

**45 La Rose Avenue - Zoning By-law Amendment
Application- Preliminary Report**

Date:	January 31, 2017
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 4 – Etobicoke Centre
Reference Number:	16 270193 WET 04 OZ

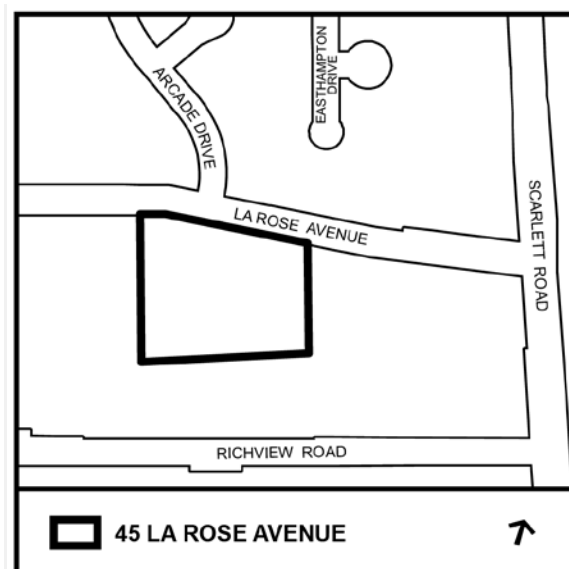
SUMMARY

This application proposes amendments to the former City of Etobicoke Zoning Code Site Specific By-law 319-2001 and City-wide Zoning By-law No. 569-2013 to permit an infill apartment building at 45 La Rose Avenue. A seven storey rental apartment building is proposed to be built on the western portion of the site. This area of the site is currently occupied by surface parking serving the existing apartment building on the east side of the site. The proposed rental building would have an area of 15,587 m² with a total of 187 units.

The existing 16 storey rental building with 156 units would be retained on the site. The proposed residential GFA for the entire site, including existing and proposed buildings, would be 34,621 m², representing an FSI of approximately 2.35 times the lot area.

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

A community consultation meeting scheduled by staff in consultation with the Ward Councillor is intended to be held in the



second quarter of 2017. A Final Report and statutory public meeting under the *Planning Act* to consider the application is targeted for the first quarter of 2018. This target assumes the applicant provides all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 45 La Rose Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There have been two previous development applications involving the western portion of the site. In 1997, the Ontario Municipal Board approved a 10 storey, 90 unit residential building. In 1998, a proposal was submitted for 45 La Rose Avenue seeking a reduction in the density from 90 apartment units to 25 townhouse units in conjunction with a proposal at 1407 Royal York Road. The proposal at 1407 Royal York Road was seeking permission for two residential buildings of 10 and 15 storeys. The applications were approved by City Council and By-law 319-2001 was enacted providing 25 townhouses up to three storeys on the western portion of the site. Development at 1407 Royal York Road proceeded with only one 15 storey building on the site. Development of the townhouses at 45 La Rose Avenue did not proceed.

Pre-Application Consultation

Pre-application consultation meetings were held with the applicant on March 22, 2016 and June 8, 2016 to review the proposal, provide preliminary feedback and discuss complete application submission requirements. During these meetings Planning staff identified concerns with the proposal including: site layout; organization; scale; massing; height and density. The applicant has revised the proposal in response to these concerns.

ISSUE BACKGROUND

Proposal

The proposal seeks to permit the development of a 7 storey rental apartment building on the western portion of the site. The 7 storey building would have a gross floor area of 15,587 m² and contain a total of 187 units with the following unit breakdown: 16 one

bedroom units; 82 one bedroom plus den units; 17 two bedroom units; and 72 two bedroom plus den units.

The proposed building has been massed to provide transition from the existing building to the east and La Rose Park to the west with a stepback of 2.9 metres at the 4th storey, and stepbacks of 3 metres at the 5th and 6th storeys. The building would provide a setback of approximately 8 metres from La Rose Avenue, which is in keeping with established front yard setbacks along La Rose Avenue. The proposed 7 storey building would provide a 25 metre separation distance from the existing 16 storey building on the eastern portion of the site. Indoor and outdoor amenity areas would be located on the ground floor of the proposed building.

