

**12-18 Marquette Avenue and 7 Carhartt Street -
Official Plan Amendment and Zoning By-law
Amendment Applications – Final Report**

Date:	September 18, 2015
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 15 – Eglinton-Lawrence
Reference Number:	14 182666 NNY 15 OZ & 15 155052 NNY 15 RH

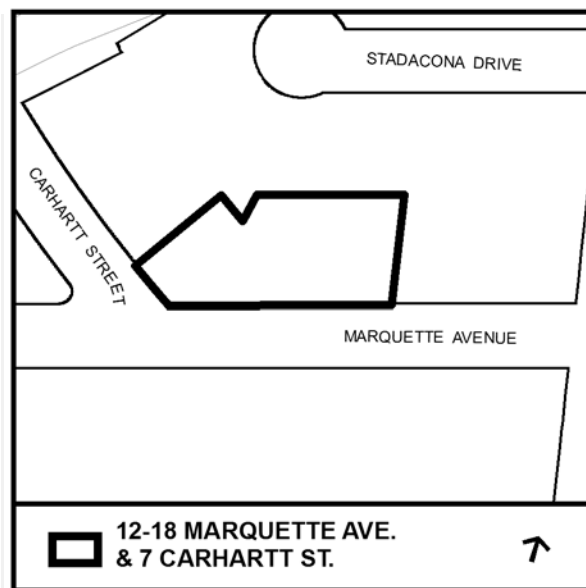
SUMMARY

This application proposes to amend the Official Plan, former City of North York Zoning By-law No. 7625 and new City-wide By-law 569-2013 for the lands at 12, 14, 16 and 18 Marquette Avenue and 7 Carhartt Street, to permit a 4-storey (15.62 metres high) apartment building containing 48 residential units and 49 parking spaces in 1 level of underground parking.

This application proposes to demolish 5 house-form buildings containing at least 7 residential dwelling units of which 4 were residential rental units at the time of application. A Rental Housing Demolition application (File 15 155052 NNY 15 RH) has been submitted with the rezoning application to demolish the 4 existing residential rental units located at 14 and 18 Marquette Avenue and 7 Carhartt Street.

This report reviews and recommends approval of the applications to amend the Official Plan and applicable Zoning By-laws.

This report also recommends approval of the rental housing demolition application under Municipal Code 667.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 12 , 14, 16 and 18 Marquette Avenue and 7 Carhartt Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8 to report dated September 18, 2015.
2. City Council amend City of Toronto Zoning By-law 569-2013 and Zoning By-law 7625 for the lands at 12 , 14, 16 and 18 Marquette Avenue and 7 Carhartt Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment Nos. 9 and 10 to report dated September 18, 2015.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, 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 is to be registered on title to the lands to secure the services and matters as follows:
 - (i) the owner shall provide tenant relocation assistance (the "Tenant Relocation and Assistance Plan") for tenants in the existing rental units to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
5. City Council approve the application to demolish the existing buildings containing 7 dwelling units at 12, 14, 16, 18 Marquette Avenue and 7 Carhartt Street that include 4 residential rental dwelling units pursuant to Municipal Code Chapters 667 and 363, on the condition that the Owner enter into one or more agreements to secure the "Tenant Relocation and Assistance Plan" for tenants in the existing rental units to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
6. 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 housing building after all of the following have occurred:
 - i. the Official Plan Amendment and Zoning By-law amendments in Recommendations No. 1 and 2 have come into full force and effect;
 - ii. 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.
7. 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. 6 for the existing rental housing units.

8. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act for the residential rental units at 12-18 Marquette Avenue and 7 Carhartt Street, no earlier than the date that the owner has submitted application for a building permit for the shoring and excavation for the lands on which the existing rental building is situated, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation No. 6 which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code, on condition that:
 - i. The owner erect a residential building on site no later than three (3) years from the day demolition of the buildings is commenced; and
 - ii. Should the owner fail to complete the new building within the time specified in condition (a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
9. Before introducing the necessary Bills to City Council for enactment, require the applicant to submit to the Executive Director of Engineering and Construction Services for review and acceptance, a revised Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development.
10. Before introducing the necessary Bills to City Council for enactment, require the applicant to submit a complete site plan application to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting on August 12, 2014 North York Community Council (NYCC) considered the Preliminary Report for this Zoning By-law Amendment application. Community Council directed that City Planning staff schedule a community consultation meeting together with the Ward Councillor with an expanded notification area, and that notice for the public meeting be given according to regulations of the *Planning Act*.

The Preliminary Report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.NY34.65>

ISSUE BACKGROUND

Proposal

This application proposes a 4-storey apartment building containing 48 residential units and 1 level of below grade parking. All residential units would front onto and would be accessed from Marquette Avenue. The apartment building would contain a gross floor area of 4344.9 square

metres and a Floor Space Index (FSI) of 1.61 times the lot area. The building would be parallel to Marquette Avenue and have a minimum front yard setback of 3.35 metres, minimum east side yard setback of 7.22 metres, minimum west side yard setback of 5.73 metres and rear yard setback varying from 5.5 metres to 14.25 metres. The application proposes a mix of residential unit types which include 1 bachelor unit, 20 one-bedroom units, and 27 two-bedroom units. Third floor units would have access to private amenity spaces via staircases to the roof top which would range from 17.47 square metres to 40 square metres. There would be 38 bicycle parking spaces provided in the underground parking level. Vehicular access would be provided to the rear of the building by a driveway from Marquette Avenue at the east edge of the subject site. There would be 49 parking spaces provided in a single level underground garage. Of the 49 parking spaces proposed, 39 spaces would be for residential units and 10 spaces would be for visitors. Refer to Attachment No. 7 for project data.

Through the application process it was discovered that more than 6 residential units existed on the site, of which at least 4 were residential rental units, and at least two of which were affordable, at average CMHC rent for the City of Toronto in the Fall Housing Market Report 2014, at the time of the application. The owner during the application process had rented two of the owner-occupied units with shorter-term tenants on shorter leases, and two of the longer term tenants have vacated their units at the time of this report.

A Rental Housing Demolition application (File 15 155052 NNY 15 RH) for a Section 111 permit pursuant to Chapter 667 of the Municipal Code has been submitted with the subject application for the 4 existing rental units located on the subject lands.

Site and Surrounding Area

The site includes 4 single residential lots on the north side of Marquette Avenue and a single residential lot on Carhartt Street, which gives the site an irregular shape. The lots are currently occupied by single detached homes. There were 4 rental units on site and a total of 7 residential units, of which at least two units were at affordable rents at the time of application. The closest intersection is Marquette Avenue and Bathurst Street. The site has an area of 2,691m² and a frontage of 73.57m.

Land uses surrounding the subject lands include:

North: Immediately north of Marquette Avenue, is a residential neighbourhood of two-storey fourplex dwellings fronting onto Stadacona Drive with minimum rear yards of approximately 7.5 metres. To the northeast is a single storey office building fronting onto Bathurst Street with a *Mixed Use Areas* designation and Avenue overlay. A townhouse development, and Highway 401 are located further north.

East: Immediately east of the site, there is a 7-storey apartment building with frontage on Marquette Avenue and Bathurst Street. Beyond Bathurst Street to the east are 2-storey commercial buildings with a *Mixed Use Areas* designation and an Avenue overlay.

West: One and 2-storey detached dwellings and 2-storey townhouses at the west end of Marquette Avenue where the street terminates with the Highway 401 right-of-way.

South: Along Marquette Avenue are one and 2-storey detached dwellings. A 4-storey apartment building is located at the south west corner of Marquette Avenue and Bathurst Street with a *Mixed Use Areas* designation and Avenue overlay. There is also a 7-storey apartment

building located at the north west corner of Hotspur Road and Bathurst Street and with a *Mixed Use Areas* designation and Avenue overlay.

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. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the subject properties as *Neighbourhoods*. *Neighbourhoods* are considered physically stable areas, which include residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and walk-up apartments. Parks, local institutions, home occupations, cultural and recreational facilities and small scale retail service and office uses are also provided for in *Neighbourhoods*. Local institutions include uses such as seniors and nursing homes and long term care facilities.

The Official Plan states that no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood. In addition, physical changes to established *Neighbourhoods* must be sensitive and fit its existing context and physical character.

Policy 4.1.5 of the Official Plan requires development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, including in particular:

- Size and configuration of lots;
- Heights, massing, scale and dwelling type of nearby residential properties;
- Prevailing building type(s);
- Setbacks of buildings from the street or streets;
- Continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- Prevailing patterns of rear and side yard setbacks and landscaped open space.

Lawrence-Allen Secondary Plan

The subject site is located in the north-east quadrant of the Lawrence-Allen Secondary Plan area. The Lawrence-Allen Secondary Plan provides a comprehensive planning framework for the development of a new neighbourhood in its Focus Area (the Lawrence Heights neighbourhood) and confirms the urban structure and land use designations outside its Focus Area that provide for growth in *Mixed Use Areas*, *Institutional Areas* and along *Avenues* where growth is

supported by appropriate land use designations. The Secondary Plan provides a number of relevant policies, including those with respect to:

- The quality of the public realm;
- Height and built form of new development;
- Transition in the scale of built form;
- Applicability of implementation plans and guidelines, including urban design guidelines;
- Sustainable and energy efficient development;
- Transportation and water infrastructure to support new development;
- Housing suitable for large households;
- Provision of community services and facilities;
- Provision of community benefits in exchange for increases in height and/or density, pursuant to Section 37 of the *Planning Act*; and
- Requirements for submission of a complete application under the *Planning Act*.

