

75 Broadway Avenue - Zoning Amendment and Rental Housing Demolition Applications - Preliminary Report

Date:	September 19, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	17-150315 STE 22 OZ and 17-150328 STE 22 RH

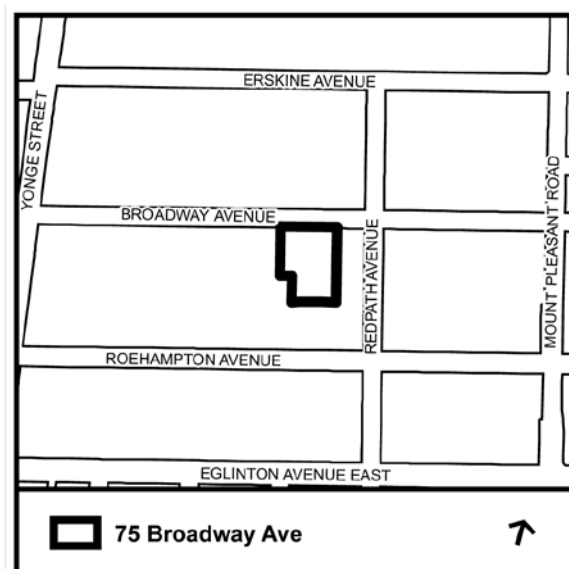
SUMMARY

This application proposes a new 40-storey residential building (126.65 metres to the top of the mechanical penthouse) attached to the existing 10-storey residential building at 75 Broadway Avenue. The new and existing buildings will be self-contained and not connected internally except in the underground parking garage. A portion of the existing building containing 20 rental dwelling units would be demolished.

The new 40-storey tower would contain 402 apartment units (including 20 rental replacement units). A total of 184 rental dwelling units would remain in the existing 10-storey building.

An application for Rental Housing Demolition and Conversion under Section 111 of the *City of Toronto Act* (Chapter 667 of the Municipal Code) has been filed to permit the demolition of the 20 existing rental dwelling units.

This report provides preliminary information on the applications and seeks Community Council's direction on their further processing and on the community consultation process.



The next step is to hold a community consultation meeting at which the public can review the proposal, provide comments and ask questions.

A final report and public meeting under the *Planning Act* will be scheduled following the resolution of the outstanding issues, and provided the applicant submits all the required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 75 Broadway Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On August 25, 2014, City Council adopted Midtown in Focus – Parks, Open Space and Streetscape Plan for the Yonge-Eglinton Area ("Public Realm Plan").

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan. As OPA 289 is currently under appeal at the Ontario Municipal Board (OMB), it is relevant but not determinative in terms of the Official Plan policy framework.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

On December 10, 2015, City Council adopted Official Plan Amendment No. 320. 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*.

On July 4, 2016, the Minister of Municipal Affairs approved and modified OPA 320. OPA 320 has been appealed in its entirety to the OMB. OPA 320 as approved and

modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

On July 12, 2016 City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report". The recommendations direct staff to use the draft built form principles in the report in the review of the development applications in the Yonge-Eglinton Secondary Plan Area. Planning staff were also directed to use the emerging community infrastructure priorities that have been identified, as part of the development application review process.

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-93903.pdf>

Pre-Application Consultation

A pre-application consultation meeting was held on February 9, 2017 with the applicant to discuss complete application submission requirements. The applicant was informed that Planning staff have significant concerns with the height, density, setbacks, separation distances, impacts on the existing rental building, and shadowing of the proposed development.

ISSUE BACKGROUND

Proposal

This application proposes the demolition of the northwest portion of the existing 10-storey residential building on the site, and the construction of a new 40-storey residential building (126.65 metres to the top of the mechanical penthouse) at the northwest corner of the site, attached to the existing building. The new 40-storey tower would contain 402 apartment units (including 20 rental replacement units). The new building and the existing building will be self-contained and not connected internally except in the underground parking garage.

Along Broadway Avenue, the first 4 floors of the new building will be setback 12.8 metres to match the north setback of the existing 10-storey building. Above the 4th floor, the new building will be setback 6.0 metres from Broadway Avenue.

The residential lobby of the existing building will be retained, and the lobby of the new building will be accessed from Broadway Avenue. A total of 187 vehicle parking spaces are proposed, including 10 carshare spaces, in a 2-level underground garage. The garage and loading space will be accessed from a driveway on the west side of the site. Refer to the chart below and Attachments 1-5 and 8 of this report for further information.

Category	First Submission – April 27, 2017
Site Area	5,995 square metres
Building Height	40 storeys (121.15 metres; 126.65 metres to the roof of the mechanical penthouse)

Category	First Submission – April 27, 2017
Tower Setbacks (New Building) North Lot Line South Lot Line East Lot Line West Lot Line	6.0 metres 11.63 metres 40.48 metres 9.56 metres
Tower Floorplate	Approximately 798 square metres
Gross Floor Area Existing New Total	10,325 square metres 28,490 square metres 38,815 square metres
Floor Space Index	6.47
Number of Units: Existing Building Bachelor 1 Bedroom 2 Bedroom 3 Bedroom New Building Bachelor 1 Bedroom 2 Bedroom 3 Bedroom Total	97 68 19 0 0 235 (including 68 existing units) 167 (including 18 replacement units) 0 586
Ground Floor Height	5.0 metres
Car Parking (residential:visitor:car-share)	187 (including 94 existing spaces) (160:17:10)
Bicycle Parking (long-term:short-term)	358 spaces (not specified)
Loading Spaces	1 Type G
Amenity Space: Existing Building Interior Residential Exterior Residential New Building Interior Residential Exterior Residential	60 square metres 67 square metres 804 square metres 804 square metres

The Rental Housing Demolition application proposes to demolish 20 two-bedroom rental dwelling units at floors 1 to 10 on the west side of the existing rental building in order to construct the new building. In addition, the applicant proposes to vacate and renovate another 20 rental dwelling units on floors 1 to 10 located where the proposed building would attach to the existing building. In total, 40 existing rental dwelling units would be affected.

The applicant proposes to provide and maintain 18 replacement rental dwelling units in the new building and provide tenant relocation and assistance to all affected tenant households living within the 40 affected rental dwelling units. The applicant also proposes to secure all existing rental dwelling units with affordable and mid-range rent being retained on the site.

Site and Surrounding Area

The site is located on the south side of Broadway Avenue between Yonge Street and Redpath Avenue. It is generally rectangular in shape with an area of 5,995 square metres, and a frontage of 70 metres on Broadway Avenue.

The site is occupied currently by a 10-storey rental apartment building. The existing building contains 204 rental dwelling units with the following unit mix and rent classification (according to information provided by the applicant at the time of application):

- 97 bachelor rental dwelling units with the following rent classifications:
 - 14 affordable, 80 mid-range, and 3 high-end.
- 68 one-bedroom rental dwelling units with the following rent classifications:
 - 7 affordable, 60 mid-range, and 1 high-end.
- 39 two-bedroom rental dwelling units with the following rent classifications:
 - 4 affordable, 30 mid-range, and 5 high-end.

At the time of application, all but one of the existing rental dwelling units were occupied by tenants.

Surrounding the site are the following uses:

North: Two 20-storey apartment buildings on the north side of Broadway Avenue.

East: At 85-91 Broadway Avenue and 198 Redpath Avenue are two 2-storey detached dwellings and three 2-storey duplexes. A Zoning By-law Amendment application to permit a 38-storey residential building is under appeal to the OMB. To the south, fronting onto Redpath Avenue is an 8-storey residential building and a series of 3-storey townhouses. At the southeast corner of Broadway Avenue and Redpath Avenue, are two OMB-approved 34-storey residential towers with a 7-storey base building under construction on the consolidated properties at 95 & 99 Broadway and 197 Redpath Avenue.

