

**40 Moccasin Trail and 50 Green Belt Drive  
Official Plan Amendment, Zoning By-law Amendment  
and Rental Housing Demolition Applications  
Preliminary Report**

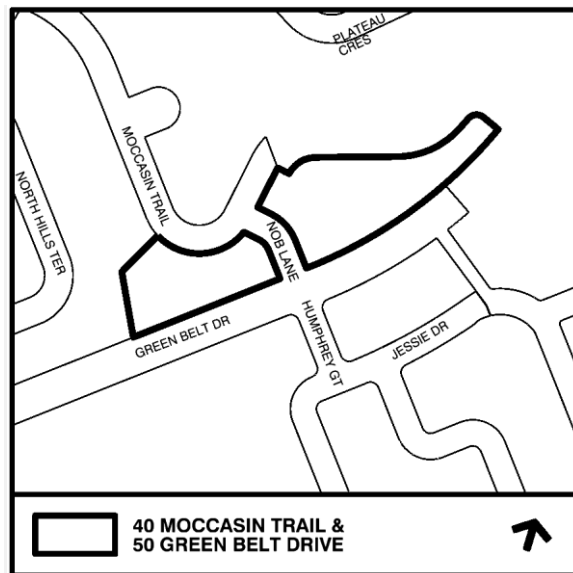
<b>Date:</b>	September 19, 2013
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 34 – Don Valley East
<b>Reference Number:</b>	13 173059 NNY 34 OZ 13 173075 NNY 34 RH

**SUMMARY**

The proposal to amend the Official Plan and Zoning By-law is to demolish the existing rental residential buildings and replace them with three residential buildings of 10, 4 and 4 storeys with 324 residential units (263 condominium units and 61 rental replacement units) with a density of 2.96 FSI. A Rental Housing Demolition and Conversion application under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) has also been made and will be reviewed concurrently with the Official Plan and Zoning By-law application.

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 will be scheduled following community and tenant consultations, the



submission of additional materials and the resolution of outstanding issues.

## **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 40 Moccasin Trail and 50 Green Belt Drive together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners, tenants 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.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

### **Pre-Application Consultation**

Pre-application consultation meetings were held with the applicant to discuss complete application submission requirements under the Planning Act, as well as for the application to demolish the rental housing under Chapter 667 of the Municipal Code.

## **ISSUE BACKGROUND**

### **Proposal**

The Official Plan amendment, rezoning and rental housing demolition applications are to demolish the existing 3 residential buildings and redevelop the lands with three residential buildings of 10, 4 and 4 storeys with 324 residential units (263 condominium units and 61 rental replacement units) with a density of 2.96 FSI. The existing rental units are proposed to be replaced in one 4 storey rental building on the west parcel. The Official Plan Amendment is to redesignate the east parcel from Neighbourhoods to Apartment Neighbourhoods and to permit a different total number and a different unit mix to replace the existing 83 rental units. The proposal includes the following:

### East Parcel – 50 Green Belt Drive

- A 10 storey residential condominium building with 240 units. The proposed building includes an 8 storey portion along Green Belt Drive and scales down to 4 storeys along Moccasin Trail and Nob Lane.
- Driveway access is off of Green Belt Drive and Nob Lane.
- Proposed density of 3.46 FSI. including the lands located below the top-of-bank.
- 329 parking spaces (275 resident and 48 visitor spaces, 1 car share and 5 visitor spaces for west parcel condo building) are proposed in 4 levels of underground parking.

### West Parcel - 20 Moccasin Trail

- Two residential buildings with 84 residential units comprised of:
  - a 4 storey condominium building with 23 units; and
  - a 4 storey rental replacement building with 61 rental replacement units comprised of 16 1-bedroom units, 17 2-bedroom units and 28 3-bedroom units.
- Driveway access is off of Green Belt Drive and a separate service access driveway is proposed on Moccasin Trail and Green Belt Drive.
- Proposed density of 2.16 FSI.
- 23 resident parking spaces are proposed for the condominium building in 1 level of underground parking. 5 visitor parking spaces are proposed to be provided in the east parcel.
- For the rental building 76 parking spaces (62 resident and 13 visitor and 1 car share spaces) are proposed in 1 level of underground parking.

## Site and Surrounding Area

The site is located east of Don Mills Road on the north side of Green Belt Drive. The subject lands comprise two parcels of land with a total area of 1.22 hectares separated by a public street (Nob Lane). The east parcel known as 50 Green Belt Drive is 0.75 hectares in size and the west parcel known as 40 Moccasin Trail is 0.47 hectares in size. There are 3 buildings with 83 rental apartment units on the lands.

