

111 Pacific Avenue, 255 Glenlake Avenue and 66 Oakmount Road - Zoning By-law Amendment Application – Request for Directions Report

Date: June 28, 2018

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 13 – Parkdale-High Park

Planning Application Number: 16 269597 WET 13 OZ

SUMMARY

This application proposes to develop purpose built rental dwelling units in two blocks of townhouses and two apartment buildings on the lands municipally known as 111 Pacific Avenue, 255 Glenlake Avenue and 66 Oakmount Road. The townhouse blocks have a proposed height of 3-storeys. One apartment building has a proposed tower height of 33-storeys (108.4 metres, excluding mechanical penthouse) including a 3-storey base and the other apartment building has a proposed tower height of 29 storeys (94.4 metres, excluding mechanical penthouse) including an 8 storey base.

The lands currently include three rental apartment buildings ranging in height from 12 to 23 storeys. The proposal would add 768 new rental units to the existing 750 rental units for a total of 1,518 dwelling units. The proposed development would maintain all existing on-site rental dwelling units. The proposal also includes 450 m² of retail floor space, which would result in a total floor area of approximately 113,100 m².

To accommodate the proposed development, the following is proposed: 1,022 resident and visitor vehicle parking spaces; 768 new bicycle parking spaces; 3 new loading spaces; and a combined 1,900 m² of indoor and 3,235 m² of outdoor existing and proposed amenity space. A new 2-storey amenity pavillion would accommodate some of the indoor amenity space and programming.

The Official Plan designates the subject lands as *Apartment Neighbourhoods*, which are considered to be physically stable areas and generally not intended for significant growth. The Official Plan directs that compatible infill development may be permitted subject to certain criteria but intensification of land adjacent to *Neighbourhoods* will be carefully controlled and any development within *Apartment Neighbourhoods* will respect

and reinforce the existing physical character of buildings, streetscapes and open space patterns in the *Apartment Neighbourhoods* area. The proposed development does not have regard for its context and does not respect and reinforce the existing physical character of buildings, streetscapes and open space patterns of the neighbourhood.

The proposal as submitted is not supportable as it is not consistent with the Provincial Policy Statement (2014), conflicts with the Growth Plan (2017) and does not comply with Official Plan policies. Furthermore, the proposal does not meet policies and development criteria set out in Site and Area Specific Policy 551 (adopted by City Council on June 26, 27 and 28, 2018) as developed from the Council-directed High Park Apartment Neighbourhood Area Character Study in which the applicant participated and which has been the subject of significant community consultation and evidence based analysis of the existing physical character of this *Apartment Neighbourhoods* area.

It is the opinion of staff that the proposal represents overdevelopment of the site, does not represent good planning and is not in the public interest.

The owner appealed the Zoning By-law Amendment application to the Ontario Municipal Board (OMB) (now the Local Planning Appeal Tribunal (LPAT)) citing City Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*. A Prehearing Conference was held February 8, 2018 and a second Prehearing Conference has been scheduled for September 6, 2018.

The purpose of this report is to seek City Council's direction for the City Solicitor, together with appropriate City staff, to attend the LPAT hearing in opposition to the appeal of the above application as outlined in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with Planning staff and any other appropriate staff to attend the Local Planning Appeal Tribunal (LPAT) hearing to oppose the applicant's appeal respecting the Zoning By-law Amendment application for the lands at 111 Pacific Avenue, 255 Glenlake Avenue and 66 Oakmount Road, in its current form.
2. In the event that the Local Planning Appeal Tribunal allows the appeal, in whole or in part, City Council direct the City Solicitor to request the LPAT to withhold its final Order on the Zoning By-law Amendment application until:

- a) A draft Zoning By-law Amendment is submitted to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - b) The owner has submitted a revised Natural Heritage Impact Study to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - c) The owner has submitted a revised Functional Servicing Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - d) The owner has submitted a revised Community Services and Facilities Study to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - e) The owner has submitted an extended Sun/Shadow Study to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - f) The owner has submitted a Preliminary Wind Study to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - g) The owner has submitted a revised Traffic Impact Study to the satisfaction of the General Manager Transportation Services;
 - h) The owner submits, to the satisfaction of the Chief Planner and Executive Director, City Planning, any revisions to the Noise Study as may be required through the peer review process that identifies all mitigation measures to be undertaken for this development, to be peer reviewed at the cost of the owner and to incorporate the recommendations in the site design;
 - i) The owner has entered into an Agreement pursuant to Section 37 of the *Planning Act* to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning for the purpose of securing appropriate community benefits to be based on the value of additional height and/or density beyond what is permitted by the current Zoning By-law to be registered on title to the lands at 111 Pacific Avenue, 255 Glenlake Avenue and 66 Oakmount Road, and include community benefits that have been identified as being priorities for this area through the High Park Apartment Neighbourhood Area Character Study.
3. In the event the LPAT allows the appeal in whole or in part, City Council direct that the following matters also be secured in Section 37 Agreement for the development as a legal convenience:
- a) The owner shall provide a 2.1 metre sidewalk along the each frontage abutting the site to be secured through the Site Plan Control review process.

- b) Secure as rental housing the existing rental housing units which have affordable and mid-range rents.
 - c) Secure needed improvements to the existing rental apartment buildings without pass through of costs to existing tenants, and securing access to new indoor and outdoor amenities for all on-site residents.
 - d) Secure a construction mitigation strategy and a communications plan to reduce impacts on remaining tenants.
 - e) The owner shall satisfy the requirements of the Toronto District School Board regarding warning clauses and signage with respect to school accommodation issues.
 - f) A minimum of 10% of all units to be shown on the plans for the development as three-bedroom units.
 - g) The owner's agreement to provide an on-site dog relief area with proper disposal facilities for existing and new residents or a dog relief station within the building.
 - h) The owner shall enter into a financially secured Development Agreement for the construction of any improvements to the existing municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development.
 - i) The owner shall construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of PG 23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time.
4. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

There have been two developments approved within the High Park Apartment Neighbourhood Area in the last 10 years, in addition to the subject application, currently under review.

In 2009, 20 Gothic Avenue was developed with an 8 storey building having 175 units and having a site density of 4.21 times the area of the lot.

In 2013, an application was submitted for 51-77 Quebec Avenue and 40-66 High Park Avenue. The application was revised from its original submission and approved by the Ontario Municipal Board. The approval resulted in the demolition of two existing townhouse blocks and the addition of two new 25 storey buildings, having a combined 528 new units and encompassing 39,300m² of gross floor area. This development's overall density is 4.28 FSI.

The City Council decision can be viewed through the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.CC55.12>

The corresponding staff report can be viewed at:

<http://www.toronto.ca/legdocs/mmis/2014/cc/bgrd/backgroundfile-72950.pdf>

This development has Site Plan Approval (File No. 16 115443 WET 13 SA) and is currently under construction.

A Zoning By-law Amendment application was also submitted in December 2016 that proposes 1,031 purpose built rental dwelling units in three new towers of 39, 34, and 29 storeys, and one new midrise building on the lands municipally known as 35, 41-63, 65 and 95 High Park Avenue and 66 and 102-116 Pacific Avenue (File No. 16 271897 WET 13 OZ). The following is the link to the Preliminary Report for this application:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY21.4>

A Request for Direction Report on this application is on the same agenda as this report.

A new application was submitted on June 5, 2018 that proposes an 11 storey apartment building containing 120 units on the lands municipally known as 299 Glenlake Avenue (File No. 18 172305 WET 13 OZ). The application is under review.

Pre-application consultation meetings for the subject site were held on June 28, July 18 and August 25, 2016, to discuss complete application submission requirements and concerns regarding the proposed development related to the scale of intensification, number of buildings and related dwelling units, building heights, massing and overall density.

Two pre-application meetings were organized by the proponent of this application with the community. The first meeting was held on November 1, 2016 with residents of the Minto High Park Village, which is the existing group of buildings on the lands subject to this application, to inform them of the proposed development. A second meeting was held on November 2, 2016 with the broader community at the Lithuania House on Bloor Street West to obtain feedback in advance of the formal application submission. The application was submitted to the City on December 21, 2016 and deemed complete on February 21, 2017.

On April 4, 2017, Etobicoke York Community Council adopted a Preliminary Report on the Zoning By-law Amendment application for this site. The report provided background information on the application, and recommended:

- That a community consultation meeting be held and that notice be given according to the regulations of the *Planning Act*;
- That staff be directed to undertake an area-based character study for the *Apartment Neighbourhoods* designated lands located north of Bloor Street West, west of Keele Street, south of Glenlake Avenue and east of Gothic Avenue with the anticipation that the study would result in a Site and Area Specific Policy (SASP) that would identify existing area characteristics, and provide guidance on appropriate infill opportunities and constraints. The study was not to include any lands fronting on Bloor Street West or any lands included in the Bloor West Village Avenue Study; and
- That staff be directed to report to Etobicoke York Community Council on the findings of the area-based character study and anticipated SASP no later than the second quarter of 2018, but prior to, or concurrent with, any Recommendation Report on any site-specific applications associated with individual development proposals in the study area.

The following is the link to this Preliminary Report:

<https://www.toronto.ca/legdocs/mmis/2017/ey/bgrd/backgroundfile-102032.pdf>

On June 26, 27, and 28, 2018 City Council adopted Official Plan Amendment 419 which includes SASP 551 based on the High Park Apartment Neighbourhood Area Character Study. The report provided an overview of the study process and findings as well as the Official Plan Amendment for the study area and can be found at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY31.4>

A report on the High Park Apartment Neighbourhood Urban Design Guidelines is on the same agenda as this report. The draft Guidelines were posted online for community consultation prior to presenting the finalized version of these Guidelines to the July 4th, 2018 meeting of Etobicoke York Community Council for endorsement. These

Guidelines are intended to implement the policy direction expressed in OPA 419 and provide appropriate built form and public space guidance while being respectful of the integrity of the surrounding context. The intent of the Guidelines is to provide clarity through more detailed direction on the desired outcomes for the design of streets, parks, open space, buildings, landscaping and vegetation in the High Park Apartment Neighbourhood and assist in the evaluation of all new and current development proposals falling within its boundaries. The draft Guidelines were available for community consultation on the City's website at this link: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/high-park-apartment-neighbourhood-area-character-study/>

ISSUE BACKGROUND

Proposal

The application proposes to amend the Zoning By-law to permit two blocks of 3-storey townhouses, a 33-storey apartment building with attached 3-storey townhouses and service building, and a 29-storey apartment building with an 8-storey base and a 2-storey amenity pavilion. Combined, the new buildings would contain 768 new rental units. The development would maintain the existing on-site buildings, with no proposed displacement of existing units or tenants (see Attachment 5: Figure 5: Site Plan).

The proposed two blocks of townhouses would front on Glenlake Avenue, in front of the existing 23-storey apartment building municipally known as 255 Glenlake Avenue, with each block containing seven units for a total of 14 townhouses.

The building proposed to front on Pacific Avenue, immediately south of the existing 17 storey apartment building at 111 Pacific Avenue, would be 33 storeys (108.4 metres, excluding mechanical penthouse) in height, and contain 450 m² of grade-related retail space. Six 3-storey townhouse units would be attached to the north side of this building, and a service building would be attached to the east side, both elements forming part of the building base. The building would have an approximate building separation of 35.7 m from the existing building to the east at 66 Oakmount Road, and 35.7 m from the 111 Pacific Avenue building to the north. The proposed floor plate for the tower component of the new building is approximately 750 m².

A new building is also proposed to front on Oakmount Road, between the 12 storey apartment building at 66 Oakmount Road and the 23-storey building at 255 Glenlake Avenue. The building would be 29 storeys (94.4 metres, excluding mechanical penthouse) in height, with a building base of 8 storeys and an indoor amenity pavilion in the rear. This building would have an approximate floor plate area of 750 m² for the tower component, and would provide a 25.5 m separation distance from the apartment building to the north at 255 Glenlake Avenue, and approximately 28 m from the apartment building to the west at 111 Pacific Avenue.

