

12, 16 and 20 Cordova Avenue – Official Plan and Zoning By-law Amendment Application and Rental Housing Demolition Application – Refusal Report

Date: June 21, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 18 257584 WET 05 OZ and 19 174970 WET 03 RH

SUMMARY

This application proposes to amend the Official Plan (Etobicoke Centre Secondary Plan) to redesignate the subject lands from *Mixed Use Areas B* to *Mixed Uses Areas A* and the Etobicoke Zoning Code to permit the construction of a 27-storey residential apartment building (75.7 m in height, excluding mechanical penthouse) on the lands municipally known as 12, 16 and 20 Cordova Avenue.

This report reviews and recommends refusal of the application to amend the Official Plan and the Etobicoke Zoning Code as the proposal would result in an overdevelopment of the site and represents a significant increase in height and density from that currently permitted in the Official Plan and Zoning By-law.

A Rental Housing Demolition application is required as 12, 16 and 20 Cordova Avenue combined contain six or more residential units, of which at least one is rental. A Rental Housing Demolition application (File No. 19 174970 WET 03 RH) was submitted on June 20, 2019. Due to the timing of the application submission, staff have not had an opportunity to review the application at the time of writing this report.

The proposed development is not consistent with the Provincial Policy Statement (2014), as it would establish an inappropriate development precedent for this area, including inadequate building setbacks and overwhelming building massing.

The proposal also fails to conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as it would not provide an appropriate scale of development and lacks appropriate transition of built form to adjacent areas.

Further, the proposed development does not achieve the objectives set out in the City's Official Plan. The development does not provide appropriate built form that fits within its context.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the application to amend the Official Plan and the Etobicoke Zoning Code at 12, 16 and 20 Cordova Avenue for the reasons set out in the report from the Director, Community Planning, Etobicoke York District, dated June 21, 2019.
2. City Council authorize the City Solicitor, together with appropriate staff, to appear before the Local Planning Appeal Tribunal (the "LPAT") in support of City Council's decision to refuse the Official Plan and Zoning By-law Amendment application, in the event the refusal is appealed to the LPAT.
3. City Council direct City staff to continue discussions with the applicant to address issues identified in the report dated June 21, 2019 from the Director, Community Planning, Etobicoke York District.
4. City Council defer making a decision on the Rental Housing Demolition application under Municipal Code, Chapter 667 pursuant to Section 111 of the City of Toronto Act, 2006, to demolish the existing rental dwelling units at 12, 16 and 20 Cordova Avenue.
5. City Council authorize the City Solicitor, in the event the Official Plan and Zoning By-law Amendment application is appealed to the Local Planning Appeal Tribunal (the "LPAT"), to request the LPAT to withhold its Order should the application be approved in some form, until all of the following have been completed and secured:
 - a. The final form of the Official Plan and Zoning By-law Amendments are to the satisfaction of the City Solicitor and Chief Planner and Executive Director, City Planning.
 - b. City Council, or the Chief Planner and Executive Director, City Planning under delegated authority, has made a decision on the Rental Housing Demolition application, under Chapter 667 of the Municipal Code pursuant to Section 111 of the *City of Toronto Act* to demolish the existing rental dwelling units at 12, 16 and 20 Cordova Avenue.
 - c. The owner be required to submit a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.
 - d. The owner be required to submit a revised Transportation Impact Study to the satisfaction of the General Manager, Transportation Services.
 - e. The owner enter into a financially secured agreement for the construction of any required improvements to the municipal infrastructure,

should it be determined that upgrades are required to support the development based on the report in Recommendations 5(c) and (d) above, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager of Transportation Services.

f. Community benefits, rental housing and other matters required to support the development are secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

A pre-application meeting was held on September 18, 2018. The subject application was submitted on November 16, 2018 and deemed complete on February 6, 2019. A Preliminary Report on the application was adopted by Etobicoke York Community Council on March 19, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area to be determined in consultation with the Ward Councillor. A community consultation meeting is scheduled for June 25, 2019.

The Preliminary Report and EYCC decision can be found at the following link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EY4.1>.

ISSUE BACKGROUND

Proposal

This application proposes to amend the Official Plan (Etobicoke Centre Secondary Plan) and the Etobicoke Zoning Code for the properties at 12-20 Cordova Avenue to permit the development of a 27-storey residential building (75.7 m in height, excluding mechanical penthouse). The building would contain 327 residential units and have a gross floor area of approximately 26,135 m², resulting in a Floor Space Index of 10.62 times the area of the lot. The building would contain a 12-storey base building with a stepback of 1.5 metres above the fourth storey along Cordova Avenue. The tower floor plate above the twelfth storey would be approximately 825 m², with the exception of the 27th storey which would be approximately 737 m².

The ground floor of the proposed building would be comprised of grade related units along the Cordova Avenue frontage, garbage room, loading area, outdoor amenity spaces and the main entrance off Cordova Avenue. The indoor amenity space would occupy the majority of the ground floor at the rear of the building. Outdoor amenity space is proposed contiguous with the indoor amenity space. The submitted Planning

Rationale indicates approximately 496 m² of indoor amenity space and 519 m² of outdoor amenity space is proposed. However, the submitted plans illustrate 490 m² each of indoor and outdoor amenity space is proposed.

The proposed building setbacks for the four storey component of the base building would be 1.5 m along Cordova Avenue and 2.8 m to 3 m on the south side of the building. A 1.5 m setback is proposed above the fourth storey of the base building. The south yard setback for the twelve storey portion of the building would be 5.5 m to 5.7 m at the front and 12.5 m at the rear of the building. The north side yard setback for the twelfth storey building would be 4.43 m at the front of the building and 3.8 m at the rear. The setback from the west property line would be 5.5 m to the 12 storey building.

Vehicular access to the development is proposed off the public lane immediately north of the site and would provide access to a five level underground parking garage. A total of 251 vehicular parking spaces, including 225 resident spaces and 26 visitor spaces are proposed. A total of 245 bicycle parking spaces are also proposed, including 222 resident and 23 visitor spaces.

Refer to Attachment 1: Application Data Sheet as well as Attachments 7-11 for the proposed Site Plan and Building Elevations.

Site and Surrounding Area

The subject site is generally L-shaped and is approximately 2,460 m² in size. The site has a frontage of 51 m on the west side of Cordova Avenue and a depth of approximately 32 m along the north limit and 53 m along the south limit. There are four existing buildings on the site comprised of a 2.5-storey multi-unit building at 12 Cordova Avenue, a 2.5-storey detached dwelling at 16 Cordova Avenue, a 2.5-storey duplex dwelling on the north portion of 20 Cordova Avenue and a 2-storey detached dwelling on the south portion of 20 Cordova Avenue.

The Housing Issues Report submitted with the application states that there are seven residential units on these lands, of which five are rental. Staff are currently reviewing the number and type of residential rental dwelling units on the subject site.

Land uses surrounding the site are as follows:

North: To the immediate north of the site is a public laneway, followed by a number of 1 and 2-storey commercial buildings along the south side of Dundas Street West. Along the north side of Dundas Street West are a mix of 1, 2 and 3-storey commercial buildings.

South: To the immediate south of the site is the 2-storey Islington Junior Middle School located at 44 Cordova Avenue. South of the school are a number of apartment buildings ranging in height from 30 to 36 storeys.

East: Immediately east of the site is Cordova Avenue. On the east side of Cordova Avenue is vacant site, which is heavily treed along the Cordova Avenue frontage. To the south of the treed area is a surface parking lot associated with two 8-storey buildings

located at northwest corner of Cordova Avenue and Islington Avenue. North of the treed area are 2 and 3-storey commercial buildings along the south side of Dundas Street West.

West: To the immediate west of the site is a surface parking lot associated with a funeral home at 4933 Dundas Street West. Further west are surface parking lots associated with the commercial buildings on the south side of Dundas Street West.

POLICY CONSIDERATION

Section 2 of the Planning Act

The *Planning Act* governs land use planning in Ontario and sets out the means by which a municipality must implement land use planning decisions. In particular, Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including:

- (p) appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and
- (r) the promotion of built form that:
 - (i) is well designed, and
 - (ii) encourages a sense of place.

Provincial Plans

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 with 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.

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 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 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."

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to an MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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 with the Growth Plan (2019). Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan (2019).

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2019). The outcome of the staff analysis and review are summarized in the Comments section of this report.

Toronto Official Plan

The Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location and built form compatibility of different land uses, and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation.

Section 2.2.2 - Centres

Centres play an important role managing growth in the City. A Secondary Plan for each Centre will tailor an intense mix of urban activities to the individual circumstances of each location. The Secondary Plans will outline a growth strategy, show how transportation and other local amenities can be improved, specify variations in the mix of land uses and intensity of activities within each of the Centres and knit each Centre into the surrounding fabric of the City.

Policy 2.2.2.2 requires that Centres will have a Secondary Plan that will, among other matters: support residential development with the aim of creating a quality living environment for a large resident population, including encouraging a full range of housing opportunities in terms of types, tenure, unit size and affordability; assess the adequacy of parks and open spaces within the Centre and develop a strategy for acquiring new and enhancing existing parkland through appropriate measures, including parkland dedication policies; and assess the adequacy of existing community services, facilities and local institutions and establish a strategy for the timely provision of service and facility enhancements and new facilities to meet the needs of the growing population.

Specifically, Policy 2.2.2 (j) requires that Secondary Plans for Centres will set out the location, mix and intensity of land uses within a Centre, while Policy 2.2.2.2 (m) requires that Secondary Plans for Centres be accompanied by implementing zoning by-laws.

Section 3.1.1 - Public Realm

The Official Plan recognizes the importance of good design as it relates to the creation of a great City by the look and quality of its squares, parks, streets and public spaces, and the buildings that frame and define these spaces. The policies contained in this section emphasize the need for new development to improve the public realm (streets, sidewalks and open spaces) for pedestrians.

Section 3.1.2 - Built Form

The Built Form policies, contained in Section 3.1.2 of the Official Plan, emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area. Specifically, 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, and will limit its impact on neighbouring streets, parks, 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 proportion;

(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 transitions 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;

(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 additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility."

