

11 Lillian Street and 132 – 142 Soudan Avenue – Zoning Amendment – Final Report

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| Date: | January 30, 2015 |
| To: | Toronto and East York Community Council |
| From: | Director, Community Planning, Toronto and East York District |
| Wards: | Ward 22 – St. Paul's |
| Reference Number: | 13 169170 STE 22 OZ |

SUMMARY

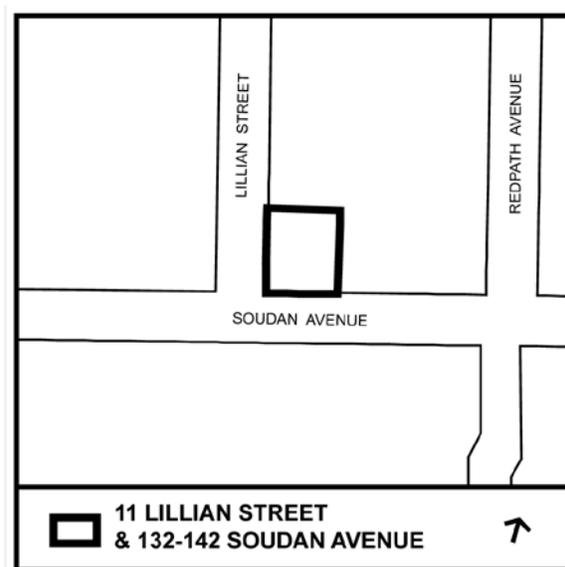
This application proposes a 14-storey residential building at 11 Lillian Street and 132 – 142 Soudan Avenue. The proposed building has 98 residential units and a total density of 7.96 times the lot area. It has an 11-storey tower that sits on top of a 3-storey base. The base contains four grade-related units facing the *Neighbourhoods* designated area on the south side of Soudan Avenue. The application proposes 84 parking spaces in a 4-level underground garage.

This report reviews and recommends approval of the application to amend the Zoning By-law. The proposed development fits its context in an *Apartment Neighbourhood*, provides an acceptable transition in height to the *Neighbourhood* area to the south, given the overall context, minimizes negative impacts from its built form, and conforms to applicable policies of the Official Plan.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 and 569-2013, as amended, for the lands at 11 Lillian Street and 132 – 142 Soudan Avenue substantially in accordance with the draft Zoning By-law Amendments attached as Attachments



No. 8 & 9 to the report (January 30, 2015) from the Director, Community Planning, Toronto and East York District, titled 11 Lillian Street and 132-142 Soudan Avenue – Zoning Amendment – Final Report.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
3. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor pursuant to Section 37 of the *Planning Act*, to secure the following facilities, services and matters;
 - a) cash contribution in the amount of \$500,000 payable prior to the first above-grade building permit to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, towards improvements to Redpath Avenue Parkette; the acquisition, design and construction of new parkland to be added to Redpath Avenue Parkette; improvements to or the development of other local area parks; streetscape improvements within the area.
 - b) such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.
 - c) In the event the cash contribution has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On September 10, 2013, Toronto and East York Community Council adopted the recommendations contained in the Preliminary Report for 11 Lillian Street and 132-142 Soudan Avenue, from the Director, Community Planning, Toronto and East York District.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE26.67>

ISSUE BACKGROUND

Proposal

This is an application to amend the Zoning By-law to permit a 14-storey residential building containing a maximum of 98 dwelling units. The building consists of an 11-storey tower above a 3-storey base.

The base of the building contains four, 3-storey, grade-related townhouse units facing the *Neighbourhoods* designated area on the south side of Soudan Avenue. The base is set back 2.2 and 0.6 metres at grade from the south and west property lines allowing 7.27 and 6.36 metre setbacks from the Soudan Avenue and Lillian Street curbs respectively.

The tower is stepped back from the face of the base building by approximately 3.0 metres from its south and west elevations (facing Soudan Street and Lillian Street respectively) and by approximately 4 metres from its north and east elevations (facing single detached houses to the north and a 4-storey, co-op apartment building to the east). The tower floorplate size is approximately 662 square metres.

The proposed building density is approximately 7.96 times the lot area. The building includes 84 parking spaces (74 spaces for residents and 10 spaces for visitors) in a 4-level underground garage. A total of 90 bicycle parking spaces are proposed, including 16 spaces outside the building, 16 spaces within an enclosed bike storage room at grade on the Lillian Street frontage and 58 spaces on the P1 parking level. (Refer to Attachment 7 - Application Data Sheet).

Site and Surrounding Area

The site is located at the northeast corner of Lillian Street and Soudan Avenue and consists of six, 2-storey, semi-detached dwellings on Soudan Avenue (132 – 142 Soudan Avenue) and one single detached dwelling on Lillian Street. The site excludes the two single detached houses immediately north of 11 Lillian Street.

Surrounding uses are as follows:

North: north of the site is a pair of 2-storey, semi-detached houses at 15 and 17 Lillian Street. North of 17 Lillian Street is a recently built, 10-storey apartment building.

East: east of the site is a three and a half storey co-op apartment building (148 Soudan Avenue). The building is set back from the subject site's east property line by approximately 6.7 metres. Much of that setback consists of a driveway that accesses the underground parking for the building. The north side of Soudan Avenue past 148 Soudan Avenue is predominantly single detached and semi-detached houses east to Mount Pleasant Road.

South: across Soudan Avenue consists of single detached and semi-detached houses designated *Neighbourhoods* in the Official Plan.

West: west of the site on the northwest corner of Lillian Street and Soudan Avenue are a 2-storey building (containing a swimming pool and other amenities) and surface parking lot associated with the 28-storey rental apartment building (the Torontonians) located at 45 Dunfield Avenue. The south end of that property is subject to a rezoning application for an infill development consisting of a 28-storey and a 26-storey apartment building and a single-storey "gallery" building.

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 including: directions for where and how to grow; the provision of infrastructure to support growth; protecting natural systems and cultivating a culture of conservation; and planning for a range and mix of housing. City Council's planning decisions are required by the Planning Act to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

Apartment Neighbourhoods

The site is located within an *Apartment Neighbourhoods* designation which permits apartment buildings and all forms of residential development permitted in *Neighbourhoods*. The Official Plan indicates that built up *Apartment Neighbourhoods* are stable areas of the City where significant growth is generally not anticipated. There may, however, be opportunities for compatible infill development on underutilized sites.

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

- locating and massing new buildings to provide transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or, stepping down of the heights towards, lower scale *Neighbourhoods*;
- locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- providing sufficient off-street motor vehicle and bicycle parking for residents and visitors;

- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

Built Form

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

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

Healthy Neighbourhoods

Section 2.3.1.1 states that *Apartment Neighbourhoods* are considered to be physically stable areas and that development within *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. Staff have reviewed this application for compliance with these and all other relevant policies of the Official Plan. To review all sections of the Toronto Official Plan refer to the City's website at: www.toronto.ca/planning/official_plan/introduction.htm.

Yonge-Eglinton Secondary Plan

The site is within the boundaries of the Yonge-Eglinton Secondary Plan. Secondary Plan policies apply to this site, including:

- 2.4 It is a primary objective to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among uses in *Mixed Use Areas, Neighbourhoods, Apartment Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement.
- 2.7 In order to ensure that the form of buildings promotes a compatible physical and land use relationship between development within the various land use designations and between sites in abutting land use designations and that all new buildings within Yonge-Eglinton

Secondary Plan area form a positive visual relationship to the street, it is an objective of the Secondary Plan to:

- (a) maintain the existing scale of developments within stable *Neighbourhoods* and protect such areas from overshadowing from buildings located in abutting *Mixed Use Areas* and *Apartment Neighbourhoods*; and
- (b) secure a transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods* and, in particular, to those sites which abut a *Neighbourhood*.

Tall Building Design Guidelines

Toronto City Council has adopted the city-wide Tall Building Design Guidelines ("the Guidelines") and directed City Planning staff to use the Guidelines in the evaluation of applications for tall buildings. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

Policy 1, Section 5.3.2, 'Implementation Plans and Strategies for City-Building', of the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design Guidelines "provide a more detailed framework for built form and public improvements."

The Tall Building Design Guidelines, while not constituting Official Plan policy, serve this policy intent by helping to implement Chapter 3.1, The Built Environment and other policy sections in the Plan related to the design and development of tall buildings in Toronto. A tall building is generally defined as a building that is taller than the width of the road right-of-way adjacent to the site. The Design Guidelines provide recommendations to assist staff in their review of tall building applications. The Design Guidelines expand upon the Official Plan policies (particularly Section 3.1.2 – Built Form) regarding issues of: transition in scale; massing of base buildings; tower floor plates; separation distances; and pedestrian realm.

Midtown in Focus Parks, Open Space and Streetscape Plan

On August 25, 26 and 27, 2014, City Council adopted the Midtown in Focus Parks, Open Space and Streetscape Plan to support its strategies and initiatives, and inform current and future development applications. Council's decision begins the implementation of the vision for the Yonge-Eglinton public realm through the improvement of the quality, quantity and character of parks, open spaces and streets within the area. Council further requested City Planning Staff to prepare draft amendments to the Yonge-Eglinton Secondary Plan to implement the Parks, Open Space and Streetscape Plan. Staff expect to submit the draft Official Plan amendments to Planning and Growth Management Committee for consideration in the second quarter of 2015.

