STAFF REPORT
ACTION REQUIRED

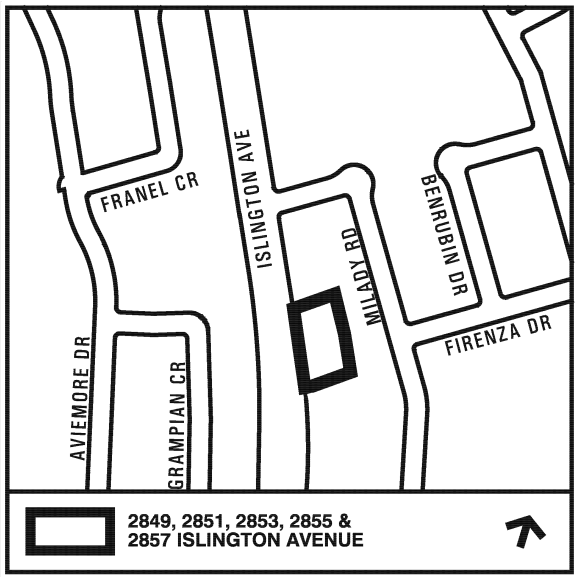
2849, 2851, 2853, 2855 and 2857 Islington Avenue – Zoning By-law Amendment Application – Refusal Report

Date:	July 18, 2014
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	13 149015 WET 07 OZ

SUMMARY

This application proposes the development of a 4-storey residential building containing 109 units at 2849-2857 Islington Avenue. The proposed building would have a floor area of approximately 6,500 m^2, representing a density of 1.9 times the area of the lot.

This report reviews and recommends refusal of the application to amend the former City of North York Zoning By-law No. 7625. It is staff's opinion the current proposal represents an over-development of the site. The proposed building height, massing and scale would not be in keeping with Official Plan policies. As well, an appropriate transition would not be provided to the neighbouring properties within the *Neighbourhoods* context.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the Zoning By-law Amendment application (13 149015 WET 07 OZ) in its current form for the reasons set out in this report.

2. If City Council's decision, or the application itself is appealed to the Ontario Municipal Board, City Council authorize the City Solicitor

and other appropriate City staff to attend the Board hearing to oppose the appeal of the Zoning By-law Amendment application in its current form.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Zoning By-law Amendment application was submitted on April 15, 2013 and a Preliminary Report outlining the proposal was considered by Etobicoke York Community Council on May 13, 2013. The report provided background information on the proposal and recommended that a community consultation meeting be scheduled with the Ward Councillor and that notice for the Public Meeting be given according to the regulations of the *Planning Act*.

The Preliminary Report can be viewed at the following link:
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY24.6

ISSUE BACKGROUND

Proposal

At the time of application, a proposal for a new 5-storey apartment building containing 111 units and 7,600 m^2 of gross floor area was submitted. An Official Plan Amendment application was subsequently filed on May 10, 2013 to allow for this proposed 5 storey apartment building within the *Neighbourhoods* designation of the site. The proposal was subsequently revised to respond to concerns raised by Planning staff and area residents that attended the community consultation meeting.

The current proposal is for the development of a 4-storey apartment building containing 109 units. The building would have a total gross floor area of approximately 6,500 m^2, representing a density of approximately 1.9 times the area of the lot. The proposed lot coverage would be 61% (see Attachment 1: Site Plan and Attachment 2: Elevations). With the reduction in the height of the proposed apartment building to 4 storeys, an Official Plan Amendment was deemed to be no longer required.

The proposed building would have an approximate height of 13.6 m measured from the centre line of Islington Avenue midway across the property frontage to the roof top (15.9 m height overall inclusive of roof top mechanical). Of the 109 units proposed, 24 would be studio units, 74 would be 1 bedroom units, and 11 would be 2 bedroom units.

Amenity areas for the building would be in the form of individual dwelling unit balconies, common indoor amenity space and common outdoor amenity space. A total of 134 m^2 of indoor amenity space and 668 m^2 of rear yard outdoor amenity space including a 46 m^2 patio area adjacent to the indoor amenity space at the P1 parking level and a landscaped lower and sloping rear yard area would be provided. All of the outdoor amenity areas would follow the existing grade of the site.

Vehicular access to a proposed two level underground parking garage, loading facilities, and a semi-circular driveway (partly located on the municipal boulevard) would be from Islington Avenue. A total of 107 vehicle parking spaces and 83 bicycle parking spaces are proposed. Project data is contained in Attachment 5: Application Data Sheet.

The following table provides a comparison between the original proposal submitted on April 15, 2013 and the current revised submission:

	Proposed New Residential GFA (m^2)	Proposed New Residential Units	Density	Lot Coverage (%)	Building Height (storeys)	Building Height (metres- measured from centre line Islington Avenue)
Original Proposal (April 15, 2013)	7,600	111	2.2	62	5	**15.3 m (to roof top excluding 2.3m mechanical penthouse)**
Current Proposal (February 18, 2014)	6,500	109	1.9	61	4	**13.6 m (to roof top excluding 2.3m mechanical penthouse)**

Site and Surrounding Area

The site is located on the east side of Islington Avenue, north of Finch Avenue West. The site is irregular in shape and has an area of approximately 3,400 m^2. The site is comprised of 5 properties that currently contain one single-detached house and two pairs of semi-detached houses that have been identified by the community as currently being used for rental accommodation. The site topography slopes down from a high point along Islington Avenue southeasterly to the rear lot line.