Zoning

The site is currently zoned RM5 (Residential Multiple-Family) under the former City of North York Zoning By-law 7625. The site is zoned RM (d1.0) (x474) under the new City-wide Zoning By-law 569-2013. The former City of North York Zoning By-law 7625 permits among other uses, apartment house dwellings, hospital, nursing home, and multiple attached dwellings. The new City-wide Zoning By-law 569-2013 permits among other uses, apartment house dwellings, multiple attached dwellings, nursing home, residential care home, and respite care facility.

Under the former North York Zoning By-law 7625, the maximum lot coverage permitted is 35%. The by-law requires a minimum front yard setback of 7.5m, minimum side yard setbacks of either one half of the height of the building or one tenth of the length of the building measured adjacent to the side yard (and cannot be less than 3.5m) and a minimum rear yard setback of 7.5m. The gross floor area cannot exceed 100% of the lot area. The maximum height is 11.5m.

Under the City-wide Zoning By-law 569-2013 the maximum lot coverage permitted is 35%. The maximum height is 10m for a detached or semi-detached dwelling and 12m for any other building structure. The minimum front yard setback is 6.0m, minimum rear yard setback is the greater of 7.5m or 25% the lot depth and minimum side yard setbacks are 2.4m. The maximum permitted density is one times the lot area.

Rental Housing

The Rental Housing Demolition and Conversion By-law (885-2007) 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 dwelling units, when any one unit is rental and where there is a related application under the *Planning Act* require a decision by City Council under Section 111 of the *City of Toronto Act*. Council may refuse an application or approve the demolition with conditions which typically involve the replacement of rental housing, if there are more than six rental units 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.

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 and coordinated through this process. 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 proposal is subject to Site Plan Control. An application has not been submitted to date.

Reasons for Application

The reasons for the Official Plan Amendment is to redesignate the site from *Neighbourhoods* to *Apartment Neighbourhoods* to allow the construction of a 4-storey apartment building with a massing and scale that is not provided for in this area designated *Neighbourhoods* under the Official Plan. The reason for the Zoning By-law Amendment application is because the current proposal does not meet specific requirements in either of the applicable by-laws, including maximum density, coverage and height, and minimum setbacks.

Community Consultation

A Community Consultation meeting was held on January 26, 2015 at Barbara Frum Library. Approximately 20 members of the public were in attendance along with the local Councillor, Planning Staff and the applicant's team. At the meeting the following issues were raised:

- **The number of units proposed and type**
Too many units will add additional congestion to the area. Larger family units will create additional parking needs.
- **Noise/Lighting**
Noise and lighting from cars accessing the below grade garage will be a problem for Stadacona Drive residents that back onto the proposal. Lighting for garage access will shine into bedrooms.
- **Wind Tunnel Effect**
A wind tunnel effect will be created for residents to the north that will be located between the sound barriers of Highway 401 to the north and the proposed building.
- **Privacy, Shadowing & Sunlight**
Roof-top terraces will impact on the privacy of Stadacona Drive residents. The building is too massive, with no breaks. This will create shadowing and reduce the amount of sunlight on neighbouring properties to the north.
- **Parking/Traffic**
Residents indicated the neighbourhood has a street parking problem. Bathurst Street traffic is already backed up to Lawrence Avenue West and making turns onto Bathurst Street is difficult.

Tenant Consultation Meeting

A meeting was held for all of the current tenants of the existing rental buildings on August 19, 2015. Two tenants attended and expressed that a longer notice period and some compensation

for having to move would be appreciated in the current rental market. Both were tenants who had moved in since the application for the rezoning and Official Plan amendment were made.

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 and conditions of approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of land uses be provided and that intensification and redevelopment opportunities are identified and promoted.

The proposed land use and massing provides a compact built form that supports an efficient use of land and existing transit infrastructure. The proposal represents a modest intensification and is consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. This site is located in a built up area and the proposal is intensifying the permitted use of land for housing. The proposal is not considered to be significant intensification. The proposal conforms to the Growth Plan.

Land Use

The site is located in a small area designated *Neighbourhoods* under the Official Plan bounded to the north and west by Highway 401, to the east by *Mixed Use Areas* with an Avenue overlay consisting of lots fronting onto Bathurst Street and to the south by an *Apartment Neighbourhood*. Within this area where the subject site is located, the existing built form is comprised of single detached residential dwellings, fourplexes, and a townhouse development. In the immediate *Neighbourhoods* designation there are no apartment buildings. However, the RM5 and RM zoning permits apartment buildings up to 11.5 metres and 12 metres respectively with a maximum density of 1 times the lot area.

The applicant is seeking an Official Plan Amendment to change the designation of the site from *Neighbourhoods* to *Apartment Neighbourhoods*. Although 4-storey walk-up apartments are permitted in *Neighbourhood* designations, it is recognized that this massing and scale is beyond that contained in the immediate area designated *Neighbourhoods*. Given the context of the site and its vicinity to Highway 401 and Bathurst Street, which has an Avenue overlay, this is considered an appropriate site for modest intensification in the form of a 4-storey apartment building which is a building form already permitted by the Zoning By-laws. To the south are residential lands with a *Mixed Use Areas* designation with depth west from Bathurst Street that is equal to or greater than the distance that the western boundary of the subject property is to Bathurst Street. The site is well served by frequent bus service on Bathurst Street and directly abuts a *Mixed Use Area* with an Avenue overlay and high density housing on Bathurst Street. This proposal provides for a gradual transition in scale and density as stated in Official Plan Policy 2.3.1 Healthy Neighbourhoods. Both applicable By-laws 7625 and 569-2013 also permit

multi-residential development. Therefore, the site will maintain the existing RM5 and RM zoning with site-specific amendments made to density, lot coverage, height, number of storeys, parking and setback provisions. The requested Official Plan amendment will permit a modest intensification of permitted apartment building development. Staff support the request to redesignate the site from *Neighbourhoods* to *Apartment Neighbourhoods*.

Site Layout and Organization

The building would be parallel to Marquette Avenue and have a minimum front yard setback of 3.35 metres, minimum east side yard setback of 7.22 metres, minimum west side yard setback of 5.73 metres and rear yard setback varying from 5.5 metres to 14.25 metres. The proposal includes a driveway from Marquette Avenue at the east end of the property. All residential units front onto and would be accessed from Marquette Avenue. Vehicular access to the underground parking would be at the eastern end of the building off of the north south driveway. The site layout and organization is satisfactory. Buffering in the form of landscaping and fencing to the residential properties to the north and west will be addressed through the site plan control application review process.

Massing, Height and Density

Under both applicable By-laws the lot coverage permitted is 35%. Under the former North York Zoning By-law, the gross floor area cannot exceed 100% of the lot area and the maximum height is 11.5 metres. Under By-law 569-2013 the maximum height is 12 metres. The applicant has consolidated 5 residential lots as part of this application. The lot area of the site is 2691 square metres and lot frontage is 73.57 metres. The proposed building contains a lot coverage of 43.9% and a building height of 15.62 metres. The proposed apartment building has an FSI of 1.61 times the area of the lot.

Although the building is considered 4 storeys under both by-laws, the height is mitigated where the building contains a full 3 storeys with access to a rooftop patio at the top of the third storey via 5 sets of staircases. These staircases are setback from the top of the third storey by a minimum of 5.80 metres from the front façade of the building and a minimum of 6.84 metres from the rear façade of the building. Due to the fact that these staircases permit access to the rooftop, they are considered a fourth storey under both By-laws. Since the massing of the building is mainly contained within 3 storeys, there is no concern with regards to wind and shadows cast from the building on adjacent neighbours.

The building's massing contains varied stepbacks that function as canopies for lower level entrances and first floor entrances as well as create variation along the massing of the front façade. Entrances to lower level units have been consolidated and landscaped for a positive pedestrian experience along Marquette Avenue. The western side of the building is proposed to be landscaped to allow for pedestrian access from the front to the rear of the building and in the future to possibly create a connection to Stadacona Drive. During the Site Plan process, further detail will be explored with regard for landscaped areas at the rear and front of the site.

Streetscape and Landscaping

Staff have worked with the applicant to achieve a better pedestrian experience and streetscape along Marquette Avenue by consolidating entrances with window wells to lower level units and providing for improved landscaping along this area. A landscape plan has not submitted but will be required for the site plan application. On the site plan the applicant proposes front yards with a depth of 3.35 metres and soft landscaping consisting of lawn area and hedges. Within the

municipal right-of-way along Marquette Avenue would be a lawn area between the curb and sidewalk, a 1.6 metre wide concrete sidewalk and eight street trees north of the sidewalk. Staff will require a sidewalk widening and additional landscaping.

There are residential buildings surrounding the property to the east, west and north. To the east is an apartment building that has a brick retaining/screen wall along its west boundary. This apartment building has a minimum west (rear) yard 12.1 metres. Within this area is a driveway to the underground parking garage for the apartment building. The proposed apartment building on the subject property would have a minimum east side yard of 7.22 metres with a 6 metre driveway within this area. Staff will require appropriate landscaping and privacy fencing in this area.

To the west is a single detached home with an attached garage on the east side. The garage on this property has an east side yard setback of 0.95 metres. There is an existing chain link fence along the east property line. The proposed apartment building on the subject property would have a minimum west side yard of 5.7 metres with an outdoor recreation area within this area. Staff will require appropriate landscaping and privacy fencing in this area.

To the north are fourplexes with minimum rear yards of 7.5 metres. There is an existing chain link fence separating the property from the properties to the north. The applicant proposes a rear yard varying from 5.5 metres to 14.25 metres. Within this area is a proposed 6 metre wide east-west driveway parallel to the rear lot line and ramp to the underground parking garage. On the north and south sides of the driveway would be a row of trees planted in ground. Staff will require a board on board wood privacy fence along the north property line and additional landscaping.

