

**51-77 Quebec Avenue and 40-66 High Park Avenue -
Zoning By-law Amendment Application - Preliminary
Report**

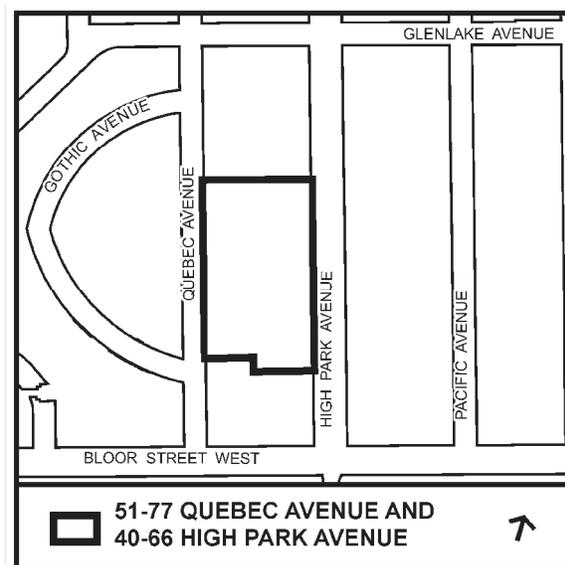
Date:	March 19, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 13 – Parkdale-High Park
Reference Number:	13 101816 WET 13 OZ and 13 101863 WET 13 RH

SUMMARY

This application proposes to demolish two existing blocks of townhouses, containing 16 rental units, and construct two new 31 storey residential apartment buildings and a two storey amenity building at 51-77 Quebec Avenue and 40-66 High Park Avenue. The applicant has also submitted a rental housing demolition application under Section 111 of the *City of Toronto Act*.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A Final Report and Public Meeting under the *Planning Act* to consider this application is targeted for the fourth quarter of 2013 provided any required information is submitted by the applicant in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 51-77 Quebec Avenue and 40-66 High Park Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on October 22, 2012 to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The proposal involves the demolition of two blocks of townhouses each containing 8 rental units, one located in the northeast corner and the other in the southwest corner of the site, for a total of 16 three-bedroom units and the construction of two 31 storey apartment buildings. No replacement of the rental housing is being proposed. Two existing 20 storey rental apartment buildings on the site, containing a total of 658 units, will be retained. Each new apartment building would contain 305 residential units (for a total of 610 units), with a mix of unit types including 28 studio units, 184 one bedroom, 86 two-bedroom and 7 two-bedroom (townhouse form) units. The new residential gross floor area would be 46,115 m² and total overall gross floor area for the property (including the two existing 20 storey apartment buildings) would be 91,683m² representing a density of approximately 4.55 times the lot area.

The proposed buildings are designed with a 3-storey podium and a 28 storey tower element. The podium portion of each building would contain seven 2 storey townhouses. The townhouses would front onto their respective streets and would have a front yard patio and landscape areas within the front yard setback. The ground floor of each

building would also contain indoor amenity areas, a residential lobby, office and servicing areas.

Each tower is proposed to have floor plates of approximately 750 m² and an overall height of 100 m. The north tower is proposed to be setback 22.5 m from the north property line, 32.3 m from the existing tower at 40 High Park Avenue (to the south) and 38.2 m from 77 Quebec Avenue (to the west). The south tower is proposed to be setback 22.5 m from the southern property line, 38.0 m from 40 High Park Avenue (to the east) and 36.0 m from 77 Quebec Avenue (to the north).

A new 2-storey, 667 m², amenity building is proposed at the northern end of the subject site, located between the existing building at 77 Quebec Avenue and the proposed north building. In addition, the proposed north building would contain an additional 363 m² of indoor amenity space, while the south building would contain 321 m² of indoor amenity space. The existing outdoor pool would be retained.

The existing residential drop off/ pick up areas for 77 Quebec Avenue and 40 High Park Avenue and the mid-block access to the underground parking garage would be retained. New driveways at the south end of the site, from Quebec Avenue, and at the north end of the site from High Park Avenue are proposed to provide access to loading areas for the proposed and existing buildings.

A total of 892 parking spaces would be located in an enlarged underground parking garage, with 391 spaces (347 resident and 44 visitor) for the existing residential buildings and 501 spaces (440 resident and 61 visitor) for the proposed buildings. 427 bicycle spaces are proposed (refer to Attachments 1, 2 and 4).

Site and Surrounding Area

The site is located north of Bloor Street West, fronting on both Quebec Avenue and High Park Avenue. The site is approximately 2 ha in size, generally rectangular in shape, with a relatively flat topography.

The site is currently occupied by two blocks of townhouses and two, 20 storey rental apartment buildings. The townhouses at 52-66 High Park Avenue and 51-65 Quebec Avenue each consist of 8 three-bedroom rental units and are two storeys in height.

