



REPORT FOR ACTION

3429 Bloor Street West – Official Plan Amendment and Zoning By-law Amendment Application – Request for Directions Report

Date: May 15, 2018

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 05 – Etobicoke- Lakeshore

Planning Application Number: 17 188915 WET 05 OZ

SUMMARY

The application proposes an 18-storey mixed-use building containing retail uses at-grade, office uses on the 2nd level and a retirement facility above. A total of 176 residential units are proposed, of which 60 would be assisted living units and 116 would be retirement units. A total of 67 parking spaces are proposed in a 2 level below-grade garage and 5 parking spaces are proposed at-grade at the rear of the site.

On November 10, 2017 and January 15, 2018, the applicant filed appeals of the Zoning By-law Amendment and Official Plan Amendment applications, respectively, to the Ontario Municipal Board ("OMB"), citing Council's failure to make a decision on the applications within the prescribed timelines of the *Planning Act*. An OMB pre-hearing conference was held on April 5, 2018 and a second pre-hearing date before the newly established Local Planning Appeal Tribunal ("LPAT") is scheduled for October 26, 2018.

Planning staff do not support this application and are of the opinion the current proposal is not appropriate for the site, and does not fit within its existing and planned context. The overall proposed height and massing does not conform to the Official Plan and Etobicoke Centre Secondary Plan policies, is inconsistent with Council-approved guidelines, and represents an overdevelopment of the site.

Planning staff are also of the opinion the proposed development is not consistent with the Provincial Policy Statement (2014) and does not conform to the Growth Plan for the Greater Golden Horseshoe (2017).

This report reviews and recommends refusal of the application to amend the Official Plan and the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to oppose the applicant's appeal respecting the Official Plan and Zoning By-law Amendment application for 3429 Bloor Street West (File No. 17 188915 WET 05 OZ), and attend any Local Planning Appeal Tribunal hearing in opposition to such appeal, and retain such experts as the City Solicitor may determine are appropriate.
2. In the event that the Local Planning Appeal Tribunal allows the appeal, in whole or in part, City Council direct the City Solicitor to request the Local Planning Appeal Tribunal withhold its final Order on the Official Plan and Zoning By-law Amendments until:
 - a) Draft Official Plan and Zoning By-law Amendments are submitted to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor.
 - b) The owner has entered into an Agreement under Section 37 of the *Planning Act* with the City for the purpose of securing community benefits valued at \$1,370,000, to be used for community facilities, local park improvements and traffic calming measures if the proposed development is approved in its current form, or a prorated quantum if the development is approved with reduced building heights and density.
 - c) The owner has submitted a revised Transportation Impact Study to the satisfaction to the General Manager of Transportation Services.
 - d) The owner has submitted a revised Stormwater Management Study to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.
 - e) The owner has submitted a Sanitary Sewer Analysis to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.
 - f) The owner has submitted a Hydrant Pressure and Volume Test to the satisfaction of the Chief Engineer and Executive Director of

Engineering and Construction Services.

- g) The owner has entered into a financially secured agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades and road improvements are required to support the development, according to the Transportation Impact Study accepted by the General Manager of Transportation Services and the Stormwater Management Study, Sanitary Sewer Analysis and Hydrant Pressure and Volume Test accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.
 - h) The owner has provided space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 68-10.
3. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Pre-application consultation meetings and discussions were held in the Spring and Summer of 2016 to discuss complete application submission requirements. During the pre-application meetings, staff raised concerns regarding the proposed 20-storey building height and the lack of proposed transition to the abutting *Neighbourhoods* designated lands to the south of the site. Notwithstanding staff concerns shared verbally and in writing, the applicant submitted this application on June 28, 2017, which failed to address staff's concerns relating to the building height and insufficient transition to the residential properties to the south.

On October 17, 2017, Etobicoke York Community Council considered a Preliminary Report dated September 25, 2017, from the Director, Community Planning, Etobicoke York District. The Preliminary Report outlined Planning staff's significant concerns with the proposal. Etobicoke York Community Council adopted the recommendations within that report. It can be found at: <https://www.toronto.ca/legdocs/mmis/2017/ey/bgrd/backgroundfile-107274.pdf>

ISSUE BACKGROUND

Proposal

The application proposes to amend the Official Plan and Zoning By-law to permit an 18-storey (70 m in height, including the mechanical penthouse) mixed-use building containing retail uses at-grade, office uses on the 2nd floor and a retirement facility above. The building would consist of a 12-storey tower sited above a 6-storey base. The proposal would have 622 m² of retail space, 851 m² of office space and 15,353 m² of residential gross floor area, yielding an overall density of 8.7 times the area of the lot.

The proposed retail space would be situated at grade along the Bloor Street West frontage (see Attachment 5: Site Plan). The proposed entrances to the retail space and office lobby would be accessible from Bloor Street West and the retirement facility lobby would be accessible from Green Lanes.

The application proposes 176 residential units, of which 60 would be assisted living units and 116 would be retirement units. The assisted living units would be located on the 3rd to 5th floors and the retirement units would be on the 7th to the 18th floors. The applicant is proposing a typical floor plate of approximately 770 m².

Approximately 1,036 m² of indoor amenity space (5.8 m² per unit) would be provided for the development and would be located on the 2nd, 6th and 7th floors. The applicant is proposing 695 m² (3.9 m² per unit) of outdoor amenity space, to be located on the 6th and 7th floors, immediately adjacent to the indoor amenity space.

There are 67 vehicular parking spaces proposed in a 2 level below-grade garage, in addition to 5 parking spaces located at-grade just north of the public laneway to the rear of the site. Access to the underground would be provided from this existing laneway. The applicant is proposing that the portion of the laneway that runs along the rear of the site would function as a two-way laneway. A garbage pick-up area and one Type "B" and one Type "C" loading space is also proposed at the rear of the building with access from the public laneway. A total of 28 bicycle parking spaces are proposed, of which 10 short-term spaces would be located at-grade and 18 long-term spaces would be located within the underground garage.

A 1.89 m road widening conveyance along Bloor Street West is required. Further proposed setbacks of the building from the north property line are approximately 1 m for the majority of the frontage except for the northwest corner where the building would be setback approximately 2.5 m. The result would be a boulevard width of approximately 6 m to 7.2 m along Bloor Street West. The building would be setback approximately 0.8 m from the Green Lanes property line, resulting in

a boulevard width of approximately 5 m. After the required 1.21 m laneway conveyance along the rear of the site, the building would setback between 2 m to 5 m from the rear property line at-grade. The building would be located on the eastern property line.

Below is a chart indicating building setbacks from the 2nd to 18th floors to the each property line:

Table 1- Proposed Building Setbacks from the 2nd to 18th floors

Property Line/ Elevation	2nd-5th storeys	6th –storey	7th-storey	8th-18th storeys
North Property Line (Bloor Street West Elevation)	0.6 m	2.21 m	3.41 m	2.21 m
South Property Line (Rear Elevation)	1.41 m	0 m – 6.4 m	5.76 m	4.56 m
West Property Line (Green Lanes Elevation)	1 m	1 m	6.5 m	5.4 m
East Property Line	0 m - 6.9 m	7.6 m	21.9 m	21.9 m

Site and Surrounding Area

The subject site is located on the south side of Bloor Street West, one block west of Islington Avenue. It is rectangular in shape and is currently occupied by a one-storey retail store (The Beer Store). The site is approximately 1,938 m² in size with a frontage of approximately 60 m on Bloor Street and 32 m on Green Lanes. The site is bounded by a one-way public laneway to the south that is approximately 4.5 m wide and extends from Clissold Road to Green Lanes. Bloor Street West has a right-of-way width 30 m in this location.

North: Directly across Bloor Street West are the Islington TTC subway station and the MiWay Bus Terminal. Further north are a number of tall buildings that are within a *Mixed Use Areas* Official Plan designation.

East: A one-storey commercial building is located immediately adjacent to the site at 3411 Bloor Street West. At the southwest corner of Bloor Street West and Islington Avenue is an 11- storey mixed-use building.

South: Directly south of the one-way public laneway are one and a half storey single-detached dwellings.

West: Immediately to the west, across Green Lanes, is Kenway Public Park, a City of Toronto Park, which contains a children's playground and seating areas.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") 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 provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans".

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental

protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth 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 builds upon the policy foundation provided by the PPS 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.

In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform to the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform to the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform to Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its Official Plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of this report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan, the Etobicoke Centre Secondary Plan and Etobicoke Centre Urban Design Guidelines as follows:

The subject lands are located within the *Etobicoke Centre* as identified by Map 2 of the Official Plan. The City's four *Centres*, along with *Avenues*, *Employment Districts* and the *Downtown*, are key components in the Official Plan's growth management strategy. The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface transit and rapid transit stations.

The subject site is designated *Mixed Use Areas* on Map 14- Land Use Plan (see Attachment 3: Official Plan). The *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as utilities, parks and open spaces. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale or intensity of development".

Policy 4.5 of the Official Plan includes a criterion that directs the form and quality of development in this land use designation. It is the intent that development in *Mixed Use Areas* will:

- a) Create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- b) Provide for new jobs and homes for Toronto's growing population on underutilized lands in the *Downtown*, *the Central Waterfront*, *Centres*, *Avenues* and other lands designated *Mixed Use Areas*, creating and

sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;

- c) Locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d) Locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- e) Locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain the sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; and
- i) Provide good site access and circulation and an adequate supply of parking for residents and visitors.

The Healthy Neighbourhood policies of the Official Plan (Policy 2.3.1.2) provide guidance for development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods*. Policy 2.3.1.2 states that development within *Mixed Use Areas* that are adjacent to *Neighbourhoods* will:

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

The Healthy Neighbourhoods section of the Official Plan further states:

"At the boundary points between the neighbourhoods and the growth area, development in the mixed use area will have to demonstrate a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of adjacent residential area are not adversely affected".

In Chapter Three – Building a Successful City, Policy 3.1.1 – Public Realm promotes quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm. The Public Realm policies of the Official Plan recognize the essential role of the City's streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

In 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. 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, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the 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 as necessary to preserve their utility.

Section 3.1.2, Built Form, further states that most of the City's future development will be infill and redevelopment sites and, as such, will need to fit in, respect and improve the character of the surrounding area. It also states that development must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its façade fits within the existing and/or planned context of the neighbourhood and the City. Each new building should promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.2 states that new development will locate and organize vehicular parking, vehicular access, service areas and utilities to minimize their impacts on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- a) Using shared service areas where possible within development block(s) including public and private lanes, driveways and service curbs;
- b) Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- c) Integrating services and utility functions within buildings where possible;

and

- d) Providing underground parking where appropriate.

