

104-110 Bartley Drive – Zoning By-law Amendment Application – Final Report

Date: June 15, 2018

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 34 – Don Valley East

Planning Application Number: 17 209538 NNY 34 OZ

SUMMARY

This application proposes an 84–unit townhouse freehold and condominium development in 14 blocks at 104-110 Bartley Drive. The townhouse blocks would be four storeys and have an average building height of 12.5 metres. The proposal also includes a new public street and a 999 square metre public park which would be adjacent to and expand upon an existing public park (Bartley Park). The new public street is proposed to be located on the western portion of the site, and would link Bartley Drive from the south, with a yet to be constructed public street that was approved in January 2017 running west from Tisdale Avenue. Approximately 11,845 square metres of gross floor area is proposed, resulting in an overall density of 0.97 times the area of the lot.

This proposal provides an opportunity to redevelop an underutilized site with townhouses integrated into the surrounding residential neighbourhood. The proposal represents an appropriate use of the land, by bringing the Zoning By-law into conformity with the Official Plan's *Neighbourhoods* designation of the site. The scale and massing of the development would not impact the established physical character of the area. The proposed built form is compatible with adjacent developments and nearby land uses. The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 7625, for the lands at 104-110 Bartley Drive, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report.

2. City Council amend City of Toronto Zoning By-law No. 569-2013 for the lands at 104-110 Bartley Drive, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 7 to this report.

3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

4. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement, pursuant to Section 37 of the Planning Act, to the satisfaction of the Director, Community Planning, North York District and the City Solicitor as follows:

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

i. Prior to the issuance of the first above-grade building permit, the Owner shall provide a contribution in the amount of \$925,000 to be used towards improvements at Bartley Park, Parma Park, and O'Connor streetscape improvements to be identified through the O'Connor Streetscape Master Plan study.

ii. The financial contribution referred to in Recommendation 4.a.i. shall be indexed upwardly in accordance with Statistics Canada Non-Residential or Apartment-Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

iii. In the event the cash contribution referred to in Recommendation 4.a.i. has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

5. The following matters are also recommended to be secured in the Section 37 Agreement as legal convenience to support the development:

a. The Owner shall construct and maintain the development in accordance with 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 Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning and Growth Management Committee, and as may be further amended by City Council from time to time

6. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to submit a complete application for Draft Plan of Subdivision and receive draft plan of subdivision approval from the Chief Planner and Executive Director, City Planning, to secure the proposed public street and proposed public park.

7. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements for the proposed on-site public parkland dedication, to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the parks and recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The current application was submitted on August 1, 2017 and deemed complete on September 1, 2017. A Preliminary Report on the application was adopted by North York Community Council on October 17, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area.

The Preliminary Report and the Community Council Decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY25.8>

ISSUE BACKGROUND

Proposal

This application is for a Zoning By-law Amendment to redevelop an underutilized site with 84 townhouse units in 14 blocks at 104-110 Bartley Avenue. The development would have total gross floor area of approximately 11,845 square metres and a floor space index of 0.97 times the lot area (see Attachment 1: Application Data Sheet). A public park of approximately 999 square metres and private common outdoor amenity space in three locations totalling approximately 50 square metres are included in the development. A public street is also proposed within the development. It is anticipated that this new public street would connect with a yet to be constructed public street that was approved in January 2017 (File Nos. 10 320047 NNY 34 OZ and 11 120956 NNY 34 SB) as part of the development application for the adjacent property to the north at 78 Tisdale Avenue.

Five of the townhouse blocks would front onto Tisdale Avenue, one block would front onto Bartley Drive and the remaining four would front onto the proposed public street. The remaining four blocks would be internal to the development and front onto private streets. The townhouse blocks would be four storeys in height with an average height of 12.5 metres and have flat roofs. The units would range in size from approximately

150 square metres to 200 square meters. Proposed separation distances between blocks would be 15 metres or greater for front to front conditions and a minimum of six metres for side to rear conditions. All dwelling units are organized so that front entryways are off a public or private street and garages are located at the rear off shared private laneways. All the dwelling units would be three or four bedrooms.

Vehicular access to the development is proposed off Bartley Drive via the new public street. This proposed north-south public street would be designed with an interim cul-de-sac at the northern terminus (see Attachment 8: Interim Site Plan). It is expected that this road will be extended to connect with the public street approved as part of the 78 Tisdale Avenue development (see Attachment 9: Final Site Plan). A total of 88 vehicular parking spaces are proposed, including 84 resident and four visitor spaces. Parking for each dwelling unit would be in rear access integral garages and the four visitor spaces would be at grade, adjacent to the outdoor amenity space. Twenty-two bicycle parking spaces are also proposed. Garbage is proposed to be stored in bins in the garage and brought to the curbside on the public and private streets on pick-up day.

Site and Surrounding Area

The subject site is located at the northwest corner of Bartley Drive and Tisdale Avenue, approximately 200 metres south of Eglinton Avenue East, east of Bermondsey Road and west of Victoria Park Avenue. It is currently occupied by a vacant one-storey warehouse building fronting onto Bartley Drive. The site is generally rectangular in shape, with an area of approximately 12,238 square metres. The lands have a frontage of approximately 100 metres on Bartley Drive and approximately 128 metres on Tisdale Avenue. The site is relatively flat, with a slight slope down from east to west. There are several trees and a landscaped area at the south end of the property along Bartley Drive, and six street trees along Tisdale Avenue and Bartley Drive.

Surrounding land uses are as follows:

North : Vacant land which has recently been approved for 35 three-storey townhouse units in six blocks, with a new public street running west from Tisdale Drive, and ending in a cul-de-sac just to the north of the subject lands (File Nos. 10 320047 NNY 34 OZ and 11 120956 NNY 34 SB – 78 Tisdale Avenue). Beyond this are four-storey townhouses in three blocks, also on the west side of Tisdale Avenue.

East: To the east are primarily one and two-storey semi-detached dwellings along the east side of Tisdale Avenue, and detached dwellings further east. A three-storey apartment building exists south of these houses, at the northeast corner of Bartley Drive and Tisdale Avenue. To the north of the houses is a four-storey apartment building.

West: To the west of the site are three-storey townhouses on Sufi Crescent. A city owned park (Bartley Park) abuts the site to the west at the northeast corner of Sufi Crescent and Bartley Drive.

South: Across the street on the south side of Bartley Drive are primarily townhouse dwellings of two and three storeys along Tisdale Avenue and Jinnah Court. Beyond that are four-storey townhouses to the south and west. Southwest of the site is a one-storey industrial building at 149-151 Bartley Drive (used as place of worship).

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 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 planning matters that are provided by Council shall also be consistent with the PPS.

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

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

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

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

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

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

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

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

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

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

Toronto Official Plan

The subject lands are designated *Neighbourhoods* on Land Use Map 20 of the Official Plan (see Attachment 3: Official Plan Land Use Map). *Neighbourhoods* are physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

The Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that "development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

No changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood.

