

**873 and 907 Kingston Rd and 218 and 220 Balsam Ave –  
Official Plan and Zoning Amendment – Final Report**

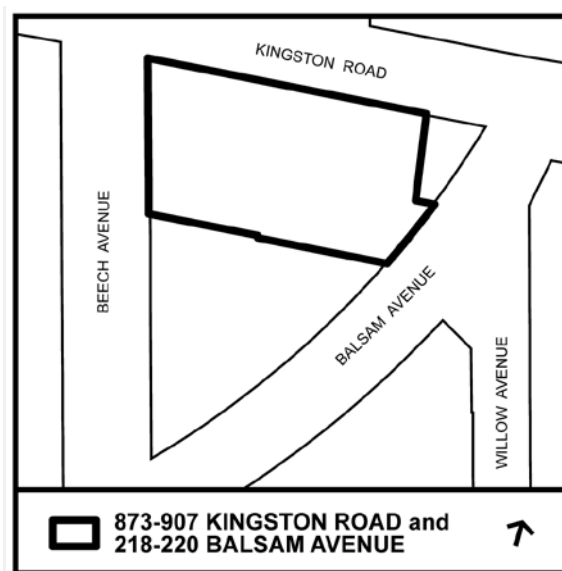
<b>Date:</b>	May 29, 2015
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 32 – Beaches-East York
<b>Reference Number:</b>	13-279638 STE 32 OZ

**SUMMARY**

This application proposes a 7-storey mixed-use building containing a YMCA community centre at grade and below grade, a below grade Toronto Parking Authority facility, residential parking and six floors of residential at 873 and 907 Kingston Road and 218 and 220 Balsam Avenue.

The City Planning Division is recommending approval of the proposed development based on its location on an *Avenue* and on its planning and design attributes:

- (a) the proposed development provides a transition in scale and density as it steps down from the Kingston Road mixed use corridor to the low density neighbourhood;
- (b) the proposed development achieves the City's public realm objectives, including a wider sidewalk width and adequate sunlight at pedestrian level on Kingston Road;
- (c) the applicant's Avenue Segment Review, reviewed by staff, indicates that incremental redevelopments of the same general scale within the identified Avenue Segment will not negatively impact the adjacent neighbourhoods;



- (d) the site is on Kingston Road with close proximity to retail and service uses; and
- (e) the proposed development includes a YMCA community centre which is a non-profit agency that provides valuable neighbourhood services.

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

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan, for the lands at 218 and 220 Balsam Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8 to report (May 28, 2015) from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 438-86, for the lands at 873 and 907 Kingston Road and 218 and 220 Balsam Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to report (May 28, 2015) from the Director, Community Planning, Toronto and East York District.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 873 and 907 Kingston Road and 218 and 220 Balsam Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10 to the report (May 28, 2015) from the Director, Community Planning, Toronto and East York District.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
5. Prior to the introduction of bills, City Council require the owner to revise the drawings to provide loading space dimensions and turning radii to the satisfaction of Solid Waste Management to enable City garbage pick-up.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

On June 17, 2014, the Toronto and East York Community Council considered a Preliminary Report dated May 30, 2014, from the Director, Community Planning, Toronto and East York District and adopted the recommendations of that report which can be found at:

<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-69880.pdf>.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to construct a 7-storey mixed-use building which would contain a new YMCA community centre on the basement and ground floor level and 6 floors of residential with a total of 93 units. The proposed building would have a gross floor area of approximately 14,730 square metres, of which 4,393 square metres would be allocated to YMCA and associated uses and 10,337 square metres would be residential. The overall height of this building is approximately 25.7 metres and the proposed density would be 3.9 times the lot area.

The applicant proposes to provide 177 parking spaces below grade to serve this development, with the parking accessed by a ramp off of Beech Avenue. A portion of the parking will operate as a Toronto Parking Authority commercial parking lot, to support the YMCA and other local businesses.

### **Site and Surrounding Area**

The subject site is located on the south side of Kingston Road between Beech Avenue and Balsam Avenue, and is at the west end of the retail strip that extends east to Victoria Park Avenue. The site has an overall area of 3,162 square metres. The property is currently occupied by a one-storey YMCA facility, a funeral home and two single detached houses.

To the east of the proposed building is a one storey bank building. To the west of the proposed building, across Beech Avenue, is a one storey commercial building and bungalows. On the north side of Kingston Road East immediately across from the property are two and three-storey mixed-use buildings. To the south is a low density residential neighbourhood.

### **Provincial Policy Statement and Provincial Plans**

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

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## Official Plan

The Kingston Road frontage of the site is located on an Avenue, as shown on Map 2 – Urban Structure of the Official Plan.

Avenues are “important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents”, according to Section 2.2.3 of the Plan.

The Avenues will be transformed incrementally. They will change building-by-building over a number of years. The framework for new development on each Avenue will be established through an Avenue Study, resulting in appropriate zoning and design guidelines created in consultation with the local community. The zoning by-law will set out the mix of uses, heights, densities, setbacks and other zoning standards.

Section 2.2.3 Avenues: Reurbanizing Arterial Corridors (Policy 3.a) states that development may be permitted on the Avenues prior to an Avenue Study and will be considered on the basis of all of the policies of this Plan. Development applications on the Avenues prior to an Avenue Study are required to be accompanied by an Avenue Segment Study, which discusses the implications for the portion of the Avenue resulting from the proposed development and whether the proposed development would be setting a positive precedent for future development of the remainder of the Avenue.

