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STAFF REPORT ACTION REQUIRED

21 Allenbury Gardens - Official Plan Amendment and Zoning Amendment Applications - Preliminary Report

Date:	December 15, 2017
То:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 33 – Don Valley East
Reference Number:	17 267810 NNY 33 OZ

SUMMARY

This application proposes to amend the Sheppard East Corridor Secondary Plan, as well as the site specific zoning by-law that applies to the Allenbury Gardens redevelopment, to permit an increase in the overall residential gross floor area from 82,913 to 90,204 square metres, the overall number of dwelling units from 1,034 to 1,147 units, and the height of Building E from 63 metres and 20 stories to 75 metres and 23 stories. Amendments to other provisions of the site specific by-law to facilitate this increase are also proposed which will be detailed further in this report. The proposed increase in residential gross floor area (7,291 metres) and dwelling units (113 units) would largely be accommodated

in Building E fronting onto Fairview Mall Drive, adjacent to Highway 404. The overall increase in the gross floor area results in a density of 3.04 times the area of the lands whereas 2.8 times is permitted.

This report provides preliminary information on the above-noted application and seeks Community Council's direction on further processing of the applications and on the community consultation process. It recommends that a community consultation meeting be scheduled by City Planning staff, in consultation with the Ward Councillor. A Final Report and a Public Meeting under the Planning Act will be scheduled providing the applicant



submits all required information in a timely manner and addresses the issues outlined in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 21 Allenbury Gdns together with the Ward Councillor.
- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- 3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On March 21, 2013, Official Plan Amendment No.202 to the City of Toronto Official Plan, Zoning By-law 615-2013 amending the former City of North York By-Law No. 7625 and a rental housing application were approved by City Council. The planning instruments implement the revitalization of the Toronto Community Housing site known as Allenbury Gardens located in the area north of Sheppard Avenue East west of Highway 404.

The applications permitted the demolition and replacement of 127 Toronto Community Housing (TCHC) residential units, permission for an additional seven rental housing units and 900 residential condominium units with buildings ranging in height from 3 storey townhouses to 9-20 storey apartment buildings. A maximum permitted density of 2.8 times the area of the site was approved. Additional matters secured as part of these applications was the creation of an approximately 3,297 square metre public park in the centre of the site. The Final Report anticipated a phased implementation with the west portion of the site developed first, and the east portion of the site and the park to be developed in the second phase. The following is a link to the City Council decision: http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY22.31

On March 31, 2016 City Council adopted the recommendation that six of the TCHC rentgeared-to-income units to be demolished as part of the Leslie Nymark revitalization in the Leslie and Sheppard Avenue East area be replaced off –site as part of the Allenbury Gardens revitalization project. The following is a link to the City Council decision: http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.CD10.1

Pre-Application Consultation

A pre-application consultation meeting was held on July 27, 2017 with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

This application proposes an increase in the overall residential gross floor area and an increase in the overall number of dwelling units as well as increases to the gross floor area and dwelling units for specific buildings on the Allenbury Gardens site as detailed in the following table.

	Current Permission	Proposed	Proposed		
		Permission	Increase		
Entire Site Floor	2.8	3.04	.24		
Space Index					
Gross Floor Area (m ²)					
Across entire site	82,913	90,204	7,291		
Building E	20,361	26,693	6,332		
Buildings D and E	35,498	42,578	7,080		
Number of Dwelling					
Units					
Across entire site	1,034	1,147	113		
Building E	282	371	89		
Building D and E	481	578	97		
Height of Building E	63 metres/20 stories	75 metres/23 stories	12 m / 3 stories		
Building Separation	Building Separation 15 metres between		Reduction of 3		
	Building E and	Building E and	metres		
	townhouse block 7	townhouse block 7			

