

**995-1005 Broadview Avenue and 2-4 Mortimer Avenue –
Official Plan Amendment and Zoning Amendment
Applications – Refusal Report**

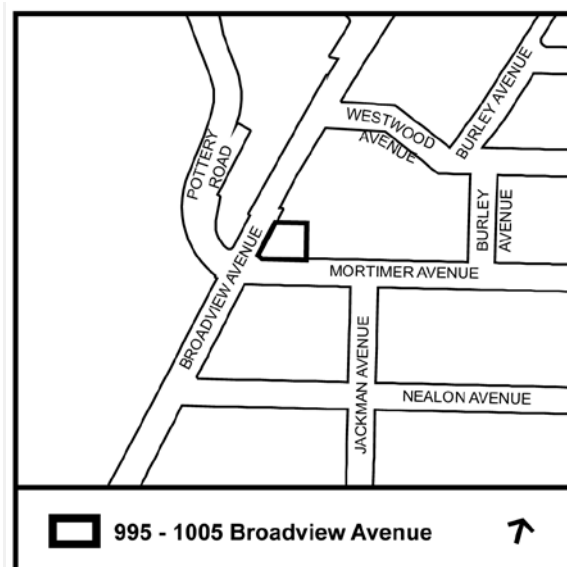
Date:	February 2, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 29 – Toronto-Danforth
Reference Number:	17 266470 STE 29 OZ

SUMMARY

There are two applications discussed in this report. One application is to amend the Official Plan to redesignate a portion of the subject lands (2-4 Mortimer Avenue) from *Neighbourhoods* to *Mixed Use Areas*. The second is an application to amend the Zoning By-law to permit a 10-storey mixed-use building containing 111 dwelling units and retail at grade.

Planning staff recommend that the applications be refused. The proposal does not meet Official Plan policy for *Avenues*, built form principles, healthy neighbourhoods, or development criteria for the relevant land use designations.

The site is within Site and Area Specific Policy 509 (SASP 509) applying to Broadview Avenue north of Danforth Avenue. SASP 509 was approved by City Council on June 7, 2016 and therefore constitutes the most recent policy direction of Council and the direction of growth and intensification for this stretch of Broadview Avenue. SASP 509 is currently under appeal at the Ontario Municipal Board.



The applicant for this application is one of the appellants. An Ontario Municipal Board hearing is scheduled for April 9, 2018

SASP 509 is intended to: guide and manage moderate incremental development on Broadview Avenue, between Danforth Avenue and O'Connor Drive; complement, build upon, and strengthen the physical character of the area as a whole and within each of its five character areas; conserve and reinforce the area's natural and cultural heritage; and ensure compatibility between existing and future development.

The proposed 10-storey development is within Character Area B of SASP 509, which allows 5-storey mid-rise developments with appropriate stepbacks. The proposal is twice the height of the height permissions in SASP 509 and both applications fail to meet the policies of SASP 509 and the policies of the Official Plan as a whole. As well, the Official Plan Amendment application seeks to undermine the objectives of the *Avenue* designation in the Official Plan and the urban structure of the City.

The proposed 10-storey building is significantly taller than what the Official Plan would permit for new development on the subject property. As such, Planning staff cannot support the Official Plan Amendment or the Zoning By-law Amendment.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the application to amend the Official Plan at 1132 Broadview Avenue for the reasons contained in this report.
2. City Council authorize the City Solicitor together with City Planning and other appropriate staff to appear before the Ontario Municipal Board in support of City Council's decision to refuse the application, in the event that the application is appealed to the Ontario Municipal Board.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On June 7, 2016, City Council adopted Site and Area Specific Policy 509 (SASP 509) relating to the Broadview Avenue between Danforth Avenue and O'Connor Drive. SASP 509 was subsequently appealed to the Ontario Municipal Board (OMB). A hearing is scheduled for April 9, 2018.

ISSUE BACKGROUND

Proposal

The application proposes to amend the Official Plan and the Zoning By-law. Each application is described below.

Official Plan Amendment

Section 1 of the proposed Official Plan Amendment would amend Maps 17 and 18, Land Use Plan, in the Official Plan by redesignating the lands known as 2 and 4 Mortimer Avenue from the *Neighbourhoods* land use designation to a *Mixed Use Areas* land use designation.

Section 2 of the proposed Official Plan Amendment would amend the Site and Area Specific Policy No. 509 of the Broadview Avenue Planning Study. The amendment would allow a 10-storey building, plus mechanical penthouse, on the lot, provided that the tallest portion of the building is located on the west portion of the site, with height transitioning down to four-storeys to the east.

Zoning By-law Amendment

The application proposes to construct a 10-storey mixed-use building containing 111 residential units as well as approximately 449 square metres of non-residential, commercial space on the ground floor. The height of the building to the roof is 33.2 metres whereas the height of the building to the mechanical penthouse is 38.7 metres. A total of 86 vehicular parking spaces are provided in a 3-level below grade garage in addition to 128 bicycling parking spaces. The total floor space index of this proposal is 5.66 times the area of the lot.

The 10-storey building has a variety of setbacks and stepbacks. From the front (west) lot line, the building applies a 45 degree angular plane at a height of 23.5 metres (the seventh storey). From the rear (east) lot line, the building sets back 8.2 metres and applies an angular plane at a height of 14.5 metres (the fourth storey). From the south lot line, the building steps back 1.2 metres on the 8th floor, 2.3 metres on the 9th floor, and 3.3 metres on the 10th floor.

The first floor of the building has a height of 5 metres and includes retail space with frontage along Broadview Avenue. The first floor also includes the residential lobby, and three three-bedroom units in a townhouse form with frontage on Mortimer Avenue. The proposal would provide a 6.6 metre wide sidewalk along Broadview Avenue and a 5.6 metre wide sidewalk along Mortimer Avenue.

The breakdown of the proposed 111 residential units is as follows:

Unit Type	Number of Units	Percentage
1 Bedroom	79	71.2%
2 Bedroom	21	18.9%
3 Bedroom	11	9.9%

Total	111	100%
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The proposal includes 212 square metres of indoor amenity space on the second floor. No outdoor amenity space is proposed.

The proposal includes three below grade levels where a total of 86 vehicular parking spaces are located (76 spaces for residents and 10 spaces for visitors). A total of 128 bicycle parking spaces are provided in the first below grade level. One shared Type 'B' and Type 'G' loading space are provided at grade. As there is no rear lane, access to the below grade parking and to the shared loading space is off Mortimer Avenue.

See Attachment No. 8 for the Application Data Sheet and Attachment Nos. 1-5 for drawings of the proposal.

Site and Surrounding Area

The subject site is located at the northeast corner of Broadview Avenue and Mortimer Avenue. The site is generally rectangular in shape and has a total area of approximately 1,540 square metres. The frontage along Broadview Avenue is 30.5 metres and approximately 52.6 metres on Mortimer Avenue.

Seven properties comprise the subject site:

995, 999, and 1001 Broadview Avenue consists of a two-storey commercial building, occupied by a restaurant and event space with surface parking at the rear of the building accessible from Mortimer Avenue. 1003 and 1005 Broadview Avenue consists of a two-storey building which includes commercial uses on the ground floor and residential uses on the second floor. The building resembles a semi-detached dwelling. 2 and 4 Mortimer Avenue consists of two two-storey semi-detached dwellings.

