

265 Balliol St - Zoning Amendment and Rental Housing Demolition Application - Preliminary Report

Date:	December 13, 2017
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	17 223999 STE 22 OZ and 17 224019 STE 22 RH

SUMMARY

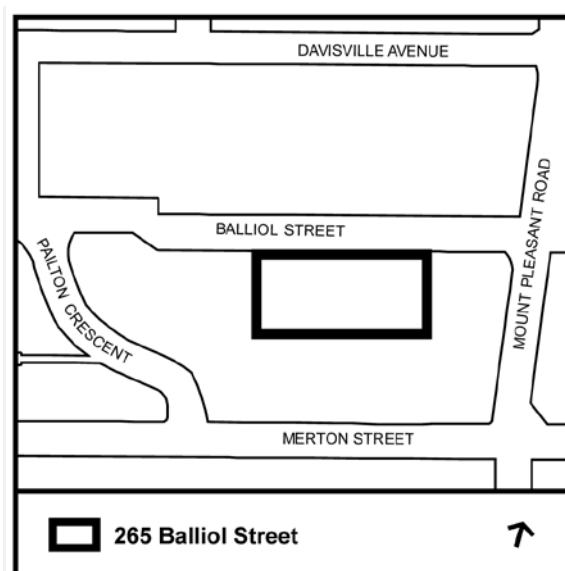
This application proposes a 29-storey residential building, with a 6-storey base building, to the west of the existing 26-storey rental apartment building located on the site. A total of 466 dwelling units are proposed, consisting of 264 new dwelling units and 202 existing dwelling units. A total of 233 parking spaces will be provided in a 2 level below-grade garage.

An associated application for Rental Housing Demolition and Conversion per Chapter 667 of the Municipal Code, seeks approval to demolish seven rental townhouse units.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

The next step is to hold a community consultation meeting, at which the community can review the proposal, provide comments and ask questions.

A final report and public meeting under the *Planning Act* will be scheduled following the resolution of the outstanding issues, and provided the applicant submits all the required information in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 265 Balliol Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On August 25, 2014, City Council adopted Midtown in Focus – Parks, Open Space and Streetscape Plan for the Yonge-Eglinton Area ("Public Realm Plan").

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan. As OPA 289 is currently under appeal at the Ontario Municipal Board (OMB), it is relevant but not determinative in terms of the Official Plan policy framework.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

On December 10, 2015, City Council adopted Official Plan Amendment No. 320. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

On July 4, 2016, the Minister of Municipal Affairs approved and modified OPA 320. As OPA 320 has been appealed in its entirety to the OMB it is relevant but not determinative in terms of the Official Plan policy framework.

On July 12, 2016, City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report". 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 that have been identified, as part of the development application review process.

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-93903.pdf>

On December 5, 2017 City Council adopted the recommendations in the report from the Acting Chief Planner titled: "Midtown in Focus: Proposals Report". Staff are directed to continue to consider and review applications submitted prior to November 15, 2017 in the context of the City Council directed Midtown in Focus: Growth, Built Form and Infrastructure Review, including the proposed Secondary Plan. As well staff are 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. <https://www.toronto.ca/legdocs/mmis/2017/pg/bgrd/backgroundfile-108408.pdf>

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on June 8, 2017 to discuss complete application submission requirements. City Planning expressed concerns related to the height of the building, setbacks, and separation distances. Planning staff also informed the applicant of the on-going Midtown in Focus Study and reviewed emerging directions that had been publicized at prior community consultation events and indicated that a proposed Secondary Plan update would be presented to City Council in late 2017.

ISSUE BACKGROUND

Proposal

This application proposes the construction of a new 29-storey residential building (95.98 metres to the top of the mechanical penthouse), with a 6-storey base building, to the west of the existing 26-storey rental apartment building located on the site. Seven rental townhouse units are proposed to be demolished to facilitate the redevelopment. A total of 464 dwelling units are proposed, consisting of 264 new dwelling units and 202 existing dwelling units. The new and existing buildings will each be self-contained and not connected internally except in the underground parking garage.

The lobby of the new building will be accessed from Balliol Street. The existing driveways will be reconfigured with the removal of the west driveway entrance and the addition of a new driveway entrance in the middle of the site. The garage and loading space for the new building will be accessed from the driveway located between the new and existing buildings.

Improvements are proposed to the existing 26-storey rental building as follows:

- Relocating the laundry room from the basement to the ground floor in the space currently occupied by the lounge;
- Relocating the lounge to a larger space on the ground floor currently occupied by the site management office, which will be moved to the new building;
- Establishing additional storage space in the basement within the area vacated by the laundry;

- Providing 38 more secure bike parking spaces in the basement and establishing ten short term bike parking spaces near the building entrance;
- Moving the un-enclosed outdoor garbage area adjacent to the existing building to a combined waste management and loading area within the new building.

The Housing Issues Report confirms the costs of the improvements will not be passed through to the tenants such as through rent increases.

Indoor and outdoor amenity space would be provided on the 7th floor of the new building. These spaces would be accessible to all residents within the complex, including those in the existing residential rental tower. A pet relief area would be established near the front lot line.

Refer to the chart below and Attachments 1-5 and 8 of this report for further information.

Category	First Submission – August 28, 2017
Site Area	5,182.4 square metres
Base Building Height	6 storeys (19.2 metres)
Total Building Height	29 storeys (90.95 metres; 95.98 metres to the roof of the mechanical penthouse)
Proposed Base Building Setbacks	
North Lot Line (Balliol Street)	7.0 metres
South Lot Line	7.33 metres
West Lot Line	5.5 metres
Proposed Tower Setbacks	
North Lot Line	9.0 metres
South Lot Line	10.0 metres
West Lot Line	18.3 metres
Proposed Tower Separation	
West	30.0 metres
East	20.0 metres
Tower Floorplate	690 square metres
Gross Floor Area	
New Residential	22,507.0 square metres
Existing Residential	15,025.0 square metres
Total	37,532.0 square metres
Floor Space Index	7.24

Category		First Submission – August 28, 2017	
Number of Units	Studio	New 0	Existing 1
	1 Bedroom	174 (65.9%)	151
	2 Bedroom	54 (20.5%)	50
	3 Bedroom	36 (13.6%)	0
	Sub-Total	264	202
	Total	465	
Ground Floor Height		4.0 metres	
Vehicle Parking		233 spaces	
Bicycle Parking	Existing	48	
	For new units	264	
	For existing units	96	
	Total	360	
Loading Spaces		1 Type G	
Amenity Space	Interior Residential	578 square metres	
	Exterior Residential	1300 square metres	

The Rental Housing Demolition application proposes to demolish seven rental townhouse units on the southwest corner of the site. All rental units which would be demolished have rents in the high end rent category.

