

**51-77 Quebec Avenue and 40-66 High Park Avenue -
Zoning By-law Amendment Application - Request for
Direction Report**

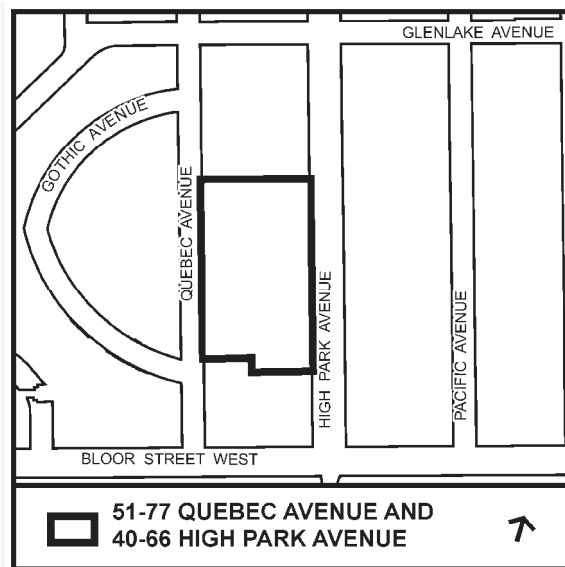
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| Date: | February 5, 2014 |
| To: | Etobicoke York Community Council |
| From: | Director, Community Planning, Etobicoke York District |
| Wards: | Ward 13 – Parkdale-High Park |
| Reference Number: | 13 101816 WET 13 OZ |

SUMMARY

The applicant has appealed the Zoning By-law Amendment application to the Ontario Municipal Board (OMB) citing Council’s failure to make a decision within the time period prescribed under the *Planning Act*. A Pre-Hearing Conference is scheduled for March 21, 2014, at which time a hearing date will be scheduled.

This application proposes to demolish two existing blocks of townhouses, containing 16 rental units, on a property that also contains 2 rental apartment buildings that will be retained, and construct two new 26 storey residential apartment buildings and a two storey amenity building at 51-77 Quebec Avenue and 40-66 High Park Avenue.

An associated Rental Housing Demolition and Conversion application (13 101863 WET 13 RH) has also been submitted to demolish the 16 rental townhouses at 51-65 Quebec Avenue and 52-66 High Park Avenue under Section 111 of the *City of Toronto Act*. The City's decision on the Rental Housing Demolition and Conversion application is not subject to appeal to the Ontario Municipal Board.



The purpose of this report is to seek City Council's direction for the City Solicitor and other appropriate City staff to attend the Ontario Municipal Board to oppose the application as currently proposed by the applicant.

It is staff's opinion the proposal represents an over-development of the site. The proposed building height, massing and density are not in keeping with the existing context for this block.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor and other appropriate City staff to attend the Ontario Municipal Board to oppose the appeal of the Zoning By-law Amendment application at 51-77 Quebec Avenue and 40-66 High Park Avenue (Application Number 13 101816 WET 13 OZ) in its current form.
2. City Council authorize City staff to continue discussions with the applicant to negotiate an appropriate development proposal.
3. In the event the Ontario Municipal Board allows the appeal in whole or in part, City Council direct the City Solicitor to request that a Section 37 community benefit contribution be made as discussed in this report.
4. City Council direct staff to advise the Ontario Municipal Board of City Council's position that any redevelopment of the lands must also include, in accordance with the housing policies of the Official Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, provisions for a Tenant Relocation and Assistance Plan for the 16 townhouses to be demolished; securing the rental housing tenure of the two remaining apartment buildings at 40 High Park Avenue and 77 Quebec Avenue for a minimum period of twenty (20) years; and providing the appropriate improvements for the two apartment buildings to be retained.
5. In the event the Ontario Municipal Board allows the appeal in whole or in part, City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any final orders approving a Zoning By-law Amendment until such time as the City and the Owner have presented to the Board a draft by-law that provides for securing the rental housing matters outlined in Recommendation 4 above; and the Owner has entered into and registered a Section 37 Agreement to the satisfaction of the City Solicitor, that includes provisions for the community benefits noted in Recommendation 3 above and for the rental housing matters outlined in Recommendation 4 above, and the preparation and implementation of a Construction Mitigation and Tenant Communication Plan to the satisfaction of

the Director, Community Planning, Etobicoke York District, prior to final Site Plan Approval.

6. In the event the Ontario Municipal Board allows the appeal in whole or in part, City Council direct the City Solicitor to request that the owner be required to enter into a Section 37 Agreement to secure, as a convenience mechanism, the required warning clauses from the Toronto Transit Commission and the Toronto District School Board.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Zoning By-law Amendment and Rental Housing Demolition and Conversion applications were submitted on January 7, 2013.

A Preliminary Report outlining these applications was considered by Etobicoke York Community Council on April 9, 2013. The Preliminary Report can be viewed at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY23.4>

On November 27, 2013, the solicitors representing the owner of the lands appealed the Zoning By-law Amendment application to the Ontario Municipal Board (OMB), citing Council's failure to make a decision within the time prescribed by the *Planning Act*. A Pre-Hearing Conference is scheduled for March 21, 2014, to set the parameters and date for the OMB hearing.

ISSUE BACKGROUND

Proposal

The revised proposal involves the demolition of two blocks of townhouses each containing 8 three-bedroom rental units, one located in the northeast corner and the other in the southwest corner of the site, and the construction of two 26 storey apartment buildings. No replacement of the rental housing is being proposed. Two existing 20 storey rental apartment buildings on the site, containing a total of 659 units, would be retained.

Each new building would contain 279 units, for a total of 558 units. The proposed mix of new unit types is 54 studio units, 304 one bedroom, 172 two-bedroom and 28 three-bedroom units. The new residential gross floor area would be 40,646 m² and the total overall gross floor area for the property (including the two existing 20 storey apartment buildings) would be 86,214 m², representing a density of approximately 4.28 times the lot area.

The proposed buildings are designed with a 5-storey podium and a 21 storey tower element. The podium portion of each building would contain seven three bedroom grade

related units which would front onto their respective streets and would have a front yard patio and landscape areas within the front yard setback. The ground floor of each new building would also contain indoor amenity areas, a residential lobby, office and servicing areas (see Attachments 1-5).

Each tower is proposed to have floor plates of approximately 750 m² and an overall height of approximately 82.5 m, not including the mechanical penthouse. The north tower is proposed to be setback 36 m from the north property line, 27.5 m from the existing tower at 40 High Park Avenue (to the south) and 35 m from 77 Quebec Avenue (to the west). The south tower is proposed to be setback 34.5 m from the southern property line, 35 m from 40 High Park Avenue (to the east) and 32 m from 77 Quebec Avenue (to the north).

A total of 1,068 m² of indoor amenity space would be provided on site for the new and existing tenants. A new 2-storey, 532 m² amenity building is proposed at the northern end of the subject site, located between the existing building at 77 Quebec Avenue and the proposed north building. Additional indoor amenity space would be provided on the ground floor of each new building. The existing outdoor pool would be retained.

The existing residential drop off/pick up areas for 77 Quebec Avenue and 40 High Park Avenue and the mid-block access to the underground parking garage would be retained. New driveways at the south end of the site, from Quebec Avenue, and at the north end of the site from High Park Avenue are proposed to provide access to loading and servicing areas for the proposed and existing buildings. The loading and servicing areas for the new buildings are proposed to be enclosed and the garbage and recycling storage for the existing apartment buildings would be relocated indoors.

A total of 896 parking spaces located in an enlarged underground parking garage and 12 surface parking spaces would be provided for the existing and proposed residential buildings. 401 bicycle spaces are proposed.

The following table provides a comparative summary of the original proposal filed on January 7, 2013 and the current revised submission:

| | Proposed New Residential GFA (m ²) | Total Res. GFA (including existing buildings) | Density | Proposed New Res. Units | Total Number of Res. Units | Building Height |
|-------------------------------|--|---|---------|-------------------------|----------------------------|---|
| Original Proposal (Jan. 2013) | 46,115 | 91,683 | 4.55 | 610 | 1,269 | 88.3 m (97.3 m to the mechanical penthouse) |
| Current Proposal (Nov. 2013) | 40,646 | 86,214 | 4.28 | 558 | 1,217 | 82.5 m (91.5 m to the mechanical penthouse) |

Site and Surrounding Area

The site is located north of Bloor Street West, fronting on both Quebec Avenue and High Park Avenue. The site is approximately 2 ha in size, generally rectangular in shape, with a relatively flat topography.

The site is currently occupied by two blocks of rental townhouses and two, 20 storey rental apartment buildings, containing a total of 659 rental units. The townhouses at 52-66 High Park Avenue and 51-65 Quebec Avenue each contain 8 three-bedroom rental units and are two storeys in height.

The 20 storey apartment building fronting High Park Avenue (40 High Park Avenue) contains a total of 329 rental units that include 38 bachelor, 213 one-bedroom and 78 two-bedroom units. The second 20 storey apartment building at 77 Quebec Avenue contains a total of 330 rental units that include 38 bachelor, 212 one-bedroom and 80 two-bedroom units.

The surrounding area is described below:

North: is 70 High Park Avenue, a 20 storey apartment building fronting High Park Avenue, and three storey apartment buildings fronting Quebec Avenue. Further north is a 24 storey apartment building.

South: the subject site is adjacent to the Toronto Transit Commission (TTC) High Park Subway Station. South of the TTC station fronting the north side of Bloor Street West are several low-rise apartment buildings, retail stores and restaurants. On the south side of Bloor Street West, is High Park.

West: on the west side of Quebec Avenue are two apartment buildings having a height of 19 and 25 storeys. Further west is a 9 storey apartment building and low rise residential buildings fronting Gothic Avenue and Quebec Avenue.

East: the block to the east contains a mix of residential and mixed-use house-form buildings, small apartment buildings and a number of apartment towers ranging in height from 15 to 30 storeys.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to

grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe

Official Plan

The lands are designated *Apartment Neighbourhoods* on Map 17 – 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. This designation does not anticipate significant growth within these areas, however compatible infill development may be permitted on a site containing an existing apartment building that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. The Plan includes criteria that direct the form and quality of development in this land use designation.

Apartment Neighbourhoods Policies

The Official Plan criteria to evaluate development in *Apartment Neighbourhoods* is set out in Policy 4.2.2 and Policy 4.2.3.

Policy 4.2.2 states that: "Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*;
- b) locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;
- c) locating and massing 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;
- d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- h) providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities."

Policy 4.2.3 states that: "Infill development that may be permitted on a site containing an existing apartment building will:

- a) meet the development criteria set out in Section 4.2.2 for apartments;
- b) maintain an appropriate level of residential amenity on the site;
- c) provide existing residents with access to the community benefits where additional height and/or density is permitted and community benefits are provided pursuant to Section 5.1.1 of this Plan;
- d) maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- e) organize development on the site to frame streets, parks and open spaces in good proportion, provide adequate sky views from the public realm, and create safe and comfortable open spaces;
- f) front onto and provide pedestrian entrances from an adjacent public street wherever possible;
- g) provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- h) consolidate loading, servicing and delivery facilities; and
- i) preserve or provide adequate alternative on-site recreational space for residents."