The 20 storey apartment building fronting High Park Avenue (40 High Park Avenue) contains a total of 329 rental units that include 38 bachelor, 213 one-bedroom and 78 two-bedroom units. The second 20 storey apartment building at 77 Quebec Avenue contains a total of 330 rental units that include 38 bachelor, 212 one-bedroom and 80 two-bedroom units.

The surrounding area is described below:

- North: is 70 High Park Avenue, a 20 storey apartment building fronting onto High Park Avenue, and three storey apartment buildings fronting onto Quebec Avenue and further north is a 24 storey apartment building.
- South: the subject site is adjacent to the Toronto Transit Commission (TTC) High Park Subway Station. South of the TTC station fronting the north side of Bloor Street West are several low-rise apartment buildings, retail stores and restaurants. On the south side of Bloor Street West, is High Park.
- West: on the west side of Quebec Avenue are two apartment buildings having a height of 19 and 25 storeys. Further west is a 9 storey apartment building and low rise residential buildings fronting Gothic Avenue and Quebec Avenue.
- East: the block to the east contains a mix of residential and mixed-use house-form buildings, small apartment buildings and a number of apartment towers ranging in height from 15 to 30 storeys.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

The lands are designated *Apartment Neighbourhoods* on Map 17 – Land Use Plan in the Official Plan. *Apartment Neighbourhoods* are comprised 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. This designation does not anticipate significant growth within these areas, however compatible infill development may be permitted on a site containing an existing apartment that has sufficient

underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. The Plan includes criteria that direct the form and quality of development in this land use designation.

Apartment Neighbourhoods Policies

The Official Plan criteria to evaluate development in *Apartment Neighbourhoods* is set out in Policy 4.2.2 and Policy 4.2.3.

Policy 4.2.2 states that: "Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*;
- b) locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;
- c) 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;
- d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- h) 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."

Policy 4.2.3 states that: "Infill development that may be permitted on a site containing an existing apartment building will:

- a) meet the development criteria set out in Section 4.2.2 for apartments;
- b) maintain an appropriate level of residential amenity on the site;
- c) provide existing residents with access to the community benefits where additional height and/or density is permitted and community benefits are provided pursuant to Section 5.1.1 of this Plan;
- d) maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;

- e) organize development on the site to frame streets, parks and open spaces in good proportion, provide adequate sky views from the public realm, and create safe and comfortable open spaces;
- f) front onto and provide pedestrian entrances from an adjacent public street wherever possible;
- g) provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- h) consolidate loading, servicing and delivery facilities; and
- i) preserve or provide adequate alternative on-site recreational space for residents."

Healthy Neighbourhood Policies

The Healthy Neighbourhoods policies of the Official Plan (Policy 2.3.1.2) identify that development in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

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

Built Form Policies

The development criteria identified in the *Apartment Neighbourhoods* and Healthy Neighbourhood policies are supplemented by additional development criteria in the Official Plan's Built Form policies, including policies that specifically address tall buildings.

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.

Tall Building Policies

The Plan contains policies regarding tall buildings in the City (Policy 3.1.3). Tall buildings are identified as those whose height is typically higher than the width of the adjacent road allowance. The Plan limits these buildings to parts of the Downtown, Centres and other areas of the City such as *Apartment Neighbourhoods*. The tall building policies address in more detail where they should be located, how the buildings should be designed and identifies other key urban design considerations when considering a tall

building proposal. Policy 3.1.3 also states that Tall Buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to addressing specific built form characteristics, the policy states that proposals for Tall Buildings must clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Tree Preservation Policies

The Official Plan includes policies for parkland acquisition as well as criteria for the location and configuration of parks. In addition, the Official Plan contains policies that discourage tree removal and promote increasing the tree canopy coverage in the City.

Housing Policies

The Official Plan also contains policies addressing the need to preserve and increase the City's supply of rental and affordable housing. Policy 3.2.1 of the Official Plan includes housing policies that encourage the provision of a full range of housing in terms of form, tenure and affordability. Policy 3.2.1.5 states that for significant new development on sites containing six or more rental units, where existing rental units will be maintained, the existing units which have affordable and mid range rents will be secured as rental housing and any needed improvements and renovations to the existing rental housing may also be secured without the pass-through of such costs to tenants. The Official Plan indicates that Section 37 agreements may be used to secure any needed improvements to the existing rental building.

Applicants proposing to demolish six or more residential rental units (except where all the rents are above the mid-range rent category) are required to replace the rental units with the same number, size and type of rental housing units and maintain them with rents similar to the rents of existing units on the site. An acceptable tenant relocation and assistance plan is also required to address moving related costs, alternative accommodation and other assistance to lessen hardship.

Criteria for Design of Tall Building Proposals

At its meeting of July 25-27, 2006 Council endorsed the Criteria for Design of Tall Building Proposals for use in evaluating tall building proposals.

