

838 Broadview Avenue – Zoning Amendment Application – Final Report

Date:	October 9, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 29 – Toronto-Danforth
Reference Number:	12-296788 STE 29 OZ

SUMMARY

The application to amend the Zoning By-law proposes a new 8-storey mixed use building having a gross floor area of 322 square metres of commercial space at grade and 3,186 square metres of residential uses (46 dwelling units) at 838 Broadview Avenue. A total of 33 vehicular and 42 bicycle parking spaces will be provided.

This report reviews and recommends approval of the application to amend the Zoning By-law. The proposed development provides a transition in height, massing, scale and density as it steps down from Broadview Avenue to the adjacent low density neighbourhood. In addition, the proposed development achieves the City's public realm objectives, including the desired sidewalk width and adequate sunlight at pedestrian level on Broadview Avenue. The applicant's Avenue Segment Review (accepted by staff) indicates that incremental redevelopments of the same general scale within the identified Avenue Segment will not negatively impact the adjacent neighbourhoods. The proposal is consistent with the relevant policies of the Official Plan as well as learnings from the ongoing City initiated Broadview Avenue Planning Study.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 of the former City of Toronto, as amended, for the lands at 838 Broadview Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8, to the report (October 9, 2015) from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to draft Zoning By-law Amendment as may be required.
3. City Council require that the applicant shall address matters among others, regarding vehicular access and egress from the subject property, operation of the proposed parking elevators, privacy and overlook, and solid waste collection, under Site Plan Approval to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Toronto and East York Community Council (TEYCC) adopted a Preliminary Report at its meeting on February 25, 2013 recommending that staff schedule a community consultation meeting to discuss the proposal with area residents. The Preliminary Report can be accessed at this web link:

<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-56879.pdf>

Broadview Avenue Planning Study

In November 2013, City Council directed Planning staff to commence a study on the portion of Broadview, north of Danforth Avenue, which is identified as an *Avenue*. The objective of the study is to build upon the Avenues and Mid Rise Guidelines by looking at how new development will complement the existing built form, identify opportunities for public realm improvements, and plan for the transportation impacts of new development. City staff with community input have established a vision for the area and are currently formulating recommendations for built form options, public realm improvement and transportation options. The study is scheduled to be completed in January 2016. The proposed development is located in the study area, although the application was filed before the study was initiated, the study outcomes are reflected in the revisions to the project.

ISSUE BACKGROUND

Original Proposal

The application proposed an 8-storey mixed use building with a height of 25.2 metres, 333 square metres of retail/commercial space at grade and 3,246 square metres (46 dwelling units). A total of 17 vehicular and 26 bicycle parking spaces were proposed. The proposed density was 4.4 times the lot area.

Revised Proposal

On July 24, 2015, the applicant submitted a revised proposal maintaining the original number of residential units (46), but with a reduction in the residential and commercial gross floor area to 3,126 square metres and 322 square metres respectively. The proposal maintains a building height of approximately 25.2 metres (including the mechanical penthouse). The following changes are part of the revised proposal:

- The proposed density has been reduced to 4.31 times the lot area;
- The number of vehicular parking spaces has been increased from 17 to 33 by adding an extra level of below-grade parking;
- The length of the queuing space in front of the proposed car elevators has been increased to 5.4 metres while maintaining a continuous 1.5 metre pedestrian sidewalk;
- One additional inbound vehicle queuing space in front of the proposed car elevators has been provided;
- The number of bicycle parking spaces has been increased from 26 to 42 spaces;
- Planter screens have been provided on the rear terraces on Levels 2, 4, 6, 7, and 8 to address privacy and overlook into the adjacent residential houses;
- The retail area has unobstructed access to the retail garbage room;
- The residential garbage room has been enlarged and is now adjacent to the loading space;
- The proposed number of trees on Broadview Avenue has been reduced to 2 trees in order to allow clear sightlines to the nearby TTC bus stop; and
- Building staff are required to assist the driver of the solid waste collection vehicle when entering and exiting the loading space.

Site and Surrounding Area

The site is located on the northwest corner of Broadview Avenue and Pretoria Avenue. The rectangular shaped lot has an area of 813.3m² with 20.12 metres of frontage on Broadview Avenue and a depth of 40.39 metres flanking Pretoria Avenue.

The existing 1-storey building on the subject lands contains a small-scale retail store.

Land uses surrounding the site are as follows:

- North: two storey residential buildings, two storey mixed uses buildings fronting onto Broadview Avenue and high-rise apartment buildings further north.
- South: two to three storey single use/ mixed use buildings fronting onto Broadview Avenue.
- East: two to three storey single and mixed use buildings, and a five storey commercial building on the east side of Broadview Avenue.
- West: two to three storey semi-detached and detached residential buildings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities by accommodating a range and mix of uses; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject property is located on an *Avenue* on the Urban Structure Map (Map 2) and is designated as a *Mixed Use Area* (Map 18) in the City of Toronto Official Plan which is consistent with the rest of the lands fronting on Broadview Avenue, between Danforth Avenue and Cosburn Avenue. *Avenues* are "important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents", according to Section 2.2.3 of the Plan.

The Official Plan also notes that not all *Avenues* are the same. "Each *Avenue* is different in terms of lot sizes and configurations, street width, existing uses, neighbouring uses, transit service and streetscape potential. There is no "one size fits all" program for reurbanizing the *Avenues*". The *Avenues* will be transformed incrementally. They will change building-by-building over a number of years. The framework for new development on each *Avenue* will be established through an *Avenue Study*, resulting in appropriate zoning and/or design guidelines created in consultation with the local community. The Official Plan states that development in *Mixed Use Areas* on an *Avenue*,

prior to an *Avenue* Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenues*. In addition to the policies of the Plan for *Mixed Use Areas*, proponents of such proposals will also address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located.