### East Parcel – 50 Green Belt Drive

The east parcel contains two unoccupied 3 storey rental apartment buildings with 49 units. The easterly building was damaged by a fire in 2008 and has been unoccupied for some time, while the westerly building, which was served by the heating plant in the easterly building, was closed down within the last year. Remaining tenants were offered the opportunity to relocate to the Moccasin Trail apartment building on the west parcel. The units are comprised of bachelor, junior, 1 bedroom and 2 bedroom units for a total of 49 units. There are 21 ground floor units and 28 two-storey units (2<sup>nd</sup> and 3<sup>rd</sup> floor) in the

existing buildings. Vehicular access to the existing buildings is from a driveway from Green Belt Drive. There are 42 surface parking spaces and 26 spaces within two garage structures.

#### West Parcel – 40 Moccasin Trail

The west parcel contains a 3 storey rental apartment building with 34 rental units, comprised of bachelor, junior, 1 bedroom and 2 bedroom units. There are 14 ground floor units and 20 two storey units (2<sup>nd</sup> and 3<sup>rd</sup> floor) in the building. Currently, there are 24 occupied rental units in the building. Driveway access is provided from Green Belt Drive. There are 32 surface parking spaces.

Land uses surrounding the site are as follows:

North: On the north side of Moccasin Trail are 1 and 2 storey detached and semi-detached homes. Moccasin Trail Park is located to the north and east of the east development parcel.

South: At the east end is Moccasin Trail Park. At the corner of Green Belt Drive and Dallimore Circle is a 9 storey apartment building. Along the south side of Green Belt Drive are 4 storey townhouses and further west are industrial and office buildings.

East: Moccasin Trail Park and valley lands.

West: Residential lots with single detached homes.

## **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.

Housing policies in the PPS require planning authorities to provide for an appropriate range of housing types and densities to meet the requirements of current and future residents, and the provision of housing in locations with appropriate levels of infrastructure and services.

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 in the Official Plan. The Official Plan indicates that Neighbourhoods are considered 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 Neighbourhoods.

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 character of the neighbourhood, including the heights, massing, scale and dwelling type of nearby residential properties, the prevailing building types, and setbacks of buildings from the street. The policy indicates that no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood. Policy 4.1.9 provides policy direction for infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation.

A small portion at the very far east of the site adjacent to the valley is designated Natural Areas. Natural Areas are to be maintained primarily in a natural state.

Small portions of the site adjacent to the valley are also identified in the Official Plan as being part of the Natural Heritage System. The objectives of the Natural Heritage System policies are to protect, enhance and to reduce impacts of development on the natural environment. Development is generally not permitted in the natural heritage system and is to be set back from the top-of-bank of valleys. Policy 3.4.3 requires that a study be provided to assess the proposed development's impact on the natural environment. A small portion of the east parcel is located below the top-of-bank. The Official Plan indicates that lands below the top-of-bank may not be used to calculate density or used to satisfy parkland dedication requirements.

The applicant has applied to amend the Official Plan to redesignate the east parcel to Apartment Neighbourhoods. This land use designation provides for a greater scale of buildings. The Official Plan sets out development criteria in Apartment Neighbourhoods which include:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, such as providing setbacks from and stepping down of heights towards, lower-scale Neighbourhoods;

- locate and mass new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods; and
- locate and mass new buildings to 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.

Development within Apartment Neighbourhoods is intended to provide sufficient off-street motor vehicle and bicycle parking for residents and visitors; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; provide indoor and outdoor recreation space for building residents; and provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

## Housing

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 result in the loss of six or more rental housing units will not be approved unless:

- a) all of the rental housing units have rents that exceed mid-range rents at the time of application, or
- b) the following are secured:
  - i) at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
  - ii) for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
  - iii) an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship, or
- c) in Council's opinion, the supply and availability of rental housing in the City has returned to a healthy state and is able to meet the housing requirements of current and future residents.

The applicant has applied to amend policy 3.2.1.6 of the Official Plan for this site to permit the reduction to 61 replacement rental housing units from the existing total of 83, and a different unit mix than the existing rental housing, adding three-bedroom units where none currently exist, to eliminate bachelor units and to reduce the number of one and two-bedroom units.

## Public Realm and Built Form

The Official Plan also includes policies dealing with public realm and built form. 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.

Section 3.1.2 of the Plan includes built form policies addressing the location of new development to fit with its existing and/or planned context, the massing of new buildings to limit their impact on streets, open spaces and properties, the relation of new buildings to streets and sidewalks, and the location and organization of vehicle parking, access and servicing. New multi-unit residential development is also to include indoor and outdoor amenity space for residents.

## Community Services and Facilities

Section 3.2.2 of the Official Plan includes policies on the provision of adequate community services and facilities.

## Zoning

On May 9, 2013 City Council enacted the new City wide Zoning By-law No. 569-2013. The By-law has been appealed. Under By-law 569-2013 the lands are zoned Residential Multiple Dwelling Zone RM (f21.0; a835; d1.0) which permits a residential dwelling unit, park and other uses including a nursing home, place of worship and retirement home. Permitted building types include detached house, semi-detached house, duplex, triplex, fourplex and apartment building. The maximum permitted floor space index is 1.0 times the lot area and maximum building height is 12 metres.

