

110, 114 and 120 Broadway Avenue – Zoning By-law Amendment and Rental Housing Demolition Applications – Request Directions Report

Date: July 3, 2018

To: North York Community Council

From: Director, Community Planning, North District

Ward: 25 - Don Valley West

Planning Application Number: 17 218847 NNY 25 OZ

Rental Housing Application Number: 17 218856 NNY 25 RH

SUMMARY

The Zoning By-law Amendment application proposes the development of a 28-storey (92 metre high) tower and 35-storey (112 metre high) tower connected by a six storey base building on the lands at 110-120 Broadway Avenue. The proposed development would consist of 822 residential units and 261 parking spaces in two levels of underground parking. The resulting density would be 9.45 times the lot area.

An associated Rental Housing Demolition application seeks approval to demolish all three existing buildings on the subject lands containing 121 rental dwelling units. All 121 rental replacement units would be replaced within the new development.

The applicant has appealed their application for a Zoning By-law Amendment application to the Local Planning Appeal Tribunal (LPAT) due to Council's failure to make a decision on the application within the time prescribed by the *Planning Act* (LPAT Case No.PL 171307). A prehearing Conference is scheduled for July 31, 2018. A full hearing is not yet scheduled. The City's decision on Rental Housing Demolition and Conversion applications is not subject to appeal to the Local Planning Appeal Tribunal.

The purpose of this report is to seek City Council's direction for the City Solicitor, together with appropriate City staff, to attend the Local Planning Appeal Tribunal hearing to oppose the application, as currently proposed as staff have concerns with the development application including the building scale, massing, and site organization. The proposal is not in conformity with the Official Plan and does not support the emerging direction for the Yonge-Eglinton Secondary Plan Area. This report also recommends that the City Solicitor and appropriate staff continue discussions with the applicant in an effort to address the issues outlined in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City Staff to attend the Local Planning Appeal Tribunal (the "LPAT") to oppose the Zoning By-law Amendment application in its current form for the lands at 110, 114 and 120 Broadway Avenue.
2. City Council direct the City Solicitor and appropriate City staff to continue discussions with the applicant to address the issues outlined in the report to negotiate an appropriate development for these lands.
3. City Council defer making a decision on the Rental Housing Demolition application under Municipal Code, Chapter 667 pursuant to Section 111 of the City of Toronto Act, 2006 to demolish the existing rental dwelling units at 110, 114 and 120 Broadway Avenue and instruct staff to report on the Section 111 Application to North York Community Council at such time as a Local Planning Appeal Tribunal decision has been issued regarding the Zoning By-law Amendment appeal for the lands at 110, 114 and 120 Broadway Avenue.
4. Should the Local Planning Appeal Tribunal approve the application, City Council direct the City Solicitor to advise the Tribunal that the Zoning By-laws should not be approved without provision of such services, facilities or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner and Executive Director, City Planning in consultation with the applicant and Ward Councillor.
5. In the event that the Local Planning Appeal Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request the Local Planning Appeal Tribunal to withhold the issuance of any Order(s) on the Zoning By-law Amendment until such time as the Local Planning Appeal Tribunal has been advised by the City Solicitor that:
 - a) The final form of the Zoning By-law Amendments are to the satisfaction of the Director, Community Planning, North York District and the City Solicitor;
 - b) The proposed Zoning By-law Amendments are in a form satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor, including securing the replacement rental dwelling units and rents, tenant assistance and other rental related matters, and the owner has entered into and registered a Section 37 Agreement with the City incorporating such replacement rental dwelling units, rents, tenant assistance and other related rental matters and other Section 37 matters, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - c) The owner has submitted revised technical reports and plans, including an updated Transportation Impact Study, a revised Functional Servicing Report, and a revised Stormwater Management Report, all to the satisfaction of the Chief Engineer and the Executive Director, Engineering and Construction Services;

d) The owner has entered 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 Recommendation 5(c), accepted by the Chief Engineer and Executive Director, Engineering and Construction Services; and

e) City Council has dealt with the Rental Housing Demolition application under Chapter 667 of the Municipal Code pursuant to Section 111 of the City of Toronto Act 2006 to demolish the existing rental dwelling units at 110, 114 and 120 Broadway Avenue.

6. City Council require the Owner of the lands at 110, 114 and 120 Broadway Avenue to satisfy the parkland dedication requirement through an on-site dedication of 567.6 square metres and fronting Broadway Avenue.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

A pre-application consultation meeting was held with the applicant on June 5, 2017 to discuss complete application submission requirements. The current application was submitted on August 18, 2017 and deemed complete on September 27, 2017. A Preliminary Report on the application was adopted by North York Community Council on November 14, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area.

City Council on December 5, 2017 adopted a recommendation in the Preliminary Report to withhold any approvals on the application until the adoption of the revised Yonge-Eglinton Secondary Plan as part of the City-initiated Midtown in Focus: Growth, Built Form and Infrastructure Review.

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

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY26.15>

The landowner has appealed the Zoning By-law Amendment application to the Ontario Municipal Board for Councils' failure to make a decision within 120 days.

On July 12, 2016, City Council adopted the recommendations in the report from the Chief Planner and Executive Director, City Planning titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report"

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG13.1>

The recommendations direct staff to use the draft built form principles in the report in the review of the development applications in the Yonge-Eglinton Secondary Plan area. Planning staff were also directed to use the emerging community infrastructure priorities identified in the status report as part of the development application review process.

On December 5, 2017, City Council adopted the recommendations in the report from the Acting Chief Planner and Executive Director, City Planning titled: "Midtown in Focus: Proposals Report"

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG24.10>

City Council directed staff to review all Official Plan amendment and Zoning By-law amendment applications in the Yonge-Eglinton Secondary Plan area, submitted prior to November 15, 2017, in the context of the Midtown in Focus study, including the proposed Secondary Plan. City Council also directed staff to assess the potential cumulative impact of all applications in the Yonge-Eglinton Secondary Plan Area on the City's ability to provide the necessary infrastructure to support development, and use planning mechanisms, including holding provisions, as necessary to ensure that growth and infrastructure needs are aligned.

ISSUE BACKGROUND

Proposal

The Zoning By-law Amendment application proposes the development of a 28-storey (92 metre high) tower and 35-storey (112 metre high) tower connected by a six storey base building on the lands at 110-120 Broadway Avenue. The proposed development would consist of 822 residential units, including 121 rental replacement units. Two levels of underground parking would contain 261 parking spaces for the development. The proposed development would have a total Gross Floor Area of 53,625 square metres and a density (floor space index) of 9.45 times the area of the lands.

The base building would consist of three different heights. At the front of the site, the base building would be four storeys (17 metres). The middle portion of the base building connecting the two towers would be six storeys (23.4 metres) and the remaining portion of the base building between the two towers would be eight storeys (30.25 metres) at the rear. A one storey extension of the base building would project seven metres into the proposed nine metre setback from the north property line. The ground floor height would be seven metres including a mezzanine floor. A 27-metre separation distance is proposed between the two towers. Both towers would have floor plates of approximately 792 square metres (see Attachment 7: Site Plan and Attachments 9 and 10: Elevations).

The main entrance for the entire development would be located at the east side of the site off a covered courtyard, approximately 23 metres from the south (Broadway Avenue) property line. The ground floor of the south building would be comprised of dwelling units along the south and north elevations, Tower A lobby and a mail room. Indoor amenity space would occupy the entire middle portion of the base building. The northern base building at the ground level would be comprised of the entrance for Tower B, underground garage ramp, mechanical room, loading area, garbage room and

bicycle storage (see Attachment 8: Ground Floor Plan) . A total of 1,120 square metres of indoor amenity space and 965 square metres of outdoor amenity space is proposed. A portion of the outdoor amenity space would be located at grade between the proposed two towers and the remaining space would be located on the roof of the base building between the proposed towers. The main indoor amenity space, approximately 1,046 square metres, would be located in the base building at grade adjacent to the outdoor amenity space. The remaining indoor amenity space would be located on the seventh floor adjacent to the outdoor amenity space. This would result in 1.3 square metres of indoor amenity space per unit and 1.1 square metres of outdoor amenity space per unit for the proposed development.

A total of 261 vehicular parking spaces (212 for residents and 49 for visitors) are proposed for the development all within two levels of underground parking garage. A total of 826 bicycle parking spaces including 740 residential and 86 visitor spaces are proposed. All the visitor bicycle spaces and 346 of the resident bicycle spaces would be located at grade. The remaining resident bicycle spaces would be located within the underground garage. Vehicular access to the site is proposed off Broadway Avenue along the western portion of the site which leads to the underground garage ramp.

The Rental Housing Demolition application proposes to demolish 121 rental units located in two, four-storey buildings and one free-standing house in order to construct the proposed buildings. All rental units have either affordable or mid-range affordable rents. The applicant proposes to provide and maintain all 121 replacement rental dwelling units in the new buildings on the second, third and fourth floors. Tenant relocation and assistance would also be required for all affected tenant households living within the rental dwelling units. The applicant has also proposed to secure all existing rental dwellings with affordable and mid-range rents.

The unit bedroom type mix would be:

	Bachelor / studio	One-bedroom	Two-bedroom	Three-bedroom	Total
Rental Replacement	24 (19.8%)	73 (60.3%)	24 (19.8%)	0 (0%)	121 (100%)
Condominium	2 (0.3%)	451 (64.3%)	231 (33%)	17 (2.4%)	701 (100%)
Total	26 (3.2%)	524 (63.7%)	255 (31%)	17 (2.1%)	822 (100%)

Site and Surrounding Area

The subject site is rectangular in shape and approximately 5,765 square metres. It has a frontage of approximately 61 metres on Broadway Avenue and depth of 93 metres. There are three existing buildings on the site comprised of a 3.5-storey residential building at 110 Broadway Avenue, a 2.5-storey detached house at 114 Broadway Avenue and a four storey residential building at 120 Broadway Avenue. The site is relatively flat and mostly paved, with little vegetation.

All 121 residential dwelling units within the sites are rental dwelling units. 110 Broadway contains 71 rental units within a 3.5-storey purpose built rental building. 114 Broadway Avenue contains two rental units within a detached house form structure. The property

at 120 Broadway Avenue contains 48 rental units within a four-storey purpose built rental building. All but five of the rental dwelling units were occupied when the Rental Housing Application was made.

The rental units have the following bedroom types and rent classifications as defined by the Canadian Mortgage Housing Corporation:

Bedroom type	Total Number	Number affordable	Number mid-range
Bachelor / studio	24	9	15
One-bedroom	73	44	29
Two-bedroom	24	15	9

Source: Housing Issues Report submitted with the application.

Land uses surrounding the site are as follows:

North: To the immediate north of the site is a curved-shaped 14-storey high-rise building on the south side of Erskine Avenue at 141 Erskine Avenue. This building is "listed" on the City's Heritage Registry. North of this building on the north side of Erskine Avenue is a 29-storey high rise building at 160 Erskine Avenue. To the west of this building is Redpath Avenue Parkette.

South: Immediately south of the site is Broadway Avenue. On the south side of Broadway Avenue are two sites subject to recent development applications. To the southwest is the Ontario Municipal Board approved development of two, 34-storey buildings now under construction at 95-97 Broadway Avenue and 197 Redpath Avenue (12 146382 STE 22 OZ). To the southeast is 117-127 Broadway Avenue on which an application for 36 and 37-storey towers was appealed to the Ontario Municipal Board, resulting in a settlement at the Board with building heights of 36 and 33 storeys (File No. 15 228738 STE 22 OZ).

East: To the immediate east is a 3.5-storey residential building at 124 Broadway Avenue. East of that property is a six to seven storey residential building at 136 Broadway Avenue and 19-storey residential building to the north of that at 900 Mount Pleasant Road.

West: To the immediate west of the subject site is 100 Broadway Avenue occupied by a 10-storey rental apartment building and a semi detached house at 223 and 225 Redpath Avenue. These two sites are the subject of a zoning by-law amendment application which were appealed to the Ontario Municipal Board for a 36-storey mixed use building and a settlement was reached at the Board (File No. 228723 NNY 25 OZ). North of these sites is a two storey semi-detached house at 227 and 229 Redpath Avenue. North of this semi-detached house is a two storey detached house at 231 Redpath Avenue and a 10-storey residential building beyond that at 241 Redpath Avenue.