Landscaping will further be examined during the Site Plan process including securing landscape screening as described above to maintain the privacy for neighbours and to ensure lights and noise from cars accessing the below grade garage are mitigated.

Access and Parking

Vehicular access on site is provided via a two-way driveway along the eastern edge of the site which accesses a 1-level underground garage. The applicant has provided a parking rationale to address the proposed 39 parking spaces for residential units and 10 spaces for visitors. The rationale proposes providing Presto passes to residents and that parking spaces will not be tied to unit purchases. The proposed overall parking supply meets the requirements of Zoning By-law 569-2013, however Transportation Services staff would like a larger allocation of parking spaces for the residential units. The draft zoning by-law includes parking standards that will require a minimum of 41 parking spaces for residential units and 7 spaces for visitors. The parking and loading rationale has been reviewed by Transportation Services staff and they are satisfied with the proposed 49 parking spaces and one loading space for the site.

The applicant is proposing 38 bicycle parking spaces. The applicant proposed a bicycle room in the P1 level of the parking garage with 36 spaces. Staff require residential bicycle parking spaces at a minimum rate of 0.75 long term bicycle spaces for each dwelling unit, allocated as 0.68 long term bicycle parking space per dwelling unit and 0.07 short term bicycle parking space per dwelling unit. This would result in a minimum of 36 spaces.

These bicycle parking requirements are included in the draft zoning by-law. The location of bicycle parking will be reviewed through the site plan review process.

Servicing

The application has been reviewed by Development Engineering staff. Staff have identified that the applicant is required to submit to the Executive Director of Engineering and Construction Services for review and acceptance, prior to approval of the rezoning application, a revised Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development. The report is to demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate. The applicant is also required to make satisfactory arrangements with Engineering and Construction Services for the construction of any improvements to the municipal infrastructure at no cost to the City, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report accepted by the Executive Director of Engineering and Construction Services. Staff recommend that before introducing the necessary Bills to City Council for enactment, the applicant submit to the Executive Director of Engineering and Construction Services for review and acceptance, a revised Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development. Further comments with regards to servicing will be examined through the Site Plan process.

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 subject of this application are in an area with 0.80-1.56 hectares of parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area and is subject to the Alternative Parkland Dedication Rate, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 48 residential units on a site with a net area of 0.2691 hectares (2,691m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.064 hectares (640m²) or 24% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use. In total, the parkland dedication requirement is 0.0269 hectares (269m²).

The applicant is required to satisfy the parkland dedication requirement by providing cash-in-lieu. This is appropriate as a parkland dedication requirement of 0.0269 hectares (269m²) would not be of useable size.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit and is required as a condition of the building permit application process.

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 green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure, Cycling Infrastructure, Storage and Collection

of Recycling and Organic Waste. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Amenity Area

Each of the 48 units will have a below or at grade terrace, balcony or large rooftop terrace. Shared exterior amenity area consists of two outdoor seating areas at the west end of the site. At the community consultation meeting residents in the area expressed concerns about the private rooftop amenity areas on the fourth floor and the potential for overlook to surrounding residential properties. The applicant is proposing that the perimeter of the fourth floor rooftop amenity area be a continuous planter area. This is proposed to reduce overlook to the surrounding residential properties. Staff are satisfied with the proposed private and shared amenity areas. The design of exterior amenity areas and buffering to surrounding residential areas will be further reviewed through the site plan process.

Unit Mix

The applicant is proposing 48 apartments consisting of one bachelor unit, twenty 1-bedroom units and twenty seven 2-bedroom units. The two bedroom units represent 58% of the units. These units will be larger family friendly units. Staff are satisfied with the proposed unit mix.

Rental Housing

As the existing related group of buildings contains 7 residential units, but only 4 of which are rental, the City of Toronto's Official Plan policies on the demolition and replacement of housing do not apply. As there is a mix of tenants who were apprised of the application upon entering into a lease, with explicit terms regarding the demolition, and of long-term tenants, some of whom are paying very affordable rents, a two-tier compensation package is proposed to be secured in the Section 37 agreement with the Owner. All tenants shall receive at least 5 months' notice of the demolition, with recent tenants who have moved in since the application was submitted, receiving a cash payment of \$1000 per household above the *Residential Tenancies Act* requirements and long term tenants will receive \$2000 per household above the Act requirements for relocation compensation.

Site Plan

The applicant has yet to submit a Site Plan Control Application. Once an application has been submitted staff will review the project to ensure that high quality materials, facades and architectural detailing enhance the overall project. Other matters to be reviewed through the site plan process include securing streetscape landscaping, fences and landscape screening to neighbours, buffering to the rear yards of the fourplexes to the north, amenity area as well as lighting for walkways and stairs leading to units. Staff recommend that before introducing the necessary Bills to City Council for enactment, the applicant be required to submit a complete site plan application to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Conclusion

City Planning recommends that Council approve the Official Plan and Zoning By-law Amendment applications, subject to the listed conditions. The proposal allows for an appropriate and desirable development of the subject properties. The proposed 4-storey building is consistent

with the Official Plan *Apartment Neighbourhoods* designation, and other existing residential land uses within the area. The proposed development reinforces the existing and planned built context of the surrounding area and has a built form that results in an appropriate development that fits this location. The recommended Official Plan Amendment is included in Attachment 10 to this report. The recommended Zoning By-law Amendments are included in Attachment 11 and 12 to this report

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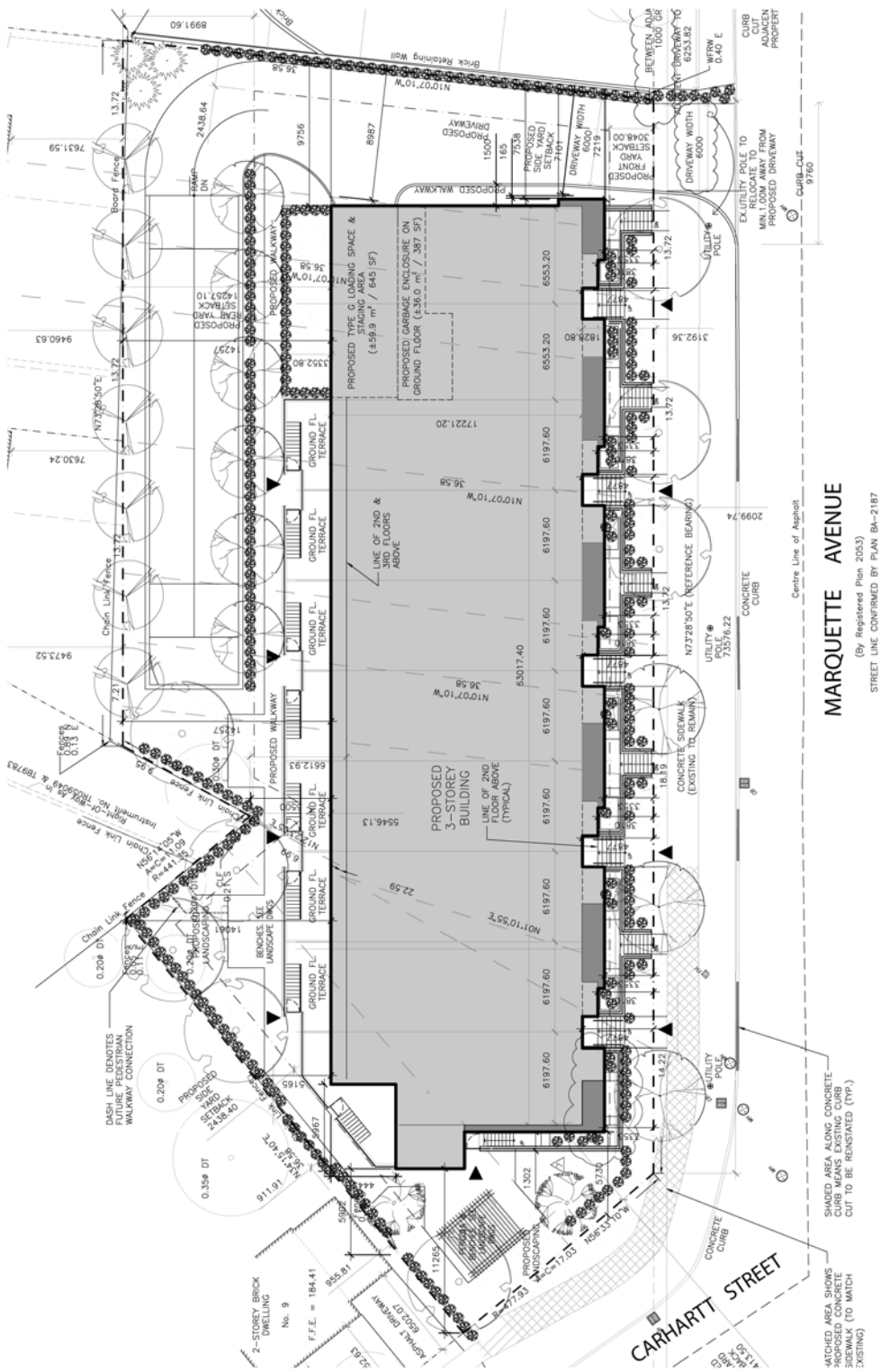
SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: East Elevation
Attachment 4: West Elevation
Attachment 5: South Elevation (Marquette Avenue)
Attachment 6: Zoning by-law 7625
Attachment 7: Zoning by-law 569-2013
Attachment 8: Official Plan
Attachment 9: Application Data Sheet
Attachment 10: Draft Official Plan Amendment
Attachment 11: Draft Zoning By-law 7625 Amendment
Attachment 12: Draft Zoning By-law 569-2013 Amendment