Healthy Neighbourhood Policies

The Healthy Neighbourhoods policies of the Official Plan (Policy 2.3.1.2) identify that development in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Built Form Policies

The development criteria in the *Apartment Neighbourhoods* and Healthy Neighbourhood policies are supplemented by additional development criteria in the Official Plan's Built Form policies, including policies that specifically address tall buildings.

The Built Form policies, contained in Section 3.1.2 of the Official Plan emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New

buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area.

The Built Form policies (Policy 3.1.2) identify the importance of urban design as a fundamental element of City building. They require that new development:

- be located and organized to fit with its existing and/or planned context;
- frame and support adjacent streets, parks and open spaces;
- locate and organize vehicular and service areas in such a way to minimize their impact and to improve the safety and attractiveness of adjacent streets, parks and open spaces;
- be massed and its exterior façade be designed to fit harmoniously into its existing and/or planned context and to limit its impact by, among other things, creating appropriate transitions in scale as well as adequately limiting the resulting shadowing and wind conditions on neighbouring streets, properties and open spaces;
- be massed to define edges of streets, parks and open spaces;
- provide amenity for adjacent streets and open spaces for pedestrians; and
- provide indoor and outdoor amenity space for residents.

Tall Building Policies

The Plan contains policies regarding tall buildings in the City (Policy 3.1.3). Tall buildings are identified as those whose height are higher than the width of the adjacent road allowance. The Plan limits these buildings to parts of the *Downtown*, *Centres* and other areas of the City such as *Apartment Neighbourhoods*. The tall building policies address in more detail where they should be located, how the buildings should be designed and identifies other key urban design considerations when considering a tall building proposal. Policy 3.1.3 also states that Tall Buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to addressing specific built form characteristics, the policy states that proposals for Tall Buildings must clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Heritage Policies

The in-force heritage conservation policies in Section 3.1.5 of the Official Plan require consideration to be given to the conservation and maintenance of heritage buildings. Developments adjacent to a property on the Heritage Register need to respect the scale, character and form of the heritage buildings and landscapes. The adjacent property at 70 High Park Avenue, which is located to the north of the subject site, is designated as a heritage property by the City under section IV of the *Ontario Heritage Act*.

Natural Heritage Policies

The natural heritage policies in Section 3.4 of the Official Plan require all development in or near the natural heritage system to be evaluated to assess the development's impact on

the natural heritage system and identify measures to mitigate negative impacts on and/or improve the natural heritage system.

Parkland Acquisition and Tree Preservation Policies

The Official Plan includes policies for parkland acquisition as well as criteria for the location and configuration of parks. In addition, the Official Plan contains policies that discourage tree removal and promote increasing the tree canopy coverage in the City.

Housing Policies

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

Policy 3.2.1.5 states that for significant new development on sites containing six or more rental units, where existing rental units will be maintained, the existing units which have affordable and mid range rents will be secured as rental housing and any needed improvements and renovations to the existing rental housing may also be secured without the pass-through of such costs to tenants. The Official Plan indicates that Section 37 agreements may be used to secure any needed improvements to the existing rental building.

Under Policy 3.2.1.6, applicants proposing to demolish six or more residential rental units (except where all the rents are above the mid-range rent category) are required to replace the rental units with 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. An acceptable tenant relocation and assistance plan is also required to address moving related costs, alternative accommodation and other assistance to lessen hardship.

Criteria for Design of Tall Building Proposals

In May 2013, Toronto City Council adopted the updated City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The City-wide Guidelines are available at:

<http://www.toronto.ca/planning/tallbuildingdesign.htm>

The Design Criteria provide policy direction for tall buildings on issues such as building placement and orientation, entrances, heritage conservation, massing of base buildings, setbacks, tower floor plates, separation distances, pedestrian realm considerations and sustainable design and transition. The guidelines ensure that tall buildings fit within their context and minimize their impacts. The guiding performance standards have been used in the review of the proposed new towers on the site.

Zoning

In accordance with the established protocol, the lands were excluded from the new City of Toronto Zoning By-law No. 569-2013 as this application was deemed to be a complete application prior to the passage of the Zoning By-law. As such, the former City of Toronto Zoning By-law No. 438-86 continues to apply to the lands. The portion of the site occupied by the two apartment buildings is zoned R2 Z0.6, and the portion of the site occupied by the townhouses is zoned R2 Z0.35. Apartment buildings and row houses are permitted uses in the R2 zone. The permitted residential density is 0.6 times the area of the lot (for the area of the apartment buildings) and 0.35 times the area of the lot (for the area of the townhouses).

The site is also subject to site-specific Zoning By-law 22621, which permits the existing apartment buildings and townhouses on the site. The By-law permits the townhouses with a height of approximately 9.1 m above grade and a residential floor area of 0.6 times the area of the lot. The By-law also permits the two apartment buildings with a residential gross floor area up to 2.825 times the area of the lot for each building. The By-law does not limit the height directly for the apartment buildings; it simply prescribes a maximum gross floor area.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan approval has not been submitted.

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.

The report indicates that there are 48 trees private trees that will require a permit to remove and 7 private trees that will require a permit to injure. The report also notes that there are 15 City owned trees proposed to be removed.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. The applicant has submitted a Stage 1 and 2 Archaeological Assessment Report. The submitted report concludes that no archaeological resources were encountered and no further study is required.

Tenure

The applicant advises that the 558 new units would be condominium. The 658 rental units in the two existing apartment buildings would be retained as rental units. The 16 rental units in the two townhouse blocks that would be demolished are not proposed to be replaced.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007), established Chapter 667 of the City's Municipal Code. It is one of the tools which implement 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 where six or more rental housing units will be affected 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* may also be 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*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, typically City Council considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the Ontario Municipal Board.

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 16 existing rental townhouse units. The rents for the 16 townhouse units exceeded mid-range rents (more than one and a half times average market rent) at the time of application and no replacement is required under Official Plan Policy 3.2.1.6.

Reasons for the Application

An application to amend the Zoning By-law is required to permit the proposed height and density of the two new buildings, as well as to amend other applicable zoning standards such as required indoor amenity space, parking requirements and building setbacks. In addition, a permit is required to demolish the existing rental townhouses units.

Community Consultation

A community consultation meeting was held on May 6, 2013 at HumberSide Collegiate Institute. Approximately 200 members of the public attended along with the Ward Councillor, the applicant, their consulting team and City staff.

Following the community consultation meeting, Councillor Doucette established a working group comprised of 11 local residents and the applicant. The purpose of the working group was to identify possible solutions to the issues raised by the community concerning the proposed development. The working group met 5 times (June 17, June 20, June 26, September 9 and September 16, 2013) and discussed issues such as: building height; density; massing; building type; setbacks; separation distances; wind and shadow impacts; light, view and privacy; loss of trees and green space; unit mix; site servicing; environment; and traffic.

As a result of the working group process, the applicant made a number of revisions to the proposed development including: a reduction in overall building heights, reduction in the number units, revised massing and siting of the two towers, increased height for the base portion of the buildings and enclosing the servicing and loading areas.

A tenants' consultation meeting was held on October 30, 2013 at the Annette Library to discuss the Rental Housing Demolition and Conversion application for the 16 townhouse units. Approximately 11 members of the public attended, of which 3 were tenants of the townhouse units proposed to be demolished. Issues discussed related to: the timing and notification requirements for vacating their units; compensation being proposed by the applicant; concerns with the ongoing maintenance of the townhouses given the owners' desire to demolish the townhouses; and how the notification for the meeting was provided.

An Open House was held on November 7, 2013 at Western Technical-Commercial School to present the applicant's revised current proposal to the community. Approximately 200 members of the public attended along with the Ward Councillor, the working group members, the applicant, their consulting team and City staff.

A summary of the comments received from the community is presented in Attachment 8.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Revised Proposal

The revised proposal was formally submitted to the City in November 2013 and shortly after the owner appealed the application to the OMB. As such, staff have not had an opportunity to meet with the applicant to discuss the revised proposal. Given the OMB has set a Pre-Hearing Conference date for March 21, 2014, staff are recommending that the City Solicitor and appropriate staff attend the hearing and oppose the application in its current form for the reasons noted below. It is also recommended that City staff continue discussions with the applicant in an effort to negotiate an appropriate development and resolve the issues noted below or that may be identified in the further discussions with the applicant. If appropriate, a status report summarizing the outcome of these discussions can be prepared following the discussions with the applicant.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) identifies the Official Plan as the most important vehicle for implementing the PPS. The proposed development is located within an *Apartment Neighbourhoods* designation, which states that significant growth is generally not intended however compatible infill development may be permitted subject to qualifiers, including ensuring that development is contextually appropriate, suitable

existing infrastructure and public service facilities are available to meet projected growth and providing good quality of life for both new and existing residents.

Policy 1.1.3.4 of the PPS refers to appropriate development standards which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety. As outlined in greater detail below, the proposal represents an inappropriate scale of intensification at a location where a more moderate built form would better fit the existing and planned context.

The Growth Plan requires that a significant portion of new population and employment growth be directed to built-up areas of the community through intensification. The Growth Plan outlines that through their Official Plans, municipalities will develop and implement policies to achieve intensification by recognizing urban growth centres, intensification corridors and major transit station areas as key areas to accommodate intensification. The Official Plan directs growth to the *Downtown, Centres, Avenues and Employment Areas*. The subject site is not located within one of these areas. The Growth Plan also requires all intensification areas to be planned and designed to provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places (Policy 2.2.3.7 c) and to achieve an appropriate transition of built form to adjacent areas (Policy 2.2.3.7 f).

The proposed 26 storey buildings are not keeping with the character of buildings within the block and do not provide an appropriate transition of built form to Bloor Street West. As a result, the proposal does not conform to and conflicts with the Growth Plan for the Greater Golden Horseshoe.

Density, Height and Massing

As noted above, the lands are designated *Apartment Neighbourhoods*. These areas are considered stable and significant growth in these areas is not anticipated. However, compatible infill development may be permitted subject to qualifiers. As such any infill development on this site must meet the criteria and objectives set out for development in *Apartment Neighbourhoods*, the built form policies of the Official Plan and the City's Tall Building Guidelines.

The proposed development should respect and reinforce the existing physical character of buildings in its immediate context.

As a result of the working group process and discussions with staff, the applicant reduced the height of the proposed towers from 31 storeys to 26 storeys, which would be the tallest for the block. The proposed north tower would be a 20 storey building at 70 High Park Avenue and the south tower would be a 2-3 storey apartment building on Bloor Street West. Bloor Street West in the immediate area is zoned to permit a maximum 23 m height limit (approximately 7 storeys). It is staff's opinion the height of the two towers are still too tall and that heights should be further

reduced to be more in keeping with the height of the surrounding buildings and to provide an appropriate transition to Bloor Street West.

