

202-208 St. Clair Avenue West and 2-6 Forest Hill Road – Zoning Amendment and Rental Housing Demolition Applications – Final Report

Date: February 25, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 19 113008 STE 12 OZ

Rental Housing Application Number: 19 234161 STE 12 RH

SUMMARY

This application proposes to amend Zoning By-laws 438-86 and 569-2013 to permit the redevelopment of the subject lands for a nine-storey (30.6 metre + 5.0 metre mechanical penthouse) residential building containing 94 residential units. The proposed residential building incorporates 449 square metres of indoor amenity space, 138 square metres of outdoor amenity space, and three levels of underground parking with 167 vehicular parking spaces and 95 bicycle parking spaces. The total gross floor area (GFA) of the proposed building is 13,750 square metres, resulting in a floor space index (FSI) of 4.65 times the area of the lot.

A Rental Housing Demolition Application has been submitted under Section 111 of the City of Toronto Act (Chapter 667 of the Toronto Municipal Code) to demolish seven existing dwelling units, five of which were last used for residential rental purposes, located within the buildings at 204, 206, and 208 St. Clair Avenue West and 2 and 6 Forest Hill Drive.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).

This report reviews and recommends approval of the application to amend the By-law Amendment as well as the Rental Housing Demolition application, subject to conditions. Replacement of the five existing rental dwelling units is not required since the property contains fewer than six rental units.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 for the lands at 202-208 St. Clair Avenue West and 2-6 Forest Hill Road substantially in accordance with the draft Zoning By-law

Amendment attached as Attachment No. 6 to the report (February 25, 2020) from the Director, Community Planning, Toronto and East York District.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 202-208 St. Clair Avenue West and 2-6 Forest Hill Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to the report (February 25, 2020) from the Director, Community Planning, Toronto and East York District.

3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

4. City Council approve the Rental Housing Demolition application in accordance with Chapter 667 of the Toronto Municipal Code to allow for the demolition of five (5) existing rental dwelling units located at 204, 206, and 208 St. Clair Avenue West, subject to the owner shall provide tenant relocation assistance to eligible tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

5. City Council authorize the Chief Planner and Executive Director, City Planning Division, to issue Preliminary Approval for the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code for the demolition of the five (5) existing rental dwelling units at 204, 206, and 208 St. Clair Avenue West after all of the following have occurred:

- a) Satisfaction or securing of the condition in Recommendation 4 above;
- b) The Zoning By-law Amendments have come into full force and effect;
- c) The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director or their designate, pursuant to Section 114 of the City of Toronto Act, 2006;
- d) The issuance of excavation and shoring permits for the approved structure on the site;
- e) The execution and registration of an agreement pursuant to Section 37 of the *Planning Act* securing Recommendation 4 above and any other requirements of the Zoning By-law Amendment; and
- f) Confirmation that all existing rental dwelling units are vacant.

6. City Council authorize the Chief Building Official to issue a Section 111 permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 5 above.

7. City Council authorize the Chief Building Official to issue a Residential Demolition Permit under Section 33 of the *Planning Act* for the residential buildings located at 202-208 St. Clair Avenue West and 2-6 Forest Hill Road no earlier than the issuance of the first building permit for excavation and shoring of the development and after the Chief

Planner and Executive Director, City Planning Division has issued the Preliminary Approval referred to in Recommendation 5, which may be included in the demolition permit for Chapter 667 under 363-6.2 of the Toronto Municipal Code, on condition that:

a) The owner erects a residential building on the lands no later than three (3) years from the day that the demolition of the existing residential buildings commences; and

b) Should the owner fail to complete construction of the new residential building within the timeframe specified in 7 a) above, the City Clerk shall be entitled to enter on the collector's roll an amount equal to the sum of twenty thousand dollars (\$20,000.00) per demolished dwelling unit, to be collected in the same manner as municipal property taxes, and that such amount shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

8. Before introducing the necessary Bills to City Council for enactment, require the owner enter into an Agreement pursuant to Section 37 of the *Planning Act*, and any other necessary agreement(s), as follows:

a) The community benefits recommended to be secured in the Agreement are as follows:

i. A cash contribution in the amount of \$2,000,000 payable to the City prior to the issuance of the first above-grade building permit, with such amount to be indexed upwardly with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of execution of the Agreement to the date of payment;

ii. The cash contribution shall be allocated towards capital community services and facilities in the vicinity of the lands to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor; and

iii. In the event the cash contribution above has not been used for its intended purpose within three (3) years of the by-law coming into full force and effect, the cash contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the property.

b) The following matters are also recommended to be secured in the Agreement as a legal convenience to support development:

i. An acceptable tenant relocation and assistance plan to mitigate hardship from the proposed development on eligible tenants to the satisfaction of the Chief Planner and Executive Director, City Planning; and,

ii. The owner construct and maintain the development of the Site in accordance with Tier 1 performance measures of the Toronto Green Standard and the owner will be encouraged to achieve Toronto Green Standard, Tier 2 or higher, where appropriate.

9. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 Agreement, Section 37 Agreement, and any other necessary agreement(s).

FINANCIAL IMPACT

City Planning confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

A Preliminary Report on the Zoning By-law Amendment application was adopted by Toronto and East York Community Council on May 22, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area of approximately 200 metres from the subject site.

The Community Council decision and the Preliminary Report can be viewed at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE6.27>

CONSULTATION WITH APPLICANT

A pre-application meeting was held on December 17, 2018. The Zoning By-law Amendment application was submitted on February 7, 2019 and deemed complete as of February 26, 2019.

The Rental Housing Demolition application was submitted and deemed complete as of October 9, 2019.

After the submission of the application, consultation meetings with the applicant were held through 2019 and 2020 to discuss concerns and resolve issues identified during the application review process.

SITE AND SURROUNDING AREA

The subject site is located on the northwest corner of St. Clair Avenue West and Forest Hill Road and includes the lands municipally known as 202, 204, 206, and 208 St. Clair Avenue West and 2 and 6 Forest Hill Road. The site is rectangular in shape and has a site area of 2,957 square metres, with approximately 69 metres of frontage along St. Clair Avenue West and a depth of approximately 43 metres along Forest Hill Road.

The site contains a total of six (6) house-form buildings, which currently accommodate a mix of residential and commercial/office uses, as follows:

- 202 St. Clair Avenue West: a 2 1/2-storey single-detached house, which is occupied exclusively by medical and professional offices;
- 204 St. Clair Avenue West: a 2-storey single-detached house, which contains two rental dwelling units along with medical and professional offices;
- 206 St. Clair Avenue West: a 2 1/2-storey single-detached house, which contains one rental dwelling unit along with medical and professional offices;
- 208 St. Clair Avenue West: a 2 1/2-storey single-detached house, which contains two rental dwelling units along with medical and professional offices;
- 2 Forest Hill Road: a 2-storey single-detached house, which is currently vacant but was previously owner-occupied; and,
- 6 Forest Hill Road: a 2-storey single-detached house, which is currently vacant but was previously owner-occupied.

The properties at 202, 206 and 208 St Clair Avenue West that include houses that were constructed in the early twentieth century (late 1920s & 30s). These buildings are not individually designated or included within a Heritage Conservation District nor are they included on the City's Heritage Register.

Uses and structures near the site include:

North: of the subject site are 2-3 storey single detached houses within an area designated as *Neighbourhoods* in the Official Plan.

South: of St. Clair Avenue West are a number of 3-storey house-form buildings and a 4-storey residential apartment building immediately south of the site. East of the 3-storey house-form buildings is the single-storey First Unitarian Church. On the southwest corner of St. Clair Avenue West and Avenue Road is a 19-storey residential building that steps down to 6 storeys toward the building's western portion. At the southwest corner of St. Clair Avenue West and Poplar Plains Road is a 12-storey residential building.

East: of Forest Hill Road is a 12-storey residential building currently under construction. Further east is a public park (Glen Gould Park) at the northwest corner of St. Clair Avenue West and Avenue Road.

West: of the subject site is a 4-storey commercial building that is occupied by professional services and office uses. Further west is a 2 1/2 storey single detached house and a townhouse development at St. Clair Avenue West and Dunvegan Road.

