

**413-435 Roehampton Ave – Official Plan Amendment,
Zoning Amendment and Rental Housing Demolition
Applications – Request for Direction Report**

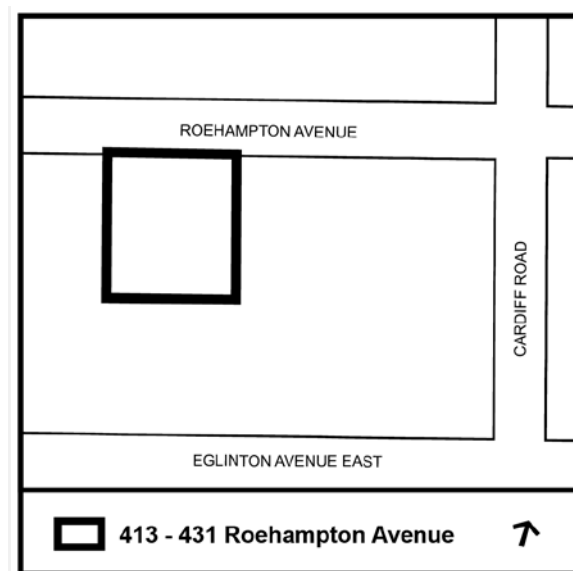
Date:	October 23, 2017
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	16 225815 STE 22 OZ and 16 249601 STE 22 RH

SUMMARY

This application proposes a 4-storey (including rooftop walkouts) apartment building containing 26 stacked back-to-back townhouse style units along Roehampton Avenue and a block of nine 2-storey townhouse units to the rear of the apartment building. Two semi-detached dwelling units will be retained to the east and west of the new apartment building. 45 parking spaces are proposed in a below grade garage.

Demolition of six semi-detached dwelling units, of which one is a rental dwelling unit, is proposed to facilitate the development. An application for Rental Housing Demolition under Chapter 667 of the Municipal Code has been filed to permit the demolition of the rental dwelling unit. The decision for the Rental Housing Demolition would be made under delegated approval by the Chief Planner.

The proposed development represents overdevelopment of the site and would negatively impact the stability of the surrounding *Neighbourhood*.



The proposal does not meet the Healthy Neighbourhoods, Built Form, or *Neighbourhoods* policies of the Official Plan. The proposal also fails to comply with the Council-approved amendments to the Healthy Neighbourhoods and *Neighbourhoods* policies of the Official Plan (OPA 320). The proposed development does not adequately address the City's Townhouse and Low-rise Apartment Guidelines, or the intent of those guidelines.

The applicant appealed its Zoning By-law Amendment application to the Ontario Municipal Board due to Council's failure to make a decision within the time prescribed by the *Planning Act*. No hearing has been scheduled. This report recommends that staff be authorized to attend at the Ontario Municipal Board to oppose the appeal.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with appropriate staff, to attend the Ontario Municipal Board hearing to oppose the applicant's appeal respecting the Official Plan Amendment and Zoning By-law Amendment applications for 413-435 Roehampton Avenue.
2. In the event that the Ontario Municipal Board approves the Zoning By-law Amendment application in whole or in part, on-site parkland dedication pursuant to Section 42 of the *Planning Act* be required by City Council to be conveyed to the City to the satisfaction of the General Manager, Parks, Forestry and Recreation, and that City Council agrees to a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction, by the owner, of Above Base Park Improvements for an on-site parkland dedication, all to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The development charge credit to be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks Forestry and Recreation, and the Parks and Recreation component of development charges payable for such development in accordance with the City's Development Charges By-law, as may be amended from time to time.
3. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council direct the City Solicitor to request the Ontario Municipal Board to withhold the issuance of any Order(s) on the Zoning By-law Amendment appeal for the subject lands pending confirmation of water, sanitary and stormwater capacity from the Executive Director, Engineering and Construction Services, and pending receipt of a satisfactory Functional Servicing Report.

4. In the event that the Ontario Municipal Board allows the appeals in whole or in part, City Council direct the City Solicitor to request the Ontario Municipal Board to withhold the issuance of any Order(s) on the Official Plan Amendment and Zoning By-law Amendment appeal until a draft Official Plan Amendment and draft Zoning By-law Amendment are submitted to the satisfaction of the Director, Community Planning, Toronto and East York District and the City Solicitor.
5. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council direct the City Solicitor to request the Ontario Municipal Board to withhold the issuance of any Order(s) on the Official Plan Amendment and Zoning By-law Amendment appeal of the subject lands pending approval by the Chief Planner of the application No. 16 249601 STE 22 RH under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act*, 2006 to demolish one existing rental dwelling unit at 413-435 Roehampton Avenue.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On August 25, 2014, City Council adopted Midtown in Focus – Parks, Open Space and Streetscape Plan for the Yonge-Eglinton area ("Public Realm Plan").

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan. As OPA 289 is currently under appeal at the Ontario Municipal Board (OMB), it is relevant but not determinative in terms of the Official Plan policy framework.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

On December 10, 2015, City Council adopted Official Plan Amendment 320. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to, among other matters, support Council's goals to protect and enhance existing neighbourhoods. On July 4, 2016, the Minister of Municipal Affairs approved and modified OPA 320. As OPA 320 has been appealed in its entirety to the OMB, it is relevant but not determinative in terms of the Official Plan policy framework.

On July 12, 2016 City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report".

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-93903.pdf>

ISSUE BACKGROUND

Proposal

The application proposes a 4-storey (including rooftop walkouts) apartment building consisting of a total of 26 stacked back-to-back townhouse style units on the north end of the site adjacent to Roehampton Avenue. Two semi-detached dwellings units will be retained on the site to the east and west of the new apartment building. To the rear (south) of the apartment building, a townhouse block containing 9 units is proposed.

The apartment building will have 13 units facing north with access from Roehampton Avenue, while the remaining 13 units will gain access from and face south to an internal courtyard. The building is 10.65 metres in height to the top of the 3rd floor from established grade, and 13.46 metres to the top of the rooftop walkouts. The units will be 6 metres in width.

The apartment building will be setback 0.0 metres from the semi-detached dwelling (located on the subject site) to the west, and 6.3 metres from the west property line. To the east, the apartment building will be setback 1.7 metres from the semi-detached dwelling (located on the subject site), and 7.8 metres from the east property line. The setback of the apartment building from Roehampton Avenue is 7.8 metres. The separation distance between the apartment building and the proposed townhouses to the south will be 14.5 metres.

The 9 townhouse dwelling units are behind the proposed apartment building. The townhouses are setback 4.5 metres from the south property line, and 7.7 metres from the east and west property lines.

All 9 townhouse units gain access from an internal courtyard north of the townhouse block. The grade of the internal courtyard will be 1.85 metres below established grade, with the townhouses gaining access from the basement rather than the first floor. The townhouses are 8.4 metres in height measured from established grade, and 10.2 metres in height from the level of the internal courtyard.

The total Gross Floor Area of the proposed development is approximately 5,075 square metres, with a Floor Space Index (FSI) of 1.42. The loading and below grade garage will be accessed from a driveway off Roehampton Avenue, that passes through the middle of the proposed apartment building.

