

135 Fenelon Drive - Zoning Amendment Application - Request for Directions Report

Date: June 26, 2018

To: North York Community Council

From: Director, Community Planning, North District

Ward: 34

Planning Application Number: 16 270142 NNY 34 OZ

SUMMARY

The purpose of this report is to seek City Council's direction for the City Solicitor, City Planning staff, and other appropriate staff to attend the LPAT hearing to support the revised development proposal for 135 Fenelon Drive, subject to certain matters being addressed to the satisfaction of the Chief Planner and Executive Director, City Planning, the Chief Engineer and Executive Director, Engineering and Construction Services and the City Solicitor, as set out in this report.

This application proposes to amend the Zoning By-law to permit two infill mid-rise apartment buildings that are ten and four storeys in height on a site with an existing 19 storey apartment building. The ten-storey residential building (north building) would be attached on the north side of the existing 19-storey building and be comprised of 149 residential units with a gross floor area of 10,822 square metres. The four-storey, stand-alone residential building to the south (south building) would consist of 60 residential units with a gross floor area of 4,643 square metres, and be sited along Underpass Gate. The north building would also have 88 square metres of commercial space at grade.

Together, the entire site would consist of 427 rental units and a gross floor area of 37,528 square metres including the existing 19-storey residential apartment building. The proposed density is 2.50 times the area of the lot.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe (2017), and the City of Toronto Official Plan. This proposal would provide moderate intensification in a built form compatible with the surrounding context. Further, the proposal would involve the securing of the existing rental stock, and provide affordable rental housing options as well.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to attend before the Local Planning Appeal Tribunal in support of a settlement of the Zoning By-law Amendment application for 135 Fenelon Drive based on the following plans, matters and principles of settlement;

a. The applicant's plans dated April 4, 2018, revised June 4, 2018, subject to any revisions required by the recommendations of this report, to the satisfaction of the Chief Planner and Executive Director, City Planning;

b. Prior to any LPAT Order being issued on the Zoning By-law Amendment;

i. Submit a revised Functional Servicing Report and Geotechnical Hydrogeological report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

ii. Make arrangements to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development, based on the Reports in Part 1.b.i. above, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services; and

iii. Enter into a financially secured agreement for the construction of any required improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development based on the Reports in Part 1.b.i. above, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.

iv. 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. A cash contribution in the amount of \$750,000 to be used towards improvements to Graydon Hall Park, and/or parks in the vicinity of the site;

b. In the event the cash contribution referred to in (a) above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contributions may be redirected for another purpose, at the discretion of the Chief Planner and Executive

Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands;

c. The above noted cash contribution is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date the payment is made.

d. the provision at least seven (7) affordable rental dwelling units with an approximate total net floor area of 560 square meters for affordable rental housing on the following terms:

i. no more than three of the affordable rental dwelling units will have one bedroom or less;

ii. each unit will have affordable rents for a period of at least fifteen (15) years, and the rental tenure of the units will be maintained for at least twenty-five (25) years;

iii. tenants of each unit will have access to parking spaces and lockers on the same basis as all other residents;

iv. the affordable rental units will not be individually condominium - registered at any time during the 25-year rental tenure period, and must be provided in contiguous blocks of no less than six units;

v. the owner will submit proposed layouts and locations of the units with Site Plan drawings and all will be to the satisfaction of the Chief Planner and Executive Director, City Planning prior to the issuance of the Notice of Approval Conditions for the portion of the development containing the units.

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

i. the Owner shall provide and maintain 218 existing dwelling units at 135 Fenelon Drive on the site as rental housing for the period of at least 20 years, from the date of the Zoning By-Law being in-force and effect, with all the new and retained associated facilities and amenities of the buildings to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

- ii. the Owner shall provide a Construction Mitigation Plan that includes provisions for special needs tenants, mitigation for tenants during construction periods, including but not limited to alternate parking arrangements, compensation for the removal of facilities currently associated with the units, and other measures as may be deemed reasonable to the satisfaction of the Chief Planner and Executive Director, City Planning, without cost-pass through to tenants; and
- iii. the Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

A pre-application meeting was held on June 7, 2016. The application was received and deemed complete as of January 20, 2017. Staff prepared a Preliminary Report for the February 22, 2017 meeting of North York Community Council. The preliminary report is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY20.37>

The Local Planning Appeal Tribunal (the "LPAT") has replaced the OMB – however, the old regime for adjudicating appeals (OMB) will continue alongside the new LPAT until such time as appeals subject to the old regime have been disposed of. Provincial transition regulations determine when an appeal remains subject to the old legislative regime versus the new. All complete applications made prior to December 12, 2017 and appealed before April 3, 2018 will continue to move forward under the old system. Any complete application, whenever made and deemed complete, that was not appealed by April 3, 2018 will proceed under the new system. This application was received and deemed complete on January 20, 2017, and a Preliminary Report was adopted by North York Community Council on February 22, 2017. The application was appealed on November 1, 2017. A hearing date has not yet been scheduled.

ISSUE BACKGROUND

Original Proposal

The original application proposed two infill mid-rise apartment buildings of six and eight storeys in height at 135 Fenelon Drive. The existing 19-storey apartment building comprised of 218 rental units would be retained. The six-storey residential building (north building) would have consisted of 123 rental units with a gross floor area of 8,362 square metres. The eight storey mixed-use building (south building) was to contain 126 rental units with a gross floor area of 7,861 square metres and commercial space with a

gross floor area of 299 square metres. Together, the entire site was to consist of 467 rental units with a gross floor area of 38,499 square metres, and a density of 2.57 times the lot area.

Revised Proposal

The revised application proposes to amend the Zoning By-law to permit two infill apartment buildings that are ten and four storeys in height (27.3 metres and 14.5 metres respectively) on the site in addition to the existing 19-storey apartment building. The ten-storey residential building (north building) is proposed to be located on the existing landscaped open space and garbage/loading area to the north of the existing building, and would be attached to the existing 19-storey building. It would be comprised of 149 residential units with a gross floor area of 10,822 square metres. The four-storey residential building to the south is proposed to be located partially on the existing surface parking lot, with 60 residential units, a gross floor area of 4,643 square metres, and be sited as a stand-alone building along Underpass Gate. The north building would also have 88 square metres of commercial space at grade, in addition to an outdoor retail patio of 75 square metres. The proposed overall density has been reduced to 2.50.

Together, the entire site would consist of 427 rental units and a gross floor area of 37,741 square metres including the existing 19-storey residential apartment building. The following tables provide further statistics on the original and revised proposal:

Table 1 : Original Proposal - Site Statistics

	Existing	Proposed North	Proposed South	Total Existing and Proposed
Height (storeys)	19	6	8	NA
GFA (sq. m.)	22,276	8,362	7,861	38,499
Density	1.48	NA	NA	2.57
Indoor Amenity (sq. m.)	18	276	267	561
Outdoor Amenity (sq. m.)	1226	259	128	2028 (includes 415m ² community garden)
Unit Mix				
Studio	0	4	18	22
One Bedroom	81	88	84	253
Two Bedroom	128	31	24	183
Three Bedroom	9	0	0	9
Total Units	218	123	126	467

Table 2: Revised Proposal - Site Statistics

	Existing	Proposed North	Proposed South	Total Existing and Proposed
Height (storeys)	19	10	4	N/A
GFA (sq. m.)	22,276	10,822	4,643	37,741
Density	1.48	N/A	N/A	2.50
Indoor Amenity (sq. m.)	18	340	224	582
Outdoor Amenity (sq. m.)	1226	329	100	2070 (includes 415m2 community garden)
Unit Mix				
Studio	0	14	3	17 (4%)
One Bedroom	81	72	27	180 (42%)
Two Bedroom	128	40	22	190 (44%)
Three Bedroom	9	23	8	40 (9%)
Total Units	218	149	60	427 (100 %)

The north building ground floor is proposed to be 3.5 metres in height and consist of some at grade units, a main lobby/lounge area, indoor amenity space, retail space, staff office, moving room, laundry room, storage/locker room, garbage room and a bicycle storage room that will provide 65 bicycle parking spaces.

The south building ground floor is proposed to be 3.5 metres in height and would provide at-grade units, a main lobby/entrance area with an entrance onto Fenelon Drive, garbage room, mail delivery room, moving room and a bicycle storage room that would provide 32 bicycle parking spaces. A total of 166 bicycle parking spaces are proposed for the overall development, including 48 spaces at the P1 level. The proposed separation distance between the existing 19-storey tower and main portion of the proposed south building is approximately 26 metres. This distance is reduced to 12 metres from the south building at a point where the south building wraps around the corner of Fenelon Drive on the southwest portion of the site.

A total of 224 square metres of indoor amenity space is proposed in the south building, and 340 square metres is proposed in the north building. The proposal includes 2,070 square metres of outdoor amenity space including the maintenance of an existing green open space on the western portion of the site along Fenelon Drive, and a proposed community garden of 415 square metres along the Don Valley Parkway frontage.