Section 3.1.3 - Built Form - Tall Buildings

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

Section 3.2.1 - Housing

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure, and affordability, and the protection of rental housing units.

Policy 3.2.1.6 requires that new development that would result in the loss of six or more rental housing units which have affordable or mid-range rents will not be approved unless the following are secured:

- At least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
- For a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- An acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship.

Section 4.5 - Mixed Use Areas

The subject site is designated *Mixed Use Areas* as shown on Land Use Map 15 of the Official Plan (see Attachment 3: Official Plan Land Use Map).

The *Mixed Use Areas* 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. It is anticipated that *Mixed Use Areas*, which are considered growth areas, will absorb most of the City's new housing, retail, office, and service employment. Development criteria for *Mixed Use Areas* include the following:

- 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 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;
- Locating and massing 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 stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- Locating and massing new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- Locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- Providing an attractive, comfortable and safe pedestrian environment;
- Having access to schools, parks, community centres, libraries and childcare;
- Taking advantage of nearby transit services;
- 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 residents; and
- Providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Section 5.1.1 - Height and/or Density Incentives

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 a proposed development, in accordance with Section 37 of the *Planning Act*. The proposed density meets the Official Plan's threshold for Section 37 considerations, therefore this development proposal would be subject to the Section 37 policies of the Official Plan.

Section 5.3.2 - Implementation Plans and Strategies for City-Building

The Official Plan includes policies for City-building that provide for more detailed-oriented action plans, programs and strategies needed to implement the Plan and to adapt to changing circumstances and challenges over the life of the Plan. Policy 5.3.2.1 states that "Implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan." Though the policy goes on to acknowledge these plans, strategies and guidelines are not Official Plan policy unless added by amendment to the Plan, they do advance the vision, policies and objectives of the Plan. Urban design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas".

Etobicoke Centre Secondary Plan

Consistent with the PPS, the Etobicoke Secondary Plans sets the policy framework to assist in the implementation of the urban structure and growth management objectives of the City of Toronto. The Etobicoke Centre is focused on two subway stations and as an inter-regional transit connection point, can contribute to growth management objectives of the broader region. The Etobicoke Centre Secondary Plan conforms to the Growth Plan (2019), through its growth management approach to achieve a complete community by focusing highest densities around Kipling and Islington subway stations and to limiting intensification within the Islington Village area to a built form consistent with the surroundings to maintain the main street character.

The subject site is also designated *Mixed Use Area B* as shown on Land Use Map 12-5 of the Etobicoke Centre Secondary Plan and is subject to the policies of the Secondary Plan. This designation provides for a broad range of commercial, residential and institutional uses in single use or mixed-use buildings. Policy 3.3.1.3 specifically states that "to promote the Secondary Plan focal points the zoning for the Etobicoke Centre will permit the greatest heights and densities permitted around Kipling and Islington subway stations". The Secondary Plan seeks to maximize the number of housing opportunities and to promote urban character through the development of mid-rise and high-rise apartment dwellings.

Mixed Use Area B is expected to continue as the pedestrian focus of Etobicoke Centre. Primarily located along Dundas Street West, west of Islington Avenue and comprising the historic Islington Village area, lands in this designation are envisioned to be developed with pedestrian scale buildings having retail and service uses at grade to enhance and expand the main street shopping area.

Policy 3.13.1 provides that *Mixed Uses 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 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.

The Secondary Plan contains a number of built form and urban design policies which promote a compact transit-oriented development pattern. The provision of differing building scales assists in establishing and promoting the character and function of various areas within the Centre.

Tall building proposals are required to address key urban design considerations including minimizing the negative impacts of shadows, sky view and wind on neighbouring properties and residential neighbours, providing adequate transition between taller buildings and the adjacent lower scaled buildings, and demonstrating how the proposed building and site design will contribute to and reinforce the urban structure of the area.

Toronto Official Plan policies may be found here:

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

Etobicoke Centre Urban Design Guidelines

The Guidelines establish the urban design goals for the Etobicoke Centre as it relates to among other matters, building design, pedestrian comfort and streetscape improvements. The Guidelines draws upon Zoning By-law 1088-2002 to achieve the built form goals envisioned in the Etobicoke Centre Secondary Plan. A variety of building forms are encouraged within the centre through four general height ranges including Main Street Buildings, Streetwall and Mid-Rise Buildings, Mid-Rise buildings and Tall Buildings. Mid-Rise buildings are expected to remain at or be below the 1:1 street proportion. The link to the Guidelines is here:

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

Zoning

The site is zoned Etobicoke Centre 3 (EC3) in Zoning By-law No. 1088-2002 of the Etobicoke Zoning Code. Permitted uses in this zone include apartment houses, senior citizen apartment building, seniors' community house and residential dwelling units in combination with any other permitted uses, elementary schools and secondary schools. The maximum permitted building height is 15 m and the maximum permitted density is 3.5 times the area of the lot.

The property is not subject to City-wide Zoning By-law No. 569-2013.

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>.

Avenues and Mid-Rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-Rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The link to the Guidelines is here:

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

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Growing Up: Planning for Children in New Vertical Communities

In July of 2017, City Council adopted the Growing Up Draft Urban Design Guidelines, and directed staff to apply these Guidelines in the evaluation of new and under review proposals for multi-unit residential developments. The objective of these Guidelines is for developments to deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. Guideline 2.1(a) states a building should provide a minimum of 25% large (being 2 and 3 bedroom) units, where 10% of the units should be three bedroom units and 15% of the units should be two bedroom units. Section 3 includes Guidelines that speak to ideal unit sizes to ensure functionality. These Guidelines are available at:

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/growing-up-planning-for-children-in-new-vertical-communities/>"

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Rental Housing Demolition and Conversion By-law

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

City Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. City Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the Local Planning Appeal Tribunal.

A Rental Housing Demolition application was submitted to the City on June 20, 2019 and is being reviewed by staff. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

Reasons for the Application

An amendment to the Etobicoke Centre Secondary Plan is required to redesignate the lands from *Mixed Use Area B* to *Mixed Use Area A* to permit the proposed tall building. An amendment to the Etobicoke Zoning Code is required to permit the proposed development with increased height and density and to establish appropriate development standards for the proposed development.

An application to permit the demolition of the existing rental dwelling units is required under Chapter 667 of the Toronto Municipal Code as the site contains at least 6 residential dwelling units of which at least one is used for residential rental purposes.

Application Submission

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

- Planning Rationale

- Community Services and Facilities Study
- Sun/Shadow Study
- Qualitative Pedestrian Level Wind Study
- Toronto Green Standard Checklist
- Noise Impact Study
- Transportation Impact Study
- Environmental Vibration Analysis
- Hydrogeological Review
- Public Consultation Strategy Report
- Arborist Report
- Tree Preservation Plan
- Energy Efficiency Report
- Detailed Geotechnical Investigation and Engineering Design Report
- Functional Servicing and Stormwater Management Report
- Housing Issues Report
- Stage 1 and 2 Archaeological Assessment Reports

The above and current information for the planning application is available at the Application Information Centre (AIC) at:
<https://www.toronto.ca/city-government/planning-development/application-information-centre>

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

A community meeting is scheduled to be held on June 25, 2019. A separate tenant consultation meeting will be held as required by the Rental Housing Demolition By-law.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2019). 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 in its current form is not consistent with the PPS and does not conform with the Growth Plan (2019) for the reasons outlined below.

Section 2 of the *Planning Act* states the City shall have regard to matters of provincial interest when carrying out its responsibilities under the Act. Staff are of the view that the application fails to have regard for matters of provincial interest identified in Section 2 (p), (q) and (r) (i and ii)) for the reasons set out in this report.

Provincial Policy Statement (2014)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS states that planning authorities shall identify appropriate locations for intensification and that an appropriate range and mix of housing types and densities be provided.

Section 1.1.1 (g) of the PPS (Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns) states that "healthy, livable and safe communities are sustained by ensuring that necessary infrastructure, and public service facilities are or will be available to meet current and projected needs." The applicant has not satisfactorily demonstrated that the necessary infrastructure is available to support the proposed development. Revisions to the submitted Functional Servicing and Stormwater Management Report are required to demonstrate there is adequate servicing capacity to accommodate the proposed development and what improvements, if any, may be required.

Section 1.1.3.3 also directs that Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated.

Policy 4.7 of the PPS states that a municipality's "official plan is the most important vehicle for implementation of the Provincial Policy Statement" and that "comprehensive, integrated and long-term planning is best achieved through the official plans." The subject site is located within the Etobicoke Centre Secondary Plan area. The site is designated *Mixed Use Areas* on Map 15 - Land Use Plan in the Official Plan and *Mixed Use Area B* in the Etobicoke Centre Secondary Plan. The Etobicoke Centre is made up of seven areas, each with its unique character, established through the different land designations. The existing and planned context for the *Mixed Use Area B* is that of pedestrian scale buildings up to five storeys in height with non-residential units at grade. The proposed 27-storey building is not in keeping with the pedestrian-scale built form envisioned for this area of Etobicoke Centre.

Furthermore, the PPS directs municipalities to provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. While intensification in this Urban Growth Centre is encouraged, as discussed in greater detail below, the development proposal in its current form does not implement the City's Official Plan policies and design guidelines related to matters such as massing, scale and fit with the immediate area, and the impacts from the proposed development on adjacent properties and the public realm are not adequately mitigated. As such, staff are of the opinion the proposal in its current form is not consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan provides a strategic framework for managing growth in the GGH. The policies of this Plan are based on Guiding Principles in Section 1.2.1, and require development to, among others:

- Support the achievement of complete communities, as defined in the Growth Plan, that are designed to support healthy and active living and meet people's needs for daily living throughout an entire life; and
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.

Policy 2.2.2.3, which applies to delineated built-up areas as defined by the Growth Plan, states that "all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas which will:

- a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- b) identify appropriate type and scale of development and transition of built form to adjacent areas;
- c) encourage intensification generally throughout the delineated built-up area;
- d) ensure lands are zoned and development is designed in a manner that supports achievement of complete communities;
- e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- f) be implemented through Official Plan policies and designations, updated zoning and other supporting documents."

