

**421 Roncesvalles Avenue - Zoning Amendment  
Application - Request for Direction Report**

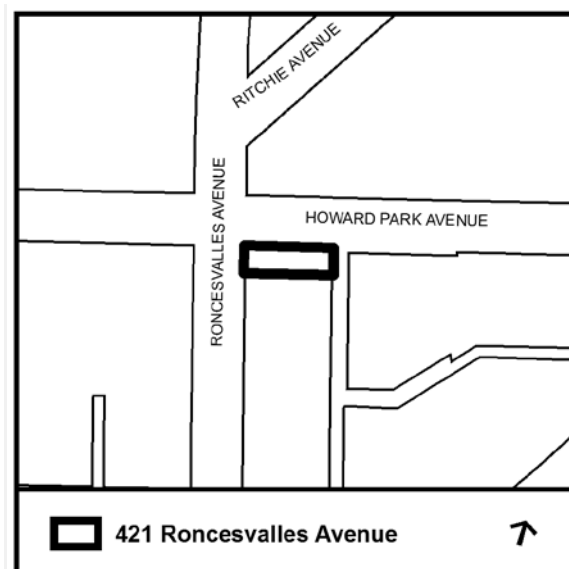
<b>Date:</b>	December 12, 2017
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 14 – Parkdale-High Park
<b>Reference Number:</b>	16 264775 STE 14 OZ

**SUMMARY**

This Zoning Amendment application proposes to redevelop the property at 421 Roncesvalles Avenue and 61 Howard Park Avenue with a seven-storey commercial and office building which will incorporate the existing two-storey heritage building. The development is proposed to have a height of 26.1 metres (30 metres including the mechanical penthouse). No vehicular parking spaces will be provided and a total of 38 bicycle parking spaces are proposed.

The proposed development would represent overdevelopment of the site, in terms of built form and density and would create an unacceptable form of development. The proposal also does not conserve the cultural heritage value of the existing heritage building as it results in a form, scale and massing that visually subordinates the heritage building. The proposal also does not conform with the Official Plan built form policies for midrise development nor does it satisfactorily respond to the Avenues and Midrise Buildings Guidelines. Issues raised by the proposal include:

- The proposed scale and form does not address matters of Provincial interest as outlined in Section 2 of the *Planning Act*, is not consistent with



the Provincial Policy Statement and does not conform with the Growth Plan for the Greater Golden Horseshoe, 2017;

- The proposal is not consistent with policies and development criteria contained within the City of Toronto Official Plan, particularly those related to *Avenues*, *Mixed Use Areas* and heritage conservation;
- The proposal is not consistent with policies contained within the *Ontario Heritage Act* related to design, associative value and contextual value;
- The proposed height of seven-storeys (30 metres) is not in keeping with the existing and planned context of Roncesvalles Avenue, south of Howard Park Avenue, which contains primarily two and three storey commercial buildings, a number of which have heritage designations;
- The proposal is not consistent with the *Avenues and Midrise Buildings Study* and the *Avenues and Mid-Rise Buildings Addendum* (April 20, 2016) which identifies Roncesvalles Avenue as a Character Area thereby recommending a maximum height which equals 80 percent of the width of the right-of-way (16 metres); and
- The proposal does not adequately justify the lack of on-site vehicular parking.

The purpose of this report is to seek Council's direction for the City Solicitor and other appropriate City staff to attend an Ontario Municipal Board (OMB) hearing in opposition to the applicant's current development proposal and appeal.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council direct the City Solicitor and City staff, as appropriate, to attend the Ontario Municipal Board hearing (OMB), and to oppose the Zoning By-law Amendment application for 421 Roncesvalles Avenue in its present form for the reasons set out in the report (December 12, 2017) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor and City Planning staff to continue discussions with the applicant on a revised proposal which addresses the issues set out in this report, including:
  - a. reducing the proposed height and massing to avoid overdevelopment of the site and to limit the negative impacts on adjacent properties;
  - b. improving the interface between the proposed building and the existing heritage building on the site;

- c. improving consistency with the Council-approved addendum to the Avenues and Mid-Rise Buildings (April 20, 2016); and
  - d. determining the appropriate amount of on-site vehicular parking required to accommodate the proposed development.
3. In the event that the OMB allows the appeal in whole or in part, City Council directs the City Solicitor to request that the OMB withhold the issuance of any Order(s) on the Zoning By-law Amendment for the subject lands until such time as:
- a. The City Solicitor, in consultation with the Acting Chief Planner and Executive Director, City Planning and the owner have provided draft by-laws to the OMB in a form and content to the satisfaction of the Acting Director, Community Planning, Toronto and East York District; and,
  - b. The owner addresses the outstanding items in relation to servicing outlined in the memorandum from Engineering and Construction Services dated April 25, 2017 to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.
  - c. the owner provides a cash payment into the Municipal Parking Fund in lieu of any parking shortfall on-site from the Zoning By-law requirement. of parking payment to the satisfaction of the General Manager, Transportation Services, if the parking supply is less than that required by the existing Zoning By-law.