Section 2.3.1 - The Healthy Neighbourhoods

The Healthy Neighbourhood policies of the Official Plan (policy 2.3.1.1) state that *Neighbourhoods* are considered to be physically stable areas. Development within *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.

Section 3.1.1 – The Public Realm

The Plan recognizes the importance of good design in the creation of a great city. The policies contained in this section emphasize the need for new development to improve the public realm (streets, sidewalks, parks and open spaces) for pedestrians.

Section 3.1.2 – Built Form

The Official Plan contains built form policies in Section 3.1.2 that apply to this development. These policies require new development to be massed to fit harmoniously into its existing and/or planned context, and limit its impacts on neighbouring streets, parks, open spaces and properties by creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of

achieving the objectives of this Plan, while providing adequate light and privacy, amongst other things.

Section 3.2.3 – Parks and Open Spaces

The Parks and Open Space policies in the Official Plan aim to maintain, enhance and expand the system of parks and open spaces, which are vital to the quality of life. The parks and open spaces should be protected, improved and added to whenever feasible.

Section 3.3 – Building New Neighbourhoods

New neighbourhoods will usually need new infrastructure, streets, parks and local services to support new development and connect it with the surrounding fabric of the City. Policy 3.3. states that "New neighbourhoods will be carefully integrated into the surrounding fabric of the City. They will have:

- a) good access to transit and good connections to the surrounding streets and open spaces;
- b) uses and building scales that are compatible with surrounding development;
- c. community services and parks that fit within the wider system; and
- d) a housing mix that contributes to the full range of housing."

Section 5.1.1 – Height and/or Density Incentives

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the Planning Act. The proposed density meets the Official Plan threshold for Section 37 considerations, therefore this development proposal is subject to the Section 37 policies of the Official Plan should City Council approve the application.

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

Official Plan Amendment 320

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

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, 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 here:

www.toronto.ca/OPreview/neighbourhoods.

Zoning

The in-force zoning by-law applicable to the subject site is Zoning By-law No. 7625, as amended, of the former City of North York (see Attachment 4 – Zoning By-law No. 7625). The subject site was not included in the City-wide by-law No. 569-2013 (see Attachment 5 – Zoning By-law 569-2013), however any approvals on this site will be incorporated into Zoning By-law 569-2013.

The property is zoned Industrial Zone One (M1) under former City of North York Zoning By-law No. 7625. This zone permits a wide range of commercial and industrial uses including manufacturing, institutional, and commercial/recreational facilities. Residential uses are not permitted. Within 20 metres abutting an R or RM zone, the maximum height in this zone is 8.8 metres. For all other areas in this zone, the maximum height is 15 metres. A Floor Space Index of one times the lot area is permitted.

Townhouse and Low-rise Apartment Guidelines

At its meeting of March 26, 2018, City Council amended and adopted the recommendation in the report providing a comprehensive update to the City's Infill Townhouse Guidelines. The Infill Townhouse Guidelines provided a framework for site design and built form to achieve good urban design and an appropriate scale and form of development for applications proposing low-rise, grade related residential units constructed in rows or blocks. The updated Townhouse and Low-Rise Apartment Guidelines replace, and further clarify and expand upon the previous guidelines to reflect current trends and best practices for a broader range of multi-dwelling development up to four storeys in height.

The City Council decision on the Townhouse and Low-Rise Apartment Guidelines can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG27.5>

The Townhouse and Low-Rise Apartment Guidelines (2018) can be viewed at:

<https://www.toronto.ca/legdocs/mmis/2018/pg/bgrd/backgroundfile-112536.pdf>

Development Infrastructure Policy and Standards (DIPS)

The design and configuration of the proposed street network related to parking, landscaping and public sidewalks fall under the City's Development Infrastructure Policy and Standards (DIPS). These policies and standards address issues resulting from the creation of new local residential streets in private or public ownership and establish standards for new development infrastructure with respect to appropriate street cross sections. Council policy, as outlined in DIPS, allows for the consideration of development on private 'mews' streets under certain conditions and in keeping with approved development criteria. The criteria include, amongst other matters, standards for pavement width, maximum length of a street and maximum number of units.

Site Plan Control

The subject lands are subject to site plan control. An application has not yet been submitted, but will be required prior to any building permit issuance.

Draft Plan of Subdivision

An application for Draft Plan of Subdivision will be required to secure the proposed public street and public park (see Attachments 8 and 9). An application has not yet been submitted, however the applicant has advised that they are in the process of preparing submission material for a future application submission. It is recommended that Bills not be brought forward until a complete Draft Plan of Subdivision application has been submitted and Draft Plan of Subdivision approval is received from the Chief Planner and Executive Director, City Planning.

Reasons for Application

A rezoning is required to permit the residential use proposed for the site, the requested height and density, and to establish other site specific performance standards to facilitate the proposal.

Application Submission

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

- Planning and Urban Design Rationale
- Urban Design Guidelines
- Public Consultation Strategy
- Community Services and Facilities Study
- Toronto Green Standards Checklist
- Geotechnical Study
- Hydrological Study
- Traffic and Parking Study
- Stormwater Management Report
- Functional Servicing Report
- Environmental Assessment Report
- Arborist Report.

Agency Circulation

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

Community Consultation

A Community Consultation Meeting was held on January 30, 2018. The meeting was attended by the Ward Councillor, City Planning staff and approximately 12 members of the public.

The main issue raised at the community meeting by members of the public related to parking shortages in the area. Residents were concerned that the introduction of the additional units from the proposed development would exacerbate the existing parking situation in the area, especially when combined with the spillover of parking on nearby

streets from the nearby place of worship. Another concern related to the design of the townhouses with respect to the building height and roof top amenity stair access enclosure. A resident was concerned that the proposed rooftop stair enclosures gave the appearance of a five-storey building, whereas there are no five-storey buildings in the area.

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 the Report.

The PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit.

Policy 1.1.3.3 states that "Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public services facilities required to accommodate projected needs".

The subject site is located within a built-up area and is surrounded by residential uses. The proposal provides an opportunity to redevelop a brownfield site to allow for uses that will be more compatible with the adjacent residential uses. The compact nature of the proposal would fit with the surrounding built form. Given the subject site's proximity to Eglinton Avenue (approximately 200 metres), residents of the proposed development will have access to the higher order transit currently under construction for Eglinton Avenue (Eglinton Crosstown LRT). The nearest planned LRT stop is the O'Connor stop, located at the intersection of Victoria Park Avenue and Eglinton Avenue East.

The proposed development is consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe. In section 5.2.4 Growth Forecasts, Policy 5 states that "within delineated built-up areas, municipalities may plan for development beyond the horizon of this Plan for strategic growth areas, that are delineated in official plans and subject to minimum targets, provided that:

- a) Integrated planning for infrastructure and public service facilities would ensure that the development does not exceed existing or planned capacity;

- b) the type and scale of built form for the development would be contextually appropriate; and
- c) the development would support the achievement of complete communities, including a diverse mix of land uses and sufficient open space".