Similar to the PPS, Policy 1.1.1 (g) of the Growth Plan (2019) also states that "Healthy, livable and safe communities are sustained by ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet the current and projected needs". As noted above, the applicant has not satisfactorily demonstrated that the necessary infrastructure is available to support the proposed development. As such, staff are of the opinion the proposal in its current form does not conform to the Growth Plan (2019).

The Official Plan identifies a City-wide land use structure of areas where intensification is appropriate and directs growth to certain areas of the City. In this case, the Etobicoke Centre Secondary Plan provides further details on the form of development in this area. As noted below, the proposed development does not achieve the development objectives set out in the Official Plan with respect to massing and scale. As such, staff are of the opinion that the proposed development does not conform with the Growth Plan (2019).

Land Use

The site is designated *Mixed Use Areas* on Land Use Map 15 of the Official Plan which provides for a range of uses including residential, commercial and institutional in a single use or mixed use buildings. The site is also designated *Mixed Use Area B* as

shown on Land Use Map 12-5 of the Etobicoke Centre Secondary Plan and is subject to the policies of the Secondary Plan. This designation in the Etobicoke Centre Secondary Plan provides for a pedestrian scale development for the subject site.

The Etobicoke Centre Secondary Plan sets out a mixed-use strategy particularly for the area along Dundas Street West to enhance and further the pedestrian oriented shopping and service area. Section 3.13.3 of the Plan states that "*Mixed Use Area B* will continue as the pedestrian focus of Etobicoke Centre. Primarily located along Dundas Street west of Islington Avenue and comprising the historic Islington Village area, lands in this designation will be developed with pedestrian-scale buildings having retail and service uses located at grade to enhance and expand the main street shopping area".

The proposed redesignation from *Mixed Use Area B* to *Mixed Use Area A* to allow for a tall building on the subject site is not appropriate, as the proposed building would be significantly taller than what is envisioned for the site in the Secondary Plan. Furthermore, the massing of the proposed building, coupled with the proposed reduced building setbacks would not fit the immediate context.

Density, Height and Massing

Policies 3.13.3.1 (a) to (d) state that "*Mixed Use Area B* will consist of a broad range of commercial, residential and institutional uses in single use or mixed-use buildings; have buildings that are built to the street line with at-grade retail, office or service uses; have buildings that are developed at a pedestrian-height; and provide a continuous pedestrian-oriented retail shopping strip to serve surrounding residential and office and institutional uses." This pedestrian-scale building height is further emphasized in the Etobicoke Centre Secondary Plan implementing Zoning By-law No. 1088-2002, which limits the building height on the subject site to 15 m.

The immediate surrounding context of the subject site is low-rise buildings comprised of 2-storey commercial buildings to the north, surface parking lots to the west, a 2-storey school building to the south, and vacant treed and surface parking on the east side of Cordova Avenue. Although it is acknowledged that a 20-storey building was approved at the Ontario Municipal Board for the property across Cordova Avenue, that site forms part of a larger site which has a height permission of 60 metres in the Etobicoke Centre Secondary Plan. The proposed apartment building would be 27 storeys (75.7 m in height, excluding mechanical penthouse). This building height is significantly taller than the pedestrian height building permitted under *Mixed Use Area B*. Although the application proposes to amend Etobicoke Centre Secondary Plan to redesignate the lands to *Mixed Use Area A*, the proposed tower height of 75.7 m is greater than the height permitted in Zoning By-law No. 1088-2002 for *Mixed Use Area A*, which permits a maximum building height of 60 m.

Tall buildings are typically buildings whose height is greater than the width of the adjacent road allowance. Policy 3.1.3 of the Official Plan states that tall buildings should be designed to consist of three parts, carefully integrated into a single whole: a base building, middle (shaft) and top.

As this application proposes to redesignate the subject lands to permit a tall building, the proposed development has been reviewed against the Tall Building Design Guidelines.

Section 3.1.3 of the Official Plan provides direction on tall building design. This section provides that tall buildings are desirable in the right locations but do not belong everywhere. The proposal includes a 12-storey base building with a tower above for a total building height of 27 storeys. The 27-storey building would front on Cordova Avenue which has a planned right-of-way width of 27 m. The shape of the subject site limits its ability to accommodate a tall building and achieve the built form objectives set out in the Official Plan and Tall Building Design Guidelines. The tower component of the building as proposed would provide setbacks of 3.85 m and 4.43 m along the north side, 5.5 metres along the west side and 2.8 m to 3 m and 12.5 m along the south side. A 1.5 m setback is proposed from Cordova Avenue for the 4-storey component of the building, with the tower having a further 1.5 m stepback above. These building setbacks do not meet the setback requirements in the Tall Building Design Guidelines. The required setback for a tall building on this site would be a 7.5 m rear yard setback from the western property line and the west end of the northern property line, a 5.5 m setback from the easterly portion of the northern property line and the southern property line, a 3 m setback from the front property line and 12.5 m setback from the northern, southern and western property line for any portion of the building above four storeys. An additional 3 m setback from the edge of the podium for the tower portion of the building would also be required.

Section 3.4.4 of the Etobicoke Centre Secondary Plan requires tall building proposals to limit the size of tower floor plate. In addition, Policy 3.4.6, requires tall buildings to minimize their shadow impact on adjacent public areas including streets. The maximum 750 m² floor plate in the Tall Building Guidelines is intended to limit the shadow impacts through compact floor plates that cast smaller, faster moving shadows. The size and shape of the building's floor plate and the height and placement of a tower on a site determines the overall three-dimensional massing of a tall building and the visual impact it imposes on surrounding streets, parks, open spaces and properties. Due to the site configuration and building placement, the proposal has a floor plate of approximately 1,190 m² above the fourth storey and 825 m² above the 12th storey. Additionally, 1.5 m deep balconies are proposed which would further add to the mass of the building. The minimal building setbacks, coupled with the significant floor plates and building height results in a scale and massing that does not fit with the existing or planned context in the immediate area.

Policy 3.4.6(f) of the Secondary Plan also states that tall building proposals must provide adequate transition between taller buildings and the adjacent lower scaled buildings. As noted above, the adjacent properties to the north have as-of-right permissions for a maximum of 15 m height. The neighbouring property to the south is a 2 storey school building. The building as proposed fails to provide adequate transition to the lower scaled buildings in its context.

In consideration of this context, the proposed building was also evaluated against the Mid-Rise Buildings Performance Standards.

In order to comply with the Mid-Rise Building Guidelines, the development would have a height of approximately 27 m, equal to the planned right-of-way of Cordova Avenue. The building would also have to provide a 7.5 m setback from the western property line and the west end of the northern property line, meet the angular plane from 10.5 m above the setback line from the rear yard property line, provide a setback of 3 m from the front yard property line for 80% of the building height and meet the 45 degree angular plane from edge of the ROW on the other side of the street for any portion of the building above the 80% of the building height. In addition, in order to create the required pedestrian perception zone consistent with Islington Village, the portion of the building above the fourth storey would also have to provide a minimum setback of 3 m. The proposed 1.5 setback above the fourth storey would not mitigate the perceived height of the building or support the pedestrian-scale building typology envisioned for the site.

The proposed development would also increase the permitted density on the site from 3.5 times the area of the lot to 10.61 times the area of the lot.

The proposed development would not achieve the city building and built form objectives of the Official Plan and applicable design guidelines. As such, staff are of the opinion the proposed development represents an overdevelopment of the subject site.

Sun, Shadow and Wind

The Built Form policies in the Official Plan, specifically Policy 3.1.2.3 require that new buildings limit impacts on neighbouring streets. The Development Criteria for *Mixed Use Areas*, also requires that new buildings be massed with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets.

The applicant submitted a Sun/Shadow Study dated November 16, 2018, prepared by Rafael+Bigauska Architect. The study demonstrates that the proposed building would shadow the north side of Dundas Street West between 9:18 a.m. and 11:18 a.m. and Cordova Avenue between 12:18 p.m. and 6:18 p.m. during the fall and spring equinoxes. These shadows are the result of the proposed tall building and are not considered appropriate.

Wind

A Qualitative Pedestrian Level Wind Study dated November 16, 2018, prepared by Gradient Wind Inc. was submitted with the application. The study assessed the wind conditions arising from the proposal on Dundas Street West, Cordova Avenue, the outdoor amenity space and immediate areas around the site.

The study indicates that overall, the Cordova Avenue sidewalk is expected to be comfortable for standing during the spring, summer and fall, and walking during winter. The study indicates that the building entrance would benefit from added protection as well as the setback from the street and is expected to be suitable for sitting during summer months and standing throughout the rest of the year. However, the study does not specify the type of protection needed nor does it specify the additional needed building setback. The overall conditions on the sidewalk along Dundas Street West is

likely to comfortable for standing or better during the summer, becoming suitable for walking or better during the remaining seasons. The outdoor amenity space along the south side of the building is also expected to be calm and suitable for sitting throughout the typical use period of late spring to early fall.

The report concludes that although modest changes to wind speeds may occur upon the introduction of the proposed development, nearby building entrances, sidewalks, the Islington Jr. Middle School playground area and other pedestrian areas are expected to continue to experience wind conditions similar to those that presently exist without the proposed building. A revised study would be required as the current study indicates the building would benefit from added protection and setback from the street to determine the wind impacts of recommended changes.

Traffic Impact, Access and Parking

Transportation Services staff have reviewed the Transportation Impact Study submitted with the application, dated November 15, 2018. The study estimates that the proposed development will result in approximately 78 and 85 new two-way vehicular trips during the weekday a.m. and p.m. peak hours, respectively. The study concludes that the proposed development is not expected to significantly impact the road and transit network in the vicinity of the subject site. Transportation Services staff have requested additional information from the applicant to support the findings of the TIS.

The stop-controlled intersection at Cordova Avenue/Central Park Road/School Access is forecast to operate at Level-of-Service 'F' during weekday a.m. and p.m. peak periods. Transportation Services staff have requested that the applicant undertake a gap acceptance survey for the intersection of Cordova Avenue/Central Park Road/School Access.