Policy 2.2.3 (b) states that the review of the segment will:

- include an assessment of the impacts of the incremental development of the entire *Avenue* segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- consider whether incremental development of the entire *Avenue* segment as identified in the above assessment would adversely impact any adjacent *Neighbourhoods* or *Apartment Neighbourhoods*;
- consider whether the proposed development is supportable by available infrastructure; and
- be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.

Development applications on the *Avenues* prior to an *Avenue* Study are required to be accompanied by an *Avenue Segment Study*, which discusses the implications for the portion of the *Avenue* resulting from the proposed development and whether the proposed development would be setting a positive precedent for future development of the remainder of the *Avenue*. The applicant has submitted an *Avenue Segment Study* in support of this application.

The *Mixed Use Area* designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale. The development criteria in “*Mixed Use Areas*” includes, but is not limited to:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and

- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

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

Avenues & Mid-rise Buildings Guidelines

Toronto City Council at its meeting of July 8, 2010 adopted the recommendations contained in the staff report prepared by City Planning entitled Avenues and Mid-Rise Buildings Study and Action Plan, with modifications. The main objective of this study is to encourage future intensification along Toronto's "Avenues" that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings.

The Avenues and Mid-rise Buildings Study identifies a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings, and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement both the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and stability. The Performance Standards provide guidance pertaining to size, shape and quality of mid-rise buildings and are intended to implement Section 2.3.1 of the Official Plan. The Mid-rise Guidelines apply to this development. The Study Area map is available on the study website at: <http://www.toronto.ca/planning/pdf/midrise-Avenues-Area-Map.pdf>

Zoning

The site is subject to Zoning By-law No. 438-86 as amended, and is zoned Mixed Commercial Residential (MCR T2.5 C0.5 R2.5). This zoning category permits a range of residential and commercial uses to a maximum height of 14.0 metres, and a maximum total density of 2.5 times the lot area. The zoning also requires buildings to be contained within a 45 degree angular plane at a height of 13 metres abutting a street and 10 metres at the rear of the lot (Refer to Attachment 6 of this report for the Zoning Map).

The subject property is excluded from the new harmonized City of Toronto By-law 569-2013, which was enacted by City Council on May 8, 2013.

Site Plan Control

The development is subject to Site Plan Control. The applicant has not submitted an application for Site Plan Control.

Reasons for Application

The proposed development exceeds the permitted density of 2.5 times the lot area with a proposed density of 4.31 times the lot area. The proposed building exceeds the permitted height of 14 metres with a proposed height of 25.2 metres. In addition, the proposed

building does not comply with the front and rear angular plane requirements as well as other provisions of the Zoning By-law.

COMMUNITY CONSULTATION

Community Meetings were held by Planning staff on June 24, 2013 and March 4, 2015. The concerns expressed at those meetings related to the built form, density, height, privacy, parking on local streets, traffic, tree protection, site access and servicing, and the overall function of the site.

Following the Community Consultation meetings, Planning staff organized a working group per Toronto and East York Community Council directions to further evaluate the proposed development and provide recommendations. Two working group meetings were held in March and April 2015. The following issues as well as others noted during the community consultation meetings were discussed.

- Members of the working group opined that the overall massing is acceptable, however, there were concerns with the wrapped mechanical penthouse and whether it will set a precedent for future developments in the area.
- Members of the working group were of the view that since waste collection is already occurring on Broadview Avenue, including collection for 838 Broadview Avenue, the current arrangement should be continued so as to eliminate potential conflicts on Pretoria Avenue.
- It was suggested that vehicular access to the site from Pretoria Avenue would lead to a loss of on-street parking presently located on the south side of Pretoria Avenue.
- There were suggestions that the City should examine the direction of one way/two way traffic flows on local streets to so as to improve conditions on Pretoria Avenue.
- The applicant discussed their parking survey with the group in order to demonstrate that the 3 visitor parking spaces and 3 parking spaces required for the proposed commercial use can be accommodated in the area. The survey was undertaken on a Saturday during peak hours. The study concluded that Broadview Avenue as well as the nearby Toronto Parking Authority commercial parking lot can accommodate the visitor and commercial parking requirement.
- The working group members suggested that the bay widths/windows of the commercial space should be redesigned to look like 2 units instead of 1 large unit, given the small retail size.
- The working group members suggested that planter screens should be provided on the balconies facing west to prevent overlook into the backyards of the adjacent houses.

City staff indicated that the following conditions as well as others that would form part of the approval of site plan:

- That a garbage truck reversing onto Pretoria Avenue upon completion of collection is acceptable provided there are warning systems in place.
- The owners will install warning lights and signage at the entrance of the loading space to warn pedestrians and vehicular traffic that loading operations are occurring.
- The owners will install signage in the car elevators, warning cars to be cautious when exiting the elevator.
- Building staff should be available to assist the garbage truck when reversing onto Pretoria Avenue upon completion of waste collection.

All of the above noted issues are discussed in the Comments section of this report.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The PPS requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This target is achieved amongst others by facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which efficiently uses land, resources, infrastructure, and public service facilities, and supports the use of public transit.

This application is consistent with the Provincial Policy Statement (PPS) direction of intensification to achieve growth and urban vitality while making efficient use of existing infrastructure. The application also complies with policies of the PPS that require new development to be directed to appropriate locations for growth. The application is within walking distance to mass transit such as the TTC Broadview Station, which provides subway, streetcar and bus services.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe by proposing intensification in a growth area on a Major Street served by mass transit.