### **Financial Impact**

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

## **DECISION HISTORY**

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant on April 7, 2016 to discuss complete application submission requirements.

A pre-application community consultation meeting was held on July 17, 2014. At the time, the proposal was for an eight-storey office building designed primarily of glass. While the community was generally supportive of the proposed office use and retention of the existing building, there were a number of concerns related to height, building mass, relationship with the existing heritage building and materiality. The current proposal has eliminated one storey from the original project and has significantly reduced the amount of glass cladding.

### **Heritage Designation**

On January 31, 2017, City Council approved an intention to designate the property at 421 Roncesvalles Avenue under Part IV, Section 29 of the Ontario Heritage Act. The

property was subsequently designated by By-laws No. 716-2017, enacted by City Council in August 23, 2017. The subject property is designated under all three categories of cultural heritage value: design, associative and contextual.

The property at 421 Roncesvalles Avenue (including the address at 61 Howard Park Avenue) is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under all three categories of design, associative and contextual values.

## **ISSUE BACKGROUND**

### **Proposal**

The site currently contains a two-storey commercial building constructed in the early 1900s, located on the western half of the site. This building, which is to be retained as part of the development, has generous floor to ceiling heights and measures 9.7 metres tall, reading as a three-storey building from the street. The proposed building will fill in the remainder of the site and is proposed to be constructed over the existing building, for a total height of seven storeys or 26.1 metres (30.1 metres including the mechanical penthouse). The total proposed density is 5.29 times the area of the lot (as defined by By-law 438-86) or 4.85 times the area of the lot (as defined by By-law 569-2013).

On-site vehicular parking is not proposed, rather, 10 short-term bicycle spaces will be provided outside along the Howard Park Avenue frontage and 28 long-term bicycle parking spaces will be located in the basement. Garbage storage will also be located within the basement level.

The proposed building will contain a mix of office and retail uses. Specifically, the portion of the development incorporating the existing building will provide flexible retail or office space and will utilize the existing entrance off of Roncesvalles Avenue. A retail unit is proposed on the ground floor of the new addition which will have its own entrance off Howard Park Avenue along with some outdoor seating. The remainder of the building will contain office uses and a new main entrance for the building is proposed off Howard Park Avenue.

#### *Ground and Second Storey*

While the existing building generally does not provide any setbacks from the property line at Roncesvalles Avenue and Howard Park Avenue, the first and second storeys of the proposed building will be setback 1.83 metres from the Howard Park Avenue property line and approximately 1.1 to 4.5 metres from the rear property line, with the greatest, 4.5 metre setback, at the south-east corner of the site where a transformer with a metal screen will be situated.

#### *Third Storey*

The third storey of the addition will cantilever over the first two storeys of the existing building, resulting in the upper storeys of the development being located right on the

Howard Park Avenue and rear property lines. As well, the proposed building does not provide any setbacks along the south property line thereby creating a party-wall condition for any future development on the property to the south.

#### Fourth and Fifth Storey

The fourth and fifth floors are proposed to have a varied setback from Roncesvalles Avenue of 2.25 metres to 2.51 metres. Along the Howard Park Avenue frontage, a setback ranging from 0.30 metres to 0.97 metres will be provided for the western half of the building, closest to Roncesvalles Avenue, while the eastern half will generally come right up to the property line. On the south side, a setback of just over half a metre will be provided for a small section of the building closest to Roncesvalles Avenue and the remainder of the building will abut the south property line, creating a party-wall condition. No setbacks will be provided from the rear property line.

#### Sixth and Seventh Storey

The sixth and seventh floors will setback approximately 5.5 metres from the Roncesvalles Avenue frontage and will have a setback ranging from 0.32 metres to 0.62 metres from Howard Park Avenue for the entire depth of the building. A setback of approximately 1.4 metres will be provided from the south property line for a small section of the building closest to Roncesvalles Avenue, while the rest of the building will abut the south property line creating a party-wall condition. No setbacks will be provided from the rear property line.

### **Site and Surrounding Area**

The site is located at the south-east corner of Roncesvalles Avenue and Howard Park Avenue and has a frontage of 12.26 metres and 36.53 metres on Roncesvalles Avenue and Howard Park Avenue respectively. The total lot area is 446.4 square metres.

The following are found surrounding the site:

West: Two and three-storey mixed-use buildings front onto Roncesvalles Avenue and low-rise residential buildings are located to the west of these. A development proposal recently approved by the Ontario Municipal Board fronts onto Roncesvalles Avenue, just north of Howard Park Avenue. The proposal is for an eight-storey mixed-use building with townhouse units in the rear accessed via Howard Park Avenue.

South: Adjacent to the site is a three-storey mixed-use building containing a restaurant at grade and residential uses above. This fabric of two and three-storey mixed-use buildings is replicated along Roncesvalles Avenue south of the subject site.

