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STAFF REPORT ACTION REQUIRED

25 St Dennis Drive - Zoning Amendment and Site Plan Applications - Request for Direction Report

Date:	October 13, 2017
То:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	15 261823 NNY 26 OZ and 15 261828 NNY 26 SA

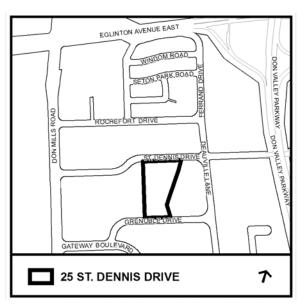
SUMMARY

This application proposes to amend the City of Toronto Zoning By-law 569-2013 and the former City of North York Zoning By-law 7625 for the lands at 25 St. Dennis Drive to permit a 44-storey (127.3 metre) residential apartment building on the southern portion of the site and a 10-storey (28.5 metre) residential apartment building on the northern portion of the subject site. The existing 17-storey (46 metre), 297-unit rental apartment building would remain.

A total of 724 new dwelling units are proposed, including 592 units in the 44-storey south building and 132 units in the 10-storey north building. The total new gross floor area proposed is

54,469 square metres, including 648 square metres of commercial GFA, and a 656 square metre child care centre in the south building. An overall floor space index of 4.28 times the lot area is proposed. A total of 667 vehicle parking spaces are proposed with 318 existing and 349 new spaces.

Both the zoning amendment application and the site plan approval application have been appealed to the Ontario Municipal Board on the basis that the City failed to make a decision within the prescribed time period set out in the *Planning Act*. This report recommends that the City Solicitor, together with City Planning staff, and other appropriate city staff, attend the OMB hearing in opposition to the current



proposal. It also recommends that staff continue to work with the applicant in an attempt to resolve the outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Ontario Municipal Board hearing to oppose the zoning bylaw amendment (15 261823 NNY 26 OZ) and site plan (15 261828 NNY 26 SA) applications in their current forms.
- 2. In the event that the Ontario Municipal Board approves the applications in whole or in part, City Council authorize the City Solicitor to request that the OMB withhold its Order approving the applications until such time as:
 - a. The Board has been advised by the City Solicitor that the proposed zoning bylaw amendments are in a form satisfactory to the Chief Planner and Executive Director, City Planning Division and City Solicitor, and that they, amongst other matters, provide for the securing of the rental tenure of the existing rental dwelling units on the site, securing of needed improvements on the site, a construction mitigation plan and tenant assistance, together with other appropriate matters;
 - b. The City Solicitor confirms the satisfactory execution and registration of a Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning Division to secure the Section 37 matters;
 - c. The City Solicitor confirms that City Planning has issued the Notice of Approval Conditions for site plan approval, and that all pre-approval conditions for such site plan approval have been met;
 - d. The City Solicitor confirms that the owner has provided a Functional Servicing Report, a Stormwater Management Report, and a Hydrogeological Report, acceptable to the Chief Engineer and Executive Director of Engineering and Construction Services;
 - e. The City Solicitor confirms that the owner has designed and provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing Report, Stormwater Management Report, and Hydrogeological Report to support the development, all to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services, should it be determined that improvements or upgrades are required to support the development, according to the Functional Servicing Report, Stormwater

Management Report, and Hydrogeological Study, accepted by the Chief Engineer and Executive Director of Engineering and Construction Services;

- f. The by-laws and the section 37 Agreement shall require that prior to the issuance of the earlier of any site plan approval or the issuance of any below grade permit for the site, the owner shall construct, complete and make operational any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing Report, Stormwater Management Report, and Hydrogeological Report to support the development, all to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services;
- g. The City Solicitor confirms that the implementation of the Functional Servicing Report, Stormwater Management Report and Hydrogeological Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services either does not require changes to the proposed amending by-laws or any such required changes have been made to the proposed amending by-laws to the satisfaction of the Chief Planner and Executive Director, City Planning, the City Solicitor and the Chief Engineer and Executive Director of Engineering and Construction Services; and
- h. The City Solicitor confirms that the owner has entered into an Agreement with the City pursuant to section 37 of the Planning Act, that is satisfactory to the Chief Planner and Executive Director, City Planning, the Chief Engineer and Executive Director of Engineering and Construction Services and the City Solicitor and that such Agreement has been registered to the satisfaction of the City Solicitor, such Agreement (and zoning by-law amendment) to include amongst other matters at the owners expense, the securing of the existing rental housing, the financial securing of any necessary improvements and other works.
- 3. Should the Ontario Municipal Board approve the applications, City Council direct the City Solicitor to advise the Board that the zoning by-law should not be approved without the provision of such services, facilities or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner in consultation with the applicant and the local ward councillor.
- 4. The City Solicitor and appropriate staff be authorized to continue discussions with the applicant to address the issues outlined in this report and to report back to City Council on the outcome, including proposed Section 37 contributions relating to any revised proposal, as appropriate; and
- 5. City Council determine that in the event that the proposal in some form is approved by the Ontario Municipal Board, that on-site parkland dedication pursuant to Section 42 of the Planning Act be required to be conveyed to the City as described and set out in this report in the southeast corner of the site, free and clear of encumbrances above and below

grade with frontage on Grenoble Drive and abutting Flemingdon Park Trail and all to the satisfaction of the General Manager, Parks, Forestry and Recreation. And that City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry & Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

6. City Council instruct the City Solicitor to request that the Ontario Municipal Board not hear the rezoning and site plan appeals together at the hearing scheduled to commence on April 30, 2018, for reasons including that a hearing for the site plan appeal is premature at this time given that the fundamental zoning for the site is at issue and remains to be determined at the OMB hearing scheduled to commence April 30, 2018, and the outcome of that appeal will affect site plan matters; that it is not a cost effective, expeditious or efficient way in which to determine a site plan approval when there is no reason to suggest at this time that the site plan cannot be resolved without a hearing once the zoning fundamentals are determined by the Board, that it is in the public interest to provide the parties with a reasonable opportunity to resolve the site plan application in an orderly and detailed manner following receipt of a decision of the Board on the zoning of the site such that there is certainty as to the applicable zoning regulation of the site to inform any site plan approval.

Proposal

This application proposes to amend the City of Toronto Zoning By-law 569-2013 and the former City of North York Zoning By-law 7625 for the lands at 25 St. Dennis Drive to permit a 44-storey residential apartment building with a height of 127.3 metres on the southern portion of the subject site and a 10-storey residential apartment building with a height of 28.5 metres on the northern portion of the subject site. The existing 17-storey apartment building with a height of approximately 46 metres would remain. All of the residential units are currently proposed to be rental dwelling units. The existing and proposed site plans are provided in Attachments 1 and 2.

The total gross floor area proposed for this project is 83,041 square metres, which includes 28,572 square metres of existing GFA, plus 53,165 square metres of new residential GFA and 648 square metres of proposed commercial GFA, and a proposed 656 square metre daycare, located at grade in the south building. An overall floor space index of 4.28 is proposed. The total number of existing and proposed dwelling units would be 1,024.

The applicant proposes to divide the subject site into three development parcels to be created through a severance application (Application No.: B0030/15NY). Parcel 1 (6,590 square metres) would comprise the site of the existing apartment building; Parcel 2 (2,830 square metres) would comprise the site of the proposed north building; and Parcel 3 (9,980 square metres) would comprise the site of the proposed south building. (See Attachment 6 – Diagram of Development

Parcels). The density on a per parcel basis that would result would be 4.34 for Parcel 1, 2.83 for Parcel 2, and 4.58 for Parcel 3.

On parcel 3, the south building would be comprised of three connected building elements, including a west 8-storey (25.4. metre) building wing, an east 8-storey (25.4 metre) building wing, and the 44-storey (127.3 metre) tower in the centre with a five storey (16.6 metre) base. The south building would have a total gross floor area of 45,538 square metres, including 44,234 square metres of new residential gross floor area and 648 square metres of new commercial gross floor area, and a 656 square metre child care centre located on the ground floor. The building lobby would be accessed from the southwest corner of the site. Adjacent to the lobby and fronting onto Grenoble Drive would be two commercial units with an area of 648 square metres and the proposed child care centre. The 10-storey north building on parcel 2 has a proposed total residential gross floor area of 8,931 square metres. (See Attachment 3 – Ground Floor, Attachments 4 and 5 – Applicant's Perspective Renderings and Attachments 7a-7d – Elevations).

The existing 17-storey rental apartment building on parcel 1 has a total residential gross floor area of 27,572 square metres and contains 297 rental units that are proposed to remain on the subject property. No demolition or renovation to the existing rental units is proposed. Interior renovations to storage space to construct an additional three units on the ground floor of the apartment building, for a total gross floor area of 28,572 square metres, are also proposed. A total of 1,448 square metres of indoor amenity space and 1,448 square metres of outdoor amenity space is proposed, including existing amenity space. The new indoor amenity space would consist of lounges, community meeting rooms, a fitness centre and/or prayer rooms. The outdoor amenity space would include two roof-top terraces located on top of the subject site. Both the indoor and outdoor amenity space are proposed to be shared between the existing and new buildings. The existing 17-storey building includes 251 square metres of indoor amenity space comprised of a pool, and 74 square metres of outdoor patio space which would remain.

The approximate building separation distance between the proposed 10-storey building (parcel 2) and the existing 17-storey building (parcel 1) would be 11.2 metres. The separation distances between the existing 17-storey building (parcel 1) and the proposed 8-storey building wing to the west (parcel 3), 8-storey building wing to the east (parcel 3) and 44-storey tower (parcel 3) would be 15.2 metres, 21.5 metres and 31.2 metres respectively. The tower floor plate of the proposed 44-storey tower would be a maximum of 859 m². Proposed setbacks for base buildings would be 3.0 metres from St. Dennis Drive, 3.0 metres from Grenoble Drive, 3.8 metres from the east property line and 12.5 metres from the west property line.

