

**1580 Avenue Road– Zoning Amendment Application –
Final Report**

Date:	October 10, 2017
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	16 140646 NNY 16 OZ

SUMMARY

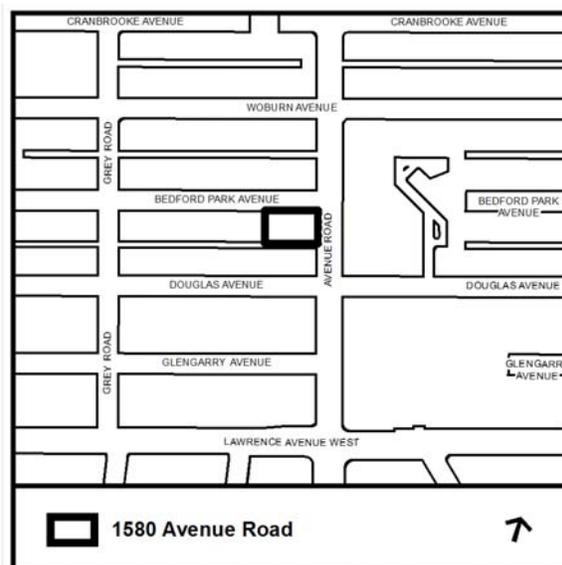
This application proposes to construct a 7-storey mixed-use residential and commercial development at 1580 Avenue Road consisting of 36 residential units in 9,335 square metres of residential use, and 725 square metres of commercial use for a total of 10,060 square metres. The proposed density is 4.77 times the area of the lot and the proposed height is 29.5 metres including mechanical equipment. One parking space is proposed on ground level and the balance of 87 spaces would be located below grade for a total of 88 vehicular spaces. Also proposed are a total of 34 bicycle parking spaces on the ground level and the P1 parking levels.

This report reviews and recommends approval of the application to amend the Zoning By-law. The application proposes a development that responds appropriately to the Avenue Road Avenue Study built form principles and it would be compatible within the area context.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-laws 569-2013 and 7625, for the lands at 1580 Avenue Road substantially in accordance with the draft Zoning By-law Amendments attached as



Attachment Nos. 14 and 15 to report dated October 10, 2017, subject to refinements to address Recommendation 3.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Prior to the necessary Bills being presented to City Council for enactment, require the owner for 1580 Avenue Road, to revise the project plans to the satisfaction of the Director of Community Planning, North York District, to:
 - a. Be contained within a 45 degree angular plane projected over the entire lot from the surface of the centre-point of the Avenue Road Right-of-Way, to be in general compliance as required in Zoning By-law 107-2010, Section 2(c)(iv).
4. Prior to introducing the necessary Bills to City Council for enactment, require the owner for 1580 Avenue Road to enter into an Agreement pursuant to Section 37 of the Planning Act to secure the following at the owner's expense:
 - a. A cash payment of \$694,000 payable prior to issuance of an above grade building permit (other than a building permit for a temporary sales office/pavilion) for the Site:
 - i. To be used towards park and streetscape improvements in the area, all to the satisfaction of the Chief Planner and Executive Director of City Planning in consultation with the Ward Councillor.
 - ii. In the event the financial contribution referred to in (i) above has 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.
 - b. Require that the cash amount identified in 4(a) above shall be indexed upwardly in accordance with the Statistics Canada Non- Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment.
 - c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. the owner is required to install and maintain at no cost to the City a publicly-accessible parkette located adjacent and to the south of the site on the City's public right-of-way land (unopened public lane) to the satisfaction of the Director of Transportation Services.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2007 the City of Toronto initiated an 'Avenue' study for Avenue Road from Lawrence Avenue West to Wilson Avenue. The Official Plan provides for Avenue studies that develop, in consultation with the local community, zoning regulations and urban design guidelines to provide a framework for future growth and initiatives to improve the public realm and necessary services.

The final staff report for the Avenue study was adopted by City Council in December 2009 and subsequently approved by the Ontario Municipal Board in May 2010. The implementation of the study included an amendment to the North York Zoning By-law 7625 to create a new zoning regime suited to Avenue Road, an amendment to the Official Plan and former City of Toronto Zoning By-law to recognize an existing ravine park and urban design guidelines to guide development on this portion of Avenue Road. The subject property was reviewed through the study and included in the new implementing 'Avenue' study Zoning By-law. The web link to the Zoning By-law can be found at: <http://www.toronto.ca/legdocs/bylaws/2010/law0107.pdf>

Zoning By-law Amendments 236-2016 and 237-2016, to clarify the text related to a building setback requirement of 2 metres above the second storey for buildings flanking a public street, were approved on March 10, 2016 by City Council. The web link to the staff report can be found at: <http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-90590.pdf>

On June 14, 2016, North York Community Council considered a Preliminary Report for a Zoning By-law Amendment application for 1580 Avenue Road, dated May 26, 2016, from the Director, Community Planning, North York District. The report was adopted by Community Council. The Preliminary Report is on the City's website at: <http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-90590.pdf>

Pre-Application Consultation

Two pre-application consultation meetings were held on September 10 and December 21, 2015. Matters discussed included; vehicular and residential access, consolidation of the adjacent unopened public lane, angular plane, setbacks, and the existing water table. In addition, staff worked with the applicant to identify complete application submission requirements.

ISSUE BACKGROUND

Proposal

This application proposes to demolish the existing one-storey commercial building (The Beer Store) at 1580 Avenue Road and to construct a 7-storey mixed-use residential building. A total of 36, 2-bedroom units are proposed. All of the proposed residential units are to be residential condominium ownership. The building would be 25 metres in height (exclusive of a 4.5 metre mechanical penthouse) and provide stepping back and

terracing from the residential properties to the west. A total of 725 square metres of commercial space is proposed on the ground floor including a replacement of The Beer Store. A total gross floor area of 10,060 square metres is proposed resulting in a density of 4.77 times the area of the lot. The proposed commercial ground floor height is approximately 5.3 metres along Avenue Road and the residential lobby along Bedford Park Avenue. A summary of the building setbacks and stepbacks are provided in the below table.

The removal of the Avenue Road layby with two public parking spaces along the subject site is proposed in order to widen the sidewalk to 5.26 metres. An improved public realm would be created by bumping out the sidewalk along Bedford Park Avenue. A layby is proposed on Bedford Park Avenue to serve the residential building residents and visitors.

Vehicular parking is proposed on three levels; 1 space on ground level (commercial use), 37 spaces on P1 (15 commercial; 7 visitor and 15 residential) and 50 spaces on P2 (50 residential). A total of 34 bicycle parking spaces are proposed including; 3 residential visitor and 5 retail visitor spaces located at-grade, at the north-west end of the site at the outdoor amenity space area entrance, and 25 residential occupant and 1 retail occupant spaces on the first level below-grade. Access to loading and parking is proposed from a 6 metre wide covered driveway at the south end of the site accessed from Avenue Road.

A total proposed indoor amenity space of 570 square metres is proposed including a 330 square metre area located on the first level and a 240 square metre area located on the second floor. The proposed outdoor amenity space would be 181 square metres on the ground level at the rear of the site and 19 square metres on the south side for a total of 200 square metres.

A publicly accessible, privately maintained parkette adjacent, and to the south of the site on the existing public laneway is proposed. It would be approximately be 45.6 square metres in area.

A 2.5 metre wide glass canopy is proposed along the Avenue Road frontage extending the length of the entire commercial use at approximately 28.4 metres in length, and wrapping around the corner for an additional 18 metres along the Bedford Park Avenue frontage. There is also a canopy proposed over the Bedford Park Avenue residential entrance at approximately 7.4 metres in length and 3 metres in width.

The applicant is required to provide a 0.40 metre road widening along the Avenue Road frontage to satisfy the Official Plan requirement of a 27 metre wide right-of-way.

A green roof area total of 103 square metres is proposed on the mechanical roof floor level. Additional site and development statistics are included in the Application Data Sheet in Attachment 11.

Site Statistics

Residential Gross Floor Area	9,335 m ²
Commercial Gross Floor Area	725 m ²
Total Gross Floor Area	10,060 m ²
Floor Space Index	4.77
Residential Units - total (condominium tenure)	36 units (2-bedroom)
Indoor Amenity Space: ground	330 m ²
2nd level	240 m ²
Total	570 m²
Outdoor Amenity Space: ground	181 + 19 m ² = 200 m ²
Vehicular Parking: residential	65
residential visitor	7
commercial	16
Total	88
Bicycle Parking: residential	25
residential visitor	3
commercial	5
commercial visitor	1
Total	34

Building Setbacks and Stepbacks

Building Setbacks	<p>West: 7.5 m</p> <p>East: 0 m to Avenue Road</p> <p>South: 0 m to unopened public lane</p> <p>North: ranges from 0 to 2 m to Bedford Park Avenue</p>
Building Stepbacks	<p>West:</p> <p>3rd level - 10.25 m</p> <p>4th level - 13.25 m</p> <p>5th level - 16.25 m</p> <p>6th level - 19.75 m</p> <p>East:</p> <p>3rd level – 1.6 m stepback</p> <p>South:</p> <p>3rd level – 0 m for 17.5 m, and it ranges from 5.5 to 8.5 m for 34.5 m in length</p> <p>North:</p> <p>3rd level – it ranges from 0.9 m to 2 m in length</p>

Site and Surrounding Area

The site is located at the south-west corner of Bedford Park Avenue and Avenue Road, approximately 215 metres north of Lawrence Avenue West. The subject property has a frontage of 36.5 metres on Avenue Road and a depth of 57.9 metres with a total lot area of 2,109 square metres, and is generally rectangular in shape. The site is occupied by a 1-Staff report for action – Final Report – 1580 Avenue Road

storey 'The Beer Store' retail business with an adjacent surface parking lot and a driveway from Avenue Road. There is also an existing layby for two short term paid parking spaces in front of the building on Avenue Road.

There is a significant grade difference between the subject property and those surrounding to the west, south and north. Along Bedford Park Avenue on the north side, there is a grade rise of approximately 4.1 metres from Avenue Road to the westerly property line. Also, there is a grade change of approximately 4.85 metres from the Avenue Road frontage to westerly property line. Along the south, west and north property lines there are retaining walls.

The area contains a mix of residential and commercial uses as follows:

North: On the north-west corner of Avenue Road and Bedford Park Avenue are two, one-storey commercial buildings occupied by National Bank and Dulux Paints with surface parking lots. North of Woburn Avenue is a section of Brookdale Park, a linear park that stretches north and west and adjacent to commercial buildings fronting onto Avenue Road. North of Brookdale Avenue a proposed 7-storey mixed-use building with ground floor retail is under construction at 1678-1704 Avenue Road. (File No. 11 330290 NNY 16 OZ).

West: on Bedford Park Avenue is a residential neighbourhood generally comprised of one and two-storey detached dwellings.

South: abutting the subject property is an approximately 4.3 metre wide unopened public lane that is currently used for pedestrian access, and a surface parking and garbage storage area for apartment buildings at 1566-1574 Avenue Road and 312 Douglas Avenue. South of the lane is a three-storey mixed-use building fronting onto Avenue Road with commercial uses at grade and rental units above. Adjacent and to the west is a two-storey rental apartment building fronting onto Douglas Avenue. The rental buildings have a surface parking lot in the rear yard and also use the adjacent public lane for parking and garbage storage. West of the apartment buildings on Douglas Avenue are one and two-storey detached dwellings. Further south of Douglas Avenue fronting onto Avenue Road is a mixed use project under construction for a 3-storey building at 1560 Avenue Road (File No.16 262319 NNY 16 SA & 16 183577 NNY 16 MV).

East: East of the subject property is Avenue Road, 4 lanes with a 27 metre right-of-way. On the east side of Avenue Road is Bedford Glen, a six-storey condominium apartment and three-storey townhouse complex constructed in the 1970s. Due to the small watercourse on the east side of Avenue Road, the buildings are well setback from the street frontage. East of Bedford Glen, the neighbourhood is comprised of one and two-storey semi-detached dwellings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a

clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and

- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

The proposal has been reviewed for consistency with the PPS and conformity with the Growth Plan.

Official Plan

The subject site is located on an *Avenue* (Attachment 11) and is designated as *Mixed Use Areas* (Attachment 10) in the Official Plan.

Avenues Policies

Avenues are considered important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, retail, and transit service for community residents. The Plan recognizes that the *Avenues* will be transformed incrementally, that each is different and that there is no one size fits all approach to reurbanizing them. Reurbanization of the *Avenues* is subject to the policies of the Official Plan, including in particular the neighbourhood protection policies.

Section 2.2.3.1 of the Official Plan states that reurbanizing the *Avenues* will be achieved through the preparation of *Avenue Studies* for strategic mixed-use segments of the corridors shown on Map 2. The City has completed an *Avenue Study* for Avenue Road, which is discussed below.

Mixed Use Areas

The Official Plan Policy 4.6.1 states that *Mixed Use Areas* are made up of a broad range of commercial, residential, and institutional uses in single use or mixed use buildings, as well as parks and open spaces and utilities. The Official Plan recognizes that *Mixed Use Areas* achieve a number of planning objectives by combining a broad array of uses and it outlines in Policy 4.5.2 the following development criteria:

- create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;

- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage areas to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-residential development.

Public Realm and Built Form Policies

The public realm policies of Section 3.1.1 of the Official Plan recognize the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the built form policies of Section 3.1.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing and/or planned buildings, providing for adequate light and privacy and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets and properties.

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

<https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=03eda07443f36410VgnVCM10000071d60f89RCRD>

OPA 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 Neighbourhood*, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals in the Official Plan to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*. In particular, the *Healthy Neighbourhood* policies have been strengthened with respect to situations where development is proposed in *Mixed Use Areas* that are adjacent or close to *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>

Avenue Road Avenue Study

The property is located within an “Avenues” corridor on Map 2 – Urban Structure. Reurbanizing the Avenues will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors shown on Map 2 of the Official Plan.

City Council on November 30, December 1, 2, 4 and 7th, 2009 adopted the final staff report for the Avenue Road Avenue Study, which includes the Urban Design Guidelines. The Avenue Road Avenue Study addressed the two-kilometre length of Avenue Road between Lawrence Avenue West and Wilson Avenue.

The key recommendations of the study focus on creating conditions for smaller-scale, mid-rise developments of five-storeys with limited opportunities for larger-scale developments up to seven-storeys for the area between Lawrence Avenue West and Joicey Boulevard. The function of Avenue Road as a primarily retail-oriented street should be retained and new development or redevelopment will be required to maintain an active retail frontage.

