



STAFF REPORT ACTION REQUIRED

183 – 195 Roehampton Avenue & 139 – 145 Redpath Avenue, Zoning Amendment Application & Rental Demolition Application under Municipal Code 667– Final Report

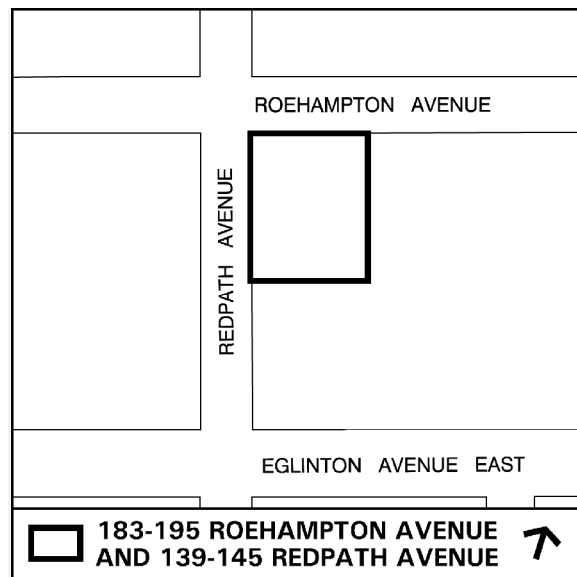
Date:	July 15, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	13 128791 STE 22 OZ & 14 163572 STE 22 RH

SUMMARY

This application proposes to redevelop the site at 183 - 195 Roehampton Avenue and 139 – 145 Redpath Avenue to construct a 34-storey, 113.5 metre (not including the mechanical penthouse) apartment building comprised of a 28-storey tower on top of a 6-storey base/podium. The proposed development has 446 residential units and 183 parking spaces including 3 car-share spaces in a 3-level underground garage. The proposed density is 10.8 times the lot area.

The site currently consists of an assembly of 3 detached and 8 semi-detached house form buildings located at 183-195 Roehampton Avenue & 139-145 Redpath Avenue with a total of 14 dwelling units containing 5 rental units. A Rental Housing Demolition application was also submitted for the 5 existing residential rental units.

This report reviews and recommends approval of the rental housing demolition application under Municipal Code 667 and the application to amend of the Zoning By-law based on its planning and design merits that include:



- a. the site is located at the intersection of Roehampton and Redpath Avenues within an *Apartment Neighbourhood* and an Urban Growth Centre. Appropriate compatible apartment infill or redevelopment is anticipated by the Official Plan at this location;
- b. the proposed residential units are within walking distance of retail shops, services, entertainment and places of employment;
- c. the proposed building is within walking distance of the Yonge-Eglinton subway station and the proposed Mount Pleasant station of the Eglinton Crosstown LRT (under construction);
- d. the proposed tall building is in an area that is characterized by tall buildings of varying heights;
- e. the development includes hard and soft landscaping on the site and within the public boulevard, and public art which is to be fully visible to the street(s);
- f. the development includes a café/coffee shop and a retail store as a continuation of the local-scaled retail on Redpath Avenue to the south of the site. Such 'local-scaled' retail would promote the creation of Redpath Avenue as a "shared street" as recommended in the Midtown in Focus Study;
- g. the development proposes privately owned but publicly accessible outdoor seating and child-friendly open space adjacent to the proposed café/coffee shop at the Redpath Avenue frontage;
- h. the proposed building will not unduly shadow existing *Neighbourhoods* buildings and open spaces; and
- i. Section 37 benefits secured as a result of approval of this development would include improvements to local parks; acquisition, design and construction of new local parklands; and public art to be located on the site.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 183 – 195 Roehampton Avenue and 139 – 145 Redpath Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10 to this report (July 14, 2014) from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

3. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor pursuant to Section 37 of the Planning Act, such agreement to be registered on title to the lands to secure the facilities, services and matters as follows:
 - a. The community benefits to be provided and secured at the owner's sole expense in the Section 37 Agreement are, in a form satisfactory to the City with conditions providing for no credit for development charges, indexing escalation of both the financial contributions and letters of credit, indemnity, insurance, GST, termination and unwinding and registration and priority of the agreement, as follows:
 - i. contributions in the amount of \$1,400,000.00 payable prior to the first above-grade building permit to be applied as directed by the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, in accordance with the following or towards other local area park or streetscape improvements to the satisfaction of the Chief Planner and Executive Director, City Planning:
 1. \$700,000.00 to be used for improvements to Redpath Avenue Parkette and/or other local parks or for the acquisition, design and construction of new parkland to be added to Redpath Avenue Parkette or the development of other parks within the area; and
 2. \$700,000.00 for public art to be designed and constructed on the site at 183 – 195 Roehampton Avenue and 139 – 145 Redpath Avenue in accordance with the 'Percent for Public Art Program and Guidelines.'

Such total amount is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

Notwithstanding the foregoing, the owner and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the owner, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.

4. City Council require the owner to enter into a financially secured right-of-way permit with the City, for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review and Traffic Impact Study accepted by the Executive Director of Engineering and Construction Services.
5. City Council require that the tree replacement requirement for the significant canopy grouping of Norway Maples is to be a ratio of 6:1 (78) 70 mm caliper trees to be planted to the satisfaction of the General Manager of Parks, Forestry and Recreation.

6. City Council approve the application to demolish the 5 existing rental units located at 143 Redpath Avenue and 183, 185, 189 and 195 Roehampton Avenue pursuant to Municipal Code Chapters 667 and 363.
7. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval to the application under Municipal Code Chapter 667 for the existing residential rental units after the latest of the following has occurred:
 - a. the zoning by-law amendment in Recommendation No. 1 has come into full force and effect; or
 - b. The issuance of the Notice of Approval Conditions for site plan approval for the development by the Chief Planner and Executive Director, City Planning Division or her designate, pursuant to Section 114 of the City of Toronto Act, 2006.
8. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division, has given the preliminary approval in Recommendation No. 7 for the existing rental housing buildings.
9. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act for the 5 residential rental buildings and the remaining 6 residential buildings no earlier than the issuance of a building permit for the shoring and excavation for the development on the lands, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation No. 5 which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

This is a rezoning application to permit the construction of a 28-storey residential tower on top of a 6-storey base building for a total building height of 34 storeys. (Refer to Attachment 1: Site Plan, and Attachments 2, 3, 4 & 5: Elevations).

The proposed height is 113.5 metres to the top of the main roof and 120.5 metres to the top of the mechanical penthouse. The overall density of the proposed building is 10.8 times the lot area. The development contains a maximum of 446 residential units and has a gross floor area of approximately 29,050 square metres. (refer to Attachment 9: Application Data Sheet for the complete list of project statistics).

The applicant is proposing a total of 183 parking spaces in a 4-level, underground parking garage. 156 spaces are allocated to the residents of the building and 24 spaces are for visitors

and 3 will be car-share spaces. The 3 car-share spaces are the equivalent of 12 resident parking spaces. Parking and loading would be accessed from Roehampton Avenue.

The application also proposes to demolish the existing 11 house form buildings on the site. In recent months it became apparent that rental units may be affected by the proposed development and a Rental Housing Demolition application (14 163572 STE 22 RH) for a Section 111 permit pursuant to Chapter 667 of the Municipal Code was submitted with the subject application on May 27, 2014.

Site and Surrounding Area

The site is located on the southeast corner of Roehampton and Redpath Avenues. The site is comprised of an assembly of properties currently occupied by three 2-storey single-detached houses and four 2-storey semi-detached houses fronting on Roehampton Avenue and four 2-storey semi-detached houses fronting on Redpath Avenue with a total of 14 dwelling units containing 5 residential rental units. The proposed development is within an *Apartment Neighbourhood* in which apartment buildings are a prevailing built form.

Surrounding uses are as follows:

- North: To the immediate north of the site on the northeast and northwest corners of Roehampton and Redpath Avenues, existing apartment buildings range in height from 7 to 17 storeys. North of Roehampton Avenue, buildings range in height up to 32 storeys (e.g. 101 Erskine).
- South: The properties south of the site are a mix of residential buildings and mixed use buildings most of which front onto Eglinton Avenue East. Buildings range in height from 6 to 10 storeys on the northwest corner of Redpath Avenue and Eglinton Avenue East and from 8 to 21 storeys on its northeast corner. The southeast corner of Redpath Avenue and Eglinton Avenue East is the site of recent approvals for a 34-storey mixed commercial-residential building. The southwest corner of Redpath Avenue and Eglinton Avenue East contains an 18-storey apartment building which occupies the full block on the south side of Eglinton Avenue East between Redpath Avenue and Lillian Street.
- East: Immediately east of the site is a 12-storey apartment building. A 14-storey apartment building is east of that property.
- West: To the west of the site, at the southwest corner of Roehampton and Redpath Avenues, is a group of properties fronting onto Roehampton and Redpath Avenues (151,157, 161, 165, 167, 171 & 173 Roehampton Avenue and 140, 142 & 144 Redpath Avenue) that have been assembled for redevelopment. A rezoning application has been submitted to permit a 38-storey residential building on those lots.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014, 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.

The recently updated housing policies of the PPS require planning authorities to provide for an appropriate range of housing, including affordable housing, to meet the needs of current and future residents. 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; protecting natural systems and cultivating a culture of conservation; and planning for a range and mix of housing. City Council's planning decisions are required by the Planning Act to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

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Official Plan

i) Apartment Neighbourhoods

The site is located within an *Apartment Neighbourhoods* designation (refer to Attachment 7: Official Plan). The *Apartment Neighbourhoods* designation permits apartment buildings and all forms of residential development permitted in *Neighbourhoods*. The Official Plan indicates that built up *Apartment Neighbourhoods* are stable areas of the City where significant growth is generally not anticipated. There may, however, be opportunities for compatible infill development on underutilized sites and the Plan sets out criteria to evaluate these situations.

Development criteria used to evaluate redevelopment proposals include (Section 4.2):

- locating and massing new buildings to provide transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or stepping down of the heights towards, lower scale *Neighbourhoods* (there are no abutting *Neighbourhoods* designations);
- 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;
- providing 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; and
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

ii) Built Form

The Built Form section of the Official Plan also provides policies that will assist in the evaluation of this proposal. These include (Section 3.1.2.3):

- New development is to be located and organized to fit within its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties by:
 - a. Creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
 - b. Providing for adequate light and privacy;
 - c. Adequately limiting any resulting shadowing of and uncomfortable wind conditions on, neighbouring streets, properties and open spaces.
- Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of bordering streets, parks and open spaces.

iii) Healthy Neighbourhoods

Section 2.3.1.1 states that *Apartment Neighbourhoods* are considered to be physically stable areas and that development within *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

iv) Housing

The Official Plan also contains policies addressing the need to preserve and increase the City's supply of rental and affordable housing. Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units.

Applicants proposing to demolish six or more residential rental units, except where all of the rents are above the mid-range rent category, are required by Policy 3.2.1.6 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.

To review all sections of the Toronto Official Plan refer to the City's website at: www.toronto.ca/planning/official_plan/introduction.htm.

