17, 23 and 25 Lascelles Blvd.
Zoning Amendment Application – Final Report

<table>
<thead>
<tr>
<th>Date:</th>
<th>July 18, 2014</th>
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<tr>
<td>To:</td>
<td>Toronto and East York Community Council</td>
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<tr>
<td>From:</td>
<td>Director, Community Planning, Toronto and East York District</td>
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<tr>
<td>Wards:</td>
<td>Ward 22 – St. Paul's</td>
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<tr>
<td>Reference Number:</td>
<td>12 169750 STE 22 OZ</td>
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**SUMMARY**

This application proposes to amend the Zoning By-law to permit 10 three-storey townhouses between Brentdale Drive and Kilbarry Road, fronting on the east side of Lascelles Boulevard, at 17, 23 & 25 Lascelles Boulevard.

This proposed townhouse infill project is not permitted by the former City of Toronto Zoning By-law 438-86. Amendments to density and setback provisions are needed for both the proposed townhouses and the three existing apartment buildings on the site.

This report reviews and recommends approval of the application to amend the Zoning By-law.

**RECOMMENDATIONS**

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 17, 23 and 25 Lascelles Boulevard substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the report (July 18, 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 pursuant to Section 37 of the Planning Act as follows:

   a. The following matters are recommended to be secured in the Section 37 Agreement securing the benefits as follows:

      i. The securing of the rental tenure of the existing 627 units in the three buildings municipally known as 17, 23 and 25 Lascelles Boulevard for a minimum of 20 years, commencing from the date of Council's decision, with no applications for demolition, or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning Division (Chief Planner) and the City Solicitor;

      ii. The provision of site improvements with no cost pass-through to the tenants of the five rental buildings in the Brentwood Towers apartment complex, to include at least restoration and reinstalling of one of the existing main fountains and a section of the existing concrete water feature structure, restoration of the two elevated observation/seating decks and related staircases, improvements to the outdoor amenity space including permanent outdoor seating, barbecue station, construction of a landscaped walkway from Lascelles Boulevard through to the amenity area with the provision of wall mounted lighting and Privately Owned Publicly Accessible Spaces (POPS) directional signage, substantial mature tree planting in the outdoor amenity area, new sidewalks around the entire outdoor amenity area and townhouse development that provide safe access for tenants to all of their buildings and the outdoor amenity area;

      iii. The Owner shall provide, prior to the release of a building permit for the townhouse development, two new staircase connections down to the City's Beltline walkway on the north side of the property with no cost pass-through to any of the tenants of the Brentwood Towers apartment complex or the City relating to the construction or on-going maintenance costs, to the satisfaction of City Solicitor and the General Manager of Parks, Forestry and Recreation;

   b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
i. Landscaping improvements for the current open space areas shown on Plan A3 and dated May 2, 2014, as revised, that will remain a part of the existing Brentwood Towers apartment complex rental property;

ii. Prior to the issuance of the first building permit, the owner shall provide a Construction Mitigation Plan and Tenant Communication Plan to the satisfaction of the Chief Planner;

iii. The Owner provide, for tenants of the five rental buildings of the Brentwood Towers apartment complex a new walkway along a portion of an existing service roadway which provides one of the access points to surface visitor parking spaces, with improvements along the walkway including screened-in refuse containment structures, new apartment landscaped patios, new landscaped area, wall mounted security cameras and the relocation of 24 visitor surface parking spaces to the underutilized P1 level of the underground parking garage, all these improvements with no cost pass-through to the tenants of the Brentwood Towers apartment complex and to the satisfaction of the City Solicitor and the Chief Planner;

iv. The Owner shall be responsible for any expenses incurred for the removal of all the existing trees and removal/reconditioning of the redesigned water feature as well as all waterproofing and concrete repair work required to be undertaken with respect to the amenity areas and underground parking garage for 17, 23 and 25 Lascelles Boulevard site with no cost pass-through to the tenants of the Brentwood Towers apartment complex;

v. Prior to the issuance of a building permit for the townhouse development on the lot, the Owner will construct the proposed 164 square metre, below-grade amenity space, located 22 metres from the subject site, for use and enjoyment of the tenants of all five rental buildings of the Brentwood Towers apartment complex, with no cost pass-through to the tenants, and with the finishings and furnishings, and related security lighting and cameras, to the satisfaction of the Chief Planner; and