The Avenue Road Avenue Study is available on the City’s website at:

http://www1.toronto.ca/city_of_toronto/city_planning/community_planning/files/pdf/avenue_finalreport_april2008.pdf

Mid-Rise 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 the Avenues and Mid-Rise Buildings 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. Mid-Rise Building Guidelines identify 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.

Mid-Rise Building Performance Standards Addendum

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum. 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. Council's decision can be found here:

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

Mid-Rise Building Performance Standards Addendum may be found here:
<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>

Zoning

The former City of North York Zoning By-law No. 7625, as amended by the Avenue Road 'Avenue' Study Zoning By-law 107-2010, zones the property at 1580 Avenue Road C4(12). This zone permits a variety of commercial, retail and residential uses in mixed use buildings. It permits a maximum height of the lesser of 7-storeys or 22.5 metres (excluding mechanical penthouse) at 1580 Avenue Road and a maximum permitted density of 3 times the area of the lot.

Under the City-wide Zoning By-law 569-2013, the property is zoned CR 3.0 (c2.0;r2.8) SS2 (x1543). This zone also permits a variety of commercial, retail and residential uses in mixed use buildings. It also permits a maximum height of the lesser of 7-storeys or 22.5 metres (excluding mechanical penthouse). The maximum permitted overall density for the site is 3 times the area of the lot, where the maximum permitted commercial density is 2 times the area of the lot and the maximum residential density is 2.8 times the area of the lot.

Site Plan Control

An application for Site Plan Control Approval (File No.: 16 140660 NNY 16 SA) was submitted on April 14, 2016 and is being reviewed concurrently.

Reasons for Application

A Zoning By-law Amendment is required to increase the permitted building height from the lesser of 22.5 metres or 7-storeys to 25 metres (excluding mechanical penthouse) and 7-storeys. In addition, a density of 3 times the area of the lot is permitted and a density of 4.77 times the area of the lot is proposed. Also are proposed amendments to permit minor intrusions into the Avenue Road frontage angular plane, among other performance standards amendments.

Community Consultation

A community consultation meeting for the rezoning application was held on June 29, 2016 at St. Margaret of Scotland Catholic Church (222 Ridley Boulevard). The owner and applicant, Planning staff, the Ward Councillor and approximately 24 members of the public attended. Issues raised included:

- status of the public lane abutting the south side of the site; would the building massing change if the lane is purchased;
- potential effects from light emitted from the building onto residential properties;
- concerns with the proposed height, setbacks and density;
- concerns with the stormwater management, sanitation and infrastructure in the area;
- concerns with traffic access onto Avenue Road;
- desire for the Beer Store being incorporated into the new development;
- the provision of vehicular parking for the commercial use (The Beer Store);

- the operation of delivery trucks to the site and the number of proposed loading spaces;
- oversupply of vehicular parking;
- proposed penetration of the angular planes;
- will glass be proposed for the façade building materials?
- will the City consider a left turning lane on Avenue Road at Bedford Park Avenue and is there a plan for a traffic light on Bedford Park Avenue?
- whether there any other retail businesses planned for the ground level?
- the location for residential drop off; and
- a desire for stepbacks to conform to the Avenue Road Avenue Study to allow sky views.

Other written correspondence identified the following issues: the desire for a traffic signal at Bedford Park Avenue and Avenue Road, the design of the development and retaining walls, and loss of tree coverage. In addition, the proposed external building lighting and type of building material matters were raised as a concern.

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

Staff are of the opinion that the proposed development application is consistent with the Provincial Policy Statement (2014) and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

The Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017) are high-level and broad reaching documents. The City is a development area and infill is encouraged under these policies. However, the tenor of both the PPS and the Growth Plan is that planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area and availability of infrastructure and public service facilities that meet projected needs.

Within this framework, the PPS recognizes that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. The application is consistent with the policies for *Mixed Use Areas* in the Official Plan. In the PPS's Policy 1.1.1, it states that healthy, livable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. In addition, Policy 1.1.3.1, states that *Settlement areas* in which the site is located shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Policy 1.1.3.2 states that land use patterns within *settlement areas* shall be based on: a) densities and a mix of land uses

which: 1) efficiently use land and resources and 4) support *active transportation*. The proposal represents an appropriate level of intensification in an area well served by public transit. Therefore, the proposal is consistent with the PPS (2014).

The Growth Plan (2017) 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. The Growth Plan strives, among other things, to direct growth to areas of urban intensification.

Similarly to the PPS, the Growth Plan's Managing Growth Section 2.2.1.4 states that applying the policies of this Plan will support the achievement of *complete communities* that: d) ensure the development of high quality *compact built form*, and attractive and vibrant *public realm*, including public open spaces, through site design and urban design standards. Furthermore, Section 2.2.2.4 b) Delineated Built-up Areas, policy 4 states that, "All municipalities will develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built up areas* in which the site is located which will: identify the appropriate type and scale of development and transition of built form to adjacent areas". The proposed development offers a compact development in a mixed-use building and it also proposes an improved public realm condition on both the Avenue Road and Bedford Park Avenue public boulevards, along with a proposed parkette on the public property to the south. The proposal also provides an appropriate transition to adjacent residential areas. Therefore, the proposal is in conformity with the Growth Plan.

Land Use

The Official Plan designates the subject site as *Mixed Use Areas* on Map 17, Land Use Plan (Attachment 10). The Official Plan Policy 4.5.2(a) states that *Mixed Use Areas* create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community. The proposal is for a development with a mix of residential and retail uses to be built within the *Mixed Use Areas*. The proposal is within walking distance to a bus transit route along Avenue Road and is within close proximity to the Lawrence Avenue West bus routes. It is situated within a mixed use avenue with employment, retail stores, services and places of entertainment. These attributes establish this site as being well suited to redevelopment and for intensification consistent with the Provincial policies and the Official Plan.

Site Organization

The proposal is for a 7-storey mixed-use residential building located on the south-west corner of Avenue Road and Bedford Avenue with commercial uses (The Beer Store) at-grade and residential uses from the 2nd to 7th-storeys. There is a significant grade difference between the subject property and those surrounding to the west, south and north. Along Bedford Park Avenue on the north side, there is a grade rise of approximately 4.1 metres from Avenue Road to the westerly property line. Also, there is a grade change of approximately 4.85 metres from the Avenue Road frontage to westerly property line. Along the south, west and north property lines there are existing retaining walls.

Along Avenue Road is a retail entrance proposed at the north-east corner, and at the south end on Avenue Road is a proposed 6 metre wide, two-way vehicular driveway access to an internal loading and servicing area and to two levels of below-grade parking. Adjacent and to the south of the site is an existing unopened public laneway which ranges in width approximately from 4.3 metres from Avenue Road to 3.9 metres westward. On a portion of this area fronting on Avenue Road is proposed a publicly accessible parkette. (Refer to Parkette discussion below for further details). The lane further extends to Grey Avenue. On Bedford Park Avenue is the proposed residential entrance at the north-west corner and further west, access to the outdoor residential amenity area that acts as a 7.5 metre wide buffer to the adjacent *Neighbourhoods* to the west. Also, the front portion of the outdoor amenity area would accommodate bicycle parking spaces. Staff are satisfied with the proposed organization of the site.

Built Form, Height, Massing and Density

The Avenue Road Avenue Study identifies the subject site as a 'larger opportunity' site given a series of criteria, one of which is the lot depth minimum of 37 metres, which can appropriately support up to a 7-storey building or a maximum of 22.5 metres, plus mechanical equipment. The Study also specifies in Recommendation 4.1.2. that a context sensitive approach to height and massing should respect the existing built form and aid in the creation of a vibrant streetscape.

Height and Massing

The Avenue Road Avenue Study and Design Guidelines describe a hierarchy of height, density and scale of development within the study boundary. The Study provides criteria for new development sites that may accommodate between 2 to 5-storeys in height and also criteria for nine 'larger opportunity' sites to accommodate up to 7-storeys or 22.5 metres (excluding mechanical penthouse), whichever is the lesser. This is implemented through Zoning By-law 107-2010. The subject site is identified as a 'larger opportunity' site and the applicant proposes a 7-storey and 25 metres in height mixed use building, excluding mechanical penthouse, and 29.5 metres including mechanical penthouse. The building height transitions down adequately to the adjacent *Neighbourhoods* to the west and on a portion of the south side. The proposed height, including mechanical equipment, minimizes the shadow impacts to ensure that there would be a minimum of 5 hours of continuous sunlight during the March 21st and September 21st equinoxes, on the opposite sidewalk along Avenue Road between 10:00 a.m. and 3:00 p.m. as directed in the Avenue Road Avenue Study.

In addition, the zoning by-law requires that the 1st-storey height be a minimum of 4.5 metres. A 1st-storey height of 5.3 metres is proposed to accommodate The Beer Store commercial use. In addition, the zoning by-law requires that a minimum of 60 per cent of the 1st-storey fronting onto Avenue Road shall be used for non-residential uses. A commercial use (The Beer Store) is proposed for approximately 77 per cent (28.5 metres) along the 1st-storey, which appropriately animates the Avenue Road streetscape.

On the ground level is proposed 2,001 square metres to accommodate a mix of residential, commercial and associated uses. In addition, the residential floor plates are as follows; 2nd-storey 1,411 square metres, 3rd-storey 1,324 square metres, 4th-storey 1,210 square

metres, 5th-storey 1,146 square metres, 6th-storey 951 square metres and 7th-storey 313 square metres, for a total of 10,060 square metres. The mechanical equipment would be setback approximately 16.5 metres from Avenue Road and 11.5 metres from Bedford Park Avenue and would have a height of 4.5 metres.

An approved mid-rise mixed-use building development that is similar in height is located at 1678-1704 Avenue Road, 375-377 Fairlawn Avenue and 412-416 Brookdale Avenue. This development can be considered as a comparable development condition to the subject site given that it has been approved at 7-storeys and 23.7 metres, excluding mechanical penthouse. The proposed height and massing are generally acceptable except along Avenue Road as discussed under Angular Planes and Transition.

Building Setbacks

The Avenue Road Avenue Study recommends that existing sidewalks on Avenue Road be maintained and that building setbacks should be provided for the purpose of providing additional open and green spaces, outdoor display, cafes and landscaping, where appropriate.

The Study states that this recommendation should only be implemented where it does not limit the viability of redevelopment of the property and that the sidewalk and the front façade of the properties fronting on Avenue Road should generally be continuous. On the south and east property lines are proposed zero building setbacks to the lot lines. Zero setback to the Avenue Road frontage is appropriate to ensure street animation along Avenue Road. The existing width of the Avenue Road public boulevard ranges between 2 (layby area for public parking spaces) to 4.8 metres however the proposed boulevard would be approximately 5.26 metres with street trees, bicycle rings, a bench to provide pedestrian comfort. Setbacks on the north property line range from zero to 2 metres. On the west property line, Zoning By-law 107-2010 requires that a minimum 7.5 metre setback be provided and the proposal achieves that performance standard thereby providing a comfortable relationship to the adjacent *Neighbourhoods*.

Building Stepbacks

On the east and north sides of the building, Zoning By-law 107-2010 requires that any building greater than 2-storeys shall have a minimum 2 metre stepback of the main building wall facing the lot line abutting a street, at the top of the 2nd-storey for the purpose of providing a 2-storey streetwall that fits with the historic 2-storey character of Avenue Road. A 1.6 metre stepback along Avenue Road and 2 metre stepback along Bedford Park Avenue are proposed. Staff are satisfied that these achieve the general intent of the stepback requirement.

Angular Planes and Transition

The Official Plan's *Mixed Use Areas* Policy 4.5 c) states that 'new development should locate and mass new buildings to provide a transition between areas of different development intensity and scale, and by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scaled *Neighbourhoods*'. The subject site is adjacent to *Neighbourhoods* on the west and on a portion of the south property lines.

Zoning By-law 107-2010 requires that four 45 degree angular planes be implemented; on the south, north, east and west building sides. The angular plane zoning criteria for the Avenue Road (east) side requires that the height of any part of the building, including the mechanical penthouse, shall be contained within a 45 degree angular plane projected over the entire lot from the surface of the centre point of the Avenue Road Right-of-Way. The 45 degree front angular plane allows for buildings that provide good sunlight access throughout the day, to maximize skyview and to provide an appropriate pedestrian scale along Avenue Road.

The zoning by-law requires that the angular plane for the rear (west), north and south sides of the site must ensure that the height of the building, including the mechanical penthouse, shall be contained within an angular plane projected over the entire lot from grade level at a rear property line that is also the boundary of an R6 zone district. The west, north and south sides fully comply with the angular plane requirements. (Refer to Attachments 3 and 4 for the east and west angular planes). Staff are satisfied with the proposed compliance on these three sides which provide for an appropriate transition to adjacent neighbourhoods.

The applicant proposes an intrusion into the Avenue Road angular plane commencing at the upper portion of the 5th storey through the 7th storey and including a portion of the mechanical penthouse area. Although the sunlight requirements on Avenue Road are achieved with this proposal, the stepping back of the building to minimize the appearance of the overall building massing on Avenue Road is not fully realized due to non-compliance to the 45 degree front angular plane on the upper levels of the building. Staff do not support the intrusions of the 45 degree angular plane as proposed by the applicant.

The proposed 7-storey mid-rise development located at 1678-1704 Avenue Road, 375-377 Fairlawn Avenue and 412-416 Brookdale Avenue approved by Council on February 19, 2014, similarly illustrated a penetration of the Avenue Road angular plane commencing at the upper portion of the 5th storey through to the 7th storey including a portion of the mechanical equipment. City Council adopted a motion at the February 19, 2014 City Council meeting to approve the intrusion in the Avenue Road front angular plane.

Density

Zoning By-law 107-2010 requires that the maximum gross floor area shall not exceed 300 per cent of the lot area, of which no more than 200 per cent of the lot area shall be used for commercial purposes. The site area is 2,109 square metres and 300 per cent times the lot area equates to 6,327 square metres and 4,218 square metres equates to 200 per cent of the lot area. The proposed overall density is 4.77 times the area of the lot or 10,060 square metres of total gross floor area.