Built Form Policy 3.1.2.3 directs new development to be massed and its exterior façade to be designed to fit harmoniously into its existing and/or planned context, and to limit its impact on neighbouring streets, parks and open spaces and properties by:

- a) Massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportions;
- b) Incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- c) Creating appropriate transition in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Plan;
- d) Providing for adequate light and privacy; and
- e) Adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open space, having regard for the varied nature of such areas.

Section 3.1.2.4 states that "new development will be massed to define the edges of the 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 uses of these areas".

Section 3.1.2.5 directs new development to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing:

- a) Improvements to adjacent boulevards and sidewalks respecting sustainable design elements, which may include one or more of the following: trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities;
- b) Co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realm;
- c) Weather protection such as canopies and awnings;

- d) Landscaped open space within the development site;
- e) Landscaped edges of surface parking lots along streets, parks and open spaces to define the street edge and visually screen the parked autos;
- f) Safe pedestrian routes and tree planting within surface parking lots; and
- g) Public art, where the developer agrees to provides this, to make the building and its open space more attractive and interesting.

The Policies of Section 3.1.3 also state that "tall buildings come with larger civic responsibilities and obligations than other buildings. To ensure that tall buildings fit within their existing and/or planned context and limit local impacts, additional built form principles will be applied to the location and design of tall buildings".

Policy 3.1.3.1 requires that tall buildings should be designed to consist of three parts, carefully integrated into a single whole:

- a) Base building – provide definition and support at an appropriate scale for adjacent streets, park and open spaces, integrate with adjacent buildings, minimize the impact of parking and servicing uses;
- b) Middle (shaft) – design the floor plate size and shape with appropriate dimension for the site, locate and orient it on the site and in relationship to the base building and adjacent buildings in a manner that satisfies the provisions of this Section; and
- c) Top – design the top of tall buildings to contribute to the skyline character and integrate roof top mechanical systems into the design.

Policy 3.1.3.2 requires tall building proposals to address key urban design considerations, including:

- a) Meeting the built form principles of the Plan;
- b) Demonstrate how the proposed building and site design will contribute to and reinforce the overall City structure;
- c) Demonstrate how the proposed building and site design relate to the existing and/or planned context;
- d) Taking into account the relationship of the site to topography and other tall buildings;
- e) Providing high quality comfortable and usable publicly accessible open

spaces areas; and

f) Meeting other goals and objectives of the Plan.

Section 3.1.3, Built Form – Tall Buildings, states poorly located and designed tall building can physically and visually overwhelm adjacent streets, parks and neighbourhoods. Such buildings can block sunlight, views of the sky and create uncomfortable wind conditions in adjacent streets, parks and open space and create traffic congestion. The Built Form Section defines tall buildings as buildings whose height is greater than the width of the adjacent road allowance. This built form is limited to parts of the *Downtown, Centres*, and other areas in which they are permitted by a Secondary Plan, an area specific policy, a comprehensive zoning by-law, site specific policies in effect as of the approval of the Plan. Tall buildings will only be permitted in other areas on the basis of appropriate planning justification consistent with the policies of the Plan.

The sidebar text of the Built Form Section states:

"Appropriate transition in scale can be achieved with many geometric relationships and design methods in different combinations including angular planes, stepping height limits, appropriate location and orientation of the building, the use of setbacks and stepbacks of building mass. The larger difference in scale of development, the greater the need for transition."

The Housing policies in Section 3.2.1 of the Official Plan encourage a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, to meet the current and future needs of residents.

The Secondary Plans policies in Section 5.2.1 of the Official Plan indicate that Secondary Plans establish local development policies to guide growth and change in a defined area of the City. Policy 5.2.1.1 indicates that "Secondary Plans will set the stage for reurbanization of a defined area to simulate and guide development in keeping with the Plan's objectives". Furthermore, Policy 5.2.1.3 states that "Secondary Plans will promote a desired type of form of physical development resulting in highly functional and attractive communities and plan for an appropriate transition in scale and activities between neighbouring districts".

Policy 5.2.1.4 states city-building objectives for Secondary Plan areas will identify or indicate the following:

- a) Overall capacity for development in the area, including anticipated population;
- b) Opportunities or constraints posed by unique environmental, economic, heritage, cultural and other features of characteristics;

- d) Land use policies for development, redevelopment, intensification and/or infilling;
- e) Urban design objectives, guidelines and parameters; and
- g) Where a Secondary Planning area is adjacent to an established neighbourhood or neighbourhoods, new development must respect and reinforce the existing physical character and promote the stability of the established neighbourhoods.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Etobicoke Centre Secondary Plan

Each *Centre* is different in terms of its local character, its demographics and its potential to grow and its scale. A Secondary Plan for each *Centre* will tailor an intense mix of urban activities to the individual circumstances of each location. Secondary Plans outline a growth strategy, improvements to transportation and other local amenities and knit each *Centre* into the surrounding context. The subject site is located within the Etobicoke Centre Secondary Plan.

Policy 2.2.2.2 (k) of the Official Plan states that each *Centres* will have a Secondary Plan that will support the potential for growth within the *Centres* and protect adjacent *Neighbourhoods* from encroachment of larger scale development by:

- i) Establishing firm boundaries for the development area;
- ii) Ensuring an appropriate transition in scale and intensity of activity from within the *Centre* to surrounding *Neighbourhoods*; and
- iii) Connecting the *Centre* with the surrounding City fabric through parks, trails, bikeways, roads and transit routes.

The site is located with the Bloor/Islington Area of the Etobicoke Centre Secondary Plan. The Bloor/Islington Area encompasses the office employment core of Etobicoke Centre. A collection of high-rise office and residential buildings is centered on the northeast quadrant of the Bloor/Islington intersection. Within this area are both the Islington Subway Station and a "main street" shopping district that extends westward from the Kingsway commercial area.

The Etobicoke Centre Secondary Plan states that considerable development potential exists above the Islington Subway Station for high-rise office and/or residential uses. The Plan states that:

"Development, including air rights, above the subway, will provide much needed building mass to match that which exists on the northeast corner of the intersection. A westerly extension of the "main street" shopping area with lower scale mixed-use buildings on the south side of Bloor Street, will add to the level of pedestrian activity. The southeast and southwest corners of the Bloor/Islington intersection should be developed with mixed-use buildings which are massed to the extent that is practical to lend prominence to this highly visible intersection. Notwithstanding the goal, protection from impacts of development on the low density residential neighbourhood beyond the Plan's southerly boundary must be provided."

Policy 3.4.6 of the Urban Design policies states, tall building proposals must, at a minimum, address key urban design considerations such as:

- a) Demonstrate how the proposed building and site design will contribute to and reinforce the urban structure of the area;
- b) Demonstrate how the proposed building and site design relate to adjacent buildings and blocks within the immediate neighbourhood;
- c) Minimize the negative impact of shadows, skyview and wind on adjacent public areas including streets, parks and open spaces;
- d) Take into account the relationship of the site to topography and other tall buildings;
- e) Minimize the negative impact of shadows, skyview and wind on adjacent private properties and residential neighbourhoods;
- f) Provide adequate transition between taller buildings and the adjacent lower scale buildings; and
- g) Provide high quality, comfortable and usable publicly accessible open space and areas.

The Etobicoke Centre Secondary Plan designates the subject lands *Mixed Use Area "B"* which provides for a broad range of commercial, residential and institutional uses in single or mixed use buildings and calls for retail, office or service uses at-grade. The Secondary Plan states that buildings within *Mixed Use Area "B"* will be developed at a pedestrian-scale height.

Mixed Use Area B will continue as the pedestrian focus of Etobicoke Centre. *Mixed Use Area B* will:

- a) Consist of a broad range of commercial, residential and institutional uses in single use or mixed-use buildings;
- b) Have buildings that are built to the street line with at-grade retail, office or service uses;
- c) Have buildings that are developed at a pedestrian-scale height; and
- d) Provide a continuous pedestrian-oriented retail shopping strip to serve surrounding residential and office and institutional uses.

A number of policies within the Secondary Plan address the need for parkland and community facilities required to support the growth the Plan contemplates. The Secondary Plan requires an appropriate geographic distribution of parkland to be dedicated through the development approval process. The specific combination of parkland dedications or cash-in-lieu of parkland to satisfy the required dedication will be determined by the City through the consideration of each site specific proposal. In addition to parkland provision, the Secondary Plan provides for the development of a Community Services Strategy (completed in 2006) which establishes priorities for the delivery of new and expanded community services within Etobicoke Centre. The Secondary Plan provides for the use of Section 37 Agreements to secure the contribution of community benefits through development applications in return for increased height or density.

The Etobicoke Centre Secondary Plan can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhood* sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. The OMB commenced the hearing of appeals of OPA 320 in May 2017 and it remains ongoing.

On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as

approved and modified by the Minister are relevant and represent City Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found here:

www.toronto.ca/OPreview/neighbourhoods.

OPA 320 adds new criteria to existing Healthy Neighbourhood policy 2.3.1.3 in order to improve the compatibility of new developments located adjacent and close to *Neighbourhoods and Mixed Use Areas, Apartment Neighbourhoods and Regeneration Areas*. The new criteria address aspects in new development such as amenity and service areas, lighting and parking. The revised Policy requires that development within *Mixed Use Areas* that is adjacent or close to *Neighbourhoods* will:

- a) Be compatible with those *Neighbourhoods*;
- b) Provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) Maintain adequate light and privacy for residents in those *Neighbourhoods*;
- d) Orient and screen lighting and amenity areas so as to minimize impacts on adjacent properties in those *Neighbourhoods*;
- e) Locate and screen service areas and access to underground parking, locate any surface parking so as to minimize impacts on adjacent properties in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual and noise impacts upon adjacent properties in those *Neighbourhoods*; and
- f) Attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Zoning

The site is zoned Etobicoke Centre 1 (EC1) by the former City of Etobicoke Zoning Code as amended by Site Specific Zoning By-law No. 1088-2002 (see Attachment 4: Zoning By-law). The EC1 zone permits apartment houses and senior citizens apartment buildings and a limited amount of commercial uses. The maximum building height permitted is 24 m and the maximum floor space index permitted is 3.5 times the area of the lot. A minimum 3 m setback from any face of the building wall at grade is required for any portion of the building above

12 m, and a further setback of 6 m is required commencing at a height of 12 m for any portion of the building above 60 m.

The By-law requires a minimum rear yard setback of 7.5 m from a Residential or Open Space zone. The By-law provides a number of performance standards including minimum and maximum building setbacks at grade and limits on tower floor plate sizes.

