

**1132 Broadview Avenue – Official Plan Amendment  
Application – Refusal Report**

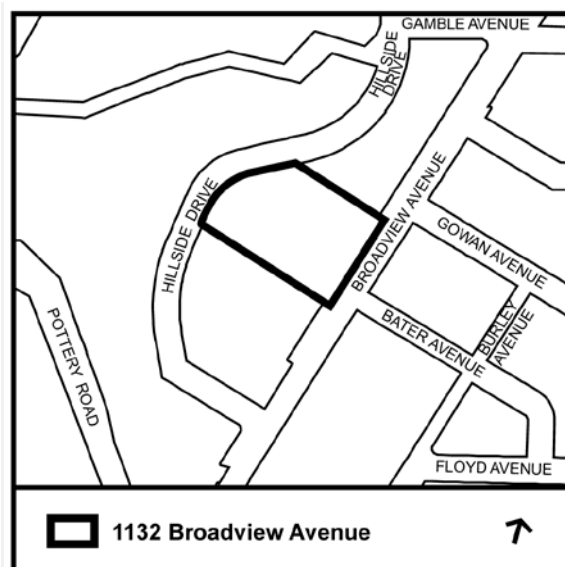
<b>Date:</b>	February 2, 2018
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 29 – Toronto-Danforth
<b>Reference Number:</b>	17 257808 STE 29 OZ

**SUMMARY**

This application proposes to amend the Official Plan to redesignate the subject lands from *Neighbourhoods* to *Mixed Use Areas* and to permit an 11-storey residential building while maintaining the existing heritage coach house building at the rear of the site.

Planning staff recommend that the application be refused. Policy 5.3.1.4 of the Official Plan 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 directly contradicts Policy 5.3.1.4 as the proposed amendment is not consistent with the general intent of the Official Plan and the development that the proposed amendment would facilitate is not compatible with the physical context and would adversely affect nearby *Neighbourhoods*.

The site is also within Site and Area Specific Policy 509 (SASP 509) applying to Broadview Avenue. SASP 509 was approved by City Council on June 7, 2016



and therefore constitutes the most recent policy direction of Council regarding growth and intensification on this portion 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 11-storey development permission is within Character Area E of SASP 509, which recognizes the existing physical character as a *Neighbourhood*, thus requiring that any new development respect and reinforce the existing physical character of that neighbourhood. The application fails to meet the policies of SASP 509.

The proposed 11-storey development proposal is significantly taller than what the Official Plan would permit for new development in an area designated *Neighbourhoods*. As such, Planning staff cannot support the Official Plan Amendment, which would facilitate the redevelopment of this site.

## **RECOMMENDATIONS**

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### **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 Official Plan Amendment 343 (OPA 343) and the Site and Area Specific Policy 509 (SASP 509) relating to the Broadview Avenue between Danforth Avenue and O'Connor Drive Site. SASP 509 was subsequently appealed to the Ontario Municipal Board (OMB). A hearing is scheduled for April 9, 2018.

### **Pre-application Consultation**

Staff held a pre-application meeting on September 20, 2017 with the applicant. Staff advised the applicant that the 11-storey building would not be supported on the subject site. Notwithstanding this advice, the applicant submitted an application to amend the Official Plan on November 3, 2017.

## ISSUE BACKGROUND

### Proposal

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 1132 Broadview 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 (OPA 343) of the Broadview Avenue Planning Study. The amendment would allow an 11-storey building, plus mechanical penthouse, on the lot provided that three criteria are met:

- a) the tallest portion of the building is located on the southeast portion of the site, with heights stepping down to 4-storeys to the north and west;
- b) a generous landscaped front yard setback is provided along the Broadview Avenue frontage; and
- c) the heritage Coach House building is conserved.

In addition to the proposed Official Plan Amendment, the applicant has provided a set of architectural drawings to support the proposed Official Plan Amendment. The architectural plans are described below.

The architectural plans show an 11-storey residential building containing 223 residential units. The height of the building to the roof is 33.5 metres whereas the height of the building to the mechanical penthouse is 37 metres. A total of 227 vehicular parking spaces are provided in a 2-level below grade garage in addition to 234 bicycling parking spaces. The total floor space index of this proposal is 2.67.

The 11-storey building has a variety of setbacks and stepbacks. The majority of the building height is situated in the southeast corner of the site. From the north (side) lot line, the proposal is setback 5.9 metres, except for the generator room and part of the loading staging area that is 1-storey in height. By the fourth floor, the building begins to step back, ranging from 3.5 metres to 9.1 metres. From the west (rear) lot line, the building is set back by 11.3 metres from the northwest corner and 49.3 metres from the southwest corner due to the lot's irregular configuration. Similarly to the north lot line, the building begins to step back on the 3<sup>rd</sup> floor, ranging from 5.5 metres to 6 metres. From the east (front) lot line, the building is set back 10 metres and does not provide any further stepback. From the south (side) property line, the building is set back 5.5 metres and does not provide any further stepback. The separation distance between the proposed 11-storey building and the existing 2-storey coach house is 30.7 metres.

The breakdown of the proposed 223 residential units is as follows:

<b>Unit Type</b>	<b>Number of Units</b>	<b>Percentage</b>
1-Bedroom	108	48%
2-Bedroom	60	27%
3-Bedroom	55	25%
Total	223	100%

The total amount of proposed indoor and outdoor amenity space would be 598 square metres and 450 square metres, respectively, for a total of 1,048 square metres. The indoor amenity space is located on the first and second floors and the outdoor amenity space is located at ground level.

The proposal includes two below grade levels where a total of 227 vehicular parking spaces are located (192 for residents; 33 for visitors; and 2 car share). A total of 234 bicycle parking spaces (210 for residents; 24 for visitors) are provided on the ground floor. The proposal includes one Type "G" loading space. Access to loading and parking is from Broadview Avenue through a mews that has a vertical clearance of 6.5 metres (or 2-storeys).

In addition to this proposed 11-storey building, the existing coach house at the rear shall remain in situ. The coach house is 2-storeys, is 563 square metres in gross floor area, and will be converted to include one 1-bedroom unit, three 2-bedroom units, and one 3-bedroom units.

See Attachment No. 6 for the application data sheet and Attachment Nos. 1-3 for drawings of the proposal.