A comparable mixed-use residential development approval within the Avenue Study Area located at 1678-1704 Avenue Road, 375-377 Fairlawn Avenue and 412-416 Brookdale Avenue, three blocks north of the site, was approved as a result of a City Council motion with a density of 3.7 times the area of the lot based on a lot area of 4,310 square metres and 13,529 square metres of residential and 2,182 of non-residential gross floor area (total 15,711 square metres), which was in excess of the Zoning By-law maximum of 12,390

square metres for residential and 8,620 square metres for non-residential gross floor area. In addition, another development comparable in close proximity is the existing 6-storey mid-rise development at 1705, 1717, 1719, 1743 and 1745 Avenue Road. The density is 3.17 times the area of the lot. This development was approved prior to the Avenue Road Avenue Study. The proposed density is deployed on the site in a manner compatible with the surrounding context. Staff are satisfied with the proposed density as there are no adverse impacts.

Sun, Shadow

The Mixed Use Areas policies in the Official Plan, Section 4.5, specifically Policy 2(e), provide development criteria which states that development will contribute to the quality of life by locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight conditions for pedestrians on adjacent streets, parks and open spaces. In addition, the Avenue Road Avenue Study requires that a minimum of 5 hours of continuous sunlight be maintained on the opposite sidewalk from 10:00 a.m. to just after 3:00 p.m. on March 21st, the spring equinox.

The applicant submitted a revised Shadow Study dated July 20, 2017, prepared by Page + Steele IBI Group Architects. The Study illustrates that the proposed development fulfills the Avenue Road Avenue Study requirements by providing a minimum of 5 hours of sunlight without shadows extending onto the Avenue Road east sidewalk on March 21st. Staff deem the shadow analysis findings to be acceptable.

Streetscape

The Development Criteria for the Official Plan's *Mixed Use Areas* calls for development to provide an attractive, comfortable and safe pedestrian environment, and to locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. Furthermore, the Avenue Road Avenue Study recommends in Section 4.3 that as Avenue Road redevelops, it will be important that the functionality and aesthetics of adjacent sidewalks allow for informal activities such as socializing and formal areas such as outdoor café spaces and retail display areas, for gathering of community residents and visitors to the area.

The removal of the existing short term public parking spaces located in front of the subject site is proposed. This would result in an improved and widened sidewalk and landscaped area. The proposed public boulevard width taken from the property line (with road widening) to the edge of the curb would be 5.26 metres. Within that area, is a proposed 2.1 metre wide sidewalk for pedestrian access. Along the Avenue Road frontage are proposed four street trees, a total of three bicycle rings to accommodate six bicycles and a bench.

Along Bedford Park Avenue, near Avenue Road would be a widened sidewalk by 2 metres, as a result of narrowing the public road to afford a more comfortable pedestrian realm experience.

In addition, staff have been working with the applicant to provide a visually desirable design application to the existing 'wall' of Bell utility boxes located along the Bedford Park

Avenue public boulevard that span an approximate length of 7.5 metres. These details will be determined through the Site Plan Approval process.

Along the Bedford Park Avenue streetscape is proposed four trees adjacent to a 2.1 metre wide sidewalk. A row of soft landscaping is proposed on both sides of the property line for the predominance of this frontage. A 2 metre wide layby is proposed opposite the residential entrance. (Refer to further discussion under 'Layby' heading below).

In addition, the applicant is required to provide a 0.40 metre road widening along the Avenue Road frontage to satisfy the Official Plan requirement of a 27 metre wide right-of-way. The widening will be secured through Site Plan Approval.

Planning staff are of the opinion that the proposed streetscape improvements along Avenue Road and Bedford Park Avenue will improve the public realm in the vicinity of the site.

Site Plan

Through the review of the site plan application, staff will continue to work with the applicant to address matters related to, but not limited to; building materials, exterior light to ensure the appropriate levels and no adverse impacts onto other buildings, design of the retaining walls, tree replacement and landscaping, and an on-site, dog off-leash area with proper disposal facilities for building residents.

Parkette

The Avenue Road Avenue Study Recommendation 3, Green Public Lanes, identified opportunities to increase green space along Avenue Road. In Recommendation 2.2.2, Parks and Open Spaces, the study considered opportunities to create public space in the form of small "pocket" parkettes or other forms of open space. A publicly accessible parkette is proposed to be located adjacent to the south-east corner of the site upon the public laneway, and is to be maintained by the owner. A width of approximately 4.3 metres and length of 10.6 metres for a total area of 45.6 metres is proposed. Staff will continue to work with the applicant towards the finalization of the proposed parkette during site plan review.

Traffic Impact, Access, Parking, Laneway

Traffic Impact & Access

In support of the proposal, the applicant submitted a Transportation Impact Study (TIS) prepared by BA Group, dated April 2016 and an Addendum Report dated July 24, 2017. The project would generate approximately 13, 30 and 30 two-way trips during the a.m., p.m. and Saturday peak hours, respectively. Transportation Services staff generally agrees with the conclusions of the study.

The applicant proposes a 6 metre wide vehicle driveway at the south end of the site with access from Avenue Road for internalized loading and servicing purposes at ground level and access to two levels of underground vehicular parking. The Official Plan Built Form Policy 3.1.2.2, stipulates that new development will locate and organize vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets. The applicant Staff report for action – Final Report – 1580 Avenue Road

proposes access from Avenue Road rather than Bedford Park Avenue due to grading constraints. In the December 2016 Transportation Addendum, the consultant demonstrated that the slope would be too great for the site to feasibly function with vehicular access at Bedford Park Avenue. Also, a left turning lane on Avenue Road and traffic light at Bedford Avenue are not required for this development. Therefore, Transportation Services staff accept the proposed driveway located on Avenue Road which will function appropriately.

The vehicle driveway along the south end will be for the most part enclosed within the proposed building, therefore providing a visual and noise barrier for the loading areas and underground parking ramp.

The applicant proposes to eliminate the Avenue Road public parking spaces in order to widen the public sidewalk for an improved streetscape condition. The applicant is working with the Toronto Parking Authority to obtain approval for the removal of the parking spaces, and this will be finalized during Site Plan Approval.

Parking

Zoning By-law 569-2013 (Policy Area 4) requires a maximum threshold of vehicular parking spaces of 46 residential and 29 commercial spaces, and a minimum of 33 residential and 8 commercial spaces. Five visitor spaces are the minimum requirement and there is no visitor maximum. Zoning By-law 7625 requires a minimum total parking spaces of 45 residential, 25 commercial and 9 visitor spaces. There are no maximum limits for the parking spaces.

A total of 88 vehicular parking spaces are proposed on three levels; 1 space on ground level (commercial use), 37 spaces on P1 (15 commercial (1 is accessible); 7 visitor (1 is accessible) and 15 residential) and 50 spaces on P2 (50 residential of which 1 space is accessible). Of the 88 spaces that the applicant is proposing, 65 are residential parking spaces which exceeds the maximum of 46 spaces required by By-law 569-2013. The proposed residential parking space total of 65 spaces equates to 1.8 spaces per dwelling unit. The applicant is proposing additional parking spaces because all of the dwelling units proposed would be two-bedroom units.

Transportation Demand Measures such as car and bicycle share spaces will be explored during the Site Plan Control application review process in an effort to possibly reduce the proposed parking supply.

Public Laneway

Adjacent and to the south of the subject site is an existing unopened public lane. The approximate length is 58 metres and it ranges from the west end in width at 3.9 metres to 4.3 metres at the east end, terminating at the Avenue Road public boulevard for a total of 227.1 square metres. The existing lane is used by pedestrians as a short cut to their nearby residential buildings, and for surface parking and garbage storage for the apartment buildings fronting onto Douglas Avenue. Given that the laneway along the Avenue Road end has a high slope, it is not viable for vehicular traffic use. A portion of the laneway is

proposed to become a publicly accessible, privately maintained parkette, in keeping with the Avenue Road Avenue Study recommendation. (Refer to Parkette discussion above for further details). Transportation Services staff concur with the parkette use which can be discontinued should there be a need for the public lane in the future.

Loading

Zoning By-laws 569-2013 and 7625 require the provision of 1 Type 'B' and 1 Type 'G' loading space. One Type 'B' and one Type 'G' loading spaces are proposed. The proposed loading spaces will be located on the ground level and internalized at the south end of the site. Transportation Services' staff are satisfied given that the proposed loading requirements have been met.

Layby

A layby on Bedford Park Avenue is proposed opposite the residential entrance with the intention of providing short term passenger pick up and drop off to serve the building residents. It is located on a local street, where there is less traffic and potential for pedestrian conflicts as compared with Avenue Road. It would be located approximately 40 metres west of Avenue Road, measuring approximately 19 metres in length and 2.10 metres in width. Staff are satisfied with the design of the layby.

Bicycle Parking

Zoning By-law 569-2013 requires a minimum of 25 residential occupant, 3 residential visitor, 1 retail occupant and 5 retail visitor bicycle parking spaces for a total of 34 spaces which are proposed to be provided by the applicant.

The applicant proposes that 3 residential visitor and 5 retail visitor spaces will be located at-grade, at the north-west end of the site at the outdoor amenity space area entrance and, 25 residential occupant and 1 retail occupant spaces on the first level below-grade. Also proposed is a bicycle repair station at-grade within the outdoor amenity area next to the bicycle spaces. Staff will work with the applicant to ensure that the outdoor bicycle parking spaces within the outdoor amenity area will be weather protected. In addition, staff note that the applicant has achieved the minimum bicycle parking requirements. However, staff will continue to work with the applicant towards increasing the number of bicycle spaces to encourage active transportation options. These improvements will be secured through the Site Plan Approval process.

Servicing

The applicant has submitted a Site Servicing Assessment and Stormwater Management Report prepared by Counterpoint Engineering, dated September 19, 2017 in support of the proposed application to amend the applicable Zoning By-laws. The report examines the provision of sanitary, sewer and storm drainage for the development. Engineering and Construction Services staff have reviewed the report and it has been determined that staff are satisfied with the report conclusions.

Amenity Space

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents. Also, By-law 569-2013 requires that a minimum of 2 square metres per dwelling unit of indoor and outdoor amenity space be provided.

Zoning By-law 569-2013 requires a total of 72 square metres of both indoor and outdoor amenity space based on the proposed 36 residential units. The applicant proposes a total indoor amenity space of 570 square metres; a 330 square metre area located on the ground level and a 240 square metre area located on the second floor. The proposed outdoor amenity space would be 181 square metres on the ground level at the rear of the site (and contiguous to the 330 square metres of indoor space) and 19 square metres on the south side for a total of 200 square metres. Given that the proposal achieves and significantly exceeds the zoning by-law requirement, staff are satisfied with the amount and configuration of the amenity space.

Tree Preservation

The applicant has submitted an Arborist Report prepared by Mepdesign Landscape Architect, dated July 21, 2017. It indicates that there are nine street trees to be removed that are located on Bedford Park Avenue. To be planted are three trees on the Avenue Road public boulevard and four on the Bedford Park Avenue boulevard for a total of seven street trees. In addition, Urban Forestry staff have concluded that of the 15 private trees identified in the Arborist report to be removed, there are none that qualify for protection under the Private Tree By-law. However, staff will continue to work with the applicant through the Site Plan Approval process to finalize the tree species and placement upon the project site.

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 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The property has a gross site area of 2,109 square metres. A 0.4 metre widening on Avenue Road for public road purposes will result in a net site area of 2,094.4 square metres. The application is for a 7-storey, 36-unit residential building above a new 'The Beer Store' with a residential gross floor area of 9,335 square metres and a commercial gross floor area of 725 square metres. The residential component of this proposal is subject to a 10% parkland dedication while the non-residential portion of the development is subject to a 2% dedication. In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu.

The required parkland dedication would be a total of 197 square metres. The applicant will be required to provide cash-in-lieu. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

TDSB

The Toronto District School Board (TDSB) has advised that there is sufficient space at the local schools to accommodate students anticipated from the proposed development. They advise that although the local elementary school is operating at capacity, the impact from this development is insufficient to require any warning clauses, which normally would be requested.

The Toronto Catholic District School Board has not provided any comments.

Construction Mitigation Measures

To mitigate the construction impacts on the surrounding community, the owner will be required as a condition of approval to submit and implement a Construction Mitigation Plan to the satisfaction of the Director, Transportation Services, prior to the issuance of any demolition permit.

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 site specific zoning by-law will secure performance measures for the following Tier 1 development features: Cycling Infrastructure, and Storage and Collection of Recycling and Organic Waste. Other TGS performance measures will be secured through the Site Plan Approval process.

A green roof is required at 30% of the total roof area. The applicant proposes 103 square metres on the mechanical penthouse roof.

Section 37

Section 37 of the Planning Act allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increases are consistent with the objectives of the Official Plan regarding the building form and physical environment.

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

- a. A cash payment of \$694,000 payable prior to issuance of an above grade building permit (other than a building permit for a temporary sales office/pavilion) for the Site:
 - i. To be used towards park and streetscape improvements in the area, all to the satisfaction of the Chief Planner and Executive Director of City Planning in consultation with the Ward Councillor.
 - ii. In the event the financial contribution referred to in (i) above has not been used for the intended purpose within 3 years of the 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.
- b. Require that the cash amount identified shall be indexed upwardly in accordance with the Statistics Canada Non- Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment.
- c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. the owner is required to install and maintain a publicly-accessible parkette located adjacent and to the south of the site on the City's public right-of-way land (unopened public lane) to the satisfaction of the Director of Transportation Services.

Conclusion

The application has been carefully considered with respect to compatibility and fit with the surrounding context and it has been determined that the site is appropriate for intensification as it lies within an identified growth area along an arterial road in which the City has completed the Avenue Road Avenue Study. The proposal will provide an appropriate mix of residential and commercial uses with an improved pedestrian realm within this emerging mid-rise corridor as required by the Avenue Road Avenue Study. Staff recommend approval of the proposal provided that the building appropriately adheres to Zoning By-law 107-2010 requirement pertaining to the Avenue Road angular plane on the 5th through to the 7th storeys, and including the rooftop mechanical equipment, as stipulated in Recommendation 3.