Broadview Avenue Planning Study

The Broadview Avenue Planning Study underway calls for new mid rise development to reflect the character of the study area, while respecting the adjacent low rise, stable neighbourhood and improving the public realm, as well as addressing transportation impacts. The proposed 8-storey mixed use building uses a combination of setbacks and stepbacks, and

a 45 degree angular plane from the rear property line to transition from the adjacent stable residential area. A 1 metre building setback is provided along Broadview Avenue and new trees are proposed to improve the public realm. The proposed retail supports local retail revitalization and the size of the retail space is consistent with the range of retail space options being considered in the study. The proposed parking supply has been accepted by City Transportation staff.

Avenue Segment Study

The applicant submitted an Avenue Segment Study in support of their rezoning application. The review includes properties fronting on Broadview Avenue between Fairview Boulevard and Gowan Avenue. The Avenue Segment Study identifies a number of "soft" sites along the segment that may be redeveloped in the near or long-term at heights and densities that are similar to those proposed for the subject site. The applicant's Avenue Segment Study concludes that the existing infrastructure, community facilities and social service capacity is sufficient to support the added population generated by mixed use development anticipated along the segment. Learnings from the ongoing Broadview Avenue study indicate that mid rise buildings with some modifications due to lot size and configuration, as well as other low scale buildings are appropriate for the area. The methodologies, assumptions and general conclusions in the segment study are generally acceptable.

Land Use

The Official Plan states that lands designated as *Mixed Use Areas* are intended to achieve a multitude of planning objectives by combining a broad array of residential, office, retail and service uses. *Mixed Use Areas* are intended to be areas which allow residents to live, work and shop in the same area, giving individuals an opportunity to be less dependent upon their automobiles, while creating districts along transit routes that are animated, attractive, and safe. The subject property is located in an area with a mix of residential and commercial uses in single or mixed-use buildings. As such, the proposed mix of residential and commercial use is consistent with the land use provisions of the Official Plan, the Zoning By-law and existing land uses in the area.

Density

The Zoning By-law permits a maximum gross floor area (density) of 2.5 times the lot area under the Mixed Commercial Residential (MCR) zoning category. The Official Plan land use designation of the site and surrounding area permits intensification. The application proposes a density of 4.31 times the lot area and employs variety of setbacks and stepbacks to articulate the massing and scale to ensure that the development fits on the site and its context. Development Engineering staff have advised that there is sufficient infrastructure capacity to support the proposed development. Planning staff are of the view that the proposed density is acceptable, in this context and given full consideration of the issues addressed in this report.

Height & Massing

The Official Plan Policy 4.5.2(c) states that in *Mixed Use Areas* development will locate and mass 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 appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*. In addition, the following policies provide the criteria and limitations for growth in *Mixed Use Areas*.

Policy 2.3.1 - Healthy Neighbourhoods, states that, developments in Mixed Use Areas that are adjacent or close to Neighbourhoods will "provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*."

Policy 2.3.1(3) - speaks more generally to how new development should protect *Neighbourhoods* and be planned in a way that respects the existing and/or planned street proportion states that "intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact".

Policy 3.1.2.3 - Built Form states that "new development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties" by "creating appropriate transitions in scale to neighbouring existing and/or planned buildings" and "providing for adequate light and privacy."

All the aforementioned policies establish the principle that new development should fit into its existing and/or planned context by having appropriate transitions in height, scale and intensity so as to limit adverse impacts.

The original proposal had minimal articulation of its massing. City staff and residents expressed concerns with how the proposal fit on the site and the need to establish a suitable built form relationship with the *Neighbourhood*, Broadview Avenue and the overall built form context. The current revised plans show a series of setbacks and stepbacks to provide better articulation of the massing.

The Mid-rise Guidelines as applied to this section of Broadview Avenue contemplate a maximum height of 20 metres plus a mechanical penthouse of up to 5 metres. In this instance, the application integrates two, 2-storey residential units with the mechanical penthouse of approximately 5 metres. The overall building height is 25.2 metres. Planning staff are of the view that the overall height in this location is acceptable because it does not overwhelm the street and is consistent with the built form options being considered for corner sites in the Broadview Avenue Planning Study.

The proposed building will be set back by 1 metre from the front property line on the ground floor, and incorporates varying stepbacks all through the building height along Broadview Avenue. The 6th, 7th and 8th storeys, which are above the Zoning By-law's maximum height of 14 metres project beyond the angular plane taken from a height of 16 metres or 80% of the Broadview Avenue right-of-way width. Although the projections do not comply with angular plane guidelines of the Midrise and Avenues Study there are no additional shadow impacts on Broadview Avenue and the pedestrian perception will

not be negatively impacted. In addition, the site and conditions at the intersection of Broadview and Pretoria Avenues can better accommodate the above noted projections compared to other intersections on the *Avenue*. As such, the projections into the front angular plane are acceptable. The height of the ground floor contains the retail area and complies with the recommended floor-to-ceiling height of 4.5 metres in the Midrise and Avenues Study. The size of the retail area is consistent with the range of size options (100 to 500 square metres) being considered in the Broadview Avenue Planning Study.

At the rear, the proposed building is set back by 7.5 metres in compliance with the recommended rear yard setback from *Neighbourhoods*. A series of setbacks have been incorporated in the building to provide transition from the *Neighbourhoods*; however, there are minimal projections into the angular plane on floors 3 to 8. The proposal contemplates the use of privacy screens, planters, and low-voltage down light bulbs, to address privacy, overlook and light pollution. The above noted measures as well as the separation distance from adjacent land uses address the concerns of City staff and residents, and will be secured through site plan approval.

The siting and use of setbacks/stepbacks to sculpt the proposed 8-storey building is in keeping with the Built Form policies of the Official Plan and the development criteria for “*Mixed Use Areas*” in sections 4.5 of the Official Plan.