The application proposes to secure the rental tenure of all existing rental dwelling units with affordable and mid-range rents.

Site and Surrounding Area

The site is located on the south side of Balliol Street between Mount Pleasant and Pailton Crescent. It is rectangular in shape with an area of 5,182.4 square metres, and a frontage of 105 metres on Balliol Street.

The subject site is currently occupied by a rental housing complex consisting of a 26-storey tower in the eastern half of the site, and a two-storey row of townhouses in the south west corner of the site. The remainder of the site is occupied by vehicle manoeuvring areas, and landscaping with trees, lawns and paved open space.

The site contains 209 existing rental dwelling units; 202 are within the residential tower and seven are in a row of townhouses. The rental units have the following bedroom type and rent classifications:

Rental Unit Bedroom Type		Rent Category	
Bachelor	1	Mid- range rents	1
One-bedroom	151	Affordable rents	22
		Mid-range rents	129
Two-bedroom	50	Affordable rents	1
		Mid-range rents	49
Three-bedroom townhouse	7	High-end rents	7

(Source: Housing Issues Report, Bousfields, 2017)

The surrounding development and land uses are as follows:

North: On the north side of Balliol Street is a 24-storey slab style apartment building, with its main entrance on Davisville Avenue. To the west of the apartment building is a series of townhouse units fronting onto Balliol Street. At the north east corner of Pailton Crescent and Balliol Street is a 22-storey slab style apartment building. Further to the north, on the north side of Davisville Avenue is a low-rise residential apartment neighbourhood and June Rowlands Park.

East: To the immediate east of the site are a series of two-storey semi-detached dwellings. At the south west corner of Mount Pleasant and Balliol Street is an 8-storey residential building. Fronting onto the east side of Mount Pleasant Road are 1 and 2-storey commercial buildings, including a service station. Further to the east is a low-rise residential neighbourhood.

South: To the south is a mixed-use area on both sides of Merton Street consisting of commercial and residential buildings ranging in height from 2 to 15-storeys. Further to the south is Mount Pleasant Cemetery.

West: To the immediate west is a slab style 17-storey apartment building. Further to the west, at the south west corner of Pailton Crescent and Balliol Street, is a private tennis club. Continuing to the west is an apartment neighbourhood with buildings ranging in height from 2 to 30-storeys.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) 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 to meet projected requirements of current and future residents; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its official plan and to inform decisions on other planning and development matters. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the PPS.

The Growth Plan for the Greater Golden Horseshoe (GGH) (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. It provides a framework for managing growth in the GGH including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. The application of the Growth Plan's policies is intended to support the achievement of complete communities.

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

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

- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan also requires the City to prioritize planning and investment in infrastructure and public service facilities that will support intensification within delineated built-up areas, and is explicit in its policy direction that "applying the policies of this Plan will support the achievement of complete communities..."

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

The Growth Plan directs municipalities to develop Official Plan policies and other supporting documents to guide intensification. City Council's planning decisions are required, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff are reviewing the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City of Toronto Official Plan contains a number of policies that apply to the proposed development.

Chapter 2 – Shaping the City

Secondary Plans

The Official Plan identifies that Secondary Plans establish local development policies to guide growth and change in a defined area of the City. They outline and promote a desired type and form of physical development with the objective of ensuring highly functional and attractive communities that account for an appropriate transition in scale and activity between neighbouring districts. Policy 5.2.1.2 identifies that Secondary Plans may be prepared for a number of reasons. Of particular note for the Yonge-Eglinton area, the Official Plan directs that Secondary Plans will be prepared for areas where development is occurring, or proposed, at a

scale, intensity or character which necessitates reconsideration or reconfiguration of local streets, block plans, public works, open space or other public services or facilities. Where Council has determined that a Secondary Plan is necessary, no amendment to the Zoning By-law in the area will be made without prior or concurrent adoption of a Secondary Plan, provided that the Secondary Plan is adopted within a reasonable period of time.

City Council directed staff in June 2016 to consider and review Official Plan amendment and rezoning applications in the Yonge-Eglinton Secondary Plan in the context of the City Council directed Midtown in Focus: Growth, Built Form and Infrastructure Review. At its December 5, 2017 meeting, Council reaffirmed this direction for applications submitted prior to November 15, 2017, and also directed staff to assess the cumulative impact of development in the area on the availability of the necessary infrastructure to support continued development, and use planning mechanisms, including holding provisions, as necessary to ensure that growth and infrastructure needs are aligned.

Section 2.3.1 Healthy Neighbourhoods

The proposed development is located in a neighbourhood designated as *Apartment Neighbourhoods*. Toronto's neighbourhoods are an important asset in the city and a cornerstone policy is to ensure that new development in neighbourhoods respects and reinforces the existing physical character of the area in terms of buildings, streetscapes and open space patterns.

Chapter 3 – Built Form

Section 3.1.2 Built Form

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area who will encounter the building in their daily lives. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by: generally locating buildings parallel to the street or along the edge of a park or open space, having a consistent front yard setback, acknowledging the prominence of corner sites, locating entrances so they are clearly visible and providing ground floor uses that have views into and access from streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility.

New development will be massed to define the edges of streets, parks and open spaces to ensure adequate access to sky view for the proposed and future uses. New development will also provide public amenity, enhance the public realm through streetscape improvements and ensure that significant new multi-unit residential development provides indoor and outdoor amenity space for its residents.

Section 3.1.3 Built Form – Tall Buildings

The application proposes a new tall building on the subject site. Policy 3.1.3 states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to specific built form characteristics, the policy states that proposals for tall buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

Section 3.2.1 Housing

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.

Policy 3.2.1.5 states that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development will secure:

- the existing rental housing units which have affordable rents and mid-range rents; and
- any needed improvements and renovations to the existing rental housing, in accordance with and subject to Section 5.1.1 of this Plan, without pass-through of such costs in the rents to tenants.

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.