Under former City of North York Zoning By-law 7625 the lands are zoned RM5 Multiple Family Dwellings Fifth Density Zone which permits an apartment house dwelling, duplex, double duplex, multiple attached dwelling, single family dwelling, semi-detached dwelling, hospital, nursing home and religious institution as well as City park, playground and community centre, and school and place of worship. The maximum permitted gross floor area is 100% of the lot area and the maximum building height is 11.5 metres.

## Site Plan Control

A site plan control application has been submitted.

## Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007), 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 without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act, 2006*.

Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law amendment require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Council approval of demolition under Section 33 of the *Planning Act* is required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*. The By-law provides for the co-ordination of all the approval authorities needed for the demolition of the rental housing.

When there is an application for rezoning as well as an application under Chapter 667 for rental demolition or conversion, typically City Council considers both applications at the same time after receiving a joint report on both from Planning. Unlike Planning Act applications, decisions made by the City under Chapter 667 are not appealable to the OMB.

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 and replacement of the existing 83 rental units. A notification of complete application, with the required tenant notification by the owner, was issued on July 16, 2013.

## **Ravine Control**

The north and east portion of the east parcel is located adjacent to the valley and is located within the limits of the ravine control by-law and within the Toronto and Region Conservation Authority Regulation Area. Development within this area requires a permit from the TRCA. Under the Ravine By-law, a permit is required to injure or destroy a tree, to place or dump fill, or to alter the grade of the land.

## **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.

## **Reasons for the Application**

The proposal for a 10 storey apartment building is not permitted by the Official Plan Neighbourhoods land use designation. In addition, an Official Plan amendment is required since the same number and type of rental units are not being replaced. An



amendment to the zoning by-law is required as the proposal does not comply with the development regulations of the zoning applying to the subject lands including height and floor space index.

The proposal is to redesignate the east parcel to Apartment Neighbourhoods, to rezone this parcel to permit the proposed apartment building, and to set out zoning regulations for both the east and west parcels. In addition, a permit is required under the City's Municipal Code to demolish the existing rental apartment buildings.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Report
- Housing Issues Report
- Functional Servicing Report
- Stormwater Management Report
- Soil Investigation Report
- Soil Report Review
- Site Visit Inspection Report
- Stage 1 and 2 Archaeological Assessment
- Arborist Report
- Community Services and Facilities Study
- Natural Heritage Impact Study
- Transportation Impact and Parking Study
- Environmental Noise Feasibility Study
- Toronto Green Standard Checklist
- Qualitative Pedestrian Wind Assessment
- Shadow Study

A Notification of Complete Application was issued on July 9, 2013. The draft zoning by-law submitted by the applicant requires additional provisions to secure the rental housing replacement and tenant assistance.

### **Issues to be Resolved**

#### **Official Plan Redesignation**

The site is designated Neighbourhoods in the Official Plan where lower scale buildings including townhouses and walk-up apartments up to a maximum of 4 storeys are permitted. The application proposes to redesignate the east parcel of their lands from Neighbourhoods to Apartment Neighbourhoods. Policy 2.3.1.1 of the Official Plan states

that Neighbourhoods are considered to be physically stable areas. Development within Neighbourhoods will be consistent with this objective and will respect and reinforce the existing physical character of buildings in the neighbourhood. The Plan indicates that no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood.

The proposed redevelopment of the lands with 10, 4 and 4 storey apartment buildings represents a significant intensification of the lands, particularly the east parcel. While re-investment in this area is desirable, any redevelopment of the site must be carefully considered within the context of the surrounding area. A determination of the appropriateness of redesignating the east parcel from Neighbourhoods to Apartment Neighbourhoods will be evaluated as part of the review of this application.

### **Rental Housing Demolition and Replacement & Tenant Relocation and Assistance Plan**

The proposal includes demolition of the existing rental residential buildings and their replacement in a new rental building with fewer rental units but similar number of bedrooms as a result of including a large component of three bedroom units, where none previously existed. Tenant relocation assistance, including the right to return to a replacement rental unit is proposed. Details of the required tenant relocation and assistance plan will be reviewed. Rental housing protection and replacement, the number of units to be replaced and the type and size of the units will be reviewed. The appropriateness of the amendment to the Official Plan's rental housing policies will be considered.

### **Other Matters**

On a preliminary basis, the following additional issues have been identified:

- The appropriateness of the proposed land uses and density, built form, massing, building heights and design.
- Identify the area of land located below the top-of-bank and its exclusion from the calculation of density.
- Site layout, internal circulation, driveway accesses and organization of buildings on the lands.
- Transition of building heights and massing to the adjacent residential areas and to the valley.
- Shadow impacts.
- Review of the proposed building setbacks.
- Traffic impacts and parking assessment.
- Review of the proposed indoor and outdoor amenity space.
- The assessment of community services and facilities in the area and the facilities needed to support the proposed development.