Surrounding land uses are as follows:

North: two storey semi-detached houses, St. Roch Catholic Elementary School and St. Roch Catholic Church;

South: two 9 storey apartment buildings and Gord and Irene Risk Park and Community Centre;

West: across Islington Avenue are the rear yards of semi-detached houses fronting Grampian Crescent, Islington Park and Rowntree Mills Park; and

East: residential neighbourhood consisting of predominately two storey semi-detached houses.

Provincial Policy Statement and Provincial Plans

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

Official Plan

The property is designated *Neighbourhoods* on Map 13 –Land Use Map in the Official Plan. Policy 2.3.1.1 of the Official Plan states that *Neighbourhoods* are considered physically stable areas and that development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. *Neighbourhoods* are made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The Official Plan contains development criteria for assessing new development in *Neighbourhoods*. These criteria are intended to ensure that physical changes to established neighbourhoods are sensitive, gradual and generally fit the existing physical character. Policy 4.1.5 of the Official Plan states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

a) Patterns of streets, blocks and lanes, parks and public building sites;
b) Size and configuration of lots;
c) Heights, massing, scale and dwelling type of nearby residential properties;
d) Prevailing building type(s);
e) Setbacks of buildings from the street or streets;
f) Prevailing patterns of rear and side yard setbacks and landscaped open space;
g) Continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
h) Conservation of heritage buildings, structures and landscapes.

Policy 4.1.5 further states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of a neighbourhood. The policies state that the prevailing building type will be the predominant form of development in the neighbourhood and that some *Neighbourhoods* will have more than one prevailing building type.

Islington Avenue is identified as a Major Street on Map 3 of the Official Plan. Policy 4.1.7 states that the intensification of properties on major streets within *Neighbourhoods* is not encouraged. However, where a more intense form of residential development than that permitted by the existing zoning on a major street in a *Neighbourhoods* designation is proposed, the application will be reviewed in accordance with Policy 4.1.5, having regard to both the form of development along the street and its relationship to adjacent development in the residential neighbourhood.

The development criteria contained in the *Neighbourhoods* policies are supplemented by additional development criteria outlined in the Built Form policies in Section 3.1.2 of the Official Plan. The Built Form policies 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. The policies require that new development will:

3.1.2.1 Be located and organized to fit with its existing context. It will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development by:

a. Generally locating buildings parallel to the street; and
b. Locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk.

3.1.2.2 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 and open spaces by:

b. Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk.

3.1.2.3 Be massed and its exterior façade be designed to fit harmoniously into its existing and/or planned context and limit its impact on neighbouring streets by:

a. Massing new buildings to frame adjacent streets and open spaces in a manner that respects the existing street proportion;
c. Creating appropriate transitions in scale to neighbouring existing buildings for the purpose of achieving the objectives of the Plan;
d. Providing adequate light and privacy; and
e. Adequately limit any resulting shadowing of neighbouring streets, properties and open spaces, having regard for the varied nature of such areas.

3.1.2.5 Provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by:
b. Co-ordinated landscape improvements in setbacks to create attractive transitions from the private to the public realms.

3.1.2.6 Provide indoor and outdoor amenity space for residents.

The Official Plan also contains policies to guide development from a housing perspective. Policy 3.2.1.6 states that new development that would result in the loss of six or more rental units will not be approved unless:

a) All of the rental housing units have rents that exceed mid-range rents at the time of application, or
b) In cases where planning approvals other than Site Plan are sought, the following are secured:
   i. At least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
   ii. For a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
   iii. An acceptable tenant relocation assistance plan addressing the right to return to occupy one of the replacement units at similar rents and other assistance to lessen hardships.

Zoning

The site is zoned RM2 – Multiple-Family Dwellings Second Density zone by former City of North York Zoning By-law No. 7625. The RM2 zoning permits duplex dwellings, semi-detached dwellings and single detached dwellings up to 3 storeys and 9.2 m in height, with a maximum lot coverage of 35% (see Attachment 3: Zoning). The application was deemed to be a 'complete application' prior to the enactment of City-wide Zoning By-law No. 569-2013 and therefore, following the transition provisions of the By-law, it does not apply. The former City of North York Zoning By-law No. 7625 continues to apply to the lands.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application (13 149044 WET 07 SA) has been submitted and is being reviewed concurrently with the application to amend the Zoning By-law. Should City Council refuse the Zoning By-law Amendment application, the Chief Planner and Executive Director, City Planning or her designates would not be in a position to grant Site Plan Approval.

Tree Preservation

This application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 – Trees, Articles II (Trees on City Streets) and III (Private Tree Protection). The applicant has submitted an Arborist Report, which has been reviewed by staff.

According to the Arborist Report, there are a total of 15 trees within the site. The report notes that all 15 trees would be removed if the proposal is approved.

Archeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. As part of the application, the applicant submitted a Stage 1 and 2 Archeological Assessment Report. The report concluded that no further archeological assessment is required. Heritage Preservation Services staff are satisfied with the conclusions of the report.

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 the 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 would be demolished 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.

As discussed later in this report, the alleged presence of rental units on the subject lands remains a matter to be resolved.

Reasons for the Application

An application to amend the Zoning By-law is required as the proposed apartment building is not a permitted use in an RM2 zone. The application seeks to amend other applicable zoning standards in relation to building setbacks, density, height, landscaped open space and lot coverage. The applicant is proposing to rezone the property to RM6, with site specific zoning to permit the proposal.