Yonge-Eglinton Secondary Plan

The site is within the boundaries of the Yonge-Eglinton Secondary Plan (refer to Attachment 8: Yonge-Eglinton Secondary Plan). The Secondary Plan generally defers to the Official Plan with respect to providing rental housing demolition policy guidance and development criteria for this *Apartment Neighbourhoods* site. However, some specific Secondary Plan policies apply to this site, including:

Section 2.4

"it is a primary objective to minimize conflicts among uses in *Apartment Neighbourhoods* in terms of land use, scale and vehicular movement";

Section 2.7(d)

"ensure that development of the greatest height, density and scale are situated within *Mixed Use Area 'A'*, and that developments of a lesser scale that are contextually appropriate and compatible with adjacent areas will occur in *Mixed Use Areas 'B', 'C' and 'D'*." (Note: this site is not within any of the *Mixed Use Areas* referenced for greatest height, density and scale.);

Section 2.7(e)

"direct higher density residential development proposals within the *Apartment Neighbourhoods* to sites with nearby subway station access."

Section 2.10

"new development will be required to provide an adequate supply of parking and loading to meet site requirements while balancing the City's goal to reduce reliance on automobile use. Parking requirements may be reduced for the development in *Mixed Use Areas* and *Apartment Neighbourhoods* which are in proximity to subway and light rapid transit access provided the proponents can demonstrate how projected travel can be accommodated by other modes. The purpose of such relief is to: reduce reliance on automobiles; reduce conflicts between vehicular traffic and on-street servicing; and maximize the utilization of existing parking facilities".

Section 5.0, Yonge-Eglinton Centre

The Province's Growth Plan for the Greater Golden Horseshoe contains policies to direct a significant portion of future population and employment growth into a number of intensification areas. These areas include five "Urban Growth Centres" (UGCs) within the City. Under the Growth Plan, municipalities are required to delineate the boundaries of the UGCs within their Official Plans.

The proposed development is within the Yonge-Eglinton Urban Growth Centre which is one of the five designated UGCs.

Section 5 of the Yonge-Eglinton Secondary Plan includes the following Urban Growth Centre policies which are applicable to the site:

- 5.2 Within the Yonge-Eglinton Centre, the highest heights, densities and scale of development will be within *Mixed Use Area 'A'* on the blocks at the four quadrants of the intersection of Yonge Street and Eglinton Avenue.
- 5.3 The heights, densities and scale of development will decrease along Eglinton Avenue East with increasing distance from the Yonge-Eglinton intersection within the Yonge-Eglinton Centre.
- 5.4 The *Apartment Neighbourhoods* within the Yonge-Eglinton Centre are largely built-up and considered to be physically stable areas. Development in these *Apartment Neighbourhoods* will comply with the policies of the Official Plan, particularly the policies in Sections 2.3.1 and 4.2.
- 5.7 New development in the Yonge-Eglinton Centre will be compatible with maintaining the character of surrounding *Neighbourhoods*).

Tall Building Design Guidelines (2013)

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

Policy 1, Section 5.3.2, 'Implementation Plans and Strategies for City-Building', of the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines are specifically intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines document serves this policy intent by helping to implement Chapter 3.1, The Built Environment and other policy sections within the Plan that are related to the design and development of tall buildings in Toronto.

A tall building is generally defined as a building that is taller than the road right-of-way which is adjacent to the site. The Design Guidelines provide recommendations to assist staff in their review of tall building applications. The Design Guidelines expand upon the Official Plan policies (particularly those policies of Section 3.1.2 – Built Form) regarding issues of: transition in scale; massing of base buildings; tower floor plates; separation distances; pedestrian realm and other considerations.

Midtown Planning Initiative – Midtown in Focus Study

On July 21, 2012, City Council established the Midtown Planning Group to create a proactive and comprehensive strategy for planning initiatives in the Yonge-Eglinton area of Midtown. The Midtown Planning Group consists of the three local councillors, representatives of local residents associations and City staff from both the North York and the Toronto and East York Districts.

A main issue identified by the Group is the need for public realm improvements in the area, particularly in the Yonge-Eglinton Centre which is experiencing high levels of growth through redevelopment.

The City initiated the "Midtown in Focus" study, a parks, open space and streetscape master plan study for the area. The study area is generally within the Urban Growth Centre identified in the Yonge-Eglinton Secondary Plan area but also includes streets and open spaces at the edge of the Centre. The study has been a public process with information meetings and on-line postings of the consultant's findings and recommendations.

The Midtown in Focus Parks, Open Space and Streetscape Plan is a master plan for the public realm. It establishes a comprehensive vision and a flexible, phased implementation strategy for improving the parks, open spaces and streetscapes to create a high quality public realm for the Yonge-Eglinton study area. The plan is responsive not only to current community needs but also to anticipated growth and change.

Midtown in Focus is the blueprint for creating more liveable, walkable and memorable public spaces within Midtown at Yonge and Eglinton. It will act as a guide for public open space initiatives in the study area and will inform developers of the City's expectations with respect to the design and construction of parks, open spaces and streetscapes. The staff report presenting the recommendations of the Midtown in Focus Parks, Open Space and Streetscape Plan will be submitted to Planning and Growth Management Committee at its meeting of August 7, 2014.

The subject site with frontages on Roehampton and Redpath Avenues is located within the Midtown study area. As a result, the proposal has been considered within the context of the study to ensure that proposed development is consistent with the public and private open space objectives that are identified.

Of particular relevance to the proposed development are the Midtown in Focus recommendations regarding "Redpath Revisited." The study considers Redpath Avenue, particularly in the block north of Eglinton Avenue East to Roehampton Avenue, as a street that is well-positioned within Midtown to provide a new form of active neighbourhood street. Through new design, Redpath Avenue could be a street that serves a multiplicity of community needs by harmonizing cars, people and neighbourhood activities.

Up-to-date plans, drawings and recommendations are posted at www.midtowninfoocus.com.

Zoning

The site is zoned R2 Z2.0 under By-law 438-86. That classification permits a range of residential uses including detached and semi-detached houses, row houses and apartment buildings built to a total density of 2.0 times the lot area. The height restriction is 38 metres. (refer to Attachment 6: Zoning).

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007), which established Chapter 667 of the City's Municipal Code, is one of the tools which implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of housing units without a permit issued by the City under Section 111 of the *City of Toronto Act*. Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law amendment require a decision by City Council under Section 111 of the *City of Toronto Act*.

Under Chapter 667 a building or related group of buildings containing one or more rental units, where there are a total of six or more dwelling units, is defined as a Residential Rental Property and a rental housing demolition application is required to be filed "without delay" when there is a related planning application to the City. Failure to submit an application, the knowing provision of false or misleading information, or interference with a tenant's reasonable enjoyment of a rental unit is an offence under this chapter and may be subject to penalty.

Council may refuse an application or approve the demolition with conditions which typically involve the replacement of rental housing and assistance to any tenants affected by the proposed demolition, before a Section 111 permit is issued. The conditions are based on the Official Plan policies and established practices the City has in place when considering rental housing demolition. Approval of related planning applications, such as a zoning by-law amendment, should be conditional upon the applicant receiving a Section 111 permit.

If the demolition of rental housing is approved under Municipal Code 667, approval to issue a demolition permit for residential buildings under Municipal Code 363 and Section 33 of the *Planning Act* is also required. The by-law provides for the co-ordination of these approvals and issuance of the permit. Typically, City Council receives a joint report on the related planning applications as well as the application under Municipal Code 667 so that the decisions on demolition and redevelopment may be made at the same meeting. Unlike *Planning Act* applications, City Council decisions to approve or refuse rental housing demolitions under Section 111 of the *City of Toronto Act* are not subject to any appeal to the Ontario Municipal Board.

Site Plan Control

This application is subject to site plan control. An application has been submitted and circulated for review.

Reasons for Application

The applicant is requesting to amend the provisions of By-law 438-86 to permit the proposed building height of 120.5 metres (to the top of the mechanical penthouse) and a density of 10.8 times the lot area. Other areas of non-compliance (i.e. parking, setbacks, landscaped open space) have been determined by Toronto Building through their zoning review of the application.

Community Consultation

A community consultation meeting was held on June 20, 2013 at St Monica Catholic School and attended by approximately 60 residents and other interested parties.

In addition to resident concerns with respect to the amount of construction currently underway and the number of redevelopment applications under review in the Yonge-Eglinton apartment neighbourhood, specific concerns with the proposal expressed at the meeting or raised in written submissions to the Planning Division included the following:

- Height of the tower - 36 storeys (originally proposed overall height) was considered too tall;
- Height of the base - 8 storeys (originally proposed base height) was considered too tall;
- Lack of a drop-off area;
- Lack of a safe loading area which allows for access to and exit from the site in a forward motion of loading vehicles and garbage trucks;
- Minimal green space in the plan;
- Overall density - 11.6 times the lot area (originally proposed density) was too dense; and
- 254 parking spaces for 470 units (original number of units and parking spaces) was insufficient.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. In particular, this application complies with the policies of the PPS that support intensification and require new development to be directed to appropriate locations for growth as set out in municipal Official Plans.

Policy 1.4.3 requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents by, among other means, facilitating all forms of residential intensification and redevelopment and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of public transit.

Policy 1.6.5.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and supports the development of viable choices and plans for public transit and other alternative transportation modes.

The proposed development complies with the above policies and other relevant policies of the Provincial Policy Statement and Plans by: intensifying the residential use of the site while incorporating the replacement of the existing rental housing within the new apartment building; making efficient use of existing infrastructure; and by being within a short walk to the Yonge-Eglinton subway station, other surface TTC public transit routes and the planned Eglinton Crosstown LRT.

The proposal also conforms to the policies of the Provincial Growth Plan. The Growth Plan promotes increasing intensification of the existing built-up area with a focus on areas of the City such as major transit station areas.

Land Use

The proposed uses, a residential building with a small neighbourhood café and a retail store catering to local needs, are permitted uses within the *Apartment Neighborhood* designation of the Official Plan. The Official Plan permits, "small-scale retail, service and office uses that serve the needs of area residents."

Density, Height, Massing

The site is located within an *Apartment Neighbourhood* which is comprised of rental and condominium apartment buildings that range in height from 3 and 4 storeys to 35 storeys. Many of these existing buildings exceed the permitted density of 2.0 times their lot area.

The proposed development has been revised to respond to resident and staff concerns with respect to the 36-storey overall height and the 8-storey base. The revised proposal is comprised of a 28-storey tower on top of a 6-storey base for a total height of 34 storeys.

The site is located within the Yonge-Eglinton Urban Growth Centre. Growth is to be directed to Urban Growth Centres which are typically well situated with respect to public transit and walk or cycle-to-work, to entertainment and to service opportunities. Of the expected higher density and height proposals which are to be directed to the Yonge-Eglinton Urban Growth Centre, the highest heights and densities are in the *Mixed Use Area 'A'* located at the 4 quadrants of the Yonge Street and Eglinton Avenue intersection. Heights and densities are to transition down going east within *Mixed Use Area 'B'*.

The proposed development is located immediately outside of but abuts Mixed Use Area 'A.' At 34 storeys in height and a density of 10.8 times its lot area, the proposed development provides a transition down from the UGC height and density peak at the intersection of Yonge Street and Eglinton Avenue and is generally within the range of existing, approved and under-construction heights and densities in the area.

The proposed 6-storey building base with 3 metre setbacks above the fifth floor on Redpath Avenue provides a more pedestrian-sensitive scale. The building base is discussed in detail under the Tall Building Design Guidelines section of this report.