South: A 16-storey apartment building located at 150 Roehampton Avenue and a 14-storey apartment building located at 100 Roehampton Avenue. To the southeast is a 7-storey apartment building.

West: Two 4-storey residential buildings at 55-65 Broadway Avenue. A Zoning By-law Amendment application for two 45-storey residential buildings is under appeal to the OMB. Further west is a 24-storey residential building and North Toronto Collegiate Institute.

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 well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of 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 City of Toronto uses the PPS to guide its official plan and to inform decisions on other planning and development matters. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS. 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 PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe 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.

The Growth Plan also requires the City to prioritize planning and investment in infrastructure and public service facilities that will support intensification within delineated built-up areas, and is explicit in its policy direction that "applying the policies of this Plan will support the achievement of complete communities..."

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 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.

The Yonge-Eglinton Centre, comprising the central part of the Yonge-Eglinton Secondary Plan area, is one of five Urban Growth Centres in Toronto identified in the Growth Plan where intensification is directed and encouraged. The Growth Plan directs municipalities to develop Official Plan policies and other supporting documents to guide this intensification. City Council's planning decisions are required, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

The City of Toronto Official Plan contains a number of policies that apply to the proposed development.

Chapter 2 – Shaping the City

Section 2.2.2 Centres: Vital Mixed Use Communities

The proposed development is located in the *Yonge-Eglinton Centre* as identified on Map 2, the urban structure map of the Official Plan. This *Centre* is centrally located in midtown Toronto at the crossroads of the Yonge subway line and the Eglinton Crosstown Light Rail Transit line that is under construction. Due to its strategic location, the *Yonge-Eglinton Centre* should continue to develop as both an office centre and a desirable living area. Through new development and City initiatives, improved public realm, parks and other open spaces will be created.

Centres in the Official Plan are a priority for managing growth in the City. They should be vibrant, mixed-use and supported by public transit. Each *Centre* in the Official Plan will have a secondary plan. Secondary plans for *Centres* will, among other matters, provide a supportive environment for residential and employment growth, including new commercial office space and transit-oriented development.

The secondary plans will also delineate the boundaries of the growth centre, provide a strategy for public realm and parks improvements, support the use of public transit and other transportation models (e.g. cycling and walking) and ensure that an appropriate transition is created between high growth areas and lower scale development, particularly *Neighbourhoods*.

Section 2.3.1 Healthy Neighbourhoods

The proposed development is located in a neighbourhood designated as *Apartment Neighbourhoods*. Toronto's neighbourhoods are an important asset in the city and a cornerstone policy is to ensure that new development in neighbourhoods respects and reinforces the existing physical character of the area in terms of buildings, streetscapes and open space patterns.

Chapter 3 – Built Form

Section 3.1.2 Built Form

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area who will encounter the building in their daily lives. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by: generally locating buildings parallel to the street or along the edge of a park or open space, having a consistent front yard setback, acknowledging the prominence of corner sites, locating entrances so they are clearly visible and providing ground floor uses that have views into and access from streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility.

New development will be massed to define the edges of streets, parks and open spaces to ensure adequate access to sky view for the proposed and future uses. New development will also provide public amenity, enhance the public realm through streetscape improvements and ensure that significant new multi-unit residential development provides indoor and outdoor amenity space for its residents.

Section 3.1.3 Built Form – Tall Buildings

The application proposes a new tall building on the subject site. Policy 3.1.3 states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to specific built form characteristics, the policy states that proposals for tall buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Section 3.2.1 Housing

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 3.2.1.6 states that new development that would result in the loss of six or more rental housing units will not be approved unless all of rental housing units have rents that exceed mid-range rents at the time of application, or in cases where planning approvals other than site plan are sought, the following secured:

- at least the same number, size and type of rental housing units are replaced and maintained with similar rents to those in effect at the time the redevelopment application was made;

- for a period of at least 10 years, rents for replacement units will be the rent at first occupancy, increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement rental units at similar rent, the provision of alternative accommodation at similar rents and other assistance to lessen the hardship of relocation.

Chapter 4 – Land Use Designations

Section 4.2 Apartment Neighbourhoods

The subject site is designated *Apartment Neighbourhoods* (see Attachment No. 7). *Apartment Neighbourhoods* are made up of apartment buildings, parks, local institutions, cultural and recreation facilities, small scale retail service and office uses. *Apartment Neighbourhoods* are stable areas of the City and are generally not intended for significant growth. Compatible infill, however, is contemplated on sites containing existing apartment buildings with underutilized land.

New and infill development will improve the quality of life for both new and existing residents. New and infill development in *Apartment Neighbourhoods* will contribute to the quality of life by massing new buildings to provide a transition between areas of different development intensity and scale. In particular, *Neighbourhoods* will be protected through setbacks and/or stepping down of heights. New and infill development will also frame the edges of streets and parks, screen service areas, limit shadow and mitigate wind on parks and open spaces as well as *Neighbourhoods*. It will also enhance the safety, amenity and animation of adjacent streets and open spaces.

OPA 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment 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*.

The amended *Apartment Neighbourhood* policies provide direction for appropriate infill development on sites containing one or more existing apartment buildings. The amended policies do not permit high-rise additions to existing apartment buildings.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. OPA 320 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. OPA 320 as adopted by City Council is available on the City's website at: <http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf>

Yonge-Eglinton Secondary Plan

The subject site is located within the Yonge-Eglinton Secondary Plan Area (see Attachment No. 8).

A primary objective of the Yonge-Eglinton Secondary Plan is to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among *Mixed Use Areas*, *Apartment Neighbourhoods*, *Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. The Secondary Plan also requires a full range of housing options (form, tenure) in the Yonge-Eglinton Area suitable for family and other households that is: "contextually appropriate and compatible with existing residential uses and residential built form."

The *Mixed Use Areas* in the Secondary Plan contain a mix of retail, service commercial, office and residential uses with the highest concentration at Yonge Street and Eglinton Avenue and a lesser concentration near the Yonge/Davisville subway station. The Secondary Plan identifies that Yonge-Eglinton Centre's *Apartment Neighbourhoods* are largely built-up and considered physically stable. New development in the Yonge-Eglinton Secondary Plan Area will protect the scale of development in *Neighbourhoods* while minimizing impacts (shadowing, overlook, loss of sky view) on lower scale built form in *Neighbourhoods*. New development will provide transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods*, particularly when higher density designations about a *Neighbourhood*.

New development will promote architectural excellence while providing for improvements in the public realm. New, flexible, community services facilities and social infrastructure will be provided in a timely manner in the Yonge-Eglinton Secondary Plan Area. New parks and open spaces will be secured in the Secondary Plan Area along with improvements to existing parks and open spaces and the public realm.

In 2010, the City amended the Yonge-Eglinton Secondary Plan to conform to the Growth Plan for the Greater Golden Horseshoe.

Midtown in Focus: Parks, Open Space and Streetscape Plan and OPA 289

On August 25, 2014, City Council adopted Midtown in Focus: Parks, Open Space and Streetscape Plan for the Yonge-Eglinton Area.

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>

The Midtown in Focus Public Realm Plan is a framework for improvements within the Yonge-Eglinton area to the network of parks, open spaces, streets and public buildings to create an attractive, safe, and comfortable network of public spaces. The Public Realm Plan recognizes that the area has a distinct quality and character, consisting of a vibrant mixed use community with an open and green landscaped character. The Plan identifies five Place-Making Moves that, together with other streetscape improvements and the

enhancement and expansion of parkland in the area, will form a thriving system of parks, open spaces and streets.

The Five Place-Making Moves include the Park Street Loop focused on Broadway and Roehampton Avenues. The Park Street Loop will be designed as a publicly-accessible, multi-purpose green promenade with wide pedestrian clearways, cycling facilities and landscaping that provides green linkages connecting Eglinton Park to community amenities and open spaces in neighbourhoods to the east. The Midtown in Focus Plan supports and implements the public realm policies of the Official Plan as well as the Yonge-Eglinton Secondary Plan.