The Criteria for Design of Tall Building Proposals study developed guiding performance standards for tall buildings to encourage the development of well designed tall buildings. The Design Criteria provided policy recommendations for tall buildings on issues such as building placement and orientation, entrances, heritage conservation, massing of base buildings, tower floor plates, separation distances, pedestrian realm considerations and sustainable design and transition. The guiding performance standards will be used in the review of the proposed new towers on the site. The guidelines ensure that tall buildings fit within their context and minimize their impacts.

Zoning

The portion of the site occupied by the two apartment buildings is zoned R2 Z0.6, and the portion of the site occupied by the townhouses is zoned R2 Z0.35. Apartment buildings and row houses are permitted uses in the R2 zone. Under these general zoning categories the permitted residential density is 0.6 times the area of the lot (for the area of the apartment buildings) and 0.35 times the area of the lot (for the area of the townhouses).

The site is also subject to site-specific By-law 22621, which permits the existing apartment buildings and row-houses on the site. The By-law permits the townhouses with a height of approximately 9.1 metres above grade and a residential floor area of 0.6 times the area of the lot. The By-law also permits the two apartment buildings with a residential gross floor area up to 2.825 times the area of the lot for each building. The site-specific By-law does not limit the height directly for the apartment buildings; it simply prescribes a maximum gross floor area.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan approval has not been submitted.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. A Tree Preservation Plan was submitted with the application and is currently under review by City staff.

Community Comments

Since this application has been filed, a number of residents have contacted Planning staff in regards to the proposed development. The following issues and concerns have been raised to date on the current proposal:

- the proposed density and height of the two new buildings;
- the level of intensification for the area;
- increased shadow impacts;
- loss of views;
- negative impact on area schools, libraries and recreational facilities;
- increased vehicular traffic;
- increased demand on public transit when already overcapacity;
- amount of parking proposed and potential increased demand for on-street parking;
- increased impact on existing City infrastructure (stormwater, sanitary and water);
- loss of trees and green space; and
- location of the proposed garbage area.

Tenure

The applicant advises that the 610 new units would be condominium. The 658 rental units, in the two existing apartment buildings, would be retained as rental units. The 16 rental units in the two townhouse blocks that would be demolished are not proposed to be replaced.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007), established Chapter 667 of the City's Municipal Code. It is one of the tools which implement the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act, 2006*.

Proposals where six or more rental housing units will be affected require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. 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, typically City Council 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 Ontario Municipal Board.

The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the 16 existing rental townhouse units. The rents for the 16 rental townhouse units exceeded mid-range rents (more than one and a half times average market rent) at the time of application and no replacement is required under Official Plan Policy 3.2.1.6.

Reasons for the Application

An application to amend the Zoning By-law is required to permit the proposed height and density of the two new buildings, as well as to amend other applicable zoning standards such as parking requirements and building setbacks. Other areas of non-compliance may be identified as a result of the zoning review currently being undertaken by Toronto Building staff. In addition, a permit is required to demolish the existing rental townhouses units.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale;
- Housing Issues Report;
- Community Services and Facilities Inventory;
- Transportation Assessment Study;
- Environmental Noise and Vibration Study;
- Preliminary Stormwater Management and Servicing Report;
- Shadow Study;
- Pedestrian Level Wind Preliminary Assessment;
- Stage 1 Archaeological Assessment;
- Tree Preservation Plan; and
- Toronto Green Standard Checklist.

A Notification of Incomplete Application issued on February 5, 2013 identifies the outstanding material required for a complete application. The outstanding material was submitted on February 25, 2013 and a Notification of Complete Application was subsequently issued on March 4, 2013.

Issues to be Resolved

Planning staff will review and discuss with the applicant the issues below that have been identified on a preliminary basis:

- conformity with Official Plan policies;
- height, scale and intensity of the proposed development and associated impacts;
- compatibility and fit with the physical character of the area;
- providing appropriate separation distances between existing and proposed buildings to ensure sunlight, skyview and privacy;
- shadowing of adjacent streets and neighbouring properties including low-rise residential uses and buildings within close proximity to the site;
- wind impact on the pedestrian environment and surrounding amenity areas;
- adequacy of the proposed parking supply;
- the appropriateness of the location of the proposed access and servicing arrangement for this site and potential impacts on the existing rental apartment buildings and the adjacent buildings;
- conformity with the Criteria for Tall Building Proposals performance standards;
- identification and securing of community benefits under Section 37 of the *Planning Act*, as a result of the proposed increased density and height of the proposal;
- the adequacy and appropriateness of the proposed indoor and outdoor amenity space and access to these amenities for residents of both rental housing and the condominium units;
- preservation and/or replacement of important landscape features and walkways and creation of such features where they do not currently exist;

- full description of the existing amenities and common facilities for the existing 20 storey rental apartment buildings being retained;
- identification and securing of improvements and/or renovations to the existing rental building;
- securing the existing rental housing units within the existing apartment building;
- review of the Toronto Green Standard Checklist for compliance with Tier 1 performance standards; and
- the issues raised by the community.