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Ontario Municipal Board. Zoning By-law No. 569-2013 does not apply to this site because a Site Specific Zoning By-law is in place.

Design Guidelines

Etobicoke Centre Urban Design Guidelines

The urban design policies of the Secondary Plan are supported by the Etobicoke Centre Urban Design Guidelines which provide direction for the redevelopment of lands within the *Centre*. The Urban Design Guidelines establish the relationship of adjacent streets and public spaces which define the urban character of the *Centre* and are intended to provide direction for the creation of a vibrant public realm.

This document provides guidelines on built form, building typology and environmental impacts (sun and wind), as well as direction on the location and treatment of pedestrian entrances.

The Guidelines state that there are three distinct segments of Bloor Street West in Etobicoke Centre. At the easterly end is an extension of the Bloor-Kingsway "main street" area that extends into Etobicoke Centre along the south side of Bloor Street providing pedestrian scale development. The north side of Bloor Street, in this area is home to the area's most intense cluster of office and residential development.

Both the mid-rise and tall building guidelines state that new development will fit within a 45-degree angular plane from adjacent low-rise residential areas.

City-Wide Tall Building Design Guidelines

City Council has adopted City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here: <https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>

In Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas". The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

The City-Wide Tall Building Design Guidelines define a tall building as buildings having a height that is greater than the width of the adjacent street right-of-way or the wider of two streets if located at an intersection. The Tall Building Design Guidelines do not determine where tall buildings are permitted, rather assist with the implementation of Official Plan policy to ensure that tall buildings, where they are permitted, "fit within their context and minimize their local impacts". The Guidelines provide measurable direction relating to creating harmonious fit and compatibility with the existing and planned context, emphasizing relationships to lower-scale buildings, parks and open spaces.

Section 1.3, Fit and Transition in Scale, recommends that all tall buildings need to fit within the existing or planned context and provide an appropriate transition in scale down to lower-scale buildings, parks and open spaces. Tall buildings should respect the scale of the local context and display an appropriate transition in height and intensity especially when adjacent to areas of differing land use, lower-scale built form and heritage properties. Guideline 1.3(a) directs angular planes, minimum horizontal separation distances, and other building envelope controls (such as stepping height limits, building setbacks and stepbacks), to be used to transition from tall buildings down to lower-scale buildings and to maintain access to sunlight and sky view for surrounding streets, parks, public or private open space, and neighbouring properties. Guideline 1.3(d) further states, appropriate fit and transition in scale may mean that not all sites are suitable for tall buildings or that the existing or approved massing and scale of a tall building on one site can be applied or used as a reference point for redeveloping a neighbouring site.

Section 3.1.1 (d), Base Building Scale and Height, recommends for sites where the adjacent context is lower-scale and not anticipated to change, transition in the base building height down to the lower-scale neighbourhood should be provided. The base building should align with the scale and height of the lower-scale context.

Site Plan Control

The development is subject to Site Plan Control. An application for Site Plan Control approval has yet to be submitted.

Reasons for the Application

This proposal requires both Official Plan and Zoning By-law amendments. The Etobicoke Centre Secondary Plan states that in the "*Mixed Use Area B*", buildings are to be developed at a pedestrian-scale height. The proposed building height is greater than the width of the Bloor Street West right-of-way and is considered to be a tall building, not at a pedestrian-scale height, therefore an Official Plan Amendment is required.

Amendments to the former City of Etobicoke Zoning Code and Site Specific Zoning Bylaw No. 1088-2002 are required as the proposal does not comply with the existing performance standards with respect to: the overall building height, total density, building setbacks and rear yard building setback from the adjacent Residential zone. An amendment is also required to establish appropriate development standards for the proposal.

Application Submissions

The following reports/studies were submitted in support of the application:

- Planning Rationale
- Arborist Report
- Architectural Plans
- Survey
- Community Services and Facilities Study
- Landscaping and Lighting Plan
- Geotechnical Report
- Shadow Studies
- Community Consultation Strategy
- Toronto Green Standard Checklist
- Servicing Report
- Transportation Impact Study
- Hydrogeological Report
- Phase I ESA Report
- Phase II ESA Report
- Pedestrian Level Wind Study

A Complete Application Letter was issued on July 25, 2017.

Agency Circulation

The application together with the applicable reports noted above, has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

Community Consultation

Planning staff with the Ward Councillor held a community consultation meeting on November 1, 2017 at Etobicoke Collegiate Institute. Approximately 40 area residents were in attendance, as well as the applicant's consulting team. Planning staff presented the policy framework and an overview of the application review process.

Comments and issues raised by the residents in attendance at the meeting, as well as comments received by Planning staff subsequent to the meeting, are summarized as follows:

- Potential traffic impacts on Bloor Street West and the surrounding residential streets;
- Traffic impacts relating to a lack of proposed 'pick-up and drop-off' area;
- Concerns regarding Green Lanes becoming the undesignated 'pick-up and drop-off' area due to of the location of the proposed residential lobby;
- Insufficient proposed residential, commercial and visitor vehicular parking spaces;
- Potential congestion of the existing public laneway;
- Concerns regarding two-way vehicular movement along the existing one-way public laneway;
- The proposal does not represent the built form context along the south side of Bloor Street West;
- The lack of transition and separation to the adjacent *Neighbourhoods* lands;
- Impacts on adjacent single-detached dwellings, especially in regard to privacy and shadowing of front and rear yards;
- Concerns with the proposed height and massing of the building;
- Integrating the Beer Store within the new development;
- Beautification of the existing Bloor Street West streetscape; and
- Concerns with the potential need for emergency service vehicles and Wheel Trans and lack of proposed space allocated to accommodate these vehicles.

COMMENTS

Planning Act, Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the *Planning Act*, PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of this report.

Staff have determined that the proposal is not consistent with the *Planning Act*, PPS and does not conform with the Growth Plan as follows:

Planning Act

The *Planning Act*, Section 2 sets out matters of Provincial interest that shall be had regard to. These include:

- (p) The appropriate location of growth; and
- (r) The promotion of built form that:
 - (i) is well-designed; and
 - (ii) encourages a sense of place.

The proposed development does not have regard to relevant matters of Provincial interest in Section 2 of the *Planning Act* as the Etobicoke Centre Secondary Plan states this is not a tall building site, but rather a pedestrian scale building site because of the context of the site. The proposal represents a built form that is not well-designed given the constraints of the site and its context.

PPS

- Policy 1.1.3.3 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 or areas, including brownfield sites and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- Policy 1.2.4 directs municipalities to, among other things, identify areas where development will be directed.
- Policy 1.7.1 provides that long-term economic prosperity should be supported by:
 - d) Encouraging a sense of place, by promoting well designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.
- Policy 4.7 states that the Official Plan is the most important vehicle for implementation of the PPS. Municipal Official Plans shall identify provincial interests and set out appropriate land use designations and policies. Official Plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.
- Policy 4.8 states that zoning and development permit by-laws are important for implementation of the PPS. Planning authorities shall keep

their zoning and development permit by-laws up-to-date with their Official Plans and the PPS.

The City of Toronto Official Plan policies, aligned with the Etobicoke Centre Secondary Plan policies and the Etobicoke Centre Secondary Plan Area Zoning By-law No. 1088-2002, direct growth in the Etobicoke Centre by accommodating for an appropriate range of height and density with a mix of residential, employment, recreational and open space uses to meet long-term needs. While the Official Plan designates the Etobicoke *Centre* as a location for growth, the Etobicoke Secondary Plan is descriptive in the type of built form that is envisioned for the south side of Bloor Street West, and how it would relate to its existing context. The current proposal does not comply with these policies, therefore is not consistent with the PPS to the extent that it does not comply with the municipal direction for growth.

Growth Plan

- Section 2.2.2.4 directs all municipalities to develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built-up areas*, which will:
 - Encourage *intensification* generally to achieve the desired urban structure;
 - Identify the appropriate type and scale of development and transition of built form to adjacent areas;
 - Identify *strategic growth areas* to support achievement of the intensification target and recognize them as a key focus for development;
 - Ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;
 - Prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and
 - Be implemented through Official Plan policies and designations, updated zoning and other supporting documents.
- Section 2.2.4.4(b) directs municipalities to develop a strategy to achieve minimum intensification targets and intensification throughout delineated built-up areas, which will identify the appropriate type and scale of development and transition of built form to adjacent areas.
- Section 2.2.3.1 states urban growth centres will be planned:
 - a. As focal areas for investment in regional *public service facilities*, as well as commercial, recreational, cultural, and entertainment uses;

- b. To accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
 - c. To serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
 - d. To accommodate significant population and employment growth.
- Section 2.2.3.2 states that urban growth centres within the City of Toronto will be planned to achieve a minimum density target of 400 residents and jobs combined per hectare.
 - Section 2.2.4.3 directs that *Major transit station areas on priority transit corridors* or subway lines will be planned for a minimum density target of 200 residents and jobs combined per hectare for those that are served by subways.
 - Section 5.2.5.5 states for each applicable delineated area, the minimum density targets in the Plan are to be implemented through both Official Plan policies, Secondary Plans and zoning that establish permitted uses within the delineated area and identify densities, height and other elements or site design.

The proposal does not represent an appropriate scale of development for the surrounding area and does not appropriately transition to adjacent properties. In this context, the Official Plan, Etobicoke Centre Secondary Plan and the Etobicoke Centre Urban Design Guidelines provide direction on appropriate height, massing and transition to the adjacent lower-scale context. The Etobicoke Centre Secondary Plan and Site Specific Zoning By-law No. 1088-2002 explicitly state that buildings on the south side of Bloor Street West are to be lower scale mixed use buildings, and that protection from impacts of development on the low density residential neighbourhood beyond the southerly boundary of the Secondary Plan must be provided. The proposal does not fit within the scale of development called for in the Official Plan, Etobicoke Centre Secondary Plan and the existing Site Specific Zoning By-law No. 1088-2002.

The 2017 Growth Plan allows municipalities the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding provincial density objectives to support investments in transit. Municipalities will “identify the appropriate type and scale of development and transition of built form to adjacent areas” (Section 2.2.2.4 c)).

Schedule 4 of the Growth Plan identifies the site as an Urban Growth Centre and Policy 2.2.3.2 also stipulates minimum density targets for urban growth centres. The Growth Plan recognizes that the minimum density targets prescribed in

Policy 2.2.3.2 cannot be applied indiscriminately to all Urban Growth Centres without considering the site and area context and impacts to surrounding land uses. The Etobicoke Centre Secondary Plan and Urban Design Guidelines define areas within the Etobicoke *Centre* suitable for intensification and establish the built form parameters for this growth in a manner consistent with the Official Plan. The proposal is not consistent with the built form parameters of the Etobicoke Centre Secondary Plan and the Official Plan.