### **Site and Surrounding Area**

This subject site is located on the west side of Broadview Avenue, north of Mortimer Avenue and Pottery Road. The site is an irregular-shaped through lot between Broadview Avenue and Hillside Drive. The total area of the subject site is approximately 9,822 square metres. The frontage along Broadview Avenue is approximately 83.6 metres and approximately 99.6 metres along Hillside Drive. The site's depth varies between approximately 132.9 metres along the southern property line and approximately 86.9 metres along the northern property line.

Five low-rise buildings occupy the site. The building heights range from one to two-storeys. The building located at the rear of the property (toward Hillside Drive) is a coach house building that is listed on the City's Heritage Register.

The property is currently owned by the Governing Council of the Salvation Army in Canada and provides programs and group housing for adults with developmental disabilities.

The surrounding uses are as follows:

- North: Low-rise one and two-storey residential buildings typically found in established neighbourhoods are immediately north of the subject site. Further north are taller 12-storey apartment buildings in a different zoning category and Official Plan designation.
- East: A mix of residential and non-residential uses is on the east side of Broadview Avenue, directly across from the site. Fronting on Broadview Avenue, is a 3-storey mixed-use building in the form of a typical strip mall with surface parking along the frontage. As well, one and two storey low-rise residential buildings front along Broadview Avenue. Further east, along Bater Avenue, are two 4-storey apartment buildings.
- South: The subject site is adjacent to the Massey Centre for Women to the south, which is a larger piece of land containing 2-storey buildings and a surface parking lot. The original building on the site is listed on the Heritage Register. In addition to the Massey Centre, one and two storey low-rise residential buildings abut the subject site. Further south is Charles Sauriol Parkette and beyond that are a series of tall buildings ranging in height from 15 to 26-storeys.
- West: The subject site abuts Hillside Drive, west of which are a series of low-rise one and two-storey residential buildings. Further west is the Don Valley and the Don Valley Parkway.

### **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

### Avenues

The southern portion of the subject site is within the *Avenue* overlay on the Urban Structure Map (Map 2) of the City of Toronto Official Plan. 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. *Avenues* are areas targeted for growth and intensification.

Properties within the *Avenues* typically have a *Mixed Use Area* land use designation and would permit a midrise built form that is as tall as the width of the right-of-way, massed appropriate to limit impacts to adjacent low-rise *Neighbourhoods*. This built form is reflected in the Broadview Avenue Site and Area Specific Policy 509.

While *Avenues* are targeted for growth and intensification, the Official Plan includes policies for when the *Avenue* overlays atop a property that has a land use designation of *Neighbourhoods* or *Parks and Open Space Areas*. Policy 2.2.3.4 states that: "The land use designation policies in Chapter Four of this Plan apply to and prevail on lands broadly shown on Map 2 as *Avenues*. Where a portion of an *Avenue* as shown on Map 2 is designated *Neighbourhoods*, or *Parks and Open Space Areas* the policies of Chapter Four will prevail to ensure that any new development respects and reinforces the general physical character of established neighbourhoods, and that parks and open spaces are protected and enhanced."

### Land Use Designation

The subject site is designated *Neighbourhoods* in the City of Toronto 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.

The Official Plan also recognizes that scattered throughout many *Neighbourhoods* are properties that differ from the prevailing patterns of lot size, configuration and orientation. Typically, these lots are sites of former non-residential uses such as an institution. In converting these sites to residential uses, there is a genuine opportunity to add to the quality of *Neighbourhood* life by filling in the “gaps” and extending streets and paths. Due to the site configuration and orientation, it is often not possible or desirable to provide the same site standards and pattern of development in these infill projects as in the surrounding *Neighbourhood*. Special infill criteria, under policy 4.1.9, are provided for dealing with the integration of new development for these sites, which include, among others, heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties. Staff are of the opinion that this site would be subject to the policies under 4.1.9.

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 has 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?vgnextoid=c860abe3a6589410VgnVCM10000071d60f89RCRD>

### **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.

### **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 is within Character Area E, which is designated *Neighbourhoods* in the Official Plan and any new development should build upon and strengthen the well-established low-rise physical character of the area.

### **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 subject site is within Character Area E of the urban design guidelines. Character Area E is the area north of Hillside Drive and Bater Avenue up to O'Connor Drive. This area is characterized as stable residential, with single detached houses being the predominant built form. The area is a primarily designated *Neighbourhoods* under Toronto's Official Plan. Current zoning allows residential uses with a maximum height limit of 8.5 metres (approximately 2-3 storeys). A small section within the area, between Gowan Avenue and few lots north Gamble Avenue, is designated *Apartment Neighbourhoods* in the Official Plan and zoned as Residential Apartment Neighbourhood. Some of these lots also have frontage along Broadview Avenue. A higher density and height is allowed in this section, but existing lot sizes, particularly for those lots fronting Broadview Avenue, generally do not support such height and density.

Neither the Avenue and Mid-rise Study nor the Official Plan identify this area as an area for intensification. As this is an area where major intensification is not anticipated, any new development will respect and reinforce the existing physical character in the form of single-detached houses of 2 to 3 storeys in height.

## **Heritage**

The property at 1132 Broadview Avenue was included on the City's Heritage Register by Council on September 27, 2006. The heritage property was formerly known as the Chester Park Estate. The main house was demolished in 1976 and a coach house (circa 1888) located at the west side of the property adjacent to Hillside Drive remains. The Broadview Avenue Urban Design Guidelines also reference the existing brick buildings viewed from Broadview Avenue, which were built by the Salvation Army, as having design, associative and contextual value and requiring further evaluation for inclusion on the Heritage Register.

The heritage policies in the Official Plan provide the policy framework for heritage conservation in the City. These policies recognize that the protection, wise use and management of Toronto's cultural heritage will integrate the significant achievements of our people, their history, our landmarks and our neighbourhoods into a shared sense of place and belonging for its inhabitants.

A Heritage Impact Assessment prepared by ERA Architects Inc. was submitted with the OPA application. The proposal includes demolition of three 1960s residential style buildings located at the south and east portion of the property along with an administration building that fronts onto Broadview Avenue. While the proposal will retain and convert the coach house into residential units, the proposed 11-storey building on the east portion of the site is out of scale with the existing heritage building and does not provide an appropriate transition to the lower scale coach house. Prior to any development application for the subject property careful consideration of the City's Official Plan heritage policies will be required to develop an appropriate conservation strategy and guide additional development on this site.

The subject property at 1132 Broadview Avenue is located in an area of Archaeological Potential, as defined by the City of Toronto's Archaeology Management Plan. HPS will require that all archaeological assessment requirements for Stage 1-4 assessment be completed as a condition of any development application pertaining to the property.