	First Submission (September 20, 2016)	Second Submission (February 21, 2017)	Third Submission (June 23, 2017)
Site Area	3,156 square metres	3,576 square metres	3,576 square metres
FSI	1.86	1.88	1.42
Height			
North Building	14.03 metres	13.13 metres	13.46 metres
South Building	12.17 metres	11.27 metres	8.40 metres
Units	52	60	37

The Site Plan and Elevations are included in Attachments 1-2. Additional project information is included in Attachment 6 of this report (Application Data Sheet).

The Rental Housing Demolition Application considered under delegated authority by the Chief Planner proposes to demolish the six semi-detached residential dwelling units, comprised of one rental dwelling unit and five owner-occupied dwelling units. The applicant has not proposed to replace the existing rental dwelling unit within the new development, which is in accordance with the by-law Municipal Code Chapter 667.

Site and Surrounding Area

The site is located on the south side of Roehampton Avenue between Rawlinson Avenue and Cardiff Road. The original application was comprised of 7 properties at 413-431 Roehampton Avenue. As part of the second submission, the application included an additional property at 435 Roehampton Avenue. The site, as currently proposed, is comprised of 8 properties (413-435 Roehampton Avenue) and is generally rectangular in shape with an area of 3,576 square metres. The site has a frontage of 60 metres and a depth of 59.5 metres.

The site is currently occupied by 8 semi-detached dwelling units, of which 6 units are to be demolished. Based on information provided with the application, the proposed development site is comprised of the housing component as follows:

- 425 Roehampton Avenue: One rental dwelling unit with a monthly rent within the mid-range affordable rent category. According to the applicant, the unit was vacant at the date the application was made.
- 413, 417, 419, 423, 429, 431 and 435 Roehampton Avenue: Six owner-occupied residential dwelling units.

Surrounding the site are the following uses:

North: a low-rise neighbourhood consisting primarily of detached and semi-detached dwellings of 2 storeys in height, with the occasional 3-storey dwelling.

West: immediately west is the other half of the semi-detached dwelling to be retained on-site. Farther west is a low-rise neighbourhood consisting primarily of detached and semi-detached dwellings of 2 storeys in height, with the occasional 3-storey dwelling. At 359-377 Roehampton Avenue is a 3-storey townhouse development consisting of 15 units in two townhouse blocks fronting onto Roehampton Avenue, and one townhouse block to the rear, approved by the OMB. To the west of Rawlinson Avenue is an *Apartment Neighbourhood* with residential buildings ranging from 11 to 19 storeys in height.

East: a low-rise neighbourhood consisting primarily of detached and semi-detached dwellings 2 storeys in height, with the occasional 3-storey detached and semi-detached dwelling.

South: are properties fronting onto the north side of Eglinton Avenue East, characterised by mid-rise and high-rise apartment buildings with interspersed low-rise house form buildings. Immediately south of the site are a 5-storey and a 10-storey apartment building at 420 and 440 Eglinton Avenue East respectively. On the south side of Eglinton Avenue East is a mix of low-rise house form buildings and mid-rise and high-rise apartment buildings.

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. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS. 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 PPS.

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;

The Growth Plan also requires the City to prioritize planning and investment in infrastructure and public service facilities that will support intensification within delineated built-up areas, and is explicit in its policy direction that "applying the policies of this Plan will support the achievement of complete communities..."

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 Growth Plan directs municipalities to develop Official Plan policies and other supporting documents to guide intensification. City Council's planning decisions are required, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

The subject site is designated as *Neighbourhoods* on Map 17- Land Use Plan of the City's Official Plan. The Official Plan considers *Neighbourhoods* as physically stable areas containing a full range of residential uses within lower scale buildings, as well as parks, schools, local institutions and small-scale stores. Lower scale residential buildings in *Neighbourhoods* consist of detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartment buildings no more than four storeys in height (Policy 4.1.1). Abutting lands south of the site are designated *Apartment Neighbourhoods* which are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses.

***Neighbourhoods* Policies**

The stability of *Neighbourhoods*' physical character is one of the keys to Toronto's success. Physical changes to established *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character. To ensure development in established *Neighbourhoods* will respect and reinforce the existing physical character, policy 4.1.5 of the Plan states that any proposal shall respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

No changes will be made through rezoning, minor variance, consent, or other public action that are out of keeping with the physical character of the neighbourhood.

Healthy Neighbourhoods Policies

Chapter 2 of the Official Plan entitled *Shaping the City* contains principles for steering growth and change to some parts of the city, while protecting neighbourhoods and green spaces from development pressures. *Neighbourhoods* are seen as being stable but not static. Section 2.3.1 recognizes that *Neighbourhoods* will not stay frozen and that some physical change will occur over time as enhancements, additions and infill housing occurs on individual sites.

Policy 1 of Section 2.3.1 of the Official Plan states that development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. The objective is to ensure that new development in *Neighbourhoods* respects the existing physical character of the areas, reinforcing their stability.

Built Form Policies

Section 3.1.2 of the Official Plan speaks to built form. The policies stress that infill and redevelopment sites will need to fit in, respecting the character of the surrounding area. Developments must be conceived not only in terms of the individual building site and program, but also in terms of how the site, building and its facades fit within the existing and/or planned context of the neighbourhood and the city. Each new building should promote and achieve the overall objectives of the Plan.

The policies of Section 3.1.2 provide guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; incorporates exterior design elements, form, scale, proportion, pattern and materials, and sustainable design, to influence the character, scale and appearance of the development; provides for adequate light and privacy; and, adequately limits any resulting shadowing of neighbouring streets and properties.

Section 3.1.2 requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. This can be achieved by the provision of adequate amenity and landscaped open space, coordinated landscape improvements in building setbacks to create attractive transitions from the private to public realms and landscaped open space within

the development itself, among others. The intent is to enable new developments to 'fit' within the context of the immediate neighbourhood.

OPA 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment 320 which strengthens and refines the Healthy Neighbourhoods and *Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods.

OPA 320 requires new development to respect and reinforce the prevailing heights, massing, scale, density and dwelling type of the geographic neighbourhood. The policies state that the geographic neighbourhood will be delineated by considering the context including zoning, prevailing dwelling type and scale, lot size and configuration, street pattern, pedestrian connectivity, and natural and human-made dividing features. The amended policies note that the word "prevailing" will mean "most frequently occurring".

Yonge-Eglinton Secondary Plan

The subject site is located within the Yonge-Eglinton Secondary Plan Area (see Attachment No. 8). A primary objective of the Secondary Plan is to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among *Mixed Use Areas*, *Apartment Neighbourhoods*, *Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. The Secondary Plan requires a full range of housing options (form, tenure) suitable for family and other households that is: "contextually appropriate and compatible with existing residential uses and residential built form."

New development in the Yonge-Eglinton Secondary Plan Area is to protect the scale of development in *Neighbourhoods* while minimizing impacts (shadowing, overlook, loss of sky view) on lower scale built form in *Neighbourhoods*. New development will provide transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods*, particularly when higher density designations abut a *Neighbourhood*.

In 2010, the City amended the Yonge-Eglinton Secondary Plan to conform to the Growth Plan for the Greater Golden Horseshoe.

Midtown in Focus: Parks, Open Space and Streetscape Plan and OPA 289

The Midtown in Focus Parks, Open Space and Streetscape (Public Realm) Plan is a framework for improvements in the Yonge-Eglinton area to parks, open spaces, streets and public buildings to create an attractive, safe and comfortable network of public spaces. The Plan recognizes that the area has a vibrant mixed use community with an open and green landscaped character.