Community Consultation

A community meeting was held on June 10, 2013 at the Nile Academy on the original proposal. Approximately 40 members of the public attended along with the Ward Councillor, the applicant, the applicant's consultants and City staff.

A summary of concerns raised by attendees are listed below:

- the proposed development setting a precedent for additional higher density development in the area;

- insufficient building setbacks from the abutting residential properties;
- insufficient site servicing capacity (water, sewer, stormwater);
- lack of outdoor amenity space and minimal landscaping;
- contributing to increased traffic in the area;
- lack of surface parking for oversized vehicles or visitor parking;
- no affordable units included as part of the development;
- removal of trees on site;
- inadequate Fire Services/EMS site access; and
- the interim use of the existing buildings for rental accommodation and the number of rental units.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Provincial Plans and Policy Statement

The 2014 Provincial Policy Statement policies (Policies 1.1.3.3, 1.1.3.4 and 4.5) applicable to this proposed development indicate that municipalities should:

- Identify and promote opportunities for intensification and redevelopment where this can be accommodated;
- Promote appropriate development standards which facilitate intensification, redevelopment and compact built form, while maintaining appropriate levels of public health and safety;
- Identify provincial interests, set out appropriate land use designations and policies; and
- Provide clear, reasonable and attainable policies that protect provincial interests and direct development to suitable areas.

The Provincial Policy Statement identifies the Official Plan as the most important vehicle for the implementation of Provincial policies. The proposed development is located within a *Neighbourhoods* designation, which is not a growth designation in Toronto's Official Plan.

The *Neighbourhood's* designation of the Official Plan requires development to reinforce the established physical character of the surrounding area. The proposed building heights, density and lot frontages do not conform to this requirement of the Official Plan. Staff are of the opinion that the scale of intensification being proposed for this site is not consistent with the objectives of the Provincial Policy Statement as it relates to the above requirements. The proposal represents an inappropriate scale of intensification at a location where a smaller scale of built form would better fit the planned *Neighbourhoods* context, while respecting and reinforcing the existing physical character of the neighbourhood.

Therefore the proposal is not consistent with the 2014 PPS.

Section 2.2.2.1 of the Growth Plan outlines how population and employment growth will be accommodated to 2031. In particular, Policy 2.2.2.1 (b) indicates that intensification should be focused within intensification areas. Policy 2.2.3.6 outlines that through their Official Plans, municipalities will develop and implement policies to achieve the intensification targets. The Official Plan directs growth to the *Downtown, Centres, Avenues* and *Employment Areas*. *Neighbourhoods* is not a growth designation in the Official Plan and significant intensification is not envisioned to occur in these areas. *Neighbourhoods* are considered to be physically stable areas made up of residential uses in lower scale buildings where physical changes within these areas are required to be sensitive, gradual and generally 'fit' the existing physical character. The proposed development is not within a targeted growth area both in the context of the Growth Plan and the Official Plan.

It is staff's opinion that the proposal does not conform to and conflicts with the Growth Plan for the Greater Golden Horseshoe.

Density, Height, Setbacks and Massing

As noted above, the site is designated *Neighbourhoods* in the Official Plan. These areas are considered to be physically stable and any new development must respect and reinforce the existing physical character of the neighbourhood. Infill development must have heights, massing and scale that are appropriate for the site and compatible with the Zoning By-law permissions for adjacent and nearby residential properties. The applicant is proposing to amend the Zoning By-law to have the subject lands zoned RM6 instead of the current RM2.

As a result of the community meeting and discussions with staff, the applicant reduced the height of the building from 5 storeys to 4, and reduced the number of units from 111 to 109. The proposed density was also reduced from 2.2 to 1.9 times the area of the lot, which begins to approach the maximum density of 1.5 times the area of the lot permitted in the general RM6 zone. The proposed apartment building no longer requires an amendment to the Official Plan as a result of the height reduction to four storeys.

Staff are of the opinion the massing of the building should be reduced. The proposed massing and scale of the four storey building is excessive on these lands as a result of the proposed building setbacks when evaluated against Zoning By-law requirements for apartment building development adjacent to surrounding RM2 zones.

The proposed front yard setback is 4.6 m with no stepping back of the front of the building. The RM2 and RM6 zones both require a 7.5 m front yard setback. The semi-detached dwelling immediately to the north has a front setback of approximately 9 m from the property line. The average minimum front setback of the semi-detached dwellings to the north is generally between 8 to 8.5 m due to the alignment of Islington Avenue. The minimum setback of the apartment building to the south is approximately 18 m. The proposed 4.6 m setback of the building from Islington Avenue should be

increased to be more in keeping with the front setbacks of adjacent semi-detached buildings to the north.

The proposed apartment building would have side yard setbacks of 2.7 m from the north side lot line adjacent to the semi-detached house and 2.5 m from the south lot line adjacent to the apartment building. The proposed side yard setbacks should be increased to provide an appropriate separation and transition from the proposed apartment building to the semi-detached houses to the north. The proposed rear yard setback is 7.5 m in compliance with the RM6 zone minimum rear yard setback requirement. While the RM6 zone requires a minimum side yard setback of 4.5 m and minimum rear yard setback of 7.5 m from the base of the building, the minimum setback requirement for all yards increases 0.3 m for each 0.6 m of additional height over 11 m for apartment houses.