As previously noted, the existing buildings on the lands would be retained, resulting in a total of 1,518 rental dwelling units on the site, of which 768 units would be new. The total amount of new floor area proposed is 58,939 m², for a total of 113,100 m², or a Floor Space Index of approximately 4.98 times the area of the lot. A summary of the proposed dwelling unit mix is as follows:

Apartment Unit	Proposed (%)	Total [Proposed + Existing] (%)
Bachelor	61 (7.9%)	101 (6.7%)
1 Bedroom	443 (57.7%)	946 (62.3%)
2 Bedroom	224 (29.2%)	431 (28.4%)
3+ Bedroom	40 (5.2%)	40 (2.6%)
Total	768	1518

Vehicle parking serving the existing residents consists of 560 below grade parking spaces and 42 surface parking spaces. In addition to those spaces, parts of the garage have deteriorated and over 300 more spaces are unusable. The proposed development would retain most of the existing spaces, reintroduce many of the current unusable spaces, and add a two level extension of the underground garage at the north end of the site, as well as add a third parking level extending between the two proposed buildings. A total of 1,022 parking spaces are proposed of which 18 spaces are proposed to be on the surface, and 178 spaces are proposed to be accommodated in a new below grade parking level under the existing 2 parking levels. Resident spaces would account for 894 of the total spaces, while visitor spaces would account for 128 of the total spaces.

A new private laneway is proposed to link Pacific Avenue and Oakmount Road on the south end of the lands to provide access to the service area.

The proposal would have approximately 1,900 m² of indoor amenity area and 3,235 m² of outdoor amenity area to serve both the existing and future residents of the buildings. The proposal includes a 2-storey (1,053m²) amenity building attached to the rear of the proposed Oakmount Road building, as well as an additional 754m² in the proposed buildings and 92 m² of new amenity space in the existing buildings.

Site and Surrounding Area

The lands are relatively flat and rectangular in shape, with an approximate area of 22,715 m², and approximate frontages of 91 m along Glenlake Avenue, 250 m along Pacific Avenue and 248 m along Oakmount Road.

The lands are generously landscaped and are developed with: three apartment buildings containing 750 rental units, which are proposed to be retained; surface parking; an outdoor swimming pool; and two levels of below-grade parking.

The following chart provides information on the existing buildings on the site:

Building	Height	Floor Area (m²)	No. Units
66 Oakmount Road	12 storeys	12,552	171
111 Pacific Avenue	17 storeys	17,782	243
255 Glenlake Ave.	23 storeys	24,058	336
Totals		54,392	750

The existing units fall into three rent categories in terms of the rent classifications as defined by the Canadian Mortgage and Housing Corporation for the City of Toronto. The rents for the existing rental housing are:

- Three (3) units with affordable rents;
- 697 units with mid-range rents; and
- 50 units with high-end rents.

The surrounding area is described below:

North: To the north of Glenlake Avenue are *Neighbourhoods* designated properties containing 2 and 3 storey dwellings. Lithuania Park is located northeast of the lands on the north side of Glenlake Avenue.

South: The lands abutting to the south contain a 17 storey rental apartment building municipally known as 22 Oakmount Road, followed further south by a recently developed 14 storey mixed use building municipally known as 1830 Bloor Street West. Located south of Bloor Street West is High Park.

West: On the west side of Pacific Avenue are five apartment buildings having heights ranging from 15 and 30 storeys. The lands on the west side of Pacific Avenue are the subject of two proposed development reviews currently underway. One is currently under appeal and proposes four new apartment buildings at heights of 39, 34, 29 and 8 storeys, containing 1,031 new dwelling units and 1,795 m² of retail space (File Nos. 16 271597 WET 13 OZ). The other one is a recent submission and proposes one 11 storey building, containing 120 dwelling units (File No. 18 172305 WET 13 OZ).

Further west on the west side of High Park Avenue is a group of 4 apartment buildings (Grenadier Square) ranging in heights from 19 to 21 storeys. As noted previously, these lands also have an OMB approval for two additional apartment buildings up to 25 storeys in height each which are currently under construction.

East: On the east side of Oakmount Road, are a combination of low rise dwellings, along with a block with 3 apartment buildings. The low rise dwellings are designated *Neighbourhoods*; the apartment building block is designated *Apartment Neighbourhoods* and contains three 16 storey apartment buildings. Abutting these apartment buildings to the south are low rise dwellings designated *Neighbourhoods*. Further east on the east side of Mountview Avenue are additional *Neighbourhoods* designated lands.

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; 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 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 City 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 City 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 City 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 City 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. City

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 City 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 City 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 this report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and Site and Area Specific Policy 551 as follows:

The lands are designated *Apartment Neighbourhoods* on Map 18 – Land Use Plan in the Official Plan (see Attachment 3: Figure 3: Official Plan Land Use Map). *Apartment Neighbourhoods* are comprised of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. This designation does not anticipate significant growth within these areas, however compatible infill development may be permitted on a site containing an existing apartment building that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. The Plan includes criteria that direct the form and quality of development in this land use designation.

Healthy Neighbourhoods Policies

Healthy Neighbourhoods 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 Healthy Neighbourhoods policies of the Official Plan (Policy 2.3.1.2) identify that development in *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 the Plan through 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*.

Also cited in the Healthy Neighbourhoods is Policy 2.3.1.3, which permits City Council to determine whether an area based study is required. This Policy states:

“Intensification of land adjacent to *Neighbourhoods* will be carefully controlled so that *Neighbourhoods* are protected from negative impact. Where significant intensification of land adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an Avenue Study, or area based study” .

Apartment Neighbourhoods Policies

The Official Plan criteria to evaluate development in *Apartment Neighbourhoods* is set out in Policy 4.2.2 and Policy 4.2.3.

Policy 4.2.2 states that: "Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- a) Locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*;
- b) Locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;
- c) Locating and massing new buildings 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;
- d) Including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e) Locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;

- f) Providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- g) Providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- h) Providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities".

Policy 4.2.3 states that: "Infill development that may be permitted on a site containing an existing apartment building will:

- a) Meet the development criteria set out in Section 4.2.2 for apartments;
- b) Maintain an appropriate level of residential amenity on the site;
- c) Provide existing residents with access to the community benefits where additional height and/or density is permitted and community benefits are provided pursuant to Section 5.1.1 of the Plan;
- d) Maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- e) Organize development on the site to frame streets, parks and open spaces in good proportion, provide adequate sky views from the public realm, and create safe and comfortable open spaces;
- f) Front onto and provide pedestrian entrances from an adjacent public street wherever possible;
- g) Provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- h) Consolidate loading, servicing and delivery facilities; and
- i) Preserve or provide adequate alternative on-site recreational space for residents".

Built Form Policies

The development criteria in the *Apartment Neighbourhoods* and *Healthy Neighbourhoods* policies are supplemented by additional development criteria in the Official Plan's Built Form policies, including policies that specifically address tall buildings.

The Built Form policies, contained in Section 3.1.2 of the Official Plan emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area.

The Built Form policies (Policy 3.1.2) identify the importance of urban design as a fundamental element of City building. They require that new development:

- Be located and organized to fit with its existing and/or planned context;
- Frame and support adjacent streets, parks and open spaces;

- Locate and organize vehicular and service areas in such a way to minimize their impact and to improve the safety and attractiveness of adjacent streets, parks and open spaces;
- Be massed and its exterior façade be designed to fit harmoniously into its existing and/or planned context and to limit its impact by, among other things, creating appropriate transitions in scale as well as adequately limiting the resulting shadowing and wind conditions on neighbouring streets, properties and open spaces;
- Be massed to define edges of streets, parks and open spaces;
- Provide amenity for adjacent streets and open spaces for pedestrians; and
- Provide indoor and outdoor amenity space for residents.

Tall Building Policies

The Official Plan contains policies regarding tall buildings in the City (Policy 3.1.3). Tall buildings are identified as those whose height are greater than the width of the adjacent road allowance. The Plan limits these buildings to parts of the *Downtown, Centres* and other areas of the City such as *Apartment Neighbourhoods*. The tall building policies address in more detail where these buildings should be located, how the buildings should be designed and identifies other key urban design considerations when considering a tall building proposal. Policy 3.1.3 also states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to addressing specific built form characteristics, the policy states that proposals for tall buildings must clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Natural Heritage Policies

The natural heritage policies in Section 3.4 of the Official Plan require all development in or near the natural heritage system to be evaluated to assess the development's impact on the natural heritage system and identify measures to mitigate negative impacts on and/or improve the natural heritage system.

Parkland Acquisition and Tree Preservation Policies

The Official Plan includes policies for parkland acquisition as well as criteria for the location and configuration of parks. In addition, the Official Plan contains policies that discourage tree removal and promote increasing the tree canopy coverage in the City.

Housing Policies

The Official Plan also contains policies addressing the need to preserve and increase the City's supply of rental and affordable housing. Policy 3.2.1 of the Official Plan includes housing policies that encourage the provision of a full range of housing in terms of form, tenure and affordability.

Policy 3.2.1.5 states that for significant new development on sites containing six or more rental units, where existing rental units will be maintained, the existing units which have affordable and mid-range rents will be secured as rental housing and any needed improvements and renovations to the existing rental housing may also be secured without the pass-through of such costs to tenants. The Official Plan indicates that Section 37 Agreements may be used to secure any needed improvements to the existing rental building.

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, City 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 Neighbourhoods* 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, and these appealed policies as approved and modified by the Minister are relevant and represent City 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 in new development such as amenity and service areas, lighting and parking.

OPA 320 helps to implement the City's Tower Renewal Program by promoting the renewal and retrofitting of older apartment buildings, and by encouraging fruit and vegetable gardens on underutilized portions of *Apartment Neighbourhoods* sites.

High Park Apartment Neighbourhood Area Official Plan Amendment 419 (Site and Area Specific Policy 551)

The site is within the High Park Apartment Neighbourhood Area OPA 419, SASP 551. The link to OPA 419 can be found here:

<https://www.toronto.ca/legdocs/mmis/2018/ey/bgrd/backgroundfile-115346.pdf>

SASP 551 is based on the findings of the High Park Apartment Neighbourhood Area Character Study which involved extensive community consultation. The purpose of the High Park Apartment Neighbourhood Area Character Study was to evaluate existing area characteristics, and identify appropriate principles, policies and guidelines to guide change and compatible infill development in the area. On June 26, 27, and 28, 2018, SASP 551 was approved by City Council, and City Council directed staff to use OPA 419, SASP 551 in the evaluation of all new and current development proposals located within its boundaries.

Changes and appropriate infill opportunities in this area must be sensitive to and enhance the High Park Apartment Neighbourhood Area character. SASP 551 identifies the area character and augments the Official Plan's policies with area specific policy direction for the natural environment, public realm, open space, built form, site servicing, transportation, and community facilities. The intent of SASP 551 is to supplement the development criteria within Section 4.2 of the Official Plan for the High Park Apartment Neighbourhood.

Policies within SASP 551 are to be read as a whole and with the policies of the Official Plan. All relevant policies are to be applied to each development proposal and where there is a conflict between a policy of SASP 551 and a policy of the Official Plan, it is the intent of OPA 419, that SASP 551 policies prevail. SASP 551 is also to be read in conjunction with the High Park Apartment Neighbourhood Urban Design Guidelines.

The outcome of the staff analysis and review of relevant Official Plan policies and designations and the Site and Area Specific Policy planning studies noted above, are summarized in the Comments section of this report.