CONTACT

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SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Ground Floor Plan

Attachment 3: North/South Cross Section

Attachment 4: East/West Cross Section

Attachment 5: North Elevation

Attachment 6: South Elevation

Attachment 7: West Elevation

Attachment 8: East Elevation

Attachment 9a: Zoning By-law - 569-2013

Attachment 9b: Zoning By-law - 7625

Attachment 10: Official Plan – Land Use Map

Attachment 11: Official Plan – Urban Structure Map

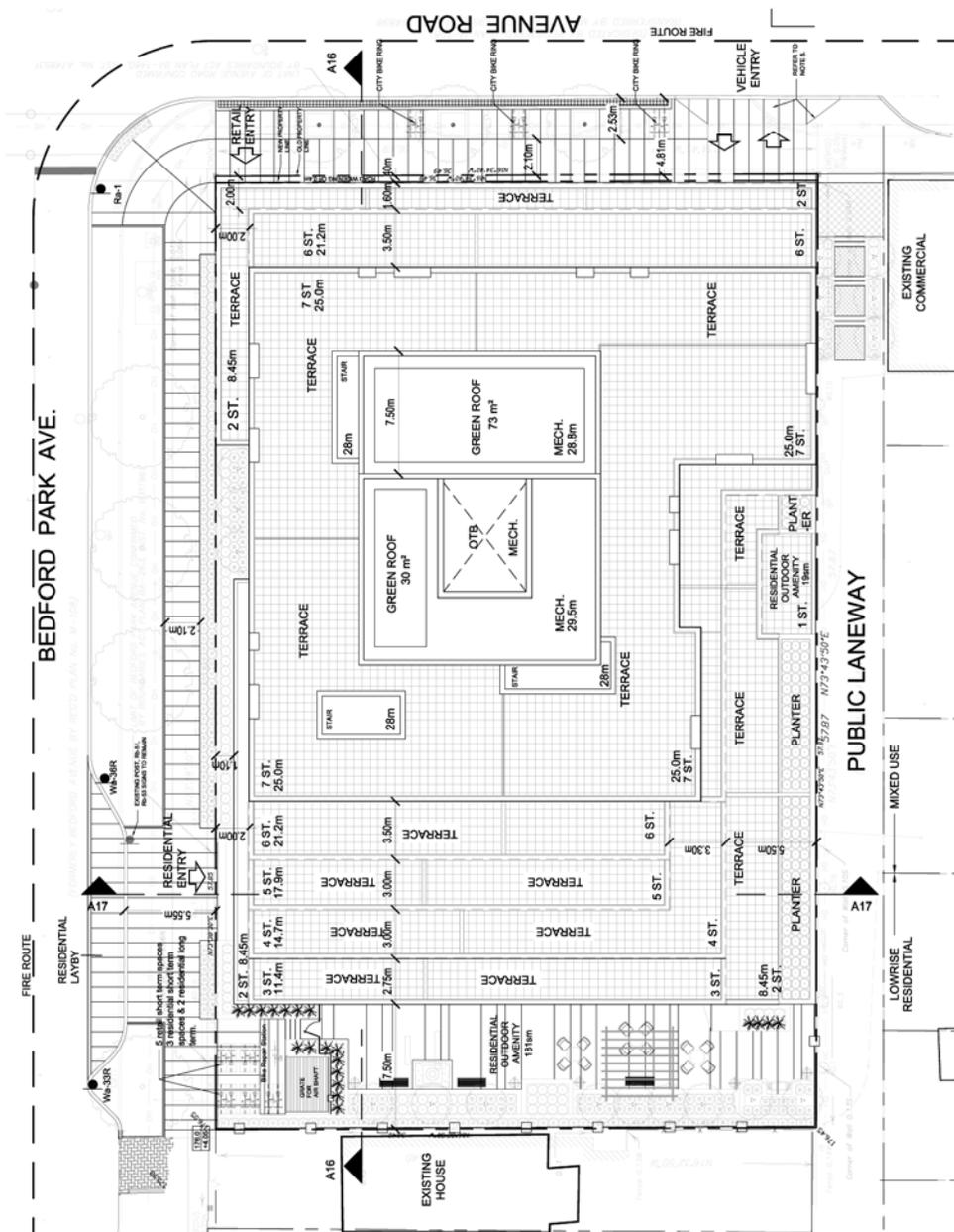
Attachment 12: Avenue Road Study

Attachment 13: Application Data Sheet

Attachment 14: Draft Zoning By-law Amendment to 569-2013

Attachment 15: Draft Zoning By-law Amendment to 7625

Attachment 1: Site Plan



1580 Avenue Road

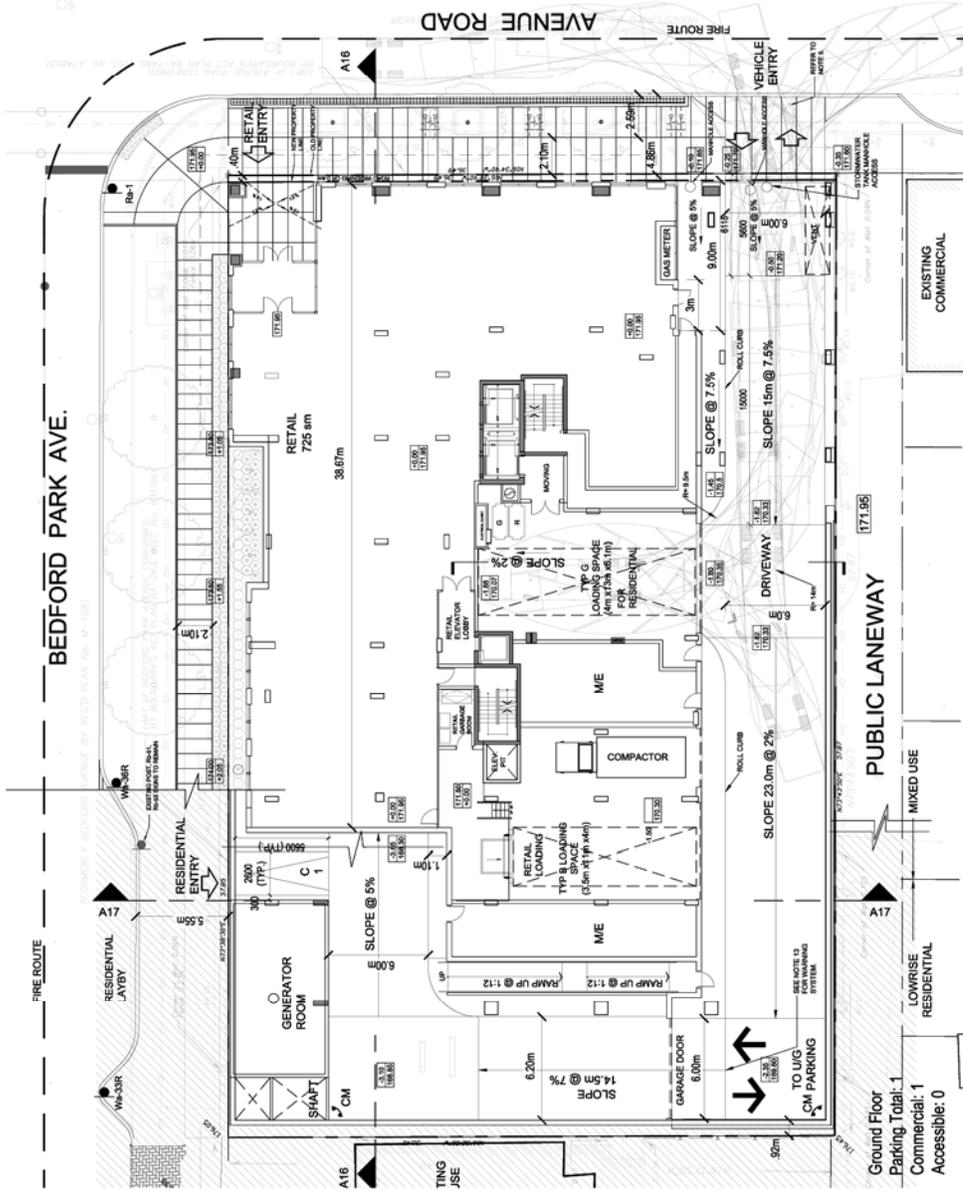
File # 16 140646 NNY 16 0Z

Site Plan

Applicant's Submitted Drawing

Not to Scale
09/06/2017

Attachment 2: Ground Floor Plan



1580 Avenue Road

Ground Floor Plan

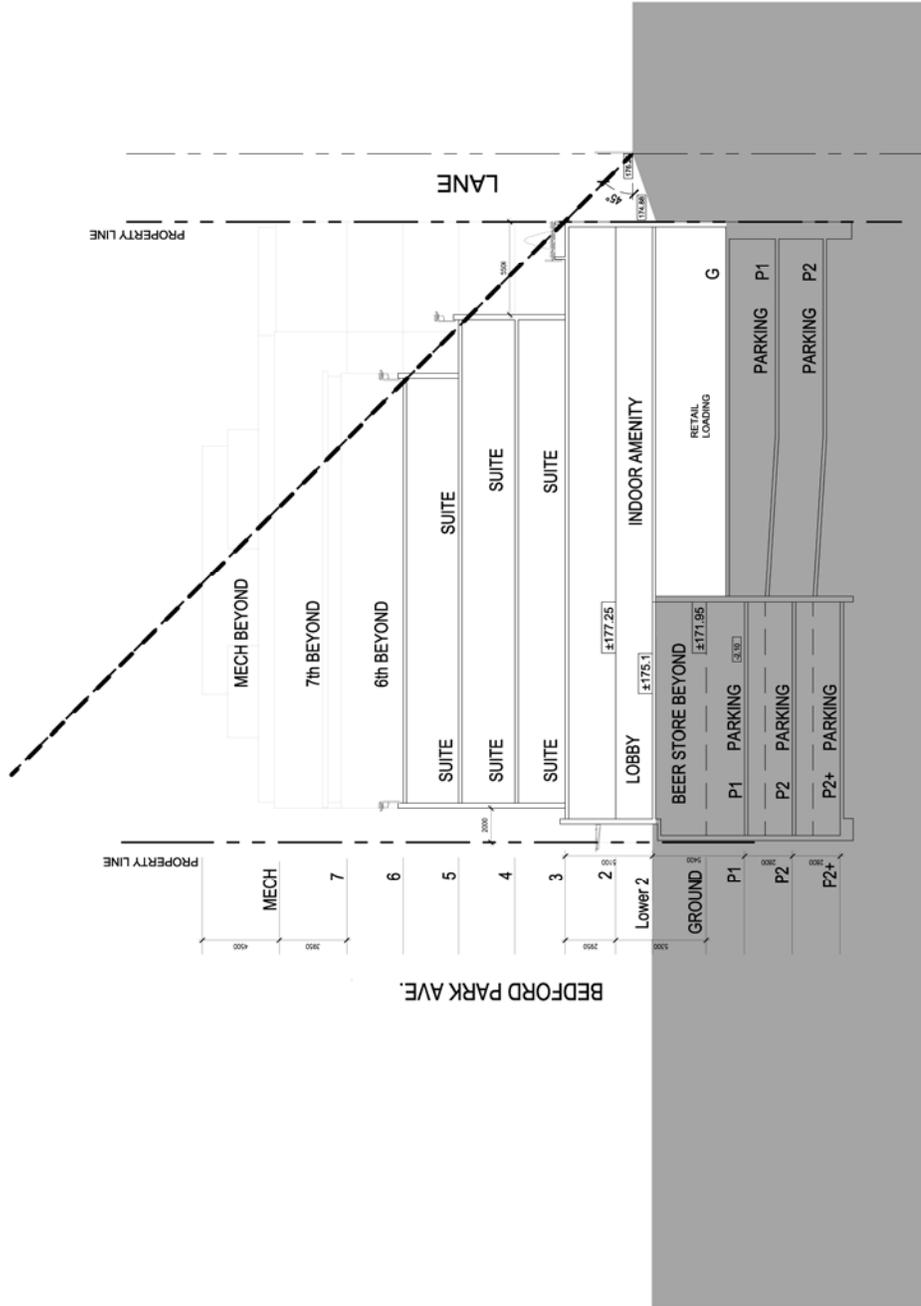
Applicant's Submitted Drawing

Not to Scale
09/06/2017

File # 16 140646 NNY 16 0Z



Attachment 3: North/South Cross Section



1580 Avenue Road

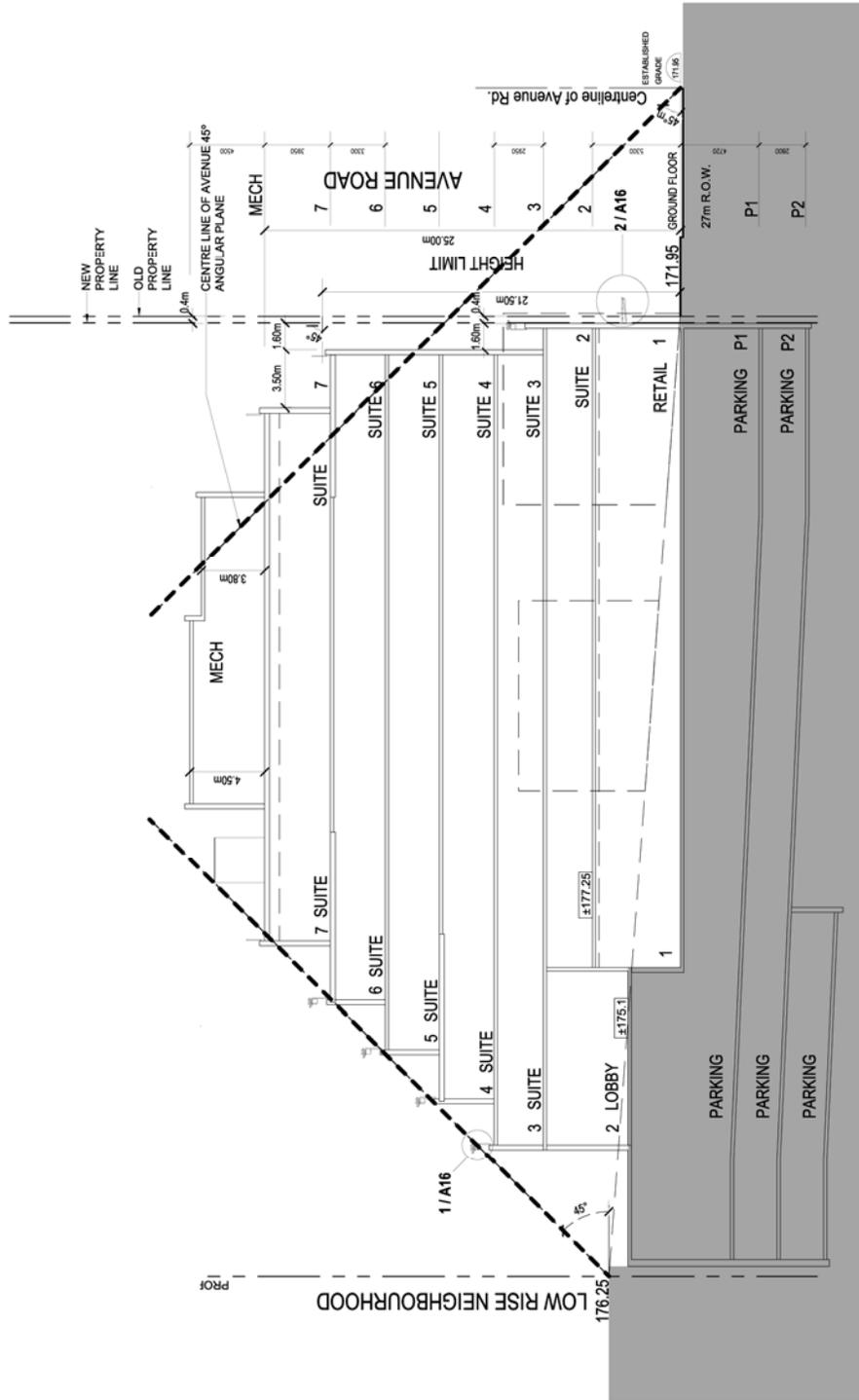
North South Section

Applicant's Submitted Drawing

Not to Scale
09/06/2017

File # 16 140646 NNY 16 0Z

Attachment 4: East/West Cross Section



1580 Avenue Road

East West Section
 Applicant's Submitted Drawing