Sun, Shadow and Wind

The Official Plan requires that new development in Apartment Neighbourhoods is to be located to "adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes."

The site does not abut a *Neighbourhoods* designated area. There are no *Neighbourhoods Areas* within the shadow and wind impact range of this proposed development.

Staff agree with the applicant's shadow study that concluded that all shadow cast by the proposed development will fall within the immediate *Apartment Neighbourhood* in which the site is located (and not a *Neighbourhoods* designated area). Shadowing from taller buildings is generally expected to occur within *Apartment Neighbourhoods*. Due to the approximately 800 m² average tower floorplate size, the shadow of the proposed building would move more quickly across neighbouring buildings than does the shadow of the existing 'slab' buildings in the neighbourhood.

There will be no shadowing impact on the Redpath Avenue Parkette.

The applicant has provided a qualitative pedestrian-level wind assessment (researched and written by the applicant's consultants). The analysis concludes that the effect of the proposed building on local wind conditions will be generally acceptable for the intended use of areas such as sidewalks, the main building entrances and the ground-level amenity spaces surrounding the building. Some areas of the site will require coniferous or deciduous trees that maintain their leaves in the fall and winter to be planted and/or canopies and vertical windscreens along the walls of the building base to disperse wind downwash.

Access, Parking, Traffic Impact

All vehicular traffic (cars, loading, garbage) would access the site from Roehampton Avenue at the east end of the building. The below-grade garage and the loading area are accessed via an internal driveway from Roehampton Avenue which allows vehicles to exit the building in a forward manner. The proposed access location is considered acceptable by Development Engineering.

A total of 183 parking spaces are proposed to serve this development consisting of 156 spaces for residents, 3 car share spaces (which are the equivalent of 12 resident spaces) and 24 visitor spaces. Including the car-share reduction, the resultant resident parking supply is 183 spaces. All parking spaces will be located within a three-level underground parking garage.

The use of car-share spaces as a means to reduce the required residential parking is acceptable. Development Engineering staff have accepted the proposed overall parking supply.

With respect to visitor parking, the applicant's consultant indicated that the visitor parking deficiency can be accommodated at nearby off-street facilities. Development Engineering has accepted the consultant's inventory of available off-street parking and the proposed reduction in visitor parking supply.

The applicant's transportation consultant submitted a Traffic Impact Study with the rezoning application. The study concluded that the traffic associated with the proposed development can be accommodated on the local road system. Development Engineering staff reviewed the consultant's Traffic Impact Study and concluded that the traffic impacts resulting from the proposed development are acceptable.

City Council recently approved another development at the northeast corner of Yonge Street and Eglinton Avenue. A condition of site plan approval for the other development (2263 Yonge Street) required a new traffic signal at the intersection of Yonge Street, Roehampton Avenue and Orchard View Boulevard. The new signal was not included in the consultant's traffic analysis for the proposed development at 183 Roehampton Avenue, but Development Engineering advises that it will reduce the traffic impact of the proposed development on that intersection.

Servicing

The applicant has submitted a stormwater management report and site servicing plan and, a site grading and drainage plan in support of the proposed development. The Director of Development Engineering has reviewed these plans and determined that they are acceptable.

An application for the installation of new or re-use of existing service connections must be made to Toronto Water. The service connections within the public right-of-way shall be carried out by the City at the owner's cost. A separate permit is required to carry out any streetscaping works and works involving construction in, or occupancy of, the abutting public right-of-way.

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 subject site is in an area with 0-0.42 hectares of parkland per 1,000 people, which is in the lowest level. The site is in a parkland priority area per Alternative Rate Parkland Dedication By-law No. 1020-2010.

The application proposes 446 residential units on the 2,688 m² site. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.6267 hectares or 233% of the net site area. For sites less than 1 hectare in size, a cap of 10% for the residential portion of the development applies. In total, the parkland dedication requirement is 269 m².

The applicant was requested to satisfy the parkland dedication requirement by cash-in-lieu. This is appropriate as the parkland requirement is too small to be of a useable size. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Forestry

A tree removal application was received from the Applicant of this site for a permit to remove 17 private trees and 4 street trees in conjunction with the proposed development. The trees proposed for removal include 14 Norway Maples in fair to good condition ranging in size from 32 to 50cm diameter, as well as a 68cm diameter American Elm. The other 7 trees are a mix of trees including Siberian Elm, Manitoba Maple, Ironwood, Cherry, Japanese Lilac and Spruce.

The 14 Norway Maples comprise a significant group of trees which is unusual in South District outside of a City park. This development requires approval of the removal of these trees to proceed.

Urban Forestry staff inspected these trees and found that they are generally healthy and in good condition both structurally and botanically. They are spread across the centre of the assembled development property.

If City Council approves this project it will also be approving the request for tree removal. In accordance with *Section 813-20 of City of Toronto Municipal Code Chapter 813, Trees, Article II and Article III*, approval must be conditional upon the provision of satisfactory replacement planting. As the this grouping of trees (the Norway Maples) is a significant component of the Urban Forest canopy in this area, it is appropriate to use a higher replacement ratio than the standard 3:1. A replacement ratio doubling the planting of new trees would not replace the canopy but would initiate a significant start to the replacement of this important City infrastructure.

The General Manager of Parks, Forestry and Recreation recommends that: the tree replacement requirement for the significant canopy grouping of Norway Maples to be 6:1 (78) 70mm caliper trees to be planted to his satisfaction.

Public Art and Privately Owned Publicly Accessible Open Space

Section 2.21 of the Yonge-Eglinton Secondary Plan establishes, as objectives of redevelopment, to seek opportunities for the provision of public art and to work with private land owners to supplement the supply of City-owned parkland by, allowing public access to other types of open spaces.

This application proposes public art at the northwest corner of the development as a fully-visible-to-the-street feature piece either within or outside the building. The public art feature will be designed according to the City's Public Art Program and Guidelines and will be secured under Section 37 of the Planning Act.

This application also proposes a café/retail area as a continuation of the local retail shops to the south on Redpath Avenue. The café is recessed into the building allowing an approximately 116 m² publicly accessible open space which is comprised of café seating and a public "child friendly" open space. If the applicant is unable to lease a dedicated portion of the ground floor for café purposes, the floor area will revert to residential use (indoor amenity space) and the outdoor seating and children's play area will be used as privately owned, publicly accessible open space. Sections 9, 10 and 11 of the attached draft by-law reflect this flexibility.

Toronto Green Standard

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

The applicant is required to meet Tier 1 of the TGS. Applicable TGS performance measures will be secured through the Site Plan Approval process.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the required parkland dedication, public art, streetscape improvements on the public boulevard not abutting the site, purpose-built rental housing with mid-range or affordable rents and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon subject to the policies of Chapter 5 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including at minimum, an appropriate geographic relationship and the addressing of planning issues associated with the development (e.g. local shortage of parkland and open space, and public art).

Section 2.21 of the Yonge-Eglinton Secondary Plan sets out, as an objective, to provide open space and to improve the distribution and supply of parks within the Yonge-Eglinton Secondary Plan area by (among other methods) pursuing opportunities arising from development applications to secure and develop new parkland and to improve existing parkland through the use of planning tools such as land dedications, cash-in-lieu, and Section 37 of the Planning Act.

The applicant agrees to a contribution of \$1,400,000.00 payable prior to the first above grade building permit. This sum is to be deposited to the Planning Act Reserve Fund and is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment. The funds will be secured in the Section 37 Agreement entered into with the owner and may be used for the capital construction of, or the capital improvements to one or more of the following at the discretion of the City as determined by the Chief Planner and Executive Director in consultation with the Ward Councillor as follows:

1. \$700,000.00 to be used for improvements to Redpath Avenue Parkette and/or other local parks or for the acquisition, design and construction of new parkland to be added to Redpath Avenue Parkette or the development of new parks within the area; and
2. \$700,000.00 for public art to be designed and constructed on the site at 183 – 195 Roehampton Avenue and 139 – 145 Redpath Avenue in accordance with the 'Percent for Public Art Program and Guidelines'.

Design Review Panel

City Planning and Urban Design staff and the applicant's architect presented the proposal to the Design Review Panel at its meeting of April 25, 2013. The panel voted in favour of redesign of the proposed building but commended the developer's design team for a "creative design that evokes elegant living." Some of the Panel's recommendations for refinements, and the applicant's response, included the:

- i) Respect the height transition and adjust height to fit its context. The applicant has lowered the overall height from 36 storeys to 34 storeys;
- ii) Lower the height of the base building. The applicant has reduced the base height from 8 to 6 storeys with a 3 metre stepback above the fifth floor facing Redpath Avenue;
- iii) Develop the hedge concept to be more porous/accessible and less isolated. The applicant has deleted the tall cedar hedge that concealed much of the first floor from the street on the Roehampton and Redpath Avenue frontages. Ornamental trees and other (lower) plantings are proposed and will be included in landscape drawings with the site plan submission; and
- iv) Combine parking and service access to reduce curb cuts while improving visibility of truck access at the sidewalk. The applicant has redesigned the vehicular access so all vehicles (automobiles and garbage and loading vehicles) use a common access/egress and no vehicles need to back across the public sidewalk.

City-Wide Tall Building Design Guidelines

The Tall Building Design Guidelines provide design recommendations for proposed tall buildings on issues of transition, building placement and orientation, entrances, massing of base buildings, tower floor plate sizes, tower setbacks and separation distances and pedestrian realm considerations. The intent of the Guidelines has been met through the design of the proposed buildings as follows:

1. Transition in Scale

Section 3.1.2(3b) of the Official Plan recommends that new developments be massed to fit harmoniously into their existing or planned context and limit their impacts on neighbouring streets, parks, buildings and open space by creating appropriate transitions in scale to neighbouring and existing buildings. The Official Plan indicates that transition may be achieved through various methods. Methods include the use of angular planes, stepping of heights, location and orientation of the building and the use of setbacks and stepbacks of the building mass.

For a proposed development with a tall building on a site that is within an identified growth area, the Design Guidelines indicate that proposed buildings are to be progressively lower in height than those buildings located in a Centre's focal point of development intensity and highest order transit. In the Yonge-Eglinton Urban Growth Centre (in which this site is located), the focal point of development intensity is at the intersection of Yonge Street and Eglinton Avenue.

The Design Guidelines also indicate that where a tall building is proposed in a growth area and surrounded by other tall buildings of consistent height, the height and scale of the proposed tower is to relate to the existing context.

The proposed 34-storey building is 24 storeys lower than the 58-storey tower approved at the northeast corner of Yonge Street and Eglinton Avenue, which is the height peak for the Yonge-Eglinton Urban Growth Centre.

In addition to being within an Urban Growth Centre, the site is designated *Apartment Neighbourhoods* and is surrounded by other tall buildings. Within 3 blocks of the site and within the Urban Growth Centre (not including the height peak at Yonge and Eglinton) there are existing or approved buildings of 20, 21, 24, 27, 30, 32, 34 and 36 storeys.

At 34 storeys, the height of the proposed building is within its local context and within the intent of the transition policies of the Tall Building Design Guidelines.