A total of 667 vehicle parking spaces are proposed on site, including 560 residential parking spaces and 102 commercial/visitor parking spaces, plus 5 car share spaces. 488 spaces are proposed underground, and 179 surface spaces are provided. A total of 802 bicycle parking spaces are also proposed, including 132 short-term spaces and 670 long-term spaces. The proposal also includes two loading spaces with both located in the south 44-storey building at grade. The underground and surface vehicular parking are proposed to be shared by the residents and visitors of all three buildings, in addition to the commercial uses. Bicycle parking

spaces are proposed to be shared by residents and visitors of all buildings. Best practises will be utilized to assign resident vehicular and bicycle parking in close proximity to the resident's unit.

A new driveway is proposed to provide access through the west portion of the site from St. Dennis Drive to Grenoble Drive. An existing driveway providing access to the surface parking on the east portion of the site off of St. Dennis Drive would be maintained. The underground parking garage would be accessed at two-locations: one from a ramp at the new north-south driveway and the other at the existing parking ramp entry adjacent to the northern 10-storey building.

The originally submitted project was revised in September, 2016. The proposed south building increased in height from 42 storeys to 44 storeys in height, and the proposed north building increased in height from the originally proposed 6 storeys to 10 storeys. Overall, the proposed gross floor area increased from 81,049 to 83,041 square metres from the first submission in December 2015 to the existing proposal submitted in September 2016. The following chart provides an overview of the original submission from December 2015, and the revised submission received in September 2016. Further project details are provided in the Application Data Sheet included as Attachment 11 to this report.

	Existing	Proposed		Overall Site Total		
		Original	Revised	Original	Revised	
		Dec/2015	Sept/2016	Dec/2015	Sept/2016	
Site Area	19,394			19,394	19.394	
Total GFA (m ²)	28,572	52,477	54,469	81,049	83,041	
Residential GFA (m ²)	28,572	51,213	53,165	79,785	81,737	
Non-Residential GFA	-	1,264	1,304	1,264	1,304	
(m^2)						
FSI	1.47			4.18	4.28	
Height (storeys)	17	42	44	-	44	
Height (metres)	45.8	127.35	127.4	-	127.4	
Commercial GFA (m ²)	-	1,264	648	1264	648	
Child Care Centre (m ²)	-	-	656	-	656	
Indoor Amenity (m ²)	251	993	1,148	1,292	1,448	
Outdoor Amenity (m ²)	74	1,219	705*	1,293	1,448	
Studio Units	11 (3.7%)	60 (9.3%)	-	71 (7.5%)	11 (1.1%)	
1 Bedroom	110	283 (43.8%)	380 (52.5%)	394 (41.6%)	491 (47.9%)	
	(37.0%)					
2 bedroom	143	128 (19.8%)	200 (27.6%)	273 (28.9%)	345 (33.7%)	
	(48.1%)					
3 bedroom	33 (11.1%)	175 (27.1%)	144 (19.9%)	208 (22.0%)	177 (17.3%)	
Total Units	297 (100%)	646 (100%)	724 (100%)	946 (100%)	1,024 (100%)	

Project Statistics – Original and Revised Submission

	Existing	Proposed		Over	Overall Site Total		
		Original	Revised	Original	Revised		
		Dec/2015	Sept/2016	Dec/2015	Sept/2016		
Bicycle Spaces - Resident	-	586	670	604	670		
Bicycle Spaces - Visitor	-	66	74	92	132		
Bicycle Spaces - Total	-	652	744	696	802		
Total Vehicle Parking	318	346	349	664	667		

*in addition to 669 square metres of improvements to existing

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The current zoning by-law amendment application was received on December 7, 2015 and on February 23, 2016 North York Community Council adopted a Preliminary Report on the rezoning application. The Preliminary Report is available at:

http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-90329.pdf)

Ontario Municipal Board Appeals

The applicant appealed the rezoning application to the Ontario Municipal Board on December 19, 2016 and referred the site plan application to the Ontario Municipal Board on June 27, 2017. A pre-hearing conference was held on July 18, 2017. A further pre-hearing is scheduled for December 11, 2017. The full hearing of the matter is scheduled for 15 hearing days beginning April 30, 2018. At the pre-hearing of December 11, 2017, it will be determined whether the hearing of April 30, 2018 will deal with just the rezoning appeal, or the rezoning and site plan appeals together. If the recommendations in this report are adopted the city will oppose the hearing of the rezoning and site plan appeals together at the April 30, 2018 hearing.

Site and Surrounding Area

The subject site is located in the southeast quadrant of the Don Mills Road and Eglinton Avenue East intersection. It is an irregularly shaped parcel located between St. Dennis Drive and Grenoble Drive. The site has a frontage of approximately 133 metres along St. Dennis Drive, 90 metres along Grenoble Drive, a depth along the western property line of approximately 194 metres and an area of approximately 1.94 hectares or 19,394 square metres. The site is currently occupied by a 17-storey, 297 unit apartment building, of which 249 units have affordable rents and 48 have mid-range rents, which would be retained. There are a total of 99 surface level parking spaces. The site also includes large landscaped areas with trees and grass to the west and south of the existing building, most of which is proposed to be used for the development of the new buildings.

Access to the subject site is provided from two existing driveways from St. Dennis Drive. The eastern driveway provides access to the underground parking ramp, surface parking area and the loading and garbage collection area. The western driveway provides access to a drop off/pick up area by the main building entrance and to the visitor parking.

Abutting land uses include:

- North: Two-storey townhouses and a nine-storey apartment building fronting onto St. Dennis Drive.
- South: Flemingdon Park Pentecostal Church, Grenoble Public School, and a 28-storey apartment building fronting onto Grenoble Drive.
- East: Dennis R. Timbrell (Community) Resource Centre, a seven-storey apartment building fronting onto Deauville Lane, and a nine-storey apartment building fronting onto Grenoble Drive.
- West: Three 17-storey apartment buildings fronting onto Grenoble Drive, Gateway Boulevard and St. Dennis Drive.

ISSUE BACKGROUND

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- protection of the natural and built environment;
- building strong, sustainable and resilient communities that enhance health and social wellbeing by ensuring opportunities exist locally for employment;
- residential development promoting a mix of housing types and affordable housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The PPS under Section 1.1.3.3 directs Planning authorities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.5.1 of the PPS provides that healthy communities should be promoted by planning and providing for a full range of and equitable distribution of publicly accessible built and natural settings for recreation, including parkland, public space, open space areas, and trails and linkages.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe (GGH) region including:

- setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by City Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

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

Official Plan

The subject site is designated *Apartment Neighbourhoods* on Land Use Map 20 of the Official Plan (see Attachment 8). *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.

Significant growth is generally not intended within developed *Apartment Neighbourhoods*. However, compatible infill development may be permitted on a site containing an existing apartment that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. 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 the Official Plan;
- d) maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- e) organize development on 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.

Policy 4.2.2 of the Official Plan sets out a number of development criteria in *Apartment Neighbourhoods* and requires development to contribute to the quality of life by: locating and massing new buildings to provide a transition between areas of different development intensity and scale, through means such as providing setbacks from, and/or stepping down of heights towards lower scale *Neighbourhoods*; 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 edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; and providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces. New development is also to include sufficient off-street vehicle and bicycle parking for both residents and visitors; locate and screen service areas, ramps and garbage storage to minimize impact on adjacent streets and residences; and provide indoor and outdoor recreation space for residents.

Section 2.2 (3) (h) of the Official Plan envisions the City's transportation network being maintained and developed to support the growth by ensuring new streets:

a. are provided in consideration of surrounding land uses;

- b. contribute to the development of a connected network which provides direct and clearly understood travel routes for all transportation modes and users throughout the City; and
- c. acts as fundamental organizing elements of the City's physical structure.

Section 2.3.1 of the Official Plan's Healthy Neighbourhoods policies states that *Apartment Neighbourhoods* are considered to be physically stable areas. Development within *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. Developments in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will: be compatible with those *Neighbourhoods*; provide a gradual transition of scale and density through the stepping down of buildings towards and setbacks from those *Neighbourhoods*; maintain adequate light and privacy for residents in those *Neighbourhoods*; and attenuate resulting traffic and parking impacts on adjacent neighbourhoods. Community and neighbourhood amenities will be enhanced where needed by: improving and expanding existing parks, recreational facilities, libraries, local institutions, local bus and streetcar services and other community services; and creating new community facilities and local institutions, and adapting existing services to changes in the social, health and recreational needs of the neighbourhood.

Section 3.1.1 of the Official Plan provides policies respecting the Public Realm. Policy 3.1.1.16 provides that new streets will be designed to:

- a) provide connections with adjacent neighbourhoods;
- b) promote a connected grid of streets that offers safe and convenient travel options;
- c) extend sight lines and view corridors;
- d) divide larger sites into smaller development blocks;
- e) provide access and addresses for new development;
- f) allow the public to freely enter without obstruction;
- g) implement the Complete Streets Approach to develop a street network that balances the needs and priorities of the various users and uses within a right of way;
- h) improve the visibility, access and prominence of unique natural and human made features; and
- i) provide access for emergency vehicles.

Section 3.1.1.19 of the Official Plan states that new parks and open spaces will be located and designed to:

- a) connect and extend, where possible, to existing parks, natural areas, and other open spaces such as school yards;
- b) provide a comfortable setting for community events as well as individual use; and
- c) provide appropriate space and layout for recreational needs, including forms of productive recreation such as community gardening.

Section 3.1.2 identifies the importance of urban design as a fundamental element of city building and contains built form policies intended to minimize the impacts of new development and guide the form of new buildings to fit within the context of the neighbourhood and the City. These

policies guide new development to be located and organized to fit with its existing and/or planned context. New projects will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual view to these spaces. They will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces. New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties. It will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas. They will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians. Also, every significant new multi-residential development will provide indoor and outdoor amenity space for residents of the new development.