The site is located within the area of the Midtown in Focus Plan. As a result, the proposed development has been evaluated to ensure that it is consistent with the public and private open space objectives of the Plan. The site fronts on Soudan Avenue and Lillian Street, which are

identified as "Greenways" in the Avenue Plan. Soudan Avenue defines the southern limit of the Midtown in Focus Plan Area. Key streetscape elements include widening the sidewalks on both sides of Soudan Avenue with a priority for the north sidewalk which enjoys better sunlight than the south side.

The Midtown in Focus Plan calls for a 5 metre setback from the property line of new development on the north side of Soudan Avenue, where larger setbacks can be accommodated due to the nature of the built form provided in *Apartment Neighbourhoods*. Sidewalks on Lillian Street and Holly Street are also intended to be enlarged with 5 metre building setbacks. Dunfield Park, to the west of the site, is identified as a priority for parkland acquisition, in order to create a sizable, programmable community destination.

The current proposal provides for a 2.24 metre setback from Soudan Avenue. Although this is less than what is recommended in the Midtown in Focus Plan, the application was submitted prior to its adoption. The 2.4 metre setback, combined with the townhouse units at grade, allow for a landscaped residential setback that helps to meet the intent of the Midtown in Focus Plan. An increased setback will be pursued through detailed design at the Site Plan stage.

Lillian Street has a setback of 3 metres at the corner of Lillian Street and Soudan Avenue, which tapers to 0.6 metres for the rest of the site. Although not 5 metres as proposed in the Midtown in Focus Plan, the 3 metre setback at the corner provides an open space in keeping with the direction of the Plan and the rest of the frontage lines up with the two dwellings to the north which will remain. The sidewalk on Lillian Street, adjacent to the site, will be enhanced with planting which helps achieve the intent of the Midtown in Focus Plan.

Zoning

The site is zoned R2 Z0.6 by the former City of Toronto Zoning By-law 438-86 and R (d0.6) (x914) by the new City-Wide Zoning By-law 569-2013, enacted by City Council on May 9, 2013 and currently under appeal to the Ontario Municipal Board. Both zoning by-laws would permit a range of residential uses to a total density of 0.6 times the lot area and to a height of 14.0 metres (refer to Attachment 6: Zoning).

Site Plan Control

This application is subject to site plan control. An application has not been submitted.

Reasons for Application

The applicant is proposing to amend By-law 438-86 to permit the proposed building height of 46.85 metres (excluding the mechanical penthouse) and a density of 7.96 times the lot area. By-law 438-86 zones this property R2 Z0.6 and permits a height of 14.0 metres and a density of 0.6 times the lot area. Other areas of non-compliance with the Zoning By-law (i.e. parking, setbacks, landscaped open space) have been determined by Toronto Building through its zoning review of the application.

Community Consultation

A community consultation meeting was held on November 5, 2013 at North Toronto Community Church and attended by approximately 60 residents and other interested parties.

Specific concerns with the proposal expressed at the meeting or in written submissions to the Planning Division include the following:

- Proximity of a tall building to a *Neighbourhoods* designation;
- Height – (originally proposed at 17 storeys) was considered too tall;
- Lack of transition in height and density to the *Neighbourhoods* designation on the south side of Soudan Avenue;
- Potential for increased traffic (from originally proposed 129 units).

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement, 2014 ("PPS") states in Section 1.1.1 b) that municipalities shall create sustainable communities by: "accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial, and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs". Furthermore, the PPS states, in Section 4.7, that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement. The proposal is consistent with the PPS.

The Growth Plan and the City's Official Plan direct highest density growth to 5 Urban Growth Centres located throughout the City. The site is located within an *Apartment Neighbourhood* and abuts the south boundary of the Yonge-Eglinton Growth Centre. The proposed development is compatible with, but less dense, than development anticipated in the Centre. The proposal conforms to the Growth Plan.

Land Use

The proposed land use, an apartment building, is permitted in the *Apartment Neighbourhoods* designation of the Official Plan and the Yonge-Eglinton Secondary Plan.

Density, Height, Massing

The site is located within an *Apartment Neighbourhood*, of mixed character, comprised of dwellings ranging from single detached and semi-detached houses to apartment buildings up to 28 storeys in height. Many of these existing buildings exceed the 0.6 times coverage permitted in the Zoning By-law. The applicant reduced its originally proposed building height of 17

storeys to 14 storeys in response to resident and staff concerns. The revised proposal provides an acceptable and well defined transition from taller apartment buildings to the north within the Growth Centre and the low-rise scale of the *Neighbourhood* designated area south of Soudan Avenue.

Fit and Transition in Scale

Section 3.1.2(3b) of the Official Plan recommends that new developments be massed to fit harmoniously into their existing or planned context and limit their impacts on neighbouring streets, parks, buildings and open space by creating appropriate transitions in scale to neighbouring buildings. The Official Plan indicates that transition may be achieved by methods including: the use of angular planes, stepping down of heights, location and orientation of buildings and the use of setbacks and stepbacks of building mass. The Design Guidelines indicate that tall buildings should be designed to, "fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks and open space". Where a proposed tall building is surrounded by other tall buildings of consistent or greater height, the proposed height and scale is to relate to the existing context.

The proposed development site is located at the south edge of an *Apartment Neighbourhood*. There are a number of existing and approved tall buildings that range from 10 to 28 storeys in the immediate area. Two nearby tall buildings that are similar to the proposed development are also located on the north side of Soudan Avenue facing a *Neighbourhoods* designation. They are: 40 Soudan Avenue, an 18-storey mixed use building, and 54 Berwick Avenue a 17-storey apartment building under construction. Each of these buildings is taller and has a larger floorplate than the subject application. This is acceptable as they are located closer to Yonge Street where taller, larger scale buildings are expected. At 14 storeys, the height of the proposed building is within its local height context and is also within the intent of the transition policies of the Tall Building Design Guidelines.

Scale of the Base Building

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

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

In the absence of a consistent streetwall, the Design Guidelines recommend:

- a minimum base building height between 10.5 metres and 80% of the adjacent street right-of-way width (up to a limit of 24 metres);
- additional base building height may be appropriate with a stepback of at least 3 metres provided that the total base height does not exceed 100% of the adjacent street right-of-way width (again to a limit of 24 metres);

- on corner sites, the base height should be varied to respect and respond to the height, scale and built-form character of the existing context on both streets; and
- publicly accessible and shared, private open spaces should be framed with a well-proportioned base building.

The proposed development has a 3-storey base of approximately 10.1 metres that includes 4 townhouse units facing Soudan Avenue. Each of the 4 proposed townhouse units have front doors and landscaped front yards at street level. The townhouse units within the base are designed to reflect the scale of the low-rise residential dwellings within the *Neighbourhoods* designation on the south side of Soudan Avenue. The building begins to angle back from Lillian Street at the upper floors proving a gradual stepping back from the edge of the property line. The tower steps back from the base 2.5 to 3 metres at the top of the base building (12.5 metres) and steps back a further 3 metres, along Lillian Street and Soudan Avenue, to the top of the mechanical penthouse at 47.5 metres in height.

The proposed building base is 3 storeys facing west on Lillian Street. The Lillian Street base building frontage contains the main entrance and lobby, enclosed bike storage area, secondary entrance and the vehicular access. There is no facing building on the west side of Lillian Street that would require a specific design response to match or transition in base height, scale and built-form character.

The proposed 3-storey base is set back 2.24 metres (private landscaped townhouse front yards) from the south property line on Soudan Avenue and, when combined with the 5.67 metre public sidewalk zone (including plantings in the right-of-way), provides a 7.91 metre setback from the north curb (Soudan Avenue) to the building face.

The minimum setback of the base building from the east curb on Lillian Street is 6.36 metres. The building base has no setback from the east property line next to the existing equity co-op at 148 Soudan Avenue, but has no east-facing windows and is separated from two co-op buildings at 148 Soudan Avenue by 5.79 to 7.48 metres. Most of the separating distance between the proposed building and the 148 Soudan Avenue building is an existing driveway ramp to the co-op's below-grade parking garage. The base of the proposed development has been designed to meet the intent of the base building recommendations of the Design Guidelines.

Separation Distances

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

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

These Guidelines apply to all tall buildings regardless of their size. In this case, the proposal is for a tall building of 14 storeys with a tower floorplate of 662 square metres, which is a relatively small "tall" building with less than the typical 750 square metre floor plate. As a result, Planning staff are of the opinion that it is not essential to fully achieve the setback and separation distance guidelines provided that their intent is maintained and impacts are mitigated appropriately, taking into consideration the context and circumstances of adjacent sites.

The proposed tower setback of 4 metres to the east property line plus the setbacks of the existing co-op building at 148 Soudan Avenue would establish a separation to the co-op building ranging from 9.79 to 11.48 metres. In addition, the northeast and northwest corners of the proposed tower have been chamfered which marginally increases the setbacks of the tower at those points and allows increased light and oblique sky views into and from the units in the existing co-op building at 148 Soudan Avenue.