4. Before introducing the necessary bill to City Council for enactment, City Council require the Owner to enter into a secured Agreement with the City to ensure the provision of all necessary improvements to the existing municipal infrastructure in connection with the revised Functional Servicing Report, to the satisfaction of the Executive Director of Engineering and Construction Services.
Financial Impact
The recommendations in this report have no financial impact.

DECISION HISTORY
On June 2, 2000, the owner submitted an application for the conversion of 957 predominantly mid-range rental units at Brentwood Towers (17, 19, 21, 23, and 25 Lascelles Blvd.) to condominium units. The condominium conversion application was refused by City Council, and upon appeal Council's decision was upheld by the Ontario Municipal Board.

This current application involves the intensification of a portion of the property surrounded by the buildings known as 17, 23 and 25 Lascelles Blvd. through the creation of 10 townhouse units. Community Council adopted the Preliminary Report recommendations for this application at its meeting on September 11, 2012. The Preliminary Report can be found at the following link: http://www.toronto.ca/legdocs/mmis/2012/te/bgrd/backgroundfile-49504.pdf

ISSUE BACKGROUND

Proposal
The applicant proposes to construct 10 three-storey townhouses, with rooftop amenity space, that face, toward Lascelles Boulevard. The townhouses are proposed to be located in a portion of the landscaped amenity open space directly in front of the high-rise apartment building at 23 Lascelles Boulevard. The townhouse project is proposed to have 23 parking spaces located on the P1 level in the existing underground parking garage located directly below it. The parking garage is accessed at an existing entrance adjacent to the apartment building at 25 Lascelles Boulevard that is shared by the five existing apartment buildings.
(Refer to Attachment 6, Application Data Sheet, for further project details.)

Site and Surrounding Area
The site is 1.3 ha in size and is located one block east of Oriole Parkway, on the east side of Lascelles Boulevard. It is comprised of 17, 23 and 25 Lascelles Boulevard, which are three apartment building sites severed from the site of two other apartment buildings to the east, referred to as 19 and 21 Lascelles Boulevard. The five buildings together are known as the Brentwood Towers apartment complex. The 10 townhouses are proposed to be located in the existing landscaped open space amenity area in front of the three apartment buildings.

The following uses abut the site:

North: the Beltline walking trail, and the Davisville TTC Yard.

South: 28 to 42 Brentdale Drive (a row of rear yard garages) fronting on the south side of Brentdale Drive.
East: 19 and 21 Lascelles Boulevard (two 16-storey apartment buildings) and their outdoor amenity space within the Brentwood Towers apartment complex.

West: 1 Kilbarry Road, 2-storey detached dwelling; 2 Wilberton Road, 2-storey detached dwelling.

**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 communities; wise use of 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 housing policies in the 2014 PPS require municipalities to provide for an appropriate range of housing, including affordable housing, to meet the requirements of current and future residents.

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; cultivating a culture of conservation; and planning for a range and mix of housing. City Council’s planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

**Official Plan**

The site is designated *Apartment Neighbourhoods* in the Official Plan's Land Use Plan (Map 17), and is subject to the Yonge-St. Clair Secondary Plan.

Apartment *Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small scale retail, services and office uses that serve the needs of the area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

*Apartment Neighbourhoods* are stable areas that have a greater scale of buildings permitted, but are not where significant growth is generally anticipated. There may, however, be opportunities for additional townhouses or apartments on underutilized sites and the policies of the Official Plan set out criteria to evaluate these situations.

The application has been evaluated under the development criteria of Section 4.2, *Apartment Neighbourhoods*, Policy 2.