Section 2 of the Planning Act

The Planning Act governs land use planning in Ontario and sets out the means by which a municipality must implement land use planning decisions. In particular, Section 2 of the Planning Act requires that municipalities, when carrying out their responsibility under this Act, regard shall be had to matters of provincial interest including:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing; and
- (r) the promotion of built form that:

- (i) is well designed, and
- (ii) encourages a sense of place.

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 types and affordability; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit;
- Transportation choices that increase the use of active transportation and transit;
- Recreation, parks and open space; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

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

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

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

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

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

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

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

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

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

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

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

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

Toronto Official Plan

The City's Official Plan sets out a broad strategy for managing future growth by identifying an urban structure of areas where development is appropriate and areas where little physical change is expected to occur. The Official Plan directs growth to the *Downtown*, the *Centres*, *Avenues* and *Employment Areas*. The subject site is located in the Yonge and Eglinton Centre, as identified on Map 2 of the Official Plan. *Centres* are places with excellent transit accessibility where jobs, housing and services will be concentrated in dynamic mixed use settings with different levels of activity and intensity. The site is also designated Apartment Neighbourhoods on Map 17 - Land Use Plan in the Official Plan (see Attachment 3 – Official Plan).

Section 2.2.2 Centres

Centres play an important role managing growth in the City. A Secondary Plan for each *Centre* will tailor an intense mix of urban activities to the individual circumstances of each location. The Secondary Plans will outline a growth strategy, show how transportation and other local amenities can be improved, specify variations in the mix of land uses and intensity of activities within each of the *Centres* and knit each *Centre* into the surrounding fabric of the City.

Policy 2.2.2.2 requires that *Centres* will have a Secondary Plan that will among others, support residential development with the aim of creating a quality living environment for a large resident population, including encouraging a full range of housing opportunities in terms of types, tenure, unit size and affordability; assess the adequacy of parks and open spaces within the *Centre* and develop a strategy for acquiring new and enhancing existing parkland through appropriate measures, including parkland dedication policies; and assess the adequacy of existing community services, facilities and local institutions and establish a strategy for the timely provision of service and facility enhancements and new facilities to meet the needs of the growing population.

Section 2.3.1 - Healthy Neighbourhood Policies

The Healthy Neighbourhoods policies of the Official Plan (Policies 2.3.1.1 and 2.3.1.2) provide guidance for development in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods*. Policy 2.3.1.1 states that "*Neighbourhoods* and *Apartment Neighbourhoods* are considered to be stable". It also states that "development within

Neighbourhoods and *Apartment Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns".

Policy 2.3.1.2 identifies the following criteria when considering development in Apartment Neighbourhoods adjacent to or close to Neighbourhoods. The proposal will:

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

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

Section 3.1.1- Public Realm

The Plan recognizes the importance of good design as it relates to the creation of a great City by the look and quality of its squares, parks, streets, and public spaces and the buildings that frame and define these spaces. 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, to provide a comfortable, attractive and safe setting that supports public life and to provide recreational opportunities and amenities.

Section 3.1.2 - Built Form

The Built Form policies, contained in Section 3.1.2 of the Official Plan, emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area. Additionally, developments are to locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk. Specifically, Policy 3.1.2.3 states that "new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

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

Section 3.1.3 – Built Form – Tall Buildings

Tall buildings come with larger civic responsibilities and obligations than other buildings. In addition to specific built form characteristics related to the base, middle and top of the building, proposals for tall buildings should; demonstrate how the proposed building and site design contribute to and reinforce the overall City structure; demonstrate how the proposed building and site design relate to the existing and/or planned context; take into account the relationship of the site topography and other tall buildings; and provide high quality, comfortable and usable publically accessible open space areas.

Section 3.1.5 – Heritage Conservation

The Official Plan Section 3.1.5 contains a number of policies related to the conservation and protection of cultural heritage:

- Policy 3.1.5.2 states that properties of potential cultural heritage value or interest will be identified and evaluated to determine their cultural heritage value or interest consistent with provincial regulations, where applicable, and will include the consideration of cultural heritage values including design or physical value, historical or associative value and contextual value.
- Policy 3.1.5.3 states that Heritage properties of cultural heritage value or interest will be protected by being designated under the Ontario Heritage Act and/or included on the Heritage Register.
- Policy 3.1.5.4 states that Properties on the Heritage Register (listed and designated under the Ontario Heritage Act) will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada (adopted by Toronto City Council in 2008 as the official framework for planning, stewardship and conservation of heritage resources within the City of Toronto).
- Policy 3.1.5.5 requires that any proposed development adjacent to designated heritage properties will ensure that the integrity of the heritage property's cultural heritage value and attributes is retained and is to the satisfaction of the City.

- Policy 3.1.5.26 identifies that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impacts with respect to the heritage property.

Section 3.2.1 – Housing Policies

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units.

Rental replacement Policy 3.2.1.6 states that new development that would result in the loss of six or more rental housing units will not be approved unless all of rental housing units have rents that exceed mid-range rents at the time of application, or in cases where planning approvals other than site plan are sought, the following secured:

- at least the same number, size and type of rental housing units are replaced and maintained with similar rents to those in effect at the time the redevelopment application was made;
- for a period of at least 10 years, rents for replacement units will be the rent at first occupancy, increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement rental units at similar rent, the provision of alternative accommodation at similar rents and other assistance to lessen the hardship of relocation.

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 4.2 - Apartment Neighbourhoods

In addition to the policies in Chapters 2 and 3, the Plan contains policies in Section 4.2, specific to lands designated *Apartment Neighbourhoods*. *Apartment Neighbourhoods* are comprised of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. The Official Plan states that *Apartment Neighbourhoods* are distinguished from low-rise Neighbourhoods because a greater scale of buildings is permitted and different scale-related criteria are needed to guide development.

The Plan includes criteria that direct the form and quality of development in this land use designation. The development criteria in *Apartment Neighbourhoods*, as cited in Policies 4.2.2 and 4.2.3, include but are not limited to:

- a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan,

through means such as providing setbacks from, and/or a stepping down of heights towards lower-scale *Neighbourhoods*;

b) locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;

c) locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;

d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;

e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;

f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;

g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and

h) providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

Policy 4.2.3 states that although significant growth is generally not intended within developed *Apartment Neighbourhoods*, compatible infill development may be permitted on a site containing an existing apartment building that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. Policy 4.2.3 (a) continues that when compatible infill development is considered, it must meet the development criteria set out in Policy 4.2.2.

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's threshold for Section 37 considerations, therefore this development proposal would be subject to the Section 37 policies of the Official Plan.

Section 5.3.2 - Implementation Plans and Strategies for City-Building

The Official Plan includes policies for City-building that provide for more detailed-oriented action plans, programs and strategies needed to implement the Plan and to adapt to changing circumstances and challenges over the life of the Plan. Policy 5.3.2.1 states that "Implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan." Though the policy goes on to acknowledge these plans, strategies, and guidelines are not Official Plan policy unless

added by amendment to the Plan, they do advance the vision, policies, and objectives of the Plan. Urban design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas".

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<http://www.toronto.ca/planning/tallbuildingdesign.htm>

Growing Up: Planning for Children in New Vertical Communities

In July of 2017, City Council adopted the Growing Up Draft Urban Design Guidelines, and directed staff to apply these guidelines in the evaluation of new and under review proposals for multi-unit residential developments. The objective of these guidelines is for developments to deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. Guideline 2.1(a) states a building should provide a minimum of 25% large (being 2 and 3 bedroom) units: 10% of the units should be three bedroom units and 15% of the units should be two bedroom units. Section 3 includes guidelines that speak to ideal unit sizes to ensure functionality.

These guidelines are available at: <https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/growing-up-planning-for-children-in-new-vertical-communities/>

Yonge-Eglinton Secondary Plan

The Yonge-Eglinton Secondary Plan provides a locally focused policy framework for guiding growth and change in the Secondary Plan area. The general policies of Section 2 establish objectives in relation to land use, the nature and scale of development, transportation, urban form and public realm, community services, and parks and open spaces.

It is a primary objective of the Secondary Plan to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among uses in *Mixed Use Areas*, *Neighbourhoods*, *Apartment Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. It is the objective of the Secondary Plan to maintain the existing scale of development within stable *Neighbourhoods* and protect such areas from overshadowing from buildings located in abutting *Mixed Use Areas* and to secure a transition in height and scale from developments in *Mixed Use Areas* to *Neighbourhoods* and in particular to those sites which abut a *Neighbourhood*.

Improvements to the public realm are encouraged in association with all development and the *Parks and Open Space Areas* policies encourage the creation of interesting and engaging parks and opens spaces that are safe, comfortable and accommodate people of all ages and abilities.

Section 5 of the Secondary Plan includes policies for the Yonge-Eglinton Centre. Section 5.1 confirms the intent that the Yonge-Eglinton Centre satisfy the requirement of an 'Urban Growth Centre' within the meaning of the Growth Plan. In recognition of this status more detailed policies to guide development in the *Centre* are included. Section 5.2 and 5.3 provide for the highest heights, densities and scale of development within *Mixed Use Area A* at the four quadrants of the intersection of Yonge Street and Eglinton Avenue and that the heights, densities and scale of development will decrease along Eglinton Avenue East with increasing distance from this intersection. The built form typology and building heights along segments of Yonge Street and Mount Pleasant Road that are within the *Centre* are also further defined. For *Apartment Neighbourhoods*, Section 5 ensures that new development will comply with the policies of the Official Plan, particularly in Sections 2.3.1 and 4.2.

The link to the *Yonge-Eglinton* Secondary Plan is here: <https://www.toronto.ca/wp-content/uploads/2017/11/97ea-cp-official-plan-SP-21-YongeEglinton.pdf>

Official Plan Amendment 320

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

The Minister of Municipal Affairs modified and approved OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the Ontario Municipal Board issued an Order partially approving OPA 320 and brought into force 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 modified and approved 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

Midtown in Focus: Parks, Open Space and Streetscape Plan and OPA 289

In 2014, City Council adopted the Midtown in Focus: Parks, Open Space and Streetscape Plan as a framework for improvements to parks, open spaces, streets and public buildings within the Yonge-Eglinton area in order to create an attractive, safe, and comfortable network of public spaces.

The Parks, Open Space and Streetscape Plan recognizes that the area has a distinct quality and character, consisting of a vibrant mixed use community with an open and green landscaped character. The Plan has five Place-Making Moves: Eglinton Green Line, Yonge Street and its Squares, Park Street Loop, Midtown Greenways, and Redpath Revisited. Together with other streetscape improvements and the enhancement and expansion of parkland in the area, this will form a thriving system of parks, open spaces and streets.

At its meeting on June 10th, 2015, City Council adopted amendments to the Yonge Eglinton Secondary Plan as part of OPA 289 as part of the implementation of the vision

and urban design standards set out in the Parks, Open Space and Streetscape Plan. On May 3, 2018, an oral decision was rendered by the Local Planning Appeal Tribunal. OPA 289 is now in full force and effect except as it relates to a number of site-specific appeals (these do not include the subject site).

OPA 289 introduced policies related to the impacts of private developments on the public realm. These policy directions, applicable across the Yonge-Eglinton Secondary Plan area, included the priority of providing midblock pedestrian connections where large blocks exist, enhancements to streetscapes and greater building setbacks to provide wider sidewalks and publicly accessible landscaped open space.

The subject site is located along the Park Street Loop, which is to be designed as a publicly-accessible, multi-purpose green promenade with wide pedestrian clearways, cycling facilities and landscaping that provides green linkages connecting Eglinton Park to community amenities and open spaces in neighbourhoods to the east.

Midtown in Focus: Building a Liveable Yonge-Eglinton

The City Planning Division is presently leading the Midtown in Focus study addressing growth, built form and infrastructure issues in the Yonge-Eglinton Secondary Plan area. The current study builds on the direction of the 2014 Midtown in Focus: Parks, Open Space and Streetscape Plan to address other key contributors to a liveable, complete community. The study will establish a new plan for Midtown with an up-to-date planning framework and local transportation, parks, public realm, community service facilities and municipal servicing priorities identified.

City staff presented a Proposals Report to City Council on December 5, 2017 that outlined a proposed update to the Yonge-Eglinton Secondary Plan and summarized the findings and directions of the infrastructure assessments. The proposed Plan sets out a 25-year vision for Midtown that emphasizes the importance of complete communities and the diversity of Midtown's character areas. It envisions Midtown as a green, resilient, connected, inclusive and prosperous place. The proposed Plan also provides detailed direction on the appropriate scale and location of future growth and links growth with the provision of infrastructure.