Zoning

The lands are zoned under both City-wide Zoning By-law No. 569-2013 and former City of Toronto Zoning By-law No. 438-86. Under Zoning By-law No. 569-2013, the lands are zoned R (d 2.0) (x334), which permits a wide range of residential building typologies to a maximum density of 2 times the area of the lot and a maximum building height of 10 m. The zone also permits certain non-residential uses subject to use qualifications. Under Zoning By-law No. 438-86, the lands are zoned R2, which also permits a range of residential uses including apartment buildings, detached houses, duplexes, rowhouse, semi-detached dwellings, triplexes and townhouses. Site specific exception 12 1(61) permits the use of a residential building to be operated by a government, charitable institution or non-profit group (see Attachment 4: Figure 4: Existing Zoning By-law Map).

The lands are also subject to Prevaling By-law Nos. 22318 and 171-67, which are the original By-laws adopted in 1964 and 1967, respectively, that permitted the existing development on the lands.

Design Guidelines

High Park Apartment Neighbourhood Urban Design Guidelines

The High Park Apartment Neighbourhood Urban Design Guidelines are posted online for further community consultation. Prior to presenting a finalized version of these Guidelines for City Council adoption, staff are refining and consulting upon the draft Guidelines. The final draft of these Guidelines are on the agenda for the July 4th, 2018 meeting of Etobicoke York Community Council prior to going to City Council for endorsement. These Guidelines are intended to implement the policy direction expressed in OPA 419 and provide appropriate built form and public space guidance while being respectful of the integrity of the surrounding context. The intent of the Guidelines is to provide clarity through more detailed direction on the desired outcomes for the design of streets, parks, open space, buildings, landscaping and vegetation in the High Park Apartment Neighbourhood. The Guidelines will also assist in the evaluation of all new and current development proposals in the High Park Apartment Neighbourhood. The staff report on these Guidelines can be found at this link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.4>

City-Wide Tall Building Design Guidelines

City Council has adopted City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the Guidelines is here: <https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>

Urban Design Guidelines for Infill Townhouses

The City of Toronto Urban Design Guidelines for Infill Townhouses articulate and clarify the City's interest in addressing townhouse development impacts, with a focus on protecting streetscapes and adjacent properties and integrating new development into existing neighbourhoods. The Guidelines provide a framework for site design and built form to achieve liveable spaces with an appropriate scale and form of development by detailing how new development should be organized to fit within the existing context and minimize local impacts. The Guidelines also speak to the important role of streetscapes in improving the quality and safety of the public street experience for pedestrians, cyclists and motorists. They can be viewed at: <https://web.toronto.ca/city-government/planning-development/official-plan-guidelines/designguidelines/infill-townhouses/>.

Townhouse and Low-Rise Apartment Guidelines

A comprehensive update of the Townhouse Guidelines is underway. Updated Townhouse and Low-Rise Apartment Guidelines further clarify and expand upon the City Council approved 2006 Guidelines to reflect a broader range of multi-dwelling development up to four storeys in height. The latest draft of the Townhouse and Low-

Rise Apartment Guidelines is here: <https://www.toronto.ca/wp-content/uploads/2018/01/964c-townhouse-low-rise-guidelines-02-2017.pdf>.

Site Plan Control

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

Reasons for the Application

An application to amend the Zoning By-law is required to permit new development on the lands currently zoned for the existing development. The site specific zoning that applies to the lands does not permit any development beyond the existing development on the site. A Zoning By-law Amendment is required to permit the proposed new buildings, building heights and overall site density, as well as address other applicable zoning standards such as parking requirements and building setbacks.

Application Submission

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

- Planning Rationale;
- Housing Issues Report;
- Pedestrian Level Wind Study;
- Sun/Shadow Study;
- Natural Heritage Impact Study;
- Urban Design Guidelines;
- Toronto Green Standard Checklist;
- Noise Impact Study;
- Heritage Impact Study;
- Transportation Impact Study;
- Servicing Report;
- Geotechnical Study;
- Tree Preservation Plan;
- Arborist/Tree Preservation Report and/or Declaration;
- Block Study;
- Hydrogeological Report;
- Survey Plans;
- Architectural Plans;
- Landscape and Lighting Plans;
- Project Data Sheet;
- Draft Zoning By-law Amendment to Zoning By-law No. 569-2013; and
- Draft Zoning By-law Amendment to Zoning By-law No. 486-83.

Agency Circulation

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

Community Consultation

The applicant hosted informal community consultation events prior to making the formal application submission to the City. A community consultation meeting hosted by the City took place on May 8, 2017. Approximately 350 people attended. Comments and issues raised by the attendees, as well as comments received by Planning staff subsequent to the meeting, have been organized in themes and are summarized below.

Density, Height and Massing:

Concerns were raised regarding: the density of the proposal being too high and the level of intensification being out of balance with the existing community; the proposed towers were too tall for the neighbourhood context; the number of towers should be reduced; the proposed separation distance between buildings are too small; and the opinions on the townhouses were inconsistent, where some commenters wanted more townhouses and others didn't want any townhouses as they took up green space.

Sun, Shadow and Wind:

Many comments identified concerns with: loss of sunlight and sky view; shadow impacts on existing and proposed properties; concerns over new wind and noise tunnels being created; and that wind effects were already making it difficult for people to walk in the neighbourhood.

Traffic Impact and Parking:

Several comments were directed at the issues related to parking in the immediate area. Comments identified: street parking is at capacity; the loss of surface parking for community care workers; traffic impacts, specifically as they relate to the existing streets not being built for the type and number of vehicles that would be using them; the impact of the proposed retail on the traffic in the area; and the impacts of the added traffic on the safety of pedestrians, cyclists and dogs.

Infrastructure and Servicing:

Concerns were raised with: the impacts of the development on municipal services; the impacts on TTC services such as the bus on High Park and the subway; need to consider cumulative impacts; and additional pedestrians on narrow sidewalks.

Community Services and Schools:

There were concerns with: community services ability to accommodate the additional population; schools being over capacity and unable to accommodate more children; need for more daycares; and over capacity of existing libraries.

Loss of Trees, Green Space and Outdoor Amenity:

Concerns were noted about: the loss of trees and green space and that the replacement of trees was inadequate; loss of amenities such as the BBQs and swimming pools; and impacts on wildlife.

Construction Impacts:

There were concerns noted regarding: construction and the impacts on air quality; effectiveness of phasing construction as a mitigation measure; cumulative impacts of multiple construction projects in the area; and the concern that construction would result in decreased property values.

Health:

Several comments were received regarding concerns for public health with respect to: impacts on young children living in high density; impacts on the quality of life from noise, air quality and light impacts; increased stress from the construction; potential safety hazards from buildings being too close to each other; and the effect of losing green space and how that will directly affect health.

Other:

Other comments included concerns about: past OMB decisions; appearance of the neighbourhood; proposed amenities were not satisfactory; guideline documents were outdated; and existing towers should be replaced.

Additional tenant specific consultation is required to help identify needed improvements to the rental housing buildings.

A Statutory Public Meeting under the *Planning Act* to consider this application did not take place. The application was appealed prior to one being scheduled.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of this report.

Staff have determined that the proposal is not consistent with the PPS and does not conform with the Growth Plan as follows:

PPS (2014) Policy 1.1.3.3 directs municipalities to identify appropriate locations for intensification and redevelopment, and PPS (2014) Policy 1.1.3.4 states that appropriate development standards should be promoted which facilitate intensifications,

redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Similarly, Growth Plan (2017) Policy 2.2.2.4b) directs the identification of the appropriate type and scale of development and transition of built form to adjacent areas, and Policy 2.2.2.4f) directs that these policies be implemented through Official Plan policies and designations and other supporting documents.

Policy 2.3.1.1 of the Official Plan states that *Apartment Neighbourhoods* are considered to be physically stable areas, and directs that development within this designation will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns.

The City's Official Plan Policy 2.3.1.2 requires that development proposals in *Apartment Neighbourhoods* be compatible with adjacent neighbourhoods, provide gradual transition in scale and density, maintain adequate light and attenuate resulting traffic and parking impacts on neighbouring streets. Development criteria and infill development criteria in Sections 4.2.2 and 4.2.3 of the Official Plan support the policy direction of Official Plan Policy 2.3.1.2.

The proposed development is not consistent with PPS Policy 1.1.3.3 and 1.1.3.4 and does not conform with Policy 2.2.2.4.b) and 2.2.2.4f) of the Growth Plan and is not in keeping with Official Plan Policy 2.3.1.2 as:

- It does not represent an appropriate scale of development for the surrounding area;
- It does not provide for appropriate transition to the adjacent *Neighbourhoods*;
- The lack of transition and inappropriate heights would contribute to increase in shadow on the public realm and adjacent *Neighbourhoods*; and
- Increases risks of traffic and parking impacts on adjacent streets.

The proposed development also does not have regard to Provincial Interest 2r of the *Planning Act* that identifies the promotion of built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The proposal is not consistent with the PPS (2014) Policy 1.7.1.d which states that "long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes".

The area character has been defined through the High Park Apartment Neighbourhood Area Character Study. The application proposes a streetwall environment that is not in keeping with the area character.

PPS (2014) Policy 1.1.1b) directs provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. Further, the Growth Plan (2017) also contains Policies 2.2.1.4, 2.2.4.9 and 2.2.6.4 to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes.

The proposal does not provide for an appropriate mix of unit types, particularly units which can provide space for larger households, including families with children. The proposed unit distribution is primarily one-bedroom units (almost 60 percent). Only 5 percent of the proposed units are three-bedroom units. This situation is exacerbated by the fact that none of the existing apartment buildings provide three-bedroom or larger units. As such, only 2.5 percent of all existing and proposed units would be able to accommodate larger households on this block.

The proposal states that the development will be a desirable and appropriate form of intensification as the site is within a Major Transit Station Area (MTSA).

The Growth Plan 2017 contains policies pertaining to population and employment densities that should be planned for in MTSA's along priority transit corridors or subway lines. MTSA's are generally defined as the area within an approximately 500 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next Municipal Comprehensive Review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's achieve appropriate densities. At the time of the MCR, municipalities can make a request to the Province for alternative targets to those established by the Growth Plan.

As part of the next MCR, the province has set out a number of requirements, including, MTSA density, Urban Growth Centre density, Employment Area density, and others.

The Ministry's draft guidance document can be accessed at this link:

http://www.placestogrow.ca/images/pdfs/MCR/en/draft_guidance_the_municipal_comprehensive_review_process_EN.pdf

The High Park Apartment Neighbourhood was planned to be transit supportive when it was originally built. Based on 2016 Census data, it is estimated that the High Park Apartment Neighbourhood Area has achieved a population density of 434 residents per hectare. It should also be noted that the High Park Apartment Neighbourhood area is not within a growth area as defined by the City's Official Plan. The City's Official Plan provides specific direction stating that "Growth will be directed to *Centres, Avenues, Employment Areas* and the *Downtown*"(Official Plan Policy 2.2.2). Significant growth is generally not intended within *Apartment Neighbourhoods*, however compatible infill development may be permitted provided it has sufficient underutilized space to accommodate one or more buildings while providing for good quality of life for both new and old residents.

Land Use

The Official Plan designates the subject lands *Apartment Neighbourhoods*, which are considered by the Plan to be physically stable areas and generally not intended for significant growth. Among many relevant policies in the Official Plan, Policy 2.3.1.1 directs that development within *Apartment Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in the *Apartment Neighbourhoods* area. Policy 2.3.1.2 requires that development be compatible with adjoining *Neighbourhoods*, provide gradual transition of scale and density, through stepping down of buildings and setbacks, maintain adequate light and privacy for residents, and attenuate resulting traffic and parking impacts on adjacent streets.