Attachment 1: Site Plan



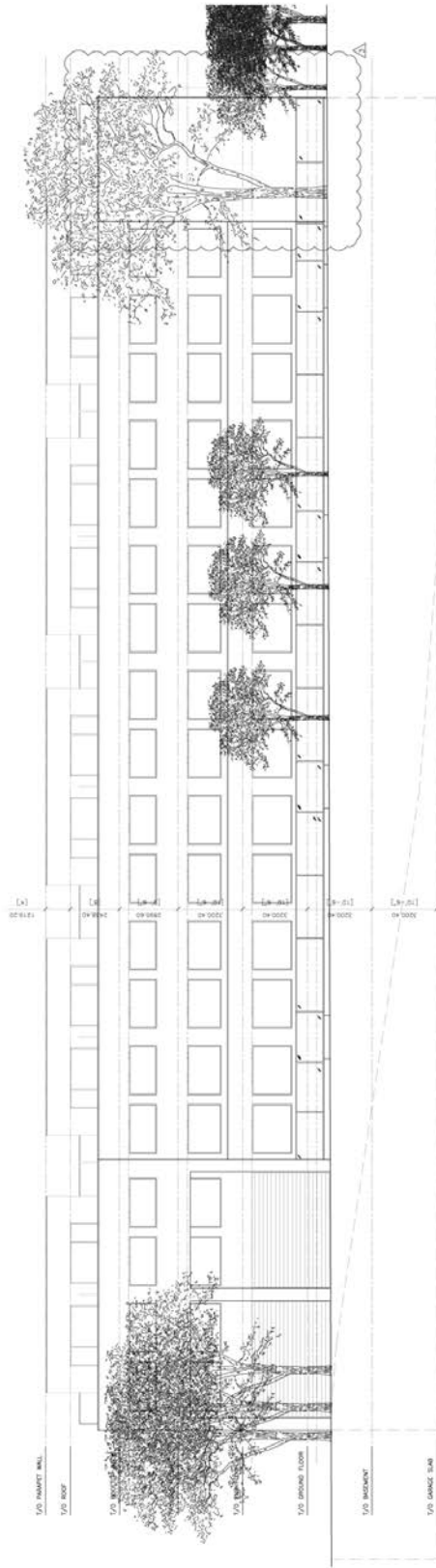
12-18 Marquette Avenue & 7 Carhartt Street

Site Plan
Applicant's Submitted Drawing

Not to Scale
09/17/2015

File # 14 182666 NNY 15 0Z

Attachment 2: North Elevation



12-18 Marquette Avenue & 7 Carhartt Street

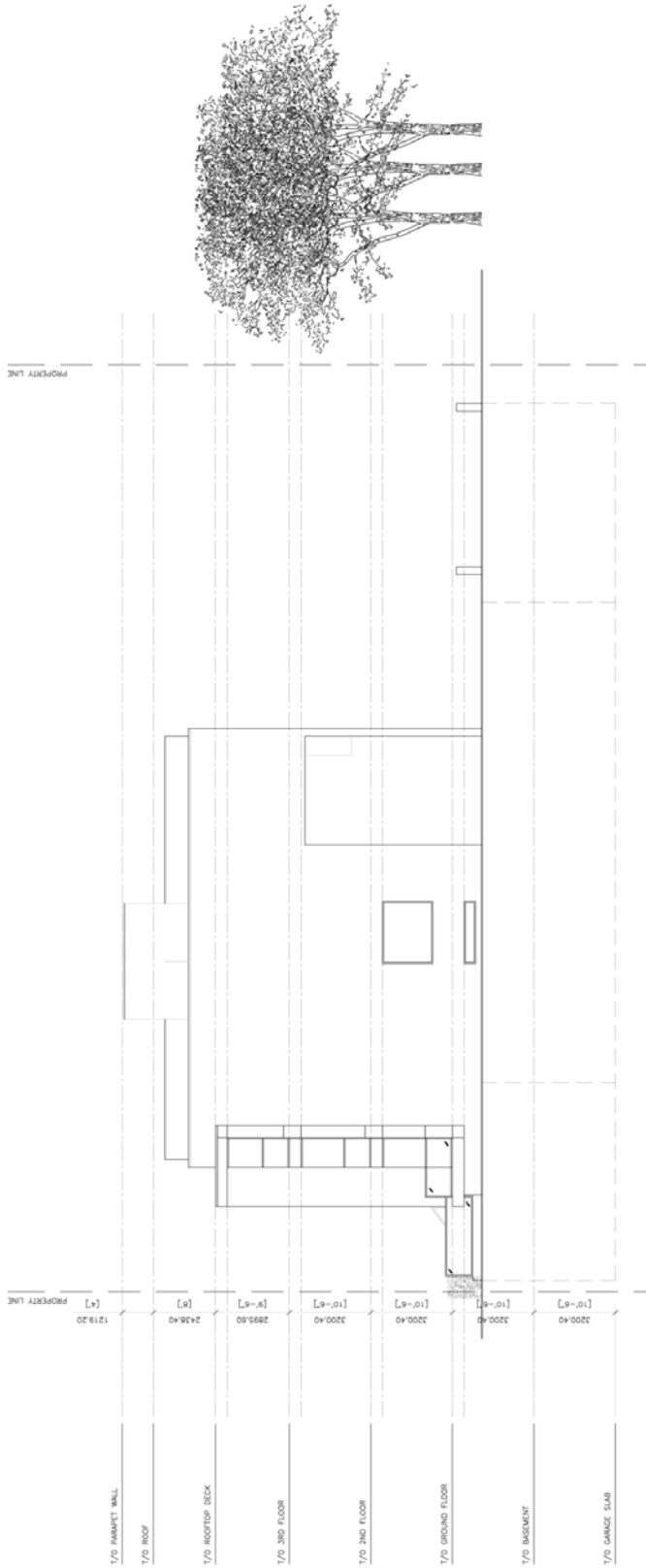
North Elevation

Applicant's Submitted Drawing

Not to Scale
08/26/2015

File # 14 182666 NNY 15 0Z

Attachment 3: East Elevation



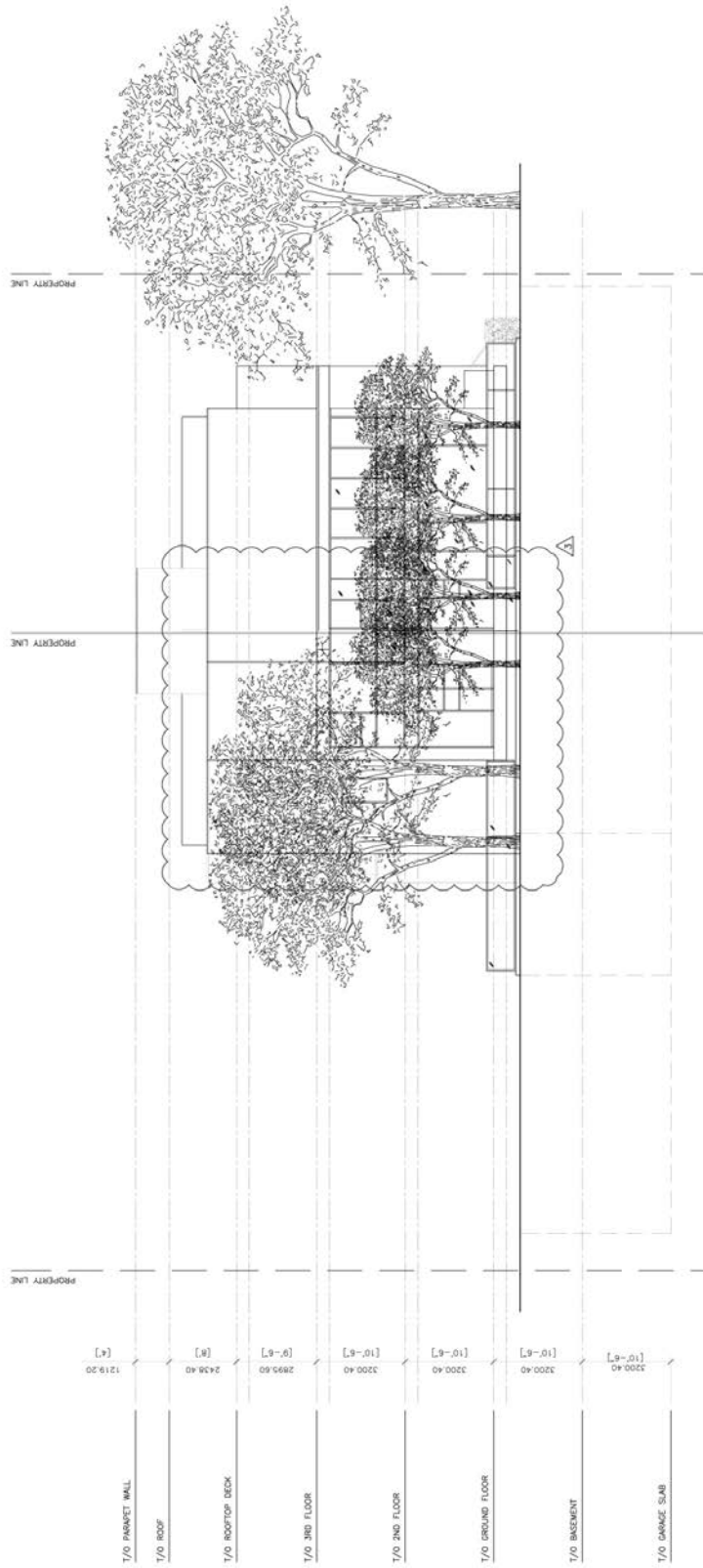
12-18 Marquette Avenue & 7 Carhartt Street