Refer to Attachment 1 for the Location Map.

PROPOSAL

This application proposes a 9-storey (30.6 metres + 5.0 metre mechanical penthouse) residential building with a total of 94 units comprising of 61 one-bedroom units (65%), 24 two-bedroom units (25%) and 9 three-bedroom units (10%). The proposal has a total gross floor area (GFA) of 13,750 square metres. The floor space index (FSI) of the proposed development is 4.65 times the area of the lot. The proposal also includes three levels of underground parking. A total of 167 vehicular parking spaces are proposed (158 residents and 9 visitors). A total of 95 bicycle parking spaces are proposed (85 residents and 10 visitors). Proposed is a total of 449 square metres of indoor amenity space and 138 square metres of outdoor amenity space.

The ground floor of the building is setback 4.8 metres from the curb along St. Clair Avenue West and 6.4 metres from the curb on Forest Hill Road. This allows for pedestrian sidewalks with a minimum 2.1 metre clearway on both streets, along with space for a landscaped streetscape including trees.

The main residential lobby is on the northeast part of the building recessed from Forest Hill Road with a landscaped lobby area under a canopy to provide weather protection.

On the north side, the building is setback 7.5 metres from the rear property line. There is a 1.5 metre landscaped buffer with trees within the setback, a low retaining wall and fence. Next to that is a 6.0 metre driveway for two-way vehicular traffic parallel to the building off Forest Hill Road. There is a drop-off area located behind the lobby as well as access to visitor bike parking, visitor car parking, mail and concierge.

A loading area with a Type "G" loading space (for residential waste handling and moving) is located off the driveway inside the building.

West of the loading space is the ramp to access the underground parking garage. There is a three level underground parking garage with parking for residents and visitors. The underground area also includes necessary spaces for the building's functional servicing needs such as stormwater management.

A 5-storey street wall portion of the building is oriented along St. Clair Avenue West and wrapping the corner of Forest Hill Road. The building steps back 2.0 metres on the 6th floor and an additional 3.6 metres on the 9th floor along St. Clair Avenue West. The stepbacks result in outdoor residential terraces on those levels. The building also steps back 1.5 metres on the 6th floor and an additional 1.5 metres on the 8th floor on the Forest Hill Road and western facades.

The 9-storey building massing and height follow and fit within a 45-degree angular plane projected above 80% (24 metres) of the 30 metre street width along St. Clair Avenue West and from Forest Hill Road. Parts of the mechanical penthouse above, some balcony safety rails and parapets penetrate the 45 degree angular plane.

The building is setback 7.5 metres from the north property line and rises to three storeys (10.5 metres). Above that, the building steps back on each floor following a 45-degree

angular plane projecting from the 3rd floor to its top. Each of these building step backs are typically 3.3 metres creating outdoor residential terraces on each level.

Refer to Attachment No. 2 for project data.

The current proposal incorporates a number of revisions from the original application as summarized below:

- The unit count has increased from 85 to 95 and unit mix has changed to introduce more 1-bedroom units;
- The indoor amenity space has increased from 222 square metres to 449 square metres;
- 138 square metres of outdoor amenity space has been added, where there had previously been none;
- An additional level underground due to the reconfiguration of the transformer/electrical room, as well as the stormwater tank room;
- Building separation distance above the first floor on the west side of the building, where there are windows on the west side of the building, has been increased from 2.0 to 5.5 metres.

The Rental Housing Demolition Application proposes to demolish five (5) existing residential buildings that together contain seven (7) dwelling units (five rental units and two owner-occupied units) on the subject lands. The applicant has not proposed to replace the demolished rental units within the proposed development.

Reasons for Application

The Zoning By-law Amendment application proposes to amend Zoning By-laws 438-86 and 569-2013 to permit the proposed height (30.6 metres + 5 metre mechanical penthouse) and density (4.65 FSI) and to address non-compliance with certain standards of the Zoning By-laws, including, but not limited to building setbacks, gross floor area and parking requirements.

The applicant has submitted an application for a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code because the proposed development involves the demolition of at least six dwelling units, of which at least one is a rental dwelling unit.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Topographical Survey;
- Boundary Plan of Survey;
- Architectural Plans, Elevations and Sections;
- Site Grading Plan;

- Public Utilities Plan;
- Landscape Plans;
- Tree Preservation Plan;
- Computer Generated Building Massing Model;
- Arborist/Tree Preservation Report;
- Draft Zoning By-law Amendments;
- Functional Servicing and Stormwater Management Report;
- Groundwater Review Form;
- Geohydrology Report;
- Geotechnical Report;
- Housing Issues Report;
- Pedestrian Wind Assessment;
- Planning Rationale;
- Community Services and Facilities Study;
- Public Consultation Plan;
- Shadow Study;
- Toronto Green Standards Checklist;
- Loading Study;
- Parking Study;
- Traffic Operations Assessment; and,
- Transportation Impact Study.

All submission materials can be found at the following link: <https://aic.to/2ForestHillRd> (case sensitive)

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate the appropriate Zoning By-law provisions.

Statutory Public Meeting Comments

In making their decision with regard to the applications, City Council members have an opportunity to consider the submissions received prior to and at the statutory public meeting held by the Toronto and East York Community Council for the applications. Oral submissions made at the meeting are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Planning Act

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: the orderly development of safe and healthy communities; the adequate provision of a full range of housing, including affordable housing; the appropriate location of growth and

development; the supply, efficient use and conservation of energy and water; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

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

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 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 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."

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. 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 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 Council shall also be consistent with the PPS and conform with Provincial 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 a 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 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;
- Conserving Cultural Heritage Resources in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
- 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 Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

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

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

The City's Official Plan designates the subject site as *Apartment Neighbourhoods*, as shown on Map 17- Land Use Plan. The lands immediately north of the subject site are designated *Neighbourhoods*.

Chapter 2 - Shaping the City

Section 2.3.1 Healthy Neighbourhoods

Policy 2 in Section 2.3.1 states that *Apartment Neighbourhoods* are residential areas with taller buildings and higher density than *Neighbourhoods* and are considered to be physically stable. Development in *Apartment Neighbourhoods* will be consistent with this objective and will respect the criteria contained in Section 4.2.2 and other relevant sections of this Plan. While *Apartment Neighbourhoods* are not areas of significant growth on a city-wide basis, there are sites containing one or more existing apartment building(s) where compatible infill development may take place. This compatible infill development may take place where there is sufficient space on a site to accommodate additional buildings or building additions while providing a good quality of life for both new and existing residents and improving site conditions by maintaining or substantially replacing and improving indoor and outdoor amenity space; improving landscaped open space; maintaining adequate sunlight and privacy for residential units; and adequately limiting shadowing on outdoor amenity space and landscaped open space. Such infill will be in accordance with the criteria in Section 4.2 and other policies of this Plan. *Apartment Neighbourhoods* contain valuable rental apartment buildings that often need physical and social renewal and transformation to achieve an improved living environment.

Policy 3 in Section 2.3.1 states that developments in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- be compatible with those *Neighbourhoods*;
- provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- maintain adequate light and privacy for residents in those *Neighbourhoods*;
- orient and screen lighting and amenity areas so as to minimize impacts on adjacent land in those *Neighbourhoods*;
- locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent land in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, noise and odour impacts upon adjacent land in those *Neighbourhoods*; and,
- attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Chapter 3 - Building a Successful City

Section 3.1.2 The Built Form

Section 3.1.2 of the Official Plan states that development will be located, organized and massed to fit harmoniously with the existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, limiting impacts of servicing and vehicular access on the property and neighbouring properties; and limiting shadow and wind impacts.

Policy 1 in Section 3.1.2 provides further details, outlining how development is expected to frame and support adjacent streets, parks and open spaces. New development is expected to do the following:

- Generally locate buildings parallel to the street or along the edge of a park or open space using a consistent front yard setback;
- Locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
- Provide ground floor uses that have views into, and where possible, access to, adjacent streets, parks and open spaces; and
- Preserve existing maturing trees wherever possible and incorporate them into landscaping designs.

Policy 2 in Section 3.1.2 states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- Using shared service areas including driveways;

- Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk; and
- Providing underground parking where appropriate.