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge - Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan. As the proposed Secondary Plan amendments are currently under appeal at the OMB, OPA 289 is relevant but not determinative in terms of the Official Plan policy framework. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

Council adopted OPA 289 outlines a comprehensive public realm strategy and a system of improvements to be implemented as part of any new development in the Yonge - Eglinton Secondary Plan Area. Section 2.16 requires improvements to both the private and public realm as part of any new development including: enhancements to streetscapes and the provision of wider sidewalks and the establishment of multi-purpose promenades. Another objective of OPA 289 is to maintain and enhance the open, green, landscaped character of the area, improve and expand the network of parks, open spaces and streetscapes and create a high-quality public realm to ensure the continued vitality and quality of life in the area.

Midtown in Focus: Growth, Built Form and Infrastructure Review of Yonge-Eglinton Secondary Plan

The City Planning Division is leading an inter-divisional review of growth, built form and infrastructure issues in the Yonge-Eglinton Secondary Plan Area that builds on the Midtown in Focus Public Realm Plan and OPA 289. The Midtown in Focus Review is a response to the rapid intensification and change underway in parts of the Yonge-Eglinton Secondary Plan Area. The objective of the Review is to ensure that growth positively contributes to Midtown's continued livability and vitality by establishing a clear and up-to-date planning framework and ensuring that local transportation, municipal servicing and community infrastructure keeps pace with development.

The Midtown in Focus Review began in late 2015, based on City Council's direction, and includes the following activities:

- **Growth Analysis**, including development of near, medium and long term growth estimates to inform the infrastructure assessments.

- A **Built Form Study** to document area character and development trends, develop built form principles and a built form vision, undertake built form testing, visualize a future built form concept and identify policy directions to better guide the area's evolution.
- A **Cultural Heritage Resource Assessment** to document the area archaeological and development history, identify properties of cultural heritage value or interest for listings and designations and identify additional recommendations for conservation and further study.
- A **Community Services and Facilities Study** to inventory existing services and facilities, assess needs and opportunities in the context of future growth and demographic change and outline an implementation strategy for priority community infrastructure projects.
- **Transportation and Municipal Servicing Assessments** to document the performance and capacity of existing transportation and municipal servicing infrastructure, evaluate priority areas and identify potential capital upgrades required to support continued growth in the Secondary Plan Area.
- An area-wide **Parks Plan** and **public realm strategy for the Davisville area** to complement the 2014 Public Realm Plan for lands in and around the Yonge-Eglinton Centre.

City staff anticipates reporting to City Council in late 2017 with a Proposals Report that identifies the proposed policy direction that will inform the development of an updated Yonge-Eglinton Secondary Plan as well as other emerging directions related to the infrastructure assessments and strategies.

On July 12, 2016, City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report". The report provided a status update on the study, and identified draft built form principles. The recommendations adopted by Council direct staff to:

- Consider and review applications within the context of the ongoing review;
- Consider the draft built form principles contained in the report in the review of the development applications in the Yonge-Eglinton Secondary Plan Area. The recommendation also directed staff to continue to refine the principles in consultation with landowners and the community; and

- Identify opportunities on City-owned lands for new community infrastructure and secure community infrastructure space, as appropriate, as part of the development application review process.

The draft built form principles developed for the Midtown in Focus Review, endorsed by Council, are organized in four categories: Area Structure, Public Realm and Open Space, Walkability and Comfort, and Heritage and Landmarks. The principles specifically applicable to the review of this application include:

Area Structure

- Organize growth to achieve a hierarchy of intensity of use, building heights, densities and scale tied to proximity of rapid transit service, with greatest heights and densities located at the Yonge-Eglinton Crossroads where two rapid transit lines intersect.
- Provide a variety of building heights to reinforce existing character, promote localized sense of place and create a legible skyline for the district that makes legible and reinforces the area structure when viewed from key vantage points within the broader city.

Public Realm and Open Space

- Reinforce the unique open space amenity and spaciousness provided by the Eglinton Green Line, Midtown Apartment Neighbourhoods and Apartment High Streets by ensuring abundant landscaping at grade and generous building spacing.
- Support active street life and informal surveillance by ensuring the built form frames and animates streets, parks, squares and open spaces with active uses at grade.

Walkability and Comfort

- Locate, design and mass buildings to preserve sky view, allow daylight and sunlight to penetrate to the street and lower building levels and ensure good wind conditions in all seasons, with enhanced standards along the Midtown Villages, Park Street Loop, Eglinton Green Line, major pedestrian routes and parks and open spaces.
- Create a human-scaled public realm where buildings define and support streetscapes.
- Ensure fine-grained pedestrian circulation between and through sites and blocks through the placement and orientation of buildings.

Zoning

The subject site is zoned R2 Z2.0 in Zoning By-law 438-86, as amended, and is zoned R (d2.0) (x912) in Zoning By-law 569-2013, as amended. Both Zoning By-laws permit residential uses in buildings with a maximum density of 2.0 times the area of the lot and a maximum height of 38.0 metres. The minimum side and rear yard setbacks are 7.5 metres, and the maximum depth of an apartment building is 14.0 metres.

Chapter 667 - Rental Demolition and Conversion By-Law

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. Chapter 667 prohibits the demolition or conversion of rental housing units in buildings containing six or more dwelling units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner.

Pursuant to Chapter 667, Council may refuse an application, or approve the demolition and may impose conditions, including conditions that must be satisfied before a demolition permit is issued. These conditions further the intent of the City's Official Plan policies protecting rental and affordable housing. Pursuant to the City's demolition control by-law Chapter 363 of the Municipal Code, Council approval of the demolition of dwelling units under Section 33 of the *Planning Act* is also required where six or more dwelling units are proposed for demolition, before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion and an application under Chapter 363 for residential demolition control, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions by City Council under Chapter 667 are not appealable to the OMB.

On April 27, 2017, the applicant made an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code to demolish 20 of the existing 204 rental dwelling units at 75 Broadway Avenue. A Housing Issues Report has been submitted with the required application and is currently under review.

As per Chapter 667-14, a tenant consultation meeting is required to be held to review the impact of the proposal on tenants of the residential rental property and matters under the City's Rental Housing Demolition and Conversion By-law.

Tall Building Design Guidelines

In May 2013, City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use them in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for tall buildings to ensure they fit within their context and minimize their local

impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Site Plan Control

A site plan application is required for the proposal but has not been submitted.

Reasons for the Application

A zoning by-law amendment is required because the proposed development, among other matters, exceeds the height and density permissions of the in-force zoning by-law.

The applicant has submitted an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of a portion of the existing rental housing units at the subject site, 75 Broadway Avenue, as it contains six or more dwelling units, of which at least one is rental.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale Report;
- Community Services and Facilities Report;
- Computer Generated Building Mass Model;
- Public Consultation Strategy;
- Wind Study;
- Shadow Study;
- Arborist Report;
- Traffic Impact, Parking and Loading Study;
- Geotechnical Investigation and Engineering Design Report;
- Hydrogeological Investigation Report;
- Functional Servicing and Stormwater Management Report;
- Housing Issues Report;
- Green Development Standards Checklist and Statistics; and
- Energy Strategy Report.

A Notification of Complete Application was issued on June 6, 2017.

Issues to be Resolved

City Planning is targeting a report to City Council in the fourth quarter of 2017 on draft amendments to the Yonge-Eglinton Secondary Plan resulting from the Midtown in Focus Review, as well as on ongoing infrastructure studies. Development in the Yonge-Eglinton area is occurring and proposed at a rate, scale and intensity exceeding the City's projections made in the previous decade and does not have sufficiently detailed policy direction in the City's existing local planning framework or the provincial Growth Plan.