East: Immediately adjacent to the site is a public laneway with a width of approximately 6.10 metres. Just east of this is a 10-storey residential building of a 'tower in the park' typology constructed in the 1950s. Further east towards Dundas Street West are low-rise residential buildings.

North: Across the street at the north-east corner of Howard Park Avenue and Roncesvalles Avenue is a one-storey commercial building with some surface parking. Just east of this is a redevelopment site under construction with two residential buildings ranging in height from three to eight-storeys, located at 24-66 Howard Park Avenue.

### ***Planning Act, Provincial Policy Statement and Provincial Plans***

The *Planning Act* requires municipalities to have regard for matters of provincial interest, which includes the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest and the promotion of a built form that is well-designed and encourages a sense of place.

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 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;
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character;
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character; and
- Conserving significant built heritage resources and significant cultural heritage landscapes.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. Policy 4.7 further states that the Official Plan is the most important vehicle for implementing the PPS.

The Growth Plan 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;
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas; and
- Conserving cultural heritage resources, including built heritage resources, to foster a sense of place and benefit communities.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the PPS (2014) and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe 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.

## **Official Plan**

### Chapter Two – Shaping the City

The subject site is located along an *Avenue* as identified on the Urban Structure map. Section 2.2.3 describes *Avenues* as important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for residents. It is important to note however that not all lands that fall within *Avenues* are designated for growth. Each *Avenue* is different in terms of lot sizes and configuration, street width, existing uses, neighbouring uses, transit service and streetscape potential.

There is no "one-size fits all" program for reurbanizing the *Avenues*. An *Avenue* study identifies an appropriate framework for change which responds to the existing and planned context. As noted below, City Planning staff are currently conducting an *Avenue* Study of Roncesvalles and Dundas. In the absence of a completed *Avenue* Study, an *Avenue* Segment Review is required with any development application demonstrating that the proposed development will not have any negative impacts on the remainder of the avenue should the development be replicated elsewhere along the *Avenue*. The application included an Avenue Segment Study which is included elsewhere in this report.

Section 2.3.1 Healthy Neighbourhoods of the Official Plan includes Policy 2.3.1.2 identifying that intensification of land adjacent to *Neighbourhoods* will be carefully controlled so that *Neighbourhoods* are protected from negative impact. The plan also states that developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, and maintain adequate light and privacy for residents in those *Neighbourhoods*. The subject site abuts *Neighbourhoods* designated lands.

#### Chapter Three – Building a Successful City

Chapter Three of the Official Plan identifies that most of the City's future development will be infill and redevelopment, and as such, will need to fit in, respect and improve the character of the surrounding area. Section 3.1.2 Built Form provides policies that are aimed at ensuring that new development fits within and supports its surrounding context. Policies 3.1.2.1 to 3.1.2.4 seek to ensure that development is located, organized and massed to fit harmoniously with existing and/or planned context; frames and appropriately defines streets, parks and open spaces at good proportion; and limits impacts of servicing and vehicular access on the property and neighbouring properties. Meeting these objectives requires creating consistent setbacks from the street, massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and /or planned street proportion, creating appropriate transitions in scale to neighbouring existing and/or planned buildings, and limiting shadow impacts on streets, open spaces and parks.

#### Heritage Conservation

The heritage policies contained in Section 3.1.5 of the City of Toronto's Official Plan provide the policy framework for heritage conservation. Policy 3.1.5.4 states that heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved and that development adjacent to properties on the City's Inventory will respect the scale, character and form of the heritage buildings and landscapes (Policy 3.1.5.5). Further, Policy 3.1.5.6 encourages the adaptive re-use of heritage properties and 3.1.5.26 states that, when new construction on, or adjacent to, a property on the Heritage Register does occur, it will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impact on it. Finally, Policy 3.1.5.27 discourages the retention of facades alone and encourages conservation of whole or substantial portions of buildings.



#### Chapter Four – Land Use Designations

The Official Plan designates the site as *Mixed Use Areas*. This land use designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

The proposed application is being evaluated against the policies described above as well as the policies of the Official Plan as a whole.

#### **Avenues and Mid-Rise Buildings Study**

The Avenues and Mid-Rise Buildings Study provides design guidelines for new mid-rise buildings, particularly on the *Avenues* as identified on Map 2 of the Official Plan. The main objective of this study is to encourage future intensification along the *Avenues* that is compatible with the adjacent *Neighbourhoods* through appropriately scaled and designed mid-rise buildings. The Avenues and Mid-Rise Buildings Study provides a list of best practices, categorizes the *Avenues* based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The performance standards are intended to provide for a pleasant pedestrian experience and an appropriate transition between new mid-rise buildings in *Mixed Use Areas* and low-rise houses in adjacent *Neighbourhoods* through measures such as setbacks, building stepbacks, and angular planes.

The Avenues and Mid-Rise Buildings Study also identifies Character Areas which are areas of cultural interest or historic character, containing notable characteristics that should be taken into consideration when Avenues are being planned for redevelopment. Roncesvalles Avenue has been identified as a Character Area containing a fine grain, main street built form on the east side and a mix of fine grain main street building with a number of churches and institutional buildings plus walk-up apartment buildings on the west side.