Sun & Shadow

The Built Form policies of the Official Plan in Chapter 3.1.2.3(e) state that new development will limit its impact on neighbouring streets, parks, open spaces and properties by "adequately limiting any resulting shadowing on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas."

The applicant submitted shadow studies for the 8-storey building on March 21st/June 21st/September 21st. Due to the north-south orientation of the proposed building, minimal shadows will be cast on the backyards of the adjacent *Neighbourhood* in the morning and towards Broadview Avenue in the evening during the spring and fall equinoxes. The proposal would allow for approximately 5 hours of sunlight on the sidewalks on Broadview Avenue in compliance with the Mid-rise guidelines. The shadows cast by the proposed development are minimal and acceptable.

Streetscape

Commercial/retail uses will be maintained at grade, to continue the local retail nature of the area. The base of the proposed building will have a similar height with other buildings on Broadview Avenue and the upper floors have been stepped back to mitigate pedestrian height perception. The distance between the building and the street curb will be approximately 4.8 metres wide allowing for an edge zone, tree planting and street furnishing zone and a pedestrian clearway. The applicant proposes to plant 2 trees on Broadview Avenue and 4 trees on Pretoria Avenue. All of the treatments, materials and streetscape improvements will be secured through Site Plan Approval.

Traffic Impact, Access & Parking

The applicant submitted a Traffic Impact Study that reflects good levels of service during the morning and afternoon peak hours. The study concludes that the projected site traffic will have minimal impacts on the area and will be acceptably accommodated on the adjacent road network. Transportation Services staff have reviewed the study and concur with the conclusion.

City staff and residents (during the community consultation meeting and working group meetings) expressed concerns with the supply of 17 parking spaces that was originally proposed, given the ongoing parking conflicts in the area. The Zoning By-law requires 27 residential parking spaces, 3 visitor parking spaces and 3 commercial parking spaces, resulting in a total of 33 spaces for the proposed development.

The applicant's revised plan proposes 33 parking spaces for residents with no parking spaces for visitors and commercial use. The proposed parking space will be located on a 2-level underground parking garage accessed by two car elevators. The supply of parking for residential uses exceeds the parking requirements of the By-law. The applicant originally intended to provide spaces in the underground garage for visitors and patrons of the commercial use. However, this solution is not practical due to training required to operate the parking elevators for visitors and patrons of the commercial use. In order to satisfy the requirement for visitor and commercial parking, the applicant provided a Parking Study of on-street parking and off-street parking facilities (Toronto Parking Authority lots) within 300 metres and 4 minutes walking distance from the site. The Parking Study concludes that there is sufficient capacity in the area to accommodate the parking requirements for visitors and commercial component of the proposed development. The provision of bicycle parking and proximity of the site to mass transit also provides alternative modes of transportation. City Transportation Services staff have reviewed the Parking Study and advise that it is acceptable.

Residents expressed concern with vehicular access to the site from Pretoria Avenue due to potential pedestrian conflicts. The location of existing on-street parking on the south side of Pretoria Avenue in close proximity to loading trucks entering or exiting the site and potential traffic congestion during garbage pick-up days were identified as concerns. Residents suggested that vehicular access to the site should be located on Broadview Avenue. The location of access off Broadview Avenue is less desirable for several reasons. A new curb cut on Broadview Avenue raises safety concerns because it will be too close to the existing TTC bus stop and the intersection at Broadview Avenue and Pretoria Avenue, where there is significant vehicular and pedestrian activity. As such, the potential for pedestrian and vehicular conflicts is more likely with access and egress off Broadview Avenue.

City policies support the elimination and consolidation of curb cuts and encourage shared access on main streets where possible. If the other corner sites at Broadview Avenue and Pretoria Avenue are redeveloped with mid-rise buildings overtime, the location of vehicular access solid waste collection on the secondary street (Pretoria Avenue) should cumulatively reduce conflicts and contribute to a vibrant main street (Broadview

Avenue). In addition, the Mid rise Buildings Study recommends that on corner lots, access and egress should be from secondary streets so as to maintain and support main street activity and reduce curb-cut interruptions to the public sidewalk. City Engineering staff have evaluated the location of vehicular access and egress on Pretoria Avenue and the turning movement of garbage trucks and deemed it acceptable subject to conditions, which will be secured as part of site plan approval.

The proposal will provide a type "G" loading space to service the proposed development. City Transportation staff reviewed the location and function of the loading area and concluded that the Type "G" space provided is acceptable subject to revisions and conditions which will be secured under site plan approval. The applicant is agreeable to restrictions regarding the day and time of solid waste collection and delivery trucks, and the installation of signage and warning systems when vehicles are exiting the parking elevators and loading space.

Servicing

The applicant submitted a Functional Servicing Report which concludes that full sewer and water services can be provided to the proposed development, including necessary utility infrastructure. The applicant also submitted a stormwater management report in support of this proposal. City Engineering staff have requested that a revised site servicing and grading plan, storm water management plan as well as a landscaping plan be submitted for review, prior to approval of the site plan application. City Engineering staff have not identified any concerns with the existing City infrastructure being able to accommodate the proposed building.

Design & Materiality

At the community meetings, residents expressed concerns with the exterior building materials and the overall design of the proposal. The intersection of Broadview and Pretoria has been identified in the ongoing Avenue Study as a key intersection/node which requires appropriate placement of buildings, wider sidewalks to support tree planting, reorganization of street furniture, retail and pedestrian activity to support the public realm. As part of the site plan approval, staff have asked for the appropriate placement and treatment of doors and windows. The proposal will provide complementary architectural materials, detailed information on the proposed materials and architectural detailing/treatments on all elevations. The applicant has indicated their willingness to work with City staff to this end. Planning staff will secure the accepted materials as part of Site Plan Approval.

