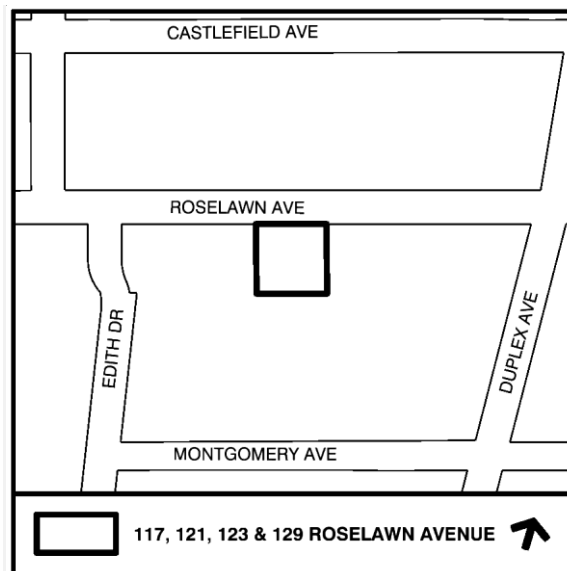
<b>Date:</b>	May 30, 2013
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 16 – Eglinton-Lawrence
<b>Reference Number:</b>	13 133965 NNY 16 OZ 13 143806 NNY 16 RH

**SUMMARY**

The Zoning By-law Amendment application proposes to demolish two detached dwellings, one duplex dwelling and a four-unit rental apartment building at 117, 121, 123 and 129 Roselawn Avenue and replace them with four blocks of 3-storey townhouse units (3 units per block). As the proposal involves a related group of buildings with 6 or more residential units, of which at least one is rental, the applicant has also submitted a Rental Housing Demolition application under Section 111 of the *City of Toronto Act*.

The development parcel is comprised of an assembly of 4 properties containing 8 dwelling units. Through the application process it has been determined that only 4 units were most recently rental. The application under Chapter 667 of the Municipal Code proposes the demolition of the 8 residential units, containing the 4 rental dwelling units, which is prohibited without a permit issued under Section 111 of the *City of Toronto Act*.

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.

The report recommends that a community consultation meeting be scheduled together with the Ward Councillor. A final report and a Public Meeting under the *Planning Act* to consider these applications will be scheduled following community and tenant consultations provided the applicant provides all required information in a timely manner.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 117 – 129 Roselawn Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting and rental housing matters meeting under Chapter 667 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.

## **DECISION HISTORY**

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

The purpose of the Zoning By-law Amendment and Rental Housing Demolition applications is to demolish the existing two detached dwellings and one duplex dwelling, all of which were most recently owner-occupied, as well as a four-unit rental apartment building and replace them with 12 condominium units comprising four blocks of 3-storey (12-metres) townhouse units (3 units per block). See Attachment 1 for the proposed Site Plan layout.

The front entrances of six of the proposed dwelling units would face Roselawn Avenue while the remaining six townhouses would face an internal private walkway/courtyard. Each townhouse unit would have private amenity areas in the form of ground level patios, balconies or roof top decks.

A partially enclosed common element driveway at the west end of the site would provide vehicular access to a below-grade underground parking structure containing 12 parking spaces for residents (one space per unit) and an additional 2 parking spaces for visitors. Residents would have direct access from the garage structure into their unit's lowest level. Several mechanical rooms would also be located in the underground parking structure.

A total of 2498 m<sup>2</sup> of gross floor area is proposed resulting in a density of 1.5 times the lot area. The proposed site coverage is 58.38%. Proposed front, rear and side yard building setbacks range from 0.6 metres to 1.8 metres. Proposed separation distances are 11 metres between front walls of the interior townhouse buildings, 2.9 metres between the side walls of the street townhouse buildings and 1.3 metres between the rear and side walls of the street and interior townhouse buildings, respectively.

The site statistics are included in the Application Data Sheet, Attachment 6.

