



REPORT FOR ACTION

3005 Bloor Street West and 14 Humbervale Boulevard - Official Plan and Zoning Amendment Applications – Request for Directions Report

Date: June 28, 2018

To: Etobicoke York Community Council

From: Joe Nanos, Director, Community Planning, North York District

Wards: Ward 5 – Etobicoke-Lakeshore

Planning Application Number: 17 183044 STE 30 OZ

SUMMARY

The applicant has appealed the Official Plan and Zoning By-law Amendment applications to the Local Planning Appeal Tribunal (LPAT) due to Council's failure to make a decision on the applications within the time prescribed by the Planning Act. A prehearing at the Local Planning Appeal Tribunal has been scheduled on September 18, 2018.

The application proposes to amend the Official Plan and Zoning By-law to permit an 8-storey mixed use building and a 2-storey single-detached residential building at 3005 Bloor Street West and 14 Humbervale Boulevard. The proposed mixed-use building would have a total gross floor area of 6,858 square metres and would contain 81 residential units, 506 square metres of retail space on the ground floor, a total of 81 vehicular parking spaces located in 2 levels of below grade parking and 67 bicycle parking spaces located on the ground floor and P1 level.

This report recommends that the City Solicitor, together with City Planning staff, attend the LPAT hearing in opposition to the current proposal. The proposal is inappropriate with regards to the proposed height, massing and density, and would negatively impact the vitality of this main street. The proposal also represents an inappropriate transition to the *Neighbourhoods* designation to the south, among other issues outlined in this report.

The proposed development is not consistent with the Provincial Policy Statement (2014) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017).

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Local Planning Appeal Tribunal (LPAT) hearing to oppose the Zoning By-law Amendment application in its current form.
2. Should the LPAT approve, in whole or in part, the applications, City Council authorize the City Solicitor to request that the LPAT withholds its Order(s) approving the application until such time as:
 - a) The Tribunal has been advised by the City Solicitor that the proposed Official Plan and Zoning By-law Amendments are in a form satisfactory to the City;
 - b) A Section 37 Agreement has been executed to the satisfaction of the City Solicitor; and
 - c) Outstanding servicing issues are addressed to the satisfaction of Engineering Construction Services including any necessary infrastructure upgrades.
3. Should the LPAT approve the application, in whole or in part, City Council direct the City Solicitor to advise the Board that the zoning by-laws should not be approved without the provision of such services, facilities or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner in consultation with the applicant and the Ward Councillor.
4. The City Solicitor and appropriate staff be authorized to continue discussions with the applicant to address the issues outlined in this report and to report back to City Council if any substantial positive changes are achieved.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The application was received on November 27, 2017 and on May 2, 2018 Etobicoke York Community Council deferred a Preliminary Report on the

applications to its meeting on June 6, 2018 to allow City Planning staff an opportunity to submit a Request for Directions Report in light of the appeals filed March 28, 2018 with the Local Planning Appeal Tribunal regarding the Official Plan and Zoning By-law amendment application for 3005 Bloor Street West and 14 Humbervale Boulevard.

The Request for Directions report was deferred from the June 6, 2018 to the July 4, 2018 Etobicoke York Community Council meeting to allow for an evening timeslot.

The Preliminary Report is available at:

<https://www.toronto.ca/legdocs/mmis/2018/ey/bgrd/backgroundfile-113314.pdf>

ISSUE BACKGROUND

Proposal

The application proposes to amend the Official Plan and Zoning By-law to permit an 8-storey mixed use building and a 2-storey single-detached residential dwelling at the southwest corner of Bloor Street West and Humbervale Boulevard. The proposed height of the building would be 33.1 metres including the mechanical penthouse. The proposed 8-storey building would front onto Bloor Street West and the proposed 2-storey single detached dwelling would front onto Humbervale Boulevard. The total proposed gross floor area on site would be 6,858 square meters which would include 506 square meters of retail space located on the ground floor of the 8-storey building. The proposed retail space would front onto Bloor Street West. The proposed Floor Space Index (FSI) would be 4.39.

Along Bloor Street West, the mixed use building would be set back from the property line by 0.24 metres on floors 2 through 5, with a streetwall height of 18.3 metres. The building face at the ground floor along Bloor Street West would be undercut, providing a setback of 4.8 metres from the curb (2.41 metres from the property line, as widened). Above the 5th storey, the building would step back a further 1.5 metres at the 6th floor, 1.5 metres at the 7th floor, 3.35 metres at the 8th floor and 3.89 metres above the 8th floor to the mechanical penthouse and rooftop amenity area.

Along the Humbervale Boulevard frontage, the mixed use building would be setback 2.28 metres from the street curb line (0.44 metres from the property line).

The south side of the 8-storey building would step back 1.5 metres at the 5th floor, 3.05 metres at the 7th floor, and 3.41 metres at the 8th floor. Above the proposed 8th floor, the building would step back 4.64 metres to the mechanical penthouse and rooftop outdoor amenity area.

The proposed 2-storey single detached residential dwelling would be located at the rear of the 8-storey building and would be setback approximately 3.5 metres from the south property line and the proposed driveway would be setback 0.6 metres from the south property line.

The application proposes an exit stairway structure in the southwest corner of the site (at the rear of the 2-storey single detached dwelling) which would provide pedestrian access to the underground parking. The exit stairway structure would be set back approximately 0.6 metres from the rear property line and 0.9 metres from the west property line.

A total of 81 residential units including the 2-storey single-detached dwelling at 14 Humbervale Boulevard are proposed. Within the 8-storey mixed use building 80 residential units are proposed on floors 2 through 8 which would include 6 one-bedroom units (8%); 23 one-bedroom plus den units (29%); 12 two-bedroom units (15%); 31 two-bedroom plus den units (39%); 6 three-bedroom units (8%); and one 3-bedroom plus den unit (1%). Each unit would have access to a balcony or terrace.

The single detached dwelling would contain three bedrooms and a backyard at the rear.

A total of 176 square metres of indoor amenity space would be provided in the 8-storey building including approximately 37 square metres on the ground floor and approximately 139 square metres on the 2nd floor. A total of 231 square metres of outdoor amenity space would be provided which includes approximately 138 square metres on a 2nd floor terrace and approximately 93 square metres on the rooftop connected to a green roof.

Vehicular access would be provided by a 6 metre private driveway from Humbervale Boulevard. The private driveway would be located to the south of the 8-storey building and to the north of the single-detached dwelling at 14 Humbervale Boulevard. Loading and garbage collection facilities for residential and retail uses would be consolidated into a single shared Type G/B loading facility. These facilities would be located on the ground floor and accessed from the private internal driveway. A separate driveway would be provided adjacent to the 2-storey single detached dwelling at the south side.

A total of 81 parking spaces would be proposed within 2 levels of underground parking in the 8-storey building. These would include 13 visitor spaces (including 5 retail spaces) and 68 residential parking spaces (27 spaces located on the P1 level and 41 on the P2 level). One parking space would be provided at grade for the 2-storey single-detached dwelling. The proposed levels of underground

parking would extend under the entire site including the 2-storey single family dwelling at 14 Humbervale Boulevard.

A total of 67 bicycle parking spaces would be provided which would include 45 spaces at grade (39 residential and 6 retail spaces) and 22 spaces within a bicycle locker room on the P1 level for residents. See Attachment 1: Figure 1: Application Data Sheet for further information.

Site and Surrounding Area

The subject site is generally rectangular in shape with a frontage of approximately 37 metres along Bloor Street West and 52 meters along Humbervale Boulevard, with a total area of approximately 1,935 square metres. The site is currently occupied by a 2-storey commercial building containing a car wash (Kingsway Car Wash) on the ground floor and a boxing gym (Kingsway Boxing Club) on the second storey. There are approximately 21 surface parking spaces with vehicular access being provided from both Bloor Street West and Humbervale Boulevard. A one-storey single detached residential dwelling is located at 14 Humbervale Boulevard. There are no existing trees on the portion of the site at 3005 Bloor Street West. There are 7 existing trees on the portion of the site at 14 Humbervale Boulevard.

North: Bloor Street West and 2-storey street-related commercial and mixed use buildings on the north side of the street.

South: Low-rise residential neighbourhood of 1 to 2-storey detached dwellings.

East: 2-storey street-related commercial and mixed use buildings along Bloor Street West.

West: 6-storey mixed use building at the southeast corner of Royal York Road and Bloor Street West.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") 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;
- 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 provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the [*Planning Act*](#) and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth 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.

The Growth Plan builds upon the policy foundation provided by the PPS 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.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan, OPA 320, the Bloor Kingsway Urban Design Guidelines, the Mid-Rise Performance Standards and Growing Up: Planning for Children in New Vertical Communities Draft Urban Design Guidelines:

Chapter 2 Shaping the City

The portion of the site located at 3005 Bloor Street West is located along an *Avenue* on Map 2 – Urban Structure of the Official Plan.

Section 2.2.3. describes *Avenues* as important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit service for community residents.

The framework for new development on each *Avenue* will be established through an *Avenue* Study, resulting in appropriate zoning and design guidelines created in consultation with the local community. Development applications which proceed in advance of an *Avenue* Study are required to complete a study, called an *Avenue* Segment Study, which will address the impacts of the incremental development of a portion of the *Avenue* at a similar form, scale and intensity.

An *Avenue* Study and framework for new development were previously completed for the Bloor-Kingsway area. The in-force area-specific Bloor-Kingsway Urban Design Guidelines were approved by City Council in 2000 and the related zoning was updated in 2003.

Although an Avenues Study was previously completed, an *Avenue* Segment Study has been submitted to support the proposed height and density of the application which is beyond what is contemplated by the Bloor-Kingsway Urban Design Guidelines and related zoning by-law. The *Avenue* Segment Study has been provided in this instance to evaluate the impacts of similar mid-rise developments to the proposal along Bloor Street West between Royal York Road and Prince Edward Drive and their potential impact on the *Avenue*.

Chapter 4 Land Use Designations

The portion of the property located at 3005 Bloor Street West is designated *Mixed Use Areas* on Map 14-Land Use Plan. Section 4.5 of the Plan indicates

that the *Mixed Use Areas* designation provides for a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing." However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Policy 4.5.2 states that development in *Mixed Use Areas* will:

- 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; and
- take advantage of nearby transit services.

