

3 and 5 Southvale Drive – Official Plan and Zoning By-law Amendment Applications – Final Report

Date:	November 4, 2016
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	15 150340 NNY 26 OZ

SUMMARY

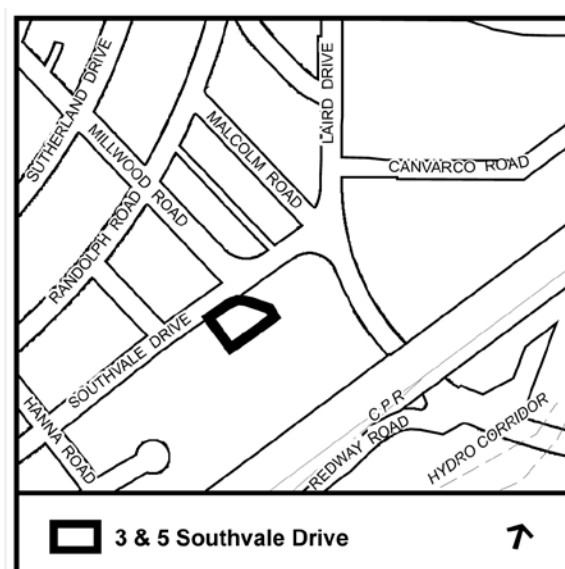
This application proposes to amend the Official Plan and former Town of Leaside Zoning By-law No. 1916 to permit a seven-storey residential building containing 67 dwelling units and 75 parking spaces in two levels of underground parking at 3 and 5 Southvale Drive. The proposed building would have a maximum building height of 22.5 metres (28 metres to the roof of the mechanical penthouse) and a gross floor area of 5,948 square metres resulting in a density of 2.9 times the area of the lot (Floor Space Index).

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, at 3 Southvale Drive, 5 Southvale Drive and a portion of 1073 Millwood Road, substantially in accordance with the draft Official Plan Amendment attached as Attachment No.12.
2. City Council amend former Town of Leaside Zoning By-law No. 1916 for a portion of the lands at 3 Southvale Drive, 5 Southvale Drive and a



portion of 1073 Millwood Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.13.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act, to be registered on title, to the satisfaction of the City Solicitor, to secure the following matters, services and facilities:
 - (a) prior to the issuance of an above-grade building permit the Owner shall make a financial contribution to the City in the amount of \$300,000 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
 - (i) \$250,000 towards the construction of a splash pad in Trace Manes Park at 110 Rumsey Road; and
 - (ii) \$50,000 towards streetscape improvements within the Leaside Business Improvement Area in the general vicinity of Bayview Avenue between Davisville and Soudan Avenues;
 - (b) the financial contributions referred to in (a) shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the Owner to the City;
 - c) in the event the financial contributions referred to in (a) above have not been used for the intended purpose within 3 years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose at the sole discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands;
 - (d) the following matters are also recommended to be secured in the Section 37 Agreement to support the development:
 - (i) prior to the issuance of the first above-grade building permit the Owner shall make a payment of \$20,000 to the City to be used at the discretion of the General Manager, Transportation for road and infrastructure improvements at the Southvale Drive and Millwood Road intersection; and
 - (ii) the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting

held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee; and

- (iii) prior to the issuance of the first building permit the Owner shall have acquired all lands proposed to form part of the development as contemplated in the zoning by-law amendment.
5. Before introducing the necessary Bills to Council for enactment, the Owner will enter into an agreement to purchase (subject to necessary City approvals being obtained, including the City land being declared surplus and the transactions being approved by the appropriate City Authorities) a parcel of City land approximately 132 square metre in size at the corner of Southvale Drive and Millwood Road in exchange for approximately 142 square metres of land on the southeast corner of 3 Southvale Drive (both parcels as shown on Attachment 11) and such other consideration based on the fair market value of each parcel, and such other terms and conditions as may be determined and approved by the Chief Corporate Officer.
6. Before introducing the necessary Bills to Council for enactment, the Owner shall:
- (i) submit a revised Functional Servicing Report and Geotechnical/Hydrogeological Report to the satisfaction of the Executive Director, Engineering and Construction Services; and
 - (ii) make arrangements to the satisfaction of the Executive Director, Engineering and Construction Services, for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development, based on the Reports accepted by the Executive Director, Engineering and Construction Services.
7. City Council authorize the appropriate City Officials to take the necessary action to implement the foregoing, including execution of the contemplated agreements.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A preliminary report for this application was considered by North York Community Council at its September 8, 2015, meeting. The report provided background information on the proposal and recommended that a community consultation meeting be scheduled with the Ward Councillor and that notice for the public meeting be given according to the regulations of the *Planning Act*.

Community Council adopted the staff recommendations and directed that the notice area for the community consultation meeting be expanded beyond the 120 metre notice area.

The preliminary report is available at the following web link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NY8.36>

Related Matter

On September 14, 2014 the applicant commenced an Application in the Superior Court naming the City of Toronto as the Respondent. The Application sought a declaration that the applicant adversely possessed City-owned land adjacent to 3 Southvale Drive (see Part 4 on Attachment 11: Draft Reference Plan) such that title to the disputed land should be transferred by the Court to the applicant. The Application also sought an order from the court for a prescriptive easement over the Leaside Memorial Gardens entrance driveway and the Part 4 disputed land. The matter before the courts was resolved with a court order on consent granting a non-exclusive access easement by prescription over a narrow portion of the City-owned land.

ISSUE BACKGROUND

Original Proposal

The original application proposed an eight-storey residential building containing 98 dwelling units and 97 parking spaces in two levels of underground parking. The building had a maximum building height of 28.0 metres (33.5 metres to the roof of the mechanical penthouse) and a gross floor area of 8,360 square metres resulting in a density of 4.12 times the lot area.

The 98 dwelling units were comprised of:

- 18 one-bedroom units;
- 46 one-bedroom plus den units;
- 11 two-bedroom units;
- 19 two-bedroom plus den units; and
- 4 three-bedroom units.

The building footprint was designed to be L-Shaped in plan defining the edge of Southvale Drive and the entrance driveway to Leaside Memorial Gardens along the east edge of the site. Ground floor uses included a multi-purpose room, lounge, exercise room, boardroom and bicycle storage. The structure was located 5.5 metres from Southvale Drive, 0.5 metres from the west side lot line, a minimum of 1.5 metres from the east side lot line with no set back to the rear lot line.

As noted above, a City-owned entrance driveway to the Leaside Memorial Gardens runs south of the intersection of Millwood Road and Southvale Drive along the east side of the subject site. Vehicular access to the development site was originally proposed via a 6.0 metre driveway from this entrance driveway which was to also provide access to a Type "G" loading space for garbage pickup and to a ramp which led to two levels of underground parking. The residential lobby was proposed along the eastern portion of the Southvale Drive frontage of the site.

Revised Proposal

Following community consultation and discussions with City staff, the proposal was revised October 12, 2016. The revised application proposes lower building heights, a reduced gross floor area/density, fewer dwelling units and less parking. The current application proposes a seven-storey residential building containing 67 dwelling units and 75 parking spaces in two levels of underground parking (see Attachment 1: Site Plan) .

The proposed building would have a maximum building height of 22.5 metres (28 metres to the roof of the mechanical penthouse) and a gross floor area of 5,948 square metres resulting in a density 2.9 times the lot area.

The 67 dwelling units would be comprised of 49 one-bedroom units and 18 two-bedroom units.

The revised proposal provides for a rectangular shaped building, defining the edge of Southvale Drive and the access driveway to Leaside Memorial Gardens. The ground floor would have a floor-to-floor height of 4 metres and contain two multi-purpose rooms, bicycle storage, garbage and recycling rooms and office space (see Attachment 2: Ground Floor Plan). The building would be set back 6.8 metres from Southvale Drive, 0.3 metres from the west property line, 4 metres from the east property lot line and 0.4 metres from the rear (south) lot line (adjacent to Leaside Memorial Gardens).

Vehicular access to the site is now proposed via a six metre driveway centrally located along the Southvale Drive frontage of the site. This driveway provides access to a Type 'C' loading space for garbage pickup and to the ramp located on the western portion of the site that leads to two levels of underground parking. The residential lobby remains, as originally proposed, along the eastern portion of the Southvale Drive frontage.

The revised proposal also incorporates a proposed land exchange between the applicant and the City. The land exchange involves a 132 square metre triangular parcel of City-owned land at the corner of Southvale Drive and Millwood Road that would be exchanged for a 142 square metres triangular parcel of privately-owned land on the southeast corner of #3 Southvale Drive adjacent to the driveway entrance to the Leaside Memorial Gardens (see Attachment 11: Draft Reference Plan). The proposed land exchange would square off the applicant's development parcel providing for a more normalized, useable development parcel. It would also reduce the building footprint which would improve public visibility of the entrance to Leaside Memorial Gardens and provide an enhanced pedestrian access from Southvale Drive.

Site and Surrounding Area

The subject property has an area of 2,030 square metres and is located on the south side of Southvale Drive, approximately 140 metres west of the intersection of Laird Drive and Millwood Road. It is a flat parcel of land that has approximately 40 metres of frontage on Southvale Drive and a depth of approximately 39 metres.

There currently exists a two-storey warehouse building at 3 Southvale Drive which is occupied by Gallery Sixtyeight Auctions. Surface parking is located along the north and east sides of the building and along the Southvale Drive frontage. There is a vacant one-storey industrial building located at 5 Southvale Drive which was formerly occupied by a catering company. Vehicular access is provided from Southvale Drive and a surface parking area is provided at the rear of the property.

Land uses surrounding the site are as follows:

North: To the north, across Southvale Drive at 955 Millwood Road, is Leaside Gate, a five-storey, 106-unit retirement residence built in 1988. West of this retirement residence are one and two storey single-detached and semi-detached residential

dwellings. Adjacent to Leaside Gate on the east side of Millwood Road there are three-storey townhouse units located at 1-27 Krawchcuk Lane and 932-958 Millwood Road. Northeast of the site at 25 Malcolm Road (formerly the Post Office site) construction is underway on a seven-storey residential building;

East: Immediately east of the site is the entrance driveway to the Leaside Memorial Gardens and the associated surface parking lot (0.35 ha) which has capacity for over 100 cars;

South: Leaside Memorial Gardens recreation complex which contains a double pad ice rink, curling rink, an indoor swimming pool and meeting room facilities (The William Lea Room); a pedestrian walkway that leads to an open space area associated with the recreation complex abuts the south edge of the development site; and

West: To the west of the subject site are one and two-storey single detached dwellings along Southvale Drive.

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, by the *Planning Act*, to be consistent with the PPS.

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

Official Plan

The subject property is designated *Neighbourhoods* in the Official Plan (see Attachment No. 9: Official Plan). *Neighbourhoods* are areas where there are residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses, and walk-up apartments, no higher than four storeys. Parks, low scale institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Section 4.1 of the Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including the heights, massing, scale and dwelling type of nearby residential properties, the prevailing building types, and setbacks of buildings from the street. The policy states no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood.

The Official Plan also includes policies addressing built form and public realm issues. Built Form Policies 3.1.2 and 3.1.3 specify that new development should be located and organized to fit with its context, be massed to limit impacts on neighbouring streets, parks, open spaces, and properties by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and limit shadowing and uncomfortable wind conditions.

The Built Form policies further state every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development and each resident will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

Policy 3.1.2 (2) requires that new development locate and organize parking, servicing and access to minimize their impact on the property and surrounding properties by, among other things:

- Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- Integrating services and utility functions within buildings where possible; and
- Providing underground parking where appropriate.