The proposed development consists of a residential apartment building with 371 dwelling units and a gross floor area of 26,693.31 square metres, this results in a density of 5.16 times the area of the lot on the subject site, with a density of 3.04 across the wider Allenbury Gardens redevelopment (See Attachment 2). Both pedestrian and vehicular access to the site is proposed from Fairview Mall Drive with parking provided within two underground levels. The building is designed with a four storey base, and a 23 storey tower, including a 12 storey middle component with a mechanical penthouse at the top of the tower (See Attachment 6). The ground floor consists of one plus den and two bedroom units with terraces on the west side of the podium and two separate amenity areas totalling approximately 582 square metres (one each on the east and west side of the podium) with direct access to outdoor amenity areas. A 406.65 square metre outdoor amenity area is proposed on the fifth floor. The proposed unit breakdown is as follows: 20 studios; 89 1 bedroom; 90 1 bedroom plus den; 126 2 bedroom and 46 2 bedroom plus den units.

Type of Residential Unit	Units	Minimum Parking Ratio	Minimum # of spaces	Proposed Parking Ratio	Proposed # of Spaces
Bachelor	20	.70/unit	14	.30/unit	6
1-Bed	179	.80/unit	143	.40/unit	72
2-Bed	172	.90/unit	155	.50/unit	86
3-Bed	0	1.1/unit	0	.60/unit	0
Subtotal			312		164
Visitor		.15/unit	56	.15/unit	56
Total	371		368		220

A proposed reduction in the residential parking rates approved in the site specific by-law is detailed in the following table.

Site and Surrounding Area

The overall Allenbury Gardens site is 2.96 hectares and is located east of Don Mills Road, north of Sheppard Avenue East and Fairview Mall and west of Highway 404. The Allenbury Gardens revitalization is to occur in two phases with the portion west of the public park to be constructed first (See Attachment 1).

Phase 1.1 of the revitalization comprising Building B townhouse blocks 2-4 (comprising 30 of the TCHC replacement units) are completed and occupied. Phase 1.2 comprising Building A and townhouse block 1 is under construction with completion expected in the Spring/Summer of 2018. A site plan application for phase 2.1 comprising Buildings C and D and townhome blocks 5-7 is under review.

Phase 2.2 of the revitalization comprises Building E, the subject of this application, is 5,196 square metres in size and located on the eastern edge of the site adjacent to Highway 404. Phase two of the revitalization contains recently vacated TCHC rent geared to income units in two storey apartment style buildings. The units are arranged as maisonette style townhomes, accessed by a common lobby and corridor. All these existing units will be demolished and replaced in phase 2.1 of the redevelopment. An atgrade surface parking lot is located across the eastern portion of the site, with a fence separating the site from Highway 404. A number of walkways provide access to the building entrances. There are also several trees, open grassed areas and a small playground on the site.

Land uses surrounding the overall Allenbury Gardens site are as follows:

North: across from Allenbury Gardens are single detached homes; South: across from Fairview Mall Drive is Fairview Mall shopping centre and the Fairview branch of the Toronto Public Library, and to the south east is a 7-storey office building;

Staff report for action - Preliminary Report - 21 Allenbury Gardens

East: Highway 404; and

West: across from Allenbury Gardens are apartment buildings with heights of 14 to 16 storeys

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) (the "PPS") provides policy direction on Province wide land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

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

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

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

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

- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan 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. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Staff will review the proposed development application for consistency with the PPS and conformity with the Growth Plan.

Official Plan

The subject site is designated *Apartment Neighbourhoods* on Land Use Map 19 of the Toronto Official Plan (See Attachment 9). A full range of residential uses as well as parks, schools, cultural and recreational facilities and small scale retail, service and office uses that serve the needs of area residents are permitted in this designation. The Official Plan indicates that *Apartment Neighbourhoods* are distinguished from Neighbourhoods as a greater scale of buildings is permitted and different scale-related criteria are needed to guide development.