Vehicular access to the site via the existing south driveway on Fenelon Drive will be maintained. However, this is proposed only to provide access to the existing underground parking. The entrance portion of the existing U-shaped driveway on the site (which currently provides access to the existing apartment building's main lobby entrance) will be reconfigured as a result of this proposal. A new driveway extension is being proposed from the retained parking area (south of the existing apartment building) to the exit/egress portion of the existing U-shaped driveway, which will be reconfigured to align with Karen Road. This driveway extension will in turn provide two-way vehicular access to the main entrances of both the existing apartment building and the proposed north building (See Attachment 6 – Site Plan). An existing daycare would remain in the existing rental building providing daycare services for approximately 60 children.

Pedestrian access to each of the proposed and existing buildings on site will be from Fenelon Drive to the west via a sidewalk provided along the reconfigured driveway. Currently, the site provides 177 underground (one level) and 75 surface parking spaces, for a total of 252 spaces. After construction, a total of 423 parking spaces are proposed, including 23 surface spaces and 400 underground spaces in two underground levels (see Attachment 6 – Site Plan, Attachments 8-15 – Elevations, and Attachment 1 – Application Data Sheet).

Site and Surrounding Area

The subject property is relatively flat, has an area of 1.5 hectares and is located on the east side of Fenelon Drive, north side of Underpass Gate, and abuts the Don Valley Parkway on the east. Fenelon Drive intersects Underpass Gate to the south of the site, and Fenelon Drive continues south of the site. The site has some frontage on Underpass Gate as well which connects this neighbourhood to the Fenside community to the east of the Don Valley Parkway (see Attachment 6 – Site Plan).

There currently exists a 19-storey, 218 unit apartment building on site. A daycare is located within the existing building. Surface parking is located along the south side of the existing building, adjacent to the Fenelon Drive and Underpass Gate frontage. A fenced playground is located on the east side of the existing building, for use by the daycare. Vehicular access to the surface and underground parking is provided from the Fenelon Drive frontage on the west.

Land uses surrounding the site are as follows:

- North: To the north of the site is a portion of Graydon Hall Park. The main portion of Graydon Hall Park on the west side of Fenelon Drive is a 5.3 hectare Park that includes an outdoor tennis court, playground and splash pad on lands west of Fenelon Drive. The portion of Graydon Hall Park just north of the site is 0.6 hectares in size, and also accommodates a TTC bus turnaround for the Graydon Hall 122 route. It is a passive open space with some tree cover with no formal equipment or facilities. Further north is the southbound Don Valley Parkway ramp from Highway 401. Further north and west of the site is George S. Henry Academy (public high school).

- East: Immediately east of the site is the Don Valley Parkway, which is separated from the subject lands by a buffer wall.
- South: Immediately south of the site are two storey semi-detached dwellings on Fenelon Drive. Fenelon Drive intersects with Underpass Gate to the south of the site. Underpass Gate connects this neighbourhood to the Fenside community to the east of the Don Valley Parkway.
- West: To the west of the subject site are two storey semi-detached residential buildings along Fenelon Drive.

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

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement.

Comprehensive, integrated and long-term planning is best achieved through official plans."

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

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

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

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

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

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

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

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

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan.

The site is designated *Apartment Neighbourhoods* on Land Use Map 16 of the Toronto Official Plan (see Attachment 3). *Apartment Neighbourhoods* are made up of apartment buildings, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. The designation has development criteria regarding locating and massing new buildings to provide a transition between areas of different development intensity and scale.

Policy 2.3.1.2 of the Toronto Official Plan states that development in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to neighbourhoods will:

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

The Built Form policies in Section 3.1.2. of the Official Plan specify that new development is to be located and organized to fit with its context, and be massed to limit impacts on neighbouring streets, parks, open spaces, and properties by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and limiting shadowing and uncomfortable wind conditions. Taller buildings are to be located to ensure adequate access to sky view. Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development and each resident will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

Policy 3.1.2 (2) requires that new development locate and organize parking, servicing and access to minimize their impact on the property and surrounding properties by, among other things:

- Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- Integrating services and utility functions within buildings where possible, and
- Providing underground parking where appropriate.

The Housing policies in Section 3.2.1 of the Official Plan support a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Official Plan Housing Policy 3.2.1.5 provides that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development: will secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and may secure any needed improvements and renovations to the existing rental housing, in accordance with and subject to the height and density incentives of Section 5.1.1 of the Plan, without pass-through of such costs in rents to tenants.

Section 4.2 of the Official Plan states that development in *Apartment Neighbourhoods* will:

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes; and
- locate and mass 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.

Significant growth is generally not intended within developed *Apartment Neighbourhoods*. However, compatible infill development may be permitted on a site containing an existing apartment that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. 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 Official Plan;
- d. maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- e. organize development on 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. preserve and/or replace important landscape features and walkways and create such features where they did not previously exist;
- i. consolidate loading, servicing and delivery facilities; and
- j. preserve or provide adequate alternative on-site recreational space for residents.

Development within *Apartment Neighbourhoods* is intended to provide sufficient off-street motor vehicle and bicycle parking for residents and visitors; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; provide indoor and outdoor recreation space for building residents; and provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

Section 5.1.1 of the Official Plan provides for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

The Toronto Official Plan is available on the City's website at: :
<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 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*. OPA 320, as approved by Council is available at:
<http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf>

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a

result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

The Minister's approval and modification can be found at:

http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/SIPA/Files/pdf/N/MMA%20Notice%20of%20Decision.OPA%20320.July%204_2016.pdf

Zoning

City of Toronto Zoning By-law No. 569-2013 zones the site as "Residential Apartment" (RA f30.0, a1375, d1.5). Permitted uses in the RA Zone include ambulance depots, apartment buildings, fire halls, parks, police stations and retail stores, subject to conditions. A Floor Space Index of 1.5 is permitted (see Attachment 4).

The former North York Zoning By-law No. 7625 zones the site as RM6-Multiple Family Dwellings Sixth Density Zone (see Attachment 5). Permitted uses in the RM6 Zone include apartment house dwellings, converted dwellings, double duplex dwellings, duplex dwellings, hospitals, multiple attached dwellings, nursing homes, single family dwellings, religious institutions, sanitariums, semi-detached dwellings, day nursery in an apartment house dwelling, and any other use permitted in the R4 zone which does not include commercial uses. A Floor Space Index of 1.5 is permitted.

Site Plan Control

The application is subject to site plan control. However, a site plan control application has yet to be submitted.

Reasons for the Application

The purpose of the zoning application is to permit an increase in the number of apartment units permitted on site. The zoning application proposes to increase the current residential permission by 209 apartment units (from 218 to 427 apartment units), and increase the permitted density from 1.5 to 2.50 times the area of the lot. The rezoning will also need to establish other site specific performance standards to facilitate the proposed development.

Application Submission

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

- Planning Justification Report;
- Tree Removal Plan;
- Arborist report;
- Landscape Plan;
- Shadow Study;
- Community Services and Facilities Inventory;
- Housing Issues Report;
- Functional Servicing and Stormwater Management Report;
- Urban Transportation Considerations Report;

- Preliminary Geotechnical and Hydrogeological Investigations;
- Stage 1 and 2 Archaeological Assessment;
- Pedestrian Wind Assessment; and
- Toronto Green Standards Checklist

The current planning information for the application is available at the Application Information Centre (AIC) <https://www.toronto.ca/city-government/planning-development/application-information-centre>.

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 will be used to formulate appropriate site specific Zoning By-law standards.

Community Consultation

A community consultation meeting, as directed by North York Community Council, was held on April 5, 2017. Notice of the meeting was given to landowners and residents within 120 metres of the site, and expanded to include all landowners and residents residing in the area bounded by Highway 401 to the north, the Don Valley Parkway to the east, York Mills Road to the south, and Don Mills Road to the west. Approximately 60 residents from the surrounding area were in attendance.

Issues that were raised included, but were not limited to the following concerns: the compatibility of the proposal with the surrounding community in terms of land use, height and density; traffic increase on local roads, pedestrian safety; parking adequacy; the desirability of commercial space at this location, inadequate community services and facilities in the area including school capacity to service the new residents; and tenure, affordability and unit mix proposed.

As a result of the degree of community interest in the proposal, a community working group was formed to discuss the above issues in greater detail. Residents were asked at the April 5, 2017 community consultation meeting to declare an interest in joining the working group. A group of approximately 15 residents and community representatives were invited to join the working group, along with the local Councillor and City staff. Three working group meetings were held in September, October, and December, 2017. Topics discussed at the series of meetings included, but were not limited to, the issues raised at the April, 2017 community meeting.

In January 2018, a fourth and final meeting of the working group was held wherein a version of the final submission was presented to the group for their consideration and input. The proposal was well received by the working group. The application has now been formally revised, as discussed previously.

COMMENTS

Provincial Policy Statement and Provincial Plans

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

The PPS focuses growth within settlement areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. It recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

The application represents an efficient use of land, resources and public investment in infrastructure. This development provides new rental housing opportunities in an established residential area. The proposal is consistent with the PPS.

The proposal represents appropriate intensification on an underutilised "tower in the park" site, where services exist, and will contribute to a range of housing options and commercial opportunities in the community. The proposed development will ensure the efficient use of land, infrastructure, services and facilities. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

This application has been reviewed against the Official Plan policies described in the Issue background section of the Report as well as the policies of the Toronto Official Plan as a whole.