The lands east of the subject site at 148 Soudan Avenue contain a 3.5-storey, 34-unit co-op apartment building. Given that the building at 148 Soudan Avenue is a co-op it may be less likely to be redeveloped than a group of single detached and/or semi-detached houses or a small rental apartment building.

Immediately to the north of the site are two, 2-storey semi-detached houses (nos. 15 and 17 Lillian Street). A 10-storey apartment building at 65 Lillian Street is north of the semi-detached houses. The semi-detached houses are each on 5-metre wide lots. A tall building could not be practically constructed on a total combined property width of 10 metres. Therefore, a setback of 12.5 metres has not been required from the proposed tower to its north property line.

There is a 19.5 metre separation distance between the proposed building at 11 Lillian Street and the 10-storey building to the north at 65 Lillian Street. While the Tall Building Guidelines suggest a separation distance of 25 metres, the relatively shorter stature of the proposed, the building relationship and floorplate sizes, and existing buildings allows for adequate skyview and sunlight to be preserved.

Staff consider that the proposed development meets the intent of the tower separation guidelines given its relatively small scale as a "tall" building and proposed design features (small floor plate, chamfered tower corners) and the proposed and existing building setbacks which mitigate its impact on adjacent properties.

Sun, Shadow, Wind

The Official Plan requires that new development in *Apartment Neighbourhoods* be located to "adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes." Staff agree with the applicant's shadow analysis which concluded that the shadow cast by the proposed development will fall within the immediate *Apartment Neighbourhoods* area in which the site is located. The proposed development has no shadow impact on the *Neighbourhoods* designated area on the south side of Soudan Avenue. Due to the small floorplate size of 662 m², the shadow cast by the proposed development would move quickly across neighbouring buildings. No incremental shadow impact on existing parks (e.g. Dunfield Parkette) is expected from the proposed development.

The applicant has provided a computer modelled wind assessment of the pedestrian level wind conditions. Wind conditions on and around the Lillian Street and Soudan Avenue site, if the building were to be constructed, are predicted to be comfortable and suitable for pedestrians. A wind tunnel analysis will be provided with the site plan review of this application.

Pedestrian Amenity

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

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

The Soudan Avenue frontage of the proposed building provides a sidewalk zone of 5.67 metres in width. The Soudan Avenue sidewalk zone is comprised of a combination of hard and soft landscaping materials including stone pavers, ornamental trees, shrubs, grasses and lower plantings at grade. The sidewalk zone is accented by the soft-landscaped 'front yards' in front of the four, grade-related townhouse units on Soudan Avenue and by the indented, landscaped main entrance area.

The Lillian Street frontage of the proposed building provides 5.76 metres of landscaped sidewalk zone, expanding to 8.76 metres in front of the main entrance at the corner of Lillian Street and Soudan Avenue.

In addition to the landscaped open space at grade, there are outdoor amenity areas on the fourth floor and the roof. Both of these amenity areas consist of hard and soft landscaping.

Traffic Impact, Access, Parking

All vehicles (cars, loading, garbage) would access the site from Lillian Street at the north end of the proposed building. Loading vehicles may enter and leave the site in a forward motion. The proposed location and configuration of the access is acceptable to Development Engineering Staff.

A total of 98 parking spaces are proposed in a four-level underground garage with 84 residential spaces, 12 visitor spaces and 2 car-share spaces. City policy permits a reduction in required parking of 4 spaces per car-share space. Development Engineering Staff have accepted the proposed parking supply.

The applicant's Traffic Impact Study concluded that the traffic associated with the proposed development can be accommodated on the local roads, based on the following findings:

- Travel characteristics from the Transportation Tomorrow Survey (TTS) indicates that approximately 65% of travel by residents living in the area surrounding the site is not by automobile. The survey shows that 50 – 55% of all trips are using public transit and 10 – 15% are walking trips;
- The proposed development is forecast to generate approximately 20, two-way trips, during the morning and afternoon weekday peak hours;
- Site traffic will increase traffic volumes on Dunfield Avenue, Lillian Street, Soudan Avenue and Redpath Avenue by 5 to 15 vehicles during the morning and afternoon peak hours. Such traffic volume changes are the equivalent of approximately 1 additional vehicle every 4 – 12 minutes during the peak hours; and
- Daily traffic volumes on the area's local and collector streets under future conditions that consider other new developments in the area and the proposed development remain within the typical traffic volume thresholds for local streets and collector streets.

Development Engineering staff reviewed the consultant's Traffic Impact Study and concluded that the traffic impacts resulting from the proposed development are acceptable.

Servicing

The applicant has submitted a Stormwater Management Report and Site Servicing Plan and a Site Grading and Drainage Plan in support of the proposed development. Engineering and Construction Services Staff have reviewed these plans and determined that they are acceptable. An application for the installation of new or re-use of existing service connections must be made to Toronto Water. The service connections within the public right-of-way shall be carried out by the City at the owner's cost. A separate permit is required to carry out any streetscaping and works involving construction in, or occupancy of, the abutting public right-of-way.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0-0.42 ha of parkland per 1000 people, which is the lowest provision level. The site is in a parkland priority area, as per Alternative Rate Parkland Dedication By-law No. 1020-2010.

The application proposes 98 residential units on the 1075m² site. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.131 hectares or 121.5% of the net site area. For sites less than 1 ha in size, a cap of 10% of the development applies. In total, the parkland dedication requirement is 0.0108 ha or 108 m².

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

Toronto Green Standard

The Toronto Green Standard (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. Applicable TGS performance measures will be secured through the Site Plan Approval process.

Section 37

Section 37 of the *Planning Act* allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; Heritage Conservation District studies identified in the Official Plan; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

The community benefit recommended to be secured in the Section 37 Agreement is a cash contribution in the amount of \$500,000 payable prior to the first above-grade building permit to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor toward any one or more of the following: improvements to Redpath Avenue Parkette; the acquisition, design and construction of new parkland to be added to Redpath Avenue Parkette; improvements to or the development of other parks within the area; streetscape improvements.

It is also recommended that provision be included in the by-law to provide for reallocation in the event that the cash contribution has not been used for the intended purposes within three (3) years of the Zoning Amendment coming into full force and effect at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor.

Tenure

The proposed 98 residential units are proposed to be registered as a plan of condominium.

Conclusion

The applicant has worked closely with Staff to address concerns arising from its proposal. Due to the location of the property on the north side of Soudan Street, there will be no shadow impacts on the lower scale buildings in the *Neighbourhood* to the south. The stepping back of the 14-storey building also helps mitigate overlook and privacy issues.

The proposal provides an acceptable transition in height and scale to the *Neighbourhood* to the south. Furthermore, it is located in an area of mixed development, designated *Apartment Neighbourhoods*, just outside the boundary of an Urban Growth Centre, and responds to that context and is an appropriate fit for the area. The proposal also meets the intent of the Midtown in Focus Plan for streetscape improvements on Soudan Avenue and Lillian Street. Staff find that the proposal constitutes good planning and is in the public interest.

CONTACT

Giulio Cescato, Senior Planner
Tel. No. (416) 392-0459
Fax No. (416)392-1330
E-mail: gcescat@toronto.ca

SIGNATURE

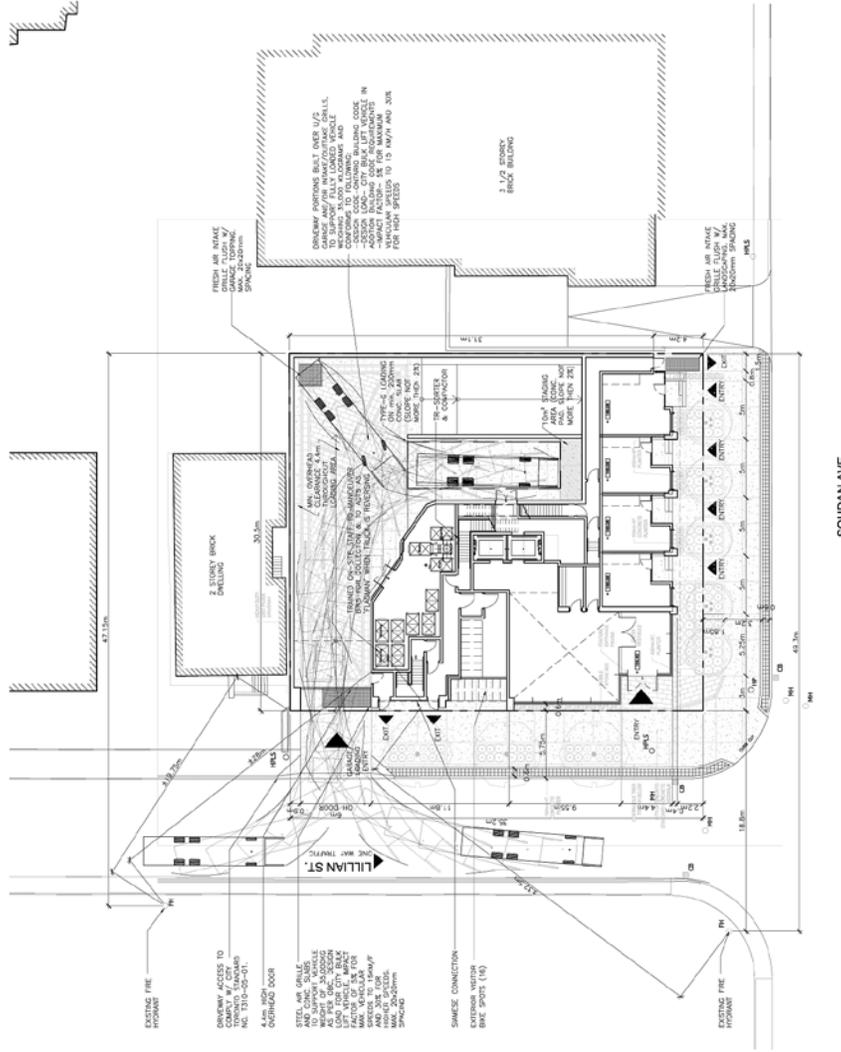
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: East Elevation
Attachment 4: South Elevation
Attachment 5: West Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet
Attachment 8: Draft Zoning By-law Amendment (438-86)
Attachment 9: Draft Zoning By-law Amendment (569-2013)