## **Zoning**

This site is zoned R1B in the East York Zoning By-law 6752 which permits low density, detached dwelling units as well as public uses and day nurseries subject to specific criteria. Detached dwelling units are allowed up to a maximum density of 0.6 times the area of the lot, a building height of 8.5 metres and a maximum lot coverage of 35%. A zoning exception (12.1.15) applies to the subject site which permits institutional uses.

This site is zoned RM (Residential Multiple Dwelling Zone) (x270) in the new Zoning By-law 569-2013 which is currently under appeal. This zoning category permits a range of residential uses including detached and semi-detached homes, duplexes, triplexes, fourplexes and apartment buildings as well as limited non-residential uses. The height limit is 10 metres for detached and semi-detached houses and 12 metres for any other building or structure. Maximum density or lot coverage does not apply to this site under this Zoning By-law.

### **Zoning By-law Amendment and Site Plan Control**

A redevelopment of the size proposed would require both a zoning by-law amendment application and site plan control application. Neither application has been submitted for this proposal.

### **Reasons for Application**

The proposed Official Plan Amendment is required because the subject site is designated *Neighbourhoods* and would not permit a building of 11-storeys. Apartment buildings as high as 4-storeys are permitted should the lot size and physical character of the neighbourhood allow for that built form.

In addition, the proposed Official Plan Amendment is required because the subject site falls within Official Plan Amendment 343, 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 an 11-storey building in an area with a low-rise character, contravenes OPA 343.

### **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. The 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; the community feedback summarized below is in regards to 1132 Broadview Avenue:

- Concerns were raised regarding traffic congestion, parking both 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;
- The proposed built form does not respect and reinforce and is not compatible with the existing physical character of the neighbourhood, which are generally 2-storey detached and semi-detached dwellings;

- 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;
- Development on the site could be possible but it should be more in line with the surrounding low-rise neighbourhood context.

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 proposal is within an area not specifically targeted for growth. The type and form of intensification in these areas that would be permitted through redevelopment is stable and gentle, respecting and reinforcing the existing physical built form context.

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 matters, 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. As discussed in the Land Use section of this report, the subject site can be intensified gently through a redevelopment proposal that is appropriately scaled and contextually fits the surrounding area.

## **Official Plan Amendment**

The proposed Official Plan Amendment seeks to redesignate the subject site from *Neighbourhoods* to *Mixed Use Areas*. 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, particularly with regard to *Neighbourhoods*, wherein any amendment should be compatible with the existing physical context of the *Neighbourhood*. In addition, it is staff's opinion that redesignating the lands from *Neighbourhoods* to *Mixed Use Areas* is contradictory to the overall intent and purpose of the Official Plan and would create an unharmonious relationship with the surrounding existing and planned built form context. The Land Use section below within this report discusses in greater detail the inappropriateness of the proposed redesignation.

The proposed Official Plan Amendment also seeks to amend Chapter 7, Site and Area Specific Policy No. 509, by adding site specific development policies related to building height and massing, a landscaped front yard setback and the conservation of the heritage coach house.

Planning staff do not support the proposed height of 11-storeys as it contradicts the Healthy Neighbourhood and *Neighbourhoods* policies of the Official Plan in terms of respecting and reinforcing the existing physical character of the neighbourhood and compatibility with the surrounding built form context. The proposed OPA provides that the tallest portion of the building be located on the southeast portion of the site, with heights stepping down to four-storeys to the north and west. This provision is unsupportable as it does not provide an appropriate transition to nearby residentially zoned and *Neighbourhood* designated properties.

Planning staff have no issue with the proposed provision for a generous landscaped front yard setback, which would meet the intent of the Official Plan as well as the Council-adopted Broadview Avenue OPA and urban design guidelines. Staff would also support conserving the heritage coach house at the rear of the subject site; however, all properties were analyzed for their heritage potential within the Broadview Avenue Planning Study area and it was recommended that the remaining brick buildings on the subject site should be further evaluated for inclusion on the City's heritage register for their design, associative and contextual value.

## Land Use

The proposed 11-storey building would be developed on a lot within a *Neighbourhoods* designation. Generally, new development in *Neighbourhoods* should respect and reinforce the existing physical character of the area. However, the Official Plan does contemplate apartment buildings within *Neighbourhoods* as high as four storeys and on lots which are appropriate and in areas where such buildings are part of the prevailing building types.

The applicant proposes to redesignate the lands from *Neighbourhoods* to *Mixed Use Areas*, as the proposal is partially within the *Avenues* overlay of the Official Plan.

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 growth will occur through mid-rise built form and 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 and design materials.

Not all lands that fall within *Avenues* are targeted for midrise intensification as per Section 2.2.3.4 of the Official Plan. Where a portion of an *Avenue* is designated *Neighbourhoods*, the policies of Chapter 4 of the Plan will prevail to ensure that any new development respects and reinforces the general physical character of the established neighbourhood. The Official Plan contemplated a situation as proposed by the applicant and explicitly states that the policies within *Neighbourhoods* prevail over policies in the *Avenues*. Section 2.2.3.4 ensures that new development is in *Mixed Use Areas*, which are targeted for growth, whereas *Neighbourhoods* will continue to be physically stable areas whether or not the land or a portion of the land is within the *Avenue*.

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. The OPA would not stabilize low-rise neighbourhoods and respect and reinforce built form character and would not be compatible with the physical context of nearby *Neighbourhoods*.

The proposed OPA is also not supportable given the surrounding built form context. The subject site is surrounded by low-rise properties designated *Neighbourhoods*. An 11-storey building does not fit harmoniously with the existing or planned context of this immediate neighbourhood. It presents conflicts with transition and compatibility, built form massing and scale, and privacy, overlook and shadowing, all of which are discussed in detail below. Given this context, it is staff's opinion that the property should remain *Neighbourhoods* and that any future development on this site should meet Official Plan policy.

The applicant's submission to amend the Official Plan to change the subject site from *Neighbourhoods* to *Mixed Use Areas* is not supportable. It is clear from the Official Plan that redesignating lands from *Neighbourhoods* to *Mixed Use Areas* where the *Avenue* overlaps is not the intention. Rather, the intention of the Official Plan is to protect lands designated *Neighbourhoods* and keep them stable.