### **Site and Surrounding Area**

The 0.168 ha (1680 m<sup>2</sup>) site is located on the south side of Roselawn Avenue, west of Yonge Street. The site has a frontage of approximately 41 metres on Roselawn Avenue and a depth of approximately 41 metres. The site is comprised of 4 properties municipally known as 117, 121, 123 and 129 Roselawn Avenue. The site is generally flat with minimal tree cover. The subject site contains the following housing types:

- 117 Roselawn Avenue – 2-storey detached dwelling unit;
- 121 Roselawn Avenue – 2-storey detached dwelling unit;
- 123 Roselawn Avenue – 3-storey, 4-unit rental apartment building; and
- 129 Roselawn Avenue – 3-storey duplex dwelling (2 units).

In total 8 residential units are impacted by these applications.

Land uses surrounding the site are as follows:

- North: 2-storey detached and semi-detached dwellings;
- South: 3-storey rental apartment building;
- East: 3-storey rental apartment building and 2-storey townhouses beyond; and
- West: 2-storey detached and semi-detached dwellings.

### **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 site is designated *Neighbourhoods* by the City of Toronto Official Plan. The Official Plan identifies *Neighbourhoods* as being physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in.

Chapter 2 of the Official Plan entitled *Shaping the City* contains principles for steering growth and change to some parts of the city, while protecting our neighbourhoods and green spaces from development pressures. *Neighbourhoods* are seen as being stable but not static. It is recognized that *Neighbourhoods* will undergo some physical change over time as enhancements, additions and infill housing occurs. A cornerstone policy is to ensure that new development in our neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood. Policy 2.3.1.1 states that "*Neighbourhoods* and *Apartment Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Policy 4.1 of the Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical patterns and character of the *Neighbourhoods*, with particular regard to, among other things:

- Heights, massing, scale and type of dwelling unit of nearby residential properties;
- Size and configuration of lot;
- Prevailing building type;

- Setback of buildings from the street; and
- Prevailing patterns of rear and side yard setback and landscaped open space.

Policy 5 further states that no changes will be made through rezoning, minor variance, consent or other public action that is out of keeping with the physical character of the *Neighbourhoods*.

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians. Built form policies in the Official Plan (Section 3.1.2) provide direction for new development with respect to its location and organization such that it fits within, and respects, its existing and planned context. More specifically, Section 3.1.2 provides guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and /or planned street proportion, incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan, providing for adequate light and privacy, and adequately limiting any resulting shadowing of neighbouring streets and properties.

Further, Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and function for pedestrians. This can be achieved by the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself, among others. The intention is to enable new developments to 'fit' within the context of the immediate neighbourhood, while also improving the character of the surrounding area.

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. Policy 3.2.1 6 indicates that new development that would have the effect of removing all or a part of a private building or related group of buildings, and would result in the loss of six or more rental housing units will not be approved unless a number of criteria relating to the range of rents of the subject dwellings, the nature of the supply and availability of rental housing in the City is met and an acceptable tenant relocation and assistance plan is proposed.

## **Yonge Eglinton Secondary Plan**

The subject lands are located within the Yonge-Eglinton Secondary Plan. Policy 2.2 states a primary objective of this Secondary Plan is to maintain and encourage a full range of housing forms and tenure suitable for family and other households in a manner that is contextually appropriate and compatible with existing residential uses and

residential building form. Policy 2.4 states that it is a primary objective to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among uses in terms of scale. Policy 2.7 requires that the form of buildings promote a compatible physical and land use relationship between development within the various land use designations and that it is an objective of the Secondary Plan to maintain the existing scale of developments within stable *Neighbourhoods*.

## **Zoning**

The site is zoned R2 Z0.6 by the former City of Toronto Zoning By-law 438-86. The R2 zone permits a wide range of residential and non-residential uses including apartment buildings, detached houses, duplexes, row houses, semi-detached houses as well as parks, community centres and public schools. The maximum permitted height is 9.0 metres and the maximum permitted development density is 0.6 times the lot area.

## **Site Plan Control**

A Site Plan Control Application has been filed with the City and will be reviewed concurrently with the applications for Zoning By-law Amendment and Rental Housing Demolition.