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

CONTACT

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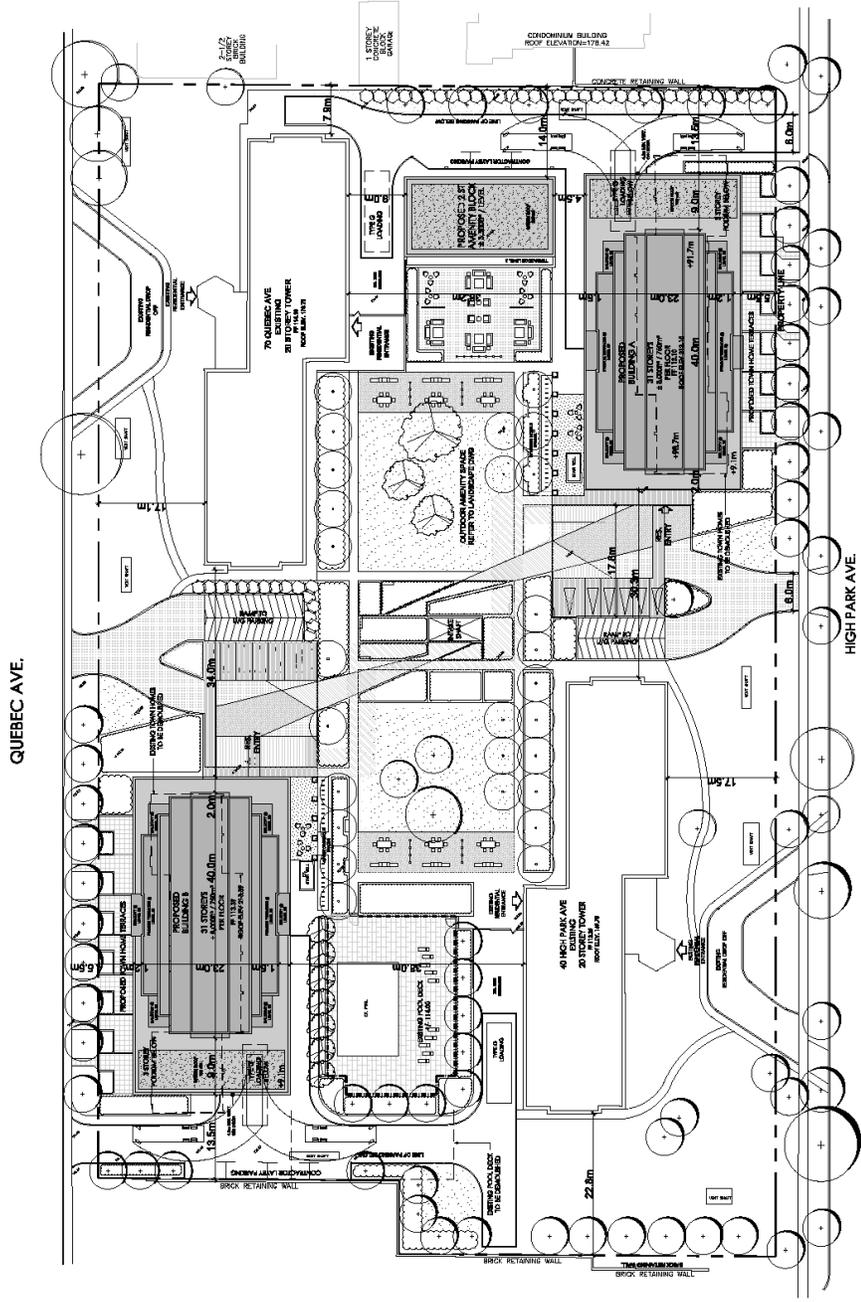
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Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a: Elevations
Attachment 2b: Elevations
Attachment 2c: Elevations
Attachment 2d: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet

Attachment 1: Site Plan



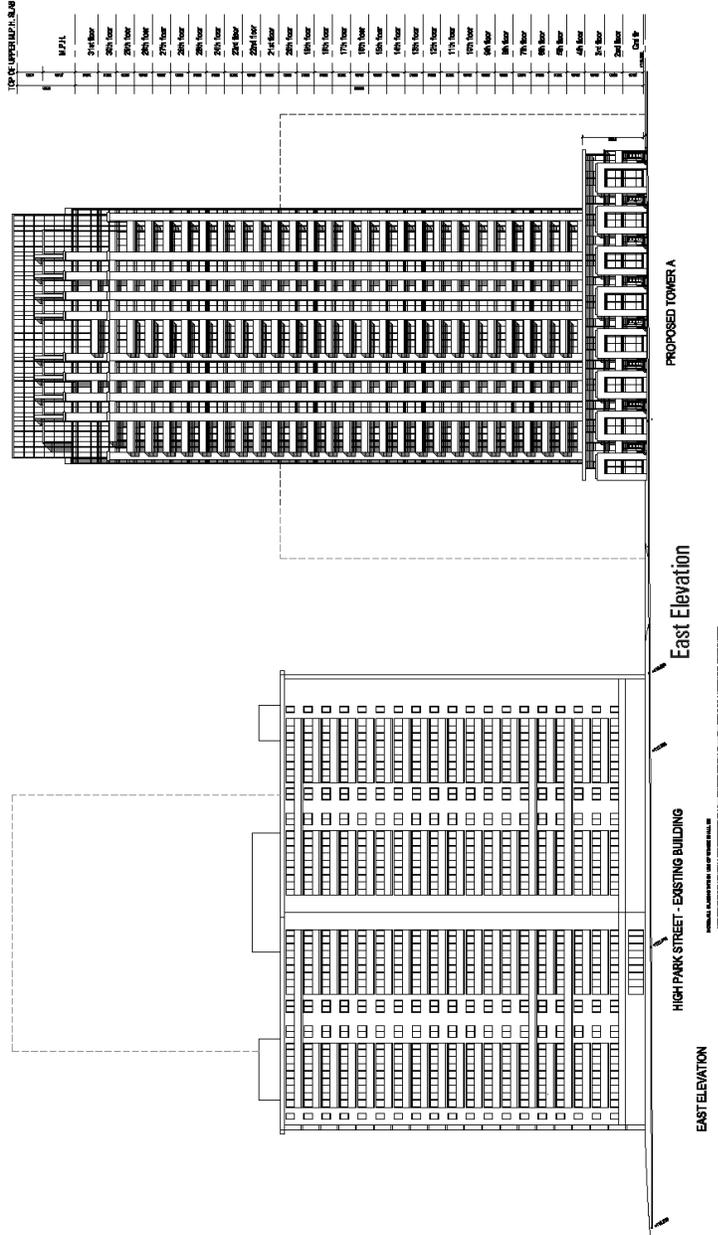
51-77 Quebec Avenue and
40-66 High Park Avenue