The surrounding uses are as follows:

- North: Two-storey commercial buildings and, further north, a one-storey supermarket with a surface parking lot.
- East: One and two-storey detached and semi-detached dwellings.
- South: A two-storey office building at southeast corner of Broadview Avenue and Mortimer Avenue. One and two-storey detached and semi-detached dwellings are also south of the subject site.
- West: Across Broadview Avenue is a single-storey restaurant with surface parking and a 26-storey residential condominium. Further west is Pottery Road and the Todmorden Mills Park natural area.

Provincial Policy Statement and Provincial Plans

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

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

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

The 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 in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;

- Building complete communities with a diverse range of housing options, public service facilities , recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

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

Official Plan

The subject site has differing land use designations depending on the property in question. The lands municipally known as 995-1005 Broadview Avenue are designated *Mixed Use Areas* in the Official Plan and are located on an *Avenue*. The lands municipally known as 2-4 Mortimer Road are designated *Neighbourhoods* in the Official Plan. These land use designations are discussed in detail below.

Avenues

The lands municipally known as 995-1005 Broadview Avenue are located within an *Avenue* on the Urban Structure Map (Map 2) in the City of Toronto Official Plan, which is consistent with the rest of the lands along Broadview Avenue between Danforth Avenue and slightly north of Hillside Drive. *Avenues* are “important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents”, according to Section 2.2.3 of the Plan.

The Official Plan also notes that not all *Avenues* are the same. "Each *Avenue* is different in terms of lot sizes and configurations, street width, existing uses, neighbouring uses, transit service and streetscape potential. There is no 'one size fits all' program for reurbanizing the *Avenues*". The *Avenues* will be transformed incrementally. They will change building-by-building over a number of years. The framework for new development on each Avenue will be established through an Avenue Study, resulting in appropriate zoning and/or design guidelines created in consultation with the local community. The Official Plan states that development in *Mixed Use Areas* on an *Avenue*,

prior to an *Avenue* Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenues*. In addition to the policies of the Plan for *Mixed Use Areas*, proponents of such proposals will also address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located.

Mixed Use Areas

The lands municipally known as 995-1005 Broadview Avenue are designated *Mixed Use Area* in the City's Official Plan. *Mixed Use Areas* permit a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale. The development criteria in "*Mixed Use Areas*" include, but are not limited to:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

Neighbourhoods

The lands municipally known as 2-4 Mortimer Street are designated *Neighbourhoods* in the City's Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys (Policy 4.1.1).

The stability of our *Neighbourhoods'* physical character is one of the keys to Toronto's success. Physical changes to our established Neighbourhoods must be sensitive, gradual, and generally "fit" the existing character. Policy 4.1.5 of the Official Plan states that development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a. patterns of streets, blocks and lanes, parks and public building sites;
- b. size and configuration of lots;
- c. heights, massing, scale and dwelling type of nearby residential properties;
- d. prevailing building type(s);
- e. setbacks of buildings from the street or streets;

- f. prevailing patterns of rear and side yard setbacks and landscaped open space;
- g. continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h. conservation of heritage buildings, structures and landscapes.

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

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. The Ontario Municipal Board held two prehearing conferences in 2017 and the hearing is ongoing. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

For more information, please see the Official Plan Review website regarding Neighbourhoods:

<https://www1.toronto.ca/wps/portal/contentonly?vnextoid=c860abe3a6589410VgnVCM10000071d60f89RCRD>

Site and Area Specific Policy 509 – Broadview Avenue

On June 7, 2016, City Council adopted the City-initiated Site and Area Specific Policy (SASP) 509 for Broadview Avenue, from Danforth Avenue to O'Connor Drive. The SASP is under appeal to the Ontario Municipal Board.

SASP 509 guides and manages moderate incremental development on Broadview Avenue, between Danforth Avenue and O'Connor Drive; complements, builds upon, and strengthens the physical character of the area as a whole and within each of its five character areas; conserves and reinforces the area's natural and cultural heritage; and ensures compatibility between existing and future development.

SASP 509 provides five character areas for Broadview Avenue, each area defined by its attributes in terms of function, built form and character. The subject site, for the properties at 995-1005 Broadview Avenue, is within Character Area B, which allows for a maximum height of 5 storeys. The properties at 2-4 Mortimer Road are not within SASP 509.

Section 5.6 – Interpretation

Guidance on how to interpret the Official Plan is provided in Section 5.6. Policy 1 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Further, Section 1.5 – "How to Read the Plan" indicates the Official Plan is a comprehensive and cohesive whole. This proposal has been reviewed against the policies described above as well as the policies of the Official Plan as a whole.

Avenues and Mid-Rise Buildings Study

The *Avenues* and Mid-Rise Buildings Study provides design guidelines for new mid-rise buildings, particularly on the Avenues as identified on Map 2 of the Official Plan. The main objective of this study is to encourage future intensification along the Avenues that is compatible with the adjacent *Neighbourhoods* through appropriately scaled and designed mid-rise buildings. The *Avenues* and Mid-Rise Buildings Study provides a list of best practices, categorizes the Avenues based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The performance standards are intended to provide for a pleasant pedestrian experience and an appropriate transition between new mid-rise buildings in *Mixed Use Areas* and low-rise houses in adjacent *Neighbourhoods* through measures such as setbacks, building setbacks, and angular planes.

The *Avenues* and Mid-Rise Buildings Study also identifies Character Areas which are areas of cultural interest or historic character, containing notable characteristics that should be taken into consideration when *Avenues* are being planned for redevelopment.

In June 2016, City Council approved a Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the first quarter of 2018. Refer to the Council Decision <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Broadview Avenue Urban Design Guidelines

On June 7, 2016, City Council adopted the Broadview Avenue Urban Design Guidelines pertaining to Broadview Avenue, from Danforth Avenue to O'Connor Drive.

The Broadview Avenue Urban Design Guidelines give guidance to development and the enhancement of the character and the public realm of Broadview Avenue. It includes character areas for different segments of Broadview Avenue, each of which have their own development guidelines in order to ensure compatibility and moderate incremental growth. The guidelines also include opportunities for public realm opportunities and an inventory of cultural and natural heritage resources. The main guiding principles of the Design Guidelines include:

- enhancing green connections between the Don Valley Ravine and Broadview Avenue;

- enhancing and complementing the character of Broadview Avenue's heritage;
- creating quality public spaces and parks;
- making Broadview Avenue a place;
- maintaining a varied built form character;
- improving mobility and enhancing transportation options;
- integrating land uses and redevelopment with supporting infrastructure; and
- improving community services and facilities through redevelopment.

The properties on 995-1005 Broadview Avenue are within Character Area B of the urban design guidelines. Character Area B includes lots on the east side of Broadview Avenue, approximately from Browning Avenue to Mortimer Avenue. This area is a designated *Mixed Use Area* but is predominantly residential, with mostly 2-3 storey high buildings on small lots that front Broadview Avenue in a diagonal configuration. This condition creates a unique streetscape with landscaped "zig-zag" front yards.