The Built Form policies in section 3.1.3 of the Official Plan identify the importance of tall buildings. Tall buildings come with larger civic responsibilities and obligations than other buildings. In addition to specific built form characteristics related to the base, middle and top of the building, proposals for tall buildings should: demonstrate how the proposed building and site design contribute to and reinforce the overall City structure; demonstrate how the proposed building and site design relate to the existing and/or planned context; take into account the relationship of the site topography and other tall buildings; and provide high quality, comfortable and usable publically accessible open space areas.

Official Plan Housing Policy 3.2.1.5 provides that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development: will secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and 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.

Official Plan Policy 3.2.3 speaks to maintenance and enhancing of Toronto's system of parks and green spaces and states that the effects of development from adjacent properties (shadows, winds, etc.) should be minimized to preserve their utility. It outlines a parkland acquisition strategy, grants authority to levy a parkland dedication or alternative cash-in-lieu and calls for the expansion of the existing parks and open spaces.

Section 5.1.1 of the Official Plan contains Section 37 policies that authorize the City to pass zoning by-laws involving increases in the height and/or density otherwise permitted by the Zoning By-law, in return for the provision of community benefits.

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

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment (OPA) No. 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*. OPA 320, as approved by Council is available at: http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf

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. OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework. The Minister's approval and modification can be found at:

http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/N/MMA%20Notice%20of%20Decision.OPA%20320.July%204_2016.pdf

Site Plan Control

This proposal is subject to Site Plan Control and an application (Application No. 15 261828 NNY 26 SA) has been submitted and is being considered concurrently with this application. The site plan application has also been appealed to the Ontario Municipal Board.

City-Wide Tall Building Design Guidelines

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.

Relevant sections involved with the review of this proposal include "Master Plan for Larger Sites", "Fit and Transition in Scale", "Sunlight and Skyview" and "Building Placement". The city-wide Guidelines are available at: <u>http://www.toronto.ca/planning/tallbuildingdesign.htm</u>

The Eglinton Connects Planning Study

The Eglinton Crosstown LRT is under construction and scheduled to open from Weston Road to Kennedy Road in 2021. The Eglinton Connects Study was a comprehensive planning review of Eglinton Avenue from Jane Street to Kennedy Road, which responded to the opportunity presented by the LRT. The study forecasted the growth and discussed how new and current residents and workers can live in neighbourhoods that provide the community services and facilities needed to promote a good quality of life.

Six Focus Areas were selected along Eglinton Avenue for further study and master planning. These areas have the capacity to accommodate significant intensification and redevelopment, and require more detailed analysis and planning. The Focus Areas were identified based on three criteria:

- Large sites fronting along Eglinton Avenue that require a finer grain of streets and blocks in order to better integrate with the surrounding neighbourhoods;

- A clustering of vacant or underdeveloped sites with frontage on Eglinton Avenue and a major intersecting street, or at the intersection of two identified Avenues; and
- Employment Areas where consideration of strategies to strengthen the employment base is needed in addition to physical redevelopment.

The Don Mills and Eglinton intersection was chosen as a Focus Area within the Eglinton Connects Planning Study. The Focus Area consists primarily of the four corners of Don Mills Road and Eglinton Avenue East, a mix of low and high-rise employment and institutional buildings, with large areas of surface parking. A Metrolinx LRT station will be located at the intersection of Don Mills Road and Eglinton Avenue East.

The lands at 25 St. Dennis Drive are not included in the Don Mills Focus Area and were not anticipated for significant intensification associated with the Eglinton Crosstown LRT.

Don Mills Crossing Planning Study

Don Mills Crossing is an initiative that is examining ways to focus and shape anticipated growth around the intersection of Don Mills Road and Eglinton Avenue East, anchored by the transit infrastructure being constructed as part of the Eglinton Crosstown LRT.

Building on the work of Eglinton Connects, Don Mills Crossing is looking to improve connections to the surrounding areas, lay out a network of open space and identify community services necessary to support new growth. This will result in a new planning framework, which will include implementation measures to support co-ordinated development of employment, residential and community uses.

The Don Mills Crossing Study identifies a core study area radiating from the intersection of Don Mills Road and Eglinton Avenue East. The subject site is not part of the core study area.

For the purpose of transportation analysis, a larger area of influence was selected to investigate major travel behaviours and trends. Pedestrian distances and patterns were studied as part of the analysis. Typically a straight-line distance is used to identify an acceptable walking radius from transit stops. However, when this approach is used in areas with lower connectivity, such as the study area, it often leads to an overestimation of the number of people and employees within the straight line distance. To avoid this pitfall, actual walking distance following the street infrastructures using "pedestrian walkshed" should be used instead of a straight-line distance. This "pedestrian route directness" method was used to measure the actual walking distance to future rapid transit stations in the study area.

The site falls outside of the 500 metre distance from the planned Don Mills LRT station using straight line distances (approximately 510 metres), but is approximately 463 metres away from the planned Aga Khan LRT Station. It is well outside of the 500 metre "pedestrian walkshed" for both the Don Mills (774 metres) and Aga Khan (592 metres) planned LRT stations. As such, the site is not included as part of the Focus Area for intensification around the Don Mills LRT station.

Zoning

The subject property is zoned Residential Apartment Commercial Zone RAC (f30.0; a1375; d1.5) (x412) under City of Toronto Zoning By-law No. 569-2013 (see Attachment 9). The RAC zone permits ambulance depots, fire halls, parks, police stations, and dwelling units in the form of apartment buildings. The RAC zone permits a maximum density of 1.5 times the area of the lot, a maximum lot coverage of 35 percent, and a maximum height of 24 metres.

The subject property is currently zoned RM6 (Multiple-Family Dwellings Sixth Density Zone) under former City of North York Zoning By-law No. 7625 (see Attachment 10). The RM6 zone permits a variety of residential building types, including apartment buildings with a maximum permitted density of 1.5 times the area of the lot and a maximum lot coverage of 35 percent. The height of an apartment may exceed 11 metres, provided however, that the distance between each portion of the building having a greater height than 11 metres and each lot line shall be not less than the distance specified in section 20-A.2.4 of the By-law, plus 0.3 metres for every 0.6 metres of additional height in excess of 11 metres.

Reasons for the Application

An application to amend the City of Toronto Zoning By-law 569-2013 and former City of North York Zoning By-law 7625 is required to permit additional residential development and to establish appropriate zoning regulations for matters such as, but not limited to: density, height, setbacks, stepbacks, building separation distances, lot coverage, parking and amenity space.

Community Consultation

A community consultation meeting was held on May 18, 2016. The meeting was organized in consultation with the local City Councillor and was attended by City Planning staff. Approximately 50 members of the public attended the meeting. Comments provided generally related to the following concerns:

- Height, scale and massing of the proposed buildings;
- Shadow impact/loss of sunlight;
- Traffic congestion;
- Loss of green space/impact on existing green space;
- Lack of retail in vicinity and what type of retail might be included in the proposal;
- Lack of community services and facilities in the vicinity to serve the existing and new residents; and
- The amount of proposed rental accommodation, whether more rental is needed in the area, and whether the proposal would be better as a condominium or seniors' housing.

City Planning staff also received numerous written comments on the application. Key areas of concern included: the height of the buildings; traffic; building setbacks; relationship to the open space; shadow and overlook; and the precedent the development would set for the area. Many of the letters suggested that a condominium ownership building, or a seniors' residence would be more appropriate or desirable in the Flemingdon Park community. Many residents indicated that there is sufficient rental accommodation in the vicinity, and that further rental stock would exert more pressure on already stressed community services and facilities.

COMMENTS

Provincial Policy Statement and Growth Plan

The Provincial Policy Statement (PPS), 2014 and the Growth Plan for the Greater Golden Horseshoe (2017) are high-level and broad reaching documents. The City is a development area and infill is encouraged under these policies. However, under both the PPS and the Growth Plan, planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

Within this framework, the PPS recognizes that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. The City's Official Plan meets the requirements of the PPS.

The Official Plan identifies a land use structure of areas where intensification is appropriate and directs growth to certain areas of the City. The areas which can best accommodate growth are shown on Map 2, Urban Structure of the Official Plan. The growth areas are identified as the *Downtown*, *Centres*, *Avenues* and *Employment Districts*. The proposed development is not in one of those areas.

Section 1.1.3.3. of the Provincial Policy Statement provides that Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. Through its Official Plan, the City has identified *Downtown, Centres, Avenues* and *Employment Districts* as growth areas where significant intensity if appropriate. The subject site is located in an *Apartment Neighbourhoods* designation where some modest infill development is anticipated. Most of Toronto's existing apartment buildings are located within built up *Apartment Neighbourhoods* which are stable areas where only limited infill development is anticipated. The applicant's proposal for a 44-storey building on the southern portion of the site and for a 10-storey building on the northern portion of the site and resulting in an FSI of 4.28 times the site, in an *Apartment Neighbourhoods* designation surrounded by buildings ranging in height from two to 28 storeys (and an approximate FSI of 0.6 to 2.2) is not appropriate. This proposal is not an area intended for this scale and intensity of growth.

Staff have advised the applicant that should the application be permitted in some form, the parkland dedication requirement pursuant to section 42 of the *Planning* Act is to be satisfied through an on-site dedication, directly adjacent to the Flemingdon Park Trail, in the southeast corner of the site with a minimum frontage on Grenoble Drive of 45 metres and a minimum

depth of approximately 48 metres from Grenoble Drive, of a regular shape consistent with the Official Plan, to provide appropriate space and layout for recreational needs for residents of the proposed development and the local community. The applicant has not revised their application to date to provide an on-site park dedication. City staff are of the opinion that this requested dedication is consistent with planning and providing for a range of equitable distribution of publicly accessible parkland, public space, open space areas, and trails and linkages, pursuant to Section 1.5.1 of the Provincial Policy Statement.