Chapter 4 – Land Use Designations

Section 4.2 Apartment Neighbourhoods

The subject site is designated *Apartment Neighbourhoods* (see Attachment No. 4). *Apartment Neighbourhoods* are made up of apartment buildings, parks, local institutions, cultural and recreation facilities, small scale retail service and office uses. *Apartment Neighbourhoods* are stable areas of the City and are generally not intended for significant growth. Compatible infill, however, is contemplated on sites containing existing apartment buildings with underutilized land.

New and infill development in *Apartment Neighbourhoods* will improve the quality of life for both new and existing residents by massing new buildings to provide a transition between areas of different development intensity and scale. In particular, *Neighbourhoods* will be protected through setbacks and/or stepping down of heights. New and infill development will also frame the edges of streets and parks, screen service areas, limit shadow and mitigate wind on parks and open spaces as well as *Neighbourhoods*. It will also enhance the safety, amenity and animation of adjacent streets and open spaces.

OPA 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment 320 which strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The amended *Apartment Neighbourhood* policies provide direction for appropriate infill development on sites containing one or more existing apartment buildings including the following:

- improving site conditions and providing good quality of life for both new and existing residents;
- maintaining adequate sunlight and privacy for residential units;
- improving pedestrian access to the site;
- maintain separation distances between buildings on the site so as to achieve adequate sunlight and privacy;
- minimizing curb cuts and consolidating and relocating parking and servicing areas where they are not visible from streets, parks and landscaped open spaces;
- providing grade related dwellings at the edge of public streets, parks and landscaped open spaces;
- improving the quality of landscaped open space and outdoor amenity space for new and existing residents; and
- provide renovations and retrofits wherever necessary to extend the life of the existing buildings to be retained;

Yonge-Eglinton Secondary Plan

The subject site is located in the Yonge-Eglinton Secondary Plan Area (see Attachment No. 8).

A primary objective of the Yonge-Eglinton Secondary Plan is to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among *Mixed Use Areas*, *Apartment Neighbourhoods*, *Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. The Secondary Plan also requires a full range of housing options (form, tenure) in the Yonge-Eglinton Area suitable for family and other households that is: "contextually appropriate and compatible with existing residential uses and residential built form."

The *Mixed Use Areas* in the Secondary Plan contain a mix of retail, service commercial, office and residential uses with the highest concentration at Yonge Street and Eglinton Avenue and a lesser concentration near the Yonge/Davisville subway station.

The Secondary Plan identifies that Yonge-Eglinton Centre's *Apartment Neighbourhoods* are largely built-up and considered physically stable. New development in the Yonge-Eglinton Secondary Plan Area will protect the scale of development in *Neighbourhoods* while minimizing impacts (shadowing, overlook, loss of sky view) on lower scale built form in *Neighbourhoods*. New development will provide transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods*, particularly when higher density designations abut a *Neighbourhood*.

New development will promote architectural excellence while providing for improvements in the public realm. New, flexible, community services facilities and social infrastructure will be provided in a timely manner in the Yonge-Eglinton Secondary Plan Area. New parks and open spaces will be secured in the Secondary Plan Area along with improvements to existing parks and open spaces and the public realm.

In 2010, the City amended the Yonge-Eglinton Secondary Plan to conform to the Growth Plan for the Greater Golden Horseshoe.

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

The Midtown in Focus Public Realm Plan ("Public Realm Plan") is a framework for improvements within the Yonge-Eglinton area to the network of parks, open spaces, streets and public buildings to create an attractive, safe, and comfortable network of public spaces. The Public Realm Plan recognizes that the study 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 that, together with other streetscape improvements and the enhancement and expansion of parkland in the area, will form a thriving system of parks, open spaces and streets.

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm outcomes of the Public Realm Plan. The proposed Secondary Plan amendments are currently under appeal at the OMB.

OPA 289 outlines a comprehensive public realm strategy and a system of improvements for the Yonge-Eglinton Secondary Plan Area. Any new development within the Secondary Plan area will be required to implement the public realm policies of OPA 289.

Midtown in Focus: Growth, Built Form and Infrastructure Review of Yonge-Eglinton Secondary Plan

The City Planning Division is leading an inter-divisional review of growth, built form and infrastructure issues in the Yonge-Eglinton Secondary Plan Area that builds on the Midtown in Focus Public Realm Plan. The Review is a response to the rapid intensification and change underway in parts of the Yonge-Eglinton Secondary Plan Area. Continued development in a complex and mature urban environment like the Yonge-Eglinton Secondary Plan area requires careful attention. The cumulative impact of development currently proposed in the area – and its scale, intensity and character – has the potential to adversely affect quality of life and sense of place in Midtown's collection of neighbourhoods. The objective of the Review is to ensure that growth positively contributes to Yonge-Eglinton's continued livability and vitality by establishing a clear and up-to-date planning framework and ensuring that local transportation, municipal servicing and community infrastructure keeps pace with development.

The Review began in late 2015, based on City Council's direction, and includes the following activities:

- **Growth Analysis**, including development of near, medium and long term growth estimates to inform the infrastructure assessments;
- **A Built Form Study** to document area character and development trends, develop built form principles and a built form vision, undertake built form testing, visualize a future built form concept and identify policy directions to guide the location, scale and form of future development;
- **A Cultural Heritage Resource Assessment** to document the area's archaeological and development history, identify properties of cultural heritage value or interest for listings and designations and identify additional recommendations for conservation and further study;
- **A Community Services and Facilities Assessment** to inventory existing services and facilities, assess needs and opportunities in the context of future growth and demographic change and outline an implementation strategy for priority projects across multiple service-providing sectors;
- **Transportation and Municipal Servicing Assessments** to document the performance and capacity of existing transportation and municipal servicing infrastructure, evaluate priority areas and identify potential capital upgrades required to support continued growth in the Secondary Plan Area; and

- An area-wide **Parks Plan** highlighting parkland expansion and acquisition priorities to meet the needs of a growing population and a **public realm strategy for the Yonge-Davisville area** to expand on and complement the 2014 Public Realm Plan.

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 provided updates related to the infrastructure assessments. The proposed Plan sets out a 25-year vision for Midtown Toronto 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.