Character Area B is identified as an area for mid-rise intensification. However, due to the lot size, lot depths, and lot configuration, mid-rise buildings may only be possible in corners where the lots are wider and deeper. Also, due to the predominantly residential character of this section of Broadview Avenue, a more modest and sensitive mid-rise building is recommended.

Zoning

The various properties that comprise the site are subject to different zoning categories. The zoning categories for the properties are discussed below.

995-1001 Broadview Avenue

The properties at 995-1001 Broadview Avenue are zoned CA.17 (Commercial Site Specific) in East York Zoning By-law 6752. This zoning category permits a restaurant and banquet facility to a maximum gross floor area of 682 square metres.

Under the City wide Zoning By-law 569-2013, the properties are zoned CR (Commercial Residential) 0.7 (c0.7; r0.0) SS2 (x314). This zoning category permits a range of commercial and residential uses. The maximum permitted density is 0.7 times the area of the lot, and is only for commercial uses. The maximum permitted height is 10.5 metres and the maximum permitted number of storeys is 3.

1003-1005 Broadview Avenue

The properties at 1003-1005 Broadview Avenue are zoned C (Commercial) in East York Zoning By-law 6752. This zoning category permits a wide range of commercial and institutional uses.

Under the City wide Zoning By-law 569-2013, the properties are zoned CR (Commercial Residential) 2.5 (c2.5; r1.0) SS2 (x1163). This zoning category permits a range of commercial and residential uses. The maximum permitted density is 2.5 times the area of the lot. The maximum permitted height is 10.5 metres and the maximum permitted number of storeys is 3.

2-4 Mortimer Road

The properties at 2-4 Mortimer Road are zoned R2A in East York Zoning By-law 6752. This zoning category permits detached and semi-detached dwellings, as well as institutional and accessory uses. The maximum permitted density is 0.75 times the area of the lot and maximum lot coverage of 35%. The maximum permitted height is 8.5 metres. Under the City wide Zoning By-law 569-2013, the properties are zoned RS (Residential Semi-detached) (f10.5; a325; d0.75) (x312). This zoning category permits detached and semi-detached building types, as well as other uses, with conditions, such as community centre, day nursery, library, and a place of worship. The maximum permitted density is 0.75 times the area of the lot and maximum lot coverage of 35%. The maximum permitted height is 8.5 metres.

Site Plan Control

A site plan control application would be required for this development but has not been submitted.

Reasons for Application

Official Plan Amendment

The proposed Official Plan Amendment is required because the properties at 2 and 4 Mortimer Avenue are designated *Neighbourhoods*, which does not permit a building of 10-storeys or the use of the properties for underground parking or loading access for lands designated *Mixed Use Areas*.

In addition, the proposed Official Plan Amendment is required because the subject site falls within Site and Area Specific Policy 509 (not in force), which is intended to guide and manage moderate incremental development on Broadview Avenue, between Danforth Avenue and O'Connor Drive, that complements, builds upon and strengthens the physical character of the area. The proposed Official Plan Amendment, requesting a 10-storey building in a Character Area B of SASP 509, which permits a maximum of 5 storeys, contravenes SASP 509.

Zoning By-law Amendment

The proposed mixed-use building, at a height of 33.2 metres (excluding mechanical) and a density of 5.66 times the area of the lot, does not comply with the regulations of the Zoning By-law. For the properties fronting Broadview Avenue, the By-law would permit a maximum height of 10.5 metres and a maximum density of 2.5 times the area of the lot for 1003-1005 Broadview Avenue and a maximum density of 0.7 times the area of the lot for 995-1001 Broadview Avenue. For the properties fronting Mortimer Avenue, the By-

law would permit a maximum height of 8.5 metres and a maximum density of 0.75 times the area of the lot. A zoning by-law amendment is therefore required.

Community Consultation

City Planning staff, in consultation with the Ward Councillor, hosted a community consultation meeting on January 23, 2018 to discuss two development applications: 1132 Broadview Avenue, the subject of this report, and 995-1005 Broadview Avenue and 2-4 Mortimer Avenue. Both applications are within close proximity of each other, approximately 300 metres. City Planning staff presented the policy framework and gave an overview of the applications. The applicants for each application provided further details with respect to the proposal in question and its planning rationale.

Following the presentations, City staff and the applicant welcomed comments, questions and concerns from the community. Many comments were shared between both development applications; however, the community feedback summarized below is in regard to 995-1005 Broadview Avenue and 2-4 Mortimer Avenue:

- Concerns were raised regarding traffic congestion, parking in the proposed buildings and the impact to on-street parking, bicycle safety, and access to and from the proposals for vehicles and loading trucks;
- A concern was stated with respect to vehicular and truck ingress and egress off Mortimer Avenue, and in favour of moving the access point to Broadview Avenue;
- Residents felt that a comprehensive parking study for the area should be conducted;
- The proposed building height is too tall and should be reduced to 5-storeys, as per the Broadview Avenue Official Plan Amendment 343 and associated Urban Design Guidelines;
- The proposed building mass should be reduced and appropriately articulated to provide for more sunlight access and sky view;
- Providing parking for the ground floor retail space was suggested as a key concern for local residents was on-street parking;
- Concerns were raised with regard to impacts to light, view and privacy;
- Concerns were raised with regard to environmental impacts as well as impacts to servicing, stormwater management, and groundwater;
- Schools and community services and facilities would be impacted by the influx of residents and should be considered;

- More housing options should be made available for young families and for aging in place; and
- Several residents spoke in favour of the application and felt that the 10-storey height was not an issue and that the proposed building would be a benefit to the neighbourhood.

The above noted issues were considered in the formulation of this report.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 and the Growth Plan for the Greater Golden Horseshoe (2017) are high-level and broad reaching documents. The City is a development area and infill is encouraged under these policies. However, the tenor of both the PPS and the Growth Plan is that planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area and availability of infrastructure and public service facilities that meet projected needs.

The PPS, and in particular policy 1.1.3.3, encourages intensification and efficient development. However, it recognizes that local context is important and Section 4.7 of the PPS identifies the Official Plan as being the most important vehicle for implementing the PPS. The City of Toronto Official Plan has responded by establishing areas for intensification and includes policies to encourage intensification, provided that this can occur in the context of other applicable policies.

The Growth Plan (2017) provides a framework for managing growth in the Greater Golden Horseshoe 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 Growth Plan strives, among other things, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth. The Growth Plan also directs growth to urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields to provide a key focus for transit and infrastructure investments to support future growth.

The Growth Plan (2017) contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2.4). The proposed development however, does not conform with Section 2.2.2.4.b) of the Growth Plan as it does not represent an appropriate scale of development for the surrounding area and does not appropriately transition to adjacent properties. Further, the proposed development does

not conform with Section 5.2.4.5.b) requiring the type and scale of development to be contextually appropriate.

Land Use

The proposed 10-storey building would be developed on a site which includes an assembly of lands designated *Mixed Use Areas* (995-1005 Broadview Avenue) and two semi-detached dwellings designated *Neighbourhoods* (2-4 Mortimer Avenue). The site contains an *Avenue* overlay over the properties fronting on Broadview Avenue.