East Elevation
 Applicant's Submitted Drawing

Not to Scale
 08/26/2015

File # 14 182666 NNY 15 0Z

Attachment 4: West Elevation



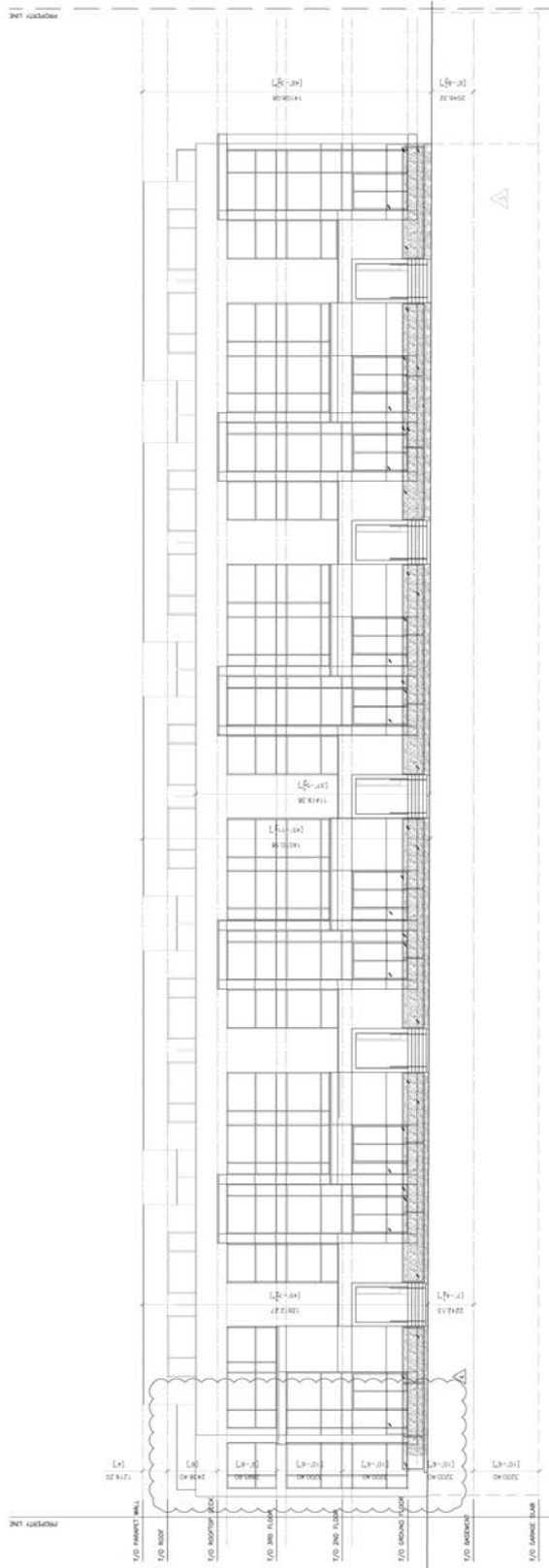
12-18 Marquette Avenue & 7 Carhartt Street

West Elevation
 Applicant's Submitted Drawing

File # 14 182666 NNY 15 0Z

Not to Scale
 08/26/2015

Attachment 5: South Elevation (Marquette Avenue)



12-18 Marquette Avenue & 7 Carhartt Street

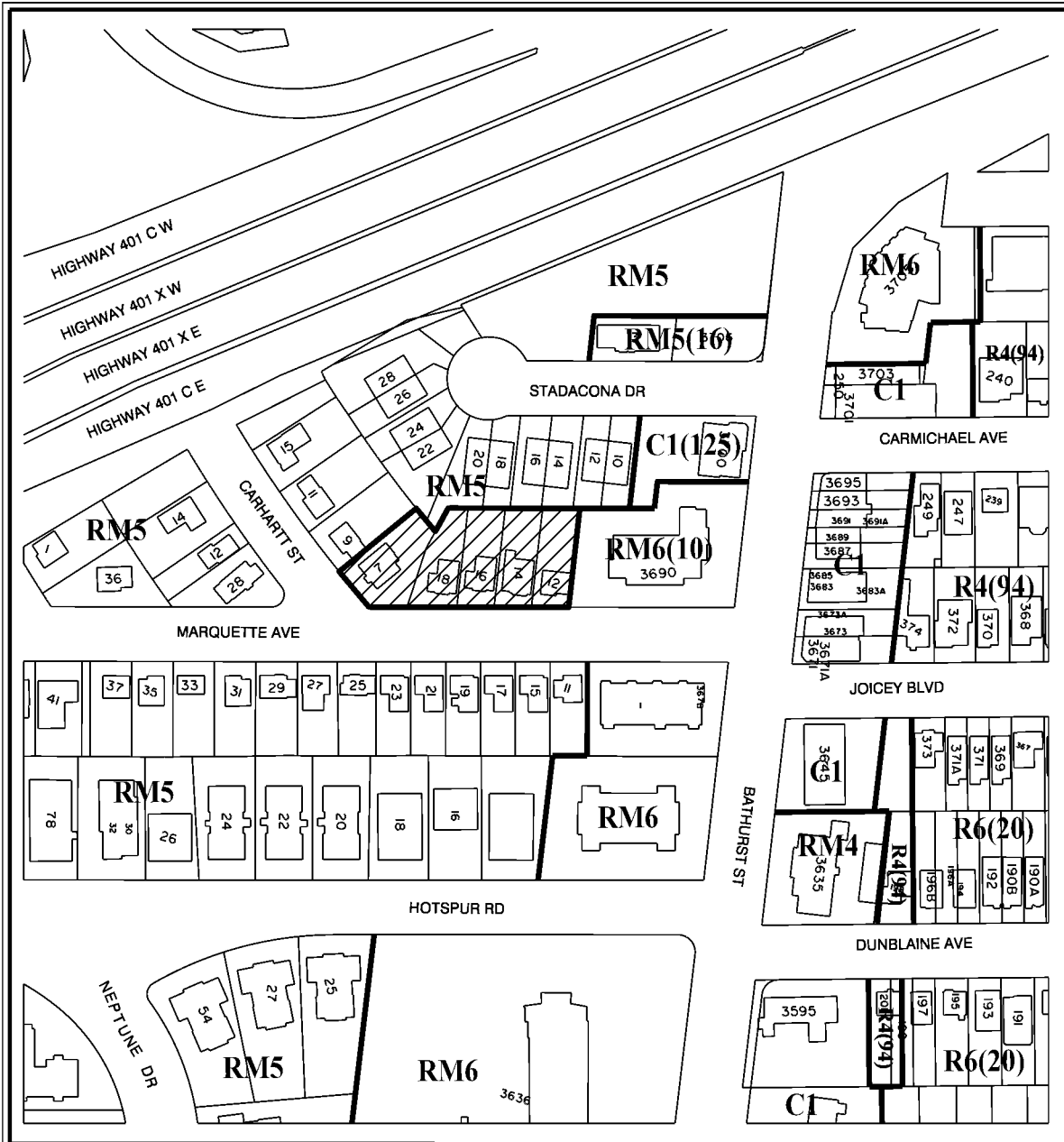
South Elevation

Applicant's Submitted Drawing

Not to Scale
08/26/2015

File # 14 182666 NNY 15 0Z

Attachment 6: Zoning By-law 7625



TORONTO City Planning
Zoning

12-18 Marquette Avenue & 7 Carhartt Street

File # 14 182666 NNY 15 0Z

- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone

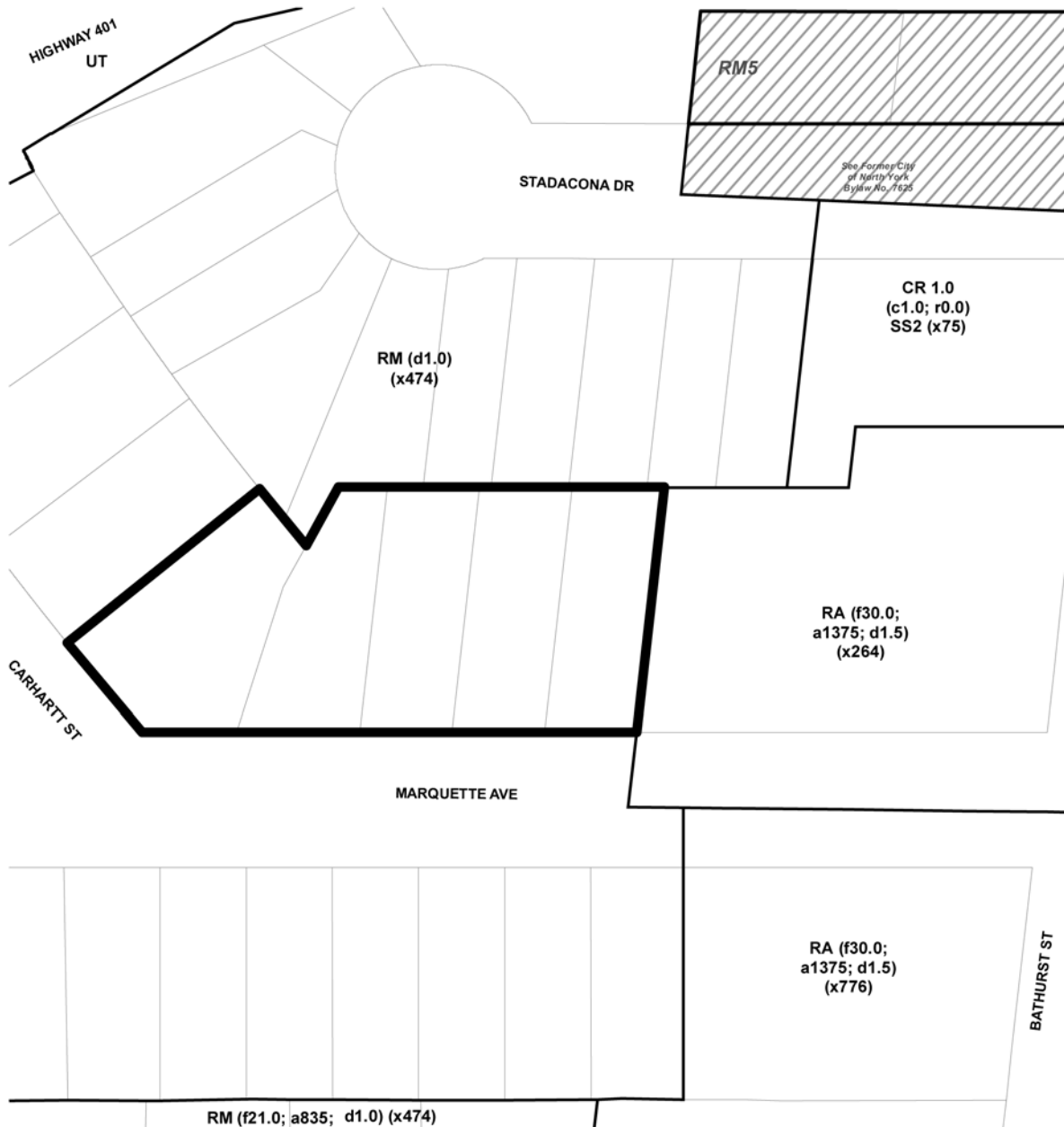
C1 General Commercial Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 09/16/2015