The proposal does not conform to the Official Plan designation of *Apartment Neighbourhoods*, including Section 4.2, nor does it conform to section 2.3.1.2 with respect to Healthy Neighbourhoods, among others, and is not consistent with the way in which the Official Plan implements the Provincial Policy Statement. The proposal is not consistent with the PPS and cannot be supported in its current form.

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. The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) strives, among other things, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth. The Growth Plan also directs growth to *urban growth centres, intensification corridors, major transit station areas, brownfield sites* and *greyfields* to provide a key focus for transit and infrastructure investments to support future growth. This site is not designated as any of the above under the Growth Plan. While some intensification proposed is anticipated or appropriate. The proposal is not consistent with the way in which the Official Plan implements the Growth Plan for the Greater Golden Horseshoe.

Building Siting and Site Organization

The proposal is to permit a 44-storey residential apartment building on the southern portion of the subject site and a 10-storey residential apartment building on the northern portion of the subject site. The existing 17-storey apartment building would remain. The total gross floor area proposed for this project is 83,041 square metres of gross floor area. An overall floor space index of 4.28 is proposed. The total number of existing and proposed dwelling units would be 1,024. The proposed site plan results in a site design with minimal landscaped open space when compared to the existing context, a predominance of surface parking, and poor site organization without a proper road network to service this large parcel of land.

The subject property is a large 1.94 hectare site in a block that is bounded by Don Mills Road to the west, Deauville Lane to the east, Grenoble Drive to the south and St. Dennis Drive to the north. As there are no north-south running public streets between Don Mills Road and Deauville Lane, this acts as an access barrier for vehicles and pedestrians. Section 3.1.1.16 of the Official Plan provides that for large sites in blocks with other large parcels, new streets should be provided to provide connections with adjacent neighbourhoods, promote a connected grid of streets that offers safe and convenient travel options, divide larger sites into smaller development

blocks and provide access and addresses for new development. A new public street should be required as outlined below.

Master Plan

The Tall Building Guidelines includes provisions for a Master Plan for larger sites with developments requiring new streets or parks, or covering a site area larger than two hectares. This site generally meets these requirements, and a Master Plan should be provided in order to:

- coordinate servicing, parking access and utilities;
- provide an appropriate transition in scale to areas of different intensity;
- define new and existing streets, parks and open spaces at an appropriate scale;
- locate and orient buildings, parks and open spaces to maximize sunlight access, sky view and energy efficiency; and
- provide a mix of open space and building types, and a diverse range of housing options and affordability.

Public Park

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 provision across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provisions of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

For sites that are one to five hectares in size, a cap of 15% of the development site is applied to the residential use in determining the required parkland contribution while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement for this site is 1,924 square metres or 14.7% of the net site area.

Staff have requested that the applicant satisfy the parkland dedication requirement through an unencumbered on-site dedication. To date the applicant has not revised their applications to include the required on-site parkland conveyance. The location for the park block would be at the southeast corner of the site, fronting onto Grenoble Drive and directly adjacent to the existing Flemingdon Park Trail as discussed earlier. This would have the benefit of southern exposure with little to no shadow impacts. It would also expand the size and usability of the city owned parkland (Flemingdon Park Trail) to the east of the dedication, and provide appropriate space and layout for recreational needs for the proposed development and the local community. The Recommendations include a recommendation that Council determine that on-site parkland be required pursuant to section 42 of the *Planning Act* in the event the proposal in some form is approved by the OMB.

City staff have informed the applicant that the hearing of the rezoning and site plan appeals are premature in the absence of the applicant revising the proposed development and Zoning Bylaw Amendments to show the parkland conveyance in the size, location and configuration that is satisfactory to the City, pursuant to section 42 of the Planning Act, and the City's Parkland Dedication Bylaw (Chapter 415, Article III of the Municipal Code).

New Public Street

The site is a large 1.94 hectare site with frontage on both St. Dennis Drive and Grenoble Drive, and is generally situated halfway between Don Mills Road and Deauville Lane. City staff have requested an unencumbered 14-metre wide north-south public road dedication connecting St. Dennis Drive to Grenoble Drive along the west property line to help achieve a full 20 metre right–of-way with potential development on the block to the west. The remaining 6 metres would be achieved if the property to the west at 10 Grenoble Drive, which has redevelopment potential, were to be redeveloped. The new street would meet a number of Official Plan objectives. It would divide the site into smaller development blocks, provide access and addresses for new development, and create adequate space for pedestrians, bicycles, and landscaping as well as transit, vehicles, utilities and utility maintenance.

Setbacks

Section 3.1.2.1. of the Official Plan provides policies that new development be located parallel to the street or along the edge of a park or open space with a consistent front yard setback. Proposed building setbacks along both Grenoble Drive and St. Dennis Drive are three metres. Staff have recommended building setbacks of seven metres along St. Dennis Drive and Grenoble Drive to provide a better fit for the development within its existing context. This would provide for an attractive streetscaping opportunity with place-making with street trees and spill out retail amenity. Staff have recommended five metre setbacks for any proposed built form along the recommended new north south public road, and to the future on-site park dedication, to help activate public edges with landscaping and amenities.

Setbacks between Buildings and Building Elements

There is a proposed setback of 15.2 metres from the west side of the existing 17–storey building to the east side of one of the eight storey wings of the proposed southern building. There is a proposed setback of 7.2 metres between the 44-storey element and the eight storey element on the east of the southern building. As all building faces at these locations have windows, staff have concerns about privacy and overlook.

Severance Application

The applicant proposes to divide the subject site into three development parcels to be created through a severance application (Application No.: B0030/15NY). City staff are of the opinion that this application is premature and not in the public interest until such time as the rezoning application is resolved. The severance application has been held in abeyance since 2015 pending the outcome of the rezoning of the subject lands. It is appropriate to resolve the zoning of the subject lands before proceeding with any type of land division.

Height, Massing and Density

The Official Plan built form policies in Section 3.1.2.3. speak to massing new development to fit harmoniously into its existing and/or planned context and limiting its impact on neighbouring streets, parks, open spaces and properties by framing adjacent streets and open spaces that respect their existing and/or planned street proportion, creating appropriate transitions in scale to neighbouring existing or planned buildings.

The existing context immediate to the site consists of a 17-storey apartment building within the site, a 17-storey apartment building in the adjacent parcel to the west of the site, a nine storey apartment building to the east of the site and the two storey Grenoble Public School to the south of the site. The surrounding apartment buildings in the area are predominantly between four and 17 storeys in height with two apartment buildings at the southwest corner of Grenoble Drive and Deauville Lane with a maximum height of 28 stories. Approximate densities in the surrounding area range from 0.6 FSI to 2.2 FSI. The proposal includes 10 and 44 storey buildings at a proposed floor space index of 4.28. The 44-storey building does not fit within the height and density parameters of its immediate context. It is significantly taller and more dense than all of the buildings in the immediate context.

More intense heights and densities are expected at the intersection of Avenues on transit lines and should step down in scale toward more stable land use designations of *Neighborhoods* and *Apartment Neighbourhoods*. More intense forms of development are anticipated closer to the intersection of Don Mills Road and Eglinton Avenue East for lands that are located in close proximity to the planned Don Mills LRT station. The tall buildings proposed at the northwest corner of Don Mills Road and Eglinton Avenue East (Celestica Lands - City File No.14 153614 NNY 26 OZ - 844 Don Mills Road) have a range of heights from 18-48 storeys.

This proposal at 44 stories is more in keeping with heights proposed at the intersection of Don Mills Road and Eglinton Avenue East (Celestica Lands). However, this proposal is different from the Celestica Lands, which are adjacent to the planned Don Mills LRT station and the subject of a comprehensive Master Planning process through the Don Mills Crossing Study. The subject site is designated *Apartment Neighbhourhoods* which are considered to be stable areas where significant growth is generally not intended. In addition, the site is located outside a 500 metre radius (approximately 510 metres) and significantly outside of the 500 metre pedestrian walkshed (approximately 774 metres) from the planned Don Mills LRT station. At 44-storeys, the proposal does not step down in height from the tall building heights existing and proposed at the corner of Don Mills Road and Eglinton Avenue East, and is out of context in both height and density with its immediate surroundings. The proposal does not conform to the Official Plan policies requiring new development to be massed to fit harmoniously into its existing and/or planned context.

The site is proposed to be redeveloped to include a 10-storey building fronting onto St. Dennis Drive and a 44-storey building on the southern portion of the site fronting Grenoble Drive. The 10-storey building would provide appropriate transition to the *Neighbourhood* to the north with an appropriate setback. However, the introduction of a 44-storey building at the southern portion of the property does not provide for appropriate transition to the *Neighbourhood* to the south, which consists of an elementary school and two places of worship, and does not provide transition between areas of different development intensity and scale, specifically between the *Apartment Neighbourhood* and the *Neighbourhood* to the south. Further, it does not frame Grenoble Drive in good proportion, and does not limit its impact on the existing open space to the east. City staff have requested a six-storey street base building to frame the street and park in good proportion on both the Grenoble Drive and St Dennis Drive frontages. The proposed height and building massing does not appropriately mitigate its impact on surrounding properties, streets and open spaces and represents an overdevelopment of the lands.

Despite concerns expressed by City staff, the local councillor, and residents, the applicant resubmitted a revised application in September, 2016 that represents greater intensification than originally proposed. The current submission represents more gross floor area (83,041 square metres vs. 81,049 square metres) than the original application. Ten storeys are now proposed for the north building where six storeys were originally proposed. 44 storeys are proposed for the south building, where 42 storeys were originally proposed, although the height in metres remains the same (127.35 metres).