Policy 3 in Section 3.1.2 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:

- Massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- 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;
- Creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- Providing for adequate light and privacy;
- 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
- Minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

Section 3.1.5 Heritage

Section 3.1.5 of the Official Plan contains policies pertaining to Heritage.

Policy 2 in Section 3.1.5 states that properties and Heritage Conservation Districts of potential cultural heritage value or interest will be identified and evaluated to determine their cultural heritage value or interest consistent with provincial regulations, where applicable, and will include the consideration of cultural heritage values including design or physical value, historical or associative value and contextual value. The evaluation of cultural heritage value of a Heritage Conservation District may also consider social or community value and natural or scientific value. The contributions of Toronto's diverse cultures will be considered in determining the cultural heritage value of properties on the Heritage Register.

Policy 3 in Section 3.1.5 states that heritage properties of cultural heritage value or interest properties, including Heritage Conservation Districts and archaeological sites that are publicly known will be protected by being designated under the Ontario Heritage Act and/or included on the Heritage Register.

Policy 5 in Section 3.1.5 states that proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City.

Policy 26 in Section 3.1.5 states that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it.

Policy 27 in Section 3.1.5 states that where it is supported by the cultural heritage values and attributes of a property on the Heritage Register, the conservation of whole or substantial portions of buildings, structures and landscapes on those properties is desirable and encouraged. The retention of faces alone is discouraged.

Section 3.2.1 Housing

Section 3.2.1 of the Official Plan contains policies pertaining to the provision, maintenance, and replacement of rental housing.

Policy 6 in Section 3.2.1 states that new development that would have the effect of removing a private building or related group of buildings and would result in the loss of six or more rental housing units will not be approved unless all of such units have rents that exceed mid-range rents at the time of the application, or at least the same number, size, and type of rental units are replaced and maintained with rents similar to those in effect that the time the application is made.

The proposal would have the effect of removing a related group of buildings but would result in the loss of only five, as opposed six, rental housing units. Consequently, Policy 6 in Section 3.2.1 does not apply to this application.

Chapter 4 - Land Use Designations

Section 4.2 Apartment Neighbourhoods

Policy 1 in Section 4.2 states that *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents.

The Official Plan states that *Apartment Neighbourhoods* are distinguished from low-rise *Neighbourhoods* because a greater scale of buildings is permitted and different scale related criteria are needed to guide development. There may be opportunities for additional development on underutilized sites, either townhouses or apartments, and the Plan establishes criteria to evaluate these situations.

Policy 2 in Section 4.2 of the Official Plan provides direction for development in *Apartment Neighbourhoods*. Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- Locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan;
- Locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*;
- Locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- Including sufficient off-street motor vehicle and bicycle parking for residents and visitors;

- Locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- Providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- Providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- Providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

Chapter 5 - Implementation: Making Things Happen

Section 5.1.1 Height and/or Density Incentives

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 1 in Section 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 square metres and an increase in density of at least 1,500 square metres.

Details of a Section 37 contribution 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.

Section 5.6 Interpretation

Section 5.6 provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 in Section 5.6 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Further, Section 5 of Chapter 1 – "How to Read the Plan" indicates the Official Plan is a comprehensive and cohesive whole. This proposal has been reviewed against the policies described above as well as the policies of the Official Plan as a whole.

The Toronto Official Plan may be found here: <https://www.toronto.ca/official-plan/>

Official Plan Amendment 320

Official Plan Amendment 320 (OPA 320) was adopted by City Council on December 9, 2015 as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. The approved amendments uphold the Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized *Apartment Neighbourhood* sites and help attain Tower Renewal Program goals.

The Province approved OPA 320 with one modification in July 2016. There were 57 appeals of that decision to the Local Planning Appeal Tribunal (LPAT), including appeals of the entire Official Plan Amendment.

The LPAT approved a portion of OPA 320 on December 13, 2017. Following mediation of the outstanding appeals in 2018, a modified OPA 320 was approved by the LPAT in December 2018. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants. In its Order that approves OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017).

The LPAT case details, decisions and orders can be accessed on the LPAT website: <https://www.omb.gov.on.ca/ecs/CaseDetail.aspx?n=PL160771>

OPA 320 as approved by the LPAT applies to this site.

Site and Area Specific Policy No. 221

The site is within Site and Area Specific Policy No. 221 (SASP 221) that apply to St. Clair Avenue West from west of Avenue Road to west of Spadina Road. SASP 221 builds upon the Built Form policies of the Official Plan Section 3.1.2.

SASP 221, as amended in OPA 279 through By-law 77-2015, was adopted by City Council on December 21, 2014 and was subsequently appealed to the Ontario Municipal Board (OMB). The OMB determined OPA 279 to be in force on July 9, 2015 for all the lands that it applied to, with the exception of one site-specific appeal at 200 St. Clair Avenue West.

SASP 221, as amended, requires that new development will have a maximum permitted height of 9 storeys, that is, a height no greater than the width of the right-of-way of St. Clair Avenue West. New buildings will transition down in height, through the use of a 45 degree angular plane, to the adjacent *Neighbourhoods* to the north and south of St. Clair Avenue West in order to limit the impact of shadowing on, and to protect the privacy of the adjacent *Neighbourhoods*. A 45 degree angular plane, starting at a height of 80% of the width of the right-of-way, will also be required abutting any street to ensure that sky views and sunlight are protected for along St. Clair Avenue West and any side streets. Sunlight will also be protected on St. Clair Avenue West by requiring that a minimum of 5 hours of sunlight be maintained on the north sidewalk from March to September.

In order to protect the character of this portion of St. Clair Avenue West, and to maintain a consistent scale for pedestrians, new buildings will provide a pedestrian perception step-back above the fifth storey, resulting in a maximum street wall height of 5 storeys. Any building greater than 5 storeys in height must step back the main building wall facing a street above the 5th storey. New buildings will also be required to provide a front yard setback that provides ample space for sidewalks, street furniture, lighting, and

tree planting, as well as landscaped open space within the development site to maintain the character of the area which includes a generous landscaped boulevard.

Buildings will have a minimum separation of 5.5 metres from side walls containing windows of adjacent buildings, and building façade will be articulated to limit expanses of uninterrupted façade.

SASP 221, as amended in OPA 279 through By-law 77-2015 can be found here: http://app.toronto.ca/BLSRWEB_Public/BylawDetails.do?bylawId=167095

The outcome of staff analysis and review of relevant Official Plan policies and designations; and Site and Area Specific OPAs; are summarized in the Comments section of the Report.

Zoning

The site is zoned R4 Z2.0 under Zoning By-law 438-86 and R (d2.0) (x685) under Zoning By-law 569-2013, which permits a maximum density of 2.0 times the area of the lot and a maximum height of 14 metres. This residential zone generally allows a wide range of residential uses including apartment buildings.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/zoning>

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the Toronto 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, of which at least one is a rental unit, 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 Division.

Council may refuse an application, or approve the demolition with conditions for tenant relocation and other assistance that must be satisfied before a demolition permit is issued.

Section 33 of the *Planning Act* also authorizes Council to regulate the demolition of residential properties. Section 33 of the *Planning Act* is implemented through Chapter 363 of the Toronto Municipal Code, the City's Construction and Demolition By-law, which requires Council approval of the demolition of residential property that contains six or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where a Zoning By-law Amendment application triggers demolition applications under Chapter 667 and Chapter 363, City Council typically considers both applications concurrently. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the LPAT.

Design Guidelines

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>.

Draft Growing Up Urban Design Guidelines

In July 2017, Toronto City Council adopted the Draft Growing Up Urban Design Guidelines and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale. The draft Guidelines are available at:

<https://www.toronto.ca/citygovernment/planningdevelopment/planningstudiesinitiatives/growing-up-planning-forchildren-in-new-verticalcommunities>

Site Plan Control

The proposal is subject to Site Plan Control. An application for Site Plan Control was submitted on February 6, 2020 and is under review.

COMMUNITY CONSULTATION

A community meeting was held on June 12, 2019 at Forest Hill Jewish Centre at 360 Spadina Road and attended by 11 members of the public. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the original proposal. Following the presentations, City staff led a town hall format question and answer period.