The portion of the site located at 14 Humbervale Boulevard is designated *Neighbourhoods* on Map 14- Land Use Plan. Section 4.1 in the Official Plan states that *Neighbourhoods* are considered physically stable areas, which include residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and walk-up apartments. Parks, local institutions, home occupations, cultural and recreational facilities and small scale retail service and office uses are also provided for in *Neighbourhoods*. Local institutions include uses such as seniors and nursing homes and long term care facilities. The Official Plan also states that no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood. In addition, physical changes to established *Neighbourhoods* must be sensitive and fit its existing context and physical character.

Policy 4.1.5 of the Official Plan requires development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, including in particular:

- Size and configuration of lots;
- Heights, massing, scale and dwelling type of nearby residential properties;
- Prevailing building type(s);
- Setbacks of buildings from the street or streets;
- Continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- Prevailing patterns of rear and side yard setbacks and landscaped open space.

Section 2.3.1, *Healthy Neighbourhoods*, in the Official Plan includes policies for development in *Mixed Use Areas* adjacent to *Neighbourhoods*. In particular, policy 2 in this section states that development in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Section 3.1.2, Built Form, of the Official Plan includes built form policies for new developments to ensure the proposed building would be located and organized to fit within an area's existing and/or planned context, minimize vehicular access and loading, limit impact on as well as frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual view to these spaces.

Section 3.2.1, Housing, of the Official Plan includes policies to encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 3.2.1.2 requires that new housing supply will be encouraged through intensification and infill that is consistent with the Plan.

Map 3 of the Official Plan, Right-of-Way Widths Associated with Existing Major Streets, identifies this portion of Bloor Street West as having a 27 m right-of-way.

All other relevant Official Plan policies will be considered in the evaluation of this development proposal.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhood* sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal. These appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found here: www.toronto.ca/OPreview/neighbourhoods.

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* and in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas*. The new criteria address aspects of new development such as amenity and service areas, lighting and parking.

The outcome of staff analysis and review of relevant Official Plan policies and designations noted above are summarized in the Comments section of the Report.

Zoning

The lands are zoned Limited Commercial – Avenues (AV) in the Etobicoke Zoning Code, as amended by By-law 941-2003 (the Bloor-Kingsway *Avenues* By-law). The AV zone permits a wide range of commercial uses and residential dwelling units located above commercial uses. The zoning regulations include a maximum building height of 6 storeys and 18 m, a 45 degree angular plane from low density residential areas, requirements for a cornice line above the 2nd storey and a 3.0 m stepback on all sides above the fifth storey. The zoning permits a maximum density of 3.0 times the area of the lot, and also includes a number of parking and transportation-related regulations.

The portion of the site located at 14 Humbervale Boulevard is zoned Second Density Residential (R2) under the Etobicoke Zoning Code. This zone permits a detached dwelling with a lot frontage of 13 m, an area of 510 m², a lot coverage maximum of 33% of the lot and a maximum height of 11 m.

Toronto Zoning By-law 569-2013 does not apply to the portion of the site fronting on to Bloor Street West (3005 Bloor Street West). However, the rear portion of the site (14 Humbervale Boulevard) is zoned Residential Detached - RD (f13.5; a510; d0.45) (x42) under the Toronto Zoning By-law 569-2013. This zone permits a detached dwelling with a lot frontage of 13.5 m, an area of 510 m², maximum height of 9.5 m and a maximum floor space index of 0.45.

This portion of the site is also subject to site specific exemption RD 42 which permits a detached house with a maximum floor space index of 0.5. The exception includes a minimum side yard setback requirement for a full or partial second storey above an existing detached house.

Design Guidelines

Bloor-Kingsway Urban Design Guidelines

At its meeting held on February 1, 2 and 3, 2000, Toronto City Council adopted, without amendment, the Kingsway/Bloor Street District Urban Design Guidelines and their incorporation into the Etobicoke Official Plan as an "Area of Special Identity".

The purpose of the Urban Design Guidelines for the area was to enhance the existing Etobicoke Official Plan policies and the evaluative criteria used in reviewing new development proposals along Bloor Street, extending from Mimico Creek, in the west, to Prince Edward Drive, in the east.

The Guidelines were designed to ensure a high quality of urban design and building treatment that is sensitive to significant features within this commercial-residential strip and the existing adjoining neighbourhoods.

The guidelines were premised on six main goals and objectives:

- a) to identify and reinforce the distinctive character of the area;
- b) to encourage the ongoing use of the mainstreet in providing local shops, services and amenities;
- c) to preserve and enhance the pedestrian urban experience;
- d) to encourage an appropriate building type and design to be achieved in new development; and
- e) to accommodate intensification and to identify appropriate parking and servicing requirements.

The intent of the guidelines was to ensure compatibility with the existing two-storey “mainstreet” character and pedestrian experience.

The Bloor-Kingsway Urban Design Guidelines allow for more intense development than what currently exists along this stretch of Bloor Street, while requiring development to respect the existing context and maintain and improve the pedestrian retail strip. In response to the existing 1 and 2 storey built form, the guidelines specify a 2 storey base building, with cornice line and/or stepback, and then a further stepback above a height of 14 metres. The guidelines recommend a building height maximum of 6 storeys (18 metres). The guidelines also require a 1.2 metre setback from Bloor Street West, to expand the public realm. The guidelines indicate that in order to preserve sunlight on the north side of the street, additional stepbacks may be required for buildings on the south side of Bloor Street West.

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study containing performance standards for mid-rise buildings in 2010. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum in 2017, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Its decision is here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Section 2.1 "Where the Recommendations Apply" of the guidelines set out in Map 1 where certain lands are excluded from the applicability of the Avenues and Mid-Rise Buildings Performance Standards. The stretch of Bloor Street West where the proposed development is located is one of the excluded segments. Reasons why certain segments have been excluded include: portions of Avenues where an Avenues Study is completed or underway, portions of an Avenue within a Secondary Plan Area and portions of an Avenue that have been subject to

other City-led studies that have resulted in an Official Plan Amendment and/or New Zoning By-law. Where the guidelines do not apply, they continue to represent good principles of urban design and can be used to augment local guidelines, particularly to address aspects of new development that were not addressed in previously developed local guidelines.

In the case of this proposal, this site is located within the Bloor-Kingsway Urban Design Guidelines area and therefore, is subject to these guidelines and the related zoning bylaw for the Bloor-Kingsway Avenues (AV) zone. Therefore, the Midrise Buildings Performance Standards do not apply in this instance.

Growing Up: Planning for Children in New Vertical Communities Draft Urban Design Guidelines

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

Site Plan Control

The proposed development is subject to Site Plan Control. A Site Plan application for this development has yet to be filed.

Reasons for Application

An amendment to the Official Plan is being sought to allow elements such as the underground parking and exit stairwell servicing the proposed 8-storey building to be located within a *Neighbourhoods* designation on the portion of the site at 14 Humbervale Boulevard. The amendment also includes provisions to provide transition by way of a 45 degree angular plane to the adjacent *Neighbourhoods* designation from the south lot line of 14 Humbervale. An amendment to the former City of Etobicoke Zoning By-law 941-2003 is required to increase the permitted height and density and to revise other development regulations as necessary to accommodate the proposal.

Application Submission

The following reports/studies were submitted in support of the application:

- Planning Rationale, including a Community Services and Facilities Study
- Avenue Segment Study
- Shadow Studies
- Toronto Green Standard Checklist
- Energy Strategy Report

- Public Consultation Strategy
- Stormwater Management Report
- Functional Servicing Report
- Hydrogeological Investigation Report
- Land Use Planning Noise and Vibration Feasibility Study
- Traffic Impact Study
- Pedestrian Wind Study
- Arborist Report

The reports/studies can be viewed at the following link:

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4287306&isCofASearch=false&isTlabSearch=false>

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Planning Act

The *Planning Act*, Section 2 has regard to matters of provincial interest such as:

- (r) the promotion of built form that:
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The proposed development does not have regard to matters of provincial interest as stated above found in Section 2 of the Planning Act. Although located in an area where growth is encouraged, the proposed massing and scale of the 8-storey building is not well-designed and does not consider the adjacent existing building context as well as policies within the Official Plan, the in force Bloor-Kingsway Urban Design Guidelines, and the related zoning bylaw for the Bloor-Kingsway Avenues (AV) zone which aid in ensuring the built form encourages a sense of place along the *Avenue* and provides for public spaces such as streets that are of high quality, safe, accessible, attractive and vibrant.

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017).

While the proposed development is consistent with portions of the Provincial Policy Statement (2014) (PPS), it is not consistent with the document in its entirety. The proposed development is aligned with the high-level policies regarding intensification near transit where public infrastructure is already in place. However, the proposed level of intensification is not consistent with the PPS when read as a whole, as it does not sufficiently address the existing building stock or existing area context, the importance of maintaining and enhancing the vitality and viability of main streets in Section 1.7.1, the role and importance of official plan policies referred to in Section 4.7, and the importance of zoning by-laws for implementation of the PPS in Section 4.8.

In planning to achieve the minimum intensification and density targets in the PPS and Growth Plan, municipalities are directed by Policy 4.7 of the PPS which states that Official Plans shall identify provincial interests and set out appropriate land use designations and policies to direct development in suitable places. This is echoed in Policy 5.2.5.6 of the Growth Plan which states that municipalities are to develop and implement urban design and site design Official Plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The City has identified the front portion of the site fronting on to Bloor Street West as an *Avenue* where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

The City of Toronto has encouraged redevelopment on *Avenues* through a number of Official Plan policies and design guidelines including *Avenues*, Healthy Neighbourhoods, and Built Form policies, the in force Bloor-Kingsway Urban Design Guidelines and the zoning bylaw for the Bloor-Kingsway Avenues (AV) zone.

The proposal is not consistent with the policies in the PPS above as the height and density proposed is out of character with other developments in the area and does not conform to policies within the Official Plan and the Bloor-Kingsway Urban Design guidelines. The proposed massing will have direct impacts on the public realm, including the adjacent streets and sidewalks, thereby negatively affecting the vitality of the main street.