The *Avenues* policies in the Official Plan are intended to help the City direct growth to key main streets and areas with existing infrastructure while protecting the character and stability of the existing adjacent neighbourhoods. The character of growth that will occur through mid-rise built form will recognize the unique connection to these neighbourhoods through a development form that is moderate in scale and protects for sunlight on the *Avenue* and reflects high quality design and materials.

New development along *Avenues* on sites designated *Mixed Use Areas* are generally envisioned to be mid-rise where the building is no taller than the width of the right-of-way as recommended in the Mid-Rise Performance Standards. The ability to realize the maximum height is tempered by angular planes applied to the front of the site and the rear of the site. Not all sites on *Avenues* will be able to achieve the maximum height, as some properties are physically constrained.

For Broadview Avenue, an *Avenue* study was conducted which resulted in a site and area specific policy and accompanying urban design guidelines. The purpose of this study was to guide and manage moderate incremental development on Broadview Avenue, between Danforth Avenue to complement, build upon and strengthen the physical character of the area as a whole and within each of its five character areas and to ensure compatibility between existing and future development. For the properties fronting Broadview Avenue within *Mixed Use Areas*, appropriate mid-rise development has been provided as part of the planning framework for Broadview Avenue. Therefore, the study satisfies the objective of the *Avenues* policies in directing growth to main streets and areas with existing infrastructure while protecting the character and stability of the existing adjacent neighbourhoods.

The proposed Official Plan Amendment would redesignate *Neighbourhood* properties to *Mixed Use Areas* in order to facilitate the development of the proposed 10-storey building. The *Neighbourhoods* portion of the subject site would be used for underground parking, driveway access to loading and parking, and partly for building mass of the redevelopment. Using lands designated *Neighbourhoods* to facilitate a more intensive development, which is not needed to meet the objectives of provincial or municipal growth targets, directly contravenes the policy objectives of the *Avenues* and *Neighbourhoods*, and is the very circumstance that these policy objectives seek to avoid.

In Chapter 5 of the Official Plan, Policy 5.3.1.4 states that amendments to the Official Plan that are not consistent with the Official Plan's general intent will be discouraged.

Further, the policy states that developments permitted through amendments to the Official Plan will be compatible with its physical context and will not affect nearby *Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Official Plan. The proposed amendment does not meet the general intent of the Official Plan, which in this case would be the stabilization of low-rise neighbourhoods and the respecting and reinforcing of built form character, and would not be compatible with the physical context of nearby *Neighbourhoods*.

The applicant has submitted an Official Plan Amendment to change the designation of the *Neighbourhood* properties at 2-4 Mortimer Avenue to *Mixed Use Areas*. Planning staff do not support the proposed Official Plan Amendment.

Height, Massing, Scale

The site is designated *Mixed Use Areas* and *Neighbourhoods* in the Official Plan. *Mixed Use Areas* are expected to absorb most of the anticipated new housing in the City, however, not all *Mixed Use Areas* will experience the same scale or intensity of development, with the highest densities found in the *Downtown*, followed by the sites in the *Centres* and along the *Avenues*. Furthermore, *Neighbourhoods* are considered physically stable areas made up of lower scale buildings where new development must respect and reinforce the general physical character of these areas.

The proposed building is 10-storeys tall (33.2 metres, excluding mechanical penthouse). The portions of the building that occupy the properties fronting on Broadview Avenue are located within an *Avenue* overlay on Map 2 of the Official Plan. The *Avenues* and Mid-Rise Building Performance Standards apply to this site and are designed to implement Official Plan built form policies.

In accordance with the *Avenues* and Mid-Rise Building Performance Standards, mid-rise buildings along *Avenues* should be no taller than the width of the right-of-way so as to limit impacts on to the street and to surrounding low-rise neighbourhoods and to create a consistent and comfortably-scaled pedestrian experience. In this case and in this part of Broadview Avenue, the right-of-way width is approximately 20 metres. The proposed height at 33.2 metres exceeds the maximum allowable height under this mid-rise building performance standard.

A proposed building on a 20-metre wide right-of-way should also employ to the front façade a 45 degree angular plane at 80% of the width of the right of way, or in this case, at a 16 metre height. This angular plane will result in a setback, which will provide further articulation to the front façade of the mid-rise building, appropriately frame the street, and protect for sunlight. The proposed building employs an angled façade at the height of 23.5 metres. This height is above 80% of the width of the right-of-way, does not frame the street, and does not meet Official Plan policy 3.1.2.3 and 4.5.2. It should also be noted that for midrise buildings on corner lots, the front angular plane and heights that apply to the *Avenue* frontage will also apply to the secondary street frontage, which in this case is Mortimer Avenue.

In terms of the performance standards to the rear of the property, the proposal, which includes the properties on 2-4 Mortimer Avenue, would be considered a deep lot. For properties on deep lots, a 7.5 metre setback is required from the rear lot line and a 45 degree angular plane is applied to the rear lot line. For the proposed building, a 8.2 metre setback is proposed, which meets the performance standard; however, a 45 degree angular plane is not measured from the rear property line and is measured from the rear of the building at a height of 14.5 metres. This proposed setback and angular plane results in more building mass facing the rear of the site, which is not an appropriate transition and not compatible with the adjacent and nearby one and two storey residential dwellings. If the site did not include the properties at 2-4 Mortimer Avenue, only the properties from 995-999 Broadview Avenue would be considered deep lots (greater than 32.6 metres), while the properties at 1001 to 1005 would not be considered deep lots (equal to or less than 32.6 metres). For mid-rise buildings on shallow lots, the building must be setback 7.5 metres from the rear property and a 45 degree angular plane is measured at a height of 10.5 metres. The proposed building does not fit within these angular planes. The failure of the proposal to generally fit within the angular planes described above is indicative of a poor transition in built form and a building mass that does not meet Official Plan policies 3.1.2.3 or 4.5.2.

The Broadview Avenue Urban Design Guidelines supplement the *Avenue* and Mid-Rise Building Performance Standards and include specific built form guidelines for each Character Area along Broadview Avenue. These specific built form guidelines differ from the city-wide Mid-rise Guidelines; however, the Broadview Avenue Urban Design Guidelines state that "the built form guidelines specified in each Character Area prevail over the city-wide Mid-rise performance standards". The proposed 10-storey building (33.2 metres, excluding mechanical penthouse) is within Character Area B of the *Avenue* study for Broadview Avenue under SASP 509. SASP 509 allows a maximum building height of 5 storeys (17 metres) for buildings in this Character Area. This maximum height was determined based on lot depths and configuration as well as the ability for new mid-rise development to accommodate a 45 degree angular plane in order to minimize impacts to surrounding low-rise neighbourhoods.

The subject site also includes 2-4 Mortimer Avenue, two residential properties designated *Neighbourhoods*. These properties are outside of SASP 509 and would not be part of an *Avenue* study. In fact, the policy objectives of SASP 509 and the *Avenues* are to create a built form that is respectful and compatible and would not impact the surrounding low-rise *Neighbourhoods*. The proposed 10-storey building that absorbs and uses two properties in the *Neighbourhoods* designation violates that policy objective and is not supportive. As well, the properties fronting on Broadview Avenue could not accommodate the proposed 10-storey building alone without impacting the low-rise *Neighbourhoods*.