The *Neighbourhoods* designation of the site in the City of Toronto Official Plan allows for the proposed four storey townhouses. The built form is contextually appropriate given other recent approvals for townhouses on Tisdale Avenue and other townhouse developments in the area. Additionally, the proposed development includes a public park, which would provide an opportunity to expand an existing abutting public park. It has also been determined through the review process that there is sufficient servicing capacity to support the proposed development.

Section 2.2.2 contains directions that govern Delineated Built-up Areas. In particular, Policy 2.2.2.1 requires that "All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will (a) identify the appropriate type and scale of development and transition of built form to adjacent areas and (b) be implemented through official plan policies and designations, updated zoning and other supporting documents".

The *Neighbourhoods* designation of the subject site permits the proposed building built form. The subject site has an industrial zoning which does not conform to the Official Plan land use designation of the site. Amending the Zoning By-law to permit residential uses would make both the Zoning By-law and Official Plan consistent with the Growth Plan.

The proposed development conforms and does not conflict with the Growth Plan.

Land Use

This application has been reviewed against the Official Plan policies described in the Issue Background section of this Report, as well, as the policies of the Official Plan as a whole. The subject site is located in a *Neighbourhoods* designation under the Official Plan on Map 20 - Land Use Plan, which permits the proposed development and building types (see Attachment 3: Official Plan Land Use Map).

The immediate surrounding areas are designated *Neighbourhoods* and have varying zoning categories from One-Family Detached Dwellings Fifth Density (R5) to Multiple Family Dwellings Fifth Density (RM5) permitting an array of low density residential dwelling types. As a result, the area is characterized with a mix of one and two storey single and semi-detached dwellings, two to four-storey townhouses, and three to four-storey apartment buildings. The proposed land use would fit with the adjacent land uses. The proposed development would fit in the existing physical character of the neighbourhood.

Rezoning this industrial site to permit residential uses would bring the Zoning By-law in conformity with the Official Plan. The applicant will be required to provide a Record of Site Condition (RSC) at the building permit stage, as the site was previously used for industrial purposes.

Density, Height, Massing, Public Realm

The Built Form policies in Section 3.1.2 of the Official Plan requires that new development be located and organized to fit within its existing and/or planned context and be massed to fit harmoniously into its context. The proposal for four-storey townhouses proposed at a density of 0.97 times the lot area is appropriate as the proposal fits with other townhouse developments on Tisdale Drive and in the vicinity. The approved development at 78 Tisdale Avenue, immediately north of the subject site is comprised of three-storey townhouses with a fourth-storey stair enclosure to access rooftop amenity space. The Tisdale development includes a mix of units with front and rear integral garages off private shared driveways and a public street. Immediately north of the 78 Tisdale Avenue development is also an existing four-storey townhouse development, which also incorporates rear garages on a shared lane. The units widths range from 4.2 to 5.5 metres.

Responding to community concerns from the community meeting about building height, the applicant revised plans to eliminate the rooftop amenity space and enclosures to reduce the overall perceived height of the proposed townhouses. The proposed roof line of the four-storey townhouses would be in line with the roof of the stair enclosure of the adjacent 78 Tisdale Avenue development. This would result in a consistent street design along the west side of Tisdale Avenue with respect to building height.

The layout of the development ensures that a considerable number of units (67) would front onto the existing public streets and the proposed public street. This allows for the buildings to frame the street and units to have direct pedestrian access from a public sidewalk. The interior blocks have also been designed to front on private streets. The proposed separation distances between blocks adequately accommodate the private lanes that are necessary to access the proposed rear integral garages.

The proposed development meets the intent of the Townhouse and Low-Rise Apartment Guidelines, by incorporating a number of the design guideline criteria. With respect to Section 3 of the Guidelines, Site Organization, the development incorporates a 2.1 metre sidewalk within the boulevard along all the public street frontages. The interior private streets would also have landscaped front yards and a 2.1 metre sidewalk. The location of the proposed public street off Bartley Drive would provide an opportunity for a future connection to Tisdale Avenue. This street meets DIPS with the right-of-way width of 18.5 metres, providing sidewalks and street trees on both sides. Additionally, the proposed integral rear garages eliminate the need for curb cuts on the new public street and existing public streets for individual units. The on-site vehicular circulation would allow for forward movement through the interior blocks, eliminating the need for vehicle turnarounds.

The original proposal envisioned three long blocks along Tisdale Avenue. The revised proposal now includes six blocks along this frontage allowing for four landscaped walkways from the development connecting to the public sidewalk on Tisdale Avenue and providing visual connection from the street into the development and even to the new public street. In addition to the proposed public park, shared outdoor amenity space is proposed in three locations on the development site. One of these areas is

surrounded by parking on two sides. Prior to Sit Plan approval, this amenity area will be further developed to improve its layout. These areas would be landscaped and provide seating.

In regards to Section 4 of the Townhouse and Low-rise Guidelines, Building design, a majority of the units would front on public streets. The site grading would result in minimal steps to unit entrances. The height of the blocks on Tisdale Avenue would be in line with the other townhouses on the street to the north. To minimize the height impact on the street, the fourth floors are recessed approximately two metres from the front main wall. In order to provide a better transition to the existing three-storey townhouses to the west of the subject site, a 45 degree angular plane is applied to the rear elevation of 'Block A'. The third and fourth floors step back to fit within the angular plan. Also, there is a 1.5 metre landscape buffer adjacent to the rear lane. This block is also separated from the proposed public park with an introduction of a private lane at the south end of this block. The facing distances would be 15 metres or greater for all townhouse blocks which exceeds the average 12.5 metre height of all blocks. This separation distance and height would provide for ample access to sunlight. The site is organized in such a way that no front entrance faces the rear of another unit. All of the units would have front doors on either a public or private street. Along the proposed new public street, building setbacks a minimum of 2.0 metres from the property line; along Bartley and Tisdale Drive the building setbacks range from 2.25 to 2.10 metres from the property line; along the internal private internal road the setbacks range from 2 metres to 2.4 metres to the pavement or sidewalk.

Section 5 of the Guidelines addresses pedestrian realm elements. All front yards, whether on public or private streets would be landscaped to provide a buffer from the public realm and streets. The blocks would be setback a minimum of two metres from the property boundaries. The pedestrian walkways are also proposed to incorporate landscaped areas. Pedestrian scale lighting is proposed along these walkways throughout the development. Private outdoor amenity space for each unit is provided on the second floor in the form of balconies or terraces on all Blocks and private outdoor terraces at the third and fourth floor for Block A. Balconies at the rear of Block A on the second floor must be deleted or revised to french balconies to reduce overlook and privacy to the existing neighbourhood to the west. Other second floor balconies over rear private lanes may have to be recessed into the building to avoid conflict with servicing functions in the rear lanes. To support enhanced stormwater management practice, the private street and all the internal private lanes are designed with permeable pavers. All these landscape features and other architectural details such as building materials and articulation will be secured through the Site Plan Control process.