The proposed development conforms with the Growth Plan (2017) policies related to managing growth by directing where growth should be located (within settlement areas and near higher order transit). However, the level of intensification sought in the current proposal does not conform and conflicts with the Growth Plan policies about how much growth is appropriate and in what form, given the existing context.

Policy 2.2.2.4 of the Growth Plan states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout the delineated built-up areas which will:

- a) encourage intensification generally to achieve the desired urban structure;
- b) identify the appropriate type and scale of development and transition of built form to adjacent areas;
- c) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

The appropriate type and scale of development and transition of built form to adjacent areas has been outlined in the Official Plan, Bloor/Kingsway Urban Design Guidelines and the zoning bylaw for the Bloor-Kingsway Avenues (AV) zone. As mentioned above, the current proposal does not provide the appropriate scale of development and transition of built form to adjacent areas as outlined in these documents and the excessive massing proposed results in negative impacts.

Although the proposal is aligned with policies related to intensification near transit stations, the level of intensification proposed is not fully consistent with the PPS and does not fully conform with the Growth Plan in relation to the proposed height, massing and density on site. These documents recognize 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 City's Official Plan meets the requirements of the PPS and the Growth Plan however the proposal does not conform to policies of the Official Plan including policies for *Avenues*, *Healthy Neighbourhoods* and *Built Form*.

Land Use

In the submitted planning rationale, the applicant indicates that the Official Plan Amendment has been proposed to permit the redevelopment to include the property at 14 Humbervale Boulevard in order to use the south property line at 14 Humbervale Boulevard as the line from which the rear transition is measured for the 8-storey building. The Official Plan Amendment is also being sought to introduce a Site and Area Specific policy permitting the comprehensive redevelopment of the combined site, underground garage, transformer, associated service areas and a pedestrian ingress/egress to the underground

garage at the rear of the *Neighbourhoods* portion of the site. The property at 14 Humbervale Boulevard would remain as a *Neighbourhoods* designation.

This is not appropriate in this instance as the rear of the proposed single family dwelling would be used to service the mid-rise building fronting onto Bloor Street by way of locating the pedestrian exit stair to the underground parking in this area. Beneath the proposed single detached dwelling there is the sanitary, stormwater tank and water treatment system as well as an air exhaust and transformer located adjacent to the staircase. Locating the servicing for the mid-rise building on this *Neighbourhoods* portion will impact trees on site and will set a precedent for other properties with a similar lot configuration along the *Avenue* to utilize *Neighbourhoods* lots as an extension of a *Mixed Use Areas* site.

In the Official Plan, *Neighbourhoods* contain a full range of residential uses within lower scale buildings, as well as, parks, schools, local institutions and small-scale stores and shops that serve the needs of area residents. Policy 4.1.1 in the Plan states that *Neighbourhoods* are considered physically stable areas made up of residential uses.

The Plan goes on to say in section 4.1.5 that Development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood. The prevailing building type will be the predominant form of development in the neighbourhood. Some *Neighbourhoods* will have more than one prevailing building type. In such cases, a prevailing building type in one neighbourhood will not be considered when determining the prevailing building type in another neighbourhood.

This is echoed in Section 2.3.1 Healthy Neighbourhoods in the Plan where policy 2.3.1.1 states that *Neighbourhoods* and *Apartment Neighbourhoods* are

considered to be physically stable areas. Development within *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

The rear yard of the proposed residential dwelling at 14 Humbervale Boulevard would be used to service the proposed 8-storey building fronting Bloor Street West by increasing the extent of the underground garage, providing access stairs, a transformer and other sanitary and stormwater services beneath the proposed residential dwelling. The proposed detached dwelling would not function similar to other detached residential dwellings in the area. This is not conducive to the *Neighbourhoods* policies in Section 4.1 and Healthy Neighbourhoods Policies in Section 2.3.1 of the Official Plan as cited above as these servicing functions for the proposed 8-storey building do not respect and reinforce the character of the *Neighbourhood* and are not appropriate.

As proposed, the impacts of the 8-storey building are brought closer into the established *Neighbourhood*.

The proposed detached dwelling at 14 Humbervale Boulevard contains a 3.52 metre setback from the south property line. However, located within that setback is a 2.8 metre driveway and parking for the detached dwelling. The application provides for no landscaped separation between the proposed dwelling at 14 Humbervale and the existing dwelling at 16 Humbervale Boulevard. Further separation should be provided by way of a landscape strip with sufficient space for tree planting along the south lot line as well as a decorative metal or wood fence in this location.

Furthermore, the applicant has proposed to transition the 8-storey building to the *Neighbourhoods* designation from the south property line at 14 Humbervale Boulevard. An Official Plan Amendment is proposed in this location to permit increased massing of the proposed 8-storey building in the *Mixed Use Areas* designation by moving the boundary at which the 45 degree angular plane is measured further south. Staff do not agree with the approach in obtaining transition from the south property line at 14 Humbervale Boulevard as it would set a precedent along the *Avenue* corridor for similarly configured lots by permitting increased building massing impacts closer into the *Neighbourhoods* designation.

Ultimately, the application proposes the utilization of an additional *Neighbourhoods* parcel to aid in servicing and permitting additional massing of an 8-storey building fronting an *Avenue* by disguising its purpose with the construction of a new residential detached dwelling at 14 Humbervale Boulevard.

This results in an 8-storey building that does not adequately transition to the adjacent *Neighbourhoods* designation.

Height, Massing and Density

Section 3.1.2 Built Form in the Official Plan, Policy 3.1.2.3, sets out requirements relating to building height, street proportion and resulting shadowing. This policy states, "New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

- a) Massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- b) Incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- c) Creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- d) Providing for adequate light and privacy;
- e) Adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- f) Minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility."

The application proposes an 8-storey building with a height of 27.65 metres to the top of the building and an overall height of 33.15 metres including the mechanical penthouse. The proposed 8-storey building has an FSI of 4.28 times the area of the lot not including the proposed detached dwelling proposed at 14 Humbervale.

The planned street proportion for this section of Bloor Street West is expressed by the in-force area-specific Bloor/Kingsway Urban Design Guidelines and the Zoning By-law for the Bloor-Kingsway Avenues (AV) zone. The Bloor-Kingsway AV zone regulations were enacted with a height limit of 15 metres at the street edge and 18 metres (6 storeys) overall. This has been implemented to provide transition to adjacent buildings along the *Avenue*, reinforce the two-storey main street character and to successfully blend into the existing streetscape and increase pedestrian comfort and sunlight along the *Avenue*.

Previously constructed and approved buildings within the Bloor-Kingsway area that are part of the existing context in the area have lower heights, number of storeys and density. For instance, the development at 3085 Bloor Street West has a height of 20.0 metres (plus mechanical penthouse) and is 6-storeys with an

FSI of 2.6 times the area of the lot. Similarly, the adjacent development at 3009 Bloor Street West has a height of 20.7 metres (plus mechanical penthouse) and is 6-storeys with a density of 3.75 times the area of the lot.

These examples along this stretch of Bloor Street West have densities that are more in keeping with the planned context in the Bloor-Kingsway AV zone regulations.

The density as proposed would create a precedent for future densities along the *Avenue* corridor and impacts of overlook and privacy and shadow on the *Neighbourhoods* designation. The proposed height and density are out of character with both the existing and planned context for this area.

The proposal contains an inset two storey base. The Bloor-Kingsway Urban Design Guidelines speak to the importance of establishing a strong cornice line at the two storey level to strengthen the horizontal connection to adjacent buildings. The prevailing streetwall context on this portion of Bloor Street is 2 storeys. The application does not provide a sufficiently strong two storey building base to complement the existing two storey base buildings in the surrounding area.

In order to further reduce the massing of the proposed building, proposed balconies on all street-facing facades should be inset behind the street wall. As currently proposed, balconies on floors 3-7 extend over the proposed front façade.

The proposed single family dwelling at 14 Humbervale Boulevard has a height of 9.45 metres and FSI of 0.45 times the area of the lot. Staff has no concerns with height and massing of the proposed single detached dwelling proposed at 14 Humbervale Boulevard, except with regards to the use of the rear yard as noted earlier in this report.

Transition and Angular Planes

The application for an Official Plan Amendment suggests that a Site and Area Specific Policy be implemented to permit the rear transition of the 8-storey building to be taken at the south property line of the portion of the site at 14 Humbervale Boulevard.

The proposed Official Plan Amendment suggests to remedy the lack of adequate transition proposed to the *Neighbourhood* by altering the point at which the angular plane is measured. Staff do not agree with the approach in obtaining transition from the south property line at 14 Humbervale Boulevard as it permits the proposed 8-storey building to be located closer into the *Neighbourhoods* designation resulting in privacy and overlook issues. Furthermore, as mentioned

above, this transition would result in increased impacts to the Neighbourhoods designation and risk replication of this transition approach along the *Avenue*.

The Bloor-Kingsway Urban Design Guidelines suggest that appropriate transition to an adjacent *Neighbourhoods* designation should be sought from the lot line of the abutting *Neighbourhoods* designation.

The 8-storey building would still contain balcony railing protrusions at the 7th and 8th storey under the proposed application of the 45 degree angular plane measured from the south property line at 14 Humbervale Boulevard. Therefore, the proposed 8-storey building also does not entirely conform to the angular plane in this location. If the provision for a rear angular plane as per Midrise Performance Standards were applied the protrusions would be the same.

If the angular plane was applied as per the Bloor-Kingsway Urban Design Guidelines and Bloor-Kingsway Avenues Zoning By-law measured from the south lot of the property facing 3005 Bloor Street West, portions of the proposed building at the 2nd, 3rd, 4th, 5th, 6th, 7th and 8th storeys would protrude significantly into the 45 degree angular plane.

Stepbacks and maximum height limits are used in the Bloor-Kingsway AV zone regulations and the Bloor-Kingsway Urban Design Guidelines to ensure adequate sun conditions for pedestrians and to reduce the visual impact of the upper storeys at the main street. The Bloor-Kingsway Urban Design Guidelines and Bloor-Kingsway AV zone regulations provide for transition on either side of the building and the main street by way of a 2-storey expression line and 3 metre stepbacks around all sides of the building above the 5th storey, at approximately 14 metres.