The Housing policies of the Official Plan support a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

The Official Plan provides for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

The Toronto Official Plan is available on the City's website at:

http://www.toronto.ca/planning/official_plan/pdf_chapter1-5/chapters1_5_aug2007.pdf

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

More information regarding OPA 320 can be found here:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=c860abe3a6589410VgnVCM10000071d60f89RCRD>

Performance Standards for Mid-Rise Buildings

At its meeting on July 6, 7 and 8, 2010, City Council adopted a staff recommendation to use the Performance Standards for Mid-Rise Buildings in the “Avenues & Mid-Rise Buildings Study” (May 2010) in evaluating future mid-rise building development applications for a two year monitoring period. At that time, Council provided City Planning with a series of directions to encourage the realization of the 'vision' of the *Avenues* more quickly, and to monitor the Performance Standards over a two-year period.

The Performance Standards are guided by Official Plan objectives to create healthy, liveable and vibrant main streets while protecting the stability and integrity of adjacent *Neighbourhoods*. They are intended to provide simple, straightforward guidance for those seeking to develop mid-rise projects on the *Avenues*.

In November 2013, City Council extended the monitoring period to the end of May 2014, and directed City Planning to include resident and ratepayer groups as stakeholders in any consultations.

In May 2014, City Planning provided an update to the monitoring period to Planning and Growth Management Committee. The Performance Standards are available on the City's website at: <http://www.toronto.ca/planning/midrisestudy.htm>

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the fourth quarter of 2017. Refer to the Council Decision:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

and

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>

While the subject lands are not on an *Avenue*, the approved 2010 Mid-Rise Building Performance Standards and the 2016 Mid-Rise Building Performance Standards Addendum have been used to inform the review and assessment of the proposal.

Zoning

The site is not subject to City-wide Zoning By-law 569-2013 and continues to be covered by the former Town of Leaside Zoning By-law No. 1916, as amended.

Under By-law 1916, the site is zoned 'O' – Open Space (Parks). The zoning category permits all recreational uses such as a playfield, a playground, an athletic field, a community hall, an open or closed swimming pool, a botanical garden, a golf course, a skating rink, a bowling green, tennis courts and similar uses, a parking lot, and a municipally owned arena, curling rink or library (see Attachment 8: Zoning).

Site Plan Control

The lands are subject to site plan control. However, an application has not yet been submitted.

Reasons for the Application

An amendment to the Official Plan is required as the proposed building is taller than the four storey maximum identified in Section 4.1.1 of the *Neighbourhoods* policies. An amendment to the Official Plan is also required to facilitate the proposed land exchange between the applicant and the City (see Attachment 11: Draft Reference Plan and Attachment 12: Draft Official Plan Amendment).

An amendment to former Town of Leaside Zoning By-law No. 1916 is required to permit the proposed built form and establish appropriate zoning regulations to guide redevelopment of the site.

Community Consultation

On December 2, 2015 a community consultation meeting was held at Leaside Memorial Gardens. Approximately 150 members of the public attended along with the applicant and their consultants, the Ward Councillor and City Planning and Transportation Services staff. Issues raised during the discussion of the proposal, which have been considered in the review of the application, included the following:

- Compatibility of proposed development with existing character of the area;
- Height, scale and massing of the proposed building;
- Appropriate transition to adjacent properties and in particular, to the existing single detached dwellings to the west;
- Proposed height and density represents a significant departure from the current Open Space zoning and *Neighbourhoods* land use designation in the Official Plan;
- Potential negative precedent for future development applications in the area;
- Light, view, shadowing and privacy impacts on adjacent properties;
- Traffic on the adjacent streets is congested in the morning and evening rush hours and the proposal would add to the congestion;
- Adequacy of the proposed parking supply, particularly the lack of parking provided for residential visitors as it could result in on-street parking within the neighbourhood;
- Safety concerns with the intersection of Southvale Drive/Millwood Road and its close proximity to the Laird Drive/Millwood Road intersection;
- Potential conflicts with the existing Leaside Memorial Gardens entrance driveway as a result of the proposed vehicular access; and
- The proposal would create a nuisance during the construction phase (i.e., noise, dust, fumes, mud, debris, vibration, traffic and on-street parking).

Numerous written comments were also received following the community consultation meeting outlining the above noted concerns.

On September 8, 2016, a second community consultation was held at the Leaside Memorial Gardens. Approximately 50 members of the public attended along with the applicant and their consultants, the Ward Councillor and City Planning staff.

The applicant presented a revised version of the development proposal. The total number of storeys was reduced from eight to seven storeys and access to the site had been changed to Southvale Drive. In addition, as a result of a potential land exchange with the City, the building orientation and configuration was changed. The overall number of dwelling units proposed on site was reduced and significant changes were made to the built form and massing of the building. This revised proposal is the proposal contemplated in this report.

Many attendees expressed support for the revised plan since the building massing, height and built form had been reduced and improved from the initial proposal. There was also support for the revised plan with its enhanced view corridor into Leaside Memorial Gardens.

Some residents voiced continued concern about the potential traffic emanating from the proposed development and its impacts upon the surrounding road system, and the proximity of the proposed access on Southvale Drive to the nearby traffic signal at Millwood Road and Southvale Drive. The comments and concerns have been discussed with the applicant who has refined the proposal as discussed in the “Comments” section of this report.

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 2014 PPS promotes new development through intensification, where such intensification recognizes the development’s local context, and has a well-designed built form. This application provides a built form that fits within its local context and is consistent with the 2014 PPS. The proposal provides for residential intensification in an urban area, at a location with suitable public infrastructure and services. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The applicant proposes that the Official Plan be amended to permit the proposed seven-storey residential development on the subject lands that are currently developed with one warehouse building and one industrial 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.

The subject site is similar to other sites in the area which have been developed with mid-rise residential developments. To the north across Southvale Drive at 955 Millwood Road is Leaside Gate, a five-storey, 106-unit retirement residence built in 1988 and located on lands designated *Neighbourhoods*. Adjacent to Leaside Gate on the east side of Millwood Road there are three storey townhouse units located at 1-27 Krawchuk Lane and 932-958 Millwood Road. There is a seven storey residential condominium under construction at 25 Malcolm Road (formerly 2 Laird Drive). Given this immediate context, including Leaside Memorial Gardens to the east and south, the size of the development site lot and the existence of other apartment buildings on lands designated *Neighbourhood*, this site creates an appropriate opportunity to develop a seven-storey apartment building that provides a sufficient building transition and setbacks.

Planning staff conclude that consideration of the applicant's request for an Official Plan Amendment is appropriate within the planning context of the immediate area and that a broader review, incorporating other sites within the area is not necessary.

Upon review of the applicant's redesignation request, staff concludes the proposed redevelopment of the site is appropriate. This report recommends the adoption of an Official Plan Amendment to permit the seven-storey residential building. Staff recommend the Official Plan land use designation remain as *Neighbourhoods*, but recommend that the amendment include a Site and Area Specific Policy permitting a maximum height of seven-storeys provided the building is located and massed to achieve appropriate setbacks and a stepping down of heights towards the lands at 9 Southvale Drive (see Attachment 12: Draft Official Plan Amendment). This report also recommends that City Council amend former Town of Leaside Zoning By-law No. 1916 for a portion of the lands at 3 Southvale Drive, all of 5 Southvale Drive and a portion of 1073 Millwood Road from 'O' – Open Space (Parks) to Residential R3B Density Zone (Exception No. 1) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.13. The zoning on the portion of the lands at 3 Southvale Drive proposed to be exchanged and conveyed to the City would remain as 'O' – Open Space (Parks).

Staff also conclude that the overall proposal, together with the Section 37 provisions (discussed later in this report), represents an appropriate approach to the redevelopment of the site. The proposed housing form is compatible with adjacent uses with regard to dwelling unit type, height, and setbacks. Further, the proposal will help fulfill several objectives including:

- the provision of community benefits under Section 37 of the Planning Act (as described later in this report);
- acquiring lands immediately adjacent to an existing public park for park expansion;

- improvements to the streetscape along Southvale Drive and along the public access to the Leaside Memorial Gardens thereby creating a more pedestrian friendly environment; and
- enhancing the efficient use of land, infrastructure and service facilities, and the public transit system.

Height, Massing, Density

The built form policies of the Official Plan encourage new development to support adjacent streets, parks and open spaces. These policies seek to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions to provide an attractive, comfortable and safe pedestrian environment.

When determining and assessing appropriate heights and densities, many factors are considered, including context of the development, lot size and configuration, proximity to major transit facilities, impacts on the neighbouring properties and other site specific factors. The subject site is located within 100 metres of Laird Drive, a Major Street, and is within approximately 1.3 km of the under-construction Eglinton Crosstown below-grade light rapid transit. Within the immediate vicinity of this site there are a number of existing and approved apartment buildings with heights ranging from five to seven storeys. The subject site also abuts to the east and south the driveway/surface parking lot and building associated with the Leaside Memorial Gardens facilities. Based on these conditions, staff has determined that a mid-rise building could be considered at this location if designed appropriately.

The original proposal produced a height and massing that staff considered to be incompatible with that of the surrounding buildings. The revised seven-storey building, with a related 30% reduction in the gross floor area, reflects a building that more appropriately fits into its context and provides appropriate transition to the adjacent lower scale residential buildings. To achieve this transition, two 45-degree angular planes have been applied to limit the building mass creating adequate skyviews, and light and privacy on neighbouring streets, properties and open spaces. The building has been designed to fall beneath a 45-degree angular plane measured from the properties on the north side of Southvale Drive (see Attachment 5: East Elevation and Attachment 6: West Elevation).

The original proposal did not provide an appropriate transition to the residential properties to the west. The three-storey portion of the building was set back 0.55 metres from the west property with a proposed height of 11.2 metres, a six-storey portion set back 2.9 metres and eight-storey portion set back approximately 6 metres from the property line. While the revised proposal provides for a setback of 0.30 metres from the west property line, the building height has been reduced to two-storeys with a height of 7 metres with upper floor terracing beginning 9.5 metres from the property line. With the exception of the two-storey element adjacent to #9 Southvale Drive, the upper floors (three to seven) of the revised proposal fall beneath a 45-degree angular plane from the properties to the west (see Attachment 3: North Elevation and Attachment 4: South Elevation). An as-of-right two storey dwelling on the subject site could be set back 0.90 metres from the property line with a maximum height of 8.5 metres and maximum length of 16.5 metres (the length of the proposed two-storey portion of the building is

approximately 18 metres). It should be noted the existing one-storey building on the site comes to within 1 metre of the west property line and extends the full length of the property. In view of the above it is staff's view the proposed transition and siting of the building are considered acceptable.

The building siting, use of setbacks/stepbacks and the use of angular planes to sculpt the proposed seven-storey building is in keeping with the Built Form policies in Section 3.1.2. The proposed building has been designed to frame the edge of Southvale Road and the entrance driveway to the Leaside Memorial Gardens with stepped building heights along the street edge that respects the varying street proportions and the scale of adjacent buildings. The proposal incorporates varying stepbacks along Millwood Road (Leaside Memorial Gardens) frontage from three to seven-storeys and along the interface with the neighbourhood to the southwest from two to seven-storeys. The relationship of the building to surrounding streets would result in a comfortable street proportion and acceptable skyviews from adjacent lands.

The application proposes a gross floor area of 5,948 m² which results in a density of 2.9 times the area of the lot. The density in this context when designed with the proposed height and massing allows for a built form that meets the development criteria of the Official Plan and is therefore appropriate and supportable.

Sun/Shadow Analysis

Section 3.1.2.3 of the Official Plan requires new development limit its impacts on neighbouring streets, parks, open spaces and properties by adequately limiting shadowing and uncomfortable wind conditions on neighbouring streets, properties and open spaces. Official Plan policy places particular importance to shadow on parks and on low-rise *Neighbourhoods* designations.