At its December 5, 2017 meeting, City Council directed staff to review all Official Plan amendment and Zoning By-law amendment applications in the Yonge-Eglinton Secondary Plan area, submitted prior to November 15, 2017, in the context of the Midtown in Focus study, including the proposed Secondary Plan.

Also at its December 5, 2017 meeting, City Council directed staff to assess the cumulative impact of applications on the City's ability to provide the necessary infrastructure to support development and use planning mechanisms, including holding provisions, as necessary to ensure that growth and infrastructure needs are aligned.

On May 18th, 2018, the City publicized the recommended Official Plan Amendment and Secondary Plan to be considered as part of a final report to the PGM Committed in June 2018. A link to the PGM decision and the report is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG30.4>

In recognition of the significant intensification underway in the area, the study has been used to inform development review in the area in accordance with the Official Plan. City staff continue to incorporate the directions of the study, including the final recommended policy directions set out in the recommended OPA, in their review of active applications.

The policy directions in the recommended Yonge-Eglinton Secondary Plan that are specifically applicable to the review of this application include the following:

- Midtown Character Areas - *Park Street Loop* (Policy Section 1.3.3(b)) speaks to the area being dense yet distinctively green and a residential neighbourhood that consists of generously spaced towers with a variety of housing types. Public Realm Moves (Map 21-6) identifies the public realm moves including the Park Street Loop. New development is expected to ensure generous spacing between buildings, reinforce the characteristic openness of the area, complement the scale of the historic walk-up apartment buildings and ensure good access to sunlight and skyview for both the public realm and for buildings. Heights will transition down in all directions from the Yonge-Eglinton Crossroads and Mount Pleasant Station Character Area.
- Area Structure (Policy Section 2.1.1) indicates that not all areas within the Secondary Plan area will experience the same level of intensification and that the intensity of development, heights and land uses should conform to the policies of the recommended Plan to ensure that development does not exceed the capacity of infrastructure and that built form is compatible with surrounding areas and meets the desired character.
- Midtown Transit Station Areas (Policy Section 2.4.2 / Map 21-3) locates the subject site in the Secondary Zone of the Mount Pleasant Transit Station Area. Secondary Zones will support transit-supportive development in a compact urban form and mix of uses. The intensity of development will be markedly less than the Station Area Core. Development will transition down in height and scale to surrounding Built-up Zones.
- The Land Use Plan (Map 21-4) locates the subject site Midtown Apartment Neighbourhoods. Midtown Apartment Neighbourhoods are defined by a variety of building types including mid-century apartment towers, walk-up apartment buildings and townhouses all set in an open, generously-scaled landscaped setting. Infill development and redevelopment will be designed and located to complement the existing built form fabric and reinforce the characteristic openness at grade and between buildings to maximize sunlight on streets, parks and open spaces.
- Parks and Open Spaces (Policy Section 3.3.1) indicates the priority of acquiring and providing new public parkland, inclusive of expanding and improving existing parks, to meet the local needs of residents and workers in Midtown while also contributing to Toronto's broader system of parks and open spaces. The Parks and Open Space Network Plan on Map 21-8 identifies the locations of Proposed Public Parks. Policy 3.3.8 indicates that where on-site parkland dedication is required on development sites abutting the Park Street Loop, the parkland will be located in association with the Loop and configured to the satisfaction of the City.

- Midtown Mobility Network (Policy Section 4.1) establishes the framework for a well-connected and integrated network of streets, laneways, and mid-block connections that will provide a variety of safe and sustainable travel choices. Sections 4.13 and 4.14 direct that mid-block connections provide direct, legible public access through blocks and be located at grade with high-quality design and materials and clear sight lines for public safety. The Midtown Mobility Network (Map 21-9) identifies a north-south pedestrian mid-block connection on the subject site.
- Permitted Building Types and Height Limits (Map 21-12) indicates that the maximum permitted building height on the subject site is 24-26 storeys. Midtown Tall Buildings (Policy Section 5.3.28 through 5.3.47) outlines tall building criteria related to the appropriate type, height, scale, step backs and setbacks to ensure a building's appropriateness for the context and to minimize any potential negative impacts. These criteria include urban design standards specific to reinforcing the desired character of the Apartment Neighbourhood Character Areas including:
 - A minimum 55:45 ratio of open space on a site to the footprint of a tall building, inclusive of its base building. The majority of open spaces on a site will consist of soft landscaped open space;
 - A maximum four storey base building (approximately 12.5 metres); and
 - A minimum 30 metre separation distances between residential tall buildings.
- Section 5.2 outlines the heritage conservation criteria for the properties with cultural heritage value. Policy Section 5.2.2 identifies the subject site on Properties with Potential Cultural Heritage Value (Map 21-10).
- To achieve a balanced mix of unit types and sizes, Housing (Section 7) requires development containing more than 80 new residential units to include:
 - a minimum of 15 per cent of the total number of units as 2-bedroom units of 87 square metres of gross floor area or more;
 - a minimum of 10 per cent of the total number of units as 3-bedroom units of 100 square metres of gross floor area or more; and
 - an additional 15 per cent of the total number of units will be a combination of 2-bedroom and 3-bedroom units.

The policies are not in force and will be considered by PGM Committee on July 5, 2018, together with a staff Supplementary Report dated June 26, 2018 and accompanying attachments. The link to the recommended Yonge-Eglinton Secondary Plan and the Supplementary Report is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG31.7>

Zoning

The subject site is zoned R2 Z2.0 in Zoning By-law No. 438-86, as amended, with a permitted height of 38.0 metres and a maximum density of 2 times the area of the site. The R2 zoning permits a variety of residential uses including apartment buildings. The site is also zoned R (d2.0) (x912) in Zoning By-law No. 569-2013. The permissions are

largely the same in By-law No. 569-2013 as in By-law No. 438-86, as amended (see Attachment 5: Zoning By-law No. 569-2013 and Attachment 6: Zoning By-law No. 438-86).

Site Plan Control

The proposal is subject to Site Plan Control. An application for Site Plan Control has not been submitted.

Rental Housing Demolition and Conversion By-law

Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner.

Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. Council approval of demolition under Section 33 of the Planning Act may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the Building Code Act.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike Planning Act applications, decisions made by City Council under By-law 885-2007 are not appealable to the Local Planning Appeal Tribunal.

On August 18, 2017, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code.

A tenant information meeting was held on May 9, 2018 to provide tenants with details about the rental housing proposal, policies and process including the process subject to the appeal. As per Chapter 667-14, a tenant consultation meeting is yet to be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

Reasons for Application

Amendments to By-law No. 438-86 and By-law No. 569-2013 are required to permit the proposed height and density on the lands and to develop appropriate development standards for the proposed development.

A rental housing demolition application is required per Municipal Code Chapter 667 for the demolition of more than six residential units, of which at least one is rental.

Application Submission

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

- Planning Rationale;
- Housing Issues Report;
- Energy Strategy Report;
- Geotechnical Investigation Report;
- Public Consultation Strategy;
- Pedestrian Level Wind Study;
- Urban Design Brief;
- Arborist Report;
- Shadow Study;
- Community Services and Facilities Study;
- Heritage Impact Assessment;
- Green Development Standards Checklist and Statistics;
- Functional Servicing and Stormwater Management Report; and
- Urban Transportation Considerations.

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.

Community Consultation

Staff held a community consultation meeting on February 26, 2018 to present the proposal to the public. Approximately 40 members of the public attended the community meeting together with planning staff, the applicant and local Councillor. The members of the community were concerned with the overall pace of development in the Yonge and Eglinton area and how the proposed development will contribute to the strain on community services and facilities in the area. These concerns include:

- Impact of proposed development on the surrounding area related to traffic congestion and capacity of existing subway and future Eglinton Crosstown LRT stations in the area;
- Impact of proposal on existing residents and their quality of life, especially loss of sunlight on the public realm,
- Height and density of proposed buildings;
- Proposal is considered an overdevelopment of the site;
- Limited amenities in the neighbourhood to accommodate proposed growth;
- Limited school capacity to accommodate new students in the area;
- Site functionality related to pedestrian and vehicular movements, emergency vehicles and truck manoeuvring;
- Lack of services such as parks, green spaces, pedestrian areas for area residents;
- Limited amenities in the neighbourhood to accommodate proposed growth;
- Need of improvements for the tenants of the existing building;
- Amount of pavement in the proposed development;
- Adequacy of separation distances between the proposed building and existing buildings;
- Concern with proposed building cladding material;

- Impact of the development on the Broadway Avenue public realm;
- Proposal's lack of green space;
- Desire to have Redpath Parkette expanded;
- Insufficient parking supply considering the number of the proposed units;
- Low amount of two and three bedroom units to accommodate the needs of families; and
- Required compensation for existing tenants.

Staff held a tenant information meeting on May 9, 2018. Tenants were informed of the rental housing demolition and replacements policies and anticipated process. Applicant representatives attended, who presented a short summary of the proposal, and to address some questions. Tenants were able to ask questions throughout the presentation to seek clarification. Through their questions, they were also able to raise issues and concerns posed by the redevelopment.

A significant concern among tenants is finding affordable alternative interim accommodation nearby for the period of construction. Some tenants expressed a desire to receive additional support, such as help finding and being directly offered alternative units. Tenants stated they needed financial assistance to bridge the gap between their current rents and the local market rents.

Tenants were also concerned that the rents for the replacement rental units would not be exactly the same as currently charged. Tenants were informed that rents must be similar to the current rents, typically this allows for a one-time four (4) per cent increase alongside the provincial guideline rent increases during the construction period. Tenants asked about the replacement units in terms of size. The total replacement gross floor area proposed by the applicant would be 93 per cent of the current rental floor area. Some tenants expressed their concern that a seven per cent reduction did not represent a full replacement.

A tenant consultation meeting will be held to present a draft tenant relocation and assistance plan, after the Local Planning Appeal Tribunal decision, if it approves some form of development. Depending on the decision and progress of the appeal, this may be held in the first half of 2019.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS and the Growth Plan. 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.

Staff have determined that the current proposal is not consistent with the PPS and does not conform with the Growth Plan for reasons outlined below.

Section 2 of the *Planning Act* states the City shall have regard to matters of provincial interest when carrying out its responsibilities under the Act. Staff are of the view that the

application fails to have regard for matters of provincial interest identified in Section 2 (f), (i), (j), (r) (i and ii)) for reasons set out in this report.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key objectives include building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS states that the planning authorities shall identify appropriate locations for intensification and that an appropriate range and mix of housing types and densities be provided.

Section 1.1.1 (g) of the PPS (Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns) states that "healthy, livable and safe communities are sustained by ensuring that necessary infrastructure, and public service facilities are or will be available to meet current and projected needs." The proposed building is an overdevelopment of the site. The applicant has not demonstrated that the necessary infrastructure is available to support the proposed development.

Policy 4.7 of the PPS states that a municipality's "official plan is the most important vehicle for implementation of the Provincial Policy Statement" and that "comprehensive, integrated and long-term planning is best achieved through the official plans." The site is designated Apartment Neighbourhoods on Map 17 - Land Use Plan in the Official Plan.

Furthermore, it directs municipalities to provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. While intensification in this Urban Growth Centre is encouraged, the development proposal in its current form does not implement the City's Official Plan policies and design guidelines related to matters such as: scale, compatibility and fit. Impacts from the proposed development on adjacent properties and the public realm are not adequately mitigated. The development proposal is not compatible with the existing and planned context.

The Growth Plan provides a strategic framework for managing growth in the GGH. The policies of this Plan are based on Guiding Principles in Section 1.2.1, and include:

- support the achievement of complete communities, as defined in the Growth Plan, that are designed to support healthy and active living and meets people's needs for daily living throughout an entire life; and
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.

Growth Plan policies for the management of growth (2.2.1.4) state the application of the policies will support the achievement of complete communities that:

- Expand convenient access to:
 - Public service facilities, co-located and integrated in community hubs;

- an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
- ensure the development of high quality compact built form, and attractive and vibrant public realm, including public open spaces, through site design and urban design standards.

The proposed development does not provide for a built form that is well-designed and achieves the design objectives set out in the Official Plan and Tall Buildings Design Guidelines due to the proposed scale and site organization. The development does not include the required on-site parkland. The public realm including the Broadway Avenue setback area and the area required for a pedestrian mid-block connection have not been designed to achieve the envisioned objectives in OPA 289.