The Growth Plan identifies the TTC Line 2 Bloor-Danforth as a priority transition corridor. The Growth Plan speaks to the need to coordinate transit infrastructure investment with land use planning, and contains policies about population and employment densities that should be planned for in intensification areas including major transit station areas ("MTSAs") along priority transit corridors. MTSAs are generally defined as the area within an approximately 500 metre radius of a transit station, representing about a 10 minute walk.

The Growth Plan requires that, at the time of the next Municipal Comprehensive Review ("MCR"), the City update its Official Plan to include minimum heights, densities and other elements in order to achieve the minimum intensification and density targets related to MTSAs on priority transit corridors. The City must conform to the Growth Plan by 2022. Requests for alternative targets can be made by municipalities only at that time.

The Growth Plan states that the new municipal growth forecasts cannot be used on a site specific basis, outside of a Municipal Comprehensive Review. However, the Growth Plan also states that no decision can be made now that would adversely affect the ability to meet the minimum density targets in the future.

This proposal does not conform to the Growth Plan to the extent that it does not comply with the municipal direction for location and form of growth.

Land Use

The application proposes both residential and non-residential uses. More specifically the non-residential use includes retail use at-grade and office uses on the second floor. These uses are permitted in the EC1 zone of Zoning By-law No. 1088-2002, as well as within the *Mixed Use Areas* of the Official Plan.

This application proposes to exceed the permitted gross floor area for the residential and non-residential uses in the Zoning By-law. While the uses are permitted, the application fails to meet many key policies within the Official Plan, Etobicoke Centre Secondary Plan and Council adopted Urban Design Guidelines.

Density, Height and Transition

The subject site is currently an underutilized site located in the *Centre* and is suitable for redevelopment. However, the first consideration for any development on the site must be an acknowledgement of the existing context and any sensitive uses in the immediate area. The site is located at the corner of Bloor Street West and Green Lanes and is directly across from Kenway Public Park to the west, Islington Subway Station to the north and low-scale *Neighbourhoods* to the south.

While *Centres* and *Mixed Use Areas* are identified as areas for intensification, new development is subject to policies and criteria regarding appropriate building location and massing. This application fails to appropriately accommodate the proposed height and density to comply with the Official Plan and Etobicoke Centre Secondary Plan policies and the Etobicoke Centre Urban Design Guidelines.

Density

The proposed density of 8.7 times the area of the lot exceeds the current underlying zoning permissions of Zoning By-law No. 1088-2002 of 3.5 times the area of the lot. The densities of existing developments within the context along the south side of Bloor Street West are as follows:

Address	Approved Density
3391 Bloor Street West	5.75 times the area of the lot
26-30 Fieldway Road	1.71 times the area of the lot
2 Fieldway Road	2.6 times the area of the lot
8 Fieldway Road	2.3 times the area of the lot

The proposal differs considerably from the existing densities within the area of the subject site on the south side of Bloor Street West. The proposed density of 8.7 times the area of the lot is greater than the density of any nearby development along the south side of Bloor Street West, which is an indicator of overdevelopment.

The Etobicoke *Centre* is designated as an area suitable for growth, and the Etobicoke Centre Secondary Plan provides built form parameters for this growth in a manner that is consistent with the Official Plan. The applicant's justification for the proposed increased height and density is related to its location within a Growth Plan's designated Urban Growth Centres or the Official Plan's *Centre*. The density target for the Etobicoke Centre is 400 people and jobs per hectare by 2031. Although the Growth Plan sets out population targets, they are not intended to negate the fact that proposed development must still represent good planning by complying with the Official Plan and Secondary Plan policies, be consistent with the applicable urban design guidelines and provide appropriate transition to the abutting low-scale residential properties.

The Growth Plan (Section 2.2.2.4) directs municipalities to develop a strategy to achieve the minimum intensification targets and intensification throughout delineated built-up areas, which will:

- Encourage intensification generally to achieve the desired urban structure;
- Identify the appropriate type and scale of development and transition of built form to adjacent areas; and
- Be implemented through Official Plan policies and designations, updated zoning and other supporting documents.

Together, the Etobicoke Centre Secondary Plan and Urban Design Guidelines establish an approach to applying density within the Etobicoke *Centre* which recognizes the diversity of site characteristics and contextual neighbourhoods within the *Centre*. The objective of these documents is to define areas within the *Centre* suitable for intensification and to establish the built form parameters for growth that is consistent with the Official Plan. The Secondary Plan and Urban Design Guidelines are explicit as to where tall and pedestrian scale buildings are to be located and the transition required to low rise residential neighbourhoods.

Height

The height of this proposed building would be 64 m which exceeds the current underlying zoning permission of 24 m by 40 metres. By comparison, the existing building heights within the context of the subject site and along the south side of Bloor Street West are as follows:

Address	Approved Height in metres/storeys
3391 Bloor Street West	36m / 11 storeys
26-30 Fieldway Road	14.65 m/ 4 storeys
2 Fieldway Road	53m/ 13 storeys
8 Fieldway Road	21m / 6 storeys

There is a clear distinction between the built form context along the north and south side of Bloor Street West. Along the south side of the Bloor Street West between Royal York Road and railway tracks, the tallest existing building is an 11-storey (36 m in height) mixed-use building located at the southwest corner of Bloor Street West and Islington Avenue (3391 Bloor Street West). There have been developments constructed along the north side of Fieldway Road of 4-storey townhouses, a 6-storey residential building and a 13-storey building. The 13-storey building was a conversion of an existing 12-storey office building into residential condominiums.

The Built Form policies require that new development be designed to fit harmoniously into the existing and/or planned context and to limit impacts on neighbouring streets, parks, open spaces and properties. The proposed relationship between the proposed tall building and its neighbouring buildings is

inappropriate and does not relate in a way that conforms to the Official Plan policies. The proposal mimics the existing built form context along the north side of Bloor Street West, which has greater as-of-right building height permissions of 60 m and 90 m. The primary objective of the Etobicoke Centre Secondary Plan is to allow for greater building heights along the north side of Bloor Street West while maintaining a pedestrian scale development on the south side to reinforce the stability of and minimize impacts on the *Neighbourhoods*.

This application would introduce a significantly different and distinct built form which is not contextually sensitive and represents a significant departure from the character and vision of the south side of Bloor Street West. Given the existing context and the approved buildings along the south side of Bloor Street West, all of which, like the subject site, abut low rise neighbourhoods, a building of 18-storeys (64 m, excluding mechanical equipment) is not appropriate for the surrounding context. The proposed height must be compatible of its surrounding context along the south side of Bloor Street West.

The building height is also of concern with respect to transition and compatibility with adjacent low-rise residential buildings designated *Neighbourhoods*. A recurring policy within the Official Plan is to locate and mass buildings so as to minimize their impacts on properties designated *Neighbourhoods*. The Healthy Neighbourhoods policies of the Official Plan (Policy 2.3.1.2) provide guidance for development in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods*. Policy 2.3.1.2 states that development within *Mixed Use Areas* that are adjacent to *Neighbourhoods* will be compatible with those *Neighbourhoods* and provide a gradual transition of scale and density, through the stepping down of buildings towards and setbacks from those *Neighbourhoods*. In OPA 320, the revised policy in Section 2.3.1.3, Healthy Neighbourhoods, further requires that development within *Mixed Use Areas* that is adjacent to *Neighbourhoods* will:

- c) Maintain adequate light and privacy for residents in those *Neighbourhoods*.

Built Form Policies require new development to provide appropriate transition in scale and to provide for adequate light and privacy for neighbouring streets, open spaces and properties. *Mixed Use Areas* Policy 4.5.2(c) (d) further states that new development is to locate and mass buildings to provide transition between areas of different development intensity and scale, through means such as setbacks, and stepping down of heights towards lower-scale *Neighbourhoods* and that buildings are to be located and massed to adequately limit shadow impacts on adjacent *Neighbourhoods*.

The Etobicoke Centre Secondary Plan speaks to the protection from impacts of development on the low density residential neighbourhoods beyond the Plan's southerly boundary. Urban Design Policy 3.4.6 of the Secondary Plan states that tall building proposals must address key urban design considerations, such as:

- b) Demonstrate how the proposed building and site design relate to adjacent buildings and blocks within the immediate neighbourhood;
- e) Minimize the negative impact of shadows, skyviews and wind on adjacent private properties and residential neighbourhoods; and
- f) Provide adequate transition between taller buildings and the adjacent lower scale buildings.

Above the ground floor, the base building would be setback approximately 1.41 m from the rear property line. Above the base building, the tower component would be setback approximately 0 m- 6.4 m from the rear property line at the 6th storey, approximately 5.76 at the 7th storey and approximately 4.56 m from the rear property line at the 8th to 18th storeys. The Etobicoke Centre Urban Design Guidelines call for a 45 degree angular plane from the adjacent low-rise residential areas, to restrict the impact of taller buildings. The purpose of the 45 degree angular plane is to incorporate a series of setbacks into the building envelope with the intention of providing an appropriate transition between new development that abuts properties in the residential zoning category. This goal in the Guidelines is supported by and conforms to Official Plan policies in terms of compatibility and transition from low-rise residential neighbourhoods. The proposed building significantly penetrates this angular plane.

Not every site can accommodate a tall building. The Built Form policies of the Official Plan state that infill and redevelopment must fit in, respect and improve the context of the surrounding area, by creating appropriate transition in scale to the existing context. The proposed tall building does not fit within the established or planned context of the south side of Bloor Street West and does not provide adequate transition to the adjacent *Neighbourhoods* designated lands. Appropriate fit and transition is achieved when tall buildings respect and integrate with the height, scale and character of the neighbouring buildings, reinforce the broader city structure, provide horizontal separation and transition down to lower-scale buildings and open space, and maintain access to sunlight and skyview for surrounding streets, parks, public or private open space and neighbouring properties.

Section 3.1.3 states that poorly located and designed tall buildings can physically and visually overwhelm adjacent streets, parks and neighbourhoods. Such buildings can block sunlight, views of the sky and create uncomfortable wind conditions in adjacent streets, parks and open space and create traffic congestion. Staff are of the opinion that the introduction of the proposed massing and height on the subject site would set a negative precedent given its existing context. An 18-storey tall building adjacent to one- and two- storey residential buildings is not a compatible built form relationship and does not represent gradual transition in scale and density. The building would setback 1.41 m from

the 6 m laneway, while the adjacent residential dwelling is setback 1.46 m from their north property line. This would result in the neighbouring property experiencing an 18-storey building wall within 8.87 metres from their dwelling. The proposed height and density of the building would result in significant impacts on light, privacy and shadow of the adjacent low-rise properties. As such, the proposal does not provide an appropriate built form relationship with its context in accordance with the Official Plan, Etobicoke Centre Secondary Plan and Urban Design Guidelines.