A Sun/Shadow report (revised July, 2016) was submitted and reviewed by Planning staff. Staff examined the potential for shadow impact of proposed buildings on the surrounding properties, with careful attention to the residential properties to the west of the site on the south side of Southvale Drive and on the north side of Southvale Drive opposite the site.

For the spring and fall equinoxes (March 21 and September 21), morning shadows from the revised proposal, until approximately 11:00 a.m. fall on the municipal sidewalk and a portion of the setback of the five-storey apartment building on the north side of Southvale Drive. By noon, the shadow is completely removed from these areas and moves onto the parking lot of the Leaside Memorial Gardens to the east for the remainder of the day. There are no shadow impacts from the proposed development during the spring/fall equinoxes on lands west of the development. Planning staff accepts the analysis provided by the applicant.

Staff are of the opinion that the mid-rise form is an appropriate form for this location, and the shadow impacts on neighbouring streets, properties and open spaces are adequately limited.

Site Organization and Streetscape

Built Form Policy 3.1.2 requires new development to be located and organized to fit with

its existing and/or planned context. It should frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces. This site is a prominent location on Southvale Drive at the entranceway to a vibrant City-owned facility that is an important focal point for the Leaside community. The site is visible from Laird Drive across the parking lot of the Leaside Memorial Gardens site and from the intersection of Laird Drive and Millwood Road.

The proposal supports these policy objectives through the following:

- Four new large growing shade trees along the Southvale Drive right-of-way and three new large growing shade trees along the right-of-way entrance driveway to the Leaside Memorial Gardens will enhance the streetscape and pedestrian experience;
- Three new large growing shade trees along the Southvale Drive frontage on private lands, and one large growing shade tree along the entrance driveway to Leaside Memorial Gardens on private lands;
- The building incorporates architectural elements including a base building, articulated balconies, and an emphasized northeast corner facing the intersection of Southvale Drive and Millwood Road; and,
- Enhanced landscaping along the frontage on the driveway leading to the Leaside Memorial Gardens acting as a "gateway" to Leaside Memorial Gardens.

The building setback has been increased along the frontage of the entrance driveway to Leaside Memorial Gardens from 2.3 metres to 4 metres to accommodate a landscaped promenade leading to the main pedestrian entrance of the facility. The building setback has also been increased along the Southvale Drive frontage from 5.5 metres to 6.7 metres in order to be more consistent with the alignment of the buildings west of the site along Southvale Drive. The revision maximizes landscaping opportunities and amenity along this frontage of the site. The revised proposal also provides for a small private, but publicly accessible, gateway parkette with seating opportunities at the southwest corner of Southvale Drive and Millwood Road to enhance the public realm.

Traffic Impact

A revised Traffic Impact Study report, dated August 2016, was submitted by the applicant's transportation consultant. The report estimates that the proposed development will generate approximately 30 and 34 two-way trips during the morning and afternoon peak hours, respectively. Transportation Services has reviewed the conclusions of the revised TIS and finds them to be acceptable.

Vehicular access to the development site was originally proposed via a 6.0 metre driveway from the entrance driveway of Leaside Memorial Gardens located along the east edge of the development site. It is now proposed via a six metre driveway centrally located along the Southvale Drive frontage of the site. Transportation Services staff has reviewed the proposed location in the context of nearby driveway entrances, including the signalized entrance to Leaside Memorial Gardens and finds it acceptable.

Transportation Services have identified a number of required enhancements in the general vicinity of the site that include tightening turning radii at the Southvale Drive/Millwood Road and Laird Drive/Millwood Road intersections and improvements to the streetscape and pedestrian realm. This report recommends that before introducing the necessary Bills to City Council for enactment the applicant submit a payment of \$20,000 to the City to be used at the discretion of the General Manager, Transportation Services for road and infrastructure improvements at the Southvale Drive and Millwood Road intersection. It is recommended the payment be secured in the Section 37 Agreement to support the development.

Parking

A total of 75 parking spaces, of which 13 would be provided for visitors, are proposed within a 2 level underground parking garage. The parking requirements of the project are governed by the applicable parking provisions contained in the former Town of Leaside Zoning By-law No. 1916 however, staff have been applying, where appropriate, the parking rates contained within City of Toronto Zoning By-law 569-2013. The newer parking rates are based on more recent information when compared to the former by-laws. As a result, Transportation Services requires that parking for this project be provided in accordance with Zoning By-law 569-2013 for "Rest of City" as defined in the By-law.

Use	Dwelling Units	Parking Rate (Minimum)	No. of Spaces Required (Minimum)
Residential Condominium	Studio 0	0.8	0
	1-Bedroom 49	0.9	44
	2-Bedroom 18	1.0	18
	3-Bedroom + 0	1.2	0
	Visitor 67 units	0.2	13
Sub Total Residents			62
Sub Total Visitors			13
Total			75

The proposed on-site parking supply of 75 spaces, as summarized in the above table, satisfies the requirements outlined in Zoning By-law 569-2013, and is therefore found to be acceptable.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City.

The applicant's proposal incorporates bicycle parking for residents and visitors. The development proposes the provision of 68 bicycle parking spaces, including 54 for residents (a rate of 0.8 spaces per unit) and 14 for visitors (a rate of 0.2 spaces per unit).

Loading Area

Policy 3.1.2 (2) of the Official Plan requires that new development locate and organize parking, servicing and access to minimize their impact on the property and surrounding properties.

The initial application proposed access from the driveway to Leaside Memorial Gardens. A further revision showed resident access from Southvale Drive with loading and servicing access proposed from a separate driveway off the private driveway to the Leaside Memorial Gardens. Following consultation with various City Divisions and further discussion with the community and Ward Councillor, the applicant was requested to consolidate the driveways to a central location off Southvale Drive.

The proposed loading area and the pick-up/drop-off and delivery area would be located internally to the site off the proposed north/south driveway. This arrangement is sensitive to the planned and existing streetscape and will eliminate any potential conflicts with pedestrians and vehicles using Leaside Memorial Gardens. Combining resident access to garage ramps and loading/servicing areas will minimize the impact on the existing neighbourhood and allow for more landscaped open space on the site.

The building design includes an indoor garbage storage room on the first floor adjacent to the loading area. Loading bay doors have been incorporated into the design of the building to reduce noise associated with loading operations particularly on garbage pick-up days and to improve the architectural look of the rear facades of the building when viewed from the south. One Type C loading space has been provided. Garbage pick-up will be provided by a private collection contractor. A landscape buffer has been proposed to provide additional screening of the loading area from Leaside Memorial Gardens to the south and in particular, from the walkway that leads to the open space area located west of the complex. In addition, a landscaped buffer, including a decorative concrete fence, is proposed along the west property line adjacent to #9 Southvale Drive, to screen the view of the loading area as well as vehicles entering the ramp to the underground garage.

Details pertaining to the landscaping and fence design would be dealt with through the Site Plan process.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report in support of the application to amend the Official Plan and Zoning By-law. Engineering and Construction Services staff have advised that further information is necessary regarding sanitary sewer, stormwater management, and Geotechnical/Hydrogeological matters. Planning staff recommend that prior to introducing the Bills to City Council for enactment, the applicant be required to submit a revised Functional Servicing and Geotechnical/Hydrogeological Report to the satisfaction of the Executive Director of Engineering and Construction.

Open Space/Parkland Dedication and Proposed Land Exchange

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 0.8 to 1.56 hectares of local parkland per 1,000 people.

The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area as per Chapter 415, Article III, of the City of Toronto Municipal Code.

At an alternative rate of 0.4 hectares per 300 units specified under Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 1,307 square metres or 64% of the site area. However for sites that are less than 1 hectares in size, a cap of 10 % of the development site is applied to the residential use. In total, the parkland dedication requirement is 203 square metres.

Initially, the applicant was required to satisfy the parkland dedication requirement through an on-site dedication. The parkland parcel was to extend along the north property line and was to be contiguous with the City-owned parkland located immediately east of the site at Southvale Drive. However, through discussions between the applicant group and staff in City Planning, Transportation Services and Parks, Forestry & Recreation the notion of a land exchange was discussed that would achieve several common objectives. The proposed land exchange would consist of the applicant exchanging a triangular-shaped parcel of the development site located at the southeast corner of #3 Southvale Drive, that has an approximate area of 142 square metres, in exchange for a triangular-shaped parcel of City-owned land located at the southwest corner of Southvale Drive and Millwood Road that has an approximate area of 132 square metres. The lands are shown on Attachment 11: Draft Reference Plan. The additional 10 square metres is proposed to be conveyed to the City as part of the 203 square metre parkland dedication requirement. The remaining parkland dedication of 193 square metres would be fulfilled through cash-in-lieu.

Section 4.3.8 of the Official Plan (*Parks and Open Space Areas*) states that the sale or disposal of publicly owned lands in *Parks and Open Space Areas* is discouraged, and that no City-owned land in *Parks and Open Space Areas* will be sold or disposed of. However, the policy goes on to state that City-owned land in the *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility. It is staff's view the proposed land exchange conforms with this policy. The exchanged lands would be contiguous to an existing parks facility, would be larger in area and would be of a comparable green space utility.

The proposal, as shown in Attachment 1: Site Plan, has been revised to reflect the proposed land exchange. The land exchange would "square off" the applicant's development parcel providing a more normalized, useable development parcel and facilitate a more desirable built form relationship with Southvale Drive and the frontage adjacent to the entrance driveway of Leaside Memorial Gardens. The parcel of land the City would receive in exchange also means the building footprint is reduced near the entrance driveway to Leaside Memorial Gardens. The land would improve usability of publically owned *Parks and Open Space Areas*, by providing an enhanced view corridor from Southvale Drive to the main building entrance of Leaside Memorial Gardens as well as an enhanced pedestrian environment to the City-owned facility.

Parks, Forestry & Recreation (PF&R) staff has also advised the applicant must design the building to achieve Ontario Building Code (OBC) setbacks related to fire separation on their own site on the portions of the building that abut the park. Prior to the issuance of any above grade building permit the applicant will be required to demonstrate

adequately that the OBC requirements have been achieved to the satisfaction of the General Manager, PF&R.

This report recommends that before introducing the necessary Bills to Council for enactment, the Owner enter into an agreement with the City to acquire (subject to necessary City approvals being obtained, including the City land being declared surplus and the transactions being approved by the appropriate City Authorities) the City-owned parcel of land located at the southwest corner of Southvale Drive and Millwood Road and having an area of approximately 132 square metres (Part 4 on Attachment 11). Such acquisition is contemplated to be in exchange for a privately-owned parcel of land located on the southeast corner of #3 Southvale Drive having an area of approximately 142 square metres (Part 3 on Attachment 11) and such other consideration based on fair market value of each parcel and such other terms and conditions as may be determined and approved by the Chief Corporate Officer.

Tree Preservation

A permit is required to remove, cut down or injure a tree with a diameter of 30 cm or more on City or private property. An arborist report has been received and reviewed.

There are no City-owned trees affected by this application.

The development proposes the removal of eight privately owned trees having diameters of 30 cm or more situated on the subject property. Six of the trees are located on the west property line, five of which are in poor condition and one of which is in fair condition.

Urban Forestry Services staff have requested two large growing trees planted at the south west corner of the site. Where tree planting to replace trees to be removed is not physically possible on site at a replacement ratio of 3:1, the General Manager of Parks, Forestry and Recreation will accept cash in lieu payment in an amount equal to 120 per cent of the cost of replacing and maintaining the trees for a period of two years. Only large growing shade tree species will be counted in the 3:1 replacement ratio. As a result, a cash payment of \$12,826.00 (\$583.00 per tree) in lieu of planting the required replacement trees is required.