The Official Plan provides specific development direction related to site organization, building massing, and parking. Policies within Section 3.1.2: Built Form of the Official Plan contains policies guiding development which include direction that new development should located and organized to fit within the existing and/or planned context; frame and support adjacent streets, parks and open spaces, and limit its impacts on neighbouring streets, parks and properties. Section 4.2 Apartment Neighbourhoods includes specific criteria related to lands designated Apartment Neighbourhoods including: locating and massing new buildings to provide a transition between areas of different development intensity and scale; locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent low scale *Neighbourhoods*; and, including sufficient off-street motor vehicle and bicycle parking for residents and visitors. Section 2.3.1 Healthy Neighbourhoods directs that Neighbourhoods and Apartment Neighbourhoods are considered to be physically stable areas and that development will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in the area. The Official Plan also provides additional direction and policy criteria for the development of tall buildings as articulated in Section 3.1.3.

The Toronto Official Plan is available on the City's website at: http://www.toronto.ca/planning/official_plan/pdf_chapter1-5/chapters1_5_aug2007.pdf

Official Plan Amendment 320

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

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, which decision has been appealed in part. The OMB commenced the hearing of appeals of OPA 320 in May 2017 and it remains ongoing.

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 Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found at the following link: 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 in *Mixed Use Areas, Apartment Neighbourhoods* and *Regeneration Areas* that are adjacent and close to Neighbourhoods. The new criteria address components in new development such as amenity and service areas, lighting and parking.

Sheppard East Subway Corridor Secondary Plan

The site is also subject to the Sheppard East Subway Corridor Secondary Plan. The Secondary Plan contains policies that are area-specific and at a greater level of detail than those in the Official Plan. A portion of the Allenbury Gardens site is part of a Key Development Area in the Don Mills Node of the Secondary Plan (See Attachment 8). In addition to the general policies of the Secondary Plan, the site is subject to the area specific development policies of Section 4.2.9 – 3,5,11,17 and 21 Allenbury Gardens and 3,5 Kingslake Road. Within this specific policy area, on the lands designated Apartment *Neighbourhoods* development is permitted with a maximum density of 2.8 times the area of the lands. On the lands shown as Block A, fronting onto Fairview Mall Drive, apartment buildings and townhouses are permitted. On the lands shown as Block B, along Kingslake Road and Allenbury Gardens, only townhouses with a maximum height of three storeys are permitted. Section 4.3.1 – General recognizes that where a comprehensive development proposal involves land of a sufficient size, a maximum density greater than indicated on Map 9-2 may result on individual parcels comprising the development site, provided the maximum density assigned to the development as a whole does not exceed that established by this Secondary Plan.

The Sheppard East Subway Corridor Secondary Plan is available on the City's website at: <u>http://www.toronto.ca/planning/official_plan/pdf_secondary/9_sheppard_subway_aug2007.pdf</u>

Section 37

Section 37 of the *Planning Act* permits the City to pass a zoning by-law to grant a height and/or density increase for a particular project that is greater than the zoning by-law would otherwise permit in return for community benefits such as: additional parkland; non profit arts, cultural, community or child care facilities. Section 5.1.1 of the Official Plan provides policies for the use of Section 37 including: the capital facilities must bear a reasonable planning relationship to the increase in height and/or density; and the development must constitute good planning.

Zoning

The lands are currently zoned Multiple-family dwellings sixth density zone (RM6(212) in the Former North York Zoning By-law No. 7625 (See Attachment 11) and have not yet been brought into the City of Toronto Zoning By-law 569-2013 (See Attachment 9). The zoning establishes performance standards for residential development on the site within Parcels A, B, C and D. Five apartment buildings and seven townhouse development blocks are anticipated. Permitted uses include apartment house dwellings and accessory uses and multiple attached dwellings.

The zoning by-law permits a maximum gross floor area of 82,913 square metres and 1,034 dwelling units across the entire site. It also sets out a maximum number of dwelling units and gross floor area per building and/or parcel and allows increases up to 5% for each building, provided the overall total number of dwelling units and gross floor area do not exceed the overall maximum permissions.

Site Plan Control

A Master Site Plan for the entire site was approved by City Council in March 2013. On April 18, 2017 Urban Strategies filed a Site Plan Control application for phase 2.1 (Buildings C, D and townhouse blocks 5, 6, and 7). The application is currently under review. A Site Plan Control application for Building E has not yet been received by the City, but will be required prior to the issuance of any building permits.