Traffic Impact, Access, Parking

A transportation study submitted for the application estimates that the proposed development will generate approximately 32 and 35 two-way trips during the morning and evening peak hours respectively. The study concludes that the forecasted traffic for the proposed development can be accommodated by the adjacent street network without the need for intersection improvements. Transportation Services staff have reviewed the report and accepts the conclusions.

The subject property is not subject to Zoning By-law 569-2013, however the parking provisions contained in this By-law have been accepted by staff on recent development projects where appropriate, as the associated parking standards are based on more recent information when compared to the parking requirement of the former City of North York Zoning By-law 7625. The parking requirements for the proposed development, as per Zoning By-law 569-2013, would be 84 spaces for residents and three for visitors. A total of 88 vehicular parking spaces are proposed, including 84 resident and four visitor spaces. Transportation Services staff accept the proposed number of parking spaces. In addition, additional visitor parking spaces will be available along the new public road.

At the the community consultation meeting, residents were concerned that the applicant was relying solely on on-street parking to satisfy the required visitor parking. Following the meeting, the applicant revised the plans to include visitor parking spaces on the development site.

Streetscape

There is an existing sidewalk along the Bartley Drive frontage of the subject site. No sidewalk exists on the Tisdale Avenue frontage. The application proposes a new 2.1 metre sidewalk along all street frontages on both sides of street. The Tisdale Avenue sidewalk would connect to the future sidewalk for the 78 Tisdale Avenue development. This extension would provide a much needed pedestrian connection from the proposed development to Jonesville Crescent and eventually to Eglinton Avenue and future LRT station at Eglinton Avenue East and Bermondsey Road (the Sloane LRT stop). There are few trees along the Bartley Drive and Tisdale Avenue frontages. The development proposes new street trees along both frontages within the public boulevard, and shrubs on private lands adjacent to the sidewalks, providing a softer, more aesthetically pleasing streetscape.

Servicing

The applicant submitted a Geotechnical Study, Hydrological Study, Stormwater Management Report and a Functional Servicing Report in support of the application. The reports conclude that there is sufficient capacity to support the proposed development. Engineering and Construction Services staff have reviewed the reports and found them satisfactory. Engineering and Construction Services staff have advised that further engineering details related to grading and drainage will be reviewed at the Subdivision and Site Plan Control stages. Garages are being designed to provide three spaces for bin storage for organics, recyclables and waste. Garbage will be brought to curbside on pick-up days for City pick up.

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 3 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.

The proposal is for 84 townhouse units, with a total residential gross floor area of 11,845 square metres. At the alternative rate of 0.4 hectares per 300 units, specified in Chapter 415, Article III, of the Toronto Municipal Code, the parkland dedication requirement is 1,120 square metres or 11.2% of the site area. However, for sites that are less than one hectare in size, a cap of 10% of the development site is applied. In total, the parkland dedication requirement is 999 square metres or 10% of the net site area.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. The proposal includes a new 999 square metre public park that would expand the existing Bartley Park eastward, with frontage on both Bartley Drive and the proposed public street. The size and location of the proposed public park is satisfactory.

The General Manager of Parks, Forestry and recreation has identified an interest in securing the design and construction of the proposed park by the Owner, of Above Base Park Improvements. There may be opportunities to use the Parks and Recreation component of the Development Charges for this work. As such, this report contains a recommendation to allow for this approach.

Tree Preservation

The Arborist Report submitted with the application has been reviewed by Urban Forestry Staff. The report has identified the proposed removal of three street trees on city lands. A tree appraisal value will be required for the City-owned trees to be removed during construction and will be determined during the Subdivision and Site Plan Control review. The applicant will be required to submit an 'Agreement for Private Contractor to Perform Work on City-owned Trees' prior to any pruning or removal of any City-owned tree.

The Arborist Report also identifies the proposed removal of nine privately owned trees having diameters of 30 centimetres or greater, situated on or adjacent to the subject site. Under the provisions of Section 813-16 (B) of the City of Toronto Municipal Code, Chapter 813, Trees, Article III, the subject trees meet the criteria for protection under the City of Toronto's Private Tree By-law. An application to injure or destroy private trees will be required, and a notice of application will need to be posted on the site for 14 days. Based on the standard requirements, Urban Forestry will require a total of 21 new trees to replace the nine private trees proposed for removal at a replacement ratio of 3:1 for construction related removals for six trees and a ratio of 1:1 for condition based removals for three trees. Where trees are not able to be replaced on site, a cash-in-lieu of trees payment will be required.

The submitted Landscape Plan for the proposed development shows a total of 48 new trees. Twenty-two trees are proposed for the right-of-way along the new public street. The remaining trees are proposed for the right-of-way of Bartley Drive and Tisdale Avenue. The proposed tree spacing meets City standards and the species will be reviewed during the Subdivision and Site Plan Control process.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures to be secured in the Zoning By-law include bicycle parking spaces. Other performance measures such as tree planting, soil volume, connectivity and pedestrian specific lighting will be secured through the 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 the Zoning By-law and Site Plan Control process.

Draft Plan of Subdivision

An 18.5 metre public street with an 8.5 metre pavement width is included in the application. It is anticipated that a subdivision application will be submitted in the future to secure the proposed public street and public park. The proposed north-south street is designed with an interim cul-de-sac at the northern terminus (see Attachment 8: Interim Site Plan). It is expected that this road will be extended to connect with the public street approved as part of the 78 Tisdale Avenue development (see Attachment 9: Final Site Plan). The proposed street layout is acceptable in principle, however the submission and review of a subdivision application, to ensure engineering and servicing issues are addressed through the design of the subdivision, and the required infrastructure is secured through a subdivision agreement is required. The detailed design of the street will be reviewed through the Draft Plan of Subdivision process. This report contains a recommendation for the requirement of a submission of complete application for Draft Plan of Subdivision and Draft Plan of Subdivision approval prior to the Bills being enacted by City Council. One of the proposed townhouse blocks (Block B on "Attachment 9") would be constructed only after the proposed public street is extended to connect with the adjacent proposed street to the north at 78 Tisdale Avenue because it will form part of the interim cul-de-sac.

Tenure

A common element condominium application will be required for the common elements including outdoor amenity space, walkways and private streets and lanes.

Schools

The Toronto District School Board (TDSB) has advised that a significant impact on local schools is not anticipated, and that there is sufficient space at local schools to accommodate students anticipated from the proposed development. The local schools are O'Connor Public School, Milne Valley Middle School and Victoria Park Collegiate Institute. The TDSB has also advised that although the local secondary school is operating at capacity, the impact from this development is insufficient to require any

warning clauses, which would normally be requested. However, the TDSB also reserved the right to change this status at any time without notice.

The Toronto Catholic District School Board did not provide comments.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

Following negotiations with planning staff, with input from the local councillor's office, the applicant has agreed to provide a financial contribution in the amount of \$925,000 to be used for improvements for Bartley Park, Parma Park and streetscape improvements on O'Connor Drive. This payment would be required prior to the issuance of the first above-grade building permit for the development.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. The Owner shall construct and maintain the development in accordance with 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 Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 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), and the Toronto Official Plan as discussed above.