The height of the building is proposed at 13.6 m to the roof top **(**exclusive of the parapets and 2.3 m high mechanical penthouse), representing an additional 2.6 m of height above 11 m. In compliance with the RM6 zone requirement, the minimum building setbacks above 11 m should all be increased by approximately 1.3 m. The front, side and rear building setbacks would be required to be setback 8.8 m, 5.8 m and 8.8 m, respectively above this height.

However, Section 15.6 of former City of North York Zoning By-law No. 7625 also requires that an apartment building be located no closer than 15 m from a Multiple Family Dwelling Second Density (RM2) zone. As noted, the proposed 2.7 m side yard setback adjoining the existing RM2 zone to the north and the proposed 7.5 m rear yard setback to the RM2 zone to the east does not meet the zoning requirement.

The proposal's setbacks contribute to a lot coverage that far exceeds the maximum lot coverage permitted in the RM6 zone. The RM6 zone permits a maximum lot coverage of 35% for apartment houses. The proposed development would have a lot coverage of 61% which should be reduced. It is staff's opinion that increasing all setbacks to be more in keeping with minimum Zoning By-law requirements would ameliorate massing, separation and transition in scale to respect and fit in with the surrounding built form context, particularly in regard to the adjacent semi-detached houses to the north and east.

Development on this site could be supported, provided that it is built to an appropriate massing and scale with increased setbacks, which would contribute to providing an adequate transition, from the existing apartment building to the south to the semi-detached dwellings to the north and east. The proposed development should have heights, massing and scale appropriate for the site and be compatible the zoning permissions for adjacent and nearby residential properties.

Sun and Shadow

An updated Shadow Study was submitted with the revised proposal. According to the study, the rear yards of the abutting semi-detached dwellings on Milady Avenue to the east would be in shadow beginning at 3:18 pm on March 21 and at 4:18 pm on June 21. These yards would remain in shadow throughout the evening hours. In addition, there would be shadow impact on a portion of the rear yard of the abutting semi-detached

property to the north in the late morning and early afternoon on March 21. The revised proposal would result in an inappropriate shadow impact on adjacent properties and the massing and height of the building or the elements of the building that contribute to shadow should be reduced to minimize the impact of shadows on neighbouring properties.

Amenity Space

The development proposal includes both indoor and outdoor amenity space. The proposed 668 m^2 of outdoor amenity space in the rear yard area achieves the typical minimum standard of 2.0 m^2 of outdoor amenity space typically achieved for each dwelling unit in new significant apartment house developments. The indoor amenity space is proposed as a multi-purpose room on the parkade (P1) level of the building. The total proposed indoor amenity space is 134 m^2, or 1.2 m^2 per dwelling unit. This is lower than the minimum standard of 2.0 m^2 for each dwelling unit, which is the standard typically achieved in new significant apartment house developments. It is the opinion of staff that inadequate indoor amenity space is proposed.

Furthermore, the minimum landscaped area requirement for RM6 zones is 18 m^2 of landscaped area for each 82 m^2 of gross floor area of the building. This equates to a minimum landscaped area requirement for the proposal of approximately 1,425 m^2 whereas 1,168 m^2 or 82% of the required landscaped area is proposed. The lot coverage permitted in an RM6 zone is 35%, whereas the proposed lot coverage would be 61%. The coverage of the proposed building should be reduced to provide more landscaping for future residents.

Trees

There are a number of trees on the site proposed to be removed through the development. An arborist report was submitted with the application indicating that 15 trees would be removed. It also appears City trees are proposed to be removed. The analysis conducted by Urban Forestry staff conflicts with the arborist report submitted with the application as the report did not indicate that any City trees would be removed. An application to injure or destroy trees will be required in accordance with Chapter 813 of the City of Toronto Municipal Code.

Urban Forestry staff have advised that the applicant would be required to plant new 'large growing native shade' trees at a three to one ratio and that the current plans do not provide enough new trees to satisfy the required plantings on private property.

Urban Forestry staff also indicated that the trees proposed for the site (Dogwood, Serviceberry and Witch Hazel) are not acceptable. The site should be planted with a mix of large growing shade trees such as American Elm, Cucumbertree, Black Locust, Shagbark Hickory, Hackberry or Blackgum.

Urban Forestry staff advise that the landscape and planting plan are not acceptable at this time and revised plans are required.

Traffic Impact and Access

The Official Plan requires vehicular access to be located and organized to minimize its impact on the property and the public realm. Consideration should be given to relocating the access to the underground garage at the side of the building to improve the attractiveness of the street. Staff are of the opinion that the parking ramp should be internalized.

The proposed semi-circular driveway would be located partially on the municipal boulevard. The service and emergency vehicle access driveway should be entirely contained on the subject property and the proposal should not be reliant on the municipal boulevard. Therefore, the front yard setback should be increased so that the proposed driveway would be accommodated on the site and not partially on the municipal boulevard.

Transportation Services staff have advised that the proposed 109 unit condominium apartment building is forecast to generate 48 and 86 two-way trips in the weekday morning and afternoon peak periods, respectively. Transportation Services' staff have indicated that this volume of vehicle traffic is not anticipated to negatively impact the existing level-of-service of the surrounding street network. Therefore, a traffic impact study is not required.

Vehicular Parking

The applicant submitted a parking study prepared by LEA Consulting.

According to former City of North York Zoning By-law No. 7625, the 109 unit condominium apartment building requires a minimum of 1.5 parking spaces per unit and 0.25 spaces per unit for visitor parking, for a total of 191 parking spaces. However, Transportation Services staff recommend that the subject development provide parking at the rate required by City-wide Zoning By-law No. 569-2013.