- Assessment of the impacts on the valley and natural heritage system and measures to mitigate and improve the natural environment.
- Assessment of site servicing including stormwater management.
- Appropriate Section 37 benefits.
- The Toronto Green Standard 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.

City Planning will be holding a separate consultation meeting on the rental housing and tenant relocation matters with the affected tenants, as required under Chapter 667.

## **CONTACT**

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## **SIGNATURE**

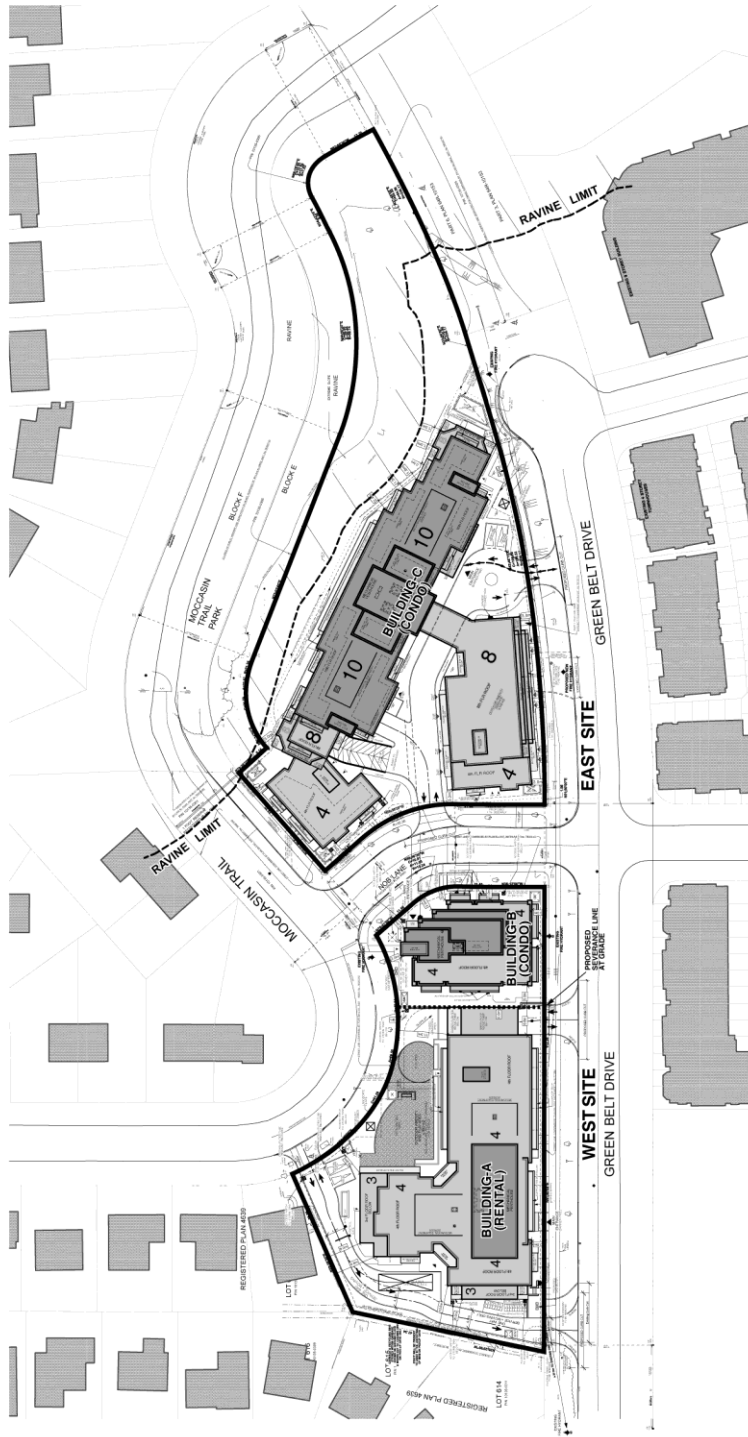
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Allen Appleby, Director  
 Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan/Subdivision Plan  
 Attachment 2: Elevations  
 Attachment 3: Zoning  
 Attachment 4: Official Plan  
 Attachment 5: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