In June 2016, City Council approved a Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the first quarter of 2018. Refer to the Council Decision <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

The application was reviewed against the performance standards contained within the Avenues and Mid-Rise Buildings Study and the Mid-Rise Building Performance Standards Addendum.

### **Roncesvalles Avenue and Dundas Street West Planning Study**

On November 3, 2015, City Council requested that the Director, Community Planning, Toronto and East York District conduct a review of development along Roncesvalles Avenue between Queen Street West and Boustead Avenue and on Dundas Street West between Boustead Avenue and Sorauren Avenue. As part of the Roncesvalles Avenue and Dundas Street West planning study, staff is assessing the applicable policy framework and considering creating additional urban design and built form policies, including an inventory of heritage resources, to be used to inform the review of current and future development proposals. A review of potential streetscape improvements along Dundas Street West is also being conducted.

To kick off the Study, a community consultation meeting was held on November 17, 2015 to introduce the Study followed by a walking tour on October 27, 2016. A second community consultation meeting occurred on April 24, 2017 and was attended by approximately 200 people. At this meeting, staff presented some high-level design guidelines for the Study Area with particular focus on the section of Roncesvalles

Avenue between Ritchie Avenue and Harvard Avenue, which includes the subject site. Through the Study, this area is being identified as having a historic main street character with a consistent two and three-storey street wall where little change is anticipated, the areas to the north and south of this, between the north side of Ritchie Avenue and Boustead Avenue and between Harvard Avenue and Queen Street West were described as having potential for some midrise development.

A final community consultation meeting was held on December 4, 2017 and was attended by approximately 150 people. At this meeting, the staff presentation focused on the design details proposed for Roncesvalles Avenue south of Harvard Avenue and north of Ritchie Avenue, as well as for Dundas Street West. It was noted that the previous recommendations presented in April which identified the middle portion of Roncesvalles Avenue, including the subject site, as having a historic main street character, has not changed. It is anticipated that the final report will be before the Toronto and East York Community Council in the first quarter of 2018.

### **Community Consultation**

A community consultation meeting hosted by the City Planning staff regarding the proposed development was held on March 21, 2017 and was attended by approximately 80 people. Generally, there was support for the proposed office use, however, there was concern about the overall height of the building, both in terms of its relationship with the existing heritage building on the site and as well as in relation to the prevailing context on Roncesvalles, south of Howard Park Avenue. There was also concern regarding the precedent that may be set given that this is the first development proposal south of Howard Park. Additionally, there was also some concern regarding the lack of on-site parking, particularly short term parking for delivery vehicles.

### **Zoning By-law 438-86**

The site is zoned Mixed Commercial Residential (MCR T3.0 C1.0 R2.5) in the former City of Toronto By-law 438-86, as amended. The MCR zone permits a wide range of residential, commercial and institutional uses, including apartment buildings and retail stores while the R zone permits a variety of residential uses. The maximum height and total density along this portion of Roncesvalles Avenue is 13.0 metres and 3.0 times the area of the lot (for any combination of residential and commercial uses).

### **Zoning By-law 569-2013**

In May 2013, the City passed and enacted a new harmonized Zoning By-law 569-2013. The zoning that applies to the subject lands is substantially the same with regard to use, density, and height as Zoning By-law 438-86.

The subject lands are zoned Commercial Residential (CR 3.0 (c1.0; r2.5) SS2 (x1579)). The maximum height and density permissions remain unchanged at 13.0 metres with a combined density limit of 3.0 times the area of the lot (see Attachment 6).

## **Reasons for the Application**

The proposed development does not comply with the in-force Zoning By-laws as it exceeds the permitted height of 13 metres by approximately 13.1 metres (17.1 metres to the top of the mechanical penthouse), resulting in a proposed building height of 26.1 metres (30.1 metres including the mechanical penthouse). As well, the proposed density of approximately 4.85 times the area of the lot exceeds the permitted densities of 3.0 times the area of the lot (as defined by By-law 569-2013).

## **COMMENTS**

### ***Planning Act, Provincial Policy Statement and Provincial Plans***

Section 2 of the *Planning Act* requires municipalities to have regard for matters of provincial interest, including, as noted in Section 2(d), the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest and in 2(r), the promotion of a built form that is well-designed and encourages a sense of place. In its current form, the proposed development does not have regard for relevant matters of provincial interest in Section 2 (d) and (r) of the *Planning Act* as the proposal is too tall for the surrounding context and results in a form, scale and massing that visually subordinates the existing heritage building.

The PPS 2014, and in particular Policy 1.1.3.3, encourages intensification and efficient development. However, it recognizes that local context is important and Section 4.7 of the PPS identifies the Official Plan as being the most important vehicle for implementing the PPS. The City of Toronto Official Plan has responded by establishing areas for intensification and includes policies to encourage intensification, provided that this can occur in the context of other applicable policies.