Residential Amenity Areas

Section 3.1.2.6 of the Official Plan states that significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of new development. The above noted policy also states that each resident will have access to outdoor amenity spaces. The By-law requires the provision of 92 square metres of amenity space each for indoor and outdoor areas. The application originally proposed 30 square metres of indoor amenity space and 31 square metres of outdoor amenity space. The revised proposal provides 40 square metres of indoor amenity space and 28 square

metres of outdoor amenity space. Planning staff can accept the contiguous location of the outdoor space with the indoor space and that the private amenity space will meet some of the needs of the residents.

Residential Units

The proposal provides: 15 (one bedrooms), 15 (one bedroom+ den units), 7 (two bedrooms), 8 (two bedrooms + den units) and 1 (three bedroom). As a general practice, City staff encourages the provision of 10% of the total number of dwelling units to be 3 bedrooms or more. Even though the revised proposal does not increase the number of 3 bedrooms, the layout and size of the two bedroom and den units, provides an acceptable range of housing types and sizes given the small size of the building. Staff will continue to encourage the applicant to increase the number of three bedroom units to better accommodate families.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promote alternative modes of transportation, including opportunities for better walking and cycling conditions. The Zoning By-law requires the provision of 35 bicycle parking spaces. The proposal will provide 42 parking spaces comprising 12 spaces for visitors and 30 spaces for residents. Bicycle spaces will be deployed on the ground floor and in the underground parking garage. City staff will continue working with the applicant to improve the location and organization of the bicycle spaces as part of Site Plan Approval.

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 to 0.42 hectares of local parkland per 1,000 people, meaning that the site is in the lowest parkland provision level and in a parkland priority area, as per Alternative Parkland Dedication By-law 1020-2010.

The application proposes 46 residential units on a total site area of 813 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication would be 0.0613 hectares or 75.4% of the site area. However, for sites less than 1 hectare, a cap of 10% applies to the residential use, while the non-residential use is subject to a 2% parkland dedication. The dedication requirement for the development will be 75 square metres. The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as 75 square metres of park would not be of a useable size and the site will be encumbered by the parking garage. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. Other applicable TGS performance measures, including Bird Friendly Design, will be secured through the Site Plan Approval process.

Conclusion

The height and massing of the proposed 8-storey building has been deployed sensitively to mitigate impacts on abutting properties. In addition, the issues pertaining to access and egress off the site, parking supply, traffic impacts, solid waste collection, and overall function of the site have been addressed. The proposed mixed use development is consistent with the land use provisions of the Official Plan and the emerging direction from the ongoing City initiated Broadview Avenue Planning Study. As such, this report recommends approval of the application to amend the Zoning By-law identified in attachment 8 of this report.

CONTACT

Francis Kwashie, Planner
Tel. No. 416-392-1306
Fax No. 416-392-1330
E-mail: fkwashi@toronto.ca

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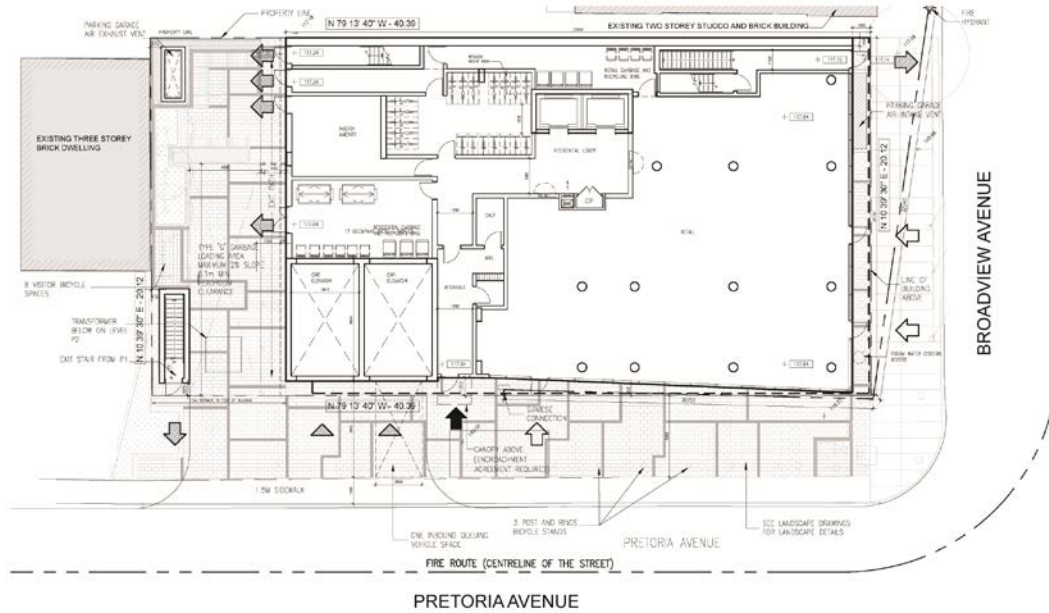
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