The proposed development contains an inset 2-storey base with a 3 metre stepback at the 5th storey at a height of 15.4 metres at the front of the building and a 3.35 metre setback between the 7th and 8th storey. The proposed building does not have stepbacks on all sides as required by the Bloor-Kingsway AV zoning and Bloor-Kingsway Urban Design Guidelines above the 5th storey. The proposed articulation of the massing of the building provides a lack of transition and fit in relation to the existing *Avenue* by not stepping down of heights to the existing building to the west at 3009 Bloor Street West and to the east at the corner of Bloor Street West and 14 Humbervale Boulevard. This results in an abrupt wall 2 storeys higher than the adjacent building at 3009 Bloor Street West and a streetwall of 8-storeys along Humbervale Boulevard. Although the building stepbacks from Bloor Street West appear to generally satisfy the Bloor Kingsway Urban Design Guidelines, when combined with the deficient building setback proposed above the ground floor, the resulting building massing on the main

street is inappropriate and does not provide for an adequate stepping of heights from the streets (See discussion in Public Realm section of this report).

Although not applicable, if applied, the proposed building would meet the front angular plane as proposed in the Midrise Performance Standards, but would not meet the recommended setback of 5.5 metres above the sixth storey adjacent to 3009 Bloor Street West as per the Midrise Performance Standards.

Sun, Shadow, Wind

Policy 4.2.2(b) and (c) of the Official Plan requires that new development in *Mixed Use Areas* be located and massed so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods* particularly during the spring and fall equinoxes; and that new buildings be located and massed to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

On the September and March equinoxes, the proposed 8-storey building would shadow the north sidewalk of Bloor Street West from 9:18 a.m. to 12:18 p.m and would shadow the sidewalk on the south side of Bloor Street West from 2:18 p.m. to 5:18 p.m. The applicant's shadow study does not illustrate the incremental shadow impact of the proposed development compared to the as-of-right building envelope in the Bloor-Kingsway AV zone.

Sunlight conditions are important for the health and vitality of pedestrians and retail uses on main streets. The shadows cast by the proposal would adversely affect the pedestrian condition on the north and south side of Bloor Street West. This would diminish access to sunlight and pedestrian comfort on this main shopping street.

The *Avenue Segment Study* prepared by the applicant does not show the cumulative shadow impacts of the proposed and anticipated development along this stretch as illustrated in the applicant's *Avenue Segment Study*, at heights, densities and built form similar to what is proposed and does not compare those shadows to the shadows cast by the as-of-right development permission in the Zoning By-law No. 941-2003.

The applicant has also submitted a Pedestrian Wind Assessment which indicates that wind activity is predicted to be higher than desired for the two retail entrances close to the northeast corner of the proposed building and the exposed terraces at the upper floors. The applicant would be required to examine options for changing these conditions to create suitable wind conditions for the proposal.

The submitted Sun Shadow Study and Pedestrian Wind Assessment can be found at the following link:

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4287306&isCofASearch=false&isTlabSearch=false>

Noise

The applicant has submitted a Land Use Planning Noise and Vibration Feasibility Study that has been reviewed by Planning staff. The result of the study found that road traffic noise was predicted to exceed the NPC-300 Ministry guideline limits at most modelled receptors. The applicant has proposed that through implementation of appropriate building construction measures and the inclusion of warning clauses in offers of purchase the development would meet the requirements of the NPC-300 guidelines.

Staff requested the applicant examine methodologies for reducing noise levels so that road traffic noise and surrounding stationary sources will not exceed the Ministry NPC-300 guidelines and therefore would preclude the need for warning clauses as described by the noise consultant.

The submitted Land Use Planning Noise and Vibration Feasibility Study can be found at the following link:

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4287306&isCofASearch=false&isTlabSearch=false>

Public Realm

A 0.4 metre wide property conveyance is required along the Bloor Street West frontage of the subject site to satisfy the Official Plan requirement of a 27-metre wide right-of-way for this section of Bloor Street West. This conveyance has been identified on the submitted site plan.

Section 3.1.2, Built Form of the Official Plan, Policy 3.1.2.5 states that new development will provide amenity for adjacent streets, to ensure they are attractive, interesting, comfortable and functional for pedestrians. The Bloor-Kingsway AV zone requires a minimum setback from Bloor Street West of 1.2 metres. The Toronto Urban Design Streetscape Manual also set out a minimum boulevard width of 4.8 metres. This recommendation is also cited in the Midrise Performance Standards.

The building face of the ground floor along Bloor Street West is setback 2.41 metres from the property line, as widened and 4.8 metres from the existing curb line.

Above the ground floor, the building is set back 0.24 metres from the property line, as widened and is stepped back above the 5th Floor. The building continues to step back 1.5 metres at Floor 6, 1.5 metres at Floor 7, 3.35 metres at Floor 8 and 3.89 metres above Floor 8 to the mechanical penthouse and amenity area.

The proposed overhanging floors extend within the required building setback of 1.2 metres and into the 4.8 metre desired Boulevard width from the existing curb line. In order to meet a 4.8 metre boulevard free of encumbrances as per the Toronto Urban Design Streetscape Manual, Floors 2-5 would be required to be further setback to achieve dimensions identified in the Toronto Urban Design Streetscape Manual after widening to permit more space in the boulevard for the planting of trees and increase of sunlight on the sidewalk which are desirable attributes for a successful main street.

Typically side streets such as Humbervale Boulevard are provided with wider building setbacks to acknowledge a transition to a different land use condition in the interior of the *Neighbourhoods*. The building is setback 0.44 metres from Humbervale Boulevard. The applicant should provide a larger boulevard including an increased building setback from the property line on the east side of the building to provide an appropriate transition and acknowledge Humbervale Boulevard is a *Neighbourhood* area where existing residential dwellings are setback approximately 5-6 metres from the lot line along Humbervale Boulevard.

Avenue Segment Study

Official Plan Policy 2.2.3.3 b) states "Development in Mixed Use Areas on Avenues, prior to an Avenue Study, has the potential to set a precedent for the form and scale of reurbanization along the Avenue. In addition to the policies of the Plan for Mixed Use Areas, proponents of such proposals will also address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located. This review will:

- i. include an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- ii. consider whether incremental development of the entire Avenue segment as identified in the above assessment would adversely impact any adjacent Neighbourhoods or Apartment Neighbourhoods;
- iii. consider whether the proposed development is supportable by available infrastructure; and
- iv. be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.

The Avenue Segment Study submitted identifies 16 potential development sites surrounding the subject property in the short and medium term. Staff are not satisfied that the submitted Avenue Segment Study supports the scale of proposed built form on the subject lands and the soft sites identified. The submitted Avenue Segment Study solely relies on the Mid-Rise Performance Standards as a primary tool in its built form analysis along this segment and does not have regard for the Bloor-Kingsway Urban Design Guidelines and in-force Avenues Zoning By-law 941-2003.

The applicant's Avenue Segment Study states that the incremental increase in density anticipated by the study would not differ significantly from the resultant density contemplated by By-law 941-2003 and is therefore appropriate for this segment of Bloor Street West. The density proposed at 4.39 times the lot area is significantly greater than the density permitted as-of-right by By-law 941-2003 (3.0 times the area of the lot). The segment study proposes a range of densities for the proposed soft sites between 3.1 to 6.0 times the area of the lot. City Planning staff disagree with the study's statement that the increase in density would not differ significantly from the resultant density contemplated by By-law 941-2003 as 3.0 times the area of the lot increased to 4.39 times the area of the lot or greater will have a cumulative impact with regards to changes to the main street character and heights of buildings, increased shadow, infrastructure and servicing impacts, and other impacts on the *Avenue*. No analysis of the cumulative impact of shadows was undertaken by the Avenue Segment Study.

The Avenue Segment Study also provides limited consideration of the cumulative impacts of the incremental development of the entire Avenue segment at similar form, scale and intensity, on transportation infrastructure, water, storm and sanitary sewers and community facilities such as schools.

Planning staff do not concur with the conclusions of the Avenue Segment Study.

Amenity Space

The application proposes 176.1 square metres of indoor amenity space (at a ratio of 2.2 square metres per unit) comprised of approximately 37 square metres on the first floor and approximately 139 square metres located on the 2nd Floor. The application also proposes 231 square metres of outdoor amenity space (at a ratio of 2.8 square metres per unit) comprised of approximately 138 square metres on the 2nd Floor (contiguous with the indoor amenity area) and approximately 93 square metres on the roof above.

The Etobicoke Zoning Code and the Bloor-Kingsway AV zone do not include any indoor or outdoor amenity space requirements. However, Official Plan Policy 3.1.2.6 requires that every significant multi-unit residential development include

indoor and outdoor amenity space. City Planning staff are satisfied with the proposed indoor and outdoor amenity space.

Unit Type

The proposal includes 29 one-bedroom units (35.8%) and 43 two-bedroom units (53.1%) and 9 three-bedroom units (11.1%). Staff are satisfied with the proposed unit mix.

Traffic Impact, Access, Parking

The applicant has submitted a Traffic Assessment reviewed by Transportation Services staff that indicates the proposal will generate 4 and 10 net two-way trips during the morning and afternoon peak hours, respectively, based upon the 81 dwelling units proposed and the removal of the existing car wash vehicle trips. The trip rate used was based upon proxy surveys undertaken at similar developments that were located close to subway stations. The subject development is located approximately 200 metres from the entrance to the Royal York subway station. Existing site trips, which include vehicular trips generated from the existing car wash at 3005 Bloor Street West, were deducted from the site trips to determine the net new site trips of the subject proposal.

While the Transportation Services Division accepts the methodology used to obtain the trip rates used for the proposal through proxy surveys and the determination of net site trips, staff note that there are inconsistencies between the proxy trip rate survey information provided in the Traffic Assessment text.

Transportation staff also requires the survey information for the existing trips generated by the car wash at 3005 Bloor Street West used to determine the net site trips in Table 7 of the Traffic Assessment text.

Before accepting the conclusions and recommendations of the submitted Traffic Assessment, Transportation staff requires additional information and revisions from the proponent's transportation consultant as outlined in their memo dated January 24, 2018.

A 0.4 metre wide property conveyance is required along the Bloor Street West frontage of the subject site to satisfy the requirement of a 27-metre wide right-of-way for this section of Bloor Street West. This conveyance is identified on the submitted site plan.