Further, the PPS contains Policy 2.6.1 which requires that significant built heritage resources and significant cultural landscapes shall be conserved. The proposed development is inconsistent with this Policy as well as it is too tall and does not provide the appropriate setbacks to sufficiently conserve the scale, form and massing of the existing heritage building.

Additionally, the Growth Plan (2017) (Growth Plan) contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2.4). The proposed development however, does not conform with Section 2.2.2.4.b) of the Growth Plan as it does not represent an appropriate scale of development for the surrounding area and does not appropriately transition to adjacent properties. Further, the proposed development does not conform with Section 5.2.4.5.b) requiring the type and scale of development to be contextually appropriate. Finally, Policy 4.2.7(1) states that cultural heritage resources, including built heritage resources, will be conserved in order to foster a sense of place and benefit communities. The proposed development however does not foster a sense of place as it does not appropriately conserve the existing heritage building.

Based on the above-noted reasons, the proposal is not consistent with elements of the PPS and does not adequately conform to and conflicts with the Growth Plan (2017). As previously noted, the Official Plan is the most important vehicle for implementing Provincial Policy and, as will be described below, the proposal does not meet the intent of the Official Plan as it does not adequately site and mass the proposed development, does not provide appropriate setbacks and stepbacks and also does not provide adequate heritage conservation.

## **Land Use**

The proposed development is located on an *Avenue* and is designated *Mixed Use Areas* in the Official Plan and is therefore generally in an appropriate location for development. The proposed commercial uses are permitted within *Mixed Use Areas*, however, the proposed development results in a scale and mass that is not appropriate for the prevailing context.

## **Height, Massing and Scale**

### Relationship of the building with the Street

Roncesvalles Avenue between Ritchie Avenue to the north and Harvard Avenue to the south has a very fine-grain, low-scale, mainstreet character that is different from the portion of the street just to north and south of this segment, both of which exhibit a fairly typical mid-rise typology. This historic, main street character often leads to this section of the street being referred to as 'Roncesvalles Village' by the surrounding community.

The subject site, located at the south-east corner of Roncesvalles Avenue and Howard Park Avenue can be considered as having important contextual value in that it serves as a gateway to the fine-grain, mainstreet character of the area to the south and also bridges the gap with the mid-rise character north of Howard Park Avenue.

The proposed seven-storey building with a height of 26.1 metres (30.1 metres to the top of the mechanical penthouse) is too tall for its surrounding context. The recently amended Avenues and Mid Rise Buildings Study identifies Roncesvalles Avenue as a Character Area and recommends a maximum building height of no more than 80 percent of the width of the street right-of-way. In this case, this would result in a 16 metre (approximately four to five-storey) building.

Additionally, the Avenues and Midrise Buildings Guidelines contain performance standards related to angular plane and stepback requirements, which, in conjunction with the permitted height, aim to achieve a building envelope that allows for a minimum of five hours of sunlight on the opposite side of the sidewalk, including the flanking sidewalk.

The proposed building penetrates the required angular plane at both the Roncesvalles Avenue and the Howard Park Avenue façades. However, above and beyond compliance with the Midrise and Avenue Guidelines, any proposed development on this site must allow for the appropriate conservation in terms of scale, form and massing, of the existing

designated heritage building, as discussed in the heritage comments below in the Heritage Preservation section.

#### Relationship of the Building with the Surrounding Neighbourhood

The properties that abut the subject site to the east are designated *Neighbourhoods* in the Official Plan. The Midrise and Avenues Buildings Study contains policies related to building transition towards low-scale residential properties to the rear. Typically, in instances where a lot is identified as a deep lot (having a depth of greater than 32.6 metres), the building is required to provide a minimum setback for the whole building of 7.5 metres from the rear lot line, after which the building envelope must fit within a 45-degree angular plane measured from the rear property line. In instances where the property abuts a public lane (as is the case here) the entire width of the lane may be included in the required 7.5 metre setback. The purpose of these performance standards is to maintain a height and separation distance which does not adversely impact adjacent low-scale residential properties.

The subject site abuts a *Neighbourhoods* property and is separated from this *Neighbourhoods* property by a public lane with an approximate width of 5.5 metres. Additionally, the adjacent *Neighbourhoods* property (55 Howard Park Avenue) contains a 10-storey residential building which itself is setback approximately seven metres from its west side property line, thereby, together, with the lane, the distance between the existing building at 55 Howard Park Avenue and the proposed building on the subject site will be approximately 12.5 metres. Therefore, with respect to the location of the proposed building on or close to the rear lot line, staff are generally of the opinion that this would not set a negative precedent for any future re-development along Roncesvalles Avenue, as there are no other sites which contain this unique adjacency condition. However, while staff are willing to accept the location of the building on the rear lot line, this is not an acceptable condition at the proposed height of 26.1 metres (30.1 metres to the top of the mechanical penthouse).