The proposed 44-storey building along Grenoble Drive on the southern portion of the site should be lower in height in order to respect its context, location and street proportion. The eight storey (25.4 metre) portion on Grenoble Drive is not designed to fit harmoniously within the existing context, and does not reflect the scale and proportion of the adjacent street, as it is taller than the planned 20 metre right-of-way of Grenoble Drive. The application of appropriate setbacks, building massing and transition that address Official Plan policies providing for an appropriate fit within the context, would result in reduced height and density of the proposed building and could result in a proposal that responds appropriately to the site and minimizes impacts on surrounding uses. A residential development with a height and density closer in scale to other residential buildings in nearby *Apartment Neighbourhoods* would be more in keeping with the Official Plan goal of ensuring compatibility with the existing context. The proposed height and density is considered an overdevelopment of the lands and would set a negative precedent for development of nearby lands.

For the north building, it is recommended that a larger three metre stepback of the upper floor (floors (7-10) be provided to have the building read as predominantly six storeys in relationship to St. Dennis Drive. Recessing of the balconies is recommended to negate impact on the stepback.

Tower Floor Plate

The Tall Building Guidelines provide that tower floor plates should be organized, located and articulated to minimize shadow impacts and negative wind conditions on surrounding streets, parks and opens spaces. The Guidelines provide for a 750 square metre limit for the tower floor plate.

The proposed tower floor plate for the 44-storey building is 859 square metres. More slender floor plates cause smaller, faster moving shadows, improve access to sky view, permit better views between buildings, and provide for a more attractive skyline. The tower floor plate should be reduced to achieve these objectives.

Shadows

The Official Plan sets out development criteria in *Apartment Neighbourhoods* which includes locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*. The Built Form policies in Section 3 of the Official Plan provide further direction on the massing of any new building. These policies state that new development should be massed and designed to fit into the existing and/or planned context, by limiting any resulting shadowing on neighbouring streets, properties and open spaces and

minimizing shadowing on neighbouring parks. The applicant has submitted a shadow study as part of the application requirements. The 10-storey building would cast shadows on the lands designated *Neighbourhoods* to the north on St. Dennis Drive in the morning hours from 9:18 a.m. to 11:18 a.m. during the spring equinox, and from 9:18 a.m. to 12:18 p.m. during the fall equinox. Both the 44-storey and 10-storey buildings would also cast shadows on the open space to the east from 1:18 p.m. to 7:18 p.m. during the spring equinox and from 2:18 to 6:18 p.m. during the fall equinox. Although some intensification on the site may be appropriate, the current height and massing of the buildings does not adequately limit shadowing on neighbouring streets, properties and open spaces.

Streetscape

The ground floor of the south building consists of grade related uses including the main residential lobby, commercial units and the proposed daycare centre fronting Grenoble Drive. The north building fronts St. Dennis Drive. Three metre front yard setbacks on each frontage provide for limited landscaping and streetscaping opportunities. Staff have recommended seven metre setbacks to provide a better fit for the development in its existing context, and to provide for an attractive streetscaping opportunity with place-making with street trees and spill out retail amenity.

The sidewalk width is not labelled along both the Grenoble Drive and St. Dennis Drive frontages. Engineering and Construction Services, as per the Toronto Green Standard, requires a sidewalk at least 2.1 metres wide to be provided along the site frontage of both Grenoble Drive and St, Dennis Drive. An illustration of how the proposed sidewalks will connect with the sidewalk fronting adjacent sites is required. Concrete paving will have to be removed between the municipal sidewalk and curb on Grenoble Drive.

City staff have concerns about the lack of an uninterrupted, safe and accessible network of pedestrian routes connecting the site to its surrounding context, including existing parks and open spaces. One pedestrian connection to the city owned parkland to the east is not enough for a site of this size.

Rental Housing

There is opportunity for the proposal to address the need for affordable housing in line with the Growth Plan for the Greater Golden Horseshoe, which supports the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes.

Policy 3.2.1.5 a) of the Official Plan requires significant new development on sites containing six or more rental units where existing rental units will be kept in the development to secure as rental housing, the existing rental housing units which have affordable and mid-range rents. All of the existing rental units on the site have either affordable or mid-range rents and as such any approval in whole or in part of the proposed rezoning should require the existing units to be secured as rental housing. The owner has agreed to enter into an agreement, to be required as a condition of development approval that will secure all the rental units within the existing apartment building as rental housing for a period of 20 years. The applicant has not indicated any additional affordable housing will be provided in the new buildings.

Policy 3.2.1.5. b) of the Official Plan provides that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development may secure any needed improvements and renovations to the existing rental housing, in accordance with and subject to Section 5.1.1 of the plan, without pass-through of such costs in the rents to the tenants. The owner should be required to provide a comprehensive Construction Mitigation Strategy and tenant assistance as needed to minimize the disruption and impact on tenants during construction should the proposal move forward. The applicant has not currently made any proposal for a Construction Mitigation Strategy, nor have they finalized a package of improvements for the existing rental housing.

Tenant consultation would be required in order to determine appropriate approach to needed improvements for the existing building and necessary construction mitigation measures under Policy 3.2.1.5.

Community Services and Facilities

Flemingdon Park is designated as a Neighbourhood Improvement Area under the Toronto Strong Neighbourhoods Strategy 2020. The objectives of the Toronto Strong Neighbourhoods Strategy 2020 are to ensure every Toronto neighbourhood has the public, private and community infrastructure required for equitable resident opportunities, and to ensure broader municipal, regional, provincial and national policies, programs and funding priorities are informed by a neighbourhoods perspective.

The community consultation meeting, and subsequent written submissions generated a number of questions about the proposal's impact on existing community services and facilities. Concern was expressed that the proposed development would put a strain on already overburdened community services and facilities. A Community Services and Facilities Study dated November, 2015, prepared by SvN, was submitted as part of the application review process. However, there are a number of issues that have not been adequately addressed in the report.

The Dennis R. Timbrell Recreation Centre is a multi-use community centre, and is located to the east of the subject site at 29 St. Dennis Drive. The Centre offers a variety of programs for all ages ranging from fitness, arts programs, sports, swimming and camps. The Flemingdon Park Library and a licensed day-care centre are part of the complex.

The Community Services and Facilities component of the Eglinton Connects planning study recommended an interior retrofit of the Flemingdon Park Library. "State of good repair" improvements to create increased meeting and study areas, computer accessibility, auditorium versatility and specific areas for children, teens and adults were recommended. It was also recommended that as the joint Dennis R. Timbrell Resource Centres/Flemingdon Park Library currently does not optimally serve the existing community, that opportunities to redevelop and/or expand the facility should be examined.

The proposed additional 724 rental residential units adjacent to the Dennis R. Timbrell Community Resource Centre would put additional strain on an already over-utilized facility. A more detailed analysis in the applicant's Community Services and Facilities study is required with respect to capacity issues for parks and recreation facilities, libraries, child care, schools and

human services. There should be a discussion respecting how the proposed development can potentially respond to those community services and facilities priorities identified for the area along with the impact of additional growth generated from the subject development and any nearby development(s). Community service and facilities priorities must be identified based on existing gaps and growth related facility requirements. These priorities would help inform the appropriate Section 37 contributions to be secured as part of any future development.

The applicant has proposed a 656 square metre child care centre to be provided in the south building. The applicant has indicated that this would be a private daycare business, and not a publicly owned facility that could be secured through appropriate agreements with the City. Under the proposed scenario, there is no guarantee that the daycare use would be provided and maintained. City staff would prefer to secure the facility as a public non-profit facility through the appropriate agreements.

Amenity Space

Section 3.1.2.6 of the Official Plan provides that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. The existing apartment building on the site has a recently renovated indoor pool area including a sauna, and a common outdoor amenity space of 72 square metres. This figure does not include a large green space on the south part of the property that is part of the lawn between the building and Grenoble Drive that used to provide direct access to tenants from the building to Grenoble Drive. The lawn is currently fenced off, and current tenants are either using a break in the fence on the eastern property line to access Grenoble Drive through Flemingdon Park Trail or are climbing fences on the western side of the fenced off area to access Grenoble Drive. The current outdoor amenity space for existing tenants is 0.24 square metres per unit, which is substandard. The existing outdoor amenity area of 72 square metres is proposed to be redone as part of the remodelling of the outdoor space. This is desirable as the current patio is a below grade concrete slab with concrete retaining walls and wooden privacy fencing. Outdoor amenity space should be provided on the Grenoble Drive frontage.

The application proposes 1,448 square metres of indoor amenity space and 1,448 square metres of outdoor amenity space for use of the residents of existing and proposed buildings, which is exactly two square metres per unit of indoor and outdoor amenity space for the 726 newly proposed units. Any rezoning of the site should ensure the proposed new amenity space will be available for the use of existing tenants at no additional cost and on the same basis as residents of any new buildings. There is no indoor amenity space proposed in the new north building. Except for a small 9.4 square metre garden shed, the provision of the new indoor amenity space is proposed only in the south building. It is proposed to be provided across eight separate floors, and as such does not suitably achieve the objective of providing shared accessible amenity space for the existing and new residents. Locating amenities within the south buildings. Further detail has also been requested on how indoor and outdoor amenity spaces will be programmed.

There is a proposed landscaped open space along the northwest portion of the property on St. Dennis Drive. City staff have concerns about the shadowing that would occur on such proposed

private landscaped open space from the existing 17-storey rental building and the proposed new 44-storey residential building for a large portion of the day.

While the total indoor and outdoor amenity space proposed would generally meet the requirements under Zoning By-law 569-2013 for the new buildings, city staff are of the opinion that the proposed amenities are poorly located, and don't provide easy access for new and existing residents of the site. If the total proposed new and existing amenity spaces were shared among existing and new residents, there would be 1.41 square metres per unit of indoor amenity space and 1.41 square metres per unit of outdoor amenity space, which is insufficient for this site, compared to the minimum Zoning By-law requirement of two square metres per unit of both indoor amenity space. The proposed indoor and outdoor amenity areas does not meet the general intent of the Official Plan.

Wind Impacts and Weather Protection

The applicant submitted a Letter of Opinion dated November 30, 2015 prepared by Rowan, Williams Davies and Irwin, Consulting Engineers and Scientists. A subsequent Letter of Opinion was provided dated September 6, 2016. The submission provides a preliminary wind assessment of the development in the context of the local wind climate and current building design.