As stated in the Official Plan, “Some of the Avenues already serve as “main streets” that are focal points for the local community with attractive and bustling sidewalks. The traditional “main street” Avenues already have zoning in place to guide mixed use development in a way that fits with the neighbourhood...”. This portion of Kingston Road is such an Avenue.

The Kingston Road portion of the subject site is designated “*Mixed Use Areas*” in the City of Toronto Official Plan. This designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in “*Mixed Use Areas*” include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto’s growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;

- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of 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 indoor and outdoor recreation space for building residents in every significant multi-residential development.

The Balsam Avenue portion of the subject site is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. “Low scale local institutions” play an important role in the rhythm of daily life in *Neighbourhoods* and include such uses as places of worship.

The Official Plan contains development criteria for assessing new development in *Neighbourhoods*. Specifically, Policy 5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

Further, Policy 5 states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood. The policies state that the prevailing building type will be the predominant form of development in the neighbourhood and that some *Neighbourhoods* will have more than one prevailing building type.

This proposal will be reviewed against the policies described above as well as the policies of the Official Plan as a whole, including healthy neighbourhoods, public realm and built form policies.

## **Zoning**

### **Former City of Toronto Zoning By-law 438-86**

The Kingston Road portion of the subject site is located in the former municipality of Toronto and is subject to Zoning By-law No. 438-86, and is zoned Mixed Commercial Residential. This zoning category permits a range of residential and commercial uses to a maximum height of 14.0 metres, and a maximum total density of two times the lot area.

The two Balsam Avenue properties are zoned residential and have a height limit of 10 metres and a maximum density of 0.6 times the area of the lot.

### **City of Toronto By-law 569-2013**

On May 9, 2013, City Council enacted a new city-wide Zoning By-law for the City of Toronto. By-law 569-2013 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the By-law is under appeal, the provisions of both the former zoning by-laws and the new zoning by-law are in effect for sites that are subject to By-law 569-2013.

Under the new harmonized City-wide Zoning By-law the Kingston Road portion of the subject site is zoned Commercial Residential, Development Standard Set 2, and Exception 1988. The zoning allows for mixed use development up to a density of two times the lot area. The purpose of this zoning category is to provide for a broad range of uses including retail, service commercial, office and residential uses, often in mixed use buildings, and to limit the impacts on adjacent residential neighbourhoods and contribute to pedestrian amenity. The maximum height permitted on the subject site is 14.0 metres.

The Balsam Avenue properties are zoned R (d0.6) which allows for low density residential buildings up to a density of 0.6 times the area of the lot. The height limit on this portion is 10 metres.

### **Avenues and Mid-Rise Buildings Study**

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled Avenues and Mid-Rise Buildings Study and Action Plan, with modifications. The main objective of this city-wide study is to encourage future intensification along Toronto's Avenues that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The Avenues and Mid-rise Buildings Study identifies a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement both the Official Plan's Avenues and Neighbourhood policies, maintaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan. The application has been reviewed against the Performance Standards contained within the Avenues and Mid-Rise Buildings Study.

### **Site Plan Control**

The subject development is subject to Site Plan Control. An application for Site Plan Control has not yet been submitted.

## **Reasons for Application**

An Official Plan amendment is required because the proposed mixed-use building contains commercial uses which are not permitted within the portion of the site designated *Neighbourhoods*. In addition, the Official Plan requires that new development will respect and reinforce the existing character of the neighbourhood, including prevailing building type. A mixed-use building is not a prevailing building type within the *Neighbourhood*.

A Zoning Amendment application is required to permit the scale and density proposed by the applicant. The reasons for the application include but are not limited to:

- increase in permitted height from 14.0 to 25.7 metres;
- increase in total permitted density from 2.0 to 3.9 times the area of the lot;
- the commercial use within lands zoned residential;
- setback from a lot in a residential.

## **Community Consultation**

City Planning hosted a community consultation meeting on June 14, 2014. The majority of the concerns expressed at the meeting related to parking and traffic related issues. There was concern with respect to users of the YMCA parking within the neighbourhood rather than in the underground parking garage and the increase in the amount of traffic that the development would create in the surrounding neighbourhood streets. The built form comments were primarily related to the rear transition of the building to the neighbourhood and the loss of trees on the site. Construction related issues were also expressed and concern with the impact of construction on 100+ year old neighbouring homes.

## **Agency Circulation**

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

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the PPS as it redevelops with an intensified mixed-use development an underutilized parcel that has been historically used for a small YMCA and Funeral Home with intensified mixed-use development.

The new building will offer new housing with a range of unit sizes and a YMCA, which is consistent with all the relevant policies in Part V of the PPS. Specifically, the proposal is consistent with and does not offend the policies in Section 1.1 “Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns”.

The redevelopment promotes the efficient use of land, resources, infrastructure, with densities that can support public transit, as the site is located on the Kingston Road streetcar line.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### **Avenue Segment Review (ASR)**

In response to *Avenue* Policy 2.2.3.3 in the Official Plan, the applicant submitted the Avenue Segment Study (ASR) (prepared by Hunter & Associates Ltd.) dated May 5, 2014 in support of their rezoning application. The review includes properties fronting on Kingston Road between the Beech Avenue/Hannaford Street to the west and Victoria Park Avenue to the east.

The ASR provides a background review of relevant policies and an inventory of existing built form, which helps to inform the impacts that incremental development may have on the Avenue Segment. In order to determine if there are additional opportunities for similar intensification within this Avenue Segment, the approach of the study was to assess all the properties within the segment for 'ideal' site conditions for mid-rise development. The analysis looked at lot depth; the existence of a public lane; vacant or underutilized buildings; ownership (single or consolidated land holdings); and known ownership interest, to determine the likelihood of similar development on these sites in the future.