Not to Scale
 09/06/2017

File # 16 140646 NNY 16 0Z

Attachment 5: North Elevation



North Elevation

Applicant's Submitted Drawing

Not to Scale
09/06/2017

1580 Avenue Road

File # 16 140646 NNY 16 0Z

Attachment 6: South Elevation



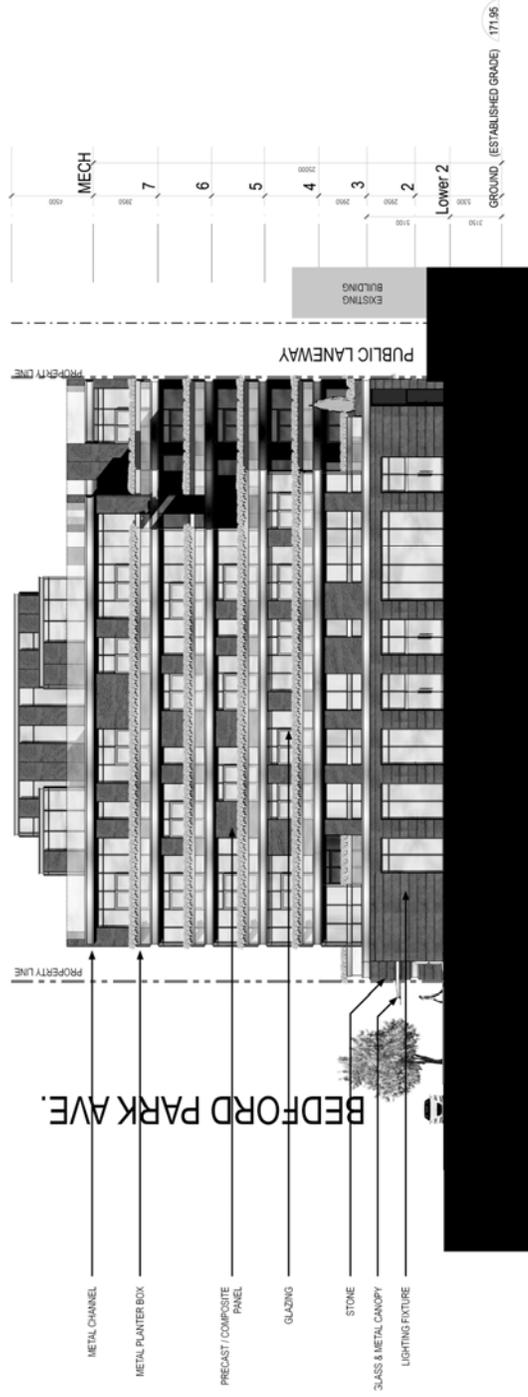
1580 Avenue Road

File # 16 140646 NMY 16 0Z

South Elevation
 Applicant's Submitted Drawing

Not to Scale
 09/06/2017

Attachment 7: West Elevation



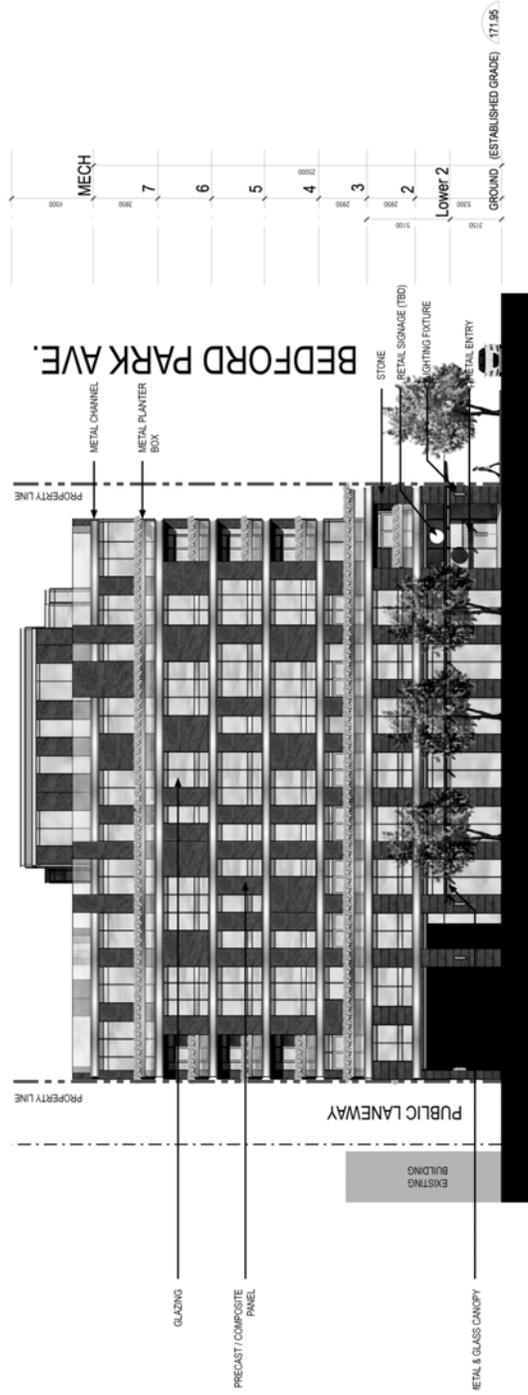
1580 Avenue Road

West Elevation
 Applicant's Submitted Drawing

File # 16 140646 NMY 16 0Z

Not to Scale
 09/06/2017

Attachment 8: East Elevation



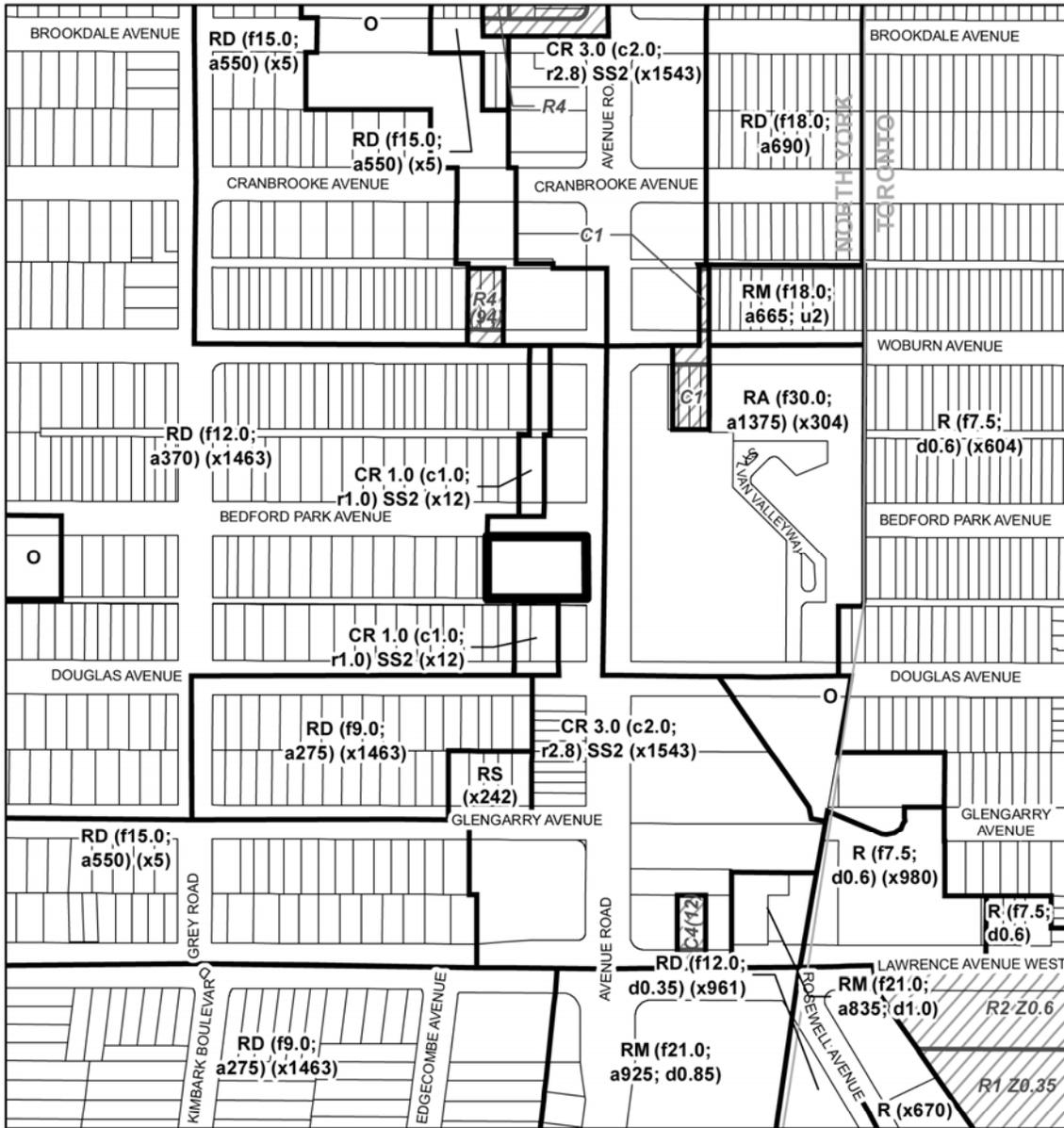
1580 Avenue Road

File # 16 140646 NMY 16 0Z

East Elevation
 Applicant's Submitted Drawing

Not to Scale
 09/06/2017

Attachment 9a: Zoning By-law - 569-2013



Zoning By-Law No. 569-2013

1580 Avenue Road

File # 16 140646 NNY 16 0Z

Location of Application

- | | |
|-------------------------------------|----------------------------------|
| R Residential | RM Residential Multiple |
| RD Residential Detached | RA Residential Apartment |
| RS Residential Semi-Detached | CR Commercial Residential |
| | O Open Space |

- See Former City of North York By-Law No. 7625
- R4** One-Family Detached Dwelling Fourth Density Zone
 - C1** General Commercial Zone

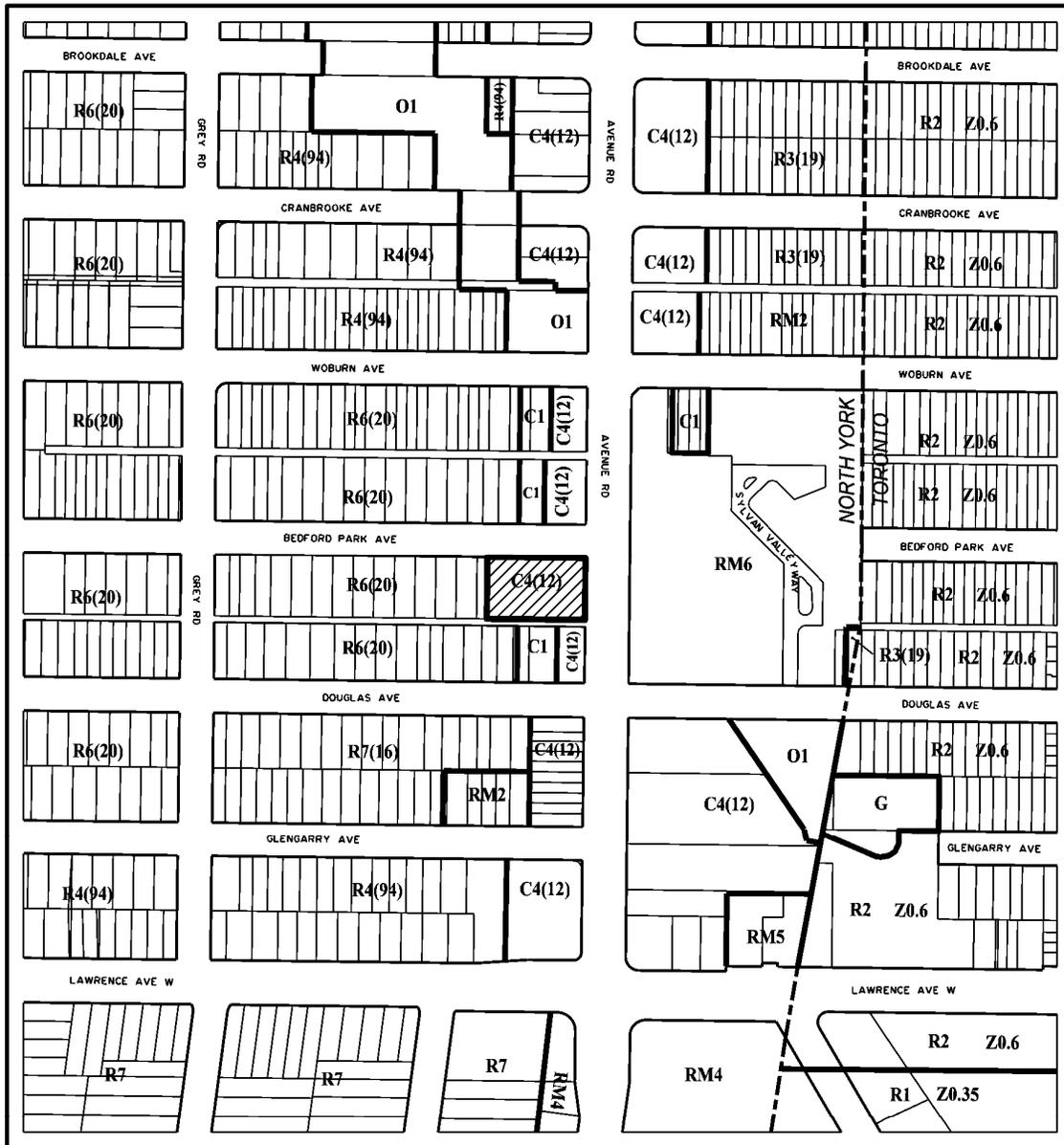
See Former City of Toronto By-Law No. 438-86