The Midtown in Focus Review has involved extensive consultation and detailed analysis of existing conditions, area character, development trends, infrastructure capacity and more to establish a clear and up-to-date planning framework for the area. This framework will include a built form vision and principles for the Secondary Plan area overall as well as specific character areas, the identification of a structure plan to inform and shape decisions on land use, density and heights of buildings, and enhanced direction for transition. In addition, the plan will provide detailed direction in terms of priorities for parkland improvement and expansion, public realm improvements and community, transportation and servicing infrastructure.

Staff encourage the applicant to work with City Planning in order to implement the emerging vision and meet the objectives of the Midtown in Focus Review through revisions to the application.

The application has been circulated to City divisions and public agencies for comment. Preliminary issues to be addressed include the following:

- prematurity of the application prior to completion of the Midtown in Focus: Growth, Built Form and Infrastructure Review;
- consistency with the Midtown in Focus Public Realm Plan and OPA 289, in particular the setback along Broadway Avenue;
- consistency with the draft built form principles of the Midtown in Focus: Growth, Built Form and Infrastructure Review;
- consistency with OPA 320, in particular OPA 320 does not permit a high-rise addition to an existing apartment building;
- overall height and density of the proposal;
- height of the base building;
- setbacks and stepbacks of the proposed tower;
- setbacks from the existing 10-storey building located on the subject site;
- impacts, including shadowing and privacy, on the existing 10-storey apartment building located on the subject site;
- rental replacement issues;
- provision of on-site parkland dedication or alternatively, an off-site parkland dedication within 500 metres of the site;
- tower separation from the proposed development at 55-65 Broadway Avenue;
- tower floor plate size;
- shadow and wind impacts resulting from the proposed development;
- consistency with the Tall Building Design Guidelines;
- amount of indoor and outdoor amenity space provided;
- lack of three bedroom or larger units;
- location and size of bicycle parking;

- location of loading space, and impacts of the loading space on existing dwelling units;
- amount of hard surface proposed on-site dedicated to driveways, turn around areas, drop-offs, and parking;
- parking supply and number of car-share spaces;
- lack of access to new rooftop amenity space for existing tenants;
- ability of community services and facilities to accommodate the increase in density; and
- identification and securing of public benefits pursuant to Section 37 of the Planning Act, should the proposal in some form be approved.

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

CONTACT

David Driedger, Senior Planner
Tel. No. 416-392-7613
Fax No. 416-392-1330
E-mail: David.Driedger@toronto.ca

SIGNATURE

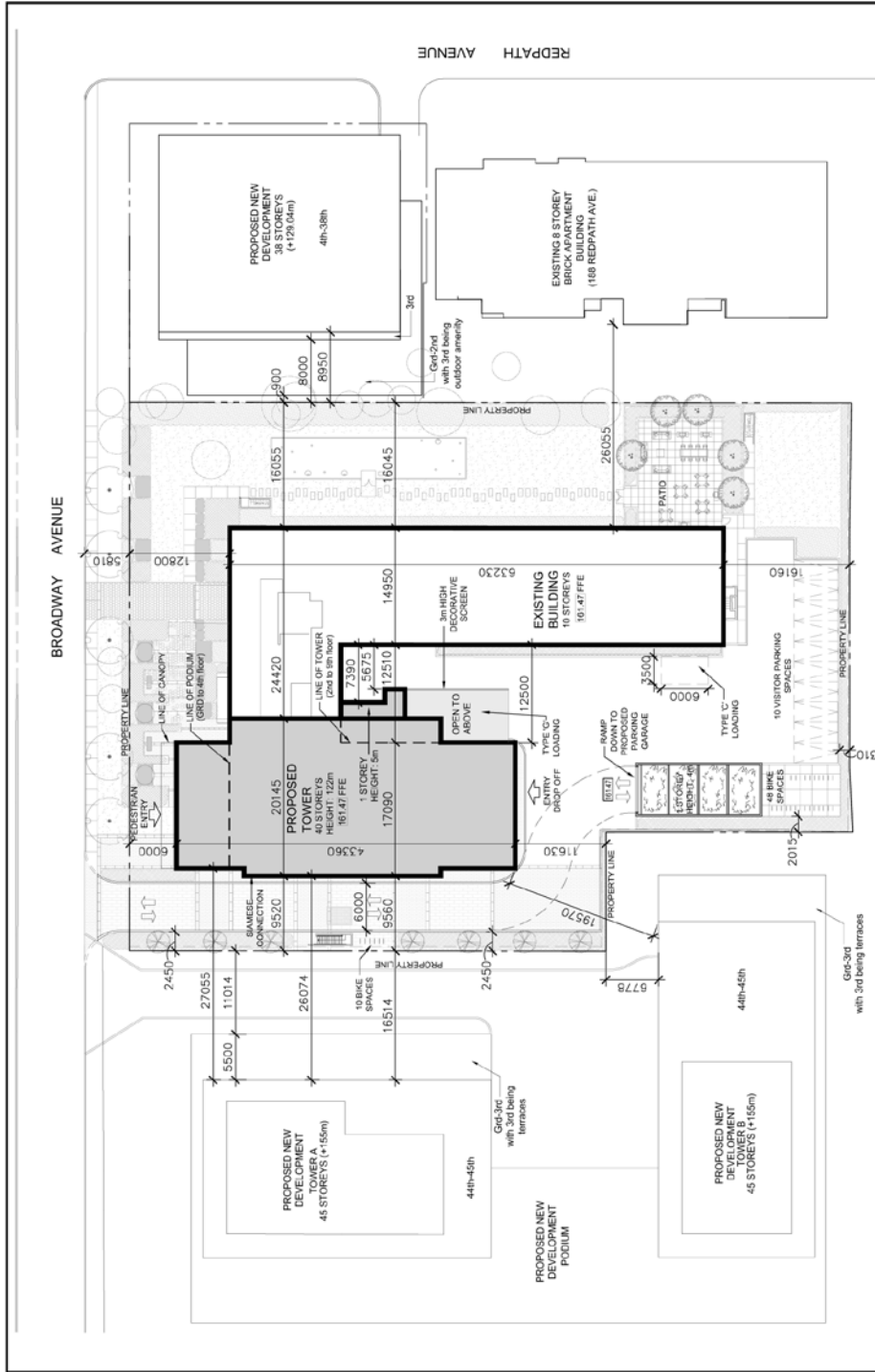
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(P:\2017\Cluster B\pln\TEYCC\23463782033.doc) - smc

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Yonge-Eglinton Secondary Plan
Attachment 6: Application Data Sheet