The attendees asked questions and expressed a number of comments, issues and concerns, including:

- Concerns with the garbage loading operations, including pickup times;
- Privacy and overlook issues from the rear balcony and terraces;
- Construction impacts;
- Number of proposed parking spaces; and,
- Location of lobby/main entrance and parking access.

These comments have been considered in the review of the application.

COMMENTS

Staff are recommending Zoning By-law amendments for the site that represent good planning. The applicant has followed the built form policies in the Official Plan and SASP 221 from the outset of the application. Through the development review process the applicant improved the proposal by increasing the separation distance on the west side of the building, to ensure that adequate window separation is provided.

Planning Act

It is staff's opinion that the proposed development has regard for the relevant matters of provincial interest, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing; the appropriate location of growth and development; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

These provincial interests are further articulated through the PPS (2014) and the Growth Plan (2019).

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 (2019). Staff have determined that the proposal is consistent with the PPS (2014) and conforms with the Growth Plan (2019) as follows.

Provincial Policy Statement (2014)

The PPS (2014) came into effect on April 30, 2014 and provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS (2014).

The PPS (2014) is to be read in its entirety. The language in each policy, including the Implementation and Interpretation policies assists decision makers in understanding how the policies are to be implemented. The PPS (2014) contains minimum standards and municipalities can go beyond these standards unless doing so would conflict with other policies of the PPS (2014).

Key policies applicable to this application include:

Policy 1.1.1 states that healthy, livable and safe communities are sustained by: promoting efficient development and land use patterns; and accommodating an appropriate range and mix of residential uses, including second units, affordable housing and housing for older persons.

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; support active transportation; and are transit-supportive.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment.

Policy 1.1.3.4 states that development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.4.3 directs planning authorities to provide a range of housing types and densities to meet projected requirements of current and future residents. This policy directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, and all forms of residential intensification and redevelopment where existing or planned infrastructure can accommodate projected needs. This policy further directs planning authorities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed. Planning authorities are also directed to establish development standards for residential intensification which minimize the cost of housing and facilitate compact form.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

Policy 4.7 states that the official plan is the most important vehicle for implementation of the PPS (2014) and that official plans shall identify provincial interests, as identified in Section 2 of the *Planning Act*, which includes the promotion of a well-designed built form.

The proposed development is consistent with the above noted intensification, land use and built form policies as it provides intensification and redevelopment in an appropriate location in close proximity to a streetcar line and in a well-designed built form that has respect for its local context.

Further, the proposal is consistent with the policy that states the Official Plan is the most important vehicle for the implementation of the PPS (2014) (Policy 4.7) as the proposal conforms with all applicable Official Plan policies including those regarding built form and development within *Apartment Neighbourhoods*.

Based on the analysis of the policies, it is City Planning staff's opinion that the application and the amending Zoning By-laws are consistent with the PPS (2014).

Growth Plan (2019)

The Growth Plan (2019) provides a framework for managing growth in the Greater Golden Horseshoe. City Council's planning decisions are required to conform with the Growth Plan.

The key Growth Plan policies applicable to this application are:

Policy 2.2.1.3 c) directs municipalities to undertake integrated planning to manage forecasted growth which will provide for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Policy 2.2.1.4 c), d) and e) state that applying the policies of the Growth Plan (2019) will support the achievement of complete communities that: provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; expand convenient access to transportation options and open space; and provide for a more compact built form and a vibrant public realm.

Policy 2.2.2.3 c) states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will encourage intensification generally throughout the delineated built-up area.

Policy 2.2.6.3 states that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

The proposed development conforms with the above noted policies by: promoting sensitive intensification within a built-up area; contributing to a range of housing options; providing a compact built form in close proximity to public transit and a variety of public parks; providing public realm improvements; and contributing to the overall achievement of a complete community.

It is City Planning staff's opinion that the application, and the amending Zoning By-laws conform to the Growth Plan (2019).

Land Use

The site is designated *Apartment Neighbourhoods* and zoned R (Residential). The proposed use and building type are permitted within the *Apartment Neighbourhoods* land use designation of the Official Plan and the R (Residential) zone of both Zoning By-laws.

Family Sized Units

The City's Growing Up Guidelines indicate that a building should provide a minimum of 25% large units: 10% of the units should be 3-bedroom units and 15% of the units should be 2-bedroom units. Further, the Guidelines outline an ideal range of unit size to represent a diversity of bedroom sizes while maintaining the integrity of the common space to ensure their functionality. 2-bedroom units should have a floor area equal to 87-90 square metres and 3-bedroom units should have a floor area equal to 100-106 square metres. These performance standards emphasize the need to accommodate the growing demand for family housing in vertical communities.

The application proposes 94 new residential units, of which 24 (25%) would be two-bedroom units with an average unit size of 157 square metres and 9 (10%) would be three-bedroom units with an average unit size of 184 square metres. This proposal adequately supports both the unit mix and unit size objectives of the Growing Up Guidelines in order to accommodate a broad range of households, including families with children, within the new development.

Density, Height, Massing

Given the existing and planned context for the subject property and the surrounding area from Official Plan Policies including SASP 221 and the Mid-Rise Guidelines, staff are of the opinion the proposed built form, including the density, height, massing and transition is appropriate.

SASP 221 provides further direction for new development on this portion of St. Clair Avenue West that build upon the Built Form policies of the Official Plan Section 3.1.2 and the performance standards of the Mid-Rise Guidelines.

The proposal conforms to the Built Form policies of SASP 221. Built Form Policy 1 of SASP permits a building to be a maximum height of 9 storeys provided certain criteria are met. The 9 storey maximum height is derived from the right-of-way width of St. Clair Avenue West which is 30 metres.

The proposal conforms to the street wall height facing St. Clair Avenue West of 5 storeys, with a step back of 2 metres above the 5th storey.

The massing and height fit within a 45-degree angular plane projected above 24 metres of the 30 metre right-of-way width along St. Clair Avenue and from Forest Hill Road. Only portions of the mechanical penthouse and some balcony safety rails and parapets penetrate the 45 degree angular plane.

The north side of the building terraces back as it rises to provide appropriate transition from the residential property and neighbourhood. The building is setback 7.5 metres from the north property line and rises to three storeys (10.5 metres). Above that, the building steps back on each floor following a 45-degree angular plane projecting from the 3rd floor to its top. These building stepbacks at the rear are typically 3.3 metres. The rear step back helps to provide physical transition from the proposed building to residents in the neighbourhood to the north particularly with regard to privacy and overlook issues. Further details to enhance privacy and overlook issues such as fencing, tree planting and landscaped/privacy screens on private residential terraces will be secured through the Site Plan Control process.

The ground floor setback of the building along St. Clair Avenue West will be the same as the ground floor setback of the building under construction at the northeast corner of St. Clair Avenue West and Forest Hill Road.

Along Forest Hill Road, the setback of the building increases at the northeast corner of the building increases to provide a transition to the front yard setback of the adjacent residential property north of the site along Forest Hill Road.

The building provides a minimum separation of 5.5 metres from the east side walls at 210 St. Clair Avenue West that containing windows. Windows on the west side of the building adjacent to the building at 210 St. Clair Avenue West will be clearstory windows that will be located above eye level, to further mitigate privacy impacts to the non-primary windows located on the east side of 210 St. Clair Avenue West.

The building façade is proposed to be articulated through vertical lines to limit the perception of an uninterrupted façade along St. Clair Avenue West.

The mechanical penthouse is located on top of the 9th storey and mostly complies with the angular planes from both the front and the rear lot lines.

Planning staff are satisfied that the built form that is outside of the angular plane does not result in any significant shadow impact to the *Neighbourhoods* designated areas to the north of the subject site and that the building appropriately transitions down to the lower scaled areas.

The proposed building has a density of 4.65 FSI which is appropriate given the consideration for the Built Form policies of SASP 221.

Sun, Shadow, Wind

The Sun/Shadow Study submitted in support of the application indicates there would be limited shadow impacts limited shadow impacts on immediately adjacent properties to the west along St. Clair Avenue West and north on Dunvegan Road and Forest Hill Road in the morning to mid-morning in the spring and fall.