- R1** Residential District
- R2** Residential District



Not to Scale
Extracted: 04/19/2016

Attachment 9b: Zoning By-law - 7625



Zoning By-Law No. 7625

1580 Avenue Road

File # 16 140646 NNY 16 0Z

Location of Application

- R1 Residential District
- R2 Residential District
- R3 One-Family Detached Dwelling Third Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone

- R6 One-Family Detached Dwelling Sixth Density Zone
- R7 One-Family Detached Dwelling Seventh Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone

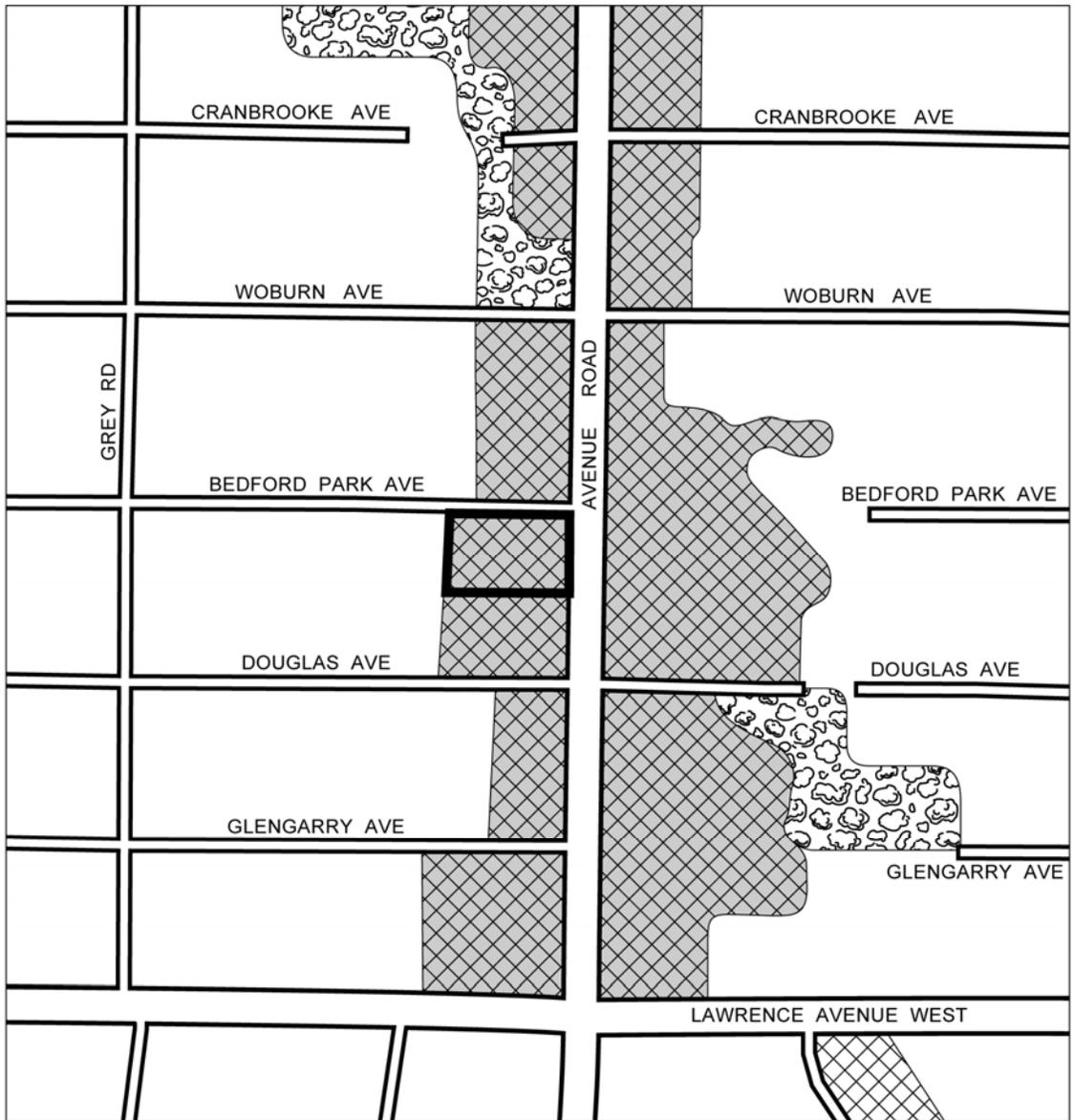
NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- C4 Mixed Use Commercial Zone
- O1 Open Space Zone
- G Parks District



Not to Scale
Extracted 04/20/2016

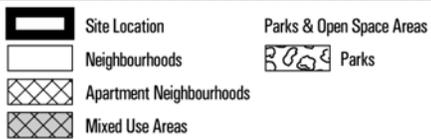
Attachment 10: Official Plan – Land Use Map



TORONTO
 Extract from Official Plan

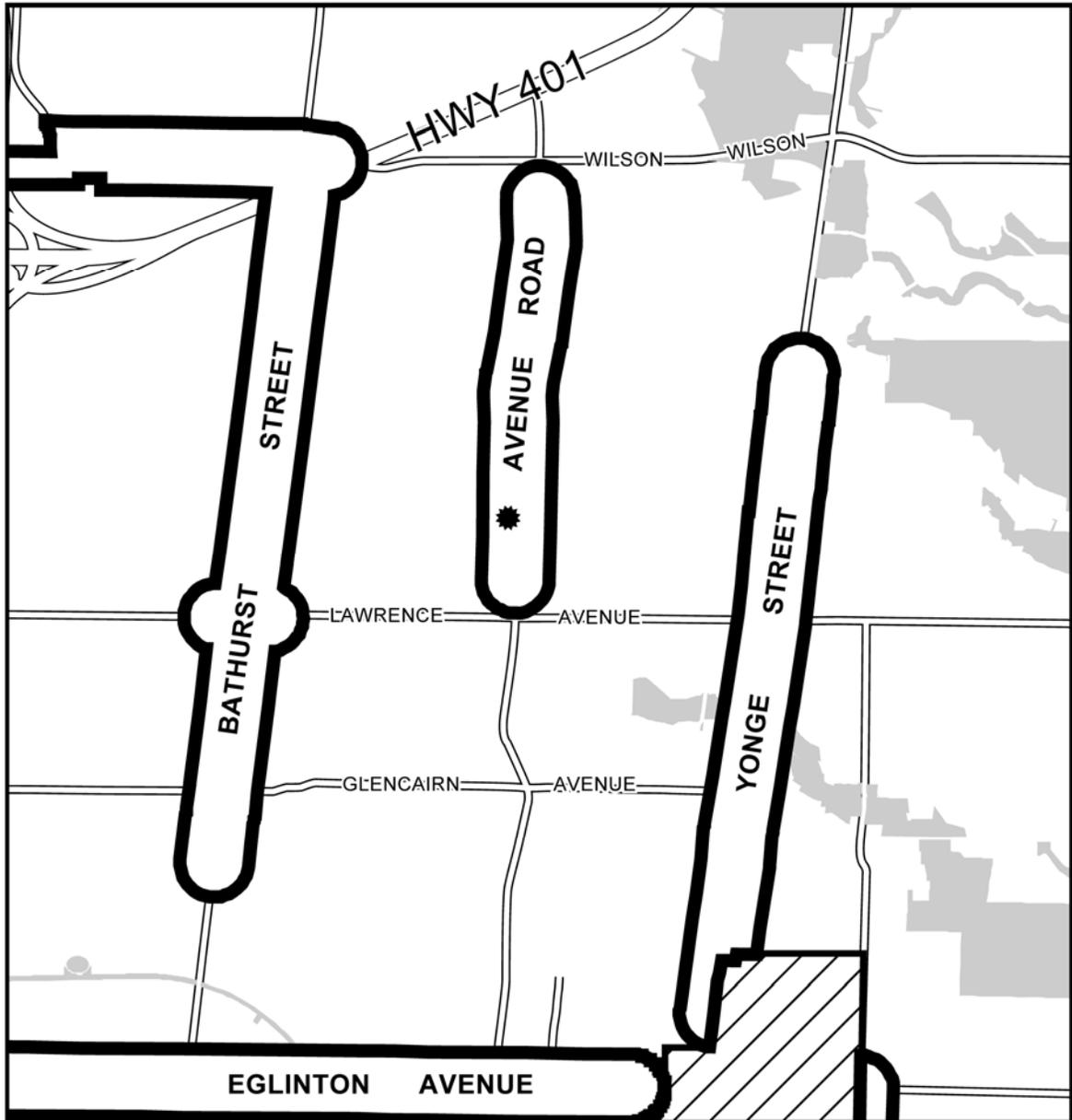
1580 Avenue Road

File # 16 140646 NNY 16 0Z



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 04/20/2016

Attachment 11: Official Plan Urban Structure Map



Extract from Official Plan Map 2 Urban Structure

1580 Avenue Road

File # 16 140646 NNY 16 0Z

-  Site Location
-  Avenues
-  Centres
-  Green Space System


Not to Scale
04/20/2016

Attachment 12: Avenue Road Study



Attachment 13: Application Data Sheet

Application Type	Rezoning	Application Number:	16 140646 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	April 14, 2016
Municipal Address:	1580 AVENUE RD		
Location Description:	PLAN M108 LOT 1079 TO 1086 **GRID N1602		
Project Description:	A rezoning application to permit the construction of a 7-storey mixed-use building with at-grade commercial (The Beer Store) use, at a height of 25 metres, with a density of 4.77 times the area of the lot and 88 vehicular parking spaces on two levels below ground.		

Applicant:	Agent:	Architect:	Owner:
The Goldman Group 408-55 Avenue Road Toronto, ON, M4V 2Y7	Same as applicant	Page + Steele/IBI Group 55 St. Clair Ave. W. Toronto, ON, M4V 1N5	1580 Avenue Road Ltd. 408-55 St. Clair Ave. W. Toronto, ON, M4V 2Y7

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 3.0 (c2.0; r2.8) SS2 (x1543)	Historical Status:	N
Height Limit (m):	the lesser of 22. m or 7-storeys	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2,109	Height: Storeys:	7
Frontage (m):	36.49	Metres:	25 (ex. Mech.)
Depth (m):	57.85		
Total Ground Floor Area (sq. m):	2,001		Total
Total Residential GFA (sq. m):	9,335	Parking Spaces:	88
Total Non-Residential GFA (sq. m):	725	Loading Docks	2
Total GFA (sq. m):	10,060		
Lot Coverage Ratio (%):	74.9		
Floor Space Index:	4.77		

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	36
3 + Bedroom:	0
Total Units:	36

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	9,335	0
Retail GFA (sq. m):	725	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Diane Silver, Planner
TELEPHONE: (416) 395-7150 Email: Diane.Silver@toronto.ca

Attachment 14: Draft Zoning By-law Amendment to 569-2013

CITY OF TORONTO

BY-LAW No. ____-2017

To amend the City of Toronto By-law No. 569-2013, as amended, with respect to lands municipally known in the year 2017 as 1580 Avenue Road.

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

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

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

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

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

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

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto.

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

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands

outlined by heavy black lines to CR 3.0 (c2.0; r2.8) SS2 (x128), as shown on Diagram 2 attached to this By-law; and

4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 128 so that it reads:

Exception (128)

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

Site Specific Provisions:

- (A) The lands must comply with Exception 900.11.10(1543);
- (B) On 1580 Avenue Road, if the requirements in Section 5 and Schedule 1 of By-law [Clerks to insert by-law#] are complied with, none of the provisions of 10.10.40.10(1), 10.10.40.40(1), 900.11.10(1543)(G) or (M), apply to prevent the erection and use of a **building, structure**, addition or enlargement permitted in compliance with (C) to (K) below;
- (C) Despite regulation 40.5.40.10(1), the height of a **building or structure** is measured from the Canadian Geodetic Datum elevation of 171.95 metres;
- (D) Despite regulation 40.5.40.10(1) and 40.10.40.10(2), the height of any **building or structure** on the lot must not exceed the maximum height in metres specified by the numbers following the symbol [HT as shown on Diagram 3] of By-law [Clerks to supply by-law#]
- (E) Despite regulations 40.5.40.10 (3), (4,) 6) and (7), the following may exceed the height indicated by the numbers following the letter "HT" as shown on Diagram 3 of [Clerk to insert By-law No.] by a maximum of 5 metres: eaves, canopies, cornices, lighting fixtures, awnings, fences and safety railings, architectural features, parapets, trellises, balustrades, window washing equipment, privacy screens, architectural screens, guardrails, terraces, platforms, transformer vaults, ornamental elements, architectural elements, landscaping elements, green roof elements, roof access hatches, walkways, stairs, covered stairs and or stair enclosures associated with an entrance or exit from an underground parking garage, underground garage ramps and their associated structures, stair landings, planters, and art features.