Attachment 1: Site Plan

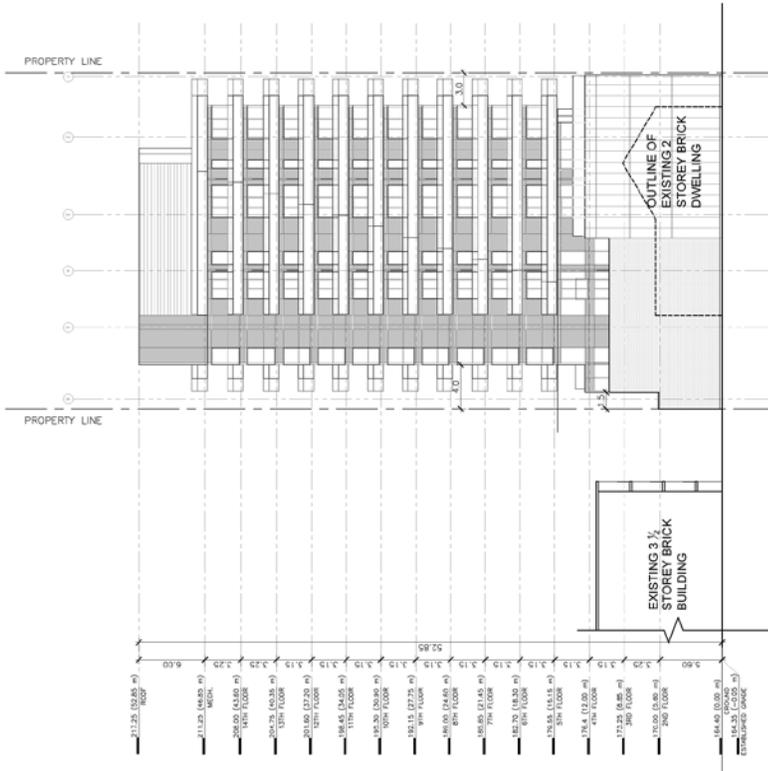


Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 12/03/2014

11 Lillian Street & 132-142 Soudan Avenue

File # 13 169170 STE 22 02

Attachment 2: North Elevation



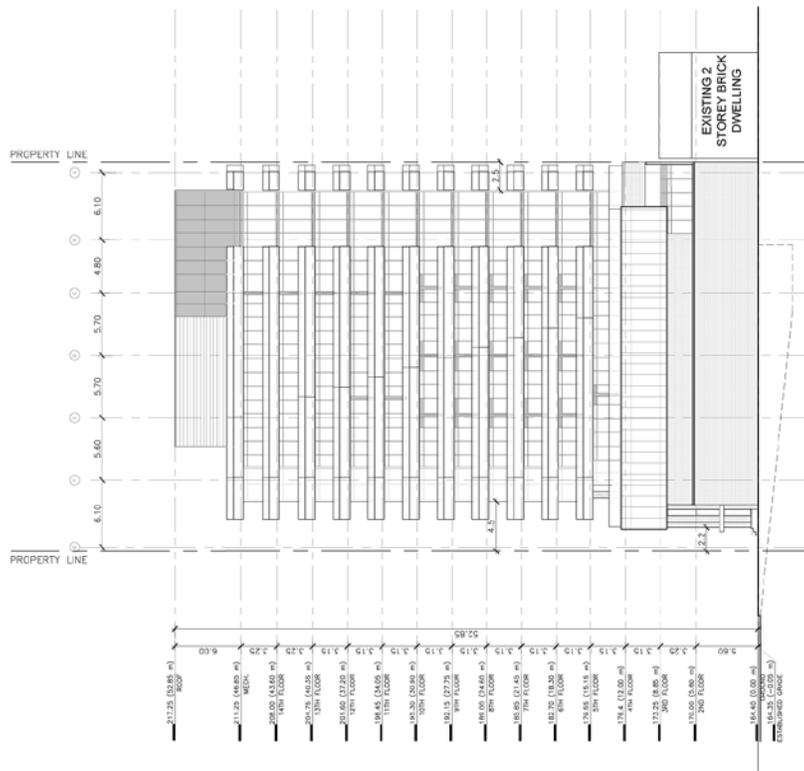
North Elevation

11 Lillian Street & 132-142 Soudan Avenue

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 12/03/2014

File # 13 169170 STE 22 0Z

Attachment 3: East Elevation



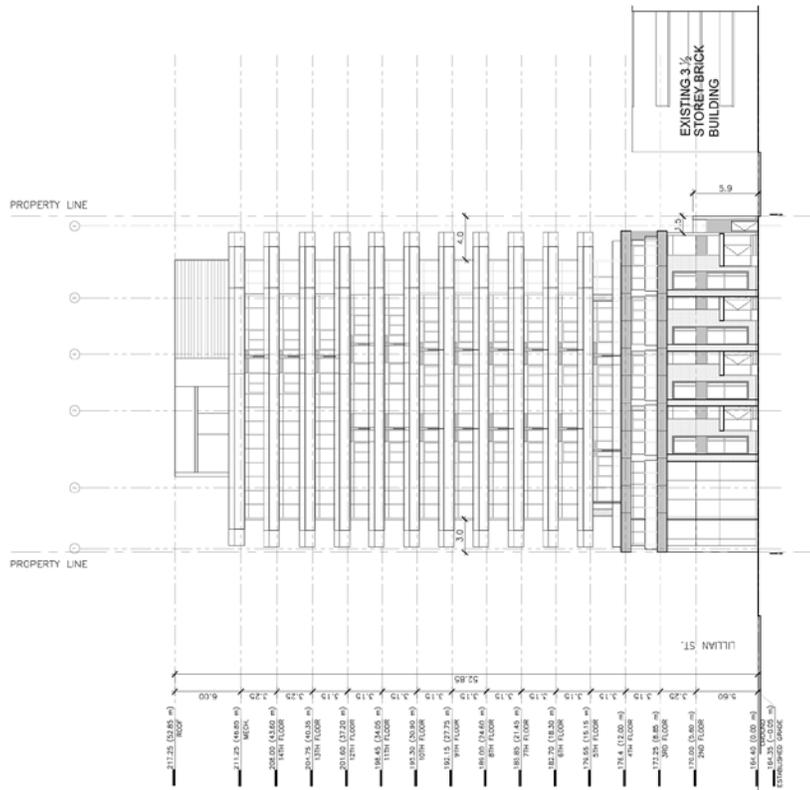
East Elevation

11 Lillian Street & 132-142 Soudan Avenue

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 12/03/2014

File # 13 169170 STE 22 0Z

Attachment 4: South Elevation



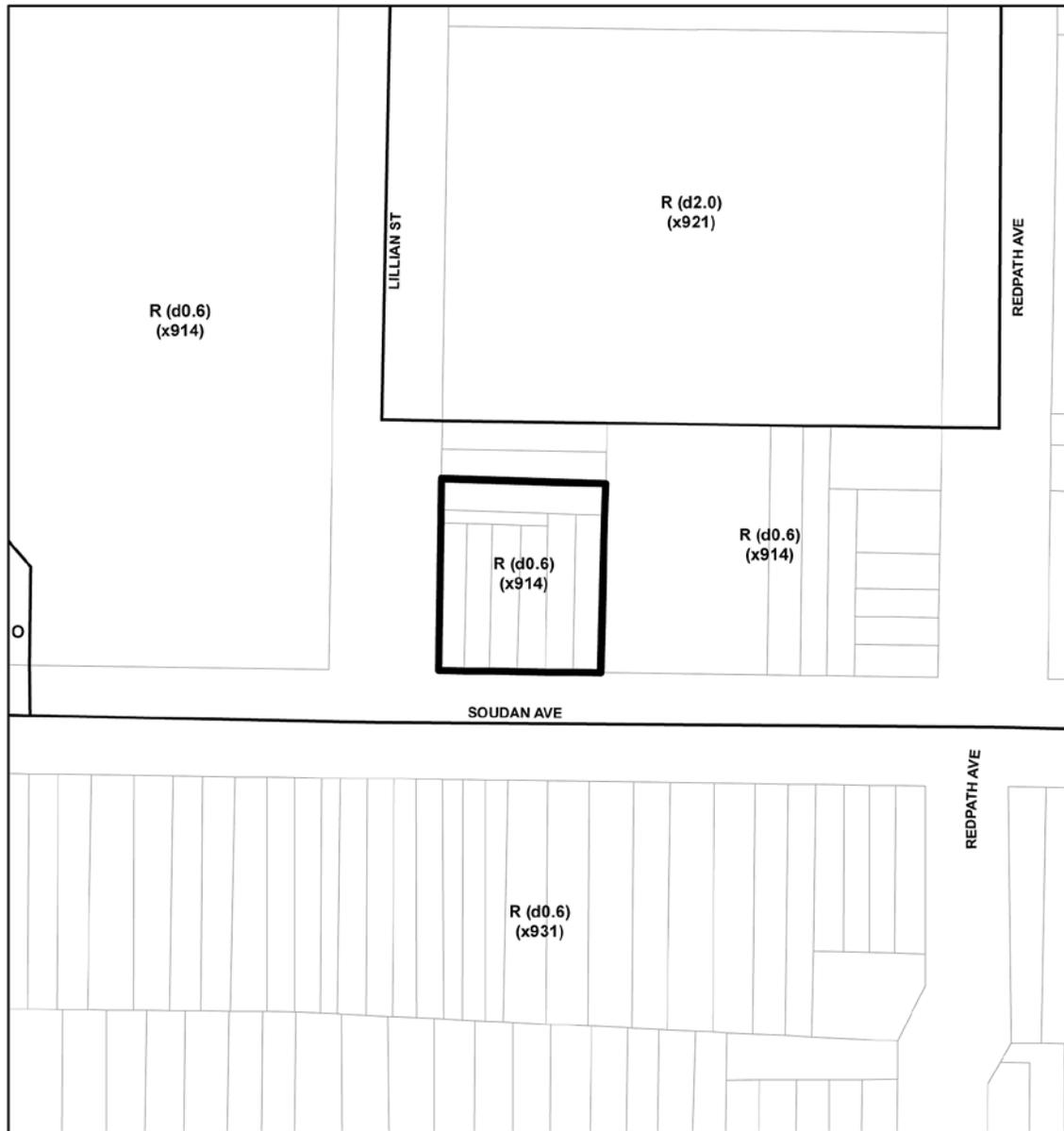
South Elevation

11 Lillian Street & 132-142 Soudan Avenue

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 12/03/2014

File # 13 169170 STE 22 0Z

Attachment 6: Zoning



11 LILLIAN STREET & 132-142 SOUDAN AVENUE

Zoning By-law 569-2013

File # 13 169170 STE 22 OZ

-  Location of Application
- R Residential
- O Open Space

↑
Not to Scale
Extracted: 12/08/2014

Attachment 7: Application Data Sheet

| | | | |
|-----------------------|---|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 13 169170 STE 22 OZ |
| Details | Rezoning, Standard | Application Date: | May 15, 2013 |
| Municipal Address: | 11 LILLIAN STREET, 132, 134, 136, 138, 140, and 142 SOUDAN AVENUE | | |
| Location Description: | PLAN 653 PT LOTS 31 & 32 **GRID S2204 | | |
| Project Description: | Proposal to construct 14 storey residential building containing 98 residential units and 4 levels of below grade parking. | | |

| | | | |
|---|---|--|--|
| Applicant: | Agent: | Architect: | Owner: |
| Bousfields, Inc. 300 Church St., Ste 300 Toronto, ON M5E 1M2 | Sherman Brown 5075 Yonge St., Ste. 900 Toronto, ON M2N 6C6 | Giannone Petricone Assoc. 462 Wellington St. W. Toronto, ON M5V 1E3 | Lash Development Corp. 10 Kodiak Cres. Ste. 200 Toronto, ON M3J 3G5 |

PLANNING CONTROLS

| | | | |
|----------------------------|-------------------------|--------------------------|---|
| Official Plan Designation: | Apartment Neighbourhood | Site Specific Provision: | Y |
| Zoning: | R2 Z0.6 | Historical Status: | N |
| Height Limit (m): | 14 | Site Plan Control Area: | Y |

PROJECT INFORMATION

| | | | | |
|------------------------------------|--------|---------|-----------------|--------------|
| Site Area (sq. m): | 1075.2 | Height: | Storeys: | 14 |
| Frontage (m): | 30.5 | | Metres: | 52.85 |
| Depth (m): | 35.2 | | | |
| Total Ground Floor Area (sq. m): | 932 | | | Total |
| Total Residential GFA (sq. m): | 8,556 | | Parking Spaces: | 84 |
| Total Non-Residential GFA (sq. m): | 0 | | Loading Docks | 1 |
| Total GFA (sq. m): | 8556 | | | |
| Lot Coverage Ratio (%): | 87 | | | |
| Floor Space Index: | 8 | | | |

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

| Tenure Type: | Condo | | Above Grade | Below Grade |
|--------------|----------|----------------------------------|-------------|-------------|
| Rooms: | 0 | Residential GFA (sq. m): | 8,556 | 0 |
| Bachelor: | 0 | Retail GFA (sq. m): | 0 | 0 |
| 1 Bedroom: | 42 (42%) | Office GFA (sq. m): | 0 | 0 |
| 2 Bedroom: | 45 (46%) | Industrial GFA (sq. m): | 0 | 0 |
| 3 + Bedroom: | 11 (11%) | Institutional/Other GFA (sq. m): | 0 | 0 |
| Total Units: | 98 | | | |

| | | |
|-----------------|----------------------|---------------------------------------|
| CONTACT: | PLANNER NAME: | Giulio Cescato, Senior Planner |
| | TELEPHONE: | (416) 392-0459 |
| | EMAIL: | gcescat@toronto.ca |

Attachment 8: Draft Zoning By-law Amendment (438-86)

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

Enacted by Council: ~, 2014

**CITY OF TORONTO
BY-LAW NO. xxx-2015**

To amend the General Zoning By-law No. 438-86 of the former City of Toronto respecting the lands municipally known in the year 2014 as 132-142 Soudan Avenue and 11 Lillian 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;

WHEREAS the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development;

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the Planning Act, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter as are set out in the by-law;