There is no shadow impact on the north sidewalk of St. Clair Avenue West throughout the day, as this building is located on the north side of St. Clair Avenue West. This

achieves the minimum 5 hours of continuous sunlight on the north sidewalk of St. Clair Avenue West from March 21 to September 21 as required in SASP 221.

There is also no shadow impacts on public parks, including Glen Gould Park at the northwest corner of Avenue Road and St. Clair Avenue West as required in SASP 221.

Staff are of the opinion the sun/shadow impacts of the proposed development are acceptable.

The Pedestrian Wind Study submitted in support of the application based on a pedestrian wind tunnel model as requested by Staff. All assessed locations meet the wind safety criterion in both existing and proposed conditions. Conditions surrounding the proposed building are suitable for their intended use. Additionally, wind condition on surrounding public sidewalks, nearby transit stops and parks in the proposed condition are similar to the existing condition and are suitable for their intended use.

Staff are of the opinion the wind impacts of the proposed development are acceptable.

Indoor and Outdoor Amenity Space

The built form policies of the Official Plan require that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. City-wide Zoning By-law 569-2013 requires an overall minimum of 4 square metres of amenity space per residential unit.

The application proposes 449 square metres of indoor amenity area and 138 square metres of outdoor amenity area. The proposed amenity space meets the amenity space requirements of Zoning By-law 569-2013.

The residential indoor amenity space is located in the western portion of the building on the ground floor and second floor. The outdoor amenity space is located at the ground level at the northwest corner of the site adjacent to the indoor amenity space. The outdoor amenity space includes a dedicated pet relief area.

Traffic Impact, Access, Parking

A Traffic Impact Assessment has been reviewed by Transportation Services staff. The assessment estimates that the proposed development will generate approximately 5 and 10 two-way vehicular trips during the AM and PM peak hours, respectively. Given this level of estimated trip generation, the assessment concludes that the proposed development will have minimal impact onto the surrounding road network.

Vehicular access to the parking garage and loading space is proposed directly off of Forest Hill Road, at the northeast corner of the site, which is acceptable to Transportation Services staff.

A total of 167 parking spaces are proposed, consisting of 158 resident spaces and 9 visitor spaces. All spaces will be located within a three level underground parking garage.

The parking study concludes that Policy Area 3 minimum parking requirements from Zoning By-law 569-2013 is appropriate due to previously approved projects in the vicinity and the site proximity to higher order transit. Transportation Services staff concur with this conclusion and the parking supply is acceptable.

A total of 4 accessible parking spaces are proposed for the subject site, which satisfies the Zoning By-law requirement. The precise location of these spaces will be secured through the Site Plan review process.

A total of 20% of the parking spaces are proposed to be equipped with electric vehicle supply equipment. All remaining spaces will be designed to permit future electric vehicle supply equipment.

A total of 95 bicycle parking spaces are proposed, consisting of 85 resident bicycle parking spaces and 10 visitor bicycle parking spaces. This complies with the Zoning By-law requirement.

One Type G loading space is proposed to serve this project, which is consistent with the Zoning By-law and is therefore acceptable to Transportation Services staff.

The proposal includes truck manoeuvring diagrams to demonstrate that there are no conflicts to and from the Type G loading space, which is also acceptable to Transportation Services staff.

Road Widening

There are no road or lane widenings required for this site.

The Official Plan requirement of a 30 metre right-of-way on St. Clair Avenue West has been satisfied. Forest Hill Road is not identified in the Official Plan as a road to be widened. There are no public lanes abutting this property.

Streetscape and Public Realm

The ground floor of the building is setback 4.8 metres from the road curb along St. Clair Avenue West and 6.4 metres from the road curb on Forest Hill Road. This allows for a both an adequate pedestrian sidewalk with a minimum 2.1 metre clearway, and for landscaped streetscape including trees along both public streets.

The landscaped streetscape along St. Clair Avenue West will adhere to the specifications within the Toronto Urban Design Streetscape Manual.

Servicing

A Functional Servicing and Stormwater Management Report was submitted by the applicant in support of the proposal. This report has been reviewed by Engineering and Construction Services staff who confirm there is adequate existing municipal infrastructure to service the development.

Rental Housing Demolition and Conversion By-law

On October 9, 2019, the applicant submitted an application for a Rental Housing Demolition Permit pursuant to Chapter 667 of the City of Toronto Municipal Code.

As per Section 14 of Chapter 667, a tenant consultation meeting was held to review the City's housing policies, the development proposal, and the applicant's proposed tenant relocation and assistance plan. This meeting was attended by one tenant household, City Planning staff, and the applicant. Only one tenant household attended the consultation meeting, as only one household was residing in the existing residential rental property at the time of application.

Tenant Assistance under Chapter 667 of the Toronto Municipal Code

As a condition of approval, the applicant has agreed to provide tenant relocation and additional assistance to the eligible tenant households who resided on the property at the time of application to the satisfaction of the Chief Planner and Executive Director, City Planning. As part of this plan, the eligible tenant would receive the following:

- At least five months' notice of the date that they must vacate their rental unit;
- Compensation equal to three months' rent, pursuant to the *Residential Tenancies Act, 2006*;
- Additional compensation based on the tenant's length of tenure;
- A moving allowance; and
- A rental leasing agent will be made available to provide the eligible tenant households with a list of rental vacancies, to co-ordinate referrals and references from the current landlord, and to provide similar assistance commensurate with the tenant household's needs.

The proposed tenant relocation and assistance plan is consistent with the City's current practices and will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

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.

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.

The value of the cash-in-lieu of parkland dedication will be appraised by Real Estate Services. The amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Tree Preservation

The application 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).

Ten City-owned trees are proposed for removal and eight privately-owned trees on the site and two privately-owned trees either on the boundary or on a neighbouring property having trunk diameters of 30 cm or greater are proposed for removal to accommodate the development. It is noted that the removal of the two privately-owned trees on either the boundary or neighbouring property at 210 St. Clair Avenue West will require consent of the neighbouring property owner.

The applicant has proposed replacing the ten City-owned trees proposed for removal with twelve new trees within the adjacent road allowances. This satisfies the compensation planting requirements for City-owned street trees to be removed.

For trees on privately-owned property, the standard compensation ratios are 3:1 for the removal of a healthy tree and 1:1 for the removal of a poor condition tree. As such, a total of 26 new large-growing shade trees are required on subject lands. This compensation planting is broken down as 24 new trees to replace 8 healthy trees proposed for removal and 2 new trees to replace 2 poor condition trees proposed for removal.

The planting of 2 replacement trees is proposed due to space constraints, which does not satisfy the compensation planting requirements. Urban Forestry will require the payment of cash-in-lieu for the required replacement trees not being planted on the subject lands. The total amount of the cash-in-lieu payment will be determined through the Site Plan Approval process.

The owner is required to submit the necessary application to Injure or Destroy Trees, and applicable fees, as well as submit a tree planting deposit to ensure the planting and survival of the new City tree on the road allowance. These will be secured through the Site Plan Approval process for this development.

Community Services Assessment

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

The timely provision of CS&F is as important to the livability of the City's neighbourhoods as "hard" services like sewer and water systems, roads, and transit. The City's Official Plan establishes and recognizes that the provision of and investment

in CS&F supports healthy, safe, liveable, and accessible. Providing for a full range of CS&F in areas experiencing major or incremental growth is a responsibility shared by the City, public agencies and the development community.

A CS&F study was prepared by the applicant which concluded that the area is well-serviced and proposed no CS&F as part of the application. Staff are satisfied by the study's conclusion that the future residents of the building will have appropriate access to CS&F.

Construction Management Plan

A Construction Management Plan (CMP) was submitted as part of the Site Plan application that is currently under review. At the request of the local City Councillor, it was also distributed to adjacent neighbours of the subject site in January 2020.

Staff will consider the CMP and provide comments to the applicant as part of the Site Plan Approval process.

School Board

The Toronto District School Board (TDSB) advises that the subject site is located within the attendance boundary of schools that do not have sufficient capacity to accommodate anticipated student growth. Alternative arrangements will be identified consistent with optimizing enrolment levels at all schools across the Toronto District School Board. At this time, the schools anticipated to serve the development are unknown.