It is also staff's opinion that the heights and massing of the two proposed buildings could be varied from each other to provide more architectural interest and appropriately respond to each street and adjacent context.

The proposed setback for the tower portion of the two buildings should be increased from each street where possible. The proposed the setbacks for the towers are not consistent with the existing context for High Park Avenue and Quebec Avenue. The proposed tower on High Park Avenue in particular should be further setback from the street to be more in keeping with the setbacks of the adjacent buildings. The existing building at 40 High Park Avenue is generously setback from the front property line (approximately 17 m) and 70 High Park Avenue is setback approximately 11.4 m, while the proposed tower would be 7 m from the lot line. The setback for the proposed tower on Quebec Avenue should also be increased to respect the character of Quebec Avenue. The existing apartment at 70 Quebec Avenue is setback 17 m from the front property line, while the proposed tower would be 7 m from the lot line.

The revised proposal has increased the height of both base buildings from 3 storeys to 5 storeys. It is staff's opinion that the height of the base buildings should be reduced in order to respond to the context of their respective street and should be more in keeping with the scale and character of the existing built form along Quebec Avenue and High Park Avenue.

The proposed development does not respect or reinforce the existing built form character, streetscape and open space character of the area. The proposed building setbacks are not consistent with those established in the area and the height of the proposal is in excess of the existing context. Staff are of the opinion that the height of the proposed buildings should be reduced to be more consistent with the character of the block and the setbacks for the tower portion of the buildings should not extend closer to the street and should align with the abutting towers. The revised proposal does not address staff's concern with height, massing and shadow impacts. Staff are proposing to continue to work the applicant to develop a proposal which respects and reinforces the existing context. Staff will continue discussions to reduce the overall building heights, height of the base portion of the buildings, increase the setback of the tower portion of the buildings and improve the massing. Staff will also continue discussions aimed at minimizing the impact of the shadowing on the amenity area and providing appropriate transition to the lower scale development along Bloor Street West.

Sun and Shadow

An updated Shadow Study was submitted with the revised proposal. The study shows for all times of the year that the amount sunlight on the outdoor amenity spaces between the existing buildings, including the outdoor pool and deck would be reduced. Staff will

continue discussions with the applicant aimed at modifying the building heights and massing to minimize shadow impacts on the amenity areas.

Wind

The applicant submitted an updated pedestrian wind study for the revised proposal. The wind study identifies potential problems in the central court, swimming pool area and along the sidewalks. The study states that uncomfortable or severe wind conditions may occur in the winter on the public sidewalks which is unacceptable. The study also states that increased wind speeds are anticipated around the swimming pool and that wind flow accelerations will occur around building corners and in the gaps between the towers.

The location of the tower entry areas were also identified as potential problems since they are located at the corners. The report states this could possibly be mitigated by landscaping or screening.

A more detailed wind study identifying existing and proposed wind conditions is required to fully assess the wind impacts of the proposed development. Any additional development on this site should be designed to ensure that comfortable wind conditions are maintained in the streets and public spaces around buildings. While the applicant has indicated they would be willing to provide a revised wind study to provide the additional information, it still has yet to be demonstrated that the proposed buildings will not have a negative impact on the site, surrounding properties and sidewalks.

Amenity Space

The development proposal includes both indoor and outdoor amenity space. The indoor amenity space is proposed in a new two storey amenity building and on the ground floor of each of the proposed buildings. The total proposed indoor amenity space is 1,068 m² which is less than the required 2.0 m² for each new unit (1.9 m²) and would equate to 0.9 m² of indoor amenity space per unit for the total development (proposed and existing). Outdoor amenity space is proposed in the amount of 2,538 m², which equates to 4.5 m² for each new unit and approximately 2.0 m² for the total number of units on the site. It should be noted that the existing buildings currently do not have any indoor amenity areas. It is staff's opinion that the amount of indoor amenity space proposed for this development is insufficient.

The proposed 2 storey amenity building would be located adjacent to the existing building at 77 Quebec Avenue and the ground floor of the amenity building would only be setback 7.5 m from the existing apartment building. The applicant has been requested to provide the floor plans of the existing building for staff to fully assess potential impact on the existing units in terms of light, view and privacy. The applicant has also been requested to provide additional details on the amenity building in terms of layout, programming, architecture and height, which at this time have not been provided.

Rental Housing Protection and Improvements

In keeping with Policy 3.2.1.5 of the Official Plan, the applicant would be required to secure the rental tenure of the existing apartment buildings at 77 Quebec Avenue and 40 High Park Avenue should the application be approved. The applicant has undertaken initial discussions with staff on securing the existing rental tenure for 659 rental units for a period of at least twenty (20) years and providing improvements to the existing buildings.

Policy 4.2.3 (which addresses intensification in *Apartment Neighbourhoods*) and Policy 3.2.1.5 are key Official Plan policies that apply to the 659 rental housing units to be retained and recognize the direct impact intensification of the site would have on the existing and future tenants of these buildings. The current application does not adequately demonstrate how the proposed development satisfies these City policies.

In addition to securing the rental tenure of existing buildings, Policy 3.2.1.5 also provides for securing needed improvements and renovations to the rental buildings and their related facilities, without costs being passed on to tenants. The policy is aimed at achieving improvements that will ensure the on-going viability and livability the rental use in the future, as well as benefit residents of the existing building. It is intended to secure capital improvements beyond those that are required under other policies and regulations which involve, among other matters, general repairs and upkeep or new features such as soft landscaping. These improvements are also to be beyond those that are required for the purpose of facilitating the proposed infill development, such as new driveways, consolidating site services and landscaping. Further, these improvements are in addition to any required replacement of facilities that are to be removed to accommodate the proposed infill development.

When addressing intensification projects, generally, staff have found that existing buildings situated on potential intensification sites are relatively older and have certain deficiencies in terms of amenities or services.

In reviewing this application, staff have identified no indoor amenity space in the existing rental buildings and the need for improved connections from the rear exits of the existing buildings to the interior courtyard. A survey of existing tenants identified further specific areas for improvement in the existing rental buildings. These include the provision of indoor amenity space, bicycle parking and improvements to common areas such as hallways and laundry rooms, safety/security features, improvements to the outdoor pool and pool deck, as well as furnishings and equipment in the common areas. Despite fulsome discussions with staff and a tenant survey, the development proposal in its current form does not adequately respond to the identified improvements and the City's related policy objectives.

Proposed changes to the existing buildings, such as additional privacy screening and landscaping, indoor waste management and access to the new amenity building fall under the City's built form policy requirements for infill development in *Apartment*

Neighbourhoods. It is staff's opinion that, in their current form these changes do not sufficiently mitigate the direct impact of the proposed intensification project on the existing rental buildings through the loss of green space, surface parking and views and do not represent improvements for the existing and future residents.

As noted previously, the proposed 1,068 m² of indoor amenity space falls short of the City's required 2.0 m² per unit for the 558 new units proposed, or 1,116 m² of indoor amenity space. Providing access to new, shared amenities usually does not represent a substantive improvement for the existing rental units. The failure to provide any extra space to recognize the added demand produced by 659 rental units will result in inadequate amenity space for both the existing buildings and the proposed new buildings. After accounting for the private amenity space in the new buildings, the combined amenity space proposed is 355 m², or 0.3 m² per unit. Given the size of the proposed development and comparable intensification projects across the City, it is staff's opinion that the current proposal does not provide an appropriate level of residential amenity to accommodate both new and existing residents.

More information is required on the connection from the ground floor of the existing rental buildings to the interior of the site, where the new shared amenity building and the outdoor courtyard improvements are to be located. Given the current lack of existing indoor amenity space in the rental buildings, access and egress to the indoor and outdoor amenities proposed at the interior of the site is an important factor for determining the extent to which current and future residents of the rental buildings will benefit from the proposed development. Staff's concerns include the existing condition at the rear exit of the rental buildings, in particular poor pedestrian connections with loading and driveways surrounding the exit doors.

Section 37 would be used to secure the rental housing tenure and the improvements to the rental buildings. Policy 5.1.1.5 of the Official Plan identifies Section 37 as a means to conserve rental housing, irrespective of the size of the project or the proposed increase in height and/or density. Policy 5.1.1.6 identifies specific community benefits that may be considered under Section 37, including the preservation of existing rental housing.

Noise

The applicant submitted an updated environmental noise and vibration feasibility study prepared for the revised proposal. The study indicates that no acoustic barriers will be required to protect the outdoor living areas associated with the proposed development. At some outdoor locations, noise from traffic and the TTC may be a concern and therefore warning clauses in offers of purchase and sale are required. The study further indicates standard window and wall construction will be sufficient for compliance with the Ministry of the Environment (MOE) criteria for indoor sound levels.

In regards to the potential vibration impact from the adjacent subway, the study notes that the vibration criteria are predicted to be met at the proposed dwellings and therefore no vibration mitigation is recommended.

A further review will be undertaken at the Site Plan Approval stage, when detailed plans are available. The application will be peer reviewed by an acoustical consultant to confirm the architectural sound isolation requirements to ensure compliance with the City of Toronto noise by-laws and MOE Guidelines.

Trees

The existing vegetation on the subject site is mature and significantly adds to the character of the area. There are a number of mature trees that would be removed through the development of the site. An Arborist Report was submitted with the current application. An application to injure or destroy trees will be required in accordance with Chapter 331 of the former City of Toronto Municipal Code.

Urban Forestry staff have advised the owner will be required to plant new 'large growing native shade' trees at a three to one ratio and that the current plans do not show enough new trees to satisfy the required plantings on private property.

Urban Forestry staff also indicated more trees should be planted on the High Park Avenue street allowance at this site and should contain a mix of Red Oak and Sweetgum, Shingle Oak and American Elm or Chinquapin Oak and Northern Catalpa trees.

Urban Forestry staff have commented that the requirements and related approval process of the City's Tree By-laws should be completed prior to approval of the Zoning By-law Amendment.

Traffic Impact and Access

The applicant submitted a Traffic Impact and Parking Study (TIS) and Traffic Assessment Study Addendum in support of this proposal.

The Addendum study estimated that the proposed 558-dwelling unit condominium apartment buildings would generate in the order of 90 two-way trips in the morning peak hour and 90 two-way trips in the afternoon peak hour, which represents a small reduction in trip generation compared to the original 610-dwelling unit proposal. The study concluded the site generated traffic could be accommodated on the existing road network.

It should be noted the subject site is situated immediately north of the TTC High Park Subway Station and, as such, a higher transit modal split is anticipated.

Transportation Services staff concur with the findings of the traffic impact study and addendum report and advise no road-allowance widening or road improvements are required along the High Park Avenue and Quebec Avenue frontages of the subject site.

Toronto Transit Commission (TTC)

A number of residents raised a concern with the capacity of the subway at the High Park Subway Station. The TTC have advised that ridership on the Bloor-Danforth Subway

Line has been increasing, but it is not overcrowded in the peak periods, based on their standards. The TTC's rush hour maximum crowding standard for trains on the Bloor-Danforth Line is 1,000 people per train, on average, at the busiest point on the route in the busiest single hour. The currently observed levels on the Bloor-Danforth Line are lower than this, at 965 in the morning peak and 850 in the afternoon peak.