The application has also been considered under the criteria of Section 4.2, *Apartment Neighbourhood*, Policy 3 that give special consideration to improving conditions for new
and existing residents by providing adequate alternative recreational space and appropriate levels of residential amenity on the site.

Official Plan housing policy 3.2.1.5 provides for securing existing affordable and mid-range rental units and any needed housing improvements to the existing rental housing without pass-through costs to the tenants for significant new development. The preservation of affordable and mid-range rental housing is a key priority for the City.

**Yonge-St. Clair Secondary Plan**

The subject site is located within the *Yonge-St. Clair Secondary Plan* of the Toronto Official Plan, (Map 17), Chapter 6. The purpose of the *Yonge-St. Clair Secondary Plan* is to (among a number of things): promote and enhance the existing type and quality of the Neighbourhoods and Apartment Neighbourhoods and maintain their stability; and ensure new development meets high urban design standards which contribute to achieving public areas which are attractive, inviting, comfortable and safe.

Section 3, Urban Design Principles of the *Yonge-St. Clair Secondary Plan* require new development to be designed so that the lower level of the building associated with the pedestrian realm will:

- promote the public nature of the adjacent streets, parks and pedestrian routes;
- provide, wherever possible, vehicular access for servicing and parking from lanes rather than streets and where lanes do exist, vehicular access should be from local streets;
- provide an organized and safe relationship to abutting street frontages, including the control and management of pedestrian and traffic flows;
- provide, to a high design standard, on-site vehicle movements with vehicles entering and exiting the site in a forward motion; and,
- minimize pedestrian/vehicle conflicts in the design and location of parking and servicing access for vehicles.

Section 4, Residential Areas of the *Yonge-St. Clair Secondary Plan* states that new development in *Apartment Neighbourhoods* will provide setbacks at and below grade, from the front lot line to facilitate the planting of large shade trees in the setback areas.

**Toronto Urban Design Guidelines – Infill Townhouses**

The subject application is subject to the City's Infill Townhouse Design Guidelines which articulate and clarify site design and built form, to achieve good urban design.

In 2003, City Council adopted the Infill Townhouse Design Guidelines providing a framework with criteria to help guide new infill townhouse development. Infill development is typically low-scale developments that help revitalize existing
communities by replacing aging and/or dilapidated buildings and empty lots by adding to the variety of housing types and tenure in the neighbourhood.

To ensure that new townhouses "fit" within the existing context and minimize impact in the surrounding neighbourhood, staff reviewed the proposal for compliance with the guidelines for matters such as but not limited to servicing, utilities, light, views, privacy and streetscape improvements.


**Zoning**
The site is zoned in By-law 438-86 (refer to Attachment 6 ) as R2 Z2.0. The zoning permits a mix of residential uses including detached dwellings, semi-detached dwellings, townhouses and apartment buildings. The density limit is 2 times the area of the lot for residential uses. The maximum height for this site is 16 metres. The proposed townhouses on this site are subject to various development standards in the Zoning By-law respecting density, setbacks and amenity space. The site is not subject to the new Zoning By-law 569-2013.

**Site Plan Control**
The application is subject to Site Plan Control. An application for site plan approval has not been submitted.

**Reasons for Application**
An amendment to the Zoning By-law is necessary to permit the proposed townhouse infill project which requires site specific provisions to permit the siting and massing of the proposed buildings, density and setbacks. In addition, this proposal would require the severing of the existing 1.3 ha property to create a 0.23 ha severed parcel accommodating the 10 ground-related housing units, and a 1.07 ha retained parcel for the three rental apartment buildings at 17, 23 and 25 Lascelles Boulevard. The proposal would also require the inclusion of wording in a site specific by-law that legalizes the three existing apartment buildings on a smaller lot, with reduced amenity space as well as with their existing excess height and density.