The proposal would provide much needed family-size dwelling units compatible with the surrounding context. The proposal provides an opportunity to expand an existing public park in the area. The proposed new public street would also expand the existing road network allowing for a seamless integration of the proposed development into the existing and planned context. Redeveloping the site would allow for a more compatible use with the surrounding residential uses.

The proposal is consistent with the PPS (2014) conforms and does not conflict with the Growth Plan (2017). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, and staff recommend it be approved by City Council.

CONTACT

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SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Zoning By-law No. 7625
- Attachment 5: Zoning By-law No. 569-2013
- Attachment 6: Draft Zoning By-law Amendment - By-law No. 7625
- Attachment 7: Draft Zoning By-law Amendment – By-law No. 569-2013

Applicant Submitted Drawings

- Attachment 8: Interim Site Plan
- Attachment 9: Final Site Plan
- Attachment 10a: Elevations – Block A
- Attachment 10b: Elevations – Block A
- Attachment 11a: Elevations – Block H
- Attachment 11b: Elevations – Block H
- Attachment 12: Elevations – Block L

Attachment 1: Application Data Sheet

Municipal Address: 104-110 BARTLEY DRIVE **Date Received:** August 1, 2017

Application Number: 17 209538 NNY 34 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Proposed development of 84 townhouses, including 67 freehold and 17 condominium units. The proposal also includes proposed land conveyances for a public road and a 999 square metre public park.

Applicant	Agent	Architect	Owner
BARTLEY TH FUND INC.	ROY VARACALLI	S&C ARCHITECTS INC.	110 BARTLEY INC.

EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods Site Specific Provision: Y

Zoning: M1 Heritage Designation: N

Height Limit (m): 15 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 12,238 Frontage (m): 100 Depth (m): 128

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			3,785	3,785
Residential GFA (sq m):			11,845	11,845
Non-Residential GFA (sq m):				
Total GFA (sq m):			11,845	11,845
Height - Storeys:			4	4
Height - Metres:			12	12
Lot Coverage Ratio (%): 30.93			Floor Space Index: 0.97	

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	11,845	0
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:			67	67
Condominium:			17	17
Other:				
Total Units:			84	84

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					84
Total Units:					84

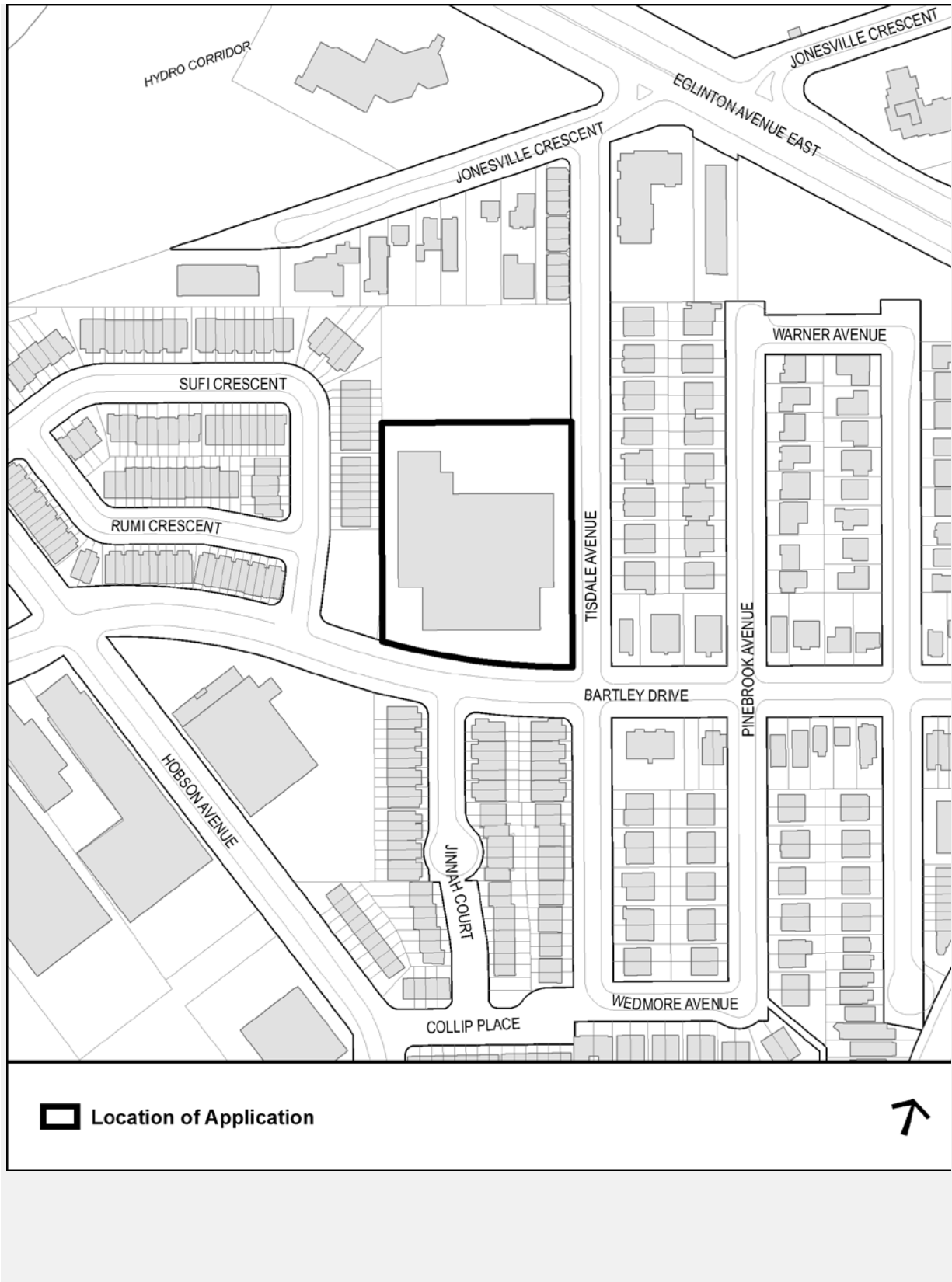
Parking and Loading

Parking Spaces: 88 Bicycle Parking Spaces: Loading Docks:

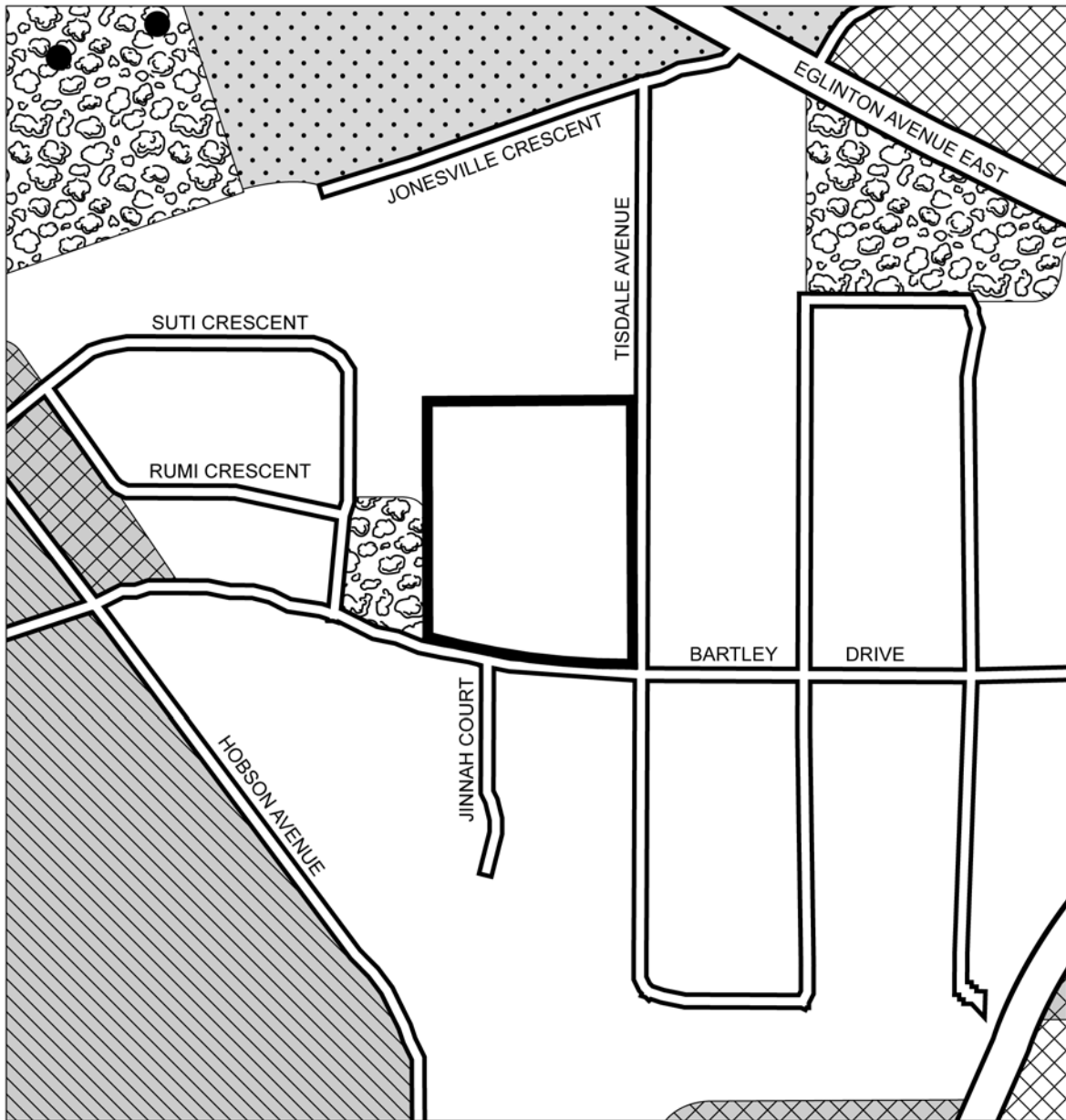
CONTACT:

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Cynthia.Owusu-Gyimah@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Extract from Official Plan

104 - 110 Bartley Drive

File # 17 209538 NNY 34 0Z



↑
Not to Scale
05/09/2018

Attachment 4: Zoning By-law No. 7625



Zoning By-law 7625

104 - 110 Bartley Drive

File # 17 209538 NNY 34 0Z

Location of Application

- | | |
|---|---------------------------------------|
| R5 One-Family Detached Dwelling Fifth Density Zone | M1 Industrial Zone One |
| RM1 Multiple-Family Dwellings First Density Zone | M2 Industrial Zone Two |
| RM2 Multiple-Family Dwellings Second Density Zone | MC Industrial-Commercial Zone |
| RM5 Multiple-Family Dwellings Fifth Density Zone | O1 Open Space Zone |
| C1 General Commercial Zone | O3 Semi-Public Open Space Zone |

Not to Scale
Extracted: 05/09/2018

Attachment 5: Zoning By-law No. 569-2013



Zoning By-Law No. 569-2013

104 - 110 Bartley Drive

File # 17 209538 NNY 34 02

Location of Application

RD Residential Detached
 RS Residential Semi-Detached
 RT Residential Townhouse
 RM Residential Multiple

CR Commercial Residential
 EL Employment Light Industrial
 E Employment Industrial
 OR Open Space Recreation



See Former City of North York By-Law No. 7625

RM1 Multiple-Family Dwellings First Density Zone
 C1 General Commercial Zone
 M1 Industrial Zone One
 MC Industrial-Commercial Zone
 O3 Semi-Public Open Space Zone



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 Extracted: 05/09/2018

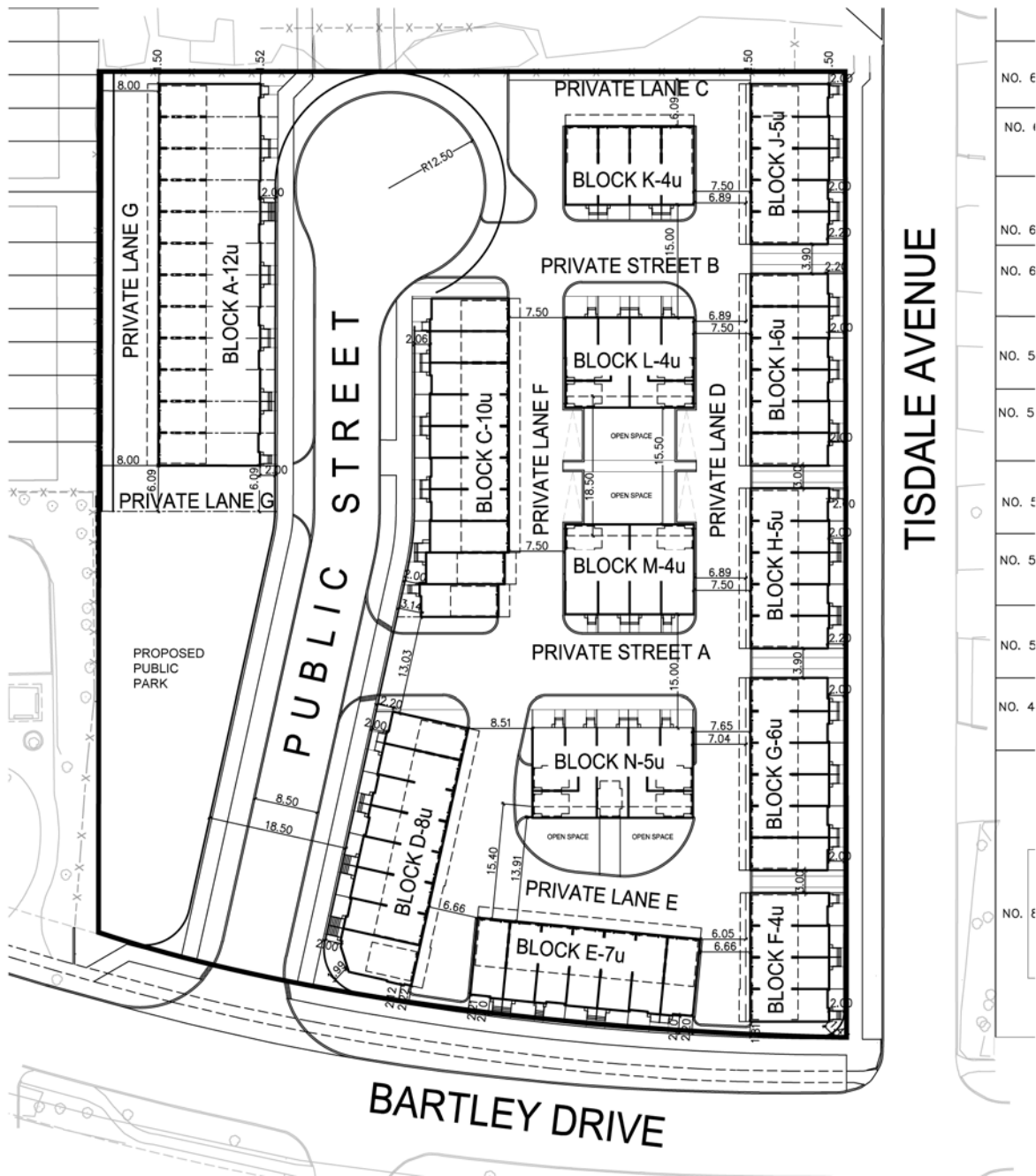
Attachment 6: Draft Zoning By-law Amendment – By-law No. 7625