The landscape plan shows seven new large growing canopy trees for the right of way, including four on the Southvale Drive frontage and three on the access driveway on the Leaside Memorial Gardens site.

The requirements of Urban Forestry will be dealt with through the Site Plan process.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

The applicant is required to meet Tier 1 of the TGS. The Zoning By-law would secure

performance measures for the following Tier 1 development features: providing minimum number of parking spaces and securing weather protected bicycle parking spaces below grade. Other applicable TGS performance measures would be secured through the Site Plan approval process including: green roofing techniques to reduce the urban heat island effect; incorporating landscaped areas with water efficient plants and native species; the provision of user-friendly and accessible handling and storage facilities for recyclable materials and organic waste; and stormwater management/retention.

Amenity Space

The Official Plan requires that new development provide adequate indoor and outdoor recreation space for building residents.

Approximately 144 square metres (1,550 square feet) of indoor amenity space is proposed that have ground floor views onto Southvale Drive and Leaside Memorial Gardens. This equates to a rate of 2.15 square metres of indoor amenity space per unit. Approximately 134 square metres of contiguous outdoor amenity area is proposed including a plaza feature at the northeast corner of the site (Southvale Drive/Millwood Road). This results in a rate of 2.0 square metres of outdoor amenity space per unit.

The amount and locations of indoor and outdoor amenity space are acceptable to City Planning staff.

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 be specific capital facilities (or cash contributions for specific capital facilities), parkland above and beyond the required parkland dedication, parkland improvements, public art, streetscape improvements on the public boulevard not abutting the site and/or other public benefits as detailed in Section 5.1.1.6 of the Official Plan. The community benefits must bear a reasonable planning relationship to the proposed development including, at a minimum, an appropriate geographic relationship and addressing planning issues associated with the development (e.g. local shortage of parkland, needed public realm improvements, etc.).

Section 5.1.1.5 of the Official Plan allows Section 37 of the Planning Act to be used, irrespective of the size of the project or the increase in the height and or density as may otherwise be agreed upon. As part of the review of the applicant's proposal to redevelop the site, staff examined the existing community services and facilities within the area to determine service gaps. Following discussions between the applicant, Planning Staff and the Ward Councillor, the following community benefits are to be secured in the Section 37 agreement:

An indexed financial contribution of \$300,000.00 payable to the City of Toronto prior to the issuance of the first above-grade building permit for the provision of the following to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:

- (i) \$250,000 towards funding for the installation of a Splash Pad facility in Trace Manes Park located at 110 Rumsey Road; and

- (ii) \$50,000 for streetscape improvements on Bayview Avenue in the general vicinity of Bayview Avenue between Davisville Avenue to Soudan Avenue.

In the event these financial contributions have not been used for the intended purpose within 3 years of the By-law amendment coming into force and effect, Planning staff recommends the Section 37 Agreement include provisions that enable the cash contribution to be redirected for another purpose, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands.

Staff further recommends the following matters be secured in the Section 37 Agreement to support development:

- (i) prior to the issuance of the first above-grade building permit the Owner shall make a payment of \$20,000 to the City to be used at the discretion of the General Manager, Transportation Services, for road and infrastructure improvements at the Southvale Drive and Millwood Road intersection; and
- (ii) the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee.

Tenure

All units and affiliated amenity and common areas are proposed to be part of a condominium corporation. An application for draft plan of condominium will be required.

School Capacity

The Toronto District School Board (TDSB) advises that there is insufficient school capacity to accommodate students anticipated from this proposed development and that children may need to be accommodated at other schools within the area. The TDSB advises that the status of local school accommodation should be conveyed to potential purchasers of the proposed units, as well as communicated to the existing community to inform them that children from new development will not displace existing students at local schools. Specifically, the TDSB requests that the applicant agrees to post signs on site and include warning clauses in all rental leases and offers of purchase and sale advising purchasers and tenants of the status of local school accommodation.

The Toronto Catholic District School Board (TCDSB) did not comment on the application.

Construction Management

One of the concerns expressed by the local community related to demolition and construction activity and the related off-site impacts. As a condition of Site Plan Control approval, the applicant will be required to submit a Construction Management Plan to the satisfaction of Engineering and Construction Services in consultation with the Director of Community Planning. The plan will include information regarding the demolition and construction timetable and protocols to address construction activities

such as noise, dust, temporary loss of facilities and services, parking of vehicles, standards for cleanliness of public spaces and contact numbers for complaints.

Conclusion

The proposal to redevelop the lands at 3 and 5 Southvale Drive is consistent with the Provincial Policy Statement (PPS). It also conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe and conforms with the Toronto Official Plan. The building has been located and massed to be compatible with the adjacent buildings and nearby neighbourhood and results in a comfortable street proportion creating acceptable access to sunlight, skyviews from neighbouring streets, parks, open spaces and properties and provides an appropriate transition in scale to the properties west of the site.

The proposal contemplates acquisition of a City owned parcel of land and conveyance of other lands to the City which will regularize the site and provide the City with an opportunity to improve usability of publically owned *Parks and Open Space Areas*, by providing an enhanced view corridor from Southvale Drive to the main building entrance of Leaside Memorial Gardens as well as an enhanced pedestrian environment to the City-owned facility. The proposed Official Plan and Zoning By-law Amendment contemplate successful implementation of this arrangement. Prior to enactment of the proposed Official Plan and Zoning Amendments the appropriate arrangements between the owner and the City are required to have been made regarding the necessary land transactions. Prior to issuance of the first building permit it is expected that the conveyances will have been completed.

The proposal is appropriate and the report recommends approval of the development.

CONTACT

John Lyon, Senior Planner
Tel. No. (416) 395-7095
Fax No. (416) 395-7155
E-mail: jlyon@toronto.ca

Steve Forrester, Senior Planner
Tel. No. (416) 395-7126
Fax No. (416) 395-7155
E-mail: sforrest@toronto.ca

SIGNATURE

Joe Nanos, Director
Community Planning, North York District

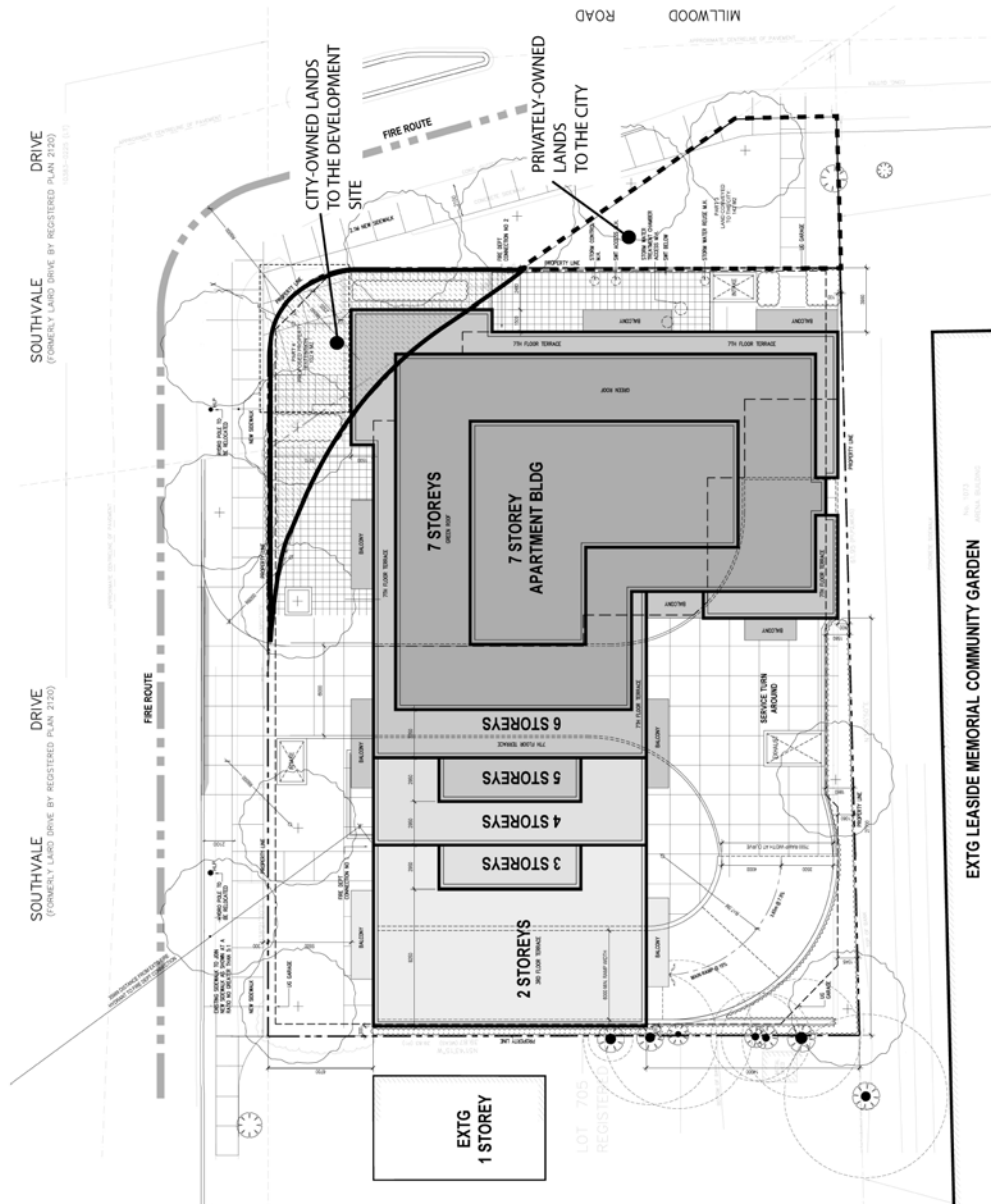
ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Ground Floor Plan
Attachment 3: North Elevation
Attachment 4: South Elevation
Attachment 5: East Elevation
Attachment 6: West Elevation
Attachment 7: Perspective

Attachment 8: Zoning
Attachment 9: Official Plan
Attachment 10 Application Data Sheet
Attachment 11: Draft Reference Plan
Attachment 12: Draft Official Plan Amendment
Attachment 13: Draft Zoning By-law Amendment