**Community Consultation**
A community consultation meeting was held on November 7, 2012. Brentwood Towers apartment tenants and other area residents in the audience raised concerns over loss of the existing trees and amenity space, potential noise from proposed rear roof decks, need for sidewalks, construction noise and management, rent abatement, traffic, water/sewage infrastructure, and access to Kay Gardiner Beltline trail. City Planning staff have received e-mails and written comments since this meeting expressing similar concerns and have continued discussions with the applicant.
A second meeting was held by the local Councillor on June 18, 2013. City staff and the Councillor proposed a reduction in the number of townhouses, reclaiming part of the surface parking for greenspace, a new connection to the beltline on the northeast edge of the property. City staff presented alternative design options proposals for the number of townhouses and proposed the connection of the upgraded outdoor amenity space to Lascelles Boulevard by a pedestrian walkway. A presentation was also made by staff on the City’s interest in securing rental housing along with specific tenant amenity improvements in these situations, through the use of a Section 37 Agreement under the Planning Act. The majority of the residents in attendance indicated interest in continuing discussions with the applicant.

The third community meeting was held by the local Councillor on July 17, 2014. It followed discussion between the owner, City Planning and the local Councillor with respect to a reduction to 10 townhouses units with a number of improvements including direct access to the amenity space between the 2 proposed townhouse blocks. The residents and tenants in attendance expressed support for the list of proposed amenities. However, one of their main concerns was that the cost of the underground garage excavation and membrane work, as well as the landscaping improvements and new amenity room not be passed on to the tenants of the Brentwood Towers apartment complex. Another concern was the nuisance created during the excavation and construction period for the underground garage and the townhouses. The clear majority of the residents and tenants in attendance supported the new 10-townhouse proposal.

Agency Circulation
The application was circulated to all appropriate agencies and City divisions. Responses 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 (PPS), 2014. The proposal promotes efficient land use, reduces land consumption related to residential development and utilizes existing services and infrastructure, and protects and improves the existing rental housing. The proposal also conforms with the Greater Golden Horseshoe Plan to direct growth to built-up areas of the community.

Land Use
The proposed 3-storey townhouses conform with the criteria regarding infill development in Apartment Neighbourhoods. The proposed townhouses are compatible with the existing high-rise buildings on the site in terms of impact on the buildings' use and parking, while allowing for residential amenity both on and off the site and providing a renewed outdoor recreational space for the existing tenants and adjacent neighbourhood residents.
Compatibility

The proposed 3-storey townhouses are grouped in 2 blocks of 6 and 4 units separated by a pedestrian walkway. Each townhouse unit's amenity space is located in its enclosed rear yard of 45 square metres, which includes a patio. The townhouses have small balconies on the front facades and rooftop decks that face west at the front of the units to avoid overlook into the apartment complex's amenity space to the rear. The proposed townhouses have a height of 3 storeys. The surrounding three apartment buildings are 16 to 17 storeys in height.

The height, orientation and placement of the proposed 3-storey townhouses provides the existing apartment complex with an acceptable view corridor to Lascelles Boulevard. The proposed walkway between the 2 townhouses blocks ranges from 5 to 9 metres in width which is comfortable and safe for pedestrians with landscaping, facing windows and wall mounted lighting lining its edges. The proposed townhouses frame the street with similar setbacks to the existing neighbourhood, new street trees along the property frontage and the introduction of a new sidewalk.

The façades of the townhouses are a modernist mix of brick and wood cladding with a stepped back third floor that relates to the generally two-storey height of the surrounding houses in the neighbourhood as well as the surrounding brick and mortar modernist high-rise apartment buildings with their elevated observation decks.

Traffic Impact, Access, Parking

The applicant has provided Transportation Services with parking statistics on the generation of traffic and the availability of parking spaces in the existing two-level basement parking garage and the surface visitor parking lot.

The proposal is for a total of 23 parking spaces for the 10 townhouse units, including 4 visitor parking spaces. The project is served by entry driveways to the surface parking area at the north end of the site and the underground parking garage. No new curb cuts or access points to the existing underground garage are proposed or required for this proposal. The underground parking garage has a large surplus of spaces on both the P1 and P2 levels. Twenty four of the 53 surface parking spaces will be relocated to the underground garage to provide a pedestrian friendly landscaped walkway at the north end of the site abutting the Beltline park system.