Although the High Park Apartment Neighbourhood Study was not master planned, there was a deliberate staging of development from east to west through site by site rezoning in order to ensure complete and comprehensive development to the greatest extent possible while providing densities that were supportive of the subway. The area was developed with towers arranged to maximize light, ventilation, views and privacy through their off-set and perpendicular orientations combined with generous distances between buildings.

Although the proposal is requesting residential uses and non-residential land uses contemplated under the *Apartment Neighbourhoods* designation, the proposal does not have regard for the existing context and does not respect and reinforce the existing physical character of built form, heights, massing, design and building orientation, streetscapes and open space patterns of the neighbourhood.

Density, Height and Massing

Density, height and massing in this application have been reviewed against the Official Plan policies and SASP 551 policies described in the Issue Background section of this report. Although the subject site may be able to accommodate some sensitive infill development, the location, scale, height, form and intensity of buildings in the current proposal is not consistent with Official Plan policies, and does not adequately respect and reinforce the existing physical character of the area and represents an overdevelopment of the site.

Density

The Official Plan does not include a density limit for the subject lands. The Official Plan explains (in the explanatory sidebar note) that density "will be assessed on the basis of the Plan's policies" and that "Where there are no height and density limits in the Official Plan, density limits of the area zoning that implements the Plan will be a benchmark for assessment of those aspects of the planned context".

The Zoning By-law Amendment application is requesting a density of 5.05 times the area of the lot which is slightly higher than the 4.98 times the area of the lot that was submitted on architectural plans. The applicant explains that this is to make up for any slight variation that may be required at the site plan stage. This density exceeds:

- The current underlying zoning permissions of Zoning By-law Nos. 438-86 and 569-2013 of a maximum of 2.0 times the area of the lot;
- The site specific zoning exceptions which provide for development up to 2.375 times the area of the lot;
- The overall density for the High Park Apartment Neighbourhood Area as a whole of 3.01 times the area of the lot (based on the High Park Apartment Neighbourhood Area Character Study);and
- The approved density of the applications submitted in the last 10 years:
 - 4.21 times the area of the lot for 20 Gothic Avenue; and
 - 4.28 times the area of the lot for 51-77 Quebec Avenue and 40-66 High Park Avenue.

The proposal exceeds the overall density of the area by about 2 times the area of the lot, and exceeds the recent approvals by about 0.7 times the area of the lot. As directed by the Official Plan, the area context should be used as a benchmark, therefore the density should be lower and more in keeping with the density ranges within the area.

Official Plan Policy 2.3.1.2 requires that development in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* must provide a gradual transition in scale and density through stepping down of buildings and setbacks towards those *Neighbourhoods*. There is no transition down to the *Neighbourhoods* to the northeast with the height of the Oakmount Road building. The Oakmount Road building is immediately south of 255 Glenlake Avenue and is closer to the neighbourhoods area northeast of the building. A shorter building, with a greater separation from the building at 255 Glenlake Avenue could resolve this.

Although the SASP 551 does not include a density limit, the development criteria applied collectively shape infill that is compatible and sensitive to the existing character of the area. The resulting density would be location specific and would have a gradual stepping down to neighbourhoods as there is a 45 degree angular plane requirement in the SASP. In the Oakmount Road building example, the combination of increased separation distances between buildings, and reducing height to fit within the 45 degree angular plane from the properties designated *Neighbourhoods* across the street, would result in a lower density development.

Height

The Official Plan does not include a height limit for the subject lands. Similar to the density section above, the Official Plan (explanatory sidebar note) explains that height "will be assessed on the basis of the Plan's policies" and that "Where there are no

height and density limits in the Official Plan, density limits of the area zoning that implements the Plan will be a benchmark for assessment of those aspects of the planned context". Furthermore, Policy 3.1.3.2 directs that tall building proposals will contribute to and reinforce the overall City structure, relate to the existing and/or planned context and account for the relationship to topography and to other tall buildings.

The height of the proposed tower buildings are 29 storeys (94.4 metres excluding mechanical penthouse) for the Oakmount Road Building and 33 storeys (108.4 m excluding mechanical penthouse) for the Pacific Avenue Building.

By contrast the existing buildings on the site are:

- 255 Glenlake Avenue at 23 storeys (approximately 58 m);
- 111 Pacific Avenue at 17 storeys (approximately 48 m); and
- 66 Oakmount Road at 12 storeys (approximately 33 m).

The towers within this Apartment Neighbourhood are:

- 299 Glenlake Avenue at 30 storeys (81 m, excluding mechanical penthouse);
- 51-77 Quebec Avenue and 40-66 High Park Avenue with two towers at 25 storeys (72.4 m);
- 35 High Park Avenue at 26 storeys (72.4 m); and
- 70 High Park Avenue at 20 storeys (approximately 63 m).

The proposed towers are a minimum of 13 metres taller than the tallest existing building in the area. As directed by the Official Plan, the area context and the *Apartment Neighbourhood's* planned function within the overall City structure, should be used as a benchmark, therefore the height of the proposed towers should be lower in order to be in keeping with the height ranges within the area.

The Tall Building Design Guidelines suggest that "where the existing context is characterized by tower separation distances greater than 25 metres, provide tower setbacks and separation distances in keeping with the more generous spacing established by the context". The High Park Apartment Neighbourhood Area Character Study recommends that a 35 metre building separation is appropriate in the area.

Within the recently approved 51 Quebec Avenue development application, the two towers are separated from the existing towers by approximately 33 m to 41m face to face and approximately 28.5 m to 33 m measured from side to face.

Neither building would provide separation distances in keeping with the context of the area. The Oakmount Road building has a proposed separation distance of 25.5 m and 28 m which would not meet the distance separation typical of the prevailing context of

the area. In addition, both buildings are proposed to be setback 5 m from the street, whereas the Character Study recommended a 10 m setback for tall buildings.

SASP 551 requires that all development criteria be used to establish appropriate building heights, meaning a specific height may not be achievable if other development criteria are not achieved. If achievable, the SASP defines the maximum building height to be 81 m and 30 storeys in height, as this height corresponds to the tallest building of the High Park Apartment Neighbourhood area. There must be no penetrations into the angular plane, and the angular plane is to be measured from the nearest property line of a property designated *Neighbourhoods*; there are separation distances required between towers; there are setbacks from property lines required; and there are maximum floorplates permitted.

Evaluating the proposed towers against the SASP 551 criteria reveals that:

- Both proposed towers exceed the maximum height limit of 81 m.
- Both proposed towers penetrate the angular planes.
- The SASP requires a 35 m separation distance from other tall buildings. The proposed Pacific Avenue building would meet the distance separation criteria. The proposed Oakmount Road building would not meet the separation distance criteria.
- The SASP provides for a maximum tower floorplate of 750m². Both proposed towers would meet this floorplate limit.
- The Pacific Avenue building would not meet the side lot setback of 17.5 m requirement of the SASP.
- Both buildings would not meet the 10 m setback from the street property line required by the SASP.
- The 8 storey component of the Oakmount Road building would not be considered a base to a tall building as it would exceed the maximum height and length limits in the SASP.

The proposal includes 2 blocks of freestanding townhouses. SASP 551 limits the maximum height of the low rise buildings to 3 storeys and one additional storey may be considered subject to the development application review process and without further amendment to the SASP. The height in metres is defined by the zoning by-law.

Evaluating the proposed low rise buildings against the SASP 551 criteria reveals that:

- The townhouses would not meet the street property line setback of 6m (they are proposed at 5 m).
- The townhouses would not meet the distance separation from the adjoining building at 255 Glenlake Avenue. A minimum of 15 m would be required whereas a separation distance of approximately 9 m is proposed.

Massing

Official Plan Built Form Policy 3.1.2.3 requires new development to be massed and its exterior façade to be designed to fit harmoniously into its existing context, and to limit its impact on neighbouring streets, parks, and open spaces, by massing new buildings to frame streets in a manner that respects the existing street proportion, and by creating appropriate transitions in scale to neighbouring existing and/or planned buildings, providing adequate light and privacy, 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. Policy 3.1.2.4 further directs that new development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas.

The existing site contains three buildings with elongated floorplates that have been offset from each other with generous setbacks from the streets, and separation distances from each other. Each building faces the street with their respective addresses along each of the block's street (255 Glenlake Avenue, 111 Pacific Avenue, and 66 Oakmount Road). The current buildings do not form a continuous streetwall. Existing floorplates in all three buildings are generally 1,160 m², and generally 65 m long on the longest side.

The proposal does not provide a similar rhythm in terms of building siting, massing and the provision of separation/open space between the buildings. Instead, it is proposing continuous streetwalls with buildings that are not offset from each other. Both proposed buildings do not set back from the street in keeping with the other existing buildings within the block.

The 8 storey component of the Oakmount Road building would result in a very long streetwall along Oakmount Road and a floor plate which is double the floorplate area typical of the block and typical of the High Park Apartment Neighbourhood area. The concept of joining an oversized midrise component to a tower element is uncharacteristic of the High Park Apartment Neighbourhood area.

Also of concern are the direct front-to-front facing relationships and the small building separation distances between the proposed Oakmount Road building and 255 Glenlake Avenue and 66 Oakmount Road. Also of concern is the back-to front facing relationship created by the proposed townhouse blocks and 255 Glenlake Avenue. The proposed siting would not provide sufficient building separation distances and would not ensure adequate light, view and privacy is achieved for existing and future residents.

SASP 551 provides for a maximum length of 65 m for any midrise building. The length of the street frontage proposed by the base building and tower elements of the Oakmount Road building is approximately 104 m, which is approximately 40 m greater than the SASP would permit. The SASP would also require these two building types to be physically separated by 15m to ensure appropriate sky view and open space

between buildings. Furthermore, there is insufficient distance separation from this proposed building to 66 Oakmount Road to the south, 255 Glenlake Avenue to the north, and 111 Pacific Avenue to the west.

Official Plan policy 4.2.2 a) directs new buildings to locate and be massed to provide transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or stepping down of heights towards, lower-scale Neighbourhoods. The proposal does not provide a gradual transition in massing between the tall buildings and the adjoining lower scale *Neighbourhoods* across the street on Oakmount Road.

Sun, Shadow and Wind

The applicant's (March and September) equinox shadow impact analysis indicates that there would be new shadows from the Oakmount Road building extending into the *Neighbourhoods* lands northwest at 9:18 a.m. to 10:18 a.m. after which they would fall on the south side of the existing building at 255 Glenlake Avenue until 1:00 p.m. The shadows would then move across Oakmount Road and shadow the low-rise residential properties on the east side until 4:18 p.m. after which it would shadow the Keele Street Public School site and the open space and apartment buildings on the east side of Oakmount Road.

At 9:18 a.m. the Pacific Avenue building would cast shadow across the public realm, private open space and onto the south and east face of the tower across the street to the west (65 High Park Avenue) with shadows extending across High Park Avenue onto the private open space of the building at 100 High Park Avenue. The shadow would move across the open space and townhouses on the west side of Pacific Avenue until 12:18 p.m. where they would fall onto the existing building at 111 Pacific Avenue including the open space until 3:18 p.m. The shadow would then move across Oakmount Road shadowing the south end 55 Oakmount Road and the public realm and private open space on the east side of the street. Over the next two hours, the shadow would move off 55 Oakmount Road and stretch across the site to shadow part of the west face of both 45 and 60 Oakmount Road to 5:18 p.m.