The site is designated *Apartment Neighbourhoods* on Land Use Map 16 of the Toronto Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents.

The proposal meets policy 4.2.3 of the Official Plan by maintaining an appropriate level of amenity on site, providing existing residents with access to site improvements, maintaining adequate sunlight, privacy and areas of landscaped open space, and organizing the development to frame the streets, parks and open spaces in good proportion.

This proposal consists primarily of residential uses in two newly proposed residential buildings, with a small amount of retail proposed in the north building. The revised proposal represents an appropriate balance between intensification of the site and respect for the local context.

Density, Height, Massing

The Built Form policies of the Official Plan encourage new development to frame and support adjacent streets, parks and open spaces. The policies seek to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions to provide an attractive, comfortable and safe pedestrian environment.

The north building appropriately frames the park to the north, and provides for animation along the park edge, providing overlook and enhanced safety for the park. The south building appropriately frames the edges of Fenelon Drive and Underpass Gate to the south.

To ensure adequate transition in scale to the adjacent low rise residential neighbourhood to the south and west, two 45-degree angular planes were applied to limit the building mass. The proposed development is entirely under the 45-degree angular planes when measured from the residential neighbourhood to the south and west.

The original proposal involved a six-storey building on the north portion of the site and an eight storey building on the southern portion of the site. Partially as a result of the working group process, and a desire to reduce impacts on the low-rise residential community to the south, the proposal has been revised to include a ten-storey building on the northern portion of the site, and a four-storey building on the southern portion of the site. The revised building design more appropriately responds to the local context. The ten-storey building to the north incorporates a three storey base building design that corresponds with the height of the existing low-rise residential homes on the west side of Fenelon Drive. The proposed materials for the new buildings will incorporate masonry and high quality materials that are sympathetic to the existing context and the existing building and this will be secured through the site plan control process.

The geometry of the proposed north building is in a curvilinear form that complements the existing 19-storey building on site. The configuration of the south building has been modified to integrate with the existing parking garage ramp and is stepped back along Underpass Gate to align with the street.

The balconies on both newly proposed buildings are all recessed to help reduce their visual mass. The south building has been staggered and heavily articulated at the southwest corner to ensure a more visually appealing treatment in this highly visible location.

The retail floor space at grade in the north building will animate the public sidewalk abutting the site.

The proposed density is 2.50 FSI, reduced from the original proposal. This density is acceptable given the careful consideration of massing and built form, the absence of

any significant off site impacts, and the fact that the development can be adequately accommodated on the 1.5 hectare parcel.

In summary, the proposal creates an appropriate transition in scale to neighbouring properties, meets the built form criteria in the Official Plan and implements the Official Plan objectives of ensuring that buildings fit within their context and minimize their impacts.

Site Organization and Setbacks

The south building setback from Fenelon Drive has been increased to 7 metres along Fenelon Drive and 7.5 m along Underpass gate to match nearby residential setbacks, and to allow for appropriate grading and landscaping to the street. Outdoor amenity areas on Fenelon Drive have been appropriately setback to 2 metres from the property line to ensure a minimum landscape buffer to the property line.

The north building setback along Fenelon Drive has been increased to 7.5 m from the ground floor to the fourth level from the original 5.5 metre setback,. This was recommended to open up views to the adjacent park entrance and complement existing residential setbacks. The north building setback from the park to the north ranges from 7 metres to 10 metres due to the curvilinear nature of its building face.

The north building setback from the Ministry of Transportation Ontario (MTO) (14 m) setback line was increased from zero to 7.1 metres. A pedestrian access sidewalk connection has been added in this area, connecting to Graydon Hall Park north of the site.

The original proposal involved a large curb cut along the southwest portion of the site to access the existing underground parking and to account for changes to the underground vehicular access. The existing access curb cut adjacent to the parking ramp access has been deleted and the existing underground parking ramp has been integrated into the south building envelope.

The original proposal contained an excessive amount of surface parking at the rear of the site, impacting the pedestrian realm and landscaped open space. The majority of the proposed surface parking has been relocated underground. Surface parking has been reduced from the original 56 parking spaces to 23. A community allotment garden is proposed on the eastern portion of the site within the 14m MTO setback requirement, and has been relocated to the south to maximize the amount of sunlight exposure out of the shadow of the building. The internal driveway has been moved slightly to the south in order to preserve the existing port-cochere at the front entrance to the existing 19-storey building.

The proposed access and site circulation has improved substantially from the original proposal as discussed below.

Access and Site Circulation

The existing site access is taken from Fenelon Drive as a U-shaped driveway leading to the front entrance of the existing 19-storey apartment building. One end of the U-shaped driveway is just north of Karen Road, and one is south of Karen Road. Access to the existing underground is further south off Fenelon Drive, and an access driveway to the current south parking area is south of the underground parking ramp.

City staff requested the applicant to reconsider both access points, and to integrate the existing access to the underground garage as part of the south building. The applicant was also requested to reduce the driveway width on the southern part of the site, to reduce pedestrian crossing distance, improve internal site circulation and limit impacts on traffic operations. Staff requested that the northerly access line up with Karen Road to provide a four way intersection and provide for safer access and turning movements on Fenelon Drive.

The southerly driveway and ramp access has been modified with the deletion of the access to the southerly parking lot, the incorporation of the access ramp to the underground parking into the south building, and a reduction in the curb cut to allow for improved pedestrian access and safety. The former "U" access driveway is limited to one access point on the north side of the site, which aligns with Karen Road. This driveway provides access to a shared drop-off for the existing 19-storey building, and the new proposed ten-storey building, and winds south to provide access to the four-storey building, surface parking on the southerly portion of the site, and to the loading facilities for all three buildings. Two type "G" loading spaces will be provided at the rear of the site, one servicing the south building located to the east near the Don Valley Parkway, and the other servicing the existing and proposed ten-storey building, located between the ten-storey building and the Don Valley Parkway. All garbage storage will be located inside the existing and proposed buildings. Staff are satisfied with the revised access and site circulation.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows the local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The subject site is located in the middle quintile of current provision of parkland. The site is not subject to the Alternative Parkland Dedication By-law, but is subject to a 5% residential parkland dedication rate and a 2% commercial rate as per Chapter 415, Article III of the Toronto Municipal Code.

The subject lands are immediately adjacent to Graydon Hall Park, a 5.3 hectare park that contains a playground, splash/spray pad, a tennis court area, horticultural display and three toboggan hills. Consequently the applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. There is a requirement that the land owner provide a 1.8 m black vinyl coated fence between the proposed development site and

the portion of Graydon Hall Park located to the north of the subject development site. This will be secured through the site plan control process.

Amenity Space

The proposal includes a new 98 square metre outdoor amenity area located at the curve of Fenelon Drive, as well as two separate outdoor amenity areas adjacent to the north building, one facing Fenelon Drive and a large outdoor amenity area at the rear of the building adjacent to Graydon Hall park. Altogether, there is 429 square metres of newly proposed outdoor amenity space for the proposal. The outdoor amenity spaces are all appropriately located next to indoor amenity space to facilitate greater usability. There is a further 1,226 square metres of existing open space on the site that will be retained, in addition to the proposed 415 square metre community garden, which is proposed within the 14 metre MTO setback.

The proposal originally included 445 square metres of indoor amenity area. This amount was within the requirements of Zoning By-law No. 569-2013 for the newly constructed buildings. However, given that there is no indoor amenity area in the existing building, staff required additional indoor amenity space to be provided in the new buildings, and that all new indoor amenity space be accessible to both new and existing residents. The proposal now includes a total of 564 square metres of indoor amenity space, appropriately located on the main floor of both the north and south buildings. This includes 340 square metres proposed in the north building, and 224 square metres in the south building. These amenity areas will be accessible to residents of the existing building.

While the total amenity for existing and proposed units does not meet the provision of Zoning By-law No. 569-2013, all amenity areas will be accessible to residents of the existing building. Prior to final Site Plan approval, some of the existing open space should be improved and programmed into additional outdoor amenity space for residents of the existing and proposed building, including a new playground. The zoning amendment will secure the additional amenity space.

Shadow Impacts

The applicant has submitted a shadow study to examine the shadows cast by the proposed development onto the surrounding area. The proposed buildings have been designed and located to address shadow impacts on adjacent properties, acknowledging that the existing 19-storey building casts the bulk of the shadows for the site.

On the spring and fall equinoxes, the proposed ten-storey portion of the development casts some shadow on a small portion of Graydon Hall Park to the north, including the TTC turnaround lands, during the early morning hours. The four-storey portion would have no shadow impacts on the low rise residential neighbourhood to the west and south. Overall, the proposal adequately limits shadow impact on the surrounding lands.

Wind Impacts

The applicant submitted a wind study for the proposed development to examine the wind patterns caused by the originally proposed six and eight storey buildings. The wind study concluded that surrounding sidewalks, walkways, building access points, and existing and future outdoor amenity areas and green spaces will experience appropriate wind conditions throughout the year. An exception to this, where wind conditions were measured to be uncomfortable for walking during the winter months, occurs within the parking lot between the south building and the existing building to the north. To reduce wind speeds within the parking lot and along the adjacent walkways, vertical wind barriers were recommended at the west side of the parking lot to deflect prominent westerly and easterly winds through this space.