Servicing

The applicant has submitted a Preliminary Functional Servicing and Stormwater Management Report in support of the application. The report concludes that the existing municipal infrastructure is adequate to service the proposed development. However, Engineering and Construction Services staff are in the process of reviewing the applicant's servicing report and are not in agreement with the report's conclusions. Therefore, Planning staff is recommending that the bill to City Council for enactment be held until the owner enters into a secured Agreement with the City. The Agreement is to ensure the cost and provision of all necessary improvements to the municipal
infrastructure in connection with a revised Functional Servicing Report will be borne by the applicant to the satisfaction of the Executive Director of Engineering and Construction Services. Comments of Engineering and Construction Services will be addressed further as part of the Site Plan Control application process.

Official Plan Housing Policies and Existing Rental Housing
The proposal conforms to Policy 3.2.1.5 by securing the rental tenure of the existing rental buildings, as well as improvements to the buildings and property which help to ensure its on-going viability as rental housing. Tenants of all five existing rental buildings in the Brentwood Towers apartment complex will receive the benefit of the improvements and will not absorb the cost of these improvements in the form of rent increases.

The applicant has agreed to make improvements to the existing rental buildings and property including, but not limited to, improvements to the outdoor amenity space, including benches and a barbeque area, walkways, connections to the Beltline walkway, additional lighting and security cameras, and the provision of an indoor amenity space for the use of all tenants.

Additional matters are identified in the section on Section 37, and such matters will be secured through a Section 37 agreement and the proposed zoning by-law.

Yonge-St. Clair Secondary Plan
The proposed development has been designed to satisfy the goals, objectives and relevant policies of the Yonge-St. Clair Secondary Plan. The townhouses meet high urban design standards and create an attractive, inviting, comfortable and safe public area along Lascelles Boulevard. A new sidewalk is proposed along the east side of the roadway and a new pedestrian walkway will link the sidewalk to the revitalized privately owned publicly accessible outdoor amenity space to the rear of these buildings.

An additional new sidewalk route is proposed beside the half circle driveway that connects to the three existing apartment buildings. The apartment complex driveway ramps are being utilized for the townhouses so no new driveways are proposed. Underground unused parking spaces are to be utilized for the new townhouses.

The proposed location of the townhouses provides a transition between the detached dwellings to the west side of Lascelles Boulevard and the 16 and 17-storey apartment buildings on the rest of the site.

The proposal provides sufficient setbacks to enable the planting of large shade trees in the front yards of the townhouses at regular intervals. The on-site amenity space landscaping on top of the concrete roof deck of the underground garage will be replaced with new trees and landscape features, with new planting introduced at a rate of 3.75 trees per unit.
Open Space/Parkland
The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The development proposes 10 residential units on a site with an area of 1,766.80 m2. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 133 m2 or 7.5% of the site area.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 133 m2 would not be of a useable size and would be encumbered by underground parking. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard
In 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.

Construction Mitigation and Tenant Communication Strategy
When existing tenants are to remain on site while construction activity is underway, the City's practice is to require a specific tenant-oriented plan for construction mitigation and a strategy for communication to tenants during this period, to be secured in the Section 37 agreement as a legal convenience. Components include the provision of alternative facilities and services during construction when access is temporarily affected, such as the temporary loss of parking spaces, and provisions to minimize the negative impact of such things as noise, dust and movement of construction equipment. The owner has agreed to secure the requirements of such a plan, which will be to the satisfaction of the Chief Planner.