The June 21st shadow impact analysis illustrates there would be shadow impacts from both new buildings on the entirety of the on-site open space on the west side of the Oakmount Road building and to the west across Pacific Avenue onto the private open space, the south building face of 65 High Park Avenue and the east and part of the north and south face of 299 Glenlake Road from 9:18 a.m. to 10:18 a.m. By 11:18 a.m. the shadow would move off the buildings but remain on the private open space both on-site and to the west. At 12:18 p.m. the shadow would be on the east side of the street including the public realm and reach north of the new building where it would start to shadow the south side of the existing towers to the north until 2:18 p.m. At this time, the shadow would then extend to the east shadowing the south part of the on-site open space and reach across Oakmount Road shadowing the public realm. The shadow

from both new buildings would reach across the street to the east after 3:18 p.m. and shadow the low rise buildings on the south side of Glenlake Road, the private open space, and by 4:18 p.m. the existing buildings at 55 and 66 Oakmount Road.

The shadow study demonstrates that the bands of sunlight through the original buildings would be blocked in some locations and significantly minimized in other locations by the proposed development through the spring, summer and fall. This would result in the majority of the area being in shadow from either the existing or the proposed buildings for at least half the day for most of the year. The shadow study does not take into consideration the shadows cast by the proposed development to the west (File No. 16 271597 WET 13 OZ) which, when considered collectively, would shadow the majority of the area for most of the day and for most of the year.

The City's Sunlight and Shadow Cumulative Analysis undertaken through the High Park Apartment Neighbourhood Area Character Study indicates the location of the proposed buildings are within areas that receive between 4 to 5 and 6 to 7 hours of sunlight during the equinoxes, and 6 to 7 and 8 to 9 hours of sunlight during the summer. The proposed buildings would be on some of the sunniest spots of this neighbourhood. The impact to the neighbourhood would mean the loss of those sunny areas, and significant additional shadowing of areas near the new buildings.

The proposed new buildings should seek to minimize the projection of new shadows on streets, existing and proposed outdoor amenity areas and landscaped open spaces. An extended Sun/Shadow Study is required illustrating sun/shadow tests for March 21, June 21, September 21 and December 21 at hourly increments from 8:18am to 9:18pm. Staff are recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order on any approval of the Zoning By-law Amendment application until this material is submitted to the satisfaction of the Chief Planner and Executive Director, City Planning.

Policy 4.2.2 of the Official Plan directs that new buildings are to be located and be massed so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during spring and fall equinoxes, and to be located and massed to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Policy 3.1.2.3 requires appropriate transitions in scale to the neighbouring and existing buildings, providing adequate light and privacy, and adequately limiting any resulting shadowing of, and uncomfortable wind conditions on neighbouring streets, properties and open space.

Materials provided in support of this application do not demonstrate how the tall buildings transition into the neighbourhood. There are no diagrams showing the angular plane and how it relates to the buildings being proposed.

Evaluating the proposal against the SASP 551 criteria reveals that:

- SASP requires no net new shadow on Lithuania Park, and the proposal would comply with this requirement.
- SASP requires that outdoor amenity spaces have access to sunlight (policy 4c)i). The High Park Apartment Neighbourhood Urban Design Guidelines provide more guidance on required sunlight.
- SASP requires comfortable wind conditions in the outdoor amenity areas (policy 4c)vii). The High Park Apartment Neighbourhood Urban Design Guidelines provide more guidance on comfortable wind conditions.

Given the existing and planned context for the subject property and the surrounding area, it is staff's opinion the proposed height and locations of the buildings is inappropriate for the site and would create significant shadow impacts on the on-site private amenity space, the public realm, the existing apartment buildings and the surrounding low-rise dwellings, including these in the *Neighbourhoods* area.

Official Plan Policy 3.1.2.3 requires appropriate transitions in scale to the neighbouring and existing buildings, providing adequate light and privacy, and limiting shadow and uncomfortable wind conditions. SASP 551 requires comfortable wind, conditions in the outdoor amenity areas.

The Pedestrian Wind Assessment submitted in support of the application indicates that generally, acceptable wind conditions would be achieved at sidewalks and main pedestrian building entrances. Proposed outdoor amenity areas would be screened by buildings which would calm wind conditions. The study suggests that the expectation is that wind conditions would be similar to the existing environment.

Staff require a Preliminary Wind Study following the Toronto Development Guide Pedestrian Level Wind Study Terms of Reference to assess the impacts of all proposed buildings taller than 6 storeys. Staff are recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order on any approval of the Zoning By-law Amendment application until this material is submitted to the satisfaction of the Chief Planner and Executive Director, City Planning.

Traffic Impact, Access and Parking

The applicant's studies indicate the proposed 768 residential units would generate approximately 90 and 115 new two way vehicular trips during the AM and PM peak hours. While Transportation Services staff generally concur with this conclusion, additional information is required to evaluate how these traffic volumes could be accommodated. Specifically, a trip generation analysis is required for as-of-right development reflecting a worst case scenario, as is an assessment of the anticipated levels of traffic infiltration that would be generated by the proposal into the adjacent stable residential neighbourhoods along with proposed mitigation measures. Staff are

recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order on any approval of the Zoning By-law Amendment application until this material is submitted to the satisfaction of the General Manager of Transportation Services.

SASP 551 requires a review of additional traffic related matters, such as traffic safety issues, detailed driveway assessments, detailed analysis of future transit riders, a transportation demand management plan, and a detailed assessment of existing parking utilization rates. This additional information would be reviewed and confirmed by City staff.

Vehicular access to the lands is proposed to be re-configured and re-arranged from three entrance driveways to four: two off Oakmount Road, and two off Pacific Avenue. The locations are generally acceptable to Transportation Services staff provided outstanding matters related to traffic impacts are addressed.

The parking supply proposed is lower than the Zoning by-law requirements, however the applicant provided the Urban Transportation Considerations report that suggests the proposed parking supply will satisfy the projected demand. Transportation Services staff are satisfied with the proposed parking rates. No spaces are dedicated to the retail space as this space is deemed to be ancillary in nature.

SASP 551 would limit surface parking spaces and would not include above grade parking structure with the exception of bicycle parking facilities. This is generally being met by the proposal.

Streetscape

Transportation Services staff identified that sidewalks should be widened to 2.1m and would be required as part of a potential development at the applicant's cost. Streetscape improvements that would add street furniture would be reviewed and secured through the Site Plan reviews process.

SASP 551 provides policy guidance for future streetscape and public realm improvements in the area and also identified that sidewalks in this area should be widened to better accommodate pedestrian and accessibility requirements.

Servicing

A revised Functional Servicing Report is required to address matters such as Sanitary Servicing, Combined Sewer Capacity Assessment, Storm Servicing, Storm Drainage and Stormwater Management, and Groundwater. Staff are recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order on any approval of the Zoning By-law Amendment application until

this material is submitted to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

The application would comply with SASP 551's requirement to integrate vehicular ramps to underground garages within buildings, the application does limit the use of vehicular driveways between the front face of a building and the public street or sidewalk.

The SASP 551 would also require cycling infrastructure for residents of existing buildings in addition to the requirements for new buildings, a designated on-site dog relief facility for use by new and existing residents would need to be provided, and SASP 551 would also encourage the incorporation of an appropriate number of on-site storage areas for mobility devices, strollers and other similar equipment.

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 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the highest 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.

Parks, Forestry and Recreation staff advise that in accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu.

The residential nature of this proposal is subject to a 15% parkland dedication. The non-residential nature of this proposal is subject to a 2% parkland dedication.

The value of the cash-in-lieu of parkland dedication would be appraised by Real Estate Services staff. Payment would be required prior to the issuance of the first above grade building permit.

In addition, Parks, Forestry and Recreation staff advise that if the owner of the property enters into a Section 37 Agreement with the City as part of this development application, that Parks, Forestry and Recreation request to be involved in the negotiations.

Private Open Space

SASP 551 requires sites that contain one or more apartment buildings greater than 4 storeys to:

- Provide 65% open space; the open space proposed is 61%.
- Contain a maximum of 35% coverage; the coverage proposed is 39%.

- Maximum building frontage along each street property line is not to exceed two thirds:
 - The building frontage on Pacific Avenue would not exceed the maximum.
 - The building frontage on Glenlake Avenue would exceed the maximum.
 - The building frontage on Oakmount Road would exceed the maximum.

Natural Heritage Protection

The site is located near High Park and its Area of Natural and Scientific Interest, Environmentally Significant Area. The applicant submitted a Natural Heritage Impact Study by Ages Consultants Limited that concludes the development would have no impact on High Park and that the proposal meets all the applicable standards, particularly the TGS Tier 1 standards as well as the applicable Provincial and City policies. The report concludes that the proposal would result in improvements to stormwater management on the site which is currently untreated. The report notes that the proposed plantings of trees and the green roofs would provide enhancements to offset any vegetation losses and that the buildings would be designed to meet bird collision hazard standards.

The consultant's analysis was conducted prior to the results from the Bloor West Village Avenue Study Natural Heritage Impact Study and prior to results from the Addendum done for the High Park Apartment Neighbourhood Area Character Study. There are new natural heritage provisions in the SASP and these provisions would need to be addressed. Staff are recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order on any approval of the Zoning By-law Amendment application until this material is submitted to the satisfaction of the Chief Planner and Executive Director, City Planning.

Heritage Impact Study

The development site neither contains nor is adjacent to any listed Part IV designated heritage properties. The closest Part IV designated heritage property is 70 High Park, however at 160 m and a full city block district, it is not considered 'adjacent'. The Shadow Impact Study reveals that no net new shadows would be cast on the heritage property by the proposal at the equinoxes and on June 21st. There is also no Heritage Conservation District in force in the surrounding neighbourhood.

Heritage Preservation Services staff accept the findings that the proposal will not adversely impact any nearby cultural heritage resources.

Tree Preservation

The Arborist Report indicates that the development proposes to preserve 54 City-owned trees and 44 protected private trees, and remove 6 City-owned trees and 93 protected private trees.

Urban Forestry staff do not object to the development of these lands, but do not support developments that require the removal of a significant number of healthy trees while restricting replanting opportunities. Urban Forestry staff advise the following is required:

- A Tree Protection Security to ensure protection of each of the 54 City owned trees;
- An application to injure or destroy trees and applicable fees for permission to injure a tree for 8 protected private trees located on the adjacent property to the south;
- An application to injure or destroy trees and applicable fees for permission to remove 6 City-owned trees that conflict with the development; and
- An Appraised Tree Value for the six city-owned trees if the application is approved.

The Landscape Plan submitted with this application proposed 19 new trees on the City road allowance and 72 new trees on private property. The Landscape Plan is not acceptable to Urban Forestry staff as it proposed only 28% of the required replanting. Based on standard requirements, Urban Forestry staff require 279 new trees on private property to compensate for the loss of 93 protected private trees. A Plant List and Planting Details have not been provided. Urban Forestry staff have additional requirements for landscaped open space over underground structures (including parking). The Landscape Plan is required to be revised to address Urban Forestry's concerns.

Where tree planting to replace trees to be removed is not physically possible on the site, the General Manager of Parks, Forestry and Recreation may accept payment in lieu. New trees in the City road allowance cannot contribute to the number of trees to be replaced on private property.

The applicant would be required to submit a Tree Planting Security in the amount of \$583.00 per tree to ensure planting and maintenance for new trees to be planted on the City road allowance.

Toronto Green Standard

City 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.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through Zoning By-law process include Automobile Infrastructure, Cycling Infrastructure, Storage and Collection of Recycling and Organic Waste.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study was submitted in support of the application. The submission only partially addressed the City's CS&F Study requirements identified in the Toronto Development Guide Terms of Reference.

CS&F staff identified deficiencies with the applicant's study and conclude that the proposed development would generate a need for custom built daycare as vacancies in the area are currently low. There is capacity at the existing schools in the area, but continued monitoring will need to occur as development proceeds in the study area. Runnymede Public Library has been renovated to improve capacity, however the applicant's study does not address Toronto Public Library's ability to serve additional population resulting from proposed growth. The applicant's study identifies two city-run recreation centres in the study area but does not address whether there are existing needs or available capacity to support future growth. Lastly, no assessment of the existing capacity of human services was provided so it cannot be determined if these service providers can serve additional population in the study area.