Attachment 1: Site Plan



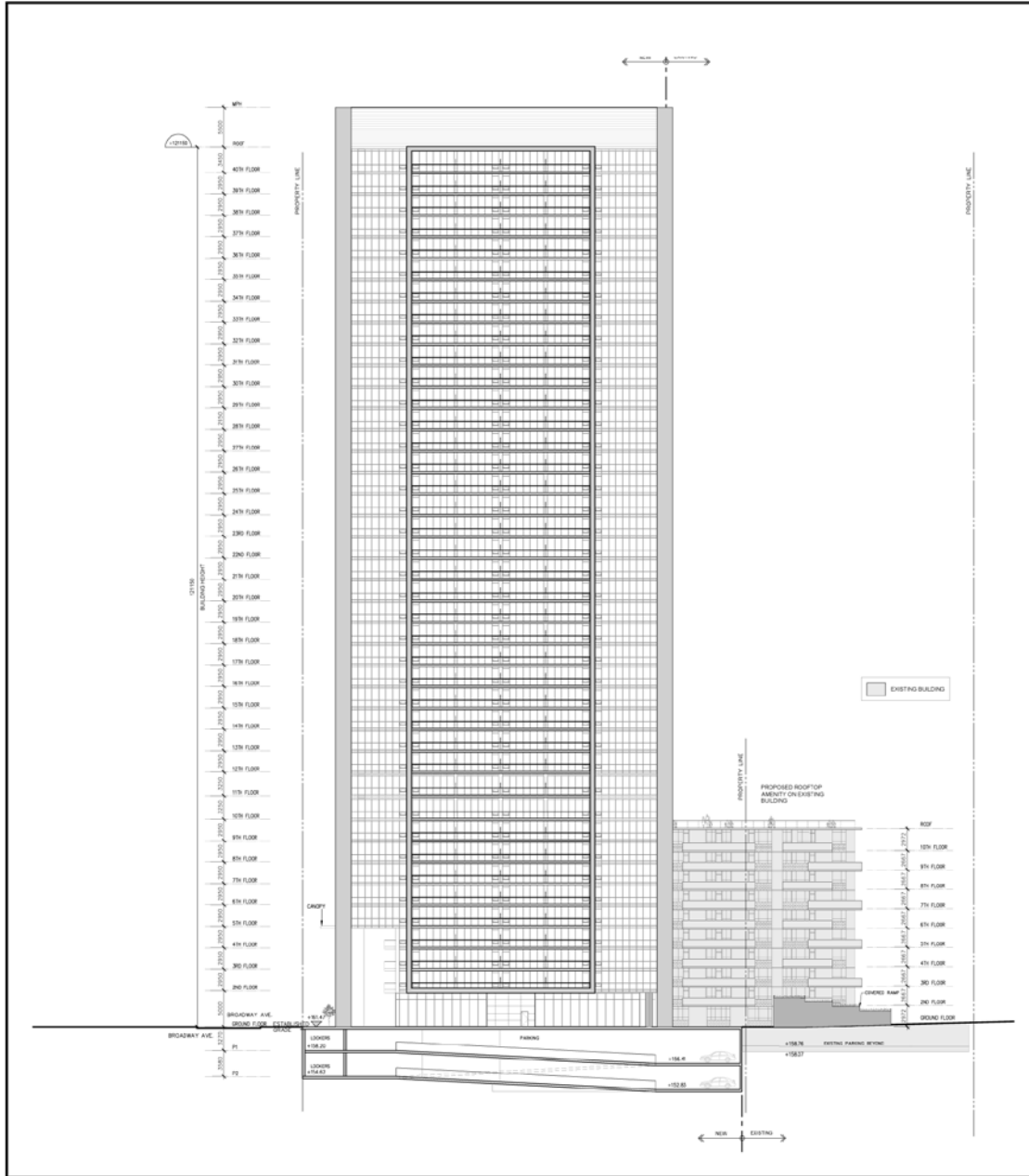
75 Broadway Ave

Site Plan
Applicant's Submitted Drawing

Not to Scale
09/18/2017

File # 17 150315 STE 22

Attachment 2: Elevations



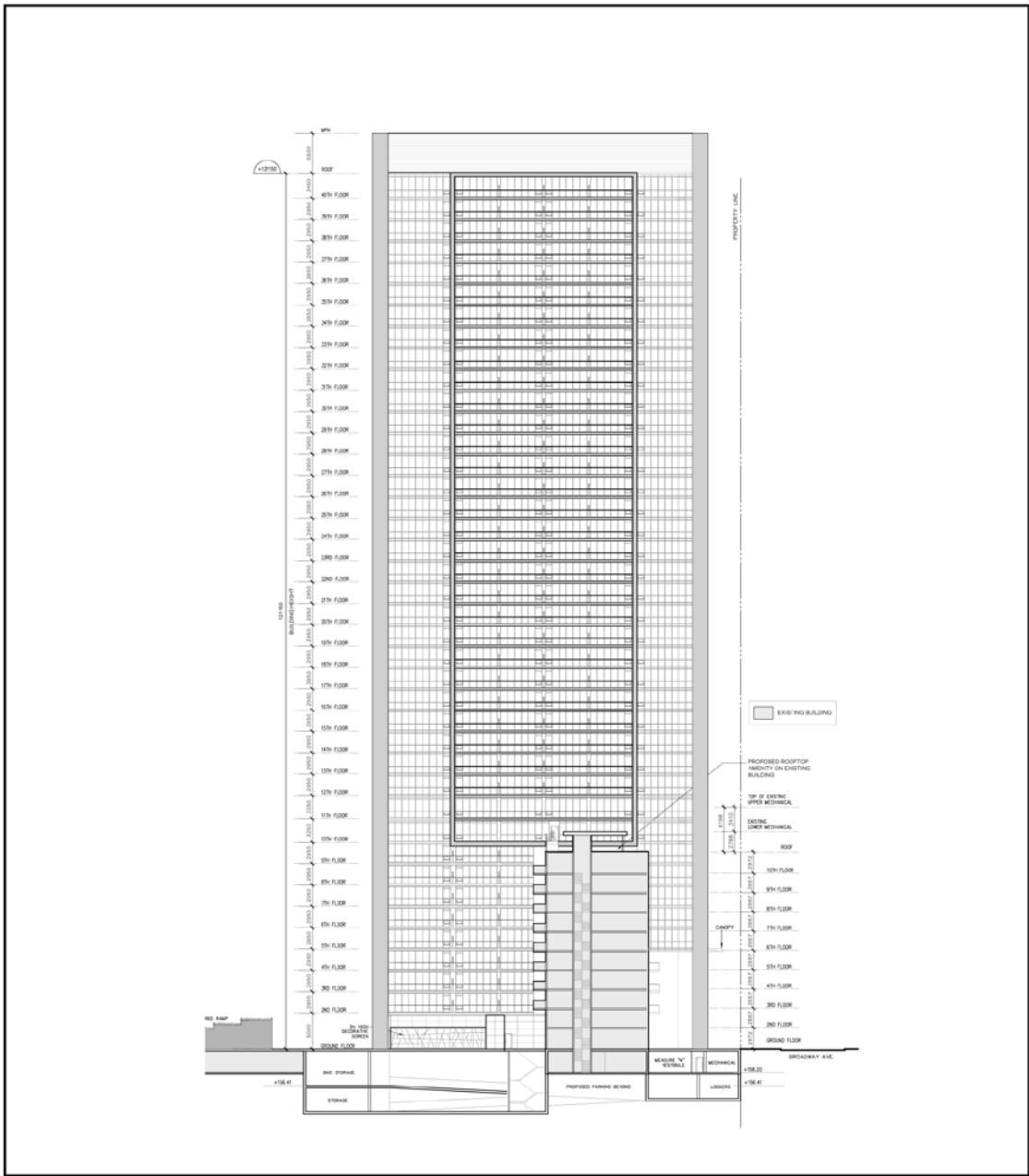
West Elevation

75 Broadway Ave

Applicant's Submitted Drawing