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge - Eglinton Secondary Plan (OPA 289) that include urban design and public realm policies of the Midtown in Focus Public Realm Plan. OPA 289 outlines a comprehensive public realm strategy and a system of improvements to be implemented as part of any new development in the Secondary Plan Area. Section 2.16 requires improvements to both the private and public realm as part of any new development including enhancements to streetscapes and the provision of

wider sidewalks. As the OPA 289 is under appeal to the OMB, it is relevant but not determinative in terms of the Official Plan policy framework.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

Midtown in Focus: Growth, Built Form and Infrastructure Review of Yonge-Eglinton Secondary Plan

The City Planning Division is reviewing growth, built form and infrastructure in the Yonge-Eglinton Secondary Plan Area, building on the Midtown in Focus Public Realm Plan and OPA 289. The objective is to ensure that growth positively contributes to Midtown's continued livability and vitality by establishing a clear and up-to-date planning framework and ensuring that local transportation, municipal servicing and community infrastructure keeps pace with development.

This phase of the Midtown in Focus Review includes the following activities: growth analysis, built form study, cultural heritage resource assessment, community services and facilities study, transportation and municipal servicing assessments, and an area-wide Parks Plan and public realm strategy for the Davisville area.

City staff will be reporting to the November 15, 2017 Planning and Growth Management Committee with a Proposals Report that identifies the proposed policy direction to inform the updated Yonge-Eglinton Secondary Plan as well as emerging directions for the infrastructure assessments and strategies.

On July 12, 2016, City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report", which direct staff to:

- Consider and review applications within the context of the ongoing review;
- Consider the draft built form principles contained in the report in the review of the development applications in the Yonge-Eglinton Secondary Plan Area. Continue to refine the principles in consultation with landowners and the community; and
- Identify opportunities on City-owned lands for new community infrastructure and secure community infrastructure space, as appropriate, as part of the development application review process.

The draft built form principles from the Midtown in Focus Review to be considered are in four categories: Area Structure, Public Realm and Open Space, Walkability and Comfort, and Heritage and Landmarks.

Design Guidelines for Townhouse and Low-Rise Apartments

The Urban Design Guidelines for Infill Townhouses (2003) assist in the implementation of Official Plan policies with a focus on preserving and enhancing streetscapes, respecting and reinforcing the prevailing physical character of the surrounding context and mitigating the impact of new development on adjacent and nearby properties and the public realm.

The Guidelines provide an evaluation framework for site design and built form matters to achieve high quality urban design outcomes for low-rise, grade related residential units constructed in rows or blocks. The Guidelines can be viewed at:

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/

A comprehensive update to the Infill Townhouse Guidelines is currently underway. Updated Townhouse and Low-Rise Apartment Guidelines clarify and expand upon the 2003 Council-approved Infill Townhouse Guidelines to address current policy directions and best practices for a broader range of multi-dwelling developments up to four storeys in height.

The Guidelines help implement the policies in the Official Plan by achieving the appropriate design of low-rise, primarily residential buildings for a range of building types including townhouses, stacked townhouses, stacked and back-to-back townhouses, low-rise apartments and low-rise hybrid buildings.

The Townhouse and Low-rise Apartment Guidelines address infill townhouse developments as well as mid to larger sites and more complex and intense types of low-rise, multi-unit development in terms of site context, site organization, building massing, detailed design and private and public realm.

Rental Housing Demolition By-law

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition By-law, implements Section 111. Chapter 667 prohibits the demolition or conversion of rental housing units in buildings containing six or more residential dwelling units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner.

The Chief Planner under delegated authority is authorised to approve an application to demolish all or part of a rental property where the application has six or more dwelling units, but less than six rental units. Given the Rental Housing Application is for six residential dwelling units, one of which is a rental unit, the Chief Planner is authorised to make the decision pursuant to Municipal Code Chapter 667-14.

The Chief Planner may impose conditions, including conditions that must be satisfied before a demolition permit is issued. Pursuant to the City's demolition control by-law Chapter 363 of the Municipal Code, Chief Planner approval of the demolition of residential dwelling units under Section 33 of the *Planning Act* is also required where six or more residential dwelling units are

proposed for demolition, before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Decisions made under Chapter 667 are not appealable to the Ontario Municipal Board.

On November 10, 2016, the applicant made an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code. One vacant rental dwelling unit was identified in the Rental Housing Demolition Application.

Zoning

The subject site is zoned R1S Z0.6 in Zoning By-law 438-86, as amended, and is zoned R (f9.0; u2; d0.6) (x956) in Zoning By-law 569-2013, as amended. Both Zoning By-laws permit dwellings that are detached, semi-detached, duplex, and up to 3 townhouses.

The maximum permitted density is 0.6 times the area of the lot. The maximum permitted height is 9.0 metres for buildings with sloped roofs. The minimum lot frontage is 9 metres, or 8 metres for townhouses. The minimum required rear yard setback is 7.5 metres. The maximum permitted depth of a building is 17.0 metres for a detached or semi-detached dwelling, and 14.0 metres for a townhouse.

The Zoning By-law permits a maximum of one residential building on a lot. A building containing dwelling units is not permitted to the rear of another building.

Site Plan Control

The application is subject to site plan control. A site plan control application has not been submitted.

Reasons for Application

An Official Plan amendment application was submitted as the proposed development introduces a new apartment building in the neighbourhood which does not meet the *Neighbourhood* policies.

A zoning by-law amendment is required because the proposed development is not a permitted building type and exceeds the height and density permissions of the in-force zoning by-law. In addition, the proposed development does not provide the minimum required indoor and outdoor amenity space, and does not meet the minimum required setbacks.

A Rental Housing Demolition permit No. 16 249601 STE 22 RH pursuant to Chapter 667 of the City of Toronto Municipal Code is being considered under separate cover for the demolition of seven residential dwelling units and one rental unit. The decision for this Rental Housing Demolition application would be made under delegated approval by the Chief Planner given there are less than six rental dwelling units pursuant to Chapter 667-12.

Community Consultation

On January 10, 2017, a community consultation meeting hosted by City Planning staff was attended by approximately 60 residents and other interested parties. The original plans, submitted on September 20, 2016 were presented to the community.

Concerns regarding the proposal expressed at the meeting, by verbal contact or by written submissions to the City Planning Division, include the following:

- Impact on the character of the neighbourhood;
- Height of the proposed buildings;
- Servicing of the buildings, including sewer and water;
- Lack of fit of the buildings into the surrounding context;
- Traffic impacts and pedestrian safety;
- Location and supply of visitor parking;
- Demolition of one side of a semi-detached dwelling;
- Setbacks from neighbouring properties;
- Location of the loading space and noise impacts on adjacent properties;
- Impact on tree canopy;
- School capacity and impacts on other community services;
- Increased demand for on-street parking;
- Accessibility of the units;
- Impact on mutual driveway to the east;
- Negative precedent for the future;
- Shadow impacts.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 and the Growth Plan for the Greater Golden Horseshoe (2017) are high-level and broad reaching documents. The PPS recognizes that comprehensive, integrated and long term planning is best achieved through municipal official plans.

The City of Toronto Official Plan including its Secondary Plans is based on projected needs and identifies a land use structure of areas where intensification is appropriate. The Official Plan directs redevelopment to areas that take existing building stock into account and where infrastructure and services exist and will be provided.