Based on City-wide Zoning By-law No. 569-2013, it is recommended that the applicant provide the minimum vehicle parking spaces as follows:

- 24 studio dwelling units at 0.70 spaces per unit = 17 spaces
- 74 one-bedroom dwelling units at 0.80 spaces per unit = 59 spaces
- 11 two-bedroom dwelling units at 0.90 spaces per unit = 10 spaces
- 109 dwelling units (total) at 0.15 visitor spaces per unit = 16 spaces

Total parking required for the proposed building = 102 spaces

Based on the current submission, the plans illustrate a total of 107 parking spaces in the proposed two-level underground parking garage. The overall proposed parking supply satisfies Transportation Services recommended resident parking requirements. The LEA study also conducted visitor parking demand surveys of similar residential buildings, and concluded that a visitor parking ratio of 0.14 spaces per dwelling unit was adequate. Transportation Services' staff advise that the applicant's proposed parking supply can accommodate a minimum visitor parking provision of 0.15 spaces per dwelling unit as

stipulated in the City-wide Zoning By-law. Transportation Services staff therefore recommend that the site plan be revised to reflect the recommended minimum visitor parking requirement.

Bicycle Parking

The Toronto Green Standard requires bicycle parking in accordance with the following:

- Occupant parking: 109 dwelling units (total) at 0.60 spaces per unit = 65 spaces
- Visitor Parking: 109 dwelling units (total) at 0.15 spaces per unit = 17 spaces

Total parking required for the proposed building = 82 spaces

The current revised plans would provide 83 bicycle parking spaces, therefore satisfying the requirements of the Toronto Green Standard.

Loading

The applicant also submitted a loading study prepared by LEA Consulting.

Transportation Services staff recommend that the proposed residential building provide a minimum of one on-site Type 'G' loading space with minimum dimensions of 13.0 m in length, 4.0 m in width and 6.1 m in height for loading and solid waste pick-up purposes.

The revised proposal includes a Type 'G' loading bay recessed in the building elevation, fronting on Islington Avenue at the south end of the building. However, the submitted truck tracking path diagrams shown in the LEA study illustrate that the Islington Avenue municipal boulevard is required to negotiate turning manoeuvres to access/egress the proposed loading area. Transportation Services staff advise that this loading bay arrangement is unacceptable from a traffic operation perspective, and must be redesigned to allow trucks to access the loading bay in a cab forward manner, negotiate turning manoeuvres within the site, and exit the site in a cab forward manner.

Planning staff concur with Transportation Services staff that the proposed loading area access and egress in the front yard is unacceptable. The front yard setback should be increased to accommodate all loading manoeuvres on the subject site and not require the use of the municipal boulevard. Furthermore, the location of the proposed recessed loading area fronting Islington Avenue is unacceptable to Planning staff. The recessed loading area is not acceptable on the front elevation of a building as it detracts from the attractiveness of the adjacent street and the façade of the building. In addition, the design of the service driveway encourages service vehicles to back into the driveway access from Islington Avenue, which would pose a safety issue for pedestrians using the existing sidewalk and vehicles entering at that access point.

Servicing

The applicant submitted a Site Servicing and Stormwater Management report prepared by Masongsong Associates Engineering Limited. Engineering and Construction Services staff reviewed the report and determined that there are discrepancies between the report and what is shown on the plans submitted with the application. Revisions to the sanitary,

water and stormwater servicing information are necessary, and a revised report is required to be submitted to the satisfaction of the Executive Director of Engineering and Construction Services.

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 provision across the City. The lands which are the subject of this application are in an area with 0.43-0.79 ha of parkland per 1,000 people. The site is in the second lowest quintile of current parkland provision and the site is in a parkland priority area.

The application proposes 109 units on a site of approximately 0.34 ha. At the alternative rate of 0.4 ha per 300 units, parkland levies would equal 0.15 ha or 43% of the proportionate residential area. By-law 1020-2010 states that sites with an area of less than 1 ha are subject to a cap of 10%. Therefore the total parkland dedication required is 0.034 ha.

The applicant proposes to satisfy the parkland dedication by cash-in-lieu payment and Parks, Forestry and Recreation staff advise that this is appropriate due to the subject property's proximity to Islington Park, Gracedale Park, Rowntree Mills Park and Gord and Irene Risk Park and Community Centre.

The actual amount of cash-in-lieu to be paid would be determined at the time of issuance of the building permit by Real Estate Services staff.

Toronto Green Standard

The application was submitted in April 2013 and is subject to the Toronto Green Standard (TGS). The TGS requirements would be secured through the Site Plan Approval process, with the exception of those standards that would be secured through the Zoning By-law. Should the Zoning By-law Amendment and Site Plan applications be appealed to the Ontario Municipal Board, staff would request that the TGS requirements be secured through the appropriate approval documents.

Section 37

Policies 2.3.1.6 and 5.1.1 of the Official Plan provide for the determination of Section 37 benefits as defined by the *Planning Act.* Section 37 community benefits are to be determined in consultation with the Ward Councillor. This issue was raised by several attendees at the community meeting. The threshold for developments being subject to Section 37 policies is 10,000 m^2 of new gross floor area as set out in Policy 5.1.1.4 of the Official Plan. Since the proposed building is only 6,500 m^2, it does not qualify for a Section 37 commitment.