## **Rental Housing Demolition and Conversion By-Law**

The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the 4 rental units, however, as the units are currently vacant, no tenant mitigation and relocation strategy has been proposed. Since this development proposal is for a related group of buildings with fewer than 6 rental units, Official Plan policy 3.2.1.6 does not apply and no replacement of rental housing units has been proposed.

## **Infill Townhouse Guidelines**

In January 2003, City Council approved the Urban Design Guidelines for Infill Townhouses. The guidelines are intended to serve as a framework for reviewing development applications for intensification and are to be used to evaluate the impact of new townhouse development with a focus on protecting streetscapes and seamlessly integrating new development with existing housing patterns. Urban design goals include producing a high quality living environment for all residents, clarifying and enhancing the relationship between new housing development and public streets, maintaining an appropriate overall scale and pattern of development within its context, and minimizing shadow, blocked views and overlook onto existing residential buildings and open spaces.

The guidelines call for building setbacks from the public roadway that are consistent with the neighbouring properties and encourage overall building heights to reflect the prevailing context of neighbouring buildings. Grade alterations can create negative impacts on adjacent properties so the guidelines call for the first floor level of units to be raised no more than 3 to 5 steps above the grade of the sidewalk directly in front of the development. The guidelines also establish setback requirements for space between buildings in order to maintain standards of light, view and privacy.

## **Tree Preservation**

The application is subject to the City of Toronto Private Tree By-law. A permit is required to remove, cut down or injure a tree with a diameter of 30 cm or more on private property. The applicant has submitted an Arborist Report, which is under review.

## **Reasons for the Application**

An amendment to the Zoning By-law is required as the proposal does not comply with a number of the development provisions of the R2 zone including height and gross floor area, parking supply and building setbacks. In addition, a permit under Section 111 of the *City of Toronto Act* is required under the City's Municipal Code to demolish the existing rental residential buildings.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Plan of Survey and Architectural Drawings
- Landscaping Plans
- Planning Justification Report
- Housing Issues Report
- Arborist Report
- Functional Servicing and Stormwater Management Letter Report
- Site Servicing Plans and Site Grading Plans
- Stage 1 & 2 Archaeological Assessment
- Phase One Environmental Site Assessment
- Toronto Green Standard Checklist
- Toronto Green Standard Statistics Template

A Notification of Complete Application was issued on May 24, 2013.

### **Issues to be Resolved**

The site is designated *Neighbourhoods* in the Official Plan. Policy 2.3.1.1 states that *Neighbourhoods* and *Apartment Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of the neighbourhood and its planned context. Elements that are important to the character of the neighbourhood are set out in Policy 4.1.5 and include: the patterns of streets, blocks and lanes; the size and configuration of lots; and the pattern of prevailing setbacks and landscaped open spaces.

The application proposes a 12-unit, 3-storey townhouse development in 4 blocks on a site that has been assembled from 4 residential lots. The development proposal of two rows of townhouses includes building setbacks from lot lines, building separation distances

and building orientations, which, on a preliminary basis appear to be different from the prevailing physical character and patterns in the neighbourhood.

A determination of whether this proposal respects the physical character of the buildings, streetscapes and open space patterns of the neighbourhood and the precedent which could be set if this form of development is approved within the immediate area will be evaluated as part of the detailed review of this application.

In addition, on a preliminary basis, the following issues have been identified:

- Conformity with the Neighbourhoods, Housing, Public Realm and Built Form policies of the Official Plan;
- Conformity with the Yonge Eglinton Secondary Plan;
- Conformity with the Infill Townhouse Guidelines;
- An evaluation of the character of the neighbourhood and how the proposed development addresses that character;
- The appropriateness of the proposed density in comparison to the surrounding residential uses;
- An evaluation of the relationship of the proposed development with Roselawn Avenue;
- The location, orientation and organization of the buildings and site, including building separation distances, building entrances and setbacks;
- The separation distance from, and orientation of, the proposed building blocks from adjacent properties with regard to light, view and privacy;
- The appropriateness of location, size and organization of the outdoor amenity areas;
- The appropriateness of the location and design of the vehicular access to the site from Roselawn Avenue and an evaluation of the parking supply;
- An assessment of site servicing including stormwater management; and
- Confirmation of the number of dwellings and rental units in the existing buildings.