Section 3 of the Growth Plan promotes that investment in public service facilities such as hospitals, long term care facilities, libraries and schools should be planned and located to keep pace with changing needs, maximize existing infrastructure and to support the achievement of complete communities, co-locating services in community hubs and prioritizing strategic growth areas as appropriate.

The Growth Plan states in Section 2.2.3 Urban Growth Centres, that:

"1. Urban Growth Centres will be planned:

- a) as focal areas for investment in regional public services facilities, as well as commercial, recreational, cultural, and entertainment uses;
- b) to accommodate and support the transit network at the regional scale *and* provide connection points for inter-and intra regional transit;
- c) to serve as high-density major employment centres that will attract provincially, nationally or internationally significant employment uses; and
- d) to accommodate significant population and employment growth.

2. Urban Growth Centres will be planned to achieve, by 2031 or earlier, a minimum density target of:

- a) 400 residents and jobs combined per hectare for each of the urban growth centres in the City of Toronto."

The Yonge-Eglinton Centre has exceeded the density targets of the Growth Plan and the proposed scale of development is considered an overdevelopment of the site. Furthermore, the guiding principles in Section 1.2.1 and the policies of Sections 3.2.1 and 3.2.8 of the Growth Plan promote the improvement and integration of land use planning with planning and investment in infrastructure and public services facilities, including integrated service delivery through community hubs, by all levels of government. Community services in the area such as schools are at capacity and other facilities such as libraries are in need of upgrades. It has also not been demonstrated that there is adequate servicing capacity to support the proposed development.

The proposal does not conform with the Growth Plan (2017).

Site Organization

The proposed development is located within a high growth area of the City which is continuously experiencing population increase. The proposed development does not include a park on site. Parks, Forestry and Recreation staff have requested an on-site park. The park is to be square-like in shape, with dimensions of approximately 24 metres by 26 metres and abutting the property at 124 Broadway Avenue and fronting Broadway Avenue. Inclusion of an on-site parkland dedication would alter the site layout and organization significantly.

The subject site is located along the Park Street Loop in the in-force Yonge-Eglinton Secondary Plan and the emerging Yonge-Eglinton Secondary Plan. The Park Street Loop is to be designed as a publicly-accessible, multi-purpose green promenade with wide pedestrian clearways, cycling facilities and landscaping that provides a green linkage connecting Eglinton Park to community amenities and open spaces in neighbourhoods to the east. This requires a minimum building setback of 7.5 metres from the street line. The site plan drawing indicates that the proposed building would be setback 7.5 metre from the Broadway Avenue property line; however, this setback area would be occupied with amenity spaces associated with the proposed at-grade units. Bicycle parking spaces are also proposed within the setback area, thereby precluding the ability to achieve the envisioned Park Street Loop. The proposed underground parking would extend to the property line as well, which would limit the provision of sufficient space and soil depth to establish and maintain high-branching tree canopy. There is limited ground level open space proposed on the site. In addition, the rear setback at the ground floor is inappropriate. The ground floor projection should be deleted to provide an appropriate setback and additional landscaped open space.

OPA 289 envisions a mid-block pedestrian connection through this site along the eastern property boundary to connect Broadway Avenue from the south to Erskine Avenue to the north. The site plan drawing illustrates a 5.5 metre setback in this location; however this area has not been designed to accommodate the publicly accessible mid-block pedestrian connection. Again, this area is designed to include bicycle parking spaces which would further prevent the achievement of the mid-block walkway.

Policy 3.1.2.3 (b) requires locating main building entrances that are clearly visible and directly accessible from the public sidewalk. The proposed site organization would result in a scale of development that places a 28-storey tower behind another tower with no proper frontage nor pedestrian entrance visibility on a public street. This site organization does not achieve the Official Plan objective.

The application in its current form does not conform to the Official Plan and the Yonge-Eglinton Secondary Plan.

Massing, Height, Density

This application has been reviewed against the Official Plan policies, in-force and emerging Yonge-Eglinton Secondary Plan policies and design guidelines described in the Issue Background Section of the Report.

The proposed development consisting of two towers on the site represents an overdevelopment of the site. The proposed site organization would result in a scale of development that places a 28-storey tower behind another tower with no proper frontage and visibility on a public street.

The Healthy Neighbourhoods policies in the Official Plan state that *Apartment Neighbourhoods* are considered physically stable, and that new development will respect and reinforce their existing physical character of buildings, streetscapes, and open space patterns.

The Built form policies further require that new development will be designed to fit harmoniously into its existing and/or planned context, and will limit impacts on neighbouring streets, parks, open spaces and properties. New buildings are to be massed to frame adjacent streets and open spaces to respect the existing and/or planned street proportion. Taller buildings are to be located to ensure adequate access to sky view for the proposed future use of streets, parks and open spaces.

The *Apartment Neighbourhoods* policies of the Official Plan require that new development contribute to quality of life by locating and massing new buildings to frame the edge of streets with good proportion and maintain sunlight for pedestrians on adjacent streets, parks and open spaces. The policies of the Yonge-Eglinton Secondary Plan reinforce that *Apartment Neighbourhoods* are considered to be physically stable areas, and that new development needs to comply with the Healthy Neighbourhoods and *Apartment Neighbourhoods* policies.

The Yonge-Eglinton Secondary Plan further requires that new development will maintain high quality of life and residential amenity for existing and new residents and will implement the Built Environment policies of the Official Plan. An objective of the Yonge-Eglinton Secondary Plan is to ensure that development of greatest heights, densities, and scale is located at the intersection of Yonge Street and Eglinton Avenue, with development of lesser scale that are contextually appropriate and compatible with adjacent areas located in the other *Mixed Use Areas* within the Secondary Plan area.

The site is in an *Apartment Neighbourhood*, at the northern and eastern edge of the Yonge-Eglinton Centre, away from the intersection of Yonge Street and Eglinton Avenue. The proposed development consists of two towers having building heights of 28 storeys/98 metres (including a six metre mechanical) and 35 storeys/118 metres (including a six metre mechanical). These proposed heights, density and scale do not achieve the objective of the Yonge-Eglinton Secondary Plan which envisions lower building heights away from the Yonge Street and Eglinton Avenue intersection.

Furthermore, the emerging Midtown in Focus Secondary Plan locates the site in the Secondary Zone of Mount Pleasant Transit Station and identifies a maximum permitted height range of 24 to 26 storeys.

The proposed development would increase the permitted density on the entire site from 2 times the area of the lot to 9.45 times the area of the lot. This density is not appropriate because the Official Plan built form objectives are not being met.

Tall Buildings Guidelines

The Tall Building Design Guidelines states that analysis of the surrounding context informs many key design decisions including the placement, height, character of base buildings, and the location, shape, general height and spacing of towers.

The proposed towers have floor plates of approximately 792 square metres, which is larger than the maximum 750 square metres permitted by the Tall Buildings Design Guidelines. The placement of the 28-storey tower behind the 35-storey tower on the site would create a situation where the rear 28-storey tower would not have frontage onto a public street. The larger floor plates would reduce the available skyview in this already dense neighbourhood. Although a 27-metre separation distance is proposed between the two towers, the emerging Yonge-Eglinton Secondary Plan policies would require a minimum separation distance of 30 metres for *Apartment Neighbourhoods* including the subject site.

Additionally the proposed development would have a tiered base building. The base building consists of three different heights ranging from four storeys at the front, to six storeys in the middle and eight storeys at the rear of the site. The proposed setback for the base building along the entire east elevation is 5.5 metres. Several 1.5 metre deep projecting balconies are proposed along this eastern elevation as well. This will result in loss of privacy for the residents on the adjacent property. The Zoning By-law requires a minimum setback of 7.5 metres to provide an adequate side yard for a building to minimize overlook.

The adjacent building to the east located at 124 Broadway Avenue is three storeys and has a setback of six metres from the shared property boundary. Policy 3.1.2.3 of the Official Plan requires that new development will be massed to and designed to fit harmoniously into its existing and/or planned context and limit its impact on neighbouring properties. The proposed six to eight story base building (24 metres 30 metres high respectively) does not fit with the existing Broadway Avenue street proportion of 20 metres or the desired character of the Character Area outlined in the recommended Yonge-Eglinton Secondary Plan. The proposed height of the base building which incorporates projecting balconies along the east elevation, and the reduced setback would have overlook and negative privacy impacts on the residents of the adjacent building to the east.

The proposed built form of the two towers including the tall base buildings and increased floor plates, does not respect the existing or planned context and does not represent good planning and good urban design.

The proposed development does not achieve the tall building and built form objectives of the Official Plan. The development does not conform to the applicable in force Official Plan policies including the Healthy Neighbourhoods, Built Form, *Apartment Neighbourhoods*, Yonge-Eglinton Secondary Plan policies, OPA 289 and the Tall Building Design Guidelines.

Sun, Shadow

The Built Form policies, specifically Policy 3.1.2.3 require that new buildings limit impacts on neighbouring streets, parks, open spaces and properties by providing adequate light and privacy, and adequately limiting shadowing on those areas and minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility. Similarly, the *Apartment Neighbourhoods* policies require that buildings are massed and located to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, and parks and open spaces.

The applicant submitted a shadow study with the application. The shadow study demonstrates that the proposed buildings would cast additional shadow on Redpath Parkette in the morning between 9:18 a.m. and 10:18 am. during Spring and Fall equinoxes. Late in the afternoon, at 5:18 p.m. and 6:18 am, the proposed buildings would also shadow the neighbourhood to the east of Mount Pleasant Road. OPA 289 which is in force requires that proposals demonstrate that there is no net new shadow cast on existing and proposed parks including Redpath Parkette. Official Plan policies, particularly Policy 3.1.2.3e and f and Policy 4.2.2d all require that development be massed appropriately to minimize shadow impacts on parks and open spaces.

The proposed development does not meet the Official Plan and OPA 289 policies related to shadow impacts.

Wind

A Qualitative Pedestrian Level Wind Study was submitted with the application. The study assessed the wind conditions along the Broadway Avenue public realm and the proposed outdoor amenity space at grade and on the seventh floor.

The report indicates that the wind conditions along the Broadway Avenue sidewalk would be suitable for standing or better, throughout the year. The main entrance fronting onto Broadway Avenue and the covered courtyard would be comfortable for sitting throughout the year. The report also indicates that the wind condition for the at-grade outdoor amenity spaces would be comfortable for sitting most of the year. The wind condition for the outdoor amenity space on the seventh floor is assessed to be comfortable for standing and walking in the Spring and Winter and sitting and standing in the Summer and Autumn. The reports concludes that these wind conditions are acceptable, however, mitigation measures will be needed to create comfortable wind conditions for the appropriate type of use of the seventh floor outdoor amenity space during the Summer season.

Servicing

The applicant submitted a Geotechnical Investigation Report, and a Functional Servicing and Stormwater Management Report. Engineering and Construction Services staff have requested revisions to these reports to address site servicing, including water, sanitary and stormwater.

Infrastructure Capacity, specifically water, sanitary and stormwater capacity, within the Yonge-Eglinton Secondary Plan Area is under review as part of the Midtown in Focus Review. In the event the LPAT allows the appeal in whole or in part, it is recommended

that the final order be withheld pending the submission of revised Functional Servicing and Stormwater Management Reports by the owner and confirmation of water, sanitary and stormwater capacity to serve the proposal from the Chief Engineer and Executive Director, Engineering and Construction Services.

Traffic Impact, Access, Parking

The applicant provided an Urban Transportation Considerations Report with the application. The study estimates that the project will generate approximately 130 and 125 two-way trips during the a.m. and p.m. peak hours respectively. It was concluded that traffic associated with the proposed development will have a minor impact on the street system. Transportation Services accepts the methodology of the Urban Transportation Considerations Report, however they have requested revisions as follows:

- **Future Total Analysis:** Under future total conditions, the intersection of Redpath Avenue and Broadway Avenue is anticipated to operate with some delay issues. Given the anticipated issues, a signal warrant analysis is required for this intersection. The signal warrant analysis should be completed as per OTM Book 12, Section 4.9 Signal Justification for Future Conditions.

The impact of the proposal on the public transit system was not assessed by the applicant. Additionally, no Transportation Demand Management measures are being proposed by the applicant aside from the provision of bicycle parking.