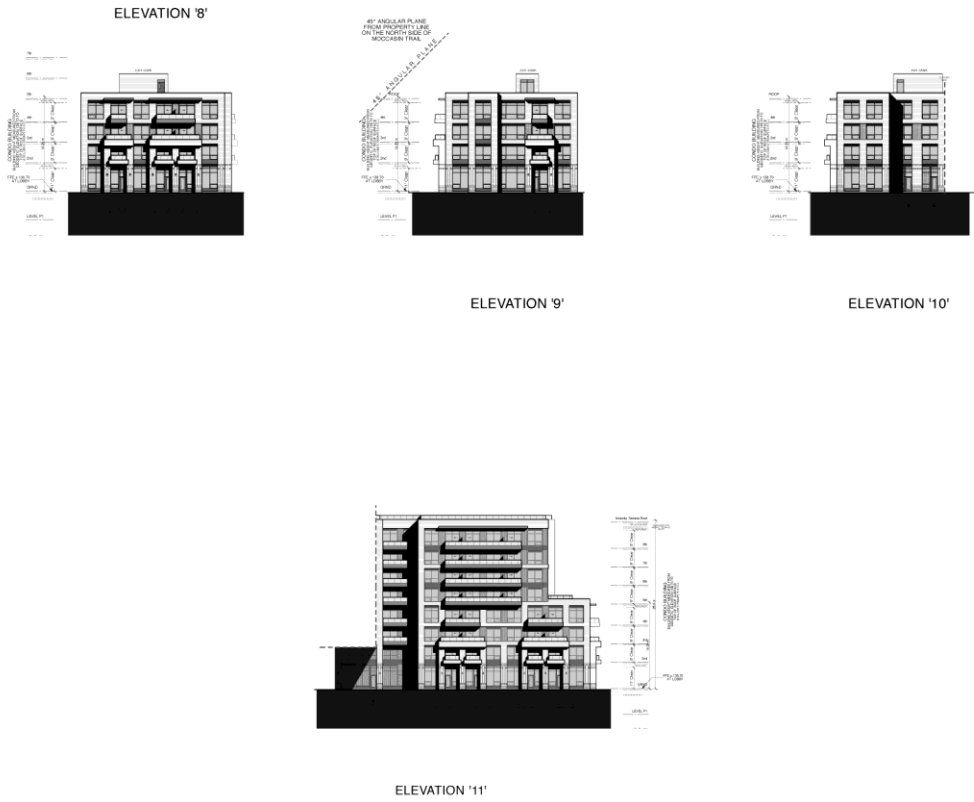
## 40 Moccasin Trail & 50 Green Belt Drive

Applicant's Submitted Drawing

Not to Scale  
06/12/2013

File # 13 173059 NMY 34 0Z

## Attachment 2: Elevations



### 50 GREEN BELT DRIVE

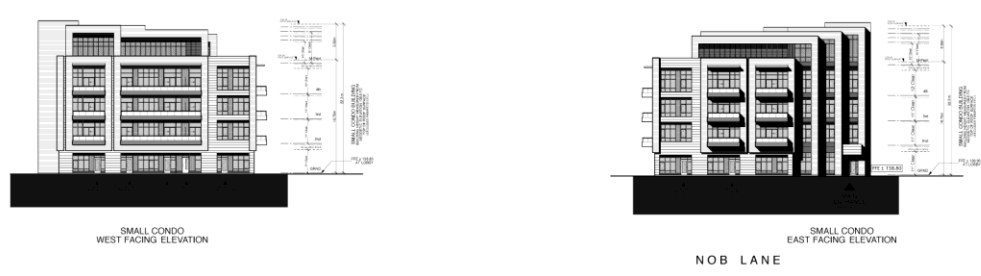
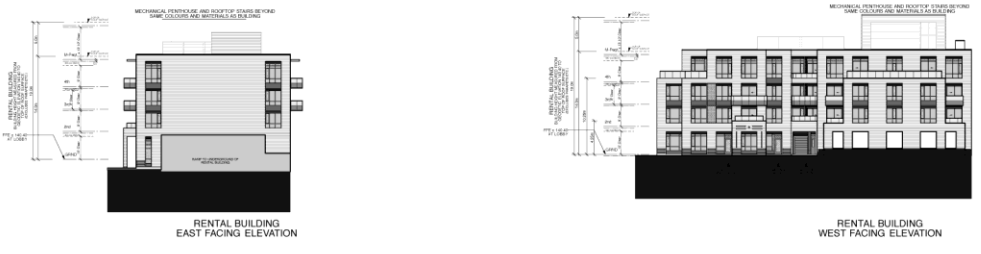
#### Elevations