Rental Housing

The applicant provided a Rental Housing Demolition and Conversion Declaration of Use and Screening Form with the initial application indicating there were no rental units to be

demolished. However at the community meeting, the issue of rental housing was raised and neighbourhood residents advised staff there are in fact rental units in the existing dwellings. As per the Rental Housing Demolition and Conversion By-law (885-2007), the demolition or conversion of rental housing units is prohibited without obtaining a permit from the City. Policy 3.2.1.6 of the Official Plan further states that if 6 or more rental housing units are to be demolished, they must be replaced in the new development.

Given the comments received at the community meeting, staff have requested the applicant provide the details of the existing buildings at the time of the application on the basis of the number of dwelling units and their tenure. This information was requested in June 2014 and to date the applicant has not provided any further information. Should this application be appealed to the Ontario Municipal Board, staff would raise this matter at the Board hearing if it is not appropriately addressed to the satisfaction of the City.

School Boards

The Toronto District School Board (TDSB) has advised that there is insufficient space at the local elementary and middle schools to accommodate students anticipated from this proposed development and others in the area. The TDSB advised that students may be accommodated in schools outside this area until space in local schools becomes available. No comments have been received from the Toronto Catholic District School Board (TCDSB).

Conclusions

The current proposal is not consistent with the 2014 Provincial Policy Statement and does not conform with the Growth Plan.

The current proposal also does not conform to Official Plan policies related to appropriate massing and built form relationship to the surrounding neighbourhood. Staff are of the opinion the development as currently proposed represents an overdevelopment of the site and is inconsistent with the existing built form of the surrounding neighbourhood. It would also result in unacceptable shadow impacts on neighbouring properties.

Staff are of the opinion that the site access and loading configuration as currently proposed is unacceptable and will detract from improving the attractiveness of Islington Avenue and would create safety issues for pedestrians using the sidewalk and vehicle access. Staff are of the opinion that the proposed semi-circular driveway should be reconfigured so that all vehicular access and all loading manoeuvres are contained on the subject site and not reliant on the municipal boulevard.

Development on this site could be supported, provided it addressed the substantive built form issues noted above. However, in its current form, it is recommended the application to amend the Zoning By-law be refused. Should City Council's decision, or the application itself be appealed to the Ontario Municipal Board, it is recommended City Council authorize the City Solicitor and other appropriate City staff to attend the Board hearing to oppose the appeal of the Zoning By-law Amendment application in its current form.

The use of the existing buildings for rental units as raised at the community meeting remains a matter for the applicant to address. Similarly, site servicing, appropriate indoor amenity space and appropriate landscaping and trees are issued yet to be addressed. Should City Council's decision, or the application itself be appealed to the Ontario Municipal Board, staff will raise these matters at the Board hearing if they are not appropriately addressed to the satisfaction of the City.