Not to Scale
09/19/2017

File # 17 150315 STE 22



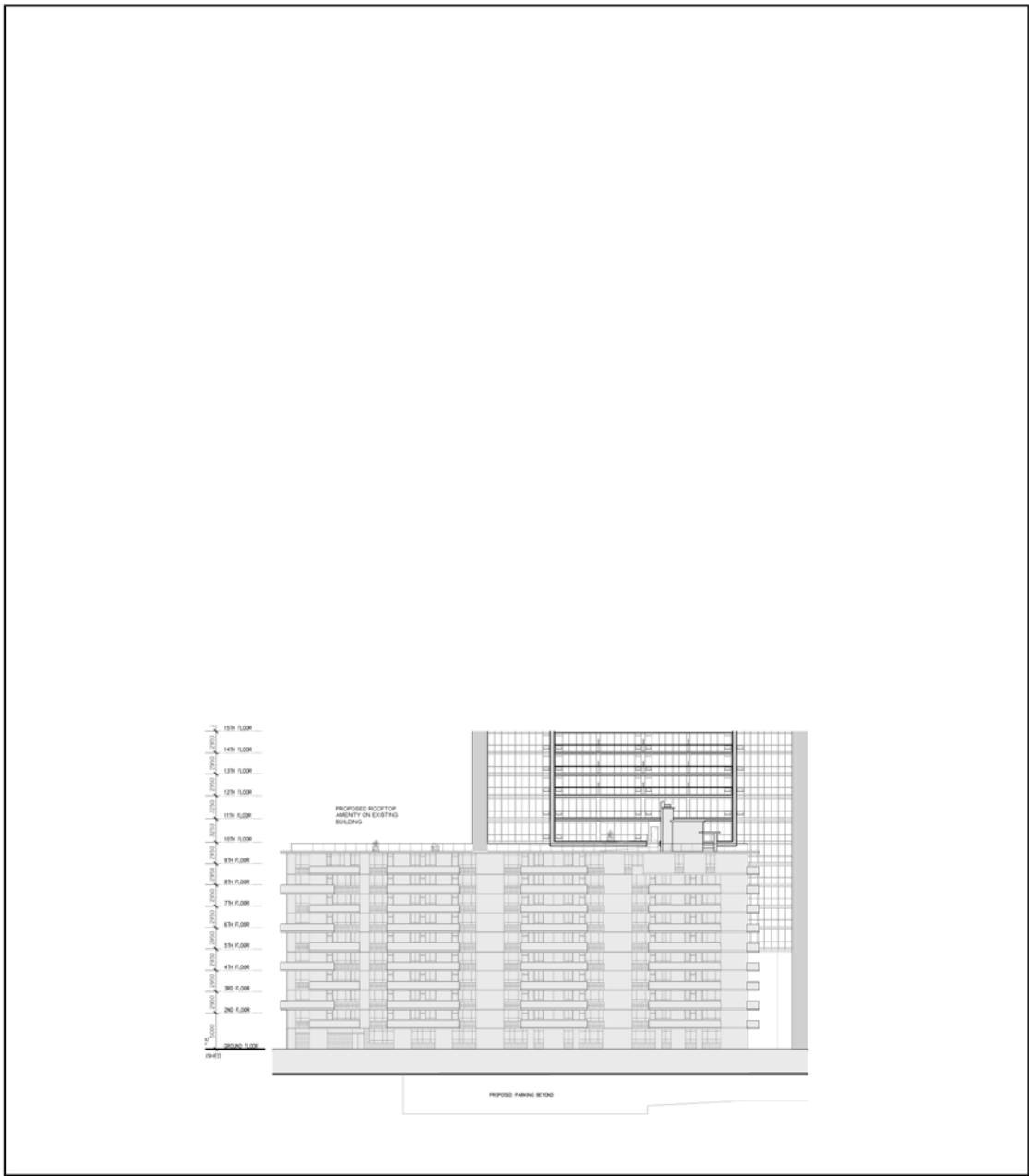
East Elevation

75 Broadway Ave

Applicant's Submitted Drawing

Not to Scale
09/19/2017

File # 17 150315 STE 22



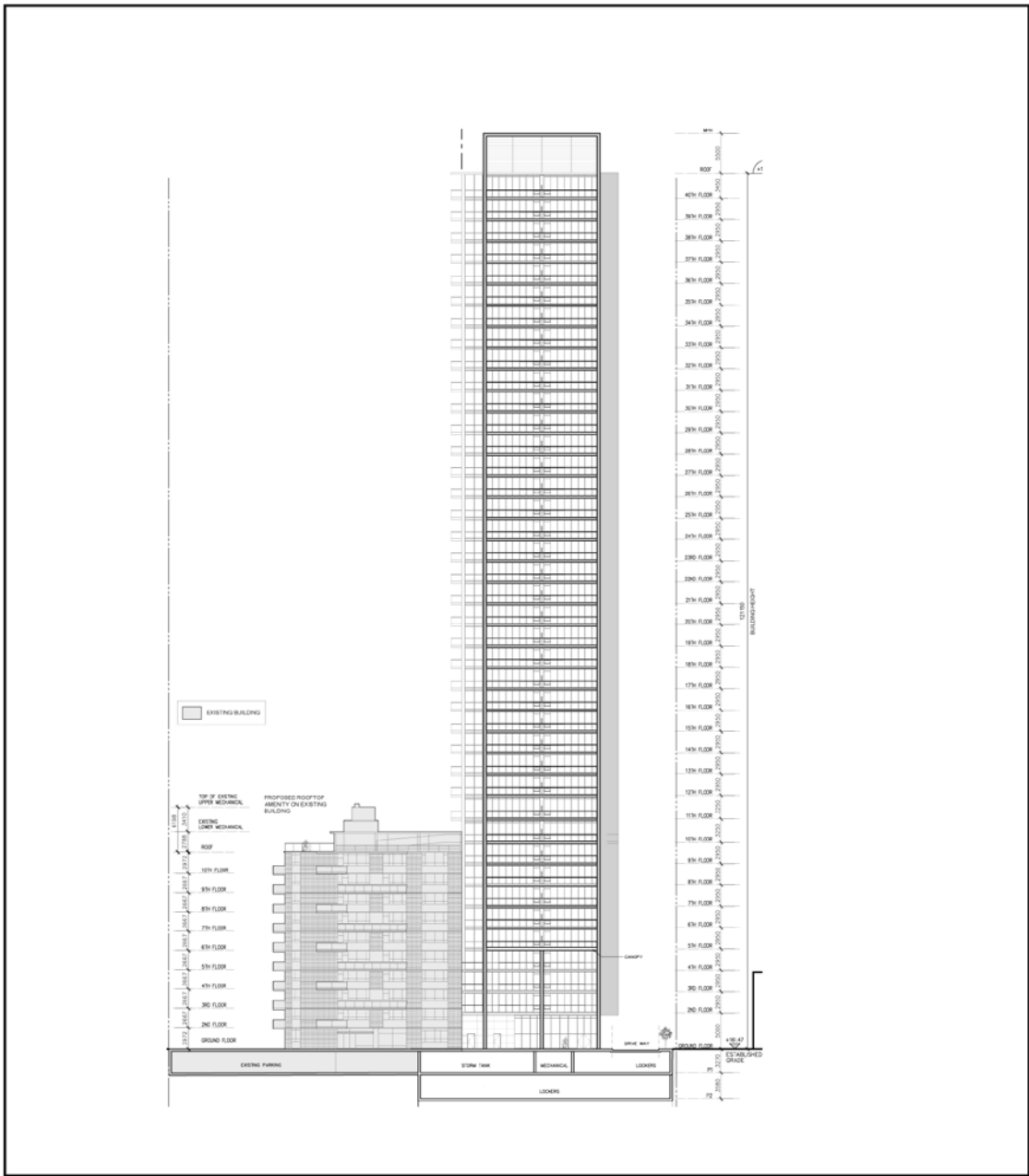
East Elevation (existing building)