The site is currently subject to parking requirements of Zoning By-law No. 1088-2002. This by-law would require a total of 327 vehicular parking spaces for the current proposal comprised of 262 resident and 65 visitor parking spaces.

The site is not subject to City-wide Zoning By-law No. 569-2013. However, given that By-law No. 569-2013 was recently developed and updated the parking standards for new development, it is appropriate to apply the parking requirements of this by-law when evaluating new applications.

In this case, Policy Area No. 2 of Zoning By-law No. 569-2013 would be applicable. This would require a total of 295 vehicular parking spaces comprised of 263 resident and 32 visitor parking spaces. The application proposes a total of 251 parking spaces comprised of 225 resident and 26 visitor parking spaces, respectively. The Transportation Impact Study utilized parking demands of proxy sites outside the local area to justify the proposed reduction for resident parking. Transportation Services staff have requested a revised study using proxy sites in the vicinity of the subject site to support the proposed reduction in parking. Additionally, the study also suggests that the shortfall for visitor parking spaces could be accommodated in nearby municipal parking lots.

A revised Transportation Impact Study is required to address the parking shortfall and to provide the additional information requested by Transportation Services staff for the Cordova Avenue and Central Pak Road intersection. As such, this report recommends the owner be required to submit a revised Transportation Impact Study to the satisfaction of the General Manager, Transportation Services and be responsible for any upgrades to municipal infrastructure required to support the proposed development.

Road Widening

In order to satisfy the Official Plan requirement of a 27 m right-of-way for this segment of Cordova Avenue, a 3.44 m road widening dedication along the Cordova Avenue frontage of the subject site is required and the applicant has advised this would be conveyed to the City. There is also a 0.37 m wide land conveyance requirement along the northerly part of 12 Cordova Avenue to satisfy the requirement of a 6 m wide public laneway abutting the north side of the site and the applicant has advised this would be conveyed to the City. These land conveyances would be secured through the Site Plan review process should this application be approved.

Streetscape

There is an existing municipal sidewalk that is less than 2.1 m wide along the Cordova Avenue frontage of the subject site. In order to comply with City standards and the Accessibility for Ontarians with Disability Act (AODA), a continuous 2.1 m wide clear public sidewalk is required along the Cordova Avenue frontage of the development site.

A 2.1 m sidewalk is proposed along the frontage of the site, however the proposed bicycle parking at the north end of the site encroaches into the sidewalk area. The construction of a 2.1 m sidewalk would be secured through the Site Plan review process should this application be approved.

Servicing

A Functional Servicing and Stormwater Management Report dated November 16, 2018, prepared by Counterpoint Engineering was submitted in support of the application. Engineering and Construction Services staff have reviewed the report and have requested revisions to determine the storm water runoff, sanitary flow and water supply demand resulting from the proposed development and to determine whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development.

As such, it is recommended the owner be required to submit a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, should this application be approved in some form. In addition, it is recommended that the owner be required to enter into a financially secured agreement for the construction of any required improvements to municipal infrastructure, should these be identified in the revised Functional Servicing Report.

Housing Issues

As the subject lands were initially identified as containing at least six residential units, of which at least one was rental, City staff identified that a Rental Housing Demolition application and associated Housing Issues Report was required to support the Official Plan and Zoning By-law Amendment application. The applicant subsequently submitted a Housing Issues Report which stated that there are seven residential units, of which five are rental at 12, 16 and 20 Cordova Avenue.

City Planning staff visited the buildings at 12 to 20 Cordova Avenue on December 17, 2018 to confirm the number of residential and rental dwelling units. The site visit identified that further information was required to confirm the number of dwelling units and their tenure type. Staff requested the applicant to submit a Rental Housing Demolition application to undertake in order to allow for a full review of the subject Zoning By-law Amendment application and to confirm conformity with Official Plan Policy 3.2.1.6. A Rental Housing Demolition application was submitted to the City on June 19, 2019 and is being reviewed by staff.

A decision on rental housing would be made by the Chief Planner and Executive Director, City Planning, under delegated authority if less than six rental dwelling units are confirmed. City Council would have decision-making authority should there be six or more rental dwelling units.

A tenant consultation meeting will be held to review the impact of the proposal on existing tenants of the residential rental properties, including tenant assistance, as required by the Rental Housing Demolition By-law. Additional requirements may apply depending on the confirmation of the number of units, their tenure and rent affordability categories. Staff will continue to work with the applicant to resolve outstanding matters. Should an approval decision be rendered by the LPAT, rental housing matters may need to be secured through one or more agreements with the City and registered on title to the land in a manner satisfactory to the City Solicitor and Chief Planner and Executive Director, City Planning.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the city. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

Parks, Forestry and Recreation staff advise, in accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication. In the event the owner acquires additional land which increases the total area of the development site, Parks Forestry and Recreation staff further advise of their intent to potentially request an on-site parkland dedication where such dedication would result in a functional public park.

Archaeological Assessment

The subject lands are within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. The applicant submitted Stage 1 and Stage 2 Archaeological Assessment Reports prepared by ASI dated November 7, 2018, in support of the application. The reports conclude that no archaeological resources were encountered and no further study is required. Heritage Preservation Services staff concur with these findings and have no objection to the proposed development. However, certain post-approval conditions would be secured through the Site Plan review process, should this application be approved.

Tree Preservation

The proposal is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant submitted an Arborist Report in support of the proposal which has been reviewed by Urban Forestry staff. The Arborist Report identifies the preservation of five City-owned trees and the removal of 16 protected private trees. The Landscape Plan for the application shows 5 new trees on private lands and 2 trees on City lands. Based on standard requirements, Urban Forestry staff require 48 new trees to be planted on the site to replace the 16 protected trees proposed to be removed. Urban Forestry staff advise that the proposed Landscape Plan is not acceptable and require significant revisions and have requested a revised Landscape Plan. The details of the landscape plan would be secured through the Site Plan review process if this application is approved.

Toronto Green Standard

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.

The applicant is required to meet Tier 1 of the TGS.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports a healthy, safe, liveable and accessible city. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The applicant submitted a Community Services and Facilities Study in support of the application. The study concludes that the area is served by a number of community services that could support the development. These include five community centres, 19 human service organizations and ample parkland (approximately 48 hectares). However, the study also notes that the Toronto District School Board (TDSB) and childcare centres have limited capacity to accommodate any additional children and students. No community services or facilities are proposed as part of this application.

Section 37

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a project that is greater than the zoning by-law would otherwise permit in return for community benefits. The Official Plan Policy 5.1.1 and City Council's approved Section 37 protocol requires that the proposed development represent good planning and meet a minimum size requirement of 10,000 m² and an increase in density of at least 1,500 m². Details of a Section 37 Agreement between the applicant and the City are determined, in consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

The proposal in its current form would be subject to Section 37 contributions under the Official Plan. Section 37 benefits have not yet been discussed with the applicant as staff are of the opinion that the proposal in its current form does not represent good planning. However, should this proposal be approved in some form by the LPAT, Planning staff recommend that staff be authorized to negotiate an appropriate Section 37 community benefit with the applicant, in consultation with the Ward Councillor, and that the City Solicitor be authorized to request the LPAT to withhold its Order until a Section 37 Agreement has been executed and registered on title.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019) and the Toronto Official Plan. The proposed development is not consistent with the Provincial Policy Statement (2014), as it would establish an inappropriate development precedent for this area, including inadequate building setbacks and overwhelming building massing. The proposal also fails to conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) as it would not provide an appropriate scale of development and lacks transition of built form to adjacent areas.

Further, the proposal is not in keeping with the intent of the Toronto Official Plan, particularly as set out in the *Etobicoke Centre Secondary Plan* and insufficient information has been provided to demonstrate that the proposal can be supported.

CONTACT

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Jym Clark, Planner, Tel. No. 416-392-8124, E-mail: Jym.Clark@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 Land Use Map
- Attachment 4: Etobicoke Centre Secondary Plan Map 12-1
- Attachment 5: Etobicoke Centre Secondary Plan Map 12-5
- Attachment 6: Existing Zoning By-law Map

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: North Elevation
- Attachment 9: South Elevation
- Attachment 10: East Elevation
- Attachment 11: West Elevation

Attachment 1: Application Data Sheet

Municipal Address: 12, 16 and 20 Date Received: November 16, 2018
CORDOVA AVE

Application Number: 18 257584 WET 05 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Proposal for a 27-storey apartment building having a height of 75.7 m, excluding mechanical penthouse. A total of 327 residential units are proposed, and the development would have a density of 10.62 FSI.