While these numbers are below the maximum standards, TTC staff are aware of periodic crowding, and that some users let trains go by before one arrives they feel comfortable boarding. In some cases these situations arise from service delays or disruptions, which cause longer-than-scheduled gaps between trains.

TTC staff advise they are examining schedule and operational improvements on the Bloor-Danforth Subway Line that will eliminate some known recurring operational problems, and they anticipate introducing a new schedule incorporating these improvements in the future. This should result in more reliable and evenly spaced service.

TTC staff also advised that as part of the Easier Access Program, an elevator will be installed at the High Park Station. This work is currently scheduled for 2023.

TTC staff have requested that as a condition of approval of the Zoning By-law Amendment application, the owner be required to complete a TTC Technical Review of the proposed development and to obtain the TTC's written acknowledgement that the owner has satisfied all of the conditions arising out of the review. The TTC also requires the owner to include warning clauses in all offers to purchase regarding the TTC right-of-way. The warning clauses should advise of the potential transmissions of noise, vibration, smoke, particulate matter, electromagnetic interference and stray current impacts on the proposed development, and that the TTC accepts no responsibility for such effects. These requirements will be included in the Section 37 Agreement.

It should be noted that the Eglinton Crosstown LRT project, currently under construction by Metrolinx, will offer some relief to the Bloor-Danforth Subway Line. TTC staff are currently reviewing surface transit routes and will be making recommendations for service changes when the LRT opens in 2020.

Vehicular Parking

The traffic impact and parking study prepared by the applicant's transportation consultant proposes site-specific condominium apartment parking ratios that reflect the recommended minimum parking ratios for condominium apartments for the "Centres and Avenues on Subway" listed in Table 4.1 of the February, 2007 *Parking Standards Review* prepared by Cansult Limited in conjunction with the City's zoning by-law review. As the proposed development is in close proximity to the TTC High Park Subway Station, Transportation Services staff concurs with the application of these minimum parking ratios.

On this basis, parking spaces for the proposed buildings are to be provided at the following minimum ratios:

- 54 Bachelor (Studio) dwelling units at 0.60 stalls per dwelling unit = 32 stalls
- 304 One-bedroom dwelling units at 0.70 stalls per dwelling unit = 213 stalls
- 172 Two-bedroom dwelling units at 0.90 stalls per dwelling unit = 155 stalls
- 28 Three-bedroom dwelling units at 1.00 stalls per dwelling unit = 28 stalls
- 558 dwelling units (total) at 0.10 visitor stalls per dwelling unit = 56 stalls

Total parking required for the proposed buildings = 484 stalls

With regard to parking for the existing two rental apartment buildings at 40 High Park Avenue and 77 Quebec Avenue, the transportation consultant undertook parking surveys, obtained parking stall leasing information and information relating to on-street parking permits in use by tenants. This work revealed that tenant parking demand for the existing two apartment buildings is 0.48 stalls per dwelling unit, which compares favourably with other rental apartment parking demand surveys that indicate a weighted average parking demand of 0.39 stalls per dwelling unit and a maximum demand of 0.45 resident stalls per dwelling unit. The consultant applied a 10 percent 'buffer' of 0.05 stalls per dwelling unit for a recommended minimum parking ratio of 0.53 resident stalls per dwelling unit.

The consultant also proposes to maintain the existing 44-stall (0.067 stalls per dwelling unit) visitor parking supply which is proposed to be relocated elsewhere at-grade and within the underground parking structure. Transportation services staff concur with this minimum parking ratio for the existing rental apartment buildings on the subject site.

Based on the recommended tenant and visitor parking ratios, the existing 658-unit rental apartment buildings are required to provide 0.53 resident stalls per dwelling unit (349 stalls) and 0.067 visitor stalls per dwelling unit (44 stalls) for a total parking required for the existing rental buildings of 393 stalls.

Total parking required for the existing rental buildings and the proposed condominium buildings would be 877 stalls. The current proposal provides a total of 908 parking stalls (896 below-grade and 12 surface), which satisfies the above total parking supply requirement. However, the allocation of residential and visitor parking for both the existing and proposed residential buildings must satisfy the minimum parking ratios discussed above.

Parking stall design and layout and vehicular site circulation will be reviewed in detail through the site plan approval process for this proposal, should the application be approved.

Bicycle Parking

The Toronto Green Standard requires bicycle parking in accordance with the following:

Occupant parking – 558 units at 0.6 spaces per unit = 335 spaces

Visitor parking - 558 units at 0.15 spaces per unit = 84 spaces

Total parking required = 419 spaces

The information noted on the data sheet portion of the plans submitted by the applicant note 401 bicycle parking spaces. However, the actual bicycle parking shown on the plans are as follows: 336 occupant parking spaces on P1 underground level for both buildings, 48 visitor spaces shown on the surface by the building entrances, for a total of 386 bicycle parking spaces. This represents a visitor bicycle parking shortfall of 36 spaces.

In discussions with the applicant it was indicated that additional bicycle parking for the existing buildings would also be provided in the redevelopment of the site. Specific details on the number and location of these spaces have not been shown in the revised submissions.

As with vehicle parking, the location and design of bicycle parking will be addressed through the site plan approval process for this proposal, should this application be approved.

Servicing

Engineering and Construction Services staff have undertaken a review to determine whether the existing watermains on Quebec Avenue and High Park Avenue can adequately accommodate the proposed development. It was determined through field flow tests that sufficient capacity exists in the existing watermains to service the proposed development. The findings were verified through a model simulation of the existing water systems which also concludes that the proposed development can be serviced by the existing watermains.

Engineering and Construction Services staff advised that the sewage capacity of the area has been supplemented by the addition of separate storm sewers to reduce load on the combined sewers. Staff stated that provided that Wet Weather Flow requirements are adhered to, the system has sufficient capacity for the proposed development.

The applicant has indicated in the submitted servicing report that the development will be designed in accordance with the Wet Weather Flow guidelines. The servicing report also includes preliminary discussions on how these stormwater management requirements will be accommodated for the proposed development (e.g. through the provision of green roof, roof storage, storage cistern, permeable pavers, etc.). The final stormwater management designs will be addressed through the site plan approval process for this proposal, should this application be approved.

Heritage Preservation

The property at 70 High Park Avenue, which is located to the north of the subject site, is designated as a heritage property by the City under section IV of the *Ontario Heritage Act*. The applicant submitted a letter from E.R.A. Architects Inc. which states that there would be no heritage impacts as a result of the proposed development. Heritage Preservation Services staff concur with this assessment and no further assessment is required.

Natural Heritage

High Park is identified as Natural Heritage System in the Official Plan and has been identified as an Environmentally Significant Area (ESA) and Areas of Natural and Scientific Interest (ANSI). Although the site is not located within a Natural Heritage System, the southern portion is located within 120 m of the identified significant natural features and a Natural Impact Study is required. The applicant submitted a Natural Impact Study prepared by Ages Consulting Limited and a peer review of the study is currently being undertaken.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43-0.79 of parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area.

The application proposes 558 additional residential units on a site area of approximately 2 ha. At the alternative rate of 0.4 ha per 300 units, the parkland dedication requirement would equal 0.74 ha or 37% of the proportionate residential area. By-law 1020-2010 states that for sites less than 1 ha in size, a cap of 15% is applied to the residential portion. Therefore the total parkland dedication would be 0.3 ha.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu payment. Parks, Forestry and Recreation staff advise this is appropriate as the development is near existing parks (i.e. High Park, Lithuania Park). The actual amount of cash-in-lieu to be paid will be determined by the Facilities and Real Estate Division at the time of issuance of the building permit should the application be approved.

School Board Requirement

The Toronto District School Board has requested the proponent be required to erect Notice Signs and that warning clauses be included in all purchase, agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each affected residential unit within the proposed development, that reference the potential for children from the development to be transported to schools outside of the

immediate neighbourhood. These requirements would be included in the Section 37 Agreement, should the application be approved.

There were no comments received from the Toronto Catholic District School Board.

Toronto Green Standard

The application was submitted in January 2013 and is subject to the Toronto Green Standard. Any subsequent Site Plan Control applications must comply with the Toronto Green Standard, with the exception of those standards secured through any zoning approved by the Ontario Municipal Board. The applicant will be required to complete and submit the Toronto Green Standard checklist through the site plan approval process for this proposal, should this application be approved.

Section 37

Given the increase in height and density represented by the current proposal, the Official Plan provides for the provision of Section 37 contributions. Detailed discussions regarding Section 37 benefits between the applicant and the City have not occurred as there was no agreement on appropriate development for the site. Planning staff intend to continue discussions with the applicant to resolve outstanding issues including the provision of Section 37 contributions. If necessary, a further report on the outcome of the discussions can recommend a direction the City Solicitor and City staff can take on the appeal of the application. However, as this application has been appealed to the Ontario Municipal Board, it is necessary to address Section 37 contributions in the event the Ontario Municipal Board approves the proposed development.

This report recommends that if the Ontario Municipal Board approves this application, that in accordance with Policy 2.3.1.6 and 5.1.1 of the Official Plan, community benefits should be provided under Section 37 of the *Planning Act* as determined through consultation with the Ward Councillor's office which identified the following community needs: capital improvements to libraries and community centres in Ward 13, and to local parks in the area; funding for Heritage Conservation District studies for the Junction and Bloor West Village; capital improvements for daycare; and capital improvements to 100 Quebec Avenue (TCHC Building).

In addition to the above, the preservation of existing rental housing on the subject lands for a minimum of twenty (20) years and any related improvements to the existing rental buildings as recommended by the Chief Planner and Executive Director, City Planning should be secured in the Section 37 Agreement together with those requirements identified by the TTC and the Toronto District School Board.

Conclusions

The current proposal does not conform to Official Plan policies relating to massing and built form, shadowing and transition. As currently proposed, the development is out of scale and character for the planned and existing built form context and represents an over intensification of development on this site.

Additional development could be supported at this location, provided it is within a built form that provides an appropriate transition of scale, limits shadow and wind conditions, provides compatible physical relationships between developments and creates a positive visual relationship to the street. The current height, scale and site layout fails to achieve this. However, a development which has building heights and setbacks more in keeping with the context of the block and which provides an appropriate transition to Bloor Street West, could be considered for this site.

For the reasons outlined in this report, it is recommended that staff be directed to attend the Ontario Municipal Board hearing to oppose the appeal of the current Zoning By-law Amendment application for 51-77 Quebec Avenue and 40-66 High Park Avenue. However, given the above it is also recommended staff be directed to continue discussions with the applicant aimed at developing an appropriate development proposal for these lands.