75 Broadway Ave

Applicant's Submitted Drawing

Not to Scale
09/19/2017

File # 17 150315 STE 22



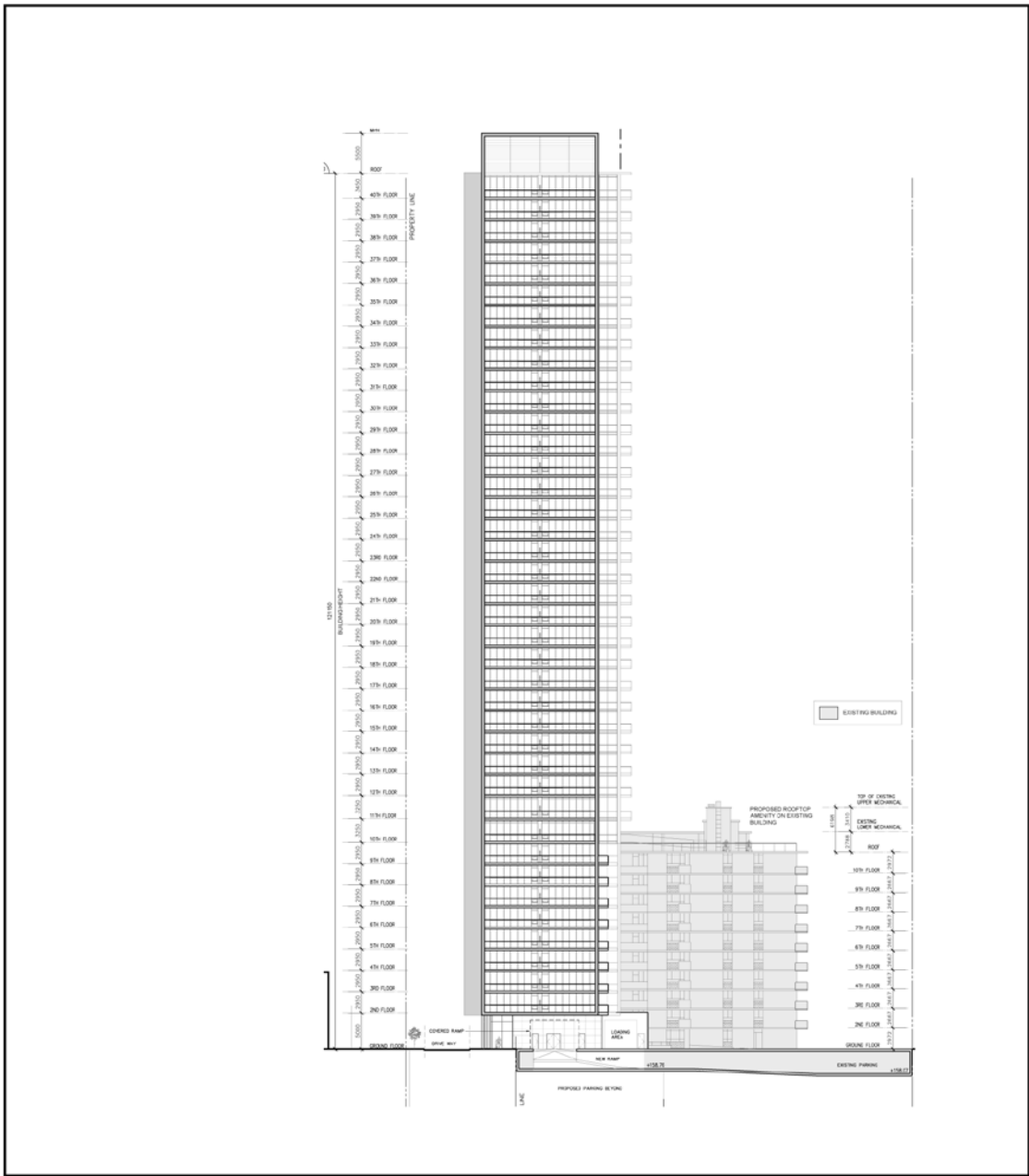
North Elevation

75 Broadway Ave

Applicant's Submitted Drawing

Not to Scale
09/19/2017

File # 17 150315 STE 22



South Elevation

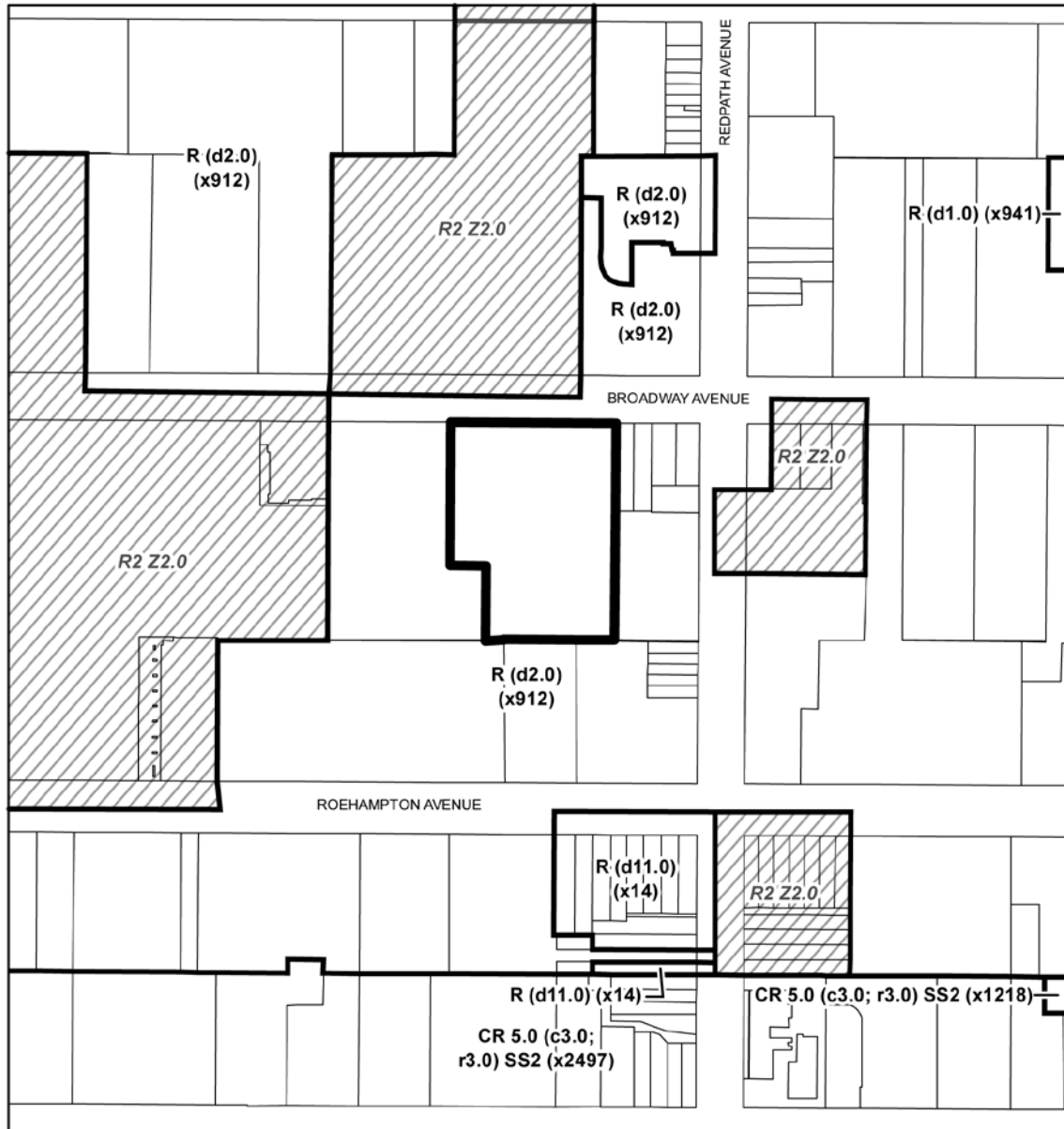
75 Broadway Ave

Applicant's Submitted Drawing

Not to Scale
09/19/2017

File # 17 150315 STE 22

Attachment 3: Zoning





Zoning By-Law No. 569-2013

75 Broadway Ave

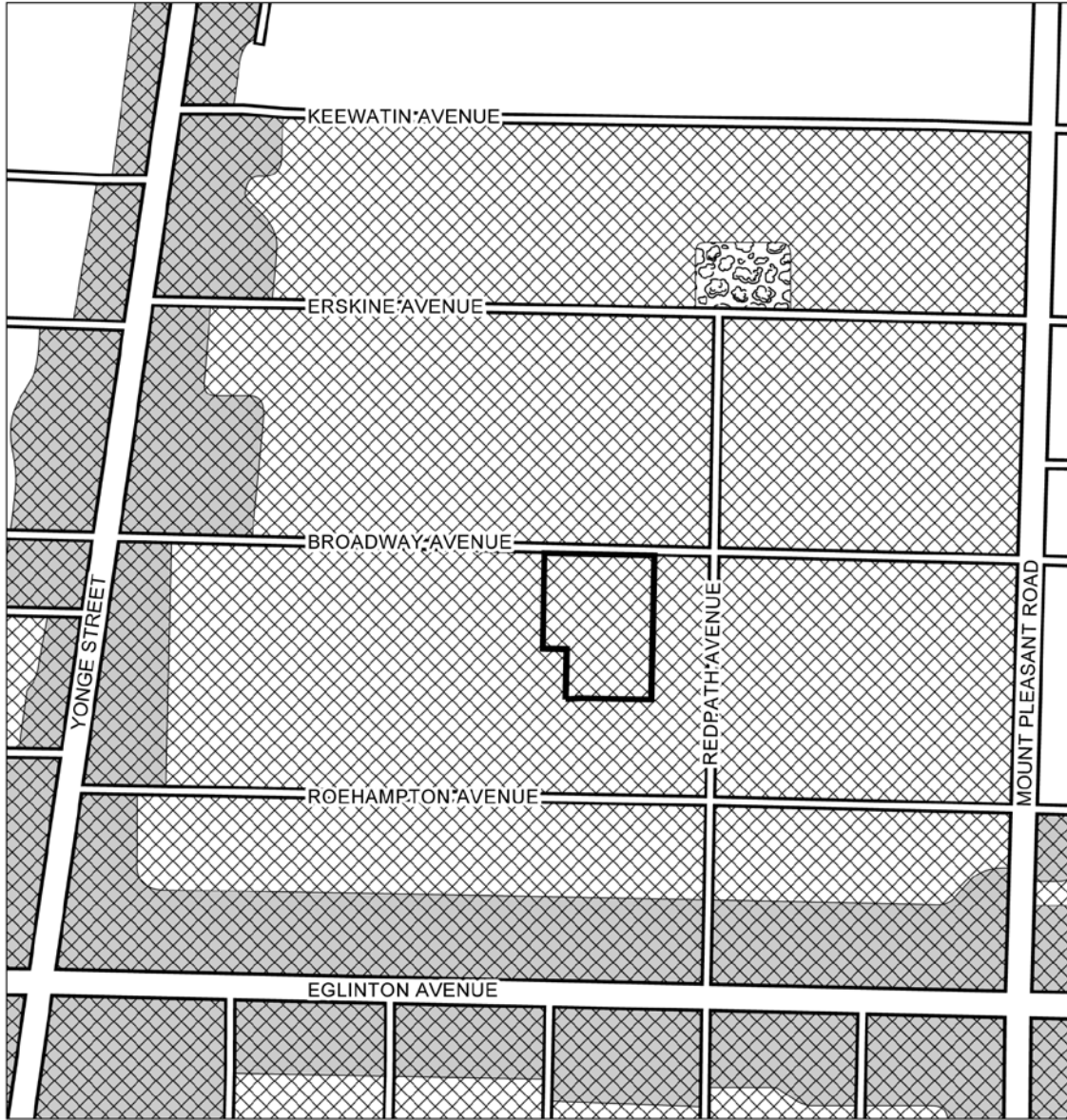
File # 17 150315 STE 22 OZ

 Location of Application
R Residential **CR** Commercial Residential

 See Former City of Toronto By-Law No. 438-86
R2 Residential District


 Not to Scale
 Extracted: 09/19/2017







Attachment 4: Official Plan



TORONTO
 Extract from Official Plan

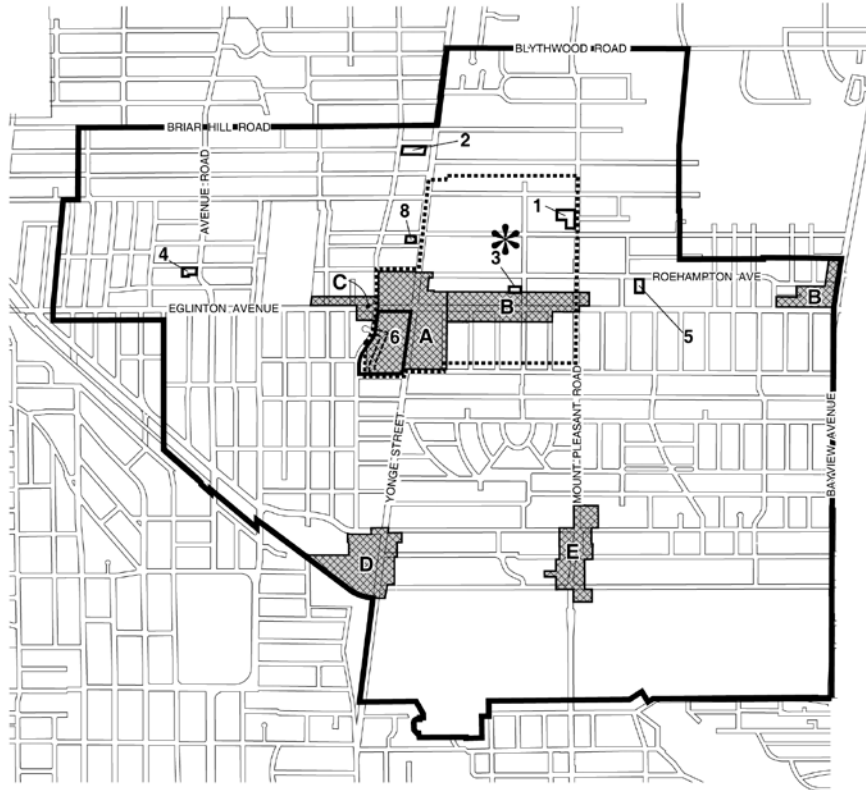
75 Broadway Ave

File # 17 150315 STE 02

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods | |
|  Mixed Use Areas | |

↑
 Not to Scale
 09/18/2017

Attachment 5: Yonge-Eglinton Secondary Plan



Not to Scale



Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

- Secondary Plan Boundary
- Subject Site
- Yonge-Eglinton Centre
- Mixed Use Areas
- Site and Area Specific Policies
- Proposed Road

July 2014

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	17 150315 STE 22 OZ
Details	Rezoning, Standard	Application Date:	April 27, 2017