The subject site is designated as *Neighbourhoods* in the City's Official Plan. While some change is generally anticipated over time, a key policy of the Plan is to ensure that new development will respect and reinforce the existing physical character of the neighbourhood. It is not appropriate to permit uses or built form that depart from the existing character of this neighbourhood of detached and semi-detached dwellings.

The proposal does not conform to the *Neighbourhoods* policies which is not consistent with how the PPS is implemented by the Official Plan. The proposal, in that sense, is not consistent with the Provincial Policy Statement 2014.

The Growth Plan for the Greater Golden Horseshoe (2017) states in section 2.2.2.4b) that municipalities will identify the appropriate type and scale of development and transition of built form to adjacent areas. The proposed scale of the development is not appropriate, and does not conform to the policies of the in force Official Plan, including the Healthy Neighbourhood, Built Form and *Neighbourhood* policies.

The proposal is not consistent with how the Official Plan implements the Growth Plan for the Greater Golden Horseshoe. Based on this, the proposal does not conform to, and conflicts with, the Growth Plan.

Built Form

The Healthy Neighbourhoods policies of the Official Plan state that *Neighbourhoods* are considered to be physically stable areas. A cornerstone policy is that new development within *Neighbourhoods* is required to respect the existing physical character of buildings, streetscapes and open space patterns, and to reinforce the stability of the neighbourhood.

The Built Form policies of the Official Plan require that new development fit harmoniously into its existing context, and that new development locate main building entrances so they are clearly visible and directly accessible from the public sidewalk. The Yonge-Eglinton Secondary Plan states that a primary objective is to maintain and reinforce the stability of *Neighbourhoods*.

The *Neighbourhood* policies of the Official Plan reinforce that these areas are physically stable areas not designated for growth. The *Neighbourhoods* policies provide clearer direction, with the elements that are important to the character of the neighbourhood set out in Policy 4.1.5, including size and configuration of lots, height, massing, scale and dwelling type of nearby residential properties, prevailing building type(s), prevailing setbacks and landscaped open space.

OPA 320 strengthens and refines the Healthy Neighbourhoods and *Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods. It states that *Neighbourhoods* are low rise and low density residential areas that are considered to be physically stable.

The Midtown in Focus review of the Yonge-Eglinton Secondary Plan will ensure that growth contributes to Midtown's continued livability and vitality by establishing a clear and up-to-date planning framework. The emerging secondary planning framework will not direct growth to the *Neighbourhoods* and will protect their existing character and stability.

The prevailing building type in a neighbourhood referenced in Policy 4.1.5 is the predominant form of development. This is to ensure that the built form of redevelopment in stable low density residential areas is not only compatible with the existing neighbourhood but also reinforces the existing character. The Townhouse and Low-rise Apartment Guidelines

complement Policy 4.1.5, and state that a suitable building type is to be employed in order to ensure that new development fits well and responds appropriately to the surrounding context.

The existing character of the surrounding neighbourhood of the subject proposal is predominantly made up of detached and semi-detached dwellings generally two storeys in height. There is a prevailing pattern of large front and rear yard setbacks, allowing for a generous amount of landscaped open space.

The proposed apartment building with townhouses to the rear is a significant departure from the existing context and character of the surrounding neighbourhood. The proposed apartment building introduces a new building type in this neighbourhood that is not present currently. The proposed apartment building is contrary to the intent of the *Neighbourhoods* policy requiring new development to respect and reinforce the character of the neighbourhood, including the prevailing building type.

The proposed block of 9 townhouses introduces a built form that is also not the prevailing building type, and the location of the townhouses to the rear of the apartment building does not respect or reinforce the prevailing pattern of rear yard landscaped open space in the neighbourhood. The proposed apartment building will block almost all visibility of the townhouse units to the rear, except for a small driveway opening through the 1st and 2nd floors of the middle of the apartment building.

The Townhouse and Low-rise Apartment Guidelines requires that building entrances be visible from or have direct access from a street. The Guidelines note that where back to back units are permitted and would result in one side of the building facing an area that cannot be seen from a street, all entrances are to be located facing the street. High visibility and direct access to front doors from the sidewalk are to be maintained, especially when building entrances are not located on a public street.

The in force zoning, which generally reflects the character of the neighbourhood, does not permit dwelling units to the rear of another building.

In essence, this proposal would replace 8 dwellings on 8 separate lots with 37 dwellings on one large lot. The proposal introduces dwelling units to the rear of another building, which is not the prevailing character of the area.

New development must respect the existing character of the neighbourhood and serve to reinforce the stability of the neighbourhood. The proposed development does not conform to the Healthy Neighbourhood, *Neighbourhoods*, or Yonge-Eglinton Secondary Plan policies of the Official Plan, and does not meet the intent of the Townhouse and Low-rise Apartment Guidelines. The proposal does not fit the surrounding context, and sets a negative precedent adversely impacting the stability of the neighbourhood. The proposed development does not represent good planning.

Height, Massing, Density

The Built Form policies of the Official Plan state that new buildings are to be massed to frame adjacent streets and open spaces in a way that respects the existing street proportion. The *Neighbourhood* policies further require that the height, massing, and scale of new development respect and reinforce the existing character of the neighbourhood.

OPA 320 strengthens the *Neighbourhood* policies requiring new development to respect and reinforce the prevailing heights, massing, scale, density and dwelling type of the geographic neighbourhood. The geographic neighbourhood will be delineated by considering the context including zoning, prevailing dwelling type and scale, lot size and configuration, street pattern, pedestrian connectivity, and natural and human-made dividing features. The amended policies state that the word prevailing will mean most frequently occurring.

The existing character of the neighbourhood is predominantly made up of two-storey detached and semi-detached dwellings with sloped roofs. The prevailing heights in the neighbourhood comply with the maximum permitted height of 9 metres in the zoning by-law. The proposed 4-storey (13.46 metres, including rooftop walkout) apartment building fronting onto Roehampton Avenue does not frame the street with good proportion. The height of the apartment building does not respect or reinforce the existing character of the surrounding neighbourhood.

In addition, Roehampton Avenue slopes upward to the east and west of the site. As a result the proposed apartment building will appear even taller, and will be approximately 15.6 metres in height when measured from the proposed driveway to the top of the rooftop walkouts.

The *Neighbourhood* policies identify setbacks and prevailing patterns of rear yard and side yard setbacks as important to respecting and reinforcing the existing character of a neighbourhood.

The proposed townhouses, located in the rear yard of the apartment building, are setback 4.5 metres from the rear property line. The proposed rear yard setback does not respect and reinforce the existing character of large rear yard setbacks with generous amounts of landscaped open space, or meet the requirements of the zoning by-law.

The proposed density of the development, of 1.42 times the area of the lot, is out of scale with the surrounding context and does not respect or reinforce the existing character of the neighbourhood. The existing character of the neighbourhood is of low density dwellings that generally reflect the permitted density of 0.6 times the area of the lot.

The proposed 4-storey (13.46 metres, including rooftop walkout) apartment building will be attached to the semi-detached dwelling unit that is to remain on the west portion of the site. The lack of setback from the semi-detached dwelling is inappropriate as it results in a continuous street wall and does not respect or reinforce the prevailing character of the area. The elevation drawings show that the new apartment building will partially overhang the semi-detached dwelling unit that will remain on the west portion of the site.