Vehicular access would be provided by the existing driveway from La Rose Avenue. The driveway access would be shared by residents of both the new building and the existing building. Currently, parking is provided with 157 spaces in an underground garage and 72 surface spaces on western portion of the site. Access to the underground parking garage is currently provided from the existing driveway from La Rose Avenue on the north end of the site. The application proposes a new underground garage to be constructed below the new apartment building. The new underground garage would provide 406 parking spaces for both the existing and proposed apartment buildings: 191 spaces, including 32 visitor spaces for the existing building; and 215 spaces, including 37 visitor spaces for the proposed building. Access to the new underground would be re-located to the south end of the site for both buildings. A drop off area would be provided in front of the 7 storey building. A total of 142 bicycle parking spaces would be provided for both the existing and new buildings in the underground garage.

One Type G loading space is proposed to be provided at the front of the new building.

Site and Surrounding Area

The site is located on the south side of La Rose Avenue west of Scarlet Road and to the northwest of the intersection of Scarlet Road and Eglinton Avenue. The site is generally rectangular in shape and is approximately 1.47 hectares in size. An existing 16 storey apartment building occupies the eastern portion of the site. The site is generally flat.

Uses surrounding the site include:

North: To the north is a mix of single-detached dwellings and townhouses in a *Neighbourhoods* designation.

South and East: To the south and east are apartment buildings ranging in height from 13 to 18 storeys with surface parking in an *Apartment Neighbourhoods* designation.

West: Immediately to the west is the La Rose Park, with a multi-purpose field and a playground. Further west are apartment buildings with heights of approximately

13 storeys and the St. Demetrius complex consisting of a church, school and a 15 storey seniors residence.

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; 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, by the *Planning Act*, 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, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated *Apartment Neighbourhoods* on Map 14 – Land Use Map in the Official Plan (see Attachment 4: Official Plan). *Apartment Neighbourhoods* are made up 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. There may be opportunities for additional development on underutilized sites, either townhouses or apartments, and the Plan sets out criteria to evaluate these situations.

Section 2.3.1 of the Official Plan states that developments in *Mixed Use Areas*, *Regeneration Areas* and *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 the 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*.

Policy 4.2.2 provides direction for development in *Apartment Neighbourhoods*. Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- Locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan;
- Locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*;
- Locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- Including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- Locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- Providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- Providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- 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.

Significant growth is not intended within developed *Apartment Neighbourhoods*. However, compatible infill development may be permitted on a site with one or more existing apartment buildings that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents.

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;
- 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 the 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) Preserve and/or replace important landscape features and walkways and create such features where they did not previously exist;
- i) Consolidate loading, servicing and delivery facilities; and
- j) Preserve or provide adequate alternative on-site recreational space for residents.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 3.2.1.5, Housing, provides that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development:

- a) Will secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and
- b) May secure any needed improvements and renovations to the existing rental housing, in accordance with and subject to the height and density incentives of Section 5.1.1 of the Plan, without pass-through of such costs in rents to tenants.

The Official Plan also includes policies related to the Public Realm (Section 3.1.1) and Built Form (3.2.1) that will be used in the review of this application.

The Official Plan is available on the City's website at:
<http://www1.toronto.ca/planning/chapters1-5.pdf>

Official Plan Amendment No. 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Official Plan Amendment 320 implements the City's Tower Renewal Program by promoting the renewal and retrofitting of older apartment buildings and encouraging small scale retail, institutional uses and community facilities at grade in apartment buildings to better serve residents.

Policies in OPA 320 relating to *Apartment Neighbourhoods* address additional factors, including a broader range of improvements to existing buildings such as energy and water efficiency and waste diversion; grade-related units for families with children; and the introduction of small-scale commercial and community uses where walking access to goods and services is limited.

Eglinton Crosstown Light Rail Transit

Eglinton Avenue West is identified as a future transit corridor on Map 4 – Higher Order Transit Corridors of the Official Plan. The Toronto Transit Commission completed a Transit Environmental Assessment for the implementation of a light rail transit (LRT) system within the Eglinton Avenue corridor extending from Kennedy Road in the east to Pearson International Airport in the west. The study recommended construction of an LRT facility within an exclusive right-of-way in the centre of Eglinton Avenue West.