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current 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 city-wide Guidelines are available at http://www.toronto.ca/planning/tallbuildingdesign.htm

Allenbury Gardens Urban Design and Built Form Guidelines

The Allenbury Gardens Urban Design Guidelines and Built Form Guidelines dated January 2013 providing area-specific urban design and built form guidelines for the revitalization of the Allenbury Gardens community were approved with the Master Site Plan approval; Planning staff will use these Guidelines in the evaluation of the application.

Tree Preservation

An Arborist Report and tree inventory for the entire phase 2 site was submitted proposing the removal of 61 trees on site within the phase 2 lands protected by the Private Tree Bylaw and the removal of three street trees and is currently under review by Urban Forestry staff.

Reasons for the Application

The proposal requires an amendment to the Official Plan through amendments to the Site and Area Specific Policy 4.2.8 – and Map 9-2 of the Sheppard East Subway Corridor Secondary Plan to increase the density on the *Apartment Neighbourhoods* lands from 2.8 times the area of the lands to 3.04 times the area of the lands.

Amendments to the site specific Zoning By-law 615-2013 are required to:

- Increase the overall number of dwelling units permitted on the lands from 1,034 to 1,147;
- Increase the overall residential gross floor area permitted on the lands from 82,913 to 90,204 square metres;
- Increase the combined number of dwelling units permitted in Buildings D and E from 481 to 578;
- Increase the combined gross residential floor area permitted in Buildings D and E from 35,498 to 42,578 square metres;
- Increase the number of dwelling units permitted in Building E from 282 to 371;
- Increase the gross floor area permitted in Building E from 20,361 to 26,693 square metres;
- Increase the permitted height of Building E from 63 metres and 20 stories to 75 metres and 23 stories;
- Reduce the separation between Building E and townhouse block 7 from 15 metres to 12 metres; and
- Reduce the parking rate.

Additional amendments to the zoning by-law may be required to accommodate the proposed development.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Surveys, Architectural Plans, Engineering Drawings, Landscape Plans;
- Sun/Shadow Study;
- Planning Rationale Report;
- Draft Official Plan and Zoning By-Law Amendments;

- Tree Preservation Plan and Arborist Report;
- Community Services and Facilities Study Memorandum;
- Pedestrian Level Wind Study;
- Transportation Study Memorandum;
- Stormwater Management Report, Site Servicing Report, Hydrogeological Study;
- Noise Feasibility Study; and
- Toronto Green Standards Checklist and Statistics

City staff are reviewing the application for completeness.

Issues to be Resolved

On a preliminary basis, matters to be addressed through the review of this application include:

- Consistency with the Official Plan and the Sheppard East Corridor Secondary Plan;
- Consistency with the Tall Building Guidelines and the Allenbury Gardens Urban Design and Built Form Guidelines;
- appropriateness of the proposed height and massing of Building E;
- appropriateness of the proposed transition to the *Neighbourhood* to the north;
- appropriateness of the proposed increase in density from 2.8 to 3.04 FSI;
- appropriateness of the proposed additional 113 dwelling units;
- appropriateness of the proposed revised setbacks to the west;
- units size and mix, as detailed in the Proposal Section, particularly the provision of family size units;
- assessment of the stormwater management and servicing capacity;
- evaluation of the traffic impacts generated by the additional 113 dwelling units;
- evaluation of the wind, sun and shadow impacts;
- evaluation of the impacts and potential mitigation from the adjacent Highway 404;
- assessment of the proposed tree removal and preservation; and
- determination of appropriate Section 37 community benefits should City Council approve the additional density on site.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Joe Nanos, Director Community Planning, North York District

ATTACHMENTS

Attachment 1: Allenbury Gardens Master Site Plan Attachment 2: Site Plan Attachment 3: North Elevations Attachment 4: South Elevations Attachment 5: East Elevations Attachment 6: West Elevations Attachment 7: Official Plan Attachment 7: Official Plan Attachment 8: Sheppard east Corridor Secondary Plan Attachment 9: City of Toronto Zoning By-law 569-2013 Attachment 10: Former City of North York Zoning By-law 7625 Attachment 11: Site Specific By-Law 615-2013 Schedule RM6(212)C Attachment 12: Application Data Sheet