Applicant	Agent	Architect	Owner
JOHN JOSEPHSON			2598325 ONTARIO INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: By-law 1088-2002

Zoning: EC3 Heritage Designation:

Height Limit (m):15 Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 2,460 Frontage (m): 51 Depth (m): 53

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,285	1,285
Residential GFA (sq m):	588		26,135	26,135
Non-Residential GFA (sq m):				
Total GFA (sq m):	588		26,135	26,135
Height - Storeys:	3		27	27
Height - Metres:	10		75.7	75.7

Lot Coverage Ratio (%) : 52.24 Floor Space Index: 10.62

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	26,135	
Retail GFA:		

Office GFA:
 Industrial GFA: n/a
 Institutional/Other GFA: n/a

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			327	327
Other:				
Total Units:			327	327

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			164	131	32
Total Units:			164	131	32

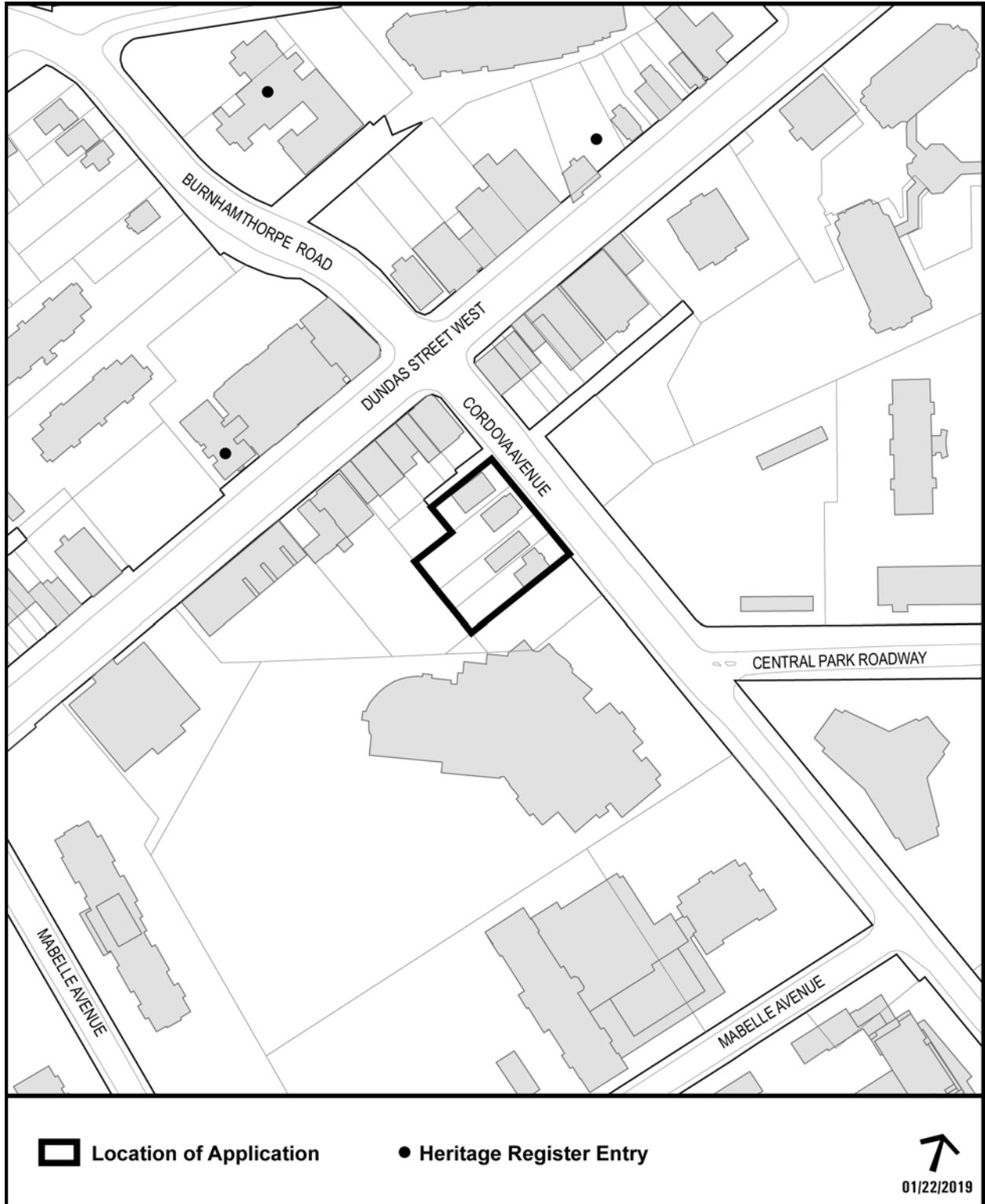
Parking and Loading

Parking Spaces: 251 Bicycle Parking Spaces: 245 Loading Docks: 1

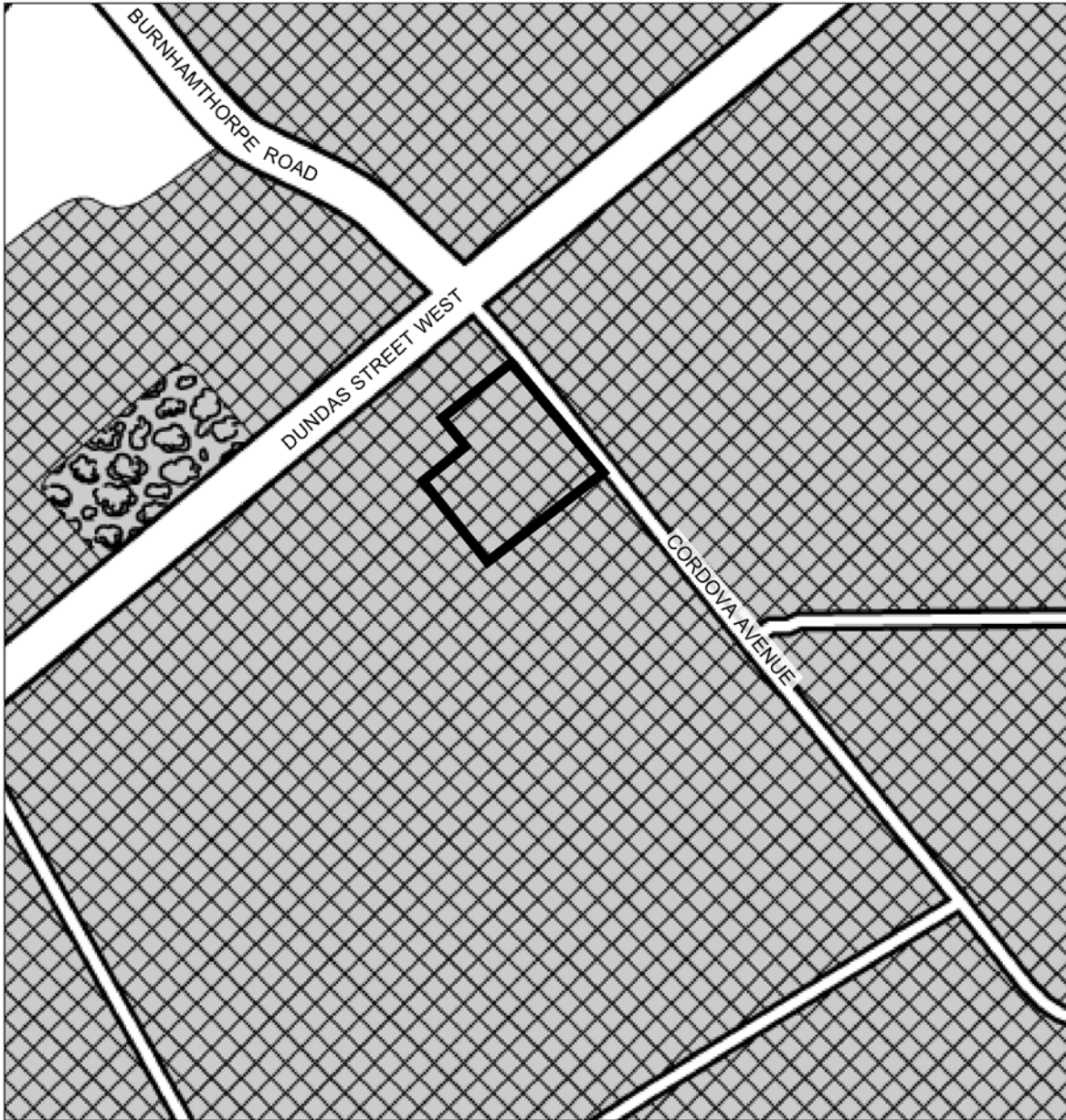
CONTACT:

Cynthia Owusu-Gyimah, Senior Planner
 (416) 394-8220
 Cynthia.Owusu-Gyimah@toronto.ca

Attachment 2: Location Map








Attachment 3: Official Plan Land Use Map



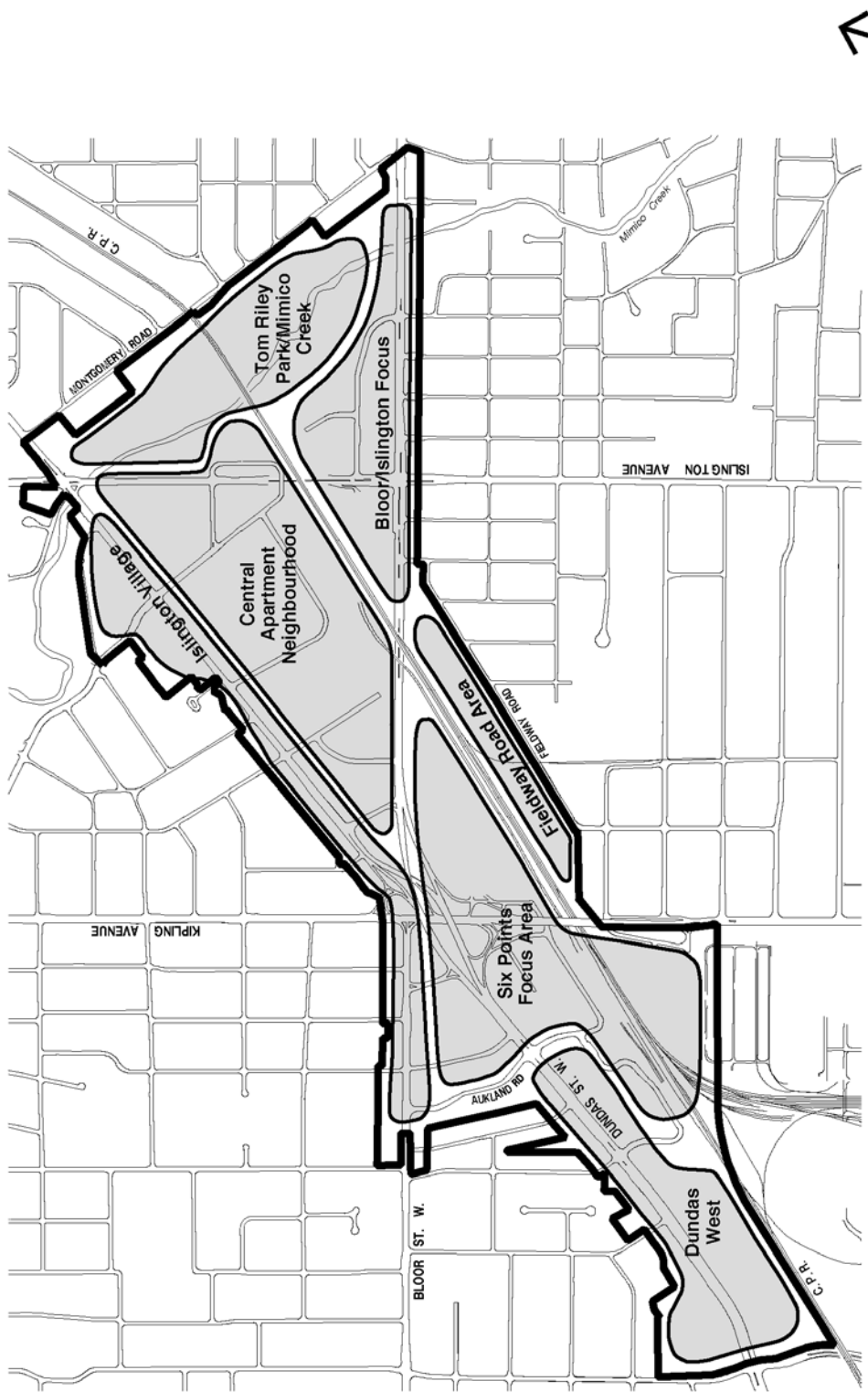
Official Plan Land Use Map #15

12, 16 & 20 Cordova Avenue

File # 18 257584 WET 05 02

- | | |
|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Other Open Space Areas |
|  Mixed Use Areas | |