Attachment 1: Site Plan



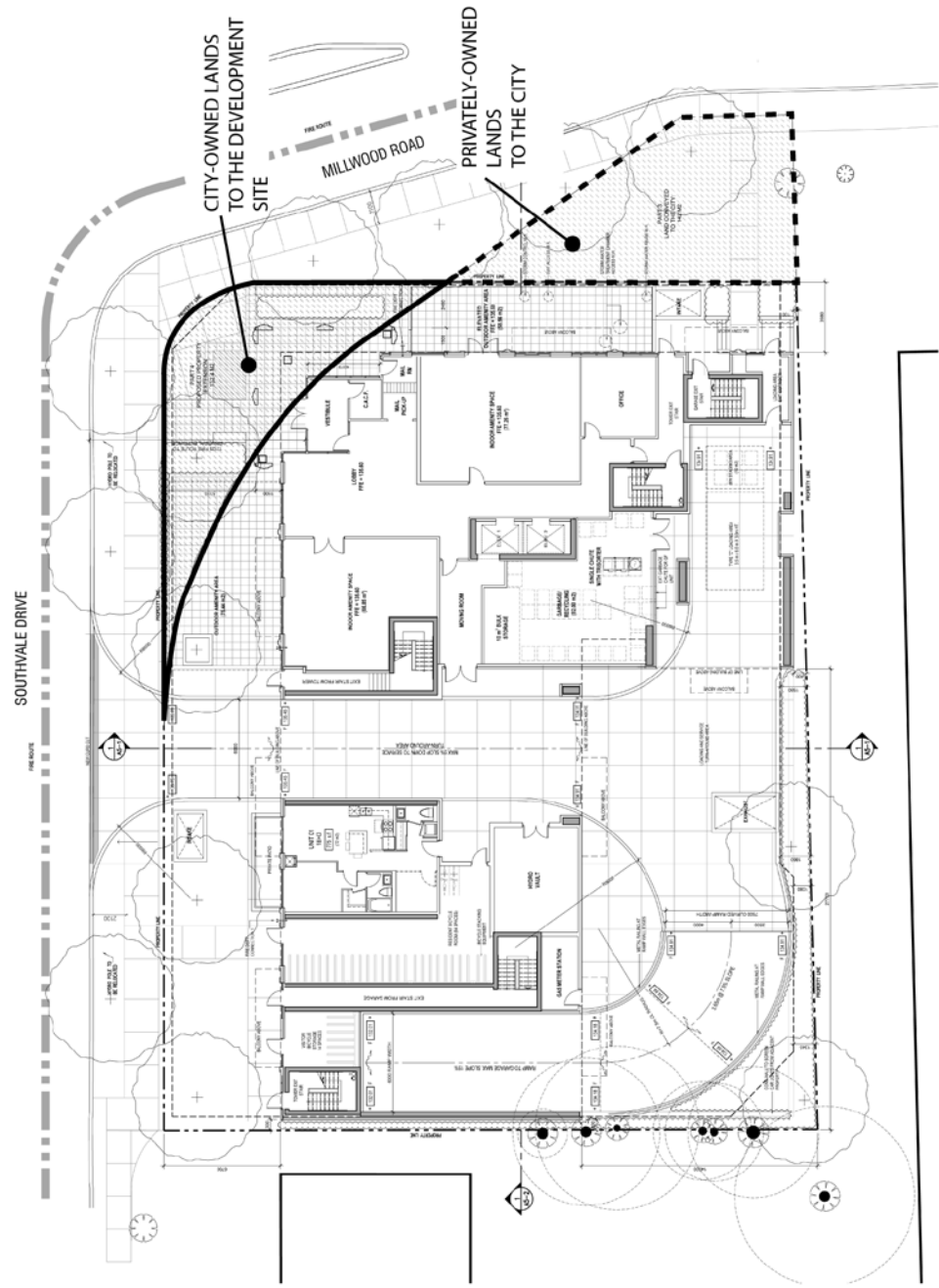
3 & 5 Southvale Drive

Site Plan
Applicant's Submitted Drawing

Not to Scale
10/20/2016

File # 15 150340 NNY 26 0Z

Attachment 2: Ground Floor Plan



3 & 5 Southvale Drive

Ground Floor Plan
Applicant's Submitted Drawing
Not to Scale
10/20/2016

File # 15 150340 NNY 26 02

3 & 5 Southvale Drive

North Elevation
Applicant's Submitted Drawing

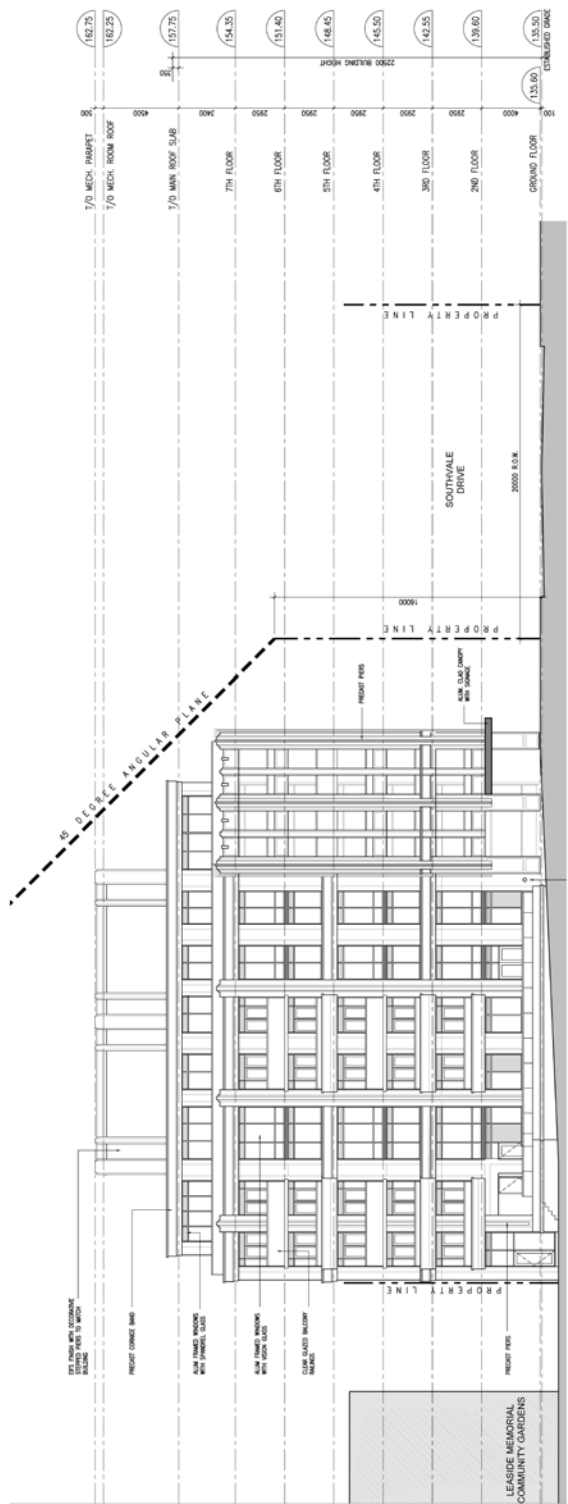
File # 15 150340 NNY 26 0Z

South Elevation

Not to Scale
10/20/2016

Applicant's Submitted Drawing

Attachment 5: East Elevation



East Elevation - Millwood Road

3 & 5 Southvale Drive

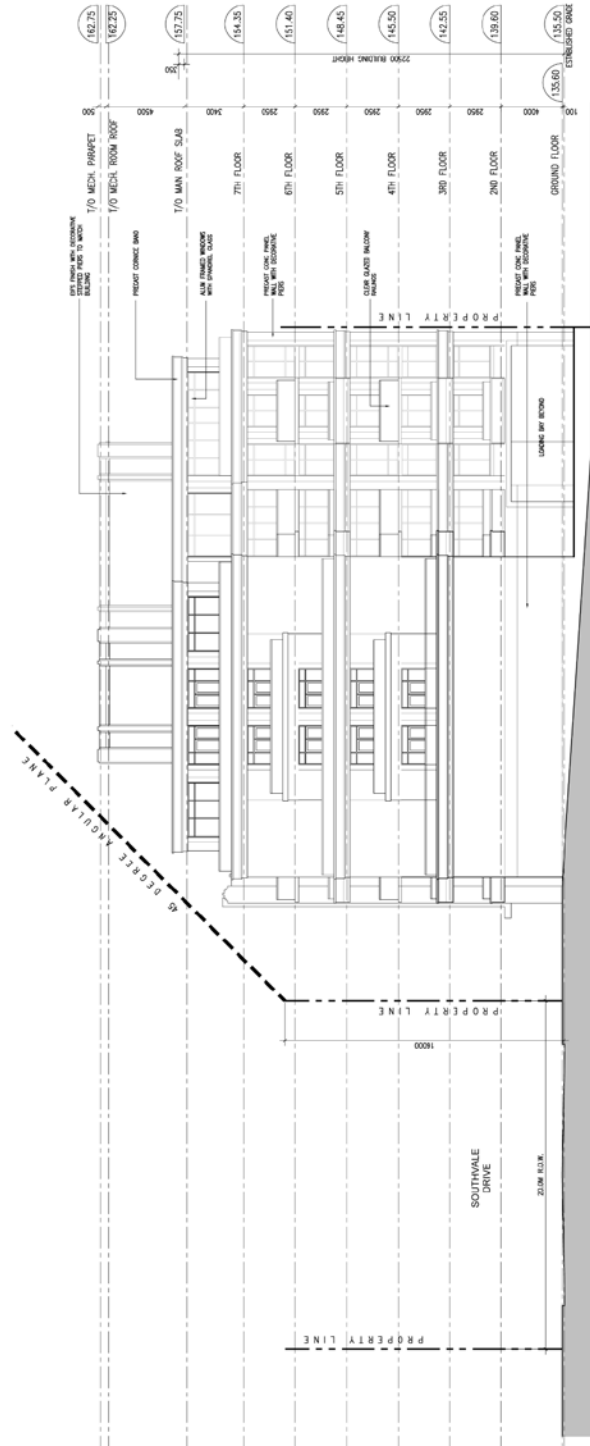
East Elevation

Applicant's Submitted Drawing

Not to Scale
10/20/2016

File # 15 150340 NNY 26 0Z

Attachment 6: West Elevation



West Elevation

Applicant's Submitted Drawing

Not to Scale
10/20/2016

3 & 5 Southvale Drive

File # 15 150340 NNY 26 02

Attachment 7: Perspective

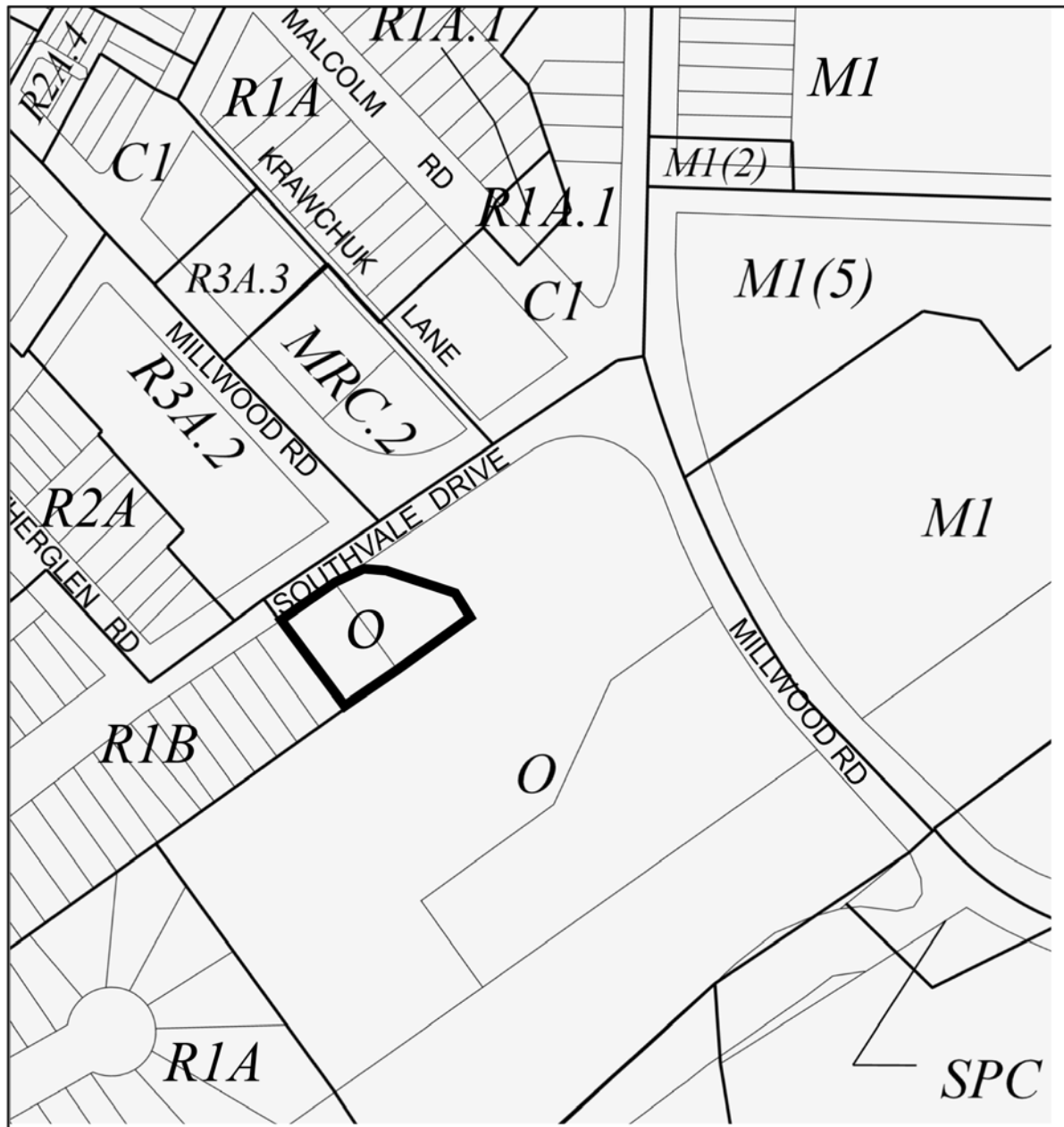


Perspective Drawing
Applicant's Submitted Drawing
Not to Scale
09/19/2016

3 & 5 Southvale Drive

File # 15 150340 NNY 26

Attachment 8: Zoning



Leaside Zoning By-Law 1916

3 & 5 Southvale Drive

File # 15 150340 NNY 26 02



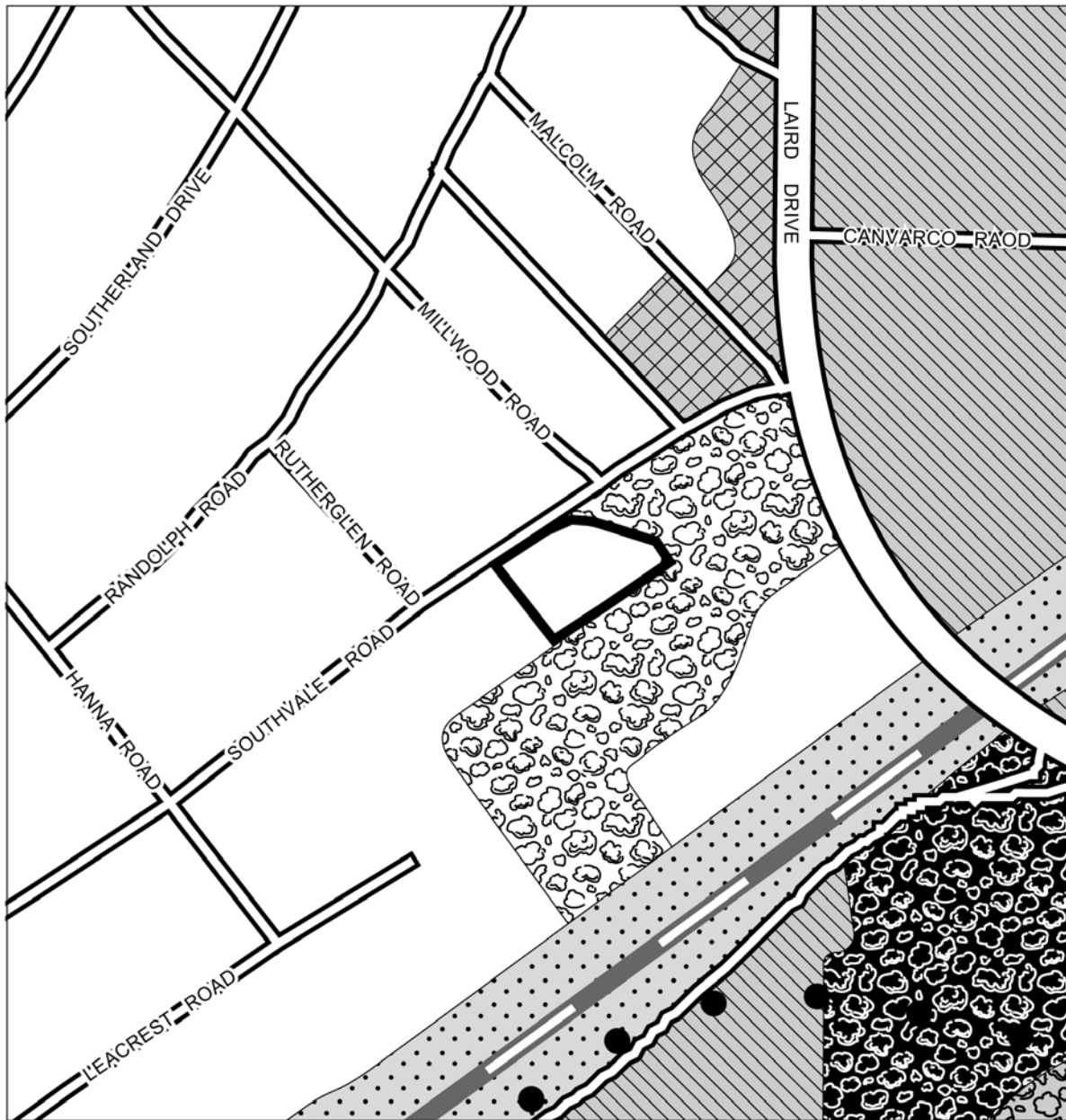
Location of Application

R1A	Low Density Residential	SPC	Special Purpose Commercial
R1B	Low Density Residential	O	Open Space (Parks)
R2A	Medium Density Residential	M1	Light Industrial
C1	Residential Apartment		



Not to Scale
Extracted: 06/16/2015

Attachment 9: Official Plan



TORONTO City Planning
Extract from Official Plan

3 & 5 Southvale Drive

File # 15 150340 NNY 26 02

 Site Location	 Natural Areas	 Utility Corridors
 Neighbourhoods	 Parks	 Employment Areas
 Mixed Use Areas	 Other Open Space Areas	



Not to Scale
09/19/2016

Attachment 10: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	15 150340 NNY 26 OZ
Details	OPA & Rezoning, Standard	Application Date:	May 1, 2015