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

- Development within the Secondary Plan area will reduce the impact of vehicular, loading and servicing activities on the public realm. This will be accomplished by reducing, consolidating and eliminating existing vehicular curb cuts, limiting the introduction of new curb cuts and designing adjacent buildings, structures and open spaces to promote visibility at driveways and laneway connections. Reducing and removing existing front yard drop-off areas and restricting new front yard drop-off areas. Co-ordinating and sharing access and servicing areas between properties;
- Balliol Green Street: Balliol Street is characterized by Tower in the Park open landscapes and is and will continue to be a key connection for pedestrians accessing transit. A minimum 6.0 metre setback at grade and above established grade will be provided on both sides of the street to support additional landscaping including tree and understory plantings, patios, residential forecourts and privately owned publicly-accessible spaces;
- The provision of parkland is an essential element of complete communities. New parkland will be provided to support and be concurrent with growth;
- Reinforce the open space amenity and spaciousness of the Secondary Plan area by ensuring significant and high-quality landscaping at grade; providing generous building spacing coordinating the siting of tall buildings, where permitted; ensuring the base of tall buildings have a human-scale and reinforce existing character; and ensuring entrances are visible and directly accessible from the public sidewalk;
- Tall buildings will only be permitted on sites and/or areas specifically identified as having tall building development potential or infill development potential, and where the tall building satisfies and meets all policies of this Secondary Plan. The subject site has not been identified as having tall building or infill potential;
- Along Balliol Street, where tall buildings are permitted, a minimum tower setback of 15 metres from the property line and 30 metre tower separation distance is required;

- Along Balliol Street the tower portion of a building will be setback 9.0 metres from the front property line;
- The maximum base building height for tall buildings will be 4 storeys (13.5 metres);
- The ratio of open space on a site to the footprint of a tall building, inclusive of its base building, will be 55:45 respectively. The majority of open space on a site will consist of landscaped open space;
- Development containing more than 50 residential units will include a minimum of 30% 2-bedroom units, and 20% 3-bedroom units;
- Development containing more than 60 residential units will provide a minimum of 10% of the total gross floor area as on-site affordable rental housing, or 15% of the total residential gross floor area as affordable ownership housing, or a combination of the above;
- A north-south midblock connection has been identified for the subject site.

At its December 5, 2017 meeting, City Council directed staff to undertake stakeholder and public consultation on the proposed Yonge-Eglinton Secondary Plan update. Council directed staff that all Official Plan amendment and Zoning By-law amendment applications in the Yonge-Eglinton Secondary Plan Area, submitted prior to November 15, 2017, be reviewed in the context of the Midtown in Focus: Growth, Built Form and Infrastructure Review. A final report with the recommended Official Plan Amendment will be brought forward in the second quarter of 2018.

Rental Housing Demolition 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 By-law, implements Section 111. Chapter 667 prohibits the demolition or conversion of rental housing units in buildings containing six or more dwelling 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, where delegated, 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 Ontario Municipal Board.

On August 28, 2017, the applicant made an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code. The application proposes to demolish seven rental dwelling units. A Housing Issues Report has been submitted with the required application and is currently under review for consistency with the Official Plan.

As per Chapter 667-14, a tenant consultation meeting shall be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

Zoning

The subject site is zoned R2 Z2.0 in Zoning By-law 438-86, as amended, and is zoned R (d2.0) (x919) in Zoning By-law 569-2013, as amended. Both Zoning By-laws permit residential uses in buildings with a maximum density of 2.0 times the area of the lot and a maximum height of 38.0 metres. The minimum side and rear yard setbacks are 7.5 metres, and the maximum depth of an apartment building is 14.0 metres.

Site Plan Control

A site plan application is required for the proposal but has not been submitted.

Tall Building Design Guidelines

In May 2013, City Council adopted the updated Tall Building Design Guidelines and directed City Planning staff to use them in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for tall buildings to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Reasons for the Application

A zoning by-law amendment is required because the proposed development, among other matters, exceeds the height and density permissions of the in-force zoning by-law, and does not meet the minimum setback requirements.

The applicant has submitted an application for a Rental Housing Demolition permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of 7 townhouse rental dwelling units at the subject site, 265 Balliol Street, as it contains six or more dwelling units, of which at least one is rental.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale Report;
- Housing Issues Report;
- Community Services and Facilities Report;
- Computer Generated Building Mass Model;
- Public Consultation Strategy;
- Qualitative Pedestrian-Level Wind Assessment;

- Shadow Study;
- Arborist Report;
- Traffic Impact, Parking and Loading Study;
- Geotechnical Investigation and Engineering Design Report;
- Hydrogeological Investigation Report;
- Stormwater Management Report;
- Functional Servicing Report;
- Green Development Standards Checklist and Statistics; and
- Energy Strategy Report.

A Notification of Incomplete Application was issued on September 28, 2017 and identified that the submission of a Pedestrian-Level Wind Study and Energy Strategy is required for a complete application.

The outstanding material was submitted on October 17, 2017 and a Notification of Complete Application was subsequently issued on October 27, 2017.

Issues to be Resolved

Midtown in Focus: Growth, Built Form and Infrastructure Review

The application, as proposed, is contrary to a number of the proposed Yonge-Eglinton Secondary Plan policies presented to City Council in December 2017. In particular, the application does not adequately address the following policy directions:

- The subject site has not been identified as having tall building potential;
- The proposed 20 metre tower separation to the existing on-site apartment building does not meet the minimum 30 metre tower separation distance;
- The required tower and base building setbacks; and
- The required unit mix;

New and proposed development in the Yonge-Eglinton area is occurring at a rate, scale and intensity that exceeds the City's projections made in the previous decade, and is not currently directed in sufficient detail by the existing Yonge-Eglinton Secondary Plan or the provincial Growth Plan for the Greater Golden Horseshoe (2017).

As identified in Official Plan policy, any changes to the planned context of the area are best addressed comprehensively – as done in the Midtown in Focus study – rather than on a site-specific basis. At its December 5, 2017 meeting, City Council adopted a recommendation determining the need for a comprehensive update to the Yonge-Eglinton Secondary Plan.

The application proposes significant intensification that goes well beyond permissions in the existing zoning. Given this context, staff are not in a position to report on the application until the adoption of the revised Yonge-Eglinton Secondary Plan, subject to revisions to the application in accordance with the proposed direction of the Secondary Plan update and in-force Official Plan policy. The Yonge-Eglinton Secondary Plan update is required to ensure that new

development does not continue to negatively impact Midtown's collection of diverse neighbourhoods and that adequate infrastructure is provided to support continued growth.

The application has been circulated to City divisions and public agencies for comment.