The proposal does not meet the Built Form or *Neighbourhoods* policies of the Official Plan, or the policies of OPA 320, as the proposed apartment building and townhouses do not respect or reinforce the existing physical character of the neighbourhood, and do not represent good planning.

Shadow

The Built Form policies of the Official Plan require that new development limit its impacts on neighbouring properties by adequately limiting any resulting shadowing. The surrounding context of the proposal does not support dwellings to the rear of another building on the site. The location of the townhouses in the rear yard creates negative shadow impacts on the properties to the east in the late afternoon and early evening hours during the spring and fall equinox.

Vehicular Access

The proposed development provides access to the loading space and the below grade garage via a driveway in the middle of the site running through the apartment building. The proposed loading space, when in use, blocks the driveway and access to the parking garage. The loading space should be revised to not block vehicular access.

Servicing

City staff have requested the applicant to submit a revised functional servicing report to address site servicing including water, sanitary and stormwater.

Infrastructure capacity, specifically water, sanitary, and storm sewer capacity, within the Yonge-Eglinton Secondary Plan Area is under review as part of the Midtown in Focus program. In the event that the OMB allows the Official Plan and Zoning By-law Amendment appeal in whole or in part, the final order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Executive Director, Engineering and Construction Services, and the determination of whether holding provisions are required in the zoning by-law amendment.

Open Space/Parkland

Official Plan policies ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provision across the City. The subject lands are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people, the second lowest quintile of current provision of parkland. The site is in a parkland priority area, per Chapter 415, Article III of the Toronto Municipal Code.

The application is for two new buildings with 37 residential units and 4,853 square metres of residential gross floor area. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 493 square metres or 13.8 % of the site area. However, for development sites less than 1 hectare in size, a cap of 10% of the site area is applied to the residential use. In total, the parkland dedication requirement is 358 square metres.

This site is located in the Midtown in Focus Review (Yonge Eglinton Secondary Plan) and is an area where there is currently low provision of parkland. Therefore, the applicant is required to satisfy the parkland requirement through an on-site dedication. The park should be of a functional shape and size, located at the northwest corner of the site with frontage on Roehampton Avenue.

Given the current rise in dog ownership in the City, the applicant is requested to provide on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the building. This will help to alleviate some of the pressure on the existing neighbourhood parks.

Amenity Space

Zoning By-law 438-86 requires that 2 square metres of indoor and 2 square metres of outdoor amenity space be provided for every residential unit. For this proposal, the Zoning By-law requires a total of 52 square metres of indoor, and 52 square metres of outdoor amenity space. Zoning By-law 569-2013 requires a minimum of 4 square metres of amenity space per unit, with at least 2 square metres per unit as indoor amenity space.

No outdoor or indoor amenity space is currently proposed for the proposed development.

Rental Housing

The City's Official Plan Policy requiring replacement of the existing rental housing does not apply as fewer than six rental dwelling units are proposed to be demolished.

A Rental Housing Demolition Permit under Municipal Code Chapter 667 will be required for the demolition of one rental unit in relation to the six residential dwelling units.

A Tenant Relocation and Assistance Plan would not be required as the one rental dwelling was vacant at the time the application was made with the City (according to the application documentation).

Staff will continue to consider the Rental Housing Demolition Application. In the event the Board were to allow the appeal in whole or in part, it is recommended that no Board order should be issued until the approval of a Rental Housing Demolition Permit by the Chief Planner.

Conclusion

The proposal constitutes overdevelopment of the subject site and does not represent good planning. The proposed development does not respect or reinforce the existing character of the neighbourhood. The proposal would set a negative precedent, adversely impacting the stability of the neighbourhood.

The proposed built form does not conform to the in force Healthy Neighbourhoods, Built Form, *Neighbourhoods* or Yonge-Eglinton Secondary Plan policies of the Official Plan, and is not consistent with the Provincial Policy Statement or conform with the Growth Plan.

The proposed development does not conform with OPA 320 or the emerging directions from the Midtown in Focus review for the Yonge-Eglinton Secondary Plan. Further, the proposed development does not adequately address the City's Townhouse and Low-rise Apartment Guidelines, or the intent of those guidelines.

CONTACT

David Driedger, Senior Planner

Tel. No. 416-392-7613

E-mail: David.Driedger@toronto.ca

SIGNATURE

Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

(P:\2017\Cluster B\pln\TEYCC\32869414055.doc) - vc

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Official Plan

Attachment 5: Yonge-Eglinton Secondary Plan

Attachment 6: Application Data Sheet

Architectural floor plan of a multi-story building, likely a school or institutional structure. The plan is oriented with Roehampton Avenue to the left. Key areas include classrooms, a library, a gymnasium, and administrative offices. The plan is divided into North Block and South Block sections. The drawing includes detailed annotations for room numbers, dimensions, and construction notes.

Room Labels and Dimensions:

- CLASSROOMS: 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880,

413-435 Roehampton Ave

Not to Scale
09/28/2017



Attachment 2: Elevations



North Block - North Elevation

Applicant's Submitted Drawing

Not to Scale
09/28/2017

413-435 Roehampton Ave

File # 16 225815 STE 22 02



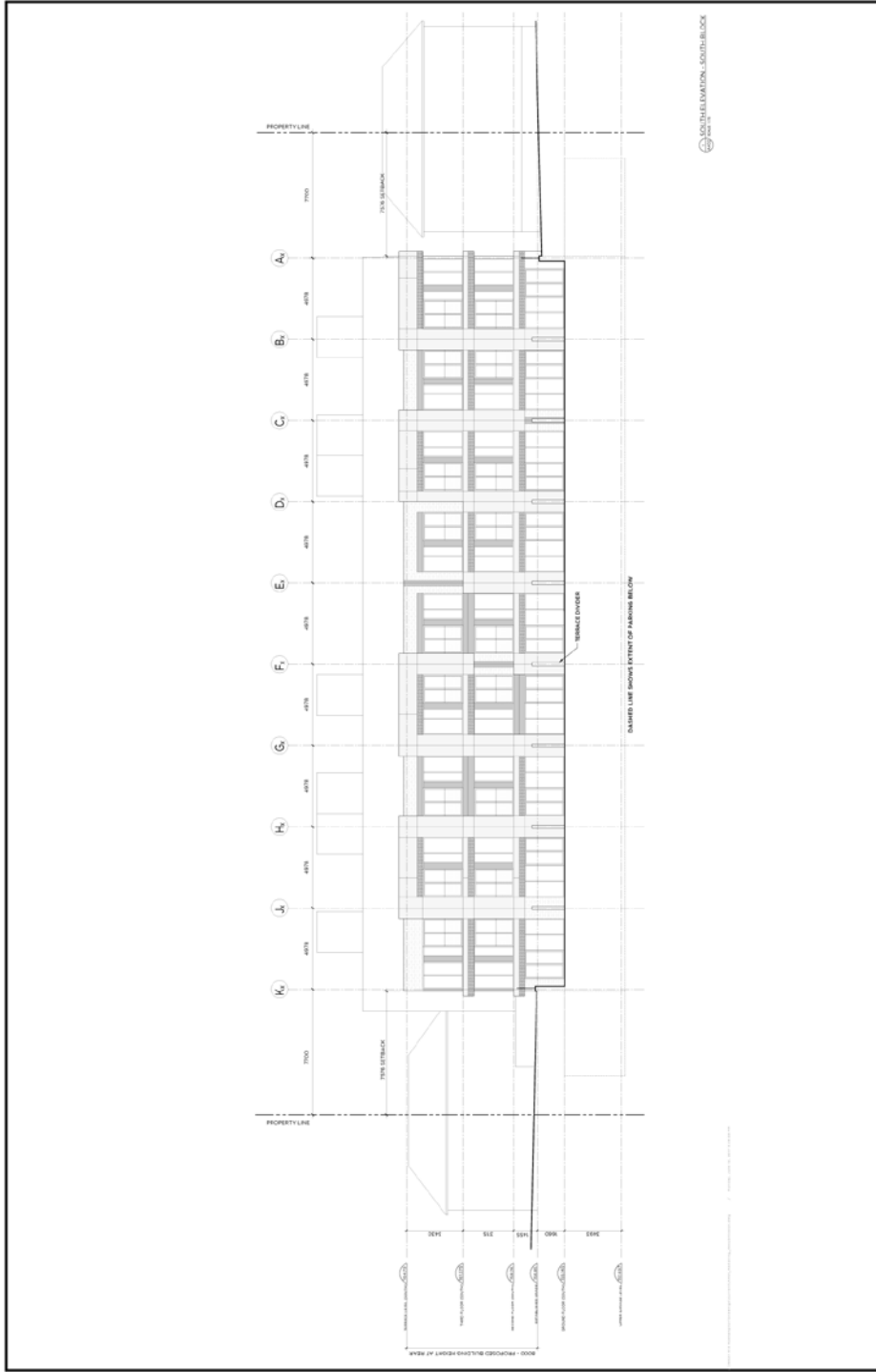
North Block - South Elevation

Applicant's Submitted Drawing

Not to Scale
08/28/2017

413-435 Roehampton Ave

File # 16 225815 STE 22 02



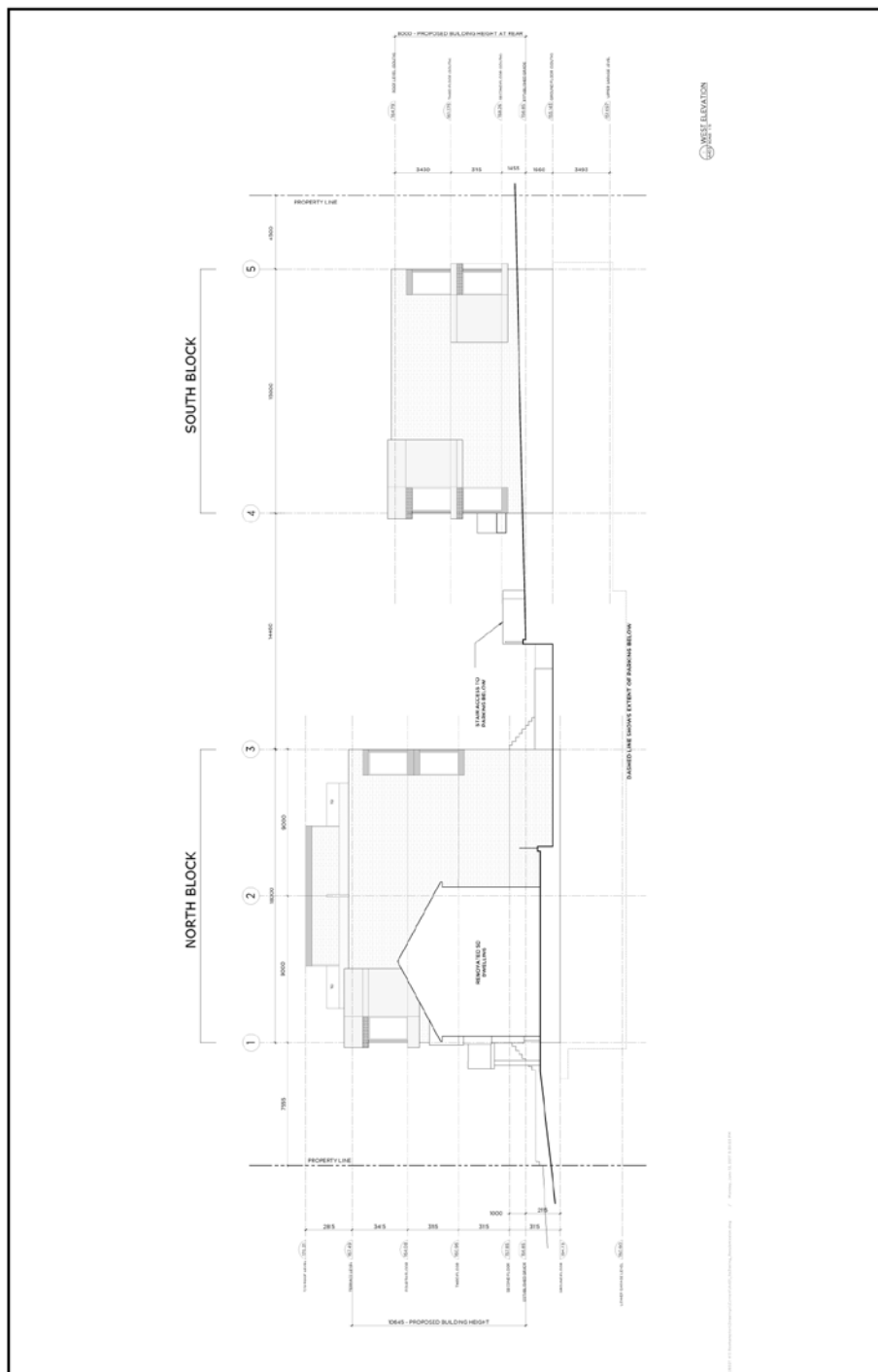
South Block - South Elevation

413-435 Roehampton Ave

Applicant's Submitted Drawing

Not to Scale
09/28/2017

File # 16 225815 STE 22 0Z

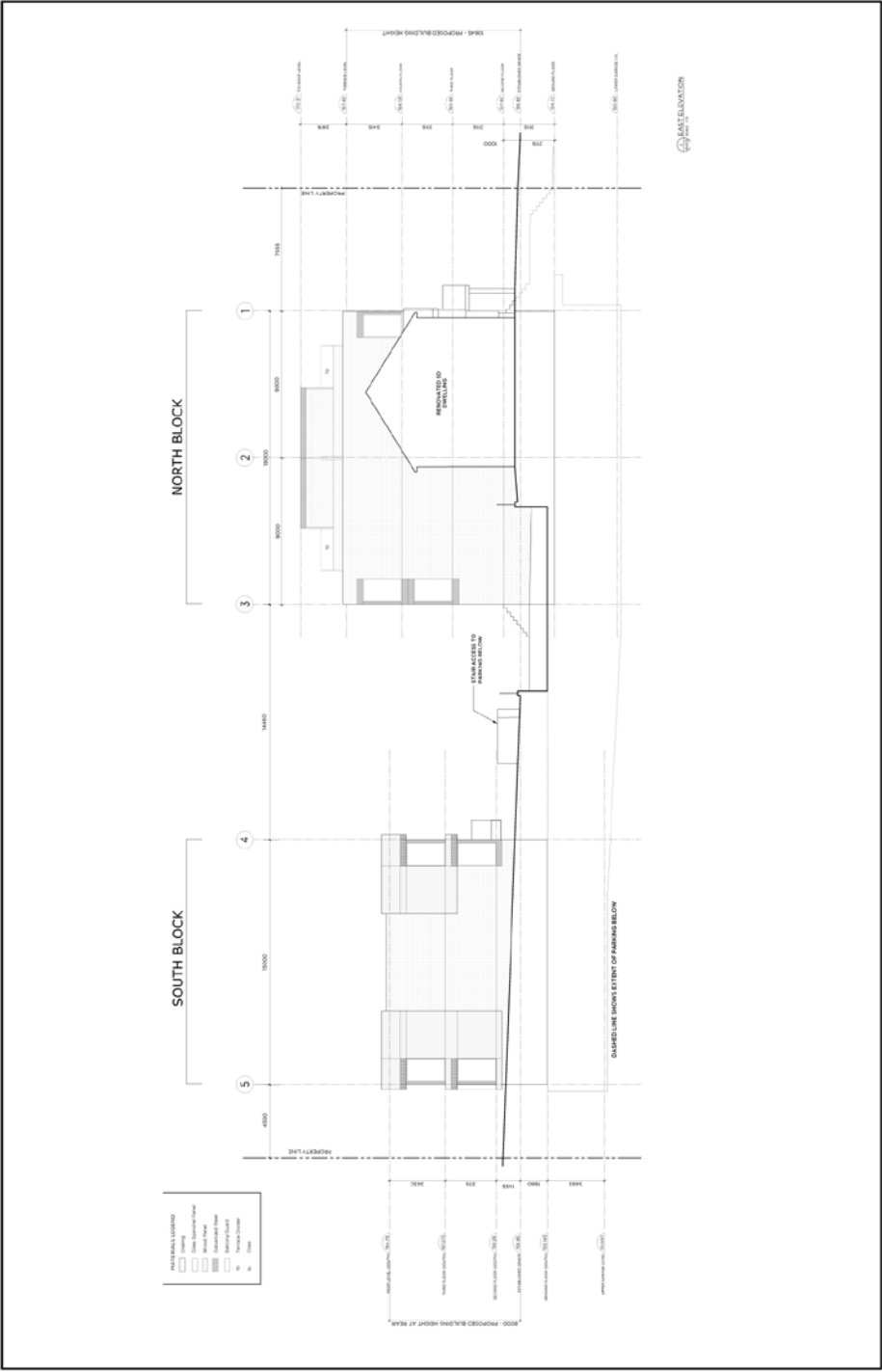


West Elevation
Applicant's Submitted Drawing

Not to Scale
09/28/2017

413-435 Roehampton Ave

File # 16 225815 STE 22 0Z

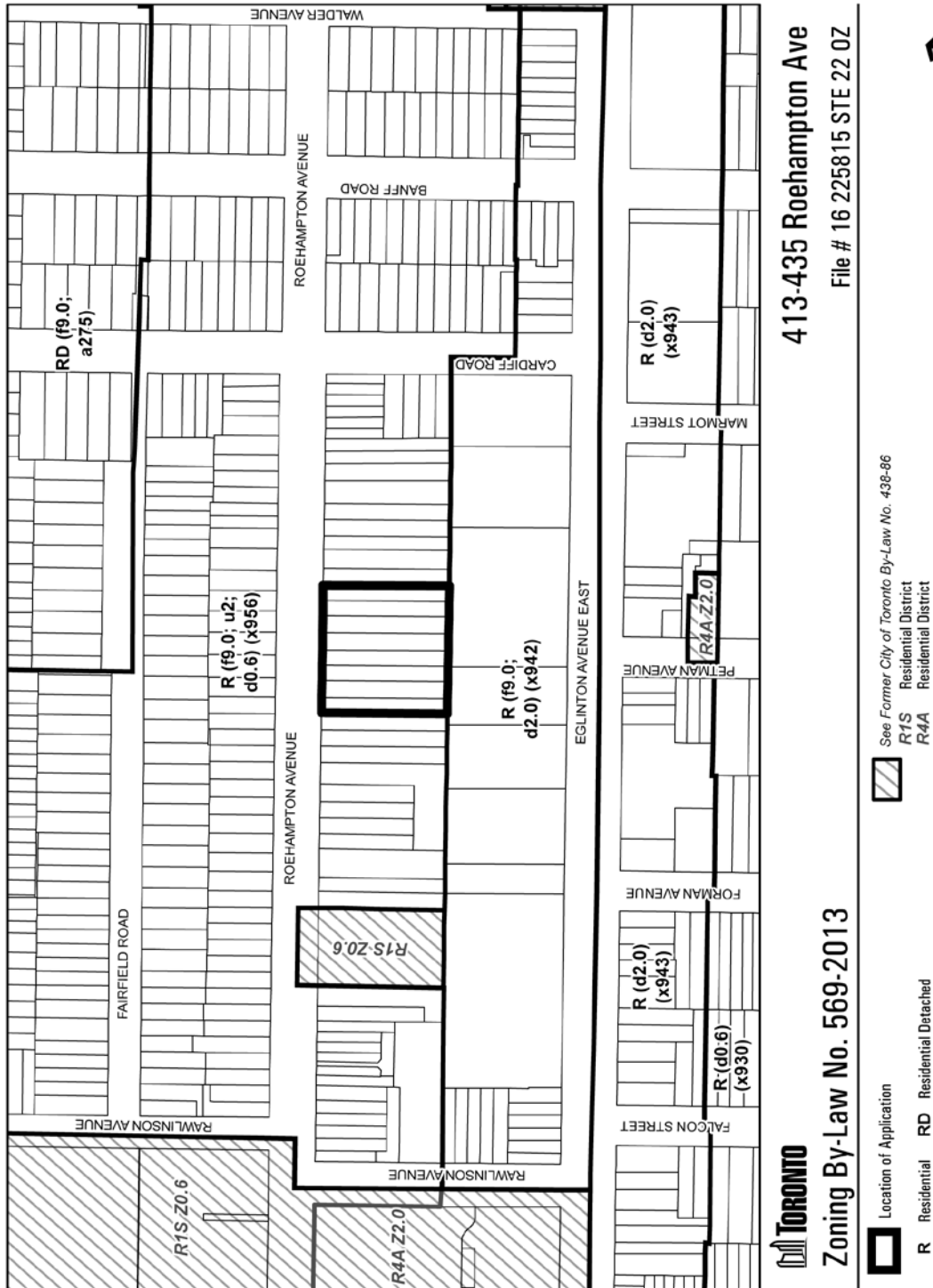


East Elevation
Applicant's Submitted Drawing
Not to Scale
09/28/2017

413-435 Roehampton Ave