As previously stated, the portion of the subject site in *Neighbourhoods* is to be used as driveway access to parking and loading and a 5-storey portion of the building before further setbacks are employed. This proposed use and built form, or lack thereof, does not respect or reinforce the existing physical character of the neighbourhood. The Official

Plan is clear that *Neighbourhoods* are physically stable and protected areas (Policy 2.2.2.i and Section 2.3.1). The proposal essentially takes two properties within the *Neighbourhoods* designation, demolishes the buildings which represent the established low-rise character of the neighbourhood, and repurposes the land for a driveway to facilitate the 10-storey development. This use of land in *Neighbourhoods* is contrary to Official Plan policy.

In addition to the building height, the proposed building setbacks also do not adhere to SASP 509 or the Broadview Avenue Urban Design Guidelines. The SASP and guidelines recommend that the proposed building should step back at the fourth storey (or 14 metres) applying to facades facing Broadview Avenue and to any flanking street, which in this case would be Mortimer Avenue. From this setback requirement, a 45 degree angular plane should be provided in order to create a street wall that complements the lower character of Character Area B. The proposed building provides no setback, but rather an angled façade line at the seventh storey (or 23.5 metres). As well, this angled façade line does not appear to be 45 degrees. This front setback does not meet policy or guideline.

From the rear, the Broadview Avenue Urban Design Guidelines state that the proposed building should be set back 7.5 metres from the rear property line or from the rear of a public lane, whichever is appropriate. Following that, a 45 degree angular plane would apply at the 10.5 metre height (generally, three storeys). The proposed building is setback 8.2 metres from the east property line, abutting a low-rise residential property at 6 Mortimer Avenue, and applies an angular plane at 14.5 metres. The applicant's Planning Rationale report states that, from the rear, the 45 degree angular plane is measured from a height of 10.5 metres at 7.5 metres west of the west lot line of 6 Mortimer Avenue. This angular plane does not meet the intent of SASP 509 or the Broadview Avenue Urban Design Guidelines.

The proposed building in its current form does not meet the Official Plan policies for *Avenues* in Section 2.2.3 and Building Form Policies in Section 3.1.2. The proposed building has not been designed to fit harmoniously into its existing and/or planned context, does not limit its impact on neighbouring streets and is not massed at a good proportion to define the edges of streets.

Shadow and Wind

The Official Plan requires that new development maintain adequate light for residents of abutting neighbourhoods. The applicant provided a shadow study, illustrating that, during the spring equinox, properties in *Neighbourhoods* will experience increased shadows from 5:18 PM to 6:18 PM, and during the fall equinox, properties in *Neighbourhoods* will experience increased shadows from 3:18 PM to 6:18 PM. As for sunlight on sidewalks, the proposed building can generally provide 5 hours of sunlight; however, from the shadow study provided, there appears to be some shadow cast on Broadview Avenue regardless of the time of day, which is likely due to the proposed building's substandard setbacks. Reductions in height, improved setbacks can be made to improve shadow conditions. As well, given that the proposed building adds to the shadow impact on

neighbouring properties, it is likely that this condition would be improved should the building adhere to the SASP 509 and the Broadview Urban Design Guidelines.

As for wind impacts, the applicant submitted a qualitative pedestrian level wind assessment, which is used to identify any significant massing features or design elements which may adversely impact pedestrian activities within close proximity to the proposed building. According to the assessment, wind conditions along all surrounding sidewalks and the driveway along the east side of the proposal are expected to be suitable; however, the assessment does recommend that the retail entrances be recessed and that dense coniferous plantings be considered to further breakup winds around the southwest corner of the building as winds will tend to accelerate around this corner. Tree plantings are provided along Broadview Avenue and Mortimer Avenue; however, no trees are proposed at the southwest corner. Given the constrained condition at that corner, trees are unlikely to fit appropriately making wind mitigation difficult to achieve.

Streetscape

The proposal provides a 6.6-metre sidewalk width along Broadview Avenue and a 5.6-metre sidewalk width along Mortimer Avenue. The setback along Broadview Avenue exceeds the 6-metre requirement in the urban design guidelines for Broadview Avenue. Planning staff support the sidewalk widths.

Amenity Space

Zoning By-law 596-2013 requires at least 4 square metres per dwelling unit, which equates to 444 square metres for the proposed building, of which at least 2.0 square for each dwelling unit is indoor amenity space and at least 40 square metres of outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space. The proposal includes 212 square metres of indoor amenity space on the second floor, which is acceptable for a building with 111 dwelling units. However, the proposed building provides zero outdoor amenity space for the residents, which is unacceptable. Official Plan policy 3.1.2.6 requires that all significant multi-unit buildings are to provide both indoor and outdoor amenity space.

Traffic Impact, Access, Parking

Transportation Services have reviewed the application and have requested several revisions. Transportation Services staff requests that the applicant explore the feasibility of reducing the radii at the northeast corner of Broadview Avenue and Mortimer Avenue given the narrow width at this corner. Additionally, the applicant is required to meet the parking standards of Zoning By-law 569-2013 or to provide a parking study to justify the reduced number of parking spaces.

From a loading perspective, the applicant is proposing that loading trucks may block access to the underground ramp to the parking levels during solid waste collection and recommend that drivers wanting to enter the underground parking area may temporarily use on-street parking within the area. Transportation Services do not accept this arrangement and require that access to the underground parking area is maintained at all times. As for the act of collecting solid waste, a number of revisions are required in order

for the development to meet the "City of Toronto Requirements for Garbage Recycling and Organics Collection Services for New Developments and Redevelopments" and Chapter 841 and 844 of the Municipal Code.

Servicing

Engineering and Construction Services have reviewed the stormwater management, functional servicing and hydrogeological reports. Staff from Engineering and Construction Services is unsatisfied with the submitted studies and plans. Further revisions and information is required.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the 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 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

Parks, Forestry and Recreation recommend, in accordance with Chapter 415, Article III of the Toronto Municipal Code, that the applicant satisfy the parkland dedication requirement through cash-in-lieu should the proposal be approved. The non-residential portion of this proposal is subject to a 2% parkland dedication while residential portion is subject to a 10% parkland dedication.

Given the current rise in dog population in the downtown area, especially within condominium buildings, Parks, Forestry and Recreation recommend that the applicant provide on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the building.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

Conclusion

The current proposed height, setbacks, massing, transition and compatibility are not appropriate. The proposed redesignation of the lands from *Neighbourhoods* to *Mixed Use Areas* is not supported by Planning staff as it does not meet the purpose and objectives of the Official Plan.