#### **Heritage Preservation**

The subject site contains a designated building under Part IV, Section 29 of the *Ontario Heritage Act* and qualifies under all three categories prescribed under this Section of the *Heritage Act*: design, associative value and contextual value. All three of these are criteria required to be used in the review of any development on this site, and, when reviewed against these criteria, the scale, form and massing of the proposal does not conserve the cultural heritage values of the existing heritage building.

Additionally, Policy 3.1.5.4 of the City of Toronto Official Plan states that properties in the heritage register shall be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada (the Guidelines). In these Guidelines, Standard 11 states that new additions to an historic place should be physically and visually compatible with, subordinate to and distinguishable from, that historic place. The proposed addition does not meet the objectives of the Official Plan as it is more than double the height of the existing building and is also double the height of adjacent buildings fronting Roncesvalles Avenue (south of Howard Park). Fundamentally, the

development results in a form, scale and massing that visually subordinates both, the heritage building itself and the heritage building within its surrounding context.

### **Avenue Segment Study**

An Avenue Segment Study was submitted with the Zoning Amendment Application. The submitted document describes Roncesvalles between Dundas Street and Queen Street as having two character areas: the first is the higher-density, larger scale area identified as being bounded by Marmaduke Street to the south and Dundas Street to the north. The subject site at 421 Roncesvalles Avenue is located within this area. The second character area containing fine-grain, low-scale commercial and residential buildings is described as being south of Marmaduke Street, and therefore south of the subject site.

While staff agree with this general description of the two types of prevailing built form found on the street, staff do not agree with the boundaries of these character areas as described in the Segment Study. As previously noted in this report, through the Roncesvalles and Dundas Study, staff identify the low-scale, fine-grain character of Roncesvalles as extending up to and including the north side of Howard Park Avenue, thereby locating the subject site within this character area.

In the applicant's soft site analysis, three sites are identified as having redevelopment potential similar to that which is proposed at 421 Roncesvalles Avenue. One of these is located in the area north of Ritchie Avenue which staff too have identified as having a midrise character. Of the other two sites however, one is located just south of Ritchie Avenue and the other at Neepawa Avenue (one block south of the subject site) both of which fall within the fine-grain, low-scale character described by staff. This area therefore is not deemed as an appropriate location for typical midrise development and any development on these sites which replicates the proposed development at 421 Roncesvalles Avenue would be a concern.

### **Parking**

The proposed development does not provide any on-site parking spaces, whereas 19 spaces are required (under By-law 438-86) and 21 spaces are required (under By-law 569-2013). However, in instances where a heritage building is proposed to be retained as part of a development proposal, both Zoning By-law 438-86 and 569-2013 exempt the retained heritage gross floor area from parking requirements. As previously noted, on August 23, 2017 a designating By-law was passed recognizing the building for its cultural heritage value. As this occurred after the Zoning Amendment Application was submitted, the required parking provision needs to be re-calculated to deduct the heritage gross floor area. This has not been done to date as the City's Transportation Services staff require further information from the Applicant; however, any new information will only reduce the parking requirements by a few spaces, and therefore the proposed parking deficiency continues to be a concern. Staff are however willing to discuss a reduction in the onsite parking supply below the Zoning By-law standards. Any reduction to the existing Zoning By-law requirement for commercial parking will require a cash-in-lieu payment into the Municipal Parking Fund.

## **Servicing**

Engineering and Construction Services staff identified a number of deficiencies in the submitted Functional Servicing and Stormwater Management Report (dated November 18, 2016) as well as in the Hydrogeological Assessment Report (dated February 28, 2017) and revised versions of these reports must be provided by the applicant and reviewed by Engineering and Construction Services staff before the approval of a site specific Zoning By-law to allow for the redevelopment of the site.

## **Toronto Green Standard**

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

Should the Zoning By-law Amendment application be approved in some form, the subsequent Site Plan Control application will be further reviewed for compliance with the TGS.

## **Section 37**

Chapter 5.1.1 of the Official Plan – Height and/or Density Incentives – contains policies pertaining to obtaining community benefits for development which has a gross floor area of at least 10,000 square metres where the proposal increases the permitted density by at least 1,500 square metres, in order to achieve responsible and balanced growth. In this instance, the total proposed gross floor area is approximately 2,170 metres squares and therefore staff will not be seeking Section 37 contributions.

## **Conclusion**

The proposed development is of a height, mass and scale that is not consistent with the PPS and does not conform to and conflicts with the Growth Plan for the Greater Golden Horseshoe. The Official Plan is the most important vehicle for implementing Provincial Policy and the proposal does not meet the intent of the Official Plan as it does not adequately site and mass the proposed development nor does it provide appropriate setbacks and stepbacks. Additionally, the proposal does not provide adequate heritage conservation as it is too tall for the surrounding context and results in a form, scale and massing that visually subordinates the existing heritage building. There is also concern that, if approved in its current form, this development will set an undesirable precedent for any future redevelopment in the area, ultimately impacting the fine grain main street character of this section of Roncesvalles Avenue.