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 438-86, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto.

The Council of the City of Toronto enacts:

1. None of the provisions of Section 2(1) with respect to the definition of ‘*height*’, ‘*grade*’ and ‘*lot*’ and Sections 4(2)(a), 4(4), 4(12), 6(3) PART I 1, 6(3) PART II, 6(3) PART III and 12(2) 119 of Zoning By-law No. 438-86, as amended, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of 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”, shall apply to prevent the erection and use of an *apartment building* on the *lot*, provided that:
 - (a) the *lot* shall consist of the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) no portion of any building or structure erected or used above *grade* is located otherwise than wholly within the areas delineated by heavy lines as shown on Map 2 attached to and forming part of this By-law;
 - (c) no portion of any building or structure erected or used above *grade* shall exceed the *height* limits above *grade* in metres specified by the numbers following the letter “H” as shown on Map 2;
 - (d) nothing in Sections 1(b) and 1(c) of this By-law shall prevent the following elements from projecting beyond the heavy lines and above the heights shown on Map 2:
 - (i) eaves, canopies, cornices, lighting fixtures, awnings, fences and safety railings, architectural features, parapets, trellises, balustrades, window sills, window washing equipment, privacy screens, mechanical and architectural screens, guardrails, chimneys, vents, stacks, terraces, platforms, transformer vaults, wheelchair ramps, retaining walls, landscape features, ornamental structures, walkways, stairs, covered stairs and or stair enclosures associated with an entrance or exit from an underground parking garage, underground garage ramps and their associated structures, stair landings, planters, and public art features, elevator overruns and elements or structures on the roof of the building used for outside or open air recreation, green roof, safety or wind protection purposes; and
 - (ii) balconies to a maximum horizontal projection of not more than 2.5 metres;
 - (e) the *residential gross floor area* of the *apartment building* does not exceed 8,750 square metres and there are not more than 100 *dwelling units*;
 - (f) *residential amenity space* will be provided in the following ratios:

- (i) *residential amenity space* located outdoors – 2.4 m² per *dwelling unit*.
 - (ii) *residential amenity space* located indoors – 3.0 m² per *dwelling unit*.
- (g) notwithstanding Section 12(2) 118 (iv), *parking spaces* for the *apartment building* shall be provided and maintained on the *lot* in accordance with the following:
- (i) a minimum of 0.3 *parking spaces* per bachelor *dwelling unit*;
 - (ii) a minimum of 0.5 *parking spaces* per one bedroom *dwelling unit*;
 - (ii) a minimum of 0.85 *parking spaces* per two bedroom *dwelling unit*;
 - (iv) a minimum of 1.0 *parking spaces* per three bedroom *dwelling unit*;
 - (iv) a minimum of 0.1 *parking spaces* per *dwelling unit* for visitors to the building;
- (h) *bicycle parking spaces* for the *apartment building* shall be provided and maintained on the *lot* in accordance with the following:
- (i) a minimum of 0.75 *bicycle parking spaces* – *occupant* per *dwelling unit*; and
 - (ii) a minimum of 0.15 *bicycle parking spaces* – *visitor* per *dwelling unit*.
- (i) a *stacked bicycle parking space* is permitted with the following minimum dimensions:
- (i) minimum length of 1.8 metres;
 - (ii) minimum width of 0.44 metres; and
 - (iii) minimum vertical clearance of 1.2 metres; and
- (j) a minimum of 7.8 percent of the area of the *lot* shall be provided as *landscaped open space*;
5. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the *lot* contemplated herein is permitted in return for the provision by the *owner*, at the *owner's* expense, of the facilities, services and matters set out in Schedule 1 hereof which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the *lot*, to the satisfaction of the City Solicitor.
6. Where Schedule 1 of this By-law requires the *owner* to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
7. The *owner* shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule 1 are satisfied.