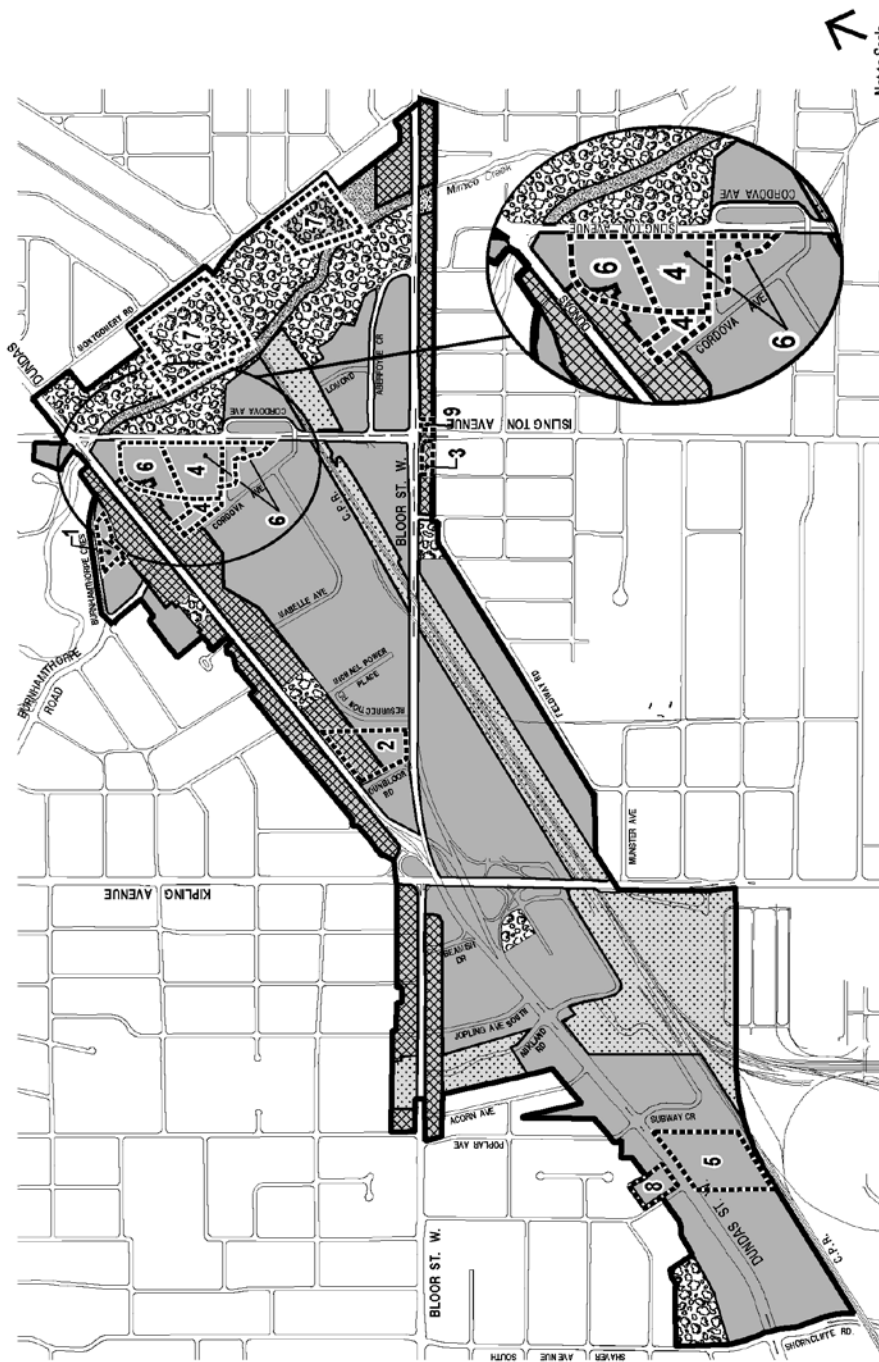
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Etobicoke Centre Secondary Plan
MAP 12-1 Etobicoke Centre Areas



— Secondary Plan Boundary

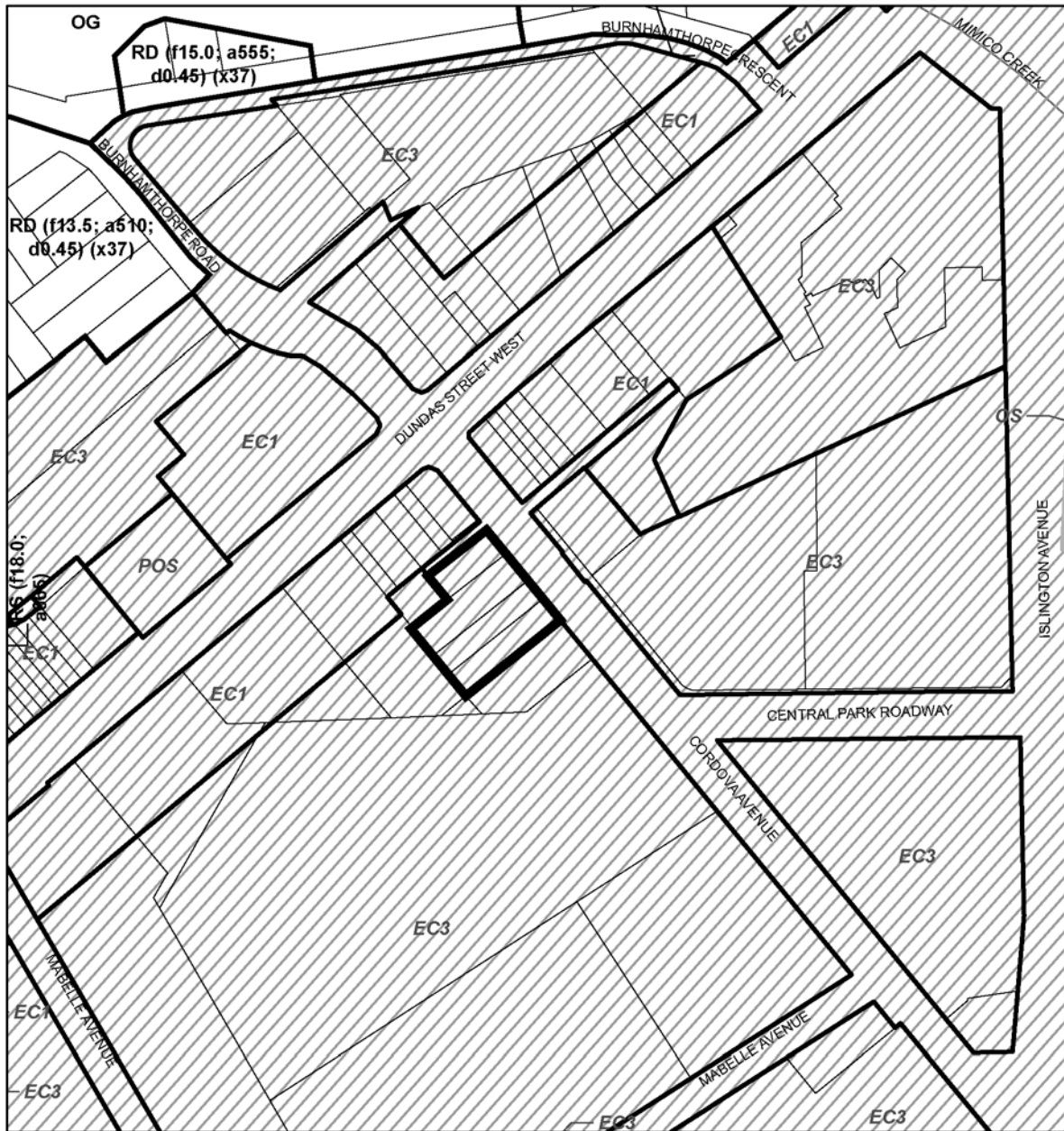


Etobicoke Centre Secondary Plan
MAP 12-5 Land Use Plan

- Secondary Plan Boundary**
- Mixed Use Area A
- Mixed Use Area B
- Utility Corridors
- Parks and Open Space Areas**
- Natural Areas
- Parks
- Other Open Spaces Areas (Including Golf Courses, Cemeteries, Public Utilities)
- 1 Site and Area Specific Policies**