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.

## **CONTACTS**

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## **SIGNATURE**

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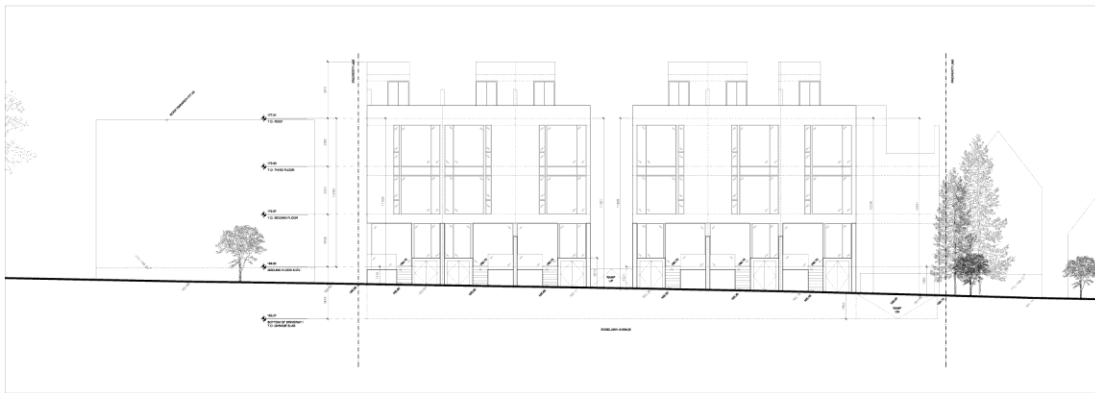
Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2a: Front (Roselawn Avenue) and Courtyard Elevations  
Attachment 2b: Courtyard Elevation looking West and Rear Elevation  
Attachment 2c: Side (West) Elevation and Side (East) Elevation  
Attachment 3: Zoning  
Attachment 4: Official Plan  
Attachment 5: Yonge Eglinton Secondary Plan  
Attachment 6: Application Data Sheet



## Attachment 2a: Front (Roselawn Avenue) and Courtyard Elevations



FRONT ELEVATION



COURTYARD ELEVATION

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### Elevations

117, 121, 123 & 129 Roselawn Avenue

Applicant's Submitted Drawing

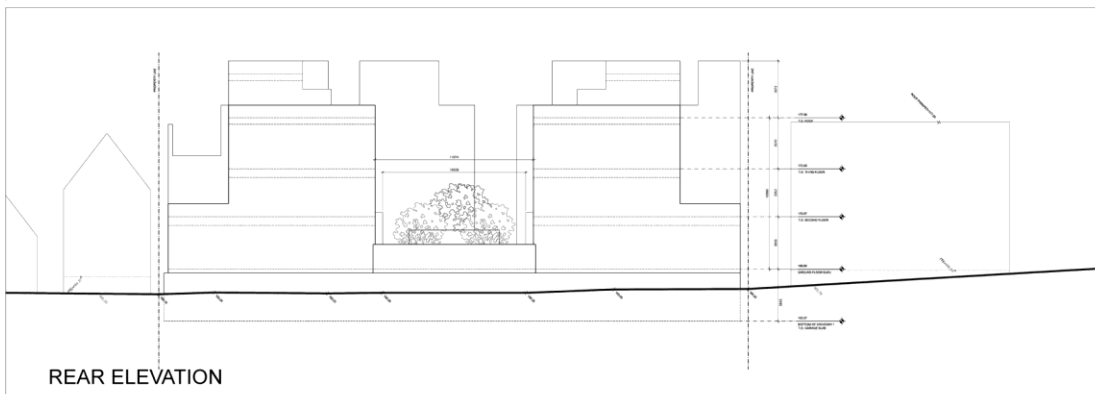
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05/24/2013