8. None of the provisions of By-law 438-86, as amended, shall apply to prevent a temporary *sales office* on the lot as of the date of the passing of this By-law.

9. For the purpose of this By-law, each word or expression that is italicized in this By-law shall have the same meaning as such word or expression as defined in By-law 438-86, as amended, with the exception of the following :

“*height*” means the highest point of the roof above *grade*, except for those elements prescribed by this By-law;

“*grade*” means 164.35 metres Canadian Geodetic Datum;

“*lot*” means those lands delineated by heavy lines on Map 1 attached to and forming part of this Bylaw;

“*owner*” means the owner of the *lot*;

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

“*stacked bicycle parking space*” shall mean a horizontal bicycle space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both *bicycle parking spaces*.

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

11. Within the lands delineated by heavy lines on Map 1 attached, no persons shall use any land or erect or use any building or structure on the *lot* 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 _____, 2015.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "1"

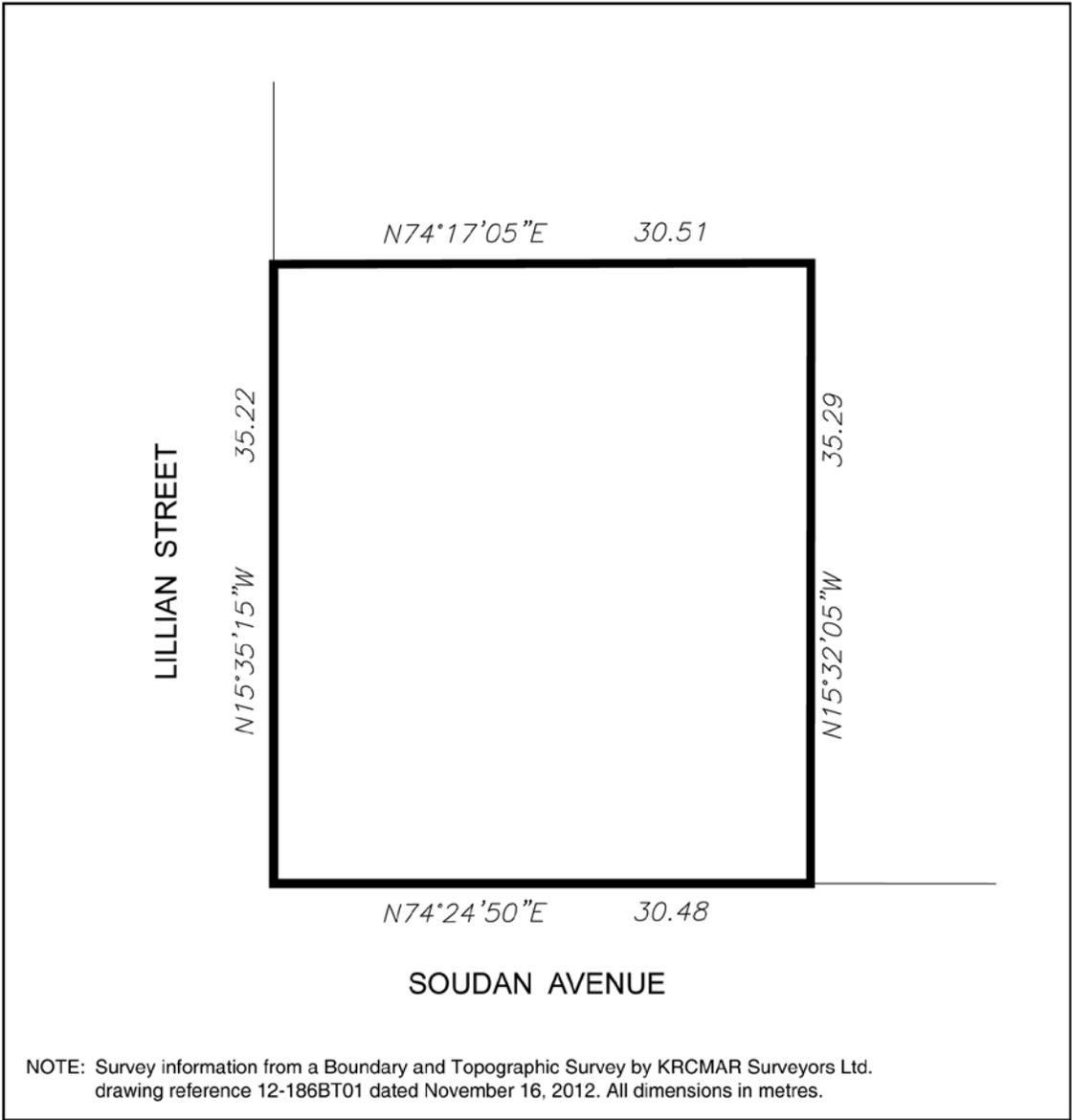
Section 37 Provisions

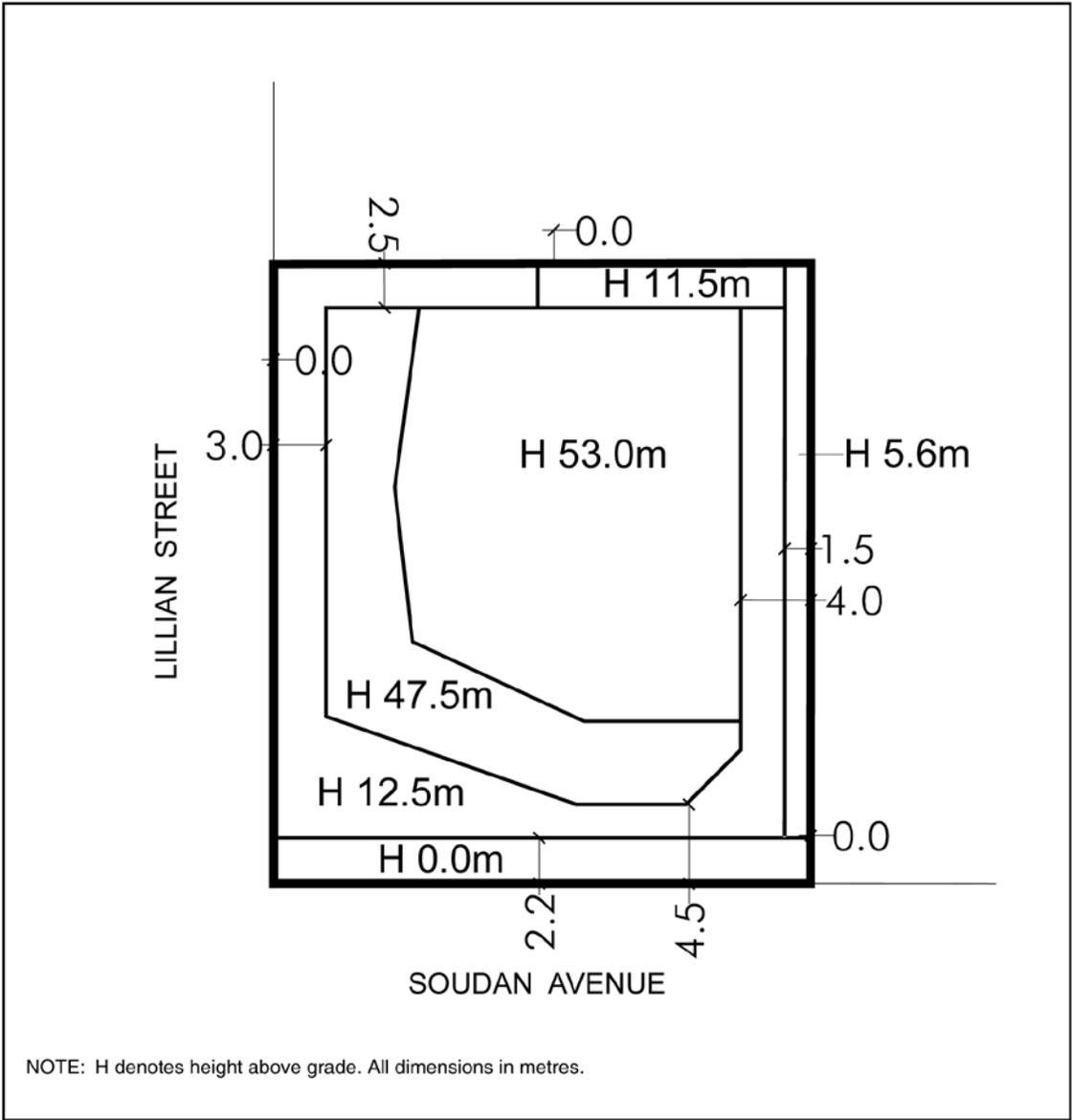
The facilities, services and matters set out below are required to be provided to the City at the *owner's* expense in return for the increase in height and density of the proposed development on the *lot* and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the *owner* agrees as follows:

1. Prior to the issuance of the first above-grade building permit the owner shall make a cash contribution to the City in the amount of \$500,000.00 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, toward any one or more of the following:
 - a. improvements to Redpath Avenue Parkette;
 - b. the acquisition, design and construction of new parkland to be added to Redpath Avenue Parkette;
 - c. improvements to or development of other local area parks; and
 - d. streetscape improvements in the area.