No conveyances are required along the Humbervale Boulevard frontage of the subject property.

The application proposes a total of 81 vehicular parking spaces, of which 68 spaces are proposed to be designated for resident parking, 8 spaces will be

designated for residential visitor parking and 5 spaces will be designated for retail purposes. The proposed parking supply satisfies the minimum Policy Area 3 parking supply requirements for By-law No. 569-2013.

Transportation Services staff have indicated that it does not appear that any on-site passenger pick-up and drop-off facilities have been provided for the subject proposal, and that pick-up and drop-off activities would be accommodated on-street. Transportation staff require the consultant to demonstrate to the satisfaction of Transportation Services the anticipated demand of on-street pick-up and drop-off activities. The Transportation Services Division is concerned with the operational impacts of such activities on the abutting public street system, as a result of a lack of an on-site passenger pick-up and drop-off facility.

The applicant is providing 67 bicycle parking spaces comprised of 6 short term and 55 long term residential spaces and 5 short term and 1 long term non-residential spaces. Forty-five of the bicycle parking spaces will be located on the ground floor and 22 will be located in the underground level. Staff are satisfied with the proposed bicycle parking.

One Type G loading space is provided adjacent to the bicycle locker enclosure and the parking ramp leading to the underground garage. Transportation staff concur with the provision of this loading space for both the residential and retail uses of the subject mixed-use proposal.

The loading space is adjacent to the parking ramp to the underground parking garage and has potential for vehicle conflicts between vehicles exiting from the underground garage and manoeuvring vehicles using the loading space. Therefore, Transportation Services recommends a warning system with flashing lights and a sign indicating 'Caution: Truck Manoeuvring Ahead' be installed to advise motorists exiting the parking garage when loading activities are occurring.

The submitted Traffic Impact Assessment can be found at the following link:

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4287306&isCofASearch=false&isTlabSearch=false>

Servicing

Engineering and Construction Services staff have requested that the Functional Servicing Report be revised, to the satisfaction of the Executive Director of Engineering and Construction Services, prior to any approval of the rezoning application. The report will need to determine whether the municipal water, sanitary and storm sewer systems can support the proposed development and

whether upgrades or improvements to the existing municipal infrastructure are required.

The Stormwater Management Report submitted is acceptable to Engineering and Construction Services. However, the applicant will be required to submit a complete Stormwater Management Report including the site grading and services drawings at the site plan stage.

The submitted Functional Servicing Report, Stormwater Management Report and Hydrogeological Investigation Report can be found at the following link:

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4287306&isCofASearch=false&isTlabSearch=false>

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.80 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

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 0.80 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

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 residential nature of this proposal is subject to a 10% parkland dedication.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant's Tree Preservation Plan and Arborist report indicate the application proposes to preserve 3 protected private trees and injure two of the protected private trees.

The Tree Preservation Plan also indicates the proposed removal of 2 protected private trees located in the front and rear of the existing dwelling at 14

Humbervale Boulevard. Urban Forestry strongly encourages the applicant to consider preserving the subject trees as they are mature and healthy. Underground parking is proposed below the trees that Urban Forestry are encouraging to preserve. The applicant should demonstrate how the trees can be preserved in this location on site. An *Application to Injure or Destroy Trees* for permission to injure the subject two (2) trees may be considered. Urban Forestry recommends that a landscape strip/buffer (rather than the proposed walkway) be provided between 14 Humbervale Boulevard and the proposed ramp/driveway entrance to the underground parking at 3005 Bloor Street West in order to provide added soft landscape space to best protect the subject two trees.

Urban Forestry requires a detailed Arborist Report and Tree Preservation Plan showing the above noted protected private trees on the proposed Site Plan. The Preservation Plan should capture the extent of the proposed development as it may affect the trees and their minimum Tree Protection Zone. The Arborist Report shall provide details on the impact of the development and all tree protection measures to ensure the trees survive.

Based on standard requirements, Urban Forestry requires a minimum of 3 new trees on private property to compensate for the loss of each protected private tree proposed for removal and provided that the removal application is approved. Where tree planting to replace trees to be removed is not physically possible on site, the General Manager of Parks, Forestry & Recreation may accept cash in lieu payment in an amount equal to 120 percent of the cost of replanting and maintaining the trees for a period of two years. The current charge for each tree is \$583 subject to change.

The submitted Tree Preservation Plan and Arborist Report can be found at the following link:

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4287306&isCofASearch=false&isTlabSearch=false>

School Capacity

The Toronto District School Board has indicated there may be insufficient space at the local schools to accommodate students anticipated from the proposed development and others in the area. The TDSB has also indicated that the status of local school accommodation should be conveyed to potential purchasers as well as communicated to the existing community to inform them that children from the proposed development would not displace existing students at local schools. Alternative arrangements would be identified consistent with optimizing enrolment levels at the TDSB schools outside this area until space in local schools becomes available.

The Toronto Catholic District School Board (TCDSB) was also circulated the application but did not provide any comments with regards to capacity issues.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Performance measures for Tier 1 development features for this project to be secured through the zoning by-law process are: Automobile Infrastructure, Cycling Infrastructure, Storage and Collection of Recycling and Organic Waste.

The applicant is required to meet Tier 1 of the TGS. Other performance measures for the Tier 1 development features will be secured through the Site Plan Agreement.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), the Toronto Official Plan and the in-force area-specific Bloor-Kingsway Urban Design Guidelines.

Staff is of the opinion that the proposal is not consistent with the PPS (2014) and conflicts with the Growth Plan (2017). Further, the proposal is not in keeping with the intent of the Toronto Official Plan. The following staff concerns, amongst others, have not been resolved including the appropriateness of the Official Plan Amendment, the height, density and massing of the proposed building and the proposed transition to the adjacent *Neighbourhoods* designation. The proposal does not represent good planning and is not in the public interest.

It is recommended that City Council authorize the City Solicitor and appropriate staff to attend any Local Planning Appeal Tribunal hearing in opposition to the current proposal. It is also recommended that the City Solicitor and appropriate staff continue discussions with the applicant to address the issues outlined in this report and to report back to City Council if any substantial positive changes are achieved.

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SIGNATURE

Joe Nanos
Director, Community Planning
North York District

ATTACHMENTS

Attachment 1: Figure 1: Application Data Sheet
Attachment 2: Figure 2: Location Map
Attachment 3: Figure 3: Official Plan Land Use Map
Attachment 4: Figure 4: Toronto Zoning By-law 569-2013
Attachment 5: Figure 5: Etobicoke Zoning By-law 941-2003
Attachment 6: Figure 6: Site Plan
Attachment 7: Figure 7: North Elevation
Attachment 8: Figure 8: East Elevation
Attachment 9: Figure 9: West Elevation
Attachment 10: Figure 10: South Elevation

Attachment 1: Figure 1: Application Data Sheet

Municipal Address: 3005 Bloor Street West and 14 Humbervale Boulevard
Date Received: November 27, 2017

Application Number: 17 267906 WET 05 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Proposed 8-storey mixed use building and a 2-storey single detached residential dwelling.

Applicant	Agent	Architect	Owner
Bousfields Inc. 3 Church Street, Suite 200 Toronto, ON M5E 1M2			WAM Bloor and Humbervale GP Inc. 10111-104 Avenue NW, Suite 2500 Edmonton, AB, T5J 0J4

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas/ Neighbourhoods	Site Specific Provision:	N
Zoning:	AV	Heritage Designation:	N
Height Limit (m):	18	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1,935 Frontage (m): 36.61 Depth (m): 52.92

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,014	1,014
Residential GFA (sq m):			6,352	6,352
Non-Residential GFA (sq m):			506	506
Total GFA (sq m):			6,858	6,858
Height - Storeys:			8	
Height - Metres:			28 + 5.5 mechanical	
Lot Coverage Ratio (%):	52			
		Floor Space Index:	4.39	

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	6,352	
Retail GFA:	506	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:			81	81
Condominium:				
Other:				
Total Units:			81	81

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			29 (35.8%)	43 (53.1%)	9 (11.1%)
Total Units:					81

Parking and Loading

Parking Spaces: 81	Bicycle Parking Spaces: 67	Loading Docks: 1
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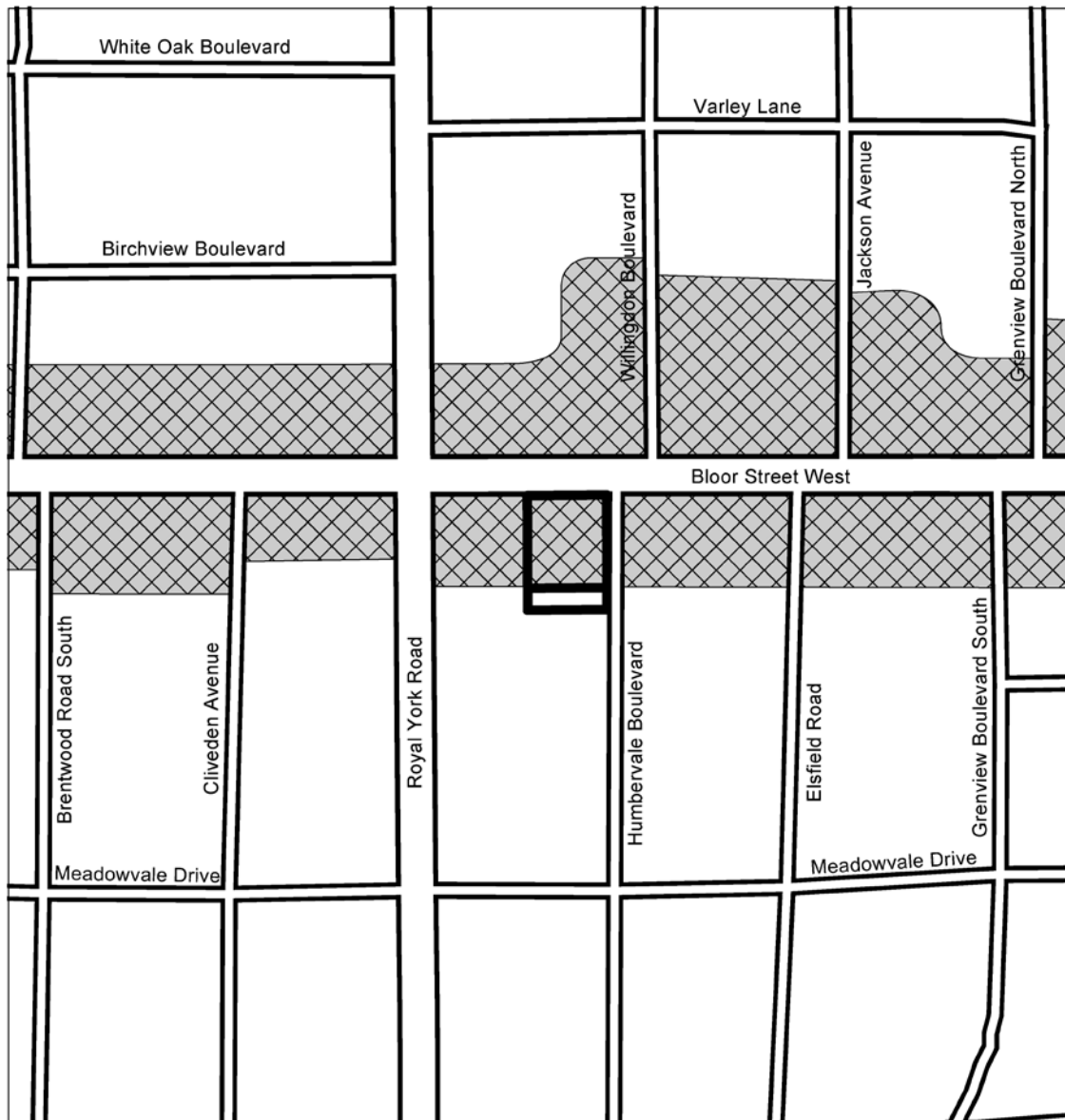
CONTACT:

Vanessa Covello, Senior Planner
416-395-7104
Vanessa.Covello@toronto.ca

Attachment 2: Figure 2: Location Map



Attachment 3: Figure 3: Official Plan Land Use Map



Extract from Official Plan

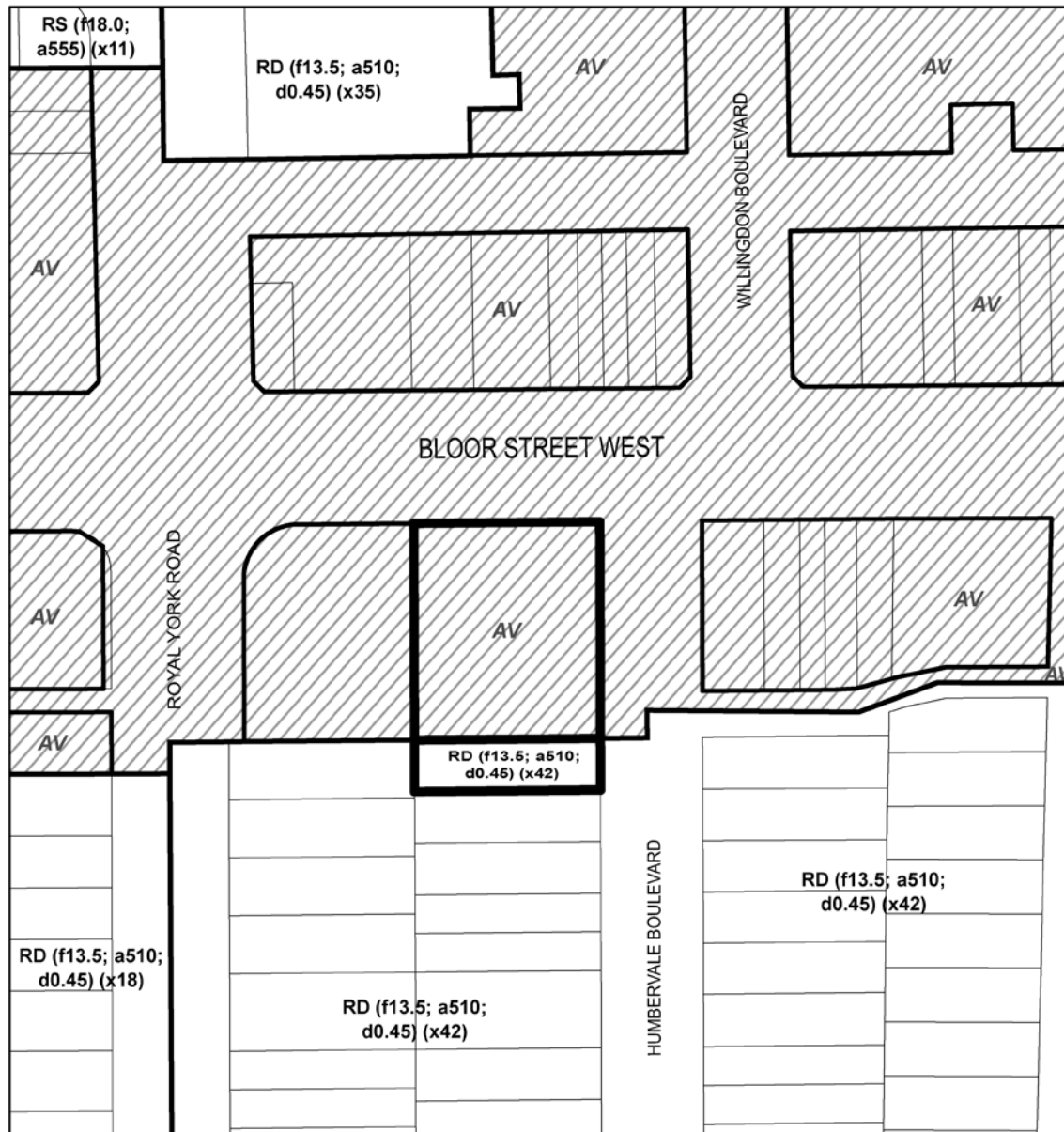
3005 Bloor Street West & 14 Humbervale Boulevard