A revised wind study has not yet been provided to evaluate the impacts from the revised proposal, but will be required for the Site Plan Application. Any proposed mitigation measures for wind impacts will be secured through the site plan control process.

Noise

A Noise Study will be required at the site plan control stage. Any required noise mitigation measures will be secured through this process.

Heritage Impact

The subject property is not currently included on the City's Heritage Register. However, Heritage Preservation Services (HPS) has received a nomination requesting that the property be included on the Register. Staff feel that the property has the potential to hold cultural heritage value and will be researching and evaluating it using the criteria prescribed under the Ontario Heritage Act. This will not impact the recommendations in this report supporting the proposed development, as HPS staff have reviewed the proposal and have no objections. Should HPS staff determine that the property merits inclusion on the Heritage Register, a report will be brought forward to the Toronto Preservation Board at a later date. Further architectural design and review will be undertaken during the site plan process to ensure the proposed building integrates architecturally with the existing building, including the rooftop mechanical penthouses.

Housing

The existing 19-storey, 218 unit apartment building will be retained and the owner will secure the rental tenure of this building, with no application for demolition or conversion to condominium, for a period of twenty years. This will be secured through the Section 37 agreement. The applicant will also secure new amenity space and improvements to the outdoor amenity space, and a new playground, with no pass-through cost to the existing tenants as described in the Amenity Space section in this report.

The originally proposed unit mix was found to be unacceptable by city staff. Staff requested that the applicant provide more larger, family sized units of three bedrooms or more. Targets were to include 25% of the units to be two-bedroom or larger, and 10% of the units to be three bedrooms or larger. The revised proposal is for 65% one bedroom units, 25% two bedroom units, and 10% three bedroom units. These

requirements will be secured through the zoning by-law. This revised unit mix is acceptable.

The owner shall also provide a Construction Mitigation Plan that includes provisions for special needs tenants, impact mitigation for tenants during construction periods, such as alternate parking arrangements, compensation for the removal of facilities currently associated with the units and other measures.

The owner must also submit a Tenant Communication Plan to keep tenants informed and provide tenants a source of information during the construction period. This will be secured in the Section 37 Agreement.

Affordable Housing

The applicant has agreed to provide seven (7) affordable rental housing units comprising a total of approximately 560 square meters of net floor area, as part of the Section 37 community contribution for the proposed development. The exact location and final unit mix of the affordable rental units has not yet been determined. However, no more than three of the affordable rental units will be a one-bedroom or smaller. The remainder will have at least two-bedrooms.

The affordable rental units will be affordable based on the Official Plan Affordable Rental Housing definition for at least 15 years from the date of first occupancy, and will be maintained as rental housing for at least 25 years. The Official Plan defines affordable rental housing and affordable rents as:

- "housing where the total monthly shelter cost (gross monthly rent including utilities – heat, hydro and hot water – but excluding parking and cable television charges) is at or below one times the average City of Toronto rent, by unit type (number of bedrooms), as reported annually by the Canada Mortgage and Housing Corporation."

After the 15 year affordability period, the Section 37 requirements would not impose any restrictions on the rents, however the City would encourage the ongoing affordability of those units for as long as possible after the affordability period. The affordable rental units will not be individually condominium registered at any time during the 25-year rental tenure period. This is to ensure that they remain part of the purpose-built rental stock. The units will be provided in contiguous blocks of at least six-units in total.

Through the Section 37 agreement, the owner of the affordable rental units will be required to provide annual monitoring reports on the rents and occupancy of the units for the duration of 15-year affordability period.

The occupants of affordable units should have the same access to facilities and amenities, on the same terms and conditions, as all other residents in the development. Tenants in affordable rental units will have access to parking and lockers on the same basis as all other residents in the proposed buildings. This proposed contribution will

provide affordably priced housing for residents, including larger households. The Section 37 agreement will also secure minimum occupancy standards to ensure the units are occupied by eligible households and to help ensure that larger households occupy larger units during the affordability period.

Commercial Space

88 square metres of grade related commercial space in the north building is proposed, in addition to a 75 square metre patio adjacent to the commercial space, to provide for the potential for restaurant uses. The original proposal showed the retail space in the south building. City staff requested that the retail space be moved to the north building, in order to be accessible to the surrounding community. The draft zoning by-law will require that this space be provided, in part to ensure that the street frontage is appropriately animated and also to provide additional prominence and animation for the ground floor of the building. This will provide commercial opportunities for residents in this development and the surrounding residential community.

Traffic

The Working Group process generated a number of questions about existing traffic conditions in the vicinity, as well as the traffic impact of the proposed development. Concern was expressed about the traffic volumes in the vicinity of the site, particularly during rush hour, and particularly with George S. Henry Academy in close proximity to the site.

An Urban Transportation Considerations Report prepared by BA Group, dated December, 2016, including an addendum dated April 2018, with the additional information requested by Transportation Services staff and an analysis based on the revised proposal. The proposed development would generate approximately 70 additional a.m. peak hour trips, and approximately 75 additional p.m. peak hour trips. The report concludes that the proposed development will have a minimal traffic impact on the surrounding area during the a.m. and p.m. peak hours. Transportation Services staff concur with the conclusions of this report. Also, as noted earlier in this report, site access arrangements will be improved.

Vehicular and Bicycle Parking

Currently, the site provides 177 underground (one level) and 75 surface parking spaces for a total of 252 spaces. The original proposal involved a total of 428 parking spaces, including 56 surface and 372 below grade in two underground levels. Staff expressed concern that the original proposal provided too much surface parking. Of the total 423 parking spaces now proposed, the amount of surface parking has been reduced to 23 spaces, which includes 17 visitor, three daycare and three car share spaces.

A total of 400 resident parking spaces have been provided in two levels of underground parking. A total of 11 spaces are accessible spaces, including one above ground. The proposed parking supply is acceptable to Transportation Services staff.

A total of 171 bicycle parking spaces are proposed to be provided. This includes 145 spaces for residents, 21 for visitors, and 5 retail spaces. A total of 48 bicycle parking spaces are provided on the P1 level, 32 spaces on the first floor of the South Building, and 65 spaces on the first floor of the north building. The amount proposed meets the by-law requirements of Zoning By-law No. 569-2013.

Servicing

A Functional Servicing Report and Stormwater Management Report were submitted in support of the application. Engineering and Construction Services staff have reviewed the reports and require revisions to both reports to address sanitary sewer capacity and groundwater issues. Revisions are required to confirm whether or not sufficient sanitary sewer capacity exists to service the development, and whether upgrades to the municipal services will be required. Further, since the new buildings will have private water drainage systems which are proposed to discharge treated groundwater into the municipal storm sewer system, further information is required about the need for groundwater to be pumped as part of the design of the proposed building. A revised Hydrogeological report is also required as part of the revisions. City staff recommend that the proposal proceed to the LPAT, and that the order approving the zoning by-law amendment not be issued by LPAT, until the required revisions and reports have been submitted and addressed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Any identified upgrades to servicing infrastructure will be the sole responsibility of the owner.

School Capacity

The Toronto District School Board (TDSB) advises that there is sufficient space at the local, middle and secondary schools to accommodate the students anticipated from this proposed development. The schools anticipated to serve this development are Rene Gordon Health and Wellness Academy, Donview Middle Health and Wellness Academy and George S. Henry Academy.

The Toronto Catholic District School Board (TCDSB) was circulated but did not comment on the application

Tree Preservation

There are a total 16 private trees, having a diameter of 30 cm or greater proposed to be removed on the subject site. Urban Forestry requires the submission of a complete "Application to Injure or/destroy Trees on Private Property".

Based on the standard requirement Urban Forestry requires a total of 48 new trees to replace the 16 trees proposed for removal at a replacement ratio of 3:1. The revised landscape plans show 44 trees for planting on private property. Trees must be large growing shade trees and must be spaced a minimum of 6-8 metres apart. Where there is inadequate space for replanting, the owner must provide 'cash-in-lieu' of replanting. For this site, four (4) trees are to be paid as cash-in-lieu.

The development proposes the retention and protection of seven (7) city owned trees on the City owned road allowance. Urban Forestry requires the submission of a Tree Survival Guarantee to ensure the protection the subject trees. Opportunities for further street tree planting will be explored, and secured through the site plan control process. Urban Forestry staff are satisfied with the proposal.

Toronto Green Standard

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

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features to be secured by the zoning by-law includes: Automobile Infrastructure and Cycling Infrastructure. Other applicable TGS performance measures will be secured through the Site Plan Control process, such as the use of high-albedo surface materials to reduce the urban heat island effect; the provision of safe, accessible pedestrian routes that connect with off-site pedestrian networks; incorporating landscaped areas with water efficient plants; the provision of user-friendly and accessible handling and storage facilities for recyclable materials and organic waste; and storm water management/retention.