Preliminary issues to be addressed include the following:

- prematurity of the application prior to completion of the Midtown in Focus: Growth, Built Form and Infrastructure Review;
- consistency with the Provincial Policy Statement and conformity with the Greater Golden Horseshoe Growth Plan;
- consistency with the Midtown in Focus Public Realm Plan and OPA 289;
- overall height of the proposal;
- tower setbacks;
- tower stepback above the base building along Balliol Street;
- separation distance from existing tall buildings on-site and adjacent to the site;
- the mix of residential unit types;
- impact on the existing rental apartment building located on-site;
- the number of curb-cuts and hard landscaping;
- appropriateness of the proposed base building setbacks from the property lines including the setback from Balliol Street;
- the number of existing trees to be removed;
- the inclusion of a north-south mid-block pedestrian connection;
- Parkland dedication, to be satisfied through acquiring off-site parkland that will contribute positively to existing parks within 500 metres of the site;
- securing rental tenure, by legal agreement, of the existing and retained rental dwelling units with affordable and mid-range rents;
- securing needed improvements and repairs to the existing rental housing;
- developing a tenant assistance and relocation plan and tenant communication and consultation plan; and

- identification and securing of public benefits pursuant to Section 37 of the Planning Act, should the proposal in some form be approved.

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

This report identifies significant concerns with the proposal as currently submitted. Prior to the application's submission, staff met with the applicant and discussed the need for the proposal to address emerging directions from the Midtown in Focus: Growth, Built Form and Infrastructure Review.

The proposal is not acceptable in its current form and is premature. City staff will work with the applicant through the review of the application and the ongoing Midtown in Focus study to resolve the outstanding concerns with the application and align the proposal with the directions in the proposed Yonge-Eglinton Secondary Plan considered by City Council at its December 5th, 2017 meeting.

CONTACT

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SIGNATURE

Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

(P:\2018\Cluster B\pln\TEYCC\32094685032.doc) - vc

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Yonge-Eglinton Secondary Plan
Attachment 6: Application Data Sheet

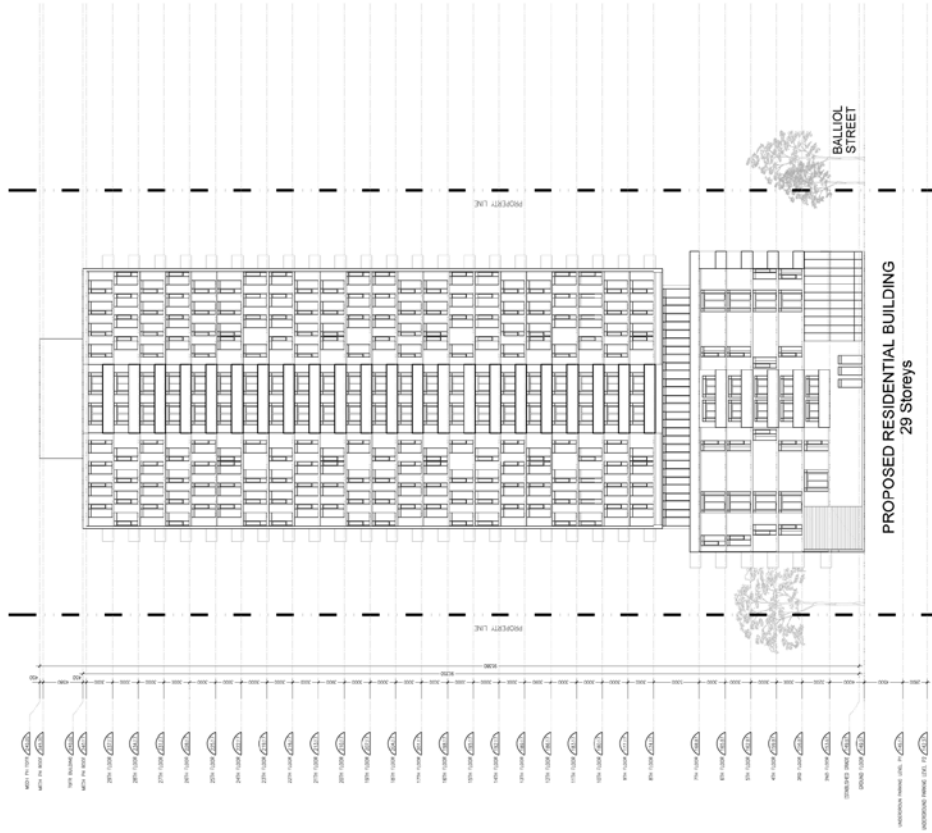
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265 Balliol Street