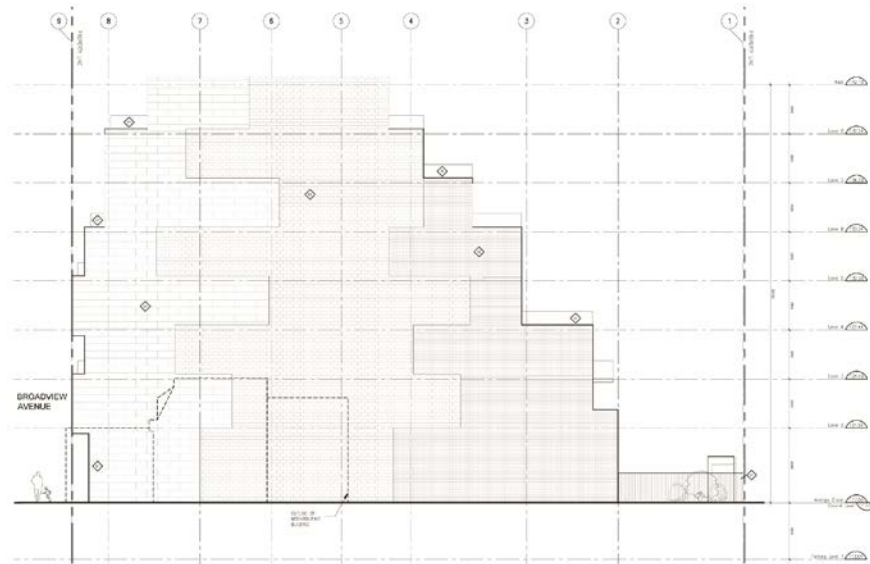
Not to Scale
10/05/2015



838 Broadview Avenue

File # 12 296788 STE 29 02

Attachment 2: North Elevation



North Elevation

Elevations

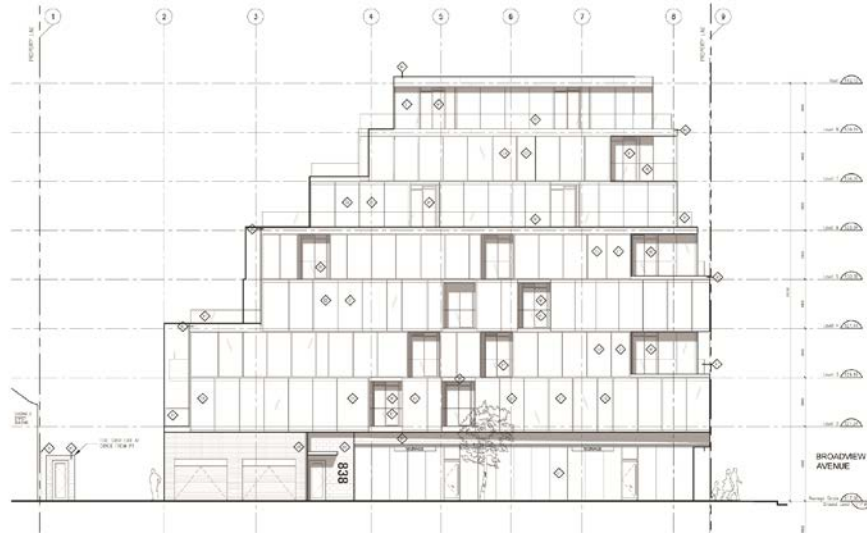
Applicant's Submitted Drawing

Not to Scale
10/05/2015

838 Broadview Avenue

File # 12 296788 STE 29 OZ

Attachment 3: South Elevation



South Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
10/05/2015

838 Broadview Avenue

File # 12 296788 STE 29 OZ

Attachment 4: East Elevation



East Elevation

Elevations

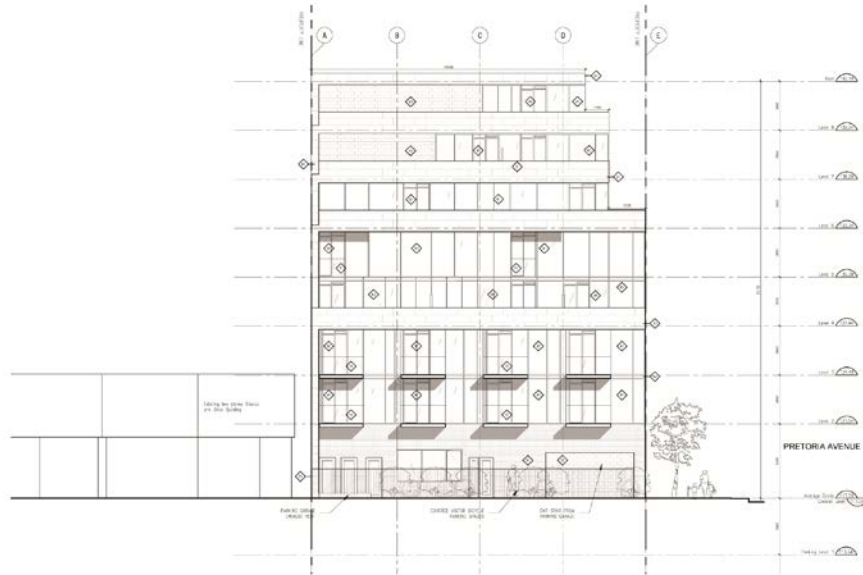
Applicant's Submitted Drawing

Not to Scale
10/05/2015

838 Broadview Avenue

File # 12 296788 STE 29 OZ

Attachment 5: West Elevation



West Elevation

Elevations

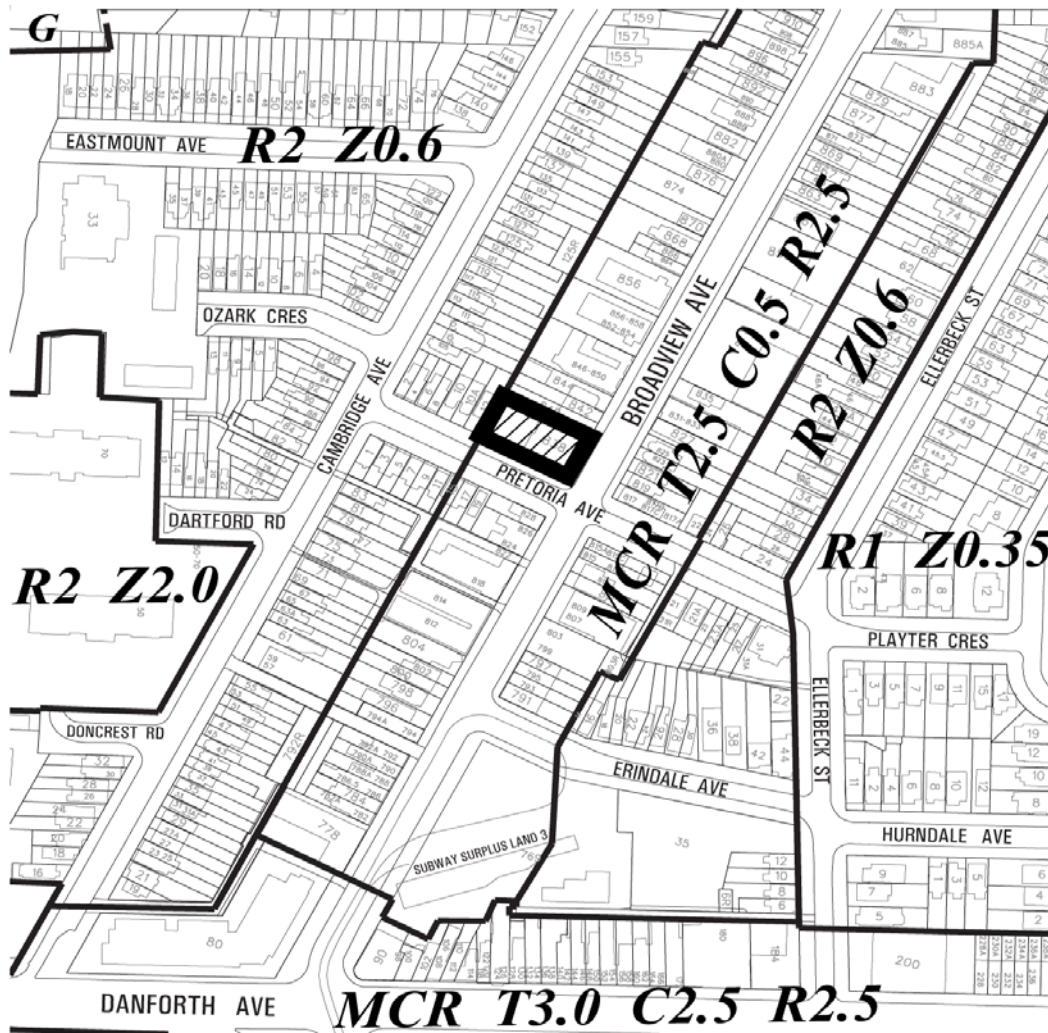
Applicant's Submitted Drawing

Not to Scale
10/05/2015

838 Broadview Avenue

File # 12 296788 STE 29 OZ

Attachment 6: Zoning



Zoning City of Toronto By-law 438-86

838 Broadview Ave

File # 12_296788_OZ

G Parks District
R1 Residential District
R2 Residential District
MCR Mixed Use District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 01/18/2013

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	12 296788 STE 29 OZ
Details	Rezoning, Standard	Application Date:	December 20, 2012
Municipal Address:	838 BROADVIEW AVE		
Location Description:	PLAN 257 LOT 45 **GRID S2905		
Project Description:	Proposal for a new mixed use building 8 stories in height complete with 322m ² of commercial space at grade and 46 residential units above. Included in the proposal is the construction of a below grade parking facility containing 33 parking spaces. The existing commercial building would be demolished.		

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc.		Quadrangle Architects Ltd.	2285566 Ontario Inc.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	MCR T2.5 C0.5 R2.5	Historical Status:	No