It should be noted, however, that the Official Plan specifically states that *Neighbourhoods* are stable and not static, meaning that appropriate redevelopment is possible in areas designated *Neighbourhoods*. For the subject property, redevelopment can take the shape of a series of single-detached or semi-detached dwellings, townhouses, or low-rise 4-storey apartment buildings that respect, reinforce and are compatible with the surrounding context and well established physical character subject to determination of the heritage value and conservation requirements for all buildings on the lot. Such redevelopment could follow the City's Townhouse and Low-rise Apartment Guidelines, a set of guidelines which includes case studies of areas comparable to the subject site in lot size. These guidelines were before Planning and Growth Management Committee on November 15, 2017 and the item was deferred to the Planning and Growth Management Committee on February 22, 2018 in order to reflect an amendment. While not Council adopted, these guidelines seek to implement the policies of the Official Plan with regard to low-rise residential buildings and build upon and are intended to replace the Council-adopted Infill Townhouse Guidelines (2003).

### **Height, Massing, Scale**

As previously stated, the *Neighbourhoods* designation contemplates buildings as high as four-storeys, provided that the lot is appropriate and that a four-storey built form would respect and reinforce the existing physical character of the area and is the prevailing building type in the neighbourhood. The proposal is for an 11-storey building at 33.5 metres. This building height does not respect or reinforce the existing physical character of the area, which is generally one and two-storey residential buildings, with a few four-storey apartment buildings interspersed, and exceeds the maximum height permitted in the Official Plan by seven storeys.

Planning staff also note that the building height exceeds the width of the right-of-way for this portion of Broadview Avenue. The width is 20 metres. According to the City's Mid-rise Building Urban Design Guidelines applying to areas designated *Avenues*, the maximum height of buildings should not exceed the width of the right-of-way. However, a building of 20 metres on the subject site would also not be supportable as it would not respect and reinforce the existing physical character of the *Neighbourhood* and would be taller than four-storeys. As noted previously, *Neighbourhoods* policies of the Official Plan prevail over the *Avenues* overlay.

Section 2.3.1 – Healthy Neighbourhoods of the Official Plan speaks to new development in and around neighbourhoods. Policy 1 reiterates that *Neighbourhoods* are physically stable areas and that development within *Neighbourhoods* will be consistent with this

objective. The proposal for an 11-storey building does not meet this policy as there are no buildings within the *Neighbourhoods* designation of this height, scale or mass.

As previously stated, Policy 4.1.9 of the *Neighbourhood* designation in Chapter 4 of the Official Plan would apply. The proposal, however, does not meet these policies. The proposed 11-storey building does not have a height, massing or scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties, which permits a maximum of 10 metres (3 storeys) for detached and semi-detached dwellings and a maximum of 12 metres (4 storeys) for apartment buildings. As will be discussed further below, the proposal does not provide adequate separation distance between building walls, impacting privacy and sunlight.

Policy 2 of Section 2.3.1 states that developments in *Mixed Use Areas* adjacent to *Neighbourhoods* should be compatible with those *Neighbourhoods* and provide a gradual transition of scale and density in order to achieve adequate light and privacy. This policy is also consistent with Section 3.1.2 and Section 4.5, which both speak to compatibility, transition, and the protection for adequate light and privacy when new development is adjacent to *Neighbourhoods* or buildings of differing intensity.

The 11-storey building proposes a stepping down of heights from 11-storeys to 4-storeys. The highest heights would be located at the southeast corner of the lot, adjacent to 1102 Broadview Avenue, also a site designated *Neighbourhoods*. The proposal steps down in height from the north and from the west. This stepping down fits with the applicant's proposed 45 degree angular plane measured from an 8.5 metre height (the maximum allowable height according to the Zoning By-law). This stepping down seeks to meet the Official Plan policy with regard to transition and compatibility with nearby residential properties; however, the stepping down should apply to both the north and south sides of the lot, given that this property is mid-block between two properties designated *Neighbourhoods*. The applicant's submitted Planning Rationale report explains that the reason the highest point of the 11-storeys is located in the southeast corner is because the *Avenue* overlay on Map 2 of the Official Plan overlaps with that portion of the lot. Regardless, as previously mentioned, Policy 2.2.3.4 of the *Avenue* designation is clear that where an overlap occurs over lands designated *Neighbourhoods* that the development policies for *Neighbourhood* designated properties will prevail. As such, there is no Official Plan policy which would suggest higher heights be located in the southeast corner of the subject lands. In addition, the *Neighbourhood* designation on this site will only permit 4-storeys.

Site and Area Specific Policy 509 applying to Broadview Avenue, from Danforth Avenue to O'Connor Drive, does not contemplate a building of this height, mass or scale. SASP 509 is intended to guide and manage moderate incremental development on Broadview Avenue. This moderate incremental development complements, builds upon, and strengthens the physical character of the area as a whole and within each of its five character areas. The site falls within Character Area E which is recognized as a *Neighbourhood* in the Official Plan. As previously mentioned, development in *Neighbourhoods* should respect and reinforce the existing physical character of the area,



which would include one- and two-storey residential buildings and a few interspersed four-storey walk-up apartments. This proposal does not meet SASP 509.

In addition to SASP 509, the Broadview Avenue Urban Design Guidelines also recognizes Character Area E as a *Neighbourhood*. The design guidelines state that, "As this is an area where major intensification is not anticipated, any new development will respect and reinforce the existing physical character in the form of single-detached houses of two to three storeys in height".

It should be noted that the proposed building fails to meet not only the policies and development criteria for *Neighbourhood* properties, but also the policies of an *Avenue* for a midrise building. The proposed building is a tall building in an area not targeted for growth and which would not otherwise allow a tall building.

The application in its current form does not respect and reinforce the existing physical character of the neighbourhood in terms of height, scale and massing. Moreover, it is not in keeping with Official Plan policy with regard to providing appropriate transition and compatibility with surrounding built form contexts and does not adequately limit impacts to privacy.

### **Shadow**

The Official Plan requires that new development will adequately limit any resulting shadowing of neighbouring streets, properties and open spaces, having regard for the varied nature of such areas. The applicant provided a shadow study, illustrating that during the fall and spring equinoxes at least one property designated *Neighbourhoods* to the north would be shadowed from 10:18 AM to 6:18 PM and that another property will be shadowed from 2:18 PM to 6:18 PM. More residential properties are shadowed from 4:18 PM to 6:18 PM on the other side of Broadview Avenue, some of which are completely shadowed.

The shadow study also illustrates shadow impact on the summer equinox, when the sun is at its highest peak, casting the least amount of shadows. A residential property to the north is shadowed from 1:18 PM to 2:18 PM. At 5:18 PM, the front yards of neighbourhood properties on the east side of Broadview Avenue are shadowed and at 6:18 PM residential properties are completely shadowed.