Not to Scale
10/16/2017

File # 17 223999 STE 22 0Z

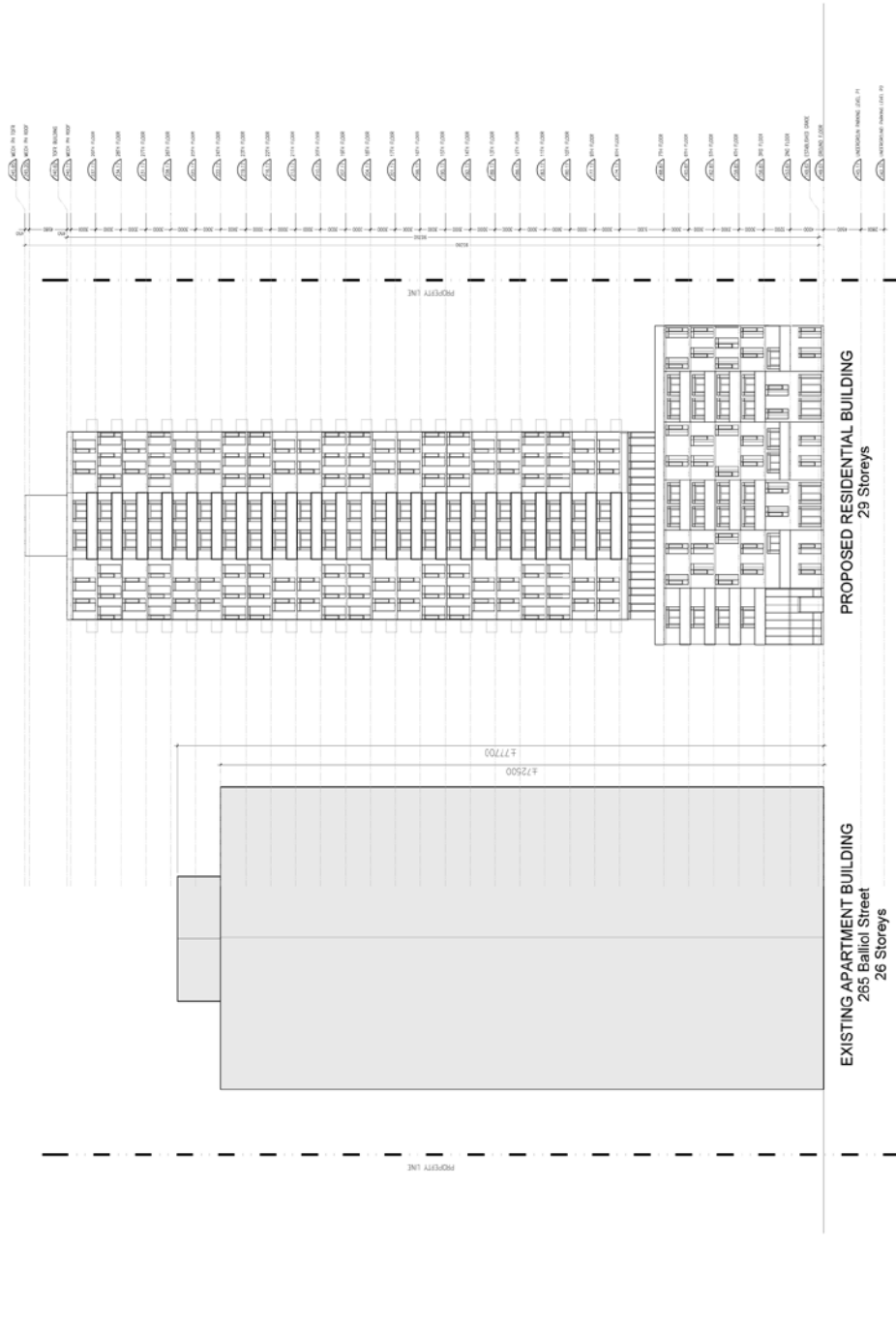
Attachment 2: Elevations



265 Balliol Street

File # 17 223999 STE 22 0Z

East Elevation
Applicant's Submitted Drawing
Not to Scale
10/16/2017



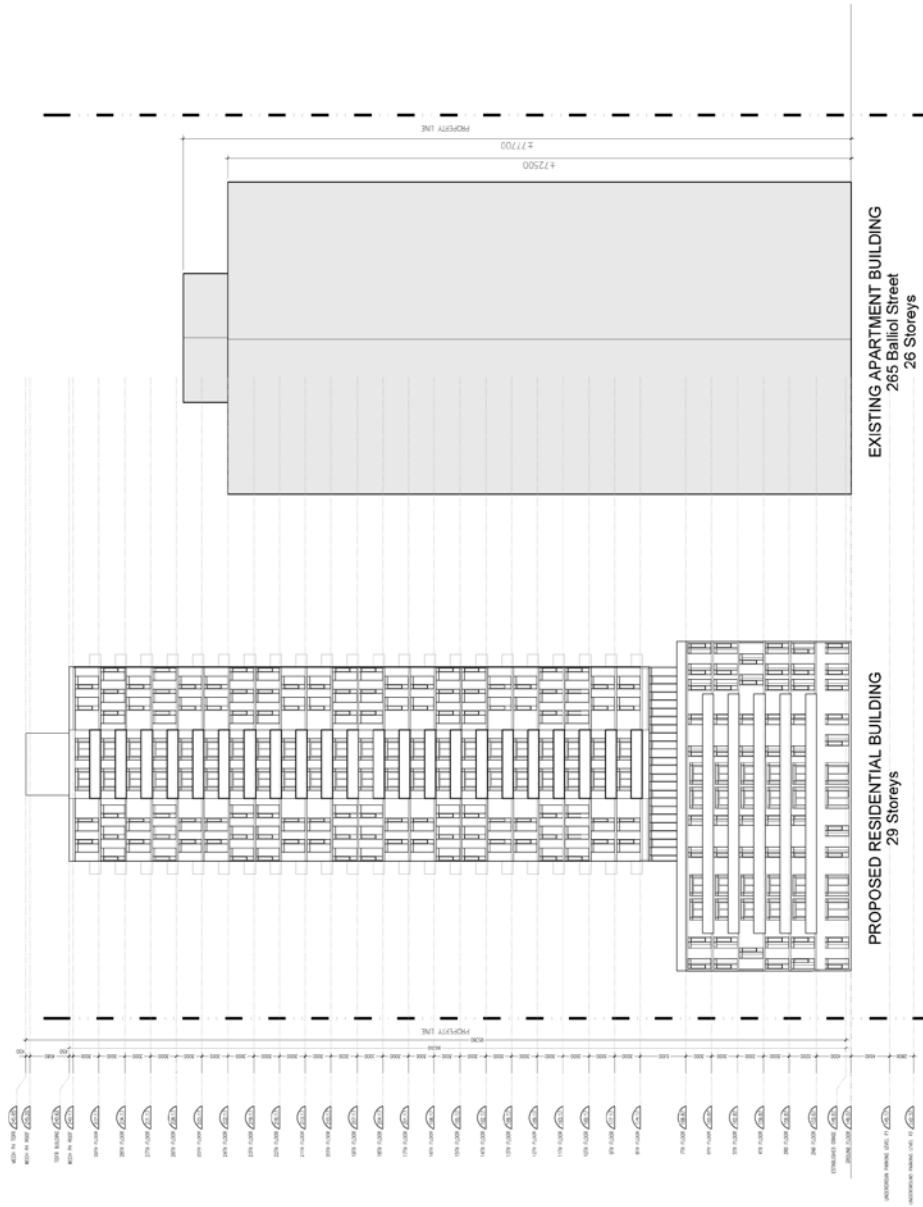
North Elevation

265 Balliol Street

Applicant's Submitted Drawing

Not to Scale
10/16/2017

File # 17 223999 STE 22 0Z



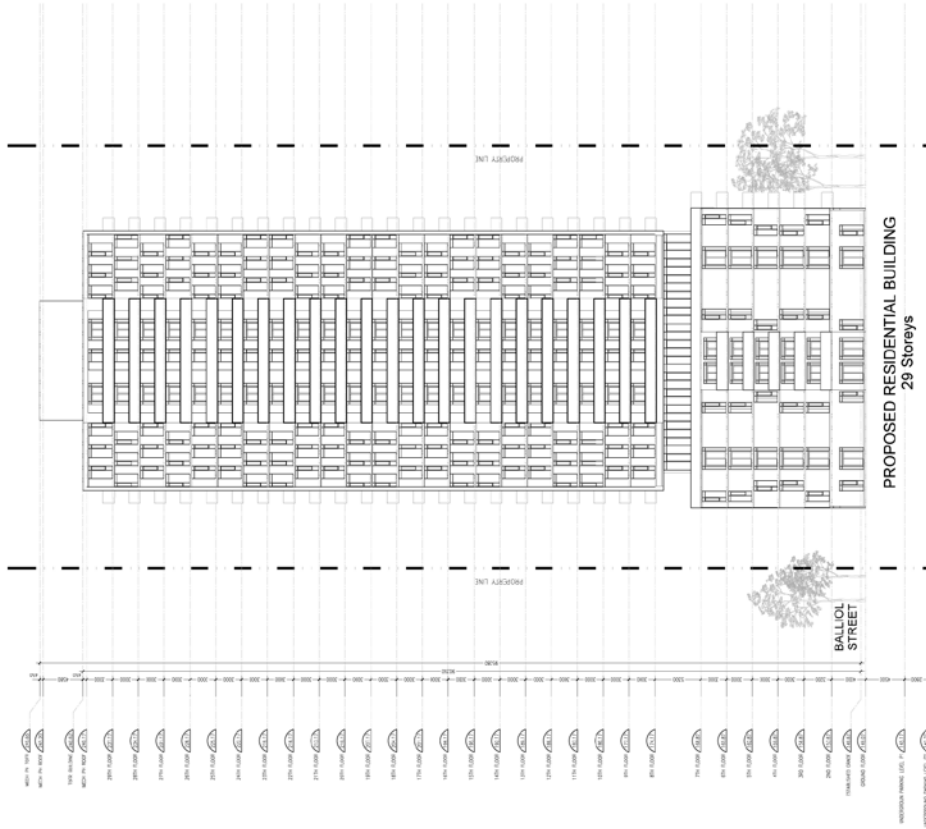
South Elevation

Applicant's Submitted Drawing

Not to Scale
10/16/2017

265 Balliol Street

File # 17 223999 STE 22 0Z



265 Balliol Street

File # 17 223999 STE 22 0Z

West Elevation
 Applicant's Submitted Drawing
 Not to Scale
 10/16/2017

The map shows a residential area with the following features:

- Streets:** Balliol Street, Merton Street, Pailton Crescent, and Mount Pleasant Road.
- Highlighted Area:** A large rectangular area in the center of the map is outlined with a thick black border.