Overall, the site organization and tower location is unacceptable. The proposal has not demonstrated how the proposed density can be massed on the site to fit within the planned and existing context. This application does not comply with the Built Form, Healthy Neighbourhood or *Mixed Use Areas* policies of the Official Plan, the Etobicoke Centre Secondary Plan policies or the intent of the applicable Urban Design Guidelines.

Sun and Shadow

Official Plan Policies 3.1.2.3(c) and 4.5(2) (d) state that new development should be located and massed to limit shadowing on neighbouring streets, properties and open spaces, neighbouring parks and adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. Additionally, the City-wide Tall Buildings Design Guidelines provide recommendations on design approaches and methods used to achieve appropriate fit and transition and minimize shadow impacts.

Built Form Policy 3.1.2.3 states that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context to adequately limit any resulting shadowing of neighbouring streets, properties and open space, having regard for the varied nature of such areas. Section 4.5, Policy 2(d) of the Official Plan states that development within *Mixed Use Areas* will be located and massed to adequately limit shadow impacts on adjacent *Neighbourhoods*. Policy 3.4.6 of the Etobicoke Centre Secondary Plan states that tall building proposals must minimize the negative impact of shadows and skyview on adjacent private properties and residential neighbourhoods. Official Plan Policy 3.1.2.4 requires tall buildings to be located to ensure adequate access to sky view for the proposed and future use of these areas.

A shadow study from the applicant's architect was submitted with the application illustrating the incremental shadow impacts during March 21st and September 21st (Spring and Fall Equinoxes), June 21st (Summer Solstice) and December 21st (Winter Solstice).

According to the March/September 21st shadow studies, the north sidewalk along Bloor Street West would be continuously shadowed between 12:18 p.m. and

4:18 p.m. At 6:18 p.m. the proposed building would cast new shadows on the abutting *Neighbourhoods* lands to the south. Although the as-of-right shadow also slightly shadows the low-rise properties to the south at 6:18 p.m., the proposed massing would shadow a significantly larger number of properties.

The June 21st shadow studies show new shadowing on the *Neighbourhoods* lands to the south from 5:18 p.m. onwards. The summer season is when both the front and back yards are typically used by residents. In this respect, the proposal does not conform to, or maintain the intent of the Official Plan and Etobicoke Centre Secondary Plan.

Wind

The applicant submitted a Computer-Base Pedestrian Level Wind Study, prepared by Gradient Wind Engineering Inc. Planning staff have concerns with the extent of the proposed wind conditions within the adjacent Kenway Park and the public realm.

Section 2.2.1 e) of the Growth Plan (2017) states that the policies of the Growth Plan will support the achievement of complete communities that "ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site and urban standards".

The Official Plan and City Urban Design Guidelines help to implement the policy outcomes of the Growth Plan, including Policy 3.1.2.3 e) and f) of the Official Plan that states:

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 neighboring streets, parks, open space and properties by:

- e) adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- f) minimizing any addition shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Further direction is also provided in the City's Tall Building Urban Design Guidelines where it suggests that in the shoulder seasons, spring and fall, access to direct sunlight and shelter from the wind become very important to improve the comfort, usability and enjoyment of outdoor space. According to the grade-level pedestrian wind condition figures of the report, during the Spring and Winter specific locations within the Kenway Park and public realm achieve walking comfort class rating. According to Gradient Wind Engineering Inc, Walking comfort class ratings are defined as wind speeds below 30 km/h occurring more than 80% of the time. Pedestrian comfort is of paramount

consideration when evaluating the wind conditions within the adjacent parks and public realm. In order to provide optimal pedestrian comfort and preserve the utility of these spaces, it is best to achieve sitting level wind conditions within the adjacent public park and the public realm. Based on the readings the development would have unacceptable wind conditions on the adjacent Kenway Public Park and public realm. If the application is approved in its current form, further wind mitigation measures would be required.

Traffic Impact, Access and Parking

Access to the underground parking garage and loading space is proposed from the adjacent public laneway that runs along the south of the property. The laneway is accessible from Green Lanes. Transportation Services staff are satisfied with the proposed access.

Transportation Service staff have reviewed the application and determined that the parking ratios are acceptable. During the application review process, Transportation Services staff required revisions and additional information pertaining to the submitted Transportation Impact Study. This additional information has not been submitted. Should this development be approved by the Local Planning Appeal Tribunal, it is recommended the City Solicitor request the Tribunal to withhold its final Order until the applicant submits a revised Transportation Impact Study to the satisfaction of the General Manager of Transportation Services.

Servicing

Engineering and Construction Services staff have required clarity and additional material to be provided in regard to the submitted Stormwater Management Study, Sanitary Sewer Analysis and the Hydrant Pressure and Volume Testing. Should the application be approved by the Local Planning Appeal Tribunal, it is recommended the City Solicitor request the Tribunal to withhold its final Order until the applicant submits a revised Stormwater Management Study, Sanitary Sewer Analysis and Hydrant Pressure and Volume Testing, to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

Open Space/Parkland

The development site is within the Etobicoke Centre Secondary Plan boundaries and is subject to the Parkland Dedication Rate of the Secondary Plan, which is 0.5 ha per 400 units with a cap of 20% for residential uses and 2% for non-residential uses. The site is in the lowest quintile of current provision of parkland. Should the application be approved, the applicant would be requested to provide cash-in-lieu of an on-site parkland dedication. The value of the cash-in-lieu of

parkland dedication would be appraised by Real Estate Services staff. Payment would be required prior to the issuance of the first above grade building permit.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Section 37

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for proposed developments, in accordance with Section 37 of the *Planning Act*. Discussions regarding Section 37 benefits between the applicant and the City have not occurred as there was no agreement on an appropriate development of the site. However, as the application has been appealed to the Local Planning Appeal Tribunal, it is necessary to address Section 37 matters in the context of the Zoning By-law Amendment application being considered for the proposed development.

Based on the existing permitted development density of 3.5 times the area of the lot and a maximum building height of 24 m, an overall development density of approximately 6,783 m² is permitted on the site. The total proposed gross floor area for the site is 16,826 m² with a building height of 18 storeys and a Floor Space Index of 8.7 times the area of the lot.

In accordance with the City Council approved protocol for negotiating Section 37 community benefits, Planning staff consulted with the Ward Councillor and contacted Real Estate Services staff regarding the estimated value of density increase proposed by this application. This report recommends that, if the proposed development is approved by the Local Planning Appeal Tribunal in its current form, \$1,370,000 should be provided under Section 37 of the *Planning Act* for community benefits in accordance with Policy 5.1.1 of the Official Plan and included in the Zoning By-law Amendment.

In consultation with the Ward Councillor, it was determined that these funds should be allocated towards community facilities, park improvements and local traffic calming measures at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor. In the event a modified proposal with reduced height and density is approved, staff recommend that the quantum of the community benefit be reduced on a prorated basis and that the benefits continue to be for the purpose of community facilities, park improvements and local traffic calming measures.

Conclusion

It is the opinion of staff the proposal constitutes overdevelopment of the subject site. The proposed development would not be compatible with the existing and planned built form context and would not contribute towards implementing the vision of the Etobicoke Centre Secondary Plan. The policy direction of the Etobicoke Centre Secondary Plan does not support the proposed development. Staff are of the opinion that the proposed height, massing and transition would not achieve a compatible physical relationship with the surrounding context.

The proposal has been reviewed against the policies of the PPS (2014) including Policy 1.1.3, 1.2.4, 4.7 and 4.8, the Growth Plan including Sections 2.2.3.1, 2.2.3.2 and 5.2.5.5, the Official Plan and the Secondary Plan.

The proposal is not consistent with the PPS (2014) and does not conform to the Growth Plan (2017). Further, the proposal does not conform to the Official Plan, Etobicoke Centre Secondary Plan and does not meet the intent of the applicable Urban Design Guidelines. The concerns regarding building height, massing, setbacks and setbacks, transition, density and shadows have not been resolved. The proposal does not represent good planning and is not in the public interest in its current form.

Staff are therefore recommending that City Council direct the City Solicitor and other appropriate staff to attend the Local Planning Appeal Tribunal to oppose the applicants appeal respecting the Official Plan Amendment and Zoning By-law Amendment application.

CONTACT

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E-mail: Jennifer.Renaud@toronto.ca

SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan

Attachment 4: Zoning By-law

Attachment 5: Site Plan

Attachment 6: North Elevation

Attachment 7: South Elevation

Attachment 8: East Elevation

Attachment 9: West Elevation

Attachment 1: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	17 188915 WET 05 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 28, 2017

Municipal Address: 3429 BLOOR STREET WEST

Location Description: PLAN 2392 LOTS 8 TO 11 PT LOT 7 **GRID W0506

Project Description: Official Plan and Zoning By-law Amendment application to construct an 18-storey mixed use building with retail at-grade, office uses on the second level and 176 retirement and assisted living units above.