Municipal Address:	3 and 5 SOUTHVALE DR
Location Description:	PLAN 2747 LOT 1 AND PLAN 2120 PT MILLWOOD RD **GRID N2607
Project Description:	Zoning By-law and Official Plan Amendment application to permit a 7 storey residential building containing 67 dwelling units and 75 parking spaces.

Applicant:	Agent:	Architect:	Owner:
SHERMAN BROWN 5075 Yonge Street Toronto, ON M2N 6C6	ADAM BROWN 5075 Yonge Street Toronto, ON M2N 6C6	RAFAEL + BIGAUSKAS 1140 Sheppard Ave E Toronto, ON M3K 2A2	SHANE B INC 25 Park Lane Circle Toronto, ON M3B 1Z8

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	O - Open Space (Parks)	Historical Status:	N
Height Limit (m):	10.7	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2021.4	Height:	Storeys:	7
Frontage (m):	45.17		Metres:	22.5
Depth (m):	38.87			
Total Ground Floor Area (sq. m):	583.9			Total
Total Residential GFA (sq. m):	5948.73		Parking Spaces:	75
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	5948.73			
Lot Coverage Ratio (%):	28.9			
Floor Space Index:	2.9			

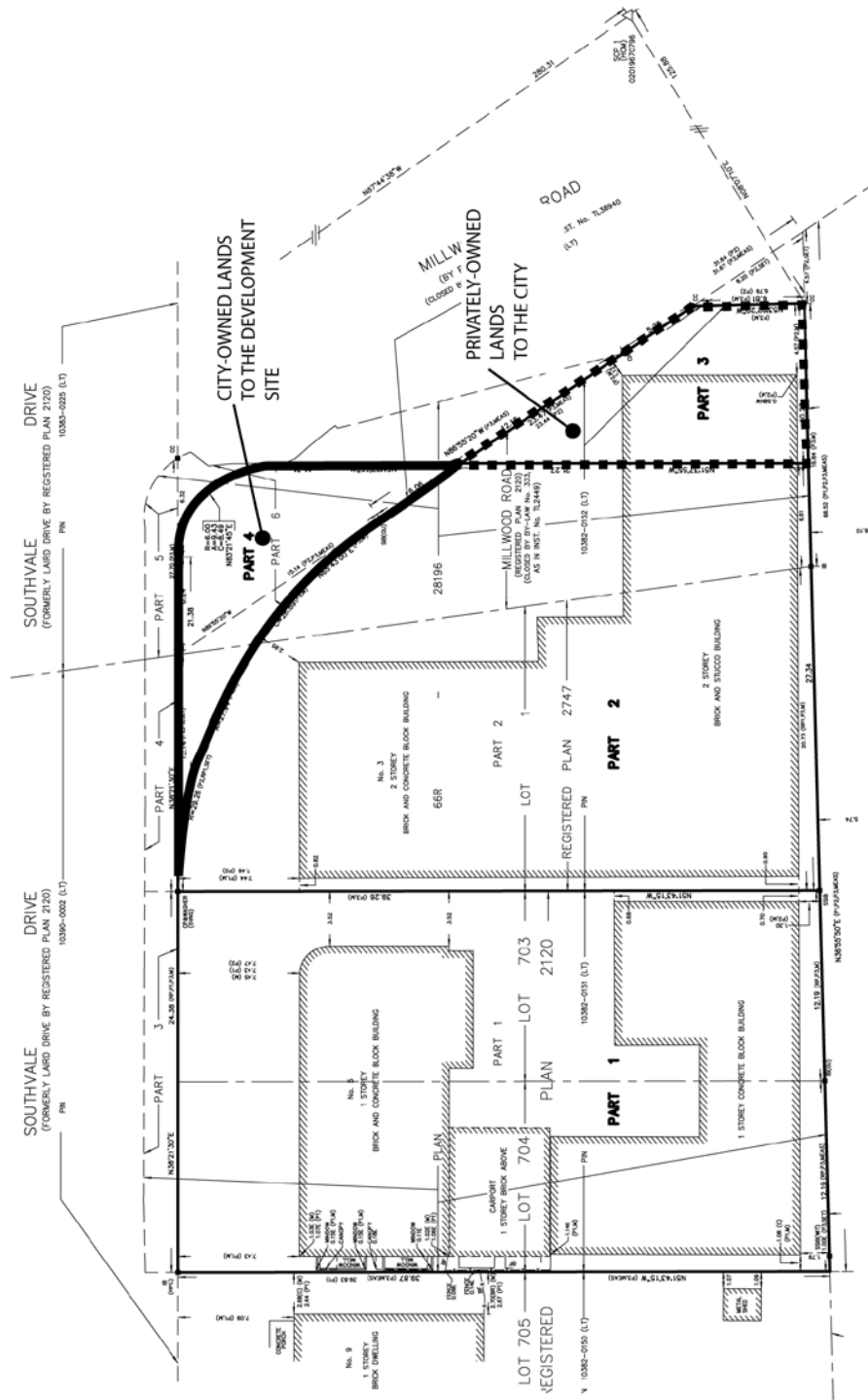
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	5948.73	0
Studio:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	49 (73%)	Office GFA (sq. m):	0	0
2 Bedroom:	18 (27%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	67			

CONTACT:	PLANNER NAME:	John Lyon, Senior Planner
	TELEPHONE:	(416) 395-7095
	EMAIL:	jlyon@toronto.ca

Attachment 11: Draft Reference Plan



Draft Reference Plan

Applicant's Submitted Drawing

Not to Scale
10/20/2016



3 & 5 Southvale Drive

File # 15 150340 NNY 26 0Z

Attachment 12: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2016

Enacted by Council: ~, 2016

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2016

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2015 as
3 Southvale Drive, 5 Southvale Drive, and a portion of 1073 Millwood Road**

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

ENACTED AND PASSED this ~ day of ~, A.D. 2016.