Site Plan
Applicant's Submitted Drawing
Not to Scale
01/21/13

File # 13 01816 WET 13 02



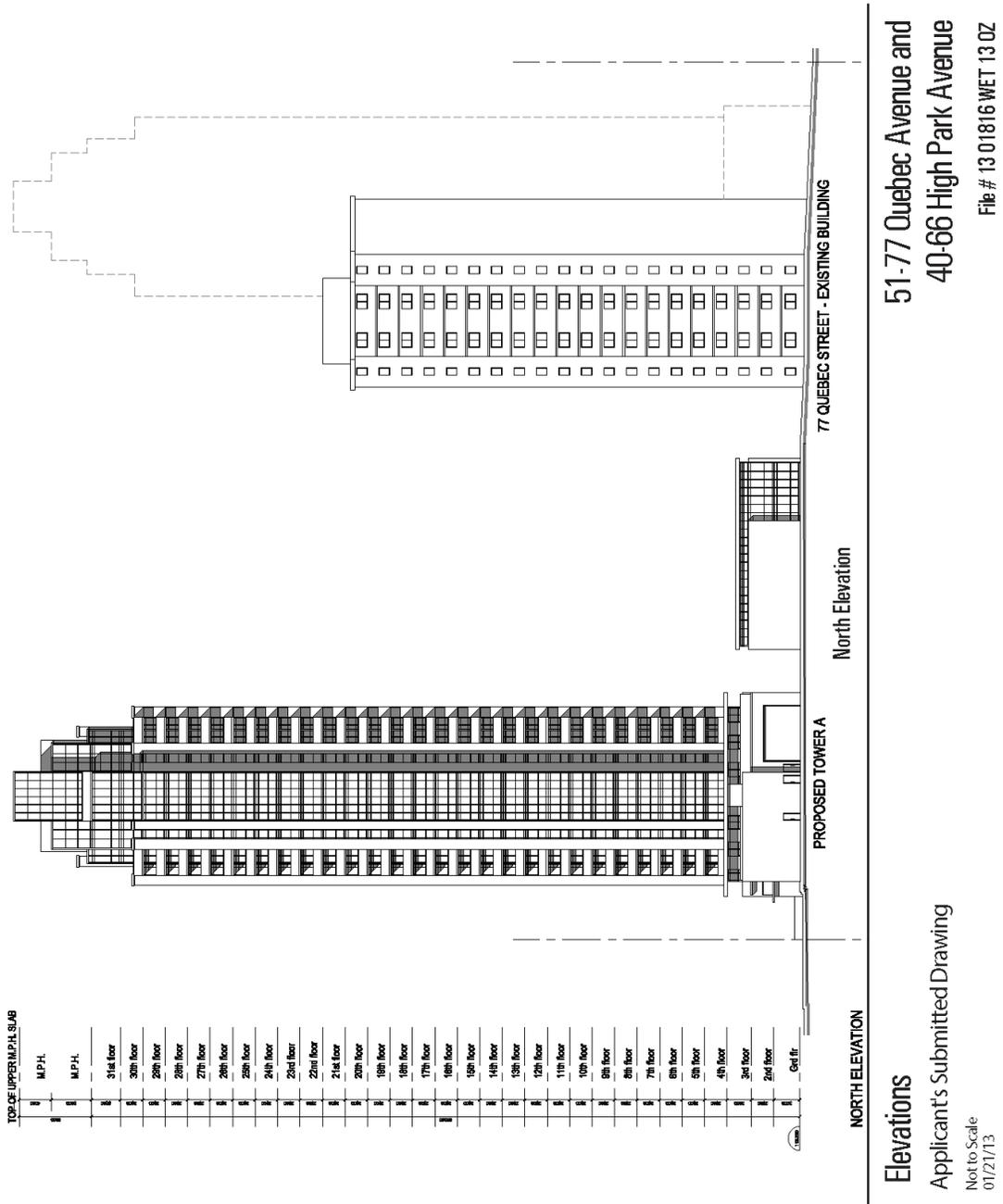
Attachment 2a: Elevations



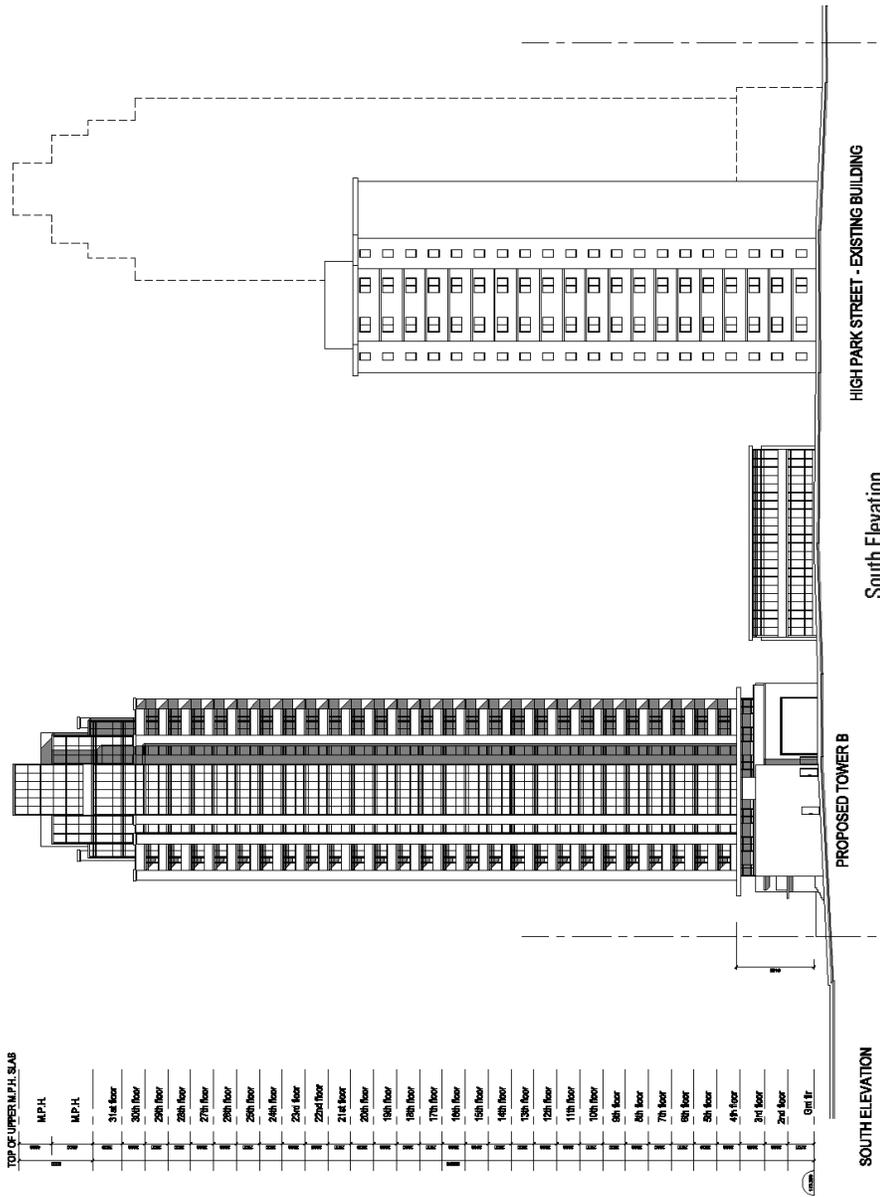
51-77 Quebec Avenue and
40-66 High Park Avenue
File # 13 01816 WET 13 02