2. Tall Building Address (Entrance)

Section 3.3.2(1b, c) of the Official Plan directs new development to locate a building's main entrance so that it is clearly visible and directly accessible to the public sidewalk. The Official Plan also directs new development to have ground floor uses that have views to and, when possible, access to adjacent streets, parks and open spaces.

The Design Guidelines require that proposed tall buildings:

- are organized to use existing or new public streets for address and building entrances; and
- locate primary building entrances that are well-designed, clearly visible, and universally accessible from the adjacent public sidewalk to front onto public streets.

The proposed building is on a corner lot. It has two main entrances, one per frontage (Roehampton and Redpath Avenue). The entrances are universally accessible and are emphasized with over-sized (6.0 metres high) doors, hard and soft landscape elements and interior and exterior lighting.

3. Scale of the Base Building

Section 3.1.3(1a) of the Official Plan requires base buildings of tall buildings to be of an appropriate scale with adjacent streets and open spaces. The Official Plan also requires that base buildings (podiums) integrate well with the scale of adjacent building bases and minimize the impact of parking and service uses.

The Design Guidelines indicate that the building base is to be designed to fit harmoniously within the existing context of neighbouring building heights at the street and to respect the scale and proportion of adjacent streets, parks and public or private open space.

To achieve this objective (in the absence of a consistent streetwall), the Design Guidelines recommend:

- a minimum base building height between 10.5 metres and 80% of the adjacent street right-of-way width (up to a limit of 24 metres);

- additional base building height may be appropriate with a stepback of at least 3 metres provided that the total base height does not exceed 100% of the adjacent street right-of-way width (again to a limit of 24 metres);
- on corner sites, the base height should be varied to respect and respond to the height, scale and built-form character of the existing context on both streets; and
- frame publicly accessible and shared, private open spaces with a well-proportioned base building.

The proposed development has a 6-storey base in an 'H-shaped' configuration comprised of a single-loaded bar building oriented in an east-west direction along the Roehampton Avenue and connected to a second single-loaded east-west bar building by a double-loaded central area oriented north-south. The single-loaded design and orientation of the base building allows main living room windows of the base building units to face out from the site (away from each other) to maintain privacy.

The base of the proposed development has been designed to meet the intent of the base building recommendations of the Design Guidelines. The site is located in an *Apartment Neighbourhood* where no consistent streetwall generally exists. The proposed building base provides a 3 metre stepback on Redpath Avenue and a 1.8 metre stepback on Roehampton Avenue above the fifth storey. Although the base building marginally exceeds the maximum height recommended in the Design Guidelines, the additional proposed base height, in conjunction with the stepbacks above the fifth floor meets the intent of the Design Guidelines.

The proposed base with two wings on the north and south ends of the building and a 3 metre stepback on Redpath Avenue frames the publicly accessible, privately owned open space in front of the proposed café.

4. Tall Buildings Floor Plates

Section 3.1.3(1b) of the Official Plan requires that new development be designed with a floor plate size and shape that has appropriate dimensions for the site and is oriented on its site and on top of its base building to allow it to fit harmoniously into its existing and/or planned context.

The Design Guidelines encourage properly located, thin tower floor plates (with a maximum area of 750 m² excluding balconies). Floor plates of that size result in towers that cast thinner, faster moving shadows and may improve sky views if appropriate tower setbacks are provided. The Design Guidelines indicate that for residential tower floor plates larger than 750 m² in area, attention to the shape and articulation of the tower can diminish the overall scale and impact of the building mass.

The average proposed tower floor plate of 800 m² of the proposed development marginally exceeds the maximum recommended by the Design Guidelines. To compensate, the tower design has been articulated through the use of shifting volumes created by irregular balcony placement (refer to Attachments 2, 3, 4 & 5: Elevations). Volume change in the tower shaft and the inclusion of coloured glass panels on intervening floors create architectural interest and serve

to break up the tower is mass. Given these measures, staff consider that the proposed average tower floorplate of approximately 800 m² meets the intent of the Design Guidelines.

5. Separation Distances

Section 3.1.2(3)(d) of the Official Plan requires that tall buildings be massed and designed to fit harmoniously into their existing and/or planned context and limit their impact on neighbouring streets, parks and open spaces and properties by providing adequate light and privacy and other means.

The Design Guidelines recommend a minimum separation distance of 25 metres between residential towers to provide adequate privacy and natural light into new towers on the same site or into new towers and existing towers off site. With respect to the separation between proposed towers and potential tower sites, the Design Guidelines recommend setbacks of 12.5 metres (half the 25 metre separation distance) on either side of the lot line.

The proposed tower complies with the Design Guidelines recommendations and is set back 17.9 metres from the east property line and 12.5 metres from the south property line.

6. Pedestrian Realm, Streetscape and Landscape Design

Section 3.1.2(5a, b, d) of the Official Plan requires that new development will add to the use and aesthetics of the streetscape by providing hard and soft landscape improvements to make the pedestrian realm attractive, interesting, comfortable and functional for pedestrians by providing improvements to adjacent boulevards and sidewalks including street trees and other landscape plantings, lighting and other street furniture and public art (where the developer agrees to do so).

The Design Guidelines recommend that the proposed building provide high-quality, sustainable streetscape and landscape design between the tall building and adjacent streets, parks and open spaces. The Guidelines also recommend that adequate (landscaped) space between the front of the building and adjacent street curbs (the Sidewalk Zone) to safely and comfortably accommodate pedestrian movement, streetscape elements and activities related to the uses at grade. A sidewalk zone of a minimum width of 6 metres is recommended.

The Redpath and the Roehampton Avenue street frontages of the proposed building provide sidewalk zones of up to 13.0 and 9.5 metres (respectively) in width with a combination of hard and soft landscaping materials including stone pavers, ornamental trees, shrubs and lower plantings at grade. In addition to the landscaped open space at grade, the outdoor amenity area on the roof of the sixth floor consists of a swimming pool, hot tub, seating areas and fire pit. There is also a green roof area located on the roof of the sixth floor. Outdoor amenity and green roof areas amount to approximately 473.05 m².

The Redpath Avenue frontage provides an approximately 145 square metre cut-out of the building at grade which is proposed to provide outdoor seating and children's play space in front of a proposed café/coffee shop which is located within a portion of the lobby of the building. The proposed café, outdoor seating and children's play area creates an area of privately owned publicly accessible open space in front of the building. A small retail store catering to local needs is also proposed to the south of the café.

A public art installation is also proposed in front of the café or at the corner of Redpath and Roehampton Avenues. The non-residential features (the café and related open space, and the retail store) and the public art would provide a further connection between the proposed building and the public realm.

The consultant's Midtown in Focus report suggests that Redpath Avenue should be established as a "shared street." A shared street is a street that is responsive to the daily fluctuation of a multiplicity of different users, promoting safe flow of vehicular traffic at peak hours and pedestrian/cyclist movement and seating and gathering at other times of the day.

The consultant's recommendations propose the continuation of, "active, intimately scaled retail frontages" that currently exist in the first half block of Redpath Avenue north or Eglinton Avenue East. The proposed café and associated outdoor spaces, and the retail store are ground floor retail uses at a scale that provides added activity and maintains neighbourhood quality as envisaged in the Midtown in Focus Public Realm Master Plan.

Rental Housing Demolition

Staff were recently made aware that some of the 11 existing dwelling units identified in the development proposal were rental units. A Rental Housing Demolition Application under Chapter 667, pursuant to Section 111 of the City of Toronto Act was filed on May 27, 2014.

Investigation by City staff identified a total of 14 dwelling units on the proposed development site. A site visit and additional information submitted by the applicant confirmed a maximum 5 of the 14 dwelling units were used as residential rental units for a significant period of time prior to the development application. All of the rental units are currently vacant. Information submitted by the applicant indicates that 4 of 5 tenancies were terminated prior to submission of the development application. Staff have no information on the circumstances of the tenancy in the remaining unit.

The existing related group of buildings contains 14 dwelling units, but only a maximum of 5 are rental. The City of Toronto's Official Plan policies on the replacement of rental housing do not apply in situations such as this where an applicant is proposing to demolish fewer than 6 rental units. Though the Official Plan policy is to seek a mix of housing, including by tenure and affordability, the applicant is proposing to provide all of the 446 housing units as condominium. While a permit under Chapter 667 of the Municipal Code is required as there are more than 6 dwelling units, the existing rental units are currently vacant and a Tenant Relocation and Assistance Plan as a condition of approval is not possible at this time.

The City's policy with applications involving demolition of rental housing is to maintain residential rental tenancies, and the buildings' occupancy, until such time as redevelopment has been approved. An important objective is to minimize the hardship of relocation to affected tenants, by the owner not prematurely vacating the units, and to provide appropriate tenant relocation assistance. When an applicant does not provide information on existing rental units at the beginning of the planning review process, maintain the rental tenancies, or submit an application for a Section 111 permit, staff are not able to inform existing tenants of the City

policy and practice, and an appropriate tenant relocation and assistance plan cannot be recommended.

Tenure

The proposed 446 residential units are proposed to be registered as a plan of residential condominium.

CONTACT

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E-mail: tburk@toronto.ca

Kirsten Stein, Policy Planner
(416) 392-8575
kstein@toronto.ca

SIGNATURE

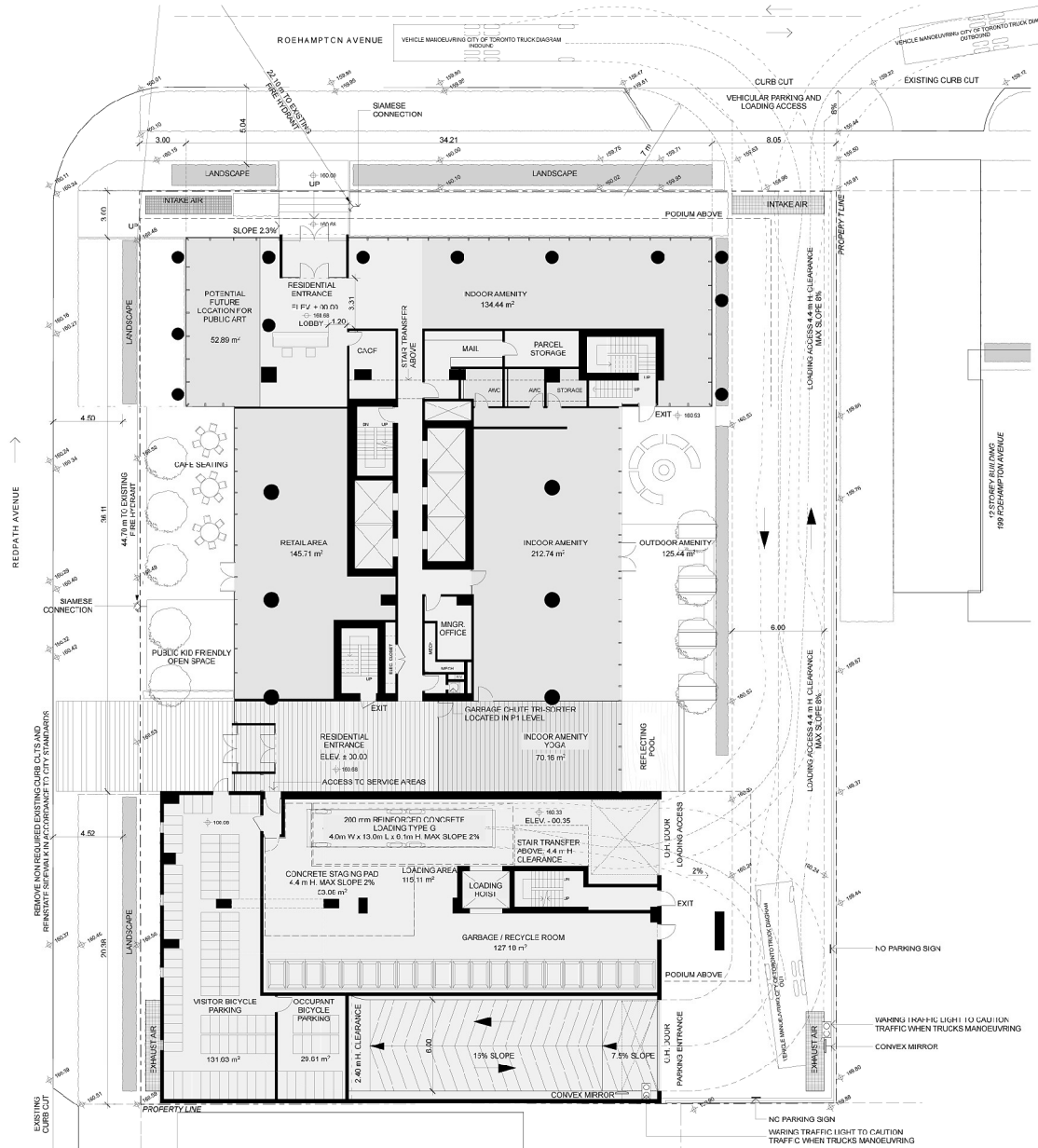
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: West Elevation
Attachment 4: South Elevation
Attachment 5: East Elevation
Attachment 6: Zoning
Attachment 7: Official Plan
Attachment 8: Yonge-Eglinton Secondary Plan
Attachment 9: Data Sheet
Attachment10: Draft Zoning By-law