Applicant:	Agent:	Architect:	Owner:
URBAN STRATEGIES 197 Spadina Avenue, Unit 600 Toronto, Ontario M5T 2C8		GIANNONE PETRICONE ASSOCIATES INC. ARCHITECTS 462 Wellington Street, Toronto, Ontario M5V 1E3	DCMS REALTY (BLOOR- ISLINGTON) INC. 2800 14 th Avenue, Unit 508 Markham, Ontario L3R 0E4

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y
Zoning:	EC1	Historical Status:	N
Height Limit (m):	24 m	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1,938	Height:	Storeys:	18
Frontage (m):	60		Metres:	64 m (70 m, including mechanical equipment)
Depth (m):	32			
Total Ground Floor Area (sq. m):	1,124			TOTAL
Total Residential GFA (sq. m):	15,353		Parking Spaces:	72
Total Non-Residential GFA (sq. m):	1,473		Loading Docks	2
Total GFA (sq. m):	16,826			
Lot Coverage Ratio (%):	57.9			
Floor Space Index:	8.7			

DWELLING UNITS

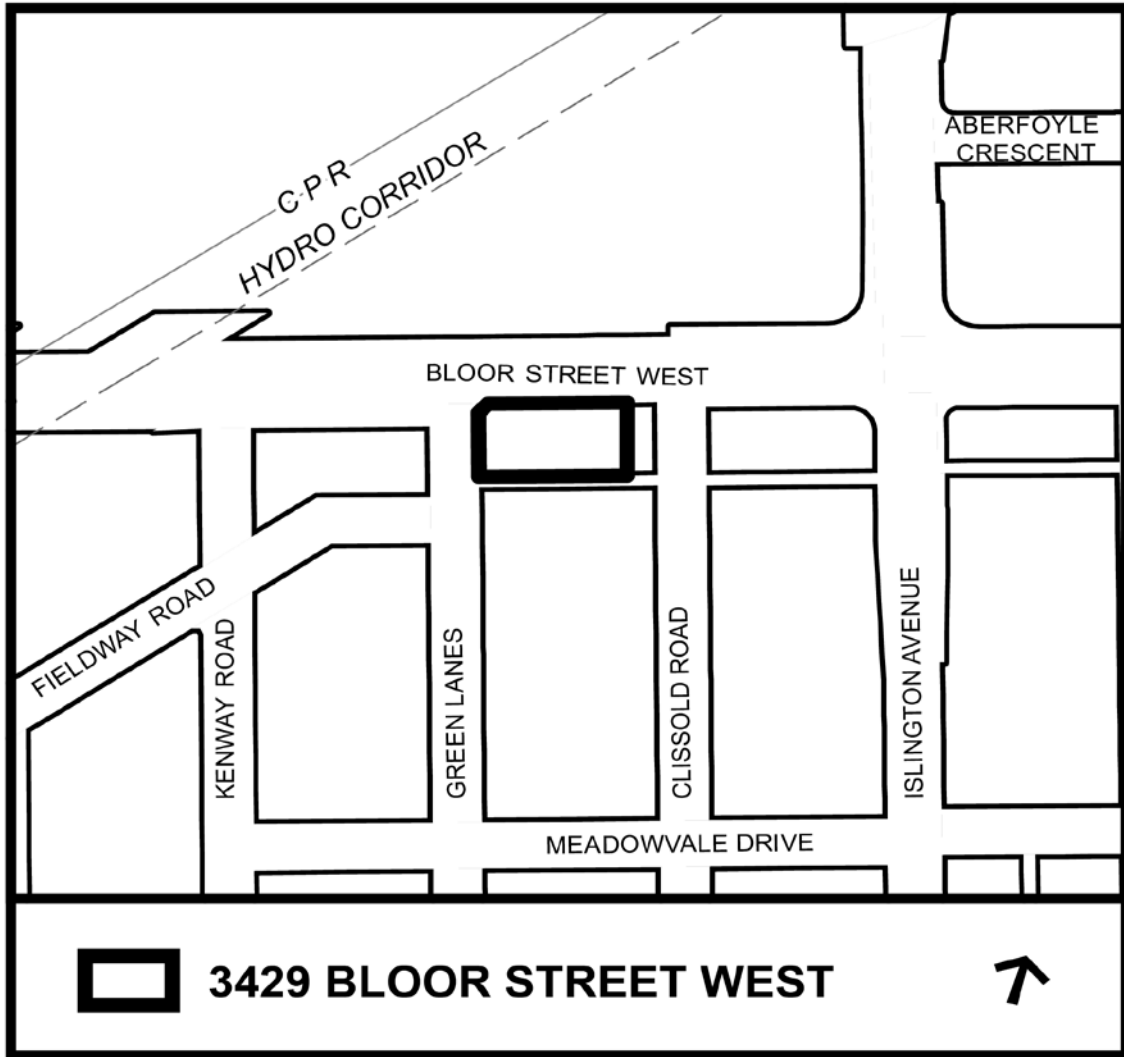
Tenure Type:	Other
Rooms:	176
Assisted Living Units:	60
Residential Units:	116
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	176

FLOOR AREA BREAKDOWN (upon project completion)

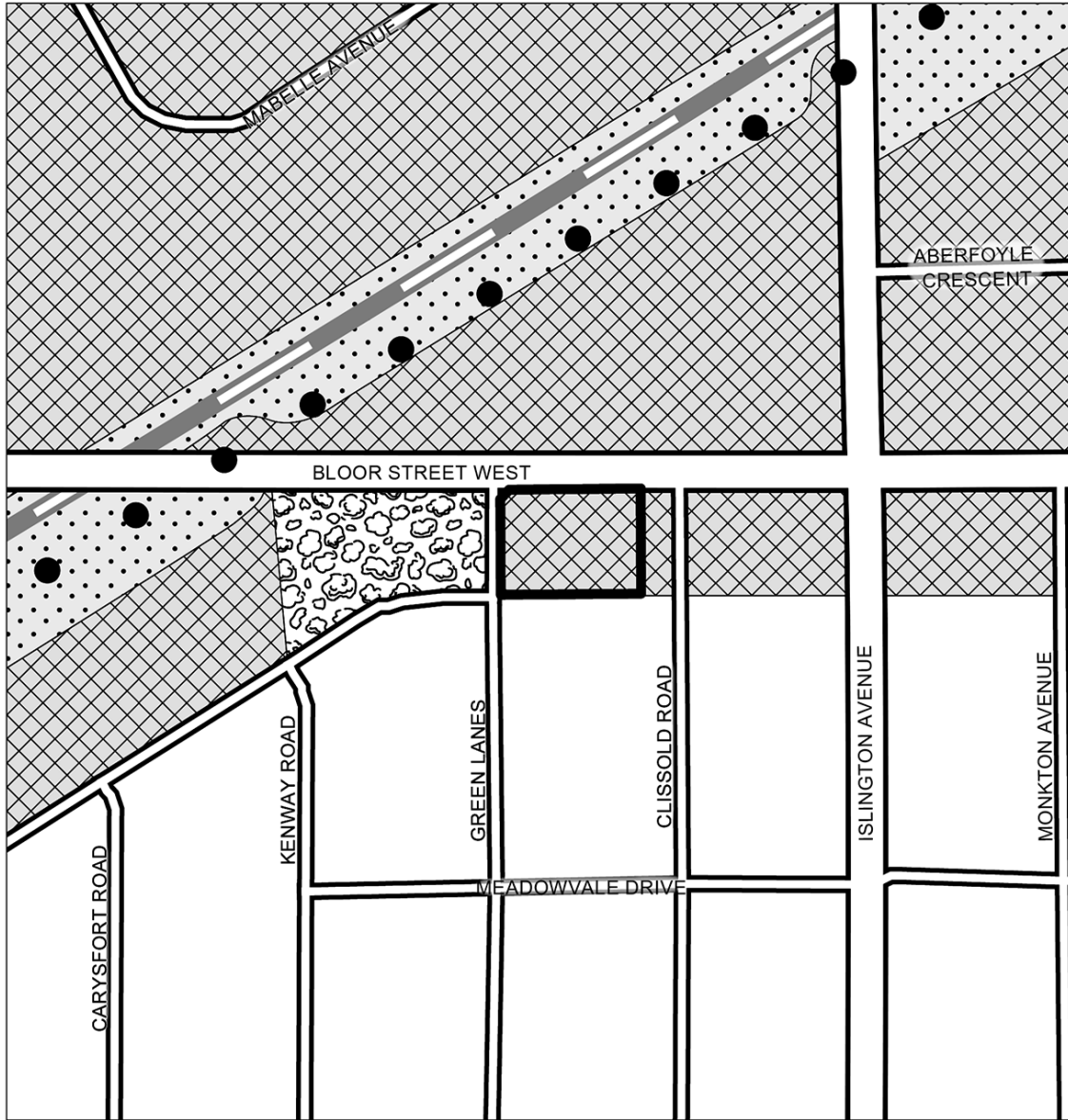
	Above Grade	Below Grade
Residential GFA (sq. m):	15,353	0
Retail GFA (sq. m):	622	0
Office GFA (sq. m):	851	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: **PLANNER NAME:** Jennifer Renaud, Planner
TELEPHONE: 416 394 2608