The analysis found that there are no other sites within the segment that would likely result in a building of similar scale to the one proposed on the subject site. The most likely development would be the addition of additional floors to existing buildings and renovations to existing buildings. The ASR found that there were 6 sites where small scale redevelopment could occur in the future, at a 4 or 5 storey height. The challenge with these sites will be with respect to the provision of parking as well as the existing multiple ownership of the properties.

### **Midrise Guidelines**

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications. The main objective of this City-wide Study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The Avenues and Mid-rise Buildings Study identifies a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement both the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect Section 2.3.1 of the Official Plan.

The application has been reviewed against the Performance Standards contained within the Avenues and Mid-Rise Buildings Study. The applicant has been able to satisfy a majority of the 36 performance standards contained within the study and where they do not meet a specific performance standard it is minor, and there is no adverse impact on the surrounding properties.



## Land Use

The applicant proposes that the Official Plan be amended to change the land use designation for a small portion of the site from “Neighbourhoods” to “Mixed-use Areas” to permit the 'squaring off' of the subject site to facilitate the inclusion of both a swimming pool and a full sized gymnasium in the new YMCA portion of the building.

An objective of the Official Plan is to create healthy neighbourhoods. The Plan notes that some areas within neighbourhoods need to be strengthened, additional housing options may be needed, community services and facilities may need to be enhanced, and some buildings may need to be redeveloped. Where reinvestment through redevelopment is contemplated, the key is to ensure that new development respects the character of the area, demonstrates a high degree of transition in height and scale to adjacent lower scale development and serves to reinforce the stability of the neighbourhood.

Policy 5.3.1.3 of the Official Plan notes that when considering a site specific amendment to the Plan, Council must be satisfied that any development permitted under an amendment to the Plan, is compatible with its physical context and the planning review must examine whether the application should be considered within the immediate planning context or whether a broader review is appropriate.

Planning staff conclude that consideration of the applicant's request to redesignate the lands is appropriate within the planning context of the immediate area and that a broader review is not necessary.

The subject site is an appropriate location to consider a change from the “Neighbourhoods” land use designation that permits lower-scale residential development to the “Mixed-Use Areas” land use which would accommodate reinvestment in the site to permit a new community use along with new transit oriented residential.

The unusual block structure and the location, size, and lot configuration of the subject site collectively provide an opportunity to revitalize the site within its immediate neighbourhood context without adverse impact. Specific features of the site that provide a reinvestment opportunity include:

- Site Location: the overall site is on a major street identified as a “Transit Priority Segment” on Map 5 of the Official Plan, Surface Transit Priority Network.
- Land Use: The YMCA has the same attributes as a community centre. A community centre is a permitted use in a residential district by the new City of Toronto zoning by-law, provided that they are operated by or on behalf of the City of Toronto. While not operated by the City of Toronto, the YMCA is a not-for-profit agency and a registered charity and provides a variety of services that are similar to a community centre, including fitness programs and community meeting space.

- Existing Development & Building Orientation: The property at 907 Kingston Road is currently occupied by a YMCA. The location and orientation of proposed building towards the Kingston Road frontage is appropriate, with only emergency exiting on Balsam Avenue. In addition, there will be no vehicular access with the area currently designated as *Neighbourhoods*.
- Lot Pattern: The redesignation 'squares off' the site creating a uniform boundary with the *Neighbourhoods* area to the south, without penetrating into the overall fabric of the area.

Upon review of the applicant's redesignation request, staff conclude that the change in land use designation to Mixed-Use to provide for redevelopment of the larger site is appropriate. This report recommends the adoption of an Official Plan Amendment to redesignate the lands at 218 and 220 Balsam Avenue to Mixed-Use.

## Height

The existing zoning on the site permits a building up to 14 metres in height within the portion of the site designated as mixed-use, with a 5 metre mechanical penthouse. The zoning permits 10 metres in height for the portion designated residential. The proposed building has a height of 25.7 metres, and steps down with varying heights to the rear of the property (see height map in draft zoning by-law and the east and west elevations – Attachment 4).

Performance Standard 1 of the Mid-rise and Avenues Study identifies that the maximum allowable height of buildings on the *Avenues* will be no taller than the width of the *Avenue* right-of-way. Kingston Road has a right-of-way width of 20 metres. A mid-rise building consisting of commercial uses at grade and residential dwelling units above therefore can be 20 metres in height (roughly 6 storeys). The study also recognizes that building height is only one aspect of regulating building design. Performance Standard 13 – Roofs and Roofscapes, identifies that mechanical penthouses may exceed the maximum height limit by up to 5 metres, but may not penetrate the angular plane. Therefore, a 20 metre building with a smaller mechanical penthouse of 5 metres, for a total of 25 metres is recognized. It is this planned context that staff considered when reviewing the proposal.

In the case of this proposal, the total height of the building is 25.7 metres. In order to accommodate the required height of the gymnasium within the YMCA component of the building, the ground floor height proposed is 5.13 metres rather than the 4.5 metres identified by the mid-rise guidelines. This has contributed to the height to the top of the 6<sup>th</sup> floor being 21.8 metres rather than 20 metres, which would be the 1:1 relationship with the right-of-way width of Kingston Road.

The tallest part of the building is located towards Kingston Road, away from the residential properties to the south of the site. The portion of the building that is within the area designated *Neighbourhoods* by the Official Plan is at a height of 5.13 metres, while the as-of-right zoning within that area is 10 metres. The closest residential unit to the *Neighbourhood* is located on the 2<sup>nd</sup> floor of the building is over 8 metres from the south lot line.