Section 37

As part of the review of the applicant's proposal to redevelop the site, staff examined the existing community services and facilities within the area to determine service gaps. Following discussions between the applicant, Parks and Recreation staff, the local community, Planning Staff and the Ward Councillor, the following matters will be secured in the Section 37 agreement:

- a. A cash contribution in the amount of \$750,000 to be used towards improvements to Graydon Hall Park and/or other parks in the vicinity of the site, as may be determined by the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;
- b. the provision at least seven (7) affordable rental dwelling units with an approximate total net floor area of 560 square meters for affordable rental housing on the following terms:
 - i. no more than three of the affordable rental dwelling units will have one bedroom or less;
 - ii. each unit will have affordable rents for a period of at least fifteen (15) years, and the rental tenure of the units will be maintained for at least

twenty-five (25) years.

iii. tenants of each unit will be have access to parking spaces and lockers on the same basis all other residents;

iv. the affordable rental units will not be individually condominium-registered at any time during the 25-year rental tenure period, and must be provided in contiguous blocks of no less than six units.

v. the owner will submit proposed layouts and locations of the units with Site Plan drawings and all will be to the satisfaction of the Chief Planner and Executive Director, City Planning prior to the issuance of the Notice of Approval Conditions for the portion of the development containing the units.

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

i. the Owner shall provide and maintain 218 existing dwelling units at 135 Fenelon Drive on the site as rental housing for the period of at least 20 years, from the date of the Zoning By-Law being in-force and effect, with all the new and retained associated facilities and amenities of the buildings to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

ii. the Owner shall provide a Construction Mitigation Plan that includes provisions for special needs tenants, mitigation for tenants during construction periods, including but not limited to alternate parking arrangements, compensation for the removal of facilities currently associated with the units, and other measures as may be deemed reasonable to the satisfaction of the Chief Planner and Executive Director, City Planning, without cost-pass through to tenants; and

iii. the Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2017). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to policies for development in *Apartment Neighbourhoods*, Built Form, and for the provision of a wide range of housing options in the City.

This proposal would provide moderate intensification in a built form compatible with the surrounding context. Further, the proposal would involve the securing of the existing rental stock, and provide affordable rental housing options as well. Staff recommend that the City Solicitor, City Planning staff and other appropriate City staff attend the LPAT hearing to support the revised redevelopment proposal for 135 Fenelon Drive, subject to certain matters being addressed to the satisfaction of the Chief Planner and Executive Director, City Planning, the Chief Engineer and Executive Director, Engineering and Construction Services and the City Solicitor, as set out in this report.

CONTACT

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SIGNATURE

Joe Nanos, Director
Community Planning, North 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 569-2013

Attachment 5: Zoning By-law 7625

Applicant Submitted Drawings

Attachment 6: Site Plan

Attachment 7: North Building – East Elevation

Attachment 8: North Building – North Elevation

Attachment 9: North Building – South Elevation

Attachment 10: North Building – West Elevation

Attachment 11: South Building – East Elevation

Attachment 12: South Building – North Elevation

Attachment 13: South Building – South Elevation

Attachment 14: South Building – West Elevation

Attachment 1: Application Data Sheet

Municipal Address:	135 FENELON DR	Date Received:	December 22, 2016
Application Number:	16 270142 NNY 34 OZ		
Application Type:	OPA / Rezoning		

Project Description: This is an application to amend the Zoning By-law to permit two infill mid-rise apartment buildings that are ten and four storeys in height. The 10-storey residential building (north building) would consist of 149 rental units with a gross floor area of 10,822 square metres. The 4 storey building (south building) would consist of 60 rental units with a gross floor area of 4,643 square metres. The existing 19-storey apartment building consisting of 218 rental units will be retained. Together, the entire site would consist of 427 rental units and a gross floor area of 37,528 square metres.

Applicant	Agent	Architect	Owner
MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING	SAME AS APPLICANT	KIRKOR ARCHITECTS AND PLANNERS	BEAUX PROPERTIES INTERNATIONAL INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	RA (f30.0; a1375; d1.5)	Heritage Designation:	N
Height Limit (m):	24	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	14,625	Frontage (m):	152	Depth (m):	111
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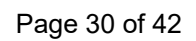
Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			4,360	4,360
Residential GFA (sq m):	21,933	21,933	15,508	37,425
Non-Residential GFA (sq m):			88	88
Total GFA (sq m):		21,933	15,596	37,529

Height - Storeys:	19	19	10	19	
Height - Metres:	48	48	25	48	
Lot Coverage Ratio (%)	29.81	Floor Space Index: 2.50			
Floor Area Breakdown	Above Grade (sq m)		Below Grade (sq m)		
Residential GFA:	37,425				
Retail GFA:	88				
Office GFA:					
Industrial GFA:					
Institutional/Other GFA:					
Residential Units by Tenure	Existing	Retained	Proposed	Total	
Rental:	218	218	209	427	
Freehold:					
Condominium:					
Other:					
Total Units:	218	218	209	427	
Total Residential Units by Size					
	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:			81	128	9
Proposed:	17		99	62	31
Total Units:	17		180	190	40
Parking and Loading					
Parking Spaces:	423	Bicycle Parking Spaces:		171	Loading Docks: 2

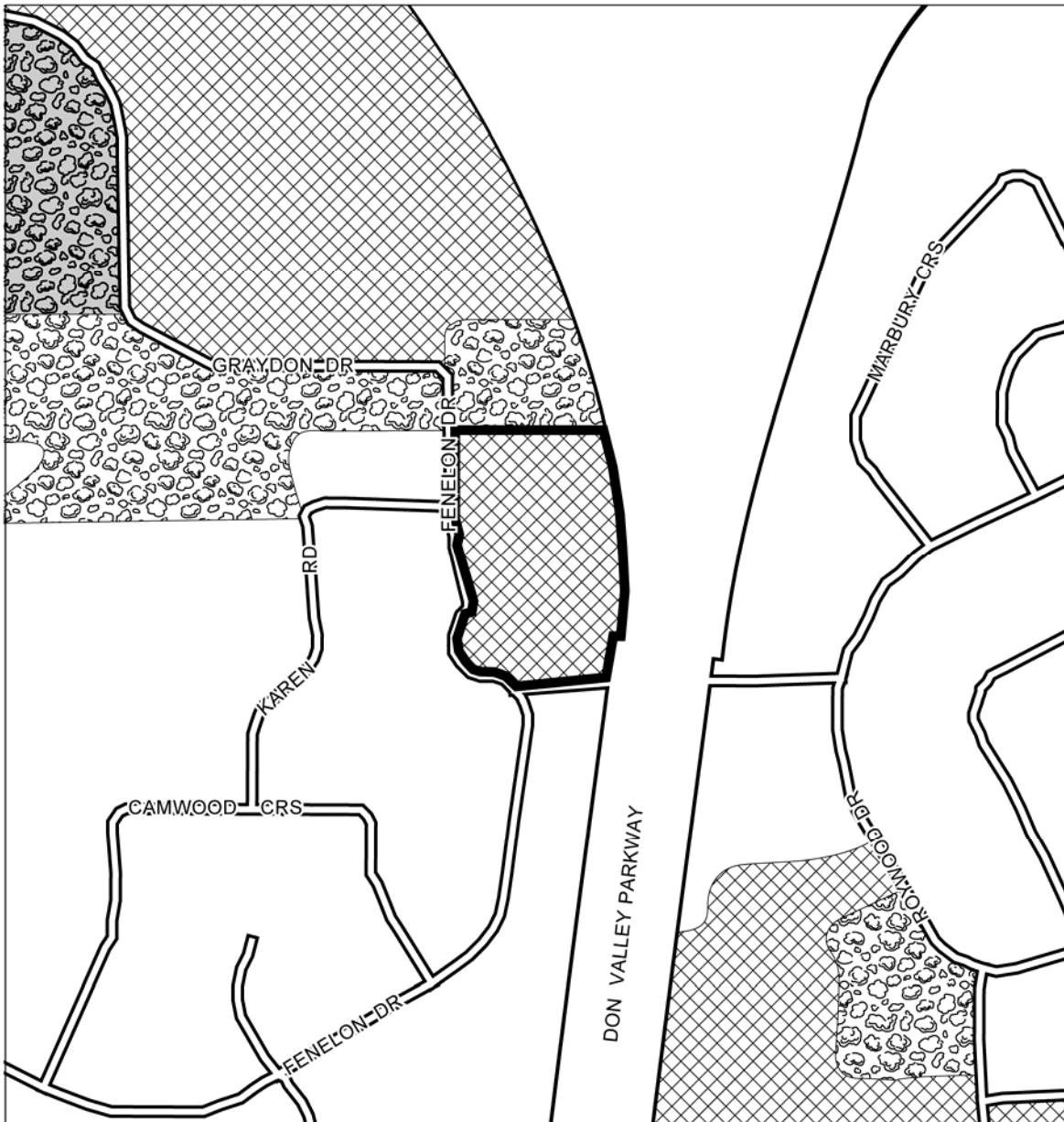
CONTACT:

John Lyon, Senior Planner
(416) 395-7095
John.Lyon@toronto.ca

135 Fenelon Drive - Zoning Amendment Application - Request for Directions









Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #19

135 Fenelon Drive

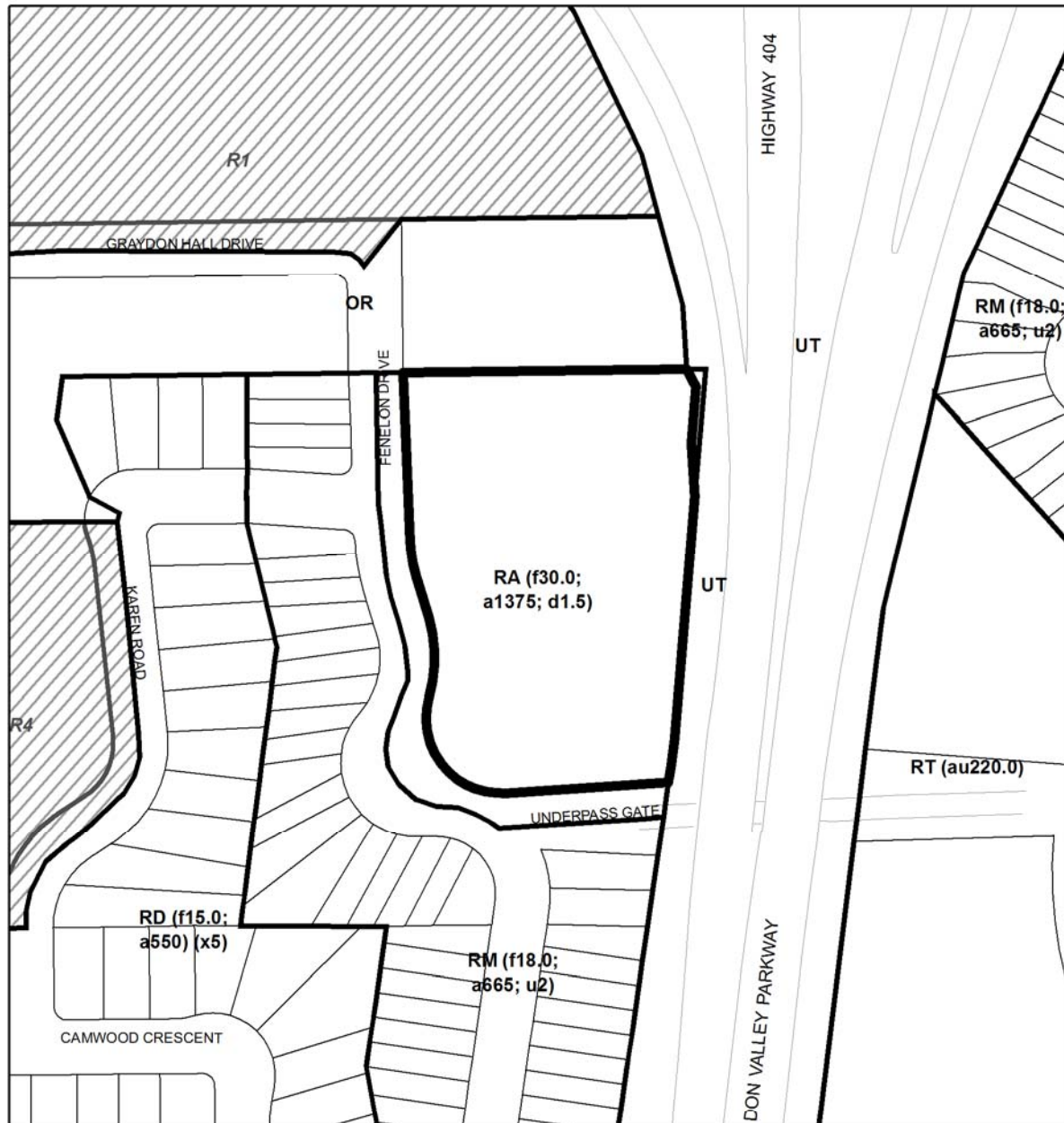
File # 16 270142 NNY 34 02

	Location of Application		Parks & Open Space Areas
	Neighbourhoods		Parks
	Apartment Neighbourhoods		Other Open Space Areas