Attachment 2: Location Map



Attachment 3: Official Plan



TORONTO
 Extract from Official Plan

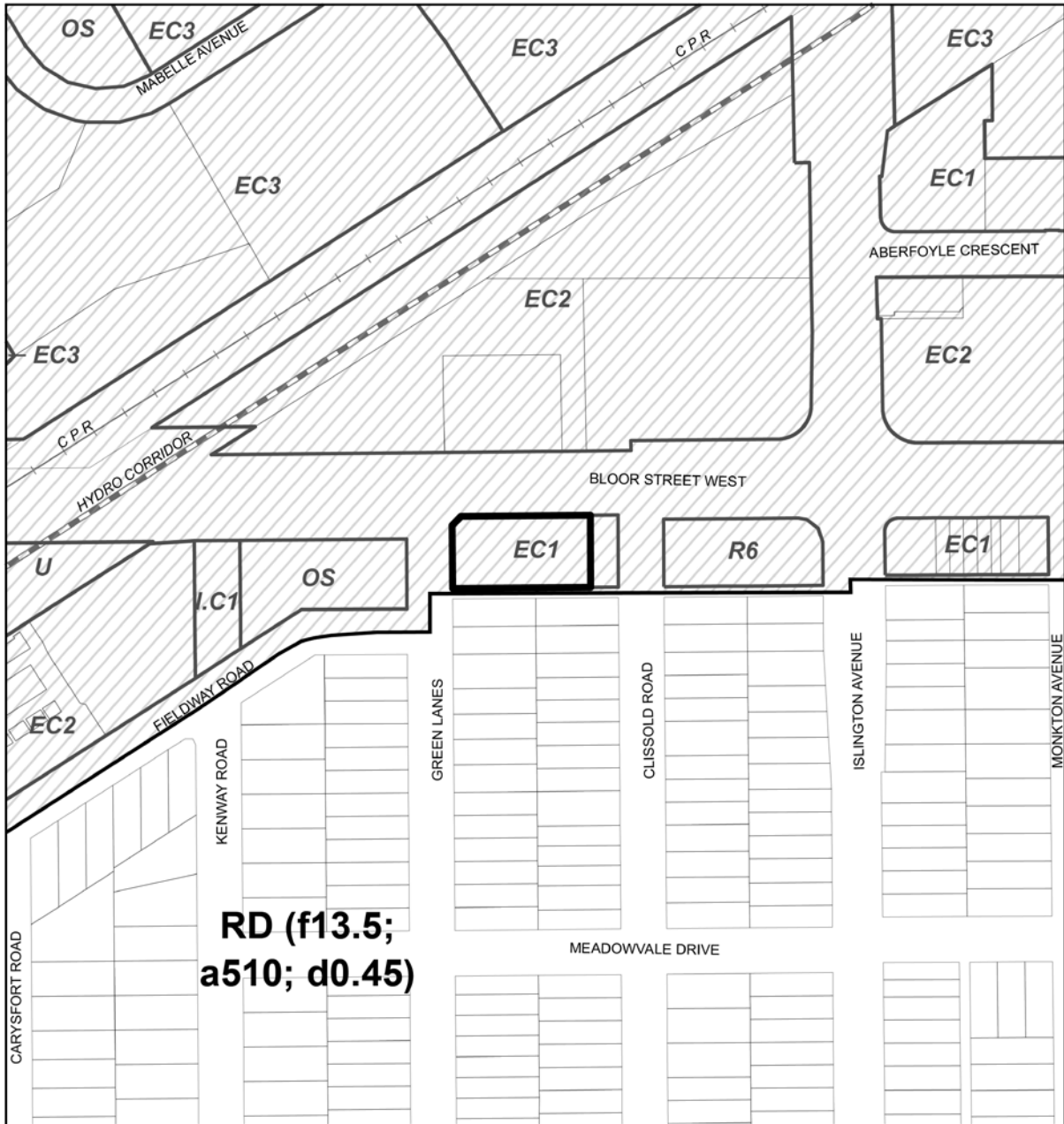
3429 Bloor Street West

File # 17 188915 WET 05 0Z



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 07/25/2017

Attachment 4: Zoning




Zoning By-Law No. 569-2013

3429 Bloor Street West

File # 17 188915 WET 05 0Z

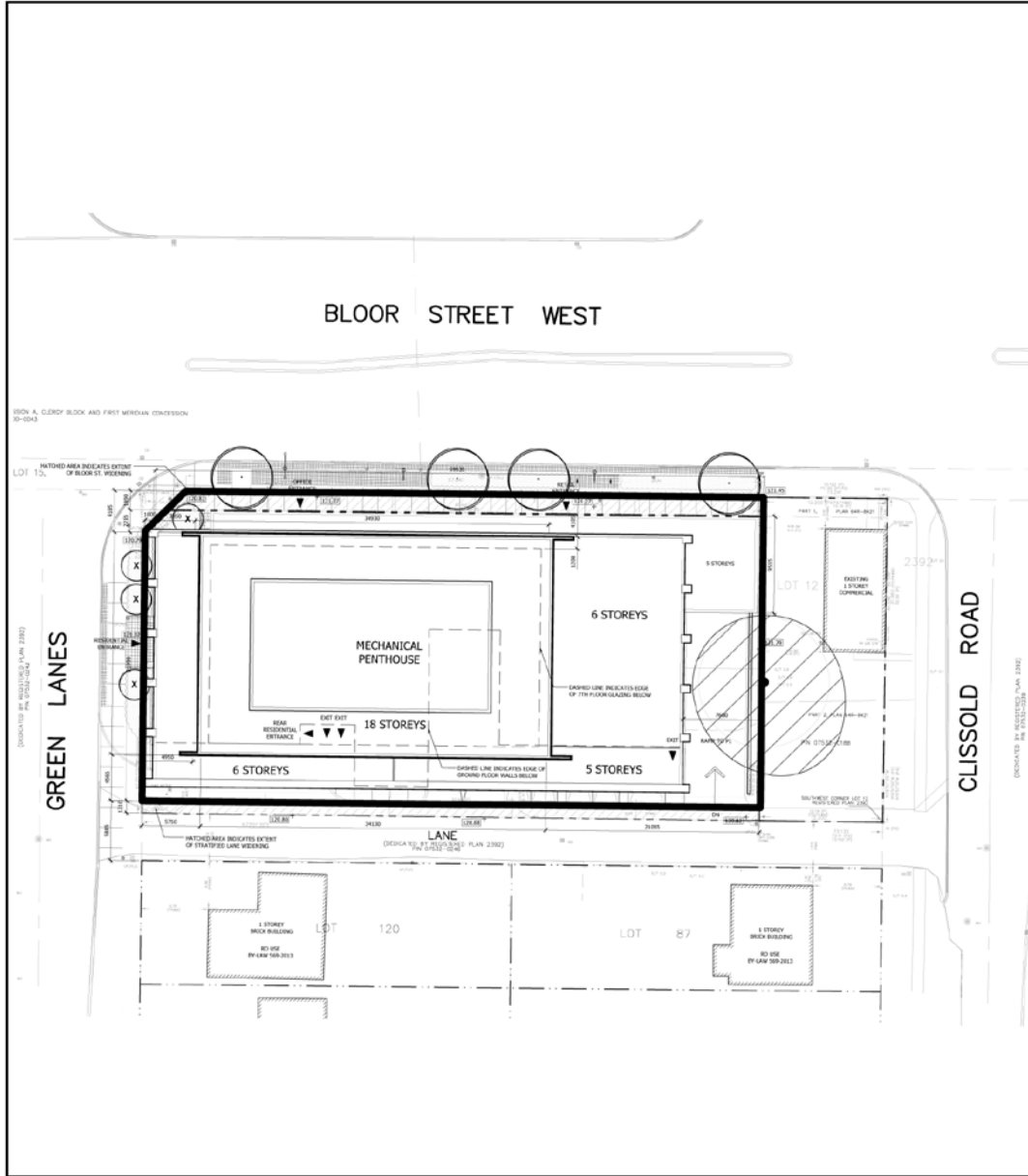
-  Location of Application
- RD** Residential Detached

-  See Former City of Etobicoke By-Law No. 11,737
- R6** Sixth Density Residential Zone
- OS** Public Open Space Zone
- I.C1** Class 1 Industrial Zone
- EC1** Etobicoke Centre 1 Commercial Zone
- EC2** Etobicoke Centre 2 Commercial Zone
- EC3** Etobicoke Centre 3 Commercial Zone
- U** Utilities Zone



Not to Scale
Extracted: 07/25/2017

Attachment 5: Site Plan



Site Plan

Applicant's Submitted Drawing

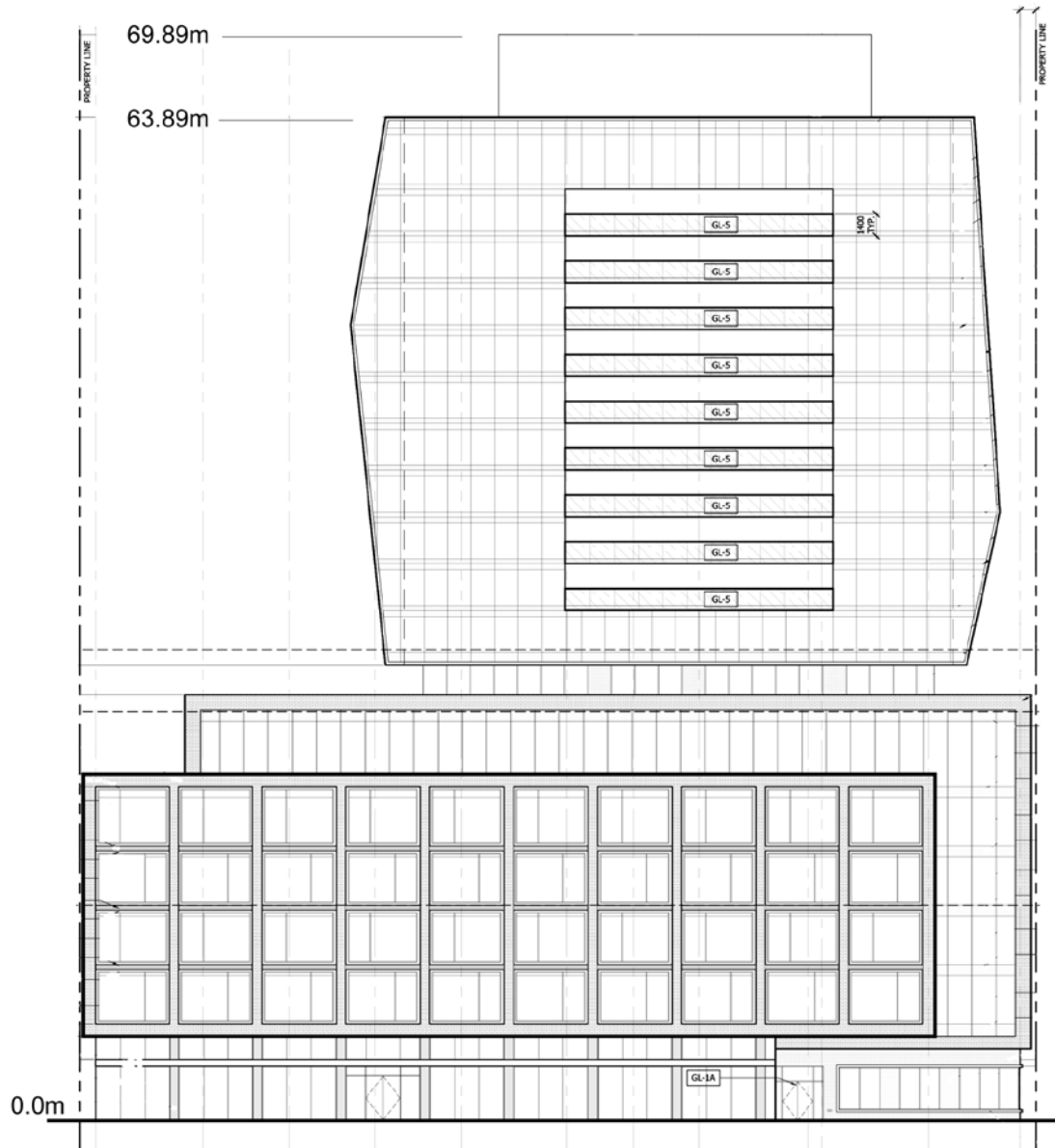
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07/25/2017