- Zoning Codes:**
 - R (d0.6) (x913):** Located in the top left corner.
 - R (d0.35) (x920):** Located in the top left, adjacent to the R (d0.6) zone.
 - CR 2.0 (c2.0; r2.0) SS2 (x2495):** Located in the bottom left corner.
 - R (d2.0) (x919):** Located in the center-left area, adjacent to the highlighted area.
 - CR 2.0 (c2.0; r2.0) SS2 (x2063):** Located in the center-right area, adjacent to the highlighted area.
 - CR 2.5 (c2.0; r2.5) SS2 (x2209):** Located in the top center area, adjacent to the highlighted area.
 - CR 3.0 (c3.0; r1.5) SS2 (x2214):** Located in the top right area, adjacent to the highlighted area.
 - R (d2.0) (x918):** Located in the bottom right corner.

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

CR **Mixed-Use District**

Location of Application

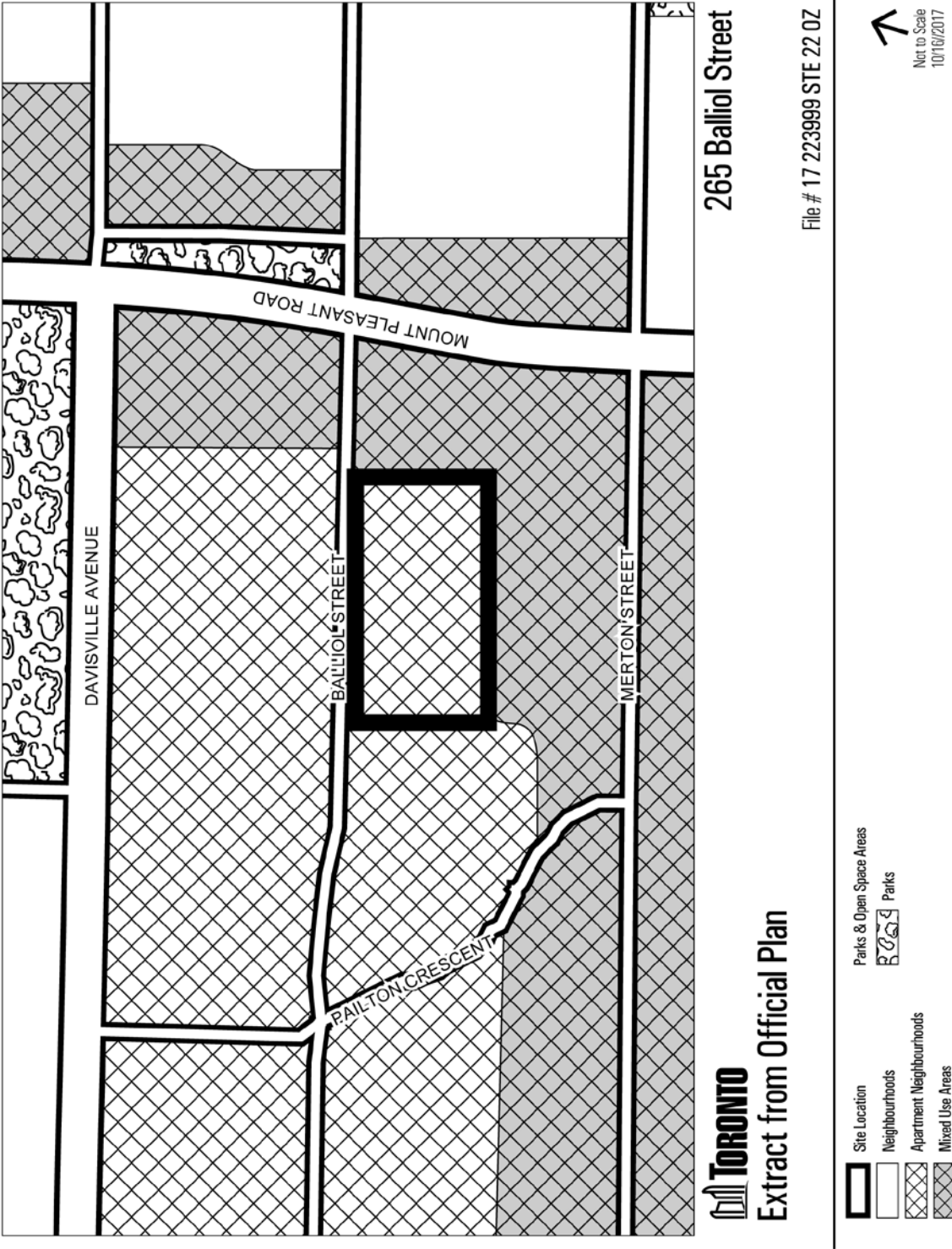
R	Residential	CR	Commercial Residential
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R Residential