Attachment 1: Site Plan



Site Plan

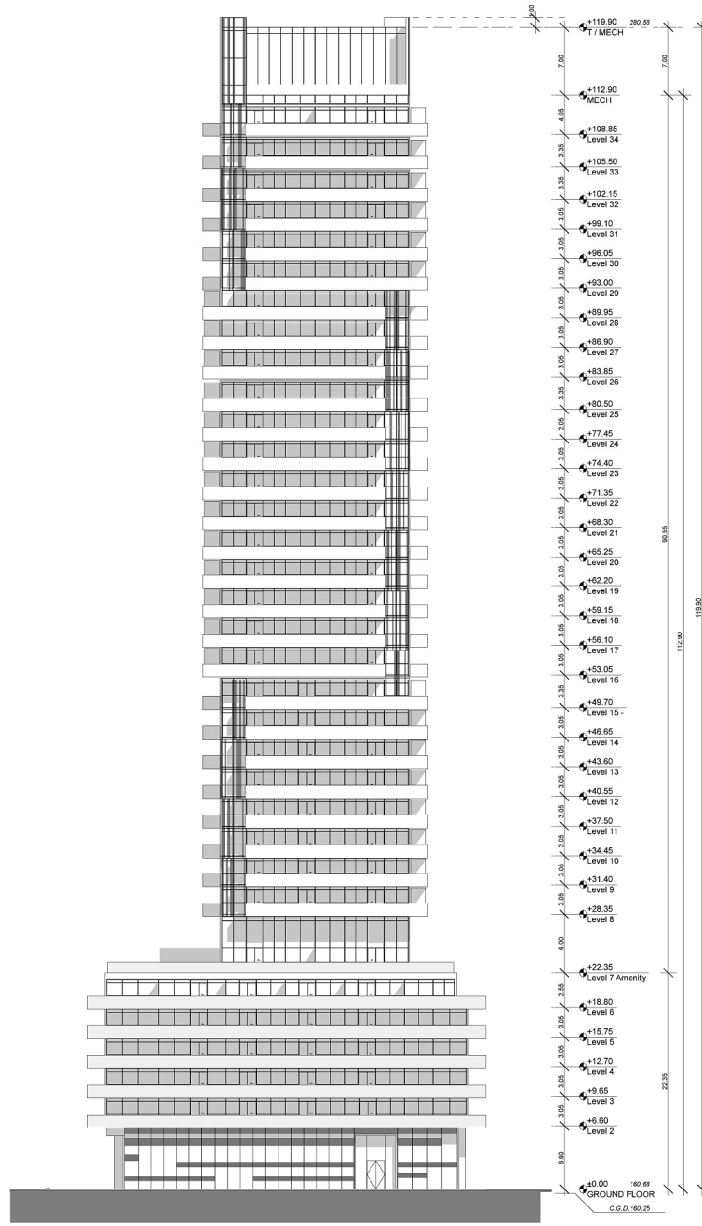
Applicant's Submitted Drawing

Not to Scale 05/08/2014

183-195 Roehampton Avenue and 139-145 Redpath Avenue

File # 13 128791 STE 22 0Z

Attachment 2: North Elevation



North Elevation

Elevations

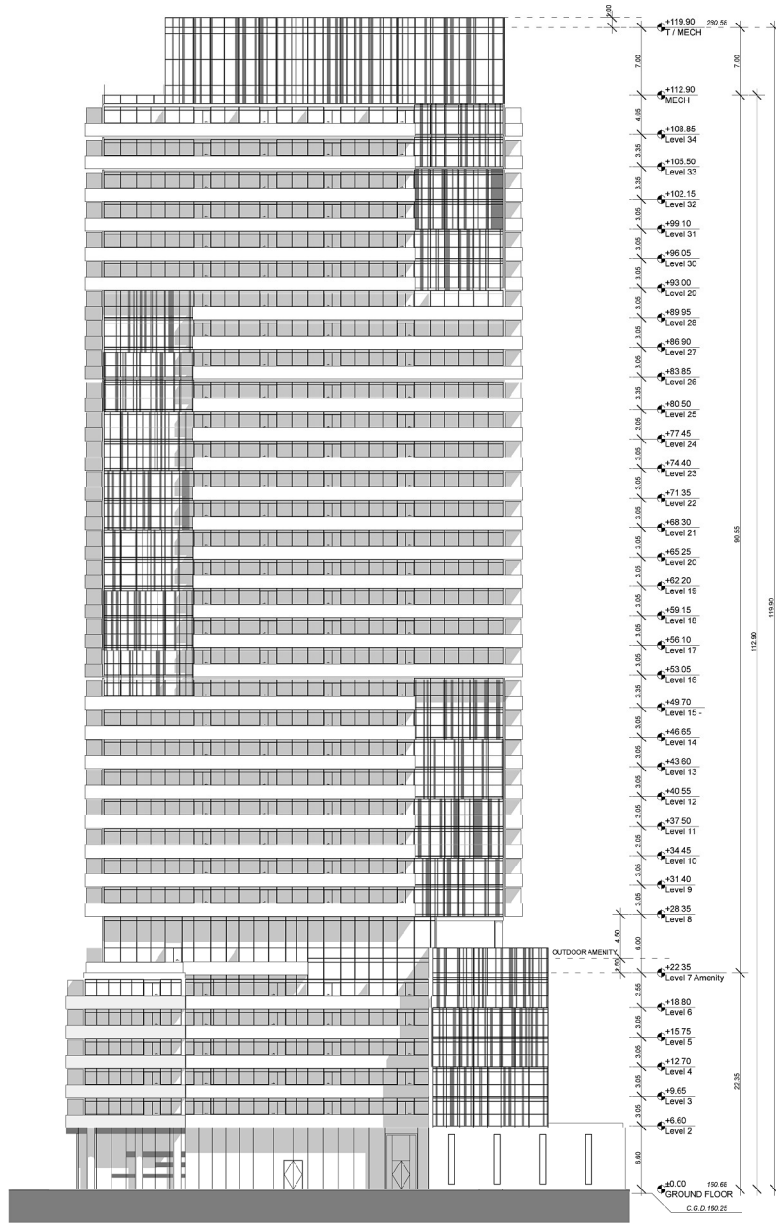
Applicant's Submitted Drawing

Not to Scale
05/08/2014

**183-195 Roehampton Avenue
and 139-145 Redpath Avenue**

File # 13 128791 STE 22 0Z

Attachment 3: West Elevation



West Elevation

Elevations

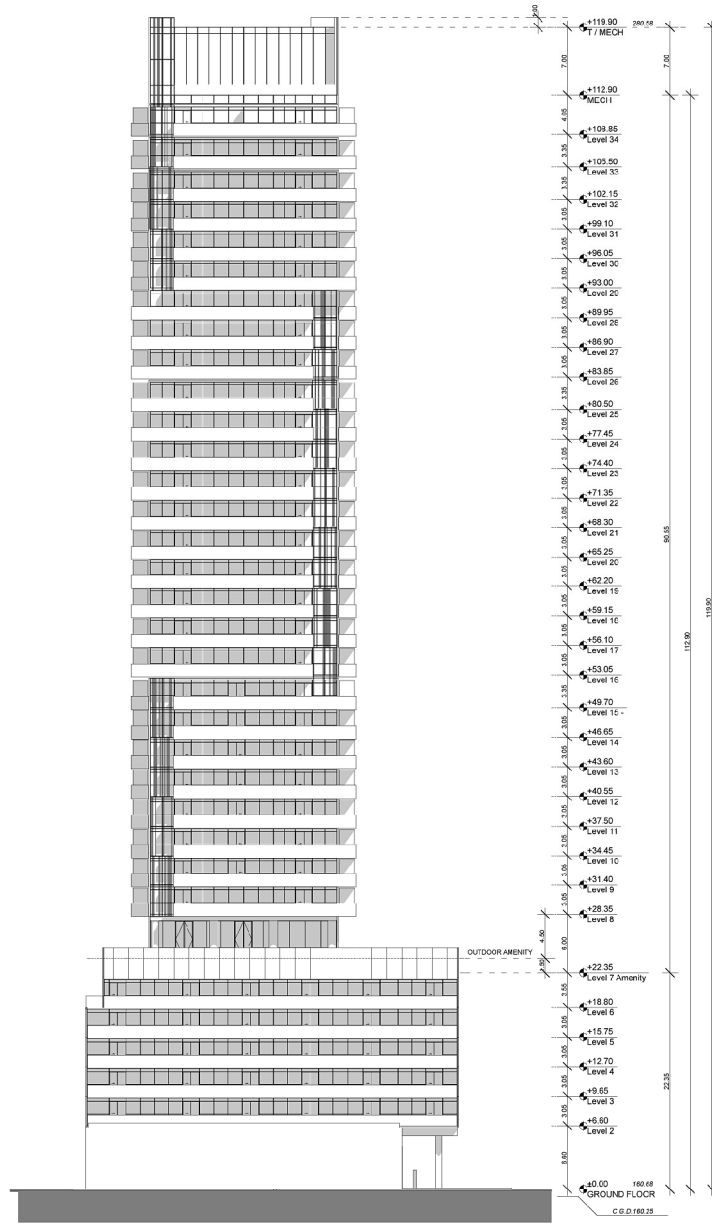
Applicant's Submitted Drawing

Not to Scale
05/08/2014

183-195 Roehampton Avenue
and 139-145 Redpath Avenue

File # 13 128791 STE 22 0Z

Attachment 4: South Elevation



South Elevation

Elevations