- (F) Regulation 40.10.401(1) with respect to location of commercial uses in a **mixed use building**, does not apply.
- (G) Despite regulation 40.10.40.40(1), the gross floor area must not exceed 10,060 square metres
- (i) a maximum of 9,335 square metres may be used for residential uses; and
 - (ii) a maximum of 725 square metres may be used for non-residential uses.
- (H) Despite regulations 40.10.40.70(2) and the setback and angular plane requirements in 900.11.10(1543), no portion of a **building** or **structure** above grade can extend beyond the areas delineated by heavy lines on Diagram 3 attached to and forming part of this By-law, with the exception of:
- (i) The permitted encroachments listed in Clause 40.50.40.60; and
 - (ii) light fixtures, parapets, art and landscape features, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, fences, screens, site servicing features, and underground garage ramps and associated structures;
- (I) **Parking spaces** must be provided and maintained, according to the following ratios:
- (i) A minimum of 0.7 residential **parking spaces** for each bachelor dwelling unit;
 - (ii) A minimum of 0.8 residential **parking spaces** for each one-bedroom dwelling unit;
 - (iii) A minimum of 0.9 residential **parking spaces** for each two-bedroom dwelling unit;
 - (iv) A minimum of 1.1 residential **parking spaces** for each three-bedroom dwelling unit;
 - (v) A minimum of 0.15 visitor **parking spaces** for each dwelling unit;
 - (vi) A maximum of 65 residential **parking spaces** for each dwelling unit; and

- (vii) A minimum of 16 non-residential **parking spaces** shall be provided and a minimum of 1 space for each additional 100 square metres of non-residential gross floor area above 725 square metres.
- (J) **Bicycle parking spaces** shall be provided and maintained on the **lot**, of which:
 - (i) A minimum of 0.07 **bicycle parking spaces** per dwelling unit shall be allocated for short-term **bicycle parking spaces**;
 - (ii) A minimum of 0.68 **bicycle parking spaces** per dwelling unit shall be allocated for long-term **bicycle parking spaces** and may be located below grade;
 - (iii) A minimum of 5 **bicycle parking spaces** shall be allocated for short-term commercial use; and
 - (iv) A minimum of 1 **bicycle parking space** shall be allocated for long-term commercial use.
- (K) Regulation 200.15.1(1) and clause 200.15.1.5 with respect to accessible **parking spaces**, do not apply.
- (L) Regulations 40.10.50.10(2) and (3) with respect to landscaping when abutting a residential zone, do not apply.
- (M) Clause 40.10.90.40, with respect to loading, does not apply.
- (N) Regulation 40.10.100.10 (1), with respect to **vehicle** access, does not apply.
- (O) Despite regulation 40.10.40.50(1), **amenity space** must be provided and maintained as follows:
 - (i) a minimum of 570 square metres of indoor **amenity space**, with an additional 2 square metres for every **dwelling unit** above 36 **dwelling units**; and
 - (ii) a minimum of 200 square metres of outdoor **amenity space**; with an additional 2 square metres for every **dwelling unit** above 36 **dwelling units**.

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

5. Section 37 Provisions:

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

ENACTED AND PASSED this _____ day of _____, 2017.

FRANCIS NUNZIATA
Speaker

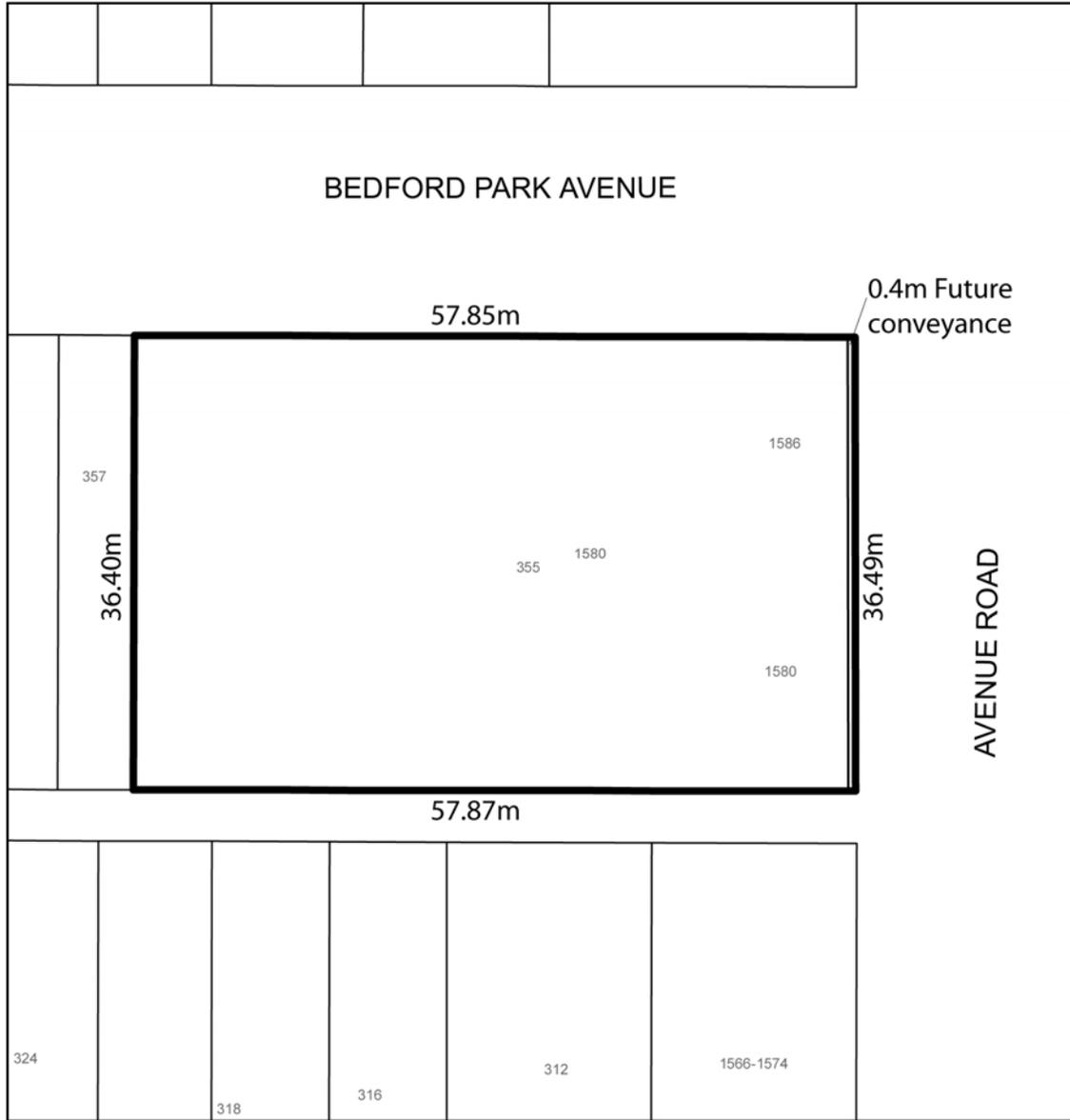
ULLI S. WATKISS
City Clerk

SCHEDULE 1

Section 37 Provisions

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense to the *City* or as otherwise specified in this Appendix, in accordance with an agreement, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* and the owner with conditions providing for indexing escalation of both the financial contributions, and letters of credit, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

1. The community benefits to be secured in the Section 37 agreement are:
 - a. A cash payment of \$694,000 payable prior to the issuance of the first above grade building permit:
 - i. To be used towards park and streetscape improvements in the area, all to the satisfaction of the Chief Planner and Executive Director of City Planning in consultation with the Ward Councillor.
 - ii. In the event the financial contribution referred to in (i) above has 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.
 - b. Require that the cash amount identified shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the prior from the date of the execution of the Section 37 Agreement to the date of payment.
 - c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. the owner is required to install and maintain at no cost to the City a publicly-accessible parkette located adjacent and to the south of the site on the City's public right-of-way land (unopened public lane) to the satisfaction of the Director of Transportation Services.

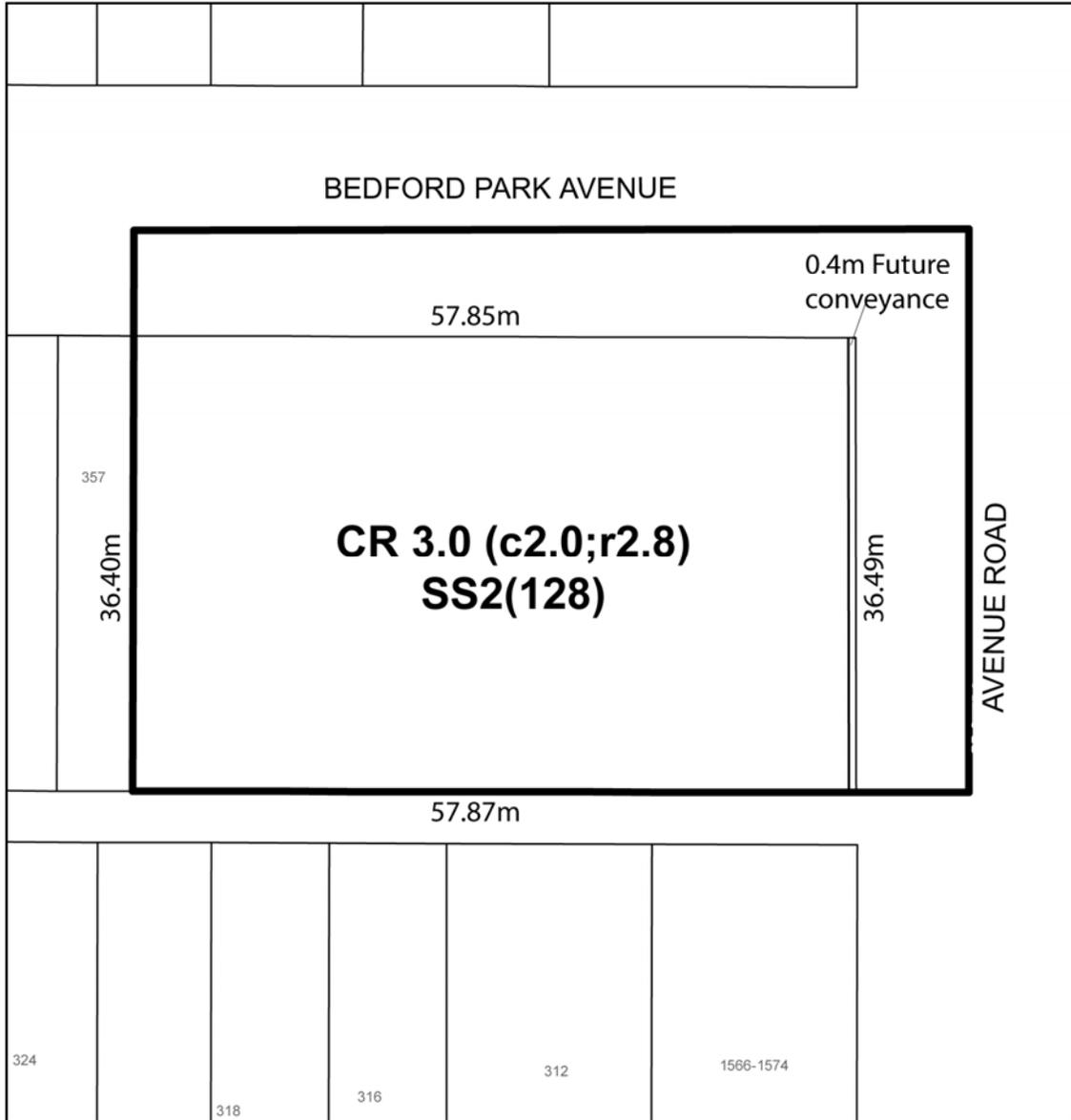


 **TORONTO**
Diagram 1

1580 Avenue Road

File # 16 140646 NNY 16 0Z


City of Toronto By-Law 569-2013
Not to Scale
9/12/2017

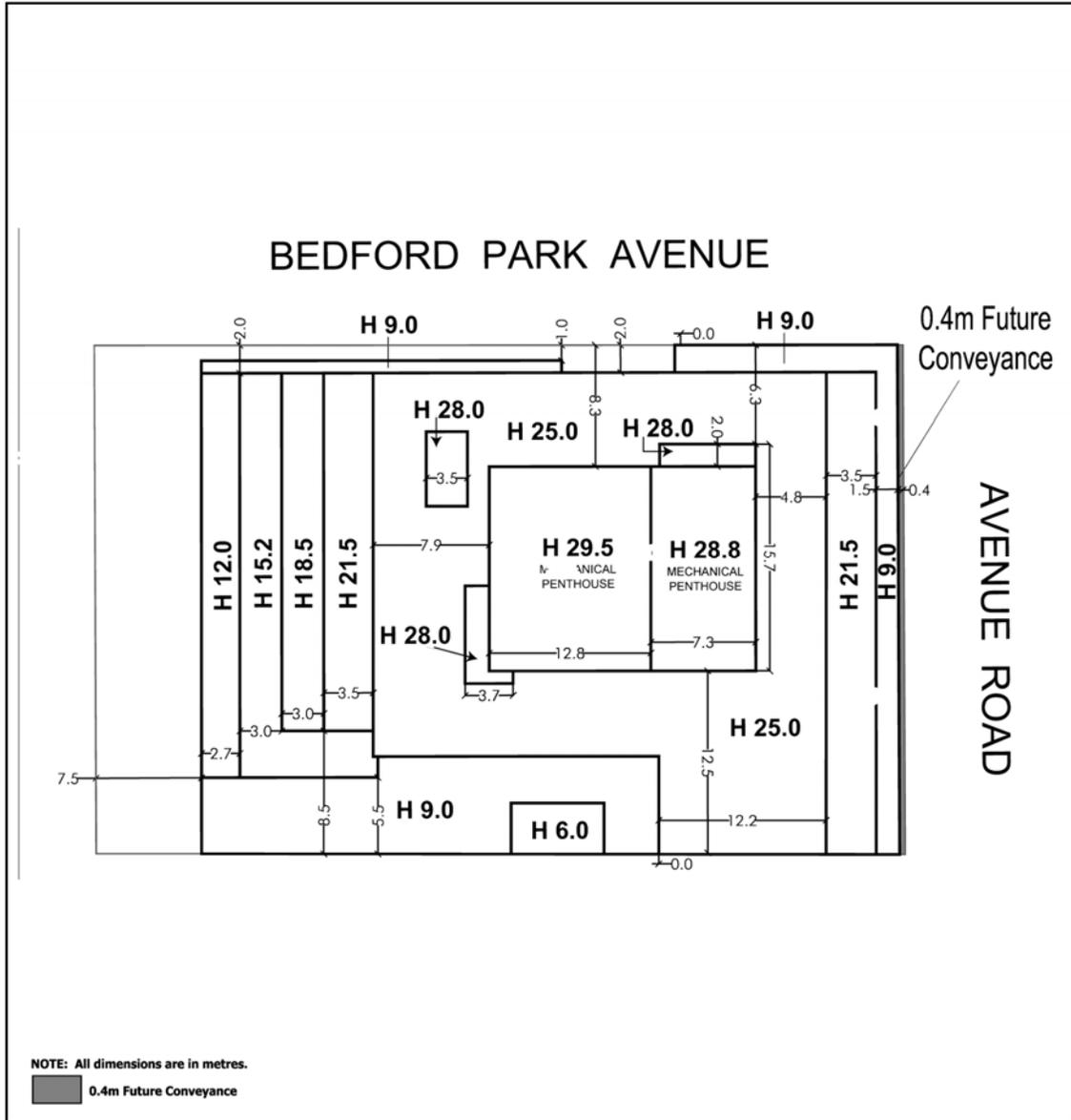


TORONTO
Diagram 2

1580 Avenue Road

File # 16 140646 NNY 16 0Z

City of Toronto By-Law 569-2013
Not to Scale
9/12/2017



TORONTO
Diagram 3

1580 Avenue Road

File # 16 140646 NNY 16 0Z

City of Toronto By-Law 569-2013
 Not to Scale
 9/12/2017

Attachment 15: Draft Zoning By-law Amendment to 7625

BY-LAW No. XXXX-2017

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 1580 Avenue Road.