## **CONTACT**

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E-mail: jkimont@toronto.ca

## **SIGNATURE**

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Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

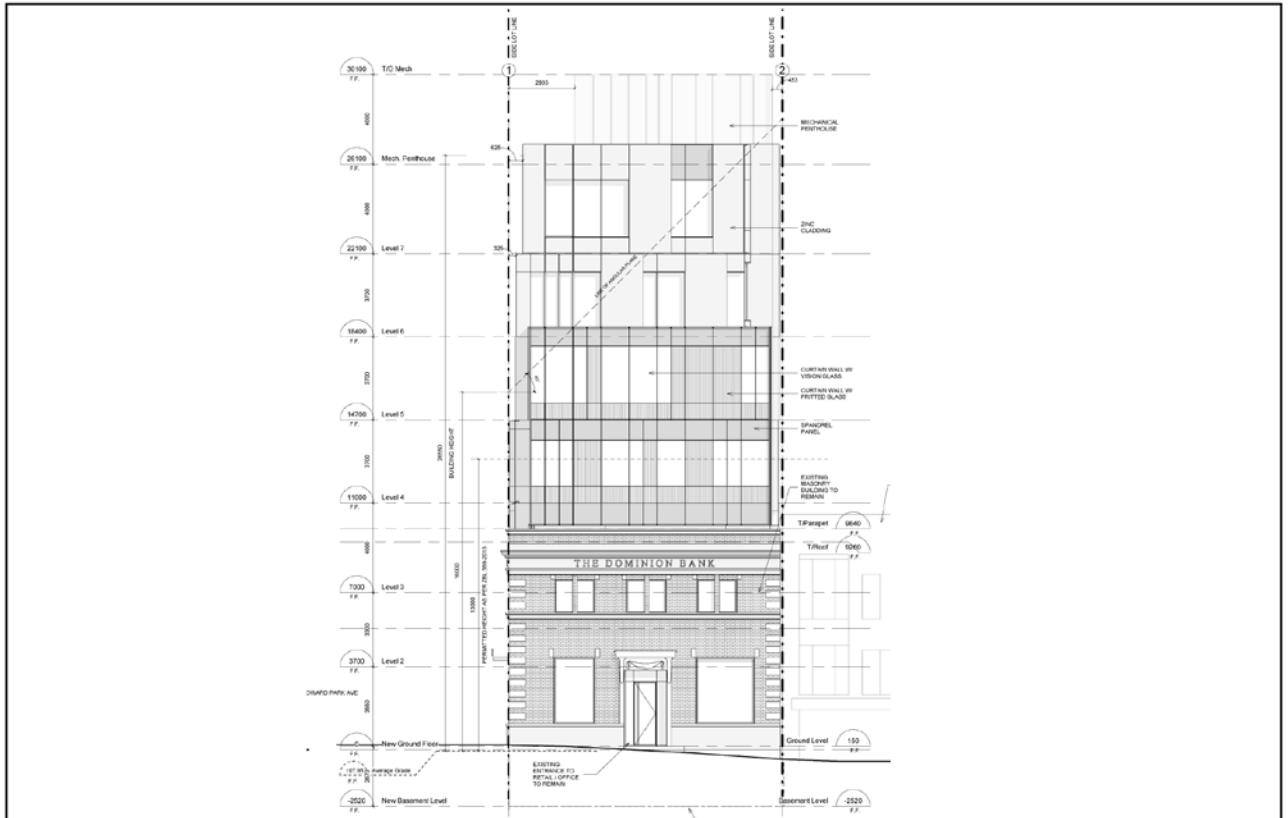
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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Front (West) Façade  
Attachment 3: Side (North) Façade  
Attachment 4: Rear (East) Façade  
Attachment 5: Side (South) Façade  
Attachment 6: Zoning By-law  
Attachment 7: Application Data Sheet