CONTACT

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E-mail: George.Pantazis@toronto.ca

SIGNATURE

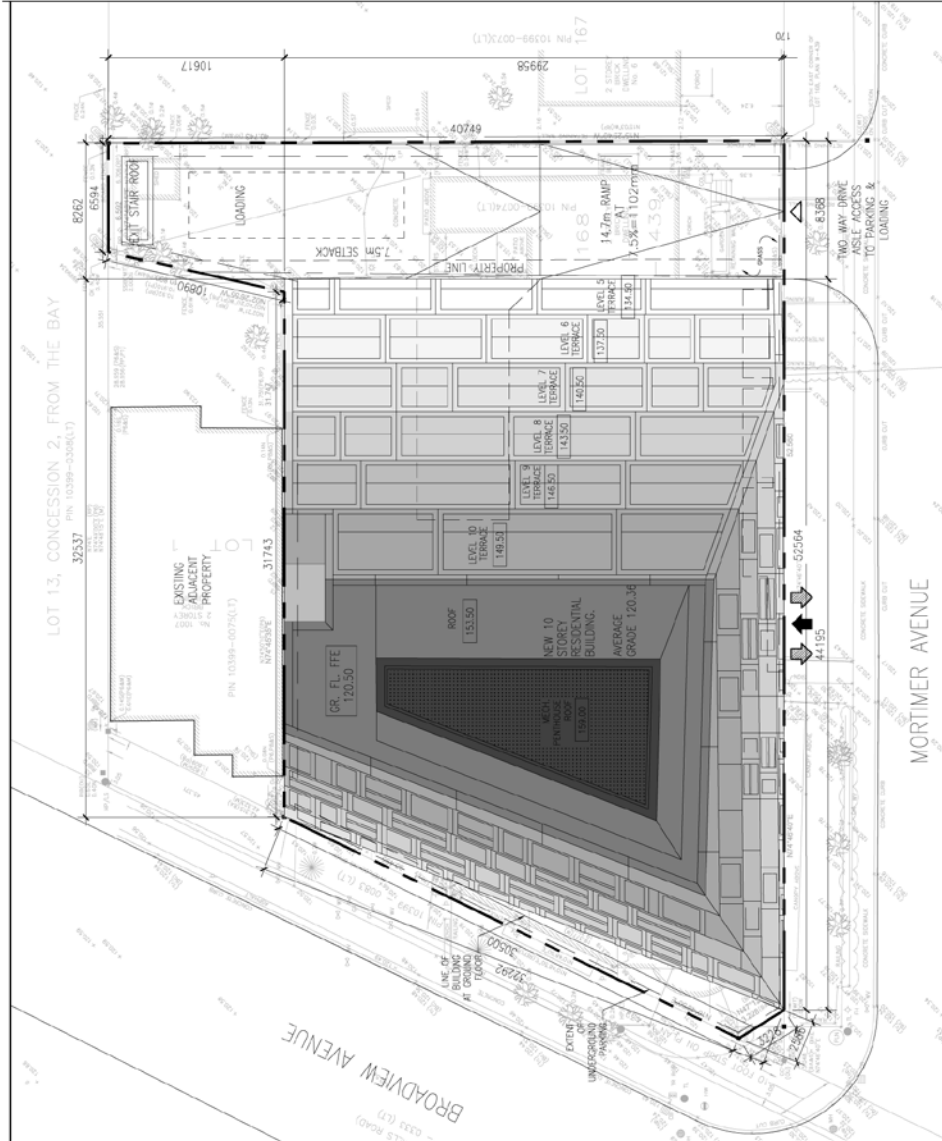
Lynda H. Macdonald
Acting, Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: West Elevation
Attachment 3: East Elevation
Attachment 4: North Elevation
Attachment 5: South Elevation
Attachment 6: Official Plan
Attachment 7: Zoning By-law
Attachment 8: Application Data Sheet