SASP 551 encourages the provision of space that is eligible for the City's Community Space Tenancy Policy, partnerships to support the improvement, provision and expansion of community service facilities, and the incorporation of schools and community service facilities into new and/or existing buildings.

Staff are recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order on any approval of the Zoning By-law Amendment application until the identified deficiencies in the CS&F study are addressed and submitted to the satisfaction of the Chief Planner and Executive Director, City Planning.

School Capacity

The Toronto District School Board (TDSB) has 7 elementary schools in this area of which 5 are over capacity. There are also 4 secondary schools of which HumberSide Collegiate Institute is over capacity. The Toronto Catholic District School Board (TCDSB) has 3 elementary schools in this area of which only St. Cecilia Catholic Elementary School is over capacity. There are also three secondary schools and only Bishop Allen Secondary School is over capacity at 215% and would be required to accommodate additional students using portables.

The TDSB advised that due to the projected accommodation levels at the local schools, warning clauses on site and in agreements of purchase and sale are warranted. 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 new development will not displace existing students.

The school board also requested that as a condition of approval, the applicant/developer enter into an agreement to erect and maintain signs advising that the Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available.

The school board also requested the applicant/developer agree in the Servicing and/or Development agreement, or in a separate agreement between the School Board and the Developer, to include a warning clause in all offers of purchase and sale of residential uses that warns that "sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred. Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area". These requirements would be included in the Section 37 Agreement, should the application be approved.

Housing

A Housing Issues Report was submitted in support of this application. The proposal includes retaining all existing rental housing. In accordance with Official Plan Policy 3.2.1.5, the application proposes to secure the existing rental tenure with affordable or mid-range rents, being 700 of 750 units. The applicant has proposed that no application to demolish or convert these rental units would be made for a period of at least 20 years.

Official Plan Policy 3.2.1.5 also seeks the securing of needed improvements to the existing rental buildings. The applicant has confirmed that capital improvements will be provided although a description of these improvements has not been received to date. The applicant anticipates consulting with existing tenants to identify needed improvements as required although no dates have been provided. All new indoor and outdoor amenities should be accessible to all residents within the subject site, and should be legally secured as such.

A construction mitigation and tenant communications strategy will also need to be developed to address adverse impacts on tenants who remain during the construction phase.

Policy 5.i) of SASP 551 would require a minimum of 25% of all new dwelling units to be two bedroom units and a minimum of 10% of all new dwelling units to be three bedroom units.

These requirements would be included in the Section 37 Agreement, should this application be approved.

Noise

A Noise Study was submitted as part of the proposal. A peer review is required at the expense of the applicant to ensure appropriate mitigation measures are identified and implemented. Mitigation would also be at the owner's expense. At times, further noise studies, and peer reviews may also be required.

Staff are recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order on any approval of the Zoning By-law Amendment application until any revisions to the Noise Study as may be required through the peer review process that identifies all mitigation measures to be undertaken for this development, to be peer reviewed at the cost of the owner and to incorporate the recommendations in the site design to the satisfaction of the Chief Planner and Executive Director, City Planning.

Section 37

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a development that is greater than the Zoning By-law would otherwise permit in return for community benefits. Details of a Section 37 Agreement between the applicant and the City are determined, in consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

The Official Plan and City Council's approved Section 37 protocol requires that the proposed development represent good planning and meet a minimum size requirement of 10,000 m² and an increase in density of at least 1,500 m². The proposed development, at 113,100 m² and increase in density of 58,939 m², meets the size and threshold requirements.

No fulsome discussions were held regarding Section 37 community benefits given that the proposal does not represent good planning in its current form and as the planning issues have not been fully resolved.

Staff are recommending that City Council direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold its Order on any approval of the Zoning By-law Amendment application that considers additional density and/or height beyond what is permitted by the current Zoning By-law, until the City has secured the appropriate community benefits to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, and such benefits should be secured through a site specific Zoning By-law Amendment and in further detail through a Section 37 Agreement.

Through preliminary consultation with the Ward Councillor and City Divisions and agencies, and through the High Park Apartment Neighbourhood SASP 551, the following community benefits have been identified as being priorities for this area:

1. Acquisition, improvements and expansions to local parks
2. Improvements to the public realm including public pathways and connections including improvements to transform High Park Avenue into a Grande Promenade.
3. Other improvements to the public realm and public pathways and connections;
4. Establishment of new or expansions to existing non-profit community services and facilities, including community service program space;
5. Improvements to existing local community centres;
6. Non-profit childcare facilities;
7. Affordable housing;
8. Public art; and
9. Meeting space for community groups.

In the event the LPAT allows the appeal in whole or in part, staff recommend City Council direct that the following matters also be secured in Section 37 Agreement for the development as a legal convenience:

- a) The owner shall provide a 2.1 metre sidewalk along the each frontage abutting the site to be secured through the Site Plan Control review process.
- b) Secure as rental housing the existing rental housing units which have affordable and mid-range rents.

- c) Secure needed improvements to the existing rental apartment buildings without pass through of costs to existing tenants, and securing access to new indoor and outdoor amenities for all on-site residents.
- d) Secure a construction mitigation strategy and a communications plan to reduce impacts on remaining tenants.
- e) The owner shall satisfy the requirements of the Toronto District School Board regarding warning clauses and signage with respect to school accommodation issues.
- f) A minimum of 10% of all units to be shown on the plans for the development as three-bedroom units.
- g) The owner's agreement to provide an on-site dog relief area with proper disposal facilities for existing and new residents or a dog relief station within the building.
- h) The owner shall enter into a financially secured Development Agreement for the construction of any improvements to the existing municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development.
- i) The owner shall construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of PG 23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), the Toronto Official Plan, OPA 419 and SASP 551.

Staff are 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, particularly as it relates to density, transition, compatibility, built form and unit mix. In addition, a number of technical and development matters have not been resolved including: Community Services and Facilities, Urban Forestry, Transportation Services, Noise Study, Functional Servicing and Parks Requirements.

Staff are of the opinion that the proposal as submitted is not supportable and represents overdevelopment of the site. It does not have regard for its context and does not respect and reinforce the existing physical character of buildings, streetscapes and open space patterns of the neighbourhood. It does not comply with the Official Plan, specifically the Built Form policies and the *Apartment Neighbourhoods* designation policies regarding infill development. The proposal is not consistent with the development criteria or overall policies of City Council adopted Site and Area Specific Policy 551 that resulted from the High Park Apartment Neighbourhood Character Study in which the applicant participated and which was the subject of significant study and consultation.

The proposal does not represent good planning and is not in the public interest. Staff recommend that City Council authorize the City Solicitor, together with Planning staff and any other appropriate staff, to attend the Local Planning Appeal Tribunal (LPAT) hearing to oppose the Zoning By-law Amendment application for the lands at 111 Pacific Avenue, 255 Glenlake Avenue and 66 Oakmount Road in its current form.

CONTACT

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SIGNATURE

Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

City of Toronto Data/Drawings

- 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: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Figure 5: Site Plan

Attachment 6: Figure 6: East Elevation

Attachment 7: Figure 7: West Elevation

Attachment 8: Figure 8: North Elevation

Attachment 9: Figure 9: South Elevation

APPLICATION DATA SHEET

Municipal Address: 111 PACIFIC AVE **Date Received:** December 21, 2016

Application Number: 16 269597 WET 13 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: This application proposes to amend the Zoning By-laws to permit two blocks of 3-storey townhouse, one 33 storey building, one 29 storey building, and an 8 storey building with a new 2 storey amenity pavillion, to be developed and added to the lands currently occupied by three residential rental buildings.

Applicant	Agent	Architect	Owner
PEDRO LOPES			M PARK PLACE CORP

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood R2 by law 438-	Site Specific Provision:	22318 and 171- 67
Zoning:	86 and r 569- 2013	Heritage Designation:	
Height Limit (m):		Site Plan Control Area:	

PROJECT INFORMATION

Site Area (sq m): 22,716 Frontage (m): 250 Depth (m): 91

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):				
Residential GFA (sq m):	54,392	54,392	58,939	113,331
Non-Residential GFA (sq m):				
Total GFA (sq m):	54,392	54,392	58,939	113,331
Height - Storeys:			33	33
Height - Metres:			109	109

Lot Coverage Ratio (%): 0 Floor Space Index: 4.99

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	113,331	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:		750	768	1,518
Other:				
Total Units:		750	768	1,518

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					
Total Units:		101	946	431	40

Parking and Loading

Parking Spaces: 1,022 Bicycle Parking Spaces: 1,028 Loading Docks: 4

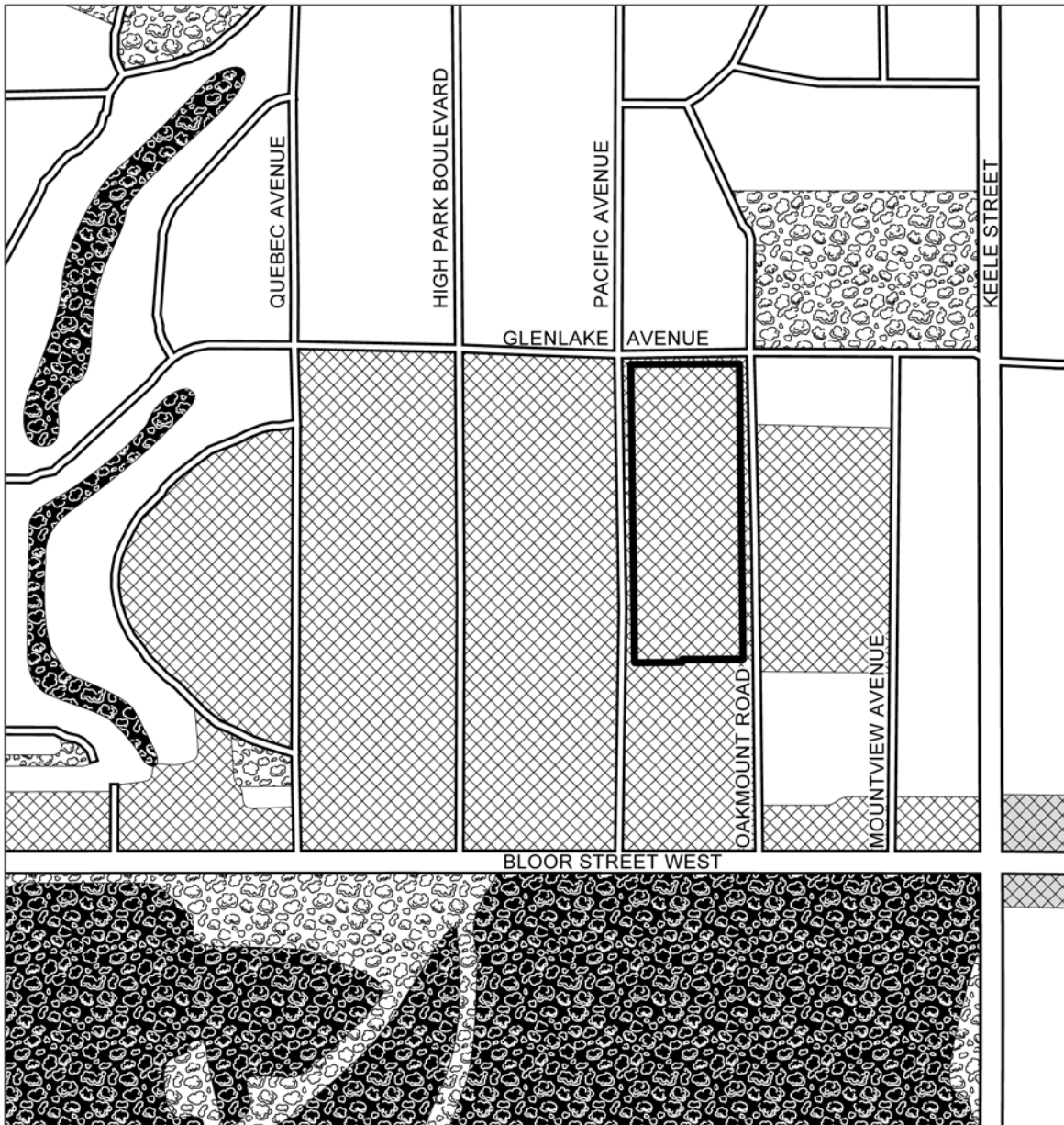
CONTACT:

Elisabeth Silva Stewart, Planner
(416) 394-6006
Elisabeth.SilvaStewart@toronto.ca

Attachment 2: Figure 2: Location Map



Attachment 3: Figure 3: Official Plan Land Use Map



Extract from Official Plan

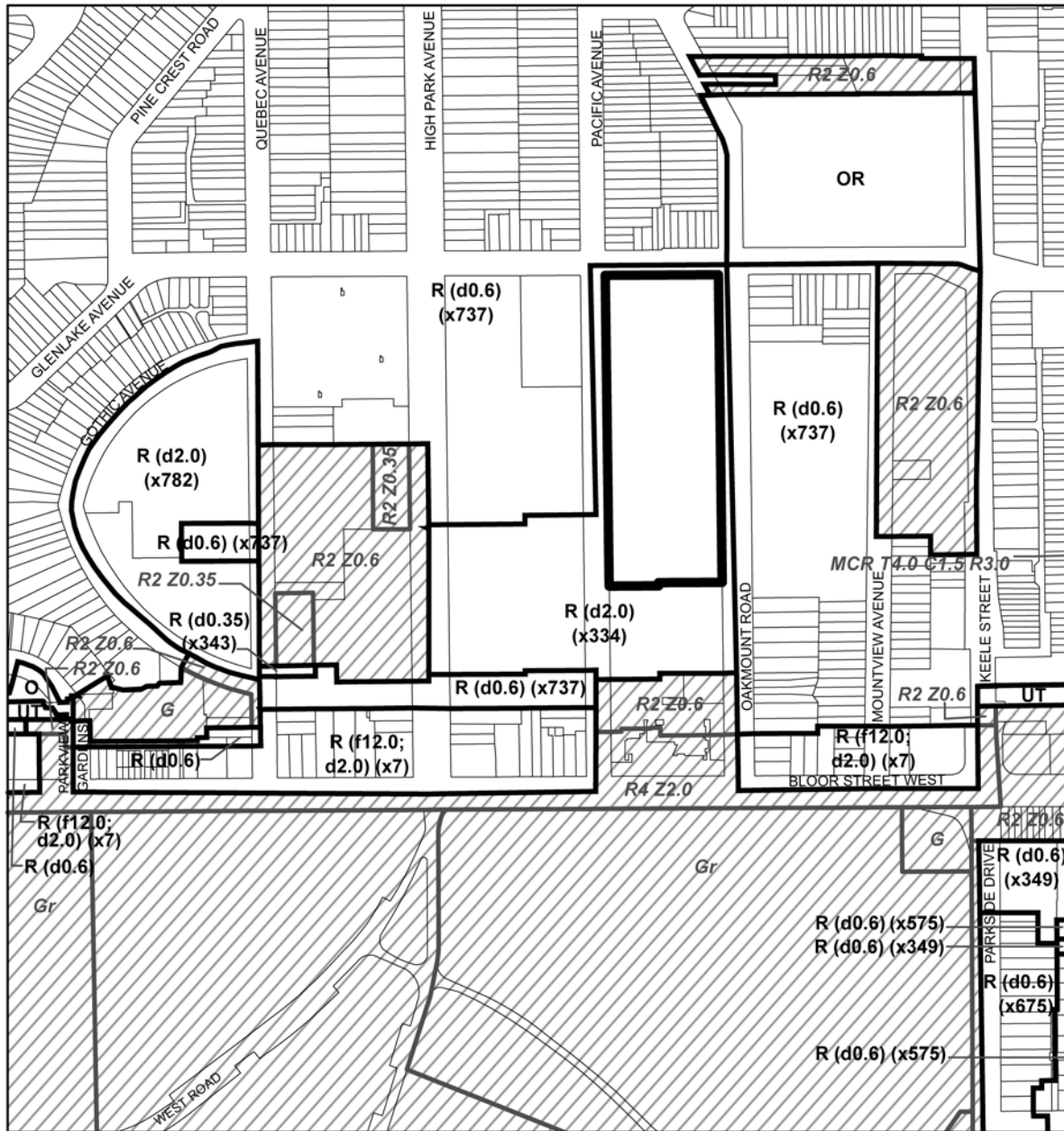
111 Pacific Avenue, 255 Glenlake Avenue,
and 66 Oakmount Road

File # 16 269597 WET 13 02

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Apartment Neighbourhoods |  Parks |
|  Mixed Use Areas | |

↑
Not to Scale
03/07/2017

Attachment 4: Figure 4: Existing Zoning By-law Map



Zoning By-Law No. 569-2013

111 Pacific Avenue, 255 Glenlake Avenue,
and 66 Oakmount Road
File # 16 269597 WET 13 02



Location of Application

R Residential
O Open Space
OR Open Space Recreation
UT Utility and Transportation



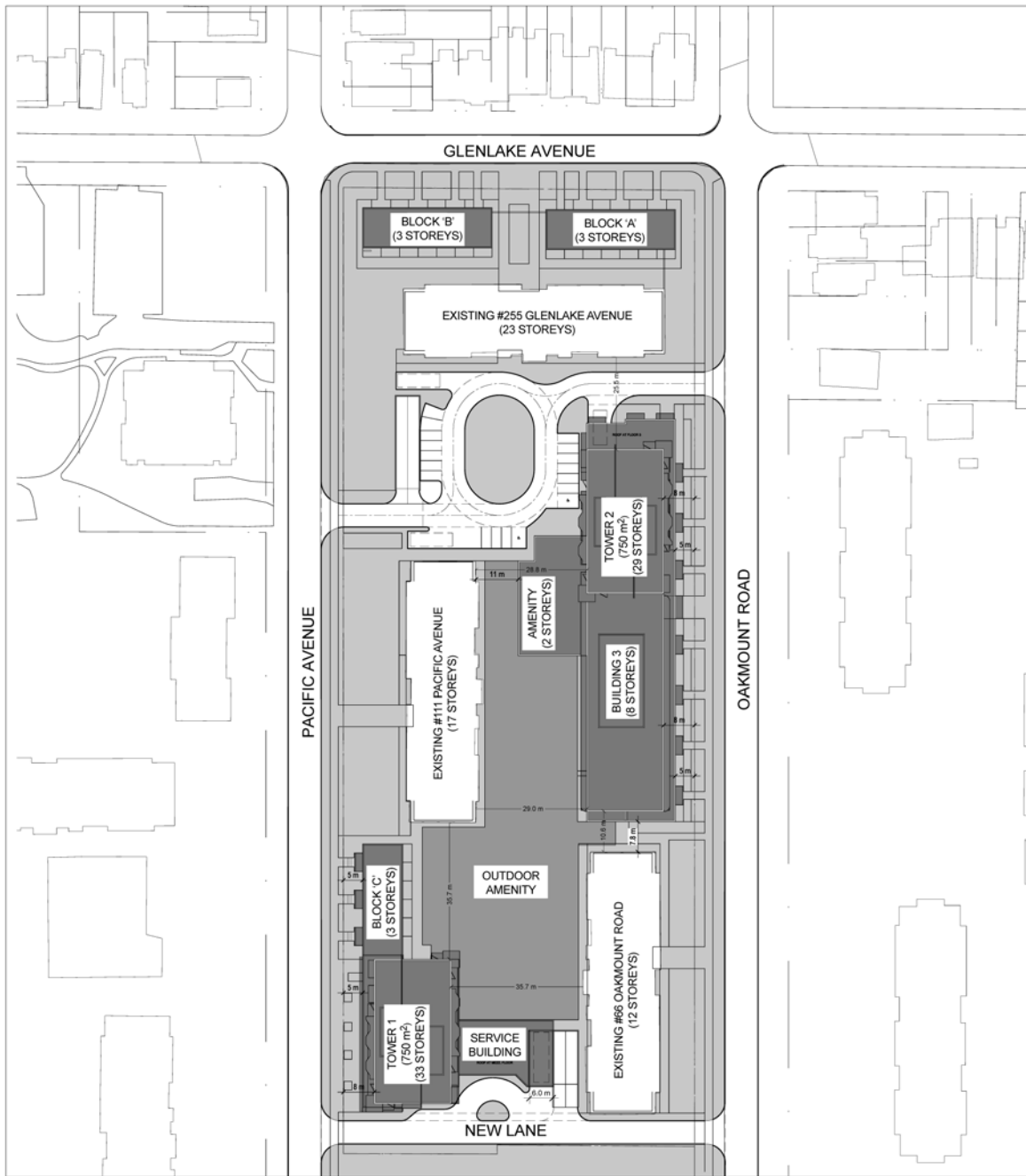
See Former City of Toronto By-Law No. 438-86

R2 Residential District
R4 Residential District
MCR Mixed-Use District
G Parks District
Gr Parks District