Attachment 1: Allenbury Gardens Master Site Plan

Attachment 2: Site Plan



File # 17 267810 NNY 33 0Z

Site Plan Applicant's Submitted Drawing Not to Scale

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Attachment 3: North Elevation

Applicant's Submitted Drawing Not to Scale 12/04/2017

File # 17 267810 NNY 33 OZ

Attachment 4: South Elevation



Not to Scale 12/04/2017

File # 17 267810 NNY 33 OZ

Attachment 5: East Elevation



Attachment 6:West Elevation



Elevations

21 Allenbury Gardens

Applicant's Submitted Drawing

Not to Scale 12/04/2017

File # 17 267810 NNY 33 OZ

Attachment 7: Official Plan



Mixed Use Areas

Not to Scale 12/04/2017



Attachment 8: Sheppard East Corridor Secondary Plan Map 9-2



Attachment 9: City of Toronto Zoning By-law 569-2013



Attachment 10: Former City of North York Zoning By-law 7625



Attachment 11: Site Specific By-Law 615-2013 Schedule RM6(212)C

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Application Type	Rezon		nendment &	Appl	Application Number		1/26/8	310 NNY 33 OZ	
Details			g, Standard	Application Date:			Novem	ber 27, 2017	
Municipal Address	s: 21 AL	LENBUR	Y GDNS	GDNS					
Location Descripti		[°] M993 PT ID N3302	T BLK O << STRUCTURE ADDRESS FOR 11-21 ALLENBURY 2					NBURY GDNS	
Project Description	total o are pro	Official Plan and Zoning Bylaw Amendments to permit a 23 storey residential building. A total of 371 residential units and 248 sparking spaces in two levels of underground parking are proposed. This is phase 2.2 of the Allenbury Gardens revitalization and is associated with files 11 293972 NNY 33 OZ and 12 263954 NNY 33 SA							
Applicant:	Agent	:		Architect:			Owner:		
URBAN STRATEGIES INC 197 Spadina Avenue, Ste 600 416-981-4338				CORE ARCHITECTS 317 Adelaide St West 416-343-0400		H C	TORONTO COMMUNITY HOUSING CORPORATION FINANCE DEPARTMENT		
PLANNING CON	NTROLS								
Official Plan Desig	gnation: Apt N	eighbourh	oods	Site Specific Provision:		on: Y	Y BL 615-2013		
Zoning:	RM6(212)		Historical	rical Status:		Ν		
Height Limit (m):	63 me	tres/20 sto	reys	Site Plan	e Plan Control Area:		Y		
PROJECT INFO	RMATION								
Site Area (sq. m):		5,169.	01	Height:	Storeys:	23	3		
Frontage (m):		54.94			Metres:	7	1.8		
Depth (m):		94.3							
Total Ground Floor Area (sq. m):		a): 2,049.04					Tota	al	
Total Residential C	GFA (sq. m):	26,693	26,693.31		Parking	Spaces:	s: 248		
Total Non-Residential GFA (sq. m):		0			Loading	Docks	1		
Total GFA (sq. m)	:	26,693	3.31						
Lot Coverage Rati		39.6							
Floor Space Index	:	5.16							
DWELLING UN	ITS		FLOOR AI	REA BREAK	KDOWN (1	upon proje	ect comp	letion)	
Tenure Type:						Above (Grade	Below Grade	
Rooms:	0		Residential G	GFA (sq. m):		26,693.3	81	0	
Bachelor:	20		Retail GFA (sq. m):		0		0	
1 Bedroom:	179		Office GFA ((sq. m):		0		0	
2 Bedroom:	172		Industrial GF	EA (sq. m):		0		0	
3 + Bedroom:	0		Institutional/	Other GFA (sq. m): 0		0		0	
Total Units:	371								
CONTACT:	PLANNER NAM TELEPHONE:		Seanna Kerr, 416-395-7053		ner				