In July 2016, City Council approved an Eglinton West LRT with between 8 and 12 stops between Mount Dennis and Renforth Gateway, and up to five potential grade separations at Martin Grove Road, Kipling Avenue, Islington Avenue, Royal York Road and Eglinton Flats (EX16.1). City Council also directed City Planning and the TTC to work in partnership with Metrolinx, the City of Mississauga and the Greater Toronto Airport Authority to further develop the options for extending the LRT to the Pearson International Airport.

Metrolinx has assumed responsibility for the LRT project which has been divided into two phases. Phase One, currently under construction, extends from Kennedy Station to the Weston Road/Eglinton Avenue West intersection in Mount Dennis.

Report EX16.1 and Executive Committee direction, can be found at the following link: <http://www.toronto.ca/legdocs/mmis/2016/ex/bgrd/backgroundfile-94621.pdf>

The site would be near the proposed LRT stop at Eglinton Avenue West and Scarlet Road.

SmartTrack

The Eglinton Avenue West corridor has also been identified for SmartTrack. The SmartTrack concept builds upon the provincial Regional Express Rail initiative and proposes all-day two-way frequent service operating within two GO Rail corridors (Kitchener and Stouffville/Lake Shore East) and a new heavy rail corridor along Eglinton Avenue West. Following a report from The Chief Planner and Executive Director, City Planning, recommending an LRT option for the western section in collaboration with Metrolinx, City Council (Report EX13.3), subsequently, removed the heavy rail option.

Report EX13.3 and City Council direction, can be found at the following link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX13.3>.

City staff are involved in several work programs related to the Eglinton West LRT. Currently underway is the optimization of the approved Environmental Assessment LRT design concept. The design is being reviewed and updated to address a number of concerns identified through the Environmental Assessment and recent public consultation process. City staff in collaboration with Metrolinx is working closely with a team of consultants on the consideration, technical feasibility and planning impacts of potential grade separations for the LRT at the major intersections. In addition, City Council has directed City staff to initiate a Planning study for the Phase Two LRT corridor.

On November 8, 2016 City Council adopted a report from the City Manager, Transit Network Plan Update and Financial Strategy. The decision and report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX19.1>

Zoning

City Wide Zoning By-law No. 569-2013 is applicable and zones the site RA with Site Specific Exemption 53 (see Attachment 5). The RA zone permits dwelling units in an apartment building as well as seniors community housing, nursing home, retirement home, retail store and other uses. Site Specific Exemption 53 refers back to the former City of Etobicoke Site Specific By-law 319-2001 permitting 25 townhouses with a maximum floor space index of .85 in addition to the existing 16 storey apartment building.

Mid-Rise Building Design Guidelines

Toronto City Council on July 6, 7 and 8, 2010, adopted the recommendations of the *Avenues and Mid-Rise Buildings Study and Action Plan*, with modifications. The main objective of this City-wide study was 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 and Action Plan* identifies a list of best practices, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The performance standards for mid-rise buildings give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan. While the property is not on an *Avenue*, staff will use relevant aspects of the Mid-Rise Buildings Design Guidelines to help implement the Official Plan policies and inform the evaluation of the proposal.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for site plan control has yet to be submitted.

Tree Preservation

An Arborist Report has been submitted and identifies that permits will be required to remove 16 privately owned trees, remove 1 City owned tree and to injure 2 trees. New trees are proposed to be planted on the site. The Arborist Report and the Landscaping Plan are being reviewed by Urban Forestry staff.

Reasons for the Application

The proposed development does not comply with the as-of-right zoning permissions regulating the lands for permitted use and exceeds the allowable maximum height and floor space index. Additional areas of non-compliance may be identified through the application circulation and review process.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale
- Housing Issues Letter
- Public Consultation Strategy
- Toronto Green Development Standards Checklist
- Stage 1 Archaeological Assessment
- Pedestrian Wind Assessment
- Sun/Shadow Study
- Traffic Impact and Parking Study
- Site Servicing and Stormwater Management Report
- Geotechnical Study
- Arborist Report

A Notification of Incomplete Application issued on January 16, 2017 identifies that the submission of a Hydrogeological Study is required for a complete submission.