Section 37
The applicant has agreed to enter into a Section 37 Agreement with the City to secure community benefits from the proposed development.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. Restoration of the main fountain, water feature structure and elevated decks.
2. Improvements to the outdoor amenity space, including benches and barbecue.
3. Securing the rental tenure of the 3 existing apartment buildings for a period of at least 20 years.
The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. Landscape improvements for the open space areas that will remain as part of the existing property.
3. Introduction of walkway to amenity area and new sidewalk access to the east Side of Lascelles Boulevard.
4. Provision of wall-mounted lighting, direction signage and some security cameras.
5. New northern walkway with two stair connections to the Beltline walkway.
6. Screening of outdoor garbage containment structures and northern patios.
7. Relocation of 24 of the surface visitor parking spaces to underground.
8. Amenity meeting room for tenants which will include a large common area with washrooms, kitchenette, storage area and suitable furnishings.
9. All indoor and outdoor improvements on-site, landscaping and garage improvements are to be provided with no cost pass-through to the tenants of the entire Brentwood Towers apartment building complex.

Further details of these items can be found in the draft zoning by-law amendment provided as Attachment 7.

Before introducing the necessary Bills to City Council for enactment, the owner will be required to enter into a Section 37 Agreement and have completed registration on title securing the benefits outlined above.

**Tenure**

The owner has advised that its intent is to sever these townhouses into freehold ownership through a separate planning process.

**CONTACT**

<table>
<thead>
<tr>
<th>Barry Brooks, Senior Planner</th>
<th>David Spence, Senior Planner SIPA</th>
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<tbody>
<tr>
<td>Tel. No. (416) 392-1316</td>
<td>Tel. No. (416) 392-8124</td>
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<tr>
<td>Fax No. (416) 392-1330</td>
<td>Fax No. (416) 397-4080</td>
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<tr>
<td>E-mail: <a href="mailto:bbrooks@toronto.ca">bbrooks@toronto.ca</a></td>
<td>E-mail: <a href="mailto:dspence@toronto.ca">dspence@toronto.ca</a></td>
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**SIGNATURE**

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

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations North & West
Attachment 3: Elevations South & East
Attachment 4: Landscape Plan
Attachment 5: Zoning
Attachment 6: Application Data Sheet
Attachment 7: Draft Zoning By-law Amendment
Attachment 1: Site Plan
Attachment 2: Elevations – North & West
Attachment 3: Elevations – South & East
Attachment 4: Landscape Plan
Attachment 5: Zoning

17, 23 and 25 Lascelles Boulevard

File #: 12_189750_0Z

Not to Scale
Zoning By-law 438-86 as amended
Extracted 07/19/12

G Parks District
R2 Residential District
R4 Residential District
CR Mixed-Use District
T Industrial District

17, 23 and 25 Lascelles Boulevard
Attachment 6: Application Data Sheet

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Municipal Address: 17, 23 & 25 LASCELLES BLVD
Location Description: PLAN 288 PT LOT 12 PLAN 63R-4248 PART 3 14 TO 24 31 & 32 **GRID S2207
Project Description: 10 3-storey townhouses with common element underground parking spaces.

**Applicant:**

<table>
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<tr>
<th>O'SHANTER DEVELOPMENTS COMPANY LIMITED</th>
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**Agent:** n/a
**Architect:** JULIAN JACOBS
**Owner:** O'SHANTER DEVELOPMENT COMPANY LTD

**PLANNING CONTROLS**

- Official Plan Designation: Apartment Neighbourhood
- Site Specific Provision: none
- Zoning: R2 Z2.0
- Height Limit (m): 16
- Historical Status: none
- Site Plan Control Area: Y

**PROJECT INFORMATION**

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**DWELLING UNITS**

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

**CONTACT:**

- PLANNER NAME: Barry Brooks, Senior Planner
- TELEPHONE: (416) 392-1316
Attachment 7: Draft Zoning By-law Amendment

CITY OF TORONTO

BY-LAW No. XXX - 2014

To amend General Zoning By-law No. 438-86 of the former City of Toronto respecting the lands municipally known as 17, 23 and 25 Lascelles Boulevard

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990 c.P 13, as amended to pass this By-law: and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provisions of By-law No. 438-86, the decisions of the Committee of Adjustment dated August 28, 1985 in Files A-876-85 and B-176-85, and the Order of the Ontario Municipal Board in File Nos. V 950368, V 950369, V 950370, dated February 28, 1995, shall continue to apply to the lot as outlined on Map 1.