The proposed 11-storey building does not adequately limit shadowing on neighbouring properties.

### **Streetscape**

The proposal provides a 10-metre setback from the front (east) property line, which is consistent with the Broadview Avenue Urban Design Guidelines. Provided within this setback are tree plantings and front yard patios. Planning staff support the 10-metre setback, and would require this setback should the proposal be revised.

## **Heritage**

The property at 1132 Broadview Avenue was included on the City's Heritage Register by Council on September 27, 2006. The heritage property was formerly known as the Chester Park Estate. The main house was demolished in 1976 and a coach house (circa 1888) located at the west side of the property adjacent to Hillside Drive remains.

The proposal includes demolition of three 1960s residential style buildings located at the south and east portion of the property along with an administration building that fronts onto Broadview Avenue. While the proposal will retain and convert the coach house into residential units, the proposed 11-storey building on the east portion of the site is out of scale with the existing heritage building and does not provide an appropriate transition to the lower scale coach house. As well, the four buildings proposed for demolition, which were identified as having heritage potential in the Broadview Avenue Urban Design Guidelines, should be considered for conservation.

## **Traffic Impact, Access, Parking**

Transportation Services are reviewing the plans and studies submitted by the applicant from a transportation perspective. As of the date of this report, comments have not been received by Transportation Services respecting this application.

## **Servicing**

Engineering and Construction Services are reviewing the plans and studies submitted by the applicant from a servicing perspective. As of the date of this report, comments have not been received by Engineering and Construction Services respecting this application.

## **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 subject lands 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.

At the alternative rate of 0.4 hectares per 300 units, specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 2,973 square metres or 30% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 982 square meters.

The applicant would be required to satisfy the parkland dedication requirement through an on-site parkland dedication of 982 square metres. The park is to be unencumbered, uniform in shape and topography, with visibility and accessibility from public roads.

On-site parkland will enhance the availability of green space in the vicinity of the development, which moves towards establishing connections to adjacent green spaces such as Charles Sauriol Parkette, and the future parks that will be located at 1015 and

1099 Broadview Avenue as identified in the Broadview Avenue Planning Study. The park should be located on the southeast corner of the site with frontage on Broadview Avenue. Currently, no parkland is proposed on site. Outdoor amenity space and a landscaped area between the proposed 11-storey building and the existing coach house is provided; however, these areas are not proposed for public parkland purposes and do not front on Broadview Avenue.

## **Housing**

Policy 3.2.1 of the Official Plan states that a full range of housing, in terms of form, tenure, and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes shared and/or congregate living arrangements and supportive housing.

The existing uses on the site include 8 group homes, a 68-person capacity, with 24-hour personal care. The group homes support adults with developmental disabilities.

Planning staff have reviewed the proposal against the specific housing policies in Chapter 3.2.1 of the Official Plan regarding rental demolition as well as Chapter 667 of the Municipal Code. Based on the information provided the application has provided no information on how or whether the owner would continue to provide the housing and services that it currently delivers on the site.

## **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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Tel. No. 416-392-3566  
E-mail: George.Pantazis@toronto.ca

## **SIGNATURE**

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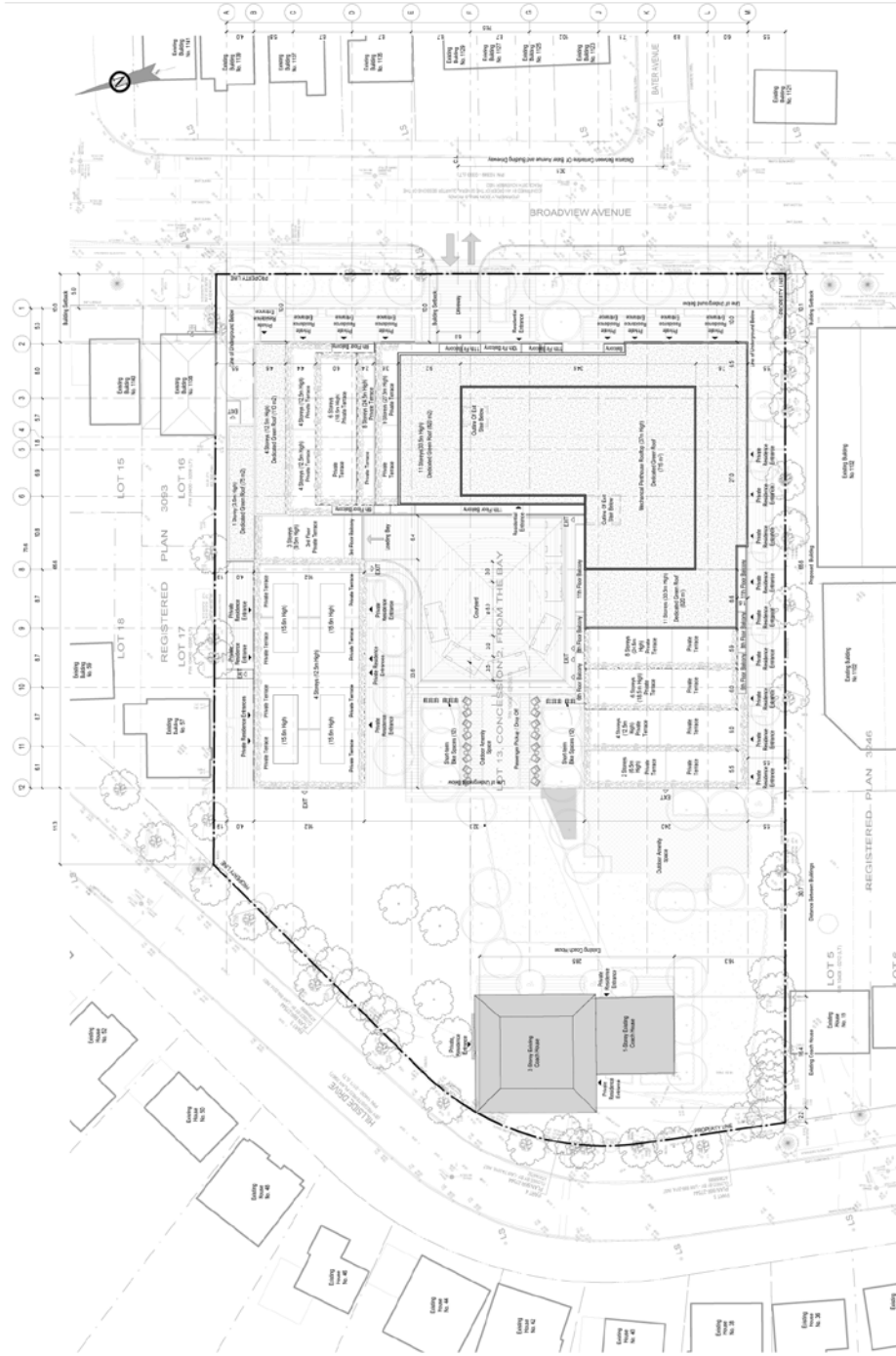
Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: South & West Elevations
- Attachment 3: North & East Elevations
- Attachment 4: Official Plan Designation
- Attachment 5: Zoning By-law
- Attachment 6: Application Data Sheet