File # 17 267906 WET 05 02



Not to Scale
02/20/2018

Attachment 4: Figure 4: Toronto Zoning By-law 569-2013



3005 Bloor Street West & 14 Humbervale Boulevard

Zoning By-Law No. 569-2013

File # 17 267906 WET 05 02



Location of Application



See Former City of Etobicoke By-Law No. 11,737

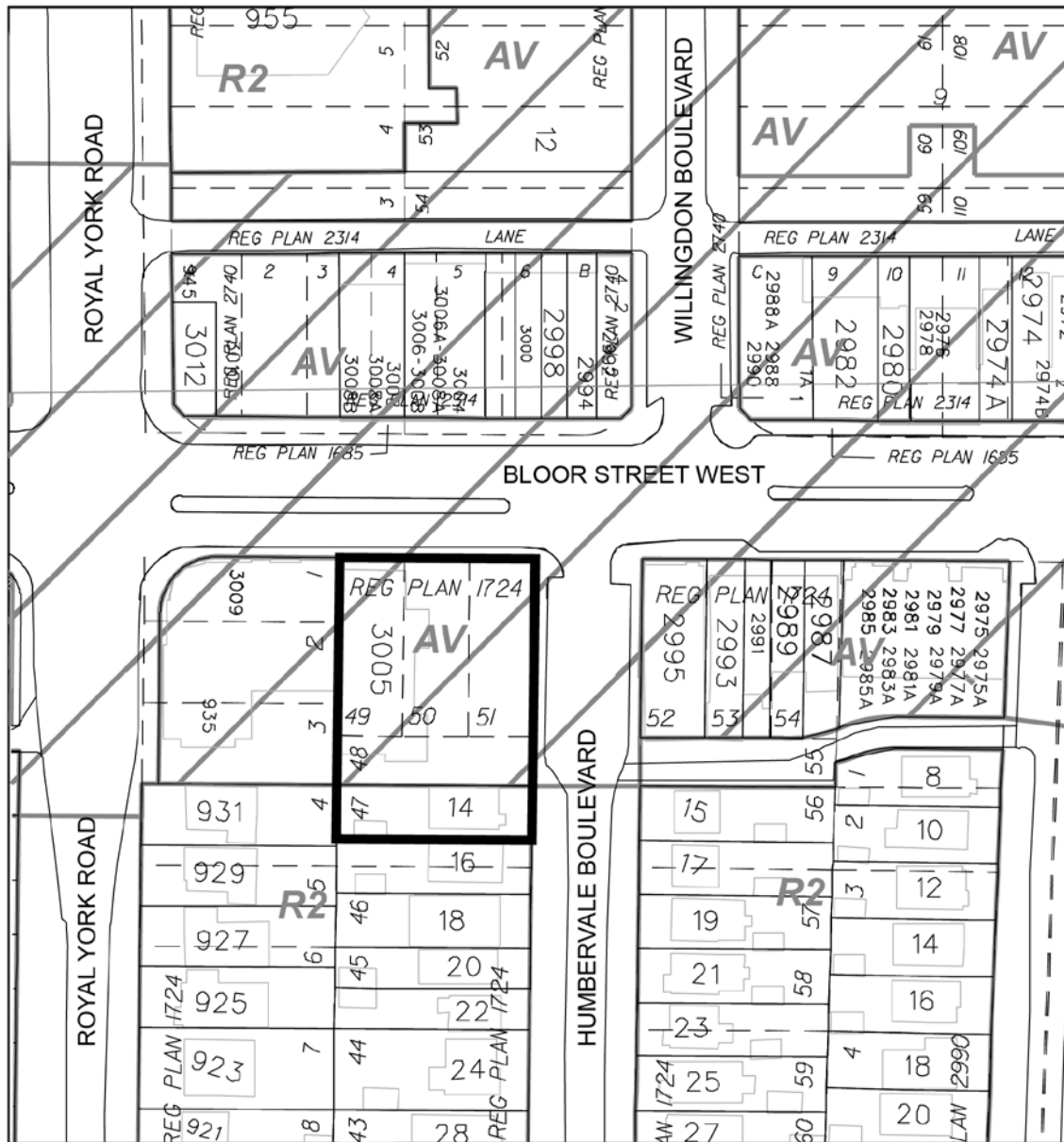
AV Limited Commercial-Avenues Zone

RD Residential Detached RS Residential Semi-Detached



Not to Scale
Extracted: 02/20/2018

Attachment 5: Figure 5: Etobicoke Zoning By-law 941-2003



Toronto City Planning
Zoning

3005 Bloor Street West & 14 Humbervale Boulevard

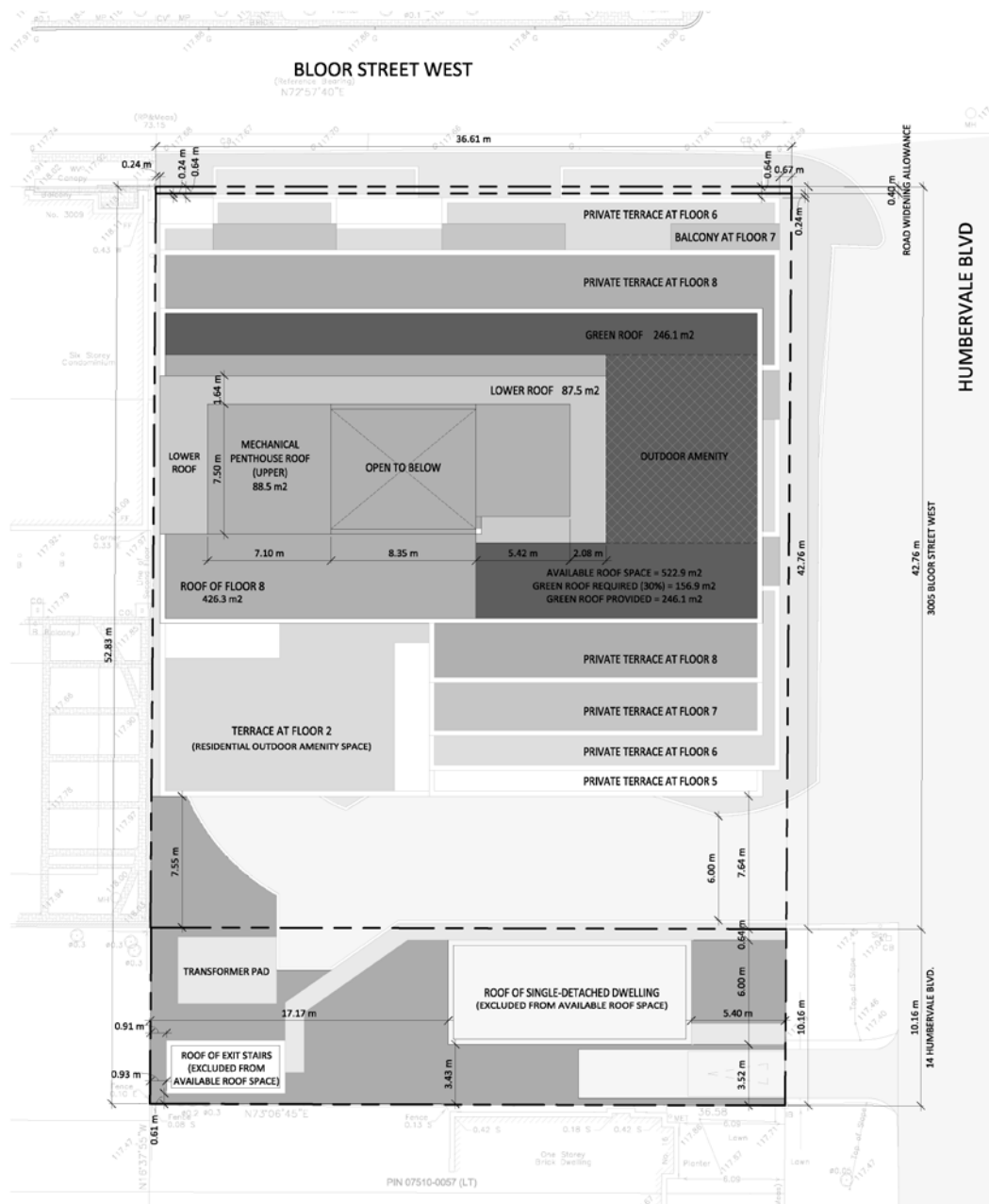
File # 17 267906 WET 05 0Z

R2 Residential Second Density
AV Limited Commercial - Avenues



Not to Scale
Etobicoke By-law 11,737 (as amended)
Extracted 03/01/2018

Attachment 6: Figure 6: Site Plan



Site Plan

3005 Bloor Street West & 14 Humbervale Boulevard

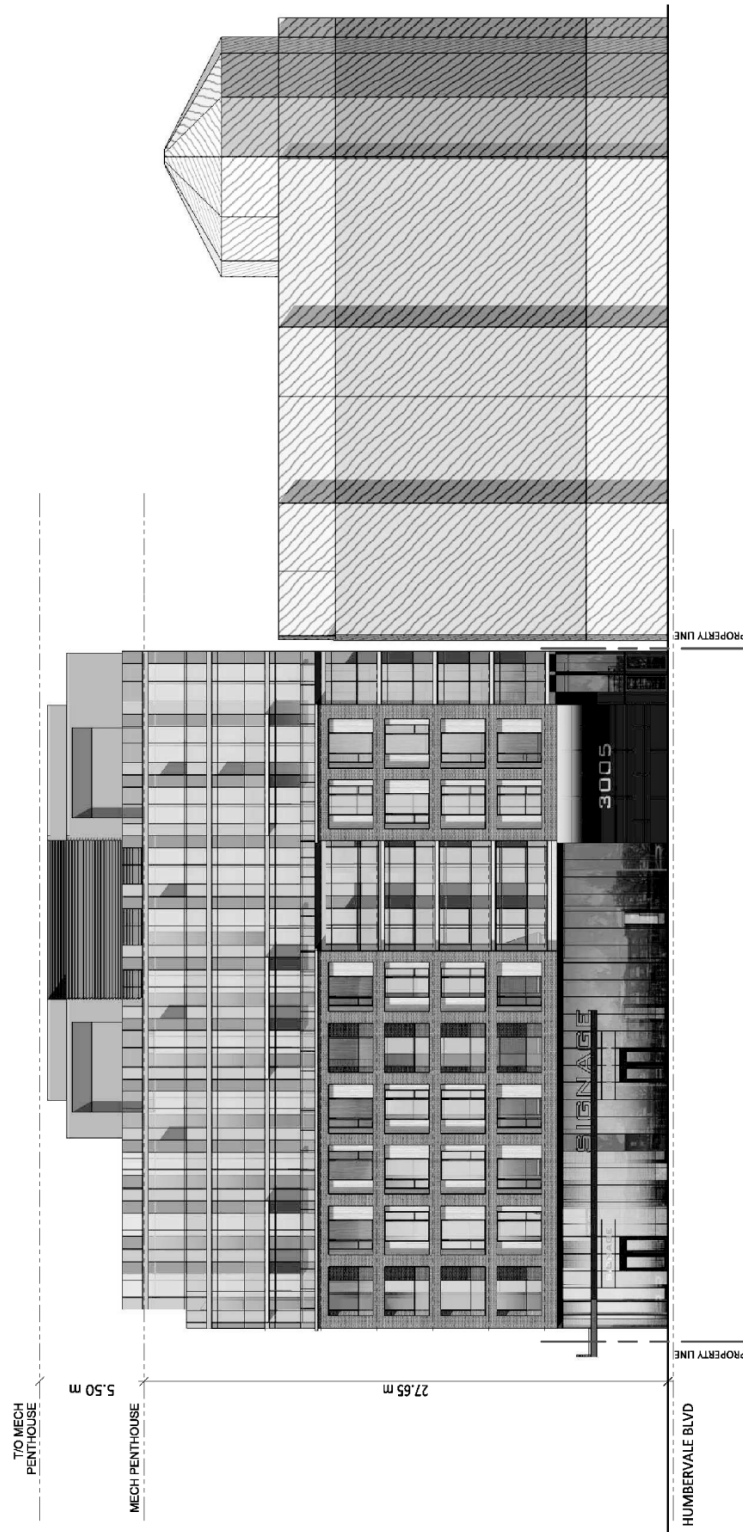