Not to Scale
01/23/2017

Attachment 4: Zoning By-law 569-2013



Zoning By-Law No. 569-2013

135 Fenelon Drive

File # 16 270142 NNY 34 02



Location of Application

RD
RT
RM

Residential Detached
Residential Townhouse
Residential Multiple

RA
OR
UT

Residential Apartment
Open Space Recreation
Utility and Transportation



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

R1

One-Family Detached Dwelling First Density Zone

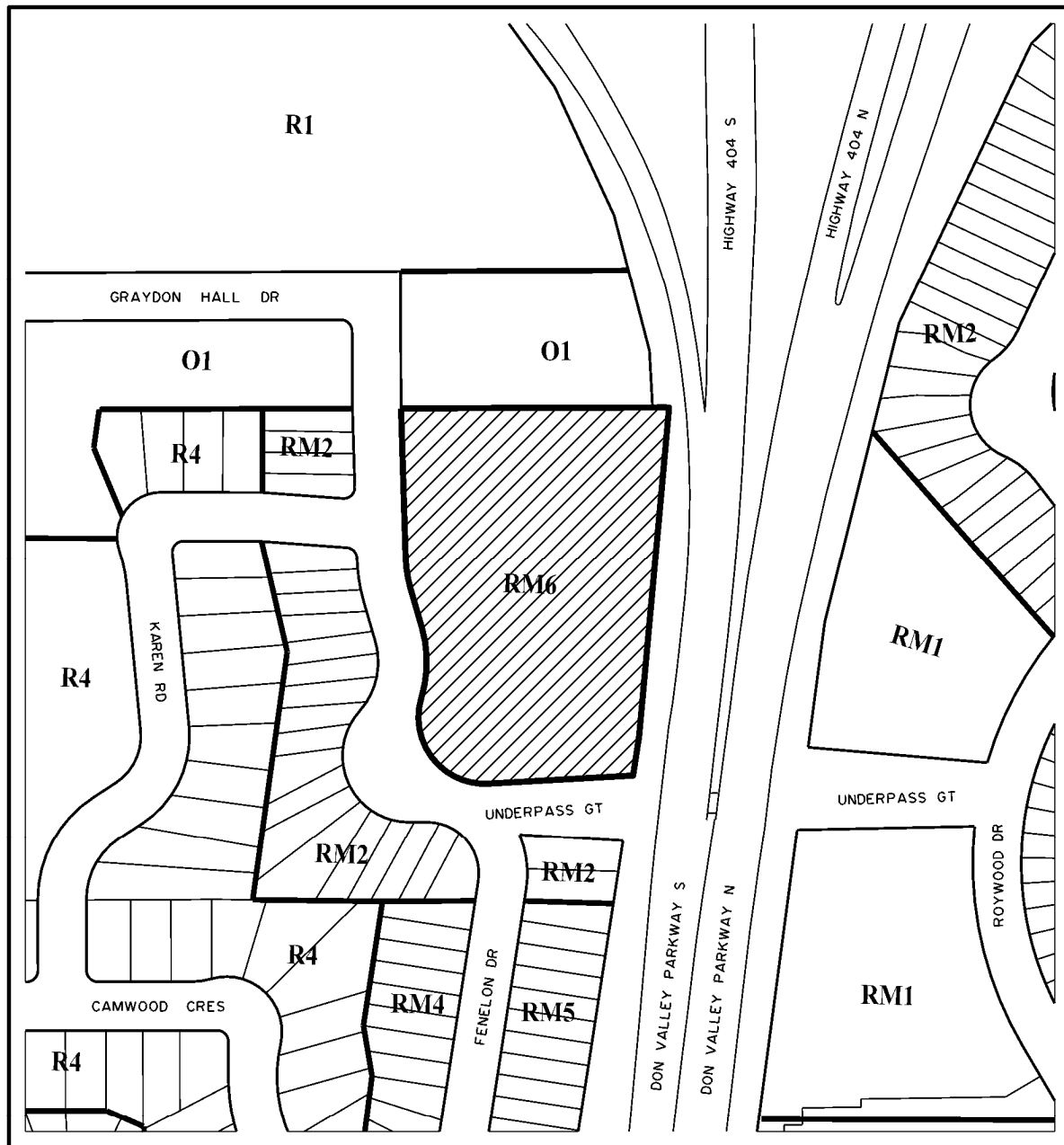
R4

One-Family Detached Dwelling Fourth Density Zone



Not to Scale
Extracted: 01/16/2017

Attachment 5: Zoning By-law 7625



Zoning By-Law No. 7625

135 Fenelon Drive

File # 16 270142 NNY 34 02



Location of Application

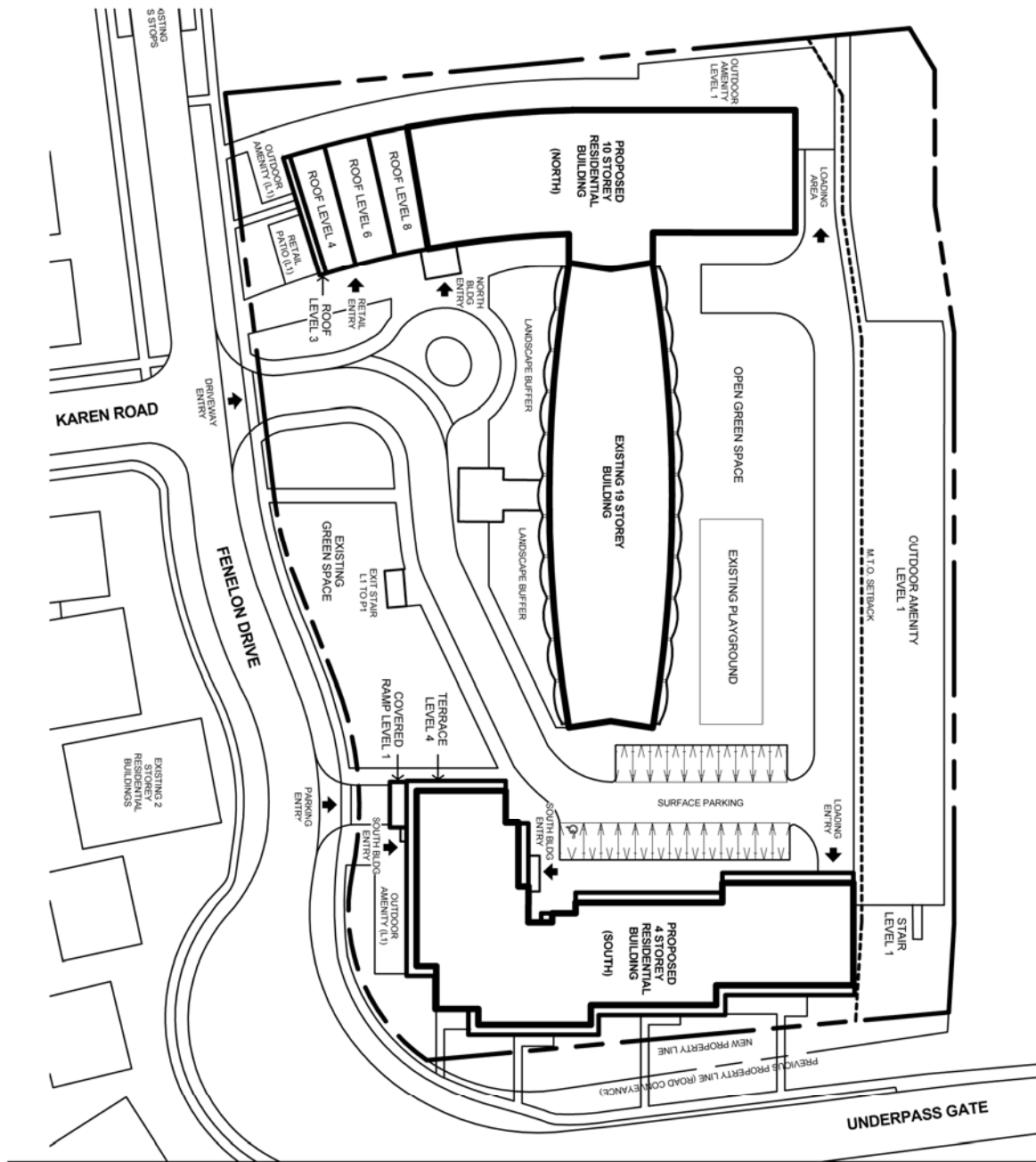
R1 One-Family Detached Dwelling First Density Zone
R4 One-Family Detached Dwelling Fourth Density Zone
RM1 Multiple-Family Dwellings First Density Zone

RM2 Multiple-Family Dwellings Second Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone
RM5 Multiple-Family Dwellings Fifth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone
O1 Open Space Zone



Not to Scale
Extracted 01/23/2017

Attachment 6: Site Plan



Site Plan

Applicant's Submitted Drawing

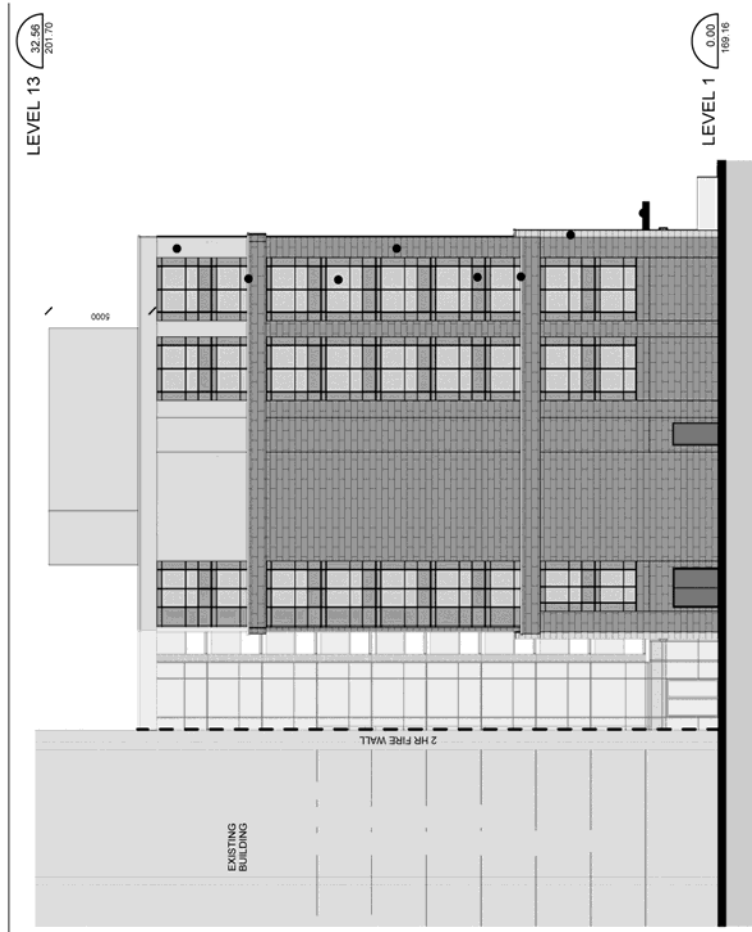
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06/26/2018