CONTACT

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Fax No. (416) 394-6063
E-mail: gbyrne@toronto.ca

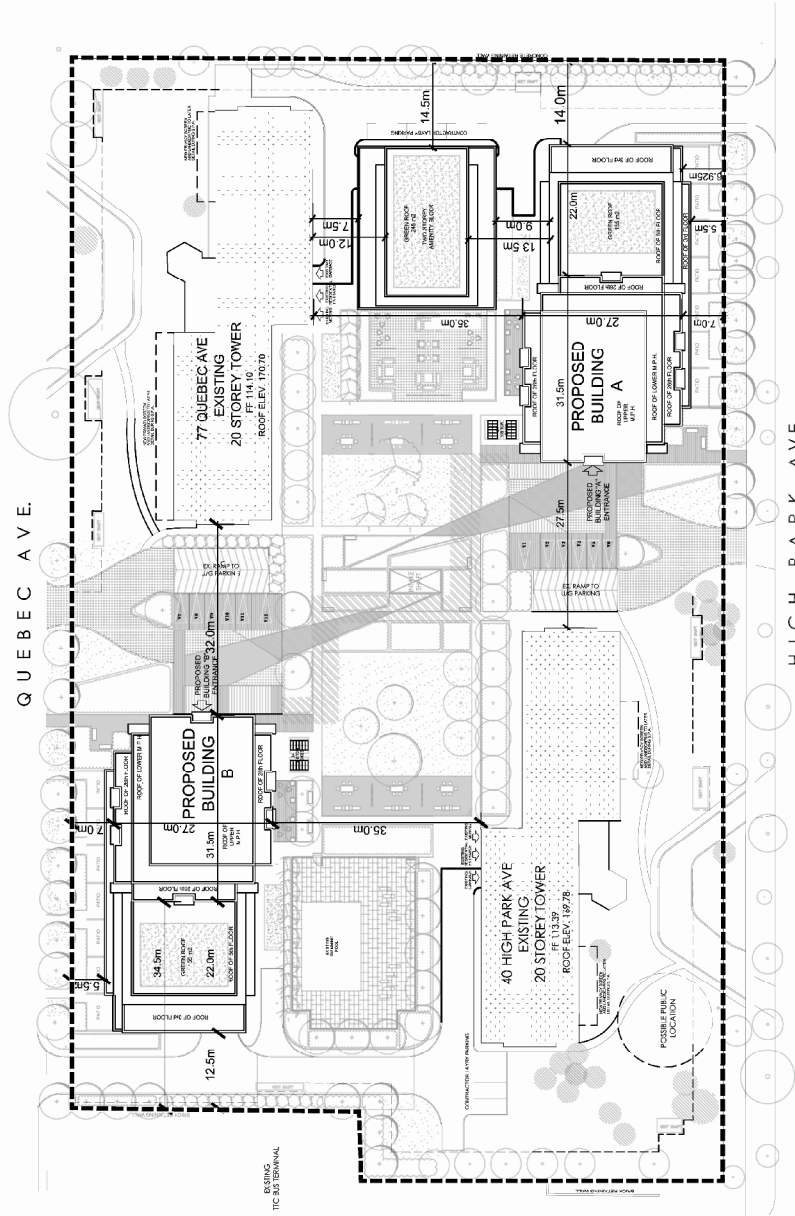
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: West Elevation
Attachment 5: East Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet
Attachment 8: Community Comments

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

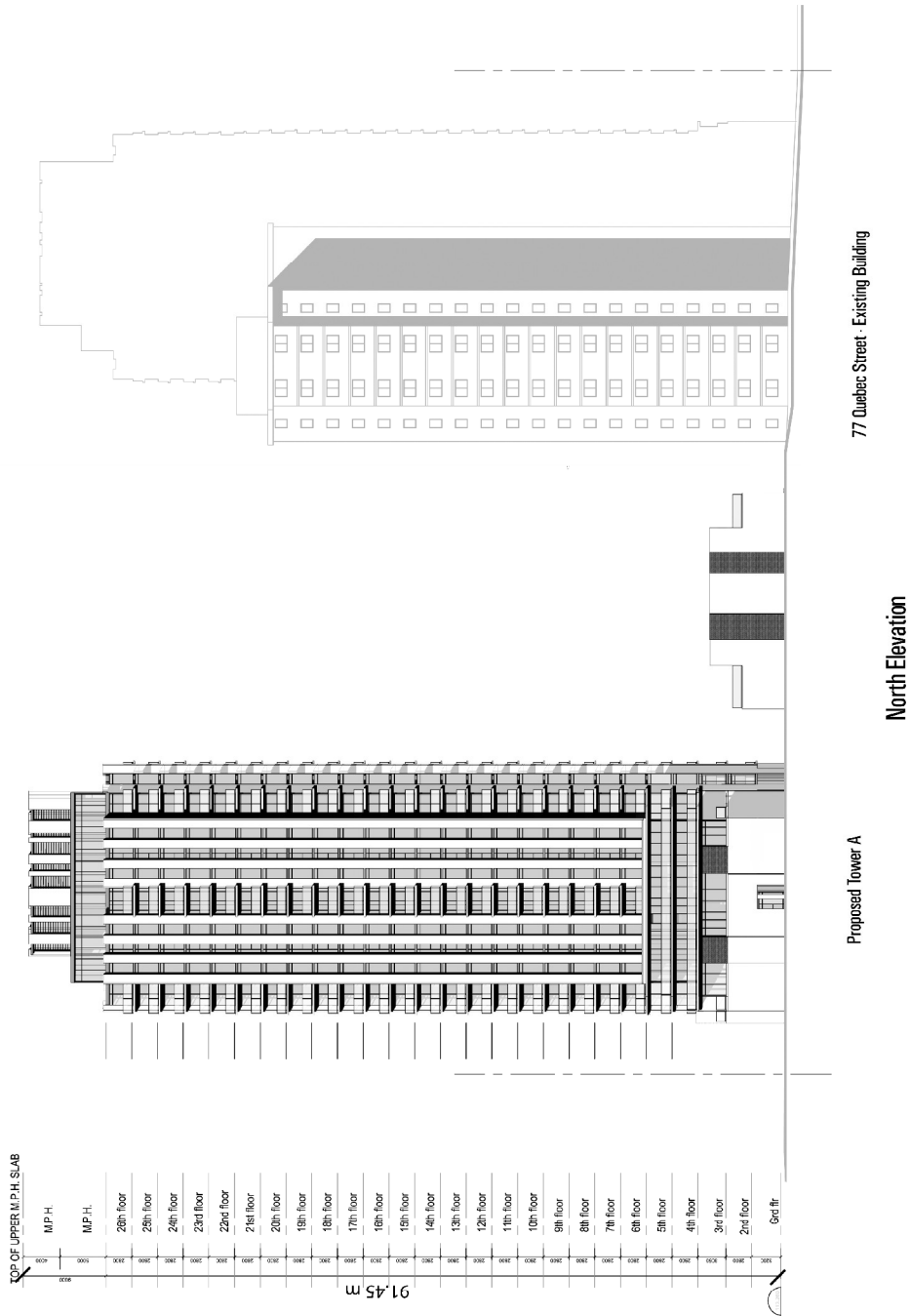
Not to Scale
02/05/2014



51- 77 Quebec Avenue and
40 - 66 High Park Avenue

File #13 101816 WET 13 0Z

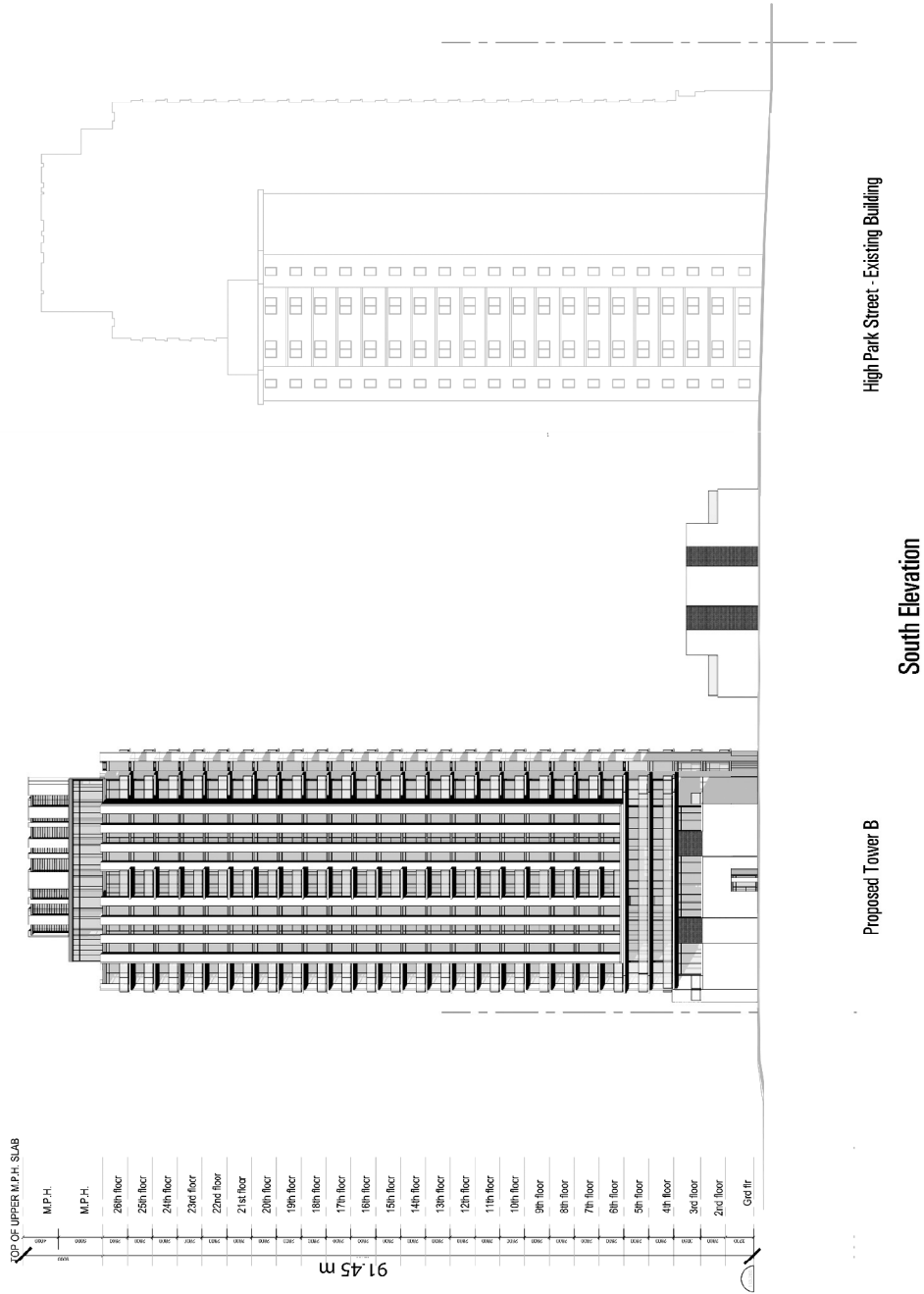
Attachment 2: North Elevation



**51-77 Quebec Avenue and
40-66 High Park Avenue**
File #13 101816 WET 13 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
02/04/2014