Elevations
Applicant's Submitted Drawing
Not to Scale
03/08/13

Attachment 2b: Elevations



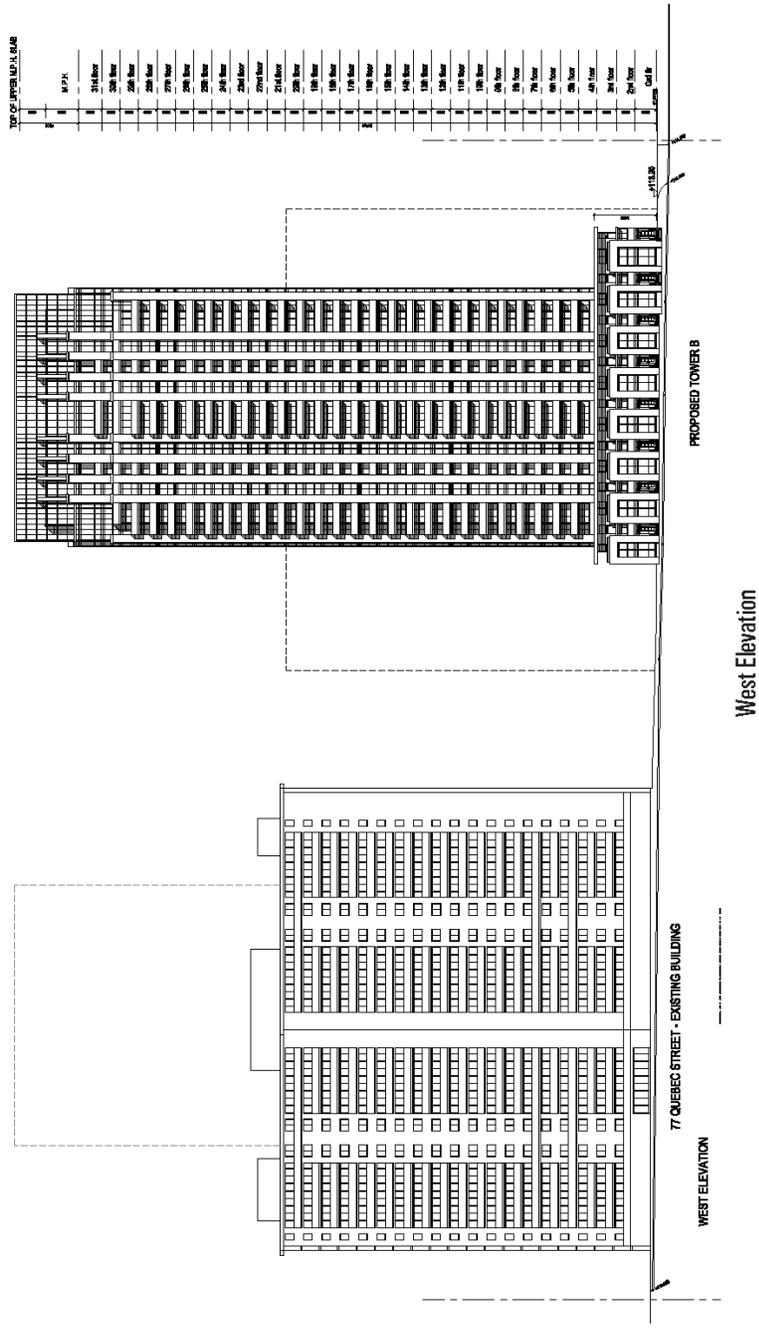
Attachment 2c: Elevations



51-77 Quebec Avenue and
40-66 High Park Avenue
File # 13.01816 WET 13.02

Elevations
Applicant's Submitted Drawing
Not to Scale
01/21/13

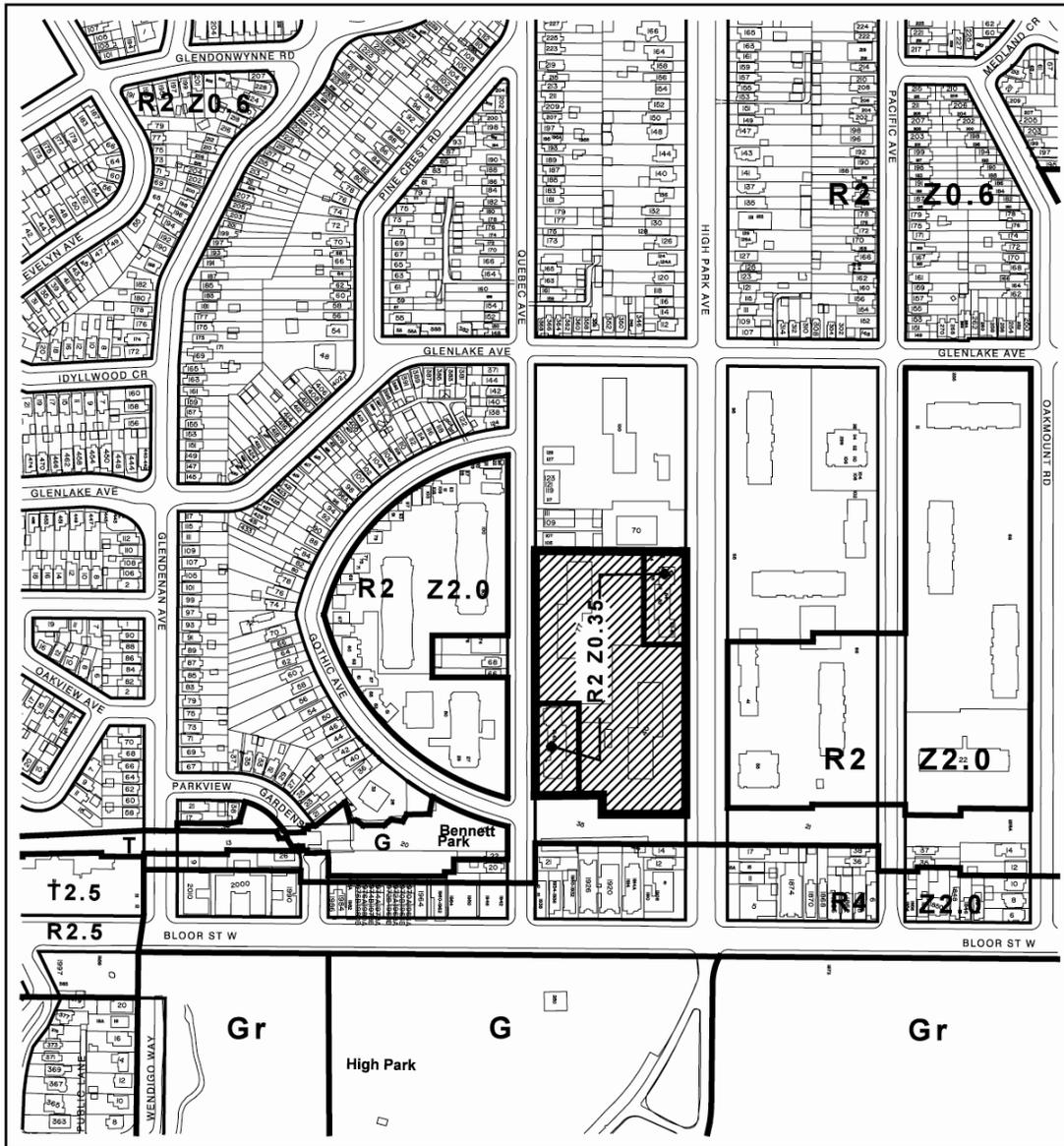
Attachment 2d: Elevations



51-77 Quebec Avenue and
40-66 High Park Avenue
File # 13 01816 WET 13 02

Elevations
Applicant's Submitted Drawing
Not to Scale
01/21/13

Attachment 3: Zoning



TORONTO City Planning
Zoning

51-77 Quebec Avenue and
40-66 High Park Avenue
File # 13 101816 WET 13 0Z

- R2 Residential District
- R4 Residential District
- T Industrial District
- G Parks District
- Gr Parks District



Not to Scale
Zoning By-law 438-86 as amended
Extracted 03/18/2013

Attachment 4- Application Data Sheet

Application Type	Rezoning	Application Number:	13 101816 WET 13 OZ
Details	Rezoning, Standard	Application Date:	January 7, 2013

Municipal Address: 51-77 QUEBEC AVNUE and 40-66 HIGH PARK AVENUE
 Location Description: PLAN 553 BLK 1 PT LOT 46 TO PT LOT 50 **GRID W1308

Project Description: This address covers 51 - 77 Quebec Avenue and 40 - 66 High Park Avenue. Propose to remove (2) blocks of townhouses and construct (2) new residential use only apartment buildings of Bldg A and B and a (2) storey amenity block building. (2) existing residential apartment towers to remain.

Applicant:	Agent:	Architect:	Owner:
FRASER MILNER CASGRAIN LLP			HIGH PARK BAYVIEW INC

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:		Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	20128	Height:	Storeys:	31
Frontage (m):	189		Metres:	100
Depth (m):	109			
Total Ground Floor Area (sq. m):	4580			Total
Total Residential GFA (sq. m):	91683		Parking Spaces:	892
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	91683			
Lot Coverage Ratio (%):	22.75			
Floor Space Index:	4.5			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	46115
Bachelor:	132	Retail GFA (sq. m):	0
1 Bedroom:	793	Office GFA (sq. m):	0
2 Bedroom:	344	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	1269		

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