Issues to be Resolved

Planning staff, during the pre-application meetings identified concerns with the proposal including: site layout; organization; scale; massing; height and density. The applicant subsequently revised the proposal in response to these concerns. Notwithstanding this, the following issues/concerns have been identified:

- Consistency with the Provincial Policy Statement and conformity with the Growth Plan for the Greater Golden Horseshoe;
- Review of the proposal within the context of the Official Plan policies, particularly Policies 4.2.2 and 4.2.3;
- Review of the proposal within the context of the Council adopted and Ministry-approved policy direction from Official Plan Amendment 320;
- Conformity with the Mid-Rise Building Design Guidelines;

- Site layout, organization and safety;
- Appropriateness of building heights and density;
- Appropriateness of building setbacks and massing;
- Impacts on adjacent properties, particularly the abutting *Neighbourhoods* designated areas, including shadows;
- Site circulation (including private driveways and walkways), loading, waste storage and collection;
- Assessment of traffic and transportation impacts;
- Location and provision of surface and below grade parking, including vehicles and bicycles;
- Appropriateness of the relationship between building entrances and streets;
- Appropriateness of cash-in-lieu of parkland as opposed to securing on-site parkland;
- Appropriateness of the proposed improvements to the existing building;
- Appropriateness of the proposed improvements to the indoor and outdoor amenity spaces, for residents of both the existing and proposed buildings;
- Appropriateness of the proposed mix of dwelling unit types;
- Tenant mitigation measures during construction;
- How the existing rental units will be secured; and
- The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits, should the application be recommended for approval.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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SIGNATURE

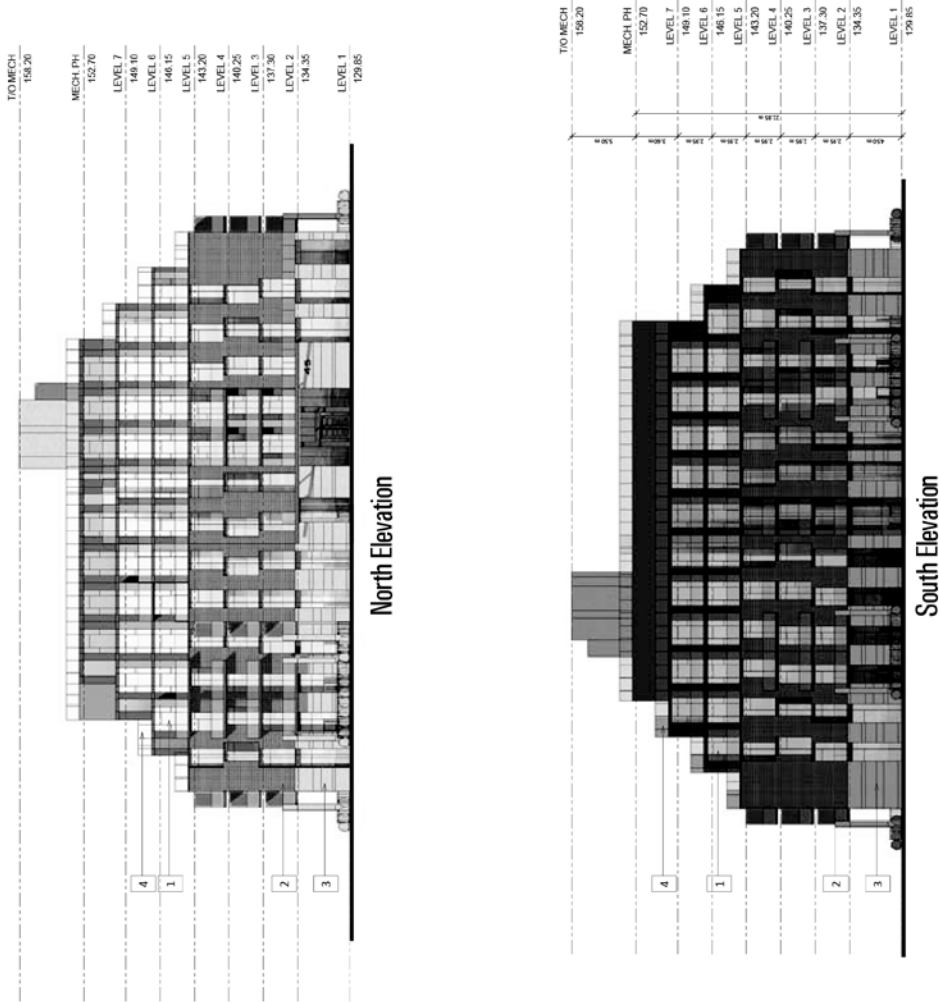
Neil Cresswell, MCIP, RPP
 Director of Community Planning
 Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
 Attachment 2: Elevations - North and South