December 2010

Attachment 6: Existing Zoning By-law Map



Zoning By-law 569-2013

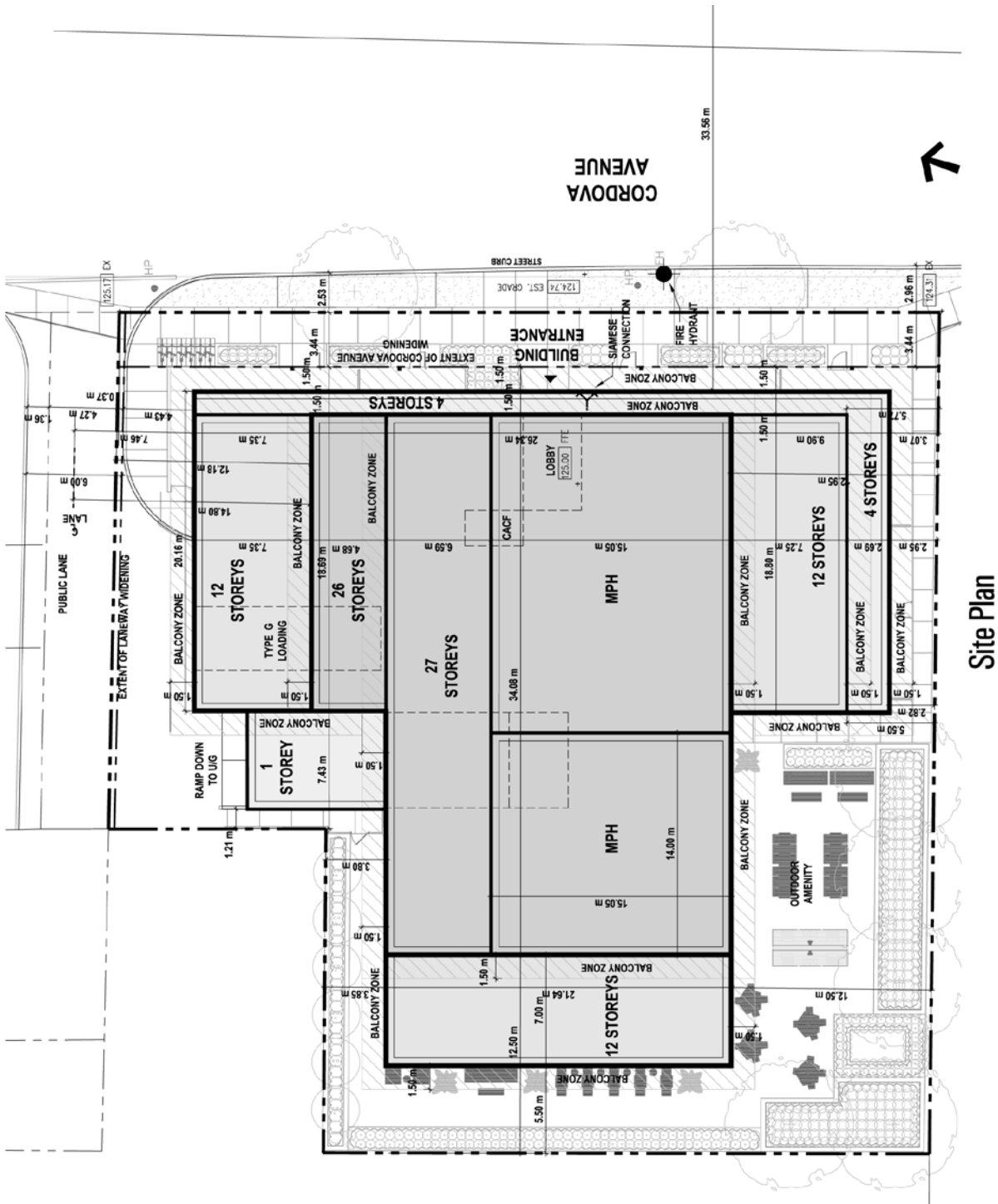
12,16 and 20 Cordova Avenue

File # 18 257584 WET 05 02

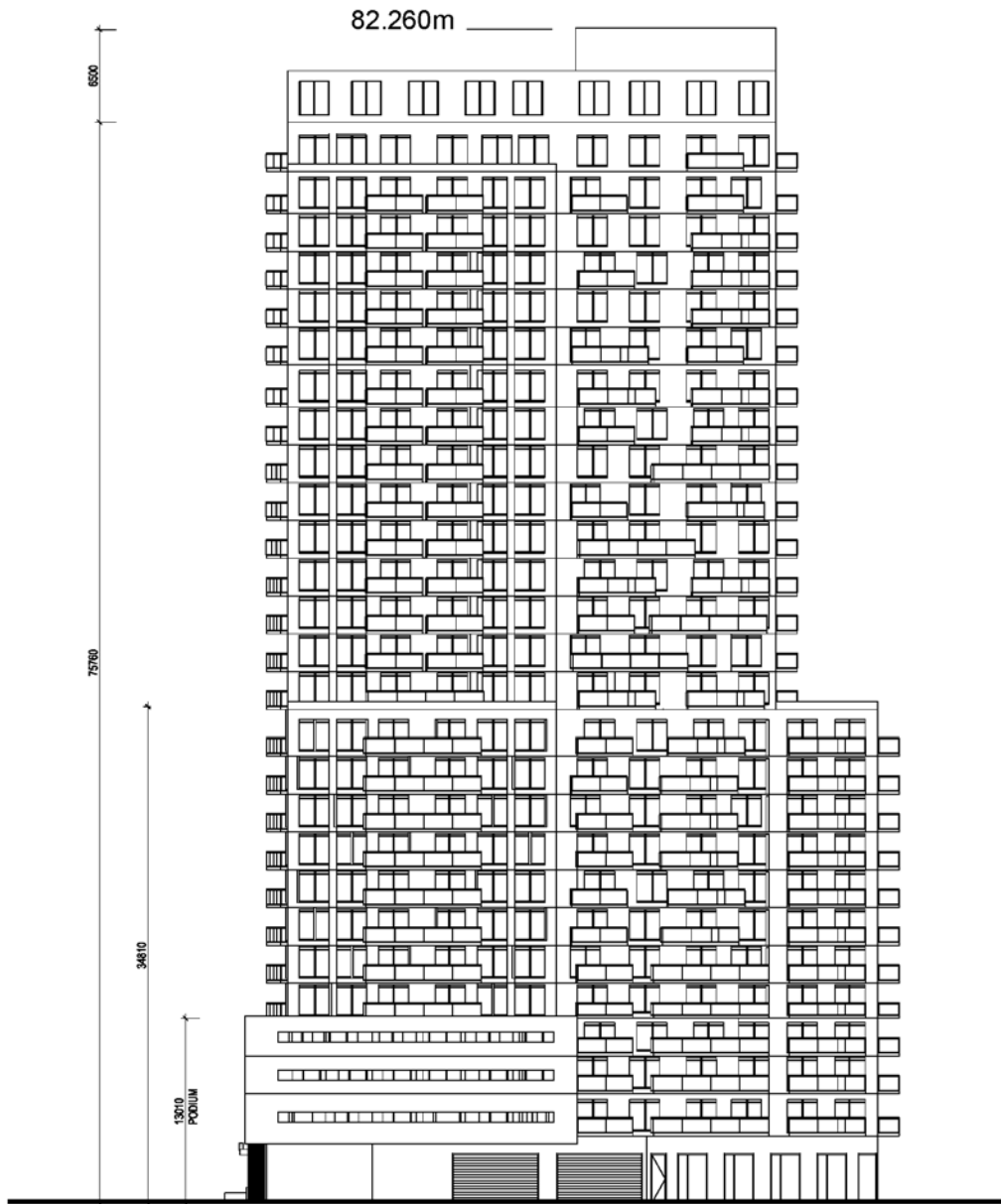
- Location of Application
- RD Residential Detached RS Residential Semi-Detached
- OG Open Space Golf Course

- See Former City of Etobicoke By-law No. 11,737
- OS Public Open Space Zone
- POS Private Open Space Zone
- EC1 Etobicoke Centre 1
- EC3 Etobicoke Centre 3