The parking requirements for the project are governed by the applicable parking provisions contained in Zoning By-law 569-2013, which was developed by City staff in order to update the parking requirements for developments. As a result, staff require that parking for this project be provided in accordance with Zoning By-law 569-2013 for Policy Area 2, as defined in the By-law.

The application proposes a total of 261 parking spaces in two levels of underground parking. This includes 212 spaces for residents and 49 for visitors.

Based on the unit breakdown, a minimum total of 709 vehicular parking spaces are required. Transportation Services staff advise that the on-site parking supply does not satisfy the Zoning By-law requirements.

Regarding bicycle parking spaces, a total of 826 bicycle parking spaces are proposed. This includes 740 spaces for residents, and 86 for visitors. 71 visitor bicycle parking spaces are proposed at grade. 348 parking storage spaces are proposed on the ground floor and the remaining on the P1 level. Staff advise that all "short-term" visitor parking spaces should be provided at-grade and be placed in visible locations that are in accordance with the requirements of Zoning By-law 569-2013.

Under Zoning By-law 569-2013, the site requires the provision of a Type "G" loading space and one Type "C" loading space. The proposal includes one type "G" loading space and one Type "C" loading space which meet the requirements of the Zoning By-law.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the *second lowest* 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 822 dwelling units, including 121 rental replacement units with a total residential gross floor area of 53,625 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 requirements is 10,960 square metres or 193% 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 to the residential use. In total, the parkland dedication requirement is 567.6 square metres or 10% of the net site area.

Parks, Forestry and Recreation staff have requested the parkland dedication requirement should be met through a full on-site dedication. The park is to be square-like in shape, with dimensions of approximately 24 metres by 26 metres and abutting the property at 124 Broadway Avenue and fronting Broadway Avenue.

The Official Plan policies in Section 3.2.3 and the in force Yonge-Eglinton Secondary Plan support the creation of parks to support the provision of parkland to support population growth. It is an OPA 289 policy to pursue opportunities arising from development to secure land for new parkland. Policy 3.2.3.1 also requires that "Toronto's system of parks and open spaces will continue to be a necessary element of city-building as the city grows and changes. Maintaining, enhancing and expanding the system by adding new parks and amenities, particularly in growth areas and maintaining, improving, and expanding existing parks".

The proposed development is located within a high growth area of the City which is continuously experiencing population increase. The proposed development does not include a park on site. As such, the application does not conform to the Official Plan.

Amenity Space

Policy 3.1.2.6 in the Built Form Section of the Official plan states "that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Additionally, Zoning By-law 569-2013 requires a minimum of two square metres per dwelling unit of indoor and outdoor amenity space be provided.

For the proposed 822 units including the 121 rental replacement units, the required combined indoor and outdoor amenity space would be 3,288 square metres. The proposed development includes approximately 1,120 square metres of indoor amenity space and 965 square metres of outdoor amenity space. The proposed development does not provide sufficient indoor and outdoor amenity space. Staff require the amount

of indoor and outdoor amenity space to be increased to meet the minimum requirements set out in the zoning by-law.

Heritage Conservation

Staff have identified that the properties at 110, and 120 Broadway Avenue have the potential to hold cultural heritage value. These properties will be subject to further detailed staff review using the criteria for determining cultural heritage value prescribed under the Ontario Heritage Act. Should these properties be found to hold cultural heritage value they should be conserved as part of the development.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City lands. An Arborist Report was submitted with the application and has been reviewed by Urban Forestry staff. The report proposes the removal of seven privately owned trees and three city-owned trees. Two of the proposed trees are located on the subject site and the remaining five are located on the property line or on neighbouring property. In addition, three privately owned trees are proposed to be injured.

The report indicates the removal of three City-owned trees. Urban Forestry staff do not support removal of one of the trees as it is found to be in good botanical and structural condition and is also located in areas outside of the proposed construction. Urban Forestry staff have requested that the tree be protected in compliance with City standards for "Tree Protection Policy and Specifications for Construction Near Trees".

A total of 10 privately-owned trees are proposed to be removed or injured having a diameter of 30 centimetres or greater. Under the provision of Section 813-16(B), of the City of Toronto Municipal Code, Chapter 813, Trees, Article III, the subject trees meet criteria for protection under the City of Toronto's Private Tree By-law. Based on the standard requirements, Urban Forestry requires a total of 21 new large growing trees to be planted on private property to replace the seven private trees proposed for removal at a replacement rate of 3:1. The proposed planting plan shows 19 replacement trees.

Urban Forestry staff have requested a revised Arborist Report to address the retention of the healthy city-owned tree proposed for removal and a revised planting plan.

Housing

A Housing Issues Report was submitted with the applications. The proposal would demolish and replace all 121 existing rental dwelling units.

Official Plan Policy 3.2.1.6 requires the replacement of demolished rental dwelling units in terms of size, bedroom type and number. The applicant has proposed to replace all units by number and type. The applicant has not proposed the full replacement in terms of size; proposing to replace only 89 per cent of the total existing rental gross floor area. The applicant must propose a like for like replacement in terms of size to conform with the Policy. Alternatively the applicant must apply for an Official Plan amendment application; which staff would not support.

The applicant will need to provide furnished floor plans of the proposed units to demonstrate an appropriate replacement in terms of layout.

Official Plan Policy 3.2.1.6 also requires an acceptable tenant relocation and assistance plan to address tenant impacts. The applicant has agreed to provide a tenant relocation and assistance plan to all eligible tenants. The plan would address tenant rights to return to replacement units at similar rents and mitigate tenant hardship associated with the demolition proposal. A detailed plan is yet to be developed, in consultation with City Planning. The plan should take into consideration tenant concerns expressed during the tenant information meeting, described earlier in this report under the heading 'community consultation'.

Staff will continue to work with the applicant to resolve these outstanding matters to the satisfaction of the Executive Director and Chief Planner, City Planning. These matters would need to be secured in any by-law amendments and through one or more agreements with the City pursuant to Section 37 of the Planning Act, in a manner satisfactory to the City Solicitor and Chief Planner. Until such time, no LPAT order should be issued.

Family Friendly Housing

The Growth Plan, under Section 2.2.1.4(c), supports the achievement of complete communities that "provide a diverse range and mix of housing options...to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes".

Official Plan policies state that a full range of housing in terms of form, affordability and tenure arrangements will be provided and maintained to meet the needs of current and future residents. The PPS and Growth Plan for the Greater Golden Horseshoe contain policies to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes. The Council-adopted Growing Up: Planning for Children in New Vertical Communities design guidelines also provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments.

The proposal has 822 dwelling units (including 121 rental replacement units) comprised of 26 studio units (3.2%), 524 one-bedroom units (63.7%), 255 two-bedroom units (31%) and 17 three-bedroom units (2.1%). The proposal does not include an adequate mix of housing and unit types to accommodate a range of individual and family needs. Staff are requesting 10% (82 or more in this case) of units in new developments to be three or more bedrooms.

The recommended Yonge-Eglinton Secondary Plan policies would require a minimum of 10% three bedroom units for development containing 80 or more new residential units.

Community Services Assessment

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

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

The subject site is located with the Yonge-Eglinton Secondary Plan area which is experiencing major growth. A Community Services and Facilities Study was submitted and has been reviewed by staff. Although the proposed development would significantly increase the permitted height and density on the subject site, the CS&F study concludes that the proposed development would have limited impact on the current community services and facilities in the study area. Staff cannot support this conclusion as the CS&F does not respond to the emerging community infrastructure priorities endorsed by City Council in the report dated May 25, 2016 from the Chief Planner and Executive Director, City Planning or the detailed findings of the Yonge-Eglinton Community Services and Facilities Assessment (publicized October 2016), completed as part of the Midtown in Focus Review.

A revised study has been requested which directly responds to the Yonge-Eglinton Community Services and Facilities Assessment including known needs and gaps, and emerging priorities. A number of improvements to community facilities have been identified as part of the review of the application as follows:

- On-site parkland dedication;
- Funds to support the delivery of new and emerging services at the Northern District library including upgrades to technology infrastructure to enhance access to technology and improved spaces for library programs to meet the demand of increasing population;
- Funds to support streetscape and pedestrian connections from Northern District library to Helendale Avenue; and
- A need to incorporate a community space within the base of the proposed building to serve the growing needs of the larger community.

The proposal does not provide any amenities for the neighbourhood beyond the required indoor and outdoor amenity space for the future residents from the proposed development. The proposed development does not adequately meet the intent of the Official Plan and the Yonge-Eglinton Secondary Plan policies with respect to community services. The Yonge-Eglinton Secondary Plan policies emphasize the need for a coordinated planning effort to deliver community services facilities in a timely manner to provide the social infrastructure required to support additional growth in the area.

Toronto District School Board

The Toronto District School Board has advised that there is insufficient space at the local schools to accommodate students anticipated from the proposed development. As such, the Board cannot support the application at this time.

The School Board has requested that should the application be approved, the status of local school accommodation should be conveyed to potential purchasers as well as communicated to the existing community to inform them that children from the new development will not displace existing students at local schools.

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 in Zoning By-law Amendments and 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.

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. Given the proposed increase in height and density, this proposed development would be subject to the Section 37 policies in the Official Plan. Discussion regarding Section 37 community benefits between the applicant and the City did not occur as there was no agreement on an appropriate form and scale of development for the site.

In the event the application is approved, it is recommended that the City Solicitor request the LPAT withhold its order until it is advised that the applicant has entered into and registered an agreement against title to the site to secure the appropriate community benefits, to the satisfaction of the City Solicitor. Such benefits could include contributions identified in Section 5.1.1 of the Official Plan as deemed appropriate by the Chief Planner and Executive Director, City Planning in consultation with the applicant and Ward Councillor. Other matters also recommended to be secured in the Section 37 Agreement as a legal convenience include:

- a) The replacement of 121 rental dwellings units by number, size and type, secured for at least 20 years without application for demolition or conversion.
- b) Securing rents for replacement rental units as affordable and mid-range for a period of at least 10 years.
- c) An acceptable Tenant Relocation and Assistance 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 not consistent with the PPS (2014) and does not conform with the Growth Plan (2017). Furthermore, the proposal does not conform with the Toronto Official Plan, the Yonge-Eglinton Secondary Plan, and does not respond appropriately to the recommended Yonge-Eglinton Secondary Plan update or the Tall Building Design Guidelines, particularly as they relate to site organization, height, density, massing, privacy, overlook and shadowing impacts and the replacement of rental housing by size. The proposal does not conform with the Toronto Official Plan, particularly as it relates to Healthy Neighbourhoods, Built Form, Parks and Open Spaces, and *Apartment Neighbourhoods* policies. In addition a required on-site parkland dedication has not been provided

Staff recommend that the appeal of the application be opposed at the LPAT. Staff also recommend that Council's decision on the application for Rental Housing Demolition under Chapter 667 of the Municipal Code pursuant to Section 111 of the City of Toronto Act be deferred until the LPAT decision on the Zoning By-law Amendment appeal, following which the Rental Housing Demolition permit application would return to Council for consideration.

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: Yonge-Eglinton Secondary Plan
Attachment 5: Zoning By-law No.569-2013
Attachment 6: Zoning By-law No.438-86

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8: Ground Floor Plan

Attachment 9: South and East Elevations

Attachment 10: North and West Elevations

Attachment 1: Application Data Sheet

Municipal Address: 110, 114 and 120 BROADWAY AVENUE Date Received: August 18, 2017

Application Number: 17 218847 NNY 25 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Proposed Zoning By-law Amendment and Rental Housing/Demolition applications to permit the development of a 28-storey and 35-storey building at 110-120 Broadway Avenue. The proposed development consists of 822 residential units including 121 required rental replacement units.