A more fulsome, expanded examination of wind conditions and potential mitigation measures will be required for detailed review as an element of the site plan control process for each phase of the proposed development.

Weather protection elements such as overhangs and canopies should be well integrated into building design, designed at street scale and positioned for pedestrian comfort. Minimal overhang is provided for the 44-storey and eight-storey portions of the proposed buildings on the south, and for the ten-storey building to the north, and primarily just at the building entrances. Locations for better weather protection elements should be pursued in conjunction with a more detailed evaluation of the wind impacts.

Parking, Loading and Driveways

Section 3.1.2.2 of the Official Plan provides direction for new development to locate and organize vehicular parking, access, service areas and utilities to minimize their impact on the subject site and surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces. Parking should be provided underground where appropriate.

The proposed underground parking extends to the limits of the property to the west and south, and will necessitate the removal of a number of existing mature trees on the site. Staff have strongly recommended that the underground parking structure be redesigned to preserve the existing trees, particularly along the north and south property lines.

The existing 17-storey building on site has 99 surface parking spaces provided. The project proposes to increase the amount of surface parking. A total of 179 surface spaces are proposed, including expanding the existing parking lot on the east towards Flemingdon Park Trail, so that a

number of the spaces are directly adjacent to the open space. This increase in hard surface area is not supportable.

Staff have recommended that the overall amount of proposed hard surface area on the site be reduced. Parking should be consolidated underground to minimize and reduce disruption to the pedestrian environment across the site and the proposed open spaces on site. The south building parking entry ramp and bicycle storage should be relocated into the building envelope, adjacent to the loading area. Service and parking areas should be located to minimize visual impacts on streets and open spaces.

A total of one Type G and one Type C loading spaces are provided on site which does not satisfy the by-law requirement. A third loading space (Type B) is required on site.

Traffic Impact

The community consultation meeting generated a number of questions about existing traffic conditions in the vicinity, as well as the traffic impact of the proposed development. Particular concern was expressed about the traffic volumes in the vicinity of the site during rush hour.

An Urban Transportation Considerations Report prepared by BA Group, dated December 7, 2015, including an addendum dated September 8, 2016, has been reviewed by Transportation Services Staff. It was concluded that the proposed development would have a minimal traffic impact to the surrounding area during the a.m. and p.m. peak hours. Transportation Services staff agree that the increase in traffic levels that will result from the proposal is acceptable. However, staff are concerned with the precedent the proposal would have should other lands be intensified at a similar scale, and the resulting traffic impacts on area roads. No analysis has been undertaken to measure the cumulative traffic impact of the proposed density on the area road network.

Servicing

Engineering and Construction Services have requested additional information and have concerns respecting a number of engineering issues. This includes the need for an easement agreement with the City of Toronto since existing storm and sanitary service connections for the existing building are located within the Flemingdon Park Trail to the east. Groundwater is proposed to be directed into a storm water detention tank system, which is not acceptable in its current form.

Further information is also required respecting the buildings' expected sanitary demand and domestic water demand. The applicant must show consistent detention and retention tank volumes in the report. The applicant needs to confirm the minimum grade of the sewer with the plan and profile drawings, and the existing slope percentage and length of the 250mm sanitary sewer on the Grenoble Drive.

Should it be determined that upgrades are required to the infrastructure to support this development, the applicant will be required to enter into financially secured agreements to pay for and construct any necessary improvements to the municipal infrastructure, to the satisfaction of the Chief Engineer and Executive Director, prior to any order issuing, if the application is permitted in whole or in part.

Toronto Green Standard

City staff have been informed that the applicant is intending to apply Tier 2 of the Toronto Green Standard for enhanced sustainability measures to their project. This would make the project potentially eligible for the Development Charge Refund program. The applicant has yet to provide details of how Tier Two would be applied to the project.

City staff have expressed a number of concerns and requested information in several areas including, low-emitting vehicle spaces, cycling infrastructure, urban heat island at grade, energy and water efficiency, bird collision deterrence, soil volumes and exterior lighting. The requested information has not been provided.

Parking during Phased Construction

The existing underground parking garage is heavily utilized. Some of the underground parking may be impacted during the construction of the proposed buildings, particularly the north building. The existing surface parking may be impacted during construction. The applicant should provide further information on the precise impacts of construction and phasing on parking supply in terms of number of impacted spaces, and details on the measures to be taken to mitigate impact during phased construction.

In the event of an approval in whole or in part, prior to the issuance of any site plan approval and prior to the issuance of the first above grade building permit, the owner should be required to provide a comprehensive Construction Mitigation Strategy and tenant assistance as needed to minimize the disruption and impact on tenants during construction to the satisfaction of the Chief Planner and Executive Director.

ттс

The 144 Downtown / Don Valley Express bus route operates between the area of York Mills Road and Parkwoods Village Drive, the area of Wynford Drive and Concorde Place, and the Downtown Toronto area, generally in a north-south direction. This route travels along the St. Dennis Drive frontage of the property, and a stop is provided on the property frontage.

To provide adequate room to operate the accessible ramp on TTC buses and to accommodate the longer articulate buses that are now part of the TTC vehicle fleet, in the event of an approval in whole or in part, the applicant is required to provide and maintain a level, brushed concrete platform that is 16 metres in length and 2.4 metres in width from the curb.

Site Plan Application

A site plan application was submitted in December, 2015 with the rezoning application. It has been processed concurrently with the rezoning application. A second submission on the site plan approval application was made in May, 2017.

Due to the number of issues and concerns with respect to the site plan application as outlined in this report, it would be premature to hear the rezoning and site plan appeals together at the hearing scheduled to commence on April 30, 2018. The applicant and the city have fundamental differences of opinion on how the site should be organized and developed. The applicant has not

revised their zoning or site plan applications to include the required s.42 park dedication, nor to provide for the road dedication set forth in this report. A full hearing on the merits of the site plan appeal at the same time as the rezoning appeal is premature at this time given that the fundamental zoning for the site is at issue and remains to be determined and the outcome of that appeal will affect site plan matters. It is not a cost effective, expeditious or efficient way in which to determine a site plan approval when there is no reason to suggest at this time that the site plan cannot be resolved without a hearing once the zoning fundamentals are determined by the Board. It is in the public interest to provide the parties with a reasonable opportunity to resolve the site plan application in an orderly and detailed manner following receipt of a decision of the Board on the zoning of the site such that there is certainty as to the applicable zoning regulations to inform the details of site plan approval respecting site specific matters such as landscaping, walkways, loading and parking facilities, amenity space and adherence to the Toronto Green Standard, among other matters.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for an increase in height and/or density pursuant to Section 37 of the *Planning Act*. As the application is seeking a significant increase in height and density, a Section 37 contribution would be warranted if this application were approved in some form and secured in the implementing zoning by-law amendments and through entering into and registration of a Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor. Other matters need to be secured as a matter of convenience.

To date, staff have not had any discussions with the applicant or City Councillor regarding a Section 37 contribution due to the outstanding issues discussed above. In the event that the OMB considers granting additional density and/or height beyond that which is permitted by the zoning by-laws, the City will request that the OMB withhold any order to allow the owner and the City an opportunity to discuss and settle on an appropriate Section 37 contribution, appropriate provisions for any zoning by-law amendment and to allow a Section 37 agreement to be entered into and registered. City staff recommend that the Board not approve any zoning by-law amendment or site plan approval without the provision of Section 37 community benefits as are appropriate in the opinion of the Chief Planner and Executive Director, City Planning, in consultation with the applicant and the local councillor.

Conclusion

These applications do not represent an appropriate redevelopment of the site, do not represent good planning, and are not in the public interest for the reasons outlined in this report, including that the proposed development is not in an area designated for intensification of this scale and magnitude. The proposal, in its current form, represents an overdevelopment of the site and does not conform with nor maintain the intent of relevant Official Plan policies. The Official Plan provides that *Apartment Neighbourhoods* are stable areas where significant growth is generally not anticipated. The proposal does not conform to the *Apartment Neighbourhoods* policies in the Official Plan as it does not frame the street in good proportion, locate or mass new buildings to limit shadow impacts, or provide appropriate transition between areas of different development intensity and scale, particularly between the subject lands and adjacent *Neighbourhoods*. The proposed site layout is not appropriate for the orderly development of the lands. A new public

street is appropriate on site to provide addresses for new developments, and connections with adjacent neighbourhoods, and to divide this larger site into smaller development blocks. A new public park dedication pursuant to Section 42 of the *Planning Act* is recommended to be required on the southeast corner of the site as described in this report, which would expand the size and usability of the city owned parkland to the east of the dedication, and would assist towards providing appropriate space and layout for recreational needs from the proposed development and the local community. The proposal's height, density, scale, setbacks and site organization are not appropriate. The proposed built form does not adequately address the existing and planned context and does not provide an appropriate relationship with or transition to the abutting *Neighbourhoods* to the north and south of the proposal.

While a residential development is a permissible use for these lands, the desire to achieve residential intensification through redevelopment on the site must be balanced with a respect for the built form and character of the community in the surrounding *Neighbourhoods* and *Apartment Neighbourhoods*.

It is recommended, among other matters, that City Council authorize the City Solicitor and appropriate staff to attend any Ontario Municipal Board hearing in opposition to the current proposal. It is also recommended that City Council authorize the City Solicitor to oppose the hearing of the site plan appeal together with the rezoning appeal at the hearing scheduled for April 30, 2018. It is also recommended that City Council direct staff to continue discussions with the applicant to address the issues raised in this report, including an appropriate Section 37 contribution for a revised proposal.