JOHN TORY,
Mayor

(Corporate Seal)

ULLI S. WATKISS,
City Clerk

AMENDMENT NO. 361 TO THE OFFICIAL PLAN

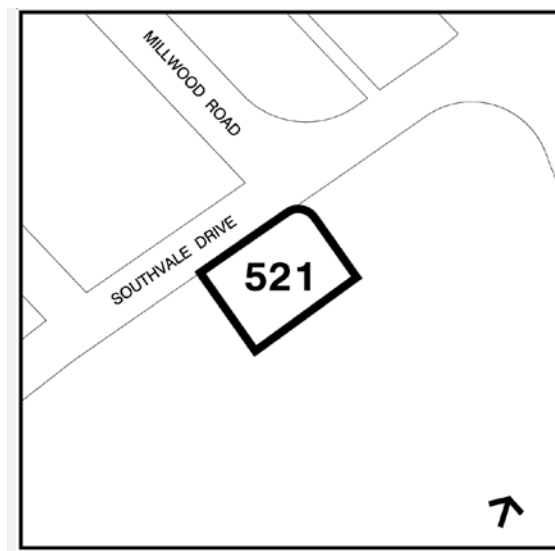
LANDS MUNICIPALLY KNOWN IN THE YEAR 2015 AS 3 SOUTHVALE DRIVE, 5 SOUTHVALE DRIVE, AND A PORTION OF 1073 MILLWOOD ROAD

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

1. Chapter Seven, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 521 for the lands known municipally in 2015 as a portion of 3 Southvale Drive, 5 Southvale Drive, and a portion of 1073 Millwood Road as follows:

“521. A portion of 3 Southvale Drive, 5 Southvale Drive, and a portion of 1073 Millwood Road

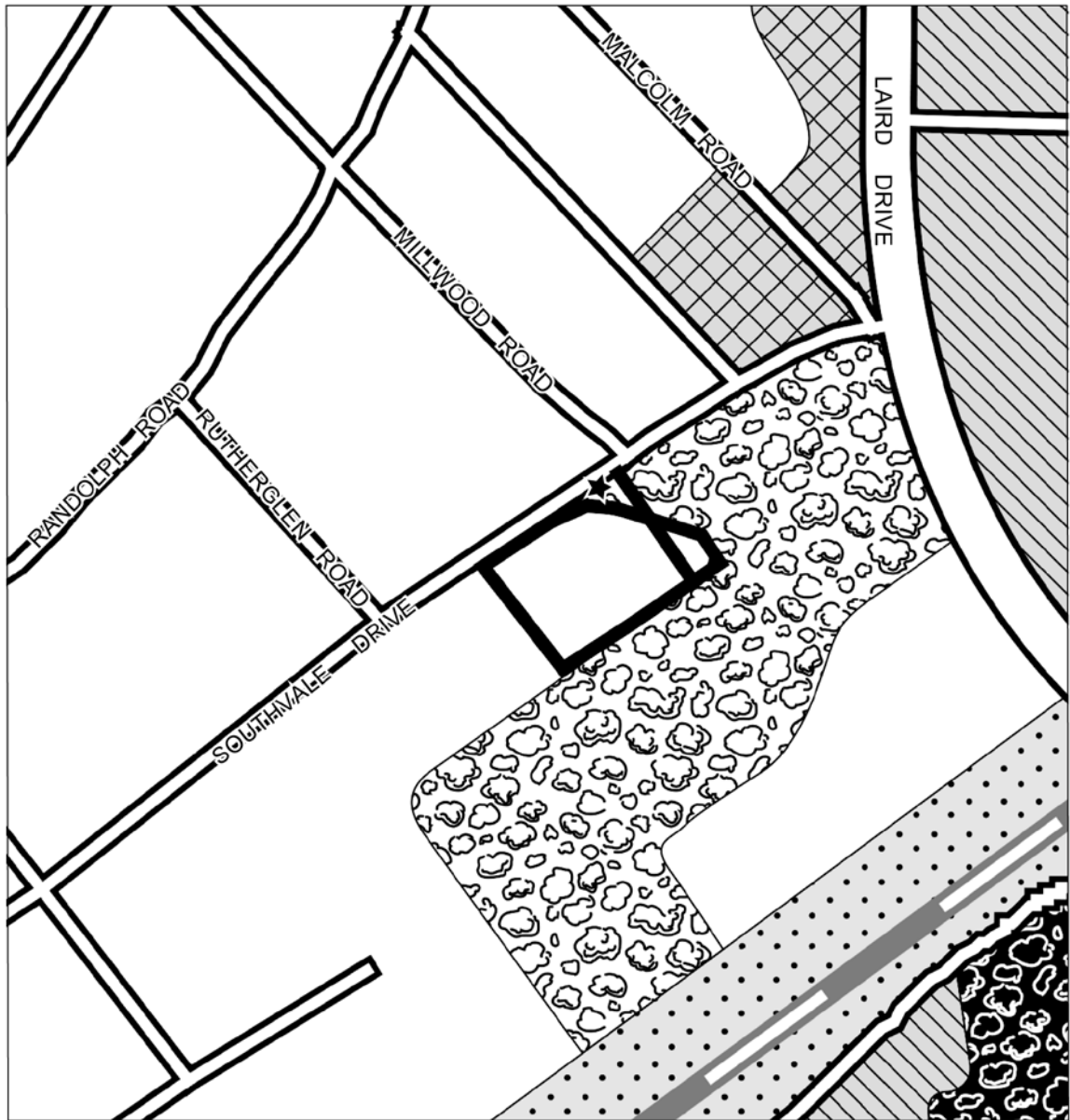
A residential building with a maximum of 7 storeys is permitted provided the building is located and massed to provide appropriate setbacks and a stepping down of heights towards the lands at 9 Southvale Drive.



2. Map 28, Site and Area Specific Policies, is amended for the lands shown municipally in 2015 as a portion of 3 Southvale Drive, 5 Southvale Drive, and a portion of 1073 Millwood Road, as shown on the map above as Site and Area Specific Policy No. 521.

3. Map 17, Land Use Plan, is amended by re-designating a portion of the lands known municipally in 2015 as 1073 Millwood Road from *Parks and Open Space Areas – Parks* to *Neighbourhoods*, as shown on the attached Schedule 1.
4. Map 17, Land Use Plan, is amended by re-designating a portion of the lands known municipally as 3 Southvale Drive from *Neighbourhoods* to *Parks and Open Space Areas – Parks*, as shown on the attached Schedule 2.

Schedule 1`



Official Plan Amendment #361

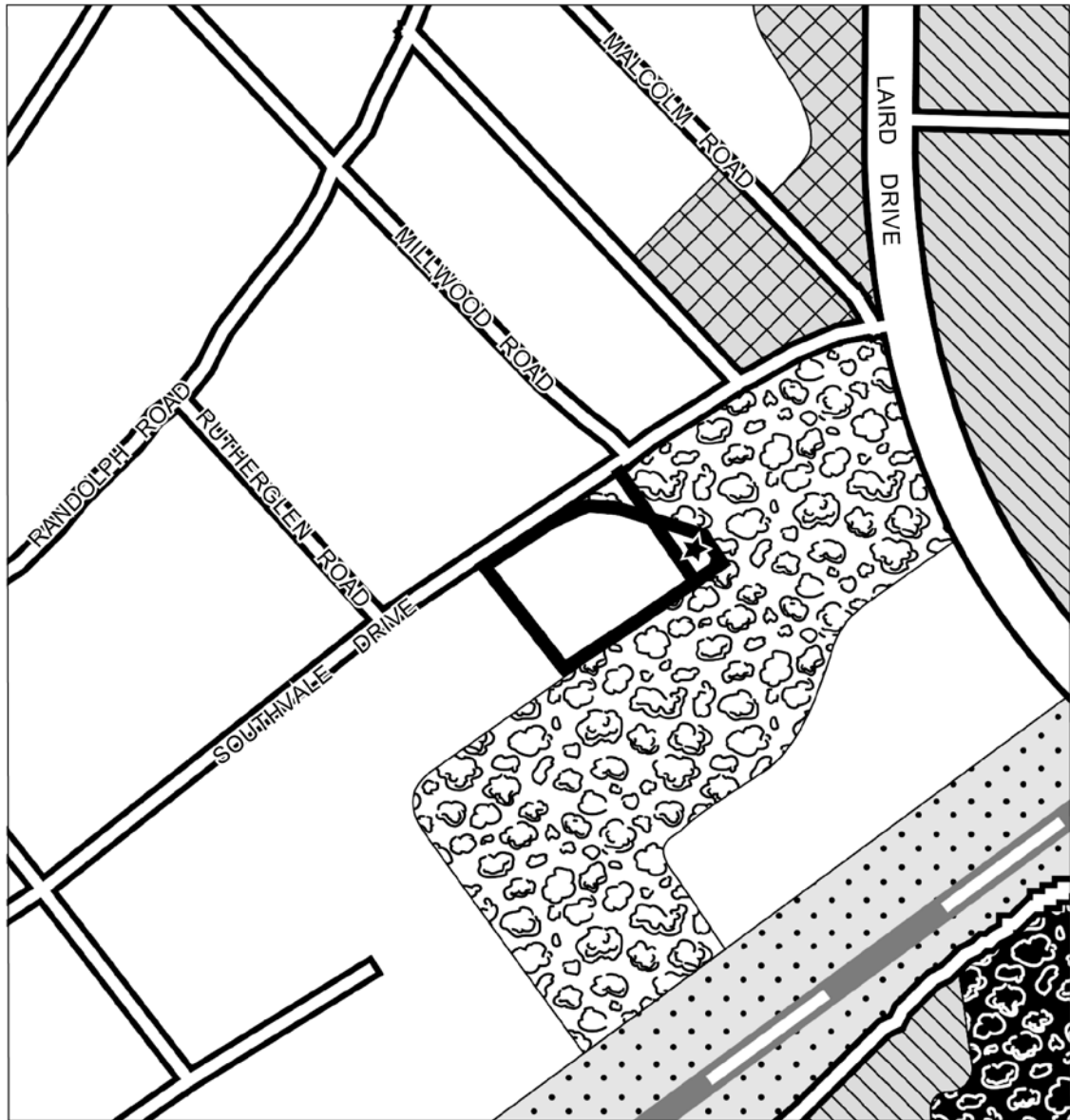
★ Revisions to Land Use Map 17 to Redesignate lands from Parks & Open Space Areas - Parks to Neighbourhoods

Portion of 1073 Millwood Road

File # 15 150340 NNY 26 0Z



Schedule 2



Toronto City Planning

Official Plan Amendment #361

★ Revisions to Land Use Map 17 to Redesignate lands from Neighbourhoods to Parks & Open Space Areas - Parks

Portion of 3 Southvale Drive

File # 15 150340 NNY 26 02

 Site Location	 Natural Areas	 Utility Corridors
 Neighbourhoods	 Parks	 Employment Areas
 Mixed Use Areas		



Not to Scale
10/17/2016

Attachment 13: Draft Zoning By-law Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto
Council on ~, 2016

Enacted by Council: ~, 2016

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2016

**To amend Zoning By-law No. 1916, as amended, for the former Town of Leaside,
with respect to lands municipally known in the year 2015 as
3 and 5 Southvale Drive**

WHEREAS Council of the City of Toronto has the authority pursuant to Section 34 of 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*;

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;

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 1916, 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 HEREBY ENACTS as follows:

1. The lands subject to this by-law are those lands outlined by a heavy black line and identified on Map “1” attached to and forming part of this by-law.