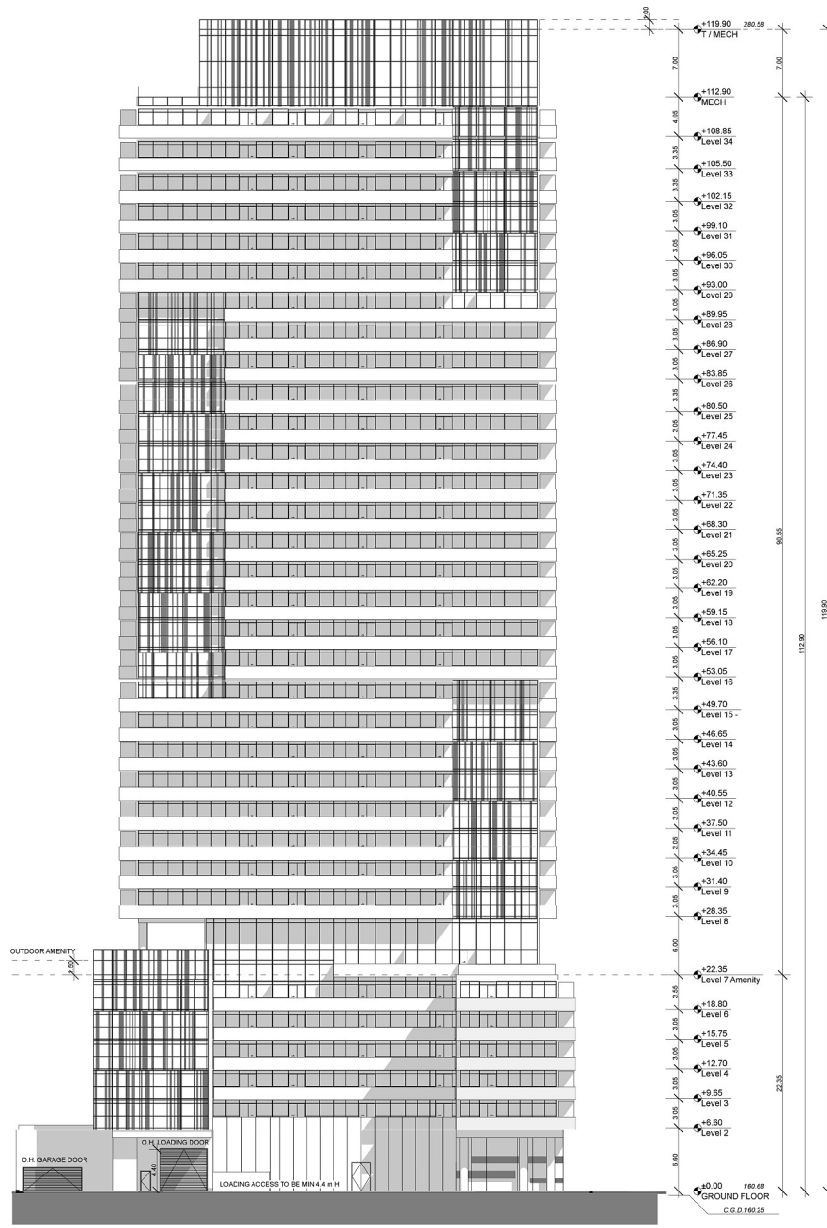
Applicant's Submitted Drawing

Not to Scale
05/08/2014

**183-195 Roehampton Avenue
and 139-145 Redpath Avenue**

File # 13 128791 STE 22 0Z

Attachment 5: East Elevation



East Elevation

Elevations

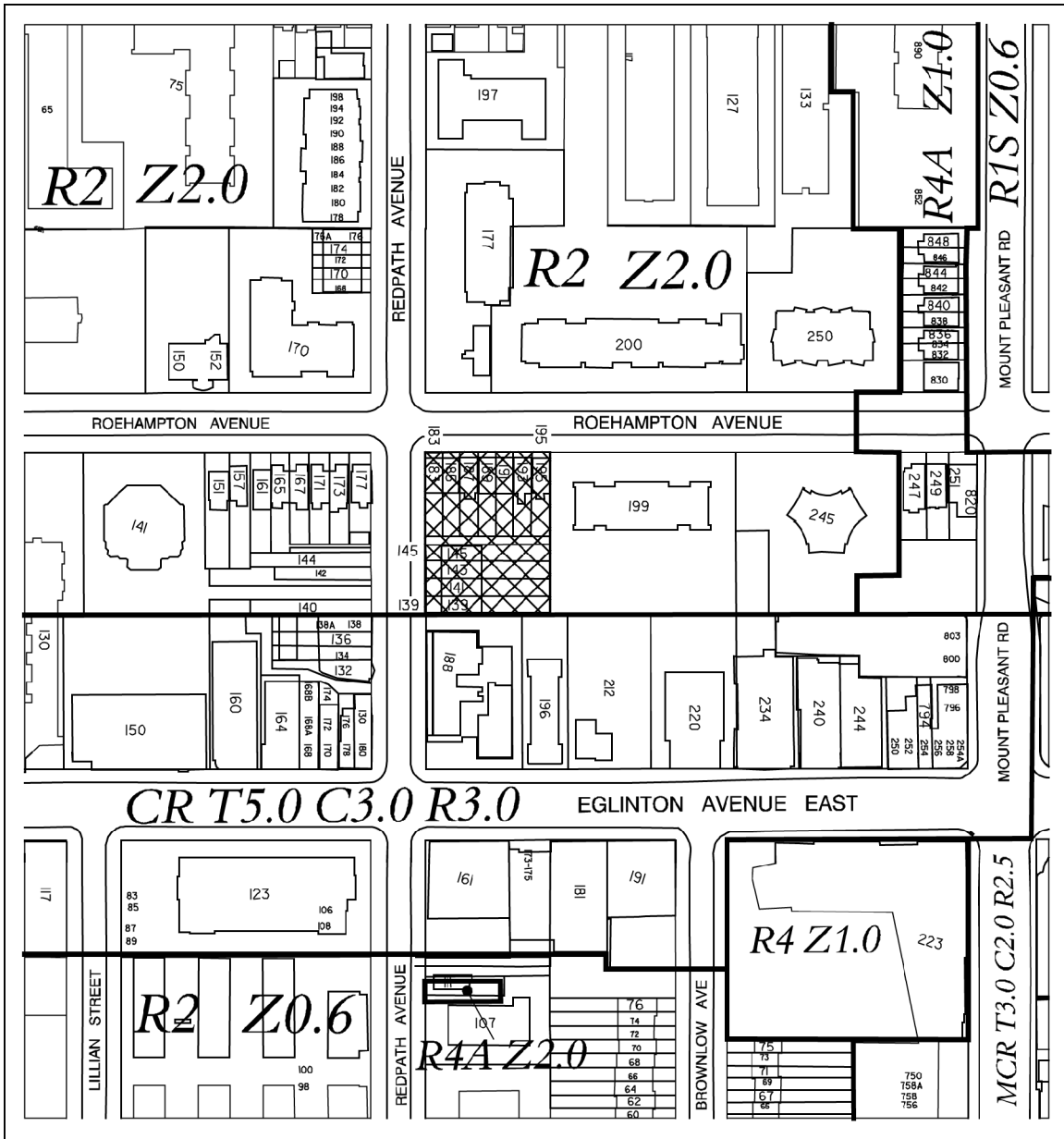
Applicant's Submitted Drawing

Not to Scale
05/08/2014

183-195 Roehampton Avenue
and 139-145 Redpath Avenue

File # 13 128791 STE 22 0Z

Attachment 6: Zoning



183-195 Roehampton Avenue and 139-145 Redpath Avenue

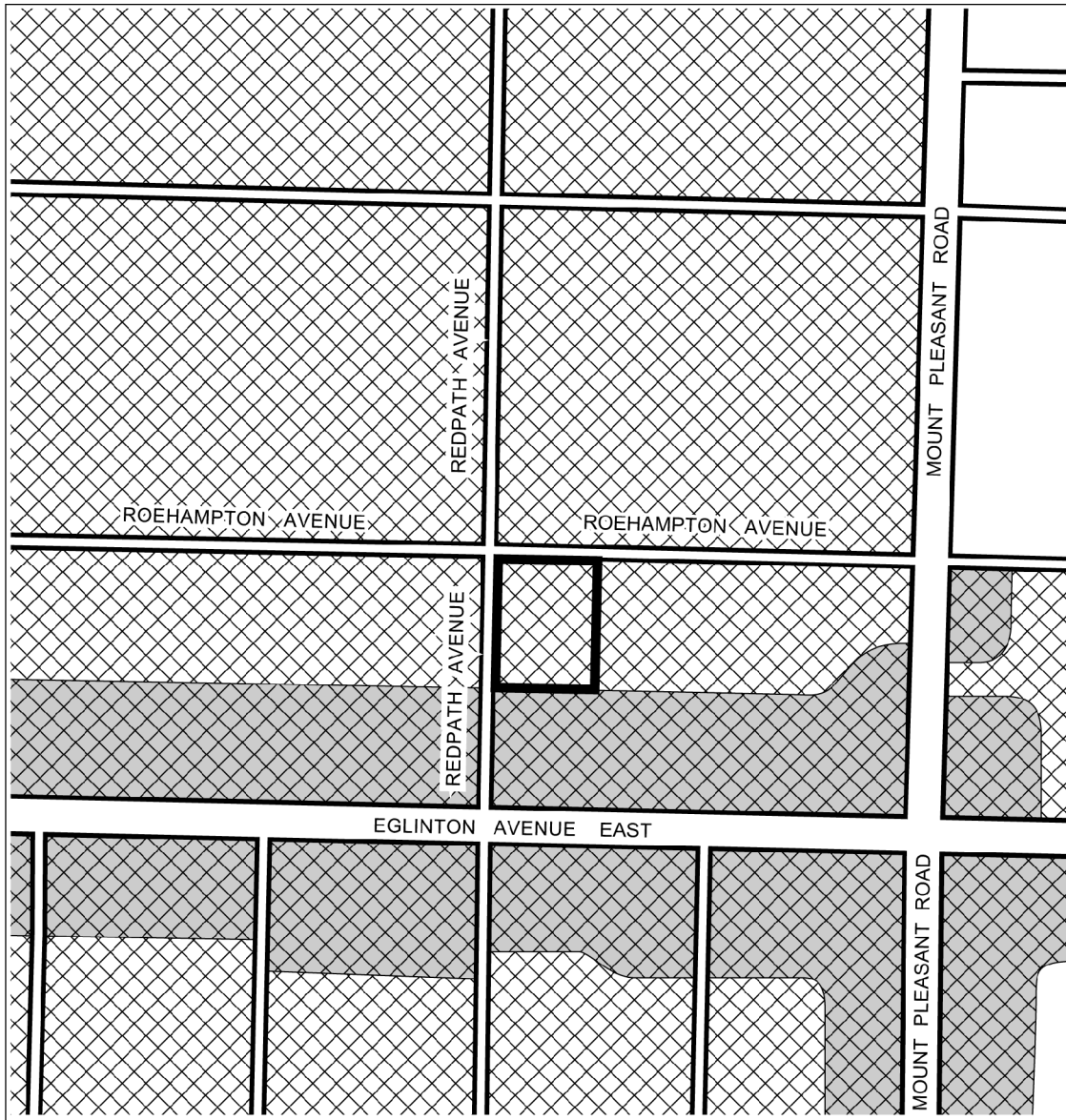
File # 13_128791_02

- | | |
|--------------------------|------------------------|
| R1S Residential District | CR Mixed-Use District |
| R2 Residential District | MCR Mixed-Use District |
| R4 Residential District | |
| R4A Residential District | |