Applicant	Agent	Architect	Owner
Hunter and Associates 555 Richmond Street West, P.O. Box 702 Toronto, ON M5V 3B1	Hunter and Associates	Graziani + Corazza Architects 1320 Shawson Drive, Suite 100 Mississauga, ON L4W 1C3	Eleni Basilios Ifandis and Vasilios Dimitriou Ifandis 110 Eglinton Avenue E, Suite 500, Toronto ON, M4P 2Y1

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	N
Zoning:	R (d2.0)(x912)	Heritage Designation:	N
Height Limit (m):	38	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 5,676 Frontage (m): 61 Depth (m): 93

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,600	0	3,200	3,200
Residential GFA (sq m):	7,700	0	53,625	53,625
Non-Residential GFA (sq m):	0	0		
Total GFA (sq m):	7,700	0	53,625	53,625
Height - Storeys:	4		28/35	28/35
Height - Metres:	12		92/112	92/112

Lot Coverage Ratio (%): 56.4 Floor Space Index: 9.45

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	53,625	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	121	0	121	121
Freehold:				
Condominium:			701	701
Other:				
Total Units:			822	822

Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		0			
Proposed:		26	524	255	17
Total Units:		26	524	255	17

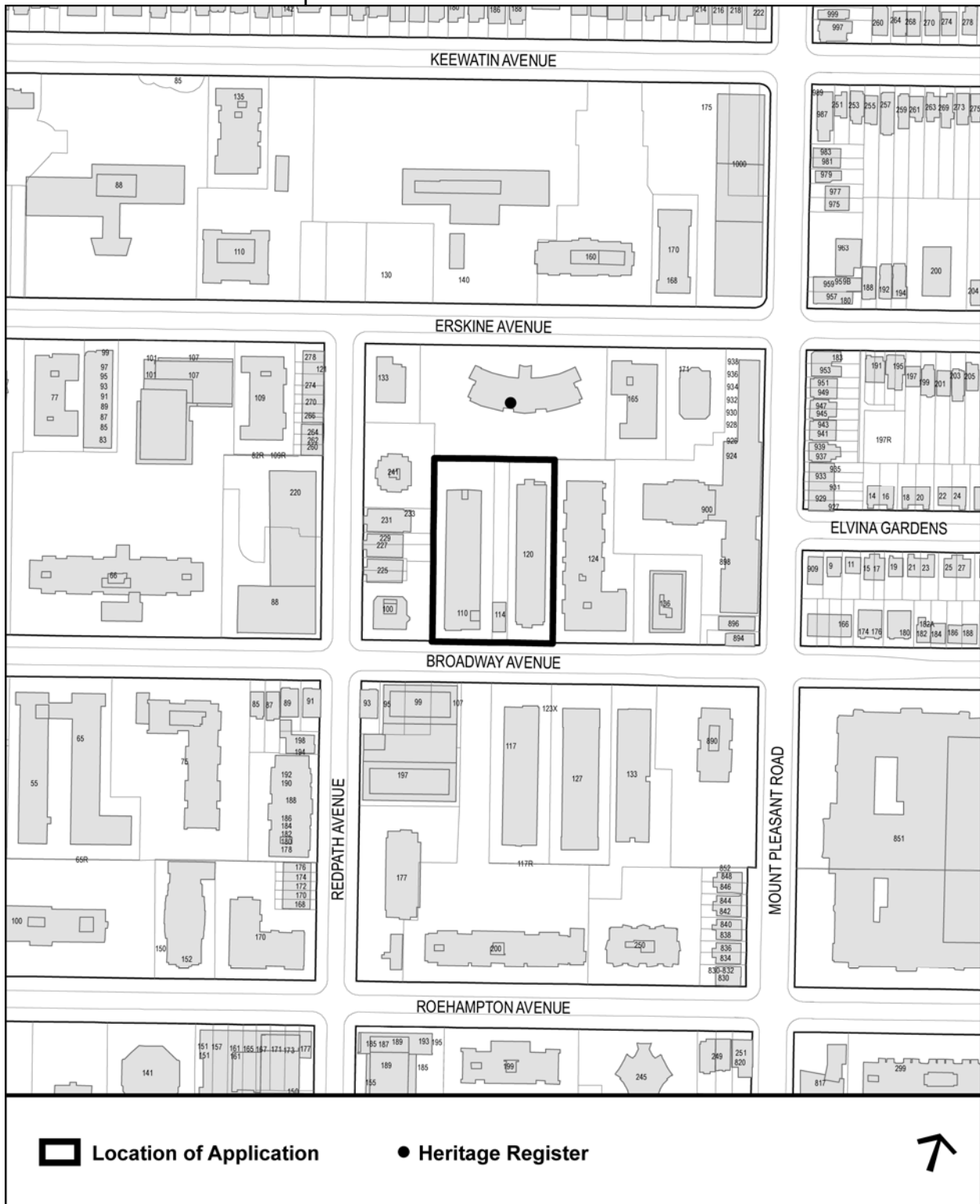
Parking and Loading

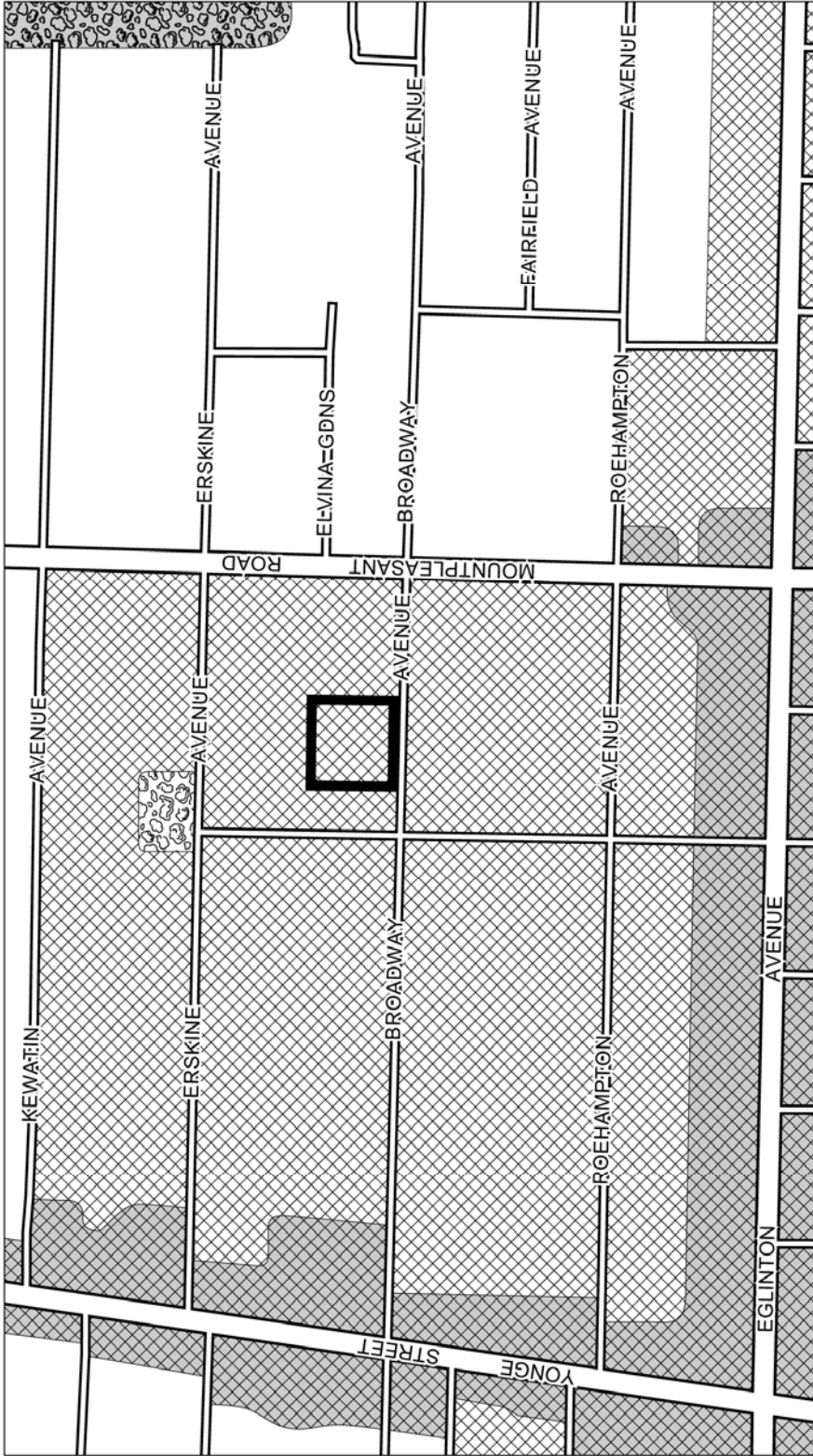
Parking Spaces: 261 Bicycle Parking Spaces: 826 Loading Docks: 2

CONTACT:

Cynthia Owusu-Gyimah, Planner
 Tel: (416) 395-7126
 Email: Cynthia.Owusu-Gyimah@toronto.ca

Attachment 2: Location Map





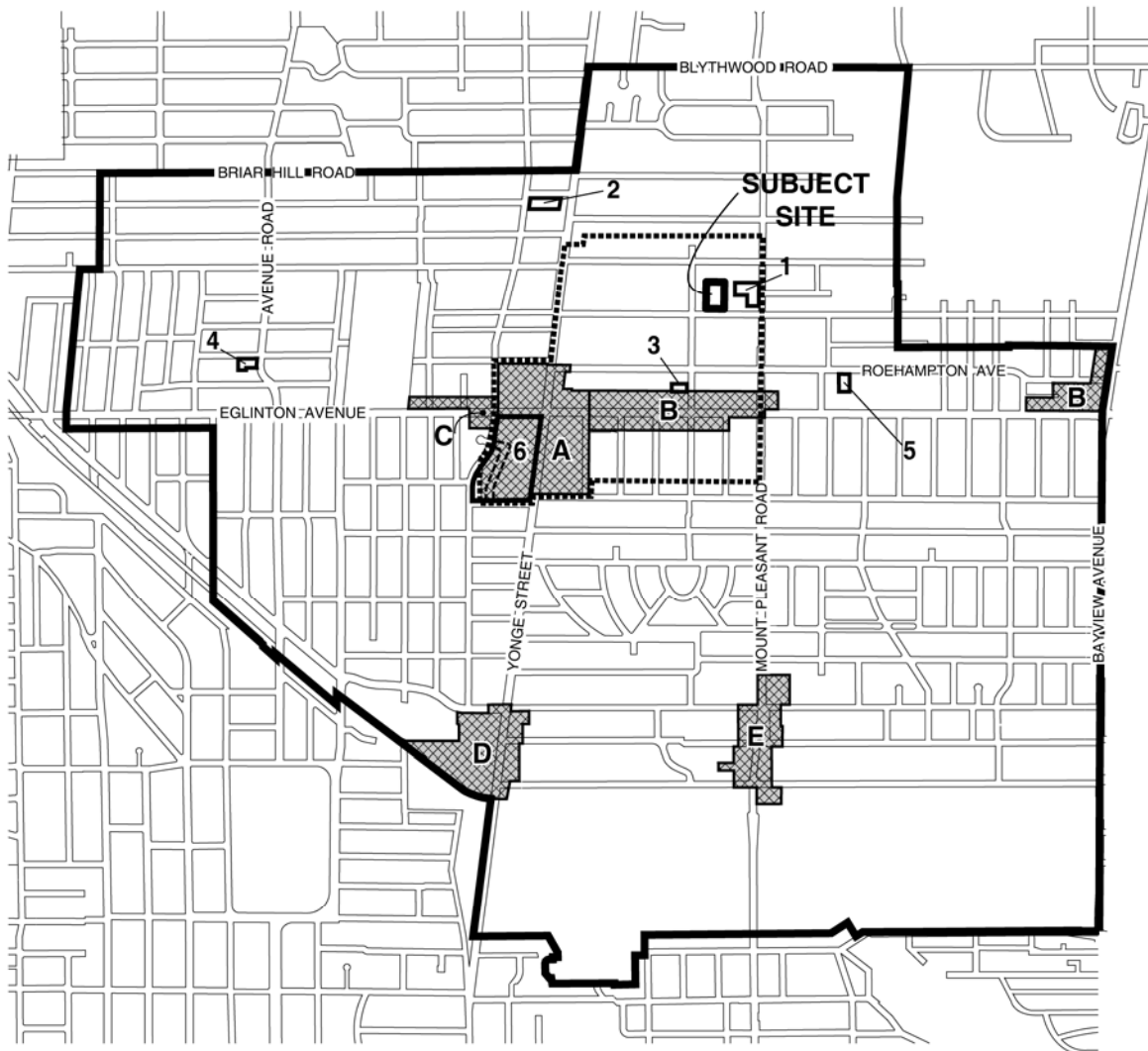
Toronto
 Extract from Official Plan
 110, 114 & 120 Broadway Avenue