To Follow

Attachment 7: Draft Zoning By-law Amendment – By-law No. 569-2013

To Follow

Attachment 8: Interim Site Plan



Interim Site Plan

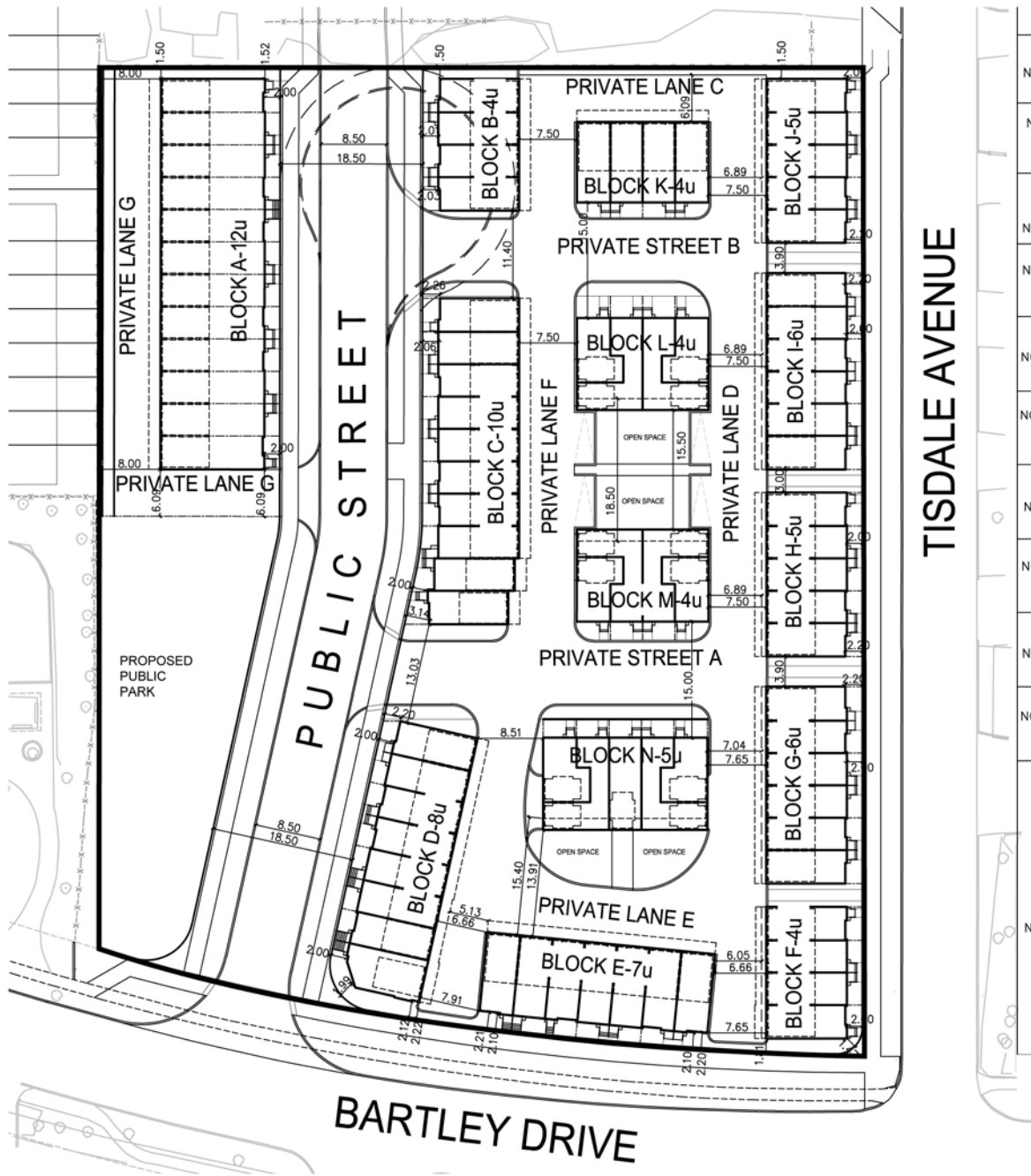
104 - 110 Bartley Drive

Applicant's Submitted Drawing

Not to Scale
06/12/2018

File # 17 209538 NNY 34 OZ

Attachment 9: Final Site Plan



Final Site Plan

104 - 110 Bartley Drive

Applicant's Submitted Drawing

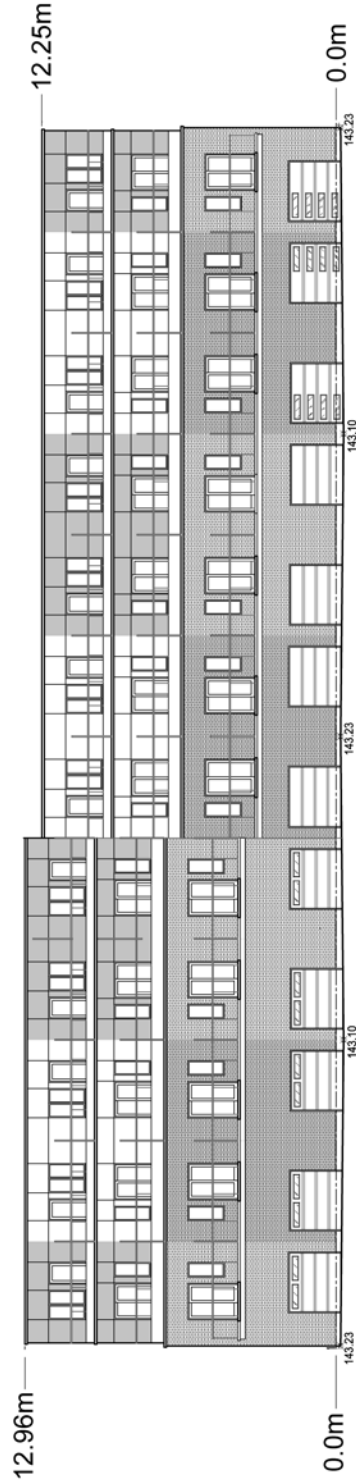
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File # 17 209538 NNY 34 0Z