#### 40 Moccasin Trail & 50 Green Belt Drive

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06/12/2013

File # 13 173059 NNY 34 0Z



**40 MOCCASIN TRAIL**

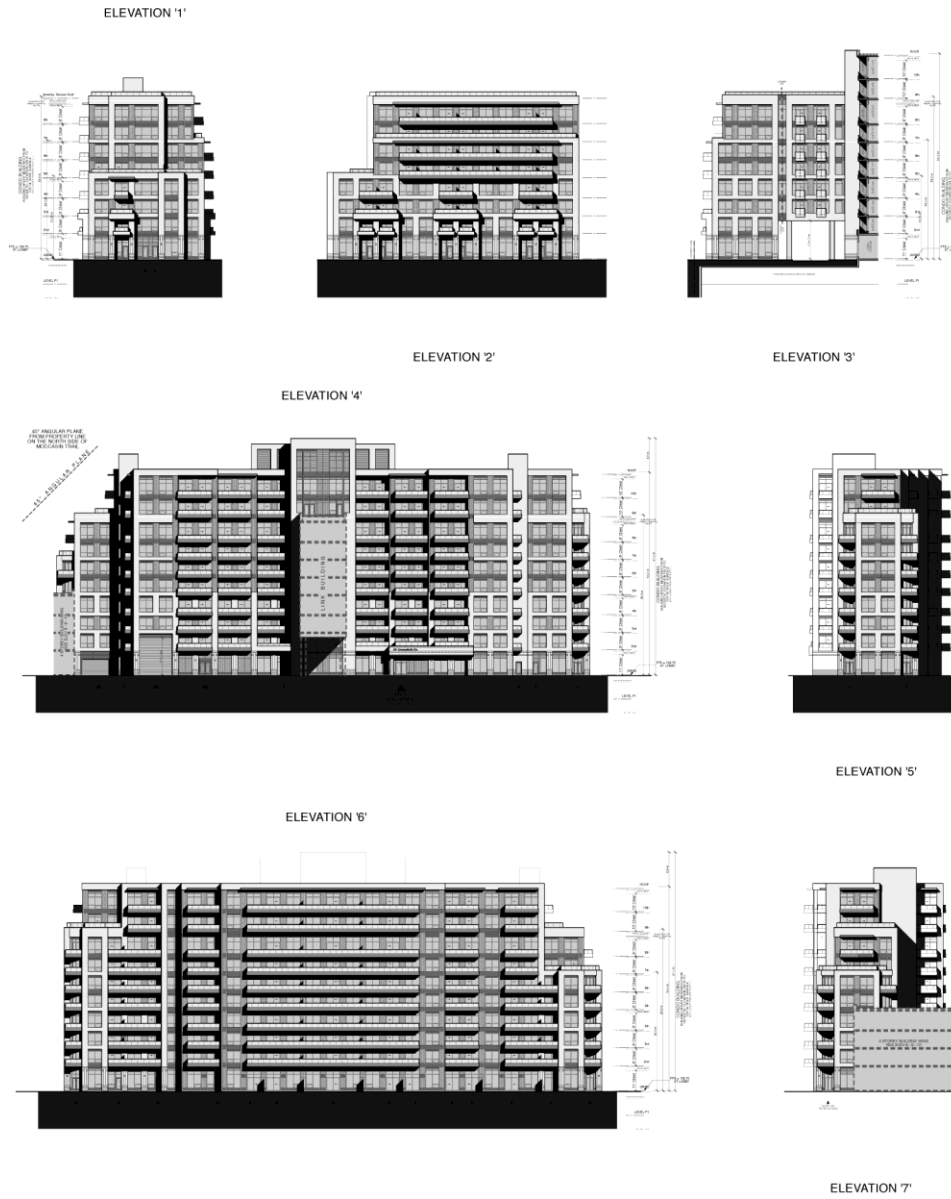
**Elevations**

**40 Moccasin Trail & 50 Green Belt Drive**

Applicant's Submitted Drawing

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06/12/2013

File # 13 173059 NNY 34 0Z