File # 13 133965 NNY 16 0Z

**Attachment 2b: Courtyard Elevation looking West and Rear Elevation**



COURTYARD ELEVATION-LOOKING WEST



REAR ELEVATION

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**Elevations**

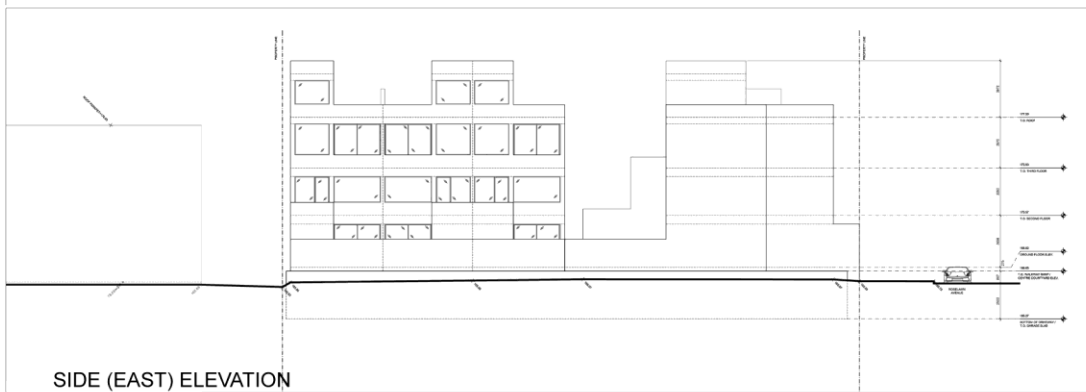
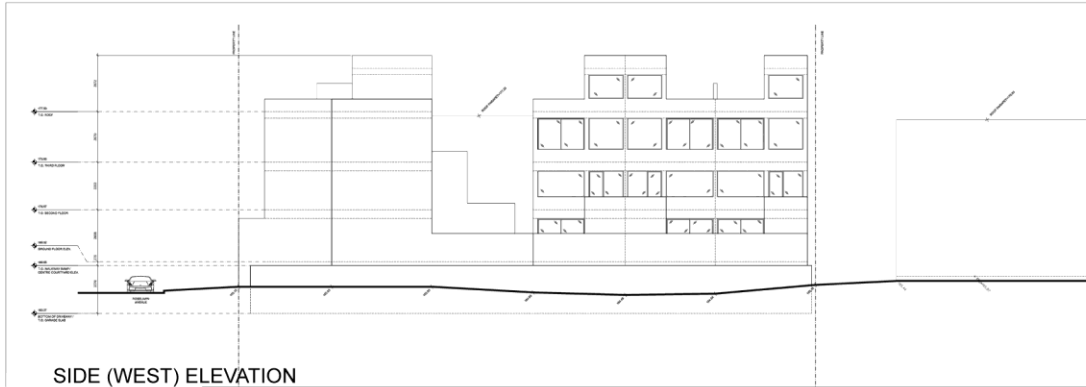
**117, 121, 123 & 129 Roselawn Avenue**