Not to Scale
Zoning By-law 438-86 as amended
Extracted 04/08/2013

Attachment 7: Official Plan



TORONTO City Planning
Official Plan

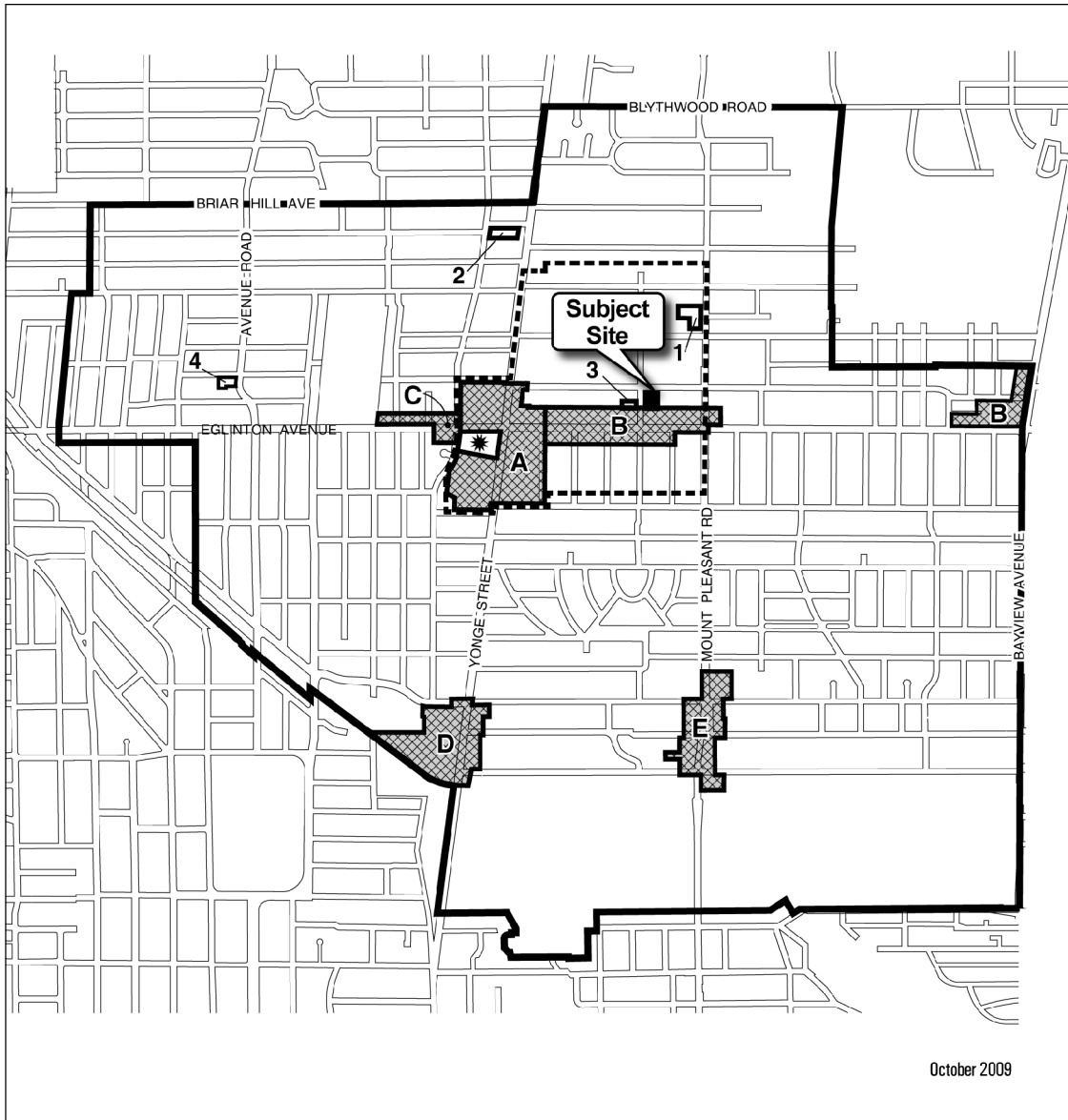
183-195 Roehampton and 139-145 Redpath Avenue

File # 13 128791 0Z



Not to Scale
 04/08/2013

Attachment 8: Yonge-Eglinton Secondary Plan



October 2009

TORONTO City Planning
Yonge-Eglinton Secondary Plan
 MAP 21-1 Land Use Plan

**183-195 Roehampton Avenue
 and 139-145 Redpath Avenue**
 File # 13_128791_0Z

- Site Location
- Secondary Plan Boundary
- YONGE- EGLINTON URBAN GROWTH CENTRE Boundary
- 1 Site and Area Specific Policies
- * Special Study Area
- Mixed Use Areas

Not to Scale
 04/08/13

Attachment 9: Data Sheet

Application Type	Rezoning	Application Number:	13 128791 STE 22 OZ
Details	Rezoning, Standard	Application Date:	March 6, 2013
Municipal Address:	183 ROEHAMPTON AVE		
Location Description:	PLAN 639 PT LOT 12 **GRID S2201		
Project Description:	Proposal for Zoning By-Law Amendment for (183-195 Roehampton Ave and 139-145 Redpath Ave) for a new 34-storey condominium tower consisting of 28,812.87 m2 of residential space with a total of 183 parking spaces including 3 car-share spaces below grade. See related Site Plan Control application No. 13-128786.		

Applicant:	Agent:	Architect:	Owner:
Sherman Brown		Architectsalliance	Red Roe Developments Limited

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:	R2 Z2.0	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	2688	Height:	Storeys:	34
Frontage (m):	45.24		Metres:	120.5
Depth (m):	59.49			
Total Ground Floor Area (sq. m):	632.29			Total
Total Residential GFA (sq. m):	28,812.87		Parking Spaces:	183
Total Non-Residential GFA (sq. m):	146		Loading Docks	1
Total GFA (sq. m):	28,812.87			
Lot Coverage Ratio (%):	24			
Floor Space Index:	10.8			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	27
1 Bedroom:	301
2 Bedroom:	118
3 + Bedroom:	0
Total Units:	446

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	28,812.87	0
Retail GFA (sq. m):	146	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Tim Burkholder, Senior Planner
	TELEPHONE:	(416) 392-0412

Attachment 10: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 2014

Enacted by Council: ~, 2014

CITY OF TORONTO BY-LAW NO. xxx-2014

To amend Zoning By-law No. 438-86 of the former City of Toronto, as amended, with respect to the lands known as 183-195 Roehampton Avenue and 139-145 Redpath Avenue.

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, with respect to lands known municipally as 183 – 195 Roehampton Avenue & 139 – 145 Redpath Avenue; and

WHEREAS Council of the City of Toronto conducted a public meeting under Section 34 of the Planning Act regarding the proposed Zoning By-law amendment; and

WHEREAS the Council of the City of Toronto has determined to amend Zoning By-law No. 438-86, as amended, of the former City of Toronto;

The Council of the City of Toronto enacts:

1. Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the facilities, services and matters set out in Appendix 1 hereof, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*.
2. Upon execution and registration of an agreement or agreements with the *owner* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services and matters set out in Appendix 1 hereof, the *site* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirement.
3. Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the City pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered,

such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.

4. Except as otherwise provided herein, the provisions of *By-law No. 438-86* shall continue to apply to the *site*.
5. None of the provisions of Section 2(1) with respect to the definition of '*height*', '*grade*', '*lot*', '*sales office*', and '*bicycle parking space - visitor*' and Sections 4(2)(a), 4(4), 4(12), 4(16), 6(1), 6(2)8, 6(3) PART I 1, 6(3) PART II, 6(3) PART III, 12(2) 118 and 12(2) 119 of Zoning By-law No. 438-86, as amended, shall apply to prevent the erection and use of an '*apartment building*' with underground parking and, retail and restaurant floor area at grade on the *lot* shown delineated by heavy lines on Map 1 attached hereto, provided that all of the provisions of this By-law are complied with.
6. The *lot* on which the uses are located are comprised of the lands delineated by heavy lines on Map 1 attached to this By-law.
7. The *height* of each portion of the building or structure erected above *grade* within the *site*, shall in respect of the building envelope area, have a maximum *height* in metres as shown following the symbol H on the attached Map 2 for the corresponding building envelope area.
8. The preceding section of this By-law does not apply to prevent the erection or use above the *height* limits of those structural projections permitted to be outside a building envelope area by Section 12 hereof provided the restrictions set out therein are complied with.
9. The total combined *residential gross floor area* and *non-residential gross floor area* erected or used on the *lot* shall not exceed 29,070 square metres.
 - a) the *residential gross floor area* erected or used on the *lot* shall not exceed 29,070 square metres; and
 - b) the *non-residential gross floor area* erected or used on the *lot* shall not exceed 257 square metres.
10. The total number of *dwelling units* erected or used on the *lot* shall not exceed 446 units.
11. A *restaurant* shall be a permitted use within the *apartment building* on the *lot*.
12. A *retail store* with direct entry from Redpath Avenue and with window display of goods and advertising shall be a permitted use within the *apartment building* on the *lot*.

13. No part of any building or structure erected within the *lot* shall be located above *grade* otherwise than wholly within the building envelope as shown on Map 2, except for the type of structures listed in the column entitled “STRUCTURE” in the following chart, provided that the restrictions set out opposite the structure in the columns entitled “MAXIMUM PERMITTED PROJECTION” and “OTHER APPLICABLE QUALIFICATIONS” are complied with:

STRUCTURE	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
A. cornices, lighting fixtures, window washing equipment, vents, awnings, canopies, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, architectural features, railings, wheelchair ramps, underground garage ramps and their associated structures, underground garage stair enclosures, fences, retaining walls, terraces including terrace guards and dividers, planters, decorative screens, landscape and public art features and safety or wind protection, elements or structures on the roof of the building used for outside or open air recreation, green roof or safety or wind protection purposes	No restriction	Provided the height of such “STRUCTURE” is not greater than 2.0 metre above the height limits established in this By-law
B. balconies and balcony piers	Maximum 2.0 metre projection	Provided the height of the “STRUCTURE” is no higher than that portion of the building to which it is attached

14. *Parking spaces* shall be provided and maintained on the *lot* according to the following minimum requirements:
 - (a) a minimum of 156 *resident parking spaces*;
 - (b) a minimum of 24 *visitor parking spaces*; and
 - (c) a minimum of 3 *car-share parking spaces* (equivalent to 12 *resident parking spaces*).
15. Notwithstanding the definition of *bicycle parking space-visitor* in Section 2(1) of *By-law No. 438-86* as amended, *bicycle parking space-visitor* may be located within a secured room, enclosure or bicycle locker.
16. A minimum of 1.3 square metres of indoor *residential amenity space* per dwelling unit;
17. A minimum of 1.2 square metres of outdoor *residential amenity space* per dwelling unit;
18. A minimum of 13 percent of the area of the *lot* shall be provided as *landscaped open space*;
19. None of the provisions of *By-law 438-86* shall apply to prevent a temporary *sales office* on the lot as of the date of the passing of this *By-law*.
20. Pursuant to Section 37 of the *Planning Act* the *heights* and *density* of development permitted in the *By-law* are permitted subject to compliance with all of the conditions set out in this *By-law* including the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, to the City at the *owner's* expense and in accordance with and subject to the agreement referred to in Section 2 of this *By-law*.
21. Upon execution and registration of an agreement or agreements with the *owner* of the *lot* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in Appendix 1 hereof, the *lot* is subject to the provisions of this *By-law*, provided that in the event the said agreement(s) requires the provision of a facility, service or matter of the payment of any monetary contribution as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the owner has satisfied the said requirements.
22. Definitions

For the purpose of this *By-law*, the following expressions shall have the following meaning:

"bicycle parking space – visitor" shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles, and:

- (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres; and
- (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;

"car-share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or not be refundable;

"car-share parking space" means a *parking space* that is exclusively reserved and actively used for car-sharing;

"height" means the vertical distance between *grade* and the highest point of the building or structure;

"grade" means 160.25 metres Canadian Geodetic Datum; and

"lot" means those lands identified on Map 1 attached to this Bylaw.