**50 GREEN BELT DRIVE**

**Elevations**

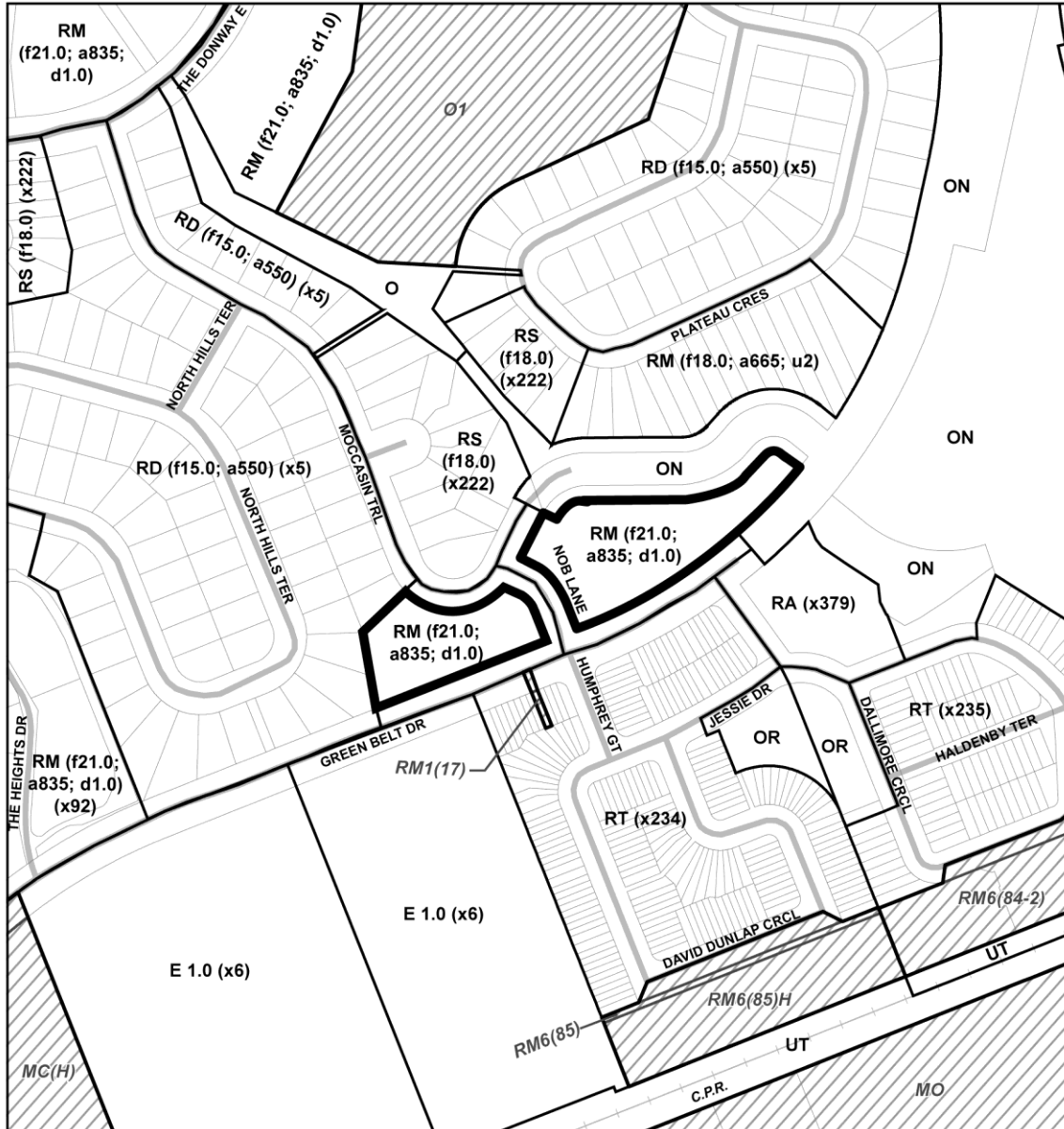
**40 Moccasin Trail & 50 Green Belt Drive**

Applicant's Submitted Drawing

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06/12/2013



File # 13 173059 NNY 34 0Z


### Attachment 3: Zoning



**TORONTO** City Planning  
**Zoning By-law 569-2013**

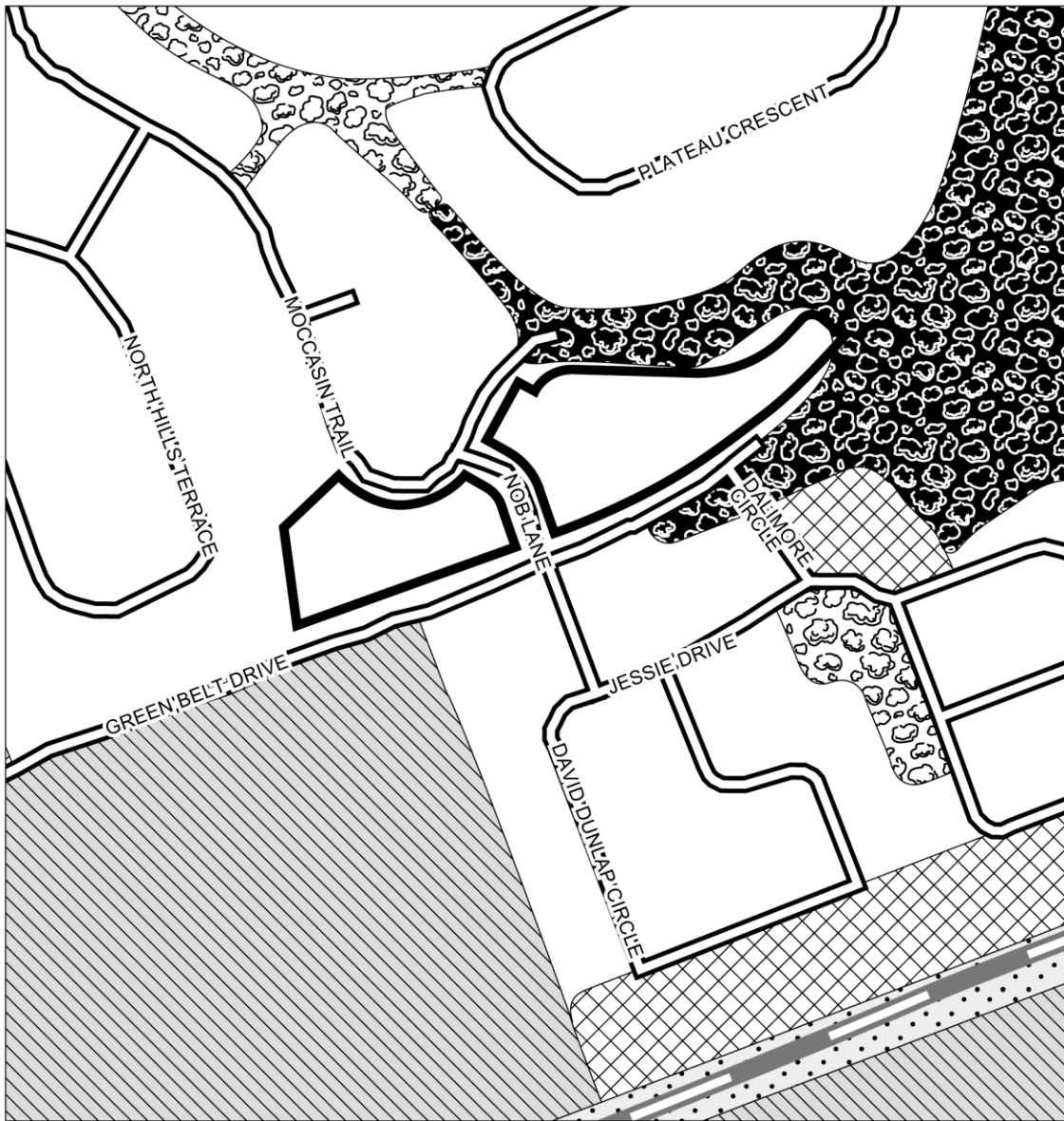
**40 Moccasin Trail and 50 Greenbelt Drive**  
 File # 13 173059 NNY 34 0Z