Attachment 7: Zoning By-law 569-2013



Zoning By-law 569-2013

12-18 Marquette Avenue & 7 Carhartt Street

File # 14 182666 NNY 15 02



Location of Application



See Former City of North York Bylaw No. 7625

RM Residential Multiple
RA Residential Apartment

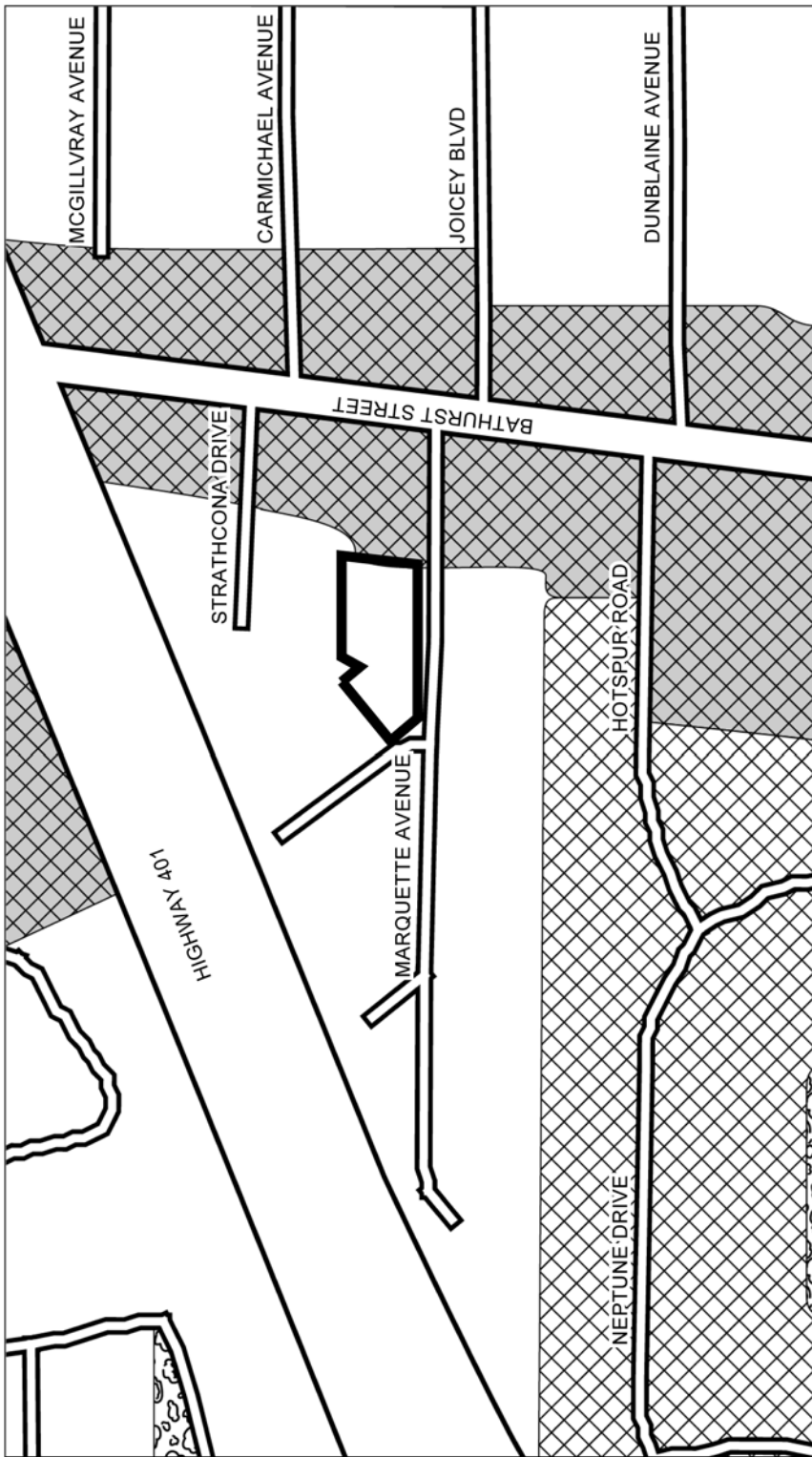
CR Commercial Residential
UT Utility and Transportation

RM5 Multiple-Family Dwellings Fifth Density Zone



Not to Scale
Extracted: 09/15/2015

Attachment 8: Official Plan



Toronto City Planning
Extract from Official Plan

12-18 Marquette Avenue & 7 Carhartt Street

File # 14 182666 NMY 15 0Z

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas



Not to Scale
 09/16/2015

Attachment 9: Application Data Sheet

Application Type	Rezoning	Application Number:	14 182666 NNY 15 OZ
Details	Rezoning, Standard	Application Date:	June 30, 2014

Municipal Address: 12 – 18 MARQUETTE AVENUE & 7 CARHARTT STREET

Project Description: Proposal to construct 4 storey 48-unit apartment building.

Applicant:	Agent:	Architect:	Owner:
Marquette Urban Townhomes Inc. Toronto, ON M2N 5R5	Terry Kaufman 5400 Yonge Street Toronto, ON M2N 5R5	Point Architects 522 Mt. Pleasant Road Suite 200 Toronto, ON M4S 2M3	Marquette Urban Townhomes Ltd. Toronto, ON M2N 5R5

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	RM	Historical Status:	N
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2691	Height:	Storeys:	4
Frontage (m):	73.57		Metres:	15.62
Depth (m):	37			
Total Ground Floor Area (sq. m):	1060			Total
Total Residential GFA (sq. m):	4344.9		Parking Spaces:	49
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	4344.9			
Lot Coverage Ratio (%):	43.91			
Floor Space Index:	1.61			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	3288.6
Bachelor:	1	Retail GFA (sq. m):	0
1 Bedroom:	20	Office GFA (sq. m):	0
2 Bedroom:	27	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	48		

CONTACT: **PLANNER NAME:** **Vanessa Covello, Planner**
TELEPHONE: **416-395-7104**
E-MAIL: **vcovell@toronto.ca**

Attachment 10: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2015, as
12-18 Marquette Avenue and 7 Carhartt Street**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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. The attached Amendment No. 328 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

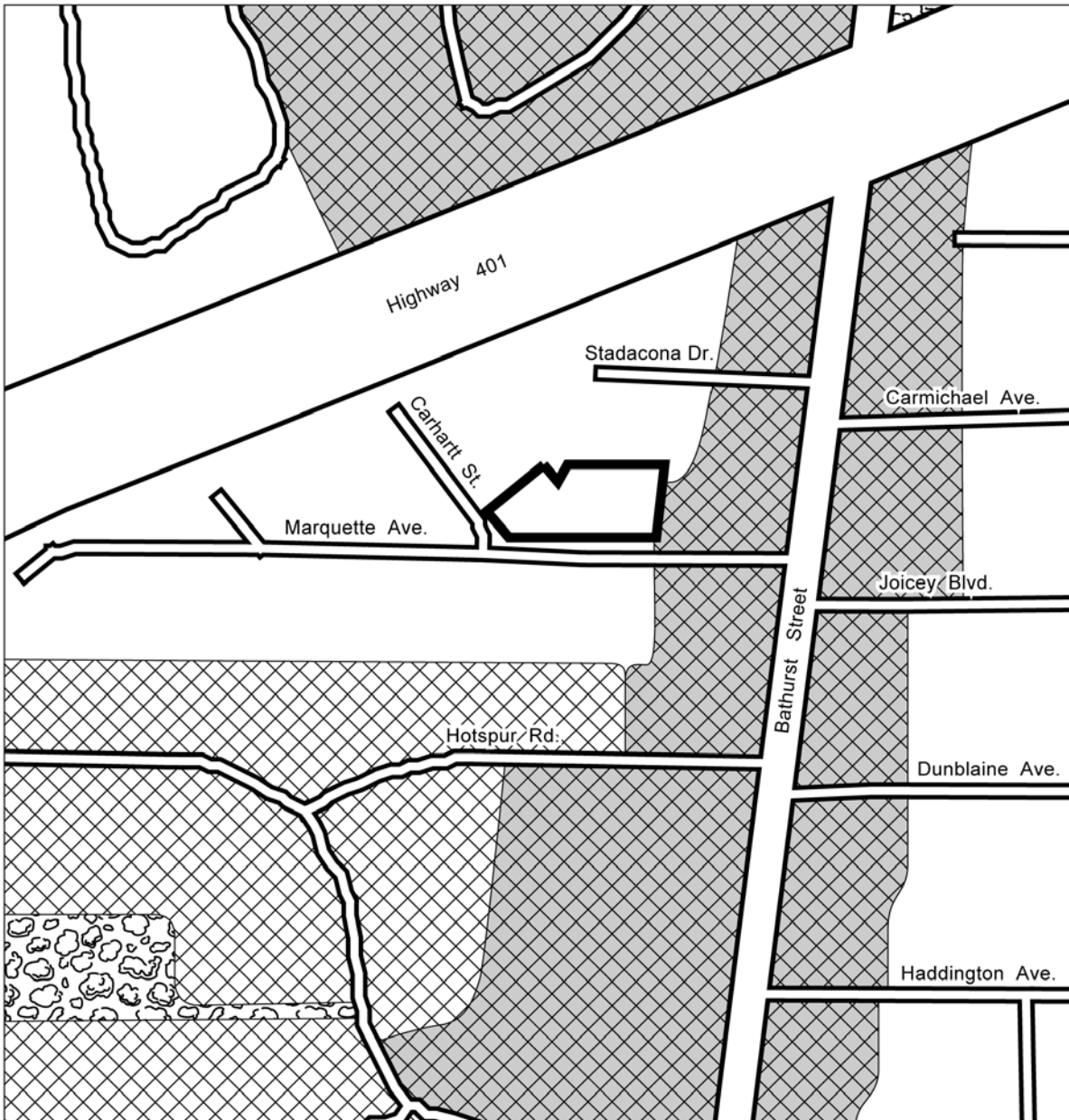
(Corporate Seal)