File # 17 218847 MNY 25 0Z









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 09/20/2017

Attachment 4: Yonge-Eglinton Secondary Plan



December 2010

-  110, 114 & 120 Broadway Avenue
-  Yonge-Eglinton Centre
-  Mixed Use Areas
-  Site and Area Specific Policies
-  Secondary Plan Boundary
-  Proposed Road

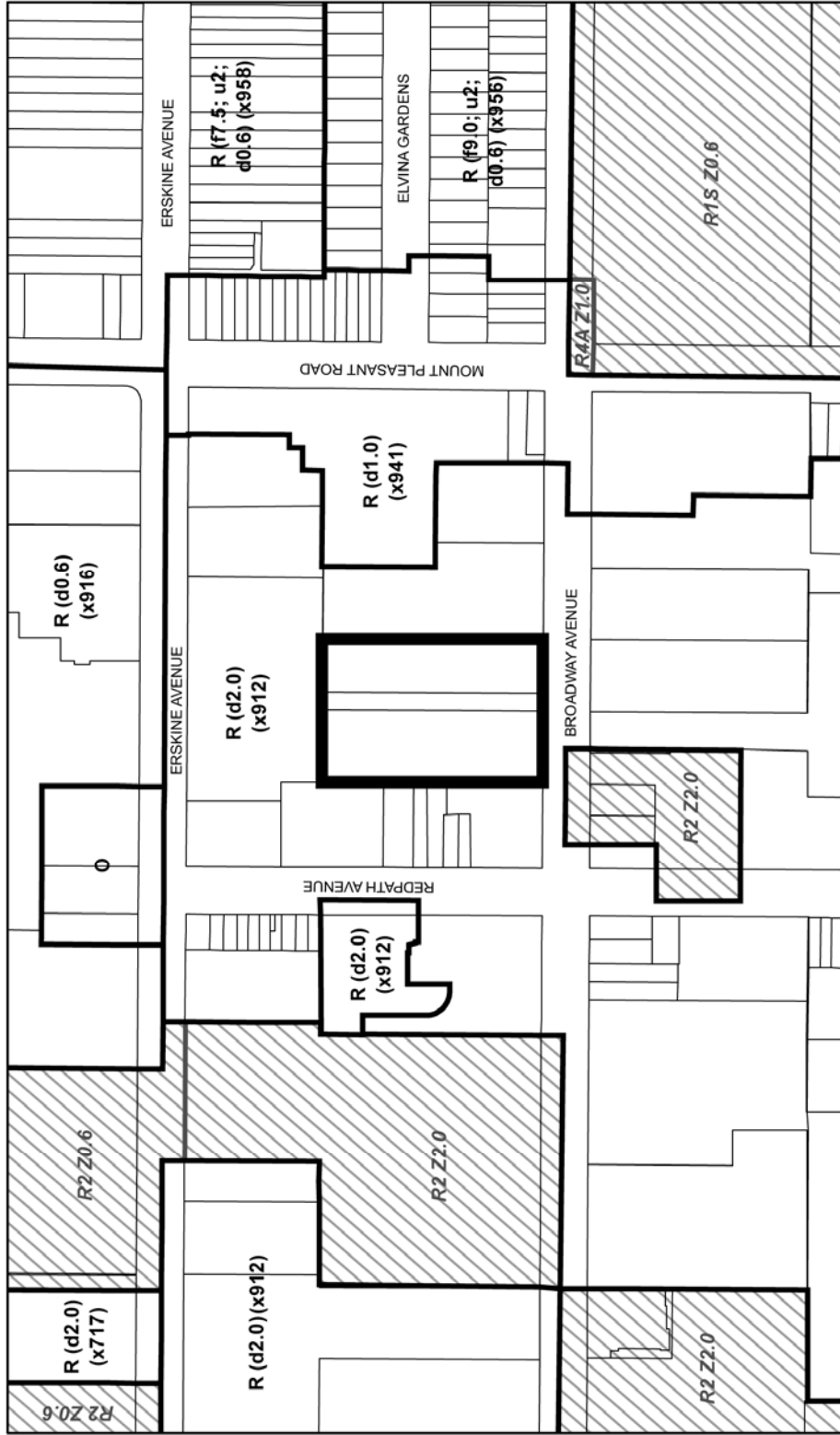
Yonge-Eglinton Secondary Plan

110,114 & 120 Broadway Avenue

MAP 21-1 Land Use Plan

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06/12/2018 

File # 17 218847 NNY 25 0Z

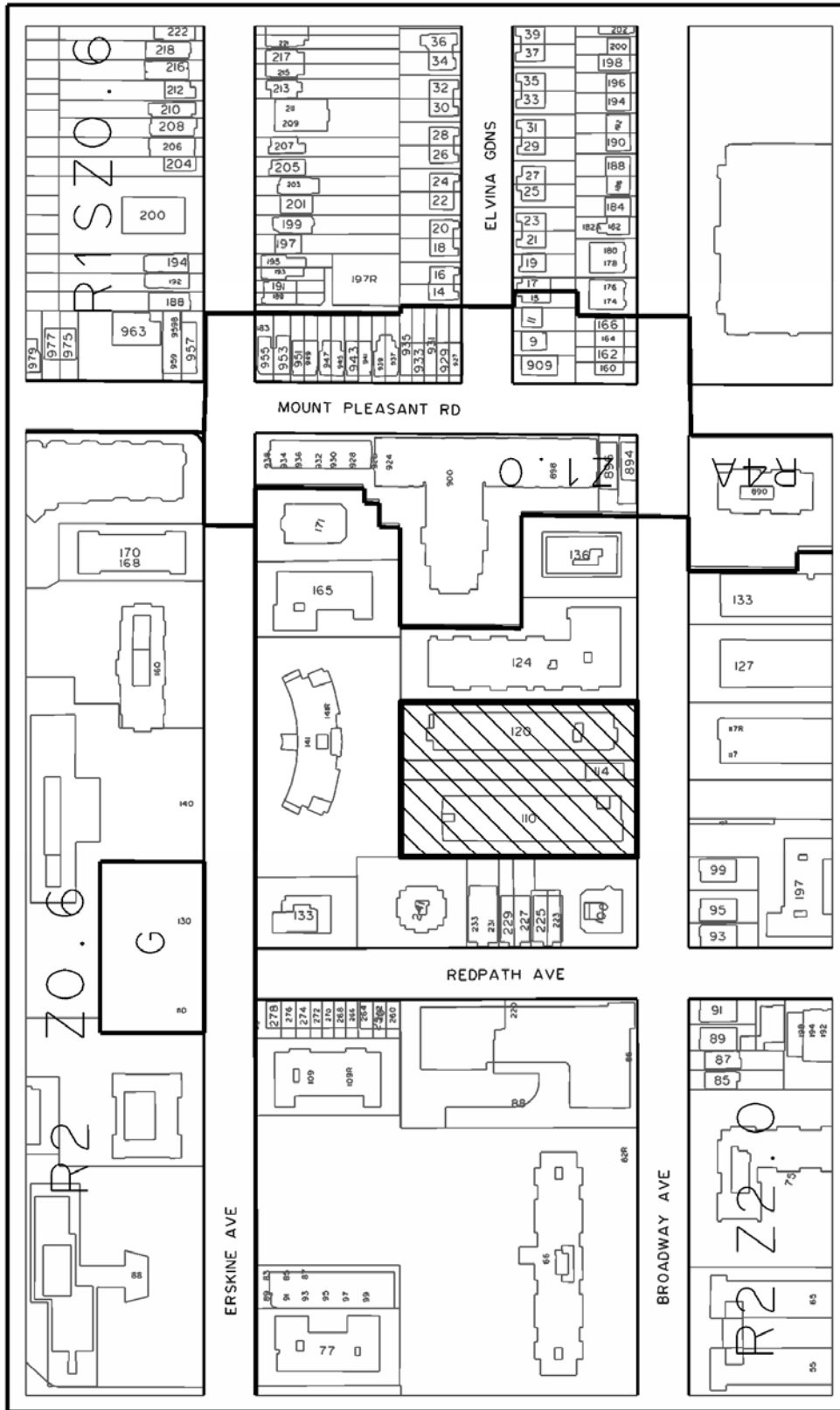


Toronto
Zoning By-Law No. 569-2013
 110,114 & 120 Broadway Avenue
 File # 17 218847 NMY 25 0Z

See Former City of Toronto By-Law No. 438-86
 R1S Residential District
 R2 Residential District
 R4A Residential District

Location of Application
 R Residential
 O Open Space

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 Extracted: 09/19/2017



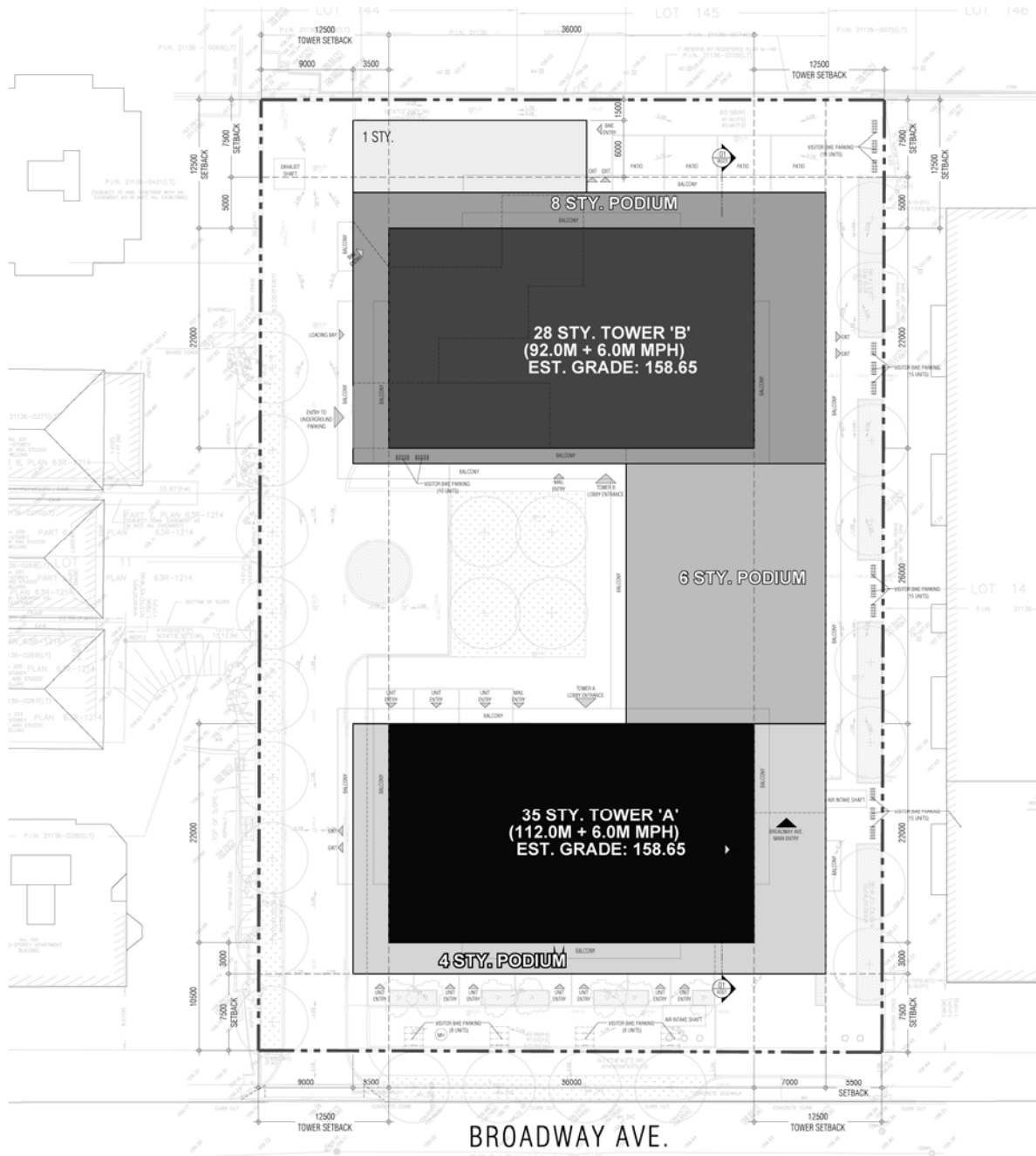
Toronto
Zoning By-Law No. 438-86
 110, 114 & 120 Broadway Avenue
 File # 17 218847 NNY 25 02