3429 Bloor Street West

File # 17 188915 WET 05 02

Attachment 6: North Elevation



North Elevation

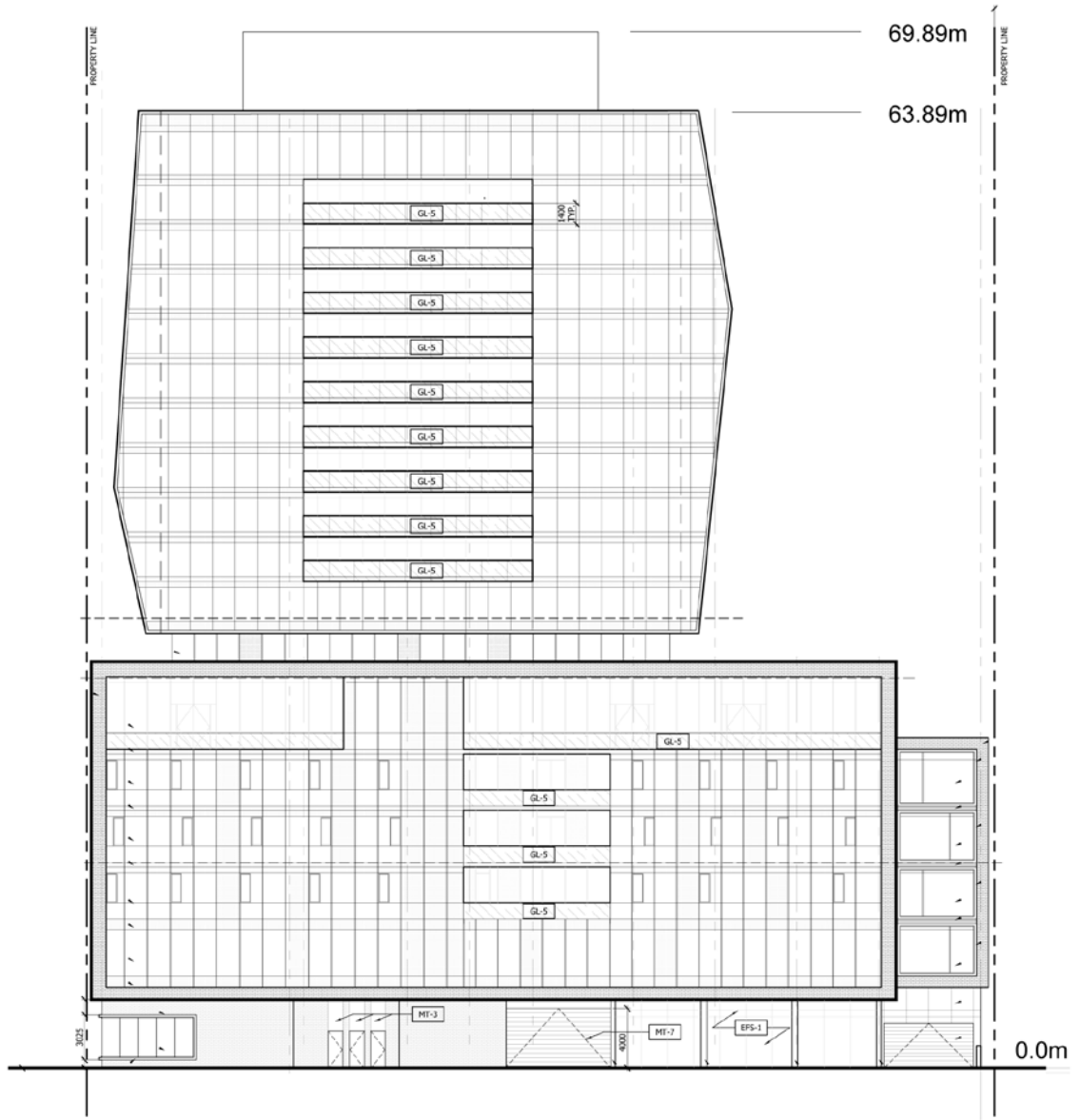
3429 Bloor Street West

Applicant's Submitted Drawing

Not to Scale
07/25/2017

File # 17 188915 WET 05 0Z

Attachment 7: South Elevation



South Elevation

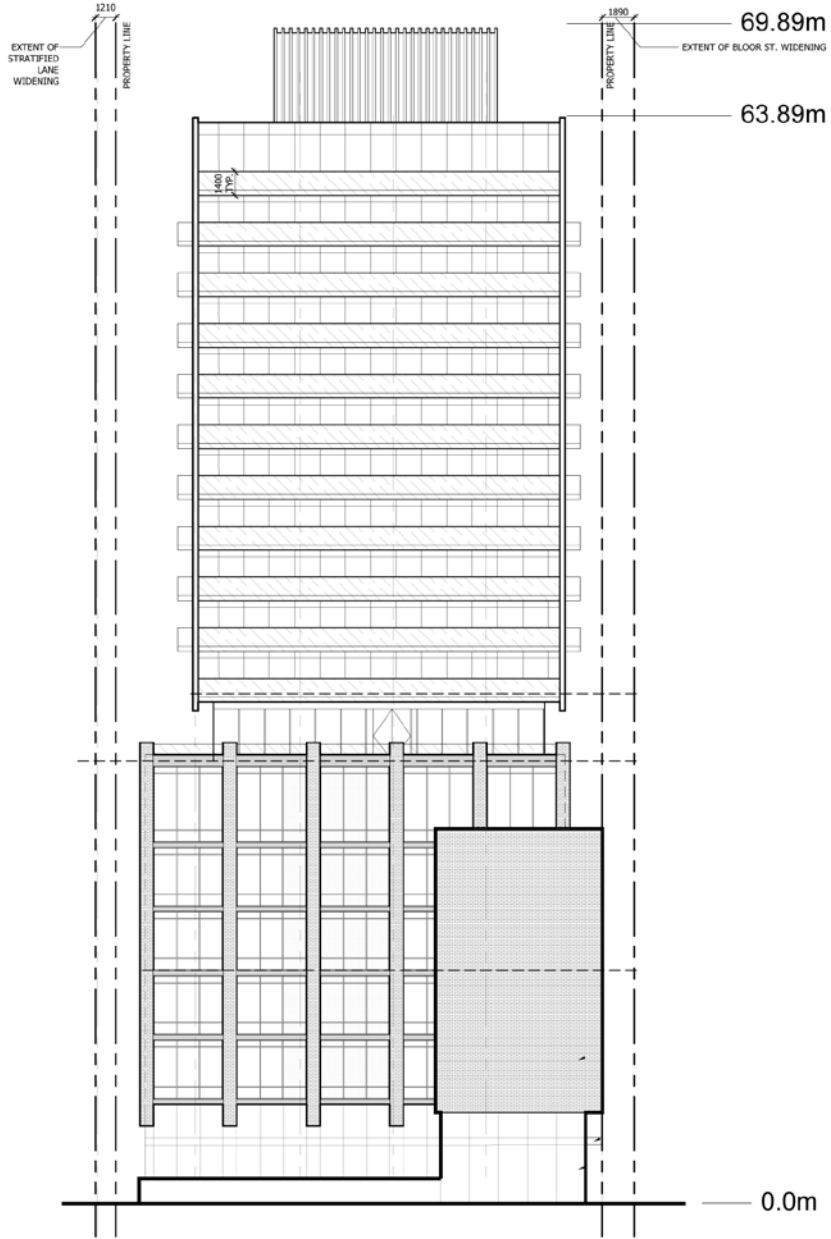
3429 Bloor Street West

Applicant's Submitted Drawing

Not to Scale
07/25/2017

File # 17 188915 WET 05 0Z

Attachment 8: East Elevation



East Elevation

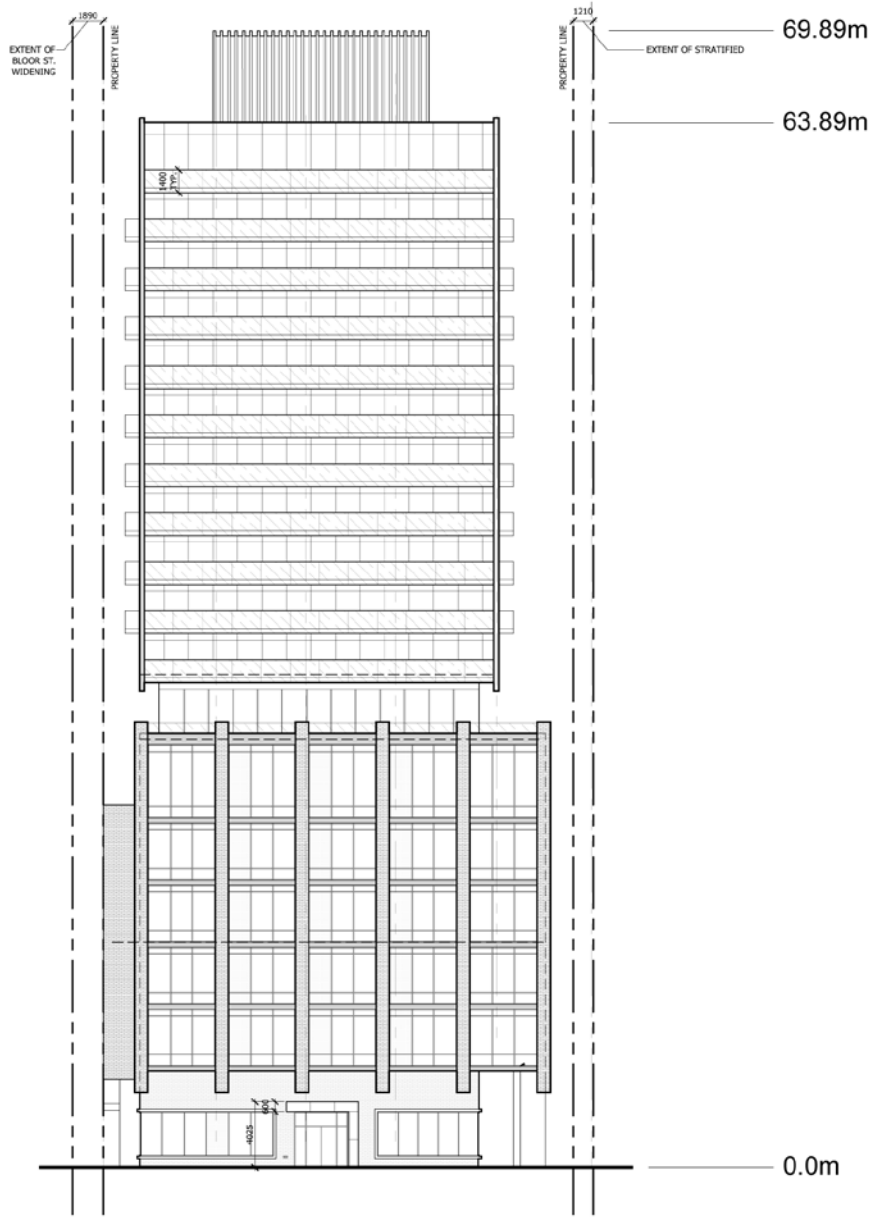
3429 Bloor Street West

Applicant's Submitted Drawing

Not to Scale
07/25/2017

File # 17 188915 WET 05 0Z

Attachment 9: West Elevation



West Elevation

Applicant's Submitted Drawing

Not to Scale
07/25/2017

3429 Bloor Street West

File # 17 188915 WET 05 0Z