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 provisions relating to the authorization of increases in height and density of development;

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

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

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

Whereas the increase in density permitted beyond that otherwise permitted on the aforesaid lands by By-law 7625, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured.

The Council of the City of Toronto enacts:

1. Schedules “B” and “C” of the By-law No. 7625 of the former City of North York are hereby amended in accordance with Schedule 1 of this By-law.
2. Section 64.26 of By-law No. 7625 is amended by adding the following subsection:

“64.26(17) C4(17)

DEFINITIONS

- (a) For the purpose of this exception “Established Grade” shall mean the elevation as fixed by the municipality, being the geodetic elevation of 171.95 metres;
- (b) For the purpose of this exception "Bicycle Parking Spaces – Long Term" shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles for long-term uses indoors;
- (c) For the purpose of this exception "Bicycle Parking Spaces – Short Term" shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles and may be located outdoors but not within a secured room, enclosure or bike locker;

PERMITTED USES

- (d) In addition to all uses normally permitted in a C4 zone and C4(12) exception zone under Section 26(2), an apartment building with non-residential uses on the first floor is permitted.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (e) The maximum gross floor area shall not exceed 10,060 square metres at-grade and above, of which a maximum of 725 square metres shall be used for non-residential purposes.

YARD SETBACKS

- (f) The minimum yard setbacks shall be as shown on Schedule “C4(17)”.

MAXIMUM UNITS

- (g) The maximum number of dwelling units on the lot shall not exceed 36.

BUILDING HEIGHT

- (h) The building height shall not exceed the maximum heights in metres specified on Schedule “C4(17)”;
- (i) The following are permitted projections beyond the permitted height as shown on Schedule C4(17); parapets, skylights, fences, safety railings, privacy screens, stairs, stair enclosures, covered stairs, landscaping elements, green roof elements

and mechanical and electrical equipment, elevator shafts and their enclosures may exceed the permitted maximum height specified by the number following the “H” symbol as shown on Schedule C4(17) of [Clerk to insert By-law No.] by 5.0 metres provided that the maximum height for a mechanical penthouse shall not exceed the maximum height specified for by the number following the “H” symbol as shown on Schedule C4(17) of [Clerk to insert By-law No.].

AMENITY AREA

- (j) A minimum of 570 square metres of indoor recreational amenity area shall be provided, and an additional 2 square metres for every dwelling unit above 36 dwelling units.
- (k) A minimum of 200 square metres of outdoor recreational amenity area shall be provided, and an additional 2 square metres for every dwelling unit above 36 dwelling units.

BUILDING REQUIREMENTS

- (l) Any building or structure greater than 9 metres in height shall have a 1.6 metre step-back of the main external building wall along the street frontages, at the top of the second storey. The step-back shall be measured from the main external face of the building at the top of the second storey, as shown on Schedule “C4(17)”.
- (m) The finished first floor of the first storey of any building or structure fronting on to Avenue Road shall be within 0.2 metres of grade measured at the street line directly opposite each pedestrian opening.
- (n) At least 60 percent of the floor area of the first storey of any building or structure fronting on Avenue Road shall be used for non-residential purposes.

BUILDING ENVELOPES

- (o) No portion of any building or structure shall be located otherwise than wholly within the Building Envelopes shown on Schedule “C4(17)” with the exception of cornices, light fixtures, ornamental elements, parapets, art and landscape features, patios, decks, pillars, trellises, balconies, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and underground garage ramps and associated structures.

PARKING

- (p) Residential vehicular parking will be provided in accordance with the following rates:

- (i) A minimum of 0.7 parking spaces per bachelor unit;
 - (ii) A minimum of 0.8 parking spaces per 1-bedroom unit;
 - (iii) A minimum of 0.9 parking spaces per 2-bedroom unit;
 - (iv) A minimum of 1.1 parking spaces per 3-bedroom unit;
 - (v) A minimum of 0.15 parking spaces per residential unit will be provided for residential visitor parking;
 - (vi) A maximum of 88 parking spaces of which 65 are for residential unit; and
- (q) A minimum of 16 non-residential vehicular parking will be provided and a minimum of 1 space for each additional 100 square metres of non-residential gross floor area above 725 square metres.

BICYCLE PARKING

- (r) Bicycle parking will be provided in accordance with the following:
- (i) A minimum of 0.07 Bicycle Parking Spaces for each dwelling unit – Short Term shall be provided; and
 - (ii) A minimum of 0.68 Bicycle Parking Spaces for each dwelling unit – Long Term shall be provided.

OTHER REGULATIONS

- (s) The provisions of Sections 6(9), 6(13), 6A(2), 26(6) and 26(8) of By-law No.7625 and Section 2(f) and 2(d) of By-law 107-2010 shall not apply.
- (t) Notwithstanding any future severance, partition or division of the lands shown on Schedule “C4(17)”, the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.”

INCREASED DENSITY SECTION 37

- (u) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Schedule 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

SECTION 37 AGREEMENT

- (v) Where Schedule 1 of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on the satisfaction of same;
- (w) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions of Schedule A are satisfied.

ENACTED AND PASSED this _ day of _, A.D. 2017.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

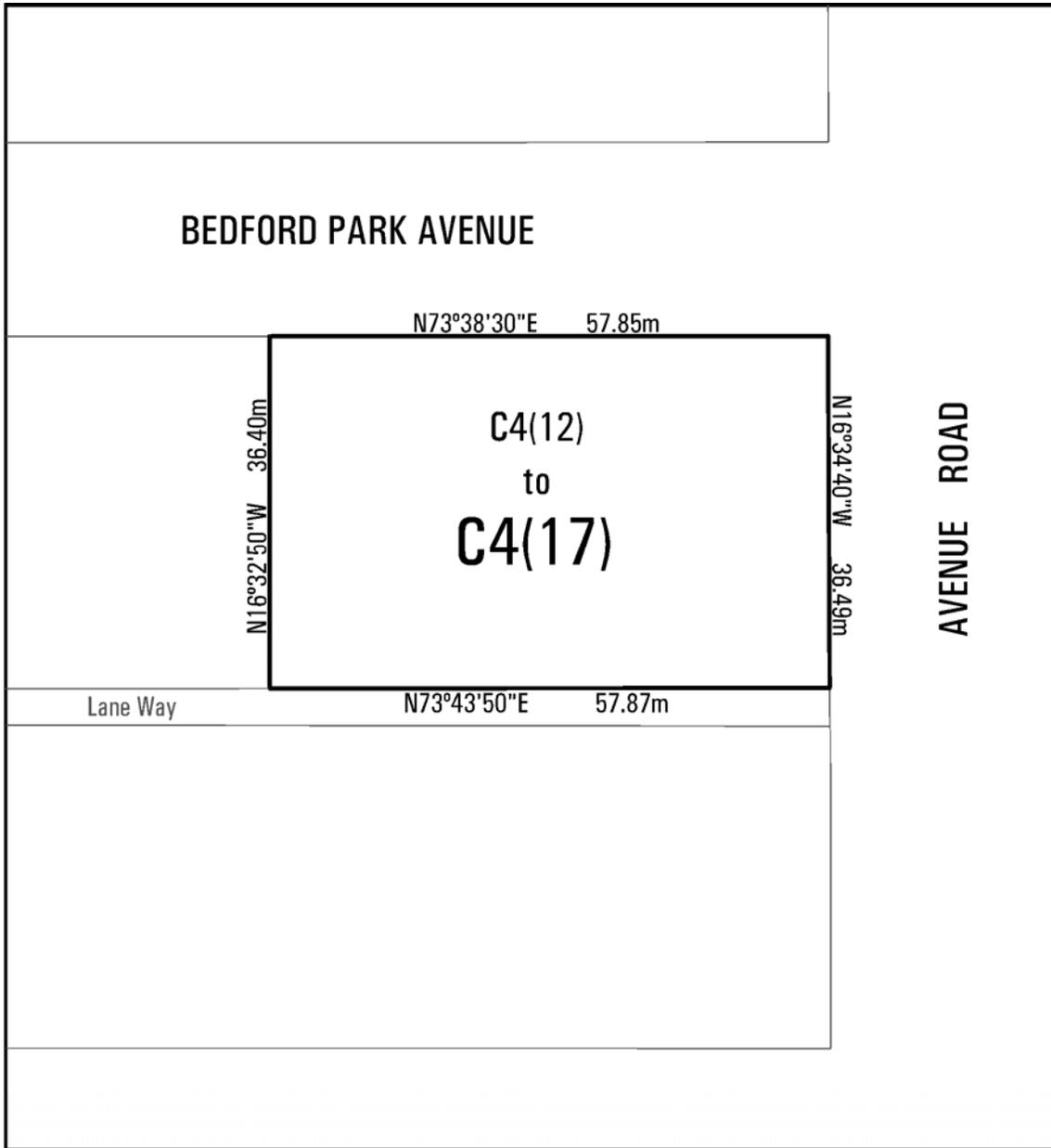
(Corporate Seal)

SCHEDULE 1

Section 37 Provisions

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense to the *City* or as otherwise specified in this Appendix, in accordance with an agreement, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the *City* and the owner with conditions providing for indexing escalation of both the financial contributions, and letters of credit, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

1. The community benefits to be secured in the Section 37 agreement are:
 - a. A cash payment of \$694,000 payable prior to the issuance of the first above grade building permit:
 - i. To be used towards park and streetscape improvements in the area, all to the satisfaction of the Chief Planner and Executive Director of City Planning in consultation with the Ward Councillor.
 - ii. In the event the financial contribution referred to in (i) above has 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.
 - b. Require that the cash amount identified shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the prior from the date of the execution of the Section 37 Agreement to the date of payment.
 - c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. the owner is required to install and maintain at no cost to the City a publicly-accessible parkette located adjacent and to the south of the site on the City's public right-of-way land (unopened public lane) to the satisfaction of the Director of Transportation Services.



Schedule 1

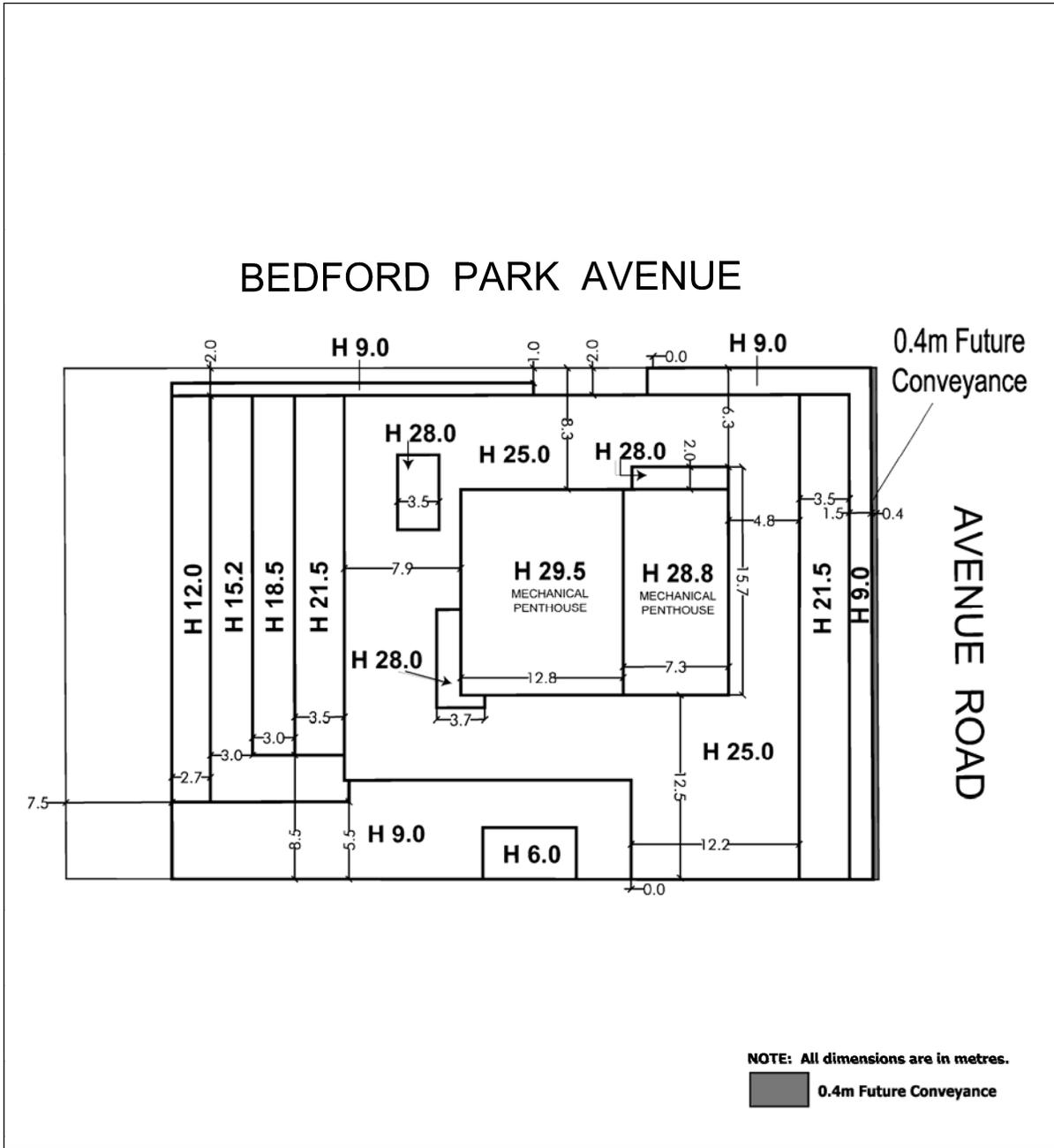
Part of Lot 1329 and all of of LOTS 1079 to 1086 and 1328 Part of lane Registered Plan M-108
 Speight, Van Nostrand & Gibson Limited

File # 16 140646 NNY 16 0Z

Date: 9/12/2017
 Approved by: D.S.



BEDFORD PARK AVENUE



Schedule C4(17)

From Applicant's Drawing

File # 16 140646 NNY 16 02

Date: 10/11/2017
 Approved by: Diane Silver

↑
 Not to Scale