CONTACT

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SIGNATURE

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

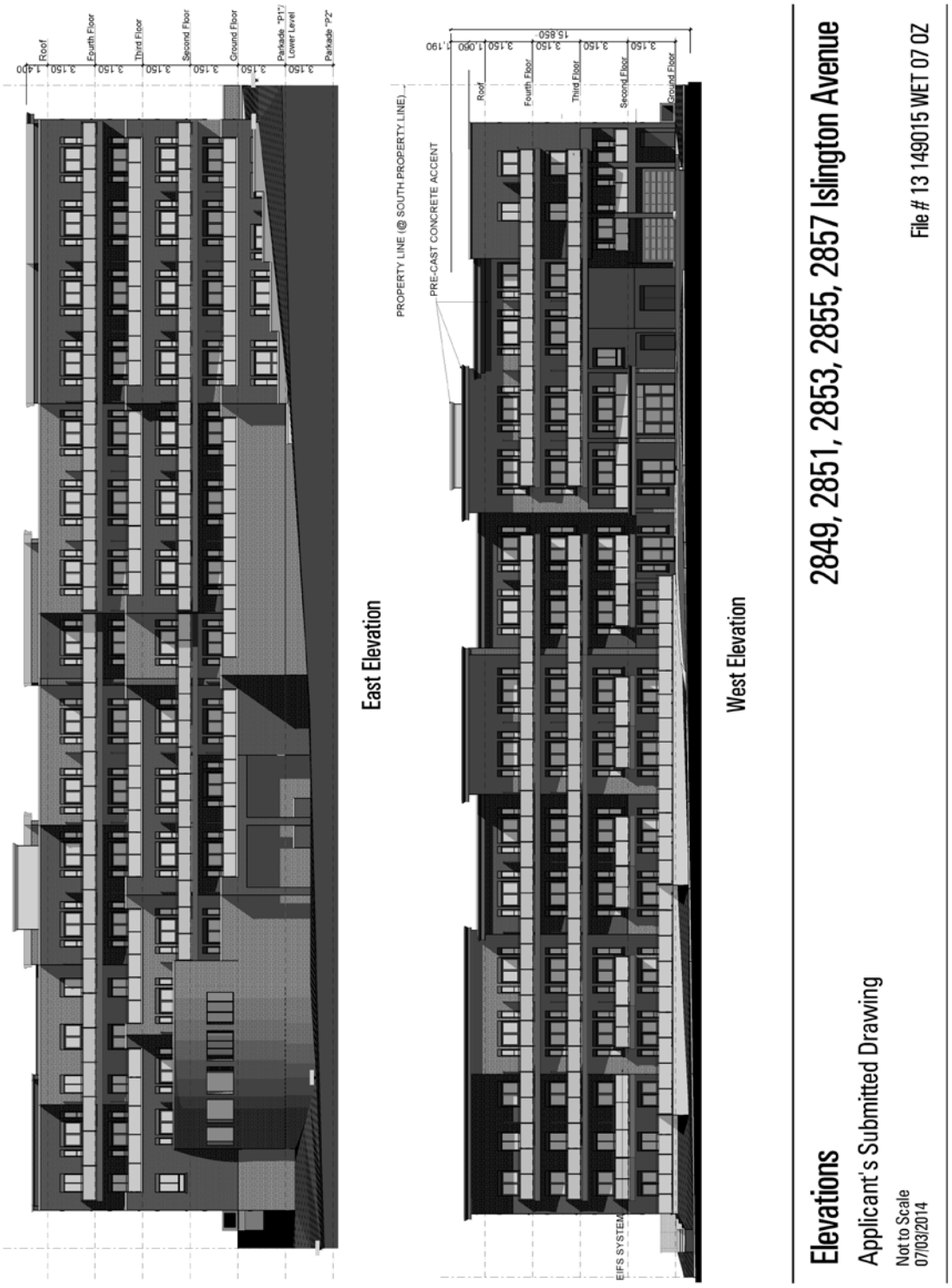
ATTACHMENTS

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

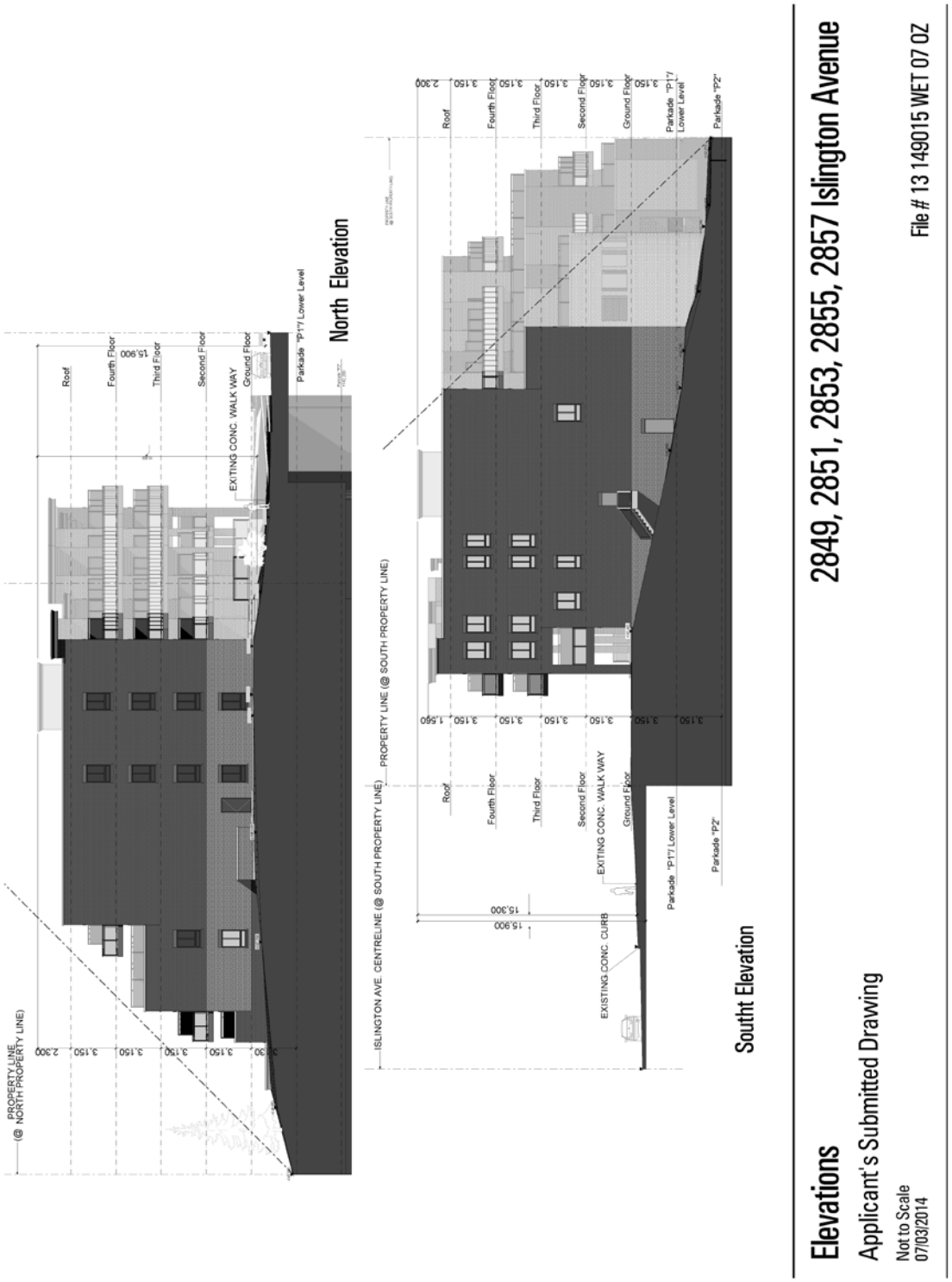
Attachment 1: Site Plan



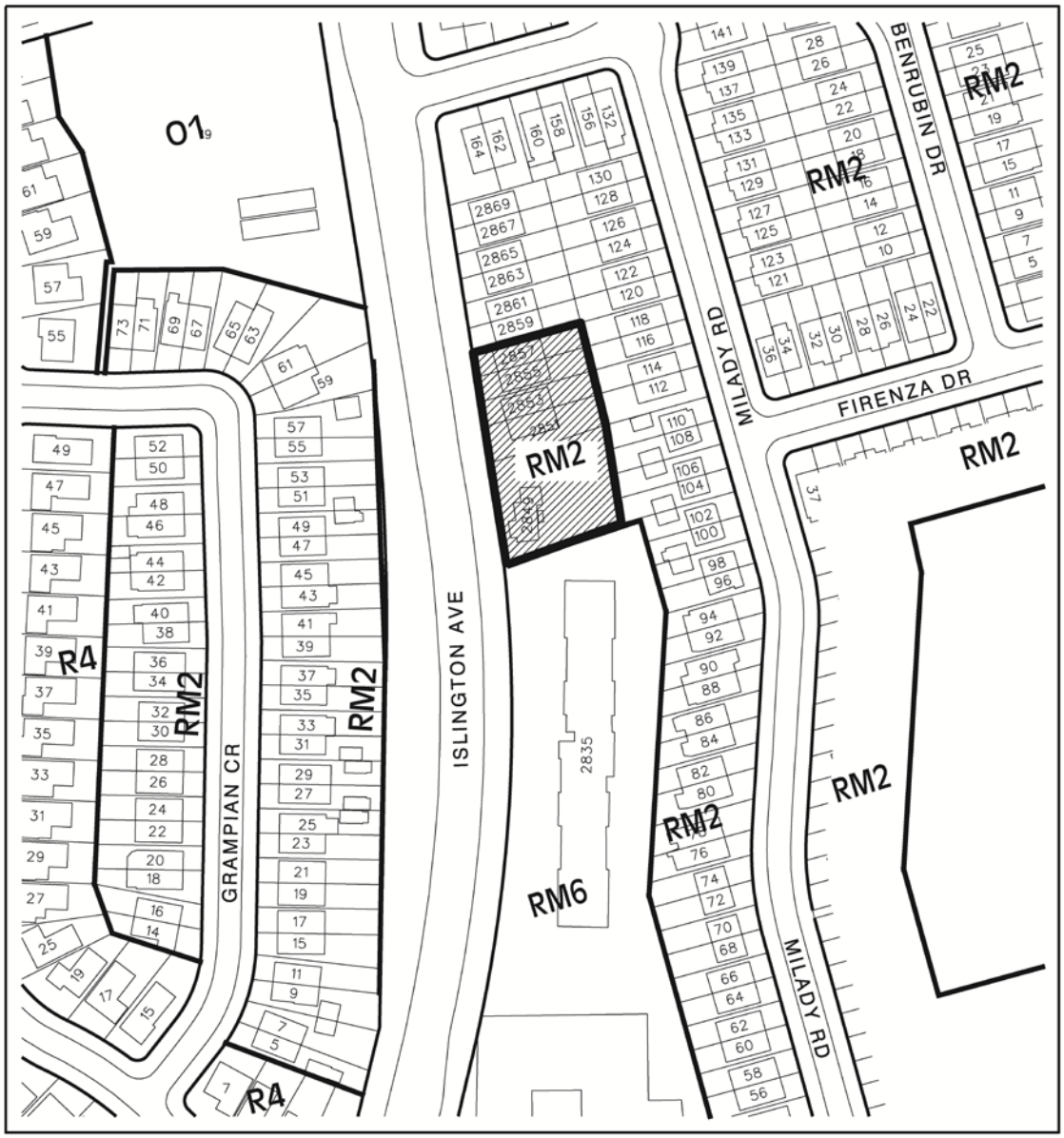
Attachment 2a: Elevations



Attachment 2b: Elevations



Attachment 3: Zoning



Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	13 149015 WET 07 OZ
Details	Rezoning, Standard	Application Date:	April 15, 2013

Municipal Address:	2849-2857 ISLINGTON AVENUE
Location Description:	CON 6 WY N PT LOT 22 **GRID W0702
Project Description:	Proposed amendment to North York Zoning By-law No. 7625 to permit the development of a 4-storey 109 unit residential building.

Applicant:	**Agent:**	**Architect:**	**Owner:**
ACTION PLANNING CONSULTANTS	FRANCO ROMANO	JONATHAN WEIZEL	JAMIE ERLICK

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision: N/A	
Zoning:	RM2	Historical Status: N/A	
Height Limit (m):	9.2	Site Plan Control Area: YES	

PROJECT INFORMATION

Site Area (sq. m):	3409	Height:	Storeys:	4
Frontage (m):	79		Metres:	13.6
Depth (m):	45			
Total Ground Floor Area (sq. m):	1748			**Total**
Total Residential GFA (sq. m):	6505		Parking Spaces:	107
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	6505			
Lot Coverage Ratio (%):	61			
Floor Space Index:	1.9			

DWELLING UNITS **FLOOR AREA BREAKDOWN** (upon project completion)

			Above Grade	**Below Grade**
Tenure Type:	Condo			
Rooms:		Residential GFA (sq. m):	6505	0
Bachelor:	24	Retail GFA (sq. m):	0	0
1 Bedroom:	74	Office GFA (sq. m):	0	0
2 Bedroom:	11	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	109			

CONTACT:	**PLANNER NAME:**	**Gregory Byrne, Senior Planner**
	TELEPHONE:	**(416) 394-8238**