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

2. In the event the cash contribution referred to in Section (1) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the *lot*.





Attachment 9: Draft Zoning By-law Amendment (569-2013)

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

Enacted by Council: ~, 2014

CITY OF TORONTO BY-LAW NO. xxx-2015

To amend City of Toronto By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2014 as 132-142 Soudan Avenue and 11 Lillian 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*;

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and/or density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines as shown on Diagram 1 attached to and forming part of this By-law.
2. For the purpose of this By-law, the words highlighted in **bold** type shall have the

meaning provided in Zoning By-law 569-2013, as amended Chapter 800 Definitions.

3. Except as otherwise provided herein, the regulations of Zoning By-law No. 569-2013 continue to apply to the lands outlined by heavy black lines as shown on Diagram 1 attached to and forming part of this By-law.
4. The Zoning By-law Map of By-law No. 569- 2013, as amended, is further amended by amending the zone label respecting the lands outlined by heavy black lines as shown on Diagram 2 attached to and forming part of this By-law, as follows:

Exception R (d0.6)(x21)

5. Zoning By-law No. 569-2013 is amended by adding to Chapter 900.2.10 Exception R21, so that it reads:

Exception R21

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

Site Specific Provisions:

- (A) None of the regulations of 5.10.40.70; 10.5.40.10; 10.5.40.30; 10.5.40.50; 10.5.40.60; 10.5.40.70; 10.5.40.71; 10.5.50.10; 10.5.80.40; 10.5.100.1(5); 200.5.10.1; Table 200.5.10.1; 230.5.10(4); 230.5.10.1(5) shall prevent the use of erection of an **apartment building** that complies with the following:
 - (i) the **lot** comprises the lands delineated by heavy lines on Diagram 2 of By-law (clerks to insert by-law number);
 - (ii) no portion of any **building** or **structure** erected or used above **grade** is located otherwise than wholly within the areas delineated by heavy lines as shown on Diagram 3 of By-law (clerks to insert by-law number);
- (B) no portion of any **building** or **structure** erected or used above **grade** shall exceed the **height** limits above **grade** in metres specified by the numbers following the symbol "H" as shown on Diagram 3 of By-law (clerks to insert by-law number);
- (C) nothing in Sections A(2) and A(3) of this By-law shall prevent the following elements from projecting beyond the heavy lines and above the heights shown on Diagram 3 of By-law (clerks to insert by-law number):
 - (i) eaves, canopies, cornices, lighting fixtures, awnings, fences and safety railings, architectural features, parapets, trellises, balustrades, window sills, window washing equipment, privacy screens, mechanical and architectural screens, guardrails, chimneys, vents, stacks, terraces, platforms, transformer vaults, wheelchair ramps, retaining walls,

- landscape features, ornamental structures, walkways, stairs, covered stairs and or stair enclosures associated with an entrance or exit from an underground parking garage, underground garage ramps and their associated structures, stair landings, planters, and public art features, elevator overruns and elements or structures on the roof of the building used for outside or open air recreation, green roof, safety or wind protection purposes; and
- (ii) balconies to a maximum horizontal projection of not more than 2.5 metres;
- (D) the **gross floor area** of the **apartment building** does not exceed 8,250 square metres and there are not more than 100 **dwelling units**;
- (E) **parking spaces** for the **apartment building** shall be provided and maintained on the **lot** in accordance with the following:
- (i) a minimum of 0.3 **parking spaces** per bachelor **dwelling unit**;
 - (ii) a minimum of 0.5 **parking spaces** per one bedroom **dwelling unit**;
 - (iii) a minimum of 0.85 **parking spaces** per two bedroom **dwelling unit**;
 - (iv) a minimum of 1.0 **parking spaces** per three bedroom **dwelling unit**; and
 - (V) a minimum of 0.1 **parking spaces** per **dwelling unit** for visitors to the building;
- (F) **amenity space** will be provided in the following ratios:
- (i) **amenity space** located outdoors – 2.4 m² per **dwelling unit**;
 - (ii) **amenity space** located indoors – 3.0 m² per **dwelling unit**;
- (G) **bicycle parking spaces** for the **apartment building** shall be provided and maintained on the **lot** in accordance with the following:
- (i) a minimum of 0.75 “long term” **bicycle parking spaces**; and
 - (ii) a minimum of 0.15 “short term” **bicycle parking spaces** per **dwelling unit**;
- (H) the minimum dimension of a **stacked bicycle parking space** shall be:
- (i) minimum length of 1.8 metres;
 - (ii) minimum width of 0.44 metres; and
 - (iii) minimum vertical clearance of 1.2 metres;
- (I) a minimum of 7.8 percent of the area of the **lot** shall be provided as **landscaping**;
- (J) Height is measured from the Canadian Geodetic Datum elevation of 164.29 metres; and

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

6. Section 37 Provisions

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Prevailing By-laws and Prevailing Sections:

(A) Section 12(2) 118 (i), (ii), and (iii) of former City of Toronto By-law 438-86;

ENACTED AND PASSED this ____ day of _____, 2015.

Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE A

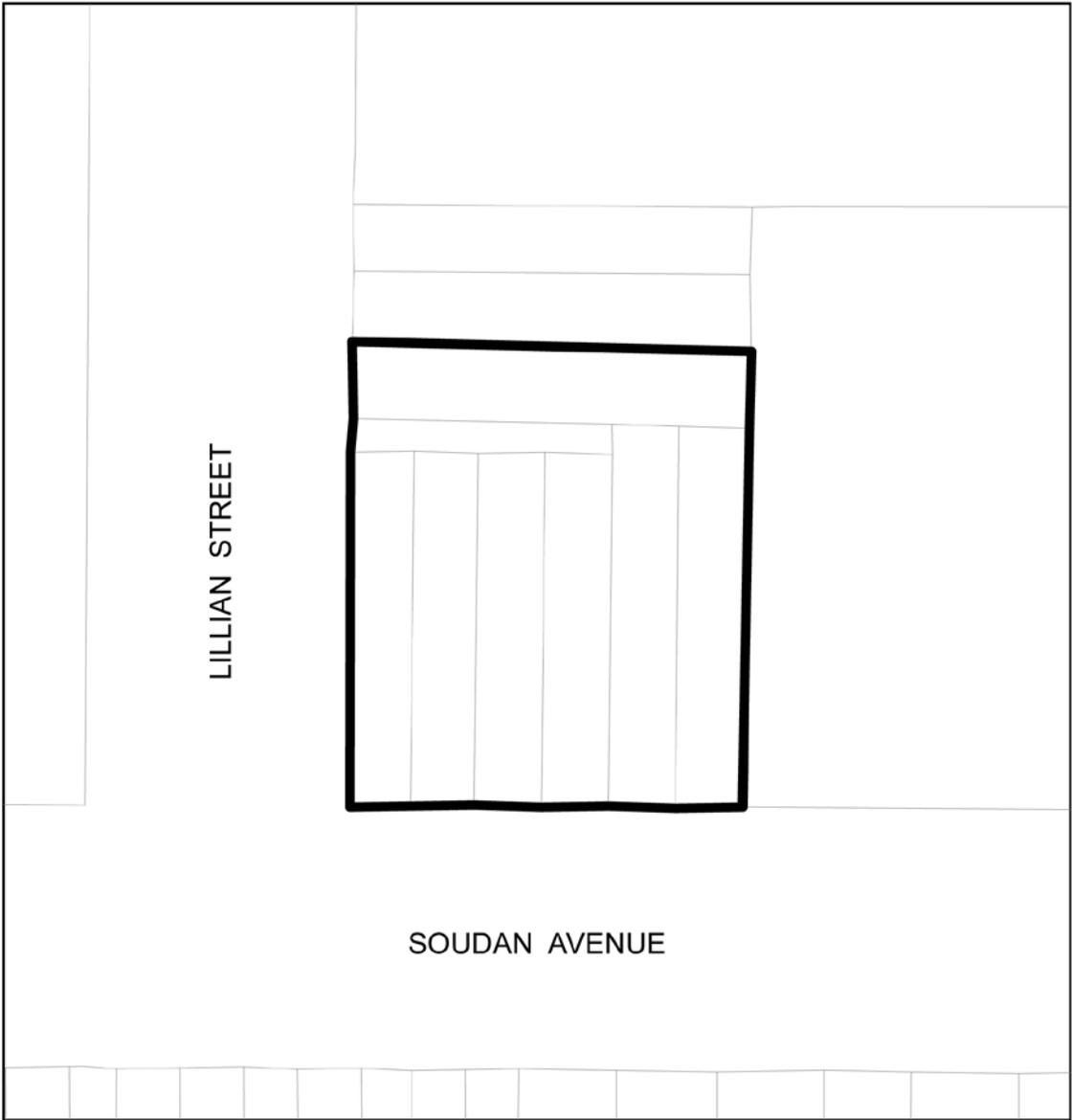
Section 37 Provisions

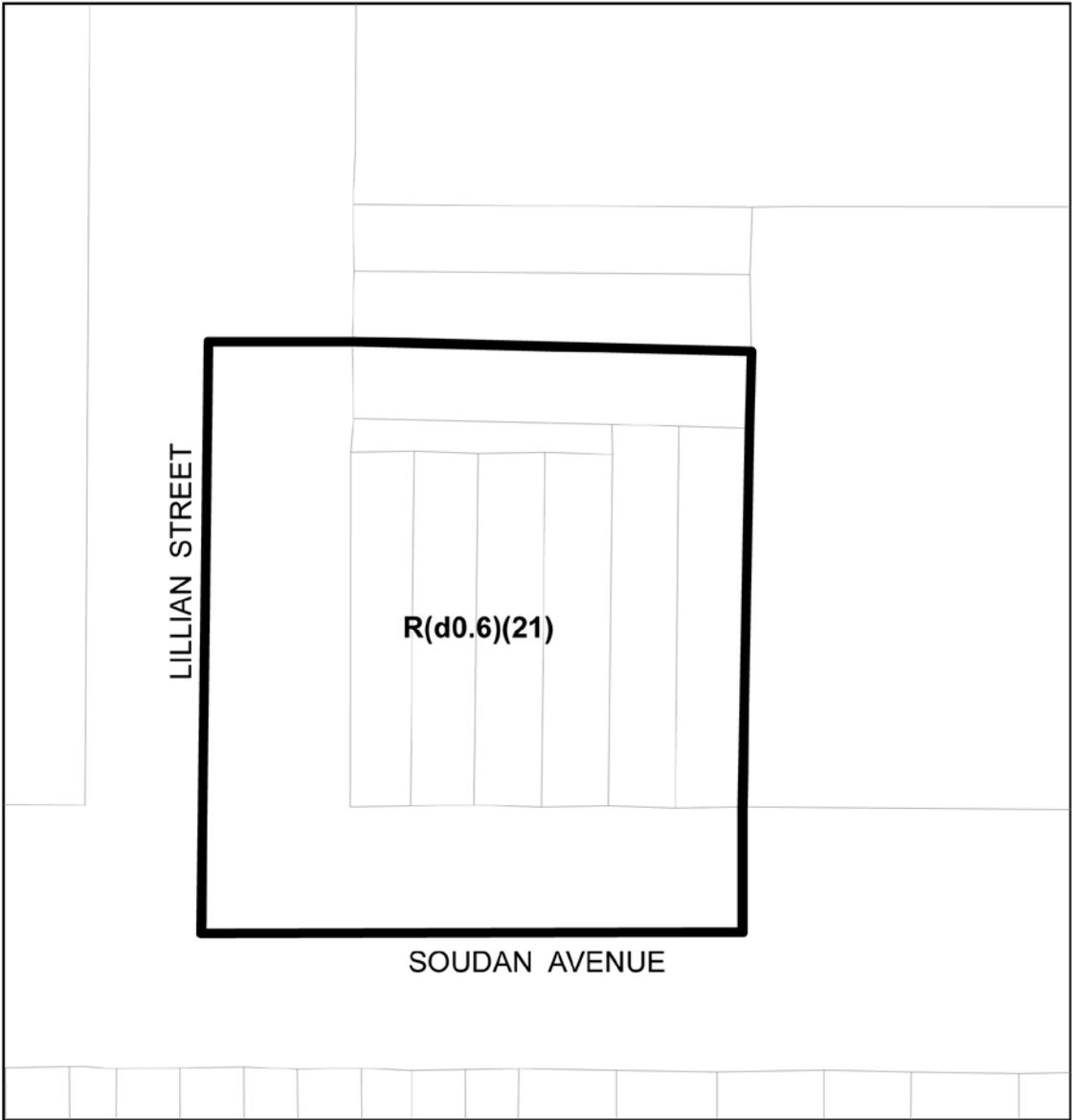
The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

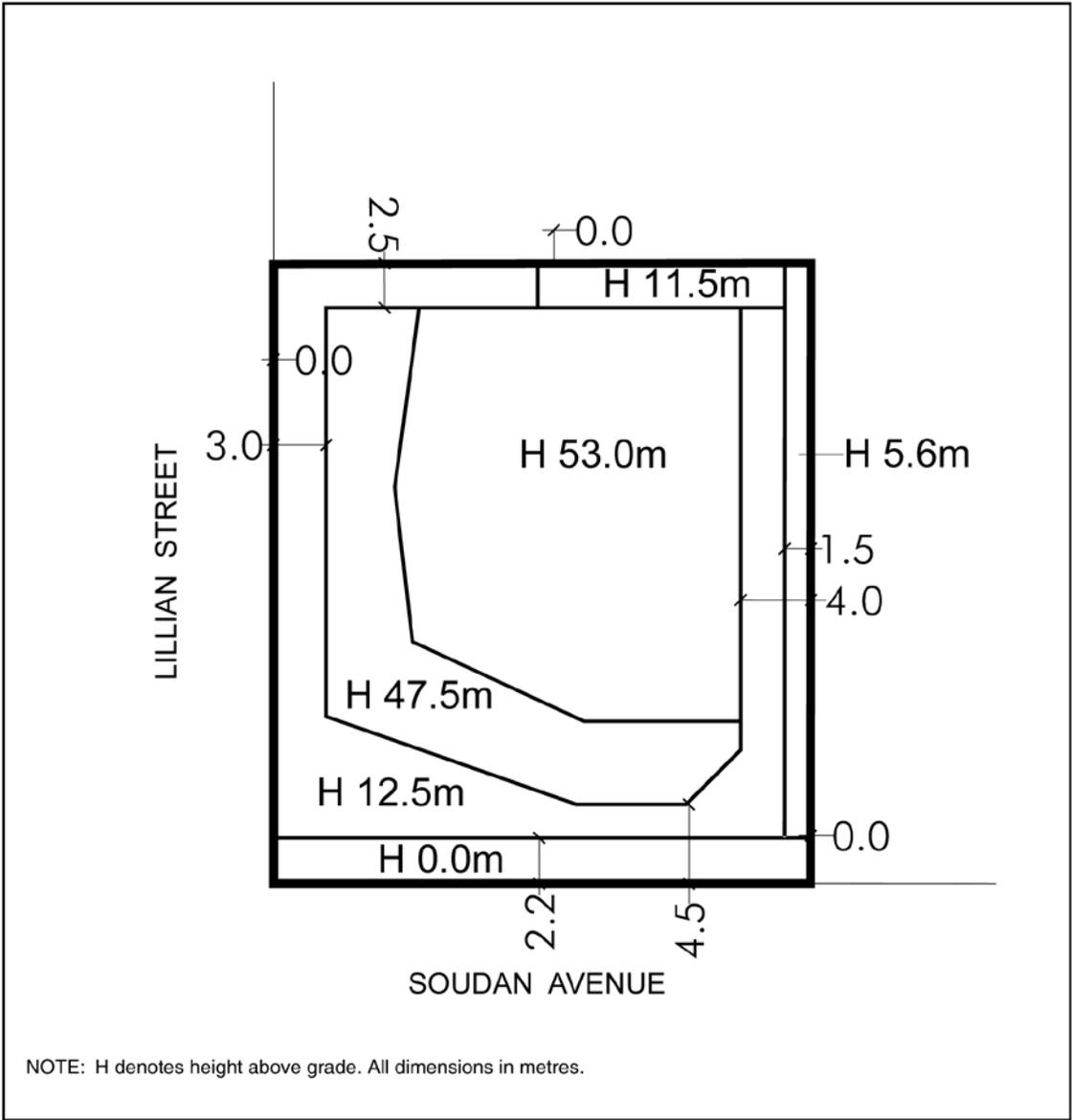
- (1) Prior to issuance of an above grade building permit the owner shall make a cash contribution to the City in the amount of \$500,000 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, toward any one or more of the following:
 - a. improvements to Redpath Avenue Parkette;
 - b. the acquisition, design and construction of new parkland to be added to Redpath Avenue Parkette;
 - c. improvements to or development of other local area parks; and
 - d. streetscape improvements in the area.

such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

- (2) In the event the cash contribution referred to in Section (1) have not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.







NOTE: H denotes height above grade. All dimensions in metres.