Attachment 3: Elevations – East and West
Attachment 4: Official Plan
Attachment 5: Zoning
Attachment 6: Application Data Sheet

Attachment 2: Elevations – North and South



45 La Rose Avenue

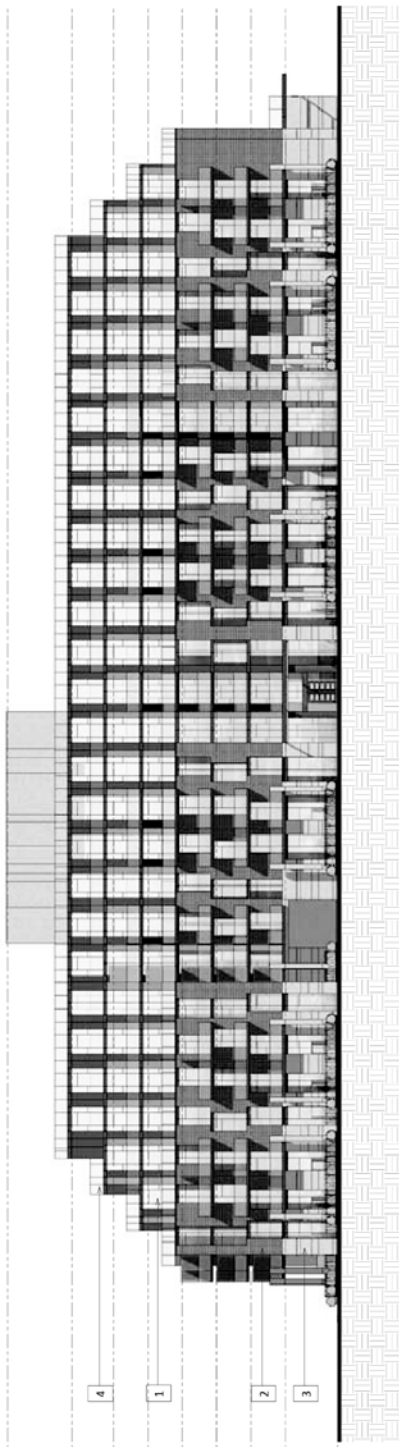
Elevations

Applicant's Submitted Drawing

Not to Scale
01/11/2017

File # 16 270193 WET 04 02

Attachment 3: Elevations – East and West



East Elevation



West Elevation

Elevations

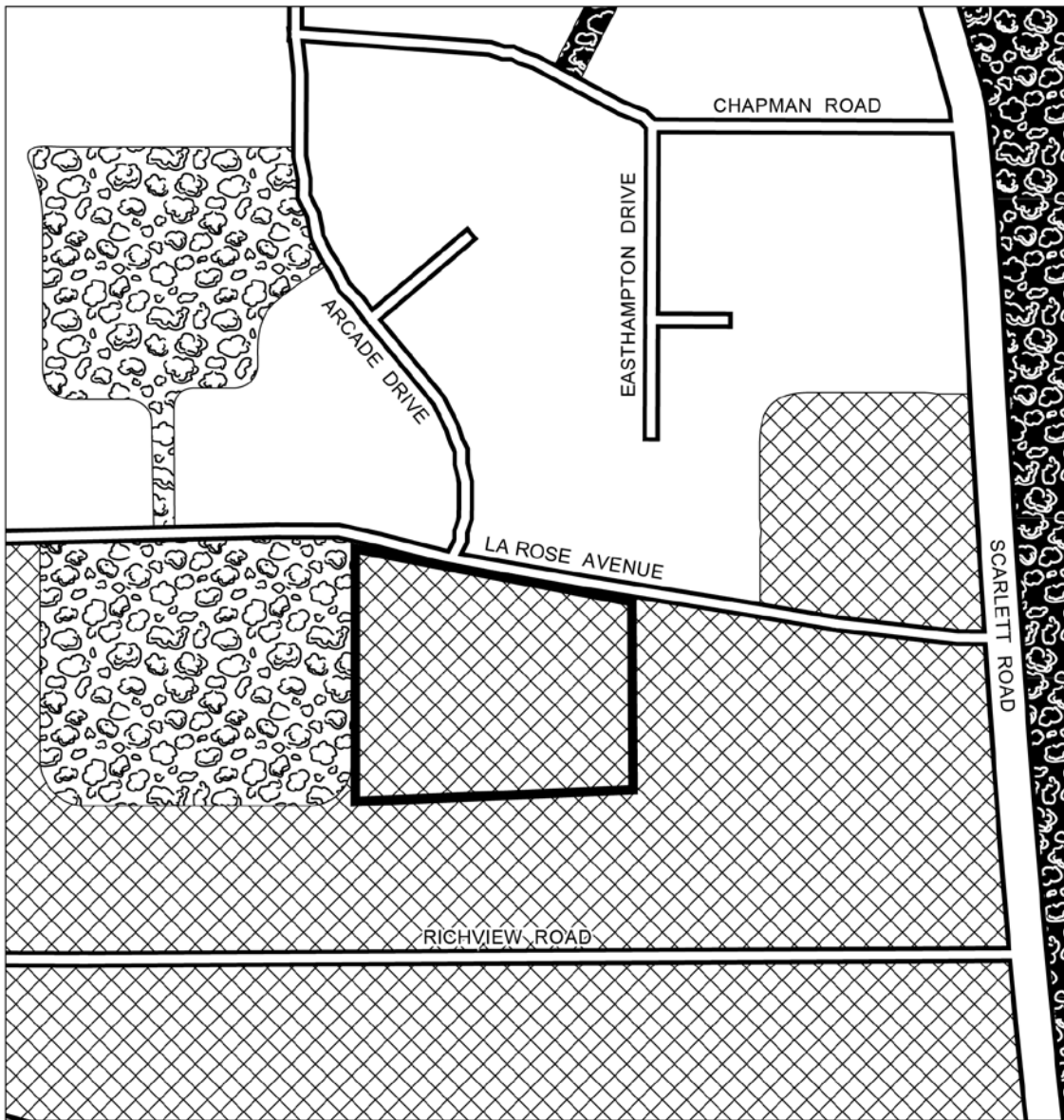
Applicant's Submitted Drawing

Not to Scale
01/11/2017

45 La Rose Avenue

File # 16 270193 WET 04 02

Attachment 4: Official Plan



TORONTO City Planning
Extract from Official Plan

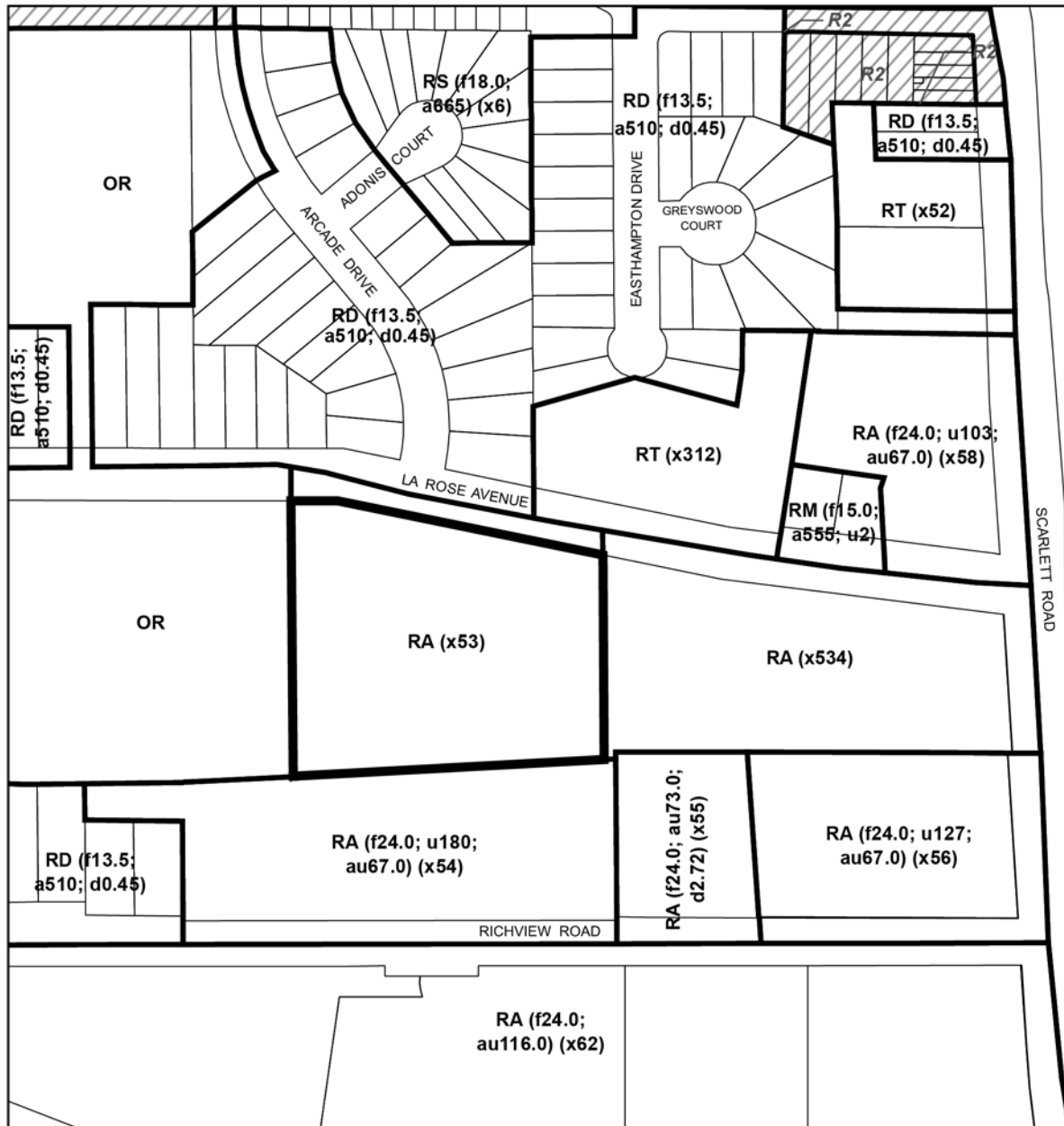
45 La Rose Avenue

File # 16 270193 WET 04 02

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Apartment Neighbourhoods |  Parks |


 Not to Scale
 01/12/2017

Attachment 5: Zoning



Zoning By-Law No. 569-2013

45 La Rose Avenue

File # 16 270193 WET 04 0Z

Location of Application