AMENDMENT NO. 328 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2015 AS
12-18 Marquette and 7 Carhartt Street

The Official Plan of the City of Toronto is amended as follows:

1. Map 16, Land Use Plan, is amended by re-designating the lands known municipally as 12-18 Marquette Avenue and 7 Carhartt Street from *Neighbourhoods* to *Apartment Neighbourhoods*, as shown on the attached Schedule OPA 328.

City of Toronto By-law No. ~~-20~



12-18 Marquette Avenue & 7 Carhartt Street

Official Plan Amendment 328

Revisions to Land Use Map 16 to Redesignate lands from Neighbourhoods to Apartment Neighbourhoods

File # 14 182666 NNY 15 02

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



Not to Scale
09/01/2015

Attachment 11: Draft Zoning By-law 7625 Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on
~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

**To amend the former City of North York Zoning By-law No. 7625, as amended,
With respect to the lands municipally known as,
12-18 Marquette Avenue and 7 Carhartt Street**

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. Schedules "B" and "C" of the By-law 7625 of the former City of North York are amended in accordance with Schedule "1" of the By-law.
2. Section 64.20 of the By-law 7625 is amended by adding the following subsection:

"64.20 (28) RM5 (28)"

DEFINITIONS

- a) For the purpose of this exception "Established Grade" shall mean a geodetic elevation of 183.24.
- b) For the purpose of this exception "Site" shall mean the lands identified on Schedule 1, comprising an area of 2.691m².
- c) For the purpose of this exception "Apartment House Dwelling" shall mean a building that has five or more dwelling units, with at least one dwelling unit entirely or partially above another, and each dwelling unit has a separate entrance directly from outside or through a common inside area.

PERMITTED USES

- a) The only permitted uses shall be multiple attached dwelling units and accessory uses

thereto.

EXCEPTION REGULATIONS

a) Number of Dwelling Units

A maximum of 48 dwelling units shall be permitted on site.

b) Setbacks

The minimum yard setbacks for the buildings and structures above established grade shall be shown on Schedule "RM5 (28)".

c) Gross Floor Area

A maximum gross floor area of 4,345m² shall be permitted on site.

d) Building Height

The maximum permitted height for a building or structure is 15.7 metres above established grade and 4 storeys.

e) Lot Coverage

The maximum permitted lot coverage is 44%.

f) Parking

1. Provide parking in accordance with the following requirements:

Bachelor Units:	0.7 spaces per unit;
1-Bedroom Units:	0.8 spaces per unit;
2-Bedroom Units:	0.9 spaces per unit;
3-Bedroom Units:	1.1 spaces per unit; and
Visitor Spaces:	0.15 spaces per unit.

2. The required parking must be located in the residential building;

3. No accessible parking is required on site;

4. Access to parking shall be provided from Marquette Avenue.

g) Bicycle Parking

1. Residential bicycle parking spaces must be provided at a minimum rate of 0.75 bicycle space for each dwelling unit, allocated as 0.68 long term bicycle parking

space per dwelling unit and 0.07 short term bicycle parking space per dwelling unit.

h) Loading

One Type G loading space shall be provided with dimensions of 13.0m length, 4.0m in width and 6.1m of vertical distance.

i) Landscaping

A minimum of 33% of landscaping on site must be soft landscaping.

j) Exclusions

- i. Section 15 General Provisions for Multiple-Family Dwelling Zones (RM) shall not apply.
- ii. The provisions of 20.2.1 Lot Area, 20.2.2 Lot Coverage, 20.2.3 Street Frontage, 20.2.4 Yard Setbacks, 20.2.5 Floor Area and 20.2.6 Building Height shall not apply.

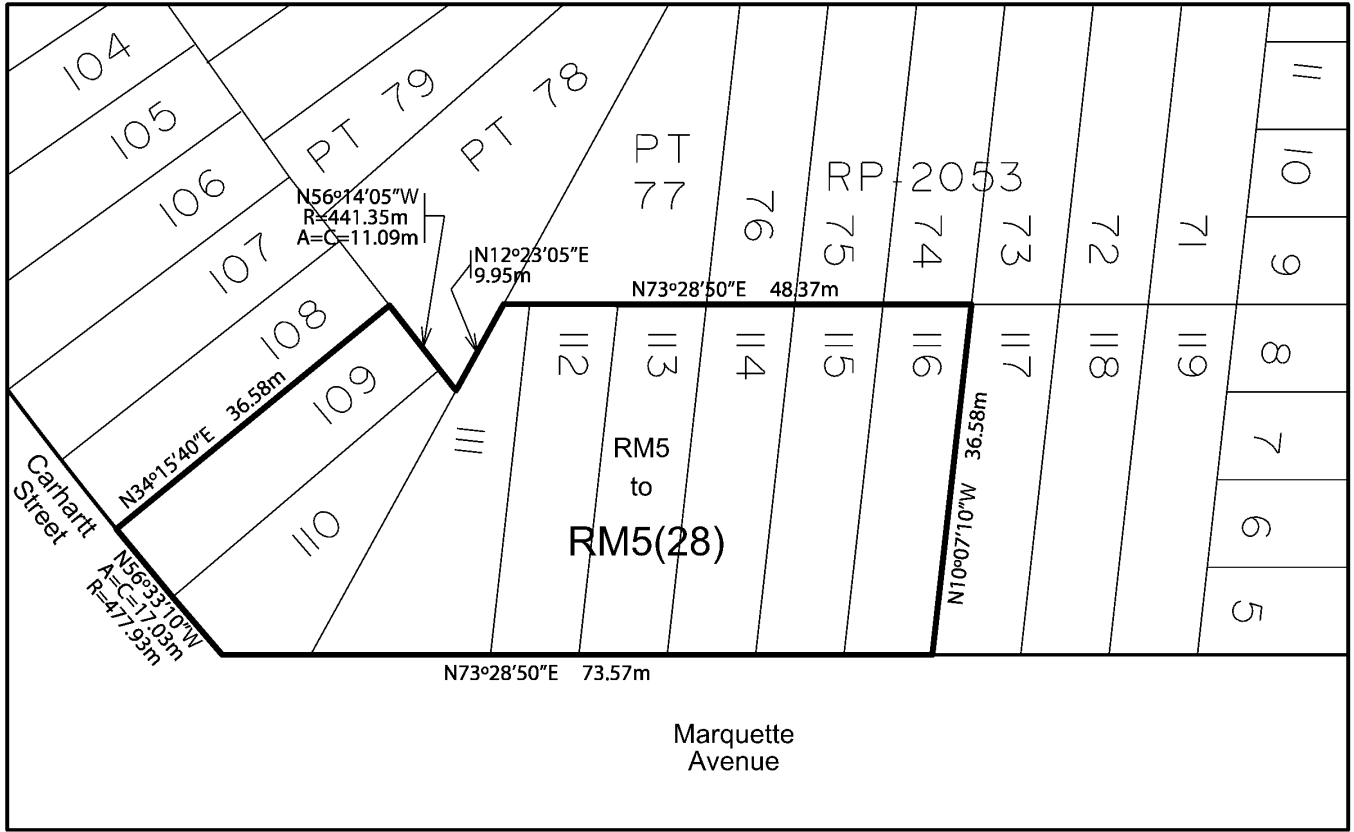
3. Notwithstanding any existing or future severance or division of the lands subject to this exception, the regulations of the exception shall continue to apply to the whole of the lands.
4. Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