Attachment 10a: Elevations – Block A



East Elevation



West Elevation

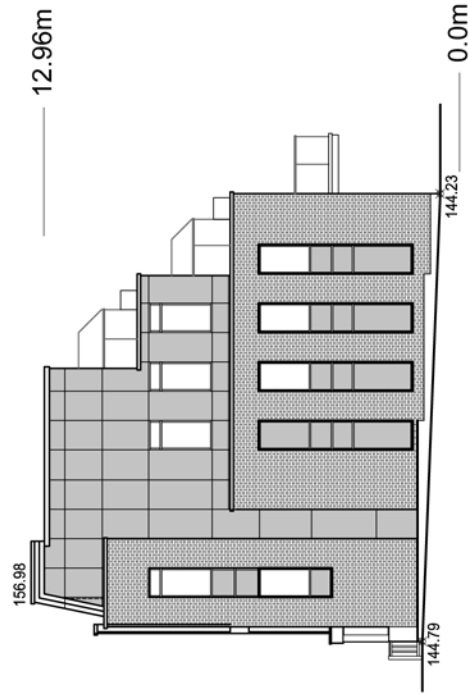
East & West Elevations - Block "A"

104 - 110 Bartley Drive

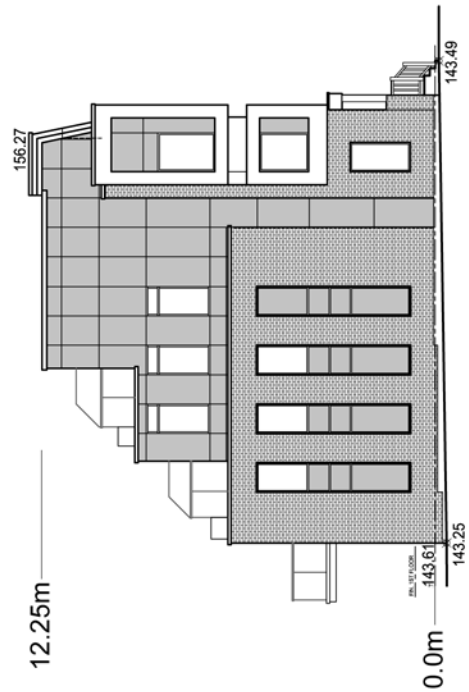
Applicant's Submitted Drawing

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File # 17 209538 NNY 34 0Z



North Elevation



South Elevation

104 - 110 Bartley Drive

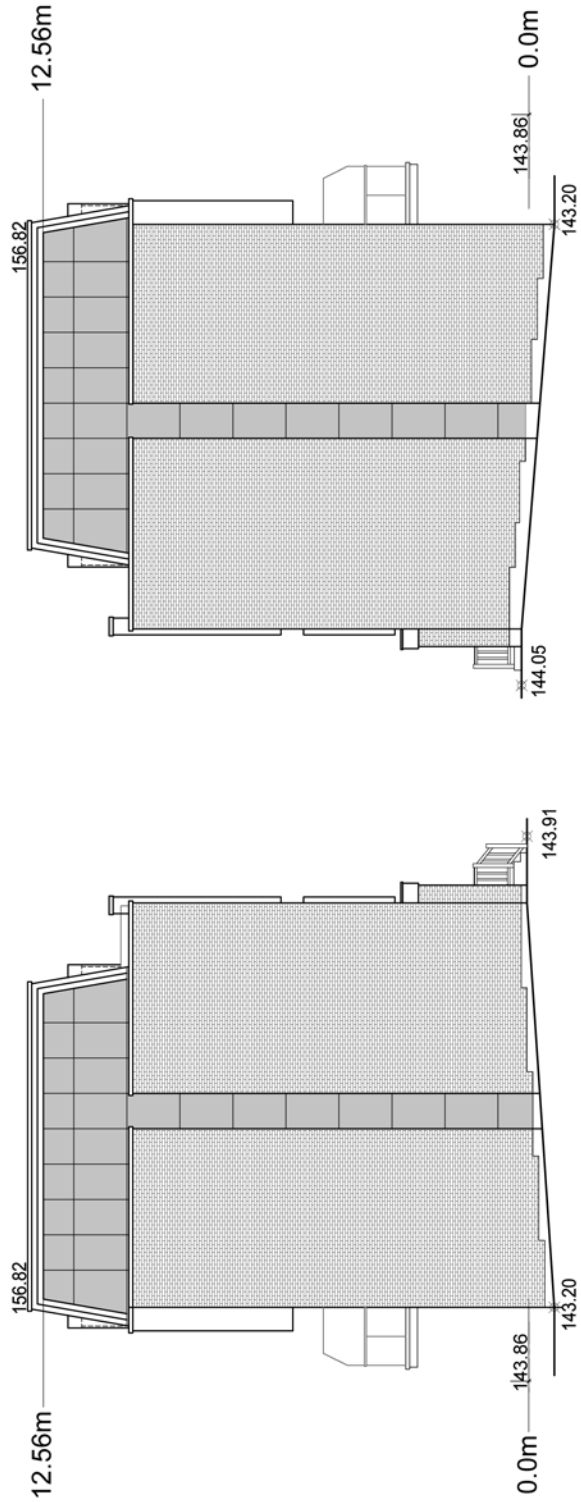
South & North Elevations - Block "A"

Applicant's Submitted Drawing

Not to Scale
05/14/2018

File # 17 209538 NNY 34 0Z

Attachment 11a: Elevations – Block H



North Elevation

South Elevation

104 - 110 Bartley Drive

South & North Elevations - Block "H"

Applicant's Submitted Drawing

Not to Scale
05/14/2018

File # 17 209538 NNY 34 0Z



West Elevation



East (Tisdale Ave) Elevation

West & East Elevations - Block "H"

Applicant's Submitted Drawing

Not to Scale
05/14/2018

104 - 110 Bartley Drive

File # 17 209538 NNY 34 0Z

Attachment 12: Elevations – Block L



104 - 110 Bartley Drive

Elevations - Block "L"

Applicant's Submitted Drawing

Not to Scale
05/14/2018

File # 17 209538 NNY 34 0Z