2. None of the provisions of 4(2), 4(4)(b), 4(6)(c), 4(11), 4(12), 4(13), 6(3) Part I 1, 6(3) Part II, 6(3) Part III and 6(3) Part VII 1of By-law 438-86 of the former City of Toronto, being “A by-law to regulate the use of land and the erection, use, bulk, height, spacing of land and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection of an addition to the existing apartment buildings at 17, 23 and 25 Lascelles Boulevard, consisting of ten, 3-storey row houses comprising 4-unit and 6-unit buildings.

(a) for purposes of this By-law, the lot comprises the lands delineated by heavy lines on attached Map 1 to and forming part of this Bylaw;

(b) a maximum of 627 existing apartment dwellings shall be permitted on the lot;

(c) a maximum of 10 row houses shall be permitted on the lot;

(d) each row house shall have a maximum depth of 19.4 m;

(e) each row house shall have a minimum frontage of 6.26 m;

(f) the total residential gross floor area of the row houses on the lot shall not exceed 3,360 square metres;

(g) the total residential gross floor area on the lot shall not exceed 50,292 square metres;

Staff report for action – Final Report – 17, 23 & 25 Lascelles Boulevard
(h) the height of any residential building or structure, or portion thereof, erected on the lot after August 26, 2014 shall not exceed those geodetic height limit in storeys and/or metres specified by the numbers following the symbol “H” shown on Map 2 attached and forming part of this By-law, subject to the following exceptions applicable to the row houses, only:

(i) architectural features, lighting fixtures, terrace and balcony railings/balustrades, chimneys, dividers and screens and landscape features, provided they do not exceed the permitted height by more than 2.5 metres;

(ii) rooftop stair and/or elevator enclosures for each row house, provided they do not exceed the permitted height by 2.8 metres; and

(iii) parapet walls provided they do not exceed the permitted heights by more than 1.2 metres;

(i) the setbacks of any residential building or structure shall comply with the setbacks shown on attached Map 2 to this By-law;

(j) the minimum distance between external walls facing each other on the two blocks of row houses shall be 4.8 metres;

(k) the minimum separation of windows facing each other on the blocks of row houses shall be 7.5 metres;

(l) a minimum of 6,058 square metres of landscaped open space shall be provided on the lot;

(m) the minimum required number of parking spaces that shall be provided and maintained on the lot to serve the residents and their visitors of the project shall be in accordance with the following:

<table>
<thead>
<tr>
<th>Parking Type</th>
<th>Minimum Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident parking for existing apartment buildings, regardless of number of bedrooms</td>
<td>370 parking spaces in total</td>
</tr>
<tr>
<td>Visitor parking for existing apartment buildings</td>
<td>37 parking spaces in total</td>
</tr>
<tr>
<td>Resident parking for row houses</td>
<td>1.0 parking space per unit</td>
</tr>
<tr>
<td>Visitor parking for row houses</td>
<td>1.0 parking space per 4 units</td>
</tr>
</tbody>
</table>

3. For the purposes of this By-law:
(a) “height” means the vertical distance between grade and the highest point of the roof, building or structure as shown on Map 2, exclusive of any rooftop outdoor amenity area and rooftop stair and/or elevator enclosure;

(b) “row house” means one of a series of four and six attached grade-related buildings located on the lot:

(i) each consisting of one grade-related dwelling unit;

(ii) each building divided vertically from one another by a party wall; and

(iii) each building having its required parking located in a common underground parking garage also serving the apartment buildings on the lot.

(c) Except as otherwise defined in this By-law, each word or expression that is italicized in this By-law shall have the same meaning as each word or expression as defined in By-law 438-86, as amended.

4. Notwithstanding any division of lands subject to this exception, the regulations of this Section shall continue to apply to the whole of the lands.