Not to Scale
 Extracted: 06/04/2019



Attachment 8: North Elevation



North Elevation

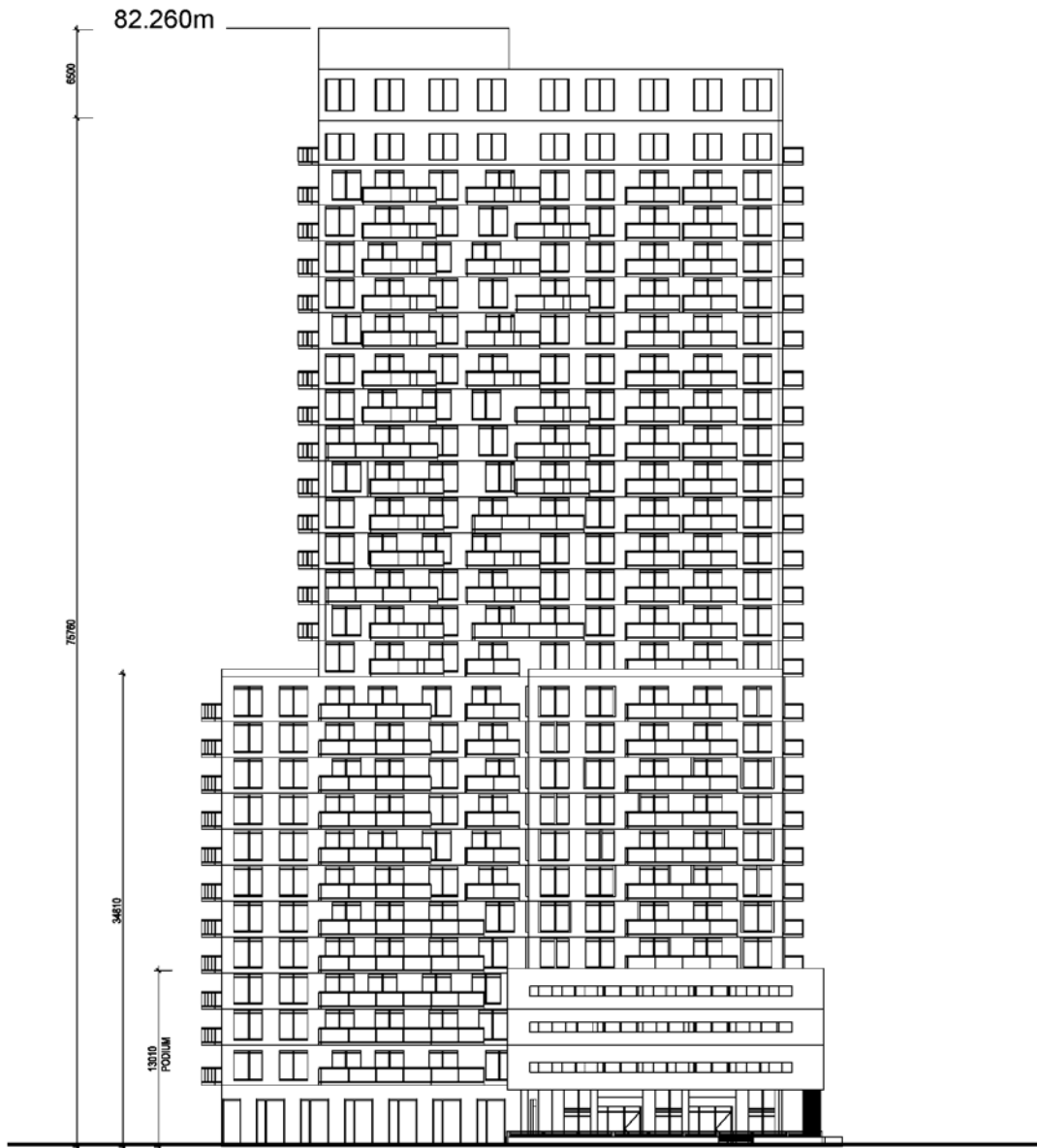
12, 16 & 20 Cordova Avenue

Applicant's Submitted Drawing

Not to Scale
01/23/2019

File # 18 257584 WET 05 0Z

Attachment 9: South Elevation



South Elevation

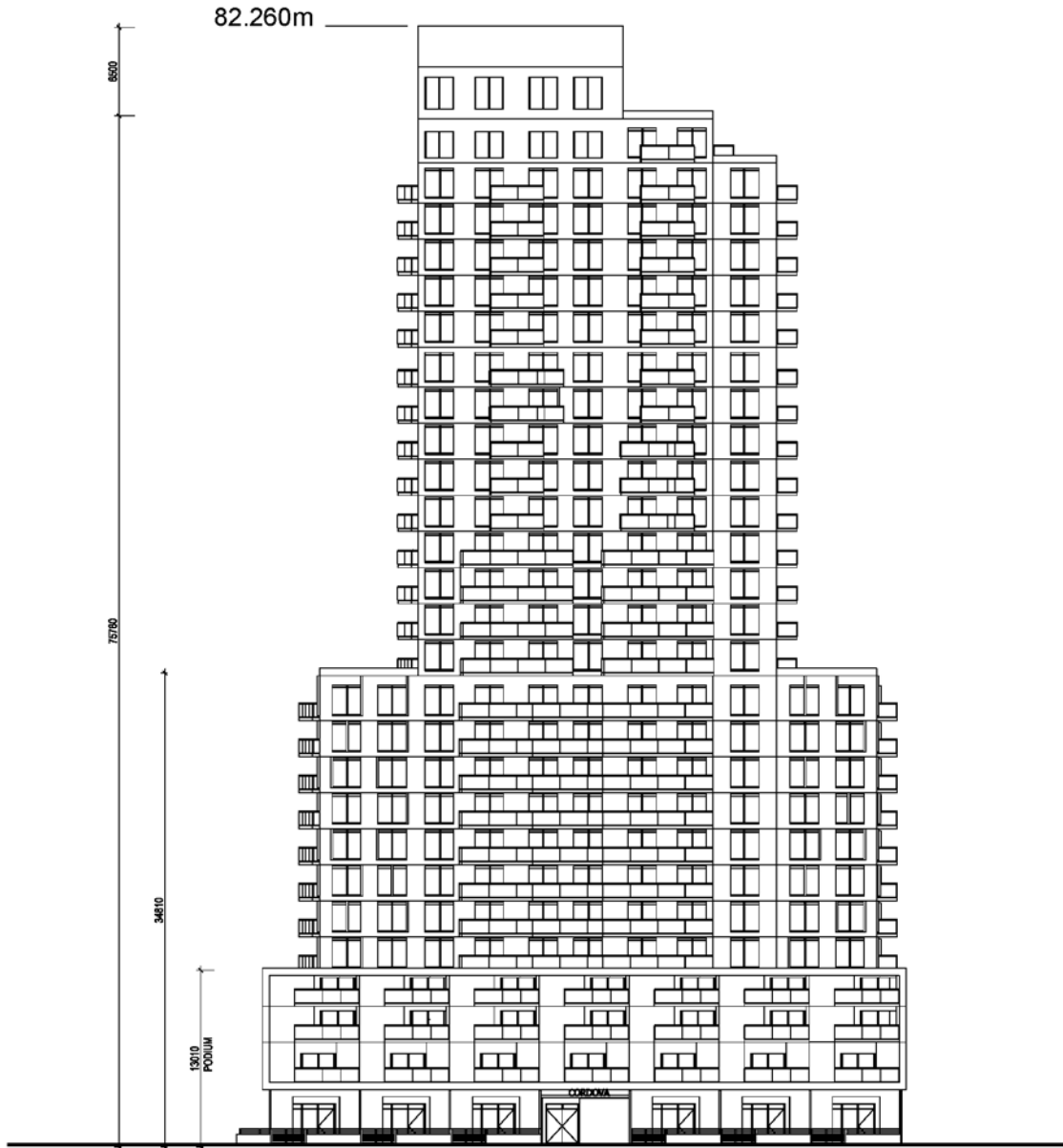
12, 16 & 20 Cordova Avenue

Applicant's Submitted Drawing

Not to Scale
01/23/2019

File # 18 257584 WET 05 0Z

Attachment 10: East Elevation



East Elevation

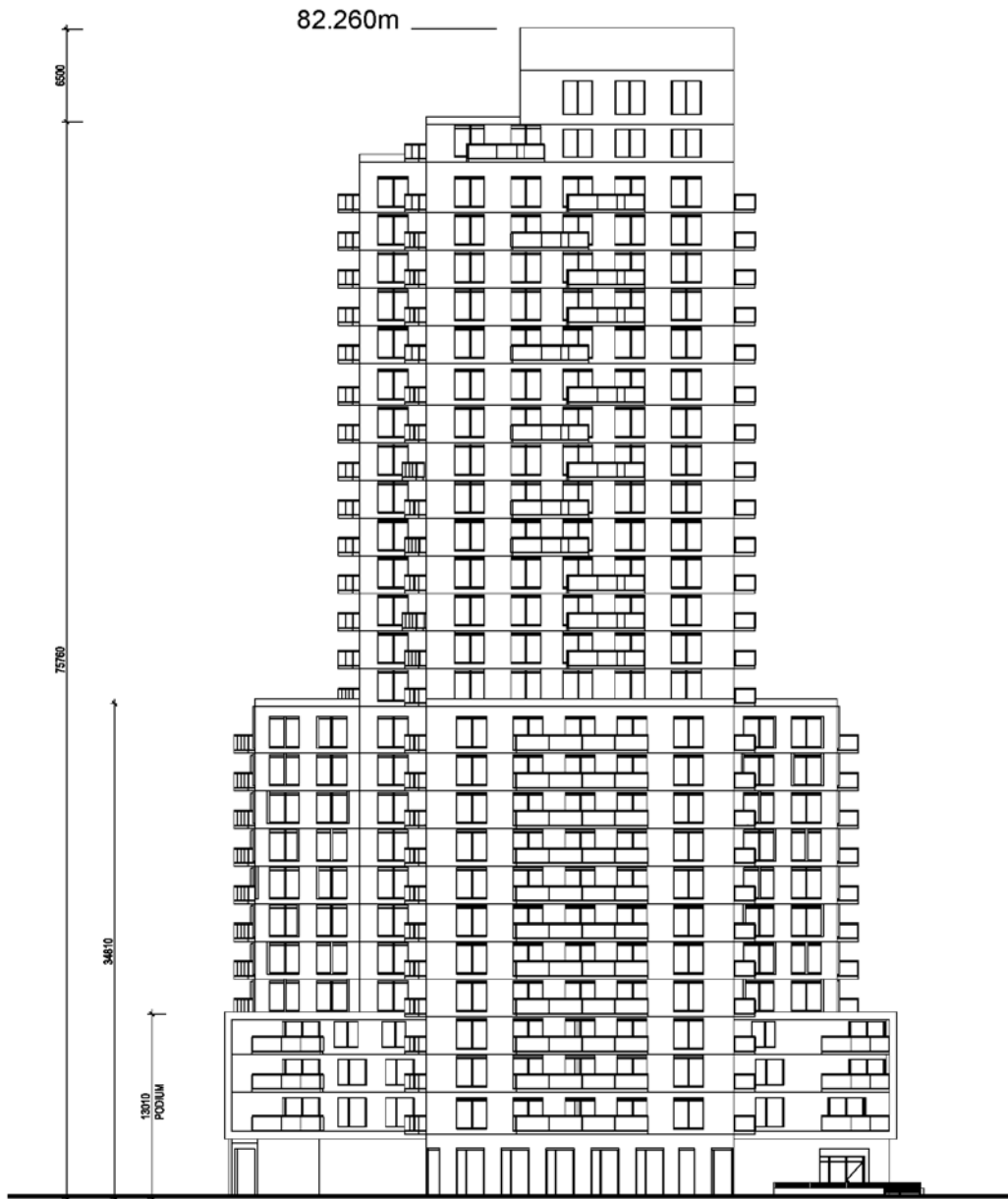
12, 16 & 20 Cordova Avenue

Applicant's Submitted Drawing

Not to Scale
06/04/2019

File # 18 257584 WET 05 0Z

Attachment 11: West Elevation



West Elevation

12, 16 & 20 Cordova Avenue

Applicant's Submitted Drawing

Not to Scale
01/23/2019

File # 18 257584 WET 05 0Z