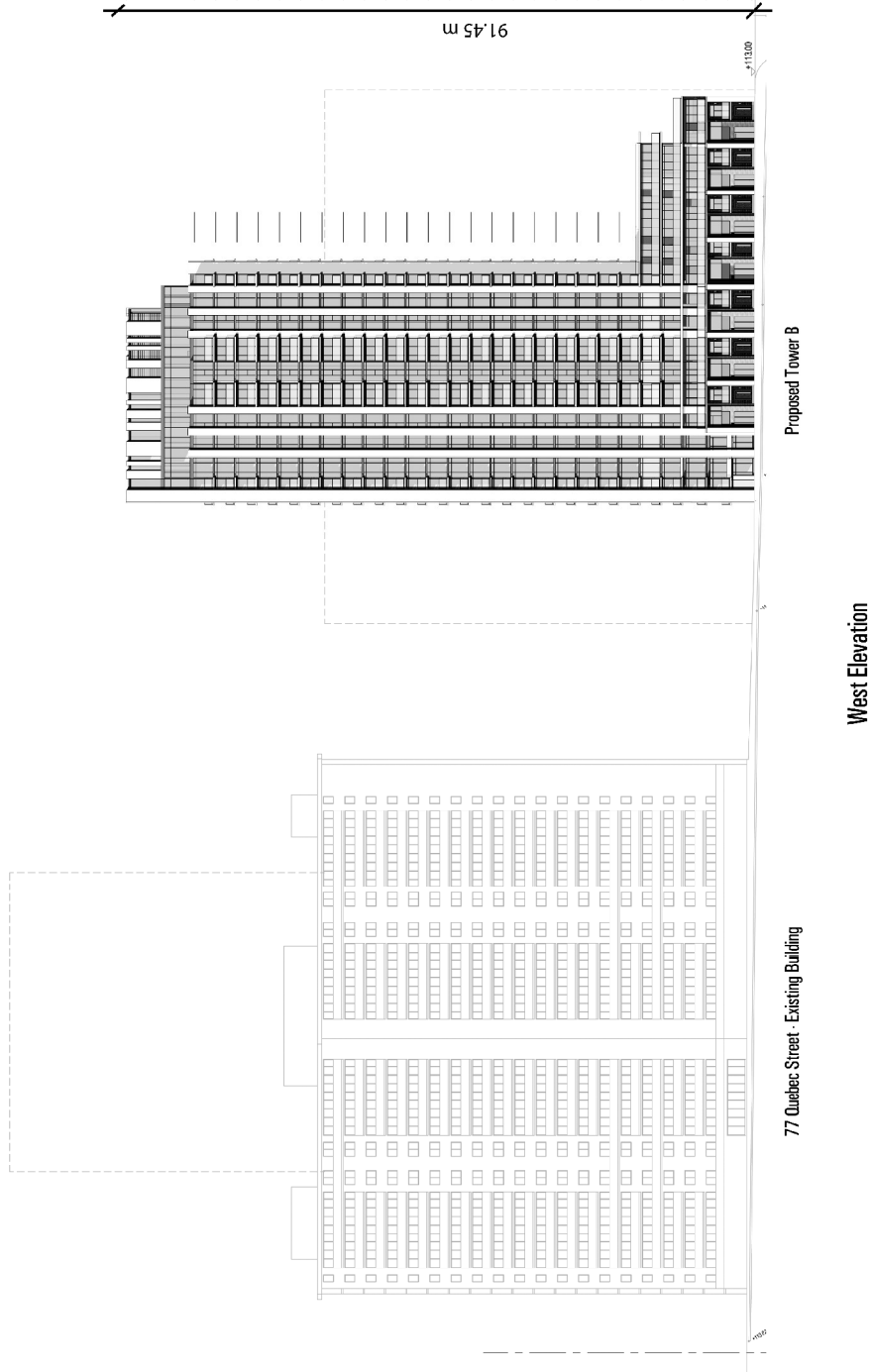
Attachment 3: South Elevation



**51-77 Quebec Avenue and
40-66 High Park Avenue**
File #13 101816 WET 13 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
02/04/2014

Attachment 4: West Elevation



Elevations

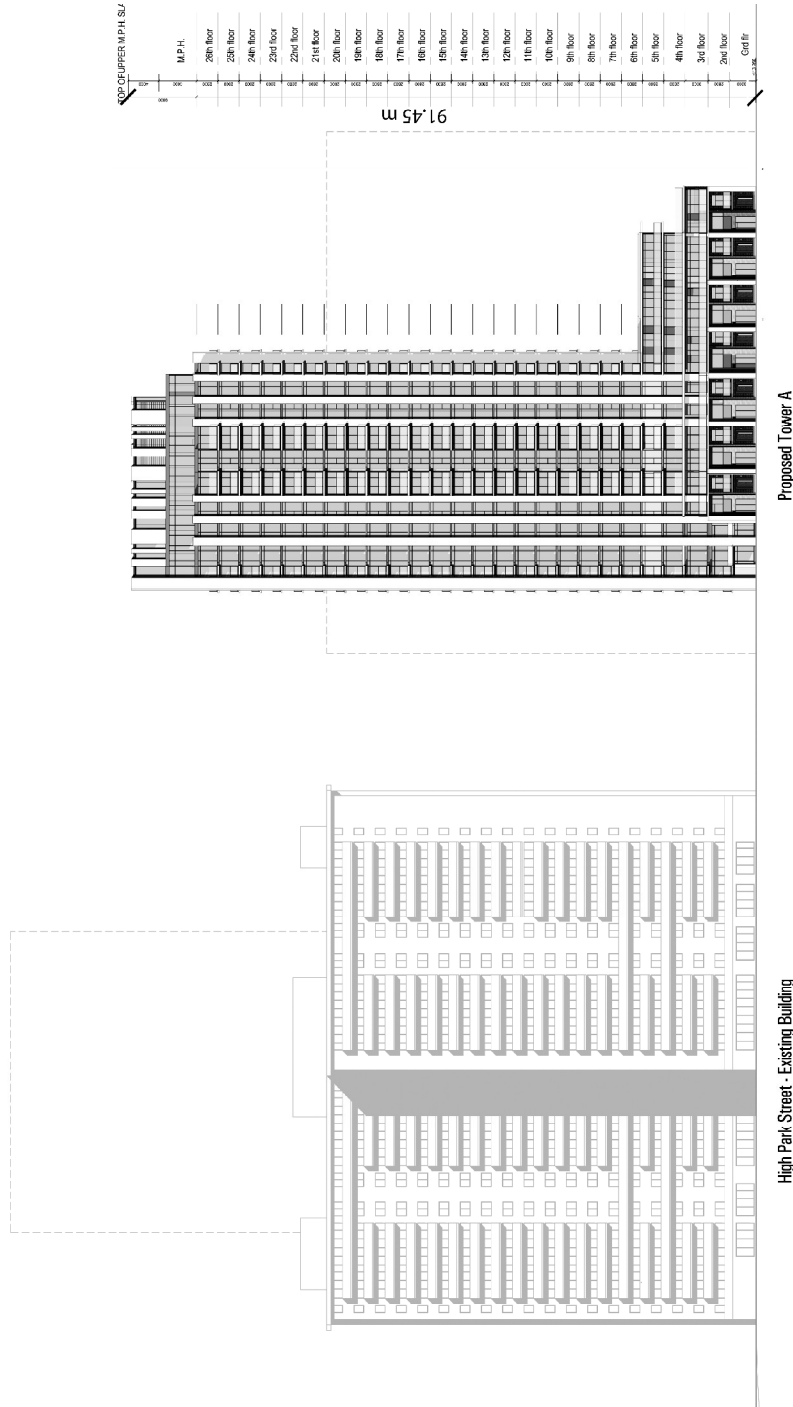
Applicant's Submitted Drawing

Not to Scale
02/04/2014

51-77 Quebec Avenue and
40 - 66 High Park Avenue

File #13 101816 WET 13 0Z

Attachment 5: East Elevation

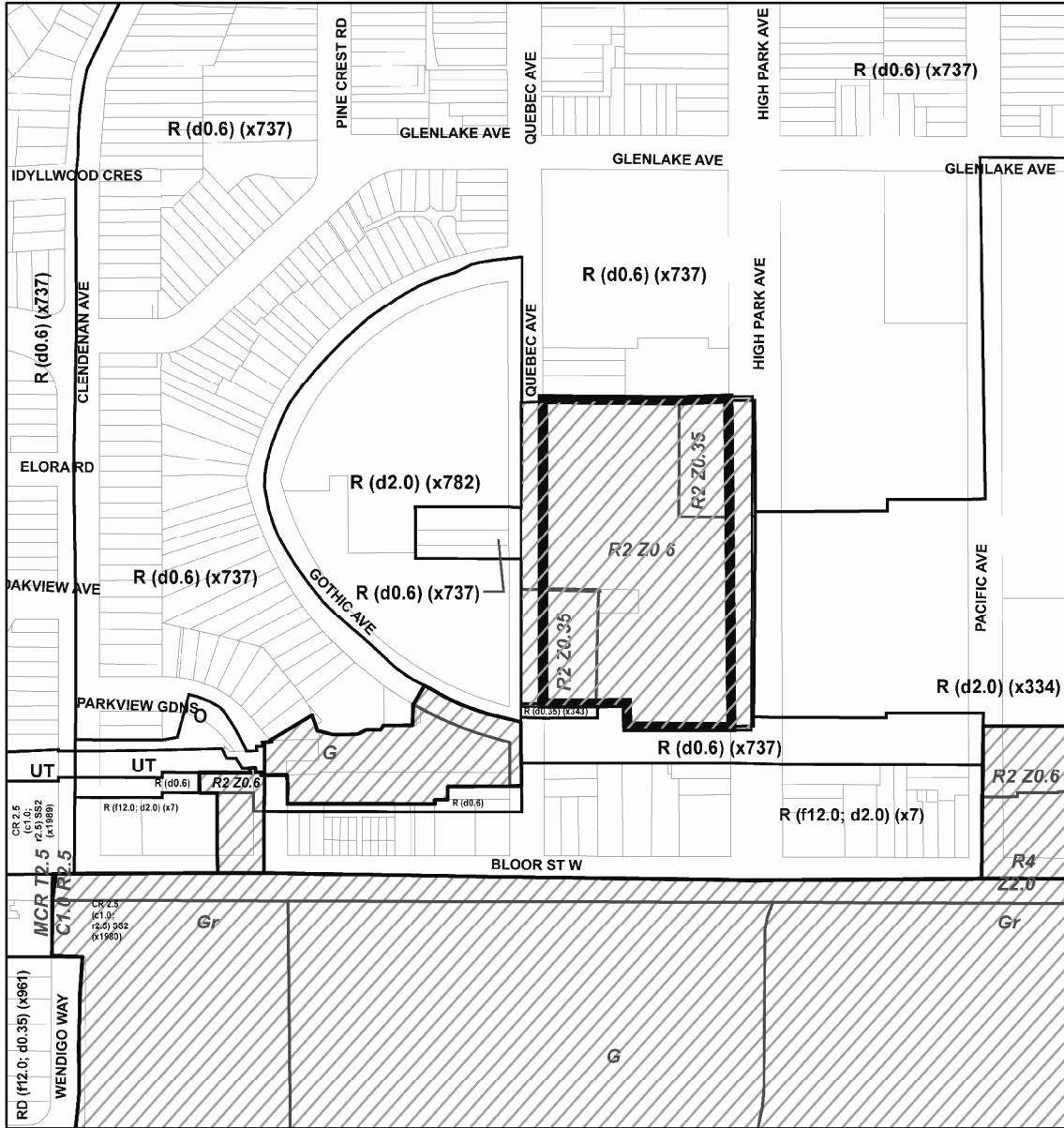


**51-77 Quebec Avenue and
40-66 High Park Avenue**
File #13 101816 WET 13 0Z

East Elevation

Elevations
Applicant's Submitted Drawing
Not to Scale
02/04/2014

Attachment 6: Zoning



TORONTO City Planning
Zoning By-law 569-2013

**51- 77 Quebec Avenue and
 40 - 66 High Park Avenue**
 File # 13 101816 WET 13 0Z

- Location of Application
- R** Residential
- O** Open Space
- UT** Utility and Transportation