## Attachment 2: Front (West) Façade



West Elevation

Applicant's Submitted Drawing

Not to Scale  
01/10/2017

421 Roncesvalles Avenue

File # 16 264775

### Attachment 3: Side (North) Façade



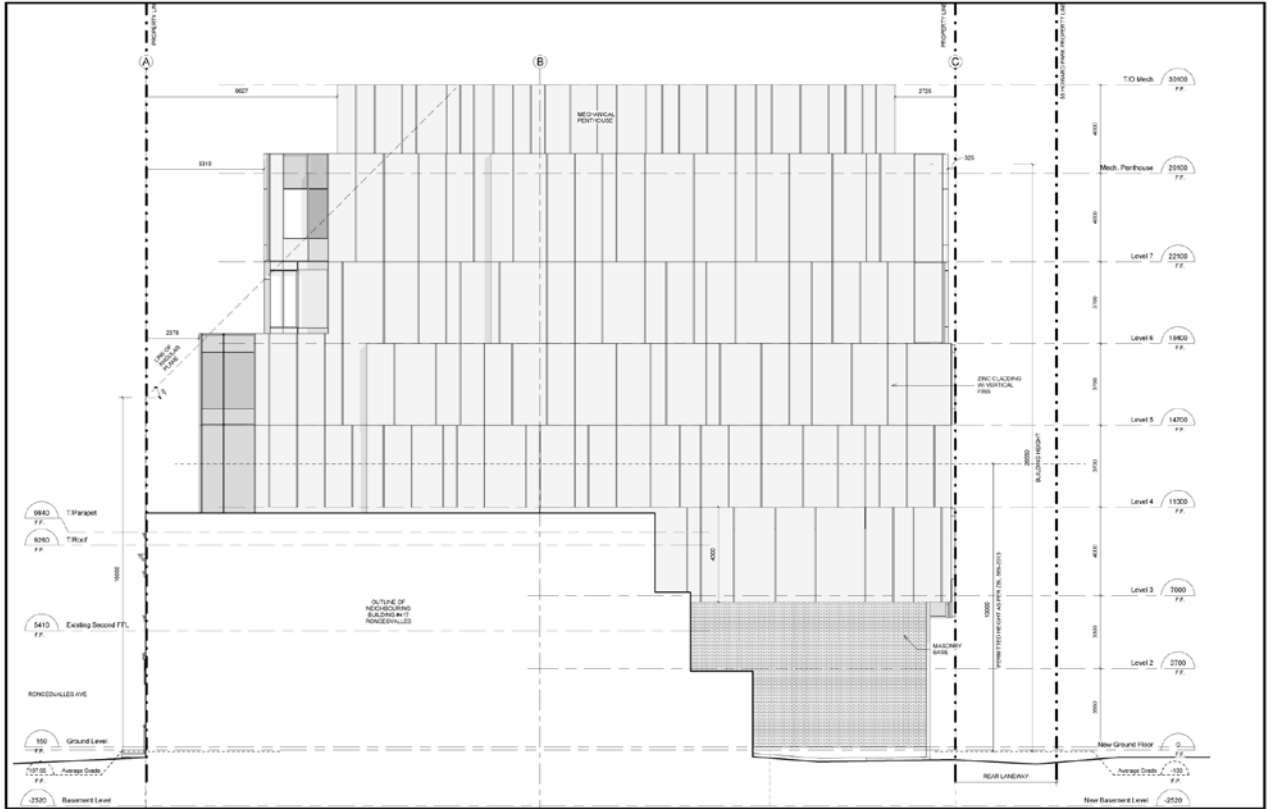
**North Elevation**  
 Applicant's Submitted Drawing  
 Not to Scale  
 01/10/2017

**421 Roncesvalles Avenue**

File # 16 264775



## Attachment 5: Side (South) Façade



**South Elevation**

Applicant's Submitted Drawing

Not to Scale  
01/10/2017

**421 Roncesvalles Avenue**

File # 16 264775

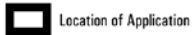
## Attachment 6 – Zoning By-law



**Zoning By-Law No. 569-2013**

**421 Roncesvalles Avenue**

File # 16 264775



R Residential      CR Commercial Residential



See Former City of Toronto By-Law No. 438-86  
 R2 Residential District  
 MCR Mixed-Use District  
 I1 Industrial District



Not to Scale  
 Extracted: 01/16/2017

## Attachment 7 – Application Data Sheet

Application Type	Rezoning	Application Number:	16 264775 STE 14 OZ
Details	Rezoning, Standard	Application Date:	December 15, 2016

Municipal Address: 421 RONCESVALLES AVE  
 Location Description: PLAN 1214 LOT 1 PT LOT 2 \*\*GRID S1403  
 Project Description: Rezoning application for a 7 storey office building on the southeast corner of Roncesvalles Avenue and Howard Park Avenue. Proposal includes the retention of the existing 2-storey heritage building (former bank building).

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
WALKER NOTT DRAGICEVIC ASSOC LTD	WALKER NOTT DRAGICEVIC ASSOC LTD	Superkul Inc.	PROPELLER DEVELOPMENTS INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SS2 (x1579)
Zoning:	CR 3.0 (c1.0; r2.5)	Historical Status:	
Height Limit (m):	13	Site Plan Control Area:	

### PROJECT INFORMATION

Site Area (sq. m):	446.4	Height:	Storeys:	7
Frontage (m):	12.27		Metres:	26.55
Depth (m):	36.54			
Total Ground Floor Area (sq. m):	365			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	2129		Loading Docks	0
Total GFA (sq. m):	2129			
Lot Coverage Ratio (%):	82			
Floor Space Index:	4.77			

### DWELLING UNITS

Tenure Type:  
 Rooms: 0  
 Bachelor: 0  
 1 Bedroom: 0  
 2 Bedroom: 0  
 3 + Bedroom: 0  
 Total Units: 0

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	415	0
Office GFA (sq. m):	1714	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT: PLANNER NAME: Joanna Kimont, Planner**  
**TELEPHONE: (416) 392-7216**