# Attachment 1: Site Plan

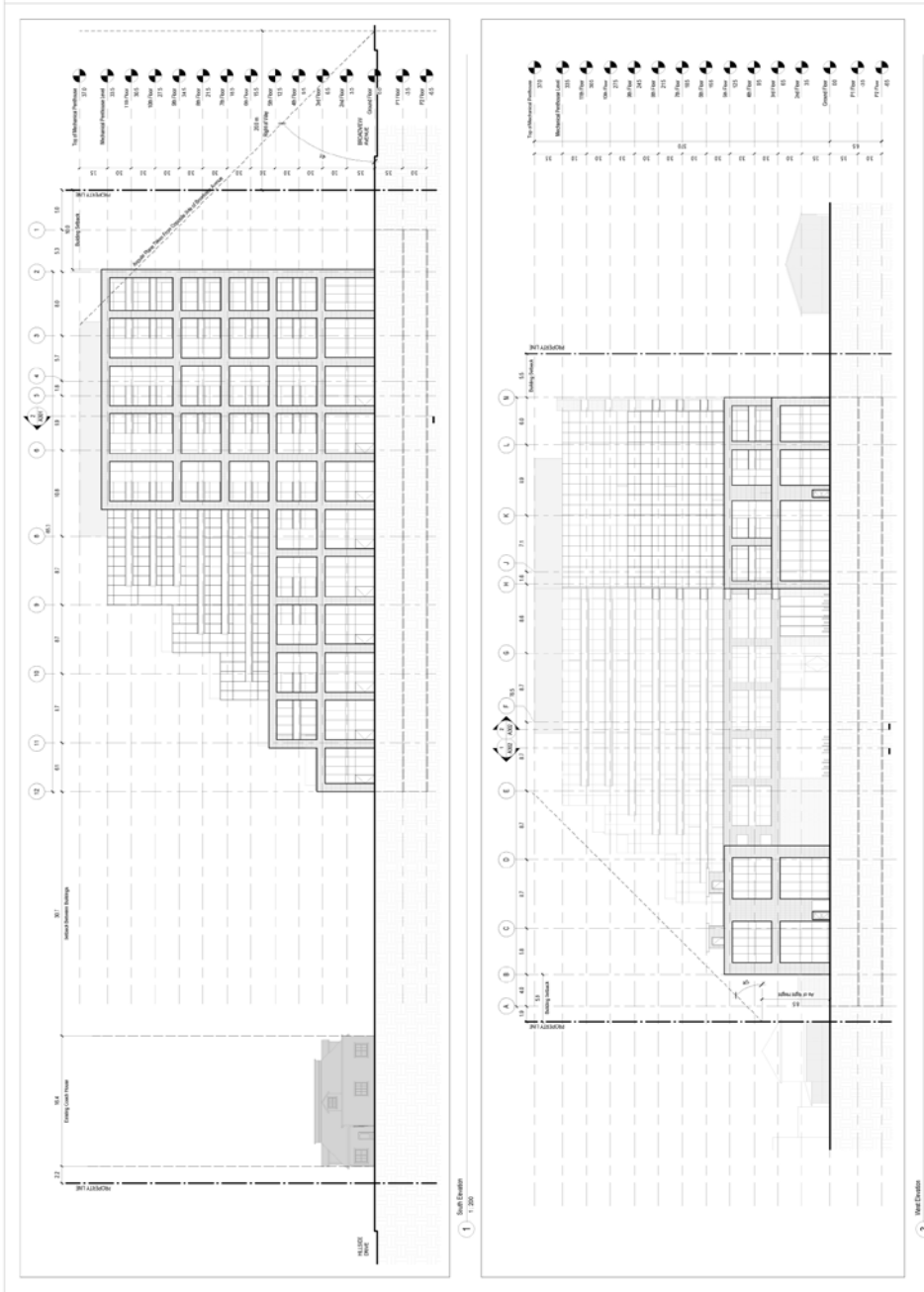


1132 Broadview Avenue

**Site Plan**  
 Applicant's Submitted Drawing  
 Not to Scale  
 12/07/2017

File # 17 257808 STE 29 0Z

Attachment 2: South & West Elevations



1132 Broadview Avenue

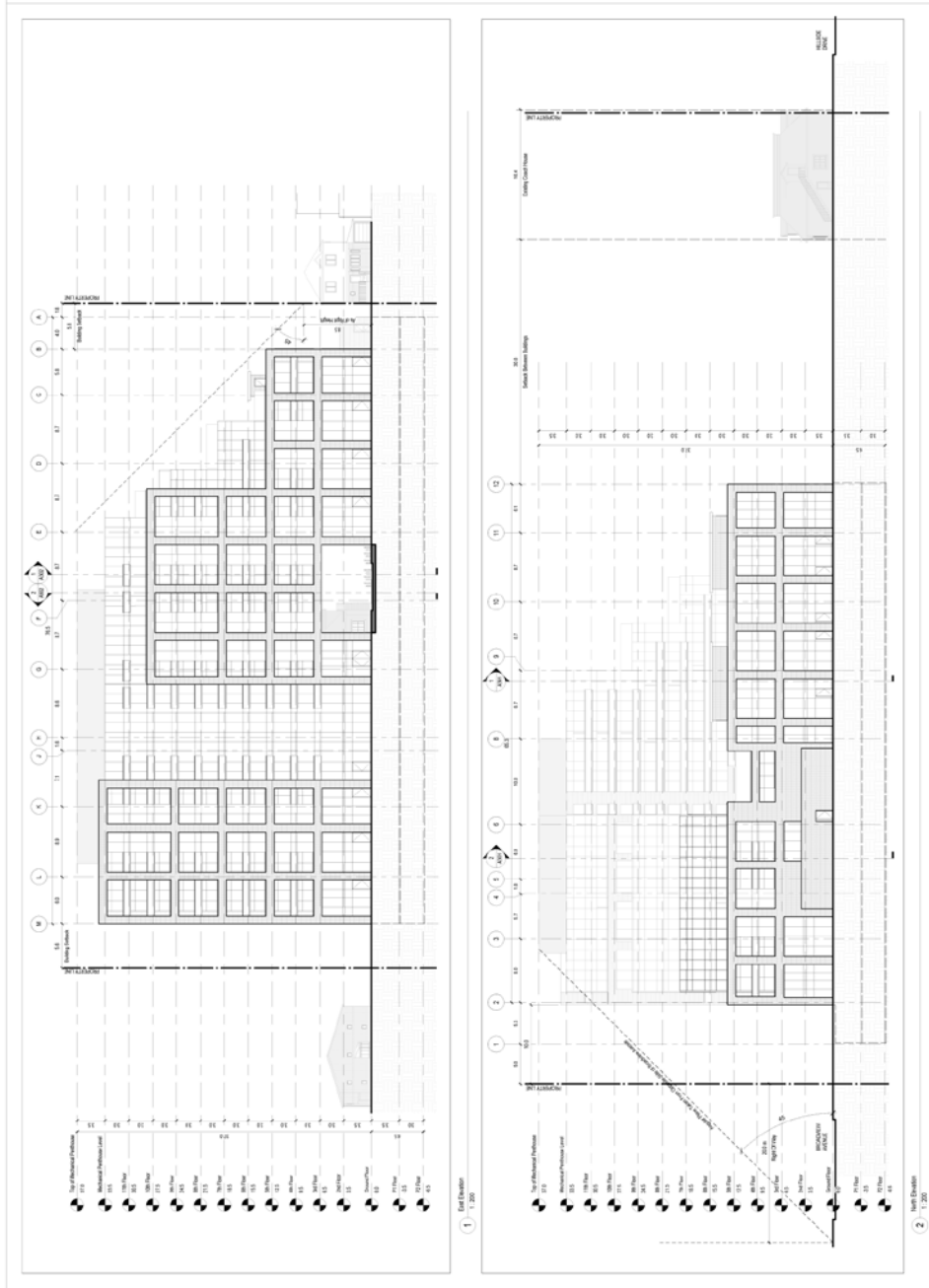