- See Former City of Toronto Bylaw No. 438-86
- R2** Residential District
- R4** Residential District
- G** Parks District
- GR** Parks District
- MCR** Mixed-Use District

Not to Scale
 Extracted 01/27/2014

Attachment 7: Application Data Sheet

| | | | |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 13 101816 WET 13 OZ |
| Details | Rezoning, Standard | Application Date: | January 7, 2013 |

Municipal Address: 51-77 QUEBEC AVENUE AND 40-66 HIGH PARK AVENUE

Location Description: PLAN 553 BLK 1 PT LOT 46 TO PT LOT 50 **GRID W1308

Project Description: This application proposes to demolish the two existing blocks of townhouses, containing 16 rental units, and construct two new 26 storey residential apartment buildings and a two storey amenity building. The existing 20 storey residential apartment buildings on the site would be retained.

| | | | |
|-------------------------------|---------------|-------------------|--------------------------|
| Applicant: | Agent: | Architect: | Owner: |
| FRASER MILNER CASGRAIN LLP | | | HIGH PARK BAYVIEW INC |

PLANNING CONTROLS

| | | | |
|----------------------------|-------------------------|--------------------------|--------------|
| Official Plan Designation: | Apartment Neighbourhood | Site Specific Provision: | By-law 22621 |
| Zoning: | R2 Z0 and R2 Z0.35 | Historical Status: | N/A |
| Height Limit (m): | | Site Plan Control Area: | YES |

PROJECT INFORMATION

| | | | | | |
|------------------------------------|-------------|---------|-----------------|------|--------------|
| Site Area (sq. m): | 20128 | Height: | Storeys: | 26 | |
| Frontage (m): | 177 and 189 | | Metres: | 82.5 | |
| Depth (m): | 109 | | | | |
| Total Ground Floor Area (sq. m): | 4580 | | | | Total |
| Total Residential GFA (sq. m): | 86214 | | Parking Spaces: | 908 | |
| Total Non-Residential GFA (sq. m): | 0 | | Loading Docks | 4 | |
| Total GFA (sq. m): | 86214 | | | | |
| Lot Coverage Ratio (%): | 0 | | | | |
| Floor Space Index: | 4.3 | | | | |

DWELLING UNITS

| | |
|--------------|--------------|
| Tenure Type: | Rental/Condo |
| Rooms: | 0 / 0 |
| Bachelor: | 76 / 54 |
| 1 Bedroom: | 425 / 304 |
| 2 Bedroom: | 158 / 172 |
| 3 + Bedroom: | 0 / 28 |
| Total Units: | 1217 |

FLOOR AREA BREAKDOWN (upon project completion)

| | | Above Grade | Below Grade |
|----------------------------------|-------|-------------|-------------|
| Residential GFA (sq. m): | 86214 | 0 | 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: Gregory Byrne, Senior Planner
TELEPHONE: (416) 394-8238

Attachment 8: Community Comments

Proposed Building Heights:

- Proposed building heights are a major concern.
- The heights proposed are beyond the heights permitted in the bylaw.
- Proposed building height is too high for the area.
- Tall towers are not necessarily more-friendly form of infill for this area. There is no rationalization to go higher than existing buildings.
- Size of buildings is not suitable for the neighbourhood. They would tower over adjacent buildings (more than 10 storeys taller than average building height).
- Given that surrounding residential towers are on average 15-20 stories, the proposed height seems extreme and out of context.
- Proposed heights will tower over the existing buildings. Particularly the proposed building on High Park Avenue.
- Proposed height will overshadow and block the views for existing tower at 70 High Park Avenue.
- High Park area should preserve its blend of low rise and high rise buildings.
- Proposed building heights represent a stepping up of heights for the area as they would be taller than existing buildings. The Official Plan states new buildings should provide a stepping down of heights towards lower-scale neighbourhoods.
- Revised proposal of 26 storeys is still too high

Suggestions Received for a Decrease in Height:

- Proposed towers should not be taller than 6 stories in order to let the sun into units at 70 High Park Avenue. The height of the building at 20 Gothic Avenue should be used as an example of maximum height
- Proposed towers should be 4-5 stories, maximum.
- Proposed buildings should be less than 10 stories in height.
- 8 to 12 storey buildings would be much more consistent with the area than the proposed heights.
- New condominium buildings being constructed in the area are in the 10-14 storey range. These heights do not break from the historic patterns of the area. The proposed 31 storey buildings are out of place.
- Existing buildings in area are well spaced out and staggered so sky views are retained. A mid-rise building of 10-12 storeys would be a much better fit in the neighbourhood, still allowing for increased density in comparison to the townhouses while keeping sky views and not overpowering existing buildings.

Built Form

- Proposed built form does not fit harmoniously in the existing context as per Official Plan policies.
- It's not compatible infill.
- Proposed development is not infill. This is intensification.

- May impact developments on Bloor Street West.
- Existing neighbourhood works, is unique, and should be retained.
- Proposed design and architecture of the towers would change the character of the neighbourhood.
- This would be a significant loss to the unique town and country expression High Park adds to Toronto's city character.
- The proposed buildings would meet the public realm on High Park Avenue and Quebec Avenue with very hard edges that go straight up 31 storeys. The buildings are too high, too close to the street, with too little articulation to mitigate the hard edges. This will have a negative impact on the pedestrian experience.
- Proposed setback to the sidewalk of 6 metres is too close as compared to context of surrounding buildings.
- High Park neighbourhood should be a park area to live in. Adding these buildings will diminish the feel and quality of the area, cause gridlock, and be aesthetically terrible.
- Aesthetics of the area are already crowded. More buildings will create a concrete jungle with residents of one building being able to look into the units of other buildings.
- The towers will make the neighbourhood feel claustrophobic.
- Too many towers in the area already.
- Loss of family friendly neighbourhood; erosion of stable, mature neighbourhood.
- Design of the towers is ugly, want to see black/dark glass avoided.
- No units facing north in proposed development to preserve privacy of neighbours.
- A green roof should be installed on top of the podium instead of mechanical as noise and odours from ventilation systems will affect neighbours.
- Refinements requested in tower shape.

Increase in Density and Intensification:

- There is too much intensification in the neighbourhood.
- Point towers may be a better design of tower than existing towers in terms of mitigating impact, but there are already too many towers in the area.
- No more towers.
- No more high rises should be built in this area.
- Would prefer to see only one tower proposed with retention of open space.
- Neighbourhood is already too dense and over developed.
- Too many condominium buildings already exist.
- Just because this neighbourhood is located close to a subway station doesn't mean intensification must happen.
- The area is already crowded.
- Already too many people and dogs in neighbourhood.
- People will be moving away from neighbourhood because of poor planning.
- The area is turning into Downtown. The proposed density should be dispersed to other areas.

- Area is already high density and should not accommodate more density since it is already at capacity.
- High Park neighbourhood is too dense. It has highest density of apartment and condominiums on Bloor subway line west of Avenue Road.
- More intensification could paralyze the neighbourhood.
- High density in clusters is already becoming unwieldy and overpowering.
- Numerous other condominium developments are planned for the immediate area on Bloor Street that will add more stress to the area.
- No approval should be granted by the City until all other buildings being constructed in the area are complete. Only then can the crowding impact of these buildings be assessed adequately.
- Don't leave High Park looking like the wall of condos along the western beaches.
- Increased density will result in turning High Park into Liberty Village.
- The amount of high rise condominium buildings being built in the area will drastically change the neighbourhood in a negative way.

Support Expressed for Density Increase

- Location is in close proximity to High Park.
- Densification permits population to reduce overall residential footprint by building vertically.
- Close proximity to transit and Bloor West Village retail corridor encourages car-free living.
- Population growth supports the economy.
- Densification near existing developments and subway stops permits best use of existing facilities with less disruption to look and feel of the neighbourhood.
- The development should be required to use efficient, environmentally-friendly design, and include subsidized units within each building to avoid concentrating at-risk families in high-risk areas.

Amount of Separation between Existing Buildings and Proposed Buildings:

- Separation distance between existing and proposed towers is not enough. Need more separation.
- Existing separation distance between 70 High Park Avenue and 100 High Park Avenue should be used as an appropriate example of separation.
- Existing towers in the High Park area have been built in a way to prevent obstructions for neighbouring buildings.
- Location of balconies on proposed High Park Avenue tower will allow people to peer into units at 70 High Park Avenue.
- Existing apartment buildings and townhouses are spaced appropriately. The proposed buildings are too close to 70 High Park Avenue.

Loss of Existing Views:

- Loss of existing views is a major concern for many residents of neighbouring buildings.

- Views of High Park, Lake Ontario, CN Tower, and the surrounding neighbourhood will be blocked by the proposed buildings.
- Pushing the proposed High Park Avenue tower further to the east will overlap the existing building at 70 High Park Avenue at the eastern end and block views from 70 High Park Avenue's south facing units. These units have views that look down High Park Avenue, across the park, and out to Lake Ontario.
- Only view left will be of proposed High Park Avenue tower.
- South facing views at 70 High Park Avenue are already partially obstructed by five buildings. The building at 77 Quebec Avenue is the closest and already blocks a significant amount of sunshine.
- Both of the proposed towers will block views for buildings north of them. This is not acceptable to people in neighbouring buildings.

Shadowing:

- There is already too much shadowing caused by existing buildings in the area. This application will increase shadowing.
- West sun will be blocked
- Official Plan policies limit shadow impact, but proposed buildings will increase shadow impact on Gothic Avenue properties. This will decrease quality of life.
- Decrease in quality of life as it will be like living in a canyon and in a shadow.
- Concern that new buildings will increase shadowing on existing outdoor pool.