Applicant's Submitted Drawing

Not to Scale
02/15/2018



File # 17 267906 WET 05 02

Attachment 7: Figure 7: North Elevation



3005 Bloor Street West & 14 Humbervale Boulevard

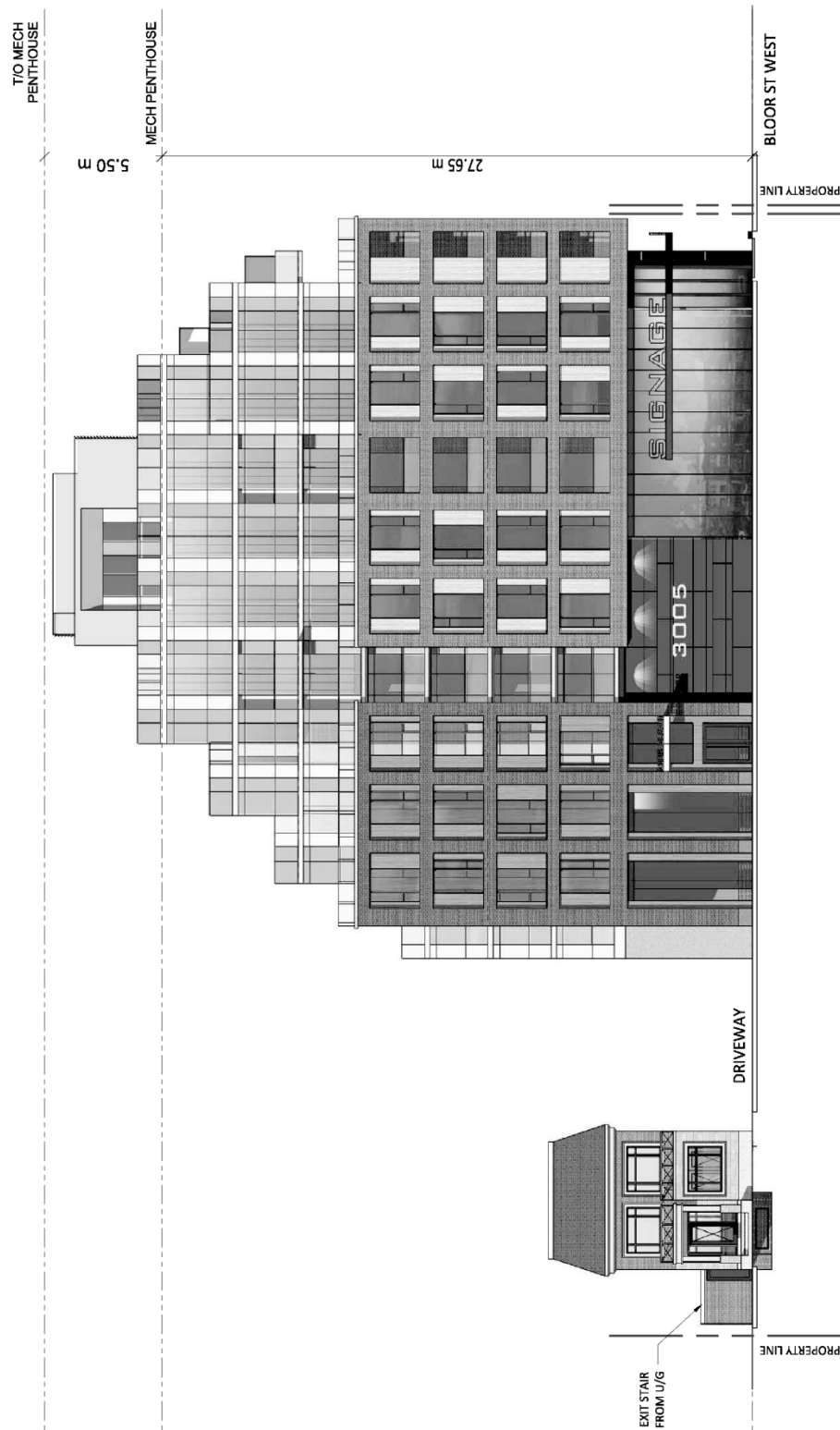
North Elevation

Applicant's Submitted Drawing

Not to Scale
02/15/2018

File # 17 267906 WET 05 02

Attachment 8: Figure 8: East Elevation



3005 Bloor Street West & 14 Humbervale Boulevard

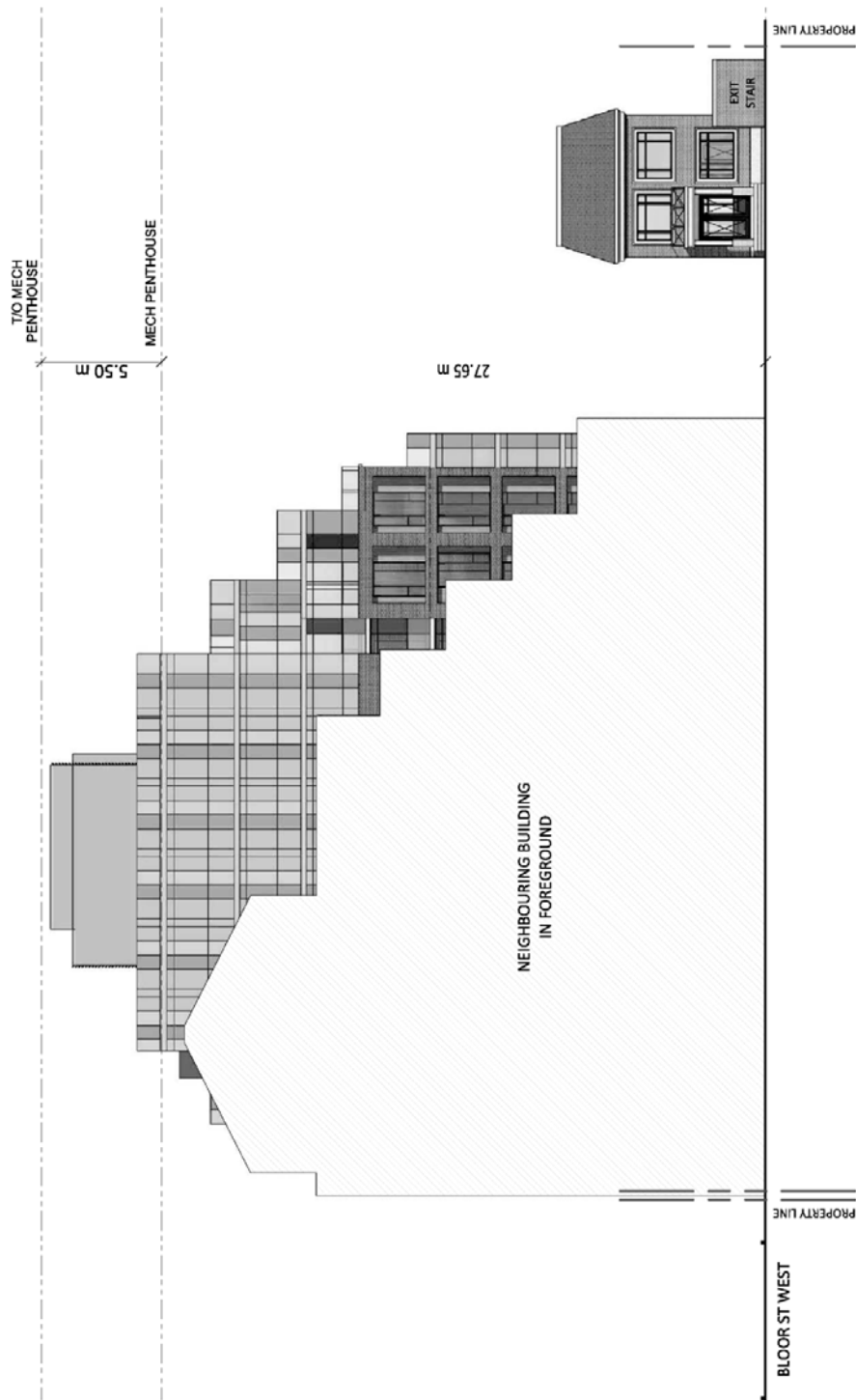
East Elevation

Applicant's Submitted Drawing

Not to Scale
02/15/2018

File # 17 267906 WET 05 02

Attachment 9: Figure 9: West Elevation



West Elevation

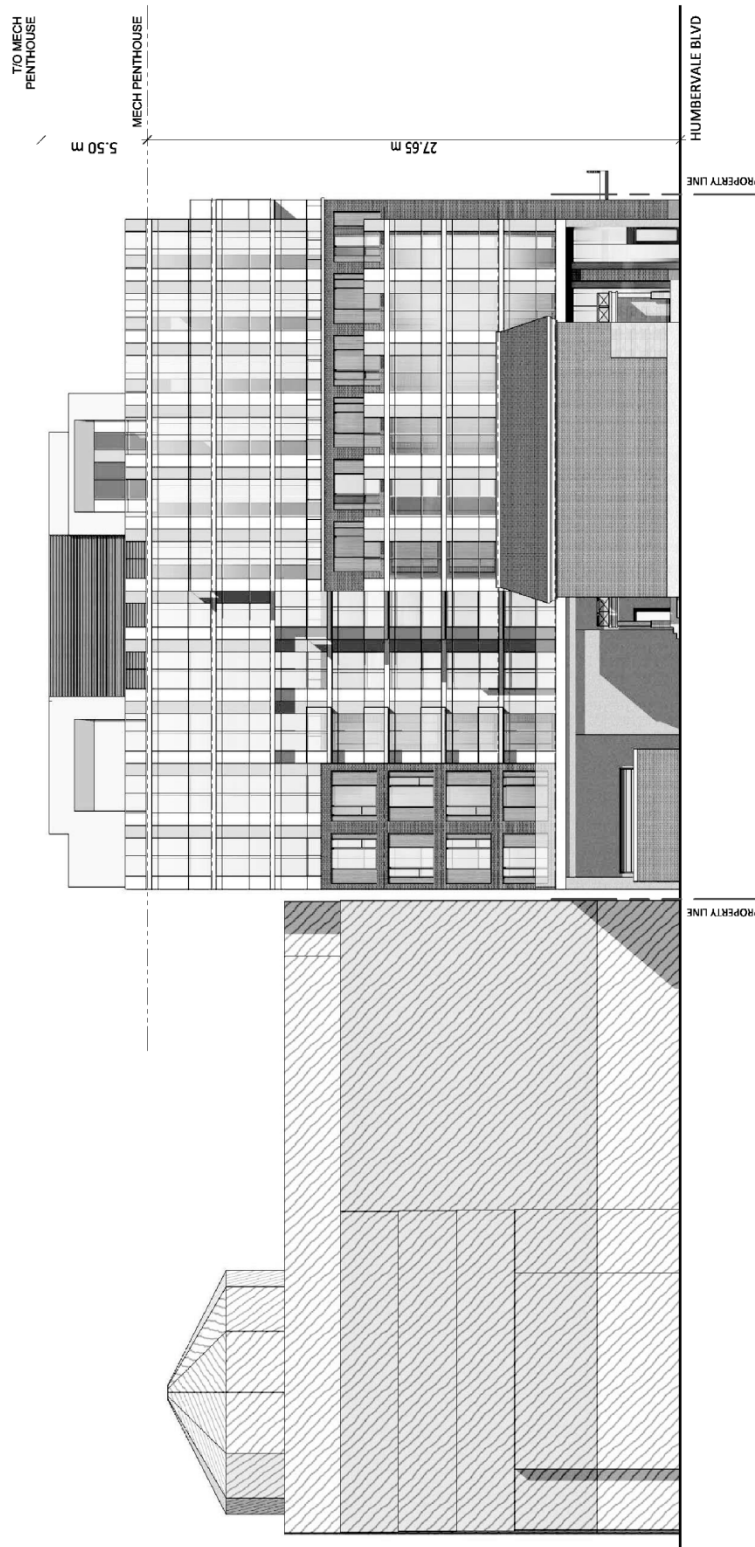
Applicant's Submitted Drawing

Not to Scale
02/15/2018

3005 Bloor Street West & 14 Humbervale Boulevard

File # 17 267906 WET 05 02

Attachment 10: Figure 10: South Elevation



South Elevation

Applicant's Submitted Drawing

Not to Scale
02/15/2018

3005 Bloor Street West & 14 Humbervale Boulevard

File # 17 267906 WET 05 0Z