South & West Elevations

Applicant's Submitted Drawing

Not to Scale  
12/07/2017

File # 17 257808 STE 29 0Z

**Attachment 3: North & East Elevations**



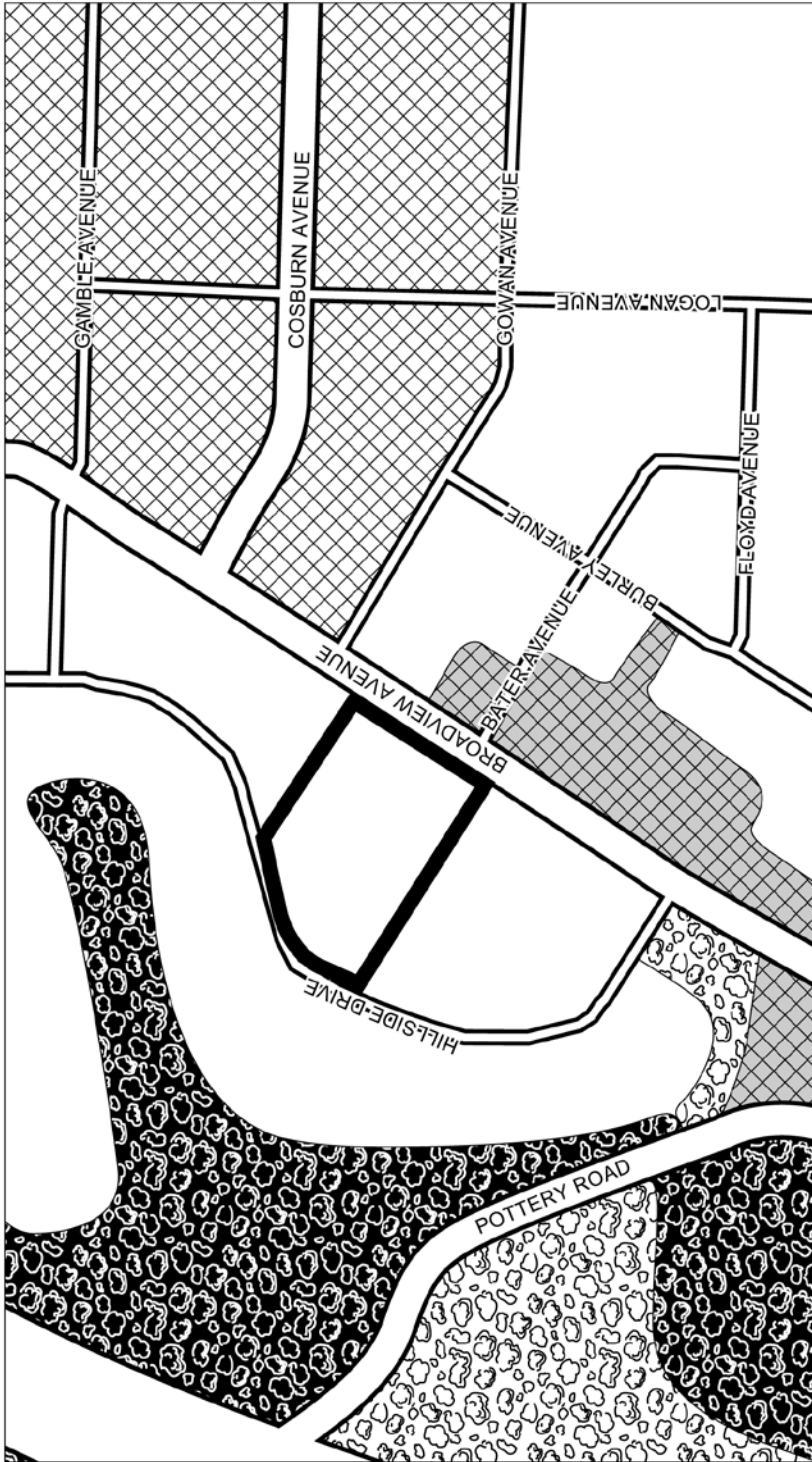
**East & North Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 12/07/2017