Loss of Sunlight and Sky View:

- Loss of sunlight and sky view is a major concern for existing residents.
- Proposed buildings will impede sunlight received by residents of surrounding buildings, including 70 High Park Avenue and 50 Quebec Avenue.
- Sun currently heats south facing units at 70 High Park Avenue in the winter, which means these units save energy because heat is not needed. Loss of sun means these units will need to turn on the heat in the winter which will negatively impact the environment.
- Many residents complain that their apartments only receive 1-2 hours of sunlight on a daily basis as is, and do not want to lose this.

Wind:

- Significant wind tunnels already exist. The proposed development will increase the wind in these wind tunnels.
- A wind tunnel already exists on Quebec Avenue, which will be made worse by proposed high rise buildings.
- Wind study needs a peer review.
- Existing winds are severe. Particularly in the winter. This is a safety concern for high number of elderly people in the area, people with disabilities
- High wind turbulence is evidenced by making snow clearing difficult. High winds blows snow back after it has been cleared.

Landscaping and Trees:

- Too many trees are being removed.
- Particular concern for mature trees.
- Development will result in loss of grassy area.
- Greenspace is being replaced by concrete and glass. Greenspace contributes to health of the city.
- Already lost a significant number of trees in the area with the Daniels development, can't afford to lose any more.

Proposed Location of Garbage Facilities:

- Location of garbage facilities on proposed High Park Avenue tower is too close to existing building at 70 High Park Avenue.
- Garbage facilities are a concern due to smell and noise, especially if early morning pick-up occurs as garbage trucks are very loud.
- Garbage facilities should be moved to opposite side of site, adjacent to TTC property.

Unit Affordability, Tenure, and Type:

- Loss of affordable housing and existing rental units.
- Affordable housing should be provided at a rate of 5%. Especially for elderly.
- Proposed development is skewed to higher income earners.
- City doesn't have enough rental units.
- Area needs rental units not more condominiums.
- Need more units for families. Proposed units are not for families.
- Development does not consider impact of increased students on local high schools because proposed units are not for families.
- Families who add stability to the neighbourhoods will not be attracted to this development.
- Proposed development does not provide family sized units or rental housing. Family sized units and rental are needed.
- The proposed small living spaces promote transient users, and investors who rent to transients.
- Proposed units will be rental, which attract poor, transient, and dangerous elements to the community. Rental units attract less desirable and criminal elements of society.
- A building full of tiny 1 bedroom condos promotes transience. It does not build a healthy community. There needs to be larger units for people wanting to live long-term. It is not only about families, but singles and couples will want units larger than 600 square feet – specifically 3 bedroom units.
- Low-rise, stepped back buildings with stacked townhouses and single floor units, would accommodate the needs of seniors, singles, families, and the disabled.

Removal of Existing Townhouses:

- The existing towers were acceptable at the time they were constructed in part due to the low rise townhouses which are being demolished.

- If the existing townhouses proposed to be removed are demolished and replaced with towers than more townhouses in the area will be demolished and replaced with towers; this sets a bad precedent.
- Existing townhouses are not "underutilized". They add breathing space, air space, and light access. The neighbourhood is dense, but has a nice balance because of existing townhouses.
- Existing townhouses were built to keep the proper distances between apartment buildings so everyone will have sunlight, space to breathe, and have a view.
- Long-term residents live in existing townhouses, including families with children and residents from 1977 who deserve to be able to stay put.
- Loss of existing family homes.
- Existing townhouses are for families. These units have a waitlist. There is a need for family sized units.
- The 16 townhouse units being removed should be replaced to support demographic diversity and character of neighbourhood.
- Townhouse residents are scared to provide their comments on the proposal, for fear of repercussions from the proponent, who is their landlord.

Proposed On-Site Amenity Space:

- Public accessibility should be provided for proposed amenity space.
- Use of new amenity building should be provided to 70 High Park Avenue residents.
- Proposed amenity building will occupy existing open space.

Impact on Local Community Amenities:

- Community suffers from outdated gyms and community facilities. If this development is approved it should be required to contribute facilities to the community, such as a new gym and pool at Humberside.
- The neighbourhood needs investment in public amenities, such as swimming pools, green spaces, day cares, child services, libraries, ice rinks, and seniors services.
- Local schools are overcrowded and library at Runnymede is always full in the afternoon.

Noise:

- The level of noise at night in the neighbourhood is already too much.
- This area used to be peaceful, but now is noisy with rowdy residents and dogs.
- Pool parties at existing buildings already cause noise.
- Elderly people need to be in peaceful surroundings and should not have to move from neighbourhood.
- Don't want to listen to construction noise
- Concerns with noise from garbage trucks if garbage is stored adjacent to 70 High Park Avenue

Impact on High Park:

- High Park is already overused.

- Need more bathrooms, garbage cans, and garbage pick-up in High Park.
- The human footprint in the park is getting larger and much of the park has been damaged.
- Concern with development diverting groundwater and resulting impact on Grenadier Pond.
- High Park's Spring Creek, Wendigo Creek, and Grenadier Pond are two areas of natural and scientific interest that depend on groundwater. This proposal will divert groundwater into the storm sewer.
- The park is already overcrowded on weekends in the summer.
- The park needs upgraded surfaces on all walking areas and upgraded benches.
- Impossible to find parking in High Park during cherry blossom time as well as on summer weekends.

Continued Construction in Neighbourhood:

- Already too much construction in the area.
- Construction results in chain link fences, mud, noise, vibration, debris, and dust.
- Lost last summer and fall due to construction.
- Dust is excessive and not managed. Residents cannot open their windows.
- Concerns with soil stability in area – residents claim that soil is very sandy; will development have impact on stability of neighbouring buildings?

Impact on Infrastructure:

- What infrastructure is looked at besides utilities, pipes, and schools?
- Neighbourhood needs updated infrastructure before more people are added.
- Health services in the area are already inundated.
- Concern about provision of healthcare and education services for new residents.
- Sewer capacity is an issue. Sewer smells at corner of Bloor Street and Quebec Avenue. This issue should be fixed. Assurance is needed that new development will not make this situation worse.
- Adding high rise buildings with high demand for electricity will overload the power grid.

Parking:

- Parking availability is a major issue that will be amplified by this development.
- Need more parking.
- Street parking spaces are not available on Quebec Avenue or High Park Avenue.
- Also street parking spaces not available on Bloor Street.
- Build more parking lots not towers.
- Parking count in parking study is wrong because significant number of residents in the existing towers work at night.
- Can underground parking areas be open to the public for parking like downtown?
- Parking in the area is particularly challenging for local residents when people travel to the neighbourhood to visit High Park and park on the street.
- No parking should be allowed on High Park Avenue

Congestion of Vehicle Traffic:

- Already high volume of vehicles travelling in the area.
- Increased traffic congestion is a major concern.
- High Park Avenue, Quebec Avenue, and Bloor Street are already congested.
- Increased congestion has been occurring in neighbourhood, particularly at TTC station.
- Increase in truck traffic.
- Public transit system does not support people not using a car. Therefore, development will generate more vehicles in neighbourhood.
- What is traffic impact in 10 years from all development?
- Concern for cumulative congestion from new developments on Bloor Street.
- Sunday May 5 between 9:30 a.m. – 10:00 a.m. car traffic was bumper to bumper on High Park Avenue.
- Vehicle use in area is increasing and there are safety concerns for pedestrians and children.
- Vehicles are travelling too quickly on High Park Avenue.
- Driving on Quebec Avenue is challenging because of two-way traffic and parked cars, especially in the winter.
- Turning left or right at corner of Quebec Avenue and Bloor Street is already difficult.
- Proposed tower location on Quebec Avenue is distressing because it is located close to Bloor Street as well as a subway station and daycare that require adults and children to be dropped off. This will result in unsafe conditions.
- Traffic studies should be more comprehensive.
- Traffic study only considers the immediate area. It should consider that Keele Street bottlenecks between St. Clair Avenue West and Dundas Street and increased traffic is now also coming from Lakeshore Boulevard on Parkside Drive.
- Glenlake Ave, from Quebec to Keele, is already really busy; concerns about additional traffic on the street, especially construction trucks.
- Increased traffic means increased probability of accidents.
- Increased traffic will increase pollution in the area and make it less safe for pedestrians.
- High Park Ave and Quebec Ave are virtually impassable when garbage trucks are out doing their collections.

Pedestrian Traffic:

- On May 4 and May 5 pedestrian traffic at intersection of Bloor Street West and High Park was extremely high.
- People enter and exit TTC High Park Station shoulder to shoulder.
- Pedestrians spill over from sidewalk and on to road during peak times.

Subway Capacity and High Park TTC Station Upgrades:

- Congestion has made access to High Park subway station very challenging for seniors. Particularly at rush hour.

- Subway and High Park Station is at capacity.
- High Park station needs upgrades.
- Request applicant provide handicap accessible subway elevator at High Park station.
- Safe crosswalk needed at driveway used by busses at High Park station.

Negative Impact on Local and Migratory Birds:

- Local and migratory birds will fly into and hit glass towers.
- Proposal appears to have more glass than existing buildings in the area, which increases risk of bird strikes.
- Buildings in close proximity to High Park should be held to a standard higher than the Bird Friendly Guidelines.
- Existing masonry buildings have less impact on birds.
- High Park is a known migratory stopover habitat for birds.

Ontario Municipal Board (OMB):

- Public opposition to this development will result in an OMB appeal.
- Concern with authority of Planning Department and City Council when applicant can appeal to OMB.
- If residents want to oppose the rezoning they will have to engage in the process.
- Significant amount of money needed to be raised for public opposition at OMB.

Planning Process and Existing Bylaws:

- Planning of the area should be for the future and future generations.
- Existing zoning should not be changed.
- Current by-laws exist to protect the community.
- Comments at the public meeting need to be recorded and should be made available to the public.
- Working groups should be formed.
- The City should do its own studies and not rely on the applicant's studies.
- Request the City hold two or more community consultation meetings.
- A heritage study for High Park area is suggested.
- Area home/condo owners were not consulted with in regards to tenant survey conducted by planning in Grenadier Square
- Current proposal is not consistent with OP
- Residents comments/concerns are being ignored by planning and the local councillor
- Residents frustrated that they have to submit comments anew each time there is a revised proposal to be considered.

Additional Comments:

- A major concern is that properties negatively impacted by this development will drop in value.
- This development won't result in a cohesive neighbourhood or consolidate services as applicant claims.
- Historically the community fought expansion of this Apartment Neighbourhood.

- Too many dogs are living in the area, which causes increased dog waste. A dog study is needed.
- Existing buildings in area are not well maintained. Garbage is a problem. Laundry hangs from the balconies of existing buildings.
- Decrease in privacy for area residents.
- Residents want to see an area study done by a neutral party, not by City Planning Staff.
Residents are concerned with current condo market conditions in Toronto; what happens if all these units are constructed and not sold?
- Residents generally concerned with an overall decrease in quality of life.