	Location of Application		See Former City of North York Bylaw No. 7625
<b>RS</b>	Residential Semi-Detached	<b>RM1</b>	Multiple-Family Dwellings First Density Zone
<b>RD</b>	Residential Detached	<b>RM6</b>	Multiple-Family Dwellings Sixth Density Zone
<b>RT</b>	Residential Townhouse	<b>MC</b>	Industrial-Commercial Zone
<b>RM</b>	Residential Multiple	<b>MO</b>	Industrial-Office Business Park Zone
<b>E</b>	Employment Industrial	<b>O1</b>	Open Space Zone
<b>ON</b>	Open Space Natural		
<b>OR</b>	Open Space Recreation		
<b>UT</b>	Utility and Transportation		

  
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## Attachment 4: Official Plan



**TORONTO** City Planning  
Official Plan

40 Moccasin Trail & 50 Green Belt Drive

File # 13 173059 NNY 34 0Z

 Site Location	 Parks & Open Space Areas	 Employment Areas
 Neighbourhoods	 Natural Areas	 Utility Corridors
 Apartment Neighbourhoods	 Parks	

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**Attachment 5**  
**APPLICATION DATA SHEET**

Application Type	Official Plan Amendment, Rezoning and Rental Housing Demolition	Application Number:	13 173059 NNY 34 OZ 13 173075 NNY 34 RH
Details	OPA & Rezoning, Standard	Application Date:	May 23, 2013

Municipal Address: 40 Moccasin Trail and 50 Green Belt Drive  
 Location Description: PLAN 4639 BLOCK C & D \*\*GRID N3405  
 Project Description: Demolish the existing rental buildings and replace them with 3 new residential buildings - a 10 storey condo building, 4 storey condo building and 4 storey rental replacement building. Total of 324 residential dwelling units (263 condo units and 61 rental replacement units).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
WOOD BULL LLP		Northgrave Architect Inc.	H-M Apartment Moccasin Inc.

**PLANNING CONTROLS**

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	RM/RM5	Historical Status:	
Height Limit (m):	12/11.5	Site Plan Control Area:	Y

**PROJECT INFORMATION**

Site Area (sq. m):	12217	Height:	Storeys:	4, 4 & 10
Frontage (m):	227.8		Metres:	35
Depth (m):	44.1			
Total Ground Floor Area (sq. m):	5262			<b>Total</b>
Total Residential GFA (sq. m):	36130		Parking Spaces:	426
Total Non-Residential GFA (sq. m):	0		Loading Docks	2
Total GFA (sq. m):	36130			
Lot Coverage Ratio (%):	43.07			
Floor Space Index:	2.96			

**DWELLING UNITS**

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	153
2 Bedroom:	133
3 + Bedroom:	38
Total Units:	324

**FLOOR AREA BREAKDOWN (upon project completion)**

	Above Grade	Below Grade
Residential GFA (sq. m):	36130	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: Nimrod Salamon, Senior Planner**  
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