Applicant's Submitted Drawing

Not to Scale  
05/24/2013

File # 13 133965 NNY 16 0Z

**Attachment 2c: Side (West) Elevation and Side (East) Elevation**



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**Elevations**

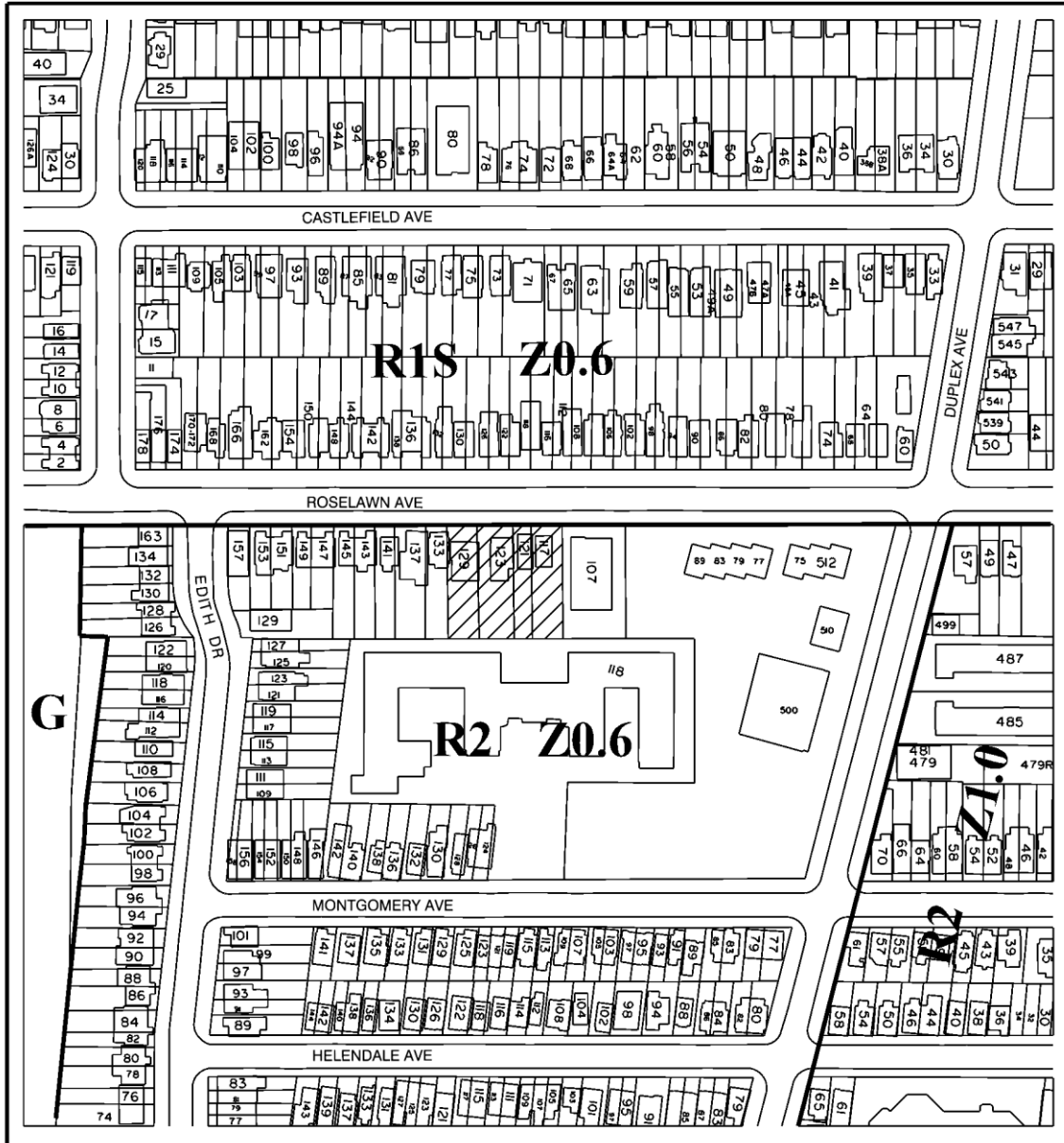
**117, 121, 123 & 129 Roselawn Avenue**

Applicant's Submitted Drawing