2. Schedule "A" to former Town of Leaside Zoning By-law No. 1916, as amended, is hereby further amended by changing the zoning category for the lands shown on Map "1" of this By-law from "Open Space (Parks) O Zone" to "High Density Residential R3B.1 Zone".
3. Former Town of Leaside Zoning By-law No. 1916, as amended, is hereby further amended by adding a new Section 6.8.5 "RESIDENTIAL R3B THIRD DENSITY ZONE – SITE SPECIFIC ZONE" immediately following Section 6.8.4 and by adding a new subsection 6.8.5.1 as follows:

**“6.8.5.1 3 and 5 Southvale Drive and portion of 1073 Millwood Road
R3B.1 Zone**

(i) Area Restricted

The provisions of this section 6.8.5.1 shall only apply to the lands zoned R3B.1 as shown on Map 1 attached to and forming part of By-law No. xxx-2016.

(ii) General Provisions

Notwithstanding Sections 5.17, 5.18, 5.19 and 6.8.3 of this By-law, on those lands referred to in Section 6.8.5.1 of this By-law, no person shall use, occupy, erect, alter, cause to be used, occupied, erected or altered, any Building or Structure or land or part thereof except in accordance with the following provisions:

(1) Definitions

- (a) For the purpose of this exception the following definitions will apply:
 - (i) “Bicycle Parking” shall mean an area below established grade or at the first floor that is equipped with bicycle racks or lockers for the purpose of parking and securing bicycles, but is not intended for general storage use;
 - (ii) “Established Grade” shall mean 135.50 metres above sea level;
 - (iii) “Amenity Space” shall mean an indoor or outdoor space that is communal and available for use by the occupants of the building for recreational or social activities; and
 - (iv) "Temporary Sales Office" shall mean a building or a portion of a building, or sales trailer, used exclusively for the initial sale and/or initial leasing of dwelling units to be erected on the lands.

(2) Permitted Uses

- (a) In addition to the uses permitted in an R3B zone a Temporary Sales Office is also permitted.

(3) Use Qualifications

- (a) No regulations shall apply to a Temporary Sales Office.

(4) Prohibition

- (a) Outdoor Amenity Space is not permitted on any rooftop.

(5) Development Standards

- (a) the maximum Gross Floor Area of all Buildings and Structures shall not exceed 5,948 square metres;
- (b) the maximum Floor Space Index shall not exceed 2.9;
- (c) the maximum Coverage shall not exceed 60%;
- (d) the Building location and setbacks shall be as follows:
- (i) the minimum Yard setbacks for a Building or Structure above established grade shall be as shown on "Map 2" attached to any forming part of By-law No. xxx-2016;
- (ii) the minimum Yard setback for parking structures and structures associated thereto below established grade shall be 0.0 metres from any lot line.
- (iii) permitted projections into a minimum Yard setback include:
- (A) cornices, lighting fixtures, awnings, ornamental or architectural elements, parapets, trellises, eaves, window sills, guardrails, sills, eaves, balustrades, railings, wheel chair ramps, stairs, stair enclosures, vents, underground garage ramps and their associated structures, fences, retaining walls, air shafts, transformer vaults, screens, landscape and public art features and canopies, and any elements required for the functional operation of the Building; and

- (B) balconies and terraces, which may extend to a maximum horizontal projection from an exterior Building wall of 3.0 metres beyond the heavy lines shown on Map 2 provided, balconies and terraces do not extend beyond the Lot lines.
- (e) the maximum Building Height of any Building or Structure, or portion thereof, shall not exceed the maximum height limit in metres and number of Storeys as shown on "Map 2" of By-law No. xxx-2016;
- (f) notwithstanding Section (e) above, elevator overruns, mechanical equipment and any associated enclosure structures, parapets, guard rails, railings and dividers, trellises, eaves, screens, stairs, roof drainage, window washing equipment, lightning rods, architectural features, landscaping and elements of a green roof, which shall be no higher than the sum of 6.0 metres above the maximum Building Height limit, shall be disregarded in calculating the height of a Building.
- (g) Notwithstanding Section 5.17, parking shall be provided in accordance with the following minimum requirements:
 - (i) 0.8 parking spaces per studio dwelling units;
 - (ii) 0.9 parking spaces per 1 bedroom dwelling units;
 - (iii) 1.0 parking spaces per dwelling units with 2 bedrooms or more; and
 - (iv) 0.2 parking spaces per dwelling unit for visitors.
- (h) Bicycle Parking shall be provided as follows:
 - (i) a minimum of 54 Bicycle Parking spaces shall be provided and maintained on the Lot for the use of residents;
 - (ii) a minimum of 13 Bicycle Parking spaces shall be provided and maintained on the Lot for the use of visitors;
- (i) Notwithstanding Section 5.17, loading shall be provided as follows:
 - (i) A minimum of one (1) Type 'C' loading space shall be provided; and

- (ii) A Type 'C' loading space means a loading space that is a minimum of 3.5 metres wide, a minimum of 6.0 metres long and has a minimum vertical clearance of 3.0 metres; and
- (j) Amenity Space shall be provided as follows:
 - (i) a minimum of 2 square metres per residential unit of indoor Amenity Space shall be provided; and
 - (ii) a minimum of 2 square metres per residential unit of outdoor Amenity Space shall be provided.

(6) Section 37 Agreement

- (a) Pursuant to Section 37 of the Planning Act and subject to compliance with this By-law, the increase in density of development on the Lot is permitted in return for the owner's election to provide, at the owner's expense, the following facilities, services and matters which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form satisfactory to the City Solicitor and registered on title;
 - (i) prior to the issuance of an above-grade building permit the Owner shall make a financial contribution to the City in the amount of \$300,000 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
 - (A) \$250,000 towards the construction of a splash pad in Trace Manes Park at 110 Rumsey Road; and
 - (B) \$50,000 towards streetscape improvements within the Leaside Business Improvement Area in the general vicinity of Bayview Avenue between Davisville and Soudan Avenues;
 - (ii) the financial contributions referred to in 5(a) above shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of

execution of the Section 37 Agreement to the date of submission of the funds by the Owner to the City;

- (iii) in the event the financial contributions referred to in (i) above have not been used for the intended purpose within 3 years of By-law No. xxx-2016 coming into full force and effect, the financial contribution may be redirected for another purpose at the sole discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands referred to in Section 6.8.5.1;
- (iv) the following matters are also recommended to be secured in the Section 37 Agreement to support the development:
 - (A) prior to the issuance of any building permit, including a shoring and excavation permit, the Owner shall have acquired all lands proposed to form part of the development as referred to in Section 6.8.5.1 of this By-law to the satisfaction of the Chief Corporate Officer and City Solicitor;
 - (B) prior to the issuance of the first above-grade building permit the Owner shall make a payment of \$20,000 to the City to be used at the discretion of the General Manager, Transportation for road and infrastructure improvements at the Southvale Drive and Millwood Road intersection; and
 - (C) the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee.
- (b) Where Section 6.8.5.1(6) 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; and

- (c) The Owner shall not use, or permit the use of, a Building or Structure erected with an increase in density permitted pursuant to this By-law unless all provisions of Section 6.8.5.1.(6) above are satisfied.

(7) Other Provisions of the By-law

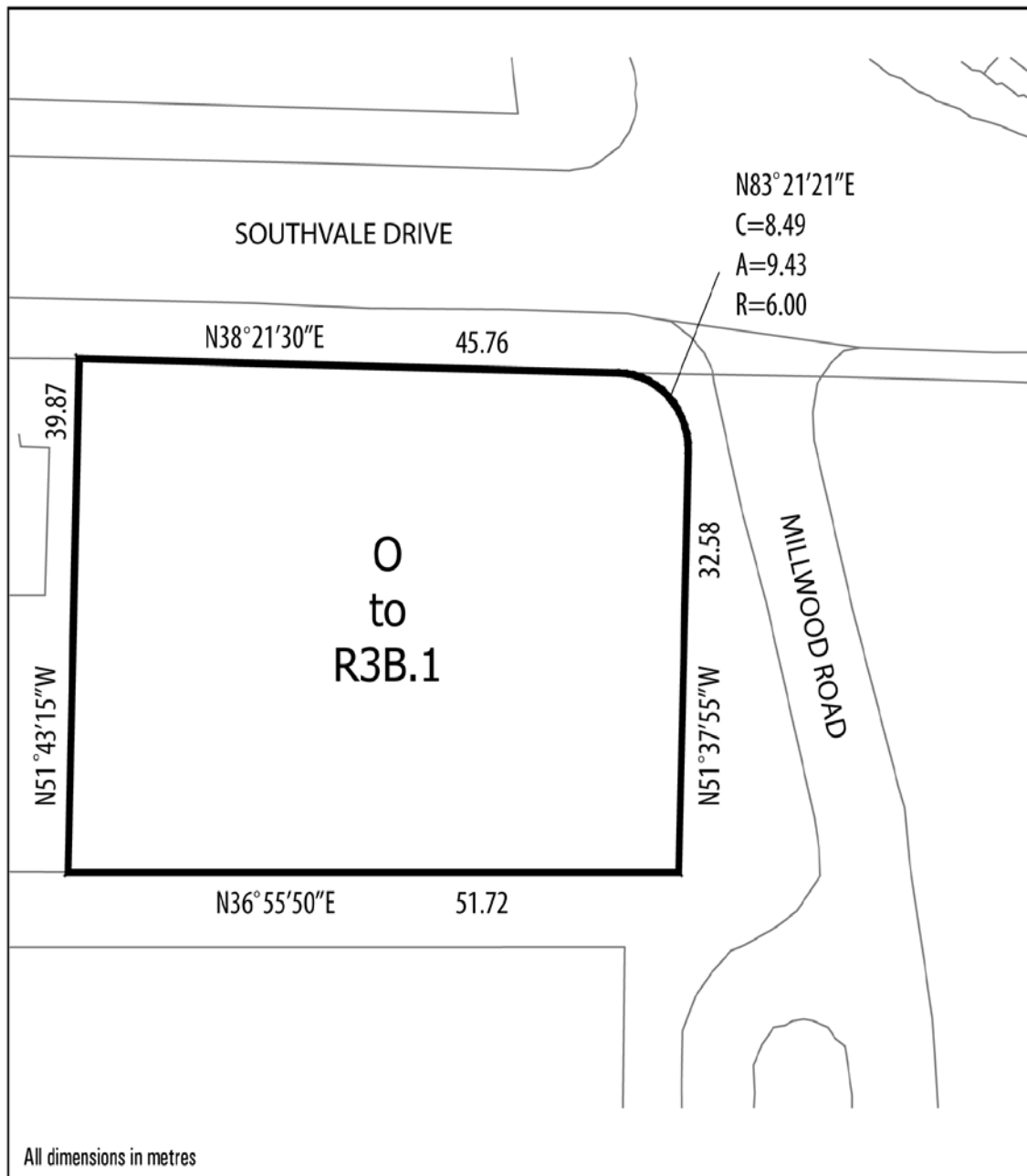
- (a) Notwithstanding anything else contained in this By-law, the provisions of Section 6.8.5.1 and 6.8.5.2 shall continue to apply collectively to all of the lands referred to in 6.8.5.1, notwithstanding any future division of the lands into two or more parcels of land;
- (b) Except as amended in this By-law, all the other provisions of By-law No. 1916, as amended, shall apply to the lands referred to in Section 6.8.5.1; and
- (c) Within the lands referred to in Section 6.8.5.1, no person shall use any land or erect or use any Building or Structure unless the following municipal services are provided to the Lot line and the following provisions are complied with:
 - (i) 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
 - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2016.

JOHN TORY,
Mayor

(Corporate Seal)

ULLI S. WATKISS,
City Clerk



3 & 5 Southvale Drive

Map 1

File # 15 150340 NNY 26 02



Former Leaside Zoning By-Law 1916
Not to Scale
10/21/2016