The Toronto Catholic District School Board (TCDSB) advises that there is sufficient space at elementary and secondary schools in the area to accommodate the students anticipated from the proposed development. This development falls within the fixed attendance boundary of Holy Rosary Catholic School, while the closest Secondary Schools serving this area are Marshall McLuhan Catholic Secondary School, St Mary Catholic Academy and Dante Alighieri Academy.

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 and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS. 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.

The applicant is required to meet Tier 1 of the TGS. Performance measures for Tier 1 development features will be secured through the Zoning By-law for automobile infrastructure, bicycle infrastructure and storage and collection of recycling and organic waste.

Other applicable TGS performance measures will be secured through the Site Plan Approval process, during which time, the applicant will be encouraged to achieve Tier 2 or higher.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application conforms with the objectives and policies of the Official Plan.

Should this application proceed to approval in some form, it is standard to secure community benefits in a legal agreement that is then registered on title. The recommended community benefits to be secured pursuant to Section 37 of the *Planning Act*, and any other necessary agreement(s), are as follows:

- A payment to the City in the amount of \$2.0 million based on the application's height and density (indexed to reflect increases in the Construction Price Index between the date of the execution of an agreement and the delivery of such payment), for capital community services and facilities in the vicinity of the subject site.
- In the event the cash contribution has not been used for the intended purposes within three years of the By-law coming into full force and effect, the cash contribution may be redirected for other purposes, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is identified in the Toronto Official Plan and will benefit the community in the vicinity of the site.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- The owner shall provide tenant relocation and assistance to all Eligible Tenants of the existing rental dwelling units to the satisfaction of the Chief Planner and Executive Director, City Planning.
- The owner will construct and maintain the development of the Site in accordance with Tier 1 performance measures of the Toronto Green Standard and the owner will be encouraged to achieve Toronto Green Standard, Tier 2 or higher, where appropriate.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019), the Toronto Official Plan, including Site and Area Specific Policy 221, and the Mid-Rise Building Performance Standards and Addendum.

Staff are of the opinion that the proposal is consistent with the PPS (2014) and conforms with the Growth Plan (2019). Furthermore, the proposal conforms with the Toronto Official Plan, particularly as it relates to the *Apartment Neighbourhoods* policies

and the Built Form policies of Site and Area Specific Policy 221. Staff worked with the applicant and the community to revise the building mass to improve the transition to adjacent *Neighbourhoods* and mitigate privacy and overlook impacts. Staff recommend that Council support approval of the Zoning By-law Amendment application, subject to the conditions set out in the Recommendations section of this report.

Staff also recommend that City Council approve the demolition of the five (5) existing rental dwelling units located at 202-208 St. Clair Avenue West and 2-6 Forest Hill Road, subject to the conditions set out in the Recommendations section of this report.

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Toronto and East York District

ATTACHMENTS

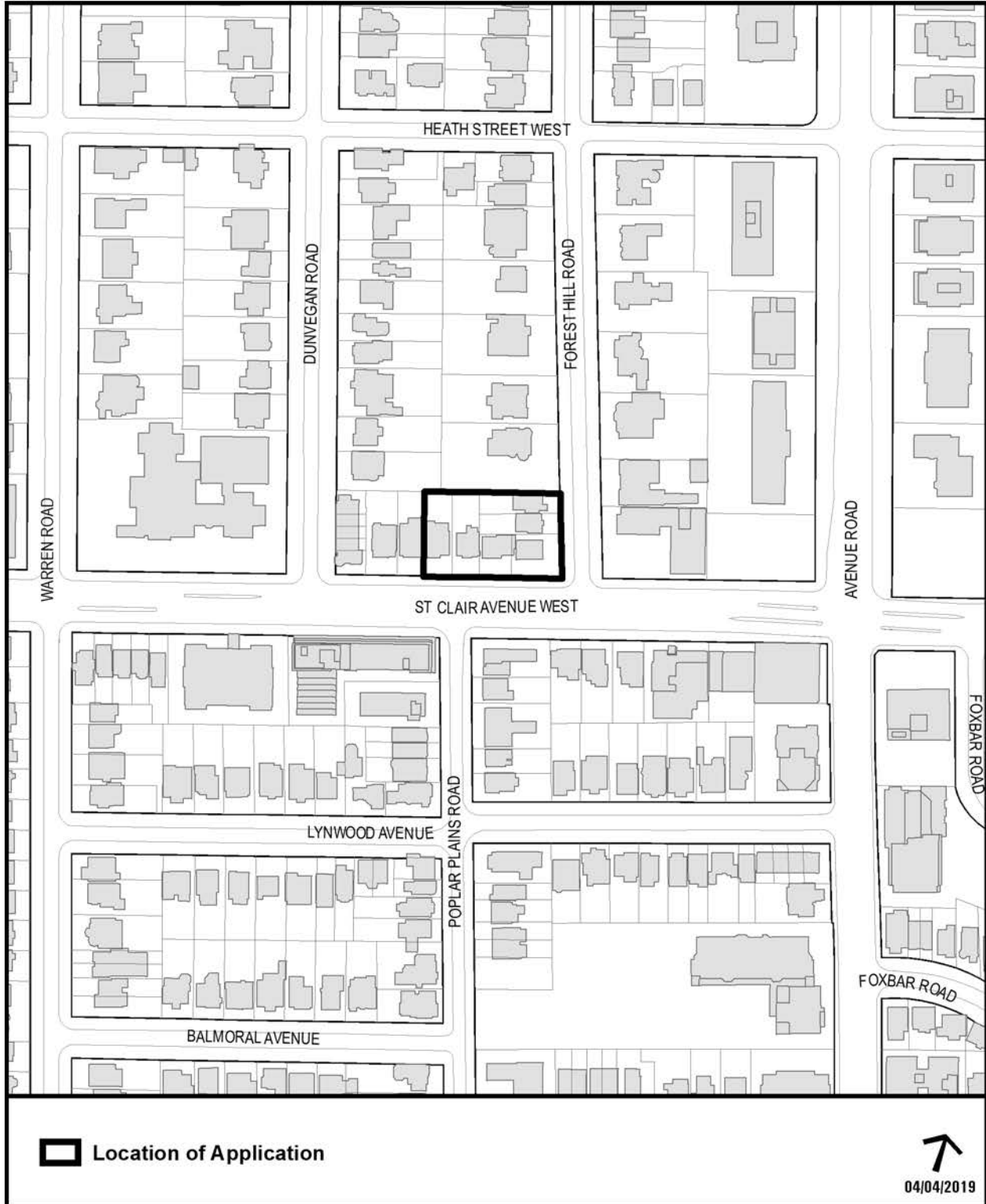
City of Toronto Data/Drawings

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment (569-2013)
- Attachment 6: Draft Zoning By-law Amendment (438-86)

Applicant Submitted Drawings

- Attachment 7: Site Plan
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- Attachment 9: Elevation (North)
- Attachment 10: Elevation (East)
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- Attachment 12: 3D Massing Model View

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 202-208 St. Clair Ave W and 2-6 Forest Hill Road
Date Received: February 7, 2019

Application Number: 19 113008 STE 12 OZ

Application Type: Rezoning

Project Description: Zoning By-law Amendment to facilitate redevelopment of the site with a new 9-storey residential building with 94 condominium units with ground level townhomes and a mix of larger suite sizes above.