135 Fenelon Drive

File # 16 270142 NNY 34 0Z

Attachment 7: North Building - East Elevation



North Building - East Elevation

Applicant's Submitted Drawing

Not to Scale
01/16/2017

135 Fenelon Drive

File # 16 270142 NNY 34 02

Attachment 8: North Building -North Elevation



North Building - North Elevation

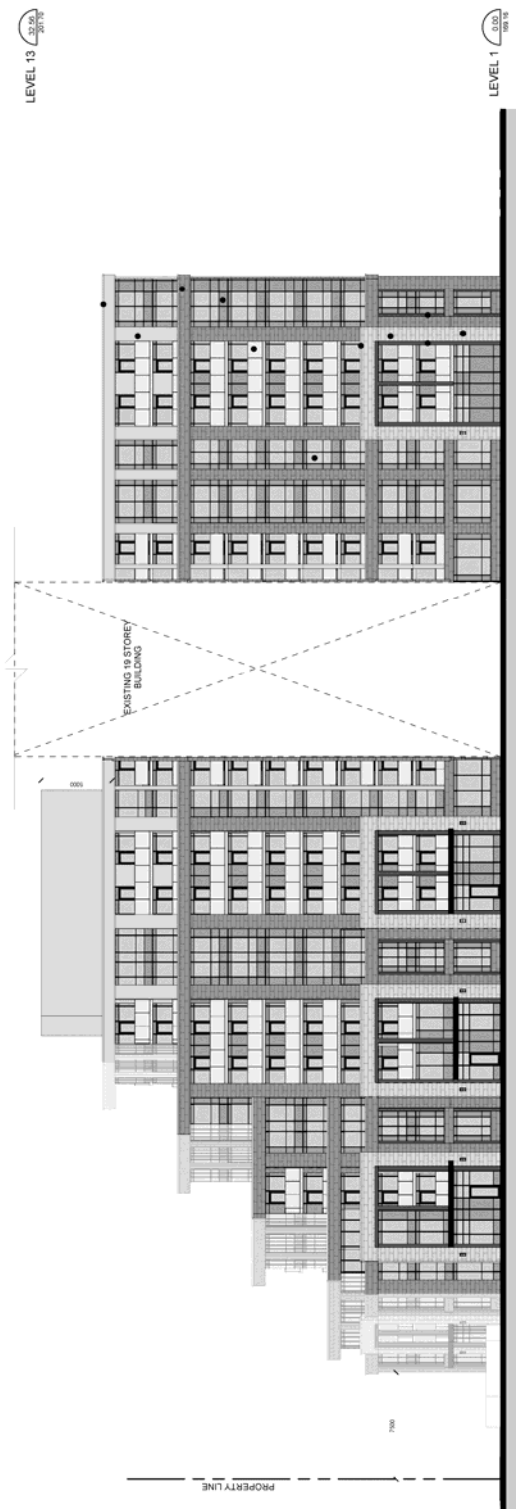
Applicant's Submitted Drawing

Not to Scale
01/16/2017

135 Fenelon Drive

File # 16 270142 NNY 34 0Z

Attachment 9: North Building - South Elevation



North Building - South Elevation

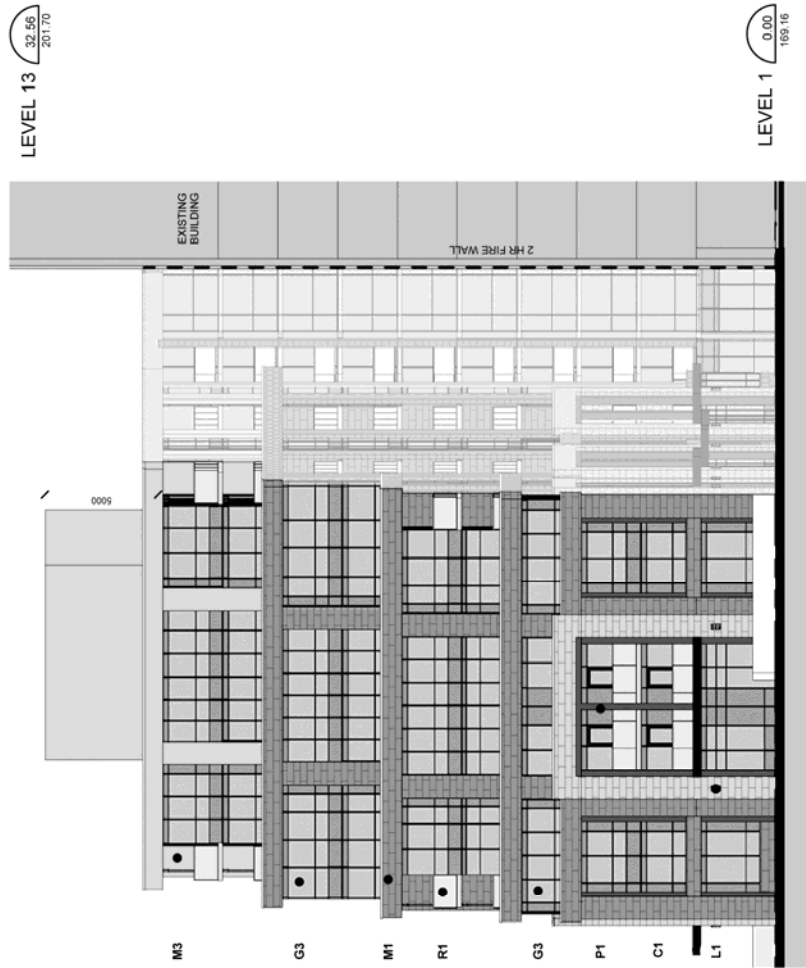
Applicant's Submitted Drawing

Not to Scale
01/16/2017

135 Fenelon Drive

File # 16 270142 NNY 34 0Z

Attachment 10: North Building - West Elevation



North Building - West Elevation

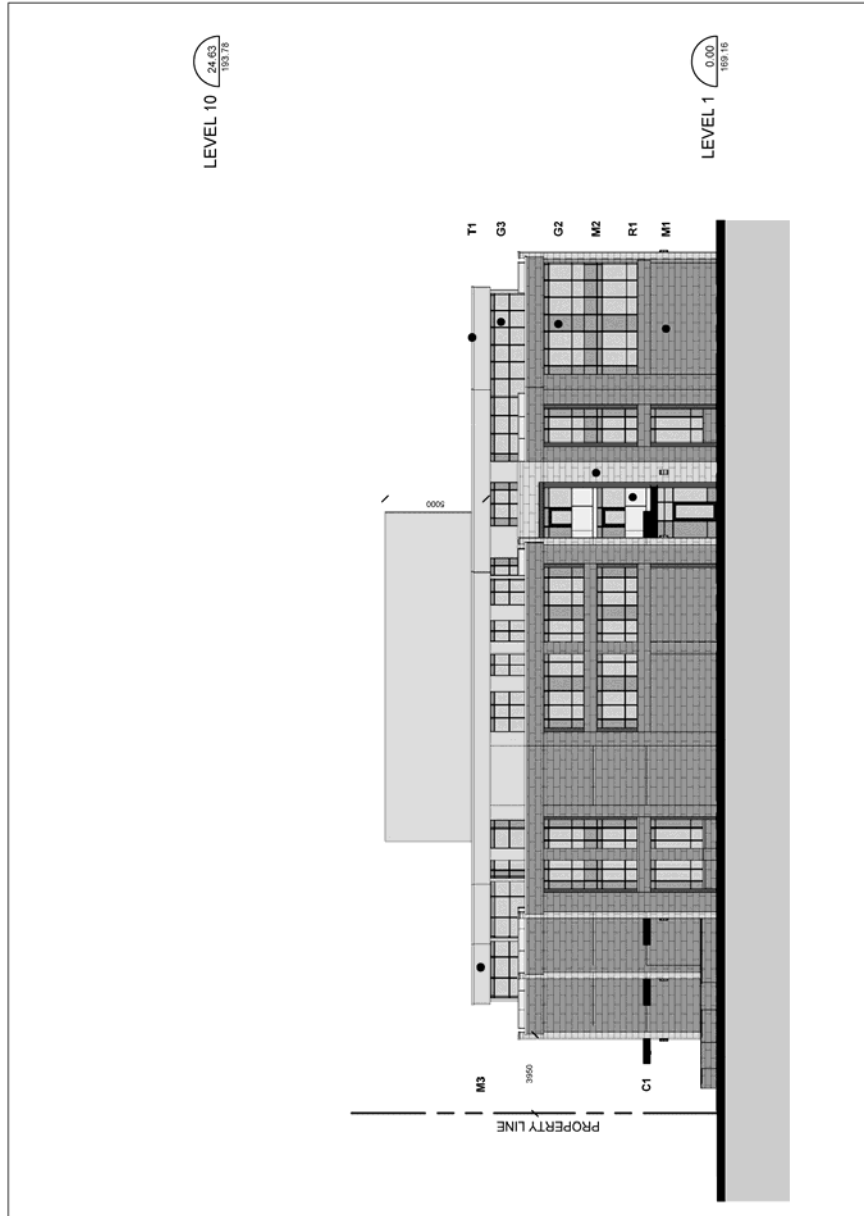
Applicant's Submitted Drawing

Not to Scale
01/16/2017

135 Fenelon Drive

File # 16 270142 NNY 34 02

Attachment 11: South Building - East Elevation



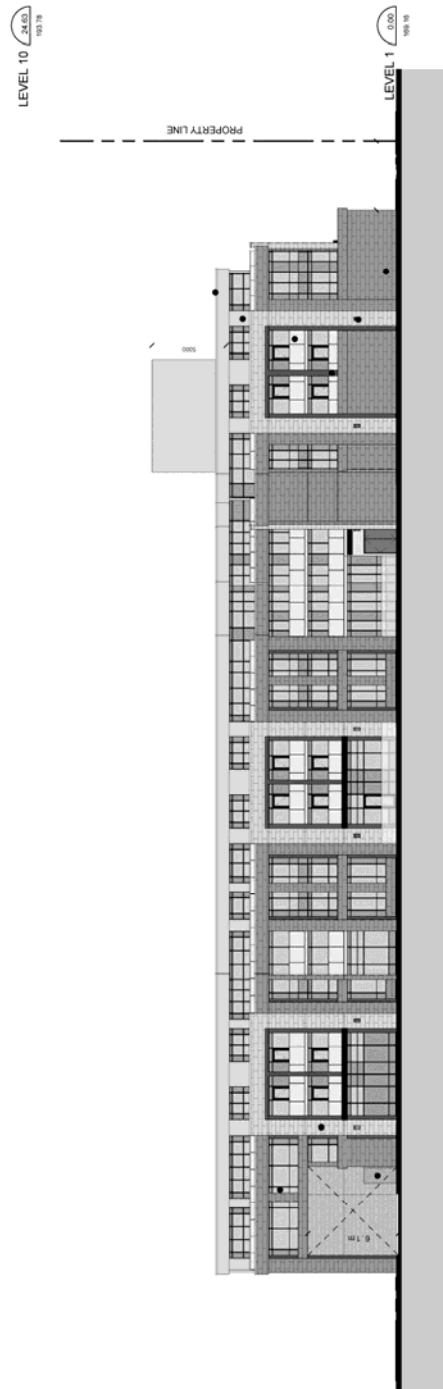
South Building - East Elevation
 Applicant's Submitted Drawing

Not to Scale
 01/16/2017

135 Fenelon Drive

File # 16 270142 NNY 34 02

Attachment 12: South Building - North Elevation



South Building - North Elevation

Applicant's Submitted Drawing

Not to Scale
01/16/2017

135 Fenelon Drive

File # 16 270142 NNY 34 02

Attachment 13: South Building - South Elevation



South Building - South Elevation

Applicant's Submitted Drawing

Not to Scale
01/16/2017

135 Fenelon Drive

File # 16 270142 NNY 34 02

Attachment 14: South Building - West Elevation



South Building - West Elevation

Applicant's Submitted Drawing

Not to Scale
01/16/2017

135 Fenelon Drive

File # 16 270142 NNY 34 0Z