See Former City of Etobicoke By-Law No. 11,737
R2 Second Density Residential Zone

- | | |
|-------------------------------------|---------------------------------|
| RD Residential Detached | RM Residential Multiple |
| RS Residential Semi-Detached | RA Residential Apartment |
| RT Residential Townhouse | OR Open Space Natural |
| | OR Open Space Recreation |

Not to Scale
Extracted: 01/12/2017

Attachment 6: Application Data Sheet

Application Type:	Rezoning	Application Number:	16 270193 WET 04 OZ
Details:	Rezoning, Standard	Application Date:	December 22, 2016

Municipal Address: 45 LA ROSE AVENUE
 Location Description: CON C FTH PT LOT 17 RP 66R5583 PART 2 **GRID W0406
 Project Description: Proposal for a 7 storey rental apartment building containing a total of 187 units. The existing 16 storey rental apartment building which contains 156 rental units would be retained onsite.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC			NINE BROCKHOUSE RD LTD

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:
Zoning:	By -law 319-2001, 569-2013	Historical Status:
Height Limit (m):	Part 1: 3 storeys; Part 2: 16 storeys	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	14748	Height:	Storeys:	7
Frontage (m):	140		Metres:	22.8
Depth (m):	122			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	34621		Parking Spaces:	(New) 215
Total Non-Residential GFA (sq. m):	0		Loading Docks:	1
Total GFA (sq. m):	34621			
Lot Coverage Ratio (%):	34			
Floor Space Index:	2.3			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Rental		Above Grade	Below Grade
Tenure Type:	Rental			
Rooms:	0	Residential GFA (sq. m):	34621	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	16	Office GFA (sq. m):	0	0
1 Bedroom +den:	82			
2 Bedroom:	17	Industrial GFA (sq. m):	0	0
2 Bedroom+den:	72			
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total New Units:	187			

CONTACT:	PLANNER NAME:	Kathryn Thom, Senior Planner, Community Planning
	TELEPHONE:	416-394-8214