CONTACT

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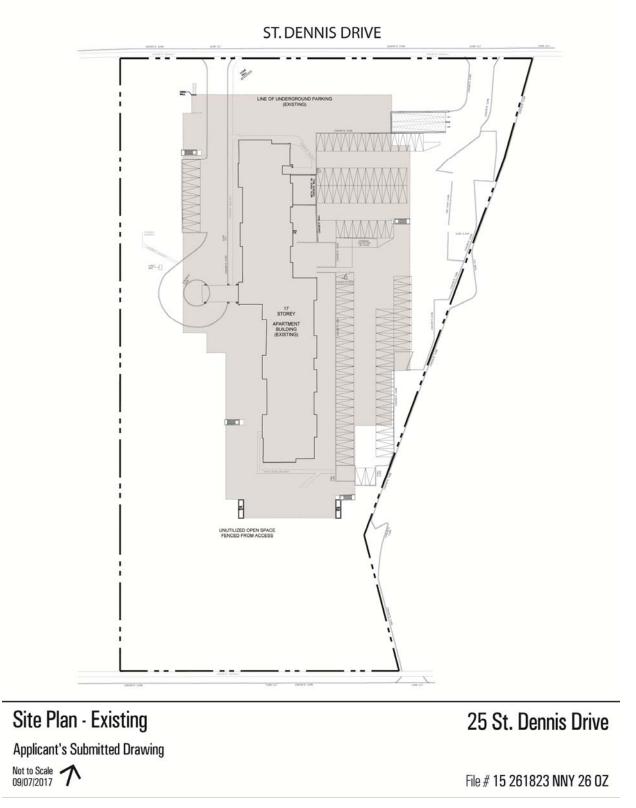
SIGNATURE

Joe Nanos, Director Community Planning, North York District

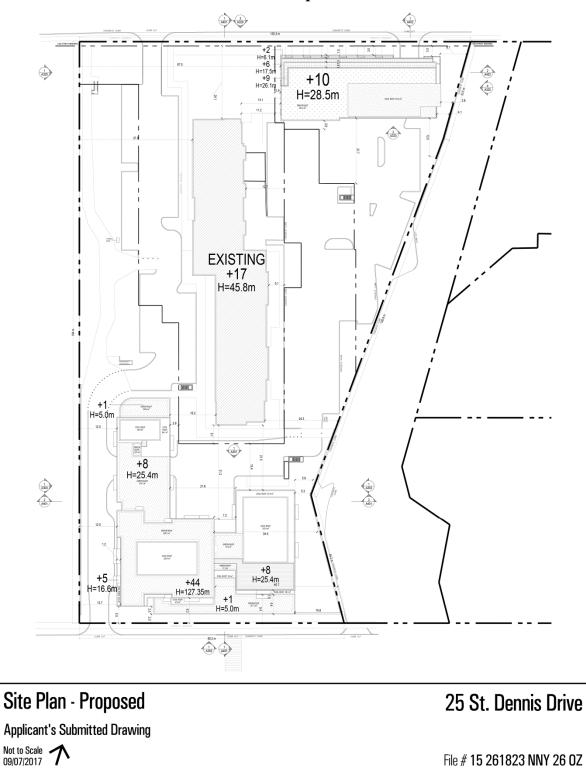
ATTACHMENTS

Attachment 1:Existing Site PlanAttachment 2:Proposed Site PlanAttachment 3:Proposed Ground Floor Plan

- Attachment 4: Applicant's Perspective Rendering
- Attachment 5: Applicant's Perspective Rendering
- Attachment 6: Diagram of Development Parcels
- Attachment 7a: East Elevation
- Attachment 7b: North Elevation
- Attachment 7c: South Elevation
- Attachment 7d: West Elevation
- Attachment 8: Official Plan
- Attachment 9: Zoning By-law No. 569-2013
- Attachment 10: Zoning By-law No. 7625
- Attachment 11: Application Data Sheet