Applicant	Agent	Architect	Owner
Two Forest Hill Developments Limited	Hunter and Associates Ltd	Graziani + Corazza Architects Inc	Two Forest Hill Developments Limited

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	221
Zoning:	R4 Z2.0	Heritage Designation:	n/a
Height Limit (m):	14	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 2,957 Frontage (m): 69 Depth (m): 43

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,051	0	1,582	1,582
Residential GFA (sq m):	432	0	13,491	13,491
Non-Residential GFA (sq m):	1,051	0	0	0
Total GFA (sq m):	1,484	0	13,491	13,491
Height - Storeys:	3		9	9
Height - Metres:			31	31

Lot Coverage Ratio (%): 53.5 Floor Space Index: 4.56

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	13,255	236
Retail GFA:	0	0
Office GFA:	0	0
Industrial GFA:	0	0
Institutional/Other GFA:	0	0

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	5	0	0	0
Freehold:	2	0	0	0
Condominium:	0	0	94	94
Other:	0	0	0	0
Total Units:	7	0	94	94

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	0	0	0	0	0
Proposed:	0	0	61	24	9
Total Units:	0	0	61	24	9

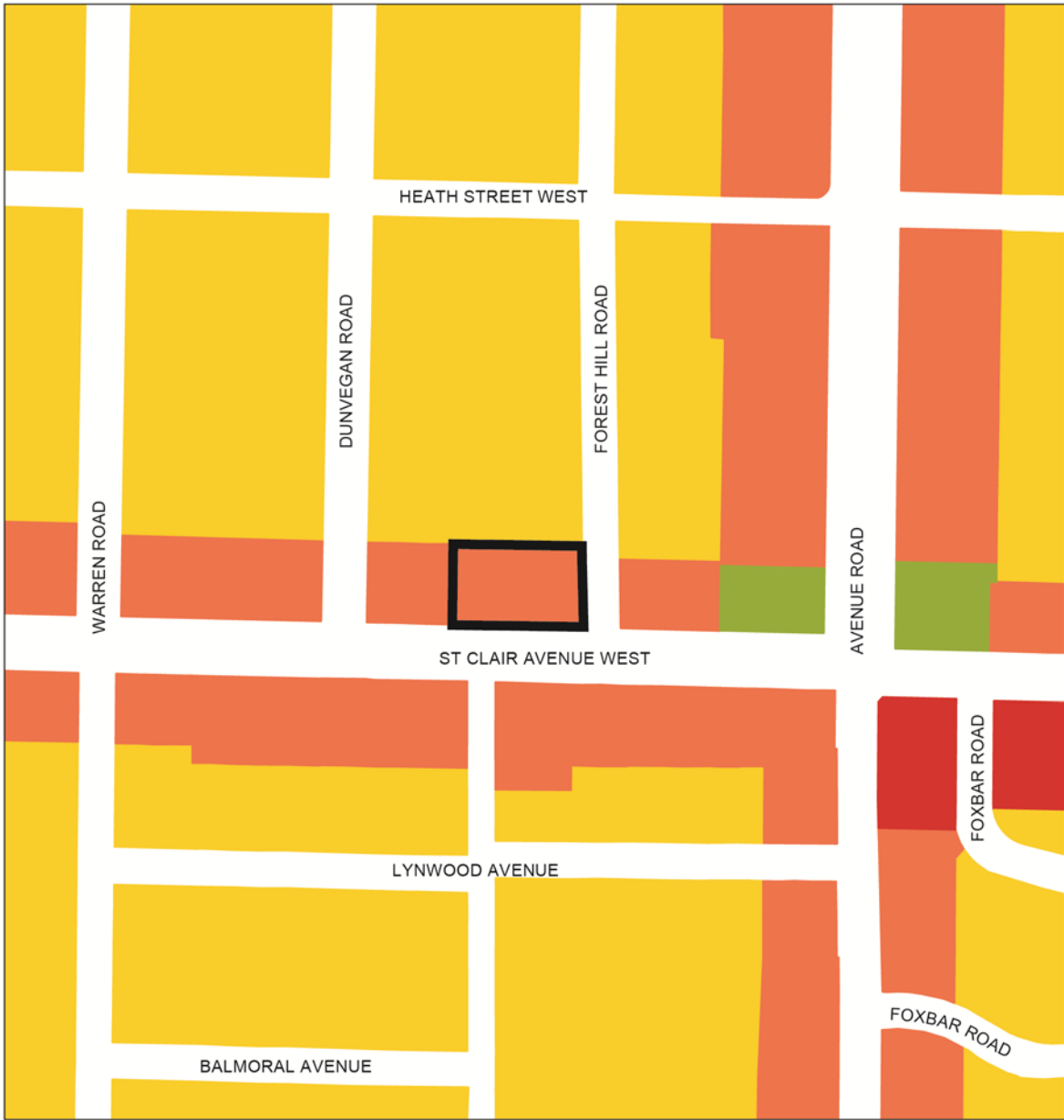
Parking and Loading

Parking Spaces:	167	Bicycle Parking Spaces:	95	Loading Docks:	1
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CONTACT:

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Jason.Tsang@toronto.ca

Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map

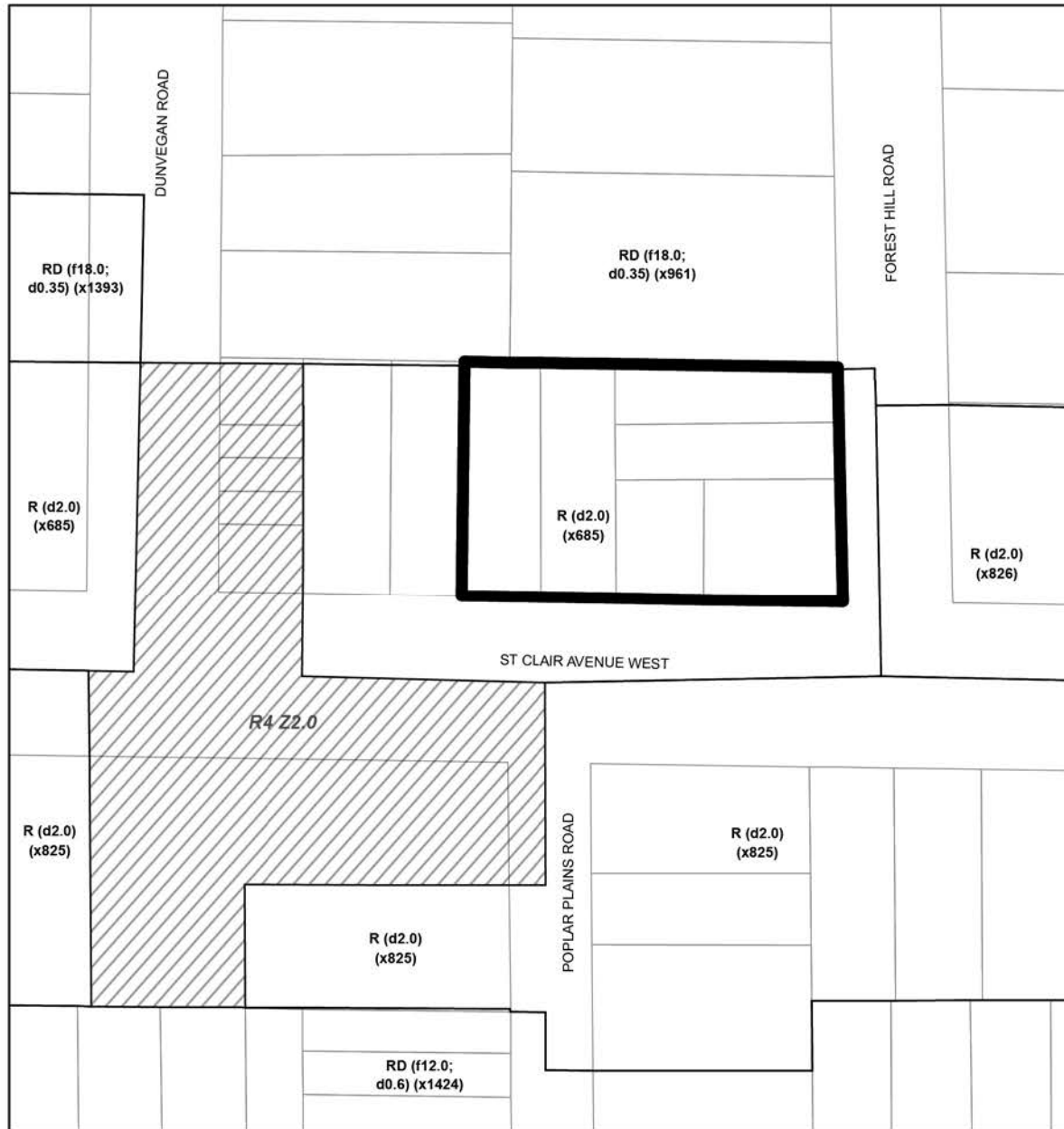
202-208 St Clair Avenue West
and 2-6 Forest Hill Road