Not to Scale  
05/24/2013

File # 13 133965 NNY 16 0Z

### Attachment 3: Zoning



117, 121, 123 & 129 Roselawn Avenue

File # 13 133965 NNY 16 0Z

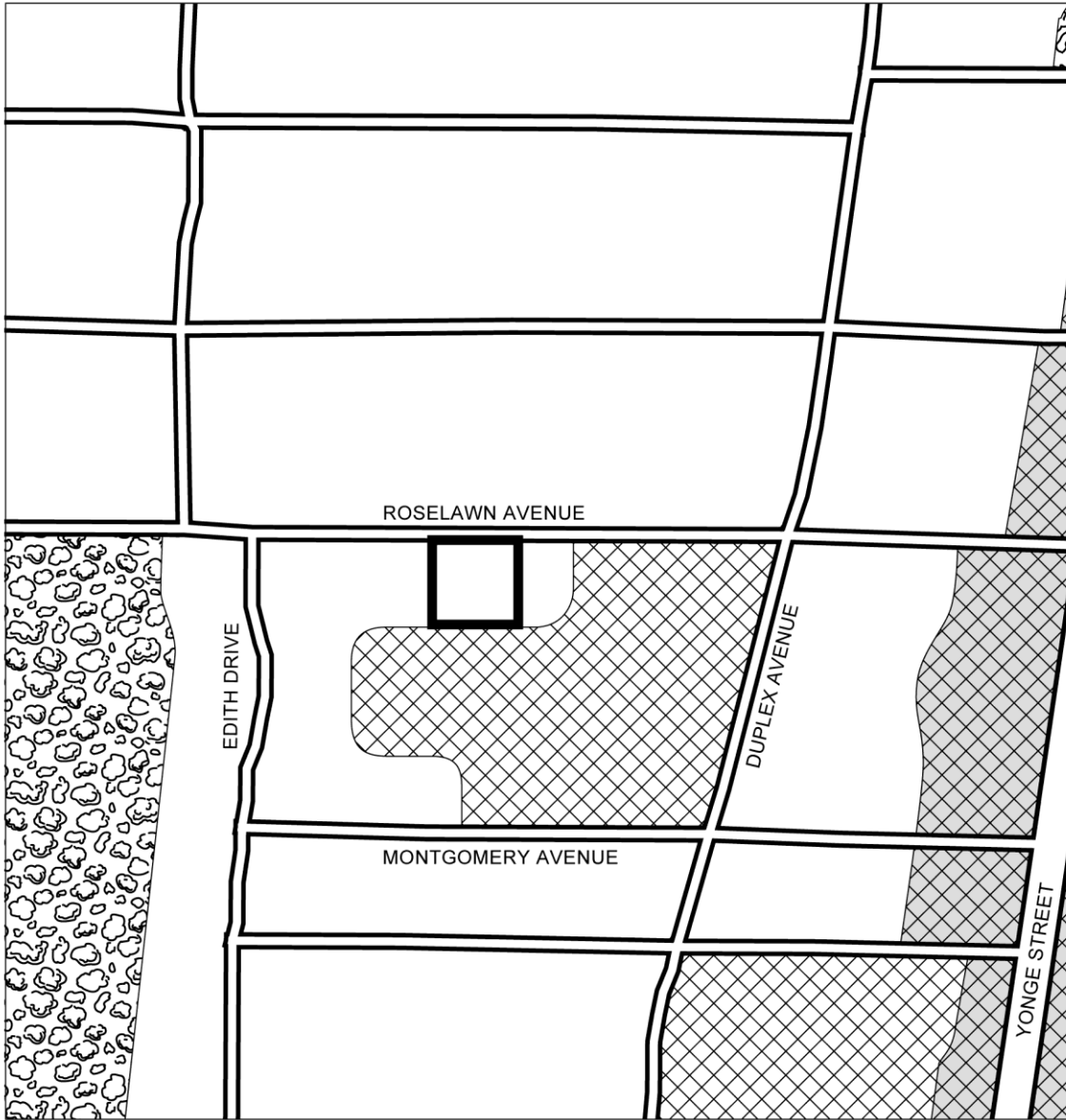
- G Parks District
- R1 Residential District
- R2 Residential District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 05/24/2013