The portion of the building that reaches 25.7 metres of height comprises of only 31.9 percent of the 6<sup>th</sup> floor roof area, which is similar to the 30% permitted for mechanical penthouses in the general

zoning by-law and mid-rise guidelines and is located over 20.3 metres from the south property line, adjacent to the residential area.

The proposed building steps back from Kingston Road by 8.1 metres and from the east and west lot line by over 13.8 and 7.0 metres, respectively, above the 6<sup>th</sup> floor, at a height of 21.8 metres, significantly reducing the mass of the building above this height.

## **Built Form**

The Official Plan identifies that developments may be considered not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City. Section 4.5 of the Official Plan sets out criteria to evaluate development within the *Mixed Use Areas* designation. All new development within *Mixed Use Areas* is required to locate and mass new buildings to frame the edge of the streets, maintain sunlight and comfortable wind conditions, and locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives contained within the Plan. These objectives are addressed by ensuring that developments provide appropriate setbacks and/or stepping down of heights, between areas of different development intensity and scale, and by locating and massing new buildings in a manner that is sensitive and limits shadow impacts during the spring and fall equinoxes.

The front façade of the proposed building steps back alternating at the 4<sup>th</sup> and 5<sup>th</sup> level to break up the mass of the building. The portions that are 5 storeys in height will have a two storey volume at grade. The combination of setbacks and alternating building overhangs will provide an appropriate pedestrian scale on Kingston Road, will provide weather protection for the front entrance of the YMCA, and will allow for the mature growth of street trees.

The building has only minor projections into the angular plane required by the Midrise Guidelines on the Kingston Road frontage. The projection is limited to 5 percent of the building face. Staff have looked at the impact of this protrusion and believe that there is minimal negative impact of allowing these penetrations given that a minimum of 5 hours of sunlight is still maintained on the sidewalk on the north side of Kingston Road, identified by the mid-rise guidelines.

The residential component of the building starts to step back after the second floor on the south elevation and continues to step back with terraces at each floor to provide a transition to the *Neighbourhoods* to the south of the site. These step backs mean that the floor plate of each floor gets smaller and smaller towards the upper floors, and that the taller part of the building is located closer to Kingston Road.

Performance Standard 5A of the Mid-rise and Avenues Study outlines the angular plane requirements for the rear of buildings on deep lots (over 41 metres deep), to ensure that appropriate transition occurs to the adjacent low-scale residential neighbourhood and to mitigate against potential shadow, privacy and overlook concerns. The building is required to be set back 7.5 metres from the south lot line. The 45 degree angular plane also is measured from the south side of the lane. The Performance Standard differs for lots that are deemed to be shallow lots (under 41 metres)

where the building is still required to be set back from the south side of the lane by a minimum setback of 7.5 metres but the 45 degree angular plane is measured from a height of 10.5 metres above the 7.5 metre setback line. The purpose of this Performance Standard is to ensure that appropriate transition occurs to the adjacent low-scale residential neighbourhood and to mitigate against potential shadow, privacy and overlook concerns. Given that the subject site is located on the south side of the street, the proposed building will not result in any additional shadows being cast on the residential properties to the rear. The ground floor of the building extends to within 1.4 metres of the property line, but there will be no windows located on this portion of the building and the landscape plans include a heavily landscaped edge to lessen the visual impact of the 5.13 metre high wall. Surface treatment of this wall, as well as landscaping, will be secured through the site plan approval process.

Staff believe that the overall massing of the building is appropriate and that the minor protrusions into the angular planes do not have a negative impact on the surrounding properties or on adequate sunlight conditions on Kingston Road.

### **Sun, Shadow**

The submitted shadow drawings show that during the spring and fall equinox the proposed building casts a shadow on the sidewalk on the north side of Kingston Road but maintains sunlight for 5 hours, which is acceptable. The shadow does not extend past these properties into the *Neighbourhood* to the north. There is an increased shadow during the evening hours on residential properties to the east.

### **Privacy and Overlook**

Staff have reviewed the drawings with respect to potential privacy and overlook concerns from the new building to the houses fronting onto Balsam and Beech Avenues. The proposed building terraces away from the residential properties as it gets taller and the distance between the units in the new building, and the existing residential dwellings on Balsam and Beech Avenues increases on higher floors of the new building. In addition, through Site Plan Approval, the City will require screening on balconies and terraces to help prevent overlook.

### **Access and Parking**

The proposed development will provide parking access from Beech Avenue. Currently, Beech Avenue is a one-way street running north and it terminates at Kingston Road. The proposal involves the alteration of Beech Avenue to accommodate 2-way traffic south to the point of the vehicular access for the proposed building. This alteration in Beech Avenue will mean that the users of the underground garage will not have to drive through the neighbourhood to access the parking. This type of arrangement is not uncommon and there are many locations within the local area that have this characteristic. Transportation Services is supportive of the road reconfiguration, with final design details to be agreed upon prior to issuance of Site Plan Approval.

The proposed development will include 177 below grade parking spaces, consisting of 116 spaces for the residential component of the building and 61 commercial spaces. The 61 commercial spaces will be operated by the Toronto Parking Authority for use by users of the YMCA, residential visitors and visitors to the local area. The proposed parking supply exceeds the number of spaces

required by the Zoning by-law and has been deemed to be acceptable to Transportation Services given the proposed land uses.

## **Servicing**

Engineering and Construction Services has reviewed the application and will continue to review and evaluate the proposal during the Site Plan Review process.

This proposal is eligible for bulk lift compacted garbage, recycling and organic collection services by the City. The non-residential components are not eligible for City of Toronto collection. The owner is required to store, transport and make arrangements for collection of all waste materials separately from the residential component.