Attachment 1: Site Plan



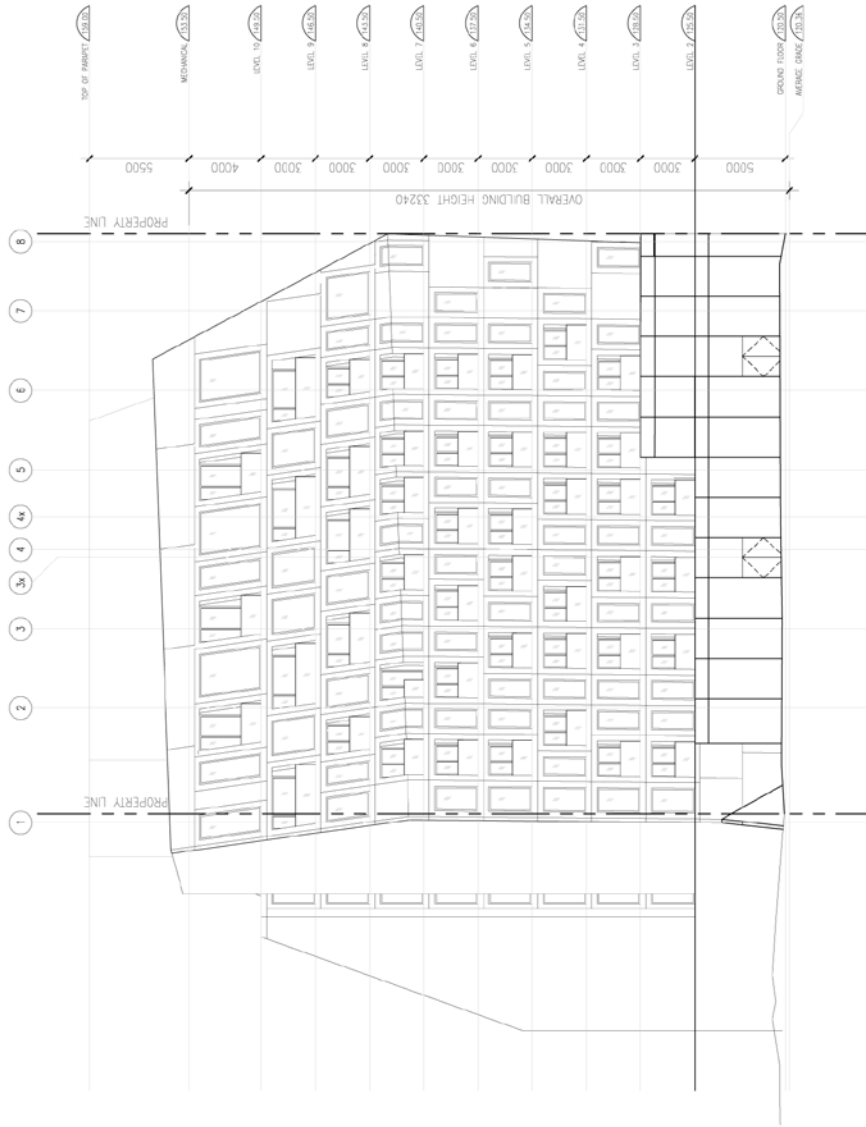
995 - 1005 Broadview Avenue

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 12/07/2017

File # 17 266470 STE 29 0Z

Attachment 2: West Elevation



995 - 1005 Broadview Avenue

West Elevation
 Applicant's Submitted Drawing

Not to Scale
 12/07/2017

File # 17 266470 STE 29 0Z

Attachment 3: East Elevation



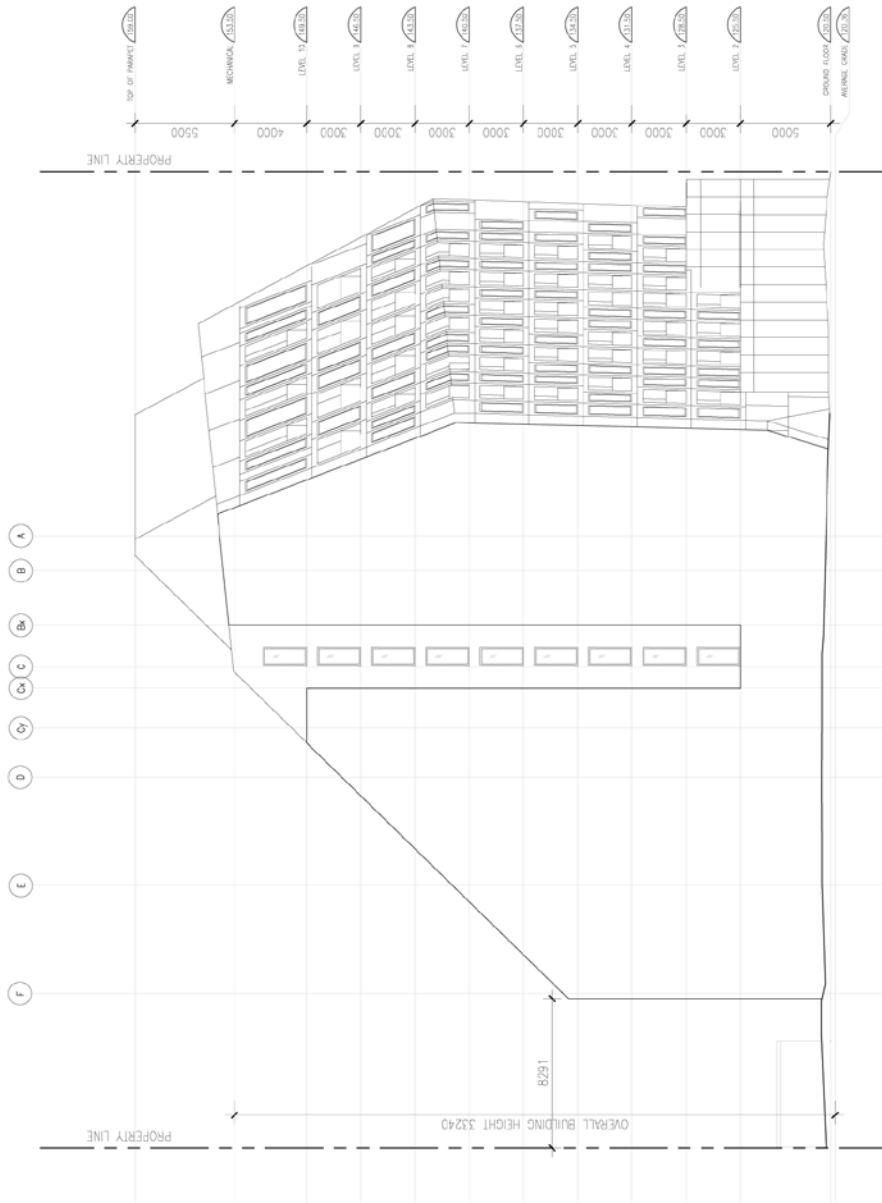
995 - 1005 Broadview Avenue

East Elevation
 Applicant's Submitted Drawing

Not to Scale
 12/07/2017

File # 17 266470 STE 29 0Z

Attachment 4: North Elevation



995 - 1005 Broadview Avenue

North Elevation

Applicant's Submitted Drawing

Not to Scale
12/07/2017

File # 17 266470 STE 29 0Z

Attachment 5: South Elevation



995 - 1005 Broadview Avenue

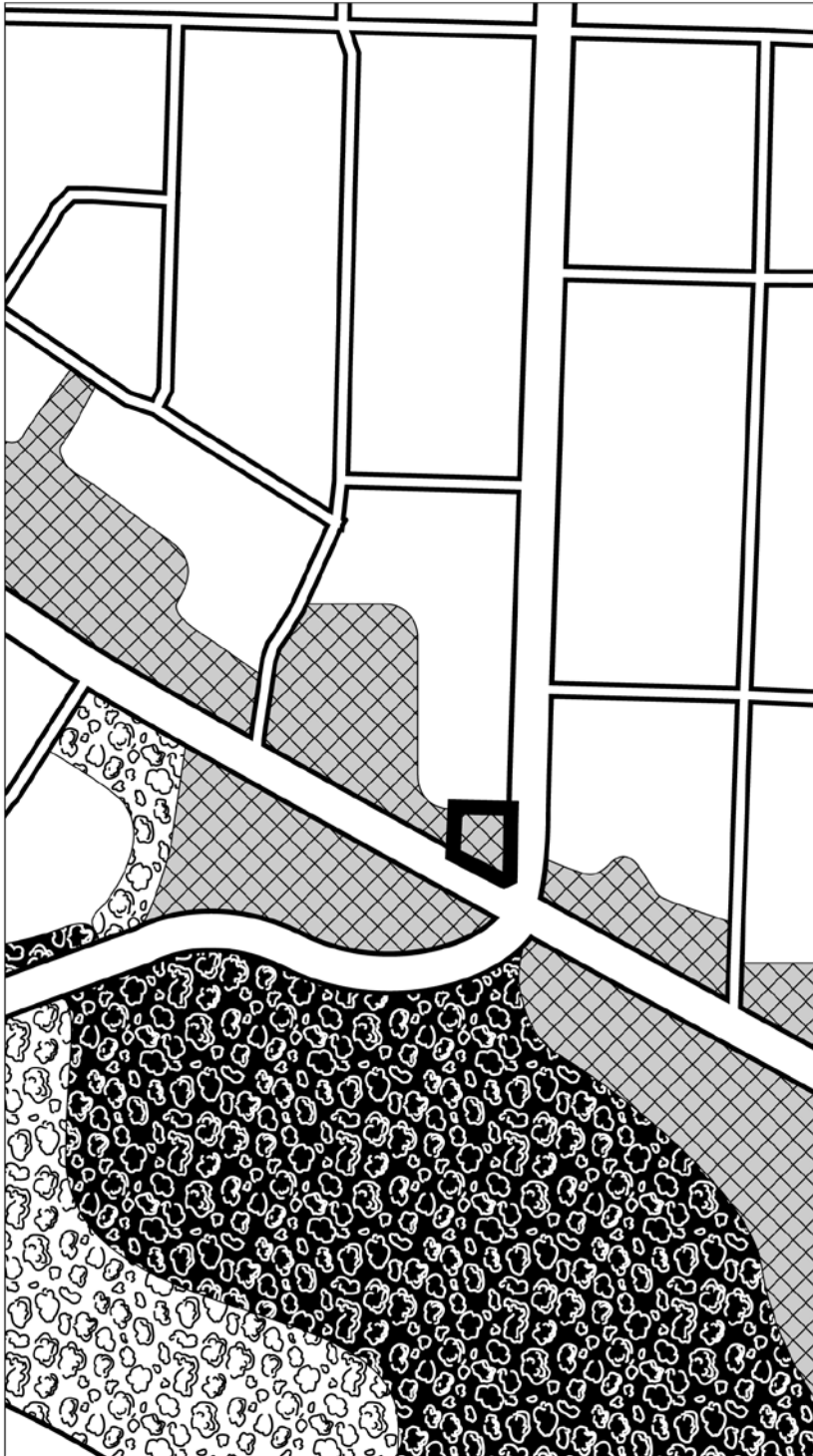
South Elevation

Applicant's Submitted Drawing

Not to Scale
12/07/2017

File # 17 266470 STE 29 0Z

Attachment 6: Official Plan



995 - 1005 Broadview Avenue

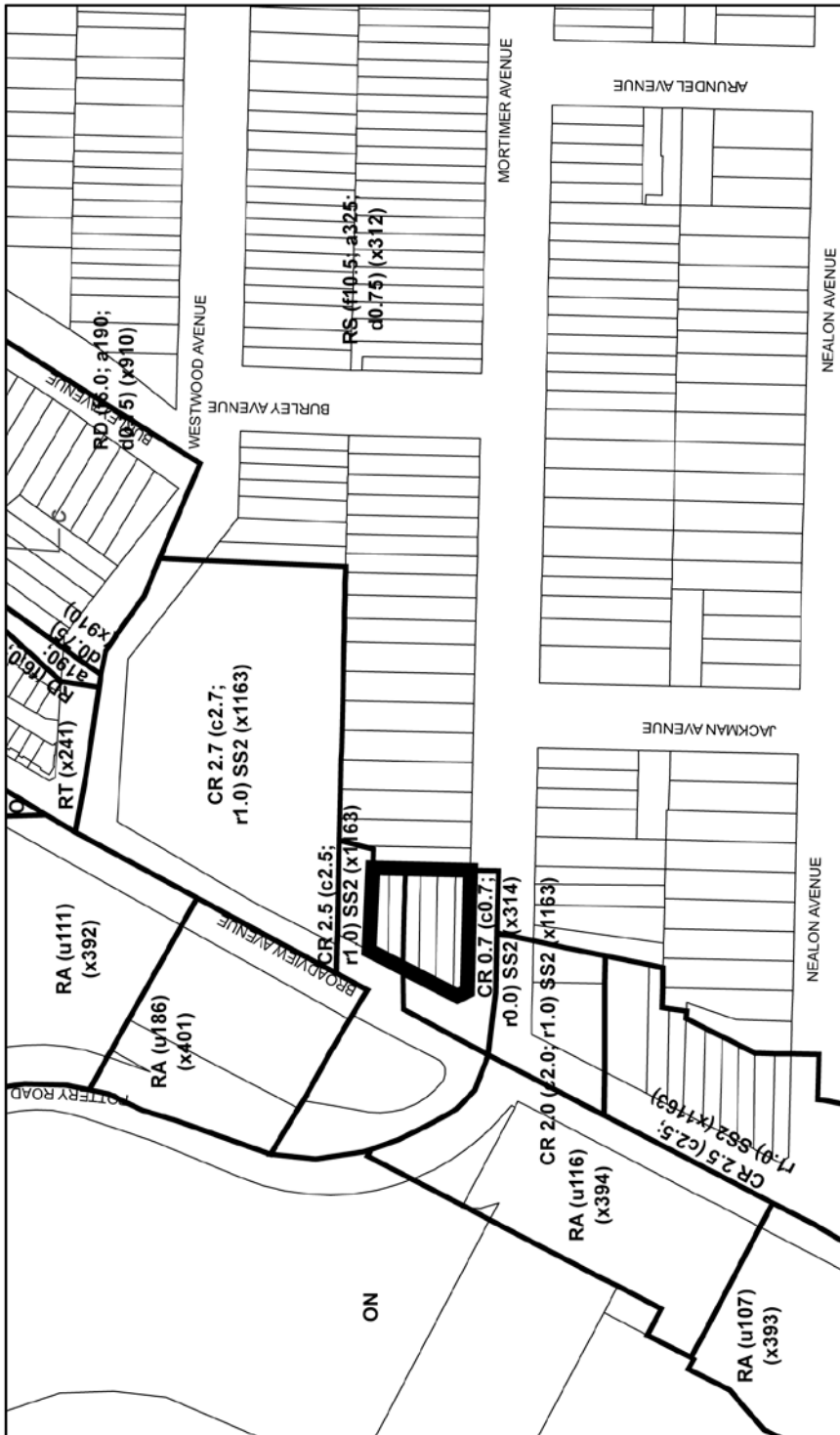
Toronto
Extract from Official Plan

File # 17 266470 STE 29 0Z

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Natural Areas
-  Parks

↑
Not to Scale
12/07/2017

Attachment 7: Zoning By-law



Zoning By-Law No. 569-2013

995 - 1005 Broadview Avenue
File # 17 266470 STE 29 0Z

 Location of Application

- RD Residential Detached
- RS Residential Semi-Detached
- RT Residential Townhouse
- RA Residential Apartment
- CR Commercial Residential
- O Open Space
- ON Open Space Natural



Not to Scale
Extracted: 12/07/2017

Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	17 266470 STE 29 OZ
Details	OPA & Rezoning, Standard	Application Date:	November 23, 2017