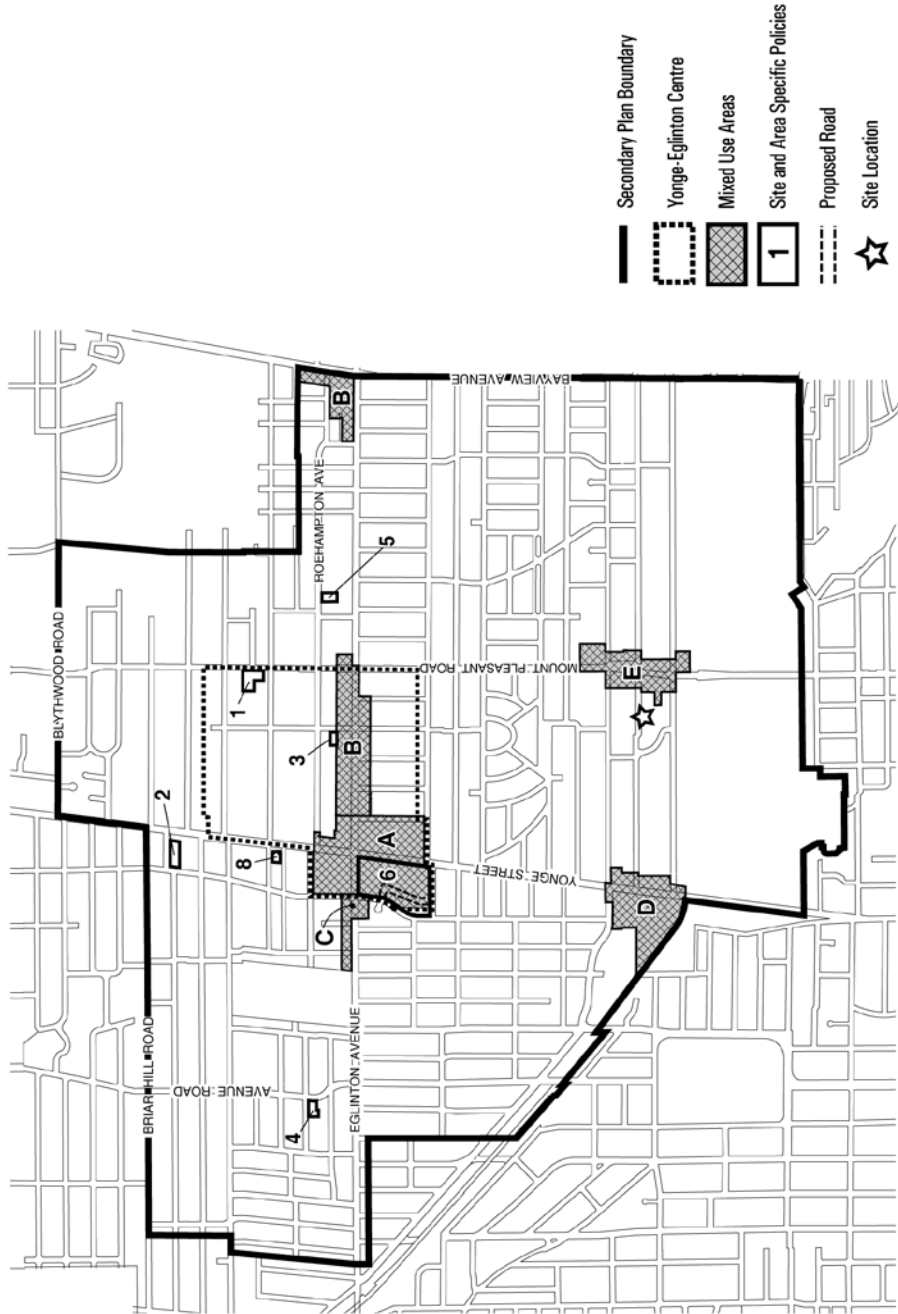
R Residential

Not to Scale
Extracted: 10/16/2017

Attachment 4: Official Plan



Attachment 5: Yonge-Eglinton Secondary Plan



Secondary Plan

Applicant's Submitted Drawing

Not to Scale
10/16/2017



265 Balliol Street

File # 17 223999 STE 22 0Z

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	17 223999 STE 22 OZ
Details	Rezoning, Standard	Application Date:	August 28, 2017
Municipal Address:	265 BALLIOL ST		
Location Description:	PLAN M121 LOTS 12 TO 17 PT LOT 11 RP 66R2661 PARTS 2 & 3 **GRID S2208		
Project Description:	A 29-storey residential tower of 90.35 metres (95.83 metres including the mechanical penthouse) in height, containing 264 purpose-built rental units.		
Applicant:	Agent:	Architect:	Owner:
ARTMICO HOLDINGS G P INC	ARTMICO HOLDINGS G P INC	Quadrangle, 901 King Street West, Suite 701, Toronto, ON M5V 3H5	ARTMICO HOLDINGS G P INC

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	R (d2.0) (x919)	Historical Status:	N
Height Limit (m):	38	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	5182.4	Height:	Storeys:	29
Frontage (m):	105.3		Metres:	90.35
Depth (m):	49.3			
Total Ground Floor Area (sq. m):	1745			Total
Total Residential GFA (sq. m):	37532		Parking Spaces:	233
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	37532			
Lot Coverage Ratio (%):	33.7			
Floor Space Index:	7.24			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	37532	0
Bachelor:	1	Retail GFA (sq. m):	0	0
1 Bedroom:	325	Office GFA (sq. m):	0	0
2 Bedroom:	104	Industrial GFA (sq. m):	0	0
3 + Bedroom:	36	Institutional/Other GFA (sq. m):	0	0
Total Units:	466			

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