The plans currently include a Type G loading space where the garbage truck would back into the space (with all manoeuvres being made on site) and garbage loading would occur from the front of the truck. Solid Waste Management requires that the truck front into the loading space and that loading occur from the front of the truck. The applicant has advised that in order to meet this requirement there would be a significant impact on the interior of the proposed building requiring the relocation of an interior stairway which would result in the inability for the YMCA to include a full sized gymnasium in the development. The applicant is required to come to an agreement with Solid Waste Management respecting this outstanding issue prior to the introduction of the Bills to City Council.

## **Streetscape**

Policy 3.1.2.4 of the Official Plan requires that new development enhance the existing streetscape by massing new development to define the edges of streets, parks and open spaces at good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and functional for pedestrians through landscaping and setbacks that create attractive transitions from the public to private realms.

Performance Standard 7A of the Mid-rise guidelines calls for new developments to provide for a 4.8 metre minimum sidewalk width. The 4.8 metre dimensions allows for the including of a curb edge, a 1.83 metre continuous tree trench, a 2.1 metre pedestrian clearway and additional space adjacent to the building for uses such as cafes and marketing space.

The proposed sidewalk width for the development will be 4.4 metres. The applicant has advised that the additional 0.4 metres is not possible without impacting the overrun area of the basketball court. While narrower than the 4.8 metres called for, it will have no impact on the curb edge, tree trench and pedestrian clearway being provided.

## **Density**

The existing zoning permits a total density of 2.0 for 873 and 907 Kingston Road and 0.6 in for 218 and 220 Balsam Avenue. The proposed development is 10,337 m<sup>2</sup> of residential plus 4,393 m<sup>2</sup> of non-residential gross floor area resulting in a total density of 3.9 times the area of the entire site. Staff are of the opinion that the site can accommodate a development of this size, scale, and form and the proposed 3.9 times the area of the lot is appropriate.

## **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 0.78 to 1.55 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is not in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 96 residential units and 4,872 m<sup>2</sup> of non-residential uses on a site with a net area of 3,162.4 m<sup>2</sup>. By-law 1020-2010 stipulates land to be developed that does not fall within a parkland priority area is subject to 5% parkland dedication for residential uses and 2% for non-residential uses. In total, the parkland dedication requirement is 128 m<sup>2</sup>.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no suitable location for an on-site parkland dedication and the site would be encumbered with below grade parking.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **Toronto Green Standard**

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. TGS performance measures will be secured through the Site Plan Approval process.

The applicant has indicated they will pursue Tier 2 of the TGS which includes possible refunds against Development Charges payable for the development. The applicant is continuing to explore the measures required to meet the Tier 1 requirements but have indicated that the building will include systems to ensure energy and water efficiency within the building.

## **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 can include (among other capital facilities): parkland, non-profit arts and cultural, community or child care facilities or cash-in-lieu of the provision of those facilities as set out in policy 5.1.1.6 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development, including a minimum geographic relationship and address planning issues associated with the development.

Section 5.1.1.4 of the Official Plan pertains to the use of Section 37 of the Planning Act. Section 37 may be used for developments with a gross floor area of more than 10,000 square metres and when the proposed zoning by-law amendment increases the permitted gross floor area by at least 1,500 square metres, and/or increases the height significantly.

In this case, while the total gross floor area is over the 10,000 square metres threshold with a total gross floor area of 14,730 square metres, approximately 4,400 square metres will be occupied by the YMCA. Policy 5.1.1.4 specifically exempts non-profit developments from the policy to provide section 37 benefit. The YMCA is a non-profit agency and a registered charity.

The YMCA will be outfitting this location with a generator that will allow for community members to seek shelter in this location in times of power outages or other significant events that require a safe place to seek help and shelter. The YMCA is in the process of formalizing this with the City. This represents a significant public benefit to the City and local residents and will be formalized with the City through agreement.

## **CONTACT**

Leontine Major, Senior Planner  
Tel. No. (416) 397-4079  
Fax No. (416) 392-1330  
E-mail: lmajor@toronto.ca