"sales office" means a temporary building, structure, facility or trailer on the *lot* used for the purpose of the sale of *dwelling units* to be erected on the *lot*;

Each other word or expression, which is italicized in this by-law shall have the same meaning as each such word or expression as defined in *By-law No. 438-86*.

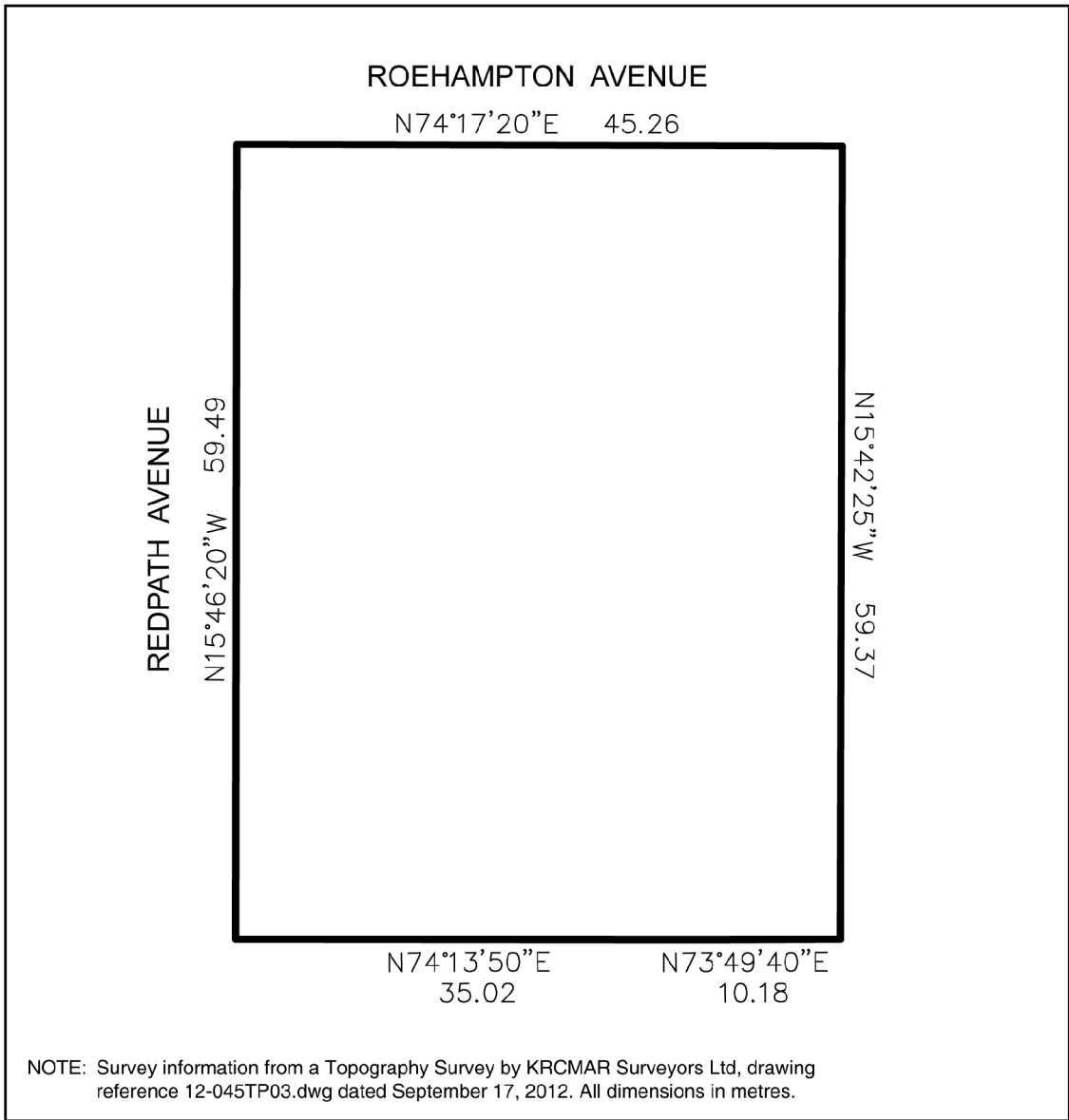
23. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.

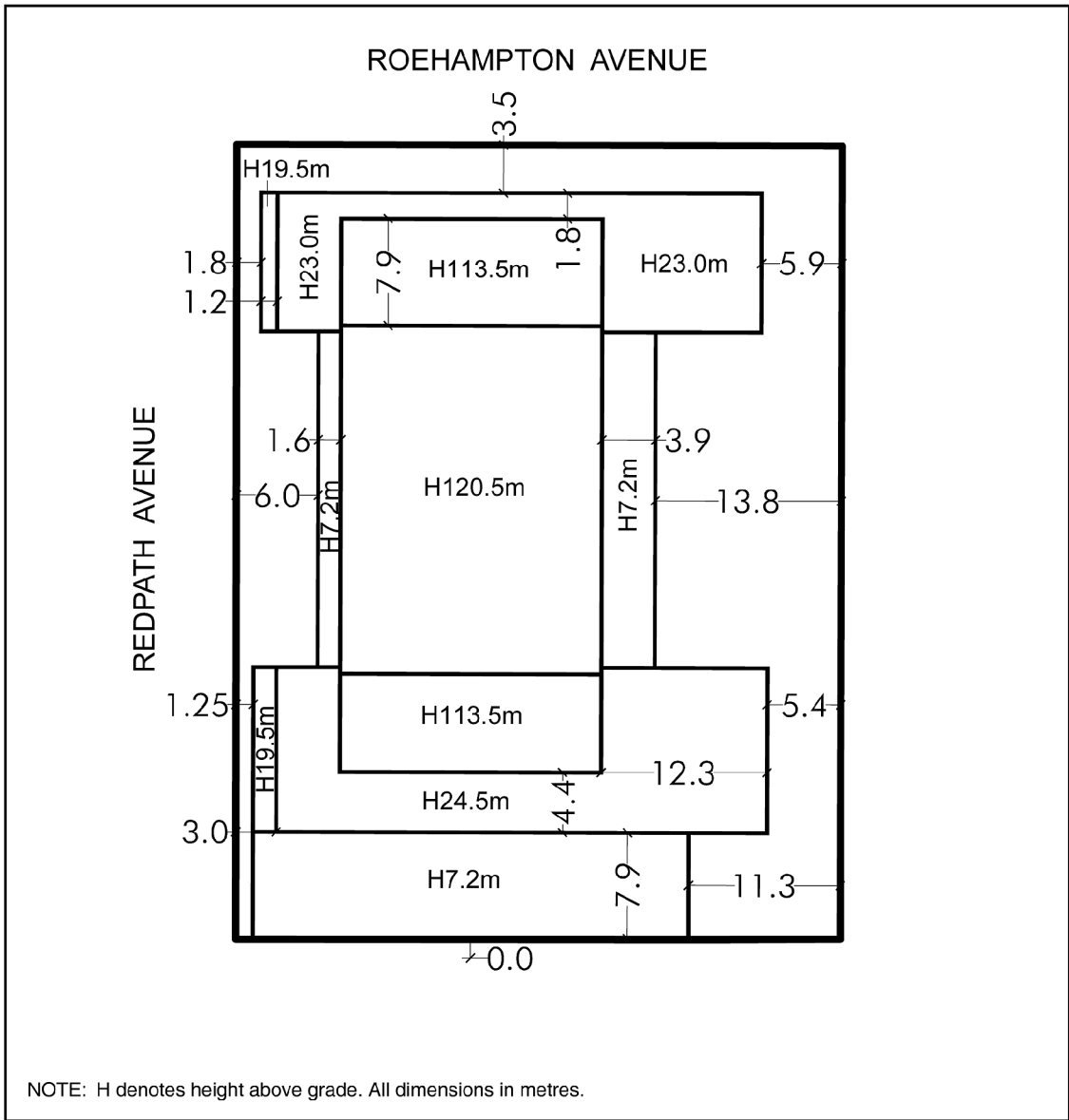
ENACTED AND PASSED this _____ day of _____, 2013.

Speaker

(Corporate Seal)

ULLI S. WATKISS
City Clerk





Appendix 1

Section 37 Provisions

1. The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *site* at its expense to the *City* in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* with conditions providing for indexing escalation of all financial contributions from the passage of the zoning by-law, no credit for development charges, indemnity, insurance, HST, termination and unwinding, and registration and priority of agreement whereby the *owner* shall agree as follows:
 - (a) contributions in the amount of \$1,400,000.00, payable prior to the first above-grade building permit to be applied as directed by the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor for the following local community improvement initiatives or towards other local area park or streetscape improvements, as appropriate:
 - (i) \$700,000.00 for improvements to Redpath Avenue Parkette and for the acquisition, design and construction of additional parklands which could potentially be a Redpath Avenue Parkette expansion or the development of other parkland in the area ; and
 - (ii) \$700,000.00 for public art to be designed and constructed on the site at 183 – 195 Roehampton Avenue and 139 – 145 Redpath Avenue in accordance with the 'Percent for Public Art Program and Guidelines.'

Such total amount is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

2. The owner shall enter into an agreement with the *City* pursuant to Section 37 of the *Planning Act*, to secure the provision of said facilities, services and matters, in a form satisfactory to the *City's* Solicitor as set forth in this Appendix 1 with conditions providing for indexed escalation of financial contributions, no credit for development charges, indemnity, insurance, HST, termination and unwinding, and registration and priority of the agreement.
3. the owner shall enter into an agreement with the *City*, prior to any building permit, to secure the implementation of appropriate local roadway improvements, at the Owner's expense, as may be required which address the potential traffic impacts of the proposed development to the satisfaction of the Director of Engineering and Construction Services, Toronto and East York District.

Notwithstanding the foregoing, the *owner* and the *City* may modify or amend the said agreement(s), from time to time and upon the consent of the *City* and the *owner*, without

further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.