Height Limit (m):	14	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	813.3	Height:	Storeys:	8	
Frontage (m):	20.12		Metres:	25.15	
Depth (m):	40.39				
Total Ground Floor Area (sq. m):	422				Total
Total Residential GFA (sq. m):	3,192		Parking Spaces:	33	
Total Non-Residential GFA (sq. m):	322		Loading Docks	1	
Total GFA (sq. m):	3,512				
Lot Coverage Ratio (%):	51.9				
Floor Space Index:	4.31				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	3,192	0
Bachelor:	0	Retail GFA (sq. m):	320	0
1 Bedroom:	30	Office GFA (sq. m):	0	0
2 Bedroom:	15	Industrial GFA (sq. m):	0	0
3 + Bedroom:	1	Institutional/Other GFA (sq. m):	0	0
Total Units:	46			

CONTACT:	PLANNER NAME:	Francis Kwashie, Planner
	TELEPHONE:	416-392-1306

Attachment 8: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 2015

Enacted by Council: ~, 2015

CITY OF TORONTO

Bill No. ~

BY-LAW No. --2015

To amend Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2015 as 838 Broadview Avenue

Whereas authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

Whereas Council of the City of Toronto, at its meetings on ~, 2015, adopted a resolution to amend Zoning By-law No. 438-86, as amended:

The Council of the City of Toronto enacts:

1. None of the provisions of Sections 4(2)(a), 4(3)(a), 4(6), 4(10)(a) and (d), 4(12), 4(13)(a) and (c), 4(16), 8(3)Part I 1 and 3, 8(3)Part II 4(a) and (c), and 8(3) Part IV 2, 8(3) Part XI 1, of By-law No. 438-86, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of an 8-storey *mixed-use building* on the *lot*, provided that:
 - (a) the *lot* comprises the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law.
 - (b) no portion of any building or structure is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law.
 - (c) the total combined *residential gross floor area* and *non-residential gross floor area* erected or used on the *lot* shall not exceed 3,520 square metres, of which:

- (i) the total *residential gross floor area* erected or used on the *lot* shall not exceed 3,200 square metres; and
 - (ii) the total *non-residential gross floor area* erected or used on the *lot* shall not exceed 330 square metres.
- (d) a maximum of 46 *dwelling units* shall be permitted as follows:
- (i) a maximum of 30, one bedrooms shall be provided;
 - (ii) a maximum of 15, two bedrooms shall be provided;
 - (iii) a minimum of 1, three bedroom shall be provided;
- (e) no portion of a building or structure erected on the *lot* shall have a greater *height* in metres than the *heights* in metres specified by the numbers following the symbol H on the attached Map 2:
- (f) notwithstanding 1 (b) and 1(e), the structures listed in the table below may encroach into a required setback or exceed the maximum permitted height to the maximum specified projection, provided they meet the other applicable qualifications.

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
Eaves, cornices, window sills, vents, ornamental elements, architectural elements, landscape elements, lighting fixtures	Required setback from <i>lot</i> line	0.2 metres	none
Green roof elements, window washing equipment, stair towers vents, roof drainage, thermal insulation and roof ballast, elevator over-run, flues, screens, pipes, access roof hatch, outdoor furniture, heating, cooling or ventilating equipment or a fence, and structures located on the roof used for outside or open air recreation, safety or wind protection purposes	Maximum height	1.5 metres	none
Wheel chair ramps	Required setback from <i>lot</i> line	No restriction	none

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
Fences, safety railings and guard rails	Required setback from <i>lot</i> line	No restriction	Height of fence or safety railing not to exceed 1.2 metres
Retractable awnings, canopies	Required setback from <i>lot</i> line	No restriction	Projection at the ground floor only
Parapets	Maximum height	1.0 metre	none
Trellis	Maximum height	3 metres	Setback a minimum of 2 metres from the building
Balconies and balcony guard rails	Maximum height and required setback from any <i>lot</i> line	1.5 metres maximum projection into a required setback and 3.7 metres beyond the maximum permitted height	(i) On the east and west elevations of the building only. (ii) The level of each individual balcony shall not exceed the height of the floor level from which it gains access. (iii) Each individual balcony guard rail shall not exceed a height of 1.2 m, measured from the level of the balcony to which it is attached
Terrace and Balcony dividers and planters	Maximum height	3 metres	none
Below grade parking facility and associated structures, including exhaust vents, and below grade space used for storage, mechanical, electrical or other accessory purposes	Required setback from <i>lot</i> line	No restriction	Maximum vertical projection does not exceed 0.5 metres above finished ground level
Stair structure (enclosure) to the underground parking garage located on the south west corner of the site		No restriction	Maximum area of 10 square metres

(g) *residential amenity space* is provided in accordance with the following:

- (i) a minimum of 40 square metres of indoor *residential amenity space*;
and
 - (ii) a minimum of 28 square metres of outdoor *residential amenity space*.
 - (h) *parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
 - (i) a minimum of 33 *parking spaces* for residents;
 - (ii) no *parking spaces* shall be required for visitors; and
 - (iii) no *parking spaces* shall be required for any portion of the *mixed-use building* that contains *non-residential gross floor area*.
 - (i) notwithstanding section 4(17) of By-law No. 438-86, *parking space(s)* which are obstructed on one or both sides in accordance with paragraph 4(17)(e), may have the following minimum dimensions:
 - (i) length 5.6 metres;
 - (ii) height 2.0 metres;
 - (iii) width 2.55 metres.
 - (j) notwithstanding section 4(3)(d)(ii) and 4(4)(c)(ii) of By-law No. 438-86, in respect of ingress and egress to and from the underground parking facility, access to the *parking spaces* may be provided by motor vehicle elevators, provided each motor vehicle elevator has a minimum width of 3.6 metres, is readily accessible for the parking and removal of a motor vehicle and provided not less than two (2) motor vehicle elevators are provided and maintained for the use of residents of the *lot*.
 - (k) a minimum of 1 *loading space – type G* shall be provided on the *lot*.
 - (l) a minimum of 42 *bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following, and *bicycle parking spaces – occupant* may be provided in *bicycle stackers*:
 - (i) not less than 30 *bicycle parking spaces – occupant*, shall be provided;
and
 - (ii) not less than 12 *bicycle parking spaces – visitor* shall be provided.
 - (m) notwithstanding the definition of *bicycle parking space – visitor* in Section 2(1)(iii) of Zoning By-law No. 438-86, as amended, a *bicycle parking space* for visitors and non-residential uses may be provided within a secure room.
2. None of the provisions of By-law No. 438-86 shall apply to prevent a *sales office* on the *lot*.

3. For the purposes of this By-law, all italicized words and expressions in this exception have the same meanings as defined in By-law No. 438-86, as amended, with the exception of the following:
- a) “*bicycle parking space – visitor*” means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and: (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres; (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres; and (iii) may be located outdoors or indoors;
 - b) “*grade*” means an elevation of 117.02 metres Canadian Geodetic Datum;
 - c) “*height*” means the vertical distance between *grade* and the highest point of the roof except for those elements prescribed in this By-law;
 - d) “*sales office*” means a building, structure, facility or trailer on the lot used for the purpose of the sale of *dwelling units* and non-residential units to be erected on the lot.
4. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
5. Despite any existing or future severance, partition or division of the *lot* as shown on Map 1, the provisions of this By-law shall apply to the whole *lot* as if no severance, partition or division occurred.

Enacted and passed on (clerk to insert the date), 2015.

JOHN TORY,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