## **SIGNATURE**

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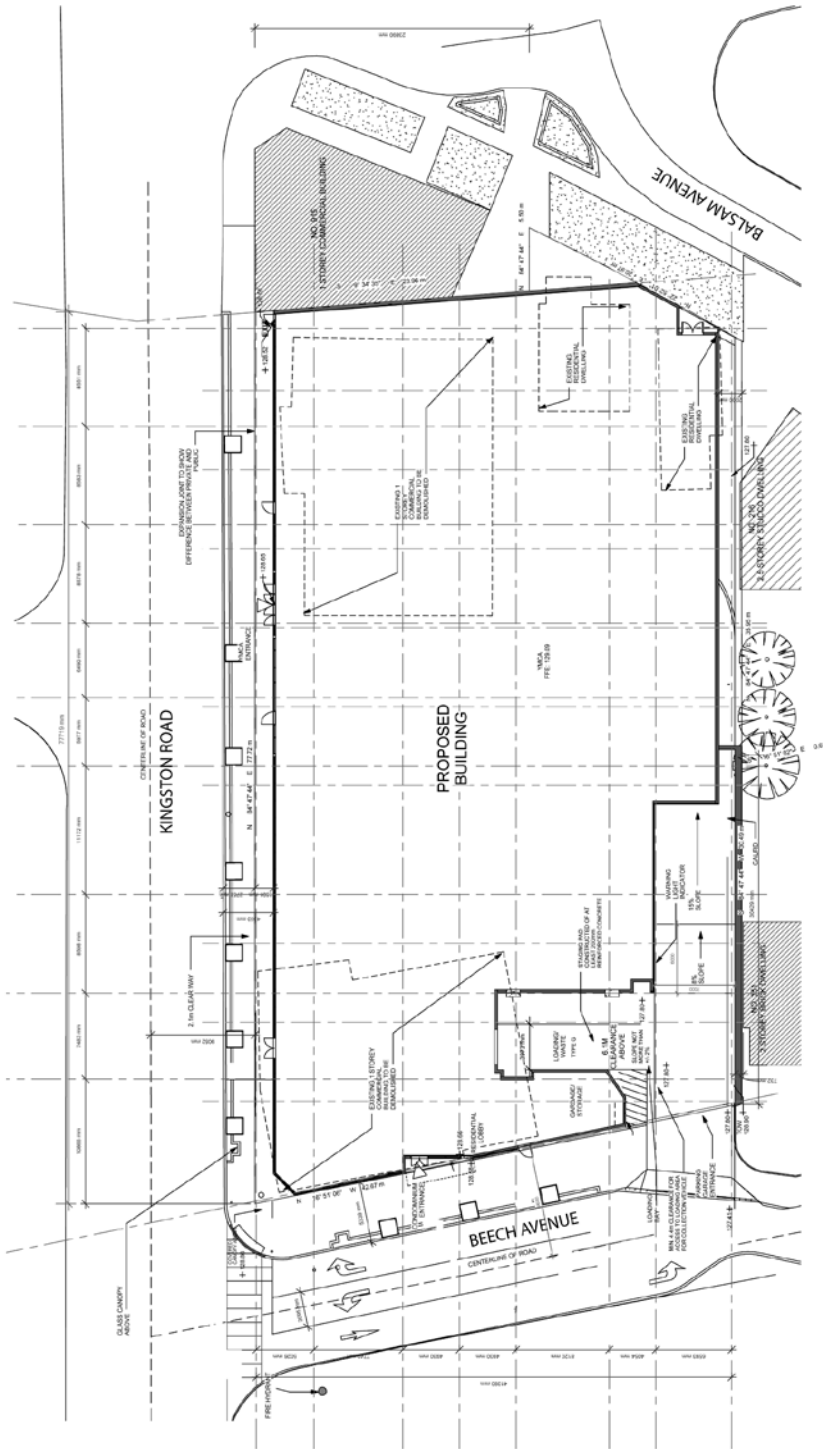
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

(P:\2015\Cluster B\pln\TEYCC\14563416071.doc) – smc

## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: North Elevations
- Attachment 3: South Elevations
- Attachment 4: East and West Elevations
- Attachment 5: Zoning
- Attachment 6: Official Plan
- Attachment 7: Application Data Sheet
- Attachment 8: Draft Official Plan Amendment
- Attachment 9: Draft Zoning By-law Amendment 438-86
- Attachment 10: Draft Zoning By-law Amendment 569-2013

Attachment 1: Site Plan



893 & 907 Kingston Road and 218 & 220 Balsam Avenue

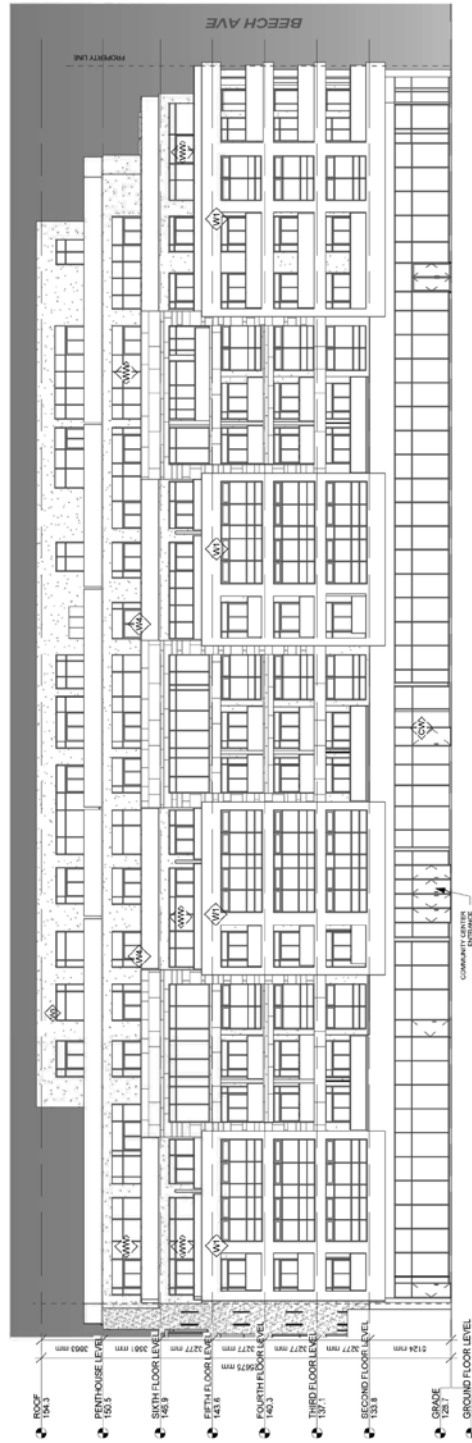
Site Plan  
Applicant's Submitted Drawing