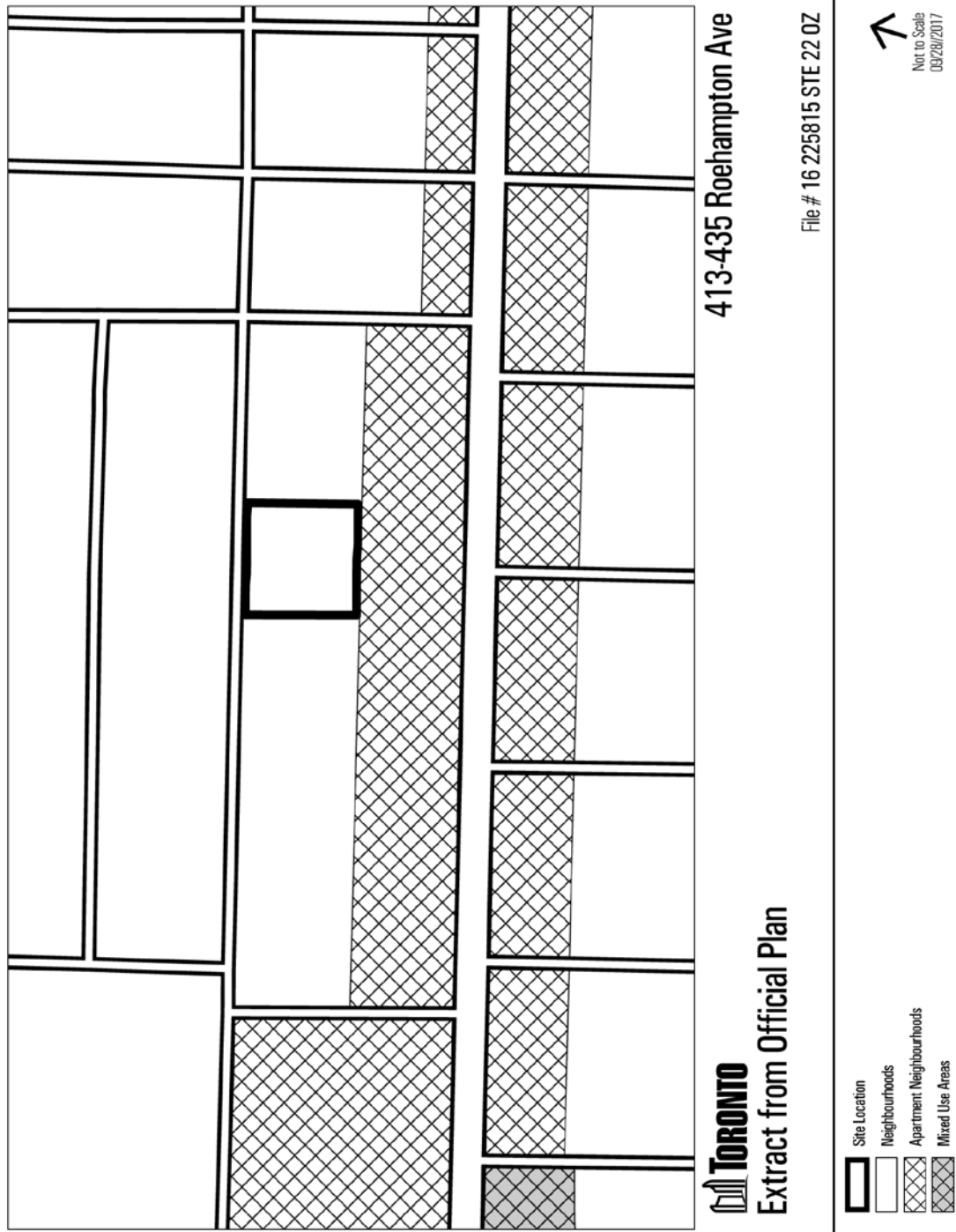
File # 16 225815 STE 22 0Z

Attachment 3: Zoning

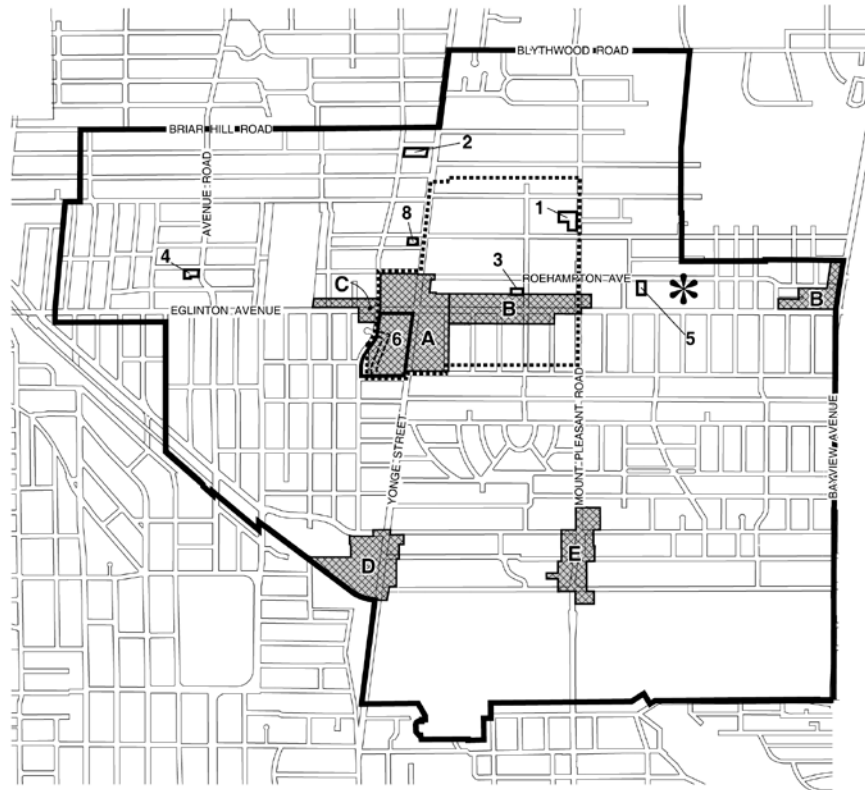


Not to Scale
Extracted: 09/28/2017

Attachment 4: Official Plan



Attachment 5: Yonge-Eglinton Secondary Plan



Not to Scale ↑



Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

- Secondary Plan Boundary
- Yonge-Eglinton Centre
- Mixed Use Areas
- Site and Area Specific Policies
- Proposed Road
- Subject Site

July 2014

Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	16 225815 STE 22 OZ
Details	OPA & Rezoning, Standard	Application Date:	September 20, 2016
Municipal Address:	413 ROEHAMPTON AVE		
Location Description:	PLAN 639 PT LOT 31 **GRID S2201		
Project Description:	4-storey, 26-unit apartment building and a 9-unit townhouse block, with one level of underground parking.		

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC., 3 Church Street, Suite 200, Toronto ON, M5E 1M2	BOUSFIELDS INC., 3 Church Street, Suite 200, Toronto ON, M5E 1M2	RAW, 405-317 Adelaide Street West, Toronto ON, M5V 1P9	MT PLEASANT ROEHAMPTON DEVELOPMENTS LIMITED

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	R (f9.0, u2, d.0.6) (x956)	Historical Status:	N
Height Limit (m):	9	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	3576	Height:	Storeys:	4
Frontage (m):	60		Metres:	13.46
Depth (m):	59.5			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	4853		Parking Spaces:	45
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	4853			
Lot Coverage Ratio (%):	0			
Floor Space Index:	1.4			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	4853	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	4	Office GFA (sq. m):	0	0
2 Bedroom:	20	Industrial GFA (sq. m):	0	0
3 + Bedroom:	13	Institutional/Other GFA (sq. m):	0	0
Total Units:	37			

CONTACT:	PLANNER NAME:	David Driedger, Senior Planner
	TELEPHONE:	416-392-7613 - EMAIL: David.Driedger@toronto.ca