- R1 Residential District
- R2 Residential District
- R4 Residential District

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 Extracted 09/21/2017

Attachment 7: Site Plan



Site Plan

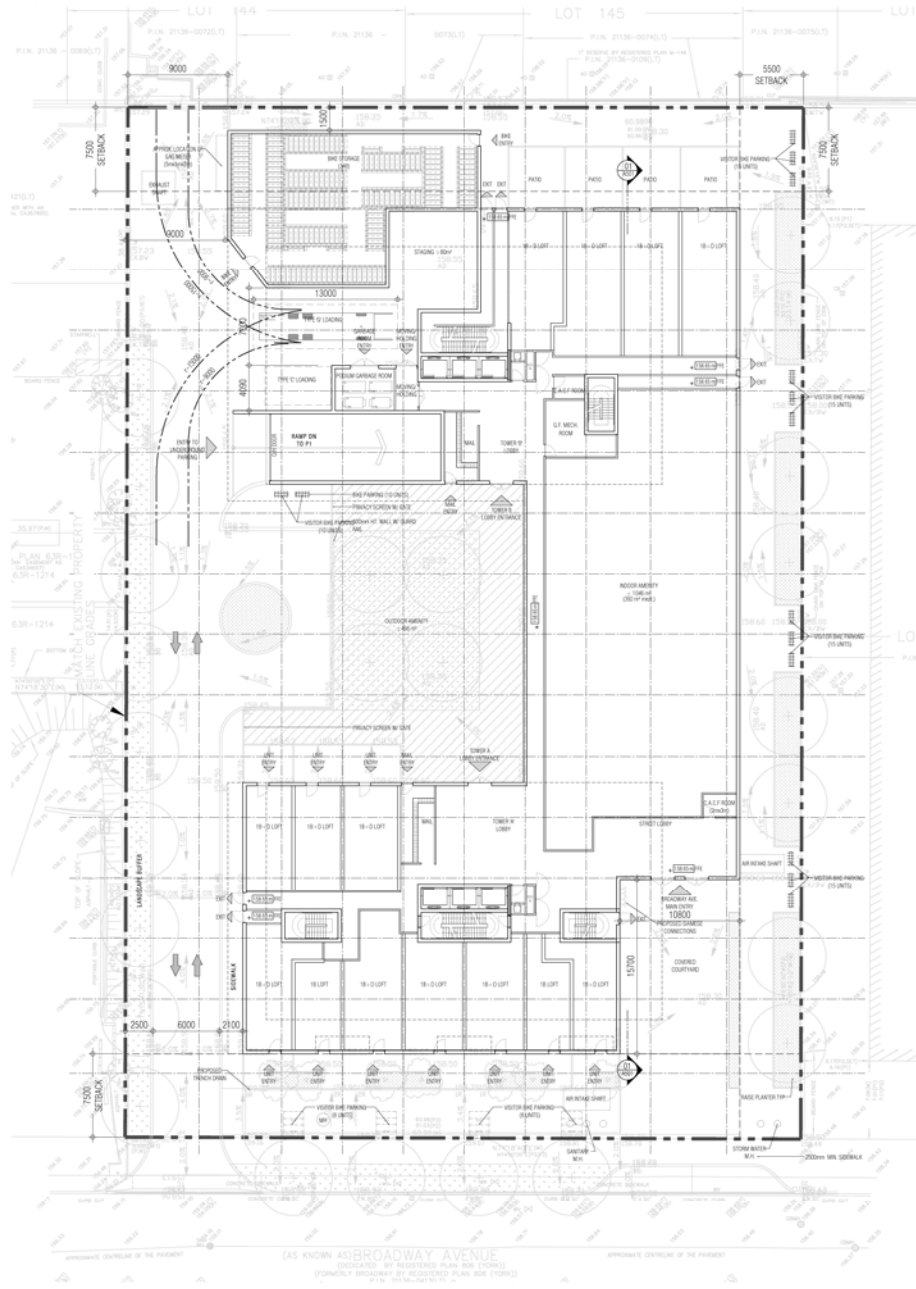
110,114 & 120 Broadway Avenue

Applicant's Submitted Drawing

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9/21/2017

File # 17 218847 NNY 25 0Z

Attachment 8: Ground Floor Plan



Ground Floor Plan

110,114 & 120 Broadway Avenue

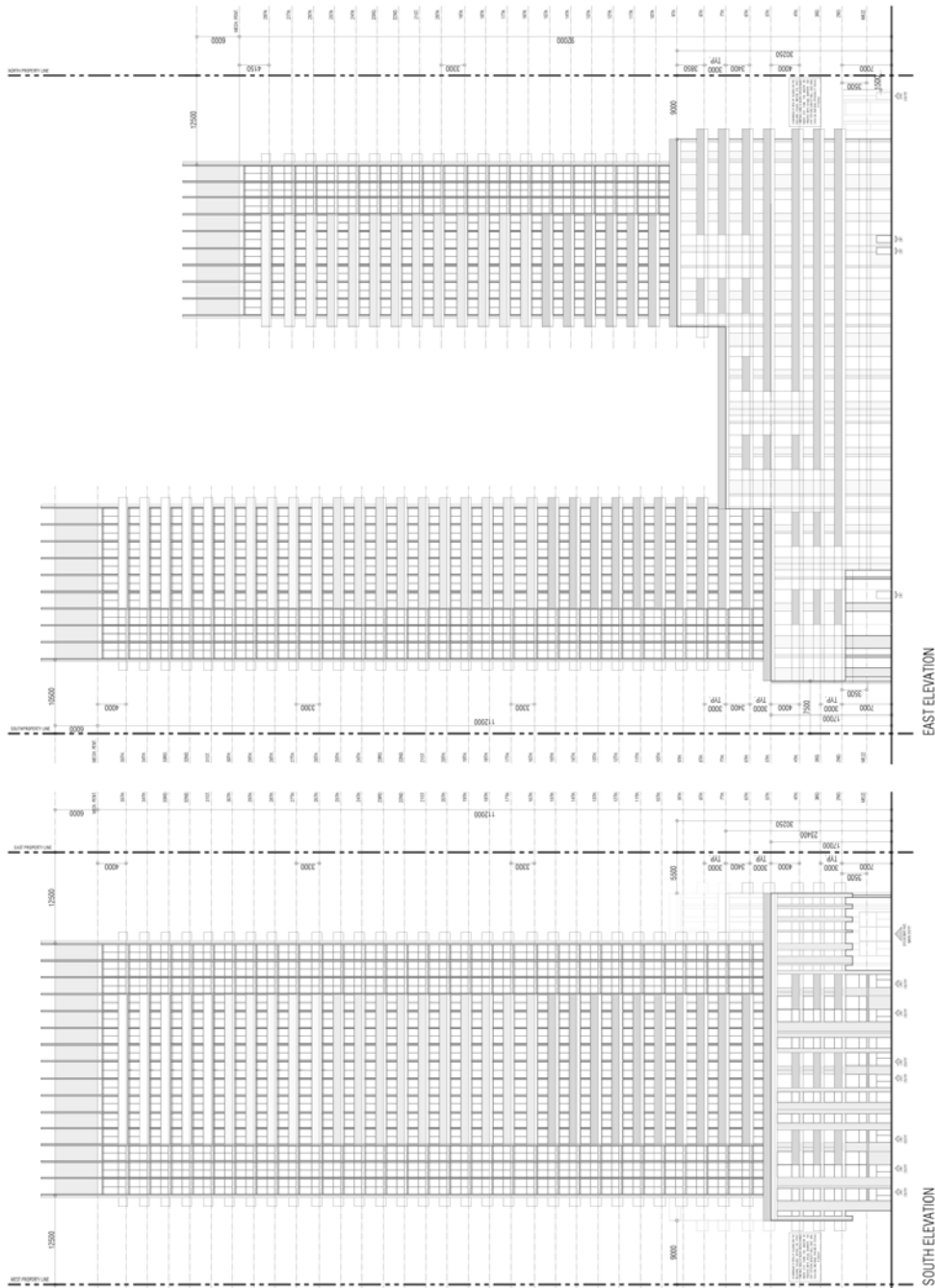
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File # 17 218848 NNY 25 0Z

Attachment 9: South and East Elevations



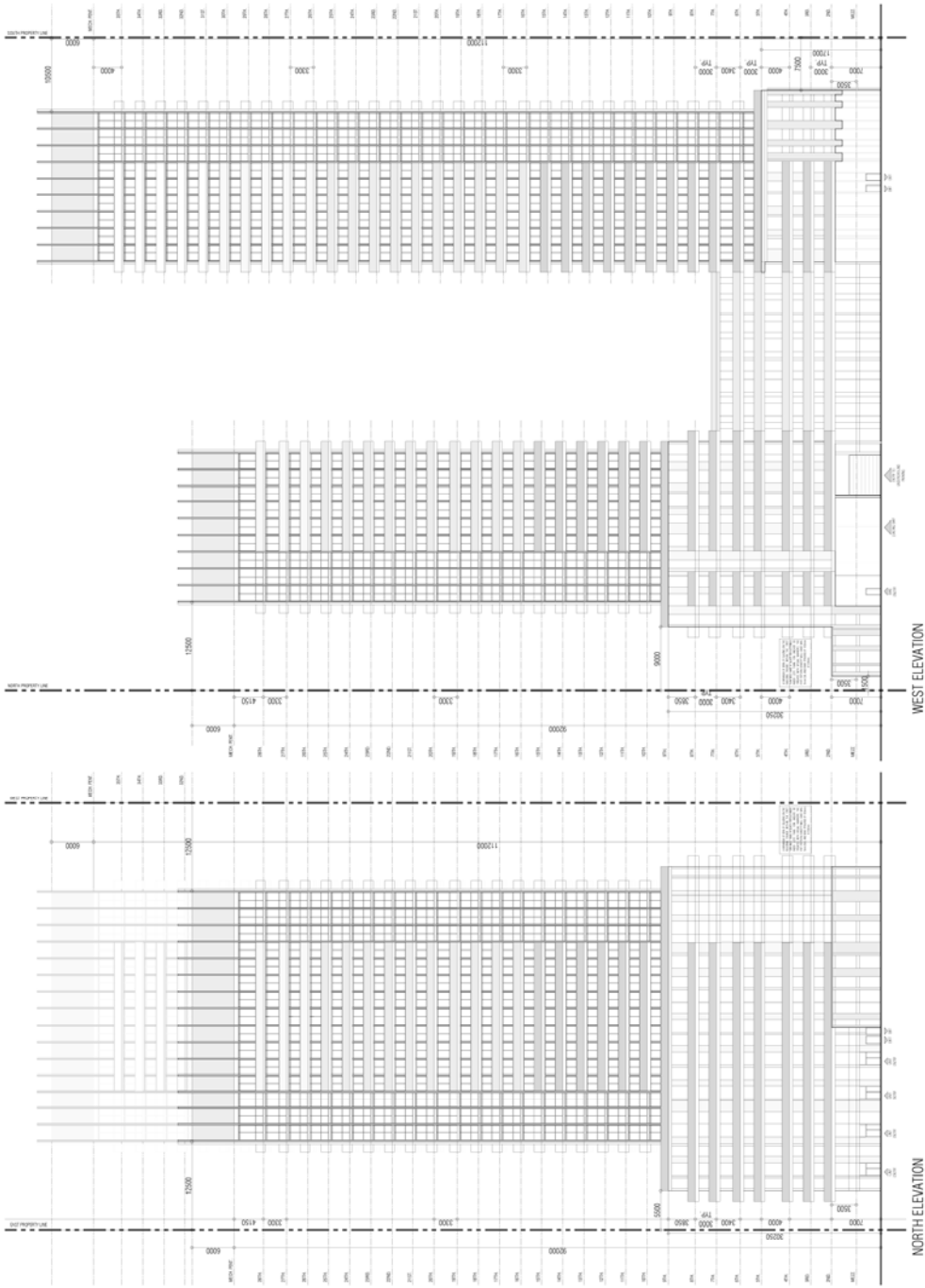
110, 114 & 120 Broadway Avenue

File # 17 218847 NNY 25 0Z

Elevations
Applicant's Submitted Drawing

Not to Scale
9/21/2017

Attachment 10: North and West Elevations



Elevations
110, 114 & 120 Broadway Avenue

Applicant's Submitted Drawing

Not to Scale
9/21/2017

File # 17 218847 NNY 25 0Z