File # 13 279638 STE 32.0Z

Not to Scale  
05/20/2015



**Attachment 2: North Elevation**



North Elevation

**893 & 907 Kingston Road and 218 & 220 Balsam Avenue**

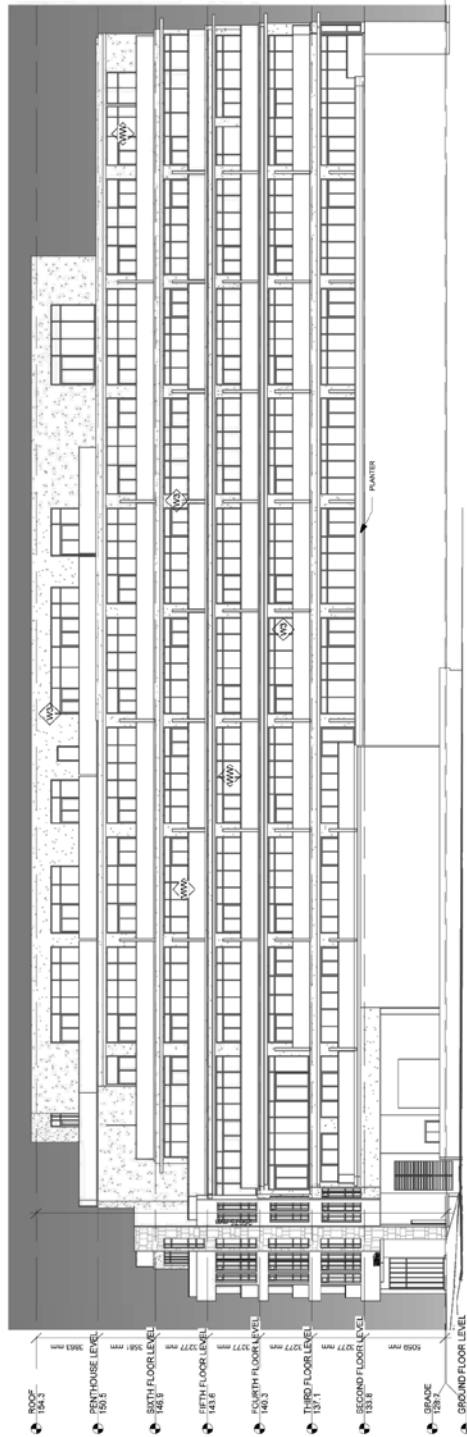
**Elevations**

Applicant's Submitted Drawing

Not to Scale  
05/20/2015

File # 13 279638 STE 32 0Z

**Attachment 3: South Elevation**



South Elevation

**893 & 907 Kingston Road and 218 & 220 Balsam Avenue**

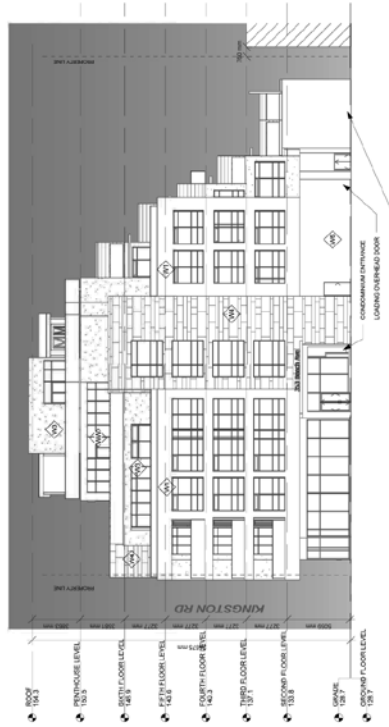
**Elevations**

Applicant's Submitted Drawing

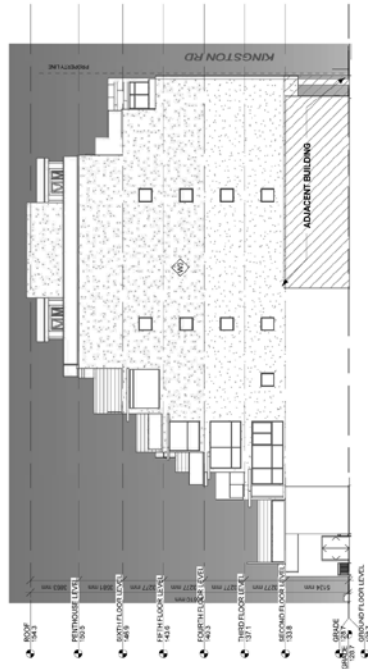
Not to Scale  
05/20/2015

File # 13 279638 STE 32.0Z

**Attachment 4: East and West Elevation**



**West Elevation**



**East Elevation**

**893 & 907 Kingston Road and 218 & 220 Balsam Avenue**

**Elevations**

Applicant's Submitted Drawing

Not to Scale  
05/20/2015

File # 13 279638 STE 32.0Z

## Attachment 5: Zoning



**873-907 Kingston Road and 218-220 Balsam Avenue**

**Zoning By-law 569-2013**

File # 13 279638 STE 32 0Z

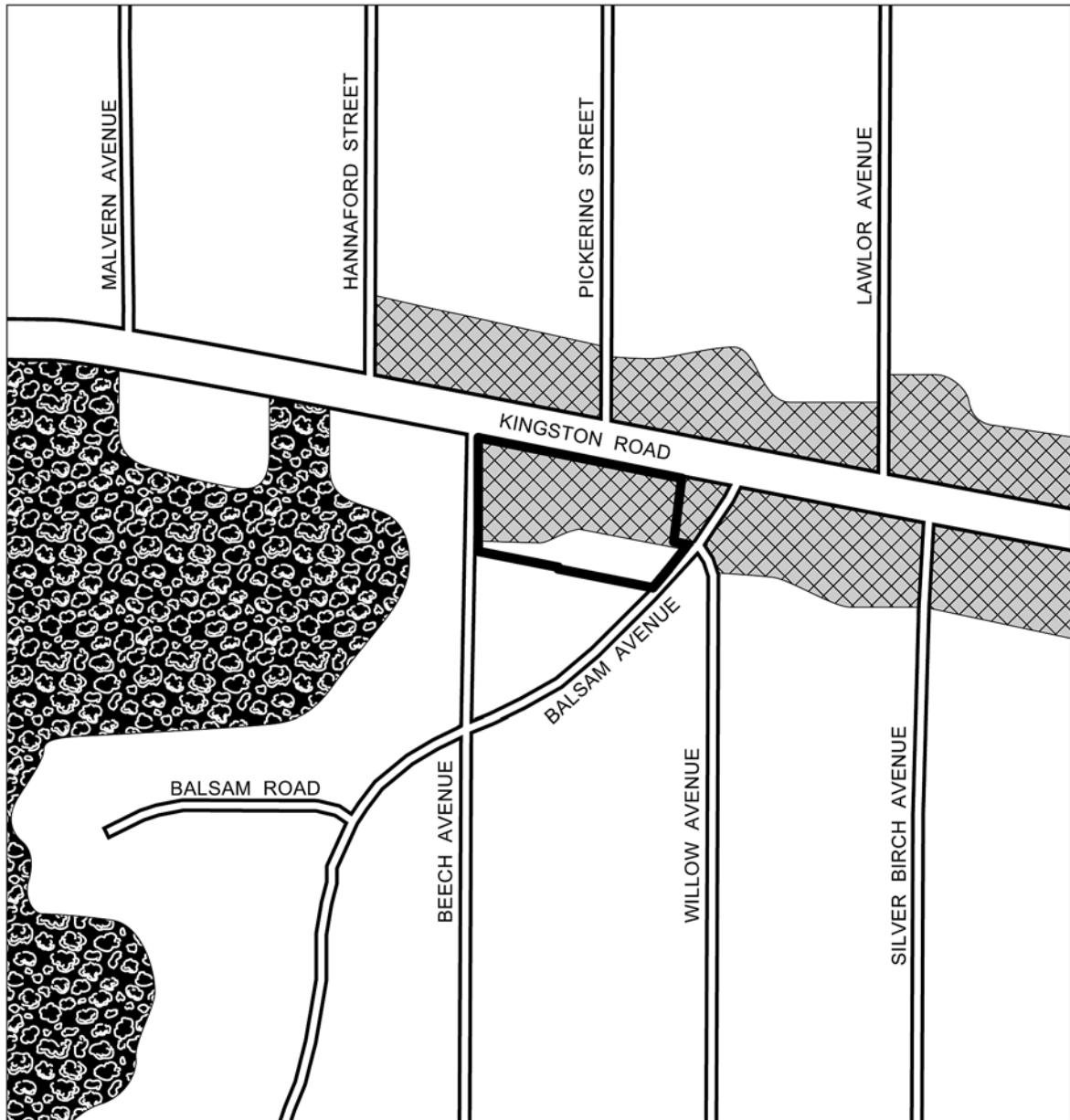
Location of Application

- |                                |                                  |
|--------------------------------|----------------------------------|
| <b>R</b> Residential           | <b>CR</b> Commercial Residential |
| <b>RD</b> Residential Detached | <b>ON</b> Open Space Natural     |



Not to Scale  
Extracted: 05/13/2014