**1132 Broadview Avenue**

File # 17 257808 STE 29 0Z

Attachment 4: Official Plan Designation



1132 Broadview Avenue

**Toronto**  
Extract from Official Plan

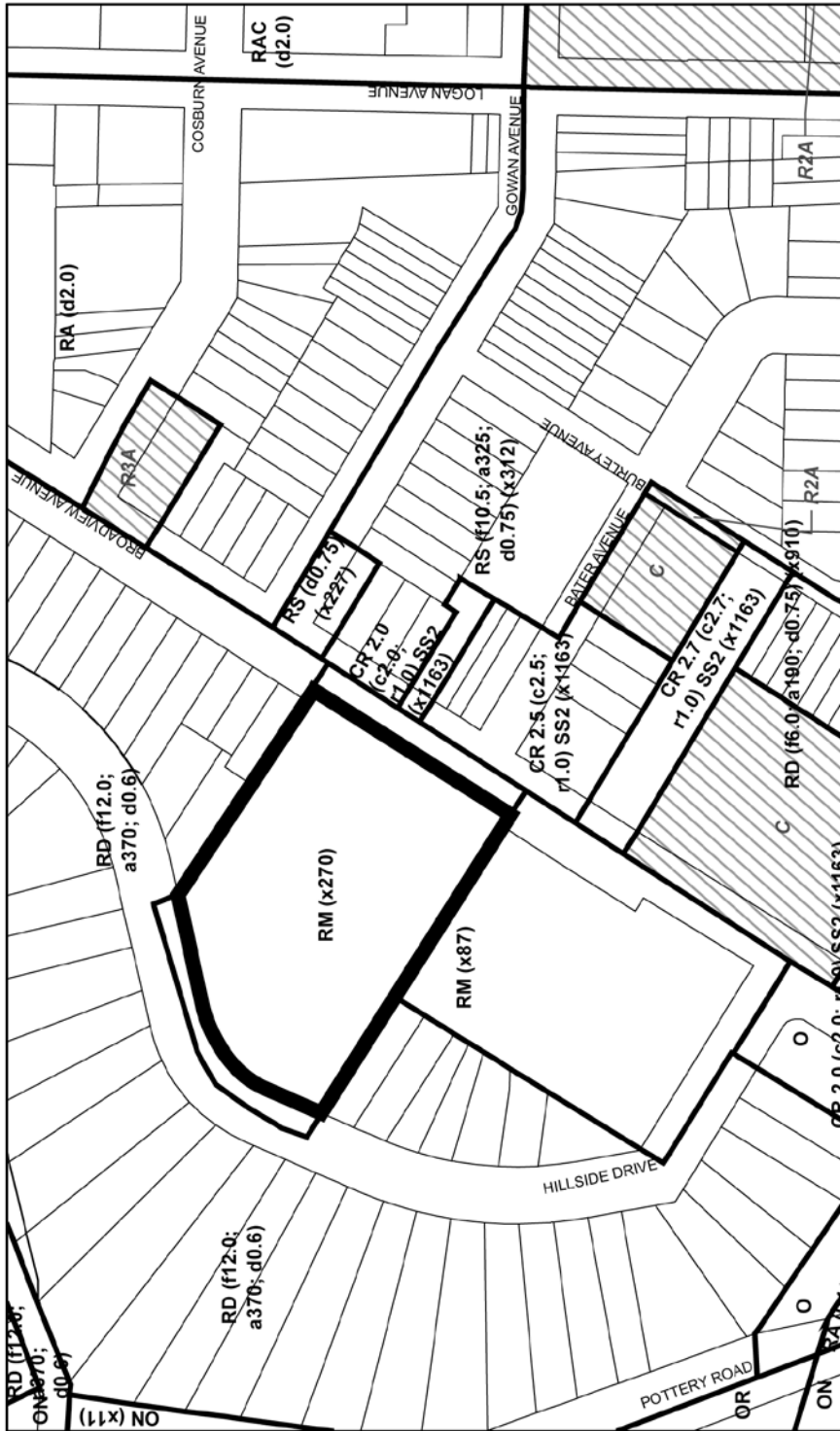
File # 17 257808 STE 29 0Z



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Not to Scale  
12/07/2017



### Attachment 5: Zoning By-law



**Toronto**  
 1132 Broadview Avenue  
 File # 17 257808 STE 29 0Z

**Toronto**  
 Zoning By-Law No. 569-2013

See Former Borough of East York By-Law No. 6752

	Location of Application		R2A Residential Apartment
	RD Residential Detached		R3A Residential Apartment
	RS Residential Semi-Detached		C Commercial
	RM Residential Multiple		
	RA Residential Apartment		
	RAC Residential Apartment Commercial		
	CR Commercial Residential		
	O Open Space		
	ON Open Space Natural		
	OR Open Space Recreation		

↑  
 Not to Scale  
 Extracted: 12/06/2017

## Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment	Application Number:	17 257808 STE 29 OZ
Details	OPA, Standard	Application Date:	November 3, 2017

Municipal Address: 1132 BROADVIEW AVE

Location Description: CON 2FB PT LOT 13 PLAN 3005 PT BLK A N PT CHESTER PARK & PLAN 3005 N BLK A \*\*GRID S2902

Project Description: This application proposes to amend the Official Plan to redesignate the subject lands from *Neighbourhoods* to *Mixed Use Areas* and to permit an 11-storey residential building while maintaining the existing heritage coach house building at the rear of the site.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Mr. Robert Blunt Dentons Canada LLP 77 King Street West, Suite 400, Toronto ON M9N 1L4	Mr. Robert Blunt Dentons Canada LLP 77 King Street West, Suite 400, Toronto ON M9N 1L4	ERA Architects Inc. 10 St. Mary Street, Suite 801, Toronto ON M4Y 1P9	The Governing Council of Salvation Army 2 Overlea Boulevard Toronto ON M4H 1P4

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	OPA 343, SASP 509
Zoning:	RM (x270)	Historical Status:	Y
Height Limit (m):	8.5 (7562); 10 metres (569-2013)	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	9,822	Height:	Storeys:	11
Frontage (m):	76.5		Metres:	33.5
Depth (m):	132			
Total Ground Floor Area (sq. m):	3,586			<b>Total</b>
Total Residential GFA (sq. m):	26,248		Parking Spaces:	235
Total Non-Residential GFA (sq. m):	0		Loading Dock:	1
Total GFA (sq. m):	26,248			
Lot Coverage Ratio (%):	36.5			
Floor Space Index:	2.67			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	108
2 Bedroom:	60
3 + Bedroom:	55
Total Units:	223

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	26,248	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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