5. Notwithstanding any other provision of this By-law, a building used as a temporary sales pavilion, model home, or construction office associated with a building that will be constructed on the same property shall be permitted on the lot.

6. Construction of a 164 square metre, below-grade indoor residential amenity area, located 22 metres from the subject site, with access stairs to grade.

ENACTED AND PASSED this ______ day of _______, A.D. 2014.

ROB FORD
WATKISS
Mayor
(Corporate Seal)

ULLI S.
City Clerk
Appendix 1 to Attachment 7 on the Zoning By-law Amendment

Section 37 Provisions

a. The following matters are recommended to be secured in the Section 37 Agreement securing the benefits as follows:

i. The securing of the rental tenure of the existing 627 units in the three buildings municipally known as 17, 23 and 25 Lascelles Boulevard for a minimum of 20 years, commencing from the date of Council's decision, with no applications for demolition, or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning Division (Chief Planner) and the City Solicitor;

ii. The provision of site improvements with no cost pass-through to the tenants of the five rental buildings in the Brentwood Towers apartment complex, to include at least restoration and reinstalling of one of the existing main fountains and a section of the existing concrete water feature structure, restoration of the two elevated observation/seating decks and related staircases, improvements to the outdoor amenity space including permanent outdoor seating, barbecue station, construction of a landscaped walkway from Lascelles Boulevard through to the amenity area with the provision of wall mounted lighting and Privately Owned Publicly Accessible Spaces (POPS) directional signage, substantial mature tree planting in the outdoor amenity area, new sidewalks around the entire outdoor amenity area and townhouse development that provide safe access for tenants to all of their buildings and the outdoor amenity area;

iii. The Owner shall provide, prior to the release of a building permit for the townhouse development, two new staircase connections down to the City's Beltline walkway on the north side of the property with no cost pass-through to any of the tenants of the Brentwood Towers apartment complex or the City relating to the construction or on-going maintenance costs, to the satisfaction of City Solicitor and the General Manager of Parks, Forestry and Recreation;
b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

i. Landscaping improvements for the current open space areas shown on Plan A3 and dated May 2, 2014, as revised, that will remain a part of the existing Brentwood Towers apartment complex rental property;

ii. Prior to the issuance of the first building permit, the owner shall provide a Construction Mitigation Plan and Tenant Communication Plan to the satisfaction of the Chief Planner;

iii. The Owner provide, for tenants of the five rental buildings of the Brentwood Towers apartment complex, a new walkway along a portion of an existing service roadway which provides one of the access points to surface visitor parking spaces, with improvements along the walkway including screened-in refuse containment structures, new apartment landscaped patios, new landscaped area, wall mounted security cameras and the relocation of 24 visitor surface parking spaces to the underutilized P1 level of the underground parking garage, all these improvements with no cost pass-through to the tenants of the Brentwood Towers apartment complex and to the satisfaction of the City Solicitor and the Chief Planner;

iv. The Owner shall be responsible for any expenses incurred for the removal of all the existing trees and removal/reconditioning of the redesigned water feature as well as all waterproofing and concrete repair work required to be undertaken with respect to the amenity areas and underground parking garage for 17, 23 and 25 Lascelles Boulevard site with no cost pass-through to the tenants of the Brentwood Apartment complex;

v. Prior to the issuance of a building permit for the townhouse development on the lot, the Owner will construct the proposed 164 square metre, below-grade amenity space, located 22 metres from the subject site, for use and enjoyment of the tenants of all five rental buildings of the Brentwood Towers apartment complex, with no cost-pass through to the tenants, and with the finishings and furnishings, and related security lighting and cameras, to the satisfaction of the Chief Planner;
NOTE: Survey information from a survey of Part of Lot 12 Registered Plan 288 City of Toronto by Bennett Young Ltd., drawing reference 99279D1 dated August 28, 2000 (dimensions converted to Metric from Imperial)
NOTE: H denotes height in storeys (metres) above grade. All dimensions in metres.