Attachment 6: Official Plan



**Toronto** City Planning  
 Extract from Official Plan

873-907 Kingston Road and  
 218-220 Balsam Avenue

File # 13 279638 STE 32 0Z

-  Site Location
-  Neighbourhoods
-  Parks & Open Space Areas
-  Natural Areas

  
 Not to Scale  
 05/13/2014



**Attachment 8: Draft Official Plan Amendment**

Authority: Toronto and East 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 2014, as  
218 and 220 Balsam Avenue**

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. 1 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

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

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

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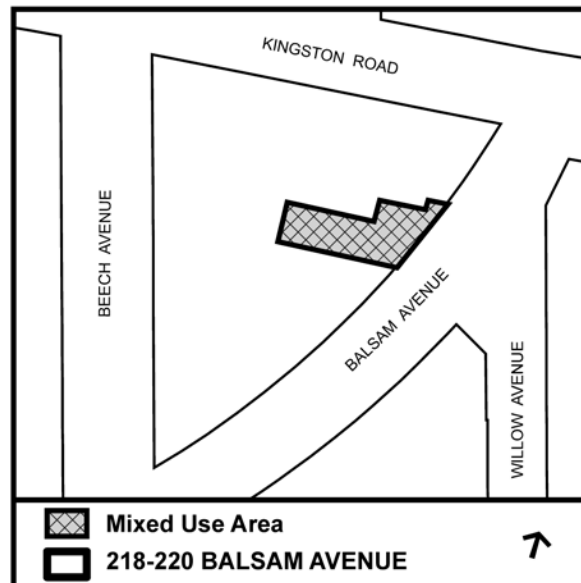
**AMENDMENT NO. ~ TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2014 AS  
218 AND 220 BALSAM AVENUE**

---

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

1. Map 21, Land Use Plan, is amended by re-designating the lands as 218 and 220 Balsam Avenue from *Neighbourhoods* to *Mixed-Use*, as shown here.





**Attachment 9: Draft Zoning By-law Amendment 438-86**

**To be distributed to the Toronto and East York Community Council meeting**

**Attachment 10: Draft Zoning By-law Amendment 569-2013**

**To be distributed to the Toronto and East York Community Council meeting**