Municipal Address:	75 BROADWAY AVE		
Location Description:	PLAN 806 LOT 40 & PT LOTS 41 & 42 R833 PART 1 **GRID S2201		
Project Description:	New 40-storey apartment building containing 402 rental units, attached to an existing 10-storey residential building. The new and existing buildings will not be connected internally except in the underground parking garage. A portion of the existing building (containing 20 units) would be demolished.		

Applicant:	Agent:	Architect:	Owner:
Goldberg Group	Goldberg Group	WZMH Architects	TCR 2008 Equities Inc

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	R2 Z2.0	Historical Status:	N
Height Limit (m):	38	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	5995.3	Height: Storeys:	40
Frontage (m):	70.16	Metres:	121
Depth (m):	92.43		
Total Ground Floor Area (sq. m):	1743		Total
Total Residential GFA (sq. m):	38815	Parking Spaces:	187
Total Non-Residential GFA (sq. m):	0	Loading Docks	2
Total GFA (sq. m):	38815		
Lot Coverage Ratio (%):	29		
Floor Space Index:	6.47		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	38815	0
Bachelor:	97	Retail GFA (sq. m):	0	0
1 Bedroom:	303	Office GFA (sq. m):	0	0
2 Bedroom:	186	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	586			

CONTACT:	PLANNER NAME:	David Driedger, Senior Planner
	TELEPHONE:	416-392-7613
	EMAIL:	David.Driedger@toronto.ca