Municipal Address: 995-1005 BROADVIEW AVENUE & 2-4 MORTIMER AVENUE

Location Description: PLAN M439 PT LOTS 2 TO 4 AND 168 AND RP 66R17037 PARTS 10 TO 17 **GRID S2902

Project Description: This application proposes to amend the Official Plan to redesignate a portion of the subject lands (2-4 Mortimer Avenue) from *Neighbourhoods* to *Mixed Use Areas* in order to facilitate an amendment to the zoning by-law to permit a 10-storey mixed-use building containing 111 dwelling units and retail at grade.

Applicant:	Agent:	Architect:	Owner:
Mr. Peter Smith Bousfields Inc. 3 Chuch Street, Suite 200 Toronto ON M5E 1M2	Mr. Peter Smith Bousfields Inc. 3 Chuch Street, Suite 200 Toronto ON M5E 1M2	Quadrangle Architects Limited 901 King Street West, Suite 701, Toronto ON M5V 3H5	1001 Broadview Inc. 110 Sheppard Avenue East, Suite 640 Toronto ON M2N 6Y8

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 509
Zoning:	CR 0.7 (c0.7; r1.5) SS2 (x314)	Historical Status:	N
Height Limit (m):	10.5, 8.5	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1,539.9	Height:	Storeys:	10
Frontage (m):	52.6		Metres:	33.1
Depth (m):	30.5			
Total Ground Floor Area (sq. m):	1,037			Total
Total Residential GFA (sq. m):	8,260.5		Parking Spaces:	86
Total Non-Residential GFA (sq. m):	449		Loading Docks	1
Total GFA (sq. m):	8,709.5			
Lot Coverage Ratio (%):	67.3			
Floor Space Index:	5.66			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	8,260.5
Bachelor:	0	Retail GFA (sq. m):	449
1 Bedroom:	79	Office GFA (sq. m):	0
2 Bedroom:	21	Industrial GFA (sq. m):	0
3 + Bedroom:	11	Institutional/Other GFA (sq. m):	0
Total Units:	111		

CONTACT: PLANNER NAME: George Pantazis, Planner
CONTACT: 416-392-3566 ; george.pantazis@toronto.ca