File # 19 113008 STE 12 0Z

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


Not to Scale
02/18/2020

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

202-208 St Clair Avenue West
and 2-6 Forest Hill Road
File # 19 113008 STE 12 OZ



Location of Application

R Residential RD Residential Detached



See Former City of Toronto By-law No. 438-86
R4 Residential District



Not to Scale
Extracted: 02/18/2020

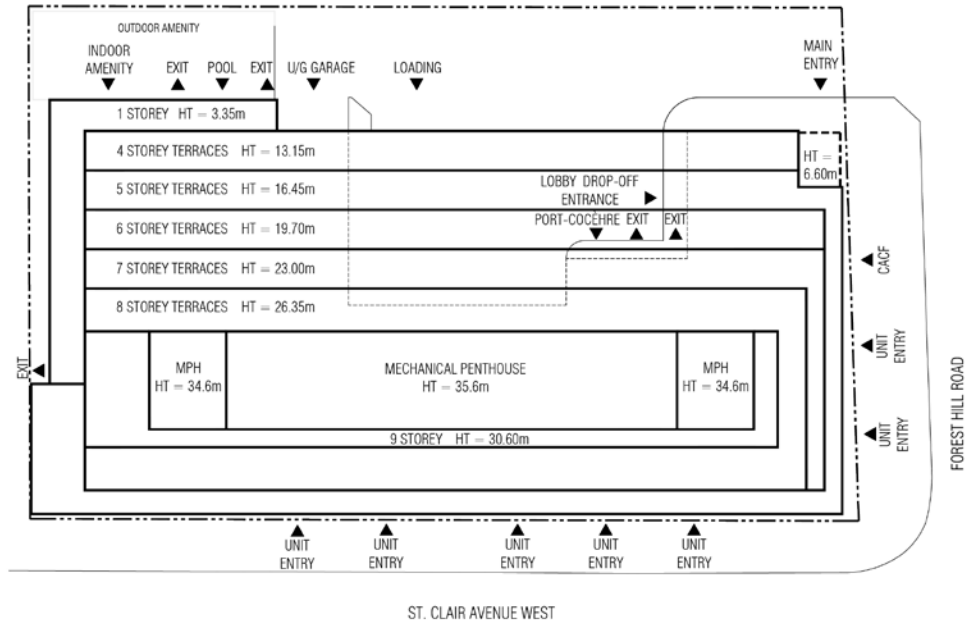
Attachment 5: Draft Zoning By-law Amendment (569-2013)

To be provided prior to March 12, 2020 Toronto East York Community Council.

Attachment 6: Draft Zoning By-law Amendment (438-86)

To be provided prior to March 12, 2020 Toronto East York Community Council.

Attachment 7: Site Plan



Site Plan

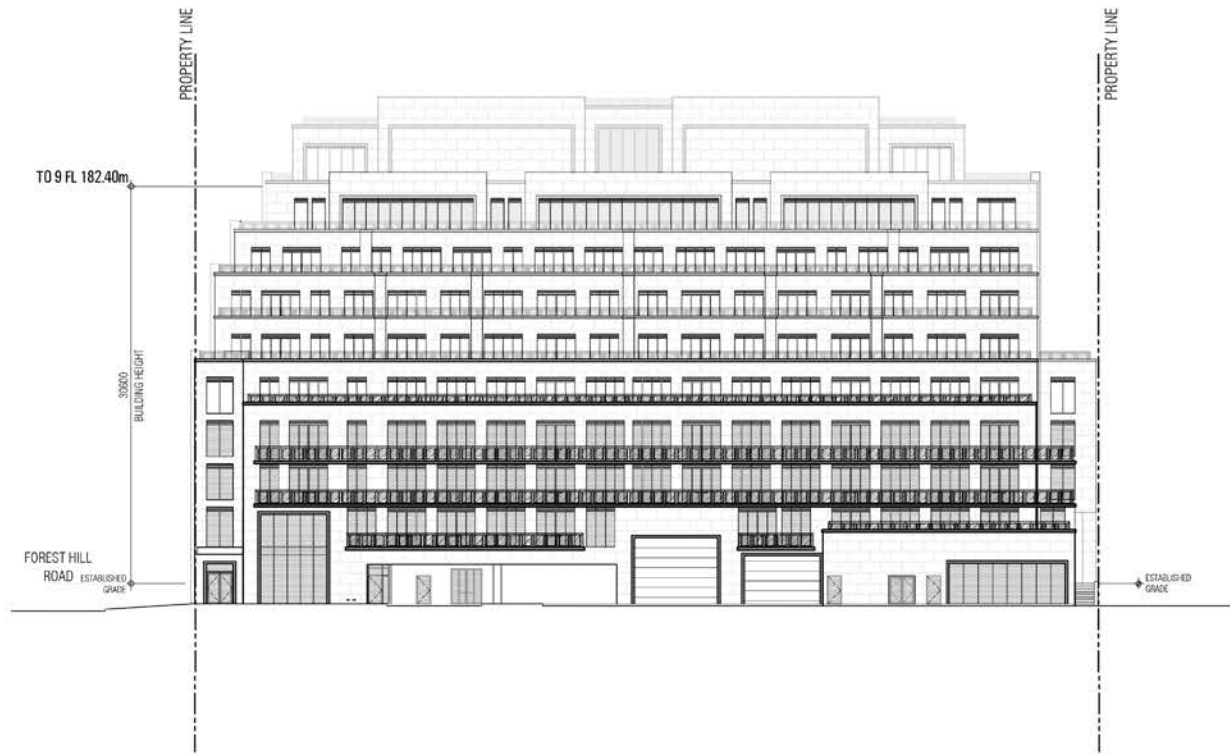


Attachment 8: Elevation (South)



South Elevation

Attachment 9: Elevation (North)



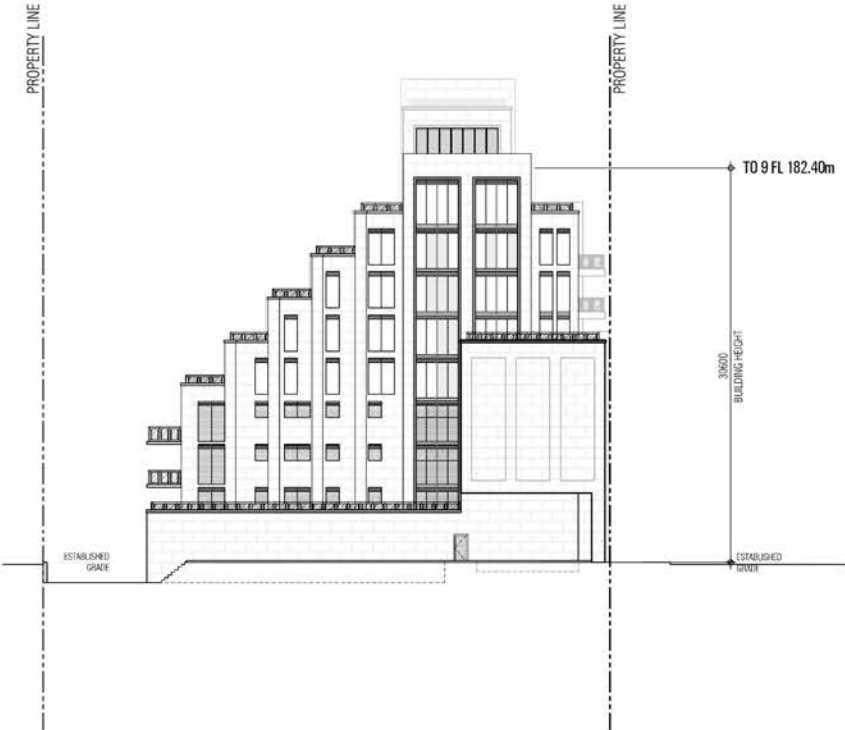
North Elevation

Attachment 10: Elevation (East)



East Elevation

Attachment 11: Elevation (West)



West Elevation

Attachment 12: 3D Massing Model View



View of Applicant's Proposal Looking Northwest



04/12/2019