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category






## Attachment 4: Official Plan



**TORONTO** City Planning  
**Official Plan**

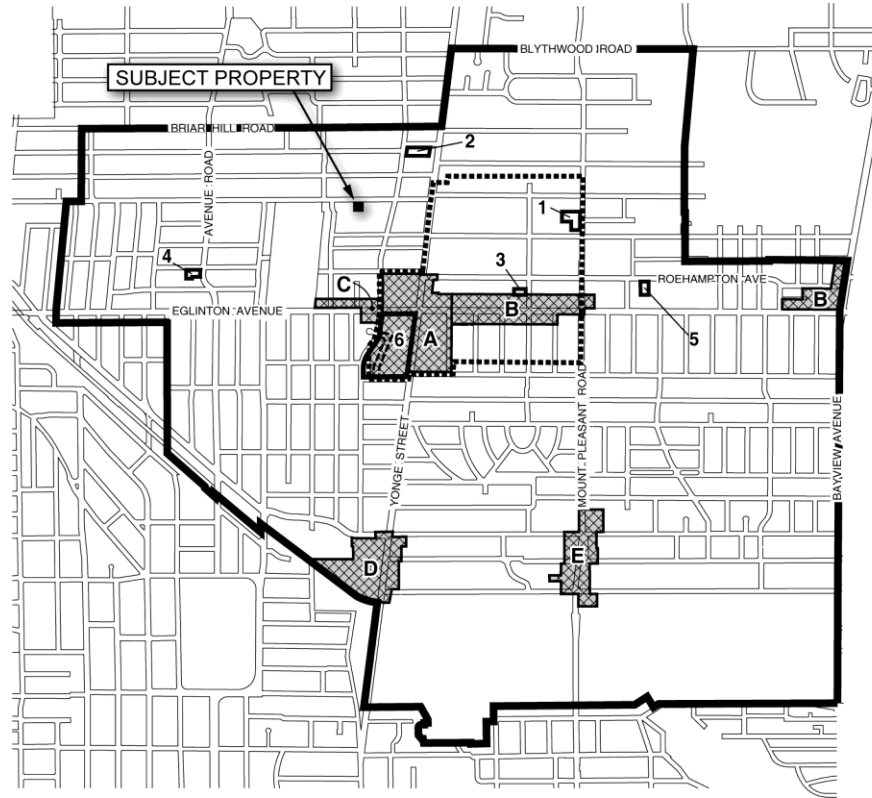
117, 121, 123 & 129 Roselawn Avenue

File # 13 133965 NNY 16 02

- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  |
|  Mixed Use Areas          |  |

  
 Not to Scale  
 05/24/2013

## Attachment 5: Yonge Eglinton Secondary Plan



Not to Scale 



Yonge-Eglinton Secondary Plan  
MAP 21-1 Land Use Plan

-  Secondary Plan Boundary
-  Yonge-Eglinton Centre
-  Mixed Use Areas
-  Site and Area Specific Policies
-  Proposed Road

December 2010

Yonge-Eglinton Secondary Plan

117, 121, 123 & 129 Roselawn Avenue

Applicant's Submitted Drawing

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05/27/2013

File # 13 133965 NNY 16 0Z



## Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	13 133965 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	March 15, 2013

Municipal Address: 117, 121, 123 and 129 ROSELAWN AVENUE  
 Location Description: PLAN 734 RANGE 1 PT LOT 11 \*\*GRID N1606  
 Project Description: Four blocks of three storey residential condominium townhouses, each containing 3 dwelling units (total of 12 dwelling units ) and one level of underground parking.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
MACAULAY SHIOMI HOWSON LTD	Angela Sciberras		

### PLANNING CONTROLS

Official Plan Designation:	<i>Neighbourhoods</i>	Site Specific Provision:
Zoning:	R2 (0.6)	Historical Status:
Height Limit (m):	9.0 metres	Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq. m):	1679.37	Height:	Storeys:	3
Frontage (m):	41.15		Metres:	12.0
Depth (m):	40.8			
Total Ground Floor Area (sq. m):	920.93			<b>Total</b>
Total Residential GFA (sq. m):	2497.32		Parking Spaces:	14
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2497.32			
Lot Coverage Ratio (%):	54.84			
Floor Space Index:	1.49			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	2497.32
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	12	Institutional/Other GFA (sq. m):	0
Total Units:	12		