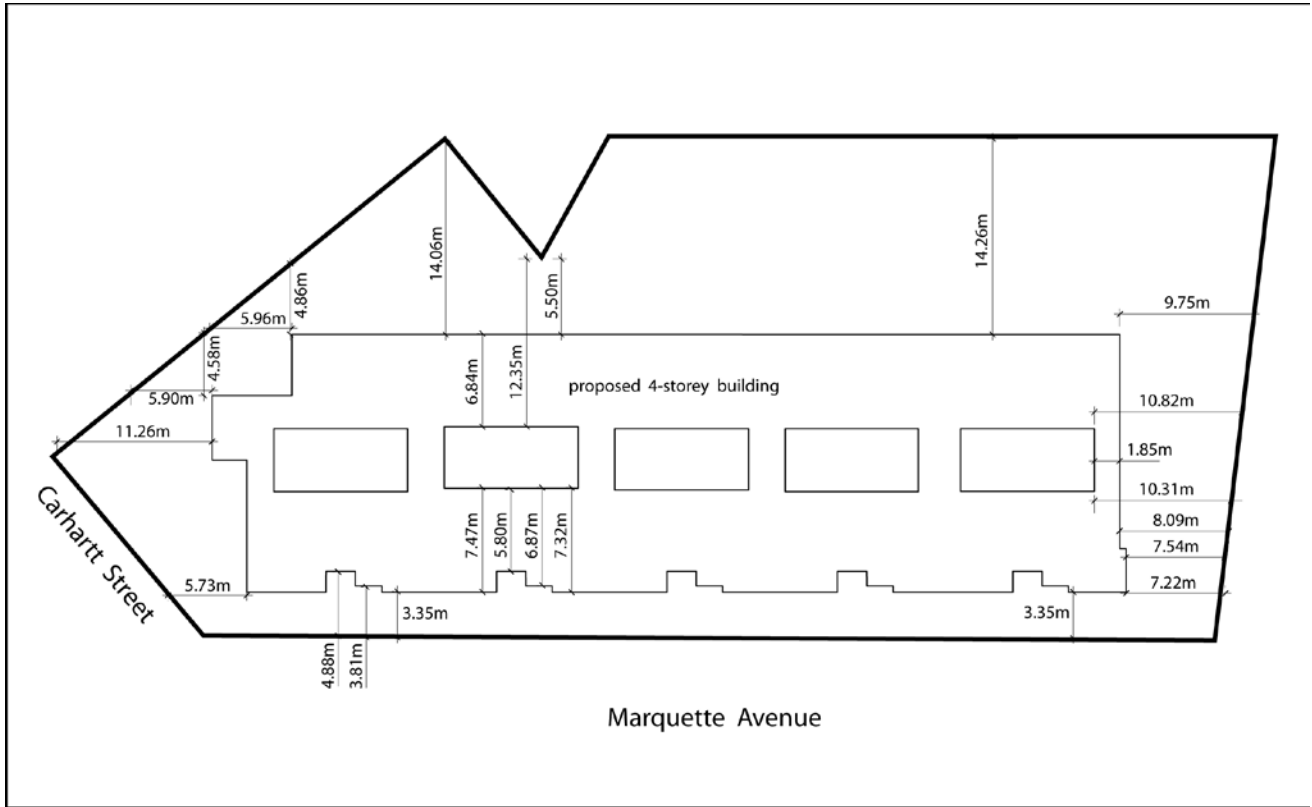


Schedule 1

Lots 109 to 116 inclusive, R.P. 2053, City of Toronto
 Young & Young Surveying Inc.
 Date: 09/01/2015
 Approved by: V. Covello

File # 14 182666 NNY 15 0Z





Schedule RM5(28)

From Applicant's Drawing

File # 14 182666 NNY 15 0Z

Date: 09/01/2015
Approved by: V. Covello

↑
Not to Scale

Attachment 12: Draft Zoning By-law 569-2013 Amendment

Authority: North York Community Council ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2015]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2015 as, 12-18 Marquette Avenue and 7 Carhartt Street.

Whereas Council of the City of Toronto has the authority to pursuant to 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*; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section respecting the lands outlined by heavy black lines to RMx510, as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number RMx510 so that it reads:

Exception RM 510

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) The only permitted use is an apartment building and ancillary uses.

- (B) A maximum of 48 dwelling units are permitted.
- (C) The minimum lot frontage, side yard setbacks, and rear yard setbacks for the building and structure above ground are shown on Diagram 3 of By-law [## to be inserted by Clerks].
- (D) The maximum permitted gross floor area is 4,345 square metres;
- (E) Height is measured from the Canadian Geodetic Datum elevation of 183.24 metres, and the highest point of the building or structure.
- (F) The maximum permitted height for a building or structure is 15.7 metres and 4 storeys;
- (G) The maximum permitted lot coverage is 44%.
- (H) Parking spaces must be provided in accordance with the following requirements:
 - Bachelor Units: 0.7 spaces per unit;
 - 1-Bedroom Units: 0.8 spaces per unit;
 - 2-Bedroom Units: 0.9 spaces per unit;
 - 3-Bedroom Units: 1.1 spaces per unit; and
 - Visitor Spaces: 0.15 spaces per unit.
- (I) The required parking spaces must be located in the residential building.
- (J) No accessible parking spaces are required;
- (K) Access to the parking spaces must be provided from Marquette Avenue.
- (L) Residential bicycle parking spaces must be provided at a minimum rate of 0.75 bicycle space for each dwelling unit, allocated as 0.68 long term bicycle parking space per dwelling unit and 0.07 short term bicycle parking space per dwelling unit.
- (M) One Type G loading space must be provided with minimum dimensions of 13.0 metres in length, 4.0 metres in width and 6.1 metres of vertical distance.
- (N) A minimum of 33% of soft landscaping on site must be provided.
- (O) Notwithstanding any existing or future severance or division of the lands subject to this exception, the regulations of the exception shall continue to apply to the whole of the lands.

- (P) Within the lands shown on Diagram 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new streets have been constructed to a minimum of base curb and base asphalt and are connected to an existing street, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

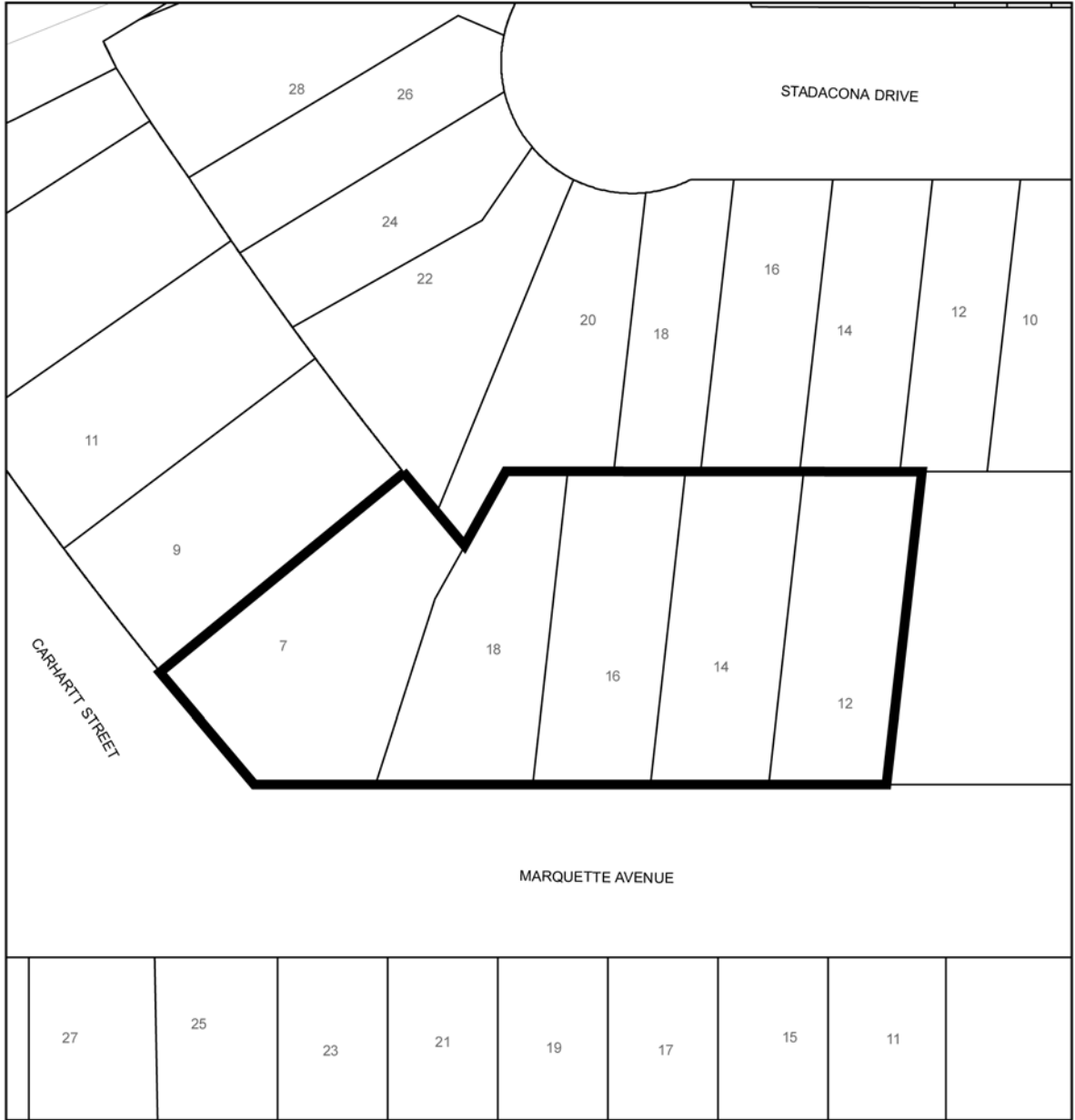
Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on month ##, 20##.

John Tory,
Mayor

Ulli S. Watkiss,
City Clerk

(Seal of the City)



TORONTO City Planning
Diagram 1

12-18 Marquette Avenue & 7 Carhartt Street

File # 14 182666 NNY 15 0Z

Approved by: V. Covello

City of Toronto By-Law 569-2013
 Not to Scale
 08/27/2015