Not to Scale
Extracted: 03/07/2017

Attachment 5: Figure 5: Site Plan



Site Plan

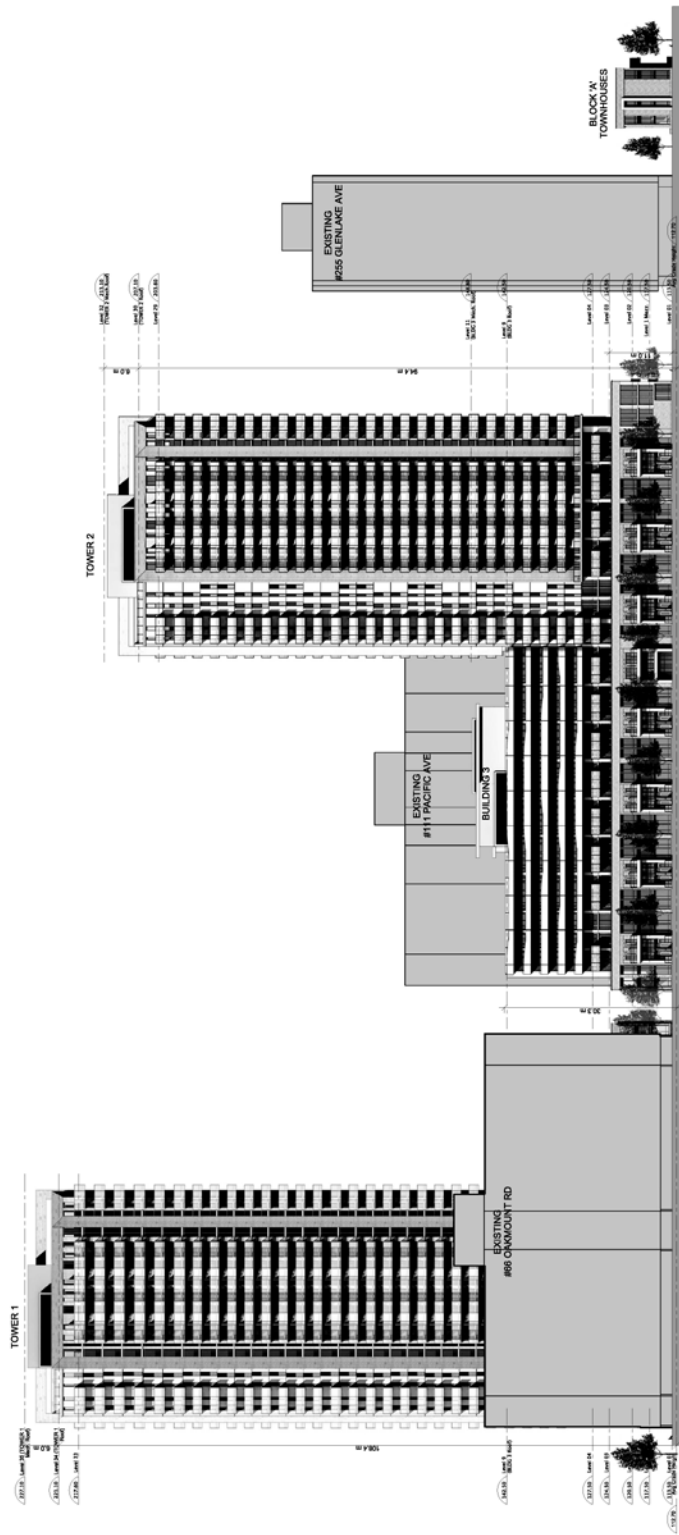
Applicant's Submitted Drawing

Not to Scale
03/07/2017 

**111 Pacific Avenue, 255 Glenlake Avenue,
and 66 Oakmount Road**

File # 16 269918 WET 07 02

Attachment 6: Figure 6: East Elevation



East Elevation

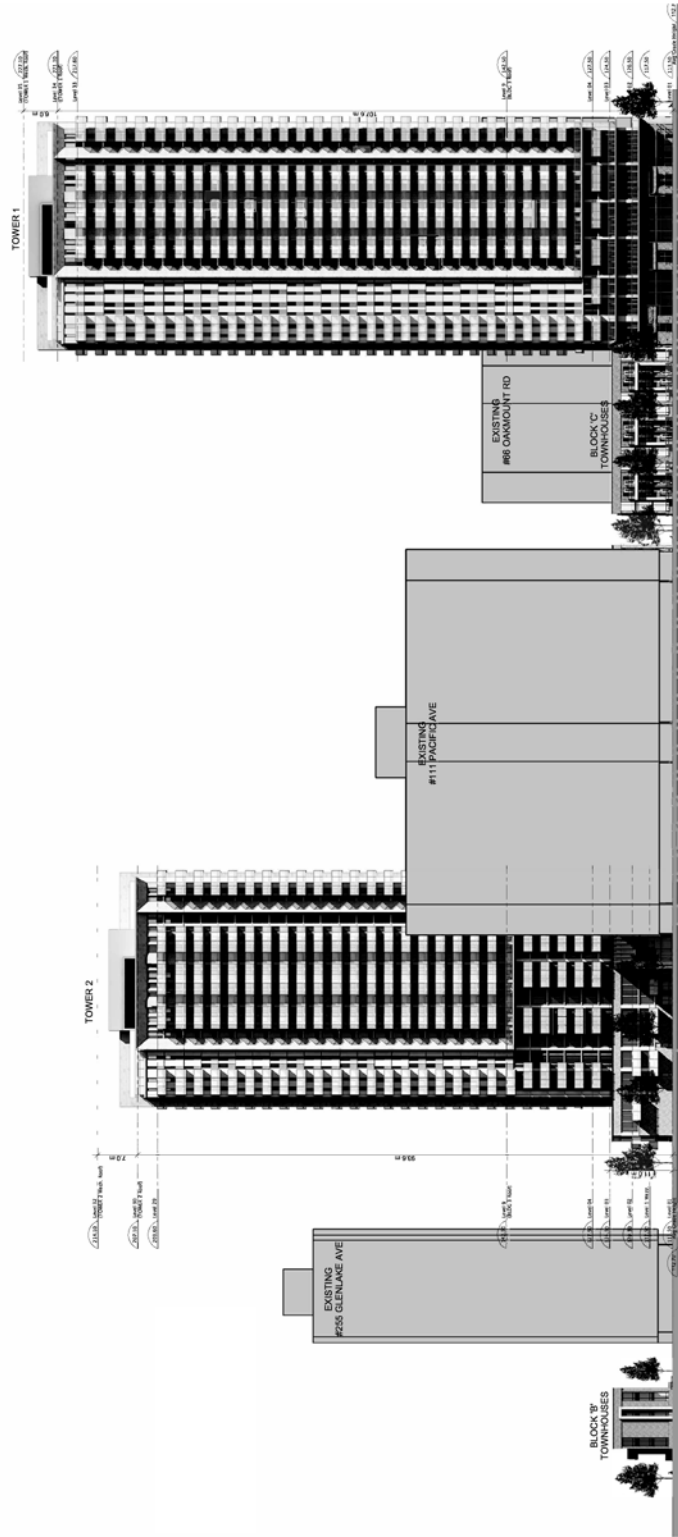
Applicant's Submitted Drawing

Not to Scale
06/14/2018

**111 Pacific Avenue, 255 Glenlake Avenue,
and 66 Oakmount Road**

File # 16 269597 WET 13 0Z

Attachment 7: Figure 7: West Elevation



West Elevation

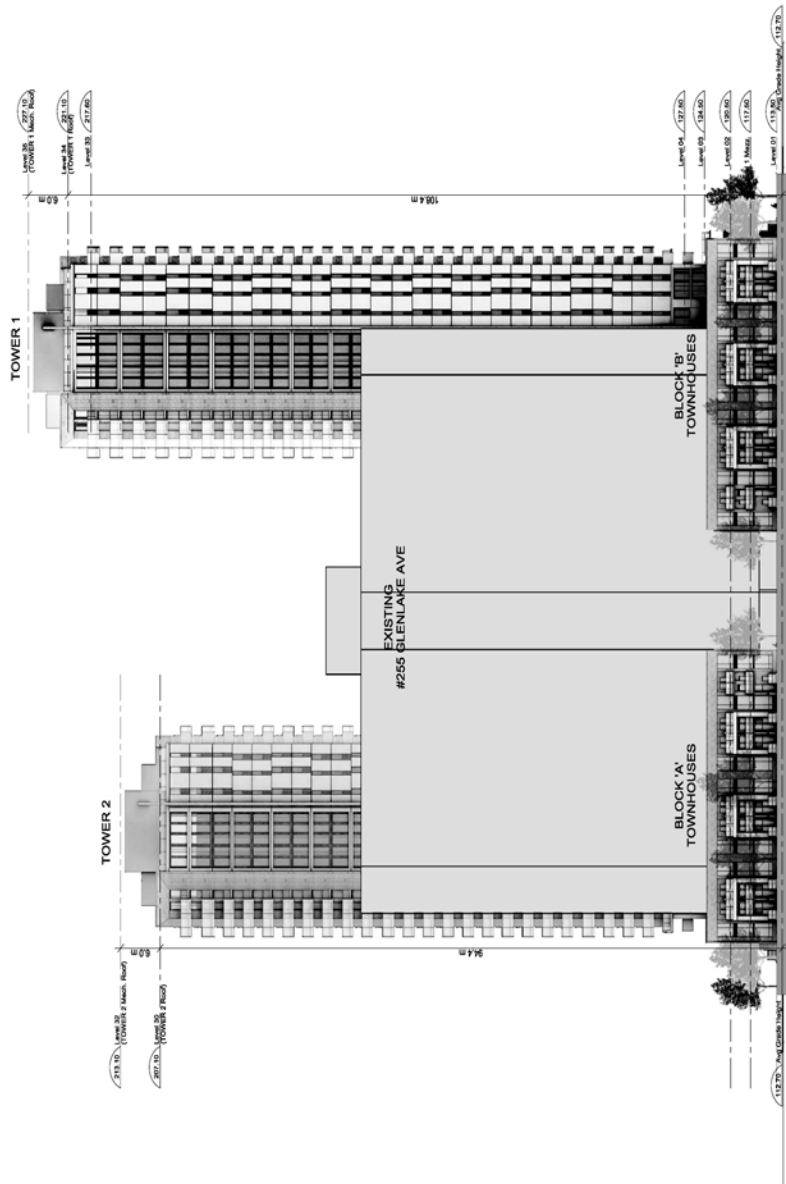
Applicant's Submitted Drawing

Not to Scale
06/14/2018

**111 Pacific Avenue, 255 Glenlake Avenue,
and 66 Oakmount Road**

File # 16 269597 WET 13 0Z

Attachment 8: Figure 8: North Elevation



North Elevation

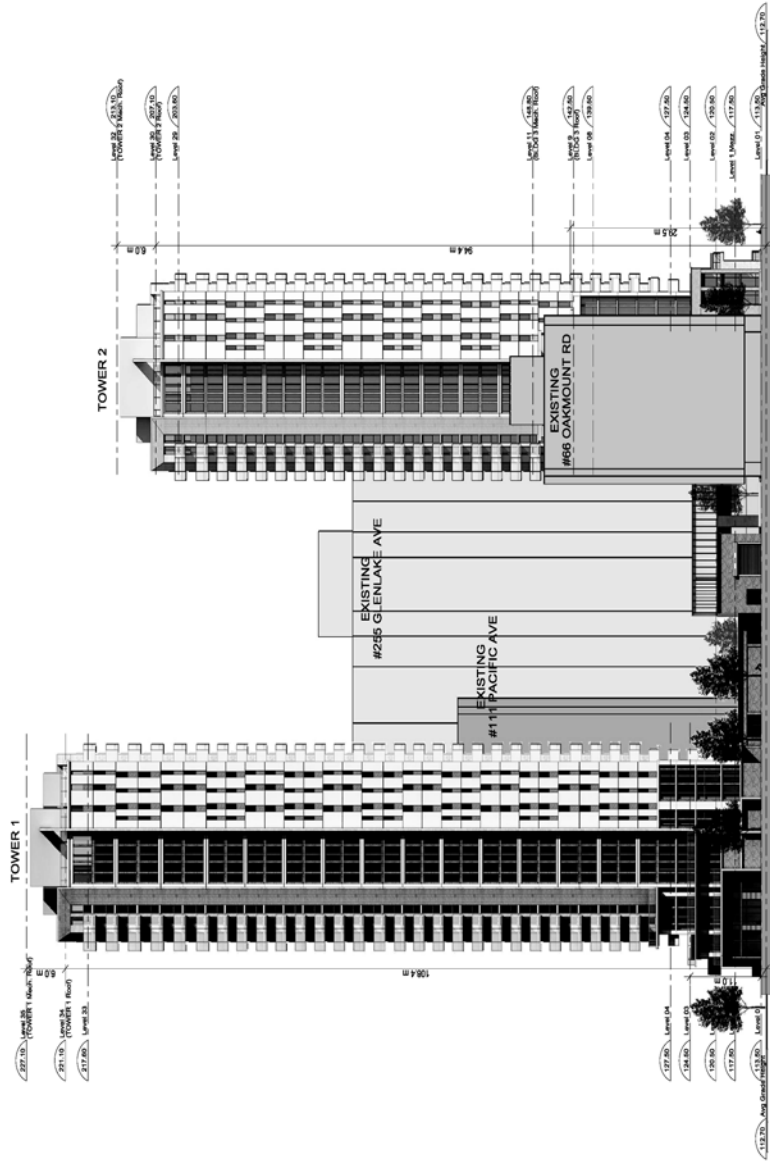
Applicant's Submitted Drawing

Not to Scale
06/14/2018

111 Pacific Avenue, 255 Glenlake Avenue,
and 66 Oakmount Road

File # 16 269597 WET 13 0Z

Attachment 9: Figure 9: South Elevation



South Elevation

Applicant's Submitted Drawing

Not to Scale
06/14/2018

**111 Pacific Avenue, 255 Glenlake Avenue,
and 66 Oakmount Road**

File # 16 269597 WET 13 0Z