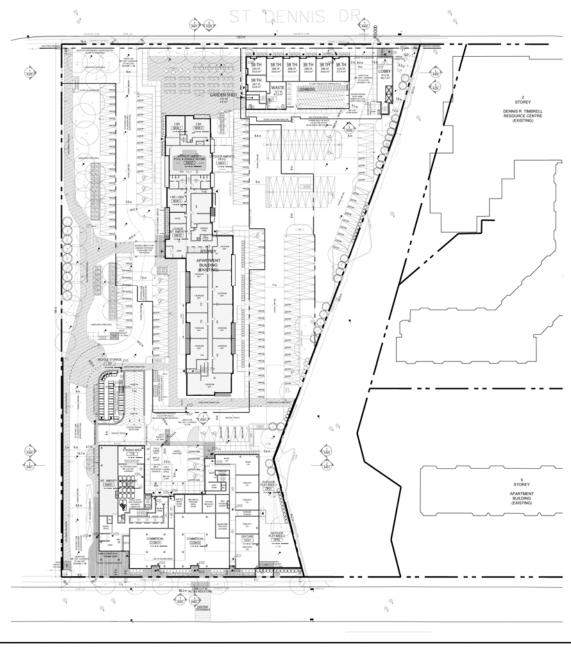


Attachment 1: Existing Site Plan



Attachment 2: Proposed Site Plan

Staff report for action - Request for Direction - 25 St Dennis Drive



Attachment 3: Proposed Ground Floor Plan

Site Plan - Proposed Applicant's Submitted Drawing Not to Scale 09/07/2017

25 St. Dennis Drive

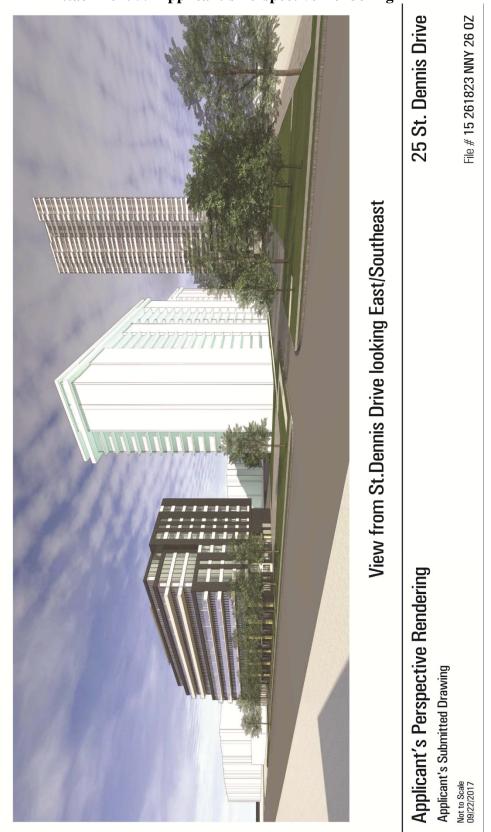


Attachment 4: Applicant's Perspective Rendering

Applicant's Perspective Rendering

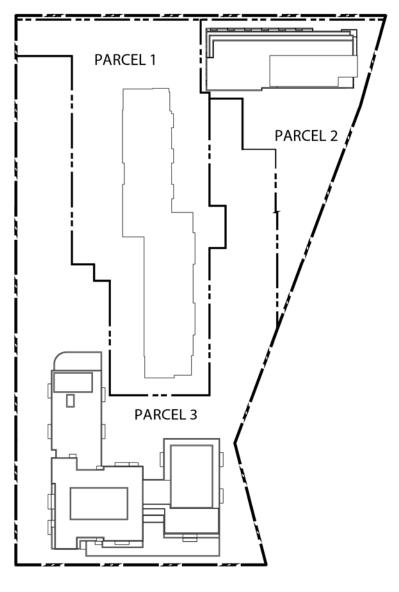
25 St. Dennis Drive

Applicant's Submitted Drawing Not to Scale 09/22/2017



Attachment 5: Applicant's Perspective Rendering

Attachment 6: Diagram of Development Parcels



St. Dennis Drive

Grenoble Drive

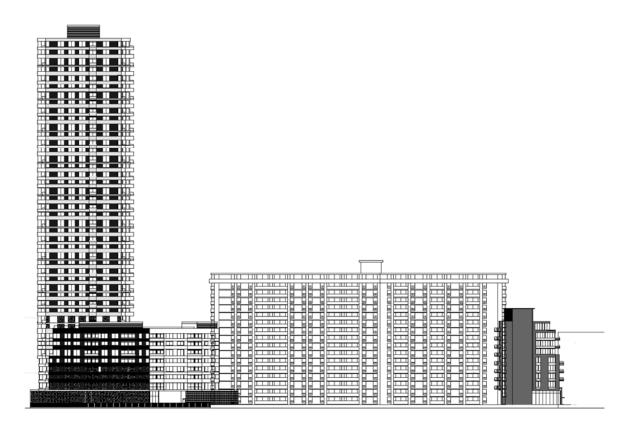
Development Parcels

25 St. Dennis Drive

Applicant's Submitted Drawing

Not to Scale 09/25/2017

Attachment 7a: East Elevation



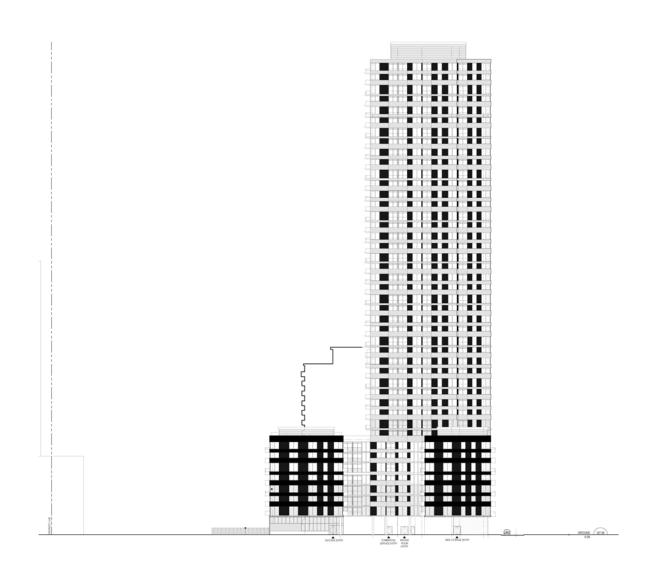
EAST ELEVATION

Elevations

Applicant's Submitted Drawing

Not to Scale 09/27/2017 25 St. Dennis Drive

Attachment 7b: North Elevation



NORTH ELEVATION

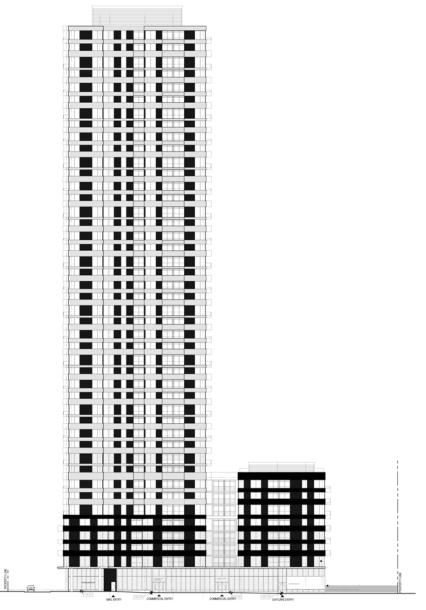
Elevations

25 St. Dennis Drive

Applicant's Submitted Drawing

Not to Scale 09/27/2017

Attachment 7c: South Elevation



SOUTH ELEVATION

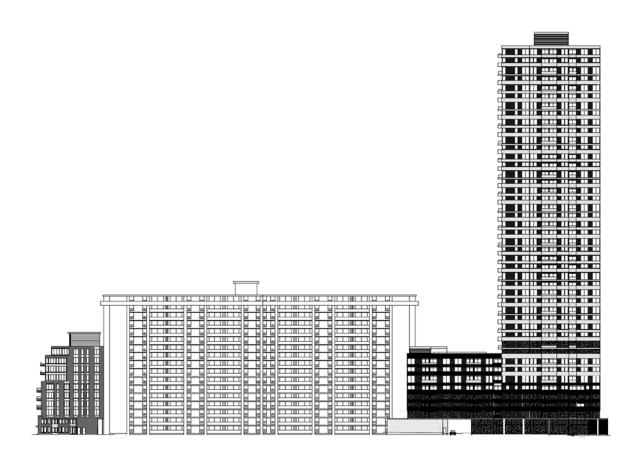
Elevations

25 St. Dennis Drive

Applicant's Submitted Drawing

Not to Scale 09/27/2017

Attachment 7d: West Elevation

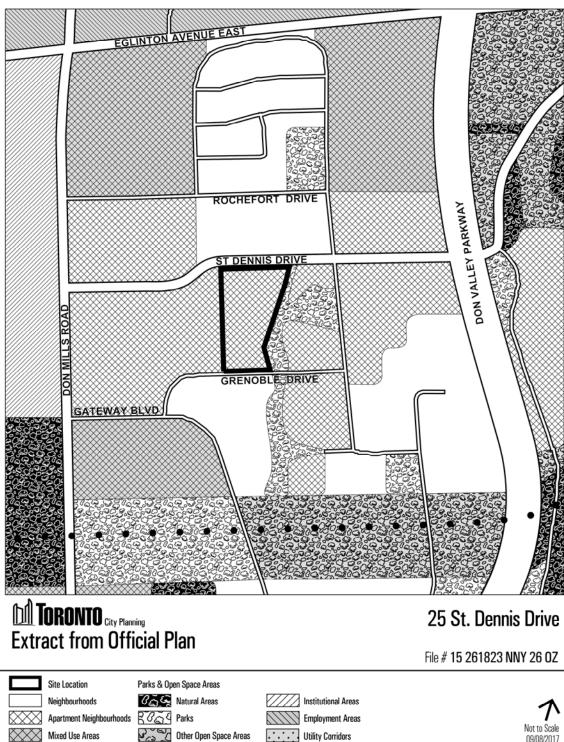


WEST ELEVATION

Elevations

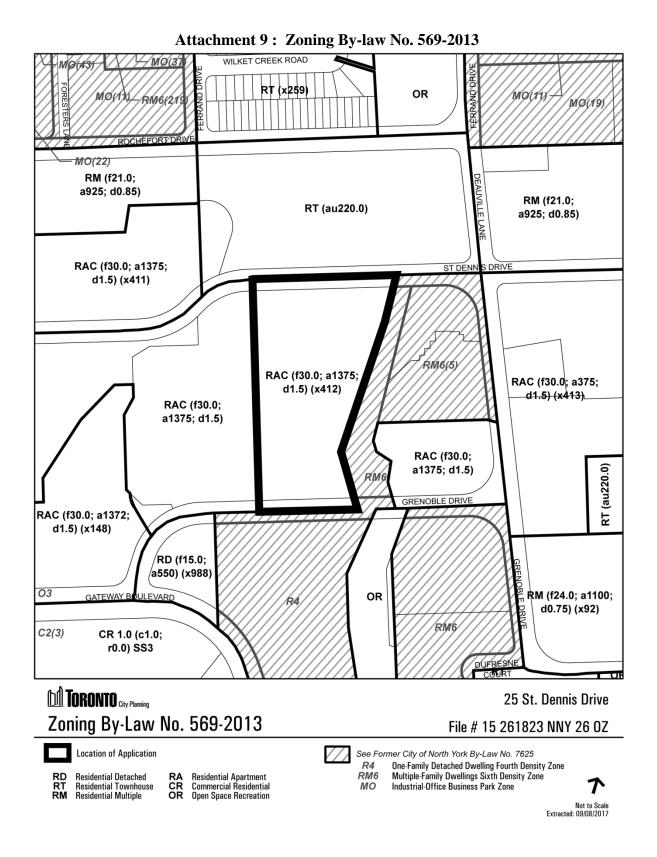
25 St. Dennis Drive

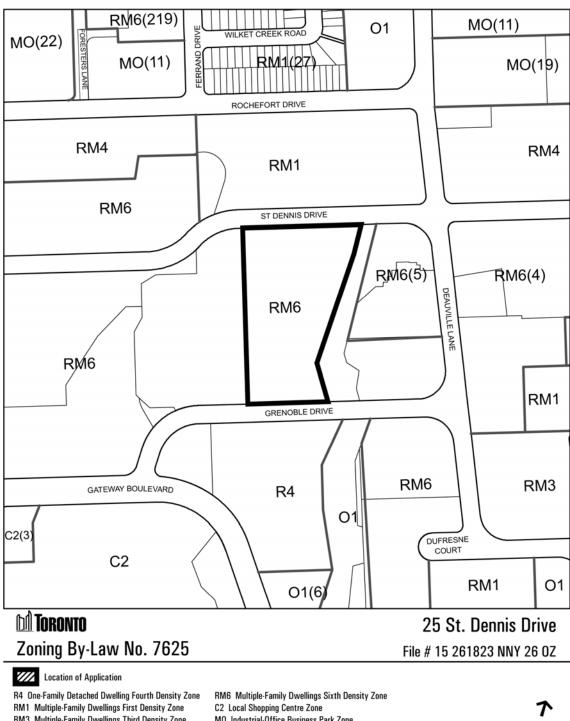
Applicant's Submitted Drawing Not to Scale 09/27/2017



Attachment 8: Official Plan

09/08/2017





Attachment 10: Zoning By-law No. 7625

RM3 Multiple-Family Dwellings Third Density Zone RM4 Multiple-Family Dwellings Fourth Density Zone

MO Industrial-Office Business Park Zone NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Attachment 11: Application Data SheetApplication TypeRezoningApplication Number:15 261823 NNY 26 OZ							
Details	Rezoning, Star	ndard	Application Date:			Decemb	per 7, 2015
Municipal Address:	S DRIVE						
Location Description:	PLAN M834 PT BLK E R2964 PART 6 **GRID N2606						
Project Description:	Proposal for a 44-storey tower and base building on the southern portion of the subject site, and a ten-storey apartment building on the northern portion of the subject site. A total of 727 new dwelling units are proposed.						
Applicant:	Agent:		Architect:		Ow	ner:	
25 ST DENNIS INC c/o Preston Group 11 Curity Avenue, Toronto, ON M4B 1X4	3 Church Stree		SVN Architects 110 Adelaide Street East Toronto, ON M5C 1K9		25 ST DENNIS INC Same as applicant		
PLANNING CONTROLS							
Official Plan Designation:	Apartment Nei	Apartment Neighbourhoods		Site Specific Provision:		Ν	
Zoning:	RAC (f30.0, a	1375,	Historical Status:		Ν		
Height Limit (m):	(m): d1.5)(x412) 25 m(569-2013		Site Plan Control Area:		Y		
PROJECT INFORMATION	N						
Site Area (sq. m):	1939	94	Height:	Storeys:	44		
Frontage (m):	130.	32		Metres:	127	,	
Depth (m):	194.97						
Total Ground Floor Area (sq.	m): 4,42	.7		Total			
Total Residential GFA (sq. m):		81,737.4		Parking Spaces		667	
Total Non-Residential GFA (s	3.8		Loading Doc	ks	2		
Total GFA (sq. m):	8,30						
Lot Coverage Ratio (%):	22.8						
Floor Space Index:	4.28						
DWELLING UNITS		FLOOR A	REA BREAK	DOWN (upon	project	t comp	letion)
Tenure Type:	Rental				Above Grade		Below Grade
Rooms: 0		Residential GFA (sq. m):		817	81737.4		0
Bachelor:	0	Retail GFA (sq. m):		647	647.9		0
1 Bedroom:	381 (52.4%)	Office GFA (sq. m):		0	0		0
2 Bedroom:	202 (27.8%)	Industrial GF	FA (sq. m):	0			0
3 + Bedroom:	144 (19.8%)	Institutional/	l/Other GFA (sq. m):		5		0
Total Units:	727						
	CR NAME: ONE/Email:	John Lyon, S (416) 395-709					